AGENDA

NEWPORT NEWS CITY COUNCIL
REGULAR CITY COUNCIL MEETING

JUNE 25, 2019

City Council Chambers

7:00 p.m.

A. Call to Order

B. Invocation

• Pastor David Godwin, City Life Church

C. Pledge of Allegiance to the Flag of the United States of America

D. Presentations

1. Resolution of Recognition: The Apprentice School at Newport News Shipbuilding 100th Anniversary

E. Public Hearings


2. Ordinance Authorizing Conditional Use Permit No. CU-2019-0005, to First Baptist Church Newport News, for the Operation of an Electronic Display Sign in Conjunction with a Community Facility in a Residential District on Property Located at 12716 Warwick Boulevard and Zoned R3 Single-Family Dwelling

F. Consent Agenda

1. Minutes of the Special Meeting of June 11, 2019
2. Minutes of the Work Session of June 11, 2019
3. Minutes of the Regular Meeting of June 11, 2019

G. Other City Council Actions

1. Ordinance Amending and Reordaining City Code Chapter 2, Administration; Article XX., Office of Purchasing; Division 1., Generally; Section 2-553.5, Job Order Contracting; Limitations; Section 2-555.1., Modification of Contract; and Division 3., Competitive Negotiation; Section 2-569.2., Public Notice
2. Ordinance Amending and Reordaining City Code Chapter 39, Swimming Pools; Article II., Public Pools; Division 1., Generally; Section 39-30, Telephones
3. Ordinance Amending and Reordaining City Code, Chapter 40, Taxation; Article I., General Provisions and Exemptions; Division 2., Exemptions Generally; Section 40-7.06, Exemption for Disabled Veterans; and Section 40-7.07, Exemption for Surviving Spouses of Members of the Armed Forces Killed in Action
4. Ordinance Amending and Ordaining City Code, Chapter 40, Taxation; Article II., Real Estate Taxes; Division 3., Deferral For Elderly And Disabled Persons; Exemption For Qualifying Elderly Persons; Section 40-46, Definitions
5. Resolution Authorizing and Directing the City Manager to Execute a Lease By and Between the City of Newport News and Parkview Community Center, for Continued Use as the Hilton Senior Center
6. Resolution to the Virginia General Assembly in Support of Gun Violence Prevention Legislation

H. Appropriations

1. Department of Engineering - Traffic Signal Improvements on Warwick Boulevard - $850,000
2. Department of Engineering - Flood Control and Water Quality Projects Throughout the City - $1,935,000

I. Citizen Comments on Matters Germaine to the Business of City Council

J. *New Business and Councilmember Comments

1. City Manager
2. City Attorney
3. City Clerk
4. Woodbury
5. Cherry
6. Harris
7. Jenkins
8. Price
9. Scott
10. Vick

K. Adjourn

*THE BUSINESS PORTION OF THE MEETING WILL BE CONCLUDED NO LATER THAN 10:00 P.M. TO ALLOW PERSONS TO ADDRESS CITY COUNCIL UNDER "CITIZEN COMMENTS ON MATTERS GERMANE TO THE BUSINESS OF CITY COUNCIL."
A. Call to Order

B. Invocation – Pastor David Godwin, City Life Church

C. Pledge of Allegiance to the Flag of the United States of America

D. Presentations
**E. Public Hearings**


**ACTION:**

A REQUEST TO ADOPT AN ORDINANCE APPROVING TECH CENTER RESEARCH PARK MASTER DEVELOPMENT PLAN NO. O3-2018-0001 TO W.M. JORDAN DEVELOPMENT, LLC (APPLICANT), AND THE COMMONWEALTH OF VIRGINIA, NEWPORT NEWS ECONOMIC DEVELOPMENT AUTHORITY, CITY OF NEWPORT NEWS, BUILDING ONE AT TECH CENTER LLC AND SOUTHEASTERN UNIVERSITIES RESEARCH ASSOCIATION (OWNERS), FOR NINE PROPERTIES LOCATED AT 12050 AND 12098 JEFFERSON AVENUE; 628 AND 630 HOFSTADER ROAD; 690, 700, AND 730 OYSTER POINT ROAD; AND 12003 AND 11951 CANON BOULEVARD, AT THE TECH CENTER RESEARCH PARK AND ZONED O3 OFFICE/RESEARCH DEVELOPMENT DISTRICT.

**BACKGROUND:**

- Development in the O3 Office/Research and Development district requires an approved master development plan by City Council.

- The proposed Tech Center Research Park Master Development Plan provides guidelines and a framework for the review and approval of the proposed buildings and layout of the development.

- On June 5, 2019, the City Planning Commission voted unanimously 8:0 to recommend approval of the request with conditions.

**Vote on Roll Call**

**For:** Fox, Mulvaney, Carpenter, Stodghill, Wittkamp, Willis, Groce, Simmons  
**Against:** None

**Abstention:** None
The City Manager recommends approval.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**
Description
Memo to HCC re O3-2018-0001 Tech Center Master Plan 6.19.19
Staff Report and CPC Minutes
sdm16934 Approving Master Development Plan O3-2018-0001 (Tech Center)
CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

June 19, 2019

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Tech Center Master Development Plan O3-2018-0001

W.M. Jordan Development LLC, the contract purchaser, and the joint property owners request approval of a Master Development Plan for Tech Center Research Park to guide the development of an approximately 83 acre area, which includes nine (9) properties located at 12050 & 12098 Jefferson Avenue; 628 & 630 Hofstadter Road; 690, 700 & 730 Oyster Point Road; and 11951 & 12005 Canon Boulevard. The properties are zoned O3 Office/Research and Development.

The zoning ordinance requires development within the office/research center park to be in accordance with a master development plan. The plan must be approved by the city council based on a planning commission recommendation.

The proposed Master Development Plan for Tech Center Research Park appropriately addresses issues specified in Article XIX, of the zoning ordinance such as building setbacks, placement and orientation as well as signage, lighting, landscaping building materials and architecture. The proposed guidelines will provide a framework for the review and approval of proposed buildings and will set the tone for all development within the center, including streets, open spaces and facilities. The amenities within the Research Park will be available for all the citizens of Newport News.

On June 5, 2019, the City Planning Commission voted unanimously 8:0 to recommend approval of the request to City Council with conditions.

I recommend approval.

[Signature]

Cynthia D. Rohlff

CDR: sgd

Attachment

cc: Sheila W. McAllister, Director, Department of Planning
Florence G. Kingston, Director, Department of Development
MASTER DEVELOPMENT PLAN NO. 03-2018-0001
COMMONWEALTH OF VIRGINIA, BUILDING ONE @ TECH CENTER, LLC.,
ECONOMIC DEVELOPMENT AUTHORITY CITY OF NEWPORT NEWS, CITY
OF NEWPORT NEWS & SOUTHEASTERN UNIVERSITIES RESEARCH
ASSOC.

APPLICANT/OWNER  W.M. Jordan Development
LLC. Contract
Purchaser/Commonwealth
of Virginia, Building One @
Tech Center, LLC.,
Economic Development
Authority City of Newport
News, City of Newport
News & Southeastern
Universities Research
Association

LOCATION  12050 & 12098 Jefferson
Avenue; 628 & 630
Hofstadter Road; 690, 700
& 730 Oyster Point Road;
11951 & 12005 Canon
Boulevard

PRESENT USE  Vacant land, SCOT Center
and Office buildings.

REQUEST  Master Development Plan for Tech Center Research Park

ZONING  03 Office/Research and
Development (Appendix A-1)

ONE CITY,
ONE FUTURE  Research and Development
(Appendix A-2)

ACREAGE  82.56 acres
BACKGROUND

In anticipation of the presentation of the master plan to Planning Commission a work session was held on January 16, 2019, to allow an opportunity for an in-depth question and answer session prior to the formal hearing. After discussion following the applicant’s presentation, the commission had further questions they felt were unanswered. Specifically the commission had questions regarding the proposed parking garages, stormwater and the lack of a nature trail system. The commission requested an additional work session to enable the applicant to address their questions. A work session was scheduled for April 20, 2019. (See Appendix A-7.) At that work session the applicant addressed the commission’s concerns. (See Appendix A-8.)

The application was scheduled to be heard by Planning Commission at the April 3, 2019 meeting. However, the applicant requested and was granted a deferral to the June 5, 2019, meeting.

FACTS

North Tech Center Marketplace, One Life Fitness, Venture apartments and CHKD medical offices on properties zoned R9 Mixed Use with proffers; Fire Station No. 6 and vacant property zoned P1 Park; Bayport Credit Union and office building on properties zoned O3 Office/Research and Development

South Jefferson Center for Research and Technology on property zoned O3 Office/Research and Development

East Canon Virginia on properties zoned M1 Light Industrial

West Wawa, Shell gas station, Impressions apartments, InTown Suites hotel and a tire store on properties zoned C1 Retail Commercial, C2 General Commercial and R7 Medium Density Multiple-Family Dwelling

Zoning History O3 Office/Research and Development since the citywide comprehensive rezoning became effective August 1, 1997.

On June 28, 2016, City Council approved Phase 1 of Master Development Plan O3-16-01 for an approximately 3.3 acre area within the greater Tech Center Research Park. The approval enabled the development of Building
One at 628 Hofstadter Road. The approval adopted general principles and design guidelines that are intended to guide the development of the 82.56 acre area that constitutes the Tech Center Research Park.

On August 13, 2013, City Council approved Conditional Rezoning CZ-13-340, from O3 Office/Research and Development to R9 Mixed Use with proffers for the property on Hogan Drive directly across from the property and currently occupied by the Marketplace at Tech Center, One Life Fitness, Venture apartments and CHKD medical offices.

Regulatory Review

The zoning ordinance regulations, Article XIX. O3 Office/Research and Development district, require development within the office/research center park to be in accordance with a master development plan. The plan must be approved by the City Council based on a Planning Commission recommendation. The master plan shall govern the physical development of the office park including setbacks and lot coverage as well as orientation of structures and landscaping. The plan also should address details such as building materials, architecture and amenities including pedestrian ways and trails.

The zoning ordinance requires a minimum district size of 50 acres and a minimum lot size of 2 acres. The Tech Center Research Park with over 82 acres is well beyond the minimum requirement. When fully developed the Center is expected to contain 10 buildings totaling approximately 843,000 square feet. (See Appendix A-4 and A-5.) The plan notes 3 phases of development. Phase I is projected to include 5 buildings, including Building 1 which was recently completed, approved by city council as Phase 1 of the master development plan for Tech Center. Phase II (A) includes building 9 and the construction of the north parking structure. Finally, Phase II (B) includes Buildings 6 and 10 and the south parking structure.

The parking requirement within the O3 Office/Research and Development district requires 1 parking space for every 300 square feet of office space. As buildings are constructed the required parking for each individual building will be provided prior to the issuance of a Certificate of Use and Occupancy. When fully developed, there will be 2 parking structures that will be complemented by surface parking to accommodate the approximately 2,800 required spaces. As noted above, the parking structures will be built during Phase II A and B. (See Appendix A-4.)

A Traffic Impact Analysis (TIA) was prepared by McPherson Consulting and was reviewed and approved by the Department of Engineering. The TIA identified improvements essential to the full buildout of the master plan that include improvements that were proposed as part of the study for the Ferguson at City Center development and which will be in place prior to the completion of Phase 1 of the Tech Center. (See Appendix A-6.)

The protective covenants and conditions for the Jefferson Center for Research and Development require a 70 feet minimum landscape setback along Oyster Point Road, Canon Boulevard and Jefferson Avenue. These setbacks are shown on the Conceptual Master Plan.
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 *One City, One Future Comprehensive Plan 2040* land use map designates research and development uses for the property. (See Appendix A-2.)

The plan designates the area as part of the Oyster Point/City Center/Tech Center regional activity center and expects that development of the area around the Jefferson Center research park will enhance the park and attract more opportunities for research and technology companies as well as create new employment opportunities.

**ANALYSIS**

The Jefferson Center for Research and Technology, known as Jeff Lab, houses the National Accelerator Facility that attracts scientists from around the world to conduct specialized research. The facility employs over 750 people that does not include the groups of scientists that visit for months at a time when conducting their research. The facility is also open to students and is becoming more of an attraction to not only scientists but students and the general public interested in science. The proximity of the proposed Tech Center Research Park to Jeff Lab is a draw for high technology development companies as well as other research institutions.

As Jeff Lab continues to compete for further growth and expansion opportunities, including the Electron-Ion Collider (ELC) project, the opportunity for having other research facilities at Tech Center may give them a competitive edge over other localities.

These types of uses are in keeping with the O3 Office/Research and Development zoning district. Understanding that such development should provide more than space to conduct research, the ordinance requires a holistic approach for the development of the area zoned O3 in the way of a master plan.

The master plan is intended to provide for the orderly expansion of research and development oriented industries and related facilities. Tech Center Research Park will encompass over 82 acres of property roughly extending from Hogan Drive to Canon Boulevard. (See Appendix A-4.) The proposed master plan, if approved by City Council, will govern the development and use of the property and ensure that the structures and amenities are designed in a way that conforms to the proposed design guidelines.

The proposed plan shows a vehicular roadway system that will be developed by the city prior to the completion of any of the phases of development of the plan. The system responds to the recommendations found in the TIA. Following the main roadways within the public right-of-way there will be a multi-use trail going from Jefferson Avenue to Oyster Point Road along Hogan Drive and Canon Boulevard, connecting all the major arterial roads in
the perimeter of the Research Park. The main system will be complemented by pedestrian sidewalks as well as parking fields, pedestrian parks and other open spaces that are part of the master plan.

Among the amenities proposed within the plan are 2 common open space areas that are complemented by smaller gathering spaces around each of the proposed buildings. The largest of the public spaces is proposed to house a pavilion that would allow for open air concerts and other activities and will be a focal point for the whole development.

Besides providing post lighting in parking areas and vehicular circulations, the master plan calls for the pedestrian walkways, building entrances and outdoor spaces to be well lit. Architectural and accent lighting will be used to enhance the structures and landscaping. (See Appendix A-5.)

Building placement is governed by minimum front, rear and side setbacks of 15 feet. Entrance canopies and building supports may encroach up to 8 feet within these setbacks. The areas between the edge of the public right-of-way and the buildings will be landscaped enhancing the pedestrian experience. It also allows for foundation planting that will be a signature design feature of the campus. Perimeter setbacks, those from Jefferson Avenue, Oyster Point Road and Canon Boulevard will be a minimum of 70 feet. (See Appendix A-5.)

The proposed architecture will be influenced by existing buildings within Jeff Lab including the ARC building as well as the Marketplace and the Venture apartments. It is expected that by following the guidelines, proposed buildings will follow the more contemporary flavor of the surrounding architecture with its simple geometry and a combination of metal and masonry materials with an earth tone palette. Simple details that will accentuate entrances and an appropriate balance of wall and glazed surfaces. (See Appendix A-5.)

All mechanical equipment and dumpsters will be appropriately screened from public view using contemporary materials and designs that will complement the buildings’ architecture. (See Appendix A-5.)

A signage system that will help with branding of the center was established with the approval of Phase 1. The branding established for the original development is proposed to carry through the entire project. The signage will include a series of freestanding signs varying in height and size depending on location and purpose. Entrance signage will be a maximum of 15 feet tall and will include electronic signage panels and will not exceed an area of 132 square feet per side. Office building identification signage will be no taller than 10 feet with a sign area not to exceed 100 square feet. All freestanding signs shall be of a similar design and materials creating a sense of place. Building signs shall be permitted on all sides of the buildings. Most of the different types of signs have already been installed as part of the ongoing development of Phase 1. (See Appendix A-5.)

The city’s Economic Development Authority (EDA) shall review and approve all design aspects of the development including architecture, landscape
architecture as well as all development signage for its compliance with the guidelines provided with the master plan.

CONCLUSION

The proposed master development plan for Tech Center Research Park appropriately addresses issues specified in Article XIX, of the zoning ordinance such as building setbacks, placement and orientation as well as signage, lighting, building materials and architecture. The proposed guidelines will provide a framework for the review and approval of proposed buildings and will set the tone for all development within the center including streets, open spaces and facilities. All amenities within the Center will be open for the enjoyment of all the citizens of Newport News.

STAFF RECOMMENDATION

Recommend approval of a Master Development Plan for Tech Center Research Park, 03-2018-01 with the following conditions:

1. For each structure within the Tech Center Research Park the developer shall submit a class 1 Site Plan to the Department of Planning for review and approval by the Site Plan Review Committee; this site plan shall be in general conformance with the approved master plan and design guidelines prepared by the Timmons Group and Clark Nexsen dated December 2018 and November 2018, respectively, and found in Appendix A-4 and A-5 and shall conform to said master plan, the city’s site regulations and the zoning ordinance.

2. For each structure within the Tech Center Research Park the developer shall submit to the Economic Development Authority (EDA) building elevations and exterior building materials consistent with the design guidelines prepared by Clark Nexsen dated November 2018, and found in Appendix A-5 to be reviewed and approved prior to the issuance of a building permit.

CPC RECOMMENDATION

On June 5, 2019, the Planning Commission voted unanimously (9:0) to recommend to City Council approval of a Master Development Plan for Tech Center Research Park, 03-2018-01 with the following conditions:

1. For each structure within the Tech Center Research Park the developer shall submit a class 1 Site Plan to the Department of Planning for review and approval by the Site Plan Review Committee; this site plan shall be in general conformance with the approved master plan and design guidelines prepared by the Timmons Group and Clark Nexsen dated December 2018 and November 2018, respectively, and found in Appendix A-4 and A-5 and shall conform to said master plan, the city’s site regulations and the zoning ordinance.
2. For each structure within the Tech Center Research Park the developer shall submit to the Economic Development Authority (EDA) building elevations and exterior building materials consistent with the design guidelines prepared by Clark Nexsen dated November 2018, and found in Appendix A-5 to be reviewed and approved prior to the issuance of a building permit.
APPENDIX

A-1 VICINITY/ZONING MAP
A-2 ONE CITY, ONE FUTURE 2040 LAND USE MAP
A-3 AERIAL MAP
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A-6 TRAFFIC IMPACT ANALYSIS EXECUTIVE SUMMARY
A-7 EXCERPTS FROM THE CITY PLANNING COMMISSION MINUTES OF January 16, 2019
A-8 EXCERPTS FROM THE CITY PLANNING COMMISSION MINUTES OF February 20, 2019
A-9 EXCERPTS FROM THE CITY PLANNING COMMISSION MINUTES OF JUNE 5, 2019
Tech Center

DESIGN GUIDELINES
NEWPORT NEWS, VIRGINIA
NOVEMBER 2018

CLIENT
W. M. Jordan Development, LLC

PROPERTY OWNER ENTITIES
Commonwealth of Virginia
College of William & Mary
Newport News Economic Development Authority
City of Newport News
Southeastern Universities Research Association

MASTER PLAN
Timmons Group/Clark Nexsen

ARCHITECTURAL GUIDELINES
Clark Nexsen

SITE/LANDSCAPE GUIDELINES
Timmons Group

CIVIL ENGINEERING
Timmons Group
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Purpose and Intent

PURPOSE OF MASTER PLAN & DESIGN GUIDELINES

The Master Plan and Design Guidelines are used to delineate and regulate the design, details, and construction of the development of Tech Center. The Design Guidelines will assist in ensuring the consistency and quality of the development. Development for Tech Center shall be substantially in accordance with the Newport News City Council approved Master Plan and consistent with the guidelines and requirements within this document. All final designs shall be reviewed and approved by the Newport News Economic Development Authority, or its designee.

Pursuant to Ordinance No. 7280-16, the Council of the City of Newport News approved on June 28, 2016, Phase 1 of Master Development Plan O3-16-01 for the parcel designated as Parcel C-3, consisting of 3.23 acres, located in O-3 Office/Research Development District, on which parcel Building One of Tech Center is under construction. The intent of the Master Plan and Design Guidelines set forth herein is to facilitate and direct the development of the entirety of the Tech Center Research Park by applying the principles and guidelines for development that were approved by City Council for Phase 1. Accordingly, Parcel C-3, herein referred to as the Building One parcel, is included herein, and this Master Development Plan shall replace and supersede the previously approved Master Development Plan for Building One such that all parcels located within the Tech Center Research Park shall be submitted to this Master Plan and the Design Guidelines set forth herein.
Overall Master Plan

The Master Plan establishes the framework and strategy for all project development. The street sizes and locations will be set and the plan will control building placement, associated parking (both surface and structured), service areas, common areas, open space, and stormwater management facilities.

**LEGEND - All square footages, building heights, and parking garage spaces/sizes are approximate.**

**Building**

1. Office (3-Story) 81,662 sf
2. Office (3-Story) 81,000 sf
3. Office (3-Story) 80,000 sf
4. Office (3-Story) 80,000 sf
5. Office (4-Story) 100,000 sf
6. Office (3-Story) 80,000 sf
7. Office (3-Story) 80,000 sf
8. Office (4-Story) 100,000 sf
9. Office (3-Story) 80,000 sf
10. Office (3-Story) 80,000 sf
   *GRAND TOTAL 842,662 sf*

**Site**

- A Central Green
- B Small Plazas
- C Landscaped Courtyards
- D Entry Features
- E Stormwater Management
- F Surface Parking
- G Pump Station
- H Parking Structure (5-Story - 500 Spaces)*
- I Parking Structure (5-Story - 850 Spaces)*

**Parking Total**

- Office 2,810 Spaces

*NOTE:*

Building square footages and heights shown are as currently planned. There is the potential to increase height/square footages due to leasing needs within the real estate market. If so, all parking will be increased to comply with the requisite parking ratios as set forth herein. Moreover, parking structure size and space counts are also as currently planned and will be adjusted as needed to comply with the requisite minimum parking requirements set forth in the Parking/Site Lighting page of these Design Guidelines. The actual number of parking spaces required by the minimum parking requirement set forth herein shall be provided prior to issuance of a certificate of occupancy.
Master Plan - Phase I

The Master Plan for Phase I of Tech Center depicts five separate office buildings, all self-supported with surface parking. Stormwater management facilities will be both site specific and shared. The strategy is to develop the office park in sequential fashion, and as the market dictates absorption.

NOTE: The proposed phasing depicts an anticipated rate of expansion. Buildings 7 & 8, due to their location on the perimeter of the Tech Center development, could be constructed at any time in the development of Tech Center, and parking requirements shall be complied with accordingly.

LEGEND - All square footages, building heights, and parking garage spaces/sizes are approximate. Sequencing as shown in legend is as currently planned, subject to change.*

Building - Phase I

<table>
<thead>
<tr>
<th>Building</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>Total</th>
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<tr>
<td>Office 3-Story</td>
<td>81,662 sf</td>
<td>81,000 sf</td>
<td>80,000 sf</td>
<td>80,000 sf</td>
<td>100,000 sf</td>
<td>422,662 sf</td>
</tr>
</tbody>
</table>

Parking Total

Office 1,410 Spaces

*NOTE: Building One is currently under construction and complies with this Master Plan and the design guidelines set forth herein.

**NOTE: In addition to accommodating some of the stormwater runoff created by the development of Building One in the stormwater management facilities shown herein, the drainage course for additional runoff that will be created by developments of Buildings 1 & 4 will be toward Jefferson Avenue. In addition to accommodating some of the stormwater runoff created by the development of Buildings 2, 3, & 5 in the stormwater management facilities shown herein, the drainage course for additional stormwater runoff that will be created by development of Buildings 2, 3, & 5 will be toward Canon Boulevard.
Master Plan - Phase II(A)

The Master Plan for Phase II(A) of Tech Center depicts one additional building (Building 9) that will be located on the surface parking area used for Building 3 as shown in Phase I. Prior to commencing construction of Building 9, surface parking for Building 3 will be constructed in the area shown hereon as 2A(i). Building 9 and the parking structure will be constructed in the area shown hereon as 2A(ii).

LEGEND - All Square footages, building heights, and parking garage spaces/sizes are approximate. Sequencing as shown in legend is as currently planned, but is subject to change.*

Building - Phase I
1. Office (3-Story) 81,662 sf 1A
2. Office (3-Story) 81,000 sf 1C
3. Office (3-Story) 80,000 sf 1D
4. Office (3-Story) 80,000 sf 1B
5. Office (4-Story) 100,000 sf 1E

Building - Phase II(A)
9. Office (3-Story) 80,000 sf 2A(ii)

GRAND TOTAL 502,662 sf

Parking Total
Office 1,676 Spaces

*NOTE: The drainage course for stormwater runoff that will be created by development of Building 9 and the parking structure will be toward Canon Boulevard.
Master Plan - Phase II(B)

The Master Plan for Phase II(B) of Tech Center depicts five additional buildings that will be served by structured parking and surface parking. The parking structure located in area 2A will be placed on a location previously used as surface parking and will replace the surface parking spaces removed due to structure construction.

**LEGEND** - All square footages, building heights, and parking garage spaces/sizes are approximate. Sequencing as shown in legend is as currently planned, but is subject to change.

**Building - Phase I**
1. Office (3-Story) 81,662 sf 1A
2. Office (3-Story) 81,000 sf 1C
3. Office (3-Story) 80,000 sf 1D
4. Office (3-Story) 80,000 sf 1B
5. Office (4-Story) 100,000 sf 1E

**Building - Phase II(A)**
6. Office (3-Story) 80,000 sf 2A(G)

**Building - Phase II(B)**
7. Office (3-Story) 80,000 sf 2A
8. Office (4-Story) 100,000 sf 2B
9. Office (3-Story) 80,000 sf 2A

**GRAND TOTAL** 842,662 sf

**Parking Total**
Office 2,810 Spaces

*NOTE: As previously noted, Building 7&8, due to their location on the perimeter of the Tech Center development, could be constructed at any time in the development of Tech Center.

**NOTE: In addition to accommodating some of the stormwater runoff created by the development of Building 8 in the stormwater management facility shown herein, additional stormwater runoff that will be created by the development of Buildings 6, 7, 8, & 10 and the parking structure shown herein will be toward Canan Boulevard.
Architectural Character

EXISTING VERNACULAR

Adjacent to Tech Center are several existing developments which offer a variety of architectural elements which serve as precedents on which to emulate or enhance. The two new developments which are part of the Tech Center mixed-use sustainable community - Marketplace and Venture Apartments - have a variety of rich building materials, earth-tone colors, and simple geometry which will be carried into the architecture of Tech Center. Building materials, colors and similar geometry are also expressed in the adjacent ARC, Jefferson Lab, and Bayport Credit Union buildings. The high-tech world of Jefferson Lab will also play a role in developing an architectural expression which denotes a modern, cutting edge environment.
Scale and Massing

Tech Center shall have a distinct architectural character that is consistent in theme with the adjacent properties. Though not identical, but complementary to each other, the buildings shall be designed to provide a clear, unified, and easily identifiable image and appearance. Clean, simple, geometric forms shall be incorporated, and a definite sense of human scale included relative to building massing and form. Massing shall always respect the architectural context and respective building adjacency and either complement or provide for smooth transition. Emphasis shall be placed on the development of a more slenier building, which not only provides for massing connectivity, but places a premium on sun and wind protection while maximizing opportunities for natural daylight and renewable energy. Building height shall have relevancy as well, especially as it frames the street.

Minimum building height: 2 Stories
Facades / Entrances

The building facade shall reflect an overall coordinated design concept reinforcing the massing and form. Facades shall give life and character to each building without being overly decorative. Facades shall also provide a level of interest from both vehicular and pedestrian points of view. There shall be an appropriate balance of wall and glazed surfaces, and identity could be achieved through setbacks and projections. All facades facing streets, whether in the front, side, or rear yard, shall have a high quality and finished appearance. The emphasis shall be 4-sided architecture with no blank walls.

Building entrances shall be clearly defined and easily recognizable. Whenever possible, entrances shall be enhanced through massing and fenestration, and accentuated with recesses, columns, or other architectural elements. The entry shall always be an integral part of the overall building composition, and weather protection and security shall always be addressed. Entries may provide opportunities for signage, color, and specialty lighting.
Materials / Color Palette

Building materials shall enhance the overall form and massing of an individual structure. The use of rich materials is encouraged in areas where they will have the most visual impact. Exterior building materials shall be types that are of high quality, attractive appearance, durable, and easily maintained for the entire life of the building. Materials to be utilized include brick, stone, masonry, architectural precast concrete, fiber-cement panel, metal panel, and wood/recycled wood.

Single-skin metal siding and EIFS are not encouraged and shall be permitted by specific approval of the Newport News Economic Development Authority or its designee when the overall design of the building is enhanced by its use. Colors shall consist of complementary and rich earth tones, and be consistent with the adjacent developments of Marketplace, Venture Apartments, and Jefferson Lab. Colors shall also be integral to the material and enhance design features and complement building massing.

Declaration of Covenants, Conditions, and Restrictions shall be recorded as an encumbrance against the property upon which Tech Center shall be located. Enforcement of said Declaration shall be by the Newport News Economic Development Authority or its designee.
Architectural Character

CRAFTING A STYLE

Simple and elegant geometric forms, proportionally massed with suitable fenestration shall be used. This style best expresses a style consistent with adjacent architectural expression and captures a modern flavor which reinforces the research and development environment. This style and form allows the easy and balanced application of multiple building materials, which can be focused to accentuate key points of interest in the structure.

Building One, which is currently under construction, emulates and reinforces existing adjacent architectural vernacular. As Tech Center proceeds in development, careful consideration will be taken to ensure architectural consistency throughout the park, but it is not the design intent to ensure identical building facades or appearance.

PROPOSED STYLE - BUILDING ONE
Screening

All mechanical appurtenances located on site or projecting above the building roof, such as roof hatches, stairways, exhaust fans, HVAC equipment, plumbing vents, storage tanks, generators, satellite dishes and communication equipment shall be screened from view from any adjacent public street with a parapet, wall, or other opaque screening consistent in finish, texture and color with the exterior skin of the building.

Trash enclosures at grade shall be screened from view of adjacent streets with building materials that complement the exterior skin of the building.
Streets

Streets form the framework of a development, and although their primary function is to provide mobility, they also play a significant role in defining the visual space. They create the overall single unifier and linkage while providing edges to faciliate buildings/facades, gathering and open spaces, landscape zones, and pedestrian activity and circulation. All streets within Tech Center are intended to be public and will frame open spaces, incorporating medians of varying sizes, and include both an 8’ wide multi-use trail, and 5’ wide sidewalks.

1 Multi-Use Trail (Within Public R.O.W.)
Streets
Streets
Open Space

There are two established areas of common open space that vary in size and scale. The central amenity formally known as the "Drillfield" (A) is the heart of the Tech Center Research Park that provides the platform for both passive and active recreational activities. It can also serve potential community functions such as gatherings and concerts, and provide an attractive visual space. Located along the streets at intersections between some key buildings are small outdoor gathering areas (B) that provide additional public seating for dining and/ or conducting business. Behind buildings, spaces are designed to provide outdoor private space for each individual building (C) for similar gathering, socializing, dining, and professional activities.
Open Space

Drillfield Pavilions

The Pavilion stands at the focal point of the Drillfield, the green at the core of Tech Center. Its character complements the organization of the Open Space and the materials of the surrounding buildings. As a multipurpose structure, it affords shelter for both scheduled and spontaneous events such as performances, picnics, festivals, outings and celebrations. Additionally, it provides a gathering area/space for office or employee activities and functions. The Pavilion reinforces, enhances and vivifies the Tech Center experience for tenants and the public alike.

It is anticipated that both water and electrical services will be provided in close proximity to the Pavilion.

Potential Architectural Character
Building Placement

The key element of the Tech Center Master Plan is the arrangement of buildings, parking, circulation areas, and open space, and how they create an overall scheme and pattern for development. Buildings are placed close to the street, providing a strong architectural narrative and aesthetic linkage throughout the entire park via the streets and streetscape. Parking is located behind the buildings as much as possible to screen or soften its appearance. The main entries for the buildings are oriented both towards the street and subsequent parking fields. This building placement also provides the ability to frame key open space areas and establish communal seating and gathering spaces. More intimate building-related seating areas are located adjacent to the rear entrances. The street itself becomes the circulation link for the entire research park, facilitating connections between buildings, open spaces/gathering areas, and to the adjacent Marketplace, Venture Apartments, and Jefferson Lab.

LEGEND
A  Buildings - Forward of Site
B  Parking in the Rear
C  Main Entries
D  Framed Open Space/Drillfield
E  Gathering Spaces
F  Drillfield Pavilion

*NOTE: Accessibility for emergency and life safety access between Buildings 3 & 9 and between Buildings 2 & 6 to provide safe access to the parking structures shown herein will be addressed and accommodated during site plan review.
Setbacks / Site Criteria

There are two zones of development within Tech Center that are influenced by setbacks (build-to lines), perimeter and interior. All setbacks (minimum) are measured from public right-of-ways or perimeter property lines. All setbacks shall be green areas and shall not contain any buildings, roads, storage areas, accessory buildings or mechanical equipment. Paved entries or plaza/gathering areas may be located within the setbacks. Subsequent furnishing and low walls for seating or space delineation may also be located within the setbacks.

**Perimeter Setbacks** are relative to perimeter and bounding principal and arterial streets (these setbacks affect both buildings and parking areas).

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jefferson Avenue</td>
<td>70'</td>
</tr>
<tr>
<td>Oyster Point Road</td>
<td>70'</td>
</tr>
<tr>
<td>Canon Boulevard</td>
<td>70'</td>
</tr>
</tbody>
</table>
Setbacks / Site Criteria

Building Setbacks are relative to the individual building sites and internal public streets (these setbacks affect building placement).

<table>
<thead>
<tr>
<th>Location</th>
<th>Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard</td>
<td>15&quot;**</td>
</tr>
<tr>
<td>Side Yard</td>
<td>15&quot;**</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>15&quot;**</td>
</tr>
</tbody>
</table>

*Entrance canopies and support structures may encroach 8" into the front setback.
*Building footings may encroach within the setback.
**Pre-existing accessory structures may encroach within the setback.
Parking / Site Lighting

Parking areas include parking spaces, drive aisles, parking aisles, and other associated vehicular areas on site. The parking lots at Tech Center shall also have continuous circulation around its perimeter while aisle orientation shall minimize pedestrian circulation between parked cars. Dimensional requirements for off-street parking shall conform to the applicable Newport News ordinance regulating design requirements.

Minimum parking requirements: 1 parking space per 300 square feet of office area.

The parking lots shall be subject to the following requirements:

- A minimum 6' wide open space strip shall surround the parking lot perimeter. Parking lots may service more than one building, and as such, a single parking lot may be located on more than one subdivided parcel (subject to compliance with all parking requirements set forth herein and cross-parking agreements, as appropriate). The 6' wide open strip requirement shall apply only to the perimeter of the lot itself and shall not be applicable within the internal confines of the parking lot even if the parking lot straddles an internal property line between two parcels.
- Parking rows shall have a single landscaped island located at either end, so that a single parking row does not exceed 15 spaces/135’ in length.
- External landscape islands can be eliminated when parking spaces abut landscape strips or bio-retention systems. Landscape islands shall be a minimum of one parking space in size, exclusive of required curb radii.
- A minimum of 1 tree for every 15 parking spaces shall be provided in landscaped islands, corner voids, or interior planting strips. Tree size at planting shall be 2'-2 1/2" cal.
- Landscape islands shall be planted with low growing shrubs, groundcover, or lawn.
- If possible, stormwater management techniques such as bio-retention shall be incorporated within or at the perimeter of parking lots.

Lighting is intended to create a night-time character that reinforces the image of Tech Center as a welcoming and modern research park. All exterior lighting shall be generally consistent in height, spacing, color, and type/style of fixture. Exterior lighting is to be provided to enhance safety and security for motorists, pedestrians, and cyclists. Exterior lighting includes lighting for parking areas, vehicular and pedestrian circulation, building exterior, security, and special effects.

Site lighting shall be designed to be as energy efficient as possible while still maintaining the appropriate light levels as characterized by best engineering practices. The use of shields and refractors shall be used to limit glare and light spillage. All exterior on-site lighting must be shielded and confined within site boundaries.

Vehicular Circulation and Parking Area Lighting
Street and parking lot lighting shall be strategically located throughout for both safety and security. The lights shall incorporate shields and refractors to direct light towards the targeted ground plane areas and ensure compatibility with the surrounding areas. Lenses shall not be visible beyond the fixture housing. Maximum pole height shall not exceed 25’.

Pedestrian Lighting
Pedestrian walkways and building entries shall be illuminated to provide for pedestrian orientation and to clearly identify a secure route between parking areas and points of entry to the building. Walkway lighting shall be mounted at a uniform height of no more than 15' above the walkway. Building entries may be lit with soffit, bollard, step or comparable lighting. Step or bollard lighting shall be used to clearly illuminate level changes and handrails for stairs and ramps.

Outdoor Space Lighting
Courtyards, gathering, and seating areas shall be lighted to promote pedestrian use and safety. A variety of mounted and ground level lighting may be used to create interest and provide for special effects in coordination with the character and function of the specific area. Energy efficacy shall be maintained.

Accent Lighting
Unique lighting may be used to feature architectural elements, landscaping, entries, and site signage provided it is compatible with other lighting, especially in color.

Architectural Lighting
All exterior architectural lighting shall utilize indirect or hidden lighting sources. Acceptable lighting includes wall washing, overhead down lighting, and interior light that spills outside. Entry areas shall also be lit to as to provide an inviting glow from the interior.
Signage

Tech Center Signage shall (i) identify/brand each building, (ii) provide direction, (iii) provide identity, address, and occupants for the buildings, and (iv) identify the research park limits. A comprehensive package has been developed that is consistent in character, materials, and color and will match signage used at both Marketplace and Venture Apartments.
Signage

Signage shall: (i) identify and brand the buildings; (ii) provide direction; (iii) provide identity, address and occupant(s) of the buildings; and (iv) identify the research park limits, while identifying the proximity of and collaboration with Jefferson Lab. A comprehensive package has been developed that is consistent in character, materials and color, and which shall complement signage that has been used at both Marketplace and Venture Apartments, thereby enhancing the visual environment.

This Master Plan, together with the comprehensive sign package, is intended to regulate the use, placement, number and physical dimensions of signs for Tech Center. It is further the intent of this Master Plan and the sign package to authorize the use of signs which provide easy and safe communication between people and their environments; to encourage innovative use of design in signs; to allow for special circumstances regarding signs; and to permit the transmission of messages through the medium of signage.

In cases where these criteria conflict with the requirements of the Newport News sign ordinance, the provisions of this Master Plan for the Tech Center development shall control. All signs, including size, shape, color, message graphics, location, materials and illumination, whether on property or in right of way shall be reviewed and approved by the Economic Development Authority ("EDA") or its designee. All permanent Entrance Signage, Directional Signage, Building Identification Signage, and Building Signage must be reviewed and approved by the EDA, or its designee, prior to the issuance of permits by the City.

Freestanding Signs

A. Entrance Signage

1. Entrance signs for the research park (identified collectively as "Entrance Signage" and individually as "Entrance Sign") in this Master Plan shall be permitted in the City right-of-way in the general location identified in this Master Plan and may identify the research park name, research park logo, Jefferson Lab name and logo and any other content approved by the EDA or its designee. Entrance Signage located within the public right-of-way shall meet the requirements of the AASHTO Roadside Design Guide.

2. Maximum height for Entrance Signage shall be fifteen (15) feet from the highest point of the structure to the top of the curb excluding ornamental and decorative embellishments.

3. The total permitted area for each Entrance Sign shall not exceed one hundred thirty-two (132) square feet per sign panel with a maximum of two panels per Entrance Sign. For determining compliance with this regulation, the area of an Entrance Sign is defined as the area of a rectangle, triangle, circle or combinations thereof that will enclose the sign, including background. The area of an Entrance Sign shall include the spaces between all letters of a word and all words of a name, phrase or message. Supports, braces and other structural elements shall not be included in the calculation of square footage. Square footage restrictions set forth herein are per sign panel.

4. Electronic display signs shall be permitted as a portion of the total allowable sign area for each Entrance Sign with a maximum of thirty-two (32) square feet of electronic display area per Entrance Sign.

B. Directional Signage

(1) Directional signs (identified collectively as "Directional Signage" and individually as "Directional Sign" in this Master Plan) shall be permitted in City right-of-way in the general location identified in this Master Plan and may identify the following, but shall not be limited to: the research park name, directions to the research park and Jefferson Lab, and directions to individual buildings and/or other locations within the research park. Directional Signage located within the public right-of-way shall meet the requirements of the AASHTO Roadside Design Guide.

(2) Directional Sign height and size (area) shall be reviewed and approved by the EDA or its designee, in consultation with the Department of Engineering, prior to issuance of permit.

C. Building Identification Signage

One (1) Building identification Sign shall be permitted for each Tech Center parcel subject to the following conditions:

1. The total permitted area for each Building identification Sign shall not exceed one hundred (100) square feet per sign panel (with a maximum of two panels). For determining compliance with this regulation, the area of a Building Identification Sign is defined as the area of a rectangle, triangle, circle or combinations thereof that will enclose the sign, including background. The area of a Building Identification Sign shall include the spaces between all letters of a word and all words of a name, phrase or message. Supports, braces and other structural elements shall not be included in the calculation of square footage. Square footage restrictions set forth herein are per sign panel.

2. Every effort shall be made to install the Building Identification Sign on site. If such signage must be located in the City right-of-way, signs may be erected in the general location shown in this Master Plan, and such signage shall meet the requirements of the AASHTO Roadside Design Guide.

