

ORDINANCE NO. 7539-19

AN ORDINANCE TO AMEND AND REORDAIN ORDINANCE NO. 5028-97 BY AMENDING THAT CERTAIN MAP ENTITLED, "ZONING DISTRICT MAP" (CONSISTING OF REAL ESTATE TAX ASSESSMENT MAPS 001 THROUGH 322 AND KEPT ON FILE IN THE OFFICES OF THE DEPARTMENTS OF CODES COMPLIANCE AND PLANNING) DATED THE 10TH DAY OF JUNE, 1997, WHICH SAID MAP IS MADE A PART OF THE SAID ORDINANCE NO. 5028-97.

WHEREAS, zoning application CZ-2019-0001 has been made by **THE LANDLOVERS, LLC, owner and applicant**, for the rezoning of the hereinafter described property from the present C1 Retail Commercial District to R5 Low Density Multiple-Family Dwelling District with written and voluntarily proffered conditions; and

WHEREAS, the application has been considered by the Planning Commission for 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:

Section 1. That Ordinance No. 5028-97 is hereby amended and reordained by amending that certain map entitled, "Zoning District Map" (Consisting of Real Estate Tax Assessment Maps 001 through 322 and kept on file in the offices of the Departments of Codes Compliance and Planning) dated the 10th day of June, 1997, which said Map is made a part of Ordinance No. 5028-97 by changing the following described property from the present C1 Retail Commercial District to R5 Low Density Multiple-Family Dwelling District with written and voluntarily proffered conditions:

Legal Description:

All that certain lot, piece or parcel of land situate, lying and being in the City of Newport News, (formerly Denbeigh Magisterial District, Warwick County) Virginia containing Two (2) Acres, more or less the said land is triangular in shape and is bounded on the north now or formerly by Phil Talton's Estate, on the west now or formerly by the Nance Mill Road and on the east by the U.S. Route #60 (now Old Courthouse Way) LESS AND EXCEPT all that certain lot, piece or parcel of land situate and being in the City of Newport News, Virginia, containing 0.62 Acres as show on that certain plat entitled,

“Plat of the Property of Macon A. Davenport, formerly part of the Property of Harry Douglas Watkins Newport News Virginia” made by John W. Lawson, Certified Land Surveyor, dated May 10, 1972 a copy of which plat is recorded in the Clerk’s Office of the Circuit Court for the City of Newport News, Virginia, in Deed Book 794, at page 183.

The property has a Real Estate Assessor Tax ID number 118.00-04-08. The property has a common street address of 14307 Old Courthouse Way.

Section 2. That the rezoning approved hereby is conditioned by a written and voluntarily proffered condition contained in the application and binding the development of the property as set forth in the exhibit, consisting of 2 pages and labeled "Exhibit A-7" attached hereto and made a part hereof. These conditions shall continue in effect until a subsequent amendment to the zoning of the property described in Section 1 hereof is adopted; provided, however, that the conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Section 3. 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.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON MARCH 26, 2019

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor

A true copy, teste:

City Clerk

Conditioned Proffer Statement for Change of Zoning

To: The Honorable Newport News City Council

Date: 1/7/2019
Application Number: _____

In reference to the above request for a change of zoning:

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



Owner or bona fide representative
KENTON R. MCCLUNG

Misty Jo Kennedy
Commission Expires: 9/30/21
Misty Jo Kennedy



Signed
01/07/2019

PROFFER STATEMENT FOR PROPOSED REZONING OF TAX PARCEL ID 118000408 – 14307 OLD COURTHOUSE WAY

Tax parcel ID 118000408 is currently zoned C1, and currently supports a vacant and deteriorated single-family residential structure built in 1955. The owner would like to rezone the property from C1 to R5 zoning, remove the existing residential structure, and redevelop the property to support 5 duplex buildings, yielding a total of 10 residential dwelling units. The proposed Subdivision of Courthouse Estates is intended to maximize greenspace by providing shared driveway access and sideload garage entry where possible. Accordingly, the owner/developer submits the following conditional proffers:

- 1) The proposed Courthouse Estates Duplex Subdivision will be prepared in general conformance with the submitted Preliminary Subdivision Exhibit prepared by Pennoni Associates dated January 7, 2019, subject to any additions and/or changes as required by City Departmental review, and dependent upon the final approval of the Director of Planning.
- 2) The owner will construct the duplex models as presented in this Rezoning Application, and identified as duplex plans "Duplex R1", "Duplex R2" and Duplex R3", as designed by Architect Paul Turok, subject to any changes as required by City Departmental Review.
- 3) The exterior finish of the proposed duplex units will be in general conformance with the colorized renderings prepared by Architect Paul Turok and included in this Application, with exterior colors identified by the Architect and the Owner as a Craftsmen style utilizing a muted pastel palette. In addition, the Architect has submitted the following exterior materials list to be used for the construction of the duplex units:

Roof: 30 year Architectural Shingles
 Fascia & Gutters: White metal wrap on 2x Fascia
 White metal gutters
 Deck Columns: White synthetic wrapped 6 x 6 post;
 Balustrade and pickets: White Painted hardwood;
 Gables: Cement Horizontal Plank Siding - painted; Cement board w/ 1x synthetic trim - painted
 Walls: Cement Horizontal Plank Siding w/ synthetic trim - painted
 Windows & Doors: White Vinyl
 Garage Door: Insulated white metal door with windows;
 Foundation Wall: Brick or Stone

- 4) The proposed Courthouse Estates Duplex Subdivision will be landscaped in general conformance with the Courthouse Estates Conceptual Planting Plan prepared by WPL dated January 7, 2019 included in this Rezoning Application, subject to any additions and/or changes as required by City Departmental review, and dependent upon the final approval of the Director of Planning.