1. Planning Commission Work Session Meeting Documents

Documents: CPC AGENDA 4.6.16.PDF, CPC MINUTES 3.2.16.PDF, CPC MINUTES 3.16.16.PDF, CZ-16-379.PDF, PLN-16-14.PDF, CU-15-353.PDF

NEWPORT NEWS CITY PLANNING COMMISSION

2400 WASHINGTON AVENUE
NEWPORT NEWS, VIRGINIA 23607

MICHAEL F. CARPENTER
Chairman

MARK W. MULVANEY
Vice-Chairman

(757) 926-8761

SHEILA W. McALLISTER
Executive Secretary

- A G E N D A –

NEWPORT NEWS CITY PLANNING COMMISSION
April 6, 2016
4:00 P.M.
CITY COUNCIL CHAMBERS

A. CALL TO ORDER

B. INVOCATION

C. MINUTES OF MARCH 2, 2016

D. MINUTES OF MARCH 16, 2016 WORK SESSION

E. PUBLIC HEARING

***FRAMEWORK FOR THE FUTURE 2030* COMPREHENSIVE PLAN AMENDMENT**

PLN-16-14, City of Newport News. Requests an amendment to the *Framework for the Future 2030* comprehensive plan land use map designation from transportation, natural area/open space and parks and recreation to community commercial for a 33.37 acre portion of an 824.62 acre parcel located at 900 Bland Boulevard. The Parcel No. is 112.00-01-01. **(Contact Planner: Angela Hopkins at 926-8077)*(To be heard by City Council on April 26, 2016)***

CHANGE OF ZONING

CZ-16-379, Peninsula Airport Commission. Requests a change of zoning from M1 Light Industrial to C1 Retail Commercial with proffers on a 33.37 acre portion of an 824.62 acre parcel located at 900 Bland Boulevard to allow retail development. The subject area is roughly bounded by Jefferson Avenue and Brick Kiln Boulevard. The *Framework for the Future 2030* comprehensive plan recommends transportation, natural area/open space and parks and recreation for the site. *(A plan amendment change to the Framework for the Future 2030 is pending.)* The Parcel No. is 112.00-01-01. **(Contact Planner: Claudia Cotton at 926-8075)*(To be heard by City Council on April 26, 2016)***

CONDITIONAL USE PERMIT

CU-15-353, Centre Court Racquet Club. Requests a conditional use permit to allow for the operation of a mini-storage warehouse-single entrance interior storage facility on two (2) parcels totaling 3.73 acres located at 12445 & 12447 Warwick Boulevard and zoned C1 Retail Commercial. The Parcel Nos. are 220.00-02-03 & 211.00-01-83. **(Contact Planner: Saul Gleiser at 926-8076)*(To be heard by City Council on April 26, 2016)***

F. EXECUTIVE SECRETARY REPORT

G. COMMITTEE REPORTS

H. UNFINISHED BUSINESS

I. NEW BUSINESS

J. ADJOURN MEETING

Sheila W. McAllister, AICP
Executive Secretary

MINUTES OF THE PLANNING COMMISSION MEETING
Wednesday, March 2, 2016
City Council Chambers
2400 Washington Avenue
Newport News, Virginia

PRESENT: Michael F. Carpenter, Chairman; Mark Mulvaney, Vice-Chairman; Willard G. Maxwell, Jr.; Sharyn L. Fox; Robert B. Jones; Elizabeth W. Willis; N. Steve Groce; (Staff: Sheila W. McAllister, Director of Planning; Claudia Cotton, Manager of Current Planning; Saul Gleiser, Senior Planner; Flora Chioros, Planning Coordinator; David Watson, Planner; Johnnie Davis, Planner; Sandra Hitchens, Planner; Lynn Spratley, Deputy City Attorney; Sherry Graham, Inspector III)

ABSENT: Lorraine P. Austin and Daniel L. Simmons, Jr.

CALL TO ORDER

Ms. Willis read the Planning Commission's purpose as stated in Section 15.2-2210 of the Code of Virginia. She made a motion to adopt the agenda before the Planning Commission. Mr. Mulvaney seconded the motion. The City Planning Commission voted to adopt the agenda by acclamation.

INVOCATION

Mr. Maxwell presented the invocation.

MINUTES

Ms. Fox stated she was misquoted in the minutes of the February 3, 2016 public hearing. She stated she had reviewed the domestic animal ordinances of neighboring localities online, but she had not contacted them directly. The minutes of the February 3, 2016 public hearing were approved as amended.

The minutes of the February 17, 2016 work session were approved as presented.

PUBLIC HEARING

CONDITIONAL USE PERMITS

CU-16-361, DED LLC Requests a conditional use permit to allow for a small motor vehicle repair and service facility and an automobile leasing facility on a 1.64 acre parcel located at 11606 Jefferson Avenue and zoned C2 General Commercial. The Parcel No. is 213.00-06-09.

Saul Gleiser, Senior Planner, presented the staff report (copy attached to record minutes).

Ms. Fox asked if the application is identical to the previous use of the property, with repair and storage of automobiles. Mr. Gleiser stated that, previously, repairs were only for the cars that were sold at the property.

Ms. Fox asked for the definition of storage of cars in a state of disrepair. Mr. Gleiser stated it means visibly damaged cars that are brought in must be stored somewhere other than the front of the property while they await repair. Ms. Fox asked if that is for short-term use only. Mr. Gleiser stated yes.

Mr. Carpenter opened the public hearing.

Mr. Tim Trant, 11815 Fountain Way, Attorney for the applicant, spoke in favor of the application. Mr. Trant thanked Planning staff for their assistance. He gave a brief description of the project.

Mr. Mulvaney stated the applicant services large machinery. He asked if there would be any type of repairs for large trucks or machinery on the subject property. Mr. Trant stated no. He stated all of that business, to include towing and large motor vehicle repair, will remain where it is permitted on the 16 Robinson Drive location and a storage lot at the rear of the subject site, which has been in existence since 1982. Mr. Trant stated the large motor vehicle repair business will remain in the rear of the existing site, where it is now, and 16 Robinson Drive, and will not move to the frontage of the parcel on Jefferson Avenue.

Mr. Carpenter stated there is a picture of a decorative opaque metal fence that looks like it is a faux wrought iron fence with something that blocks the view through the fence. Mr. Trant stated that there is an existing fence on the site behind the existing building which will be converted into the automotive repair and automobile leasing facility. He stated it is a chain link fence that runs the length of the property and screens the rear large motor vehicle operations with vinyl slats from the proposed use. Mr. Trant stated Planning staff worked with the applicant and came on site and gave him a number of options for screening the proposed small motor vehicle repair use. Mr. Trant stated the option selected by the applicant is a black aluminum fence with a mesh screen of industrial grade fabric that goes behind the fence and provides the opaque screening Planning staff was looking to achieve. Mr. Carpenter asked if the fence would be on wheels and rolled back and forth. Mr. Trant stated the fence would be permanent and placed in concrete footers extending from the rear of the building to the Tire City location. He stated there will be a segment of the fence with a gate that is motorized and capable of rolling back and forth.

Mr. Carpenter asked if the operation on Robinson Drive is also using some of the land that fronts on Jefferson Avenue for the same operation. Mr. Trant stated yes, there is a

portion of the large motor vehicle repair and towing business that presently occurs on the rear of the subject site. Mr. Carpenter asked if the subject property is zoned appropriately and the business on 16 Robinson Drive has the right to use that land. Mr. Gleiser stated that, in talking with the Zoning Administrator, that portion of the property has been used since the business started and is grandfathered. He stated that because they are not proposing any changes to that portion of the parcel, it is okay to continue its present use.

Mr. Carpenter closed the public hearing.

Ms. Fox made a motion to recommend approval of conditional use permit CU-16-361 to City Council, as recommended by staff. The motion was seconded by Mr. Jones.

Vote on Roll Call
For: Maxwell, Fox, Jones, Mulvaney, Willis, Groce, Carpenter
Against: None
Abstention: None

The Planning Commission voted unanimously (7:0) to recommend approval of conditional use permit CU-16-361 to City Council.

CU-16-363, Adath Jeshurun Synagogue Requests a conditional use permit to allow for the construction of an automobile gasoline supply station in conjunction with a convenience store (7-Eleven) on a 1.61 acre parcel located at 12646 Nettles Drive and zoned C1 Retail Commercial. The Parcel No. is 193.00-04-09.

David Watson, Planner, presented the staff report (copy attached to record minutes).

Ms. Willis asked if there is a second driveway adjacent to the entrance on Nettles Drive. Mr. Watson stated yes. Ms. Willis asked if there are any regulations on how close driveways can be between the 7-Eleven and the adjacent apartment complex. Ms. McAllister stated they need to be 30 feet from the property line.

Mr. Carpenter opened the public hearing.

Mr. Stephen Romine, 999 Waterside Drive, Norfolk, Attorney for the applicant, spoke in favor of the application. Mr. Romine thanked Planning staff for their assistance. He gave a brief description of the project. Mr. Romine stated they had planned a six (6) foot privacy fence along the southern and eastern property lines; however, prior to the meeting they met with Barry Nachman, owner of the adjacent apartment complex, and have changed it to an eight (8) foot wood on wood privacy fence.

Ms. Fox asked why a wood privacy fence was selected. Mr. Romine stated the plan is to provide as much privacy to the adjoining apartment complex. He stated we had originally planned to construct a six (6) foot fence, but Mr. Nachman has indicated that

there is a lot of foot traffic that runs across his property and adjacent properties with pedestrian cut-throughs and he was concerned about a travel-way between the 7-Eleven and the apartments. Mr. Romine stated we want to make the fence sufficiently high enough so it would impede that movement, in addition to heavy landscaping on each side of the fence so that over time it will become an attractive hedge. Ms. Fox stated previous applications have asked for a decorative opaque fence. Ms. McAllister stated the Ordinance dictates the fence requirements. She stated that within 100 feet of a right-of-way, a decorative opaque fence would be required.

Mr. Barry Nachman, 720 Thimble Shoals Boulevard, stated he is neutral to the application. He stated he is the property owner of the apartment complex adjacent to the subject property. Mr. Nachman stated that in working with 7-Eleven, they have done everything he has asked of them. He stated he is pleased with the proposed eight (8) foot privacy fence because they have had a lot of pass-through pedestrian traffic through the apartments. Mr. Nachman stated that, with the vacancy of the existing synagogue structure, people are hanging out, which has become problematic. He stated he thinks 7-Eleven is being a good corporate citizen and will build an attractive facility.

Mr. Orlando Alvarez, 2629 Spring Road, spoke in opposition of the application. Mr. Alvarez stated he has lived in the neighborhood adjacent to the proposed 7-Eleven for over 20 years and he is concerned about the foot traffic trespassing through his and his neighbor properties and throwing trash on the ground. He stated that if the city had built the sound barrier on City Center Boulevard all the way down the road, nobody could go around it and that would solve his foot traffic problem. Mr. Alvarez stated that if the 7-Eleven is robbed, or if there was an altercation in their parking lot, a wood fence would not stop a bullet but a brick wall or sound barrier would. He stated his grandchildren and his neighbor's children play outside and he is concerned a would-be robber would run through his neighborhood. Mr. Alvarez stated there is a 7-Eleven on the corner of Nettles Drive and Oyster Point Road and another 7-Eleven 1.6 miles down on Warwick Boulevard. He stated he is concerned about the lighting from the parking lot as well.

Mr. Carpenter asked how far down the sound attenuation wall extends. Mr. Alvarez stated it goes to the back of the properties at the end of the cul-de-sac of Bryan Court. Mr. Carpenter stated the eight (8) foot privacy fence should help with the foot-traffic problem. Mr. Watson stated there is a BMP located between the proposed 7-Eleven and the sound barrier wall.

Mr. Jones asked to what kind of foot traffic is Mr. Alvarez referring. Mr. Alvarez stated there are a lot of kids in the area who take a short cut through his street and his neighbors' back yards to get across City Center Boulevard to the basketball courts outside of the Jewish Community Center.

Mr. Carpenter asked Mr. Alvarez what he would propose to correct the situation. Mr. Alvarez stated he would like the 7-Eleven to have a brick and mortar fence in lieu of an eight (8) foot wood privacy fence.

Mr. Maxwell asked if Mr. Alvarez's main concern is a stray bullet coming through his neighborhood. Mr. Alvarez stated yes. Mr. Watson stated that right now, there is a vacant building; however, with the lighting, security cameras, and wood privacy fence, they have done their due diligence for the security of the area. Mr. Alvarez disagreed. Mr. Groce asked if the city is responsible for the sound barrier wall. Ms. McAllister stated it was constructed by VDOT.

Mr. Romine shared the 7-Eleven site plan depicting the proposed eight (8) foot wood privacy fence along the eastern and southern boundary lines. He stated the city ordinance requires a step down when you are close to a right-of-way. Mr. Romine stated the parcel between the proposed 7-Eleven and the neighborhood is owned by the city. He stated it is a wet BMP. Mr. Romine stated he thinks the reason why the sound barrier wall ends is so the city can have access to its BMP for maintenance. He stated that once the fence is built along the southern and eastern boundaries, we have done all we can do to secure our site. Mr. Romine stated he is sympathetic to Mr. Alvarez's concerns, but he does not feel that we can fully address his concerns. Mr. Romine stated that extending the sound barrier to the intersection does nothing to address Mr. Alvarez's concerns. He stated even if the sound barrier wall came across the city's BMP property to the subject property line, it does not resolve that problem unless you are trying to connect those fences; however, the fence would still need to step down adjacent to the right-of-way so it would not be an eight (8) foot fence all the way to the right-of-way. Mr. Romine stated there is not a solution where it is completely secure and he feels it would be unreasonable to require that.

Mr. Mulvaney stated the applicant is constructing a barrier fence and it is not appropriate for the Planning Commission to make the determination that a bullet-proof fence be installed. He stated the intention of the fence is to block the site from the adjacent apartments, and it is not appropriate for the Planning Commission to determine the fence be made of a different material based on a potential threat of a bullet. Mr. Carpenter stated it is the Planning Commission's purview to suggest negotiating with a property owner the material of a fence. He stated he has been involved in projects where the city insisted that an attractive masonry wall be built, which is very expensive. Ms. Fox stated the material of the fence should be at the discretion of the Director of Planning. Mr. Mulvaney stated his comments were based on the actual use, which is not a shooting range or a rifle facility. He stated that for Planning Commission to force the applicant to build a masonry wall because of potential bullet impacts is not in our purview.

Mr. Maxwell stated he feels that Mr. Alvarez is concerned that 7-Eleven will bring more crime to his neighborhood, and it would actually deter the crime. He stated a vacant building will attract more crime than a 7-Eleven store. Mr. Romine agreed. He stated

that, as a corporate citizen, 7-Eleven is concerned about the security of their personnel and their customers. Mr. Romine stated 7-Eleven is the leader in the industry for crime prevention and safe and secure sites.

Ms. McAllister asked the Planning Commission to consider that this is an exposed corner. She stated the privacy fence is not adjacent to the backyards of residences. Ms. McAllister stated there will be a retention pond behind that particular fence or wall which will be exposed to City Center Boulevard.
Mr. Carpenter closed the public hearing.

Mr. Mulvaney made a motion to recommend approval of conditional use permit CU-16-363 to City Council, amending Condition No. 4 that the fence be an eight (8) foot high privacy fence. The motion was seconded by Ms. Fox.

Ms. Willis stated that, while she is cognizant of Mr. Alvarez's concerns of having something he considers dangerous being built near his neighborhood, she feels it would be unreasonable to expect 7-Eleven to build a thicker, bigger, more expensive wall. She stated that the proposed fence is suitable.

Vote on Roll Call
For: Fox, Jones, Mulvaney, Willis, Groce, Maxwell, Carpenter
Against: None
Abstention: None

The Planning Commission voted unanimously (7:0) to recommend approval of conditional use permit CU-16-363 to City Council, as amended.

LEE HALL CORRIDOR OVERLAY DISTRICT REVIEW COMMITTEE APPOINTMENT

Ms. McAllister asked that the Planning Commission appoint Mr. Woodrow W. Sanders, Jr., of 23 Ripley Street, to the Lee Hall Corridor Overlay District Review Committee as a citizen member.

Ms. Fox made a motion to recommend Mr. Woodrow W. Sanders, Jr., be appointed to the Lee Hall Corridor Overlay District Review Committee as a citizen member. The motion was seconded by Ms. Willis.

Vote on Roll Call
For: Jones, Mulvaney, Willis, Groce, Maxwell, Fox, Carpenter
Against: None
Abstention: None

The Planning Commission voted unanimously (7:0) that Mr. Woodrow W. Sanders, Jr. be appointed to the Lee Hall Corridor Overlay District Review Committee as a citizen member.

EXECUTIVE SECRETARY REPORT

Ms. McAllister stated on February 16, 2016, the Board of Zoning Appeals approved the special exception for the transitional buffer reduction at 2000-2010 27th Street. She stated on February 23, 2016, City Council approved the zoning text amendments for the Police K9 Training Facility.

Ms. McAllister stated we would like to request a work session on March 16, 2016 to review an amendment to the Comprehensive Plan land use map. She stated this amendment accompanies a rezoning that will be heard on April 6, 2016 for property located at Brick Kiln Boulevard and Jefferson Avenue. Ms. McAllister stated the plan amendment is for 33.37 acres and the change of zoning is from M1 Light Industrial to C1 Retail Commercial with proffers. The Planning Commission will also hear a conditional use permit for a mini warehouse-single entrance interior storage facility at 12445 & 12447 Warwick Boulevard.

There being no further business, the meeting adjourned at 5:03 P.M.

Recording Secretary

Executive Secretary

MINUTES OF THE PLANNING COMMISSION WORK SESSION
Wednesday, March 16, 2016
10th Floor Conference Room of the City Hall Building
Newport News, Virginia

PRESENT: Michael F. Carpenter, Chairman; Mark W. Mulvaney, Vice-Chairman; Willard G. Maxwell, Jr.; Sharyn L. Fox; Robert B. Jones; Daniel L. Simmons, Jr.; Lorraine P. Austin; Elizabeth W. Willis, N. Steve Groce (Staff: Sheila W. McAllister, Director of Planning; Britta Ayers, Manager of Comprehensive Planning; Saul Gleiser, Senior Planner; Angela Hopkins, Senior Planner; Johnnie Davis, Planner; Flora Chioros, Planning Coordinator; Melissa Leskovar, Administrative Assistant II; Lynn Spratley, Deputy City Attorney; John Kaoudis, Assistant Director of Engineering; Jaqueline Kassel, Chief of Transportation Engineering; David Wilkinson, Assistant Chief of Transportation; Bryan Stilley, Engineer II; Chris Morello, Administrator of Development Projects; Anita Walters, Communications **Guests:** Chris Henderson, CBRE Hampton Roads; Teresa Clift, Daily Press

ABSENT: None

Mr. Carpenter opened the work session at 4:00 P.M.

Mr. Carpenter introduced the first item on the agenda: *Framework for the Future 2030* Comprehensive Plan Amendment PLN-16-14. Ms. Ayers presented the plan amendment for a 33.37 acre portion of an 824.62 acre parcel located at 900 Bland Boulevard.

Mr. Carpenter stated there is an elephant in the room that needs to be addressed. He stated that the idea that a certain grocery store named Wegmans might come to Newport News should not be the elephant in the room; the reason for that is it is already out there. Mr. Carpenter stated that in the past few months he has had a conversation with over twenty people who came to him with questions about it. He stated he does not think it needs to be kept a secret and he does not feel that it is fair to keep it a secret because if you are assuming and making it a secret, you are taking away the transparency that should be there. Mr. Carpenter stated we are not here to talk about Wegmans; we are here to talk about land use only. He stated Wegmans may or may not come to Hampton Roads, this location or not. Mr. Carpenter stated he does not see why it needs to be a secret when he believes it is already out there. He stated this work session is not to discuss a rezoning issue, Wegmans or a shopping center. Mr. Carpenter stated we are here to discuss a general land use. He asked staff what is the difference between the comprehensive plan, land use and zoning. Ms. McAllister stated we are here to discuss the comprehensive plan. She stated the comprehensive plan drives what the ultimate land use can or cannot be because it determines what the zoning will be. Ms. McAllister stated how you look at the comprehensive plan is that it stands alone. She stated it does not matter what any commercial use may be. Ms. McAllister stated what you are looking at is a piece of land and trying to determine

whether or not a commercial designation is appropriate, or another designation is appropriate, and basing that determination on where that land is located, the impacts it would have either on transportation or the uses that are around it. She stated you are not basing it on any use that may go there because commercial is commercial, which means when you look at the zoning ordinance, if this area is designated as community commercial, and if it is ultimately rezoned as commercial, then any commercial use in the zoning ordinance would be allowed to go there by-right or by conditional use permit. Ms. McAllister stated you have to evaluate the plan amendment on its own merit. She stated what happens first would be the plan amendment. Ms. McAllister stated that if the commission decides today that instead of the property being identified the way it is currently, that it should be changed to a community commercial designation, then that will determine what happens later down the road as far as zoning and what develops there.

Ms. Fox asked how does this designation change benefit the airport. She asked if the airport is selling the property. Ms. McAllister stated the airport would probably lease the property on a long-term lease so it will remain the airport's land. Ms. Ayers stated the income from the lease will allow them to invest that money into other projects for improvements at the airport. Ms. Fox asked if, because they are interested in leasing this property, they do not feel that they need it for any type of growth or other land use for the airport. Ms. Ayers stated that is correct. She stated that on their own version of a land use plan, they identify all of the areas over the 1,600 acres of airport property that could be used for non-aviation uses. Ms. Ayers stated whether that is commercial or other industrial that is not associated with the airport, they have identified those areas and have based it on looking at where their expansion plans are, where the runways would be extended if they are extended, and where a third runway would go if it was added. She stated they did that assessment as part of their planning process and determined that this is one of the locations that would not impact any future improvements for expansion of the airport. Ms. Fox asked if, commercially, it would be a good thing for them with income from the lease. Ms. Ayers stated yes, and they felt that, based on what is going on in the Jefferson Avenue Corridor, especially across the street, that it would be compatible with those existing uses. She stated that because there is somewhat of a buffer between that area and the Villages of Kiln Creek, especially with the lake in between, that it would be compatible with the residential areas.

Ms. Fox asked what the buffer is with the Villages of Kiln Creek. Ms. Ayers showed it on a map.

Mr. Jones asked where Brick Kiln Boulevard is on the map. Ms. Ayers showed it on a map.

Mr. Simmons asked who would maintain the proposed realignment of Brick Kiln Boulevard. Ms. Ayers stated we do not know at this time.

Mr. Simmons asked if the land is rezoned, are there any proffers that are going to be discussed. Ms. McAllister stated that would be part of the rezoning and not what is being discussed today.

Mr. Simmons asked if a proposed traffic plan has been approved. Ms. Ayers replied that staff took an initial look at traffic with Department of Engineering transportation engineers, focusing on the proposed realignment and how it would affect traffic if there was some type of commercial use along with this realignment along Jefferson Avenue. She stated they determined that realigning the intersection at Habersham Drive would allow them to reconfigure this intersection to allow for improved traffic flow and it would also allow them to use signal enhancements throughout this portion of the corridor. Mr. Simmons asked if traffic engineering has made any additional recommendations. Ms. Ayers stated this is the initial look at it, and they will take a closer look at traffic counts, etc. when any specific future development is proposed.

Mr. Jones asked if a Traffic Impact Analysis (TIA) would come with the plan amendment. Ms. Ayers stated no, not as part of an amendment. She stated a TIA would come with any future rezoning, if it was warranted.

Mr. Mulvaney asked if the Virginia Department of Transportation (VDOT) had any comment on the plan amendment. Ms. Ayers stated VDOT had no comment on the plan amendment. She stated they would be looking for a TIA with any future development, because that is what would help them determine any traffic impact if property is rezoned.

Mr. Mulvaney asked how we rezone an area in a crash zone right outside of Runway Two, which is one of the longest runways in Newport News, that is utilized by the government on a frequent basis, how any plan amendment to that is not going to impact any future development, unless we are going to completely realign the runways or close it down. Ms. McAllister stated the actual change is outside of the runway. Ms. Ayers stated the airport master plan is a Federal Aviation Administration (FAA) requirement. She stated every airport has to have a master plan and the FAA has to approve it. Ms. Ayers stated the FAA has seen this concept, but that does not mean they have approved a specific development. She stated that any development that occurs on the airport that is not aviation related and is in the vicinity of the runways would have to be coordinated with the FAA. Mr. Mulvaney asked if commercial use could mean anything from airport hangars for maintenance and other associated accompaniments. Ms. Ayers stated that would be considered industrial.

Mr. Mulvaney stated the City of Virginia Beach spent a ton of money going under the same concept to buy properties inside the crash zone to be able to keep Oceana flying, and the military uses Newport News Airport quite a bit for touch-and-goes, which is a big source of revenue.

Mr. Mulvaney stated he is concerned that VDOT has no comments. He asked if that is an additional artery coming out to Habersham Drive from Brick Kiln Boulevard, right at the industrial truck depot where the Exxon is. Ms. Ayers replied that Brick Kiln Boulevard is a collector road. Mr. Mulvaney asked if Brick Kiln Boulevard will remain open with a modified traffic flow, in which you cannot drive straight across to Wal-Mart, you would only be able to turn right or left. Ms. Ayers stated that would be determined by whatever development is proposed. Mr. Mulvaney asked if we are taking the same amount of vehicles that are currently impacting that area, the way it is set up with the barriers, and we are bundling them a few blocks up into a smaller signalized intersection. Mr. Stilley stated if you go to an intersection from there, you can split the amount of traffic. He stated that, instead of it all coming to a singular location, you can go to two locations regardless of any modification of the land use. Mr. Stilley stated that having an extra road provides extra capacity. He stated we are not trying to shove as many vehicles from the side street into the main line at one location. Mr. Mulvaney stated Brick Kiln Boulevard is a great artery for people who are trying to bypass Jefferson Avenue. He stated that once they learn there is a new signalized intersection, you will have more people trying to use those arteries to cut through traffic. Mr. Mulvaney stated creating another artery to reduce traffic has the potential to increase traffic. Mr. Carpenter stated you will have greater uses that generate more car trips when there is a development there.

Ms. Fox stated that, regardless of how far the buffer is, if we recommend the plan amendment we will impact Kiln Creek. She stated it will either be with additional traffic from realigning Brick Kiln Boulevard or whatever development may go there. Ms. Fox stated that once we change the plan, we lose the industrial designation, and thereby forgo any potential airport improvements for the future, and potentially more of the same commercial uses on Jefferson Avenue.

Mr. Jones asked if the other side of Jefferson Avenue is commercial. Ms. Ayers stated yes. Mr. Jones asked if that should be a consideration with the plan amendment. Ms. Ayers stated that Planning staff looked at the compatible uses along the Jefferson Avenue corridor, where the majority of uses are designated as commercial. She stated that community commercial was chosen for this land use change because it is a much smaller area than what is across the street and it would cut down the list of potential commercial uses for the property.