3. Maximum freestanding sign height shall be ten (10) feet (excluding ornamental and decorative embellishments).

4. Electronic display signs shall be permitted as a portion of the total allowable sign area for each Building Identification Sign with a maximum of thirty-two (32) square feet of electronic display area per Building Identification Sign.

D. Building Signage

Building Signs identified collectively as "Building Signage" and individually as "Building Sign" in this Master Plan shall be permitted on buildings at Tech Center subject to the following conditions:

1. Building Sign area shall be limited to one (1) square foot of sign area per linear foot of that building facade. Building Signage may be permitted on each side of a building and shall not be restricted to those sides which face a public right-of-way or provide public access into a building. For determining compliance with this regulation, the area of a Building Sign is defined as the area of a rectangle, triangle, circle or combinations thereof that will enclose the written text as well as any logos. The area of a Building Sign shall include the space between the letters of a word or the words of a name, phrase or message. Support braces and other structural elements shall not be included in the calculation of square footage.

2. Sign area permitted for freestanding signs, but not used on such signs, may be added to the permitted Building Signage.

3. More than one (1) Building Sign on a single building front is permitted subject to the other regulations set forth herein.
Required Yards/ Landscaping

There are three yard areas or zones within Tech Center that will require additional emphasis and landscape treatment. The primary objective of these zones is to provide additional site softening or buffering to/from adjacent land uses. These three zones are the front yard setback between buildings and the street, the parking lot perimeter yard adjacent to the street, and the parking lot perimeter yard adjacent to an exterior property line.

Note: It is critical to note that all three zones are narrow in width, and as it relates to the first two described, there are already required street trees directly adjacent to these areas.

Criteria:
- Building Front Yard: Optional 2 small canopy trees to be placed at the designer’s discretion. The trees shall be a minimum of 2”-2 1/2” caliper at planting.
- Parking Perimeter/Street: A continuous evergreen hedge, maximum mature height not to exceed 42”. The shrubs shall be 18”-24” spread at time of planting.
- Parking Perimeter/Property Boundary: One Deciduous or Evergreen Tree planted a maximum of 60’ on-center. The deciduous tree shall be 2”-2 1/2” caliper, and the evergreen tree shall be 5’-6’ height at time of planting.

Existing Tree Preservation
Open areas/zones within the research park and established perimeter yards provide an opportunity to save existing trees. All existing, healthy evergreen and deciduous trees with a caliper of 6” or greater shall be retained to the maximum extent possible within the locations. Trees may be pruned or removed to accommodate access drives, vehicular sight distances, or where preservation, due to the condition or location of the trees, would create a demonstrable public health or safety hazard.

Trees which are to be preserved on site shall be fully protected before, during, and after the development process. These trees shall be shown on the landscape plan and clearly marked in the field. In woodland areas, groups of trees shall be selected for preservation rather than single trees wherever possible. Trees shall be protected with a 3’ height, “day-glow” orange fence, which shall be placed at the dripline of the trees to be protected.
Streetscape Planting

Streetscape planting along both sides of internal roads will assist in creating a cohesive visual framework. Threads of continuity defined by street trees will establish the character and hierarchy of the research park streets.

Street trees shall spatially define the vehicular corridors with strong repetition, hierarchy, and monoculture stands. There shall be penetration of pedestrian and vehicular views past the roadways and peripheral areas, allowing for good visibility. Care shall be taken to create seamless character between streetscapes within the research park. Sun and wind protection for climate mitigation is an added benefit.

Criteria:
- On-center street tree placement shall not exceed 50'.
- Street trees shall be deciduous in nature.
- Large canopy trees shall be used in open zones between buildings and along entrance corridors.
- Medium/Small canopy trees shall be utilized where buildings are adjacent to the street.
- Medium or small canopy trees shall be utilized within the medians.
- Minimum tree size at planting shall be 2"-2 1/2" in caliper.

LEGEND
A  Large/Medium Canopy Tree Behind Sidewalk
B  Medium/Small Canopy Tree Behind Curb
C  Medium/Small Canopy Tree in Median
Building Foundation Planting

Building foundation planting shall provide opportunities for a variety of design approaches, depending on building orientation. Landscape design objectives are to provide a strong street-side appearance and enhance main entrance locations. There shall be a landscape expression at the building edge, especially at building corners. The building architecture shall be enhanced at the ground level, especially at key structural or fascia features.

Landscape treatments at entrances and private seating patios shall include a balance of hardscape and softscape materials. Low shrub masses defining spaces is important, and consideration shall be taken to change paving materials at key gathering and entry locations.

Note: It is critical to understand that the modern architectural/contemporary style of the research park lends itself to a low-profile type of foundation planting, especially due to the varying types of building materials carried to the ground plane. Additionally, this helps to reinforce the simple geometric shapes and massing of the individual office building.

Criteria:

• A minimum of 25% of the total building base shall receive foundation planting treatment. The minimum provision would be an evergreen shrub hedge, maximum mature height not to exceed 36" in height. Shrubs shall be 15"-24" spread at time of planting.

• Upright shrubs can be utilized at main building entrances and building corners.

• A minimum of two small canopy trees shall be provided per main entrance. The minimum size at planting shall be 2"-2 1/2" caliper.
<table>
<thead>
<tr>
<th>Plant List - continued</th>
</tr>
</thead>
</table>

### REQUIRES MOST FERTILE CONDITIONS

<table>
<thead>
<tr>
<th>ALG.MAT.TREE</th>
<th>ALG.MAT.TREE</th>
<th>ALG.MAT.TREE</th>
<th>B.S.EMAT.TREE</th>
<th>C.SHRUB</th>
<th>C.SHRUB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liriodendron tulipifera</td>
<td>Quercus rubra</td>
<td>Ulmus parvifolia 'Dolneys'</td>
<td>Morea nube</td>
<td>Rhododendron catawbiense</td>
<td>Poplar, Tulip</td>
</tr>
<tr>
<td>Oak, Red</td>
<td>Elm, Chinese</td>
<td>Mulberry, Red</td>
<td>Rhododendron, Catawbiense, 3-6'</td>
<td>Rhododendron, Catawbiense, 3-5'</td>
<td></td>
</tr>
<tr>
<td>80' +/-</td>
<td>60'-90'</td>
<td>50'</td>
<td>4'-6'</td>
<td>6' +/-.</td>
<td></td>
</tr>
<tr>
<td>possible wet areas</td>
<td>new leaves in spring are red, fall-most to wine-red</td>
<td>last growing has spreading form of the American Elm, fall-red leaves</td>
<td>purple fall - early fall, nice fall and spring color, small tree-like, sweet, shrubby</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### REQUIRES MOST CONDITIONS WITH MEDIUM DRAINAGE

<table>
<thead>
<tr>
<th>C.SHRUB</th>
<th>C.SHRUB</th>
<th>C.SHRUB</th>
<th>C.SHRUB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ligustrum sinense</td>
<td>Illicium anisatum</td>
<td>Jasminum nudiflorum</td>
<td>Koele macrocarpa</td>
</tr>
<tr>
<td>Paeony, Chinese</td>
<td>Asters</td>
<td>Japanese Winter</td>
<td>Mountain Laurel</td>
</tr>
<tr>
<td>4' - 6'</td>
<td>8' - 12'</td>
<td>2' - 4'</td>
<td>8' +/-.</td>
</tr>
<tr>
<td>small leaved, evergreen, use as hedge; also variegated form</td>
<td>evergreen screen, long leaves</td>
<td>for embankments, yellow flower in early spring, soil tolerant</td>
<td></td>
</tr>
</tbody>
</table>

### REQUIRES MOST CONDITIONS, BUT WELL DRAINED SOIL

<table>
<thead>
<tr>
<th>A.LG. MAT. TREE</th>
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<th>A.LG. MAT. TREE</th>
<th>B.S. EMAT. TREE</th>
<th>B.S. EMAT. TREE</th>
<th>B.S. EMAT. TREE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acer saccharum</td>
<td>Fagus grandifolia</td>
<td>Fraxinus americana</td>
<td>Magnolia grandiflora</td>
<td>Tilia cordata</td>
<td>Crape Myrtle</td>
</tr>
<tr>
<td>Maple 'Sugar Legacy'</td>
<td>Beech, American</td>
<td>Ash, White</td>
<td>Magnolia, Southern</td>
<td>Linden</td>
<td>Cape Myrtle</td>
</tr>
<tr>
<td>50' +/-</td>
<td>60'</td>
<td>50'</td>
<td>50' +/-</td>
<td>23'</td>
<td>23'</td>
</tr>
<tr>
<td>good for drought and heat</td>
<td>native, natural transplant in spring</td>
<td>large with flowers through early summer, evergreen, thrives depending on variety</td>
<td>in groups, blue flowers, choose rust resistant varieties</td>
<td>also dependent on variety, blooms July to Sept, prefers clay soil</td>
<td>in groups, spreads to 16', avoid planting near red oaks</td>
</tr>
<tr>
<td>Green Mountain</td>
<td>Sugar, Yellow, purple and mauve</td>
<td>large with flowers through early summer, evergreen, thrives depending on variety</td>
<td>in groups, blue flowers, choose rust resistant varieties</td>
<td>also dependent on variety, blooms July to Sept, prefers clay soil</td>
<td>in groups, spreads to 16', avoid planting near red oaks</td>
</tr>
<tr>
<td>B.S. EMAT. TREE</td>
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<td>B.S. EMAT. TREE</td>
<td>B.S. EMAT. TREE</td>
<td>B.S. EMAT. TREE</td>
<td></td>
</tr>
<tr>
<td>Malus x spartii</td>
<td>Paeonia delavayi</td>
<td>Potentilla</td>
<td>Athyrea 'American Beauty'</td>
<td>Chaste Tree</td>
<td></td>
</tr>
<tr>
<td>30'-35'</td>
<td>10'-15'</td>
<td>22'</td>
<td>22'</td>
<td>15'-20'</td>
<td></td>
</tr>
<tr>
<td>blue green selection, pastel, narrow views</td>
<td>pink, bluish lavender or white flowers, blooms some time as crapemyrtle, neutral pH</td>
<td>blue green selection, pastel, narrow views</td>
<td>pink, bluish lavender or white flowers, blooms some time as crapemyrtle, neutral pH</td>
<td>blue green selection, pastel, narrow views</td>
<td></td>
</tr>
</tbody>
</table>

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<tr>
<td>Paeony, Chinese</td>
<td>Asters</td>
<td>Japanese Winter</td>
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</tr>
<tr>
<td>4' - 6'</td>
<td>8' - 12'</td>
<td>2' - 4'</td>
<td>8' +/-.</td>
</tr>
<tr>
<td>small leaved, evergreen, use as hedge; also variegated form</td>
<td>evergreen screen, long leaves</td>
<td>for embankments, yellow flower in early spring, soil tolerant</td>
<td></td>
</tr>
</tbody>
</table>

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**DESIGN GUIDELINES - LANDSCAPE**

**TECH CENTER DESIGN GUIDELINES**
# Plant List - continued

## REQUIRES MOST CONDITIONS, BUT WELL DRAINED SOIL

<table>
<thead>
<tr>
<th>ALG. MAT. TREE</th>
<th>Acer saccharum</th>
<th>Maple Sugar - legacy</th>
<th>50'/+/-</th>
<th>1 sun</th>
<th>good for drought and heat, Green Mountain maple, natural, transplant in spring</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALG. MAT. TREE</td>
<td>Fagus grandifolia</td>
<td>Beech, American</td>
<td>50'/+/-</td>
<td>1 sun</td>
<td>Fast growing shade tree, fall color yellow, purple, and maroon</td>
</tr>
<tr>
<td>ALG. MAT. TREE</td>
<td>Fraxinus americana</td>
<td>Ash, White</td>
<td>50'/+/-</td>
<td>1 sun</td>
<td>Large with flowers, through early summer, evergreen, grows depending on variety</td>
</tr>
<tr>
<td>ALG. MAT. TREE</td>
<td>Magnolia grandiflora</td>
<td>Magnolia, Southern</td>
<td>50'/+/-</td>
<td>1 sun</td>
<td>Possible wet areas</td>
</tr>
<tr>
<td>ALG. MAT. TREE</td>
<td>Tilia cordata</td>
<td>Linden</td>
<td>50'/+/-</td>
<td>1 sun</td>
<td>In groups, tall, white flowers, choose rust resistant varieties</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Crataegus</td>
<td>Hawthorne</td>
<td>35'/+/-</td>
<td>1 sun</td>
<td>Site dependent on variety, blooms July to Septs, prefers clay soil</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Lagerstroemia indica</td>
<td>Cape Myrtle</td>
<td>35'/+/-</td>
<td>1 sun</td>
<td>In groups, spreads to 14', avoid planting near road cutters</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Malus x sargentii</td>
<td>Crabapple “Sargent”</td>
<td>8'/+/-</td>
<td>1 sun</td>
<td>In groups, leaves fall</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Paeonia (chinese)</td>
<td>Peony</td>
<td>30'/+/-</td>
<td>1 sun</td>
<td>Pink green selection, pastel, narrow views</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Thea orientalis</td>
<td>Arbutus, American</td>
<td>25'/+/-</td>
<td>1 sun</td>
<td>Pink, blue, lavender or white flowers, blooms same time as cape myrtle, neutral pH</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Vitis agnus-castus</td>
<td>Chestnut</td>
<td>15'/+/-</td>
<td>1 sun</td>
<td>Wide, fragrant flowers, deciduous, light pink, may sucker (run), shady shade in mesic areas</td>
</tr>
<tr>
<td>CSHRUB</td>
<td>Kalmia latifolia</td>
<td>Heather shrub</td>
<td>10'/+/-</td>
<td>1 sun</td>
<td>Wild rose or “the Fairy” cl. pink</td>
</tr>
<tr>
<td>CSHRUB</td>
<td>Ros, var.</td>
<td>Rosaceae</td>
<td>3'/+/-</td>
<td>1 sun</td>
<td>Gloss leaf flowers not show, evergreen</td>
</tr>
<tr>
<td>CSHRUB</td>
<td>Viburnum japonicum</td>
<td>Viburnum</td>
<td>10'/+/-</td>
<td>1 sun</td>
<td>Resembles prairie grass, bush leaves, blooms in June and turn tan</td>
</tr>
<tr>
<td>CSHRUB</td>
<td>Calycanthus occidentalis “strigosus”</td>
<td>Spicebush</td>
<td>5'/+/-</td>
<td>1 sun</td>
<td>Purple pink blossom, orange, dry sun, Silver</td>
</tr>
<tr>
<td>EGRASS</td>
<td>Miscanthus sinensis “Silverfeather”</td>
<td>Grass, Silver feather</td>
<td>6'/+/-</td>
<td>1 sun</td>
<td>Slender, less and plume, good in winter (can take dry period), stressed</td>
</tr>
<tr>
<td>EGRASS</td>
<td>Sorghastrum nutans</td>
<td>Grass, Indian</td>
<td>4'/+/-</td>
<td>1 sun</td>
<td>Pristine meadow grass, blue-green, blooms in August</td>
</tr>
<tr>
<td>ALG. MAT. TREE</td>
<td>Cedrus deodara</td>
<td>Deceler Cedar</td>
<td>40'/+/-</td>
<td>2 sun, semi-sun</td>
<td>Conical shape, blue-green needles</td>
</tr>
<tr>
<td>ALG. MAT. TREE</td>
<td>Pinus sylvestris</td>
<td>Black Gum</td>
<td>30'/+/-</td>
<td>2 sun, semi-sun</td>
<td>Excellent red fall color, native</td>
</tr>
<tr>
<td>ALG. MAT. TREE</td>
<td>Pinus taeda</td>
<td>Pine, Loblolly</td>
<td>40'/+/-</td>
<td>2 sun, semi-sun</td>
<td>Native, local grow, intolerant poor soil, improved variety available</td>
</tr>
<tr>
<td>ALG. MAT. TREE</td>
<td>Quercus falcata</td>
<td>Oak, Laurel</td>
<td>40'/+/-</td>
<td>2 sun, semi-sun</td>
<td>Rapid growth, along river edges</td>
</tr>
<tr>
<td>ALG. MAT. TREE</td>
<td>X Cupressocyparissus leylandii</td>
<td>Cypress, Leyland</td>
<td>60'/+/-</td>
<td>2 sun, semi-sun</td>
<td>Pastoral, narrow views, fast growing, evergreen</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Cistus candicans</td>
<td>Redbud, Eastern</td>
<td>25'/+/-</td>
<td>2 sun, semi-sun</td>
<td>Locally native, found at edge of woods, begin with small trees</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Prunus serrula var. Mount Fuji</td>
<td>Flowering Cherry</td>
<td>25'/+/-</td>
<td>2 sun, semi-sun</td>
<td>Rounded canopy</td>
</tr>
</tbody>
</table>
# Plant List - continued

<table>
<thead>
<tr>
<th>B.S.M. MAT. TREE</th>
<th>Common Name</th>
<th>B.S.M. MAT. TREE</th>
<th>Common Name</th>
<th>B.S.M. MAT. TREE</th>
<th>Common Name</th>
<th>B.S.M. MAT. TREE</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illex vomitoria 'Nellie R. Stevens'</td>
<td>Holly, Nellie R. Stevens</td>
<td>15-25'</td>
<td>2. sun, semi-sun</td>
<td>evergreen shrub, broad, very hardy and easy to transplant</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Magnolia 'Saucer'</td>
<td>Magnolia, Saucer</td>
<td>25'</td>
<td>2. sun, semi-sun</td>
<td>choose late blooming variety</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Magnolia stellata</td>
<td>Magnolia, Stellata</td>
<td>20-25'</td>
<td>2. sun, semi-sun</td>
<td>choose late blooming variety</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Malus 'Floribunda'</td>
<td>Japanese Flowering</td>
<td>18'</td>
<td>2. sun, semi-sun</td>
<td>buds deep pink, opens to white flowers, fragrant, spread to 20', spreading Crab Apple with branches, does well in north</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Malus 'Harvester'</td>
<td>Crabapple 'Harvester'</td>
<td>30'</td>
<td>2. sun, semi-sun</td>
<td>in groups, avoid planting near red cedars, red fruit</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abelia x grandiflora 'Edward Goucher'</td>
<td>Abelia, Edward Goucher</td>
<td>5'</td>
<td>2. sun, semi-sun</td>
<td>evergreen, leaves purple-bronze in fall, blooms all summer, good bank cover</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Azelia x ruizii</td>
<td>Chokeberry</td>
<td>6-9'</td>
<td>2. sun, semi-sun</td>
<td>natural, can sucker, multi-stem, &quot;A&quot; red-purple berries</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Camellia sasanqua</td>
<td>Quince</td>
<td>to 10'</td>
<td>2. sun, semi-sun</td>
<td>Blooms Feb., March, good bank holder, some var. showy fruit</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cornus kousa</td>
<td>Dogwood, Red Oster</td>
<td>3-6'</td>
<td>2. sun, semi-sun</td>
<td>lower areas, replacement, good bank holder, needs contrast background to be effective</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cornus x部份</td>
<td>Dwarfing Evergreen</td>
<td>10-12'</td>
<td>2. sun, semi-sun</td>
<td>uses dwarf or non-deep form, used on phase II, brilliant fall color</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fothergilla</td>
<td>Fothergilla</td>
<td>4'</td>
<td>2. sun, semi-sun</td>
<td>orange mottled, red leaves, with pink, pink, woodland, white flower in May</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ilex x fitzii</td>
<td>Holly, Luster-leaf</td>
<td>to 35'</td>
<td>2. sun, semi-sun</td>
<td>pyramidal, large evergreen leaves, red berries</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Osmanthus heterophyllus</td>
<td>Holly Glee or Chinese Olive</td>
<td>10-15'</td>
<td>2. sun, semi-sun</td>
<td>glossy evergreen, white fragrant flowers Sept. - Nov., uniform form</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Viburnum 'Dazzle'</td>
<td>Viburnum, Dazzle</td>
<td>to 5'</td>
<td>2. sun, semi-sun</td>
<td>known for heavy red berries through winter, deciduous, May white flowers, flat cyme, red leaves (persistent), filbert cool env.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weigela praecox</td>
<td>Weigela</td>
<td>6-8'</td>
<td>2. sun, semi-sun</td>
<td>deciduous, covered in spr. flowers, small tree-like and may sucker indoors, showy in masses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cornus mas</td>
<td>Dogwood, Cornelian Cherry</td>
<td>25'</td>
<td>3. sun-shade</td>
<td>better for mid-west</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>T. rubra</td>
<td>Dogwood, Cornelian Cherry</td>
<td>20'</td>
<td>3. sun-shade</td>
<td>In groups, with red fall color, choose disease-resistant var.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cornus kousa</td>
<td>Dogwood, Chinese</td>
<td>25'</td>
<td>4. shade tolerant</td>
<td>undery tree, wall shrub, acid soil</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cornus alba</td>
<td>Snowbell, Japanese</td>
<td>15-20'</td>
<td>4. shade tolerant</td>
<td>May, pendulous bell shape, good for red, hedges, fragrant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Witch Hazel</td>
<td>Witch Hazel</td>
<td>30'</td>
<td>4. shade tolerant</td>
<td>late winter flowering, yellow fall color, naturalizing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ilex verticillata 'Spartanberry'</td>
<td>Waxberry</td>
<td>10-12'</td>
<td>5. semi-sun, shade</td>
<td>In groups, berry, wet areas, fruit clusters, in woodlands</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hydrangea quercifolia</td>
<td>Hydrangea Quercifolia</td>
<td>6'</td>
<td>5. semi-sun, shade</td>
<td>blooms late summer, red leaves in fall pastel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prunus cedron 'Laurel'</td>
<td>Gaspe Cherry</td>
<td>30'</td>
<td>5. semi-shade, shade</td>
<td>evergreen shrub grows to a small tree, white flowers in spring</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prunus laurocerasus</td>
<td>Laurel, Cherry</td>
<td>5'</td>
<td>5. semi-shade, shade</td>
<td>blood red tips of grass, backlight with sun, plant spire</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ilex crenata</td>
<td>Japanese Photinia</td>
<td>2'-4'</td>
<td>6. shade good</td>
<td>mixed with rhododendrons</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ilex x fitzii</td>
<td>Holly, Luster-leaf</td>
<td>10-15'</td>
<td>2. sun, semi-sun</td>
<td>blooms Feb. - March, good bank holder, some var. showy fruit</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Cornus x部份</td>
<td>Dwarfing Evergreen</td>
<td>10-12'</td>
<td>2. sun, semi-sun</td>
<td>lower areas, twigs, good bank holder, needs contrast back ground to be effective</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fothergilla</td>
<td>Fothergilla</td>
<td>4'</td>
<td>2. sun, semi-sun</td>
<td>uses dwarf or non-deep form, used on phase II, brilliant fall color</td>
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<tr>
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<td>Holly, Luster-leaf</td>
<td>10-15'</td>
<td>2. sun, semi-sun</td>
<td>orange mottled, red leaves, with pink, pink, woodland, white flower in May</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Cornus x部份</td>
<td>Holly Glee or Chinese Olive</td>
<td>10-15'</td>
<td>2. sun, semi-sun</td>
<td>pyramidal, large evergreen leaves, red berries</td>
<td></td>
<td></td>
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</tr>
<tr>
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<td>Viburnum, Dazzle</td>
<td>to 5'</td>
<td>2. sun, semi-sun</td>
<td>known for heavy red berries through winter, deciduous, May white flowers, flat cyme, red leaves (persistent), filbert cool env.</td>
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<tr>
<td>Weigela praecox</td>
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<td>6-8'</td>
<td>2. sun, semi-sun</td>
<td>deciduous, covered in spr. flowers, small tree-like and may sucker indoors, showy in masses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cornus mas</td>
<td>Dogwood, Cornelian Cherry</td>
<td>25'</td>
<td>3. sun-shade</td>
<td>better for mid-west</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Plant List - continued

<table>
<thead>
<tr>
<th>Plant</th>
<th>Description</th>
<th>Sun/Shade</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Teige canadensis</td>
<td>40'-70'</td>
<td>3. sun, shade</td>
</tr>
<tr>
<td><strong>BSM MATT TREE</strong></td>
<td>Cornus florida</td>
<td>25'</td>
<td>4. Shade tolerant</td>
</tr>
<tr>
<td><strong>BSM MATT TREE</strong></td>
<td>Cornus kousa</td>
<td>25'</td>
<td>4. Shade tolerant</td>
</tr>
<tr>
<td><strong>BSM MATT TREE</strong></td>
<td>Hamamelis var.</td>
<td>20'</td>
<td>4. Shade tolerant</td>
</tr>
<tr>
<td><strong>BSM MATT TREE</strong></td>
<td>Ilex verticillata 'Spindleberry'</td>
<td>10-12'</td>
<td>5. semi-sun, shade</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Hydrangea quercifolia</td>
<td>6'</td>
<td>5. semi-sun, shade</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Prunus caroliniana</td>
<td>3' - 4'</td>
<td>5. semi-sun, shade</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Prunus lauroculosa</td>
<td>6'</td>
<td>5. semi-sun, shade</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Impatiens capensis</td>
<td>1'-2'</td>
<td>5. semi-sun, shade</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Lavatera angustifolia</td>
<td>2-4'</td>
<td>5. shade</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Prunus 'Oklahoma'</td>
<td>20'</td>
<td>4. sun</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Ilex comites 'Barberton'</td>
<td>10'</td>
<td>4. sun</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Ilex comites 'China Girl' or 'China Boy'</td>
<td>1'</td>
<td>4. sun</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Hydrangea paniculata 'Vanillefraise'</td>
<td>20'</td>
<td>2. sun, semi-sun</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Hydrangea Quercifolia</td>
<td>10'</td>
<td>2. sun, semi-sun</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Ilex comites 'Needlepoin'</td>
<td>8'-10'</td>
<td>2. sun, semishade</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Ligustrum japonicum</td>
<td>20'-30'</td>
<td>2. sun</td>
</tr>
<tr>
<td><strong>C SHUB</strong></td>
<td>Ilex cassinii</td>
<td>20'</td>
<td>4. shade tolerant</td>
</tr>
<tr>
<td><strong>DG SHUB</strong></td>
<td>European fortune 'Aurora'</td>
<td>4'-6'</td>
<td>4. shade tolerant</td>
</tr>
</tbody>
</table>

### PLANTS WILL GROW UNDER VERSEITILE MOISTURIE CONDITIONS

<table>
<thead>
<tr>
<th>Plant</th>
<th>Description</th>
<th>Sun/Shade</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Fuchsia pinennis</td>
<td>50'-60'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Penstemon</td>
<td>50'-60'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Conus scutellata</td>
<td>25'-40'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Quercus alba</td>
<td>50'-60'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Quercus cocinea</td>
<td>50'-60'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Quercus palustris</td>
<td>50'-60'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Quercus coccifera</td>
<td>50'-60'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Quercus shadbush</td>
<td>50'-60'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Cotoneaster xanthifolia</td>
<td>50'-60'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>AGROSTIE</strong></td>
<td>Ilex verticillata</td>
<td>20'-30'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>BSM MATT TREE</strong></td>
<td>Smoketree</td>
<td>15'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>BSM MATT TREE</strong></td>
<td>Juniperus virginiana</td>
<td>30'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>BSM MATT TREE</strong></td>
<td>Kosteria's pseudolata</td>
<td>20'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>BSM MATT TREE</strong></td>
<td>Golden-ceil tree</td>
<td>30'-40'</td>
<td>1. sun</td>
</tr>
<tr>
<td><strong>BSM MATT TREE</strong></td>
<td>Picea shidenkana</td>
<td>30'</td>
<td>1. sun</td>
</tr>
</tbody>
</table>
### Plant List - continued

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Scientific Name</th>
<th>Zones</th>
<th>Notes/Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.S.H. MAT. TREE</td>
<td>Pinus virginiana</td>
<td>20-40</td>
<td>1 aun</td>
</tr>
<tr>
<td>B.S.H. MAT. TREE</td>
<td>Picea 'Cleveland Select'</td>
<td>30-50</td>
<td>1 aun</td>
</tr>
<tr>
<td>C.S.HUB</td>
<td>Buddleja davidii</td>
<td>20</td>
<td>1 aun</td>
</tr>
<tr>
<td>C.S.HUB</td>
<td>Fothergilla × megalophylla</td>
<td>12-14</td>
<td>1 aun</td>
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<tr>
<td>C.S.HUB</td>
<td>Forsythia × intermedia</td>
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<td>C.S.HUB</td>
<td>Potentilla fruticosa Koralle</td>
<td>2-3</td>
<td>1 aun</td>
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<tr>
<td>C.S.HUB</td>
<td>Sphaera × variegata 'Sunburst'</td>
<td>6</td>
<td>1 aun</td>
</tr>
<tr>
<td>D.G.IND COVER</td>
<td>Caloosha</td>
<td>1-4</td>
<td>1 aun</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Cotoneaster × sargentii</td>
<td>2</td>
<td>1 aun</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Harlequin old man's beard</td>
<td>2-4</td>
<td>1 aun</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Panayocum × sargentii</td>
<td>3-4</td>
<td>1 aun</td>
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<tr>
<td>E.GASS</td>
<td>Clethra alnifolia 'Chanticleer'</td>
<td>3-7</td>
<td>2 aun, semi-evergreen</td>
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<tr>
<td>E.GASS</td>
<td>Berberis × verruculosa</td>
<td>3</td>
<td>2 aun, semi-evergreen</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Berberis × pygmaea ' wee me'</td>
<td>3-6</td>
<td>2 aun, semi-evergreen</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Kenia Japonica</td>
<td>6-8</td>
<td>2 aun, semi-evergreen</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Pyracantha coccinea</td>
<td>5-10</td>
<td>2 aun, semi-evergreen</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Malus × rubrum 'crimson king'</td>
<td>5-6</td>
<td>2 aun, semi-evergreen</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Daphne</td>
<td>2-4</td>
<td>2 aun, semi-evergreen</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Quercus × virginiana</td>
<td>20-25</td>
<td>3 aun-shade</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Cotoneaster x corinus</td>
<td>20-25</td>
<td>3 aun-shade</td>
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#### PLANTS WILL GROW UNDER WET CONDITIONS

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Scientific Name</th>
<th>Zones</th>
<th>Notes/Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.L.G. MAT. TREE</td>
<td>Acer × rubrum 'Bewwail'</td>
<td>20</td>
<td>1 aun</td>
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<tr>
<td>A.L.G. MAT. TREE</td>
<td>Acron × rubrum 'Bowdell'</td>
<td>20</td>
<td>1 aun</td>
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<tr>
<td>A.L.G. MAT. TREE</td>
<td>Liquidambar styraciflua</td>
<td>50-60</td>
<td>1 aun</td>
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<tr>
<td>A.L.G. MAT. TREE</td>
<td>Quercus × virginiana</td>
<td>50-60</td>
<td>1 aun</td>
</tr>
<tr>
<td>A.L.G. MAT. TREE</td>
<td>Sasa × australis</td>
<td>10-40</td>
<td>1 aun</td>
</tr>
<tr>
<td>A.L.G. MAT. TREE</td>
<td>Taxodium distichum</td>
<td>50-60</td>
<td>1 aun</td>
</tr>
<tr>
<td>C.S.HUB</td>
<td>Spirea x vanhouttei 'Anthony Waterer'</td>
<td>2-4</td>
<td>1 aun</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Mecanopsis × 'purpureas'</td>
<td>3-4</td>
<td>1 aun</td>
</tr>
<tr>
<td>E.GASS</td>
<td>Mecanopsis × 'chack arm'</td>
<td>3-4</td>
<td>1 aun</td>
</tr>
<tr>
<td>A.L.G. MAT. TREE</td>
<td>Pterostylis × australis</td>
<td>60-70</td>
<td>2 aun, semi-evergreen</td>
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<tr>
<td>A.L.G. MAT. TREE</td>
<td>Myrica × chinensis</td>
<td>10-12</td>
<td>2 aun, semi-evergreen</td>
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<tr>
<td>C.S.HUB</td>
<td>Viburnum × opulus 'Roseum'</td>
<td>6-12</td>
<td>2 aun, semi-evergreen</td>
</tr>
<tr>
<td>C.S.HUB</td>
<td>Itea virginica</td>
<td>6-12</td>
<td>2 aun, semi-evergreen</td>
</tr>
<tr>
<td>Common Name</td>
<td>Scientific Name</td>
<td>Height</td>
<td>Shape/Size</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>------------------------</td>
<td>--------</td>
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</tr>
<tr>
<td>Silverbell, Carolina</td>
<td>Halesia carolina</td>
<td>30'-40'</td>
<td>shade</td>
</tr>
<tr>
<td>Magnolia, Swamp</td>
<td>Magnolia virginiana</td>
<td>40'-60'</td>
<td>shade</td>
</tr>
<tr>
<td>Hydrangea &quot;Reblooming&quot;</td>
<td>Hydrangea arborescens</td>
<td>30'-40'</td>
<td>shade</td>
</tr>
<tr>
<td>Serviosyra</td>
<td>Serviosyra</td>
<td>6'-8'</td>
<td>shade</td>
</tr>
<tr>
<td>Fringe Tree</td>
<td>Cornus alba</td>
<td>3'-6'</td>
<td>sun</td>
</tr>
<tr>
<td>REQUIRES MOST CONDITIONS, BUT WELL DRAINED SOIL</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acer saccharum</td>
<td>Acer saccharum</td>
<td>50'-70'</td>
<td>sun</td>
</tr>
<tr>
<td>Heptacodium arborescens</td>
<td>Heptacodium arborescens</td>
<td>20'-30'</td>
<td>sun</td>
</tr>
<tr>
<td>Magnolia, Swamp</td>
<td>Magnolia virginiana</td>
<td>40'-60'</td>
<td>sun</td>
</tr>
<tr>
<td>Tilia cordata</td>
<td>Tilia cordata</td>
<td>50'-70'</td>
<td>sun</td>
</tr>
<tr>
<td>Cotonegis</td>
<td>Cotonegis</td>
<td>20'-30'</td>
<td>sun</td>
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<tr>
<td>Lagerstromia ilicida</td>
<td>Lagerstromia ilicida</td>
<td>10'-30'</td>
<td>sun</td>
</tr>
<tr>
<td>Malus sargentii</td>
<td>Malus sargentii</td>
<td>15'-25'</td>
<td>sun</td>
</tr>
<tr>
<td>Prunus cerasifera</td>
<td>Prunus cerasifera</td>
<td>10'-20'</td>
<td>sun</td>
</tr>
<tr>
<td>Vitis australis</td>
<td>Vitis australis</td>
<td>15'-30'</td>
<td>sun</td>
</tr>
<tr>
<td>C.SHRUBS</td>
<td>Ceanothus × 'Terry's Gold'</td>
<td>6'-12'</td>
<td>sun</td>
</tr>
<tr>
<td>Rose sar.</td>
<td>Rose sar.</td>
<td>3'-5'</td>
<td>sun</td>
</tr>
<tr>
<td>Viburnum plicatum</td>
<td>Viburnum plicatum</td>
<td>15'-20'</td>
<td>sun</td>
</tr>
<tr>
<td>Cercidiphyllum occidentale 'Snow'</td>
<td>Cercidiphyllum occidentale</td>
<td>4'-5'</td>
<td>sun</td>
</tr>
<tr>
<td>Mirococcus sieboldii</td>
<td>Mirococcus sieboldii</td>
<td>20'-30'</td>
<td>sun</td>
</tr>
<tr>
<td>Malus sieboldii</td>
<td>Malus sieboldii</td>
<td>10'-20'</td>
<td>sun</td>
</tr>
<tr>
<td>Sambucus racemosa</td>
<td>Sambucus racemosa</td>
<td>6'-8'</td>
<td>sun</td>
</tr>
<tr>
<td>Castanea mollissima</td>
<td>Castanea mollissima</td>
<td>20'-30'</td>
<td>sun</td>
</tr>
<tr>
<td>Nectar myrtiflora</td>
<td>Nectar myrtiflora</td>
<td>20'-30'</td>
<td>sun</td>
</tr>
<tr>
<td>Liriodendron tulipifera</td>
<td>Liriodendron tulipifera</td>
<td>40'-60'</td>
<td>sun</td>
</tr>
<tr>
<td>Carpinus lutea</td>
<td>Carpinus lutea</td>
<td>20'-30'</td>
<td>sun</td>
</tr>
<tr>
<td>Centris canadensis</td>
<td>Centris canadensis</td>
<td>25'-30'</td>
<td>sun</td>
</tr>
</tbody>
</table>

**DESIGN GUIDELINES - LANDSCAPE**

- Understory tree, with leaf shaped flowers, pH 6.0-7.0
- Medium sized shrub, eye catching, white flowers, evergreen
- Formal, vertical look, refined, natural, transplant young
delicate, natural native
- Well drained soil, yellow fall color

**TECH CENTER DESIGN GUIDELINES**

A-5
Executive Summary

The proposed Tech Center at Oyster Point development is in the City of Newport News on the southeast corner of Jefferson Avenue and Oyster Point Road. The initial commercial development, Tech Center Market Place, is an urban market place with walkable streets adjacent to residential apartments. The proposed Master Plan for the remaining Tech Center development includes 10 new buildings that will provide 842,662 square feet of office space. Construction will occur in two phases, with Phase 1 to include five (5) buildings totaling 422,662 square feet of office completed by 2024. Phase 2 will be further divided into two subphases, Phase IIA and Phase IIB. In Phase IIA building 9 will be constructed to include approximately 80,000 square feet of office building. Phase IIB will add the remaining 4 buildings; 6, 7, 8, and 10 to account for approximately 340,000 square feet of office building for a total of 420,000 square feet in Phase 2. Full build-out is anticipated to occur by 2028. Figure 1 illustrates the 12 study area intersections that were evaluated. The recommended improvements for each intersection, if any, are listed below:

Overall Network Recommendations

- Provide optimized signal timings at the completion of each phase for the entire coordinated signal system to evaluate cycle, splits and offsets based on actual traffic patterns.

- In addition to capacity improvements noted below for each of the study area intersections, improvements should also include updating signage, markings, and pedestrian accommodations throughout the entire study area to be consistent with proposed improvements. In addition, signal and/or median modifications may be required to accommodate proposed capacity improvements.

Jefferson Avenue / Oyster Point Road

- Maintain existing laneage.

Jefferson Avenue / Hogan Drive

- Widen the westbound approach to six (6) lanes to include:
  
  → **Westbound Direction** – Provide an exclusive left-turn lane, a shared left-through lane, and an exclusive right-turn lane. All three lanes should be extended to the Tech Center Marketplace driveway.
  
  → **Eastbound Direction** – Provide an exclusive left-turn lane for patrons of the Tech Center Marketplace and two through lanes.
Jefferson Avenue / City Center Boulevard
- Maintain existing laneage.

Oyster Point Road / Criston Drive
- Maintain existing laneage.

Oyster Point Road / Palmer Lane
- Maintain existing laneage and unsignalized operations

Oyster Point Road / Village Green Parkway
- Lengthen the westbound left-turn lane to provide 400' storage / 200' taper.
- Construct the northbound approach to include: two left-turn lanes, a through lane and an exclusive right turn lane.
- Restripe the southbound approach to include; exclusive left-turn lane and shared through-right turn lane.
- Upgrade the signal and intersection geometry to allow for dual entry and opposing left-turn movements both east/west and north/south to occur concurrently. Proposed signal should be constructed to allow for future restriping of northbound approach to include two left-turn lanes, a shared through-right turn lane, and an exclusive right turn lane.
- Modify the intersection of Village Green Parkway / Bayport Way to prohibit the eastbound left-turn movement. Given the proximity to Oyster Point Road, all westbound Bayport Way traffic will be restricted to an outbound right-turn only.
- Construct a northbound left-turn slip lane to access westbound Bayport Way.

Oyster Point Road / Canon Boulevard
As part of the Ferguson at City Center development, the following recommendations were proposed and will be in place prior to the completion of the Phase 1 of the Tech Center at Oyster Point:
- *The City of Newport News has programmed improvements that will provide a second northbound right-turn lane*
- *Extend the westbound left-turn lane to provide 500' of storage*
Canon Boulevard / Old Oyster Point Road

As part of the Ferguson at City Center development, the following recommendations were proposed and will be in place prior to the completion of the Phase 1 of the Tech Center at Oyster Point:

- Extend southbound left-turn lane to provide 350' of storage.
- Prohibit eastbound/westbound left-turn and through movements during the PM peak period. This will allow the intersection to operate with two phases and the side streets will provide right-in/right-out only movements during this time of day plan.
- Provide signage along both side street approaches to identify time of day restrictions
- Modify the signal operation to include a flashing yellow arrow to allow the northbound left-turn movement to operate with protected permissive phasing.

Canon Boulevard / Village Green Parkway

- Construct a southbound right-turn lane to include 150' storage / 150' taper.
- Construct a northbound left-turn lane to include 200' storage / 200' taper.
- Construct eastbound approach to as part of the 4-lane divided roadway and stripe as an exclusive left-turn and right-turn lane.

Canon Boulevard / Achievement Way

- Maintain existing laneage.

Canon Boulevard / City Center Boulevard

- Construct a southbound right-turn lane to include 100' storage/90' taper.
- Install flashing yellow arrows on all approaches.

Hogan Drive – Driveway “a”

- Maintain existing laneage.