Ms. Austin asked if the realignment of Brick Kiln Boulevard means the existing intersection with Jefferson Avenue will disappear, and the only way to get to Jefferson Avenue would be the realignment with Habersham Drive. Ms. Ayers stated no, we would be extending the realignment to Habersham Drive, creating a new intersection in addition to the Brick Kiln Boulevard and Jefferson Avenue intersection.

Ms. Austin asked if the old airport service roads are being considered in the plan amendment. Ms. Ayers stated no.

Ms. Austin asked if development were to take place between Jefferson Avenue and Brick Kiln Boulevard and the proposed realignment, how are the entrances into that area going to be determined. Ms. Ayers stated that would be determined in the design of any future development and through the rezoning and site plan process.

Ms. Austin asked if the property would be addressed on Brick Kiln Boulevard. Ms. McAllister stated they would have two street fronts, and the property could have a Jefferson Avenue address or a Brick Kiln Boulevard address.

Mr. Carpenter asked if you cannot access the property from Jefferson Avenue. Ms. McAllister stated you will not have direct access into the property because you cannot have any curb cuts right there. She stated they could still have a Jefferson Avenue address because the property fronts Jefferson Avenue. Mr. Carpenter stated it makes good sense that there is no access to the property off of Jefferson Avenue because it is the extension of the off-ramp from I-64, but it makes it more impactful on Kiln Creek because you have to go into Kiln Creek. He stated that, because the access is off of Brick Kiln Boulevard, the traffic going into Kiln Creek will go up because it will be easier to get there, in some cases, by driving through Kiln Creek.

Mr. Mulvaney stated Habersham Drive is a one-outlet intersection now. He stated the lighting timing is based on that because of the minimal use coming out of Habersham Drive.

Mr. Mulvaney stated what is important to look at in this plan amendment is the Base Realignment and Closure Commission (BRAC). He stated we are a huge military area and one of the key components of every BRAC report for this area has been our transportation capabilities and the fact that we cannot move military personnel in an emergency from one place to another. Mr. Mulvaney stated if we start implementing all of these different plans that can potentially impact what the military feels is a bad traffic plan, we could start losing Fort Eustis, Langley Air Force Base, and even Norfolk because there is a lot of military personnel that make the commute from Newport News to the Southside. He asked if the Planning Commission has access to the Newport News Airport's master plan in order to review it. Ms. Ayers stated it is available online.

Ms. Fox asked if Brick Kiln Boulevard is going to be realigned regardless of the plan amendment because it is part of the airport's master plan. Ms. Ayers stated that would be up to the airport to determine. Mr. Carpenter stated it is self-evident that the answer would be no because if they need money, they are not going to spend money to relocate a road to nowhere.

Ms. McAllister stated we are looking at the possibility of Ramp C, which would add a ramp off of I-64 at Boykin Lane by Bland Boulevard, in hopes that it would move some of the traffic that gets off of Jefferson Avenue to that particular ramp, traveling to the neighborhoods off of Warwick Boulevard. She stated it would not be at the Bland Boulevard intersection. Ms. McAllister stated we would need to request the ramp from

VDOT. Mr. Mulvaney asked if that is also the anticipated location of a rail and bus station in that area. Ms. McAllister stated yes, but that would be on the other side of the interstate. She stated we are talking about Ramp C now mainly because of the widening of I-64, in hopes we can get it included with the current VDOT improvements. Mr. Mulvaney stated, in the hours between 4:30 P.M. and 5:30 P.M., the backup on Jefferson Avenue on a good day is a mile and one-half, which backs up onto the interstate in an unsafe manner because of how vehicles are being offloaded on to Jefferson Avenue with all of those barriers.

Mr. Maxwell asked if the airport is worried about losing another airline and that is why they are looking to lease this land for extra revenue. Ms. Ayers stated the airport looked at leasing this land a few years ago. She stated they looked at their forecasts through 2032, the horizon year, and looked at their 1,600 acres of land and determined what they needed to meet their forecasted requirements, where those facilities needed to go and what opportunities there were for aviation type of uses, looking at the general cargo expansions they need and other needed improvements. Ms. Ayers stated that when they looked at what land remained and determined it was basically surplus, and maybe there was some opportunity to generate income on that land to help them implement all of the improvements they identified in their master plan over the 20-year horizon.

Mr. Jones stated the Director of the Airport came and spoke to his rotary about the problems with the airline mergers and competition with Norfolk and Richmond, and that has made it really tough to get a ticket out of Newport News. He asked if the Director of the Airport could make a presentation for the Planning Commission.

Ms. Fox asked why they need a plan amendment right now. She asked if it is because they need money right now, or is it because there is a potential commercial use pushing it.

Mr. Mulvaney stated there is a whole litany of zoning ordinance development considerations around an airport that is available to the general public, which includes the state organizations that actually include legalization and case law affecting planning review and approval necessary from the state agencies around the airport and develop and implement a citizen's public participation program with the appropriate process and relevant information so they can determine whether the uses around the airport are pertinent or not. He stated there are documents out there that allow us the opportunity to take a better look at this.

Mr. Maxwell stated the use can be worked out, but will the airport be here in 2032. He asked if the airport is in a predicament where Norfolk and Richmond Airports are pulling on them so much that this is a phase to prolong an imminent end to the airport.

Mr. Carpenter stated he thinks we have good airports in Norfolk and Richmond, and he tends to think we do not need an airport trying to provide the same services. He stated that maybe Newport News airport should serve private jets, or should be handling all of

the new freight coming into our port. Ms. Fox stated that if we are thinking of it that way, then why are we taking industrial property and changing it to commercial. Mr. Mulvaney stated another component of this is the only other airport outside of Washington, D.C. where you can do military touch-and-goes for Air Force One is Newport News/Williamsburg Airport. Mr. Maxwell stated we need to figure out what the airport's financial state is in order to make a decision. He stated if the airport is going to end up closing, should we go ahead and allow a commercial use there to get ahead of the curve. Mr. Mulvaney stated if the airport closes you are going to put a bunch of homes there with mixed-use. He stated he disagrees with Mr. Carpenter's opinion that we do not need a commercial airport in Newport News. Mr. Carpenter asked that the website link to the Newport News/Williamsburg Airport Master Plan be made available to the Planning Commission for review.

Mr. Groce stated the issue we have here is if this land is going to be commercial or not and it should not matter if the airport closes. Ms. Willis stated if there is a building there that forces the airport to leave and it loses its military access then that is something we should take into consideration. Mr. Groce stated that is something the FAA would address if it is going to create a problem.

Ms. Fox stated the airport does not see it as a problem if they are the ones who want the plan amendment in order to generate revenue. Ms. Austin stated it makes the area a commercial ghetto where you drive miles and miles with nothing but traffic and parking lots. She stated there used to be a little bit of relief on the corner of Oyster Point Boulevard and Jefferson Avenue. Mr. Mulvaney asked how are we replenishing our green space if we continue to build everything out. Ms. Fox stated that maybe we should save this space as a park area.

Mr. Mulvaney stated he would love to see an off-ramp on Bland Boulevard but he does not believe it will relieve traffic impacts. He stated the intersection of Bland Boulevard with all of its directional signs is already confusing without offloading more traffic onto there with people who are not familiar with the intersection and will cause multiple stacking problems. Ms. Austin stated you will also have a new source of traffic close to where the realignment would come out. She stated that is already a very congested area. Ms. Austin stated it was just recently that they put in two storage lanes to turn right onto Bland Boulevard, making six lanes of traffic that are already stacked up and clogged. Ms. Ayers stated that, as part of the design, if Ramp C were to occur, they have preliminarily looked at Bland Boulevard and determined that there would need to be some changes made such as how the lanes are striped and lighting timing. She stated these items would be worked out in design.

Mr. Carpenter asked what does the current *Framework* say regarding those types of lands that we are discussing today, in regard to transportation, natural areas/open space and parks and recreation. Ms. McAllister stated it says that when we have tributaries that we should preserve that space as natural area/open space; however, this particular area is not necessarily natural area. She stated it is identified as natural

area because it is adjacent to the lake. Ms. McAllister stated she is not sure where the park and recreation designation came from, but it is likely because of the easements for signage for Kiln Creek because this particular piece of property used to be part of the Kiln Creek development and was conveyed to the airport, so those designations carried over.

Ms. Austin stated that to be strict on "what is the crash zone" is not good enough. She stated that having a little buffer outside of the crash zone is a smart move. Mr. Maxwell stated the airport would have likely taken that into consideration before proposing a rezoning.

Mr. Mulvaney stated designating this space into community commercial could give you some opportunity to put things around an airport that are low density and do not fall into the safety categories. Ms. Fox stated that when you look at flying into Newport News, part of the crash zone is right there at Wal-Mart, which you fly right over and can count the people in the parking lot. She stated she is not as concerned about that as she is with are we really willing to give up this land designation as part industrial when in five years the airport may see the need for something complementary and we have given it away as a commercial property.

Mr. Mulvaney stated another thing to consider is if you rezone it, Runway 2 is also a good place for airlines to take off and you have new weight, turbulence and noise factors that are now brought closer to a development. He stated once this plan amendment is done it overrides what the airport would be capable of doing. Mr. Mulvaney stated we want to believe the airport will potentially be here long-term and become a global transportation hub of our port. He stated that, because of the length of the airport runway, you could fly cargo in and out and we do not want to limit that. Ms. Ayers stated the expansion of the runways is not in this area and any expansion would be on the other side of the airport.

Ms. McAllister stated she thinks the airport is still very viable and this is a piece of property they can do something else with. Mr. Maxwell asked if they lease the property can they take it back. Mr. Mulvaney stated the expense of leasing land to somebody to build something and then take it back is absurd. Mr. Carpenter agreed.

Ms. Fox stated we should think about the fact that the airport wants to lease this property and feel like the commercial designation is the most beneficial. Mr. Mulvaney stated that he would like to have a work session so the airport commission can make a presentation. Ms. Fox stated she would like to hear Mr. Ken Spirito's input. Mr. Carpenter stated Mr. Spirito is going to say he is for the rezoning. Ms. McAllister stated the Planning Commission needs to decide whether or not this change is appropriate at this location.

Ms. Willis stated the airport is designated an asset of the city in the comprehensive plan. She stated whether they are failing or need to expand or trying to make additional

revenue, we are assisting the airport by approving the change. She stated this space has spent 24 years as an industrial, natural/open space and parks and recreation designation and that has not done anything to help the airport. Ms. Willis stated we should change the zoning to help them. She stated she likes green space but she does not think the city of Newport News is crawling with green space because it is a city and not a county. Mr. Jones stated we should accept the airport's recommendations. Mr. Carpenter stated the land has not financially benefited the airport; however, there is a benefit to the city because the city is becoming devoid of those green spaces. He stated he has heard complaints from citizens about the amount of green space being taken away. Mr. Carpenter stated that if this rezoning happens, there will be wonderful land lease they will be accepting, which is of some benefit to the airport. He stated there is a benefit now simply because it is green space.

Ms. Willis asked if the city can determine that everybody who has green space has to keep it as green space going forward. Mr. Carpenter stated no. Ms. Fox stated that is why we have land use and zoning. Ms. McAllister stated it is identified as green space in the comprehensive plan but the zoning is industrial. She stated the airport can develop the land as industrial now. Ms. McAllister stated even if you decide not to change the plan, it does not mean that City Council cannot still rezone the property. Ms. Fox stated there are no trees on this property and it is not pretty. Mr. Mulvaney stated the city requires developers and developments to have a landscape plan and certain amounts of green space.

Mr. Maxwell stated a building there would be the highest and best use for the land. He stated he was more concerned about the status of the airport and traffic, but at the end of the day, he was for a commercial development.

Mr. Carpenter stated another issue we have not touched on is the potential impact on Kiln Creek. Ms. Fox stated the homeowner's association would have something to say. Mr. Carpenter stated he thinks it will be a major impact on Kiln Creek.

Mr. Mulvaney stated we have been working on the comprehensive plan update for the last eight months. He asked why this is now coming up when the Comprehensive Plan Citizen Advisory Committee could have looked at it. Mr. Maxwell stated it is financially driven. Mr. Mulvaney stated we do not change land use because someone needs money. Mr. Maxwell stated if you want to keep the airport operating, you need to help them generate revenue. Mr. Mulvaney stated they can build industrial all day long and can lease the land to industrial. Mr. Maxwell stated apparently they need to do something to stay here and if you want them here, they need to rent out land. Mr. Carpenter stated maybe they need a new comprehensive plan and they need new leadership. Mr. Mulvaney stated there has been a lot of work put into the current comprehensive plan and now we are adding this component to it in the eleventh hour.

Ms. McAllister stated this plan amendment will be on the agenda for April 6, 2016 and the Planning Commission will have full presentations from staff and people speaking for

or against the plan amendment. Mr. Jones asked if it would just be the plan amendment. Ms. McAllister stated the plan amendment would be accompanied by a change of zoning application. Mr. Mulvaney stated that even though there is a requirement in place, he felt April 6 is too soon to notify the public adequately. He stated he thinks this whole location is important and we really need to double our efforts to get it out to the citizens of Newport News to inform them of the application. Ms. McAllister stated we are meeting the notice requirements and the applicants submitted the application in time to meet the April 6, 2016 public hearing. Ms. Fox asked if there have been any public meetings with homeowner's association. Ms. McAllister stated she thinks their boards have met with the airport.

Mr. Mulvaney read a portion of a document from the FAA on the Land Use Compatibility in Airports: "There is a wide variety of citizens interested in airports and aviation, including those who travel through airports (whether on commercial carriers or general aviation); those who work at airports (whether directly for the airport or indirectly for an aviation-related business); those who are affected by tourism and industry (the airport being the entry and exit point for passengers and cargo); those who have property interests in the vicinity of an airport; and those who are impacted by airport and aircraft activity (particularly aircraft noise). These interests represent a wide variety of viewpoints regarding the role and effect of aviation in the community. The overall role of the citizenry is to understand the issues involving aviation in their community, to protect the benefits of aviation in their community, and to minimize the adverse consequences that can result from aviation activity in their community." He stated we have a responsibility for something this big to ensure that the citizens in the community are really made aware of what could potentially happen to this space and how it would affect the airport in our community.

Ms. Fox stated we should have a work session on the rezoning in addition to the work session for the plan amendment. Ms. McAllister stated you can have a work session but in the past some members on the Planning Commission felt as though the discussion should be had before the public and not in another forum where the people who may be impacted are not involved in the conversation. She stated we are having a work session on the plan amendment because Planning Commission is responsible for the comprehensive plan. Ms. McAllister stated the plan amendment is the first item on the agenda and we should not be talking about the change of zoning application. Ms. Fox asked if we can hear the plan amendment and the change of zoning at separate meetings. Mr. Carpenter stated we could vote on the plan amendment and hear the rezoning and defer them if we need to. Ms. Fox stated we should not hear from anybody at the plan amendment public hearing that are going to be addressing any type of development because they do not have anything to do with the plan amendment. Ms. McAllister stated it is a public hearing and the public can still comment. Ms. Fox stated we are not supposed to be focused on the development when we hear the plan amendment. Ms. McAllister stated no, you are not. She stated the Planning Commission can still allow the rezoning applicants to speak.

Mr. Mulvaney asked if Planning Commission will have a full TIA prior to the public hearing. Ms. McAllister stated yes. Mr. Mulvaney asked if VDOT would have their recommendations available by then. He stated he is concerned that they have not responded and they are still reviewing it and have input. Ms. McAllister stated VDOT is still waiting to review the TIA.

Ms. Austin asked if Planning Commission could have better pictures of the inner section of the area where Brick Kiln Boulevard and Habersham Drive where they are now and what they would look like afterward. Ms. McAllister stated yes.

Mr. Jones stated that when Planning Commission heard the application and plan amendment for Tech Center, the public was already very aware of what was proposed. Ms. McAllister stated the developer or his/her representatives of the property that wants the rezoning will be at the public hearing.

Mr. Mulvaney read another portion of document from the FAA on the Land Use Compatibility in Airports as part of the compatible land use tools and their potential application required for zoning ordinance development considerations around an airport: "Develop and implement a citizens' public participation program, replete with appropriate processes and relevant information. This effort should be designed to elicit meaningful responses from the general public regarding the status of land use planning around the airport." He stated some of these things are not required, but suggested that we do, because this is potentially a high impact decision that we are making. Mr. Mulvaney read: "Ensure that airport-related zoning and all other implementation devices (for example, subdivision regulations) are in agreement with the adopted comprehensive plan." He stated that to ask for a change to our comprehensive plan for what we want to do, there are a lot of things to consider that four weeks is not going to provide. Ms. Fox stated we are changing the comprehensive plan, which is one event, but she thinks we are supposed to be considering the land use issue for the comprehensive plan change and when we do the rezoning we are getting into a whole other project for this. Ms. McAllister stated Planning Commission would need to recommend for something based on what the plan says. She stated that, in order for you to recommend for it, you need to change the plan. Ms. McAllister stated that if the plan does not change, it would be difficult for you to recommend for a commercial zoning if the plan is saying something different. She stated City Council is the legislative body and, while they should follow the comprehensive plan, they can choose not to and still vote to have the property rezoned. Ms. McAllister stated that because the comprehensive plan is Planning Commission's document, you should not vote against your own document. She stated if Planning Commission says you should not change the plan, then you need to say you cannot support the rezoning. Mr. Mulvaney stated if we vote not to change the plan, will we still hear the rezoning. Ms. McAllister stated you will still need to hear the rezoning. Ms. Fox asked what if we vote for the rezoning if we reject the plan amendment.

Mr. Mulvaney asked if it is possible to get the agenda package a week earlier than expected. Ms. McAllister stated it would be difficult for Planning staff to get the agenda package to Planning Commission early because we are still waiting on documents.

Mr. Carpenter asked when the application was filed as a complete package. Ms. McAllister stated approximately two months ago.

Mr. Mulvaney stated this project has been out in the open market a lot longer than two months. He stated it has been marked as a potential shopping center for the public view for quite some time. Ms. McAllister stated the city did not have an application at that time. Mr. Carpenter stated he does not feel like enough information has been available to the public.

Ms. Willis stated the comprehensive plan is industrial, park, transportation and natural/open area and we would change it to community commercial. Ms. Ayers stated yes, and it would only be that portion of 33.37 acres and not the entire airport. Ms. Willis asked if it could be rezoned for something else. Ms. McAllister stated the airport wants commercial.

Mr. Mulvaney asked if the property has been posted yet. Ms. McAllister stated it will be posted two weeks prior to the public hearing. Ms. Austin asked when property notification letters will be mailed. Ms. McAllister stated next week. Mr. Mulvaney asked when the public hearing will be advertised in the newspaper. Ms. McAllister stated next week. Mr. Mulvaney asked if the notice will address the plan amendment and the rezoning. Ms. McAllister stated yes.

Ms. McAllister stated the airport and developer will have a community meeting with Kiln Creek at the end of March. Ms. Ayers stated the dates are March 29, 30 and 31. Ms. Fox asked if the Kiln Creek homeowners will have enough information prior to the public hearing. Ms. McAllister stated yes.

Mr. Mulvaney asked if the agenda package will have a military concurrence letter. Ms. McAllister stated no, but we can ask. Mr. Mulvaney stated the Air Force and the Navy need to be notified. Ms. Fox stated we are not changing anything that impacts the military because the property is there regardless. Ms. Willis stated it could impact the military if we change it from industrial to commercial and the density in a crash zone.

Mr. Carpenter introduced the second item on the agenda: Open Discussion.

Ms. Austin stated that while she was on vacation in Florida, visiting the Everglades, every day they wanted to go into the park they would drive ten miles through all of these flat fields that grew food that people eat. She stated almost every one of those fields had a for sale sign, approved for residential development, which made her wonder where the people who live in the houses developed there will buy their produce and where those fields would go once they are replaced. Ms. Austin stated one of the

current buzz phrases is 'Eat Local' and she asked what is local if you buy something from a grocery store that traveled 300 miles to get there. She stated community supported agriculture is also a big deal, where you can buy a share of somebody's farm and get a box of groceries from a local farmer every week or so. Ms. Austin stated she thought of the Endview area that has been green for a very long time and has been used to grow produce. She stated the city of Newport News might want to think about taking a leadership position and make the area a local food sustainability area since it has been zoned as mixed use for years and still not developed. Ms. Austin stated the area could be irrigated and we could grant the land to growers who would maintain certain crops people would buy locally and maybe subscribe to them for their groceries. She stated if we do not take any steps to preserve the green space, it will continue to sit there. Ms. Willis stated you can rent a garden plot in Lee Hall. Ms. Austin stated this is a much bigger scale that is not for an individual family.

Ms. McAllister invited the Planning Commission to attend an Equitable Development work shop on March 17, 2016 at 7:00 P.M. She stated the session is expected to last one and one-half hours.

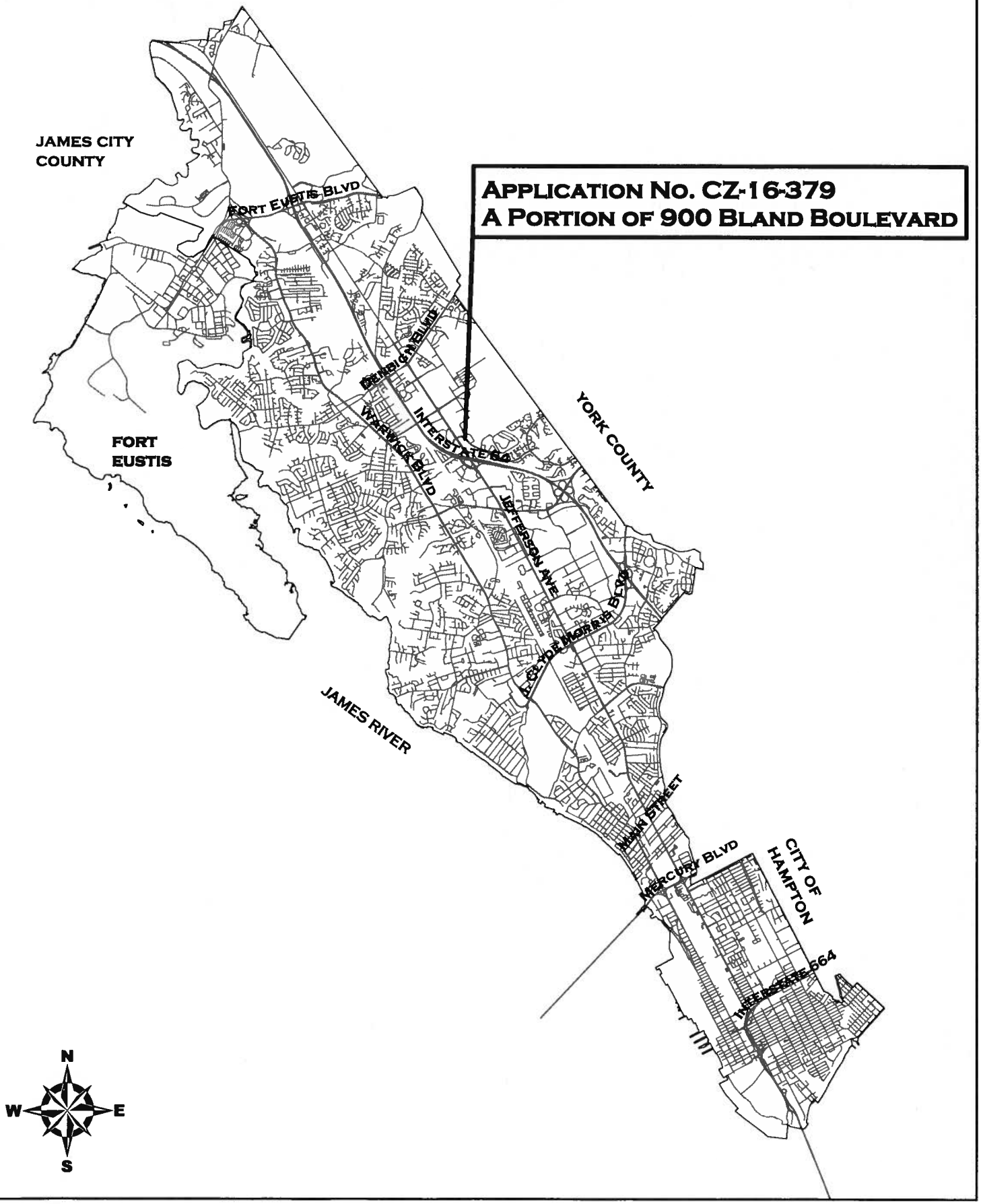
There being no further discussion, the meeting adjourned at 5:42 P.M.

Recording Secretary

Executive Secretary

CITY OF NEWPORT NEWS
PLANNING COMMISSION
APRIL 6, 2016

CHANGE OF ZONING
APPLICATION NO. CZ-16-379
PENINSULA AIRPORT COMMISSION



CHANGE OF ZONING APPLICATION NO. CZ-16-379
PENINSULA AIRPORT COMMISSION

APPLICANT/OWNER	Peninsula Airport Commission	**ZONING**	M1Light Industrial (Appendix 1)
LOCATION	Portion of 900 Bland Boulevard near Jefferson Avenue and the I-64 Interchange	***FRAMEWORK***	Natural Areas/Open Space, Parks and Recreation, and Transportation. *Community Commercial recommended in PLN-16-14* (Appendix A-2 & A-3)
PRESENT USE	Vacant	**ACREAGE**	33.37 acres

REQUEST Change the zoning from M1 Light Industrial to C1 Retail Commercial with proffers to allow for the development of a grocery store-anchored shopping center.

FACTS

North Newport News/Williamsburg International Airport on property zoned M1 Light Industrial

South Interstate 64 (I-64) and Kiln Creek Lake I on property zoned R5 Low Density Multiple-Family Dwelling

East Newport News/Williamsburg International Airport, Uncle Bob's Self Storage, and the Villages of Kiln Creek on properties zoned M1 Light Industrial, C2 General Commercial and R5 Low Density Multiple-Family Dwelling, respectively

West Walmart and Sam's Club across Jefferson Avenue on properties zoned C1 Retail Commercial

Zoning History M1 Light Industrial since 1969 and unchanged when the citywide comprehensive rezoning became effective August 1, 1997

Regulatory Review A change of zoning from M1 Light Industrial to C1 Retail Commercial is being requested to allow a combination of retail uses that will include the operation of a grocery store at this location.

The conceptual site plan proposes 215,000 square feet of commercial building space. The majority of the proposed area, 140,000 square feet, would be occupied by an anchor grocery store. Vehicular access will be provided from Brick Kiln Boulevard with 2 access points for the general public and 1 right-in right-out access point for deliveries.

Section 45-3405 of the zoning ordinance permits a property owner to offer proffers at the time of application for a change of zoning. If accepted by City Council, these proffers will govern the development and use of the property. (See Appendix-A-5.)