Village Green Parkway – Driveway “b” (Garage H)

- Construct the northbound and southbound approaches to include a shared left-through lane and a shared through-right turn lane.
- Construct the side streets with a shared left-through-right turn lane.
Village Green Parkway / Hogan Drive (north) – Driveway “c”
- Construct the northbound approach to include a shared left-through lane and a through lane.
- Construct the southbound approach to include a through lane and a shared through-right turn lane.
- Construct the westbound leg with a single one-way westbound lane.

Village Green Parkway / Hogan Drive (south) – Driveway “d”
- Construct the northbound approach to include two through lanes.
- Construct the southbound approach to include two through lanes.
- Construct the eastbound approach to include an exclusive left-turn lane as part of the one lane approach of Hogan Drive.
- Construct an exclusive eastbound right-turn lane to include 100’ storage / 75’ taper.

Village Green Parkway / Driveway “e” (Garage I)
- Construct the northbound approach to include a shared left-through lane and an exclusive right-turn lane
- Construct the southbound approach to include a shared left-through-right turn lane
- Construct the eastbound approach (Village Green Parkway) to include a shared left-through lane and a shared through-right lane
- Construct the westbound approach (Village Green Parkway) to include a shared left-through land and a shared through-right lane

Village Green Parkway – Driveway “f”
- Construct the northbound approach to include a shared left-right turn lane
- Construct the eastbound approach to include a through lane and a shared through-right lane
- Construct the westbound approach to include a shared left-through lane and a through lane
Ms. Karen McPherson  
McPherson Consulting, LLC  
317 Office Square Lane, Suite 102A  
Virginia Beach, Virginia 23462

Re: Traffic Impact Analysis – Tech Center at Oyster Point

Dear Ms. McPherson:

The Department of Engineering has reviewed and approved the traffic analysis submitted on February 6, 2019 for the Tech Center at Oyster Point development in Newport News, Virginia. The improvements detailed below have been identified as essential to the full buildout of the master plan.

Jefferson Avenue / Oyster Point Road
- Maintain existing laneage.

Jefferson Avenue / Hogan Drive
- Widen the westbound approach to include six (6) lanes.
  - The westbound direction will include a left-turn lane, a shared left-through lane, and a right-turn lane.
  - The eastbound direction will include a left-turn lane and two through lanes.

Jefferson Avenue / City Center Boulevard
- Maintain existing laneage.

Oyster Point Road / Criston Drive
- Maintain existing laneage.

Oyster Point Road / Palmer Lane
- Maintain existing laneage at unsignalized intersection.

Oyster Point Road / Village Green Parkway
- Extend the westbound left-turn lane to provide 400 feet of storage on Oyster Point Road.
- Modify northbound approach to include two left-turn lanes, a through lane, and a right-turn lane.
- Restripe the southbound approach to include a left-turn lane and shared through-right turn lane.
- Upgrade the signal and intersection geometry to allow for dual entry and opposing left-turn movements north/south and east/west to occur concurrently.
- Modify the intersection of Village Green Parkway / Bayport Way to prohibit the eastbound left-turn movement. Westbound Bayport Way traffic will be restricted to an outbound right-turn only.
- Install a northbound left-turn slip lane on Village Green Parkway for access to Bayport Way.

**Oyster Point Road / Canon Boulevard**
As part of the Ferguson at City Center development, the following recommendations were proposed and will be in place prior to completion of Phase 1 of the Tech Center at Oyster Point that is anticipated to be complete by 2024.
- The City of Newport News has a future project that will install a second northbound right-turn lane on Canon Boulevard.
- Extend the westbound left-turn lane to 500 feet of storage on Oyster Point Road.

**Canon Boulevard / Old Oyster Point Road**
As part of the Ferguson at City Center development, the following recommendations were proposed and will be in place prior to completion of Phase 1 of the Tech Center at Oyster Point that is anticipated to be complete by 2024.
- Extend the southbound left-turn lane to 350 feet of storage on Canon Boulevard.
- Prohibit the eastbound/westbound left turn and through movements during the PM peak period.
- Provide signage on Bayport Way and Old Oyster Point Road to identify time of day restrictions.
- Modify the signal operation for the northbound left-turn movement to operate with protected-permissive phasing.

**Canon Boulevard / Village Green Parkway**
A signal will be installed at the intersection of Canon Boulevard and Village Green Parkway that will include the following recommendations:
- Install a southbound right-turn lane with 150 feet of storage on Canon Boulevard.
- Install a northbound left-turn lane with 200 feet of storage on Canon Boulevard.
- Install an eastbound approach with a left-turn lane and a right-turn lane on Village Green Parkway.

**Canon Boulevard / Achievement Way**
- Maintain existing laneage.

**Canon Boulevard / City Center Boulevard**
- Install a southbound right-turn lane with 100 feet of storage on Canon Boulevard.
- Install flashing yellow arrows on all approaches.

**Hogan Drive – Driveway “A”**
- Maintain existing laneage.

**Village Green Parkway – Driveway “B” (Garage H)**
- Install a northbound and southbound approach with a shared left-through lane and a shared through-right turn lane.

*Department of Engineering on-line at: [http://www.nvva.gov/engineering](http://www.nvva.gov/engineering)*
- Install side streets with a shared left-through-right turn lane.

**Village Green Parkway / Hogan Drive (North) – Driveway “C”**
- Install a northbound approach with a shared left-through lane and a through lane.
- Install a southbound approach with a through lane and a shared through-right turn lane.
- Install a westbound leg with a single one-way westbound lane.

**Village Green Parkway / Hogan Drive (South) – Driveway “D”**
- Install a northbound and southbound approach with two (2) through lanes.
- Install an eastbound approach with a left-turn lane as part of the one lane approach on Hogan Drive and a right-turn lane with 100 feet of storage.

**Village Green Parkway / Driveway “E” (Garage 1)**
- Install a northbound and southbound approach with a shared left-through lane and a right-turn lane.
- Install an eastbound and westbound approach with a shared left-through lane and a shared through-right lane.

**Village Green Parkway / Driveway “F”**
- Install a northbound approach with a shared left-right turn lane.
- Install an eastbound approach with a through lane and a shared through-right lane.
- Install a westbound approach with a shared left-through lane and a through lane.

Updated signage, pavement markings, and pedestrian accommodations shall be included as part of the improvements at each intersection if not already present. Signal and/or median modifications may be required to accommodate proposed capacity improvements.

Should you have any questions or require additional information, please do not hesitate to contact me (757) 926-8666 or Bridjette Parker of the Transportation Division staff at (757) 926-8314.

Sincerely,

Jacqueline M. Kassel, P.E.
Chief of Transportation Engineering

JMK/BJP/wjr

pc: Director of Engineering, E. Skipper
Director of Development, F. Kingston
Director of Planning, S. Mcallister
Development Services Manager, M. Story

Department of Engineering on-line at: [http://www.mmv.gov/engineering](http://www.mmv.gov/engineering)
MINUTES OF THE PLANNING COMMISSION WORK SESSION  
Wednesday, January 16, 2019  
10th Floor City Council Conference Room  
2400 Washington Avenue  
Newport News, Virginia

PRESENT: Daniel L. Simmons, Jr., Chairman; Katie Stodghill, Vice-Chairwoman; Willard G. Maxwell, Jr.; Sharyn L. Fox; Mark W. Mulvaney; Michael F. Carpenter; Zachary E. Wittkamp; Elizabeth W. Willis; N. Steve Groce; (Staff: Sheila McAllister, Director of Planning; Flora Chioros, Assistant Director – Current Planning; Latara Branch, Neighborhood Revitalization Coordinator; Angela Hopkins, Senior Planner; Saul Gleiser, Senior Planner; Johnnie Davis, Planner; Lynn Spratley, Deputy City Attorney; Nyoka Hall, Zoning Administrator; Christin Frank, Zoning Coordinator; Matt Johnson, Economic Development Manager; Bryan Stilley, Chief of Civil Design Engineering; Jacqueline Kassel, Chief of Transportation Engineering; Bridjette Parker, Studies & Programs Lead Engineer) Guests: Lindsey Carney; David Taylor; Karen McPherson; Bryan Witt; and Skip Smith

ABSENT: None

Mr. Simmons opened the work session at 2:30 P.M.

Ms. Chioros introduced the first item on the agenda: Master Plan: Tech Center Research Park. She stated the general purpose of the O3 zoning is to promote research and development parks and science centers based on a master plan, to orderly expand research and development oriented industries within Newport News. Ms. Chioros stated what we are looking at today is how the Tech Center master plan is laid out. She stated this includes where buildings are situated, parking is located, what amenities are provided, and establishing building heights, setbacks, signs and landscaping. Ms. Chioros stated this is a master plan submittal and not a rezoning with proffers. She stated the applicant has provided copies of the design guidelines and will be making a presentation.

Ms. McAllister asked the applicant and their support staff to introduce themselves: Mr. Skip Smith, W.M. Jordan Development Company; Mr. Bryan Witt, W.M. Jordan Development Company; Lindsey Carney, Patton, Wormal, Patton and Diamonstein; David Taylor, Timmons Group; Karen McPherson, McPherson Consulting.

Ms. McAllister stated Building One came through as Phase I of the master plan. She stated this is the final phase of the master plan, and once it is adopted by City Council it becomes the site plan for that particular property.

Ms. Carney gave an introduction of the Tech Center master plan and Mr. Taylor gave a presentation on the design guidelines (copy attached to record minutes).
Mr. Mulvaney stated the largest two buildings are 100,000 square feet. He asked if that is an attempt to limit the employee base so there is not an impact on green space. Mr. Taylor stated that is more of a delicate balance between the amount of square footage available to us and the amount of parking.

Mr. Wittkamp asked if the tenant base would be private or governmental. Ms. Carney stated it will be a combination of both.

Mr. Groce asked where are the wetlands. Mr. Taylor pointed out the jurisdictional wetlands.

Mr. Mulvaney asked, of the 6,000 jobs being created, what percentage would be commuters what percentage are anticipated to relocate. Ms. Carney stated she does not have exact information on it, but the thought is that it will attract both residents and commuters.

Mr. Mulvaney asked what is the estimated end date for the build-out. Mr. Taylor stated 15 to 20 years, but it is purely market-driven.

Ms. Willis asked how they obtained a street running straight through the wetlands. Mr. Taylor stated they were given a permit to impact four acres, including that street location.

Ms. Fox asked what is the impact of the new accelerator, if we get it or we do not get it. Mr. Smith stated Jefferson Lab is studying putting out a procurement for it, but we have an advantage over our competitor because of Tech Center. He stated our chances are good because we already have a beam, giving them an advantage to go to the next generation beam. Mr. Smith stated if we do not get it, we can build new buildings where the new beam location is proposed and enlarge the park. Ms. Fox asked if the overall configuration of the park is not tied exclusively to the beam. Ms. Carney stated no, because this is a win-win no matter what. Mr. Smith stated do not forget that Tech Center is affiliated with Virginia Tech and their KnowledgeWorks program which provides business formation and growth support services.

Mr. Carpenter asked what is the time frame for the Department of Energy to make a decision. Mr. Smith stated he cannot answer that.

Mr. Mulvaney asked if there are prospective tenants who are contingent on the second beam. Mr. Smith stated no.

Mr. Mulvaney asked what are the driving factors for the anticipated economic impact. Ms. Carney stated sales tax from food and entertainment, people relocating to the city in terms of housing and improvements in the housing market. She stated there will also be a lot of money that will be generated by the real estate taxes.
CPC MINUTES
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Mr. Mulvaney stated he is concerned about the impact on traffic at the busiest intersection in Newport News. He stated that is a big component to look at with the creation of 6,000 jobs. Ms. Carney stated yes, and that is why we try to emphasize that there are ingress/egress points at Oyster Point Road, Village Green Parkway and Canon Boulevard. She stated we have a Traffic Impact Analysis (TIA) done in conjunction with the Ferguson build-out. Ms. Carney stated we are trying to promote a cohesive cross of pedestrians and vehicles between City Center and Tech Center, which is why we did our own TIA in conjunction with the city's TIA for Ferguson.

Ms. Stodghill asked if there is any discussion about adding more residential. Mr. Taylor stated yes, we have the ability to cross-use a parking structure and do multi-family. Ms. Chloros stated this is an office, research and development zone and that would have to be outside of the O3 zoning district. Ms. Carney stated this is really truly the only O3 zone in the city. She stated it was envisioned that this was going to be used as research and development, so we have never considered trying to rezone it to multi-family or mixed-use. Ms. Carney stated there are other areas and we have plans to try to pursue those. Mr. Smith stated that they are looking at some place in City Center for housing and mixed use.

Ms. Willis asked what kind of entrance is at Canon Boulevard. Ms. McPherson stated the connection of the Village Green Parkway extension up to Canon Boulevard is proposed to be a traffic signal with a dedicated left-turn lane. Mr. Wittkamp asked if the Canon Boulevard would be widened. Ms. McPherson stated yes.

Ms. Willis asked if there is only one access in and out of both of the parking garages. Ms. McPherson stated yes.

Mr. Mulvaney stated he is concerned that the largest economic impact is going to be in a confined area: City Center and Tech Center. He stated you are not developing this so the rest of the city can benefit from the opportunistic components of 6,000 people showing up. Mr. Mulvaney stated we want them to eat, shop and play within the entire city, not just this one small section. He asked how do we connect that. Ms. Carney stated the programs that KnowledgeWorks and Virginia Tech are going to put on are going to benefit the rest of the city. She stated they are going to seek outside partners like food places to cater and outside people for entertainment.

Mr. Mulvaney stated he is concerned there will not be easy ingress/egress on high-volume days, particularly at lunchtime for workers. Mr. Smith stated the difference here is researchers and developers tend to work their own schedules, which could begin anywhere from 3:00 A.M. or noon. He stated they are not typically 9:00 A.M. to 5:00 P.M. workers. Mr. Mulvaney stated you will still have regular commuters who will come during those hours. He stated he would just like to see the rest of the city be able to benefit from these workers and not just in City Center and Tech Center. Ms. Carney stated because we are opening Village Green Parkway, people will be able to access
the interstate interchange and traverse to exits north to Jefferson Avenue or south to J. Clyde Morris Boulevard.

Mr. Carpenter asked what improvements will be done at Oyster Point Road and Interstate 64. Ms. Carney stated the city has a project request they are working on for dual rights at Canon Boulevard and Oyster Point Road, and we have looked to extend some of the turn lanes there, as well as some of the additional turn lane extensions along Canon Boulevard.

Ms. Chloros stated the TIA has not been finalized between City Traffic Engineering and the consultant, but the Planning Commission will receive a copy of the executive summary prior to the public hearing.

Ms. Willis asked if there are any other proposed uses for the wetlands. Ms. Carney stated we tried to get a permit for a pedestrian walking trail, but so far no.

Mr. Mulvaney asked if the proposed buildings will meet the standards of Leadership in Energy and Environmental Design (LEED). Mr. Taylor stated they would probably qualify for LEED silver, but we are not asking for LEED accreditation right now.

Mr. Mulvaney asked if building signage will be limited to a major tenant or multiple tenants. Mr. Smith stated you need to be a major tenant to have your name on a building.

Mr. Mulvaney asked if there would be public transportation available within Tech Center. Mr. Taylor stated that is still being discussed internally.

Mr. Simmons asked will the city be responsible for building and maintaining the streets and the Best Management Practices (BMP). Mr. Stilley stated the city handles BMPs that handle public water. Mr. Smith stated if it is public water, the city has it; and if it is on the building site, the applicant has it.

Mr. Carpenter asked who is building the parking garages. Mr. Taylor stated that is still being worked out.

Mr. Carpenter asked if there will be any restaurants, coffee shops or bars in the development. Ms. Carney stated it is not allowed. Mr. Gleiser stated you can have a cafeteria in the building for your employees.

Mr. Simmons thanked Ms. Carney and Mr. Taylor for their presentation.

Mr. Mulvaney asked if the Planning Commission will have an opportunity to review the TIA before the public hearing. Ms. Chloros stated you will have a copy of the executive summary prior to the April 3 public hearing. Ms. Kassel stated the TIA should be completed by the end of the month.
Ms. Fox asked what kind of flexibility do we have with the master plan. Ms. McAllister stated you can suggest changes.

Ms. Willis stated she is concerned the parking garages only have one access for ingress/egress. Ms. McAllister stated there is a second access in case of an emergency. Ms. Chioros stated there is a plaza between Buildings 9 and 3 as well as between Buildings 2 and 6 that can be used for emergency access. Ms. Willis asked if you can do anything with the wetlands that will allow their use. Mr. Mulvaney stated you can put in an elevated walking trail through there.

Ms. Stodghill asked what the current vacancy rate is for office buildings in Newport News. Mr. Carpenter stated this is a huge addition of office space and we do not have a large office market, but the promise is they will be bringing in companies from outside of the area.

Ms. Willis asked if daycare is allowed in O3. Mr. Gleiser stated not as a standalone, but it could be a building amenity.

Mr. Mulvaney stated we need to have another work session on the master plan to discuss our concerns and propose solutions. He stated this project is so big and there are so many moving parts, it is unfair for us to sit here and look at a presentation and be comfortable voting on it.

Mr. Mulvaney made a motion to have another work session to discuss the master plan. The motion was seconded by Mr. Groce.

Ms. Fox stated we need to have a copy of the TIA prior to the work session.

Ms. Stodghill asked if there has been any public presentation on the master plan other than Planning Commission. Ms. McAllister stated they have been presenting the plan since the Marketplace opened. Ms. Stodghill asked if the master plan was part of the first application. Ms. Chioros stated it was discussed and generally identified.

Mr. Mulvaney stated to be cautionary because when we recommended approval of the Marketplace, there were things that did not occur afterward with the green space, buffers, wetlands, etc.. He stated these are things to think about going forward that we make sure we hold the developer accountable. Mr. Gleiser stated the Marketplace was a proffered rezoning, and this is a master plan. Mr. Mulvaney stated yes, but if you put it out there that we did our part to ensure the applicant meets the requirements that are set forth. Ms. McAllister stated the walkway through the wetlands was part of the rezoning. She stated it did not happen because, as proffered, if environmental conditions would not allow it to happen, then they were not required to do it. Ms. Fox asked what happened. Ms. Chioros stated the Army Corps of Engineers did not allow it. Mr. Mulvaney stated it would not hurt to re-address it.
Ms. McAllister stated this plan is not just for the developer but also the city. Mr. Carpenter stated the rezoning had conditions, but the master plan needs to be approved before it goes forward, so if there are things we do not like we need to tell the developer.

Mr. Mulvaney asked if we could do a mailer or a phone call to citizens of Newport News to be aware of the proposed master plan. He stated we advertise our public hearings in the Daily Press, but their circulation is fewer and fewer. Ms. Fox asked if we could advertise on Newport News Now. Mr. Simmons asked if we could advertise on NNTV. Ms. McAllister stated she does not see this being something that will rise to the level that people will come out and have real comments. She stated the property is already zoned for this type of development. Ms. McAllister stated the major change was when we did the Marketplace rezoning, and people did come out to speak on it, and while some people did not get what they wanted, the general public seems to be okay with the final product. She stated she does not see someone coming out just to approve a design. Ms. McAllister stated this has to be left to the Planning Commission and what you think is the best layout for this particular site. Ms. Fox stated we are citizens and we are looking at these things from our perspective, which should be somewhat the same perspective that our fellow citizens have. She stated we have been entrusted to make decisions on these sorts of things.

The Planning Commission voted by acclamation to schedule a second work session.

There being no further business, the meeting adjourned at 4:22 P.M.

Recording Secretary

Executive Secretary
MINUTES OF THE PLANNING COMMISSION WORK SESSION
Wednesday, February 20, 2019
10th Floor City Council Conference Room
2400 Washington Avenue
Newport News, Virginia

PRESENT: Daniel L. Simmons, Jr., Chairman; Katie Stodghill, Vice-Chairwoman; Willard G. Maxwell, Jr.; Sharyn L. Fox; Mark W. Mulvaney; Michael F. Carpenter; Zachary E. Wittkamp; Elizabeth W. Willis; N. Steve Groce; (Staff: Sheila McAllister, Director of Planning; Flora Chloros, Assistant Director – Current Planning; Rhonda Russell, Assistant Director – Comprehensive Planning; Saul Gielser, Senior Planner; Johnnie Davis, Planner; Elizabeth McRae, Landscape Planner; Lynn Spratley, Deputy City Attorney; Nyoka Hall, Zoning Administrator; Matt Johnson, Economic Development Manager; Bryan Stilley, Chief of Civil Design Engineering; Jacqueline Kassel, Chief of Transportation Engineering; Bridjette Parker, Studies & Programs Lead Engineer)

GUESTS: Lindsey Carney; David Taylor; Karen McPherson; Bryan Witt; Skip Smith; and David Wawner

ABSENT: None

Mr. Simmons opened the work session at 2:00 P.M.

Ms. McAllister stated there were several questions that were raised after the applicant’s team left the last work session. She stated this is a design and layout review. Ms. McAllister stated the rezoning for the property on the corner of Jefferson Avenue and Oyster Point Road has occurred and the proffers are already in place. She stated the subject property has always been zoned for office and research and, as such, the Planning Commission is required to recommend a master plan to City Council who will approve it.

Ms. Carney gave a brief overview of the Tech Center master plan (copy attached to record minutes).

Ms. Stodghill asked if the last parcel to be built-out will be Building 2C. Ms. Carney stated we have accommodated some potential adjustments because it will be based on the market. She stated we had planned that perhaps Building 8 would be last, but we have a leasee that has said they may want it before the end of the development, so we have built in a few options. Ms. Carney stated Building 2C is part of Phase 2B and slated to be toward the end of development.

Ms. Stodghill asked if the parking garages will be built after Building 7 and 8 are completed. Ms. Carney stated Phase 1 includes Building 1 that has already been constructed, Buildings 2, 3, 4 and 5. She stated we will have a total of five office buildings with 422,000 square feet of space and a parking total of 1,400 surface parking spaces. Ms. Carney stated Phase 2A brings on Building 9 and Phase 2A-1 will be
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surface parking for that phase of the project. She stated in Phase 2B that surface parking becomes the second structured parking deck. Mr. Simmons asked what happens if the tenant in Building 8 wants to come in early. Ms. Carney stated we will still have to do the requisite parking to meet the parking count as required by the master plan for Building 8.

Ms. Stodghill asked when will the Best Management Practices (BMP) retention ponds are installed. Ms. Carney stated they will be built as the development proceeds and as are needed.

Mr. Simmons asked what are the city’s assumed responsibilities within the development. Ms. Carney stated we currently have a Memorandum of Understanding (MOU) between the Economic Development Authority (EDA) and the developer. She stated that is a precursor to the development agreement, but we wanted that MOU to be in place before we master planned Building 1. Ms. Carney stated that MOU talks about the benefits of bringing this research park on to help accommodate expansions at Jefferson Lab and help bring in regional and startup businesses. She stated it then discussed that it is the developer’s responsibility to develop in accordance with an approved master plan. Ms. Carney stated it will be the developer’s responsibility to accommodate the office buildings and parking lots. She stated the EDA, as the conduit of the city, agreed that it would pick up the responsibility for the public infrastructure improvements. Ms. Carney stated the MOU defines public infrastructure improvements as roads, BMPs, structured parking and the drill field.

Ms. Stodghill asked if the zoning for the parking is relaxed because the parking structures take the place of on-site parking. Ms. Carney stated the ratio for parking is 1:300 and is determined by the master plan. She stated it is based upon the city’s parking ordinance so it is not relaxed.

Ms. Stodghill asked if the roads on the master plan will be built whether the buildings get built or not. Ms. Carney stated yes. She stated that because the city is going to take advantage of revenue sharing dollars, the Virginia Department of Transportation (VDOT) requires that the roads be built as a single project and not in pieces. Ms. Carney stated, with regard to all of the other development in the area, the city has said that extending the road to Oyster Point Road and Canon Boulevard is a priority for the city, so regardless, the city will continue with it because of the benefits it will bring.

Ms. Willis asked if there is anything that can be built within the wetlands. Ms. Carney stated no. The Army Corps of Engineers will not allow anything to be built on or within the wetlands.

Ms. Willis asked if there will be any entrances or exits for emergency vehicle access. Ms. Carney stated the design guidelines say that at site plan we will design access for emergency vehicles between Buildings 3 and 9 to get to Parking Garage H and between Buildings 2 and 6 for Parking Garage I. She stated the parking garages will
also have a “roll down door” to use as a secondary access that would remain rolled down with temporary bollards around them to allow emergency egress.

Ms. Stodghill asked how often does the city come in and build all of the infrastructure for a private development. Ms. McAllister stated it would depend on the MOU. She stated typically when the city wants a property developed there is a partnership developed between the developer and the city, which is what happened with Tech Center.

Ms. Stodghill asked if the EDA owns the land now. Ms. Carney stated EDA or the city. She stated right now the school board has relinquished its title to the city and/or EDA. Ms. Carney stated the only thing owned by the developer today is Building 1; however, the MOU contemplates that the developer is the exclusive developer for this site.

Mr. Mulvaney asked if the property is on a ground lease or actually conveyed to the developer. Ms. Carney stated the fee simple title will be conveyed to the developer as we adjust the boundary lines and take down each parcel. She stated the developer builds the buildings on the parcels and leases the space within the development.

Mr. Wittkamp asked if there is an agreement on the length of time the developer would have to own the land and improvements. Ms. Carney stated in the MOU there is no holding requirement, but she cannot say it will not end up in the development agreement as this progresses because the city is going to want to see the developer invest in this long-term.

Mr. Carpenter asked if we are looking at the linear footage of the front of the building or the entire footprint in determining signage. Ms. Carney stated each side stands alone so you could put a building sign on all four sides, and the calculation per side is based on that side. She stated the reality is that the biggest lease negotiating point she has had is “where is my sign going to go.” Ms. Carney stated nobody wants to be in the back and the developer does not want the 6,000 square foot tenant on the building. She stated there will not be a plethora of signs on these buildings. Mr. Carpenter stated most buildings you cannot put a sign on all sides of the building. Mr. Johnson stated as a structure you can put it on any side that has a public entrance or faces a public right-of-way. He stated if you have a parking lot with a public entrance on the back and the front of your building faces a public right-of-way, you can have signage on each side.

Ms. Stodghill asked if the city will be responsible for maintaining the infrastructure it is building, such as the roads, drill field, and streetlights. Ms. Carney stated there is the ability for the city to delegate that maintenance to the developer. She stated there would be some cost involved, but the idea is that the developer is going to maintain all of these parcels. Ms. Carney stated it is contemplated that we will have a property owner’s association where each property would pay into it, which would most likely be the management structure.
Mr. Mulvaney stated directional signage typically points to where a building is located or the name of the park. He stated the way the master plan is written it appears that you can also put tenants on them. Ms. Carney stated the way that it reads is that it would be the research park name, directions to the park and Jefferson Lab, individual buildings and/or locations within the research park. She stated it is not prohibitive to tenants, but our tenant leases do not permit them to be on directional signs.

Ms. Stodghill asked how many spaces are in the parking garages. Ms. Carney stated there are five stories in each parking garage, with 500 spaces in Parking Garage H and 850 in Parking Garage I. Mr. Mulvaney asked if signage would be allowed on the parking structures. Ms. Carney stated no signage is permitted in the design guidelines other than defining it as a parking garage.

Mr. Carpenter asked if there is an expected time frame for the proposed roads and improvements in Tech Center to be completed. Mr. Stilley stated once the master plan is approved he can finalize the design. He stated we are predicting Fall 2021.

Mr. Simmons asked if the city will build the improvements themselves. Mr. Johnson stated we have to go through a public bidding process because we are using state revenue sharing funds.

Ms. Chioros stated this application is scheduled to be heard at the April 3, 2019 public hearing.

There being no further business, the meeting adjourned at 2:45 P.M.
EXCERPTS FROM PLANNING COMMISSION MINUTES

June 5, 2019

O3-2018-0001, W.M. Jordan Development, LLC; Commonwealth of Virginia; College of William and Mary; Newport News Economic Development Authority; City of Newport News; and Southeastern Universities Research Association

Proposed master plan for Tech Center. An approximately 82.56 acre area that includes 9 properties at 12050 Jefferson Avenue, 628 Hofstader Road, 630 Hofstader Road, 690 Oyster Point Road, 700 Oyster Point Road, 730 Oyster Point Road, 12098 Jefferson Avenue, 12005 Canon Boulevard and 11951 Canon Boulevard. The One City, One Future Comprehensive Plan 2040 recommends research & development for these parcels. The parcel numbers are: 162.00.02.01, 162.00.02.12, 162.00.02.13, 162.00.01.03, 162.00.02.06, 162.00.02.05, 162.00.01.01, 163.00.02.01 and 173.00.02.01.

Flora Chioros, Assistant Director – Current Planning, presented the staff report (copy attached to record minutes).

Mr. Carpenter asked what is the timeframe of the city-funded road network and the Traffic Impact Analysis (TIA) improvements. Ms. Chioros stated the TIA improvements were approved by our Engineering Department and included not just the Tech Center full build-out, but also the build-out for Ferguson Enterprises at City Center. She stated the improvements on Hogan Drive and Village Green roadways will be made by the city, and will be completed prior to the construction of buildings in Tech Center. Mr. Carpenter asked if that means the roads will be completed before the next building gets started. Ms. Chioros stated they will be completed before the next building is finished. Mr. Carpenter asked if the roads need to be completed before the building gets its Certificate of Occupancy. Ms. Chioros stated yes. She stated our Transportation Division has told us that for a next building to be occupied, a second means of ingress/egress has to be there.

Ms. Willis stated the buildings are all numbered. She asked if they will be built in numerical order. Ms. Chioros stated no. She stated each building has to meet its requirements on its site when the site plan is submitted, but the numbering was a way to identify the buildings. Ms. Chioros stated in the design guidelines there is a phasing plan, so they have a process as to how they are going to build them based on that, but things may change depending on the market. She stated, for example, they could build Building 8 before Building 2. Ms. Willis stated Building 6 has a parking garage. She asked when the parking garage would be built. Ms. Chioros stated the parking garage will come onboard once the parking requirement for the building square footage cannot be met with surface parking. She stated the way they have shown the phases in the guidelines essentially ties Building 6 to a parking garage because they are expecting that it will be built at a later phase. Ms. Stodghill stated it looks like five buildings are built before there is a need for a parking garage. Ms. Chioros stated that is correct. She stated it could change because the guidelines allow for a little flexibility in terms of the height, but the parking requirement has to be met with each building, and when the
parking requirements cannot be met with surface parking it will trigger the requirement for a parking garage.

Ms. Willis asked if any of the neighboring community or businesses have made comments on the application. Ms. Chioros stated some members of the audience have comments for the public hearing, but Planning staff has not received any comments from the neighboring businesses or citizens.

Ms. Willis asked what happened to the trail system that was in the woods on Phase I that disappeared. Ms. Chioros stated the trail system was part of the rezoning that occurred for the MarketPlace at Tech Center which is the R9 zoned property at the intersection of Jefferson Boulevard and Oyster Point Road, not Phase I of the Tech Center Research and Development Park. She stated there was a proffer at that time that a trail system would be put in if it could be permitted through all state and federal agencies. Ms. Chioros stated essentially, what we were given is that they could not get the appropriate permitting for the trail at that time. Ms. Willis asked if the trail system was ever intended to go into another phase. She stated she recognized trails that were leading across the property line, but we did not have the second phase at that time. Ms. Chioros stated the R9 zoned property showed the trails, but the O3 zoned property has never showed them and Building 1 did not show the trail system when Planning Commission reviewed that proposal. She stated the R9 zoned piece did show potential connections to the rest of the research park property. Ms. Chioros stated she thinks it was the developer's hope that they would be able to build the trails, but there were some challenges and they felt that it really was not serving the greater public need.

Mr. Carpenter stated the intersection at Oyster Point Road and Jefferson Avenue, and Oyster Point Road and Canon Boulevard can be challenging. He stated he hopes that the TIA will alleviate that. Mr. Carpenter asked if there are signalized intersections being installed at Village Green and Hogan Drive. Ms. Chioros stated no. She stated at Village Green and Oyster Point Road there is already a traffic light, and there will be a light at the Canon Boulevard and Village Green intersection, and roadway improvements on Canon Boulevard that are driven by the Ferguson TIA, which Tech Center will benefit from, but there is no traffic light at Hogan Drive and Village Green.

Ms. Stodghill asked if the buildings will be built in the phases in which they are laid out. Ms. Chioros stated potentially, yes. She stated there is a little flexibility, for instance, if the need for the parking garage is triggered at an earlier point than Building 6 being built, they would proceed with that. Ms. Chioros stated we cannot allow a building to be sited on any site without the appropriate parking to service it.

Mr. Simmons opened the public hearing.

Ms. Lindsey Carney, 12350 Jefferson Avenue, Attorney for the Applicant, gave a brief presentation of the application (copy attached to record minutes). Ms. Carney stated if you look at the Master Plan Phase I you will see Buildings 1, 2, 3, 4 and 5, which will all be completed before we build a parking garage. She stated Buildings 7 and 8 are not in Phase I, as we have not phased those two buildings for flexibility, based on the market.
Ms. Carney stated if we have tenants that want to be out at Oyster Point Road in Building 8 or Canon Boulevard in Building 7, we could do seven buildings without having a parking garage built because Buildings 7 and 8 have their own surface parking. Mr. Carpenter asked what happens with Building 6. Ms. Carney stated if you were to build Buildings 1 through 5, by the time you build Building 6 it is going to need a parking garage. Ms. Stodghill stated if you bring Building 9 on, you lose part of your parking. Ms. Carney stated that is correct, Building 9 is not part of the seven buildings that would not require a parking garage. She stated Buildings 1, 2, 3, 5, 7 and 8 could be constructed using surface parking without a garage.

Mr. Simmons asked if there was any reason for the multi-use trail to be stopped prior to Building 6. He stated it looks like it is no longer connected there. Ms. Carney stated that is the drill field. She stated that the path coming from Canon Boulevard will come through and stop at the back of the drill field where the pavilion is going to be, then pick back up on the other side of the drill field.

Mr. Mulvaney asked if the amenities that will be put in will maintained by the developer until a full Property Owners Association is put into place, who will then take over the maintenance of them. Ms. Carney stated that is correct. She stated it is planned and codified in the Memo of Understanding (MOU) with the Economic Development Authority (EDA) that the developer will form a Property Owners Association, and until such time the developer will be required to maintain those amenities that have been discussed today.

Ms. Willis asked how the proposed drill field will compare to the field at Port Warwick. Ms. Carney stated it is slated to be approximately the size of a soccer field, so it will be about the same size as Port Warwick. She stated with Port Warwick you have the pavilion in the middle, and this pavilion will be on the outside, so do not have a break in the flow of sod for activities.

Ms. Willis asked about the trail system and why it was not completed with MarketPlace. Ms. Carney stated it was a proffer as part of the rezoning, and the proffer stated the developer would put in pedestrian trailways through the wetlands, subject to local, state and federal government approvals. She stated the process for that was that we had to have a wetlands jurisdictional delineation prior to filing the rezoning application, which outlines where the wetlands are on the MarketPlace property. She stated that delineation is developed by our consultant and then it has to be approved by the Army Corps of Engineering (ACE) so everybody agrees this is the delineation of the area of wetlands. Ms. Carney stated that delineation was submitted as part of the rezoning application. She stated while we were in the process of getting the property rezoned for the multi-use MarketPlace, we were applying for the Wetlands Impact permit. Ms. Carney stated after several discussions with the Department of Environmental Quality (DEQ), ACE and city staff, we brought up the trails. She stated the Wetlands Impact permit only allowed impact for the buildings and not impact for the trails. Ms. Carney stated adding a layer of complication to that, at the time the ACE required you put to record a Declaration of Restrictive Covenants, whereby the property owner who owns the wetlands affirms that they will not impact the remainder of the wetlands that do not
have an impact permit, and that went to record. She stated during that process, the
developer attempted to get the ACE to agree to let us put in the trails. Ms. Carney
stated at that time, we were successful to have the ACE saying in the Declaration of
Restrictive Covenants that we could not impact the flow of water in the wetlands, except
to the extent that we would put in a pathway, subject again to ACE approval. She
stated once we got through that process we went back and attempted to get the ACE to
approve the trails, and at that time, the ACE and DEQ both said the trails would impact
the wetlands in two ways. Ms. Carney stated first, if we did an at-grade trail that was
going to negatively impact the flow of water; so our design team came back and said if
we do an elevated walkway, the water would flow underneath. She stated the response
back at that time was “then you are creating a shade impact.” Ms. Carney stated they
also stated that a shade impact would encourage people to come in, which could
contribute to additional trash and littering in the wetlands, and they felt that was a third
impact. She stated finally, the response was “the trails would add an additional 0.5 to
1.0 acre impact to what you are already doing and we feel that for a project of this size,
that exceeds the acceptable threshold.” Ms. Carney stated that is the response we got
with regard to MarketPlace. She stated when we were applying for wetlands permits to
impact this phase, including Building 1 and today’s application, it was mentioned to the
ACE that we had never been permitted for the trails, and asked what was the likelihood
in February 2016 that it could be permitted, and we were told “we do not think that that
is going to happen.” Ms. Carney stated at this point, when we submitted the actual
Master Plan application for this phase, we did not show trails because we were under
the impression that we could not get them permitted. Ms. Willis asked if that is
something the developer could still follow-through on and see if they can get any kind of
use for those wetlands on the Corporate Research Center side. Ms. Carney stated we
have an approved wetlands permit for the impacts for the road and the buildings, which
is just waiting for the developer to pay for the mitigation credits, but we wanted to get
through the Master Plan process to determine that it will be approved. She stated that
permit does not permit pathways through the wetlands. Ms. Carney stated in order to
try to add trails we would have to apply for a second permit, and considering everything
that we have heard from the Planning Commission and their desire to have a better
experience for the community in the Tech Center Research Park, when we look at trails
versus the other amenities we are providing, we felt that the proposed public art,
gathering spaces and drill field would provide a better community impact. Ms. Willis
asked if the mitigation credits could be used in order to build an above-ground
boardwalk. Ms. Carney stated what would have to happen is we have to apply for
another permit, design engineered drawings and submit those to the ACE to determine
what they will permit. She stated that, depending on the type of trail proposed, they
would determine how much mitigation would have to be done. Ms. Willis asked if that is
something the developer would be interested in doing. Ms. Carney stated not at this
time because we weighed what we felt was going to be the benefit to the community of
the trails versus the other amenities we have proposed. Ms. Willis stated this is a nice
green space that could be a community asset to all of Newport News where people
could get away from the sites and the sounds of the city and be able to exercise and get
fresh air, as opposed to walking on a multi-use path of concrete adjacent to roads with
cars that drive by. She stated as this project is being presented as something unique
and different and an experience, there is more than just an economic impact in the area
and it would be nice to have another community asset that people could utilize. Ms. Willis stated there are wonderful trail systems all over Virginia and she sees this as a wonderful spot for another one. She stated she understands there are mitigation credits that cost money and money to build the boardwalks, but as we are here to create a part of the city that people can come to and a community asset, this big green space that everyone could get to would be awesome, and the only time to ask for it is now. Ms. Carney stated she appreciates Ms. Willis’ comments and she and the developer agree that pathways and trails are beautiful, but the difference here is that this area is truly wetlands and there is drainage going into it to keep it wet. She stated when we are talking about giving back to the community and giving betterments to this plan, the amenities described today are going to cost more than what was planned to put in the trails at MarketPlace, so it is not a financial question for the developer, but what the community would benefit better from. Ms. Carney stated when we put trails through these wetlands, there are concerns about security and lighting, so when looking at which one we feel would be better for the Master Plan, what we have come up with is the outdoor areas and amenities.

Ms. Fox asked Venture Apartment and MarketPlace is no longer owned by the developer. Ms. Carney stated that is correct. Ms. Fox stated then there is no opportunity for any trails there unless the new owner agreed to jointly meet that proffer. Ms. Carney stated that is correct. She stated her client no longer owns that property so it would not be something her client could do. Ms. Carney stated moreover, she encouraged the Planning Commission to take a look at this Master Plan, and what is behind the buildings abutting the wetlands on the left side where the MarketPlace property is. She stated those wetlands abut the back sides of the retail buildings and there is a retaining wall that runs from the back of Whole Foods down behind those buildings and behind Venture Apartments. Ms. Carney stated that the retaining wall is anywhere from 2 feet tall to 5 feet tall. She stated those trails would not help facilitate getting to those buildings because they would lead to the backs of those buildings and the retaining wall prohibits any sort of ease of access.

Mr. Mulvaney stated that being that these are actual wetlands, if we put this proposed trail out there, we would have little control of people’s actions once they are out there. He stated the amenities that are being proposed will be appealing to the public and usable by more people than those that would use the trails, it is a much better opportunity for the park overall because it accentuates its overall purpose and use and beauty as compared to the trails. Mr. Mulvaney stated he is concerned that the wetlands would be really harmed by humans who would not be respectful of them.

Mr. Wittkamp asked if there was discussion with the Newport News Arts Foundation. Ms. Carney stated the plan is to collaborate with the Newport News Arts Foundation.

Ms. Stodghill asked if it is the intention that Buildings 4, 2, 3 and 5 will be built before Building 6. Ms. Carney stated when looking at the orientation of the land and our restrictions based on the roads and the Ion Collider, our market study says to build Building 2, then Building 3 because by then Hogan Drive is done and you have a nice egress out that way, and then go back out to Building 4. She stated that also has to do
with who owns the land and their plan for relocating what is currently in those buildings. Ms. Carney stated if we get a tenant who wants Building 8 built next, then we will go out there and do it, because it does not impact a parking garage.

Mr. Carpenter asked is the multi-use trail anticipated to be serpentine as it is in front of Venture Apartments or straight. Ms. Carney stated it is going to follow the roadway and is not envisioned to be serpentine. She stated what you see in the street exhibit is the curvature and it follows pretty straight along with the roadway.

Mr. Mike Maier, 12000 Jefferson Avenue, Chief Operating Officer, Jefferson Lab, stated his perspectives on the Tech Center Master Plan. He stated we have worked very closely with the developer over the last several years to understand their plans to make sure that they accommodate all of our concerns and impacts in their design, which they have done successfully. Mr. Maier stated we view this development as very complementary to our research and development mission and it is going to be an asset to the plans we have ahead of us for the science research program we have underway. He stated last year we completed a very significant enhancement to the accelerator and doubled the energy we are capable of generating, which has opened up a new frontier of research opportunities which we are now engaged in. Mr. Maier stated we have an 8 year program of science experiments that are scheduled and experimenters coming to Newport News from all over the world. He stated we have a user community of approximately 1,600 users that are planned to come to the laboratory to do their experiments and the Tech Center Development has been viewed as a positive enhancement to allow them to come and have amenities in the local area with restaurants that make the laboratory a more attractive location to work in. Mr. Maier stated a major part of our research mission is to do tech transfer, which is a priority for the Department of Energy (DOE) so they flow that down to us as their Management Operations Contractor, so we have created this program to push the accelerator science that we are developing out to lab-to-market applications. He stated a number of small to medium size businesses have already come to locate in the Newport News areas that we have tech transfer relationships with, and many of our staff scientists work directly with these small companies and more and more of them are spinning off new ideas all of the time. Mr. Maier stated the Tech Center Research and Development Park is an important asset that allows them to cooperate with investors and other developers and entrepreneurs to take our technology into the market place.

Mr. Carpenter asked if the 1,600 scientists would be arriving at the same time or sporadically each month. Mr. Maier stated they are not here all at one time, they come and go as we run the accelerator and typically we will have anywhere from 150 to 200 during an experiment run that will come in. He stated during the summer time we have a large population of students that come to our STEM program, which includes high school students through undergraduate students, and the researchers come and go as their experiments are scheduled. Mr. Carpenter asked if we are chosen for the Ion Collider, how much would that number of scientists grow. Mr. Maier stated he guesses it would likely double, including the staff size that would need to increase to run the larger facility as well as the user population that would need to be supported. Mr. Carpenter asked if having the research and development park located next to Jefferson
Lab is a “feather in our cap” in terms of helping us get the Ion Collider. Mr. Maier stated it is. He stated there will be a very careful evaluation by the DOE where to locate that facility and we would anticipate using this as one of our assets in that proposal. He stated Newport News has a large number of attractive advantages in terms of being able to do construction here at a lower cost, attract labor and talent, as well as cost of living and transportation. Mr. Maier stated there are a number of advantages, including the development of the Tech Center nearby, which we would feature in our proposal. Ms. Willis thanked Mr. Maier for his comments.

Mr. Sean Hughes, 5308 Discovery Park Boulevard, Williamsburg, Executive Director, College of William and Mary, stated we are the chosen administrator for the Commonwealth owned land within the Tech Center Development plan. He stated we support this development and find it appropriate and beneficial for the Commonwealth Lands, and we are in support of the perceived benefits shared by Jefferson Lab.

Mr. Simmons closed the public hearing.

Ms. Fox stated the Planning Commission has spent a lot of time and energy on this Master Plan and we have the opportunity to either approve or disapprove the application. She stated the trail system certainly would have been a nice amenity as it is was originally envisioned, but this is a landlocked area and she is not sure what a trail system would do at this point.

Ms. Fox made a motion to recommend approval of Tech Center Master Plan O3-2018-0001 to City Council with conditions. The motion was seconded by Mr. Mulvaney.

Mr. Mulvaney stated in his 29 years here in the city, the city of Newport News has gone unrecognized for its abilities, talent and infrastructure, the businesses we have here and the opportunities. He stated this, within itself, is just continuing to grow Newport News to be recognized not only within the Seven Cities of Hampton Roads, but throughout the United States. He stated he is supporting this application wholeheartedly because he thinks it is one of the great additions to the city.

Mr. Groce stated he thinks this is a great project and he is really glad that everybody came to agreement.

Ms. Willis stated she thinks it is a wonderful project and she would like to see it with trails where people could go to get away and enjoy nature. She stated she hopes someday the developer can go back and capture that. Ms. Willis stated she supports the plan.

Mr. Carpenter stated this has not been an easy case for him or most of the Planning Commission. He thanked Ms. Willis for doing the research she did and speaking so passionately and eloquently about the trails, which he appreciated. Mr. Carpenter stated he appreciates the explanation that Ms. Carney gave and the process they went through to end up without approval. He stated he thinks in the future, trails may still end up there because with all of the development surrounding this wetland area it is possible
the hydrology could change over time. Mr. Carpenter stated it is also possible the rules and regulations could change. He stated the other main issue we have seen in this project is the parking garages and it was difficult for him because when he looked at this development, he would have done it differently in a more urban and denser type setting. Mr. Carpenter stated he understands the developer was modeling after the Virginia Tech Research Center in Blacksburg and they have a lot more land so it makes sense there. He stated he would have taller buildings that require larger parking garages. Mr. Carpenter stated it is not clear how the parking garages will be funded and he will leave that to the City Council and EDA to figure out, as that is beyond the Planning Commission. He echoed Mr. Mulvaney’s comments and stated a good development like this is good for the city, the tax base and jobs. Mr. Carpenter stated he hopes the next building gets leased up as quickly as the last one.

Mr. Simmons thanked everyone for their comments. He thanked the Planning Commission for working as team and working to continue to help Newport News be recognized as a premier city to relocate for business and bringing new life into areas that are being revitalized. Mr. Simmons thanked Planning staff for working with the applicant.

Vote on Roll Call
For: Fox, Mulvaney, Carpenter, Stodghill, Wittkamp, Willis, Groce, Simmons
Against: None
Abstention: None

The Planning Commission voted unanimously (8:0) to recommend approval of Tech Center Master Plan O3-2018-0001 to City Council with conditions.
ORDINANCE NO. ____________

AN ORDINANCE APPROVING MASTER DEVELOPMENT PLAN NO. 03-2018-0001 FOR THE HEREAFTER DESCRIBED PROPERTY IN AN O3 OFFICE/RESEARCH AND DEVELOPMENT DISTRICT.

WHEREAS, application has been made by W. M. JORDAN DEVELOPMENT, LLC, applicant, and COMMONWEALTH OF VIRGINIA; BUILDING ONE @ TECH CENTER, LLC; THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF NEWPORT NEWS; THE CITY OF NEWPORT NEWS, VIRGINIA, and SOUTHEASTERN UNIVERSITIES RESEARCH ASSOCIATION, owners and applicants, for the hereinafter described property for Master Development Plan No. 03-2018-0001 in an O3 Office/Research Development District; and

WHEREAS, the application has been referred to the Planning Commission of the City of Newport News for recommendation and has been duly advertised as required by law and the said Planning Commission has made its recommendation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia;

(a) That the Master Development Plan No. 03-2018-0001 is hereby approved for the property described in paragraph (b) hereof in an O3 Office/Research Development District; and

(b) That the property, hereinafter referred to as the “Property,” to which the Master Development Plan No. 03-2018-0001 applies is particularly described below:

PARCEL 1

ALL that certain piece or parcel of land, with all improvements thereon and appurtenances thereto belonging, situate, lying and being in the City of Newport News, Virginia, and containing 10.7789 acres, more or less, and shown as “Parcel C1” on plat entitled, “PLAT SHOWING VARC SUBLEASE ‘METES AND BOUNDS LOCATED IN THE CITY OF NEWPORT NEWS, VIRGINIA,” prepared by DPJ & Associates, P. C., dated September 16, 1994, a copy of which said plat is attached to the Inter-Agency Transfer Agreement, dated June 19, 2015, by and between The Rector and the Board of Visitors of the College of William and Mary in Virginia and the Commonwealth of Virginia, Department of General Services and recorded in the Clerk’s Office, Circuit Court, City of Newport News, Virginia on August 19, 2015 as Instrument No.: 150022625.

The Property has a common street address of 12050 Jefferson Avenue and a Real Estate Assessor’s Tax I.D. #162.00-02-01.
PARCEL 2

BEGINNING at a point on the easterly right-of-way of State Rte. 143 being 1280.84 feet from the Intersection of the center-line of Oyster Point Road and said easterly right-of-way of State Rte. 143; thence running N 62° 30' 00" E a distance of 164.30 feet to a point; thence running along an arc with a radius of 190.00 feet a distance of 223.88 feet to a point; thence running S 49° 59' 20" E a distance of 115.00 feet to a point; thence running along an arc with a radius of 315.00 feet a distance of 123.70 feet to a point; thence running S 72° 29' 20" E a distance of 1258.70 feet to a point; thence running N 77° 07' 42" E a distance of 210.13 feet to a point; thence running N 17° 30' 40" E a distance of 850.00 feet to a point; thence running S 72° 29' 20" E a distance of 1241.10 feet to a point; thence running S 17° 34' 20" W a distance of 1141.04 feet to a point; thence running N 72° 23' 45" W a distance of 838.95 feet to a point; thence running N 67° 43' 40" W a distance of 402.33 feet to a point; thence running N 72° 29' 20" W a distance of 1439.97 feet to a point; thence running along an arc with a radius of 465.00 feet a distance of 182.61 feet to a point; thence running N 49° 59' 20" W a distance of 115.00 feet to a point; thence running along an arc with a radius of 40.00 feet a distance of 47.13 feet to a point; thence running S 62° 30' 00" W a distance of 164.38 feet to a point; thence running N 27° 28' W along the easterly right-of-way of State Rte. 143 a distance of 150.00 feet to the point of beginning, the area so bounded containing 39.45 acres.

IT BEING the same property conveyed to the School Board of the City of Newport News, Virginia from the United States of America, acting by and through the Secretary of Health, Education, and Welfare, by Deed dated April 12, 1961, and recorded in the Clerk’s Office of the Circuit Court for the City of Newport News, Virginia in Deed Book 917 at Page 636.

TOGETHER WITH that certain parcel of land containing 1.426 acres conveyed to the Grantor herein from the Commonwealth of Virginia and the College of William and Mary in Virginia, by Deed of Exchange dated September 25, 1976, recorded in the aforementioned Clerk’s Office in Deed Book 934, page 618.

LESS AND EXCEPT that certain parcel of land, containing 2.159 acres, conveyed from Grantor herein to the Commonwealth of
Virginia, by Deed of Exchange dated September 25, 1976, recorded in the aforementioned Clerk’s Office in Deed Book 934, page 618.

LESS AND EXCEPT that certain 0.58478 acre parcel of land and 5.436 acres of right of way dedicated to the City of Newport News, Virginia by deed dated June 18, 2013, recorded in the aforementioned Clerk’s Office as Instrument No. 130011591.

TOGETHER WITH all and singular the buildings and improvements thereon, the rights, privileges, tenements, hereditaments, easements and appurtenances unto the said land belonging or in anywise appertaining.

The Property has a common street address of 12098 Jefferson Avenue and a Real Estate Assessor’s Tax I.D. #162.00-01-01.

PARCEL 3

ALL that certain piece or parcel of land, with all improvements thereon and appurtenances thereto belonging, situate, lying and being in the City of Newport News, Virginia, and containing 4.796 acres, more or less, and shown as “Parcel C-2” on plat entitled, “PLAT SHOWING A DIVISION OF 8.008 ACRES OF LAND FORMING PARCEL C-2, 4.796 ACRES & PARCEL C-3, 3.212 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF HOGAN DRIVE CITY OF NEWPORT NEWS, VIRGINIA,” prepared by the Timmons Group, dated April 11, 2016, and revised on June 19, 2017. A copy of which said plat was recorded on July 14, 2017, in the Clerk’s Office of the Circuit Court for the City of Newport News, Virginia as Instrument No.: 170009638, to which reference is hereby made.

The Property has a common street address of 628 Hofstadter Road and a Real Estate Assessor’s Tax I.D. #162.00-02-12.

PARCEL 4

ALL THAT certain piece or parcel of land designated as PARCEL C-3 containing 3.212 acres as designated on that certain plat entitled, “PLAT SHOWING A DIVISION OF 8.008 ACRES OF LAND FORMING PARCEL C-2, 4.796 ACRES & PARCEL C-3, 3.212 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF HOGAN DRIVE CITY OF NEWPORT NEWS, VIRGINIA,” prepared by the
Timmons Group, dated April 11, 2016, and revised on June 19, 2017. A copy of which said plat was recorded on July 14, 2017, in the Clerk’s Office of the Circuit Court for the City of Newport News, Virginia as Instrument No.: 170009638, to which reference is hereby made.

Together with ingress and egress across that certain variable with ingress and egress easement for the benefit of Parcel C-1, C-2 and C-3, located on the northeast portion of Parcel C-2 as designated on the certain plat entitled, “PLAT SHOWING A DIVISION OF 8.008 ACRES OF LAND FORMING PARCEL C-2, 4.796 ACRES & PARCEL C-3, 3.212 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF HOGAN DRIVE CITY OF NEWPORT NEWS, VIRGINIA,” prepared by the Timmons Group, dated April 11, 2016, and revised on June 19, 2017. A copy of which said plat was recorded on July 14, 2017, in the Clerk’s Office of the Circuit Court for the City of Newport News, Virginia as Instrument No.: 170009638, to which reference is hereby made.

Together with that certain 20’ waterline easement for the benefit of Parcel C-3 as designated on that certain plat entitled, “PLAT SHOWING A DIVISION OF 8.008 ACRES OF LAND FORMING PARCEL C-2, 4.796 ACRES & PARCEL C-3, 3.212 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF HOGAN DRIVE CITY OF NEWPORT NEWS, VIRGINIA,” prepared by the Timmons Group, dated April 11, 2016, and revised on June 19, 2017. A copy of which said plat was recorded on July 14, 2017, in the Clerk’s Office of the Circuit Court for the City of Newport News, Virginia as Instrument No.: 170009638, to which reference is hereby made.

Subject to those certain variable width and 15’ drainage easements for the benefit of adjacent property C-2 as designated on that certain plat entitled, “PLAT SHOWING A DIVISION OF 8.008 ACRES OF LAND FORMING PARCEL C-2, 4.796 ACRES & PARCEL C-3, 3.212 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF HOGAN DRIVE CITY OF NEWPORT NEWS, VIRGINIA,” prepared by the Timmons Group, dated April 11, 2016, and revised on June 19, 2017. A copy of which said plat was recorded on July 14, 2017, in the Clerk’s Office of the Circuit Court for the City of Newport News, Virginia as Instrument No.: 170009638, to which reference is hereby made.

The Property has a common street address of 630 Hofstadter Road and a Real Estate
Assessor’s Tax I.D. #162.00-02-13.

PARCEL 5

All that certain lot, piece or parcel of land situate, lying and being in the City of Newport News, Virginia, designated as Parcel “A-4”, as shown on a certain plat entitled “PLAT OF PROPERTY OF CITY OF NEWPORT NEWS, PARCEL “A-4” 23.05 AC, PART OF THE REMAINDER OF APPLIED RESEARCH CENTER TRACT, NEWPORT NEWS, VA,” which plat is of record in the Clerk’s Office of the Circuit Court for the City of Newport News in Deed Book 1829 at page 997, to which plat reference is here made for a more particular and accurate description of the property.

The Property has a common street address of 690 Oyster Point Road and a Real Estate Assessor’s Tax I.D. #162.00-01-03.

PARCEL 6

ALL THAT certain lot, piece or parcel of land situate, lying and being in the City of Newport News, Virginia, and designated as Parcel “A-3”, containing 2.5826 acres, and as shown on that certain plat entitled, “SUBDIVISION OF PART OF THE APPLIED RESEARCH CENTER TRACT, CITY OF NEWPORT NEWS, VIRGINIA”, made by Coenen & Associates, Inc., dated March 12, 2001, and recorded in the Clerk’s Office of the Circuit Court for the City of Newport News, Virginia in Deed Book 1643, at page 1645.

The Property has a common street address of 700 Oyster Point Road and a Real Estate Assessor’s Tax I.D. #162.00-02-06.

PARCEL 7

ALL THAT certain lot, piece or parcel of land situate, lying and being in the City of Newport News, Virginia, and designated as Parcel “A-2”, containing 6.6448 acres, and as shown on that certain plat entitled, “SUBDIVISION OF PART OF THE APPLIED RESEARCH CENTER TRACT, CITY OF NEWPORT NEWS, VIRGINIA”, made by Coenen & Associates, Inc., dated March 12, 2001, and recorded in the Clerk’s Office of the Circuit Court for the City of Newport News, Virginia in Deed Book 1643, at page 1645.

The Property has a common street address of 730 Oyster Point Road and a Real Estate
Assessor’s Tax I.D. #162.00-02-05.

**PARCEL 8**

ALL that certain piece or parcel of land, with all improvements thereon and appurtenances thereto belonging, situate, lying and being in the City of Newport News, Virginia, and containing 36.7577 acres, more or less, and being a portion of the property conveyed to the Southeastern Universities Research Association, Inc., as shown on plat entitled, "PLAT OF PART OF THE PROPERTY OF THE CITY OF NEWPORT NEWS, CITY OF NEWPORT NEWS, VIRGINIA", attached to and made part of the that deed of gift from the City of Newport News, Virginia to the Southeastern Universities Research Association, Inc., dated January 7, 1987 and recorded on January 23, 1987 in Deed Book 1136, page 875, to which reference is hereby made.

The Property has a common street address of 11951 Canon Boulevard and a Real Estate Assessor’s Tax I.D. #173.00-02-01.

**PARCEL 9**

All that certain lot, piece or parcel of land situate, lying and being in the City of Newport News, Virginia, containing 645,123 Square Feet or 14.810 acres, more or less, designated as “PROPERTY OF CITY OF NEWPORT NEWS, D.B. 1164, PG. 1025, GPIN:163000201” on that certain plat entitled “BOUNDARY PLAT OF 12005 CANON BLVD SHOWING GPIN# 163000201 CITY OF NEWPORT NEWS, VIRGINIA,” dated December 19, 2016, and consisting of 4 sheets, prepared by Precision Measurements, Inc., a copy of which plat is attached hereto and made a part hereof for a more particular and accurate description of said property.

The Property has a common street address of 12005 Canon Boulevard and a Real Estate Assessor’s Tax I.D. #163.00-02-01.

(c) That the aforesaid Property shall be developed in conformance with the Master Development Plan No. O3-2018-0001, as reflected in Exhibits A-5, which is attached hereto and made a part hereof, and shall be developed in concurrence with the following conditions:

1. For each structure within the Tech Center Research Park the developer shall submit a class 1 Site Plan to the Department of Planning for review and approval by the Site Plan Review Committee; this site plan shall be in general conformance with the approved master plan and design
guidelines prepared by the Timmons Group and Clark Nexsen dated December 2018 and November 2018, respectively, and found in Appendix A-4, which is attached hereto and made a part hereof, and Appendix A-5, and shall conform to said master plan, the city’s site regulations and the zoning ordinance.

2. For each structure within the Tech Center Research Park, the developer shall submit to the Economic Development Authority (EDA) building elevations and exterior building materials consistent with the design guidelines prepared by Clark Nexsen dated November 2018, and found in Appendix A-5 to be reviewed and approved prior to the issuance of a building permit.
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Purpose and Intent

PURPOSE OF MASTER PLAN & DESIGN GUIDELINES

The Master Plan and Design Guidelines are used to delineate and regulate the design, details, and construction of the development of Tech Center. The Design Guidelines will assist in ensuring the consistency and quality of the development. Development for Tech Center shall be substantially in accordance with the Newport News City Council approved Master Plan and consistent with the guidelines and requirements within this document. All final designs shall be reviewed and approved by the Newport News Economic Development Authority, or its designee.

Pursuant to Ordinance No. 7289-16, the Council of the City of Newport News approved on June 28, 2016, Phase 1 of Master Development Plan 03-16-01 for the parcel designated as Parcel C-3, consisting of 3.23 acres, located in O-3 Offices/Research Development District, on which parcel Building One of Tech Center is under construction. The intent of the Master Plan and Design Guidelines set forth herein is to facilitate and direct the development of the entirety of the Tech Center Research Park by applying the principles and guidelines for development that were approved by City Council for Phase 1. Accordingly, Parcel C-3, herein referred to as the Building One parcel, is included herein, and this Master Development Plan shall replace and supersede the previously approved Master Development Plan for Building One such that all parcels located within the Tech Center Research Park shall be submitted to this Master Plan and the Design Guidelines set forth herein.
Overall Master Plan

The Master Plan establishes the framework and strategy for all project development. The street sizes and locations will be set and the plan will control building placement, associated parking (both surface and structured), service areas, common areas, open space, and stormwater management facilities.

LEGEND - All square footages, building heights, and parking garage spaces/sizes are approximate

Building
1. Office (3-Story) 81,662 sf
2. Office (3-Story) 81,000 sf
3. Office (3-Story) 80,000 sf
4. Office (3-Story) 80,000 sf
5. Office (4-Story) 100,000 sf
6. Office (3-Story) 80,000 sf
7. Office (3-Story) 80,000 sf
8. Office (4-Story) 100,000 sf
9. Office (3-Story) 80,000 sf
10. Office (3-Story) 80,000 sf
GRAND TOTAL 842,662 sf

Site
A. Central Green
B. Small Plazas
C. Landscaped Courtyards
D. Entry Features
E. Stormwater Management
F. Surface Parking
G. Pump Station
H. Parking Structure (5-Story - 500 Spaces)*
I. Parking Structure (5-Story - 850 Spaces)*

Parking Total
Office 2,810 Spaces

*NOTE:
Building square footages and heights shown are as currently planned. There is the potential to increase height/square footages due to leasing needs within the real estate market. If so, all parking will be increased to comply with the requisite parking ratios as set forth herein. Moreover, parking structure size and space counts are also as currently planned and will be adjusted as needed to comply with the requisite minimum parking requirement set forth in the Parking/Site Lighting page of these Design Guidelines. The actual number of parking spaces required by the minimum parking requirement set forth herein shall be provided prior to issuance of a certificate of occupancy.
Master Plan - Phase I

The Master Plan for Phase I of Tech Center depicts five separate office buildings, all self-supported with surface parking. Stormwater management facilities will be both site specific and shared. The strategy is to develop the office park in sequential fashion, and as the market dictates absorption.

NOTE: The proposed phasing depicts an anticipated rate of expansion. Buildings 7 & 8, due to their location on the perimeter of the Tech Center development, could be constructed at any time in the development of Tech Center, and parking requirements shall be complied with accordingly.

LEGEND - All square footage, building heights, and parking garage spaces/sites are approximate. Sequencing as shown in legend is as currently planned, but is subject to change.*

Building - Phase I

1. Office (3-Story) 81,662 sf 1A
2. Office (3-Story) 81,000 sf 1C
3. Office (3-Story) 80,000 sf 1D
4. Office (3-Story) 80,000 sf 1B
5. Office (4-Story) 100,000 sf 1E

GRAND TOTAL 422,662 sf

Parking Total

Office 1,410 Spaces

*NOTE: Building One is currently under construction and complies with the Master Plan and design guidelines set forth herein.

**NOTE: In addition to accommodating some of the stormwater runoff created by the development of Building One in the stormwater management facilities shown herein, the drainage course for additional runoff that will be created by development of Buildings 1 & 4 will be toward Jefferson Avenue. In addition to accommodating some of the stormwater runoff created by the development of Buildings 2, 3, & 5 in the stormwater management facilities shown herein, the drainage course for additional stormwater runoff that will be created by development of Buildings 2, 3, & 5 will be toward Canon Boulevard.
Master Plan - Phase II(A)

The Master Plan for Phase II(A) of Tech Center depicts one additional building (Building 9) that will be located on the surface parking area used for Building 3 as shown in Phase I. Prior to commencing construction of Building 9, surface parking for Building 3 will be constructed in the area shown hereon as 2A(ii). Building 9 and the parking structure will be constructed in the area shown hereon as 2A(ii).

LEGEND - All Square footages, building heights, and parking garage spaces/sizes are approximate. Sequencing as shown in legend is as currently planned, but is subject to change.*

Building - Phase I
1. Office (3-Story) 81,662 sf 1A
2. Office (3-Story) 81,000 sf 1C
3. Office (3-Story) 80,000 sf 1D
4. Office (3-Story) 80,000 sf 1B
5. Office (4-Story) 100,000 sf 1E

Building - Phase II(A)
9. Office (3-Story) 80,000 sf 2A(ii)

GRAND TOTAL 502,662 sf

Parking Total
Office 1,676 Spaces

*NOTE: The drainage course for stormwater runoff that will be created by development of Building 9 and the parking structure will be toward Canon Boulevard.
Master Plan - Phase II(B)

The Master Plan for Phase II(B) of Tech Center depicts five additional buildings that will be served by structured parking and surface parking. The parking structure located in area 2A will be placed on a location previously used as surface parking and will replace the surface parking spaces removed due to structure construction.

**LEGEND** - All square footages, building heights, and parking garage spaces/sizes are approximate. Sequencing as shown in legend is as currently planned, but is subject to change.*

**Building - Phase I**

1. Office (3-Story) 81,662 sf  1A
2. Office (3-Story) 81,000 sf  1C
3. Office (3-Story) 80,000 sf  1D
4. Office (3-Story) 80,000 sf  1B
5. Office (4-Story) 100,000 sf  1E

**Building - Phase II(A)**

9. Office (3-Story) 80,000 sf  2A(l)

**Building - Phase II(B)**

6. Office (3-Story) 80,000 sf  2A
7. Office (3-Story) 80,000 sf  2C
8. Office (4-Story) 100,000 sf  2B
10. Office (3-Story) 80,000 sf  2A

**GRAND TOTAL** 842,662 sf

**Parking Total**

Office 2,810 Spaces

*NOTE: As previously noted, Building 7&8, due to their location on the perimeter of the Tech Center development, could be constructed at anytime in the development of Tech Center.

**NOTE: In addition to accommodating some of the stormwater runoff created by the development of Building 8 in the stormwater management facility shown herein, additional stormwater runoff that will be created by the development of Buildings 6, 7, 8, & 10 and the parking structure shown herein will be toward Canon Boulevard.
Architectural Character

EXISTING VERNACULAR

Adjacent to Tech Center are several existing developments which offer a variety of architectural elements which serve as precedents on which to emulate or enhance. The two new developments which are part of the Tech Center mixed-use sustainable community-Marketplace and Venture Apartments - have a variety of rich building materials, earth-tone colors, and simple geometry which will be carried into the architecture of Tech Center. Building materials, colors and similar geometry are also expressed in the adjacent ARC, Jefferson Lab, and Bayport Credit Union buildings. The high-tech world of Jefferson Lab will also play a role in developing an architectural expression which denotes a modern, cutting edge environment.
Scale and Massing

Tech Center shall have a distinct architectural character that is consistent in theme with the adjacent properties. Though not identical, but complementary to each other, the buildings shall be designed to provide a clear, unified, and easily identifiable image and appearance. Clean, simple, geometric forms shall be incorporated, and a definite sense of human scale included relative to building massing and form. Massing shall always respect the architectural context and respective building adjacency and either complement or provide for smooth transition. Emphasis shall be placed on the development of a more slender building, which not only provides for massing connectivity, but places a premium on sun and wind protection while maximizing opportunities for natural daylight and renewable energy. Building height shall have relevancy as well, especially as it frames the street.

Minimum building height: 2 Stories
The building facade shall reflect an overall coordinated design concept reinforcing the massing and form. Facades shall give life and character to each building without being overly decorative. Facades shall also provide a level of interest from both vehicular and pedestrian points of view. There shall be an appropriate balance of wall and glazed surfaces, and identity could be achieved through setbacks and projections. All facades facing streets, whether in the front, side, or rear yard, shall have a high quality and finished appearance. The emphasis shall be 4-sided architecture with no blank walls.

Building entrances shall be clearly defined and easily recognizable. Whenever possible, entrances shall be enhanced through massing and fenestration, and accentuated with recesses, columns, or other architectural elements. The entry shall always be an integral part of the overall building composition, and weather protection and security shall always be addressed. Entries may provide opportunities for signage, color, and specialty lighting.
Materials / Color Palette

Building materials shall enhance the overall form and massing of an individual structure. The use of rich materials is encouraged in areas where they will have the most visual impact. Exterior building materials shall be types that are of high quality, attractive appearance, durable, and easily maintained for the entire life of the building. Materials to be utilized include brick, stone, masonry, architectural precast concrete, fiber-cement panel, metal panel, and wood/recycled wood.

Single-skin metal siding and EIFS are not encouraged and shall be permitted by specific approval of the Newport News Economic Development Authority or its designee when the overall design of the building is enhanced by it or special development circumstances require its use. Colors shall consist of complementary and rich earth-tones, and be consistent with the adjacent developments of Marketplace, Venture Apartments, and Jefferson Lab. Colors shall also be integral to the material and enhance design features and complement building massing.

Declaration of Covenants, Conditions, and Restrictions shall be recorded as an encumbrance against the property upon which Tech Center shall be located. Enforcement of said Declaration shall be by the Newport News Economic Development Authority or its designee.
Architectural Character

CRAFTING A STYLE

Simple and elegant geometric forms, proportionally massed with suitable fenestration shall be used. This style best expresses a style consistent with adjacent architectural expression and captures a modern flavor which reinforces the research and development environment. This style and form allows the easy and balanced application of multiple building materials, which can be focused to accentuate key points of interest in the structure.

Building One, which is currently under construction, emulates and reinforces existing adjacent architectural vernacular. As Tech Center proceeds in development, careful consideration will be taken to ensure architectural consistency throughout the park, but it is not the design intent to ensure identical building facades or appearance.

PROPOSED STYLE - BUILDING ONE
Screening

All mechanical appurtenances located on site or projecting above the building roof, such as roof hatches, stairways, exhaust fans, HVAC equipment, plumbing vents, storage tanks, generators, satellite dishes and communication equipment shall be screened from view from any adjacent public street with a parapet, wall, or other opaque screening consistent in finish, texture and color with the exterior skin of the building.

Trash enclosures at grade shall be screened from view of adjacent streets with building materials that complement the exterior skin of the building.
Streets

Streets form the framework of a development, and although their primary function is to provide mobility, they also play a significant role in defining the visual space. They create the overall single unifier and linkage while providing edges to facilitate buildings/facades, gathering and open spaces, landscape zones, and pedestrian activity and circulation. All streets within Tech Center are intended to be public and will frame open spaces, incorporate medians of varying sizes, and include both an 8’ wide multi-use trail, and 5’ wide sidewalks.

1. Multi-Use Trail (Within Public R.O.W.)
Streets
Open Space

There are two established areas of common open space that vary in size and scale. The central amenity formally known as the “Drillfield” (A) is the heart of the Tech Center Research Park that provides the platform for both passive and active recreational activities. It can also serve potential community functions such as gatherings and concerts, and provide an attractive visual space.

Located along the streets at intersections between some key buildings are small outdoor gathering areas (B) that provide additional public seating for dining and/or conducting business. Behind buildings, spaces are designed to provide outdoor private space for each individual building (C) for similar gathering, socializing, dining, and professional activities.
Open Space

Drillfield Pavilion

The Pavilion stands at the focal point of the Drillfield, the green at the core of Tech Center. Its character complements the organization of the Open Space and the materials of the surrounding buildings. As a multipurpose structure, it affords shelter for both scheduled and spontaneous events such as performances, picnics, festivals, cuttings and celebrations. Additionally, it provides a gathering area/space for office or employee activities and functions. The Pavilion reinforces, enhances and vivifies the Tech Center experience for tenants and the public alike.

It is anticipated that both water and electrical services will be provided in close proximity to the Pavilion.

Potential Architectural Character
Building Placement

The key element of the Tech Center Master Plan is the arrangement of buildings, parking, circulation areas, and open space, and how they create an overall scheme and pattern for development. Buildings are placed close to the street, providing a strong architectural narrative and aesthetic linkage throughout the entire park via the streets and streetscape. Parking is located behind the buildings as much as possible to screen or soften its appearance. The main entries for the buildings are oriented both towards the street and subsequent parking fields. This building placement also provides the ability to frame key open space areas and establish communal seating and gathering spaces. More intimate building-related seating areas are located adjacent to the rear entrances. The street itself becomes the circulation link for the entire research park, facilitating connections between buildings, open spaces/gathering areas, and to the adjacent Marketplace, Venture Apartments, and Jefferson Lab.

ARCHITECTURAL EDGE

LEGEND
A Buildings Forward of Site
B Parking in the Rear
C Main Entries
D Framed Open Space/Drillfield
E Gathering Spaces
F Drillfield Pavilion

*NOTE: Accessibility for emergency and life safety access between Buildings 3 & 9 and between Buildings 2 & 6 to provide safe access to the parking structures shown herein will be addressed and accommodated during site plan review.
Setbacks / Site Criteria

There are two zones of development within Tech Center that are influenced by setbacks (build-to lines), perimeter and interior. All setbacks (minimum) are measured from public right-of-ways or perimeter property lines. All setbacks shall be green areas and shall not contain any buildings, roads, storage areas, accessory buildings or mechanical equipment. Paved entries or plaza/gathering areas may be located within the setbacks. Subsequent furnishing and low walls for seating or space delineation may also be located within the setbacks.

**Perimeter Setbacks** are relative to perimeter and bounding principal and arterial streets (these setbacks affect both buildings and parking areas).

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jefferson Avenue</td>
<td>70'</td>
</tr>
<tr>
<td>Oyster Point Road</td>
<td>70'</td>
</tr>
<tr>
<td>Canon Boulevard</td>
<td>70'</td>
</tr>
</tbody>
</table>
## Setbacks / Site Criteria

**Building Setbacks** are relative to the individual building sites and internal public streets (these setbacks affect building placement).

<table>
<thead>
<tr>
<th>Location</th>
<th>Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard</td>
<td>15&quot;</td>
</tr>
<tr>
<td>Side Yard</td>
<td>15&quot;**</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>15&quot;**</td>
</tr>
</tbody>
</table>

*Entrance canopies and support structures may encroach 8" into the front setback.
*Building footings may encroach within the setback.
**Pre-existing accessory structures may encroach within the setback.

### LEGEND

- A  Front Yard Setback
- B  Side Yard Setback
- C  Rear Yard Setback
Parking / Site Lighting

Parking areas include parking spaces, drive aisles, parking aisles, and other associated vehicular areas on site. The parking lots at Tech Center shall also have continuous circulation around its perimeter while aisle orientation shall minimize pedestrian circulation between parked cars. Dimensional requirements for off-street parking shall conform to the applicable Newport News ordinance regulating design requirements.

Minimum parking requirements: 1 parking space per 300 square feet of office area.

The parking lots shall be subject to the following requirements:

- A minimum 6' wide open space strip shall surround the parking lot perimeter. Parking lots may service more than one building, and as such, a single parking lot may be located on more than one subdivided parcel (subject to compliance with all parking requirements set forth herein and cross-parking agreements, as appropriate). The 6' wide open strip requirement shall apply only to the perimeter of the lot itself and shall not be applicable within the internal confines of the parking lot even if the parking lot straddles an internal property line between two parcels.
- Parking rows shall have a single landscaped island located at either end, so that a single parking row does not exceed 15 spaces/135' in length.
- Internal landscape islands can be eliminated when parking spaces abut landscape strips or bio-retention systems. Landscape islands shall be a minimum of one parking space in size, exclusive of required curb radii.
- A minimum of 1 tree for every 15 parking spaces shall be provided in landscaped islands, corner voids, or interior planting strips. Tree size at planting shall be 2"-2 1/2" cal.
- Landscape islands shall be planted with low growing shrubs, groundcovers, or lawn.
- If possible, stormwater management techniques such as bio-retention shall be incorporated within or at the perimeter of parking lots.

Lighting is intended to create a night time character that reinforces the image of Tech Center as a welcoming and modern research park. All exterior lighting shall be generally consistent in height, spacing, color, and type/style of fixture. Exterior lighting is to be provided to enhance safety and security for motorists, pedestrians, and cyclists. Exterior lighting includes lighting for parking areas, vehicular and pedestrian circulation, building exterior, security, and special effects.

Site lighting shall be designed to be as energy efficient as possible while still maintaining the appropriate light levels as characterized by best engineering practices. The use of shields and refractors shall be used to limit glare and light spillage. All exterior on-site lighting must be shielded and confined within site boundaries.

Vehicular Circulation and Parking Area Lighting

Street and parking lot lighting shall be strategically located throughout for both safety and security. The lights shall incorporate and refractors to direct light towards the targeted ground plane areas and ensure compatibility with the surrounding areas. Lenses shall not be visible beyond the fixture housing. Maximum pole height shall not exceed 25'.

Pedestrian Lighting

Pedestrian walkways and building entries shall be illuminated to provide for pedestrian orientation and to clearly identify a secure route between parking areas and points of entry to the building. Walkway lighting shall be mounted at a uniform height of no more than 13' above the walkway. Building entries may be lit with soffit, bollard, step or comparable lighting. Step or bollard lighting shall be used to clearly illuminate level changes and handrails for stairs and ramps.

Outdoor Space Lighting

Courtyards, gathering, and seating areas shall be lighted to promote pedestrian use and safety. A variety of mounted and ground level lighting may be used to create interest and provide for special effects in coordination with the character and function of the specific area. Energy efficacy shall be maintained.

Accent Lighting

Unique lighting may be used to feature architectural elements, landscaping, entries, and site signage provided it is compatible with other lighting, especially in color.

Architectural Lighting

All exterior architectural lighting shall utilize indirect or hidden lighting sources. Acceptable lighting includes wall washing, overhead down lighting, and interior light that spills outside. Entry areas shall also be lit to provide an inviting glow from the interior.
Signage

Tech Center Signage shall (i) identify/brand each building, (ii) provide direction, (iii) provide identity, address, and occupants for the buildings, and (iv) identify the research park limits. A comprehensive package has been developed that is consistent in character, materials, and color and will match signage used at both Marketplace and Venture Apartments.
Signage

Signage shall (i) identify/form the buildings; (ii) provide direction; (iii) provide identity, address, and occupant(s) of the buildings; and (iv) identify the research park limits, while identifying the proximity of and collaboration with Jefferson Lab. A comprehensive package has been developed that is consistent in character, materials and color, and which shall complement signage that has been used at both Marketplace and Venture Apartments, thereby enhancing the visual environment.

This Master Plan, together with the comprehensive sign package, is intended to regulate the use, placement, number and physical dimensions of signs for Tech Center. It is the further intent of this Master Plan and the sign package to authorize the use of signs which provide easy and safe communication between people and that environment to encourage innovative use of design in signs, in all cases, such as size, shape, color, message graphics, location, materials and illumination; whether on property or in right-of-way shall be reviewed and approved by the Economic Development Authority ("EDA") or its designee. All permanent Entrance Signage, Directional Signage, advertising Identification Signage, and Building Signage must be reviewed and approved by the EDA, or its designee, prior to issuance of permits by the City.

Freestanding Signs

A. Entrance Signage

1. Entrance sign(s) for the research park (identified collectively as "Entrance Signage") and individually as "Entrance Sign" in this Master Plan shall be permitted in the City right-of-way in the general location identified in this Master Plan and may identify, the research park name, research park logo, Jefferson Lab name and logo and any other content approved by the EDA or its designee. Entrance Signage located within the public right-of-way shall meet the requirements of the AASHTO Roadside Design Guide.

2. Maximum height for Entrance Signage shall be fifteen (15) feet from the highest point of the structure to the top of the curb (excluding ornamental and decorative embellishments).

3. The total permitted area for each Entrance Sign shall not exceed one hundred thirty-two (132) square feet per sign panel (with a maximum of two panels per Entrance Sign). For determining compliance with this regulation, the area of an Entrance Sign is defined as the area of a rectangle, triangle, circle or other structural elements themselves that which enclose the sign, including background. The area of an Entrance Sign shall reduce the space between all letters of a word and all words of a name, phrase or message. Support brackets and other structural elements shall not be included in the calculation of square footage. Square footage restrictions set forth herein are per sign panel.

4. Electronic display signs shall be permitted as a portion of the total allowable sign area for each Entrance Sign with a maximum of thirty-two (32) square feet of electronic display area per Entrance Sign.

B. Directional Signage

1. Directional signs identified collectively as "Directional Signage" and individually as "Directional Sign" in this Master Plan shall be permitted in the City right-of-way in the general location identified in this Master Plan and may identify, the research park name, directions to the research park and Jefferson Lab; and directions to individual buildings and/or other locations within the research park. Directional signage located within the public right-of-way shall meet the requirements of the AASHTO Roadside Design Guide.

2. Directional Sign height and size (area) shall be reviewed and approved by the EDA or its designee, in consultation with the Department of Engineering, prior to issuance of permit.

C. Building Identification Signage

One (1) Building Identification Sign shall be permitted for each Tech Center parcel subject to the following conditions:

1. The total permitted area for each Building Identification Sign shall not exceed one hundred (100) square feet per sign panel (with a maximum of two panels). For determining compliance with this regulation, the area of a Building Identification Sign is defined as the area of a rectangle, triangle, circle or combinations thereof that will enclose the sign, including background. The area of a Building Identification Sign shall reduce the space between all letters of a word and all words of a name, phrase or message. Support brackets and other structural elements shall not be included in the calculation of square footage. Square footage restrictions set forth herein are per sign panel.