The ordinance requires a 20 foot transitional buffer area between commercial uses and multiple-family uses which occurs along the southern lease line adjacent to Kiln Creek Lake. The buffer is exclusive of any easements. The Kiln Creek Homeowner's Association maintains a lake maintenance easement on this property for Kiln Creek Lake 1. A permanent easement and right of access over and across a portion of this land is also recorded for the purpose of landscaping and excavation for storm water retention and detention, and for installation of underground utilities by the City of Newport News.

The Site Regulations require that a landscape strip be located along all street frontages and that it be no less than 10 percent of the existing right-of-way width. A 16 foot landscape strip is required along Jefferson Avenue. Along Brick Kiln Boulevard there will be variable width depending on the final width of the right-of-way once the road has been realigned.

The zoning ordinance requires a minimum of 1 parking space for every 250 square feet of floor area and a maximum of 1 parking space for every 200 square feet of floor area dedicated to retail uses. Restaurants or other eating or drinking establishments require 1 parking space for every 100 square feet of floor area. The conceptual plan submitted indicates 1362 parking spaces will be provided which is within the limits allowed by the ordinance. (See Appendix A-7.)

The site is located within the airport overlay district. The purpose of the district is to regulate the use of property in the vicinity of Newport News/Williamsburg International Airport, by establishing an airport approach restricted use zone. The overlay district requirements limit the height and location of any buildings within the property. The overlay district requirements also restrict the type and location of trees that can be planted within those areas of the property that are affected by the airport approaches or runway protection zones. All buildings within the development must be designed considering those restrictions as well as including noise mitigation construction practices and be reviewed and approved by the Federal Aviation Administration (FAA).

After reviewing the January 17, 2016 Traffic Impact Analysis (TIA) as revised March 21, 2016 prepared by DRW Consultants, LLC, (see Appendix A-9), the Department of Engineering does not object to the request as long as all of the Category I and Category II improvements identified in the report are included in the site plan application and implemented. Further, the department recommends a utility study

of the site be performed to address the most economical approach to providing sanitary service to the planned development. Additionally, the department notes the need to relocate the existing HRSD facilities crossing the site. (See Appendix A-10.)

Because of the site's proximity to a state controlled highway (I-64) in accordance with the Code of Virginia's Section 15.2-2222.1, commonly referred to as Chapter 527, the Virginia Department of Transportation (VDOT) must review the TIA and provide comments. A summary of their review and key findings must be included in the locality's official public record on the rezoning application. The approved TIA was submitted to Virginia Department of Transportation (VDOT) for their review and comment.

The departments of Codes Compliance, Public Works, Public Utilities, Fire, Police, Parks, Recreation and Tourism and Development have no objection to the request.

Comprehensive Plan Review

The *Framework for the Future 2030* comprehensive plan land use map identifies natural area/open space, transportation and parks and recreation uses for the property. Both the natural area and the parks designations coincide with the airport's runways approaches. The land use designation for the area was Industrial in the City's original General Plan (1980) to reflect both the existing airport use and surrounding vacant land that was identified as suitable for industrial development. This land use designation was changed in the 1993 *Framework for the Future* comprehensive plan, and carried through in the 2001 plan update. (See Appendix A-2.)

The proposed comprehensive plan land use map amendment PLN-16-14, being reviewed concurrently with this application, recommends a community commercial designation to allow for the commercial development of the area. (See Appendix A-3.) The proposed change of zoning is consistent with this recommendation.

ANALYSIS

The proposed change of zoning is being requested to allow for a wide variety of uses that are not possible under the current industrial zoning. The proposed amendment to the *Framework for the Future 2030* PLN-16-14 that accompanies this request, and which directly responds to the recommendations in the *Newport News/Williamsburg International Airport Master Plan (2014)*, acknowledges that the Community Commercial designation will allow for a variety of commercial or office uses that are complementary and compatible with adjacent uses. The Peninsula Airport Commission wishes to implement its 2014 Master Plan for non-aviation related development. Specific changes, including those to the road system must be approved by the FAA.

When the original Villages at Kiln Creek development was planned, the area being contemplated for rezoning was directly under the airport's runways approaches making the area not conducive for the type of development associated with the original development. By shortening one of the approaches, that area now is open for a development similar to the corporate centers on the outskirts of the Kiln Creek development. As with the original planned centers, this one will provide services to the residents within walking and biking distance.

The proposed development provides the opportunity to bring businesses and services with regional draws to this location. It also complements the existing services within the adjacent residential community. New businesses will provide increased employment opportunities within walking distance of the adjacent neighborhoods which is consistent with the vision described in the *Framework for*

the Future 2030. Further, the new zoning will allow for a development that could take advantage of the proximity to mass transit and an employment center within walking and biking distance.

The applicant has voluntarily provided 7 proffers that will, in conjunction with the zoning ordinance, guide the development of the property and ensure that it is built in conformance with the conceptual site plan for the "Plaza at Jefferson", the recommendations of the TIA, the conceptual Landscape Plan, the Design Guidelines for the Plaza at Jefferson and any other required future studies such as the utility study recommended by the Department of Engineering. (See Appendix A-5.)

The proposed development must be in general conformance with the proffered conceptual plan "The Plaza at Jefferson" prepared by AES Consulting as revised February 5, 2016 (see Appendix A-7) and be built in accordance with the "Design Guidelines for the Plaza at Jefferson, Newport News, Virginia" prepared by Hopke & Associates, Inc. (See Appendix A-6.)

Transportation

The proposed project is located in the northeast corner of the intersection of Jefferson Avenue and Brick Kiln Boulevard. Currently there is a vehicular access onto the property from Brick Kiln Boulevard, this access is limited to service vehicles. A realignment of Brick Kiln Boulevard is proposed as part of the development and is in keeping with the Airport's Master Plan. The realigned road will create the northern and eastern boundaries of the proposed development. In addition to the Brick Kiln Boulevard realignment the TIA calls for additional access from Jefferson Avenue at Habersham Drive to better distribute traffic demand. According to the model used for the TIA, even with the expected traffic volume increase, the proposed realignments and improved road network will result in a net improvement of the existing traffic patterns in the project vicinity going from an existing level of service (LOS) D to a LOS C at the Jefferson Avenue intersections.

The applicant's TIA (see Appendix A-9) has been reviewed by the Department of Engineering. Staff met with applicant's traffic representatives to discuss their findings and recommendations and is satisfied that the final TIA for The Plaza at Jefferson as revised March 17, 2016, represents a fair analysis of the site and contains recommendations for traffic improvements that will ensure an acceptable level of service on the existing roads.

The TIA has identified improvements at two different levels; Category I essential to the development and Category II secondary in proximity to the site. Development of the site at the trip generation potential proposed must satisfy concerns related to both essential improvements and secondary improvements to offset extended backs of queues and excessive motorist delays. (See Appendix A-9.)

The following improvements were identified as Category I improvements:

- Realign Brick Kiln Boulevard to the northern and eastern boundaries of the proposed development;
- The realigned Brick Kiln Boulevard westbound approach to Jefferson Avenue shall consist of dual left turn and dual right turn lanes;
- The signalized intersection of Jefferson Avenue and Brick Kiln Boulevard shall be reconfigured;
- The realigned Brick Kiln Boulevard shall include a multipurpose path and a standard side walk;
- Connection to realigned Brick Kiln Boulevard with site entrances 1 and 2 via roundabouts;

- Connection to realigned Brick Kiln Boulevard with site entrance 3;
- Connection to realigned Brick Kiln Boulevard with right in-right out limitations for entrances 4 and 5.

Identified Category II improvements include:

- Extend Habersham Drive east from Jefferson Avenue with connection to realigned Brick Kiln Boulevard;
- The signalized intersection of Jefferson Avenue and Habersham Drive shall be reconfigured;
- The median of Jefferson Avenue shall be modified to include a pedestrian refuge and shall include pedestrian signalization;
- The median of Jefferson Avenue shall be modified to increase the northbound dual left turn lanes at Habersham Drive;
- The median of Jefferson Avenue shall be modified to install dual southbound left turn lanes at Habersham Drive;
- The eastbound approach of Habersham Drive at Jefferson Avenue shall be widened to accommodate dual left and right turn lanes;
- The eastbound approach of Wal-Mart Way at Jefferson Avenue shall be widened to accommodate dual left and right turn lanes;
- Signal timing modifications.

Major improvements beyond the scope of the development or Category III were not identified in the TIA.

The applicant is proffering that Category I and II improvements described in the TIA shall be completed or guaranteed prior to the issuance of a certificate of occupancy for any building located on the property. (See Appendix A-5.)

Design

The applicant is proffering design guidelines "Design Guidelines for the Plaza at Jefferson Newport News, Virginia" that provide a general idea of the architectural character, shape, scale and materials to be utilized throughout the project.

The guidelines describe the style of the anchor store as "Old World European." Although allowing for unique architectural responses for the surrounding buildings it is expected that by following the guidelines the buildings will complement and carry on the proposed architectural theme. Building heights will be determined by their location within the Airport Overlay District and FAA regulations. (See Appendix A-6.)

The design guidelines specify that there will be 2 monument style entry signs, one at the corner of Jefferson and Kiln Creek Boulevard and the other at the proposed access of the Kiln Creek Boulevard roundabout. The signs will be designed in a manner that will carry the development's architectural theme. The applicant proffers that the signs shall be reviewed and approved by the Director of Planning for consistency with the master plan.

The proffers also specify that a landscape plan in conformance with that included in the Design Guidelines shall be reviewed and approved by both the Director of Planning as well FAA.

CONCLUSION

The proposed change of zoning is consistent with the *Framework for the Future 2030* comprehensive plan land use map amendment recommended in PLN-16-14. The proposed zoning will enable the construction of a grocery store anchored retail

center at this location.

The applicant has provided proffers that address concerns regarding building and property improvements, ensure the overall quality of the development and address necessary improvements to affected city infrastructure. The proposed zoning is consistent with the *Framework for the Future 2030* comprehensive plan amendment.

STAFF RECOMMENDATION

It is recommended that the City Planning Commission recommend to City Council approval of change of zoning CZ-16-379 for the approximately 33 acre property from M1 Light Industrial to C1 Retail Commercial with proffers.

APPENDIX

A-1 VICINITY/ZONING MAP

A-2 FRAMEWORK FOR THE FUTURE LAND USE PLAN MAP

A-3 FRAMEWORK FOR THE FUTURE AMENDMENT PLN-16-14

A-4 AERIAL

A-5 PROFFERS

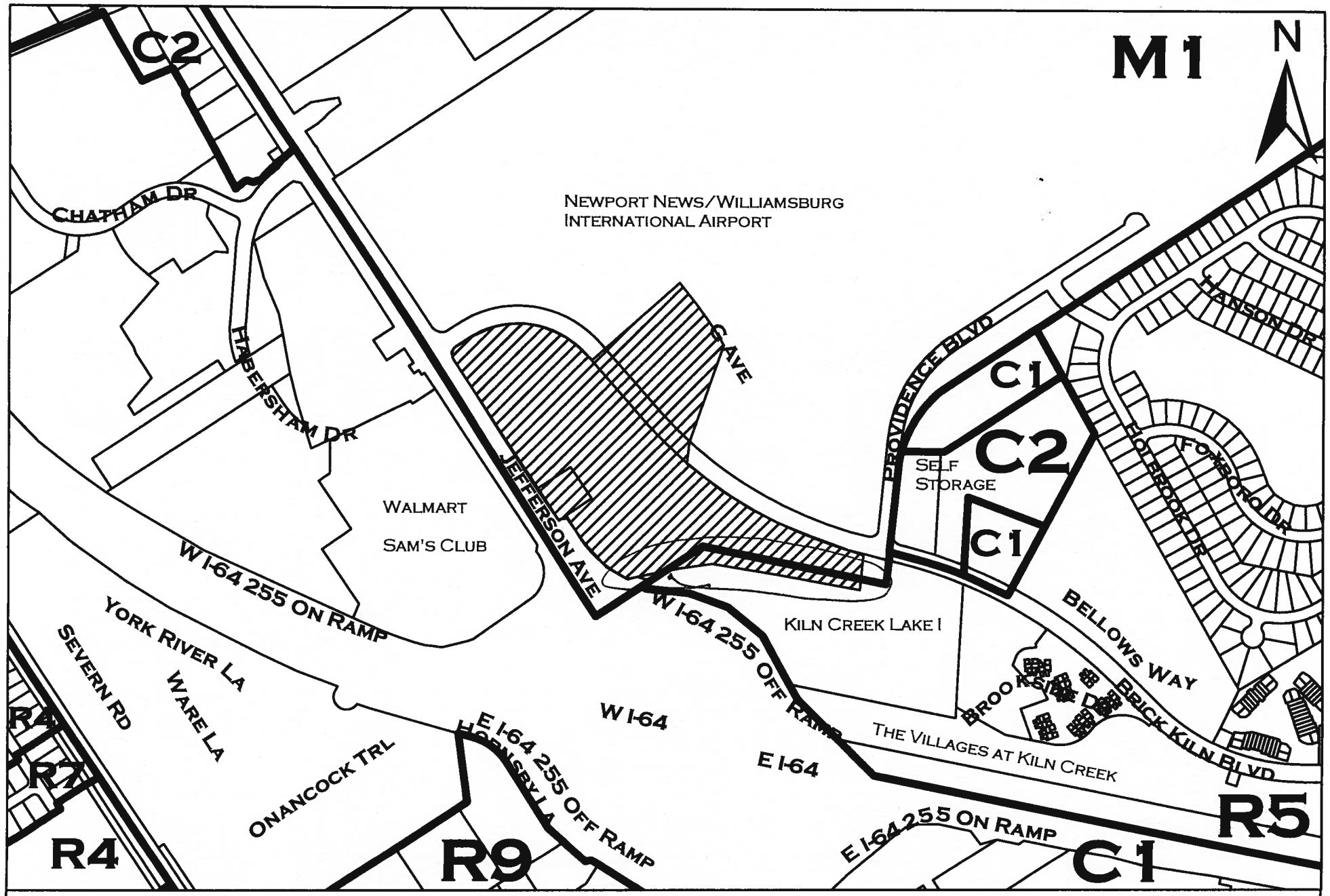
A-6 DESIGN GUIDELINES

A-7 CONCEPTUAL PLAN

A-8 LANDSCAPE PLAN

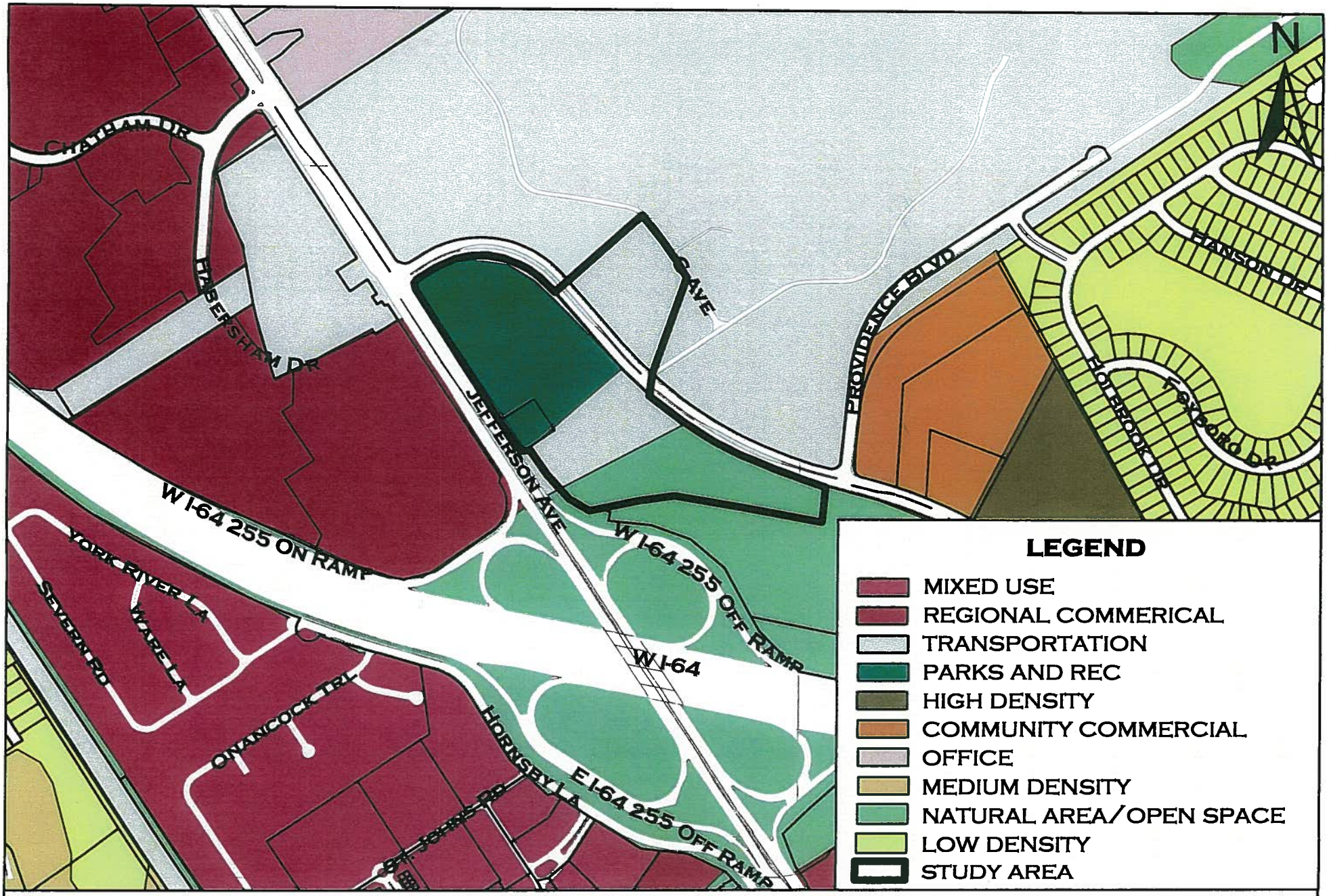
A-9 TRAFFIC IMPACT ANALYSIS SUMMARY BY DRW CONSULTANTS LLC

A-10 DEPARTMENT OF ENGINEERING COMMENTS



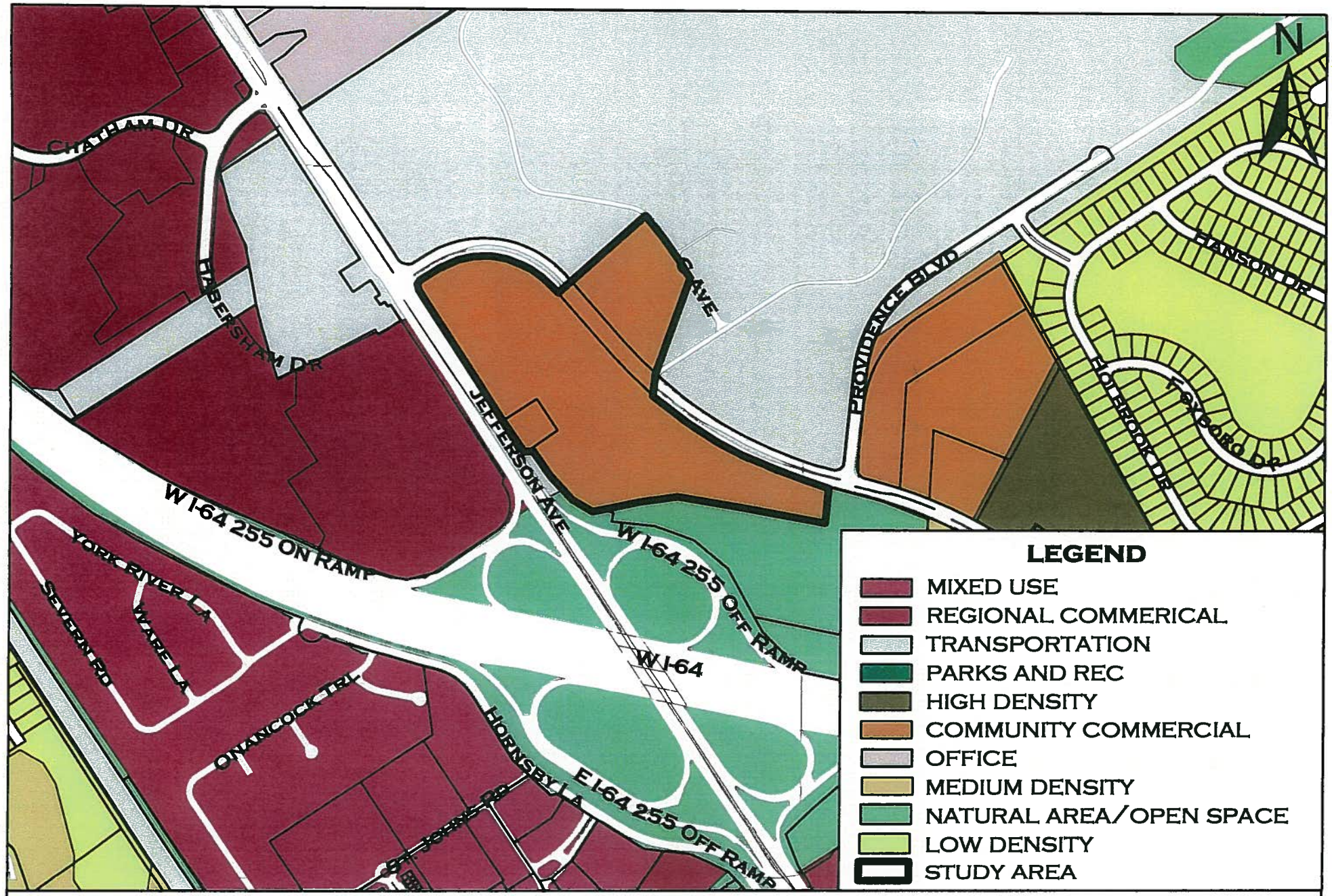
Peninsula Airport Commission

CZ-16-379



PENINSULA AIRPORT COMMISSION

FRAMEWORK FOR THE FUTURE 2030



Peninsula Airport Commission

Proposed Framework for the Future 2030

N
HANSON DR
FOXBORO DR
HOLBROOK DR
BELLOWS WAY
BRICKYARD BLVD
PROVIDENCE BLVD
E I-64
W I-64 255 OFF RAMP
W I-64
E I-64 255 OFF RAMP
G AVE
HORNSBY LA
JEFFERSON AVE
HABERSHAM DR
W I-64 255 ON RAMP
CHATHAM DR
YORK RIVER LA
WARE LA
SEVERN RD
ONAMOOKA TRL

Conditioned Proffer Statement for Change of Zoning

TO: The Honorable Newport News City Council

DATE: February 23, 2016

Application Number: CZ-16-379

In connection with and contingent upon the approval by City Council of the above-referenced application for a change of zoning (the "Application") of a portion of 900 Bland Blvd., located near the Jefferson Avenue / I-64 interchange, more particularly described on Exhibit A attached hereto (the "Property"), from M-1 – Light Industrial to C-1 – Retail Commercial with Proffers, Peninsula Airport Commission and Frontier Newport News, LLC, a Virginia limited liability (collectively, together with their successors and assigns, the "Applicant") hereby proffer the following conditions in accordance with Section 15.2-2298 of the Virginia Code and Section 45-3405 of the City Zoning Ordinance, in addition to the applicable provisions of the City Code and regulations, which proffers shall amend and restate all previous proffered conditions.

Conditioned Proffer Statement: "I hereby proffer that the development of the subject property of this application shall be in accordance with the conditions set forth in this submission."

Peninsula Airport Commission

By: KRSP

Name: Ken R. Spirito

Title: Exec Dir.

[PROFFERS LOCATED ON SUCCEEDING PAGES]

Proffered Conditions:

1. Design. The improvements on the Property shall be constructed generally in accordance with the design guidelines entitled "Design Guidelines for the Plaza at Jefferson, Newport News, Virginia" dated March 29, 2016, prepared by Hopke & Associates, Inc. (the "Design Guidelines"), a copy of which is on file in the Office of the Director of Planning. The Design Guidelines may be modified from time to time provided that such modifications do not alter the basic character and intent of the Design Guidelines and provided that such amendments are approved by the Director of Planning for consistency with the terms of this proffer.

2. Master Plan. The Property shall be developed generally in accordance with the conceptual site plan entitled "THE PLAZA AT JEFFERSON", dated June 30, 2015, last revised February 5, 2016, prepared by AES Consulting Engineers (the "Master Plan"), a copy of which is on file in the Office of the Director of Planning. The Master Plan may be modified from time to time provided that such modifications do not alter the basic character and intent of the Master Plan and provided that such amendments are approved by the Director of Planning and the Federal Aviation Administration for consistency with the terms of this proffer.

3. Landscape Plan. Prior to issuance of final site plan approval, a landscape plan in conformance with the Master Plan and Design Guidelines ("Landscape Plan") shall be submitted to the Director of Planning and the Federal Aviation Administration for review and approval for consistency with the Master Plan and Design Guidelines. All landscaping measures shown in the Landscape Plan shall be installed and maintained in accordance with the Landscape Plan or guaranteed ("Guaranteed") in accordance with Section 15.2-2299 of the Virginia Code prior to issuance of a certificate of occupancy for any building located on the Property.

4. Exterior Lighting. Exterior lighting shall be directed inward and downward onto the site so as not to cause glare to adjacent properties and rights-of-way beyond such minor amounts as may be allowed by the Director of Engineering and the Federal Aviation Administration. The exterior lighting plan shall be subject to the review and approval of the Director of Engineering and the Federal Aviation Administration for consistency with this proffer prior to issuance of a building permit for any building located on the Property.

5. Signage. Prior to issuance of final site plan approval, the design of the freestanding signs (as such term is defined in the City Code) for the Property shall be submitted to the Director of Planning for review and approval for consistency with the Master Plan and Design Guidelines.

6. Transportation. Applicant has submitted to the Director of Planning that certain traffic impact assessment entitled "Traffic Impact Analysis Report for The Plaza at Jefferson", prepared by DRW Consultants, LLC, dated March 17, 2016 (the "Traffic Study"), a copy

of which is on file with the Director of Planning. In accordance with the recommendations contained in the Traffic Study and the recommendations of the City's Director of Engineering, prior to issuance of a certificate of occupancy for any building located on the Property, the improvements described in the Traffic Study in Categories I and II shall be completed or Guaranteed.

7. Miscellaneous. In the event that any clause, sentence, paragraph, section or subsection of these proffers shall be adjudged by any court of competent jurisdiction to be invalid or unenforceable for any reason, including a declaration that it is contrary to the Constitution of the Commonwealth of Virginia or of the United States, or if the application thereof to any owner of any portion of the Property or to any government agency is held invalid, such judgment or holding shall be confined in its operation to the clause, sentence, paragraph, section or subsection hereof, or the specific application thereof directly involved in the controversy in which the judgment or holding shall have been rendered or made, and shall not in any way affect the validity of the associated rezoning or any other clause, sentence, paragraph, section or provision hereof. These proffers shall be binding upon and shall inure to the benefit of the parties hereto, and their respective heirs, successors and/or assigns. In the event that the proposed rezoning sought by the Application is not approved by the City as submitted, these proffers shall be null and void of any effect.

EXHIBIT A

All that certain piece or parcel of land, situate, lying and being in the City of Newport News, Virginia, known and designated as "PARCEL 1" and "PARCEL 2" as shown on that certain plat entitled "PRELIMINARY PLAT THE PLAZA AT JEFFERSON ", dated December 30, 2015, made by AES Consulting Engineers.

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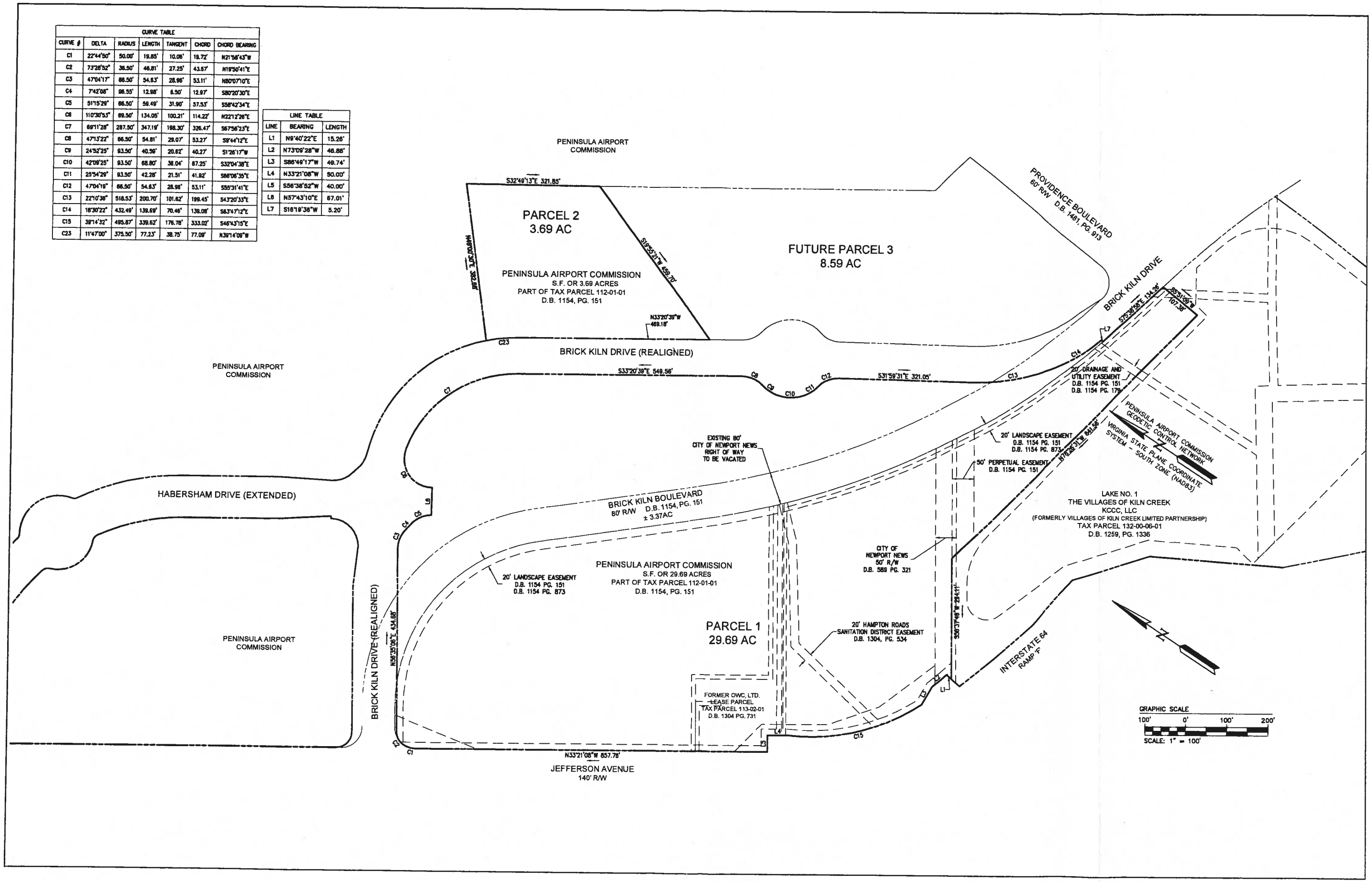
CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	22°44'50"	50.00'	19.85'	10.06'	19.72'	N21°56'43"W
C2	73°26'52"	36.50'	46.81'	27.25'	43.67'	N19°50'41"E
C3	47°04'17"	66.50'	54.63'	28.96'	53.11'	N80°07'10"E
C4	7°42'06"	96.55'	12.98'	6.50'	12.97'	S80°20'30"E
C5	51°15'29"	66.50'	59.49'	31.90'	57.53'	S58°42'34"E
C6	110°30'53"	69.50'	134.05'	100.21'	114.22'	N22°12'26"E
C7	69°11'28"	287.50'	347.19'	198.30'	326.47'	S67°56'23"E
C8	47°13'22"	66.50'	54.81'	29.07'	53.27'	S9°44'12"E
C9	24°52'25"	93.50'	40.59'	20.62'	40.27'	S1°26'17"W
C10	42°09'25"	93.50'	68.80'	36.04'	67.25'	S32°04'38"E
C11	25°54'29"	93.50'	42.26'	21.51'	41.92'	S66°06'35"E
C12	47°04'19"	66.50'	54.63'	28.96'	53.11'	S55°31'41"E
C13	22°10'38"	518.53'	200.70'	101.62'	199.45'	S43°20'33"E
C14	18°30'22"	432.49'	139.69'	70.46'	139.06'	S63°47'12"E
C15	39°14'32"	495.87'	339.62'	176.78'	333.02'	S46°43'15"E
C23	11°47'00"	375.50'	77.23'	38.75'	77.09'	N39°14'09"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N9°40'22"E	15.26'
L2	N73°09'28"W	46.86'
L3	S86°49'17"W	49.74'
L4	N33°21'08"W	50.00'
L5	S56°38'52"W	40.00'
L6	N57°43'10"E	67.01'
L7	S16°18'36"W	5.20'



Rev.	Date	Description	Revised By

AES CONSULTING ENGINEERS
5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 253-0040
Fax: (757) 220-8994
www.aesva.com
Hampton Roads | Central Virginia | Middle Peninsula

PRELIMINARY PLAT

THE PLAZA AT JEFFERSON

CITY OF NEWPORT NEWS VIRGINIA

Project Contact:	JAG
Project Number:	W10282
Scale: 1"=100'	Date: 12-30-15
Sheet Number	2

Design Guidelines
for
The Plaza at Jefferson
Newport News, Virginia

March 29, 2016

Intent and Applicability

The following design guidelines are to apply to currently planned and all future development to occur on the property identified herein as "The Plaza at Jefferson," including:

- Anchor Store
- Outparcel Buildings
- Outdoor furnishings, such as tables, chairs, benches, trash receptacles, etc...
- Signage, both tenant identification and directional
- Other structures, such as canopies, trellising, screens, and trash enclosures.

The guidelines are intended to provide guidance in the design of physical improvements on the property as well as standards to those evaluating proposed designs. While they are confining in terms of materials permitted, they are stylistically restrictive only in terms of general architectural character, to ensure a consistency of theme within the development while allowing flexibility for each designer.

The developer reserves the right to propose revised guidelines at any time during the life of the project, as environmental and market forces may dictate, in such a way that maintains a high level of design quality. The following guidelines are to remain in force until any such proposed revised guidelines are approved by the developer and any other authorities having jurisdiction.

Building Siting and Site Development

Buildings shall be located on the site to maximize efficient utilization of the land and to provide for easy and convenient ingress and egress by customers, employees and delivery vehicles. Buildings shall be located along the perimeter of the site, oriented toward centralized parking connected by a well-defined interior road network.

Landscaping and hardscaping will be utilized to enhance the cohesive architectural development of The Plaza at Jefferson. Additionally, landscaping must comply with FAA regulations currently in force and as they may be revised in the future. The FAA has an Advisory Circular published for wildlife attractants, at the following link:

http://www.faa.gov/documentLibrary/media/advisory_circular/150-5200-33B/150_5200_33b.pdf

As such, landscape development will be guided by the following key restrictions and objectives:

- Tree height will be limited (due to FAA regulations) to 18 feet in height at maturity or less depending on proximity to the RPZ and NNW Airport runways. These limitations are strictly enforced. Therefore, any species of trees in the development area should be one that has a low maximum height to avoid the need for frequent trimming and topping.
- All trees/shrubs are to be non-fruit bearing, as the fruit is a wildlife attractant.
- Emphasis will be placed on perimeter landscaping, drive aisles and store fronts with a preference of shrubs over trees.
- Landscaping will be designed to work in conjunction with storm water management facilities.
- Developer will install 110% of the minimum number of plantings required by the City and its landscape plan will be subject to review and approval by the Director of Planning and Landscape Coordinator. Developer intends to utilize drought tolerant trees, plants and turf grasses wherever practicable. Native plants will be given priority over non-native species subject to FAA approval; however, non-native species are not prohibited and may be a preferred solution in some instances.
- The FAA prohibits the introduction of landscaping and water features that attract birds and other wildlife that might interfere with operations at the adjoining NNW Airport. Developer will investigate the collection and use of rain water for irrigation purposes to reduce the demand for potable water. Cisterns shall be underground or adequately screened.

Please see the Landscape Plan at the end of these guidelines for additional information.

The developer will meet minimum lighting standards required by the City. Light fixtures will be directed downward to limit light pollution and be non-glare. An overall Lighting Plan will be subject to review and approval by both The Director of Engineering and FAA.

Architecture

While each building will be unique in its size and purpose, each building constructed on the site will be compatible with and complimentary to the Anchor store. The architectural style of the Anchor Store can be best described as Old World European, evocative of a village market district.

Each out-parcel building should seek to extend this theme by utilizing similar materials and design elements. Materials may include but may not be limited to:

- Wood Shingles, Fiberglass Shingles, Clay Tiles, Slate Tiles and Standing Seam Metal Roofing
- Stone, Brick, Wood (or synthetic wood such as Hardie-Board) Clapboard Siding.
- Stucco (EIFS) should be incorporated in limited amounts; but if used as a primary material be broken up with elements of other materials, such as brick, stone and cast stone.
- Concrete Masonry may be used if colored and textured.
- Heavy Timber
- Cast stone (coping, arches and decorative trim)
- Wrought-iron (or other metal with wrought-iron appearance) railings and wood timber connectors.

Designers should seek to incorporate specific design elements evocative of a European Market. Examples may include but are not limited to:

- Vertical elements (e.g. clock tower, bell tower, chimney, pilasters)
- Heavy Timber Columns and Beams
- Shutters (Colonial or awning-type)
- Balconies and Railings
- Window Flower Boxes and other fenestration embellishments
- Cupolas, Dormers and decorative Roof Ventilators

Each façade facing a road or visible from a public right of way will contain architectural features and a variety of materials intended to avoid monotonous appearance. Service areas will be screened from public view particularly along Jefferson Avenue using building elements, site structures, landscaping or other techniques.

It is anticipated that building sizes will dictate the use of primarily low-sloped membrane roofs with parapet walls. However, the building massing should be broken up by the use of gabled and slope-roofed forms to give the appearance that a single building is composed of an assembly of multiple buildings. Overall building height is limited by City ordinance, building code and FAA regulations and must comply with all such restrictions.

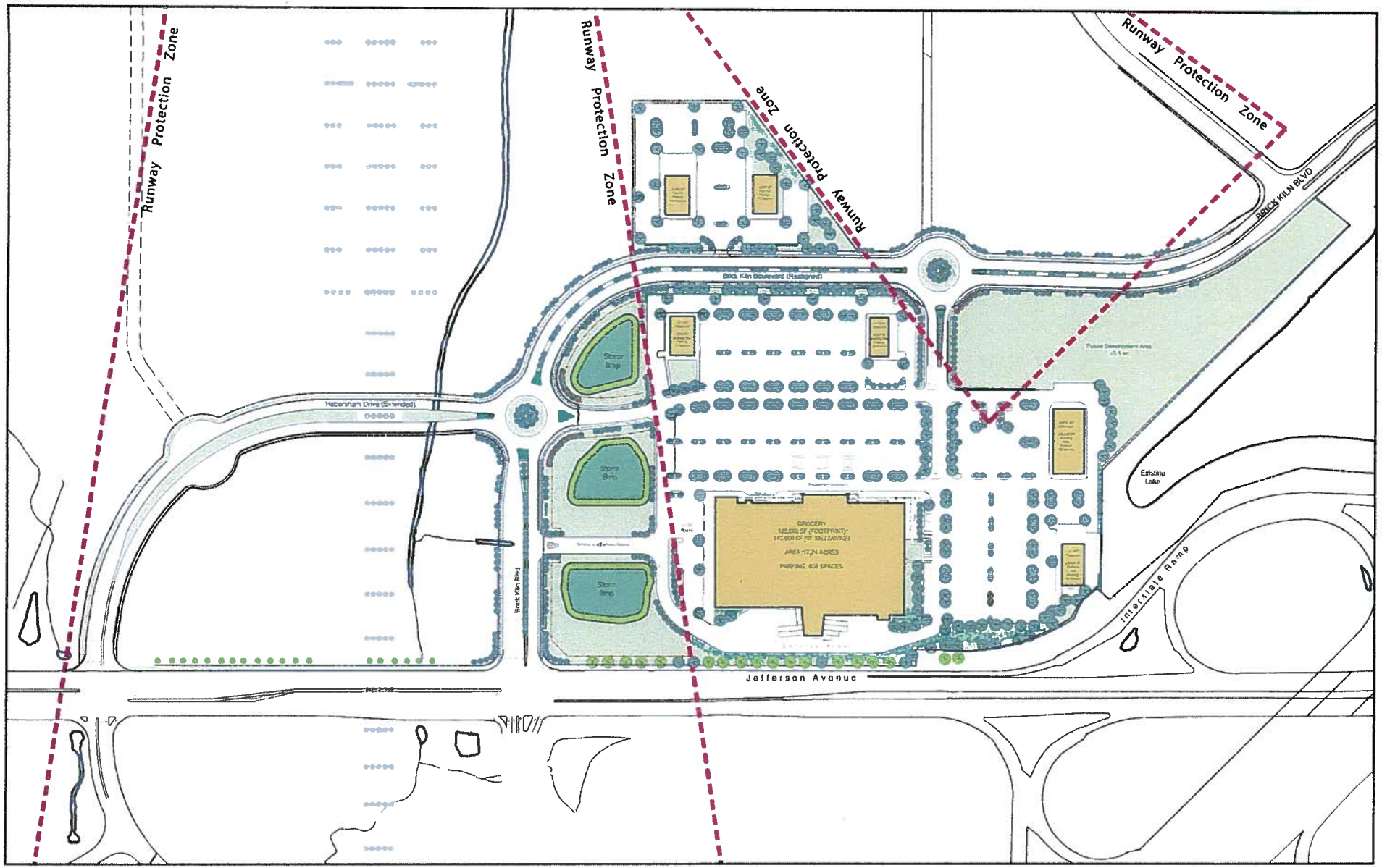
Signage

The Plaza at Jefferson development will be entitled to 2 monument entry signs, one at the corner of Jefferson and Kiln Creek Blvd and the other on Brick Kiln Blvd at the entrance road and roundabout. Monument signs are to be designed to complement the architecture of the Anchor building and may contain an electronic reader board as well as the name of the center, the anchor tenant and other tenants.

Each building will be entitled to building mounted signage and a single monument sign, subject to the regulations and approval of the City of Newport News. Additional directional and way finding signage may be placed throughout the development as approved by the City.

Landscape Plan

See the attached plan entitled "Overall Conceptual Landscape Plan," prepared by Carlton Abbott and Partners, Architects and Landscape Architects, dated March 2016.



Overall Conceptual Landscape Plan

Plaza at Jefferson

Prepared By:

Carlton Abbott and Partners, P.C.
Architects and Landscape Architects
Williamsburg, Virginia

vhb Engineers | Scientists | Planners | Designers
www.vhb.com

Landscape Legend

March 2016

0 100' 200' 400'
Scale in Feet

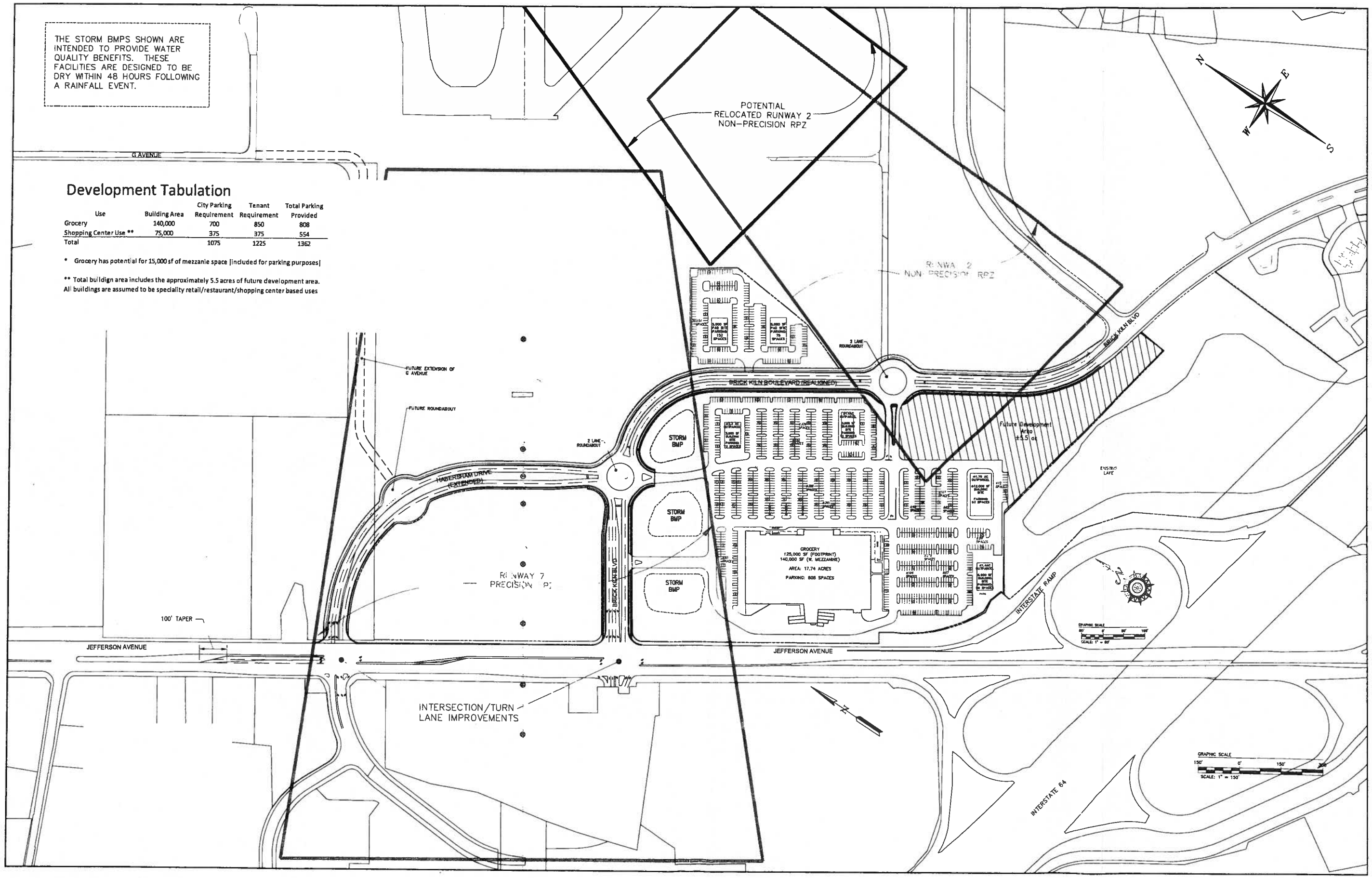
THE STORM BMPS SHOWN ARE INTENDED TO PROVIDE WATER QUALITY BENEFITS. THESE FACILITIES ARE DESIGNED TO BE DRY WITHIN 48 HOURS FOLLOWING A RAINFALL EVENT.

Development Tabulation

Use	Building Area	City Parking Requirement	Tenant Requirement	Total Parking Provided
Grocery	140,000	700	850	808
Shopping Center Use **	75,000	375	375	554
Total		1075	1225	1362

* Grocery has potential for 15,000 sf of mezzanie space [included for parking purposes]

** Total buildign area includes the approximately 5.5 acres of future development area. All buildings are assumed to be speciality retail/restaurant/shopping center based uses



Rev.	Date	Description	Revised By
1	2-5-16	REVISIONS TO LAYOUT PER FAA REQUESTS	JAG

AES CONSULTING ENGINEERS
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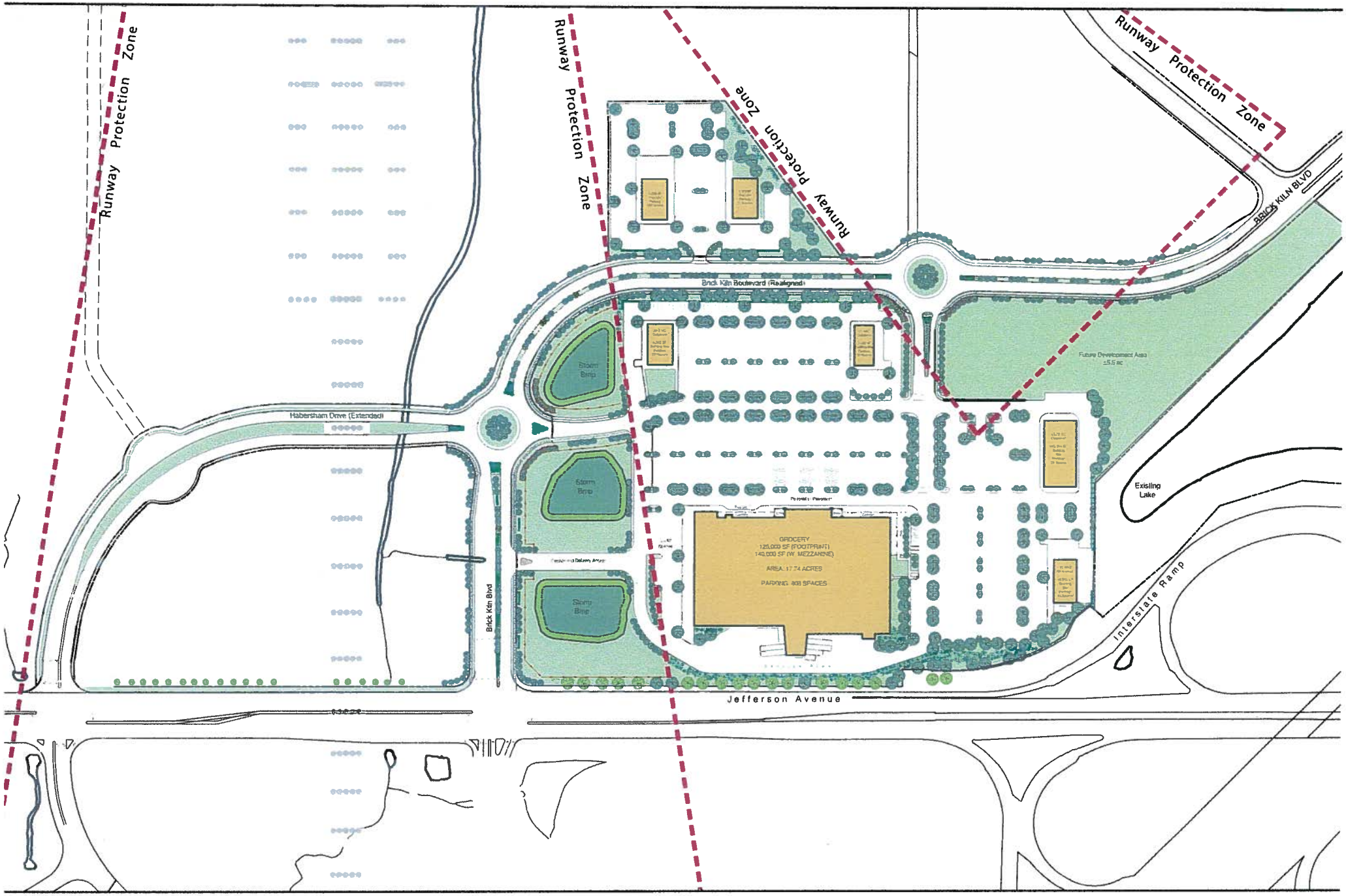
Hampton Roads | Central Virginia | Middle Peninsula

CONCEPTUAL PLAN

THE PLAZA AT JEFFERSON

CITY OF NEWPORT NEWS VIRGINIA

Project Contact:	JAG
Project Number:	20130051
Scale: 1"=150'	Date: 6-30-15
Sheet Number	1



onceptual Landscape Plan
a at Jefferson

bbott and Partners, P.C.
nd Landscape Architects
g, Virginia

vhb Engineers | Scientists | Planners | Designers
www.vhb.com

Landscape Legend
Mixed Deciduous Trees
Ornamental
Mixed Evergreen Trees
Existing Tree

0 100' 200'
Scale in Feet

March 2016

A-8

Traffic Impact Analysis Report For The Plaza At Jefferson

NEWPORT NEWS, VIRGINIA

For:

Frontier Newport News, LLC

By:

DRW Consultants, LLC
Midlothian, VA

MARCH 17, 2016

COMMONWEALTH OF VIRGINIA
DEXTER R. WILLIAMS
Lic. No. 031163
March 21, 2016
PROFESSIONAL ENGINEER

INTRODUCTION

Frontier Newport News, LLC proposes to build The Plaza At Jefferson, a proposed commercial development in the City of Newport News. This traffic study has been prepared to address the requirements of VDOT Traffic Impact Analysis Regulations (24VAC30-155), commonly known as Chapter 527. As such, it provides a forecast and analysis of traffic in the area and shows the relative effect of development of The Plaza At Jefferson including proposed transportation improvements. The approved Ch. 527 Pre-Scope of Work Meeting Form and the signed Scope of Work Meeting Checklist are included at the end of the Appendix. Rezoning is needed for development of The Plaza At Jefferson, and this traffic study will also provide information to the City of Newport News for its consideration of the proposed rezoning.

EXECUTIVE SUMMARY

The Plaza At Jefferson site location in the Hampton Roads region is shown in Figure 1. The site is located in the City of Newport News in the northeast corner of the intersection of Rt. 143 Jefferson Avenue/Brick Kiln Boulevard which is the first intersection on Rt. 143 Jefferson Avenue north of I-64. (Note: The directional convention in this report is Rt. 143 runs north and south and I-64 runs east and west).