2. Every effort shall be made to install the Building Identification Sign on site. If such signage must be located in the City right-of-way, signs may be installed at the general location shown in this Master Plan, and such signage shall meet the requirements of the AASHTO Roadside Design Guide.

3. Maximum freestanding sign height shall be ten (10) feet (excluding ornamental and decorative embellishments).

4. Electronic display signs shall be permitted as a portion of the total allowable sign area for each Building Identification Sign with a maximum of thirty-two (32) square feet of electronic display area per Building Identification Sign.

D. Building Signage

Building Signs identified collectively as "Building Signage" and individually as "Building Sign" in this Master Plan shall be permitted on buildings subject to the following conditions:

1. Building Sign area shall be limited to one (1) square foot of sign area per linear foot of building facade. Building Signage may be permitted on each side of a building and shall not be warranted to those sides which face a public right-of-way or provide public access into a building. For determining compliance with this regulation, the area of a Building Sign is defined as the area of a rectangle, triangle, circle or combinations thereof that will enclose the written text as well as any logos. The area of a Building Sign shall include the space between the letters of a word or the words of a name, phrase or message. Support brackets and other structural elements shall not be included in the calculation of square footage.

2. Sign area permitted for freestanding signs, but not used on such signs, may be added to the permitted Building Signage.

3. More than one (1) Building Sign on a single building front is permitted subject to the other regulations set forth herein.
Required Yards/ Landscaping

There are three yard areas or zones within Tech Center that will require additional emphasis and landscape treatment. The primary objective of these zones is to provide additional site softening or buffering to/from adjacent land uses. These three zones are the front yard setback between buildings and the street, the parking lot perimeter yard adjacent to the street, and the parking lot perimeter yard adjacent to an exterior property line.

Note: It is critical to note that all three zones are narrow in width, and as it relates to the first two described, there are already required street trees directly adjacent to these areas.

Criteria:
1. Building Front Yard: Optional 2 small canopy trees to be placed at the designer's discretion. The trees shall be a minimum of 2'-2 1/2" caliper at planting.
2. Parking Perimeter/Street: A continuous evergreen hedge, maximum mature height not to exceed 42'. The shrubs shall be 18'-24' spread at time of planting.
3. Parking Perimeter/Property Boundary: One Deciduous or Evergreen Tree planted a maximum of 60' on-center. The deciduous tree shall be 2'-2 1/2" caliper, and the evergreen tree shall be 5'-6" height at time of planting.

Existing Tree Preservation

Open areas/zones within the research park and established perimeter yards provide an opportunity to save existing trees. All existing, healthy evergreen and deciduous trees with a caliper of 6" or greater shall be retained to the maximum extent possible within the locations. Trees may be pruned or removed to accommodate access drives, vehicular sight distances, or where preservation, due to the condition or location of the trees, would create a demonstrable public health or safety hazard.

Trees which are to be preserved on site shall be fully protected before, during, and after the development process. These trees shall be shown on the landscape plan and clearly marked in the field. In woodland areas, groups of trees shall be selected for preservation rather than single trees wherever possible. Trees shall be protected with a 3' height, "day-glow" orange fence, which shall be placed at the dripline of the trees to be protected.
Streetscape Planting

Streetscape planting along both sides of internal roads will assist in creating a cohesive visual framework. Threads of continuity defined by street trees will establish the character and hierarchy of the research park streets.

Street trees shall spatially define the vehicular corridors with strong repetition, hierarchy, and monoculture stands. There shall be penetration of pedestrian and vehicular views past the roadways and periphery areas, allowing for good visibility. Care shall be taken to create seamless character between streetscapes within the research park. Sun and wind protection for climate mitigation is an added benefit.

Criteria:
- On-center street tree placement shall not exceed 50'
- Street trees shall be deciduous in nature.
- Large canopy trees shall be used in open zones between buildings and along entrance corridors.
- Medium/Small canopy trees shall be utilized where buildings are adjacent to the street.
- Medium or small canopy trees shall be utilized within the medians.
- Minimum tree size at planting shall be 2"-2 1/2" in caliper.

LEGEND
A  Large/Medium Canopy Tree Behind Sidewalk
B  Medium/Small Canopy Tree Behind Curb
C  Medium/Small Canopy Tree in Median
Building Foundation Planting

Building foundation planting shall provide opportunities for a variety of design approaches, depending on building orientation. Landscape design objectives are to provide a strong street-side appearance and enhance main entrance locations. There shall be a landscape expression at the building edge, especially at building corners. The building architecture shall be enhanced at the ground level, especially at key structural or facade features.

Landscape treatments at entrances and private seating patios shall include a balance of hardscape and softscape materials. Low shrub masses defining spaces is important, and consideration shall be taken to change paving materials at key gathering and entry locations.

Note: It is critical to understand that the modern architectural/contemporary style of the research park lends itself to a low-profile type of foundation planting, especially due to the varying types of building materials carried to the ground plane. Additionally, this helps to reinforce the simple geometric shapes and massing of the individual office building.

Criteria:
- A minimum of 25% of the total building base shall receive foundation planting treatment. The minimum provision would be an evergreen shrub hedge, maximum mature height not to exceed 36" in height. Shrubs shall be 18"-24" spread at time of planting.
- Upright shrubs can be utilized at main building entrances and building corners.
- A minimum of two small canopy trees shall be provided per main entrance. The minimum size at planting shall be 2"-2 1/2" caliper.
# Plant List

## Plant List: Approved Street Trees

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Mature Size</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acer rubrum 'October Glory'</td>
<td>Maple, October Glory</td>
<td>35-40</td>
<td>Brilliant orange to red fall color</td>
</tr>
<tr>
<td>Acer saccharinum 'Red Sunset'</td>
<td>Maple, Red Sunset</td>
<td>40-45</td>
<td>Leaf, medium with var. fall colors from yellow to red</td>
</tr>
<tr>
<td>Acer saccharinum 'Streib'</td>
<td>Maple, Streib</td>
<td>30</td>
<td>Very tolerant of urban conditions</td>
</tr>
<tr>
<td>Ceratostigma willmottianum</td>
<td>European Smokebush</td>
<td>20-30</td>
<td>Mat, mounding, easy to transplant, prunes rooted and splits</td>
</tr>
<tr>
<td>Magnolia grandiflora 'Alba'</td>
<td>Magnolia, Alba</td>
<td>25-40</td>
<td>Large, free through weak screen, evergreen, more tolerant of heavy soil and slower damage than other options</td>
</tr>
<tr>
<td>Quercus rubra</td>
<td>Oak</td>
<td>40-60</td>
<td>Beautiful fall color</td>
</tr>
<tr>
<td>Quercus macrophylla</td>
<td>Oak</td>
<td>30-60</td>
<td>Medium tree 'Quercus' Alba</td>
</tr>
<tr>
<td>Quercus muehlenbergii</td>
<td>Oak</td>
<td>30-60</td>
<td></td>
</tr>
<tr>
<td>Quercus phellosi</td>
<td>Oak</td>
<td>30-60</td>
<td></td>
</tr>
<tr>
<td>Quercus michaux</td>
<td>Oak</td>
<td>30-60</td>
<td></td>
</tr>
<tr>
<td>Quercus shumardii</td>
<td>Oak</td>
<td>30-60</td>
<td></td>
</tr>
<tr>
<td>Ulmus parvifolia</td>
<td>Elm</td>
<td>25-40</td>
<td></td>
</tr>
<tr>
<td>Ulmus rubra</td>
<td>Elm</td>
<td>25-40</td>
<td></td>
</tr>
</tbody>
</table>

## Plant List: Xeriscaping

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Mature Size</th>
<th>Light Req</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>BONSAI TREE</td>
<td>Acrocarpus obtusifolius</td>
<td>Yew</td>
<td>3-4'</td>
<td>1.2 sun</td>
<td>Deciduous, disease resistant, good for small spaces</td>
</tr>
<tr>
<td>EGGHIB</td>
<td>Pweonitrupa xizangensis</td>
<td>Chinese Elm</td>
<td>3'</td>
<td>1.2 sun</td>
<td>Good for small spaces, deciduous</td>
</tr>
<tr>
<td>EGGHIB</td>
<td>Pweonitrupa xizangensis 'Spathulata'</td>
<td>Chinese Elm 'Spathulata'</td>
<td>3'</td>
<td>1.2 sun</td>
<td>Good for small spaces, deciduous</td>
</tr>
<tr>
<td>EGGHIB</td>
<td>Pweonitrupa xizangensis</td>
<td>Chinese Elm</td>
<td>3'</td>
<td>1.2 sun</td>
<td>Good for small spaces, deciduous</td>
</tr>
<tr>
<td>EGGHIB</td>
<td>Pweonitrupa xizangensis 'Spathulata'</td>
<td>Chinese Elm 'Spathulata'</td>
<td>3'</td>
<td>1.2 sun</td>
<td>Good for small spaces, deciduous</td>
</tr>
</tbody>
</table>

## Design Guidelines - Landscape

- **DESIGN GUIDELINES - LANDSCAPE**
- **TECH CENTER DESIGN GUIDELINES**
## Plant List - continued

### Requires Most Fertile Conditions

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Sunlight</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prunus 'Tally'</td>
<td>1 sun</td>
<td>Possible wet areas</td>
</tr>
<tr>
<td>Chionanthus frutescens</td>
<td>6-8 sun</td>
<td></td>
</tr>
<tr>
<td>Elaeagnus 'Lilac Time'</td>
<td>1 sun</td>
<td>Flowering trees - full sun to semi-shade</td>
</tr>
<tr>
<td>Rhus typhina 'Fuego'</td>
<td>1 sun</td>
<td>Purple fall - early fall and spring color</td>
</tr>
<tr>
<td>Rhododendron coronarium</td>
<td>1 sun</td>
<td>Evergreen shrubbing from the American Urn</td>
</tr>
<tr>
<td>Rhododendron 'Camelot'</td>
<td>1 sun</td>
<td>Evergreen shrubbing from the American Urn</td>
</tr>
<tr>
<td>Rhododendron 'Camelot'</td>
<td>1 sun</td>
<td>Evergreen shrubbing from the American Urn</td>
</tr>
</tbody>
</table>

### Requires Most Conditions with Medium Drainage

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Sunlight</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ligustrum sinense</td>
<td>4-6 sun</td>
<td>Small leaf, evergreen, use as hedge or保安</td>
</tr>
<tr>
<td>Buxus sempervirens</td>
<td>4-6 sun</td>
<td>Yellow flower in early spring, soil colors</td>
</tr>
<tr>
<td>Juniperus rigida</td>
<td>1 sun</td>
<td>Evergreen shrubbing from the American Urn</td>
</tr>
<tr>
<td>Kalmia latifolia</td>
<td>1 sun</td>
<td>Evergreen shrubbing from the American Urn</td>
</tr>
</tbody>
</table>

### Requires Most Conditions, But Well Drained Soil

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Sunlight</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acer rubrum</td>
<td>1 sun</td>
<td>Good for drought and heat, Green Mountain</td>
</tr>
<tr>
<td>Picea glauca.ipsilissima</td>
<td>1 sun</td>
<td>Fast-growing shade, full sun to yellow</td>
</tr>
<tr>
<td>Magnolia grandiflora</td>
<td>1 sun</td>
<td>Large flowers through spring, evergreen</td>
</tr>
<tr>
<td>Prunus serrulata</td>
<td>1 sun</td>
<td>Possible wet areas</td>
</tr>
<tr>
<td>Crataegus</td>
<td>1 sun</td>
<td>Flowering tree - full sun to semi-shade</td>
</tr>
<tr>
<td>Ligustrum ovalifolium</td>
<td>1 sun</td>
<td>Evergreen shrubbing from the American Urn</td>
</tr>
<tr>
<td>Malvaviscus</td>
<td>1 sun</td>
<td>Evergreen shrubbing from the American Urn</td>
</tr>
<tr>
<td>Picea glauca.ipsilissima</td>
<td>1 sun</td>
<td>Evergreen shrubbing from the American Urn</td>
</tr>
<tr>
<td>Prunus serrulata</td>
<td>1 sun</td>
<td>Possible wet areas</td>
</tr>
<tr>
<td>Chaina</td>
<td>1 sun</td>
<td>Flowering tree - full sun to semi-shade</td>
</tr>
<tr>
<td>Rhododendron 'Camelot'</td>
<td>1 sun</td>
<td>Evergreen shrubbing from the American Urn</td>
</tr>
</tbody>
</table>

### Requires Most Conditions with Medium Drainage

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Sunlight</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ligustrum sinense</td>
<td>4-6 sun</td>
<td>Small leaf, evergreen, use as hedge or保安</td>
</tr>
<tr>
<td>Juniperus rigida</td>
<td>4-6 sun</td>
<td>Yellow flower in early spring, soil colors</td>
</tr>
<tr>
<td>Kalmia latifolia</td>
<td>1 sun</td>
<td>Evergreen shrubbing from the American Urn</td>
</tr>
</tbody>
</table>

---

**Design Guidelines - Landscape**
## Plant List - continued

### REQUIRES MOST CONDITIONS, BUT WELL DRAINED SOIL

<table>
<thead>
<tr>
<th>AEG. MAST. TREE</th>
<th>Genus, Species</th>
<th>Height (m)</th>
<th>Spread (m)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>AEG. MAST. TREE</td>
<td>Acer sandreum</td>
<td>5-7</td>
<td>4-6</td>
<td>good for drought and heat, town mnsreens, native, natural, transplant in spring</td>
</tr>
<tr>
<td>AEG. MAST. TREE</td>
<td>Fagus grandifolia</td>
<td>15-20</td>
<td>12-15</td>
<td>fast growing shade tree, fall color: yellow, purple and maroon</td>
</tr>
<tr>
<td>AEG. MAST. TREE</td>
<td>Ficus, annulata</td>
<td>20-30</td>
<td>15-20</td>
<td>large with flowers through early summer, evergreen, depends on variety</td>
</tr>
<tr>
<td>AEG. MAST. TREE</td>
<td>Magnolia macrophylla</td>
<td>10</td>
<td>8</td>
<td>ideal for large properties</td>
</tr>
<tr>
<td>AEG. MAST. TREE</td>
<td>Tilia cordata</td>
<td>30</td>
<td>25</td>
<td>in groups, full, white flowers, showy new growth varieties</td>
</tr>
<tr>
<td>BUSK. MAST. TREE</td>
<td>Crape myrtles</td>
<td>3-5</td>
<td>2-3</td>
<td>size depends on variety, flowers July to Sept, prefers clay soil</td>
</tr>
<tr>
<td>BUSK. MAST. TREE</td>
<td>Medlar myrtles</td>
<td>5</td>
<td>3.5</td>
<td>in groups, symbol of the Israel planting near red center</td>
</tr>
<tr>
<td>BUSK. MAST. TREE</td>
<td>Mahonia aquifolium</td>
<td>2.5</td>
<td>2</td>
<td>in groups, leaves fall</td>
</tr>
<tr>
<td>BUSK. MAST. TREE</td>
<td>Weigela florida</td>
<td>2-3</td>
<td>1.5</td>
<td>white groundcover, white, pink flowers, blooms same time as dogwoods, evergreen, neutral soil</td>
</tr>
<tr>
<td>BUSK. MAST. TREE</td>
<td>Weigela florida, var.</td>
<td>2-3</td>
<td>1.5</td>
<td>evergreen, neutral soil</td>
</tr>
<tr>
<td>CARYUS</td>
<td>Rehda rosalias</td>
<td>2-3</td>
<td>1.5</td>
<td>white flowers, attractive to hummingbirds, grows in sun or shade, does well in zones 4-8</td>
</tr>
<tr>
<td>CARYUS</td>
<td>Viburnum japonicum</td>
<td>10-12</td>
<td>8-10</td>
<td>glossy deep green foliage, showy fall colors, blooms in June and July, heat tolerant, hardy, acidic soil</td>
</tr>
<tr>
<td>CARYUS</td>
<td>Cotoneaster dammus 'Spinosa'</td>
<td>5-10</td>
<td>3-4</td>
<td>evergreen, great for hedges, berries in late summer, good for windbreaks</td>
</tr>
<tr>
<td>CARYUS</td>
<td>Cornus alba 'Sibirica'</td>
<td>4-5</td>
<td>3</td>
<td>deciduous, red berries, blooms in early spring, good for hedges</td>
</tr>
<tr>
<td>CARYUS</td>
<td>Cornus alba</td>
<td>4-5</td>
<td>3</td>
<td>deciduous, red berries, blooms in early spring, good for hedges</td>
</tr>
<tr>
<td>CARYUS</td>
<td>Carya illinoinensis</td>
<td>20-30</td>
<td>15-20</td>
<td>deciduous, seed pods, blooms in late spring, good for hedges</td>
</tr>
<tr>
<td>CARYUS</td>
<td>Cercis canadensis</td>
<td>20-30</td>
<td>15-20</td>
<td>deciduous, seed pods, blooms in late spring, good for hedges</td>
</tr>
<tr>
<td>CARYUS</td>
<td>Prunus serotina 'Mount Rde'</td>
<td>20-30</td>
<td>15-20</td>
<td>deciduous, seed pods, blooms in late spring, good for hedges</td>
</tr>
</tbody>
</table>

### DESIGN GUIDELINES - LANDSCAPE
## Plant List - continued

<table>
<thead>
<tr>
<th>B.S.M. MAT. TREE</th>
<th>Common Name</th>
<th>Species</th>
<th>Notes/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Tree</td>
<td>Unknown</td>
<td>None</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Tree</td>
<td>Unknown</td>
<td>None</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Tree</td>
<td>Unknown</td>
<td>None</td>
</tr>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Tree</td>
<td>Unknown</td>
<td>None</td>
</tr>
</tbody>
</table>

**DESIGN GUIDELINES - LANDSCAPES**
### Plant List - continued

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Common Name</th>
<th>Height</th>
<th>Zone</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxis canadensis</td>
<td>Hardwood, Canadian Hemlock</td>
<td>40-70'</td>
<td>3</td>
<td>wet shade</td>
</tr>
<tr>
<td>Cercis siliquastrum</td>
<td>Redbud</td>
<td>25'</td>
<td>4</td>
<td>Shade tolerant, showy flowers, good for shrub borders, in groups</td>
</tr>
<tr>
<td>Sambucus nigra</td>
<td>Black Elderberry</td>
<td>25'</td>
<td>4</td>
<td>Shade tolerant, good for wildlife, good for shrub borders, in groups</td>
</tr>
<tr>
<td>Amelanchier canadensis</td>
<td>Serviceberry</td>
<td>8-10'</td>
<td>6</td>
<td>Shade, good for wildlife, good for shrub borders, in groups</td>
</tr>
<tr>
<td>Forsythia x intermedia</td>
<td>Forsythia</td>
<td>12'</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>Pyracantha coccinea</td>
<td>Firethorn, Flame Tree</td>
<td>5'</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>Ilex verticillata 'Wintergreen'</td>
<td>Wintergreen Holly</td>
<td>12'</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>Hydrangea quercifolia</td>
<td>Oakleaf Hydrangea</td>
<td>2'</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Rhus typhina</td>
<td>Staghorn Sumac</td>
<td>6'</td>
<td>5</td>
<td>Mixed with redbud shrubs</td>
</tr>
</tbody>
</table>

**PLANTS ARE TOLERANT OF EXTREME MOISTURES**

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Common Name</th>
<th>Height</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cassiope tetragona</td>
<td>Common Cimicifuga</td>
<td>25'</td>
<td>1</td>
</tr>
<tr>
<td>Ilex verticillata 'Red Sprite'</td>
<td>Red Sprite Holly</td>
<td>12'</td>
<td>1</td>
</tr>
<tr>
<td>Ilex verticillata 'Crimson Queen'</td>
<td>Crimson Queen Holly</td>
<td>12'</td>
<td>1</td>
</tr>
<tr>
<td>Ilex verticillata 'Orange Crush'</td>
<td>Orange Crush Holly</td>
<td>12'</td>
<td>1</td>
</tr>
<tr>
<td>Ilex verticillata 'Wintergreen'</td>
<td>Wintergreen Holly</td>
<td>12'</td>
<td>1</td>
</tr>
</tbody>
</table>

**PLANTS WILL GROW UNDER VERSATILE MOISTURE CONDITIONS**

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Common Name</th>
<th>Height</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fuchsia triphylla</td>
<td>Fuchsia</td>
<td>8-10'</td>
<td>1</td>
</tr>
<tr>
<td>Coreopsis verticillata</td>
<td>Coreopsis</td>
<td>2'</td>
<td>5</td>
</tr>
<tr>
<td>Campanula portenschlagia</td>
<td>Campanula</td>
<td>2'</td>
<td>5</td>
</tr>
<tr>
<td>Ageratum houstonianum</td>
<td>Ageratum</td>
<td>2'</td>
<td>5</td>
</tr>
<tr>
<td>Helianthus annuus</td>
<td>Sunflower</td>
<td>2'</td>
<td>5</td>
</tr>
<tr>
<td>Ipomoea batatas</td>
<td>Sweet Potato</td>
<td>2'</td>
<td>5</td>
</tr>
</tbody>
</table>

**DESIGN GUIDELINES - LANDSCAPE**
<table>
<thead>
<tr>
<th>B.S.M. MAT. TREE</th>
<th>Pinus virginiana</th>
<th>Pinus, Virginia (arch)</th>
<th>20'-40'</th>
<th>1.5m</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.S.M. MAT. TREE</td>
<td>Pinus 'Cheyenne Select'</td>
<td>Pinus, Cleveland Select</td>
<td>30'-50'</td>
<td>1.5m</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Buddleia clevelandii</td>
<td>Summer Lilac</td>
<td>30'</td>
<td>1.5m</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Dipsacus purpureus</td>
<td>Echinops</td>
<td>12' +</td>
<td>1.5m</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Pampas grass</td>
<td>Foxtail</td>
<td>8'-10'</td>
<td>1.5m</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Juniperum procumbens</td>
<td>Juniper</td>
<td>2'</td>
<td>1.5m</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Potentilla fruticosa</td>
<td>Potentilla</td>
<td>2'-4'</td>
<td>1.5m</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Spathes synanthecum</td>
<td>Spathes, Broad-leaf</td>
<td>6'</td>
<td>1.5m</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Cistus albidus</td>
<td>Scotch Broom</td>
<td>1'-4'</td>
<td>1.5m</td>
</tr>
<tr>
<td>E. S.M. M. TREE</td>
<td>Helianthus x 'Water #2'</td>
<td>Pampas Grass</td>
<td>8'-10'</td>
<td>1.5m</td>
</tr>
<tr>
<td>E. S.M. M. TREE</td>
<td>Festuca glauca 'Erie H. Neave'</td>
<td>Blue Oat Grass</td>
<td>2'</td>
<td>1.5m</td>
</tr>
<tr>
<td>E. S.M. M. TREE</td>
<td>Chelostoma kaezi</td>
<td>Red Switch Grass</td>
<td>3'</td>
<td>1.5m</td>
</tr>
<tr>
<td>I. S.M. M. TREE</td>
<td>Pyrus calleryana 'Chanticleer'</td>
<td>Pyrus, Chartreuse</td>
<td>30'-40'</td>
<td>2.0m, semi-ano</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Betula nigra var. nana</td>
<td>Betula, Waxy</td>
<td>3'</td>
<td>2.0m, semi-ano</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Betula, var.</td>
<td>Betula nigra var. moyan</td>
<td>var.</td>
<td>2.0m, semi-ano</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Koea japonica</td>
<td>Japanese Maple</td>
<td>10</td>
<td>2.0m, semi-ano</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Pyracantha coccinea</td>
<td>Film thorn</td>
<td>6'-12'</td>
<td>2.0m, semi-ano</td>
</tr>
<tr>
<td>E. S.M. M. TREE</td>
<td>Malus x comicea</td>
<td>Purple Moor Grass</td>
<td>3'</td>
<td>2.0m, semi-ano</td>
</tr>
<tr>
<td>G. S.M.</td>
<td>Hamamelis x intermedia</td>
<td>Daylily</td>
<td>24-30'</td>
<td>2.0m, semi-ano</td>
</tr>
<tr>
<td>A. S.M. M. TREE</td>
<td>Buxus x media</td>
<td>Birch, River</td>
<td>36-48'</td>
<td>3.0m, shade</td>
</tr>
<tr>
<td>A. S.M. M. TREE</td>
<td>Quercus nigra</td>
<td>Oak, Wister</td>
<td>50-60'</td>
<td>3.0m, shade</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Ceanothus x wildana</td>
<td>Sweet Pepperbush</td>
<td>5'-7'</td>
<td>3.0m, shade</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Cotoneaster x</td>
<td>Cotoneaster</td>
<td>var.</td>
<td>3.0m, shade</td>
</tr>
<tr>
<td>C. S.M. M. TREE</td>
<td>Heaths x heaths</td>
<td>Heaths, Heaths</td>
<td>6'</td>
<td>3.0m, shade</td>
</tr>
</tbody>
</table>

**PLANTS WILL GROW UNDER WET CONDITIONS**

| A. S.M. M. TREE | Acer rubrum | Maple, Red, Plane | 40'-60' | 1.5m |
| A. S.M. M. TREE | Acer rubrum 'Boca' | Maple, Red, Boca,Plane | 25 | 1.5m |
| A. S.M. M. TREE | Upland Acer angustifolia | Sweet Gum, American | 60'-10' | 1.5m |
| A. S.M. M. TREE | Upland Acer pictum | Sweetgum, Picture | 80'-10' | 1.5m |
| A. S.M. M. TREE | Acer saccharinum | Oak, Swamp White | 59'-67' | 1.5m |
| A. S.M. M. TREE | Salix alba | Willow, Weeping | 32'-40' | 1.5m |
| A. S.M. M. TREE | Tamarix chinensis | Cypress Gold | 59'-77' | 1.5m |
| C. S.M. M. TREE | Spirea x vanhouttei 'Anthony Waterer' | Spirea, Anthony Waterer | 2'-4' | 1.5m |
| E. S.M. M. TREE | Macrochroa dispersa 'Pupmoores' | Red Shrub Rose | 3'-4' | 1.5m |
| E. S.M. M. TREE | Macrochroa dispersa 'Golden' | Meador Grass | 5'-9' | 1.5m |
| A. S.M. M. TREE | Phlox paniculata 'Blue' | Symeonos, Eastern | 1'-2' | 1.5m |
| C. S.M. M. TREE | Myrica xalcox | Wax Myrtle | 10'-12' | 1.5m |
| C. S.M. M. TREE | Viburnum plicatum 'Roseum' | Viburnum, Japanese Snowball | 8'-12' | 1.5m |
| C. S.M. M. TREE | Ilex x altaica | Sweet Spike | 6' | 1.5m |

**DESIGN GUIDELINES - LANDSCAPE**

**TECH CENTER DESIGN GUIDELINES**
## Plant List - continued

| BS1, MAT. TREE | Habeo sarminosa | Silverbell, Canoe | 22-47 | 3s | Zone 4-6 | Uncertain tree, whole shaped flowers, pH 5.0-6.0 |
| BS1, MAT. TREE | Magnolia grandiflora | Magnolia, Sweet Bay | 22-47 | 3s | Zone 5-6 | Well-drained soil, sprays, white flowers, evergreen |
| BS1, MAT. TREE | Amblycarpa canadensis | Hardytooth | 22-47 | 3s | Zone 5-6 | Formal, vertical look, native, natural, transplanted young |
| BS1, MAT. TREE | Citharexylum virginianum | Fringe Tree | 22-47 | 3s | Zone 5-6 | Delicate, native native, well-drained soil, yellow fall color |

**REQUIRES MOST CONDITIONS, BUT WELL DRAINED SOIL**

### ASIATIC

| BS1, MAT. TREE | Aesculus hippocastanum | Maple, Sugar maple | 22-47 | 3s | Zone 4-6 | Good for drought and heat Doven Mound |
| BS1, MAT. TREE | Fraxinus americana | Beech, American | 22-47 | 3s | Zone 4-6 | Native, natural transplanted in spring |
| BS1, MAT. TREE | Magnolia virginiana | Ash, White | 22-47 | 3s | Zone 5-6 | Fast-growing shade tree, fall color, yellow, purple and maroon |
| BS1, MAT. TREE | Acer saccharum | Maple, Sugar | 22-47 | 3s | Zone 4-6 | Large with flowers through early sweetmaples, 60, 40 and depending on variety |
| BS1, MAT. TREE | Cornus sericea | Dogwood | 22-47 | 3s | Zone 5-6 | Possible wide areas |
| BS1, MAT. TREE | Lonicera x "Tennent" | Honeysuckle | 22-47 | 3s | Zone 5-6 | In groups, shrub, white flowers, choose not native varieties |
| BS1, MAT. TREE | Itea virginica | Coffee plant | 22-47 | 3s | Zone 5-6 | Also dependant on variety, blooms July to Sept, prefers clay soil |
| BS1, MAT. TREE | Prunus 'Sargent's' | Japanese Cherry | 22-47 | 3s | Zone 5-6 | In groups, spreading to 15, 25 planting over red roses |
| BS1, MAT. TREE | Forsythia | Forsythia | 22-47 | 3s | Zone 5-6 | In groups, blooms fall |
| BS1, MAT. TREE | Viburnum opulus | Blueberry | 22-47 | 3s | Zone 5-6 | Blue-green selection, fast growing, narrow view |

### CONIFERS

| BS1, MAT. TREE | Kachelia emballida | Redbud | 22-47 | 3s | Zone 5-6 | Pink, bluish green or white flowers, blooms same time as spring |
| BS1, MAT. TREE | Roa, var. | Roa | 22-47 | 3s | Zone 5-6 | Yellow flowers not shrub, evergreen |
| BS1, MAT. TREE | Celastrus japonicus | Celastrus | 22-47 | 3s | Zone 5-6 | Never blooms, rhubarb, blooms in June and turns tan |
| BS1, MAT. TREE | Fraxinus | Hedge maple | 22-47 | 3s | Zone 5-6 | Purple and green, bloomed in June and turns tan |
| BS1, MAT. TREE | Quercus lyrata | Oak, Live Oak | 22-47 | 3s | Zone 5-6 | Maple ground, long narrow edges |
| BS1, MAT. TREE | X Cupressosporus hybridus | Cypress, Leyland | 22-47 | 3s | Zone 5-6 | Peculiar, narrow leaves, fast growing, evergreen |
| BS1, MAT. TREE | Cupressus californica | Redwood, Bonsai | 22-47 | 3s | Zone 5-6 | Locally native, found at edge of woods, begin with small trees |
E. Public Hearings

2. Ordinance Authorizing Conditional Use Permit No. CU-2019-0005, to First Baptist Church Newport News, for the Operation of an Electronic Display Sign in Conjunction with a Community Facility in a Residential District on Property Located at 12716 Warwick Boulevard and Zoned R3 Single-Family Dwelling

ACTION: A REQUEST TO ADOPT AN ORDINANCE AUTHORIZING CONDITIONAL USE PERMIT NO. CU-2019-0005 TO FIRST BAPTIST CHURCH NEWPORT NEWS FOR THE INSTALLATION OF AN ELECTRONIC DISPLAY SIGN IN CONJUNCTION WITH A COMMUNITY FACILITY ON PROPERTY LOCATED AT 12716 WARWICK BOULEVARD AND ZONED R3 SINGLE-FAMILY DWELLING.

BACKGROUND:

- The proposed sign meets all regulatory requirements of the sign ordinance for size and operation.

- The new sign will be located at the newly created intersection of City Center Boulevard and Warwick Boulevard.

- On June 5, 2019, the City Planning Commission voted unanimously 8:0 to recommend approval of the request with conditions.

  **Vote on Roll Call**
  
  **For:** Fox, Mulvaney, Carpenter, Stodghill, Wittkamp, Willis, Groce, Simmons  
  **Against:** None  
  **Abstention:** None

- The City Manager recommends approval.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Memo to HCC re CU-2019-0005 First Baptist NN 6.19.19</td>
</tr>
<tr>
<td>Staff Report and CPC Minutes</td>
</tr>
<tr>
<td>sdm16929 CU-2019-0005 re First Baptist Church</td>
</tr>
</tbody>
</table>
CITY OF NEWPORT NEWS
OFFICE OF THE CITY MANAGER

June 19, 2019

TO: The Honorable City Council
FROM: City Manager
SUBJECT: Conditional Use Permit No. CU-2019-0005, First Baptist Church Newport News

First Baptist Church Newport News requests a conditional use permit to install an electronic display sign in conjunction with a community facility in a residential district at 12716 Warwick Boulevard. The property contains a total of 14.5 acres and is zoned R3 Single-Family Dwelling.

The new sign will be located at the newly created intersection of City Center Boulevard and Warwick Boulevard providing better visibility than the original sign, which is located close to the main entrance of the sanctuary, approximately 700 feet from the intersection.

The proposed sign meets all the regulatory requirements of the Sign Ordinance. Landscaping around the sign will be installed in an area where none currently exists. Further, the single-family homes that directly abut to the east are buffered from the sign by a row of evergreen trees along the church’s property line.

On June 5, 2019, the City Planning Commission voted unanimously 8:0 to recommend approval of the request to City Council with conditions.

I recommend approval.

Cynthia D. Rohlf

CDR: sgd
Attachment
cc: Sheila W. McAllister, Director, Department of Planning
CITY OF NEWPORT NEWS
CITY COUNCIL
JUNE 25, 2019

CONDITIONAL USE PERMIT
APPLICATION NO. CU-2019-0005
FIRST BAPTIST CHURCH

APPLICATION No. CU-2019-0005
12716 WARWICK BOULEVARD
CONDITIONAL USE PERMIT NO. CU-2019-0005
FIRST BAPTIST CHURCH

OWNER/APPLICANT  First Baptist Church
LOCATION  12716 Warwick Boulevard
PRESENT USE  Church

ZONING  R3 Single-Family Dwelling (Appendix A-1)
ONE CITY, ONE FUTURE  Community Facilities (Appendix A-4)
ACREAGE  10.9 acres

REQUEST  Installation of an electronic display sign in conjunction with a community facility in a residential district

FACTS

North  Peninsula Memorial Park on property zoned R3 Single-Family Dwelling
South  Vacant parcel zoned C1 Retail Commercial
East  Single-family homes on properties zoned R3 Single-Family Dwelling
West  Yates Elementary School on property zoned P1 Park and the Commonwealth shopping center on property zoned C1 Retail Commercial (See Appendix A-1.)

Zoning History  The property has been zoned R3 Single-Family Dwelling since the citywide comprehensive rezoning in August, 1997.

On March 22, 2011, City Council approved conditional use permit CU-11-281 for the operation of a pre-school with child care center as part of a community facility.

Regulatory Review  The sign ordinance allows a community facility to install an electronic
display sign in residentially zoned districts with the approval of a conditional use permit. No more than one electronic display sign is allowed on a developed site.

The overall height of the proposed sign structure is 10 feet and the electronic display portion of the sign is 32 square feet, thus meeting the height and area requirements of the sign ordinance. (See Appendix A-3.)

The sign ordinance stipulates that any sign that is visible at a distance of 250 feet from any portion of a single-family or multiple-family dwelling district shall not be illuminated between the hours of 10:00PM and 6:00AM. The subject property is located within a single-family dwelling district and must meet this requirement.

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

Comprehensive Plan Review
The One City, One Future Comprehensive Plan 2040 land use map designates community facilities uses for the property. (See Appendix A-4.) The church use is a community facility and is compatible with this designation.

ANALYSIS

The church has been in operation on this site since 1979. There is an existing sign that was installed in the early 1980’s and is an internally illuminated monument style sign mounted on a brick base, that sign is closer to the main entrance to the building and over 700 feet away from the location of the proposed sign and will remain. The new sign will be visible from the newly created intersection of City Center Boulevard and Warwick Boulevard providing better visibility.

Although the church property is on a busy thoroughfare and there is a shopping center directly across from it on Warwick Boulevard, the sign will be visible from residential properties in proximity. There are single-family homes directly adjacent to the east as well as other residential developments across Warwick Boulevard and City Center Boulevard. The adjacent single family residences to the east will be buffered from the sign by a row of evergreen trees. The impact on the remaining residential uses is no greater than that of the intersection lights at Warwick and City Center Boulevards. (See Appendix A-2.)

The applicant is proposing to landscape the area around the sign, providing a transition and softening the base of the sign structure. (See Appendix A-4.) In addition, consistent with the sign ordinance, recommended conditions for approval will address the brightness of illumination and the hours of operation.
CONCLUSION

The proposed sign meets all the regulatory requirements cited in the sign ordinance for electronic display signs. Landscaping around the sign will be installed in an area where none currently exists. Further, the single-family homes that directly abut to the east are buffered from the sign by a row of evergreen trees along the church's property line. The impact of the sign on nearby properties is anticipated to be minimal and the sign operation will observe the required lighting schedule.

STAFF RECOMMENDATION

Recommend approval of conditional use permit CU-2019-0005 to allow for the installation of an electronic display sign in conjunction with a community facility in a residential district at 12716 Warwick Boulevard with the following conditions:

1. The design, size, height and illumination of the sign shall be in accordance with the submitted rendering prepared by SignMedia Inc. dated November 15, 2018 and identified as Appendix A-3. The sign shall conform to this conditional use permit and the sign ordinance.

2. The electronic display portion of the sign shall not exceed 32 square feet.

3. The sign shall not be illuminated between the hours of 10:00 PM and 6:00 AM.

4. All electronic displays shall remain static for a period of at least 5 seconds, and automatic change sequences shall be accomplished by means of instantaneous re-pixelization. Flashing, scrolling, blinking or any other type of intermittent illumination of elements of the display shall be prohibited.

5. Audio speakers on, or electronically connected to, the sign shall be prohibited.

6. The illumination of the sign shall be no greater than 10,000 foot candles from sunrise to sunset, nor 700 foot candles between sunset and 10:00 PM. The sign shall be equipped with automatic brightness control which shall always be operational when the sign is illuminated.

7. The electronic service lines providing power to the sign shall be underground.

8. If approved, the ordinance approving this conditional use permit shall be prominently displayed within the establishment at all times until the use is abandoned.
9. 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.

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

11. 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.

12. 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.

13. 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.

CPC RECOMMENDATION

On June 5, 2019, the Planning Commission voted unanimously (9:0) to recommend to City Council approval of conditional use permit CU-2019-0005 to allow for the installation of an electronic display sign in conjunction with a community facility in a residential district at 12716 Warwick Boulevard with the following conditions:

1. The design, size, height and illumination of the sign shall be in accordance with the submitted rendering prepared by SignMedia Inc. dated November 15, 2018 and identified as Appendix A-3. The sign shall conform
to this conditional use permit and the sign ordinance.

2. The electronic display portion of the sign shall not exceed 32 square feet.

3. The sign shall not be illuminated between the hours of 10:00 PM and 6:00 AM.

4. All electronic displays shall remain static for a period of at least 5 seconds, and automatic change sequences shall be accomplished by means of instantaneous re-pixelization. Flashing, scrolling, blinking or any other type of intermittent illumination of elements of the display shall be prohibited.

5. Audio speakers on, or electronically connected to, the sign shall be prohibited.

6. The illumination of the sign shall be no greater than 10,000 foot candles from sunrise to sunset, nor 700 foot candles between sunset and 10:00 PM. The sign shall be equipped with automatic brightness control which shall always be operational when the sign is illuminated.

7. The electronic service lines providing power to the sign shall be underground.

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

9. 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.

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

11. 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.

12. 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.

13. 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 SIGN DESIGN
A-4 ONE CITY, ONE FUTURE 2040 COMPREHENSIVE PLAN LAND USE MAP
A-5 AERIAL MAP
A-6 EXCERPTS FROM THE CITY PLANNING COMMISSION MINUTES OF JUNE 5, 2019
FIRST BAPTIST CHURCH NEWPORT NEWS
12716 WARWICK BOULEVARD
PROPERTY FRONTAGE: 1,400' ±
MESSAGE UNIT SQUARE FOOTAGE: 32sq.ft.
TOTAL SIGN SQUARE FOOTAGE: 57.75sq.ft.
WARWICK BLVD. (FRONT) SETBACK: 48' - 0"
CITY CENTER BLVD. (SIDE) SETBACK: 150' - 0"
OVERALL HEIGHT: 10' - 0"
FIRST BAPTIST CHURCH NEWPORT NEWS
12716 WARWICK BOULEVARD
PROPERTY FRONTAGE: 1,400' ±
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OVERALL HEIGHT: 10' - 0"

INTERNALLY LIT DOUBLE-SIDED MONUMENT SIGN WITH FULL COLOR MESSAGE UNIT
LANDSCAPE PLAN FOR MONUMENT SIGN
FIRST BAPTIST CHURCH NEWPORT NEWS
12716 WARWICK BOULEVARD
PROPERTY FRONTAGE: 1,400' ±
MESSAGE UNIT SQUARE FOOTAGE: 32 sq. ft.
TOTAL SIGN SQUARE FOOTAGE: 57.75 sq. ft.
WARWICK BLVD. (FRONT) SETBACK: 48' - 0"
CITY CENTER BLVD. (SIDE) SETBACK: 150' - 0"
OVERALL HEIGHT: 10' - 0"

INTERNALLY LIT DOUBLE-SIDED MONUMENT SIGN WITH FULL COLOR MESSAGE UNIT
EXCERPTS FROM PLANNING COMMISSION MINUTES

June 5, 2019

**CU-2019-0005, First Baptist Church Newport News** Requests a conditional use permit to allow for the installation of an electronic display sign in conjunction with a community facility in a residential district on property located at 12716 Warwick Boulevard. The parcel contains 14.5 acres and zoned R3 Single-Family Dwelling. The *One City, One Future Comprehensive Plan 2040* recommends community facilities uses for this parcel. The Parcel No. is 182.00.01.40.