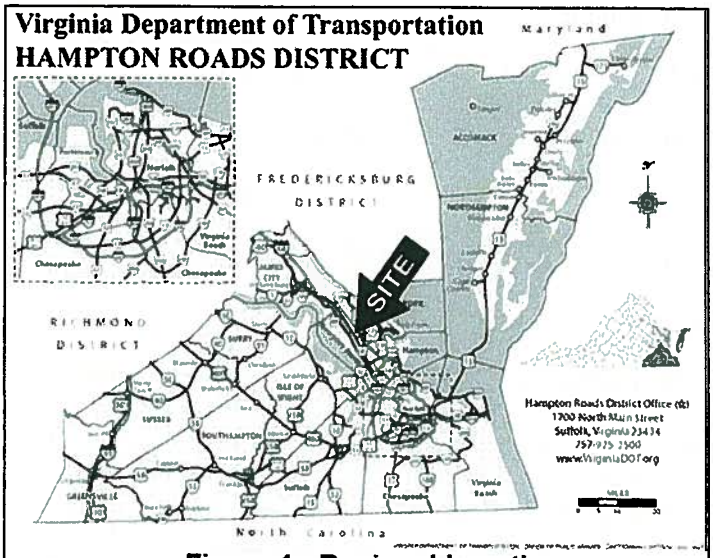


Figure 1: Regional Location

The Plaza At Jefferson property location with respect to area roads is shown Figure 2. I-64 is maintained by VDOT, and all other public roads including Rt. 143 Jefferson Avenue in the area are maintained by the City of Newport News.

Figure 2: Area Location

Figure 3: Area Parcel Map

Figure 3 shows The Plaza At Jefferson property on the City's parcel map. The property is owned by the Peninsula Airport Commission and the subject area is to be leased to the developer. The property encompasses part of the current alignment for Brick Kiln Boulevard. A modest realignment of Brick Kiln Boulevard is proposed as part of the development in order to allow for a uniform development area.

Rt. 143 Jefferson Avenue is the principal arterial in the area and has traffic in the 80,000 vehicle per day range. Brick Kiln Boulevard is located on the east side of Jefferson Avenue and has daily traffic in the 15,000 vehicle per day range. In order to (i) improve existing traffic patterns in the project vicinity, (ii) provide transportation infrastructure and connectivity to adjacent land owned the City of Newport News Economic Development Authority and the Peninsula Airport Commission, (iii) and to accommodate traffic for The Plaza At Jefferson, an additional access to Jefferson Avenue at Habersham Drive is included with The Plaza development plans to distribute traffic demand.

The Plaza At Jefferson preliminary plan is shown on Figure 4. . The development consists of 140,000 square foot grocery store and 74,250 square feet of other retail space. The

building size and location as shown for the grocery store is representative of ongoing plans. The other building locations and sizes are illustrative. Total square footage is 214,250 square feet.

Brick Kiln Boulevard is realigned to create the northern and eastern boundaries of The Plaza (1731 feet of existing Brick Kiln Boulevard to be abandoned with 3.23 acres of right of way). In addition, Habersham Drive is to be extended east and south from the current intersection at Jefferson Avenue to connect to realigned Brick Kiln Boulevard at a roundabout. This alignment plan is the result of review with the City staff and Airport staff and is based on the following principles:

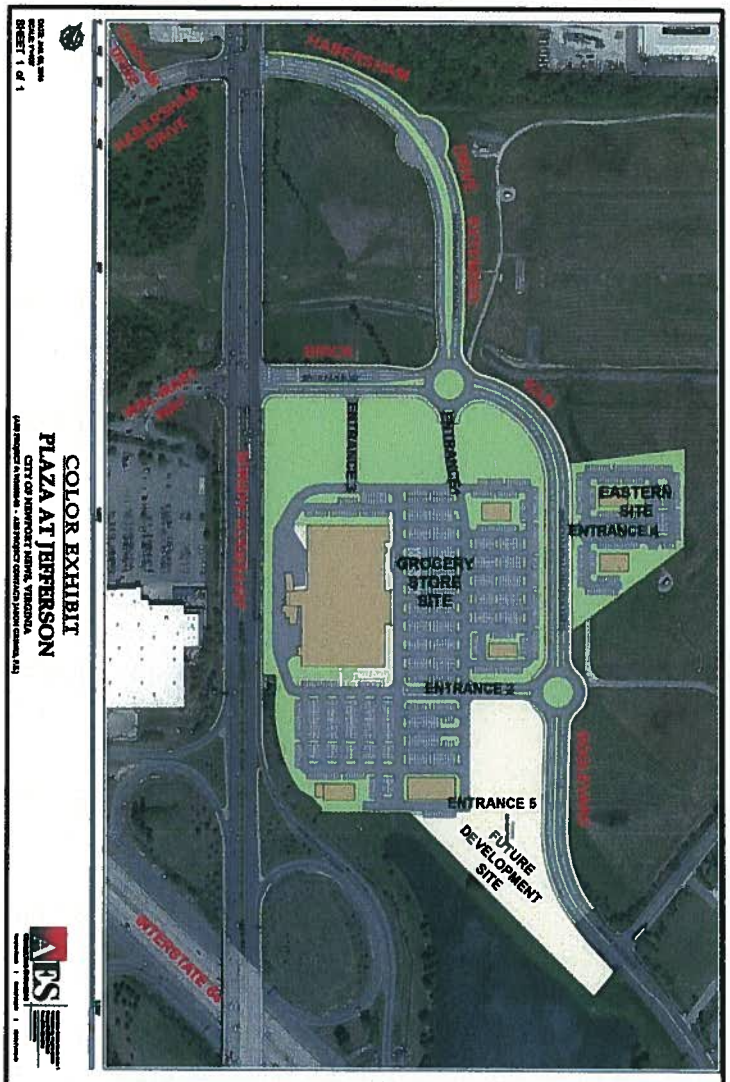


Figure 4 The Plaza At Jefferson Conceptual Plan

1. Existing Brick Kiln Boulevard traffic to and from I-64 will continue to have access at the Jefferson Avenue/Brick Kiln Boulevard intersection
2. The extension of Habersham Drive on the east side of Jefferson Avenue serves to divert traffic from the Jefferson Avenue/Brick Kiln Boulevard intersection.
3. The alignment of the Habersham Drive extension between realigned Brick Kiln and Jefferson Avenue cannot be located any further east due to airport runway lighting clearances.
4. Acknowledgement that roundabouts are an efficient approach to traffic control at full access intersections on realigned Brick Kiln Boulevard.

The Plaza At Jefferson will have five points of access as follows:

1. Entrance 1 at the roundabout of realigned Brick Kiln Boulevard/Habersham Drive extended for the grocery store site. This is a full access entrance with a roundabout to be analyzed for traffic levels of service and queuing.

2. Entrance 2 at a roundabout on Brick Kiln Boulevard on the eastern side of the grocery store site. This is a full access entrance with a roundabout to be analyzed for traffic levels of service and queuing.
3. Entrance 3 on Brick Kiln Boulevard east of Jefferson Avenue for the grocery store site. This is right turn in/out only. Right turn lane warrant analysis only.
4. Entrance 4 on Brick Kiln Boulevard between the two roundabouts for the eastern site. This is right turn in/out only.
5. Entrance 5 for the 5.5 acre future development site between Entrance 2 and Providence Boulevard. This is right turn in/out only. The 5.5 acre future development area will have integrated access with the grocery store site.

Adequate access can be provided for The Plaza At Jefferson by the realignment of Brick Kiln Boulevard and the extension of Habersham Drive as shown on Figure 4. This road configuration also provides road system connectivity for future extension of G Avenue at the roundabout shown on Figure 4. Two alternatives for traffic control at the Jefferson Avenue intersections with Brick Kiln Boulevard and Habersham Drive have been included in this report for analysis.

Alternative 1 has conventional full access design with four critical signal phases and has overall LOS D at the two intersections. This is comparable to the existing LOS D at the Jefferson Avenue intersection with Brick Kiln Boulevard. It maintains east/west through traffic at Jefferson Avenue/Brick Kiln Boulevard as shown on Figure 5a. With this conventional approach, minor turning movements can take an inordinate amount of signal time. Restricting these movements and providing alternative routes can greatly decrease delays for major traffic movements by reducing the number of critical phases.

Figure 5a Existing East/West Thru Traffic

At the existing Jefferson Avenue/Brick Kiln intersection, eastbound and westbound through movements constitute less than 2% of total traffic but it requires the fourth critical phase. While this is a common practice, this highly inefficient fourth critical phase substantially reduces capacity available to the remaining 98% of traffic at the intersection.

Alternative 2 restricts direct east/west through movements at the Jefferson Avenue intersections with Brick Kiln Boulevard and Habersham Drive and reduces the critical phases to three. However, the pair of full four way Jefferson Avenue intersections at Brick Kiln and Habersham Drive provides diversion routes via left turns and right turns. Following Figure 5b shows Alternative 2 traffic diversion routes for existing eastbound and westbound through movements at Jefferson Avenue/Brick Kiln Boulevard/ Wal-Mart Way.

The direct east/west restriction will require approximately 1/2 mile additional travel for less than 2% of total traffic at Jefferson Avenue/Brick Kiln Boulevard/ Wal-Mart Way.

The trade off is that traffic LOS at the two intersections and on the Jefferson Avenue arterial improves to LOS C (including the project's traffic) versus the existing LOS D which is maintained with the Alternative 1 approach.

There is precedent for the Alternative 2 approach. The existing Jefferson Avenue/Boykin Lane/Ferguson four way intersection has restricted east/west traffic and correspondingly has the best LOS of any four way intersection on Jefferson Avenue.

Figure 5b East/West Thru Traffic Diversion Alt. 2

The development of The Plaza At Jefferson is proposed to also entail the following road improvements listed in Category I and II (with either Alternative 1 or 2 as may be determined by the City of Newport News). The City's Transportation Engineering Staff has requested that all potential road improvement be itemized within the following categories:

<u>Category I Improvements: Essential to Development Access:</u>

These are improvements that directly contact the development site at the entrances or frontage streets. Category I improvements are included in the study analysis.

1. Realign Brick Kiln Boulevard to the northern and eastern boundaries of the proposed development. Realigned Brick Kiln Boulevard shall be a four (4) lane divided roadway.
2. The realigned Brick Kiln Boulevard westbound approach to Jefferson Avenue shall consist of dual left turn lanes and dual right turn lanes.
3. The Signalized intersection of Jefferson Avenue and Brick Kiln Boulevard shall be reconfigured to accommodate the modified traffic pattern and shall include relocation of traffic signal mast arms, signal heads, pedestrian accommodations and signage.
4. The realigned Brick Kiln Boulevard shall include a multipurpose path on the north and east sides and a standard sidewalk on the south and west sides.
5. Connection to realigned Brick Kiln Boulevard with site Entrances I and 2 via roundabouts.
6. Connection to realigned Brick Kiln Boulevard with site Entrance 3; including a 100 ft. right turn lane and l00 ft. taper between Jefferson Avenue and Entrance 1.
7. Connection to realigned Brick Kiln Boulevard with right in-right out limitations for Entrances 4 and 5. Entrance 4 will be the sole commercial entrance into the east side of the development.

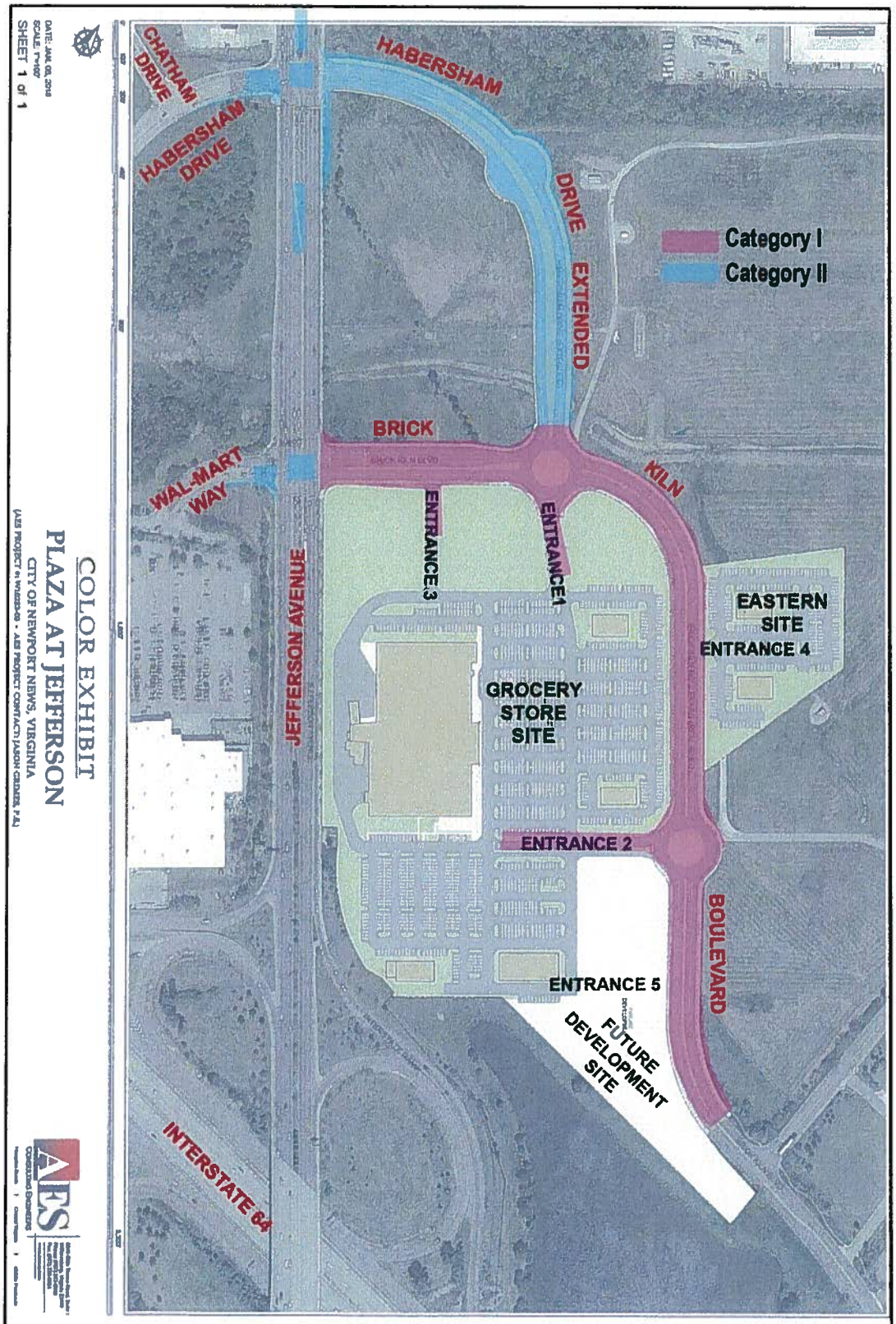


Figure 6 Road Improvements By Category

Category II Improvements: Secondary Improvements:

These are improvements that are critical to intersection operations in close proximity to the site. Category II improvements are included in the study analysis.

I. Extend Habersham Drive east from Jefferson Avenue with connection to the realigned Brick Kiln Boulevard at the roundabout for site Entrance I. Habersham Drive extension shall be a four (4) lane divided roadway.

2. The Habersham Drive extension right-of-way dedication shall include the necessary capacity for the future roundabout connection with the G Avenue extension.

3. The Habersham Drive extension westbound approach to Jefferson Avenue shall include dual right turn lanes and a single left turn lane.

4. The Signalized intersection of Jefferson Avenue and Habersham Drive shall be reconfigured to accommodate the modified traffic pattern and shall include relocation of traffic signal mast arms. signal heads, pedestrian accommodations and signage.

5. A 200 ft. northbound right turn lane with 200 ft. taper shall be installed on Jefferson Avenue at Brick Kiln Boulevard.

6. The median of Jefferson Avenue shall be modified to include a minimum 8 ft. wide pedestrian refuge and shall include pedestrian signalization and push button activation for the intersections of Brick Kiln Boulevard and Habersham Drive. The east side of Jefferson Avenue. north and south of the intersections shall be widened to create the transition for the northbound travel lanes in the area of median widening.

7. The median of Jefferson Avenue shall be modified to increase the northbound dual left turn Jane at Habersham Drive to 350 ft.

8. The median of Jefferson Avenue shall be modified to install dual southbound left turn lanes at Habersham Drive.

9. The eastbound approach of Habersham Drive at Jefferson Avenue shall be widened to accommodate dual left and dual right turn lanes.

10. The eastbound approach of Wal-Mart Way at Jefferson Avenue shall be widened Lo accommodate dual left and dual right turn lanes.

11. Signal timing modifications within the study limits shall be included at the time the new phasing is activated and updated within ix months of activation as coordinated with the City.

Category 3 Improvements: Major Improvements Beyond the Scope of a Single Development

These are major roadway improvements and additions that are too costly and too large to be supported by a single development. Category III improvements are not to be included in the analysis portion of the study.

I. No Category III improvements have been identified.

BACKGROUND INFORMATION

Site Location And Description

The Plaza At Jefferson site location in the Hampton Roads region is shown on the upper section of Exhibit 1a. The site is located in The City of Newport News in the northeast corner of the intersection of Rt. 143 Jefferson Avenue/Brick Kiln Boulevard which is the first intersection on Rt. 143 Jefferson Avenue north of I-64. (Note: The directional convention in this report is Rt. 143 runs north and south and I-64 runs east and west).

The Plaza At Jefferson property location with respect to area roads is shown on the lower portion of Exhibit 1a. I-64 is maintained by VDOT, and all other public roads including Rt. 143 Jefferson Avenue in the area are maintained by the City of Newport News.

Exhibit 1b shows The Plaza At Jefferson property on the City's parcel map. The property is to be partitioned and leased from the larger property holdings of the Peninsula Airport Commission. The property encompasses part of the current alignment for Brick Kiln Boulevard. Brick Kiln Boulevard will be realigned as part of the development. The property's land use is now fallow.

General terrain in the area is level terrain.

City of Newport News

Department of Engineering

March 29, 2016

To: Director of Planning

From: Director of Engineering

Subject: Comments for Planning Commission Case for April 6, 2016

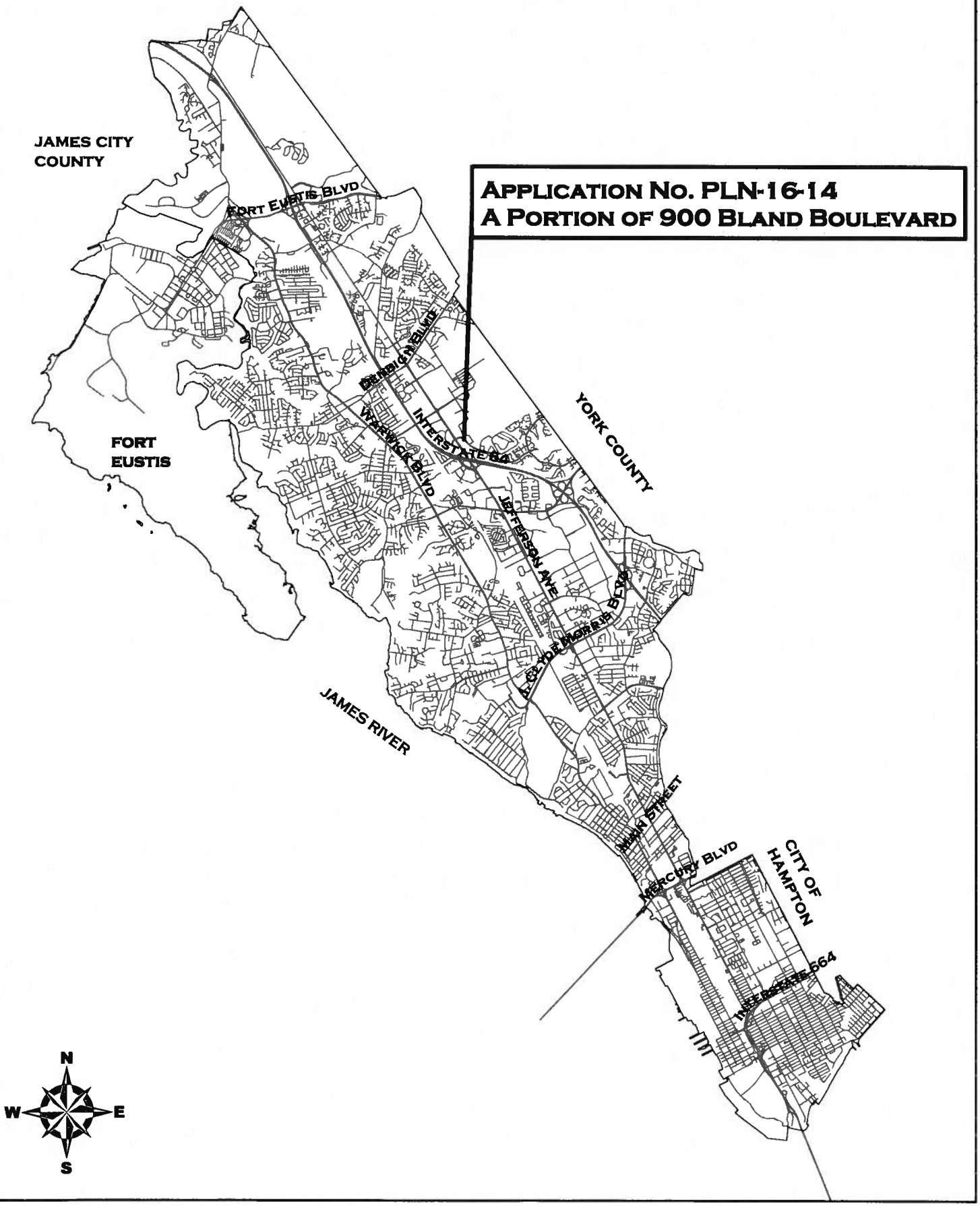
Application No. CZ-16-379, Peninsula Airport Commission. The Department of Engineering has no objection to the request for a change of zoning from M1 Light Industrial to C1 Retail Commercial with proffers on a 33.37 acre portion of an 824.62 acre parcel located at 900 Bland Boulevard to allow construction of a grocery store. Please advise the applicant that a site plan will be required. The Department of Engineering has approved the Traffic Impact Analysis for the site. As part of the change of zoning, all category 1 and 2 improvements identified in the final approved Traffic Impact Analysis must be included in the plan and implemented. A utility study of the site is recommended to be performed to address the most economical approach to providing sanitary service to the planned development. It will be necessary to relocate the existing HRSD facilities crossing the site. City and HRSD acceptance of sewage flow generated by the planned development will be required.

Everett P. Skipper, PE, BCEE

EPS/SDK

CITY OF NEWPORT NEWS
PLANNING COMMISSION
APRIL 6, 2016

COMPREHENSIVE PLAN AMENDMENT
APPLICATION NO. PLN-16-14



COMPREHENSIVE PLAN AMENDMENT PLN-16-14

OWNER/APPLICANT	City of Newport News		
LOCATION	Portion of 900 Bland Boulevard near Jefferson Avenue and the I-64 Interchange (Appendix A-1)	***FRAMEWORK FOR THE FUTURE 2030***	Natural Area/Open Space, Parks and Recreation, and Transportation (Appendix A-2)
PRESENT USE	Vacant	**ACREAGE**	33.37 acres

REQUEST Change comprehensive plan land use map from Natural Area/Open Space, Parks and Recreation, and Transportation to Community Commercial.

View west across Brick Kiln Boulevard towards subject area.

View north across subject area.

FACTS

North	Newport News/Williamsburg International Airport
South	Interstate 64 (I-64)
East	Newport News/Williamsburg International Airport, Uncle Bob's Self Storage, and the Villages of Kiln Creek
West	Walmart and Sam's Club across Jefferson Avenue

Land Use History The land use designation for 900 Bland Boulevard was Industrial in the City's original General Plan (1980) to reflect both the existing airport use and surrounding vacant land that was identified as suitable for industrial development. The land use designation changed in the 1993 *Framework for the Future* to Transportation Facilities for most of the parcel, with several small areas of Natural Area/Open Space and Parks and Recreation. The 33.37-acre portion of the airport that is the subject of this amendment is

designated Natural Area/Open Space, Parks and Recreation, and Transportation.

Regulatory Review The Code of Virginia (§15.2-2223) mandates all localities prepare and adopt a comprehensive plan for the physical development of land within its jurisdiction. After plan adoption, amendments to it must be referred to the local planning commission for public hearing, and approved and adopted by the local governing body (§15.2-2229).

The Code of Virginia (§15.2-2222.1) mandates that prior to adoption of any comprehensive plan, any part of a comprehensive plan, or any amendment to any comprehensive plan, localities submit the plan or amendment to the Department of Transportation (VDOT) for review and comment provided the plan or amendment will substantially affect transportation on state-controlled highways.

The Code of Virginia (§15.2-2222.1) mandates that localities submit a Traffic Impact Analysis (TIA) to VDOT in conjunction with zoning amendment requests if the proposal will substantially affect transportation on state-controlled highways. Because of the subject site's proximity to a state controlled highway (I-64) any subsequent rezoning proposal must be submitted to VDOT along with a TIA for review and comment. A summary of their review and key findings must be included in the locality's official public record on the rezoning application.

ANALYSIS

Land Use Established on the site of the former Camp Patrick Henry and located in both Newport News and York County, the Newport News/Williamsburg International Airport totals over 1,600 acres, of which 824.6 acres are identified as 900 Bland Boulevard. Officially dedicated in November 1949, the airport provides facilities for commercial service, general aviation, and military traffic. The area that is the subject of this amendment is located in the airport's self-identified Southern Quadrant, which is generally defined by Jefferson Avenue and the I-64 corridor.

Jefferson Avenue is the city's major commercial corridor; the densest commercial development is generally located along the corridor between Oyster Point Road and Denbigh Boulevard. Established uses include the Market Place at Tech Center, Patrick Henry Mall, Patrick Henry Place, Walmart and Sam's Club, Jefferson Commons, Ferguson Enterprises, car dealerships, gas stations and convenience stores, chain restaurants, and several hotels. The majority of the properties are designated Mixed Use, Regional Commercial, Community Commercial, and Office, and most uses are considered regional draws (see Appendix A-3).

The *Newport News/Williamsburg International Airport Master Plan Update* (2014), which analyzes existing conditions and facility needs, identifies both aviation and non-aviation improvements to guide capital investments for the long-term sustainment of the airport. The Airport Layout Plan (ALP),

approved by the Federal Aviation Administration (FAA) on July 11, 2014, illustrates all proposed aviation and non-aviation improvements. FAA's approval of the ALP represents acceptance of the general location of future facilities depicted for planning purposes; during the preliminary design phase of any future facilities, the airport owner is required to resubmit for final approvals. The area that is the subject of this General Plan Amendment is identified for non-aviation development on the ALP, as shown in Figure 1. The ALP also illustrates future realignment of Brick Kiln Boulevard, which is discussed in the Transportation section of this report.