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

Ms. Fox asked if this application meets all of the requirements of the sign ordinance. Mr. Gleiser stated yes.

Mr. Mulvaney asked if the proposed landscaping around the sign is a requirement. Mr. Gleiser stated no. He stated the landscaping is conditioned.

Mr. Carpenter asked where the existing sign is located. Mr. Gleiser stated it is on the main entrance by the parking lot. He stated it is shown on Exhibit A-2, next to the entrance to the parking lot; however, it is difficult to see.

Ms. Stodghill asked if the existing sign with the movable letters will remain. Mr. Gleiser stated yes, it will remain as is; however, it is a much shorter sign.

Mr. Simmons opened the public hearing.

Mr. Kris Keyes, 45 Minton Drive, Applicant, thanked Planning staff. He stated he was available for questions.

Mr. Simmons closed the public hearing.

Mr. Mulvaney made a motion to recommend approval of conditional use permit CU-2019-0005 to City Council with conditions. The motion was seconded by Mr. Carpenter.

**Vote on Roll Call**
**For:** Mulvaney, Carpenter, Stodghill, Wittkamp, Willis, Groce, Fox, Simmons
**Against:** None
**Abstention:** None

The Planning Commission voted unanimously (8:0) to recommend approval of conditional use permit CU-2019-0003 to City Council with conditions.
ORDINANCE NO. ____________

AN ORDINANCE GRANTING CONDITIONAL USE PERMIT NUMBER CU-2019-0005 FOR THE HEREINAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF ALLOWING THE INSTALLATION OF AN ELECTRONIC DISPLAY SIGN FOR A COMMUNITY FACILITY IN A RESIDENTIAL DISTRICT.

WHEREAS, application number CU-2019-0005 has been made by FIRST BAPTIST CHURCH, owner and applicant, for a conditional use permit for the hereinafter described property for the purpose of allowing the installation of an electronic display sign for a community facility in a residential district; and

WHEREAS, the application has been referred to the Planning Commission of the City of Newport News for recommendation and has been duly advertised as required by law and the said Planning Commission has made its recommendation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News:

(a) That conditional use permit number CU-2019-0005 is hereby granted for the property described in paragraph (b) hereof for the purpose of allowing the installation of an electronic display sign for a community facility in a residential district; and

(b) That the property, hereinafter referred to as the "Property," to which the conditional use permit applies is particularly described below:

ALL THAT certain lot, piece, tract or parcel of land, situate lying and being the City of Newport News, State of Virginia, and containing 5.26 acres, and being known and designated as 5.26 acres on a certain plat entitled, "PLAT OF PART OF THE PROPERTY OF HAZEL E. WOOD, 5.26 AC., NEWPORT NEWS, VIRGINIA" made by E. E. Paine, Inc., Engineering & Surveying, dated July 7, 1977, a copy of said plat being attached to that certain deed from Hazel E. Wood, Single, to Dennis B. Edwards, et al, etc., which said deed is duly recorded in the Clerk’s Office of the Circuit Court for the City of Newport News, Virginia, in Deed Book 962, page 250, and to which reference is here made for a more particular description.

And

ALL THAT certain lot, piece or parcel of land, situate, lying and being in the City of Newport News, Virginia, known and designated
as Parcel "A", 5.64 acres, as shown on a certain plat entitled, "PLAT OF THE PROPERTY OF ALMA HINER & FIRST UNITED METHODIST CHURCH, PARCEL "B": 5.64 AC FORMERLY PROPERTY OF HAZEL E. WOOD, NEWPORT NEWS, VIRGINIA", made by James K. Alvis, Jr., Land Surveyor, dated May 28, 1981, which said plat is recorded in the aforesaid Clerk’s Office in Deed Book 1039, page 618, and to which reference is here made for a more particular description.

The property has a common street address of 12716 Warwick Boulevard and is assigned Real Estate Assessor’s Tax I.D.# 182.00-01-40.

(c) That this conditional use permit is granted subject to the following conditions, each of which shall be implemented upon approval of this ordinance:

1. The design, size, height and illumination of the sign shall be in accordance with the submitted rendering prepared by SignMedia Inc. dated November 15, 2018 and Appendix A-3, which is attached hereto and made a part hereof. The sign shall conform to this conditional use permit and the sign ordinance.

2. The electronic portion of the sign shall not exceed 32 square feet.

3. The sign shall not be illuminated between the hours of 10:00 PM and 6:00 AM.

4. All electronic displays shall remain static for a period of at least 5 seconds, and automatic change sequences shall be accomplished by means of instantaneous re-pixelization. Flashing, scrolling, blinking or any other type of intermittent illumination of elements of the display shall be prohibited.

5. Audio speakers on, or electronically connected to, the sign shall be prohibited.

6. The illumination of the sign shall be no greater than 10,000 foot candles from sunrise to sunset, nor 700 foot candles between sunset and sunrise; however, illumination of the sign shall, under all circumstances, conform to condition 3 of this conditional use permit. The sign shall be equipped with automatic brightness control which shall always be operational when the sign is illuminated.

7. The electronic service lines providing power to the sign shall be underground.

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

9. The applicant, as well as successors, assigns and agents, if any, shall comply with all of the conditions stated herein, as well as all codes, ordinances and regulations of federal, state and local governments.

10. The applicant, as well as successors, assigns, and agents, if any, shall obtain all necessary licenses, approvals, conditional approvals, and permits prior to commencing any use, which is authorized by this conditional use permit or law. Furthermore, the applicants, as well as successors, assigns, and agents shall maintain all necessary licenses, approvals, conditional 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.

11. A Certificate of Use and Occupancy shall be obtained prior to the occupancy of, or the operation of, any use of 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.

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

13. 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, or part thereof, is found by a court of competent jurisdiction to be invalid, unconstitutional, or otherwise unenforceable, then this conditional use permit shall be void and the use permitted by this conditional use permit shall cease. If this conditional use permit becomes void as a result of a condition or a part thereof, or conditions therein, being ruled invalid, unconstitutional or otherwise unenforceable, the property owner shall be afforded the right to reapply for a conditional use permit.

14. 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 an amendment to the zoning of the property described in Section (b) hereof 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.

(d) That this conditional use permit shall be deemed to have been abandoned and shall be revoked:

1. If the construction of the improvements or occupancy authorized by this conditional use permit has not commenced within twenty-four (24) months of June 25, 2019, or,

2. In the event of the continuous nonuse of the property as herein permitted for a period of twelve (12) months.
FIRST BAPTIST CHURCH NEWPORT NEWS
12716 WARWICK BOULEVARD
PROPERTY FRONTAGE: 1,400' ±
MESSAGE UNIT SQUARE FOOTAGE: 32sq.ft.
TOTAL SIGN SQUARE FOOTAGE: 57.75sq.ft.
WARWICK BLVD. (FRONT) SETBACK: 48' - 0"
CITY CENTER BLVD. (SIDE) SETBACK: 150' - 0"
OVERALL HEIGHT: 10' - 0"

INTERNALLY LIT DOUBLE-SIDED MONUMENT SIGN WITH FULL COLOR MESSAGE UNIT

SIGNMEDIA
2109 Mingoe Drive - Hampton, VA 23661
EMAIL: jgreen@signmediainc.com
PHONE 757.826.7129
CELL 757.816.6443
FAX 757.826.7400
TOLL FREE 855.344.5423
WEBSITE www.signmediainc.com

GET NOTICED
F. Consent Agenda

1. Minutes of the Special Meeting of June 11, 2019

**ACTION:** • N/A

**BACKGROUND:** • N/A

**FISCAL IMPACT:** • N/A

**ATTACHMENTS:**
Description
Minutes of Special Meeting for June 11, 2019
MINUTES OF SPECIAL MEETING 
OF THE NEWPORT NEWS CITY COUNCIL 
HELD IN THE 10TH FLOOR CONFERENCE ROOM 
2400 WASHINGTON AVENUE 
JUNE 11, 2019 
4:00 P.M.

PRESENT: Tina L. Vick (arrived at 4:16 p.m.); Dr. Patricia P. Woodbury; Saundra N. Cherry, D. Min; Marcellus L. Harris III; David H. Jenkins; McKinley L. Price, DDS; and Sharon P. Scott, MPA

ABSENT: None

OTHERS PRESENT: Cynthia Rohlf; Collins Owens; Mabel Washington Jenkins; and Zina Middleton

After ascertaining that proper meeting notice had been provided to each member of City Council, Mayor Price called the meeting to order and stated the meeting was being held for the following purposes:

(1) To call a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia, 1950, as amended, subsections: (1) A discussion, consideration or interview of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, the subjects of which are a discussion or consideration of prospective candidates for appointment to boards and commissions and members thereof; and

(2) To make appointments to fill vacancies on the City’s various boards, commissions, and committees.

Councilman Harris moved for a closed meeting under sections and reasons cited above; seconded by Councilwoman Scott.

Vote on Roll Call:
Ayes: Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None
Absent During Vote: Vick

(Closed Session 4:05 p.m. – 5:10 p.m.)

After reconvening in open session, Councilman Harris moved to certify that to the best of each member’s knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting by the Council. Motion seconded by Councilwoman Scott.
Minutes of Special Meeting
June 11, 2019

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

Vice Mayor Vick moved that the following appointments be ratified pursuant to receipt of notification that a favorable background check was conducted; seconded by Councilwoman Woodbury.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None


2. Newport News Community Policy and Management Team – Ms. Jeanne Hollingshead (Representative of a Newport News private organization for children’s services-member) for reappointment to serve a two-year term of office, term to expire September 30, 2021.


4. Newport News Public Library Board of Trustees – Mr. Wendall Barbour (General Public Representative) to fill the unexpired term of Ms. Elizabeth Young, term to expire September 14, 2022. Ms. Beatrice Dahlen (General Public Representative) to fill the unexpired term of Ms. Caroline J. Richter, term to expire September 14, 2022.

5. Newport News School Board Retirees Local Finance Board – Three appointments (Citizen Members) deferred.

6. Newport News Wetlands Board – Ms. Angela Reason (Member) and Mr. Martin Wolfe (Member) each for appointment to serve a five-year term of office, term to expire July 31, 2024.


THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 5:10 P.M.
Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor
Presiding Officer

A true copy, teste:

City Clerk
CERTIFICATE OF CLOSED MEETING

MEETING DATE: June 11, 2019

MOTION: Councilman Marcellus L. Harris III
SECOND: Vice Mayor Tina L. Vick

WHEREAS, the City Council of the City of Newport News has convened a closed meeting on this date pursuant to an affirmative recorded vote as required under the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712.D of the Code of Virginia, 1950, as amended, requires a certification by this City Council that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newport News does hereby certify that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the City Council.

VOTE

AYES: Vick, Woodbury, Bateman, Cherry, Harris, Price, Scott
NAYS: None
ABSTENTION: None

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

ATTEST:

Mabel Washington Jenkins, MMC
City Clerk
F. Consent Agenda

2. Minutes of the Work Session of June 11, 2019

ACTION: ● N/A

BACKGROUND: ● N/A

FISCAL IMPACT: ● N/A

ATTACHMENTS:
Description
Minutes of Work Session for June 11, 2019
MINUTES OF WORK SESSION
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE 10 TH FLOOR CONFERENCE ROOM
2400 WASHINGTON AVENUE
June 11, 2019
4:05 p.m.

PRESENT: Tina L. Vick; Dr. Patricia P. Woodbury; Saundra N. Cherry, D. Min.; Marcellus L. Harris III; David H. Jenkins; McKinley L. Price, DDS; and Sharon P. Scott, MPA-

ABSENT: None----------------------------------------0

OTHERS PRESENT: Cynthia D. Rohlf; Collins L. Owens; Mabel Washington Jenkins; Kristin Chhim; Darlene Bradberry; Lisa Cipriano; Cory Cloud; Constantinos Velissarios; Keith Ferguson; Maria Abilar; Shelia McAllister; Flora Chioros; Susan Goodwin; Florence Kingston; Derek Perry; Brian Rowe; Thomas Retnauer; Sandra Baynes; Melissa Venable; Matthew Johnson; William Roche; Everett Skipper; Venerria Thomas; Sonia Alcantara-Antoine; Louis Martinez; Steve Carpenter; Jeffrey Johnson; Steve Drew; Keith Webb; Dale Goode; Jannie Bazemore; James Lovette; Pam Hall; Alan Archer; David Freeman; Cleder Jones; Kim Lee; Eoghan Miller; Zina Middleton; and Josh Reyes

I. Closed Meeting

(4:05 p.m. – 5:10 p.m.)

Endview Development Announcement

City Manager Rohlf shared that the Economic Development Authority (EDA) of the City of Newport News, Virginia (EDA) had selected WeldenField Development, LLC and its Hampton Roads-based Partner, Brian Rowe with WeldenField & Rowe as the Preferred Developer for its Endview tract. The Endview tract was a 285-acre parcel located at 350 Yorktown Road in northern Newport News. The EDA had selected WeldenField Development to plan, design, build and market a premier, predominantly residential community on the Endview tract. She advised that the EDA was very impressed with WeldenField Development, LLC proposal, their approach to the development, the recognition of the historical significates, the importance of the environment, and community engagement. WeldenField Development, LLC had a diverse portfolio and talented team. She introduced the Mr. Brian Rowe, Partner, WeldenField Development, LLC.
Mr. Rowe advised that he and his team were very excited and enthused with the opportunity to take the Endview property and develop it into a neighborhood that could be one of a kind on the east coast. He indicated he was excited about working with the City of Newport News and the EDA. Mr. Rowe introduced his team: Ms. Melissa Venable, President, Land Planning Solutions; Mr. Tom Retnauer, President, Retnauer Baynes Associates; and Ms. Sandra Baynes, CEO/CFO, Retnauer Baynes Associates.

City Manager Rohlf advised that City Council would be kept updated as the EDA/IDA outlined the community engagement process. City Council would be given the opportunity to visit some of the projects done by WeldenField Development, LLC to see the variety and quality of the projects done.

Councilwoman Woodbury shared there could be some push back from some of the residents because of the historical significance of the property. City Council would like to see what WeldenField Development, LLC had done with historical and unique property. Mr. Rowe replied he would be happy to show some of the unique projects done. City Manager Rohlf advised there was a firm from Williamsburg consulting on the historical part of the project. Mr. Rowe replied that was correct, the firm Cultural Resource Management, LLC would be a consultant on the project.

Ms. Baynes shared that Retnauer Baynes Associates had worked on a number of projects that had historical significance, and maintain the value while working with historical societies.

Councilwoman Scott advised, as a representative for the North District, she would like to see what was planned for community engagement, in order for her to inform residents in the North District. Mr. Rowe replied yes, members of the WeldenField Development, LLC would ensure that she would be kept up-to-date on the planned community engagement. Councilwoman Scott requested that WeldenField Development, LLC be mindful of minority participation, which was very important to this diverse City. Mr. Rowe replied that WeldenField Development, LLC would be mindful of the request for minority participation.

II. Fiscal Year 2020 Capital Improvement Plan (CIP) Update

City Manager Rohlf shared that there would be a revised overview of the FY 2020 Capital Improvement Plan (CIP) and provide specific project details, solicit input, and address any concerns. She reminded, at the One-day City Council Financial Retreat which was held October 12, 2018, City Council saw the association between the CIP and Financial connection, and what it meant to the Operating Budget, as well as the capacity of what the City could and could not afford. During that same time, the City went out and got funding for two (2) projects that were outside of
the CIP, at approximately $80 million, which had to be taken into consideration. She shared the City wanted to wait about CNI to ensure all the financial commits would be available. As previously mentioned, and with input from other financial/budget discussions with City Council, the revised CIP recommendations were available for presentation. The Capital Budget funds were available for appropriations for the first year. The other outlying years were a part of the plan, but those items were more interchangeable. City Manager Rohlf introduced Ms. Lisa Cipriano, Director, Department of Budget and Evaluation, to provide opening remarks, to be followed by Mr. Cory Cloud, Senior Budget Analyst, Lead Analyst, Department of Budget and Evaluation, to provide an updated FY 2020 Capital Improvements Plan (CIP).

Ms. Lisa Cipriano advised that the presentation on the revised Recommended FY 2020 Capital Improvements Plan (CIP) was based on information discussed at the October 12, 2018 City Council Financial Retreat, and was about capacity and ability (a copy of the presentation, “The Revised Recommended FY 2020 Capital Improvements Plan”, is attached and made a part of these minutes). While margining the two (2) years together, and looking long-term, the debt capacity was reviewed, and the City was guarded by financial policies within the current revenue stream (meaning the tax rates). Ms. Cipriano introduced Mr. Cory Cloud.

Mr. Cloud advised that the primary focus was geared at the first year of the CIP. He noted it was a multi-year plan, but the first year of each CIP would be adopted by City Council, and brought forth for appropriations.

Mr. Cloud advised that the City Manager’s FY 2020 Revised CIP General Fund—General Obligations Bonds by category were as follows:

<table>
<thead>
<tr>
<th>General Fund (in millions)</th>
<th>FY 2020 Recommended Amount</th>
<th>FY 2020 Revised Amount</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Buildings</td>
<td>$23.8</td>
<td>$ 9.6</td>
<td>$(14.2)</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>4.1</td>
<td>4.6</td>
<td>0.5</td>
</tr>
<tr>
<td>Streets and Bridges</td>
<td>14.0</td>
<td>11.3</td>
<td>(2.7)</td>
</tr>
<tr>
<td>Community Development</td>
<td>13.2</td>
<td>5.0</td>
<td>(8.2)</td>
</tr>
<tr>
<td>Schools</td>
<td>15.9</td>
<td>10.0</td>
<td>(5.9)</td>
</tr>
<tr>
<td>Equipment</td>
<td>2.5</td>
<td>1.8</td>
<td>(0.7)</td>
</tr>
<tr>
<td><strong>General Fund Total</strong></td>
<td><strong>$73.5</strong></td>
<td><strong>$42.3</strong></td>
<td><strong>$(31.2)</strong></td>
</tr>
</tbody>
</table>
Reflects combined FY 2019 and FY 2020 General Obligation Bonds as shown in the FY 2019 CIP.

Includes $6.9 million of FY 2019 General Obligation Bonds for Schools. An appropriation for $6.4 million was approved in January 2019 using the remaining balance from the City’s FY 2018 Bond Authorization.

Councilwoman Woodbury questioned the bond amount for the FY 2019 CIP. Mr. Cloud replied the FY 2019 CIP was $31.2 million and FY 2020 CIP was $42.3 million. Councilwoman Woodbury questioned the bond increase. Ms. Cipriano replied the FY 2020 CIP would have been $73.5 million; however, the FY 2020 CIP was split to show what would be spent in FY 2019 CIP and what would be spent in FY 2020 CIP, while some of the funding may be moved to outer years.

Mr. Cloud advised that the City Manager’s FY 2020 Revised CIP General Fund – General Obligations Bonds for FY 2020 major changes were as follows:

- **Public Buildings net reduction of $14.2 million:**
  - Denbigh Community Center Phase II – project delayed; $8.9 million was scheduled for design and construction in FY 2019 and FY 2020
  - Dispatch Center (Joint facility with Hampton) – project no longer considered
  - Virgil I. Grissom Library – project delayed; $6 million was scheduled for construction in FY 2020

Councilwoman Scott advised that she respected what City Manager Rohlf and the staff of the Budget Department were attempting to do and the recommendations; however, the reduction for the Denbigh Community Center Phase II was unacceptable. She noted that Phase II of the project had been pending since 2005. She did not agree with the reduction and had real concerns. She shared that Denbigh had not gotten anything in the past 20 years, for the 17 years she had been on City Council – Denbigh had gotten one Fire Station, the Denbigh Community Center and a baseball complex. The North District was postured for a lot of redevelopment or development because land was not available. She advised now they were in a position to do some things and she would not agree with the reduction. City Manager Rohlf noted Councilwoman Scott’s concerns.

Councilwoman Scott shared that she had three (3) years left on her term of office and wanted to break ground on the Denbigh Community Center Phase II project before FY 2022.
• **Parks and Recreation net increase of $501,000:**
  
  o Stoney Run Park – increased by $1.2 million; moved the Stoney Run Park Master Plan forward
  o Athletic Field Lighting – increased by $150,000 to address upgrading the lighting at various fields citywide
  o Deer Park Ranger Station/Restroom Replacement – project delayed; $150,000 was scheduled for design in FY 2020
  o Parks and Recreation Facilities/Roadway Improvements – decreased by $864,000; based on current needs and acceleration of other projects

  Councilman Harris advised that he was pleased with the upgrade of the lighting on various athletic fields citywide.

  Councilwoman Scott inquired whether there would be funds available to repair for the Deer Park Ranger Station/Restroom Replacement to bring it up to an acceptable standard. She shared that Deer Park Playground was for children who were physically challenged. Ms. Cipriano replied those funds were for a complete structure replacement, it would be very difficult to invest in changes and a couple years later, do a station/restroom replacement.

• **Streets and Bridges reduction of $2.7 million:**
  
  o Most projects were funded annually; therefore, most projects were reduced to reflect one year of funding or less, depending on current project needs
  o Transportation Major Match – funding provided based on revenue sharing agreement

• **Community Development reduction of $8.2 million:**
  
  o City Center at Oyster Point Projects – funding of $1 million delayed
  o Denbigh Area/Warwick Boulevard Development – no additional funding provided
  o Tech Center at Oyster Point/Jefferson Lab Research – no new funding provided; FY 2020 funding reflected in Streets and Bridges Transportation Major Match

  Councilwoman Scott indicated, as the City moved forward, an update was needed on the Tech Center. City Manager Rohlf replied that the Tech Center Master Plan would be presented at the June 25, 2019 City Council Work Session.
Councilwoman Woodbury questioned what was approved by the Planning Commission without a Master Plan. City Manager Rohlf replied the Planning Commission had approved Building One without a Master Plan. The Planning Commission moved forward on Building One, in order to begin work on the rest of the park - Building Two, Three, Four and the SCOT Center relocation had to happen, there were no development agreements signed to date. The City anticipated receiving a match from the State for work associated with roads, sidewalks, and trails.

Councilwoman Cherry advised the City needed to get a handle on what was going on at the Tech Center and with the Master Plan. She shared that she did not vote in support of the Tech Center before and really had concerns now. City Manager Rohlf replied that City Council would have the Master Plan in the hands of City Council at the June 25, 2019 Work Session for an overview, and on the Regular Meeting of the same evening, for action.

Councilwoman Scott questioned what was left of the Denbigh Area/Warwick Boulevard Development funds. She inquired whether everything had stopped after the study, and everyone got excited about the possibilities. City Manager Rohlf replied, as part of the process, staff looked at existing funds, items allocated in the past, what was on the horizon, what the City needed to spend, and some of the recommendations, which were based on the current funding and move forward without that extra infusion of dollars. She indicated staff went year-by-year, dollar-by-dollar, and project-by-project to determine how the dollars could be maximized, and what was being done within the current dollars. Ms. Cipriano advised there would be some money available in FY 2020 to zoom in on what the committee would act on.

- **Schools - net increase of $500,221 (adjusted to reflect the FY 2019 CIP appropriation of $6.4 million):**
  - Facility Renovation and Improvements – funding of $965,003 added to recommended FY 2020 projects to bring School CIP Bond Funded Projects to $10 million

  City Manager Rohlf advised the increased funding was in addition to the $2.4 million that City Council approved.

- **Equipment - net reduction of $700,000:**
  - RMS/JMS/CAD Replacement – added $800,000 to fully fund project costs
- 911 Phone System – $1.5 million removed from plan; phone system would be upgraded through a leasing agreement included in the City’s IT operating budget

Mr. Cloud advised that the City Manager’s FY 2020 Recommended CIP Percentage of General Fund – General Obligations Bonds were as follows:

<table>
<thead>
<tr>
<th>FY 2020 Recommended</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund (in millions)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Buildings</td>
<td>$23.8</td>
<td>32%</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>4.1</td>
<td>6%</td>
</tr>
<tr>
<td>Streets and Bridges</td>
<td>14.0</td>
<td>19%</td>
</tr>
<tr>
<td>Community Development</td>
<td>13.2</td>
<td>18%</td>
</tr>
<tr>
<td>Schools²</td>
<td>15.9</td>
<td>22%</td>
</tr>
<tr>
<td>Equipment</td>
<td>2.5</td>
<td>3%</td>
</tr>
</tbody>
</table>

Mr. Cloud advised that the City Manager’s FY 2020 Revised CIP Percentage of General Fund – General Obligations Bonds were as follows:

<table>
<thead>
<tr>
<th>FY 2020 Revised</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund (in millions)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Buildings</td>
<td>$9.6</td>
<td>23%</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>4.6</td>
<td>11%</td>
</tr>
<tr>
<td>Streets and Bridges</td>
<td>11.3</td>
<td>27%</td>
</tr>
<tr>
<td>Community Development</td>
<td>5.0</td>
<td>12%</td>
</tr>
<tr>
<td>Schools²</td>
<td>10.0</td>
<td>23%</td>
</tr>
<tr>
<td>Equipment</td>
<td>1.8</td>
<td>4%</td>
</tr>
</tbody>
</table>

Mr. Cloud indicated that the City Manager’s FY 2020 Recommended CIP General Fund – General Obligation Bonds were $73 million and in the FY 2020 Revised CIP General Fund – General Obligation Bonds were $42 million.
Mr. Cloud noted the impact of the CIP on the General Fund Operating Budget, with the projected annual debt payments, based on approved FY 2019 CIP, was $41 million in existing debt service, $46 million in FY 2020; and with $51 million projected CIP debt service in FY 2021.

Mr. Cloud noted the impact of the CIP on the General Fund Operating Budget, with the projected annual debt payments, based on Revised FY 2020 CIP, was $41 million in existing debt service for FY 2019, $46 million in FY 2020; and with $49 million projected CIP debt service in FY 2021.

Mr. Cloud advised that the City Manager’s FY 2020 Revised CIP General Fund – Cash Capital by category were as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>FY 2020 Recommended Amount</th>
<th>Revised Amount</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Development</td>
<td>$530,000</td>
<td>$730,000</td>
<td>$200,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>225,000</td>
<td>100,000</td>
<td>(125,000)</td>
</tr>
<tr>
<td>Transit</td>
<td>81,000</td>
<td>-0-</td>
<td>(81,000)</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,566,150</td>
<td>1,166,150</td>
<td>(400,000)</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>300,000</td>
<td>450,000</td>
<td>150,000</td>
</tr>
<tr>
<td>Public Buildings</td>
<td>2,144,000</td>
<td>450,000</td>
<td>(1,694,000)</td>
</tr>
<tr>
<td>Schools</td>
<td>2,000,000</td>
<td>4,400,000</td>
<td>2,400,000</td>
</tr>
<tr>
<td>Streets and Bridges</td>
<td>2,050,000</td>
<td>1,600,000</td>
<td>(450,000)</td>
</tr>
<tr>
<td><strong>General Fund Total</strong></td>
<td><strong>$8,986,150</strong></td>
<td><strong>$8,896,150</strong></td>
<td><strong>-0-</strong></td>
</tr>
</tbody>
</table>

Mr. Cloud advised that the City Manager’s FY 2020 Revised CIP General Fund – Cash Capital for FY 2020 Major Changes were as follows:

- **Community Development** - increase of $200,000:
  - Maritime Economic Development Projects

- **Environmental** - reduction of $125,000:
  - Emergency Response/Environmental Remediation – no additional funding provided
HVAC System Environmental Assessment/Sustainability Projects – reduced funding

- **Transit - reduction of $81,000:**
  - One ACCESSIBLE City – Hampton Roads Transit (HRT) Bus Stop
    American Disability Act (ADA) Improvement Program – no additional funding provided

- **Equipment - reduction of $400,000:**
  - Voice over IP (Phone System Upgrade) – no additional funding provided

- **Parks and Recreation - net increase of $150,000:**
  - City Farm – included funding of $300,000

Councilwoman Woodbury inquired about funding provided for City Farm. Ms. Cipriano replied yes, in the form of seed money. City Manager Rohlf shared whether it would be for clean-up or to start a trail, but it was a placeholder to start for future years.

Councilwoman Cherry questioned whether City Council would get an archaeological report, and if so, when? Mr. William Roche, Assistant Director, Department of Parks, Recreation and Tourism, replied that the archaeological report would be available December 31, 2019. City Manager Rohlf advised that the archaeological study was ongoing and City Council would get a report upon completion of the study. Councilwoman Cherry questioned whether City Council could get an archaeological report before December 31, 2019. Mr. Roche replied the archaeological study would be completed December 31, 2019, but may be able to get an update earlier than the completion of the study.

Councilwoman Scott questioned whether anything of significance was discovered. City Manager Rohlf replied nothing of significance, but some artifacts and interesting items were uncovered.

- **Public Buildings - reduction of $1,694,000:**
  - City Hall Renovations – no funding provided; re-evaluating renovation plans
  - Parking Lot and Facility Paving – no additional funding provided
• Security Camera System Additions/Replacement/Maintenance – funding included in Security Service’s Departmental Operating Budget

• Schools - increase of $2,400,000 million:
  o Facility Renovations and Improvements – one-time funding based on School Board requested increase in School’s Operating Budget for maintenance:
    • Gym floors (Achievable Dream Middle/High School, Heritage High School, and Passage Middle School)
    • Auditorium ceiling (Denbigh High School)
    • Casework (Achievable Dream High School)
    • Loading dock (Gildersleeve Middle School)
    • HVAC supplies/equipment at various schools

• Streets and Bridges - net reduction of $450,000:
  o Citywide Concrete Replacement Projects – no additional funding provided

Councilwoman Woodbury questioned whether a reduction in funding would create safety concerns with the aging bridges and roads throughout the City. Mr. Cloud shared the bridge where included in the General Obligation Bond category, the reduction was from Cash Capital. City Manager Rohlf replied no, reductions would not create a safety concern, nor jeopardize the safety of the citizens.

Mr. Cloud advised that the City Manager’s FY 2020 Recommended CIP Percentage of General Fund – Cash Capital were as follows:

<table>
<thead>
<tr>
<th>General Fund (in millions)</th>
<th>FY 2020</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Buildings</td>
<td>$2,144,000</td>
<td>24%</td>
</tr>
<tr>
<td>Streets and Bridges</td>
<td>2,050,000</td>
<td>23%</td>
</tr>
<tr>
<td>Schools</td>
<td>2,000,000</td>
<td>22%</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,566,150</td>
<td>18%</td>
</tr>
<tr>
<td>Community Development</td>
<td>530,000</td>
<td>6%</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>300,000</td>
<td>3%</td>
</tr>
</tbody>
</table>
Mr. Cloud advised that the City Manager’s FY 2020 Revised CIP Percentage of General Fund – Cash Capital were as follows:

<table>
<thead>
<tr>
<th>General Fund (in millions)</th>
<th>FY 2020 Revised Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Buildings</td>
<td>$450,000</td>
<td>5%</td>
</tr>
<tr>
<td>Streets and Bridges</td>
<td>1,600,000</td>
<td>18%</td>
</tr>
<tr>
<td>Schools</td>
<td>4,400,000</td>
<td>50%</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,166,150</td>
<td>13%</td>
</tr>
<tr>
<td>Community Development</td>
<td>730,000</td>
<td>8%</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>450,000</td>
<td>5%</td>
</tr>
<tr>
<td>Environmental</td>
<td>100,000</td>
<td>1%</td>
</tr>
</tbody>
</table>

Councilwoman Cherry questioned how the funding for the schools would affect the SCOT Center. Mr. Cloud replied that Cash Capital did not include the SCOT Center, so the SCOT Center would not be affected.

Mr. Cloud advised that the City Manager’s FY 2020 Revised CIP Self Supporting Funds – Cash Capital for FY 2020 by category were as follows:

<table>
<thead>
<tr>
<th>Self-Supporting Fund (in millions)</th>
<th>FY 2020 Recommended Amount</th>
<th>FY 2020 Revised Amount</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewer Rehabilitations</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>Stormwater Drainage</td>
<td>2.9</td>
<td>8.0</td>
<td>5.1</td>
</tr>
<tr>
<td>Waterworks</td>
<td>9.2</td>
<td>9.2</td>
<td>-</td>
</tr>
<tr>
<td><strong>Self-Supporting Fund Total</strong></td>
<td><strong>$12.1</strong></td>
<td><strong>$17.2</strong></td>
<td><strong>$5.1</strong></td>
</tr>
</tbody>
</table>

Mr. Cloud advised of the Compliance with Financial Policies were as follows:
• **Policy:** Unassigned Fund Balance should be a minimum of 7.5% of actual General Fund Revenues from the previous fiscal year.
  - **Current Ratios:** 12.1%
    - **Projected FY 2020 Ratios:** N/A

• **Policy:** Debt burden ratio below 3.0% (outstanding general obligation debt to taxable real and personal property).
  - **Current Ratios:** 2.5%
    - **Projected FY 2020 Ratios:** 2.7%

• **Policy:** At least 20% of CIP is funded with cash capital. Equipment and infrastructure costing less than $250,000 is cash funded.
  - **Current Ratios:** N/A
    - **Projected FY 2020 Ratios:** 23.4%

• **Policy:** Ratio of debt service obligations to General Fund/School revenue shall not exceed 9.5%.
  - **Current Ratios:** 8.2% (FY 2020)
    - **Projected FY 2020 Ratios:** 8.7% (FY 2021)

• **Policy:** No less than 30% of outstanding general obligation debt is scheduled to be repaid within five years, and no less than 60% is scheduled to be repaid within ten years.
  - **Current Ratios:** 40% in five (5) years and 70% in ten (10) years
    - **Projected FY 2020 Ratios:** 39% in five (5) years and 68% in ten (10) years

*Cash Capital includes the addition of $4.0 million funded through the City’s Operating budget ($2.5 million for Vehicle Replacement and $1.5 million for IT Investment)*

With regards to Compliance with Financial Policies, Councilwoman Woodbury questioned whether the reduction and/or increases would affect the City’s bond rating. Mr. Cipriano replied with the debt burden and ratio of debt the City was pushing against the limit with the revised CIP, and reminded every time the City borrowed money, it reduced the City’s capacity in the operating budget to do one (1) year operating opportunities. She advised with the $42 million CIP, the City was at the top part of the City’s limit and comfort level, which was the reason to review and revise the FY 2020 CIP.
Councilwoman Scott questioned what would be the impact to borrow $40 million to complete some projects, rather than piecing together projects. She inquired whether that would change the City’s bond rating. Ms. Cipriano replied the City borrowed $82 million in January 2019 and hoped that the $82 million bond would last until July 2020. There would be a bond authorization available during the summer of 2019 for City Council to approve projects after City Council approved the FY 2020. Ms. Cipriano indicated if the City when out for FY 2019 and FY 2020, which was the $73 million, the City’s debt services would go from $46 million to $51 million in one (1) year or $10 million in two (2) years. Councilwoman Scott questioned whether that would change the City’s bond rating. Ms. Cipriano replied the bond rating agencies would question the City’s stability. City Manager Rohlf noted that bond rating agencies would characterize that as high debt loan/debt manageable. Councilwoman Scott explained that a lot of the projects looming were high dollar projects, and City Council was forced to sacrifice one project and move another project. She stated there had to be another way of getting some of the high dollar projects completed (i.e. Huntington Middle School, Warwick High School, Denbigh High School) which was $40 - $60 million for each project. City Manager Rohlf replied it came down to the available resources, and the only resource was the tax rate. She indicated that she did not wish to send a message that this was financially problematic, because it was not. When looking at other projects, staff needed to right side the CIP and Operating Budget, and needed to make the cutbacks to ensure the City was within a comfort level. The City was not in bad financial position, rather was planning ahead.

Vice Mayor Vick advised that Governor Ralph Northam and State Legislators were looking at being able to find other resources for public schools throughout Virginia. The City of Newport News needed to show support and inform Governor Northam and State Legislators how much the funding was needed.

City Manager Rohlf revisited Councilwoman Scott’s question about borrowing additional funds, and advised it was not about the projects, but was about the debt service and the balance. If the projects were all completed, and borrowed an additional $40 million in the operating budget, the City would not be able to do anything (i.e. new initiatives, new programs, operating cost at some of the facilities, employee raises, additional school funding, cutback in different programs), because that was where the impact was felt. She advised debt service was a legal obligation and came off the top. The City had been fortunate and was able to repurpose and make adjustments to live within its means. At some point, as part of the conversation, City Manager Rohlf anticipated discussing revenue and resources, which had to be apart of the equation. Ms. Cipriano indicated that when the City went out to borrow, that was a 20 year obligation. City Manager Rohlf shared there was a model in place that showed impact on the tax rate when adding projects. Vice Mayor Vick replied she would like to see the model.
Councilwoman Woodbury indicated that City Council had to prioritize and be realistic about what could be approved for the good of the entire City, and be One City. She wanted the resources to be good for all, but had to prioritize what the City found affordable.

Councilwoman Cherry indicated that she understood that projects had to be prioritized, but Huntington Middle School still needed to be rebuilt. City Manager Rohlf replied the rebuilding of HMS was listed on the FY 2020 – FY 2024 City Manager’s Revised CIP General Fund – GOB Funded Projects at $37 million (a copy of the presentation, “FY 2020 – FY 2024 City Manager’s Revised CIP General Fund – GOB Funded Projects”, is attached and made a part of these minutes). Councilwoman Cherry questioned whether the $37 million was for the school or entire campus. City Manager Rohlf replied only for the school.

City Manager Rohlf shared there would be a Joint Meeting with the School Board on June 25, 2019 at the City Council Work Session and part of the conversation would include the campus type approach and design of what the school campus should look like. There could be a community center in the out year as part of the campus. The campus consisted of a seven (7) block area with a September timeframe as far as a Master Plan and street closure. With the added one-third tract there would be better amenities. She was advised that the conceptual design included the entire site. The $2.8 million was on the City side, not funded on the school side.

Councilwoman Cherry indicated, while discussing the bond rate, it was the comment about low income. City Manager Rohlf replied that was the initiative in the Operating Budget to put funding toward the Brooks Crossing Workforce Center, the jobs the City was trying to create which was a part of the Economic Development. The way to begin changing, and stop getting the same comment, every year was called Community Wealth Building. She advised that community Wealth Building was not just for the bond rating, but for the overall economic health of communities throughout the entire City.

Ms. Cipriano advised that the FY 2020 – FY 2024 City Manager’s Revised CIP General Fund – GOB Funded Projects actual five (5) year plan – project-by-project, and the year each project would be funded (a copy of the presentation, “FY 2020 – FY 2024 City Manager’s Revised CIP General Fund – GOB Funded Projects”, is attached and made a part of these minutes). She indicated, following numerous discussions at City Council Work Sessions, the FY 2024 CIP was intentionally left blank, which was how to give the capacity to move projects further out. It was not always desirable, but something necessary to smooth the debt and smooth the funding issues and be able to give capacity for growth and for larger or substitute projects. The Cash Capital was funded from the General Operating Budget and was set, and would begin July 1, 2019.
III. Comments / Ideas / Suggestions

Councilwoman Scott thanked the City Manager Rohlf, her staff and the Department of Budget and Evaluations, and staff, for all of the work on the revised FY 2020 Capital Improvement Plan.

Vice Mayor Vick indicated there was a long road ahead with the implementation of the CNI; however, she attended a CNI Community Celebration, held on Saturday, June 8, 2019, 11:00 a.m. – 3:00 p.m., at the Ridley Recreation Center (618 - 18th Street). The event described the CNI process, informational sessions on homeownership opportunities. Credit counselors discussed how to prepare and fix one’s credit. It was an excellent event, with excellent attendance of approximately 30 people, who were engaged and appreciative all of the information provided. She thanked all of the partners involved – the Hampton Roads Community Action Program, Newport News Redevelopment and Housing Authority, Habitat for Humanity, the Virginia Cooperative Extension, and City staff. She gave kudos to Ms. Yugonda Sample-Jones who knocked on doors and got residents involved.

Mayor Price requested support of a Resolution of Support for Gun Violence Reduction Legislation (a copy of the draft, “Resolution of Support for Gun Violence Reduction Legislation”, is attached and made a part of these minutes). He asked City Council to review the draft resolution and make consideration at the June 25, 2019 City Council Work Session.

THERE BEING NO FURTHER BUSINESS

ON MOTION, COUNCIL ADJOURNED 6:13 P.M.

Zina F. Middleton, MMC
Chief Deputy City Clerk

McKinley L. Price
Mayor
Presiding Officer

A true copy, teste:

City Clerk
F. Consent Agenda

3. Minutes of the Regular Meeting of June 11, 2019

**ACTION:**
- N/A

**BACKGROUND:**
- N/A

**FISCAL IMPACT:**
- N/A

**ATTACHMENTS:**
Description
Minutes of Regular Meeting for June 11, 2019
MINUTES OF REGULAR MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE CITY COUNCIL CHAMBERS
2400 WASHINGTON AVENUE
JUNE 11, 2019
7:00 P.M.

PRESENT: Tina L. Vick; Dr. Patricia P. Woodbury; Saundra N. Cherry, D. Min; Marcellus L. Harris III; David H. Jenkins; McKinley L. Price, DDS; and Sharon P. Scott, MPA

ABSENT: None

A. Call to Order

Mayor Price called the meeting to order, and extended a welcome to all in attendance. He identified the procedure for citizen participation regarding items on the Council agenda, as well as the opportunity for citizens to address City Council on matters germane to the business of the Council. He explained matters that were germane to the business of Council meant matters that the City Council, by law, were empowered to act upon. This did not include announcements that were personal to an individual, business, or organization. He pointed out the availability of copies of the ordinance highlighting citizen participation, and encouraged citizens to review the document.

Mayor Price requested that cell phones and/or pagers be silenced or turned off.

B. Invocation

The invocation was rendered by Reverend Anne Kirchmier, St. Andrew’s Episcopal Church.

C. Pledge of Allegiance to the Flag of the United States of America

The Pledge of Allegiance to the Flag of the United States of America was led by Boy Scouts of America, Troop 27, Grace United Methodist Church. Scouts included: John Paul Sommer, Luke Wojtas, Jake Marmon, Nathan Hodges, Ethan Clinkenbeard, Lucas Covey, Levi Robbins, Jackson Robbins, and Riley Beltz. The scouts were accompanied by Scout Master Thomas Lovell, and Assistant Scout Masters John Wojtas, and Rodney Beltz.

D. Presentations

None

E. Public Hearings

1. Ordinance Authorizing the City Manager to Execute a Deed of Easement for a Utility Easement on a Portion of City-owned Property Located at 1451-48th Street (Copeland Park)

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE
E. Public Hearings Continued

1. Ordinance Authorizing the City Manager to Execute a Deed of Easement for a Utility Easement on a Portion of City-owned Property Located at 1451-48th Street (Copeland Park) Continued

CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN DEED OF EASEMENT BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND VIRGINIA ELECTRIC AND POWER COMPANY, D/B/A DOMINION ENERGY VIRGINIA, DATED THE 11TH DAY OF JUNE, 2019, FOR AN EASEMENT ACROSS CITY-OWNED PROPERTY LOCATED AT 1451-48TH STREET, NEWPORT NEWS, VIRGINIA. This ordinance authorized the City Manager to execute a Deed of Easement for a utility easement on a portion of City-owned property located at 1451-48th Street (Copeland Park) to relocate overhead service lines. At its May 28, 2019 Regular Meeting, City Council received one bid in response to a request to receive bids for granting a utility easement over City-owned property located at 1451-48th Street in Copeland Park. The easement was needed to relocate overhead service lines in the 48th Street right-of-way, to underground lines that would cross the property associated with Copeland Park facilities. The successful bidder was Dominion Energy Virginia, with a bid of $4,683.00. The City Manager recommended approval.

(No registered speakers)

Councilwoman Scott moved closure of the public hearing; seconded by Councilman Harris.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

Councilwoman Woodbury moved adoption of the ordinance as shown above; seconded by Councilwoman Scott.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

2. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article II, Definitions; Section 45-201, Definitions of Certain Words and Terms; By Adding the Definition of Short-Term Rental

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II, DEFINITIONS, SECTION 45-201, DEFINITION OF CERTAIN WORDS AND TERMS, BY ADDING THE DEFINITION OF SHORT-TERM RENTAL. This ordinance amended and reordained the City Code, Chapter 45, Zoning Ordinance; Article II, Definitions; Section 45-201, Definitions of Certain Words and Terms; by adding the definition of Short-Term Rental. This
E. Public Hearings Continued

2. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article II., Definitions; Section 45-201, Definitions of Certain Words and Terms; By Adding the Definition of Short-Term Rental Continued

amendment provided a definition of Short-Term Rental in the zoning ordinance. On May 1, 2019, the City Planning Commission voted unanimously 9:0 to recommend adoption of the amendment. The City Manager recommended approval.

Mr. Doug Marmon, 67 Queens Court, Newport News, advised that he and his neighbors had an issue over the weekend of June 8, 2019 with an Airbnb rental (short-term rental property) located at 5 Valentine Court. The property was set up as a party rental, with a maximum occupancy of 50, from 3:00 p.m. – 2:00 a.m. Mr. Marmon requested asked that the definition of a short-term rental be specifically identified in the ordinances being considered by City Council. Anytime the party rental was brought into a residential area, the rental should be restricted to a certain occupancy, and the duration of the stay should be a standard time for someone on vacation, and not just an overnight stay in a residential area.

Councilwoman Scott moved closure of the public hearing; seconded by Councilman Harris.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

Councilwoman Scott advise that the matter should be referred back to the Planning Commission rather than City Council taking action. She advised there were so many moving parts to the ordinance. She believed City Council had an opportunity to do a better job. She advised that she had met with members of the Hospitality Association, and numerous citizens. She was appreciative of what the City was attempting, but thought it should be done properly the first time, rather than continuing to revisit matters as done in the past. Remanding it back to the Planning Commission would help to establish a more refined ordinance to present to the public.

Councilwoman Scott moved to refer the matter back to the Planning Commission, adoption of the ordinance as shown above; seconded by Councilwoman Cherry.

Councilwoman Woodbury advised that she also met with members of the Hospitality Association, who had a good proposal for short-term rentals which had not been considered, such as liability issues, permits, and the length of stay in the short term rentals. She believed it was important that City Council send the matter back to the Planning Commission, with the suggestions offered by the Hospitality Association, in order for the matter to provide protection for the community, and for the residents. The issue of Airbnb rentals (short-term rent-
E. Public Hearings Continued

2. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article II., Definitions; Section 45-201, Definitions of Certain Words and Terms; By Adding the Definition of Short-Term Rental
Continued

al property) had not been well received. Although City Council could not vote against all Airbnb rentals, there could be guidelines established, e.g. there should be taxes paid to the City, and liability insurance should be required.

Vice Mayor Vick commented, even though short term rentals occurred across America, and Airbnb rental property did exist in the City of Newport News. She wanted to ensure that City Council reviewed all aspects, to include taking into account what localities similar to Newport News were doing with regard to Airbnb rental property, to include some safety measures to keep the citizens safe.

Councilwoman Scott added that she and City Manager Rohlf discussed the matter in further detail. They realized there were several elements that were not included in the ordinance which should be addressed.

Councilwoman Cherry agreed with her colleagues. She indicated that City Council did not have enough information to make a decision about the issue of short-term rentals. As an information person, it was her desire to have as much information possible prior to making a decision on the matter.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

Mayor Price sought advice about the remaining ordinances dealing with short-term rental property. City Attorney Owens advised that citizens should be given an opportunity to speak. The public hearings should be closed, because there would likely be a new ordinance provided by the Planning Commission, and an advertisement for new public hearings before the Planning Commission and the City Council.

3. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article IV., Summary of Uses by District; Section 45-402, Summary of Uses by District; By Amending Permitted Uses “B” Residential

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, ARTICLE IV., SUMMARY OF USES BY DISTRICT, SECTION 45-402, SUMMARY OF USES BY DISTRICT, BY AMENDING PERMITTED USES “B” RESIDENTIAL. This ordinance amended and reordained the City Code, Chapter 45, Zoning Ordinance; Article IV., Summary of Uses by District; Section 45-402, Summary of Uses by Dis-
E. Public Hearings Continued

3. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article IV., Summary of Uses by District; Section 45-402, Summary of Uses by District; By Amending Permitted Uses “B” Residential

District; by amending Permitted Uses “B” Residential. The purpose of this amendment was to establish the zoning districts in which short-term rentals would be allowed. On May 1, 2019, the City Planning Commission voted unanimously 9:0 to recommend adoption of the amendment. The City Manager recommended approval.

(No registered speakers)

Councilwoman Scott moved closure of the public hearing; seconded by Councilwoman Woodbury.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

Councilwoman Scott moved to refer the matter back to the Planning Commission, adoption of the ordinance as shown above; seconded by Councilwoman Woodbury.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

4. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article V., General Regulations; By Adding Thereto a New Section, Namely; Section 45-517.1, Short Term Rentals

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, ARTICLE V., GENERAL REGULATIONS, BY ADDING THERETO A NEW SECTION, NAMELY: SECTION 45-517.1, SHORT TERM RENTALS. This ordinance amended and reordained the City Code, Chapter 45, Zoning Ordinance; Article V., General Regulations; by Adding Thereto a new Section, Namely: Section 45-517.1, Short Term Rentals. This amendment established criteria that must be met to balance allowing short-term rentals, while maintaining the overall character of residential neighborhoods. On May 1, 2019, the City Planning Commission voted unanimously 9:0 to recommend adoption of the amendment. The City Manager recommended approval.

Mayor Price reminded citizens, if they had spoken on this topic at the Public Hearing of the May 28, 2019 Regular Meeting of City Council, they were not allowed to speak again, as this was a continuation of that Public Hearing.
E. Public Hearings Continued

4. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article V., General Regulations; By Adding Thereto a New Section, Namely; Section 45-517.1, Short Term Rentals Continued

Mr. David Jones, General Manager of the Holiday Inn & Suites, and member of the Newport News Hospitality Association (NNHA), commented on proposed additional regulations on short-term rentals from the NNHA. Mr. Jones shared the following additional proposed regulations: (1) have platform accountability; (2) penalties for non-compliance; (3) apply safety measures (outdoor cameras); (4) must adhere to State lodging regulations; (5) platform must remove non-compliant listings; (6) must be ADA (Americans With Disabilities Act) compliant; (7) a cap on the number of nights/days the property could be rented. The NNHA proposed 90 nights/days per year; (8) include permit fee to administer programs to enforce/be the watchdog for the City (NNHA suggested the company, Host Compliance); and (9) limited to single-family residence, no multi-family rental.

Mr. Jones added the following tourism statistics for Newport News: (1) $223 million was generated in Hampton Roads from tourism, from March 2018 to March 2019; (2) $23 million tax revenue was from restaurants; (3) $13 million in tax revenue from hotels; and (4) one in nine people were in the hospitality industry, meaning there was a grave concern that jobs would be lost if regulations were not added.

Mr. Jones shared a major concern was the possibility of human trafficking. He added the following statistics: (1) the Cities of Newport News, Hampton, Chesapeake, Norfolk, and Virginia Beach had 98 new cases from October 2016 - December 2017. The Hampton Roads area was ranked #5 in the State; (2) Virginia was ranked #15 in the Nation; (3) In the first quarter of 2017, 83 cases were reported in Virginia; (4) In March 2018, experts claimed that the Hampton Roads area was a hub for human trafficking; and (5) It only takes one incident to make National news. Mr. Jones urged members of City Council to remit the ordinance back to the Planning Commission for further discussion and exploration (a copy of Mr. Jones remarks are attached and made a part of these minutes).

Vice Mayor Vick referenced Mr. Jones comment about not allowing Airbnb (short-term rentals) in a multi-family dwelling, and asked for clarification. Mr. Jones replied the NNHA wanted to limit Airbnb (short-term rentals) to single family dwellings, as opposed to multi-family properties, whether apartment complexes or multi-family rental houses.

Councilwoman Cherry urged citizens to speak their minds loud and clear on the matter of short-term rentals, and encourage other residents to attend the meetings of the Planning Commission to voice their issues, concerns, and ideas. She wanted the matter addressed more broadly, and not solely from the NNHA, but others as well.

Mr. Blaine Dorsey, 2311 Radius Way, Hotel General Manager of the Courtyard Newport News Airport, and City resident, advised, within the past 30 days, the hotel had received six leads that were lost, for long-term rentals, of 90 plus days. One loss was from a
E. Public Hearings Continued

4. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article V, General Regulations; By Adding Thereto a New Section, Namely; Section 45-517.1, Short Term Rentals Continued

medical solutions company for 91 days. This lead, at an average rate of $139, amounted to approximately $12,649 worth of room revenue lost, or $1,770.86 worth of taxes. The NNHA urged the City to limit the platform, meaning a renter could stay no more than 90 days. The NNHA further urged that the renters be monitored through the company Host Compliance. The NNHA encouraged City Council to refer the matter back to the Planning Commission for further discussion. He advised members of the Hotel Association would be honored to participate in the discussion.

Mr. Chris Simpson, advised that he worked for a hospitality management firm which managed a hotel in the City of Newport News, and shared that he was also a Newport News resident. He advised that cities did not win with Airbnb (short-term rentals) as they were untaxable, not regulated, and were unknown to visitors to the City. Newport News was a great City and the hotel industry wanted to ensure they provided a product in which they could be proud. Airbnb rentals were unknown and the hotel industry were not aware of what type establishment visitors walked into. The industry wanted to be aware of the visitor’s experiences. It would take only one bad experience to leave a bad feeling. Mr. Simpson shared that Airbnb rentals were described as a quaint home sharing service, but had grown into a corporate entity that made millions of dollars from businesses taking advantage of loopholes and running defector hotels, taking away from the legitimate hotels in town that were being inspected, following codes, rules and regulations. He advised that his firm had identified 165 listings, representing 113 unique rentals in Newport News. The median nightly rate was $70.00. Eighty percent (80%) of the listings were single-family homes. There had been 154% growth annually, which was expected to increase. Mr. Simpson shared that Airbnb tourism could change the character of a neighborhood and conversion of long-term rentals could affect housing availability. He further shared that visitors were unaware of the local rules, and unfair competition could lead to hotel job loss. Short-term renters would not necessarily care about keeping good quality neighborly relations. Mr. Simpson urged City Council to remit the short-term rental ordinance back to the Planning Commission to allow further exploration of terms, opportunities, and further development (a copy of Mr. Simpson’s remarks are attached and made a part of these minutes).

Mr. Brandon Johnson, Director of Sales, Newport News Marriott at City Center, indicated that everyone was in agreement of the opportunity to evaluate short-term rentals deeper. He shared that the NNHA had a meeting with members of the City’s Planning staff, and felt that the ordinance was a strong starting point. There were not inclusion in the ordinance that the NNHA would recommend striking, but there were a number they would recommend adding. It was agreed to ask the City Council remit the matter back to the Planning Commission to continue the conversation.

Councilwoman Scott moved closure of the public hearing; seconded by Councilwoman Woodbury.
E. Public Hearings Continued

4. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article V., General Regulations; By Adding Thereto a New Section, Namely; Section 45-517.1, Short Term Rentals Continued

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

Councilwoman Scott moved to refer the matter back to the Planning Commission, adoption of the ordinance as shown above; seconded by Councilwoman Woodbury.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

F. Consent Agenda

Vice Mayor Vick moved adoption of the Consent Agenda, Items 1 through 5, all inclusive, as shown below; seconded by Councilman Jenkins.

1. Minutes of the Work Session of May 28, 2019

(No registered speakers)

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

2. Minutes of the Special Meeting of May 28, 2019

(No registered speakers)

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

3. Minutes of the Regular Meeting of May 28, 2019

(No registered speakers)

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None
F. Consent Agenda Continued

4. Resolution of Recognition: USS Newport News (SSN 750) Commissioning 30th Anniversary

A RESOLUTION OF RECOGNITION FOR THE USS NEWPORT NEWS (SSN 750) COMMISSIONING 30TH ANNIVERSARY. The Los Angeles-class nuclear submarine, USS Newport News, was commissioned in June, 1989 after being constructed by the Newport News Shipbuilding and Dry Dock Company. This submarine was the eighth vessel to bear the name of the City, and the third to see naval service. Since its commissioning in June 1989, the submarine USS Newport News steamed approximately 700,000 nautical miles, visited 40 foreign ports, and made four transits of the Panama Canal in support of the nation’s defense. The USS Newport News provided Tomahawk strike warfare and intelligence support during Operation Desert Storm, Operation Desert Fox, Operation Iraqi Freedom and during the Global War on terrorism. The USS Newport News was highly decorated, had been awarded the Southwest Asia Service Medal, with two bronze stars, two Artic Service Ribbons, the Sea Service Deployment Ribbon, with three bronze stars, a Meritorious Unit Citation, a Navy Unit Citation, and the Sea Service ribbon, with one silver star and one bronze star. In 2011, the USS Newport News received both the Battle Effectiveness (Battle "E") and the Marjorie Sterrett Battleship Fund Awards. After a successful 2011 North Atlantic deployment, the USS Newport News underwent a major overhaul. In 2016, the USS Newport News was back in action, completing a six-month deployment, which involved visits to Norway, Gibraltar, Greece, and a transit of the Suez Canal. In 2018, the USS Newport News completed a successful European Command deployment, during which the crew took part in multiple events designed to strengthen the bonds between the United States and the United Kingdom. The motto of the USS Newport News, Magni Nominis Umbra ("In the Shadow of a Great Name") links the submarine to its Namesake City, as well as the careers of previous naval ships that carried the name Newport News. The City Council acknowledged and congratulated Commander David W. Fassel and the crew of the USS Newport News (SSN 750), and all who served on board the vessel, on the 30th Anniversary of the submarine’s commissioning, and for its distinguished and decorated service to the nation.

(No registered speakers)

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

5. Resolution of Recognition: Newport News Shipbuilding Athletic Program 100th Anniversary

A RESOLUTION OF RECOGNITION FOR THE NEWPORT NEWS SHIPBUILDING ATHLETIC PROGRAM’S 100TH ANNIVERSARY. The Apprentice School at Newport News Shipbuilding would celebrate its 100th Anniversary on July 1, 2019. The Athletic Program at the Apprentice School would also celebrate its 100th Anniversary on July 1, 2019. The first sports team established at the Apprentice School was football in 1919, followed by
F. Consent Agenda Continued

5. Resolution of Recognition: Newport News Shipbuilding Athletic Program 100th Anniversary Continued

basketball and baseball teams, established in 1921. Edward J. Robeson was named the first Athletic Director of the Apprentice School in 1923. In 1926, Maroon and Gold were first used as official school colors, and Maroons used as the first school nickname. The school nickname was changed to the Builders. In 1932, track and field was added to the athletic program, followed by wrestling in 1937, and golf and tennis in 1938. In 1934, the Apprentice Athletic Building opened and served the school until 1972, when it was closed prior to the opening of the Apprentice Athletic Center in 1972. The Athletic Program of the Apprentice School became recognized by the National Collegiate Athletic Association (NCAA) in 1986. In 1994, Women’s Basketball was added as the first female sport in the athletic program, followed by Women’s Wrestling in 2019. Over its history, the Apprentice School Athletic Program saw many championship victories, including the Men’s Basketball Team becoming the State Amateur Athletic Union (AAU) Champions in 1937; the Women’s Basketball team winning the United States Collegiate Athletic Association (USCAA) National Championship in 2001 and 2002; the Men’s Basketball teams winning the USCAA National Championships in 2002 and 2003; the Baseball team winning the USCAA National Championship in 2007 and 2015; Wrestling winning the National Collegiate Wrestling Association (NCWA) National Championship in 2009; golfer Ben Hunter winning the USCAA Golf Titles in 2010 and 2013; and the Football Team winning the National Club Football Association (NCFA) National Championship in 2018. The City Council recognized and congratulated the coaches, staff, and athletes of the Apprentice School at Newport News Shipbuilding’s Athletic Program for their dedication, success, and extended best wished for continued success and development.

(No registered speakers)

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

G. Other City Council Actions

1. Resolution Authorizing and Directing the City Manager to Execute Any and All Documents Necessary to Effectuate the FY 2018 Choice Neighborhoods Initiative (CNI) Implementation Grant Agreement Between the City of Newport News, Virginia and the U.S. Department of Housing and Urban Development (HUD)

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN FY 2018 CHOICE NEIGHBORHOODS IMPLEMENTATION GRANT AGREE-
G. Other City Council Actions Continued

1. Resolution Authorizing and Directing the City Manager to Execute Any and All Documents Necessary to Effectuate the FY 2018 Choice Neighborhoods Initiative (CNI) Implementation Grant Agreement Between the City of Newport News, Virginia and the U.S. Department of Housing and Urban Development (HUD) Continued

MENT BY AND BETWEEN THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, THE NEWPORT NEWS REDEVELOPMENT AND HOUSING AUTHORITY, AND THE CITY OF NEWPORT NEWS. This resolution authorized and directed the City Manager to execute any and all documents necessary to effectuate the FY 2018 CNI Implementation Grant Agreement between the City of Newport News and the U.S. Department of Housing and Urban Development. The CNI was a U.S. Department of HUD program that leveraged public and private investments to replace distressed public housing and transform neighborhoods of concentrated poverty into neighborhoods of opportunity. The three core goals of CNI are housing, people, and neighborhoods. In 2016, the City of Newport News (City) and the Newport News Redevelopment and Housing Authority (NNRHA) were awarded a $500,000 CNI Planning Grant from HUD to develop a Transformation Plan for the Ridley Place public housing site and the surrounding Marshall-Ridley Choice Neighborhood. Having been a finalist in FY 2017, the City and NNRHA were awarded a $30 million CNI Implementation Grant for FY 2018. As a condition of the grant, the co-applicants, the City, and NNRHA were required to sign and return the Grant Agreement prior to June 21, 2019. The City Manager recommended approval.

(No registered speakers)

Councilwoman Woodbury moved adoption of the above resolution; seconded by Vice Mayor Vick.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

H. Appropriations

None

I. Citizen Comments on Matters Germene to the Business of City Council

Mr. Antonio Thompson, P. O. Box 413, Newport News, quoted Bible scriptures from Revelation 6:4, and Romans 13:4. Mr. Thompson urged members of City Council to learn from the mass murders in Virginia Beach (Twelve people were killed Friday, May 31, 2019, after a disgruntled city employee fatally shot 12, and wounded five others. This was the deadliest mass
I. Citizen Comments on Matters Germaine to the Business of City Council
Continued

shooting in America since November 2018). Citizens needed to learn how to effectively deter future mass murders. He shared the following solutions that should be carefully followed: (1) bring together all legal fire-armed citizens and some illegal fire-armed citizens to promote and strongly encourage the collective will of all fire-armed citizens to take part as partners with the Police Department to help better protect and serve. Mr. Thompson suggested that every one of sound mind and body must be given a gun to defend themselves. He advised that the Police would be unable to arrive on the scene quick enough in a mass shooting, particularly not as quick as a fire-armed citizen already on site. Mr. Thompson reminded that he had been a strong advocate for firearms and teaching young people how to use firearms.

Ms. Ashley Foster, 630 Riverbend Court, #102, Newport News, shared her wonderful experience as a member of the Newport News Police Department (NNPD) Citizen Police Academy (CPA). Over a twelve week period, the group was able to interact with both police officers and civilians of the department in a very positive way. They met dedicated K-9 officers and their loyal and well-trained partners. They learned about possible ways to identify gang members and gang activity, and the various methods the officer use to decrease the gang presence in the community. The group was made aware of the many community outreach opportunities available throughout the City. Ms. Foster shared that the most valuable part was the being able to interact with members of the Newport News Police Department in a safe and comfortable setting. The CPA allowed citizens to educate themselves. She recalled one member that was not fond of law enforcement. As the weeks went by, the questions were less skeptical, and the individual showed more interest. Following her speech at graduation, the individual admitted to having a good time, transforming from not wanting to participate to being sad the CPA had come to an end. The NNPD made a huge stride toward a safer and unified community. Ms. Foster thanked the NNPD for the life-changing opportunity.

Ms. Lena Holmes, 75 Wellesley Drive, #223, Newport News, shared that she was a member of the Pinecroft Senior Citizens, and had joined other seniors by participating in the NNPD Police Citizen Police Academy for Seniors (CPAS). She advised that it was an interesting and educational program. She shared how impressive the speakers were, to include information shared on weapons, narcotics, and missing persons. She was especially impressed by the camaraderie and the respect shown by members of the NNPD. Ms. Holmes was pleased with the relationship between the NNPD and the Sheriff’s Office, particularly reaching out to the youth, giving them a better perspective of what police officers did. She encouraged citizens to get involved and participate in a Newport News Police Academy.

Ms. Cassady Pope, 410 Hoiser Street, Newport News, shared that she was a graduate of the NNPD Citizen Police Academy for Youth (CPAY). She commented that her experience in CPAY was amazing. During the week-long academy, she had the opportunity to see the K-9 unit, learned about forensics, and the marine patrol unit. Discussions involved teen-related topics to include teen dating violence, choices and consequences. CPAY helped her get engaged with the NNPD, and inspired her to enroll in a forensics class at school. She met new
I. Citizen Comments on Matters Germanc to the Business of City Council

Continued

people and created a bond with her peers and the men and women in the NNPD. Ms. Pope indicated the CPAY was not only educational, but also fun, and signed up to attend another session. She extended thanks to the NNPD for the opportunity to participate in the CPAY.

Ms. Brenda Ferguson, 5006 Roanoke Avenue, Newport News, commented about her increased tax assessment, and inquired whether City Council could lower her taxes. She suggested salary increases for those employees providing service, i.e. police officers and teachers. Ms. Ferguson advised, if she had to pay more taxes, she would like to see the increased revenue go toward those working for the community. She complimented members of the NNPD, who were doing a great job. She had issued a complaint about loud music and large trucks in her neighborhood. Loud parties had become a problem. Ms. Ferguson inquired whether the City could collaborate with the Department of Codes Compliance to provide a solution to the noise and keep the community safe and sound.

Mayor Price explained that City Council did not control tax assessments. It was the Treasurer’s Office that handled the distribution of tax bills and the collection of taxes. Councilwoman Woodbury advised that Ms. Ferguson could appeal her assessment to the Board of Review of Real Estate Assessments. Mayor Price advised that the information for the Board of Review could be found on the tax assessment card she received. Ms. Ferguson questioned whether City Council could help if she filed an appeal. City Manager Rohlf asked Mr. David Freeman, Assistant to the City Manager, City Manager’s Office to meet with Ms. Ferguson to obtain further information.

Mr. Dion Witherspoon, 926-19th Street, Newport News, shared that he was a Therapeutic Mentor and Behavioral Counselor with the Hampton-Newport News Community Services Board (CSB), and spoke on behalf of the Huntington High School Alumni Association. He shared his observation of the favorable reaction among Council members when the City Manager mentioned the $30 million grant award received from the U.S. Department of Housing and Urban Development (HUD). He also advised, following the announcement of the $30 million grant award, City Council approved construction of a $31 million parking garage in City Center. He indicated money played a vital role in what was done and what was not done. On behalf of the Huntington High School Alumni Association, he inquired what would be as most beneficial for the community – a free parking garage or a school. Regarding the rebuilding of Huntington Middle School, Mr. Witherspoon asked City Council to follow through on the promise made concerning the matter. He recalled City Manager Rohlf advising the HUD representatives that Newport News was awaiting for the funding to be approved prior to proceeding. He advised, the funding was approved, but the community was still waiting for something to be done, e.g., allocation of funds for the design and plan for Huntington Middle School. Mr. Witherspoon advised, as elected officials, City Council should fulfill its responsibility to the citizens of Newport News - for the needs and concerns of the people in the community. He acknowledged members of the Huntington High School Alumni Association and asked the members to show a raise of their hands. The members were present and waiting for something to be done.
I. Citizen Comments on Matters germane to the Business of City Council
   Continued

Ms. Jannie Bazemore, 1004 Hampton Avenue, Newport News, advised that she attended a very informative City Council Work Session, held earlier on Tuesday, June 11, 2019, and was pleased to hear the word Huntington mentioned in the Capital Improvements Plan (CIP) discussion. She expressed concern for the safety of the children as there was discussion about a Huntington campus. She questioned the incorporation of other buildings along with Huntington Middle School. She hoped the vision would be for buildings that were separate and apart from the Middle School so that unknown persons were not being brought into the building during school hours to avoid the overabundance of human traffic that would be hard to control (referring to the mass murders in Virginia Beach). Ms. Bazemore indicated that the school should be a separate project from the other visions the City may have. She advised that Huntington was a vital part of the community, not only downtown in the Southeast, but throughout the City as it was a magnet program which all children could attend. Every parent with an elementary school child should be present, in support of Huntington Middle School, as they would be effected.

Ms. Bazemore encouraged members of City Council to support the NNPS request for funds for Huntington Middle School, and that it be put on a faster track. She advised that the Huntington High School Alumni Association would continue to ask, and to work together, because they knew that “Huntington (Middle School) would rise again.”

Mr. James Lovett Jr., 25 Riverlands Drive, Apt. B, Newport News, representing members of the Huntington High School Alumni Association, concurred with the remarks made by Ms. Bazemore and Mr. Witherspoon.

Mr. Lovett advocated for salary increases for NNPS teachers. It was important that the teachers were paid for their hard work. He heard rumors of some teacher leaving the NNPS due to a lack of adequate pay.

Mr. Lovett advised that the City should demolish the old Huntington Middle School, and rebuild a replacement as soon as possible. He further encouraged the City to provide the $2.8 million for the design of Huntington Middle School and $50 million to rebuild the school.

Mr. Ernest Thompson, 645-19th Street, Newport News, expressed his excitement for the HUD grant award to the City of Newport News in the amount of $30 million. Mr. Thompson reminded that he worked with the CNI Transformation Project from its inception. He extended thanks to Ms. Sheila McAllister, Director, Department of Planning, who brought the CNI Transformation plan to the community’s attention. He recalled having the first application being rejected, but the team persevered and was a recipient of $30 million CNI Grant. Mr. Thompson advised that he had perused the CNI Implementation Grant Agreement and indicated there was a great deal of work to be done.
I. Citizen Comments on Matters Germaine to the Business of City Council Continued

Mr. Thompson reminded that one of the goals mentioned about the Choice Neighborhood was education – effective schools. It also referenced people and responsive needs to the surrounding neighborhoods. And under neighborhoods, good schools was mentioned. City Manager Rohlf shared that Huntington Middle School was promised and was really going to happen. Mr. Thompson expressed his hope that this would become reality, and that a brand new Huntington Middle School could be constructed within a short amount of time, so that the children in the Southeast Community could experience a beautiful new school to attend and bring the community back to life.

Ms. Pam Hall, P. O. Box 9041, Hampton, a resident of the Southeast Community, stated, “Run, Hide, Fight,” was the shortened version of civilian response to active shooter events. She shared the website www.everytown.org, reported, in 2019, 45 incidents of gun violence on school grounds had occurred, but there was no way to count the emotional injury suffered by the children. While vying for the $30 million HUD grant, the City assured Secretary of HUD, Dr. Ben Carson, that the citizens of Newport News and the Newport News School Board, there would be a new Huntington Middle School. She inquired now that the funds were awarded, when the citizens and the School Board could expect the funding to be appropriated and approved for the disbursement for Huntington Middle School. Ms. Hall could foresee free adult education classes in partnership with Thomas Nelson Community College and Newport News Public Schools in the evenings, to include English as a Second Language (ESL) and GED diploma classes. This would complement the new Newport News Workforce Center slated to open in the summer of 2019, supported by a five-year grant, which would support accessible workforce and training services at the Brooks Crossing Innovation and Opportunity Center. Ms. Hall indicated it was abysmal that the citizens would have to continue to plead for funding for Huntington Middle School. She suggested that members of City Council stand by their word. She shared there was no time wasted to appropriate over $31 million to W. M. Jordan with its winning bid of over $21.5 million for a fourth parking garage. Ms. Hall questioned whether W. M. Jordan would have to return its surplus funds to the City if the project was completed under budget. Ms. Hall concluded her comments with the following from the Daily Press: “The entire millennial cohort is getting older and the oldest of them are turning 39 this year. If previous generations are an indicator, then this generation will also push toward the suburbs from inner cities as they age, marry, and raise their children. It must become a high priority to capture as many graduating college students as possible to ensure this region remains economically viable and vibrant for generations to come.”

J. Old Business, New Business and Councilmember Comments

Vice Mayor Vick moved that a resolution be adopted to authorize the execution of Addendum No. 2 to the employment contract of the City Manager. A copy of the resolution was provided to the members of City Council and is shown below.
J. Old Business, New Business and Councilmember Comments Continued

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN ADDENDUM NO. 2 DATED THE 11TH DAY OF JUNE, 2019, TO THE AGREEMENT BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND CYNTHIA D. ROHLF, CITY MANAGER.

Vice Mayor Vick moved adoption of the above resolution; seconded by Councilwoman Woodbury.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

Vice Mayor Vick indicated it was great to hear from Ms. Ashley Foster, who shared her experiences after participating and graduating from the Newport News Police Citizen Police Academy (CPA). The CPA was a great opportunity for citizens to get to know and interact with the police officers.

Vice Mayor Vick extended heartfelt thoughts and prayers to the victims, and their families, of the mass shootings in Virginia Beach (Twelve people were killed Friday, May 31, 2019, after a city employee fatally shot 12, and wounded five others. This was reported to be the deadliest mass shooting in America since November 2018). Vice Mayor Vick extended her best regards to Virginia Beach Mayor, Bobby Dyer, and members of the Virginia Beach City Council, and complimented the Virginia Beach First Responders for their professional handling of this horrific tragedy.

Vice Mayor Vick extended congratulations to all of the graduates. It was great to see their excitement and enthusiasm. She spoke with many of the graduates, some who had acquire jobs and were able to remain in the City of Newport News.

Vice Mayor Vick attended a CNI Community Celebration, held on Saturday, June 8, 2019, 11:00 a.m. – 3:00 p.m., at the Ridley Recreation Center, located a 618-18th Street. The event described the CNI process. She thanked all of the partners involved – the Hampton Roads Community Action Program, Newport News Redevelopment and Housing Authority, Habitat for Humanity, the Virginia Cooperative Extension, and all of the City staff.

Councilwoman Woodbury extended thanks and congratulations to all of the young people, and seniors for their participation in the Newport News Police Department (NNPD) Citizen Police Academy (CPA). It was important for all to be involved.

Councilwoman Woodbury extended congratulations to all of the high school graduates.
J. Old Business, New Business and Councilmember Comments Continued

Councilwoman Woodbury extended thoughts and prayers to Mr. Adrian Whitcomb, an active and dedicated citizen, and leader of the Citizens for Riverview Farm Park. Mr. Whitcomb had attended every City Council meeting advocating on behalf of Riverview Farm Park and the City Farm property. Mr. Whitcomb underwent surgery and was still recovering.

Councilwoman Woodbury warned all to be careful that Newport News would not lose City Manager Rohlf. Councilwoman Woodbury accompanied the City Manager to a business in Industrial Park on Friday, June 7, 2019, where the owner offered City Manager Rohlf a job on the spot for successfully driving and operating a forklift.

Councilwoman Woodbury moved that a resolution be adopted to authorize the execution of Addendum No. 14 to the employment contract of the City Clerk. A copy of the resolution was provided to the members of City Council and is shown below.

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AND THE CHIEF DEPUTY CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTIN ADDENDUM NO. 14 DATED THE 11TH DAY OF JUNE, 2019, TO THE AGREEMENT BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND MABEL WASHINGTON JENKINS, FORMERLY KNOWN AS MABEL V. WASHINGTON, CITY CLERK.

Councilwoman Woodbury moved adoption of the above resolution; seconded by Vice Mayor Vick.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

Councilwoman Cherry thanked the citizens for their attendance and participation, and for sharing their thoughts, concerns, and ideas.

Councilwoman Cherry also extended heartfelt thoughts and prayers to the victims, and their families, of the mass shootings in Virginia Beach (Twelve people were killed Friday, May 31, 2019, after a city employee fatally shot 12, and wounded five others. This was reported to be the deadliest mass shooting in America since November 2018).

Councilwoman Cherry extended congratulations to all of the high school graduates. She extended special congratulations to her nephew, Jacoby Nelson, on graduating from the fifth grade at Hidewood Elementary School. Councilwoman Cherry wished Jacoby a Happy Birthday, who would celebrate his 11th birthday on Tuesday, June 18, 2019.
J. Old Business, New Business and Councilmember Comments Continued

Councilwoman Cherry extended congratulations to Chief Drew and the NNPD, for the promotion ceremony, held on Wednesday, June 5, 2019, 7:00 p.m., at the Downing-Gross Cultural Arts Center (2410 Wickham Avenue). She extended thanks to all of the new officers of the NNPD. She thanked them for their commitment and dedication to the residents of Newport News, and looked forward to continue working with them.

Councilwoman Cherry extended thanks to Mr. Everett Skipper, Director, Department of Engineering, the NNPD, and the United States Navy for their support and presentation at the Your Voice Matters South District Town Hall Meeting, held on Thursday, June 6, 2019, 6:00 p.m. – 7:30 p.m., at the Brittingham-Midtown Community Center (2570 McLawhorn Drive). She advised the dialogue was specifically about the Huntington Heights traffic calming measures. She thanked Mr. Skipper for the work done by him and his staff to bring resolution to some of the concerns. Additional conversation was needed, but expressed thanks for all of the work already done. Councilwoman Cherry also extended thanks to the many residents that attended and participated in that meeting. She promised the residents that the City was committed to continue to work to bring together some resolution for the traffic calming in the Huntington Heights area.

Councilwoman Cherry extended congratulations to Chief Jeff Johnson, Newport News Fire Department (NNFD), graduation ceremony for the Sixth Fire Academy, held on Monday, June 10, 2019, 6:00 p.m., in Freeman Hall, at Christopher Newport University (One University Place). She thanked Chief Johnson and the men and women of the NNFD for all they do to help bring awareness about what the Fire Department does.

Councilwoman Cherry announced that the Annual Juneteenth Freedom Festival was scheduled for Saturday, June 15, 2019, 12 noon – 4:00 p.m., at Brooks Crossing, in front of Piggly Wiggly (3101 Jefferson Avenue). This promised to be a free, fun-filled event for all. Interested vendors or exhibitors were instructed to contact the City Clerk’s Office at (757) 926-8634.

Councilman Harris thanked the citizens for their attendance and participation, and for sharing their thoughts, concerns, and ideas.

Councilman Harris extended condolences to the citizens that were impacted by the tragedy in Virginia Beach, as well as the families in Newport News that had been affected by the tragedy (Twelve people were killed Friday, May 31, 2019, after a city employee fatally shot 12, and wounded five others. This was reported to be the deadliest mass shooting in America since November 2018).

Councilman Harris extended congratulations to all of the high school graduates. It was exciting to see the youth moving on to their next phase in life as they commenced into young adulthood.
J. Old Business, New Business and Councilmember Comments Continued

Councilman Harris highlighted one young lady that he had the opportunity to work with, Ms. Hailey McLean, who was the 2019 Valedictorian at Denbigh High School, graduating with a 4.4 GPA. Hailey planned to continue her education at the University of Virginia, in Charlottesville, Virginia. Councilman Harris extended best wishes to Hailey, as he watched and mentored her from her freshman year to her senior year. Councilman Harris extended congratulations to Ms. Hailey McLean, and all of the high school graduates.

Councilman Harris moved that a resolution be adopted to authorize the execution of Addendum No. 8 to the employment contract of the City Attorney. A copy of the resolution was provided to the members of City Council and is shown below.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN ADDENDUM NO. 8 DATED THE 11TH DAY OF JUNE, 2019, TO THE AGREEMENT BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND COLLINS L. OWENS, JR., CITY ATTORNEY.

Councilman Harris moved adoption of the above resolution; seconded by Councilwoman Cherry.

Vote on Roll Call:
Ayes: Vick, Woodbury, Cherry, Harris, Jenkins, Price, Scott
Nays: None

Councilwoman Scott thanked the citizens for their attendance and participation and voicing their opinions and concerns. She advised, as always, her belief in open government, as was the reason that she started holding town hall meetings 17 years ago.

Councilwoman Scott extended condolences to the citizens that were impacted by the tragedy in Virginia Beach (Twelve people were killed Friday, May 31, 2019, after a city employee fatally shot 12, and wounded five others. This was reported to be the deadliest mass shooting in America since November 2018). She explained that she was on vacation overseas when the news travelled around the world that the mass shooting took place in Virginia Beach. More important, her heart went out to the elected leaders in Virginia Beach. She applauded the leaders and first responders for the manner in which they took charge of the situation. She extended prayers to them as they continued to raise funds to support the families impacted by the tragedy.

Councilwoman Scott extended congratulations to all of the high school graduates in Newport News Public Schools, particularly, her granddaughter, Aaliyah Scott. Aaliyah graduated with a 3.89 GPA, and planned to continue her education at Virginia Commonwealth University in Richmond, Virginia. Councilwoman Scott congratulated and extended best wishes to Aaliyah.
J. Old Business, New Business and Councilmember Comments Continued

Councilwoman Scott commended Ms. Elizabeth McCoury, Redevelopment Project Manager, Department of Development, who does an awesome job with the free informational sessions offered throughout the City of Newport News, to include a session for first time homebuyers. Councilwoman Scott applauded Ms. McCoury for her efforts, and encouraged citizens to take advantage of the opportunities offered, particularly those who wanted to be in business.

Councilwoman Scott announced the next North District Town Hall Meeting would be held on Monday, June 24, 2019, 7:00 p.m., at the Denbigh Community Center (15198 Warwick Boulevard). There would be Open Discussion. All citizens were welcome to attend to share their ideas.

Councilwoman Scott advised that she was heavy-hearted, and would miss one of her favorite police officers, Captain Jill Daszkowski, NNPD, North District, who retired. Councilwoman Scott advised that Captain Daszkowski had played a vital role in the success of the North District Town Hall Meetings, by attending, engaging with the citizens, sharing important information, and addressing the concerns of the citizens. Councilwoman Scott extended congratulations to Captain Daszkowski on her retirement from the NNPD. She would be missed.