The Airport Master Plan is supported with a market scan and development concepts for proposed non-aviation uses on underutilized airport property. The market scan identifies specific development types that potentially could provide economic and fiscal benefits for airport operations through land leases and be compatible with adjacent and nearby uses. Commercial development is proposed for the subject area based on the analysis of the market scan.

Proposed Realignment of Brick Kiln Boulevard

Non-Aviation Development Proposed for Subject Area

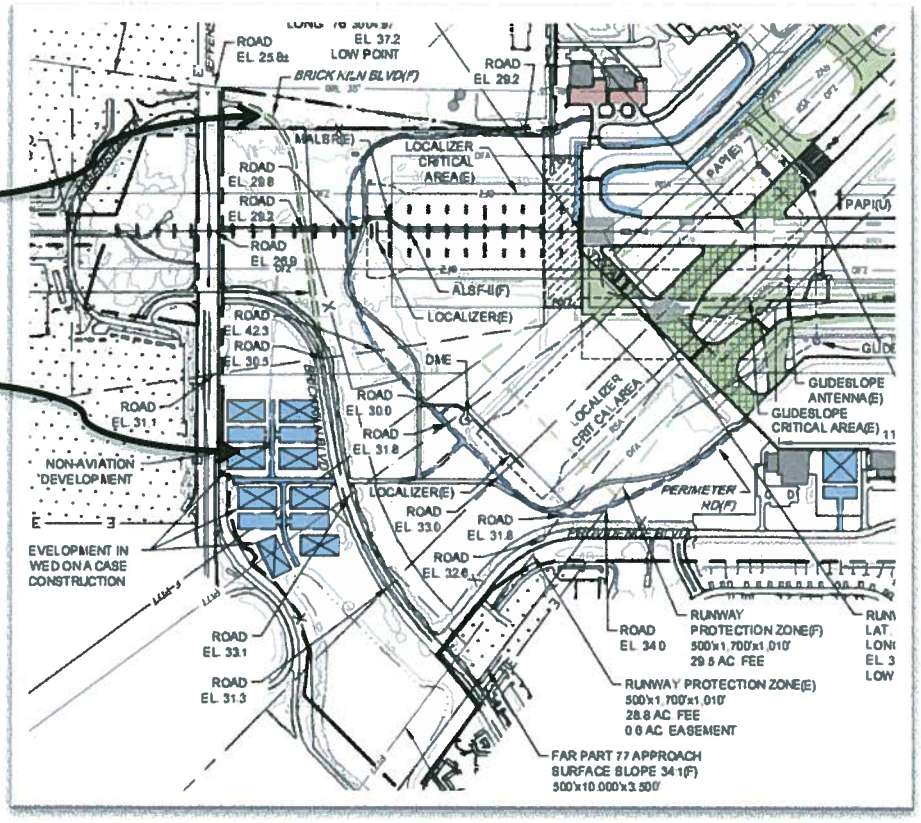


Figure 1: The Airport Layout Plan illustrates non-aviation development in the subject area and realignment of Brick Kiln Boulevard (excerpt from Sheet 3 of the FAA approved Airport Layout Plan).

The nearest residential use is to the southeast in Kiln Creek. Kiln Creek Lake 1, which is partially located on airport property, buffers the subject area from the Featherstone South neighborhood, which is located on the west side of Brick Kiln Boulevard. The Featherstone apartment complex, located on the east side of Brick Kiln Boulevard, is buffered from the airport property by Uncle Bob's Self Storage and the Masters Crossing commercial

center. Commercial use on the subject area would be considered compatible with the adjacent uses, provided that a buffer is retained between commercial development and the Featherstone South neighborhood.

A portion of the airport property located on the south side of Brick Kiln Boulevard was conveyed to the Peninsula Airport Commission in 1987 as part of the Kiln Creek Development. The Kiln Creek Homeowner's Association maintains a lake maintenance easement on this property for Kiln Creek Lake 1. A permanent easement and right of access over and across a portion of this land is also recorded for the purpose of landscaping and excavation for storm water retention and detention, and for installation of underground utilities by the City of Newport News.

The Peninsula Airport Commission will lease the 33.37-acre area for commercial development; the income from the lease will be used to implement other recommendations of the Airport Master Plan.

View toward Masters Crossing from Brick Kiln Boulevard.

View west across subject area towards Jefferson Avenue.

Environment The portion of 900 Bland Boulevard that is the subject of this Comprehensive Plan Amendment is not located in a Chesapeake Bay Preservation Area. Kiln Creek Lake 1 is adjacent to the subject area to the southeast, between Brick Kiln Boulevard and I-64. Any future development in the subject area must be designed to avoid impacting this stormwater pond and associated wetlands. Further, development must be designed to protect the lake maintenance easement dedicated to the Kiln Creek Homeowners Association, and must address the City's drainage easements that run through the subject area.

There is a drainage culvert extending from just south of the existing airport runways towards Jefferson Avenue just north of Brick Kiln Boulevard. This culvert passes water under Jefferson Avenue. Any future development in the subject area must be designed to avoid impacting this drainage system.

View of Kiln Creek Lake 1, which separates the subject area from the Featherstone South neighborhood.

View of drainage culvert from Jefferson Avenue.

Transportation The area that is the subject of this Comprehensive Plan Amendment is directly accessible from Jefferson Avenue (Route 143) and Brick Kiln Boulevard which crosses the property and terminates at Jefferson Avenue. Jefferson Avenue is a major arterial with daily traffic volume of 80,000 vehicles. Brick Kiln Boulevard carries approximately 15,000 vehicles per day. The signalized intersection of Jefferson Avenue and Brick Kiln Boulevard has a level of service (LOS) D. LOS D indicates that traffic is approaching unstable flow and occasionally vehicles have to wait through more than one signal cycle before proceeding. The delays, however, are within tolerance given the high volumes.

To support non-aviation development and long-term infrastructure improvements, the Airport Master Plan (2014) proposes realignment of Brick Kiln Boulevard to accommodate an intersection pair with Jefferson Avenue further north at the intersection with Habersham Drive. The Department of Engineering states that realignment of Brick Kiln Boulevard will improve traffic flow on Jefferson Avenue by allowing reconfiguration of the existing intersection and signalization enhancements at both the existing and new intersections. The proposed realignment is illustrated on the Overall Development Plan for the Newport News/Williamsburg International Airport, as shown on the next page (see Figure 2). Further, the ALP also illustrates the proposed realignment. The FAA approved the ALP on July 11, 2014.

The *Framework for the Future 2030* Land Use and Transportation Plan does not include the proposed realignment, as it was not recommended until after the comprehensive plan was adopted; however, the comprehensive plan does recognize the significance of the Newport News/Williamsburg International Airport to economic development and directs the City to carry out the recommendations of the Airport Master Plan. Further, the comprehensive plan supports roadway improvement projects to accommodate existing and proposed traffic, especially those that enhance safety and improve flow conditions.

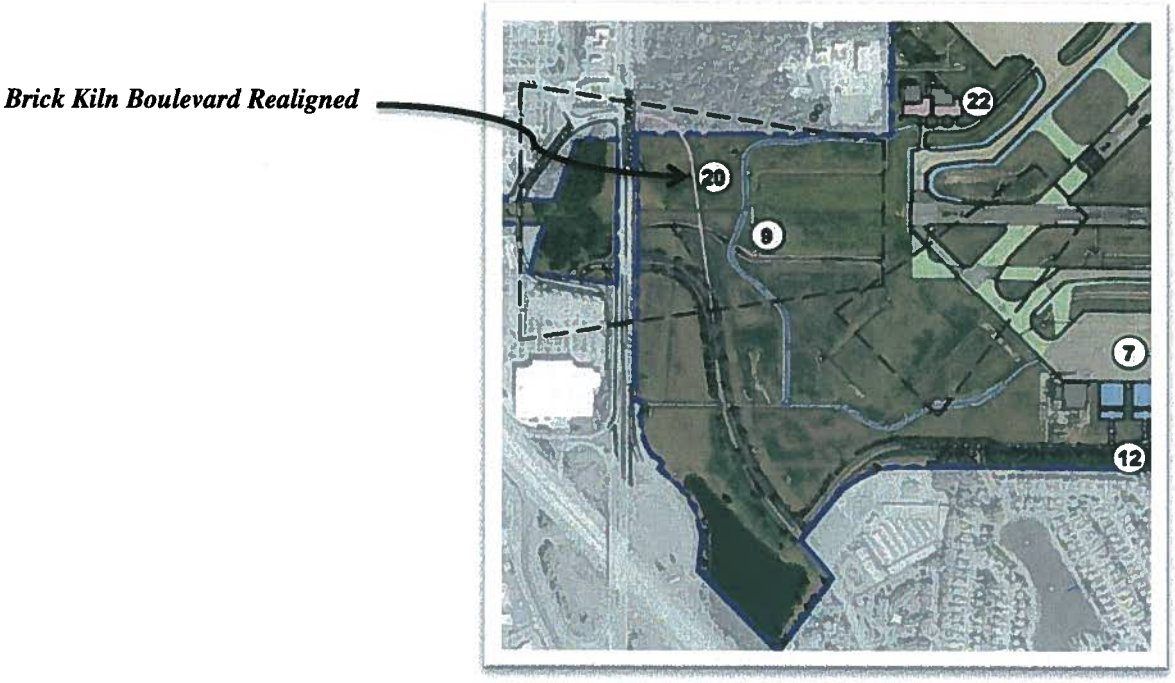


Figure 2: The Airport Master Plan's Overall Development Plan (Figure 5-1) illustrates proposed improvements, including realignment of Brick Kiln Boulevard (Project No. 20).

CONCLUSION

The updated Airport Master Plan (2014) provides an opportunity to re-evaluate future land use for airport property fronting Jefferson Avenue based on both existing and future land use, and reexamine the associated transportation network for opportunities for improvements. The analysis and recommendations included in the Airport Master Plan were not available to the City when the *Framework for the Future 2030* (2008) was adopted. Based on the new information and the desire to support recommendations of the Airport Master Plan and enhance long-term sustainability of the Newport News/Williamsburg International Airport, the Community Commercial designation will allow Newport News to support a major economic asset and improve traffic flow on a segment of the Jefferson Avenue corridor. The Community Commercial land use designation will allow for future rezoning for a variety of commercial and/or office uses that would be considered compatible with nearby and adjacent uses provided they do not affect the airport's ability to expand, current or future air traffic, or the adjacent neighborhood.

STAFF RECOMMENDATION

Recommend approval of Comprehensive Plan Amendment PLN-16-14 to change the comprehensive plan land use and transportation map from Natural Area/Open Space, Parks and Recreation, and Transportation to Community Commercial for 33.37 acres located in the Southern Quadrant of the Newport News/Williamsburg International Airport, and further identified on Appendix A-4.

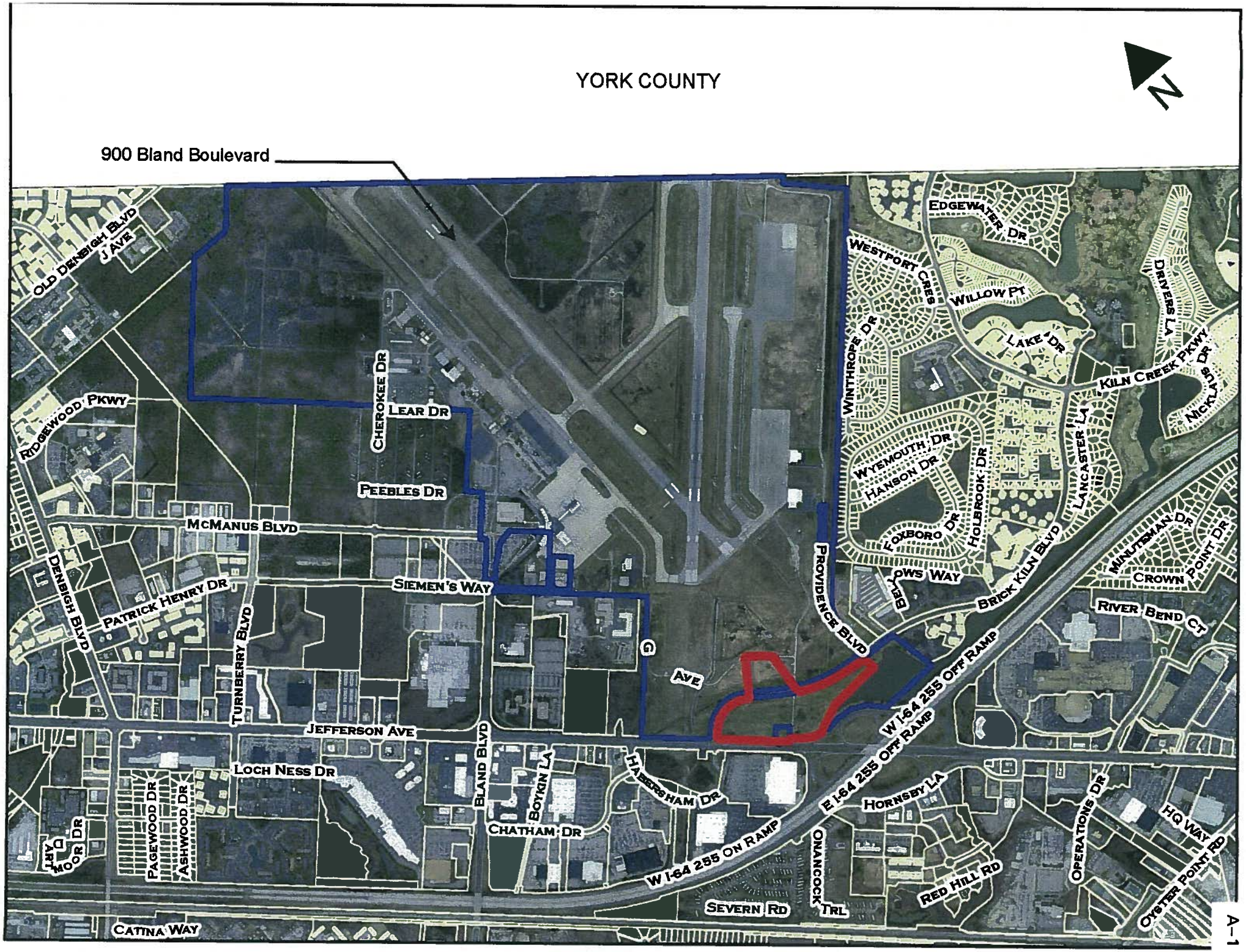
APPENDIX

A-1 BOUNDARY MAP/AERIAL

A-2 EXISTING USE MAP

A-3 ADOPTED *FRAMEWORK FOR THE FUTURE 2030* LAND USE AND TRANSPORTATION PLAN MAP

A-4 PROPOSED AMENDMENT TO THE *FRAMEWORK FOR THE FUTURE 2030* LAND USE AND TRANSPORTATION PLAN MAP


YORK COUNTY
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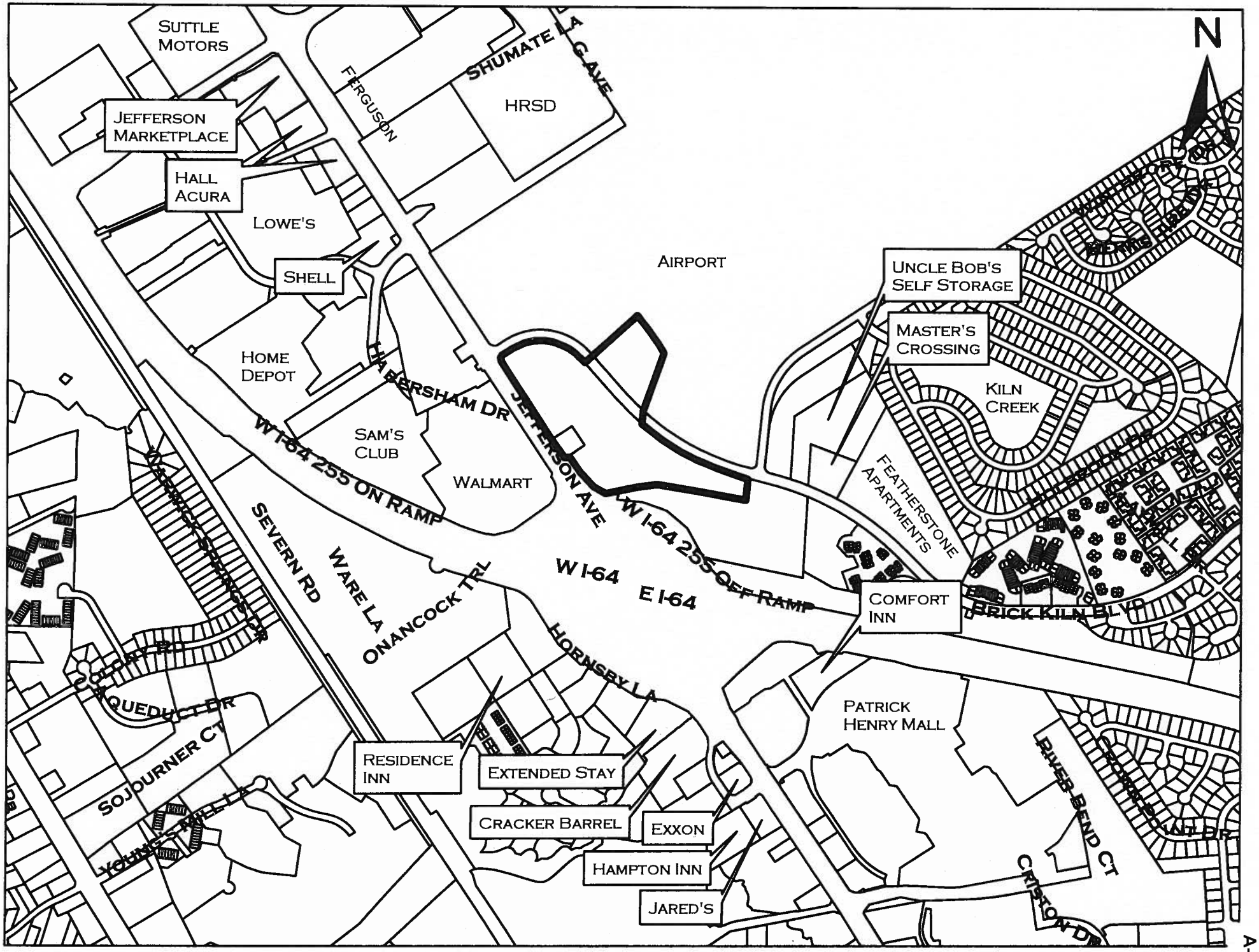
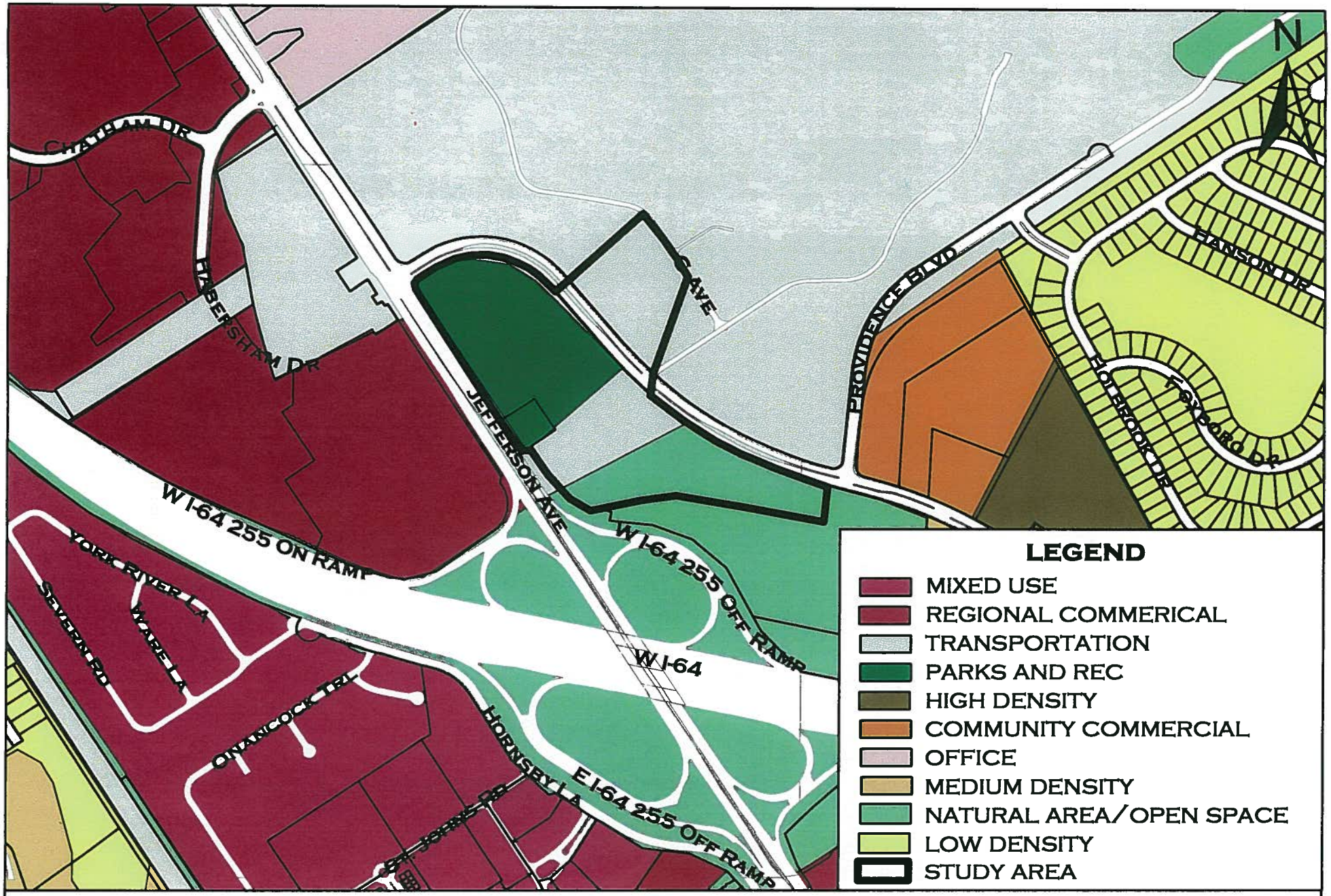
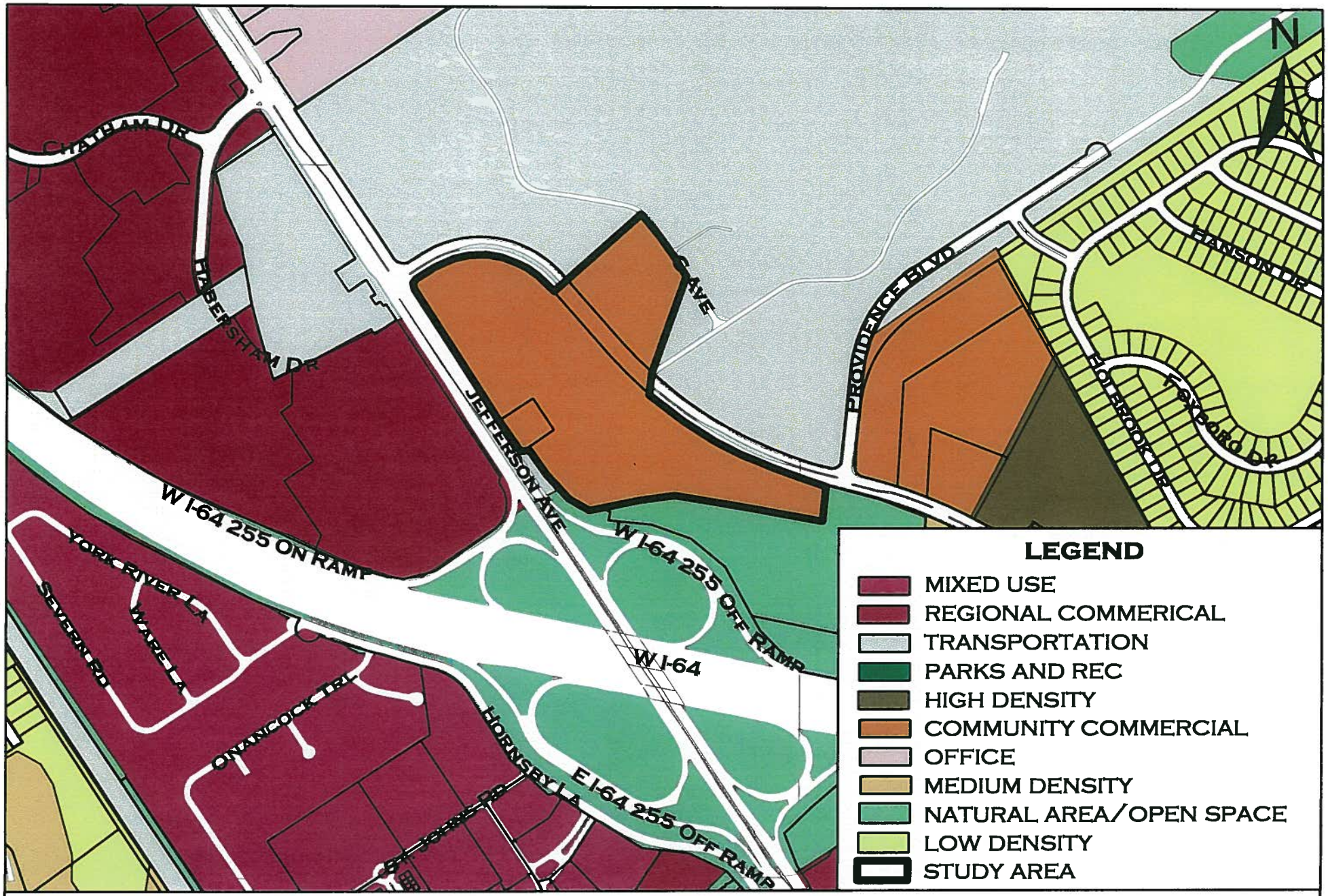
900 Bland Boulevard
Old Denbigh Blvd
J Ave
Ridgewood Pkwy
Cherokee Dr
Lear Dr
Peebles Dr
McManus Blvd
Denbigh Blvd
Patrick Henry Dr
Siemen's Way
Turnberry Blvd
Jefferson Ave
Loch Ness Dr
Bland Blvd
Boykin La
Chatham Dr
Hampshire Dr
Pagewood Dr
Ashwood Dr
Art Moor Dr
Catina Way
G Ave
Providence Blvd
Edgewater Dr
Westport Cres
Willow Pt
Lake Dr
Winthrope Dr
Wyemouth Dr
Hanson Dr
Foxboro Dr
Holbrook Dr
Bellows Way
Drivers La
Kiln Creek Pkwy
Nickland Dr
Lancaster La
Brick Kiln Blvd
Minuteman Dr
Crown Point Dr
River Bend Ct
W I-64 255 Off Ramp
E I-64 255 Off Ramp
W I-64 255 On Ramp
Hornsby La
Onancock Trl
Severn Rd
Red Hill Rd
Operations Dr
HQ Way
Oyster Point Rd