Councilwoman Scott announced there would be a Books on Bikes Kickoff event on Wednesday, June 12, 2019, 5:00 p.m. – 7:00 p.m., at the Denbigh Community Center (15198 Warwick Boulevard). She advised the group literally rode bikes, and distributes books to any child who wanted to read during the summer. She encouraged citizens to attend and show support for Ms. Karen Ciotta, and her group, as they continued to advocate for literacy.

Councilwoman Woodbury extended congratulations to her grandson, Michael O’Flynn, who would graduate from the 8th grade at Booker T. Washington, on Thursday morning, June 13, 2019.

Councilwoman Cherry announced that the Your Voice Matters South District Town Hall Meeting, that would normally be held on Thursday, June 13, 2019, would not be held (the meeting typically held on the second Thursday of each month, was held on June 6, 2019, at the Brittingham-Midtown Community Center (570 McLawhorne Drive).

Councilwoman Cherry announced the next Your Voice Matters South District Town Hall Meeting, scheduled for the Downing-Gross Cultural Arts Center (2410 Wickham Avenue) would be held on Thursday, June 20, 2019, 6:00 p.m. – 7:30 p.m. This would be the Annual Summer Ice-Cream Social. All were welcome to attend.

K. Adjourn

Mayor Price adjourned the meeting by addressing the citizens. He stated, “May what you say and do uplift the City of Newport News.”
 THERE BEING NO FURTHER BUSINESS,  
ON MOTION, COUNCIL ADJOURNED AT 8:15 P.M.  

Mabel Washington Jenkins  
Mabel Washington Jenkins, MMC  
City Clerk  

McKinley L. Price, DDS  
Mayor  
Presiding Officer  

A true copy, teste:  
City Clerk
G. Other City Council Actions

1. Ordinance Amending and Reordaining City Code Chapter 2, Administration; Article XX., Office of Purchasing; Division 1., Generally; Section 2-553.5, Job Order Contracting; Limitations; Section 2-555.1., Modification of Contract; and Division 3., Competitive Negotiation; Section 2-569.2., Public Notice

ACTIONS: ORDINANCE AMENDING AND REORDAINING CITY CODE CHAPTER 2, ADMINISTRATION; ARTICLE XX., OFFICE OF PURCHASING; DIVISION 1., GENERALLY; SECTION 2-553.5, JOB ORDER CONTRACTING; LIMITATIONS; SECTION 2-555.1., MODIFICATION OF CONTRACT; AND DIVISION 3., COMPETITIVE NEGOTIATION; SECTION 2-569.2., PUBLIC NOTICE.

BACKGROUND: • The General Assembly approved revisions to the Virginia Public Procurement Act (VPPA) to increase the annual limit for job order contracts from $5,000,000 to $6,000,000 and remove the requirement for newspaper publication of Request for Proposals (RFP) for professional services.

• A revision is also requested for City Code Section 2-555.1 Modification of Contract, clarifying that the defined modification limits and approval requirements relate to fixed-price contracts.

• The requested changes will align the City Code with the VPPA, effective July 1, 2019.

• The City Manager recommends approval.

FISCAL IMPACT: N/A

ATTACHMENTS:
Description
Memo to HCC re Purchasing Ordinance Amendment 6.19.19
sdm16935 Sec. 2-553.5, 2-555.1 and 2-569.2
TO: The Honorable City Council

FROM: City Manager

SUBJECT: Ordinance Amendment for Office of Purchasing

City Council is requested to adopt amendments to City Code Chapter 2, Administration, Article XX, Office of Purchasing; Section 2-553.5., Job Order Contracting; limitations; Section 2-555.1., Modification of Contract; and Section 2-569.2, Public Notice; to be effective on July 1, 2019.

The General Assembly approved revisions to the Virginia Public Procurement Act (VPPA) that are effective July 1, 2019. These revisions increase the annual limit for job order contracts from $5,000,000 to $6,000,000 and remove the requirement for public bodies to publish Request for Proposals (RFP) in a newspaper of general circulation provided the RFP is posted on the State Department of General Services' central electronic procurement website.

In addition, a change to Section 2-555.1; Modification of Contract is requested to clarify that the defined modification limits and approval requirements relate to fixed-price contracts. Each of these changes will align City Code with the VPPA.

I recommend approval.

Cynthia D. Rohlf

CDR:SMG:gws

cc: Susan Goodwin, Director, Department of Finance
ORDINANCE NO. ______________

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE XX., OFFICE OF PURCHASING, DIVISION 1., GENERALLY, SECTION 2-553.5, JOB ORDER CONTRACTING; LIMITATIONS; SECTION 2-555.1, MODIFICATION OF CONTRACT; AND DIVISION 3., COMPETITIVE NEGOTIATION, SECTION 2-569.2, PUBLIC NOTICE.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

1. That Chapter 2, Administration, of the Code of the City of Newport News, Virginia, Article XX., Office of Purchasing, Division 1., Generally, Section 2-553.5, Job order contracting; limitations; Section 2-555.1 Modification of contract; and Division 3., Competitive Negotiation, Section 2-569.2, Public notice, be, and the same hereby is, amended and reordained, as follows:

CHAPTER 2

ADMINISTRATION

ARTICLE XX. OFFICE OF PURCHASING

DIVISION 1. GENERALLY

Sec. 2-553.5. Job order contracting; limitations.

(a) A job order contract may be awarded for multiple jobs, provided (i) the jobs require similar experience and expertise, (ii) the nature of the jobs is clearly identified in the solicitation, and (iii) the contract is limited to a term of one year or when the cumulative total project fees reach the maximum authorized in this section, whichever occurs first. Contractors may be selected through either competitive sealed bidding or competitive negotiation.

(b) Such contracts may be renewable for two additional one-year terms at the option of the city. The fair and reasonable prices as negotiated shall be used in determining the cost of each job performed, and the sum of all jobs performed in a one-year contract term shall not exceed five million dollars ($5,000,000.00). Individual job orders shall not exceed five hundred thousand dollars ($500,000.00).

(c) For the purposes of this section, any unused amounts from one contract term shall not be carried forward to any additional term.
(d) Order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed in subsection (b) is prohibited.

(e) No job order shall be issued or used under a job order contract, solely for the purpose of receiving professional architectural or engineering services that constitute the practice of architecture or the practice of engineering as those terms are defined in §54.1-400 of the Code of Virginia. However, professional architectural or engineering services may be included on a job order where such professional services (i) are incidental and directly related to the job, (ii) do not exceed $25,000 per job order, and (iii) do not exceed $75,000 per contract term.

(f) Job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass.

Sec. 2-555.1. Modification of contract.

(a) A contract may include provisions for modification of the contract during performance, but no fixed price contract which has been approved by the city council, the city manager, or his designee, may be modified or changed by amendment, change order, or any other agreement without the prior approval of the city council, the city manager, or his designee, unless (i) such modifications, in the aggregate, do not increase the amount of the contract by more than twenty-five (25) percent of the original amount of the contract or fifty thousand dollars ($50,000.00), whichever is greater, (ii) such changes are the result of unforeseen circumstances or changed conditions encountered during the progress of the performance of the contract, and (iii) such changes are directly related to the performance of the purpose of the contract. The city manager, or his designee, may extend the term of an existing contract for services to allow completion of any work undertaken but not completed during the original term of the contract. In no event shall the aggregate of all modifications increase the cost of the contract beyond the amount appropriated for the project.

(b) The provisions of this section shall not limit the amount a party to a city contract may claim or recover against the city pursuant to section 2-577 or any other applicable ordinance or regulation. Modifications made by the city that fail to comply with this section are voidable at the discretion of the city, and the unauthorized approval of a modification cannot be the basis of a contractual claim as set forth in section 2-577.

DIVISION 3. COMPETITIVE NEGOTIATION

Sec. 2-569.2. Public notice.

At least ten (10) days prior to the date set for receipt of proposals, public notice shall be
given by posting on the City’s website or the State’s Department of General Services’ central electronic procurement website, or both, and by publication may be published in a newspaper or newspapers of general circulation in the area in which the contract is to be performed so as to provide reasonable notice to the maximum number of offerors that can be reasonably anticipated to submit proposals in response to the particular request. In addition, proposals may be solicited directly from potential contractors.

2. That this ordinance shall be in effect on and after July 1, 2019.
G. Other City Council Actions

2. Ordinance Amending and Reordaining City Code Chapter 39, Swimming Pools; Article II., Public Pools; Division 1., Generally; Section 39-30, Telephones

**ACTION:** A REQUEST TO ADOPT AN ORDINANCE AMENDING AND REORDAINING CITY CODE, CHAPTER 39, SWIMMING POOLS; ARTICLE II., PUBLIC POOLS; DIVISION 1., GENERALLY; SECTION 39-30, TELEPHONES.

**BACKGROUND:**
- Section 39-30 of the City Code requires that a hard-wired telephone capable of contacting emergency agencies (police, fire, etc.) shall be readily available within one hundred (100) feet of the pool area at all times while the pool is open.
- A change has been proposed to delete the requirement that the telephone must be a hard-wired telephone.
- The City Manager recommends approval.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

- Memo to HCC re Chpt 39 Sec. 39-30 Telephones Amend 6.19.19
- sdm16926 Sec. 39-30, Telephones
CITY OF NEWPORT NEWS
OFFICE OF THE CITY MANAGER

June 19, 2019

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Ordinance Amending Chapter 39, Swimming Pools; Sec. 39-30

Chapter 39, Swimming Pools; Article II., Public Pools; Division 1., Generally; Section 39-30, Telephones; of the City Code requires that a telephone be available within one hundred (100) feet of the pool area of any public pool.

The City Attorney has advised that a change has been proposed to delete the requirement that the telephone must be a hard-wired telephone and requests City Council’s approval.

I recommend approval.

[Signature]

Cynthia D. Rohlf

CDR:sdm

Attachment

cc: Alan K. Archer, Assistant City Manager
    Thomas Franck, MD, MPH, Peninsula Health Department
    Harold Roach, Director, Department of Codes Compliance
ORDINANCE NO. ______________

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 39, SWIMMING POOLS, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., PUBLIC POOLS, DIVISION 1., GENERALLY, SECTION 39-30, TELEPHONES.

BE IT ORDAINED by the Council of the City of Newport News, Virginia:

That Chapter 39, Swimming Pools, of the Code of the City of Newport News, Virginia, Article II., Public Pools, Division 1., Generally, Section 39-30, Telephones, be, and the same hereby is, amended and reordained as follows:

CHAPTER 39

SWIMMING POOLS

ARTICLE II. PUBLIC POOLS

DIVISION 1. GENERALLY

Sec. 39-30. Telephones.

A **hard wired** telephone capable of contacting emergency agencies (police, fire, etc.) shall be readily available within one hundred (100) feet of the pool area at all times while the pool is open.
G. Other City Council Actions

3. Ordinance Amending and Reordaining City Code, Chapter 40, Taxation; Article I., General Provisions and Exemptions; Division 2., Exemptions Generally; Section 40-7.06, Exemption for Disabled Veterans; and Section 40-7.07, Exemption for Surviving Spouses of Members of the Armed Forces Killed in Action

**ACTION:** A REQUEST TO ADOPT AN ORDINANCE AMENDING AND REORDAINING CITY CODE, CHAPTER 40, TAXATION; ARTICLE I., GENERAL PROVISIONS AND EXEMPTIONS; DIVISION 2., EXEMPTIONS GENERALLY; SECTION 40-7.06, EXEMPTION FOR DISABLED VETERANS; AND SECTION 40-7.07, EXEMPTION FOR SURVIVING SPOUSES OF MEMBERS OF THE ARMED FORCES KILLED IN ACTION.

**BACKGROUND:**
- Section 40-7.06 of the City Code states that the surviving spouse of a disabled veteran is eligible for tax exemption if the surviving spouse continues to occupy the real property as his/her principal place of residence.
- Section 40-7.07 of the City Code states that the surviving spouse of surviving spouses of members of the armed forces killed in action are eligible for tax exemption if the surviving spouse continues to occupy the real property as his/her principal place of residence.
- The Code of Virginia, 1950, was amended to allow the exemption to apply without any restriction on the spouse's moving to a different principal place of residence.

The requested changes will align the City Code with the State Code, effective July 1, 2019.

- The City Manager recommends approval.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**
- Memo to HCC re Chpt 40 Taxation Secs. 40-7.06 and 40-7.07 6.19.19
- sdm16907 Sec. 40-7.06 and Sec. 40-7.07
CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

June 19, 2019

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Ordinance Amending Chapter 40, Taxation; Sections 40-7.06 and 40-7.07

City Council is requested to adopt an ordinance authorizing amendments to City Code, Chapter 40, Taxation; Article I., General Provisions and Exemptions; Division 2., Exemptions Generally; Section 40-7.06, Exemption for Disabled Veterans; and Section 40-7.07, Exemption for Surviving Spouses of Members of the Armed Forces Killed in Action; to provide that the tax exemption will follow a survivor of a deceased disabled veteran should he or she move to a different residence.

The City Attorney has advised that changes have been made to the Code of Virginia, 1950, as amended, that require an update to the City Code.

I recommend approval.

[Signature]
Cynthia D. Rohlf

CDR: sdm

Attachment

cc: Tiffany Boyle, Commissioner of the Revenue
ORDINANCE NO. ______________

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 40, TAXATION, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE I., GENERAL PROVISIONS AND EXEMPTIONS, DIVISION 2., EXEMPTIONS GENERALLY, SECTION 40-7.06, EXEMPTION FOR DISABLED VETERANS AND SECTION 40-7.07, EXEMPTION FOR SURVIVING SPOUSES OF MEMBERS OF THE ARMED FORCES KILLED IN ACTION.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

1. That Chapter 40, Taxation, of the Code of the City of Newport News, Virginia, Article I., General Provisions and Exemptions, Division 2., Exemptions Generally, Section 40-7.06, Exemption for disabled veterans, and Section 40-7.07, Exemption for surviving spouses of members of the armed forces killed in action, be, and the same hereby is, amended and reordained, as follows:

CHAPTER 40
TAXATION

ARTICLE I. GENERAL PROVISIONS AND EXEMPTIONS

DIVISION 2. EXEMPTIONS GENERALLY

Sec. 40-7.06. Exemption for disabled veterans.

(a) Pursuant to Section 6-A of Article X of the Constitution of Virginia, there is hereby exempted from taxation the real property, including the joint real property of husband and wife, of any veteran who has been rated by the United States Department of Veterans Affairs, or its successor agency, pursuant to federal law, to have a one hundred percent (100%) service-connected, permanent, and total disability, and who occupies the real property as his principal place of residence. The land area to be exempted as part of the principal place of residence shall not exceed one acre.

(b) The surviving spouse of a veteran eligible for the exemption set forth in this section shall also qualify for the exemption, so long as the death of the veteran occurred on or after January 1, 2011, and the surviving spouse does not remarry, and the surviving spouse continues to occupy the real property as his/her principal place of residence. The exemption applies without any restriction on the spouse’s moving to a different principal place of residence.
(c) The veteran, or surviving spouse, claiming the exemption under this section shall file with the commissioner of the revenue on forms to be supplied by the city, an affidavit or written statement (i) setting forth the name of the disabled veteran, and the name of the spouse, if any, also occupying the real property, (ii) indicating whether the property is jointly owned by a husband and wife, and (iii) certifying that the real property is occupied as the veteran’s, or surviving spouse’s, principal place of residence and (iv) The veteran shall also provide documentation satisfactory to the commissioner of the revenue from the United States Department of Veterans Affairs, or its successor agency, indicating that the veteran has a one hundred percent (100%) service-connected, permanent, and total disability. The taxable status of real property is determined on the first day of the tax year, i.e. July 1 of each year, and the exemption hereby granted shall be prospective only. However, the veteran, or the surviving spouse, shall be required to re-file the information mandated by this subsection only if the veteran’s principal place of residence changes. In the event a surviving spouse of a veteran claims the exemption, the surviving spouse shall also provide documentation satisfactory to the commissioner of the revenue that the veteran’s death occurred on or after January 1, 2011.

Sec. 40-7.07. Exemption for surviving spouses of members of the armed forces killed in action.

(a) Pursuant to subdivision (b) of Section 6-A of Article X of the Constitution of Virginia, and effective with the tax year of July 1, 2015 and thereafter, there is hereby exempted from taxation the qualified dwelling and the land upon which it is situated, not to exceed one acre, of the surviving spouse (i) of any member of the armed forces of the United States who was killed in action as determined by the United States Department of Defense and (ii) who occupies the real property as his principal place of residence.

(b) Only those dwellings within the city with assessed values in the most recently ended tax year that are not in excess of the average assessed value for such year of a dwelling situated on property that is zoned as single family residential shall qualify for the exemption under this article. Single family homes, condominiums, town homes, and other types of dwellings of surviving spouses that (i) meet this requirement and (ii) are occupied by such persons as their principal place of residence shall qualify for the real property tax exemption.

For purposes of determining whether a dwelling is exempt from property taxes, the average assessed value shall be such average for all dwellings located within the city that are situated on property zoned as single family residential.

(c) The surviving spouse of a member of the armed forces killed in action shall qualify for the exemption so long as the surviving spouse does not remarry and continues to occupy the real property as his principal place of residence. The exemption applies without any restriction on the spouse’s moving to a different principal place of residence.
(d) For the purposes of this exemption, real property of any surviving spouse of a member of the armed forces killed in action includes real property (i) held by a surviving spouse as a tenant for life, (ii) held in a revocable *inter vivos* trust over which the surviving spouse holds the power of revocation, or (iii) held in an irrevocable trust under which the surviving spouse possesses a life estate or enjoys a continuing right of use or support. The term does not include any interest held under a leasehold or term of years.

(e) In the event that (i) a surviving spouse is entitled to an exemption under this section by virtue of holding the property in any of the three ways set forth in subsection (d), and (ii) one or more other persons have an ownership interest in the property that permits them to occupy the property, then the tax exemption for the property that otherwise would have been provided shall be prorated by multiplying the amount of the exemption by a fraction that has a numerator the number of surviving spouses who are qualified for the exemption pursuant to this section and has a denominator the total number of people having an ownership interest that permits them to occupy the property.

In the event that the principal residence is jointly owned by two or more individuals, not all of whom qualify for the exemption, and no person is entitled to the exemption under this section by virtue of holding the property in any of the three ways set forth in subsection (d) then the exemption shall be prorated by multiplying the amount of the exemption by a fraction that has a numerator the percentage of ownership interest in the dwelling held by all such joint owners who qualify for the exemption, and as a denominator, 100 percent.

(f) The surviving spouse claiming the exemption under this section shall file with the commissioner of the revenue, or such other designated officer, on forms to be supplied by the city, an affidavit or written statement (i) setting forth the surviving spouse’s name, (ii) indicating any other joint owners of the real property, and (iii) certifying that the real property is occupied as the surviving spouse’s principal place of residence. The surviving spouse shall also provide documentation from the United States Department of Defense or its successor agency indicating the date that the member of the armed forces of the United States was killed in action.

The surviving spouse shall be required to refile the information required by this section only if the surviving spouse’s principal place of residence changes, and shall promptly notify the commissioner of the revenue of any remarriage.

2. That this ordinance shall be in effect on and after July 1, 2019.
G. Other City Council Actions

4. Ordinance Amending and Ordaining City Code, Chapter 40, Taxation; Article II., Real Estate Taxes; Division 3., Deferral For Elderly And Disabled Persons; Exemption For Qualifying Elderly Persons; Section 40-46, Definitions

ACTIONS:
ORDINANCE AMENDING AND ORDAINING CITY CODE, CHAPTER 40, TAXATION; ARTICLE II., REAL ESTATE TAXES; DIVISION 3., DEFERRAL FOR ELDERLY AND DISABLED PERSONS; EXEMPTION FOR QUALIFYING ELDERLY PERSONS; SECTION 40-46, DEFINITIONS.

BACKGROUND:
• Section 40-46 of the City Codes defines *Dwelling* as the full-time residence of the person or persons claiming deferral or exemption under this division.

• The requested change clarifies that the dwelling on which the tax deferral is applied shall include accessory structures that are not used for business purposes.

• The requested change will align the City Code with the State Code, effective July 1, 2019.

• The City Manager recommends approval.

FISCAL IMPACT:
• N/A

ATTACHMENTS:

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<tbody>
<tr>
<td>Memo to HCC re Chpt 40 Sec. 40-46 Definitions 6.19.19</td>
</tr>
<tr>
<td>sdm16908 Sec. 40-46, Definitions</td>
</tr>
</tbody>
</table>
TO: The Honorable City Council

FROM: City Manager

SUBJECT: Ordinance Amending Chapter 40, Taxation; Sec. 40-46

City Council is requested to adopt an ordinance authorizing an amendment to City Code, Chapter 40, Taxation; Article II., Real Estate Taxes; Division 3., Deferral For Elderly And Disabled Persons; Exemption For Qualifying Elderly Persons; Section 40-46, Definitions; to clarify that the dwelling on which the tax deferral is applied shall include accessory structures that are not used for business purposes.

The City Attorney has advised that changes have been made to the Code of Virginia, 1950, as amended, that require an update to the City Code.

I recommend approval.

Cynthia D. Rohlff

CDR: sdm

Attachment

cc: Tiffany Boyle, Commissioner of the Revenue
ORDINANCE NO. ______________

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 40, TAXATION, OF THE CODE
OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., REAL ESTATE TAXES,
DIVISION 3., DEFERRAL FOR ELDERLY AND DISABLED PERSONS; EXEMPTION FOR
QUALIFYING ELDERLY PERSONS, SECTION 40-46, DEFINITIONS.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News,
Virginia:

1. That Chapter 40, Taxation, of the Code of the City of Newport News, Virginia,
Article II., Real Estate Taxes, Division 3., Deferral for Elderly and Disabled Persons; Exemption for
Qualifying Elderly Persons, Section 40-46, Definitions, be, and the same hereby is, amended and
reordained as follows:

CHAPTER 40

TAXATION

ARTICLE II. REAL ESTATE TAXES

DIVISION 3. DEFERRAL FOR ELDERLY AND DISABLED
PERSONS; EXEMPTION FOR QUALIFYING ELDERLY PERSONS

Sec. 40-46. Definitions.

For the purpose of this division, the following words and phrases shall have the meanings
respectively ascribed to them by this section:

Affidavit. The real estate tax deferral or exemption affidavit provided for in this division.

Deferral. Deferral from the real estate tax of the city according to the provisions of this
division.

Dwelling. The full-time residence of the person or persons claiming deferral or exemption
under this division. Dwelling shall include an improvement to real estate which is exempt from
taxation or for which taxes are deferred pursuant to this division, and the land upon which such
improvement is situated, so long as the improvement is used principally for other than a business
purpose and is used to house or cover any motor vehicle classified pursuant to subdivision A 3
through 10 of §58.1-3503, of the Code of Virginia, 1950 as amended; household goods classified
pursuant to subdivision A 14 of §58.1-3503, of the Code of Virginia, 1950 as amended; or household
goods exempted from personal property tax pursuant to §58.1-3504, of the Code of Virginia, 1950 as amended.

Exemption. Release from real estate tax liability according to the provisions of this division.

Permanently and totally disabled. A person is permanently and totally disabled if such person is so certified as required in section 40-50(c) and is found by the city manager to be unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

Property. Real property and, in addition, mobile homes assessed pursuant to section 40-220.3.

Taxable year. The fiscal year, from July 1 until June 30, for which a deferral or exemption is claimed under this division. In the case of mobile homes assessed pursuant to section 40-220.3, the taxable year shall be January 1 until December 31, for which a deferral or exemption is claimed under this division.

2. That this ordinance shall be in effect on and after July 1, 2019.
G. Other City Council Actions

5. Resolution Authorizing and Directing the City Manager to Execute a Lease By and Between the City of Newport News and Parkview Community Center, for Continued Use as the Hilton Senior Center

**ACTION:** A REQUEST TO APPROVE A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A LEASE BY AND BETWEEN THE CITY OF NEWPORT NEWS AND PARKVIEW COMMUNITY CENTER FOR SPACE LOCATED AT 605 HILTON BOULEVARD, FOR CONTINUED USE AS THE HILTON SENIOR CENTER.

**BACKGROUND:**
- The Department of Parks, Recreation and Tourism has leased the Parkview Community Center for use as its Hilton Senior Center since 1981.
- The lease is for approximately 3,880 square feet of space used for recreation programming.
- The lease term will be a one (1) year period from July 1, 2019 to June 30, 2019, with an option to renew for four (4) additional years.

**FISCAL IMPACT:**
- Funding comes from the Recreation Program's annual operating budget.
- The City Manager recommends approval.

**ATTACHMENTS:**

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<tbody>
<tr>
<td>Memo to HCC re Parkview Comm Ctr Lease 6.19.19</td>
</tr>
<tr>
<td>sdm16884 Authorizing re Lease between Parkview Community Center and City</td>
</tr>
</tbody>
</table>
CITY OF NEWPORT NEWS
OFFICE OF THE CITY MANAGER

June 19, 2019

TO: The Honorable City Council
FROM: City Manager
SUBJECT: Parkview Community Center Lease - 605 Hilton Boulevard

The Department of Parks, Recreation and Tourism has been using the Parkview Community Center since 1981 as Hilton Senior Center by the Active Lifestyles division. The building houses activities and programs for citizens who are fifty and older. The lease is up for renewal, and the attached lease for the facility (located at 605 Hilton Boulevard) meets the needs of the Department.

The proposed lease renewal would be for 3,880 rentable square feet of space for recreation program use, for a term of one year, renewable for a subsequent four years. The annual rent for this space would be $5,700 per year, with a monthly rate of $475. The dates of this lease agreement will be July 1, 2019 through June 30, 2020.

It is requested that City Council approve the Resolution, authorizing execution of a proposed lease between the Parkview Community Center and the City of Newport News, as outlined above, subject to review and approval by the City Attorney’s Office, and authorize me to execute any documents necessary to effectuate the transaction.

I recommend approval.

Cynthia D. Rohlf

CDR: AKA: wmp

Attachment

cc: Michael D. Poplawski, Director, Department of Parks, Recreation, and Tourism
RESOLUTION NO. ________

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN LEASE BY AND BETWEEN PARKVIEW COMMUNITY CENTER AND THE CITY OF NEWPORT NEWS, VIRGINIA, DATED JUNE 25, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News, Virginia:

1. That it hereby authorizes and directs the City Manager to execute and the City Clerk to attest, on behalf of the City of Newport News, Virginia, that certain Lease by and between Parkview Community Center and the City of Newport News, Virginia, dated June 25, 2019.

2. That a copy of the aforesaid Lease is attached hereto and made a part hereof.

3. This resolution shall be in effect on and after the date of its adoption, June 25, 2019.
THIS LEASE is made this 25th day of June, 2019, by and between PARKVIEW COMMUNITY CENTER, a Virginia non-stock corporation, Lessor, and CITY OF NEWPORT NEWS, VIRGINIA, a municipal corporation of the Commonwealth of Virginia, Lessee.

WITNESSETH:

That in consideration of the rental below specified and of the covenants hereinafter stipulated, Lessor agrees to lease to Lessee the following described premises situated at 605 Hilton Boulevard in the City of Newport News, Virginia, (Parcel ID: 283.0003-06) legally described as Lot 15, Block 4, Parkview.

TO HAVE AND TO HOLD the demised premises unto Lessee for the term of one (1) year, commencing on the 1st day of July, 2019, and ending on the 30th day of June, 2020.

1. The rent for the term of this Lease is FIVE THOUSAND SEVEN HUNDRED and NO/100 DOLLARS ($5,700.00), payable without notice or demand in twelve (12) equal monthly installments of FOUR HUNDRED SEVENTY FIVE and NO/100 DOLLARS ($475.00) on the first day of each month commencing on July 1, 2019. Rent payments by Lessee are subject to annual appropriation by City Council.

2. The use of the said premises shall be for recreation purposes as well as other purposes of subleases, it being clearly understood between the parties hereto that Lessee may sublet the demised premises and retain the proceeds from such subletting. Lessee covenants that it will not use the premises, nor permit the use thereof, for any unlawful or disorderly purpose, nor commit nor permit a nuisance to be committed therein.

3. Lessor hereby agrees to furnish the premises with a heating unit (gas) and a refrigerator, both in good working order, at no charge to Lessee. Routine maintenance of same shall be the responsibility of Lessee, however, all major repairs and the replacement of said equipment
shall be the responsibility of Lessor.

4. Lessee shall pay for all utilities and heating oil.

5. Lessee has examined and knows the condition of the said premises, and shall maintain said property in good upkeep, normal wear and tear and damage by the elements excepted. It is expressly agreed between the parties hereto that Lessee shall be able to remodel, partition, paint (exterior and interior), or alter said property to accommodate Lessee without prior approval of Lessor. The aforesaid alterations shall remain a part of the premises at the conclusion of the term of this Lease. Lessee shall not be required to return the premises to its original condition upon termination of this Lease.

6. If the premises is damaged by fire or other casualty, Lessor may cause the damage to be repaired and the rent will be abated for such period of time as the premises remains untenantable, but if the premises is destroyed or so damaged the Lessor shall decide it is inadvisable to repair same, this Lease shall cease and terminate, and Lessee’s obligation to pay rent shall cease as of the date when such fire or casualty occurred.

7. Lessee covenants that at the expiration of said term, it will deliver without further demand, notice or legal proceeding, possession of said premises to Lessor; that Lessor may reenter for default of thirty (30) days in the payment of any installment of rent or for breach of any covenant herein contained.

8. Subsequent to the initial term of this Lease, all the terms and conditions of this Lease having been complied with by Lessee, Lessee has the option to renew this Lease for further terms of one year. Lessee shall be able to exercise such option four (4) times subsequent to the initial term of the Lease. Lessee shall, no less than thirty (30) days prior to the termination of any one of the
terms provided for herein, give notice to the Parkview Community Center Board of its intention to
exercise a renewal option.

9. Lessor covenants that Lessee shall have peaceful and quiet enjoyment of the premises
for the term of this Lease.

10. Lessee reserves the right to terminate this Lease, for any reason, upon thirty (30) days’
written notice to Lessor, if it is determined in Lessee’s sole discretion to be in the best interest of
Lessee. Termination of this Lease, or any renewal thereof, pursuant to this provision shall also
terminate Lessee’s obligation to pay further rent installments after the effective date of the
termination.

WITNESS the following signatures and seals:

PARKVIEW COMMUNITY CENTER

______________________________
By: Linda Norton
Its: President

CITY OF NEWPORT NEWS, VIRGINIA

______________________________
By: City Manager

ATTEST:

______________________________
City Clerk

APPROVED AS TO FORM:

______________________________
By: City Attorney

sdm16883
G. Other City Council Actions

6. Resolution to the Virginia General Assembly in Support of Gun Violence Prevention Legislation

**ACTION:** A REQUEST TO APPROVE A RESOLUTION TO THE VIRGINIA GENERAL ASSEMBLY IN SUPPORT OF GUN VIOLENCE REDUCTION LEGISLATION.

**BACKGROUND:**

- The City of Newport News has consistently worked to reduce gun violence in our City.

- The tragic events in Virginia Beach, Roanoke, and at Virginia Tech serve as grim reminders that gun violence has become all too common across the Commonwealth.

- We are deeply concerned that gun-related violence is endemic in our society, as shown by the fact that 58 percent of American adults or someone they care for have experienced gun violence in their lifetime.

- 100 Americans are killed with guns daily.

- We believe shooting deaths and injuries constitute a serious public safety issue.

- We believe that public safety is a core function of government and that it is the responsibility of lawmakers to protect those that they serve.

- We believe that when we put political ideology aside, it is possible to adopt common-sense policies that will reduce this carnage without infringing on the rights of law-abiding citizens.

- The City Council calls upon the members of the Virginia General Assembly to pass effective measures to protect all people from gun violence and the resulting life-long consequences and legislation that

  1. Provides local governments with the authority to regulate weapons in local government buildings and on local government property;
2. Requires universal background checks and periodic background check updates for all firearms and ammunition buyers;
3. Bans assault weapons, suppressors, bump stocks, and large capacity ammunition feeders;
4. Reinstate Virginia's one-gun-purchase-per-month law;
5. Requires timely reporting of lost and stolen firearms; and
6. Reduces access to firearms by individuals undergoing a mental health crisis.

FISCAL IMPACT: N/A

ATTACHMENTS:

Description
Memo to HCC re Gun Violence Prevention Legislation Support 6.19.19
sdm16938 Resolution In Support of Gun Violence Reduction Legislation
CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

June 19, 2019

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Resolution in Support of Gun Violence Prevention Legislation

Following the Virginia Beach mass shooting on May 31, 2019, Governor Ralph Northam called a Special Session of the Virginia General Assembly for July 9, 2019. This Special Session will be to address gun violence in the Commonwealth, which includes a bill banning high capacity bullet magazines like the ones used in Virginia Beach. Governor Northam also supports Emergency Protective Orders (EPO), one-gun-per-month purchase laws.

Public safety is a core function of government, and it is the responsibility of lawmakers to protect those they serve. With this resolution, the City Council calls upon the members of the Virginia General Assembly to pass effective measures to protect all people from gun violence and the resulting life-long consequences.

Cynthia D. Rohlf

CDR:MLP:jlt

cc: McKinley L. Price, DDS, Mayor
RESOLUTION NO. ________________

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA IN SUPPORT OF GUN VIOLENCE REDUCTION LEGISLATION.

WHEREAS, the City of Newport News has consistently worked to reduce gun violence in our City; and

WHEREAS, the tragic events in Virginia Beach, Roanoke, and at Virginia Tech serve as grim reminders that gun violence has become all too common across the Commonwealth; and

WHEREAS, we are deeply concerned that gun-related violence is endemic in our society as shown by the fact that 58 percent of American adults or someone they care for have experienced gun violence in their lifetime; and

WHEREAS, 100 Americans are killed with guns daily; and

WHEREAS, we believe shooting deaths and injuries constitute a serious public safety issue; and

WHEREAS, we believe that public safety is a core function of government and that it is the responsibility of lawmakers to protect those that they serve; and

WHEREAS, we believe that when we put political ideology aside it is possible to adopt common-sense policies that will reduce this carnage without infringing on the rights of law-abiding citizens.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News, Virginia:

1. That it calls upon the members of the Virginia General Assembly to pass effective measures to protect all people from gun violence and the resulting life-long consequences.

2. That it calls upon the members of the Virginia General Assembly to pass legislation that:
   a. Provides local governments with the authority to regulate weapons in local government buildings and on local government property;
   b. Requires universal background checks and periodic background check updates for all firearms and ammunition buyers;
   c. Bans assault weapons, suppressors, bump stocks, and large capacity ammunition feeders;
   d. Reinstates Virginia’s one-gun-purchase-per-month law;
   e. Requires timely reporting of lost and stolen firearms; and
   f. Reduces access to firearms by individuals undergoing a mental health crisis.
3. That this resolution shall be in effect on and after the date of its adoption, June 25, 2019.
H. Appropriations

ACTION: A REQUEST FOR A MOTION OF CITY COUNCIL TO APPROVE AS A BLOCK THE FOLLOWING APPROPRIATIONS.

1. Department of Engineering – Traffic Signal Improvements on Warwick Boulevard - $850,000

2. Department of Engineering – Flood Control and Water Quality Projects Throughout the City - $1,935,000
H. Appropriations

1. Department of Engineering - Traffic Signal Improvements on Warwick Boulevard - $850,000

ACTION: A REQUEST TO APPROVE A RESOLUTION APPROPRIATING $850,000 FOR TRAFFIC SIGNAL IMPROVEMENTS ON WARWICK BOULEVARD.

BACKGROUND:
• The purpose of the Traffic Signal Improvements is to install three mast arm traffic signals on Warwick Boulevard at 71st Street, Hidens Parking Exit and 67th Street.

• The improvements include the installation of pedestrian signal indications, pushbuttons, ADA compliant sidewalk ramps, pedestrian signage and pavement markings.

• Funding in the amount of $850,000 will be provided by Huntington Ingalls Incorporated, per the Newport News Shipbuilding Traffic Improvements Agreement, dated March 12, 2019.

• The City will be responsible for administering these projects.

• The City Manager recommends approval.

FISCAL IMPACT:
• Funding in the amount of $850,000 will be provided by Huntington Ingalls Incorporated, per the Newport News Shipbuilding Traffic Improvements Agreement, dated March 12, 2019.

ATTACHMENTS:
Description
Memo to HCC re Warwick Blvd Traffic Signal Improvements 6.19.19
Attachment-Location Map-Warwick Blvd Traffic Signal Improvements
sdm16949 Appropriation re Traffic Signal Improvements on Warwick Blvd
CITY OF NEWPORT NEWS
OFFICE OF THE CITY MANAGER

June 19, 2019

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Traffic Signal Improvements on Warwick Boulevard

City Council is requested to approve a resolution appropriating $850,000 for Traffic Signal Improvements on Warwick Boulevard.

The traffic improvements require the installation of three (3) mast arm traffic signals on Warwick Boulevard at 71st Street, Hidens Parking Exit, and 67th Street. Accommodations include pedestrian signal indications, pushbuttons, ADA compliant sidewalk ramps, pedestrian signage, and pavement markings.

Funding in the amount of $850,000 will be provided by Huntington Ingalls Incorporated, per the Newport News Shipbuilding Traffic Improvements Agreement dated March 12, 2019.

The project is currently in the design phase and construction is scheduled for the fall of 2019.

I recommend approval.

Cynthia D. Rohlf

CDR:EPS:wjr

Attachment

cc: Everett P. Skipper, Director, Department of Engineering
CITY OF NEWPORT NEWS, VIRGINIA

TRAFFIC SIGNAL IMPROVEMENTS ON WARWICK BOULEVARD
RESOLUTION NO. _____________

A RESOLUTION APPROPRIATING FUNDS FROM LOCAL REVENUE - HUNTINGTON INGALLS INCORPORATED TO TRAFFIC SIGNAL IMPROVEMENTS ON WARWICK BOULEVARD.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News:

That it hereby appropriates funds from Local Revenue - Huntington Ingalls Incorporated to Traffic Signal Improvements on Warwick Boulevard, as follows:

Appropriation From:

Local Revenue - Huntington Ingalls Incorporated
4004-000-00-0000-481000-640010-0000-00000-J2608

$ 850,000.00

Appropriation To:

Traffic Signal Improvements on Warwick Boulevard
4004-250-70-700J-579420-640010-0000-00000-J2608

$ 850,000.00
H. Appropriations

2. Department of Engineering - Flood Control and Water Quality Projects Throughout the City - $1,935,000

ACTION: A REQUEST TO APPROVE A RESOLUTION APPROPRIATING $1,935,000 FROM THE STORMWATER FUND BALANCE TO FY2019 STORMWATER CASH CAPITAL, FOR THE DESIGN AND CONSTRUCTION OF VARIOUS FLOOD CONTROL AND WATER QUALITY PROJECTS THROUGHOUT THE CITY.

BACKGROUND: • These funds will partially replace the approximately $7.1 million of FY2019 Stormwater bond funded projects that were planned in the FY2019 Capital Improvements Plan (CIP).

• Due to the delay in the execution of the FY2019 CIP, detailed project schedules and funding sources have been restructured, and have been presented as part of the City Manager’s revised FY2020-2024 Capital Improvements Plan.

FISCAL IMPACT: • Funding in the amount of $1,935,000 is available from the Stormwater Fund Balance.

• The City Manager recommends approval.

ATTACHMENTS:

Description
Memo to HCC re FY19 Citywide Stormwater Drainage Fund Appropriation 6.19.19
sdm16948 Appropriation re FY 2019 Stormwater Drainage Projects
CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

June 19, 2019

TO: The Honorable City Council

FROM: City Manager

SUBJECT: FY2019 Stormwater Drainage Projects Appropriation

City Council is requested to approve a resolution appropriating $1,935,000 from the Stormwater Fund Balance to FY2019 Stormwater Cash Capital for the design and improvement of various flood control and water quality projects throughout the City.

Due to the delay in the execution of the FY2019 CIP, detailed project schedules and funding sources have been restructured, and have been presented as part of the City Manager’s revised FY2020-2024 Capital Improvements Plan.

I recommend approval.

[Signature]
Cynthia D. Rohlf

CDR:EPS:me

Attachment

cc: Everett Skipper, Director, Department of Engineering
RESOLUTION NO. ________________

A RESOLUTION APPROPRIATING FUNDS FROM STORMWATER FUND BALANCE TO STORMWATER FUND GENERAL CAPITAL IMPROVEMENTS.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News:

That it hereby appropriates funds from Stormwater Fund Balance to Stormwater Fund General Capital Improvements, as follows:

Appropriation From:

Stormwater Fund Balance  
2540-000-00-0000-300999-000000-0000-00000 $ 1,935,000.00

Appropriation To:

Stormwater Fund General Capital Improvements  
2540-000-31-3174-594905-000000-0000-00000 $ 1,935,000.00
*I.  Citizen Comments on Matters Germane to the Business of City Council

J.  Old Business, New Business and Councilmember Comments

   City Manager
   City Attorney
   City Clerk

   Woodbury
   Cherry
   Harris
   Jenkins
   Price
   Scott
   Vick

K.  Adjourn

*THE BUSINESS PORTION OF THE MEETING WILL BE CONCLUDED NO LATER THAN 10:00 P.M. TO ALLOW PERSONS TO ADDRESS CITY COUNCIL UNDER “CITIZEN COMMENTS ON MATTERS GERMANE TO THE BUSINESS OF CITY COUNCIL.”