N
SUTTLE MOTORS
JEFFERSON MARKETPLACE
HALL ACURA
LOWE'S
SHELL
HOME DEPOT
SAM'S CLUB
WALMART
FERGUSON
SHUMATE LA
HRSD
AIRPORT
UNCLE BOB'S SELF STORAGE
MASTER'S CROSSING
KILN CREEK
FEATHERSTONE APARTMENTS
COMFORT INN
BRICK KILN BLVD
PATRICK HENRY MALL
RIVER BEND CT
CRISTION DR
HARBERSHAM DR
JEFFERSON AVE
W I-64 255 ON RAMP
W I-64 255 OFF RAMP
W I-64
E I-64
SEVERN RD
WARE LA
ONANCOCK TRL
HORNSBY LA
COPPER RD
AQUEDUCT DR
SOJOURNER CT
YOUNG'S MILL LA
RESIDENCE INN
EXTENDED STAY
CRACKER BARREL
EXXON
HAMPTON INN
JARED'S



City of Newport News

Existing Framework for the Future 2030

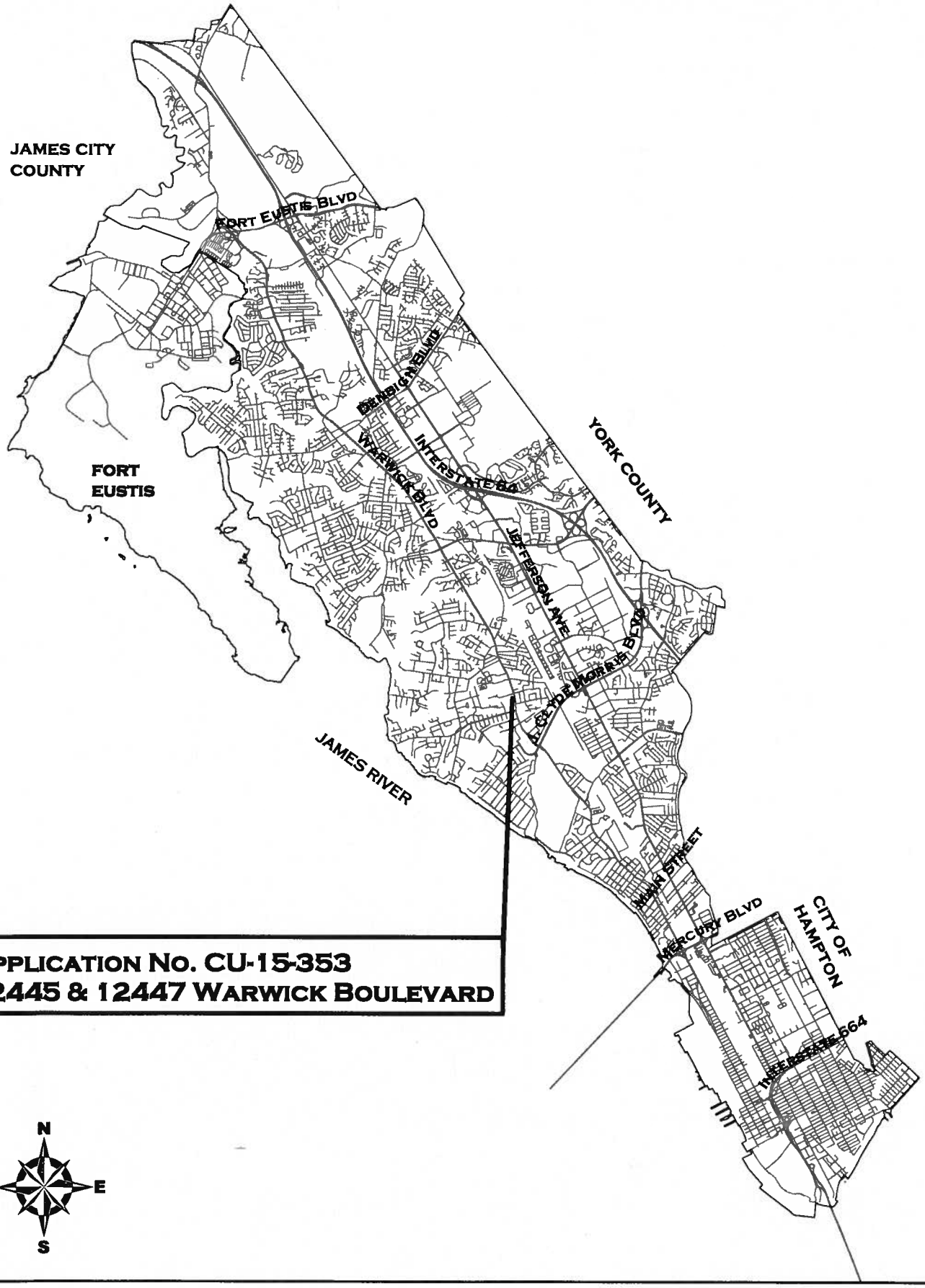


CITY OF NEWPORT NEWS

PROPOSED FRAMEWORK FOR THE FUTURE 2030

CITY OF NEWPORT NEWS
PLANNING COMMISSION
APRIL 6, 2016

CONDITIONAL USE PERMIT
APPLICATION NO. CU-15-353
CENTRE COURT RACQUET CLUB



APPLICATION NO. CU-15-353
12445 & 12447 WARWICK BOULEVARD

CONDITIONAL USE PERMIT NO. CU-15-353
CENTRE COURT RACQUET CLUB

APPLICANT/OWNER	Centre Court Racquet Club	**ZONING**	C1 Retail Commercial (Appendix A-1)
LOCATION	12445 & 12447 Warwick Boulevard	***FRAMEWORK***	Neighborhood Commercial and Community Facility(Appendix A-4)
PRESENT USE	Tennis court center	**ACREAGE**	1.64 acres

REQUEST Single Entrance Interior Storage Facility

FACTS

North Newport News Fire Station No. 10 and Telecommunications Center NNPSTV on properties zoned C1 Retail Commercial

South Hidenwood Shopping Center on property zoned C1 Retail Commercial

East Bojangles restaurant and shopping center on properties zoned C1 Retail Commercial

West Single family homes on property zoned R3 Single-Family Dwelling

Zoning History C1 Retail Commercial since the citywide comprehensive rezoning became effective August 1, 1997

Regulatory Review The Zoning Ordinance requires a conditional use permit to operate a single entrance interior storage facility in the C1 Retail Commercial zoning district. The Zoning Ordinance requires a 30 foot transitional buffer area between commercial and single family zoning, which occurs on the property's western

boundary. The preliminary site plan appropriately identifies the required transitional buffer areas. (See Appendix-A-2.)

The Zoning Ordinance requires 3 parking spaces for every 1,000 square feet of office space plus 1 parking space per employee. Based on the proposed operation, 4 parking spaces are required. The site plan submitted indicates 4 parking spaces will be provided. (See Appendix A-2.)

The departments of Codes Compliance, Engineering, Public Works, Public Utilities, Fire, Police, Parks, Recreation and Tourism and Development have no objection to the request.

Comprehensive Plan Review

The *Framework for the Future 2030* comprehensive plan land use map designates neighborhood commercial and community facility uses for the property. The proposed use is consistent with the commercial designation. (See Appendix A-4.)

The *Framework* also recommends the visual improvement of the city's corridors and encourages the reduction of visual blight on properties to be redeveloped. The proposed use re-uses a vacant building and adds a building of an appropriate scale which conforms to this recommendation.

ANALYSIS

There is a 1970's utilitarian cinder block building on the property that has housed indoor tennis courts for over 40 years. The building's visibility from the street is limited and obscured by a restaurant building and the fire station that are at either side of the access driveway fronting Warwick Boulevard.

The building is in need of major repairs and the owners have found that the operation of the center is not economically or commercially viable to allow for the upkeep of the structure. Given that for the last 5 years the revenues have not been sufficient to cover the operational expenses and that efforts to find a buyer that will continue to operate the racquet club have not been successful, the owners have come to the realization that they can no longer support the operation. Notice of the closure of the center at the conclusion of the 2016 winter season appeared on the March 25th and March 27th editions of the Newport News Town Square and the Daily Press, respectively. (See Appendix A-6.)

After exhausting all avenues to find a new owner that would maintain the property as an indoor tennis center the owners started to contemplate offers for other uses and decided that the most benign alternative to a tennis center would be the proposed interior, climate controlled self-storage operation. The applicant proposes to refurbish the existing building to accommodate an office as well as variety of storage units ranging from 50 to 300 square feet. There will also be a two story addition that will share a single entrance with the rehabilitated building. No unit will be accessed directly from outside of the building.

Although the building will retain its utilitarian character, the addition of

windows, awnings and other decorative treatments will enhance the look of the building. In addition new landscaping throughout the site will further enhance the site as it is viewed from Warwick Boulevard. (See Appendix A-3.)

The proposed use does not generate the traffic that any of the commercial or office uses permitted by right would generate. Moreover, the use will provide a low impact storage facility within proximity to a residential neighborhood and the university. Its location will provide within walking distance a service that may be sought by students that are only on campus during the academic year. Further, in addition to the required buffer along the western boundary, where the property abuts single-family residential zoning, the applicant is proposing to retain the existing green area with its mature vegetation assuring that there will be no impacts on the adjacent residential neighbors.

Given the limited frontage of the property directly on Warwick Boulevard and due to side yard setback requirements, freestanding signs cannot be accommodated at the site frontage limiting signage to a building sign.

Although climate controlled warehouse facilities sometimes may morph into other commercial uses, the limitations of the site, including limited visibility, access and parking precludes it from accommodating most other commercial uses.

CONCLUSION

The proposed development will introduce architectural elements that in conjunction with new extensive landscaping will enhance the appearance of the site's frontage and entryway off of Warwick Boulevard.

The proposed use is consistent with the adopted *Framework for the Future 2030* comprehensive plan land use map and is compatible to the surrounding uses within the immediate vicinity due to its minimal concentration of people, noise and traffic.

STAFF RECOMMENDATION

Recommend approval of conditional use permit CU-15-353 to allow for the operation of a single entrance interior storage facility located at 12445 & 12447 Warwick Boulevard with the following conditions::

1. The applicant shall submit a class 1 Site Plan to the Department of Engineering for review by the Site Plan Review Committee and approval by the Director of Engineering; this site plan shall be in general conformance with the Conceptual Site Plan prepared by Alfonso & Associates, Inc. dated July 20, 2015, found in Appendix A-2 and shall conform to this conditional use permit, the City's Site Regulations and the Zoning Ordinance.

2. The applicant shall submit to the Department of Planning building elevations and exterior building materials consistent with the elevation

drawings dated September 1, 2015 prepared by Michael Henry Architect and found in Appendix A-3 to be reviewed and approved by the Director of Planning prior to the issuance of a building permit. The building shall be constructed in substantial conformance with the approved elevations and materials.

3. The applicant shall submit a landscape plan, which is consistent with the requirements of the Site Regulations and this permit, to be approved by the Director of Planning prior to conditional site plan approval. This landscape plan shall be in general conformance to the conceptual plan prepared by Alfonso & Associates dated August 27, 2015, found in Appendix A-2. All landscaping shall be installed in accordance with the approved plan and shall be maintained in a healthy condition in perpetuity. The use approved by this permit shall not commence until the landscaping has been installed.

4. The applicant shall cause a 30-foot transitional buffer area to be installed and maintained in perpetuity along the property's western boundary. The applicant shall retain and maintain in perpetuity the additional approximately 60-foot open area adjacent to the buffer.

5. The applicant shall provide fire access to the site in accordance with applicable code requirements. The proposed fire access shall be submitted to the City's Fire Marshall's Office for review and approval prior to final site plan approval.

6. All new building sign placement, design and materials shall be reviewed and approved by the Director of Planning prior to the issuance of a sign permit.

7. No temporary or portable signs shall be permitted on the Property. Signage placed in or on any window of a building shall be limited to no more than 25 percent of each window.

8. No businesses shall be located or operated out of units within the facility. All business and other use of the units shall be for storage use only.

9. The applicant shall cause a plan ("the Plan") to be prepared for the installation and operation of digital video equipment (the "Equipment") with recording devices and capability sufficient to include date and time that recording is made. The Equipment shall provide surveillance coverage encompassing both the front, side and rear exteriors of the business. The Plan shall be submitted for review and approval by the Police Department. The Plan shall include an operational period for the Equipment, which shall include all operating hours of the business and one hour or more after the close of business. Once the Plan is approved, the applicant shall install the Equipment in accord with the provisions of the Plan; and operate, record, and maintain the Equipment to provide for the required surveillance coverage. The Equipment and recordings made thereby shall be subject to periodic inspection by the Police Department at reasonable times. Commencement of the use authorized by this conditional use permit shall

constitute acceptance of the conditions of this permit, including consent for such inspections. Surveillance tapes or recorded data must be maintained in a condition permitting review of the information recorded or stored therein or thereon for a period of time no less than thirty (30) days.

10. If approved, the ordinance approving this conditional use permit shall be prominently displayed within the establishment at all times until the use is abandoned.

11. Violation of any of the above conditions and safeguards attached thereto shall be deemed a violation of the Zoning Ordinance, and, in addition, shall serve as grounds for revocation of the conditional use permit by the City Council.

12. A Certificate of Use and Occupancy shall be obtained prior to the operation of any business use on the Property. If applicable, the use approved by this conditional use permit shall not begin until a site plan is approved and fully implemented. If applicable, any landscaping component of the site plan shall be maintained in a healthy condition for the duration of the use authorized by this permit.

13. The applicant, as well as successors, assigns, and agents, shall comply with all codes, ordinances and regulations of federal, state and local government.

14. The applicant, as well as his successors, assigns, and agents, shall obtain all necessary licenses, approvals, or conditional approvals, and permits prior to commencing any use, which is authorized by this conditional use permit or law. The applicant, as well as successors, assigns, and agents shall maintain all necessary licenses, approvals, and permits for the entire period of time during which the real property, whether improved or otherwise is put to a use which is authorized by this conditional use permit.

15. Notwithstanding any other provision of law, this conditional use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; therefore, the conditions contained in this conditional use permit are not severable; in the event that any condition contained herein, of part thereof, is found by a court of competent jurisdiction to be invalid, unconstitutional or otherwise unenforceable, then the use permitted by this conditional use permit shall be void and the use permitted by this conditional use permit shall be invalid. If this conditional use permit becomes void as a result of a condition or a part thereof, or conditions there in, being ruled invalid, unconstitutional or otherwise unenforceable, the property owner shall be afforded the right to reapply for a conditional use permit.

16. Notwithstanding any other provision of law, this conditional use permit is being approved due, in part, to the mitigating effects of each and every condition contained herein; as such, in the event of an amendment to the zoning of the property is produced by a comprehensive implementation

of a new or substantially revised Zoning Ordinance, the conditions imposed by the conditional use permit shall continue in effect.

APPENDIX

A-1 VICINITY/ZONING MAP

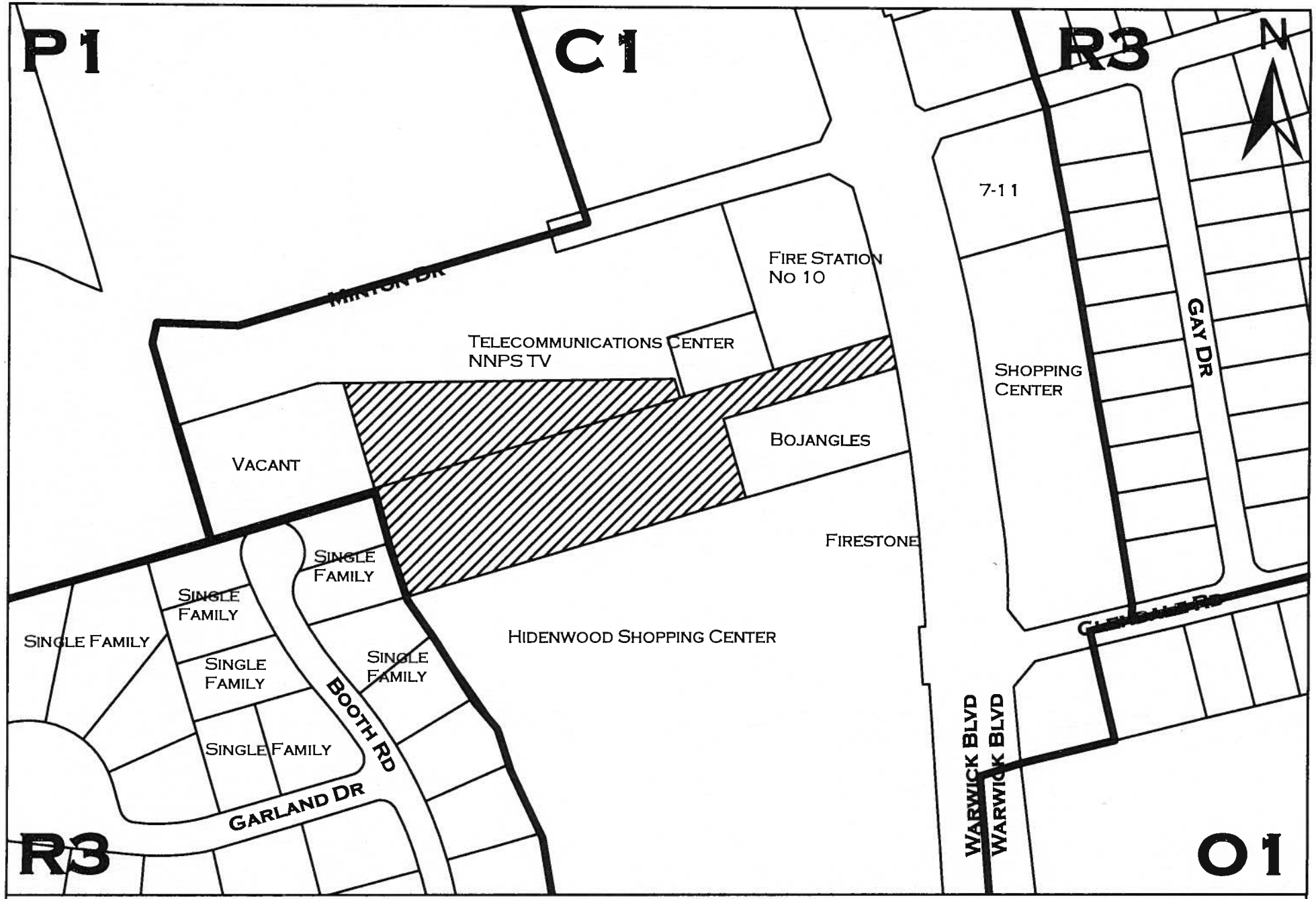
A-2 SITE PLAN

A-3 ELEVATIONS

A-4 FRAMEWORK FOR THE FUTURE 2030 LAND USE MAP

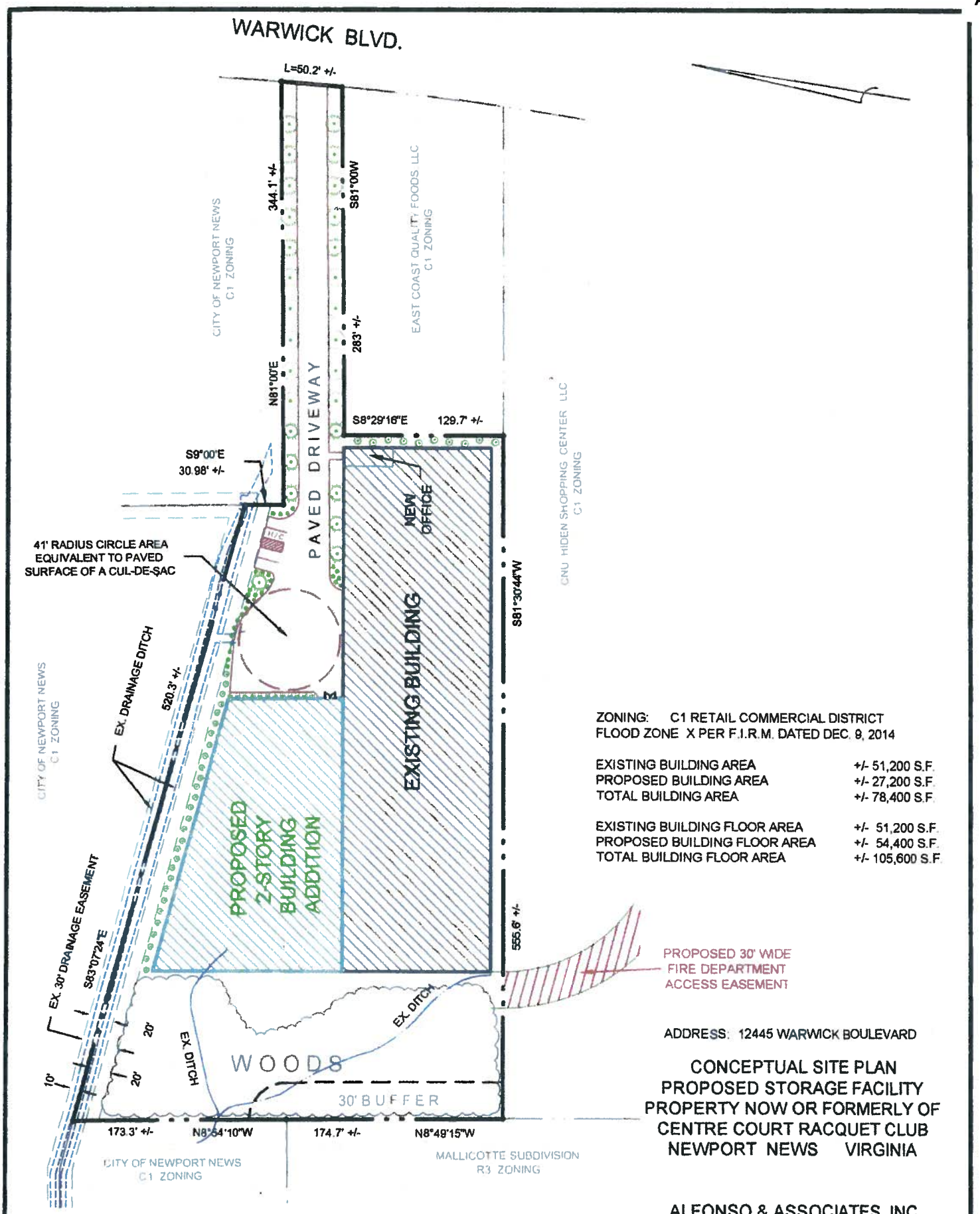
A-5 AERIAL MAP

A-6 CLOSURE NOTICE



Centre Court Racquet Club

CU-16-362



ZONING: C1 RETAIL COMMERCIAL DISTRICT
FLOOD ZONE X PER F.I.R.M. DATED DEC. 9, 2014

EXISTING BUILDING AREA	+/- 51,200 S.F.
PROPOSED BUILDING AREA	+/- 27,200 S.F.
TOTAL BUILDING AREA	+/- 78,400 S.F.
EXISTING BUILDING FLOOR AREA	+/- 51,200 S.F.
PROPOSED BUILDING FLOOR AREA	+/- 54,400 S.F.
TOTAL BUILDING FLOOR AREA	+/- 105,600 S.F.

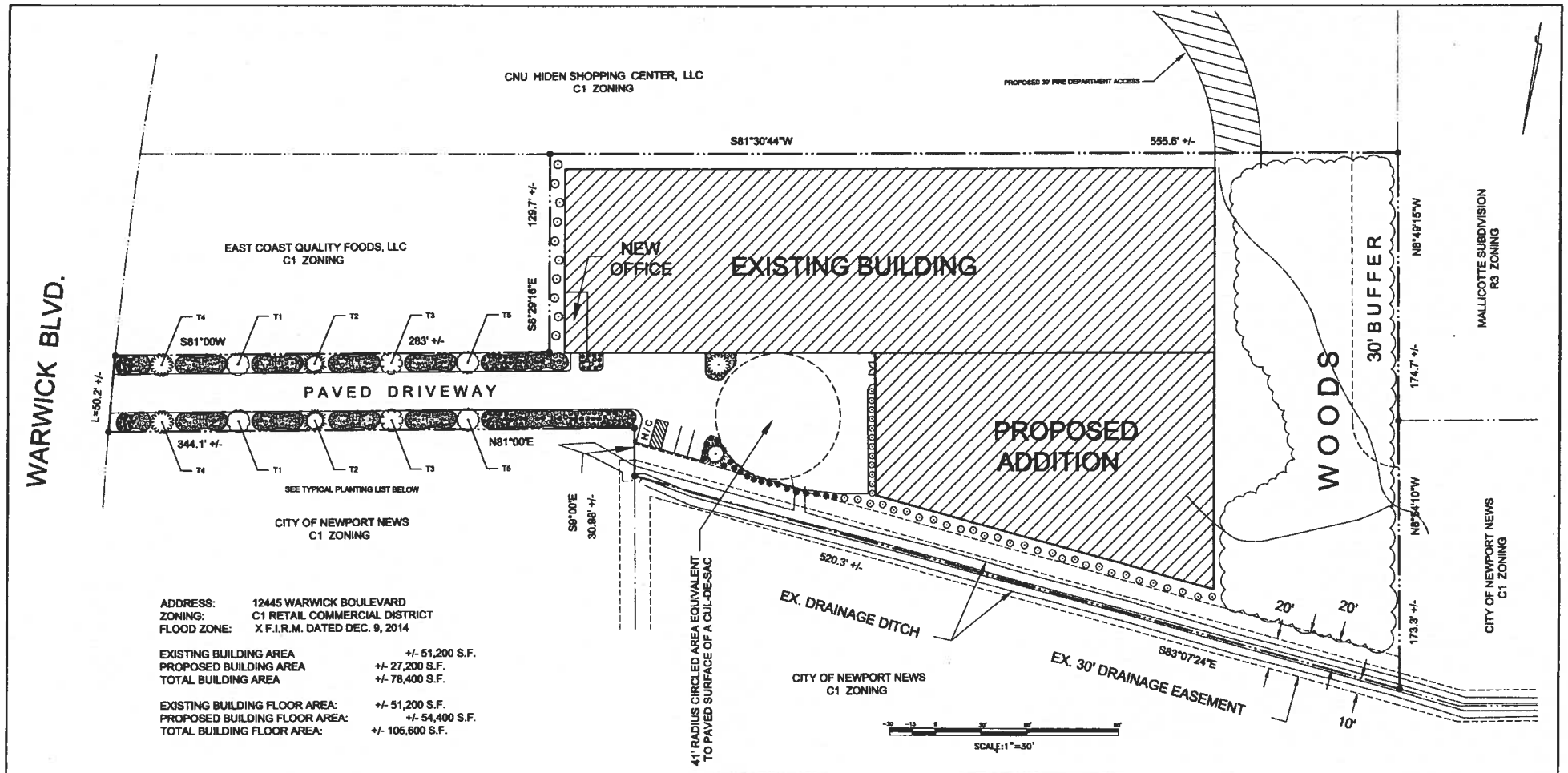
ADDRESS: 12445 WARWICK BOULEVARD

CONCEPTUAL SITE PLAN
PROPOSED STORAGE FACILITY
PROPERTY NOW OR FORMERLY OF
CENTRE COURT RACQUET CLUB
NEWPORT NEWS VIRGINIA

SCALE: 1" = 100'
DATE: JUNE 24, 2015
REV. JULY 8, 2015
REV. JULY 20, 2015

ALFONSO & ASSOCIATES, INC.
Surveying - Planning
PHONE: 757 873 0750
NEWPORT NEWS , VIRGINIA

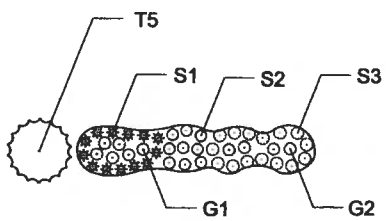
A-2



ADDRESS: 12445 WARWICK BOULEVARD
ZONING: C1 RETAIL COMMERCIAL DISTRICT
FLOOD ZONE: X F.I.R.M. DATED DEC. 9, 2014

EXISTING BUILDING AREA +/- 51,200 S.F.
PROPOSED BUILDING AREA +/- 27,200 S.F.
TOTAL BUILDING AREA +/- 78,400 S.F.

EXISTING BUILDING FLOOR AREA: +/- 51,200 S.F.
PROPOSED BUILDING FLOOR AREA: +/- 54,400 S.F.
TOTAL BUILDING FLOOR AREA: +/- 105,600 S.F.



PLANTING BED SAMPLE (N.T.S.)

PLANT LIST								
KEY	QTY.	SCIENTIFIC NAME	COMMON NAME	SIZE HT.	SPR'D.	CALP.	DETAIL	REMARKS
TREES								
T1		CRYPTOMERIA JAPONICA	JAPANESE CEDAR	8-FT.			TREE	FULL HEAD
T2		MAGNOLIA GRANDIFLORA 'LITTLE GEM'	LARGE FLOWERED MAGNOLIA	6-FT.			TREE	FULL HEAD
T3		ILEX 'COMPACT' DAHLEAF	HOLLY	8-FT.			TREE	FULL HEAD
T4		METASEQUOIA GLYPTOSTROBOIDES	DAWN REDWOOD	8-FT.			TREE	FULL HEAD
T5		TAXODIUM DISTICHUM	BALD CYPRESS	8-FT.			TREE	FULL HEAD
SHRUBS								
S1		NANDINA DOMESTICA NANA 'FIREPOWER'	FIREPOWER DWARF NANDINA		18"-24"		SHRUB	MIN. 3 GAL.
S2		COTONEASTER KALEIDOSCOPE	KALEIDOSCOPE COTONEASTER		18"-24"		SHRUB	MIN. 3 GAL.
S3		RHODODENDRON INDICA x AUTUMN ROYALTY	AUTUMN ROYALTY AZALEA		24"-30"		SHRUB	MIN. 3 GAL.
S4		ROSA x FLOWER CARPET 'AMBER'	"AMBER" FLOWER CARPET ROSE		18"-24"		SHRUB	MIN. 3 GAL.
GROUND COVER								
G1		ECHINACEA 'ALOHA'	PRAIRIE PILLARS 'CONEFLOWER'					1 GAL.
G2		HEMEROCALLIS 'HAPPY RETURNS'	'HAPPY RETURNS' DWARF DAYLILLY					1 GAL.
G3		IBERIS SEMPERVIRENS	CANDYTUFT					1 GAL.
G4		LIRIOPE MUSCARI	LIRIOPE					1 GAL.

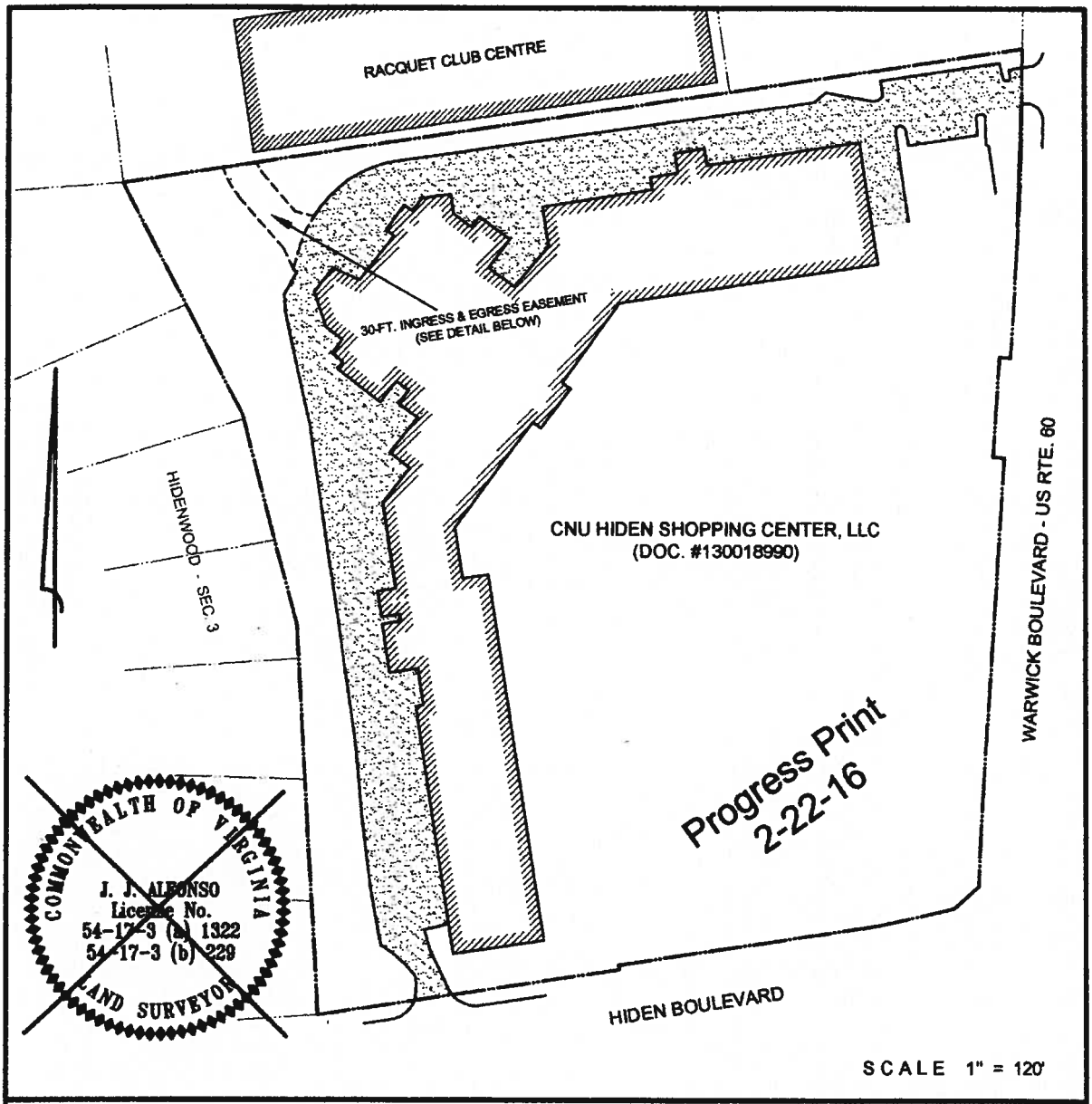
NOTE: PROPOSED LANDSCAPE PLANTING MATERIAL AND ITS PLACEMENT WILL BE SUBJECT TO FINAL SITE PLAN REVIEW AND APPROVAL BY THE CITY'S LANDSCAPE DESIGN OFFICE.

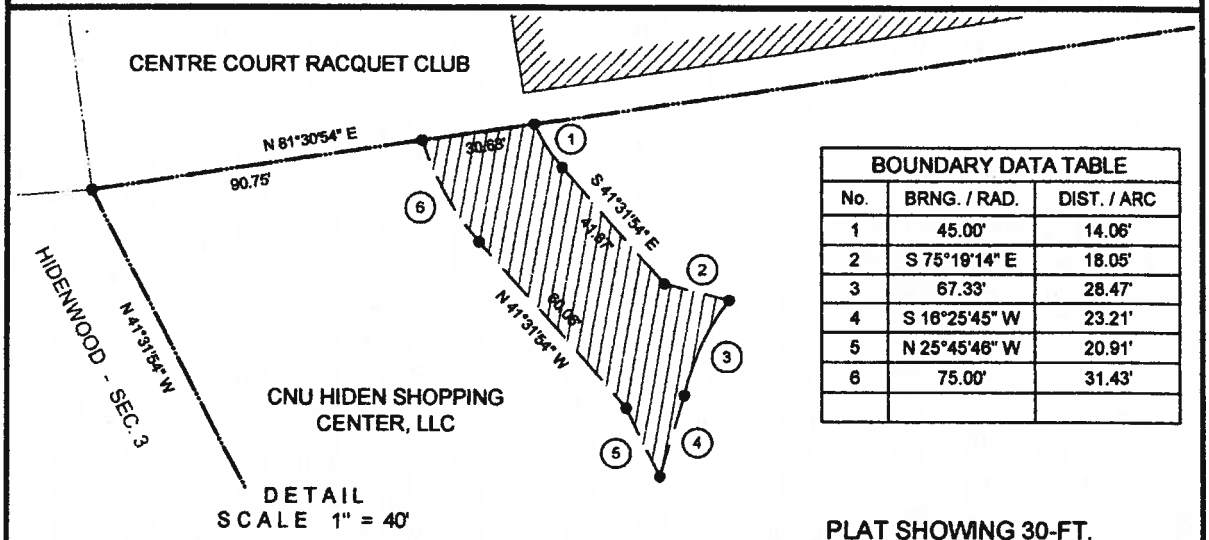
REVISIONS				
NO.	DATE	DESCRIPTION	BY	CKD.

ALFONSO & ASSOCIATES, INC.
Surveying & Land Development Planning
739 Yorktown Road, Suite 3A
Newport News, VA 23602
757 873 8520

CONCEPTUAL SITE PLAN
PROPOSED STORAGE FACILITY
PROPERTY NOW OR FORMERLY
CENTRE COURT RACQUET CLUB
NEWPORT NEWS VIRGINIA

DESIGNED BY: J.J.A.	JOB No. 15-04-11120	P.B. 295 - PG. 10
DRAWN BY: HPQ	DATE: AUGUST 27, 2015	C.F. [PLAT]
CHECKED BY: J.J.A.	SCALE: 1" = 30'	SHEET 1 OF 1





BOUNDARY DATA TABLE		
No.	BRNG. / RAD.	DIST. / ARC
1	45.00'	14.06'
2	S 75°19'14" E	18.05'
3	67.33'	28.47'
4	S 16°25'45" W	23.21'
5	N 25°45'46" W	20.91'
6	75.00'	31.43'

EASEMENT PLAT PREPARED WITHOUT BENEFIT OF A TITLE SEARCH REPORT AND THEREFORE IT IS SUBJECT TO ALL ENCUMBRANCES ON THE PROPERTY.

PLAT SHOWING 30-FT.
INGRESS AND EGRESS EASEMENT
CNU HIDEN SHOPPING CENTER, LLC
NEWPORT NEWS VIRGINIA

SCALE: 1" = 120'

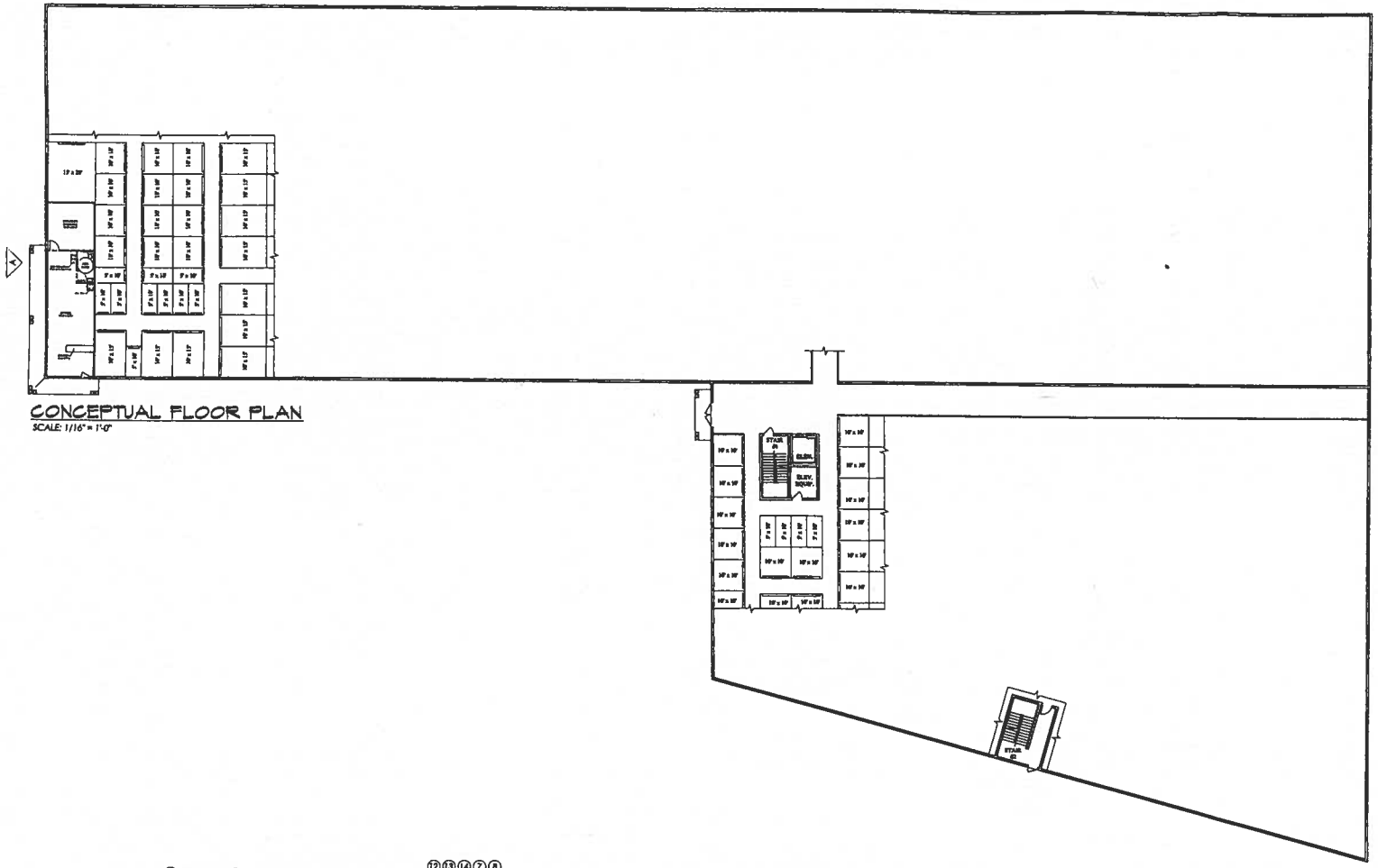
JOB No. 15-04-11120

DATE: FEB. 18, 2016

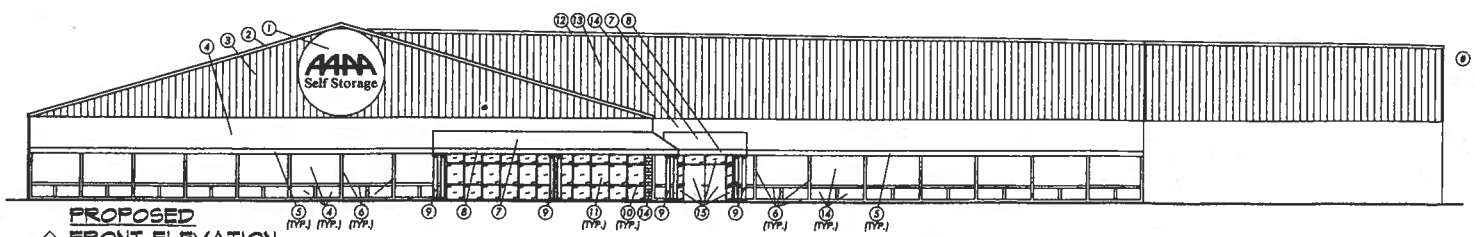
F.B. 294 - PG. 15B

ALFONSO & ASSOCIATES, INC.
SURVEYING - PLANNING
PHONE: 757 873 0750
NEWPORT NEWS , VIRGINIA

AAAA
Self Storage



CONCEPTUAL FLOOR PLAN
SCALE: 1/16" = 1'-0"



PROPOSED
FRONT ELEVATION
SCALE: 3/32" = 1'-0"

EXTERIOR MATERIALS LEGEND:

1. NEW INTERNALLY ILLUMINATED SIGN
2. EXISTING RAKE TRIM; PAINT WHITE
3. EXISTING VERTICAL METAL SIDING; PAINT WHITE
4. EXISTING BLOCK MASONRY; PAINT PUTTY COLOR
5. NEW 1x12 COMPOSITE TRIM; PAINT WHITE
6. NEW 1x6 COMPOSITE TRIM; PAINT WHITE
7. NEW INTERNALLY ILLUMINATED FOREST GREEN VINYL AWNING
8. NEW DECORATIVE 8x12 BEAM; PAINT WHITE
9. NEW 12" x 9'-0" HIGH DORIC COLUMN; PAINT WHITE
10. NEW WHITE STOREFRONT FRAME
11. NEW BRONZE TINTED INSULATED GLASS
12. NEW WHITE RAKE TRIM
13. NEW WHITE VERTICAL METAL SIDING
14. NEW BLOCK MASONRY; PAINT PUTTY COLOR
15. NEW HOLLOW METAL DOOR AND FRAME WITH SIDE LIGHT AND TRANSOM; PAINT WHITE

Michael HENRY
ARCHITECT
PHONE (757) 595-1212
FAX (757) 599-4555
mike@mhenry.com
700 Pilot House Drive
Suite 100-G
Newport News, VA. 23606
www.mhenry.com

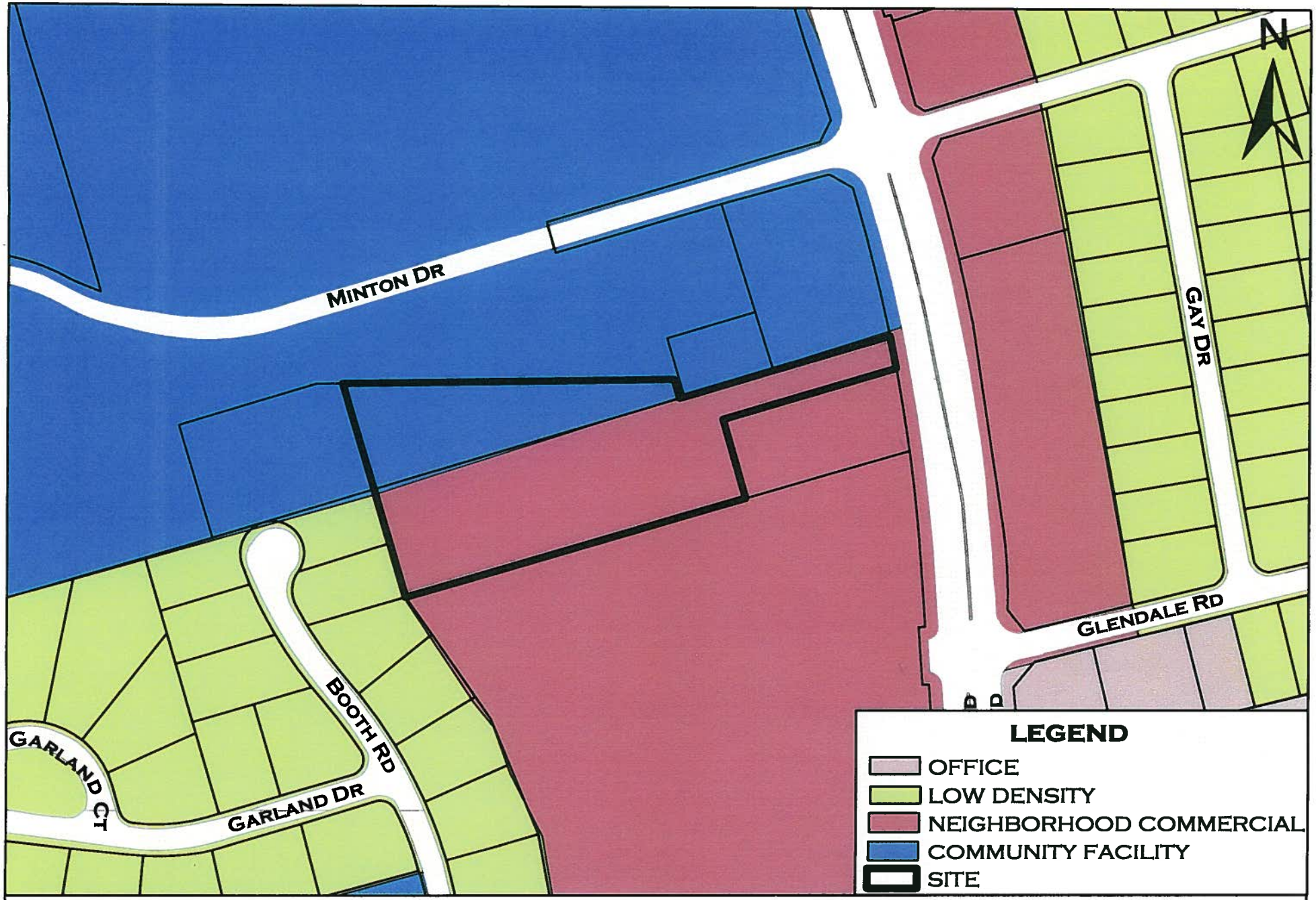
PROJECT NAME: CONCEPTUAL FLOOR PLAN
AAAA STORAGE
12445 WARWICK BLVD.
NEWPORT NEWS, VA
DWG TITLE: CONCEPTUAL FLOOR PLAN

NO.	DATE	REVISION	BY

FILE NAME: 1564 - A1
DATE: 01 SEP 15
DRAWN BY: DRH
CHECKED BY: CAH

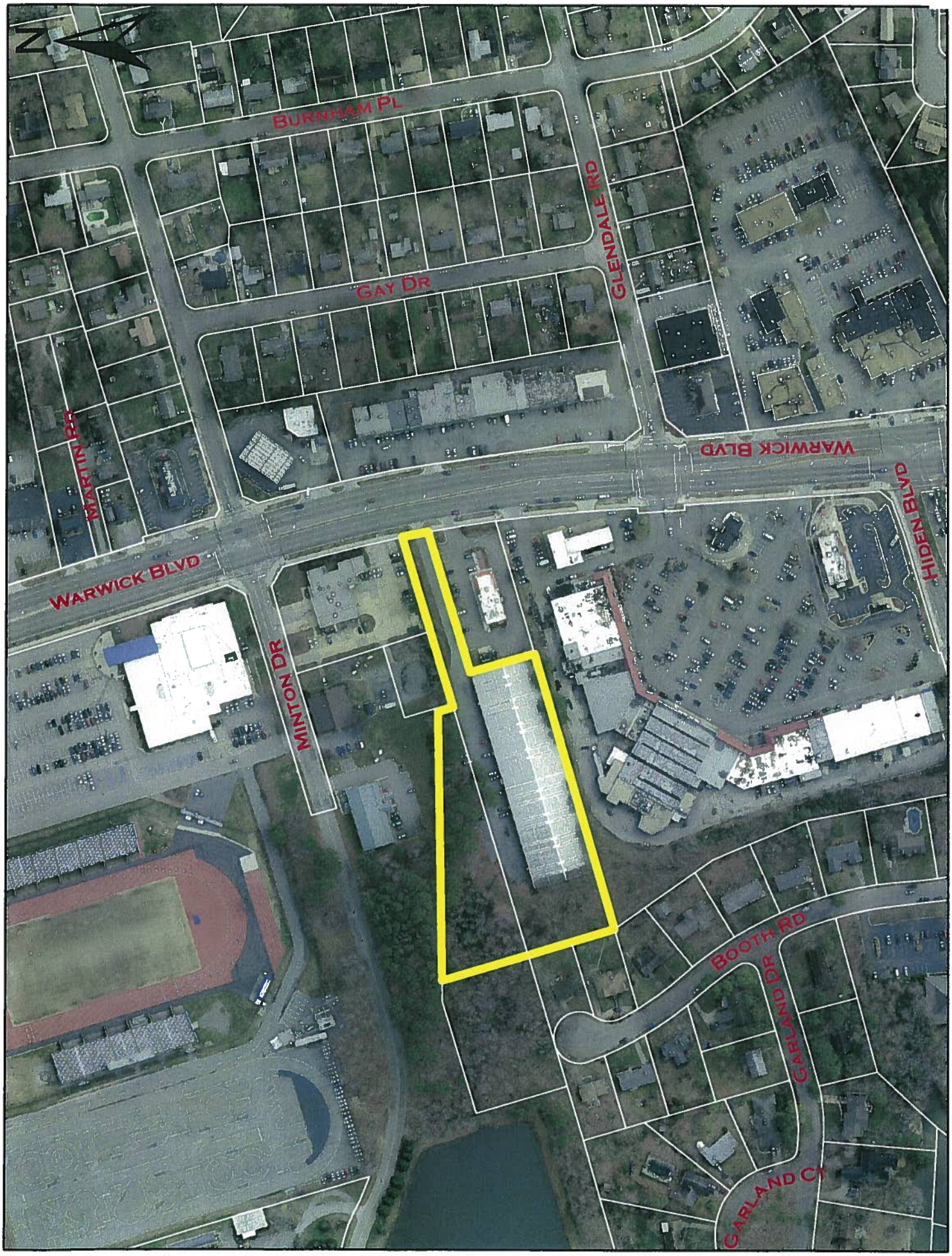
PROGRESS PRINT
NOT TO BE USED FOR CONSTRUCTION

JOB NO.: 1564
A-1
SHEET 1 OF 1



CENTRE COURT RACQUET CLUB

FRAMEWORK FOR THE FUTURE 2030


N
BURNHAM PL
GAY DR
GLENDALE RD
MARTIN RD
WARWICK BLVD
WARWICK BLVD
HIDEN BLVD
MINTON DR
BOOTH RD
GARLAND DR
GARLAND CT

CENTRE COURT RACQUET CLUB

Closing Effective May 1, 2016

The facility will close and cease operations at the conclusion of the Winter Season on April 30, 2016. The Centre Court Limited Partnership wishes to extend its heartfelt thanks and deep gratitude to all of our patrons for 43 enjoyable years and also to our loyal staff. Alternative indoor tennis facilities in the immediate area are already in the planning for the fall at James River Country Club and also at other sites on the Peninsula. In addition, with existing facilities at Riverside's Wellness Center on Jefferson Ave., year round tennis will continue to thrive in our locality.

Thank you again,
Col. William H. Shivar
General Partner