

ORDINANCE NO. 7928-23

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, conditional zoning application CZ-2023-0001 has been made by **H and S ASSOCIATES, 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, conditioned by 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, conditioned by written and voluntarily proffered conditions:

The Legal Description for the property is contained in Exhibit A which is attached hereto and made a part hereof.

The property has a common street address of 15459 Warwick Boulevard and assigned Real Estate Assessor's Tax I.D. # 070.00-06-03.

Section 2. That the rezoning approved hereby is conditioned by written and voluntarily proffered conditions contained in the application and binding the development of the property as set forth in the attached exhibit, consisting of eleven (11) pages and labeled "A-4". These conditions shall continue in effect until a subsequent amendment to the zoning of the property described in Section 1 hereof; provided that the conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised Zoning Ordinance.

ORDINANCE NO. 7928-23

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON AUGUST 8, 2023

Mabel Washington Jenkins, MMC
City Clerk

Phillip D. Jones
Mayor

A true copy, teste:

City Clerk

EXHIBIT A

Legal Description of Property

TAX MAP PARCEL 070000603

All that certain piece or parcel of land and the improvements thereon situate, lying and being in the City of Newport News, Virginia being designated as "Parcel A-2, 7.951 Acres," on that certain plat dated February 21, 2008, made by John E. Sirine and Associates, LTD., entitled "Subdivision of River Mews, Section Three Being a Portion of Parcel "A" as shown on plat entitled "Plat of the Property of Bank of Virginia, Parcel "A", recorded in the Clerk's Office of the Circuit Court of the City of Newport News, as Instrument No. 080024097 and being further described as follows:

Beginning at a point, said point being the intersection of the westerly right of way of Warwick Boulevard (U.S. Route 60 - 110 foot Public R/W) and the northerly right of way of Woodhaven Road (Variable Width Public R/W); thence leaving the right of way of Warwick Boulevard and along the northerly right of way of Woodhaven Road on a curve to the right having a radius of 25.00 feet, a delta angle of 96°35'36", a length of 42.15 feet, a chord of 37.33 feet and a chord bearing of S29°21'02"W to an iron rod found; thence S77°38'57"W, a distance of 31.84 feet to a point of curve to the left having a radius of 645.03 feet, a delta angle of 06°38'11", a length of 74.71 feet, a chord distance of 74.67 feet and a chord bearing of S74°19'52"W to an iron rod found; thence S71°00'47"W, a distance of 184.58 feet to iron rod found (bent) at the point of curve of a curve to the right having a radius of 431.75 feet, a delta angle of 18°42'59", a length of 141.04 feet, a chord distance of 140.41 feet and a chord bearing of S80°22'16"W to an iron rod found; thence S89°43'45"W, a distance of 380.00 feet to an iron rod found, being a point of curve to the right having a radius of 25.00 feet, a delta angle of 09°54'03", a length of 4.32 feet, a chord distance of 4.31 feet and a chord bearing of N85°19'14"W to an iron rod found, being a corner to this parcel and lands now or formerly standing in the name of River Mews Section III Association LLC; thence leaving the right of way of Woodhaven Road and with the line of River Mews Section III Association LLC N18°48'17"W, a distance of 311.19 feet to an iron rod found, being a corner to this parcel, River Mews Section III Association LLC and lands now or formerly standing in the name of AP Hickory Point LLC; thence leaving the line of River Mews Section III Association LLC and with the line of AP Hickory Point LLC N64°16'50"E, a distance of 322.81 feet to an iron rod found; thence N64°14'20"E, a distance of 318.06 feet to an iron pipe found being a corner to this parcel, AP Hickory Point LLC and lying on the line of lands now or formerly standing in the name of Maj Properties LLC; thence leaving the line of AP Hickory Point LLC and with the line of Maj Properties LLC S18°37'48"E, a distance of 54.72 feet to an iron pipe found (bent), being a corner to lands now or formerly standing in the name of Mi Sun Chong; thence with the line of Mi Sun Chong S18°37'48"E, a distance of 150.00 feet to a point, being a corner to this parcel and Mi Sun Chong; thence with the line of Mi Sun Chong N64°18'37"E, a distance of 186.40 feet to a point, being a corner to this parcel, Mi Sun Chong and lying on the westerly right of way of Warwick Boulevard (U.S. Route 60 - 110 foot Public R/W); thence leaving the line of Mi Sun Chong and along the right of way of Warwick Boulevard S18°56'52"E, a distance of 333.27 feet to a point, being the point and place of beginning containing 346,345 square feet or 7.951 acres, more or less.

CONDITIONED
PROFFER STATEMENT FOR CHANGE OF ZONING

TO: The Honorable Newport News City Council

Date: March 6, 2023
UPDATED: June 5, 2023
Application Number: CZ-2023-_____

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

Conditioned: **H and S Associates hereby proffers the development of a 7.95 acre tract (15459 Warwick Boulevard) located in the City of Newport News (the "City"), as more particularly described on the attached Exhibit A (the "Property"), shall be in accordance with the conditions set forth in this submission.**

1. The Property shall be developed in substantial conformance with the conceptual site plan drawing entitled "CONCEPTUAL SITE PLAN FOR RIVER MEWS SUBDIVISION", dated June 5, 2023 which was prepared by AES Consulting Engineers (the "Conceptual Site Plan"), and is attached hereto as Exhibit A-2. The site plan that is submitted to and reviewed by the Site Plan Review Committee and subject to approval by the Director of Planning shall be in substantial conformance with the Conceptual Site Plan. Minor changes are permitted as long as they do not change the character or basic concept of the development.

2. The Property will be used for single family residential.

3. A landscape plan shall be developed in substantial conformance with the conceptual landscape concept drawing entitled "CONCEPTUAL LANDSCAPE PLAN", dated June 5, 2023 which was prepared by AES Consulting Engineers (the "Landscape Concept Plan"), and is attached hereto as Exhibit A-3. The final landscape plan that is submitted to and reviewed by the Landscape Plan Review Committee and subject to approval by the Director of Planning shall be in substantial conformance with the Landscape Concept Plan. All landscaping shall be installed in accordance with the approved plan and shall be maintained in a healthy condition in perpetuity. The use requested by this Application shall not commence until the landscaping plan has been installed.

4. Building elevations (the "Building Elevations") shall be consistent with the drawings entitled "RIVER MEWS RESIDENCE" dated January 30, 2023, which Building Elevations are attached hereto as Exhibit A-4. All final building elevations, including design, shall be reviewed and approved by the Director of Planning prior to issuance of a building permit.

[Signature appears on following page]

WITNESS the following signature and seal:

H AND S ASSOCIATES,
a Virginia general partnership

By: [Signature] (SEAL)
Name: Ben Simon
Title: Partner

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF City of Virginia Beach, to-wit:

The foregoing instrument was acknowledged before me,
Claudia Marie Wolff, Notary Public, this 7th day of March, 2023, by
Ben Simon, as Partner for and on behalf of H and S Associates, a
Virginia general partnership. He/she is personally known to me or has produced
NA as identification.

Claudia Marie Wolff
Notary Public

My commission expires: 02/28/25

Notary Registration Number: 359188

[Affix Notary Seal]

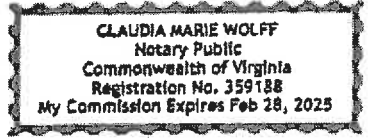


EXHIBIT A-2

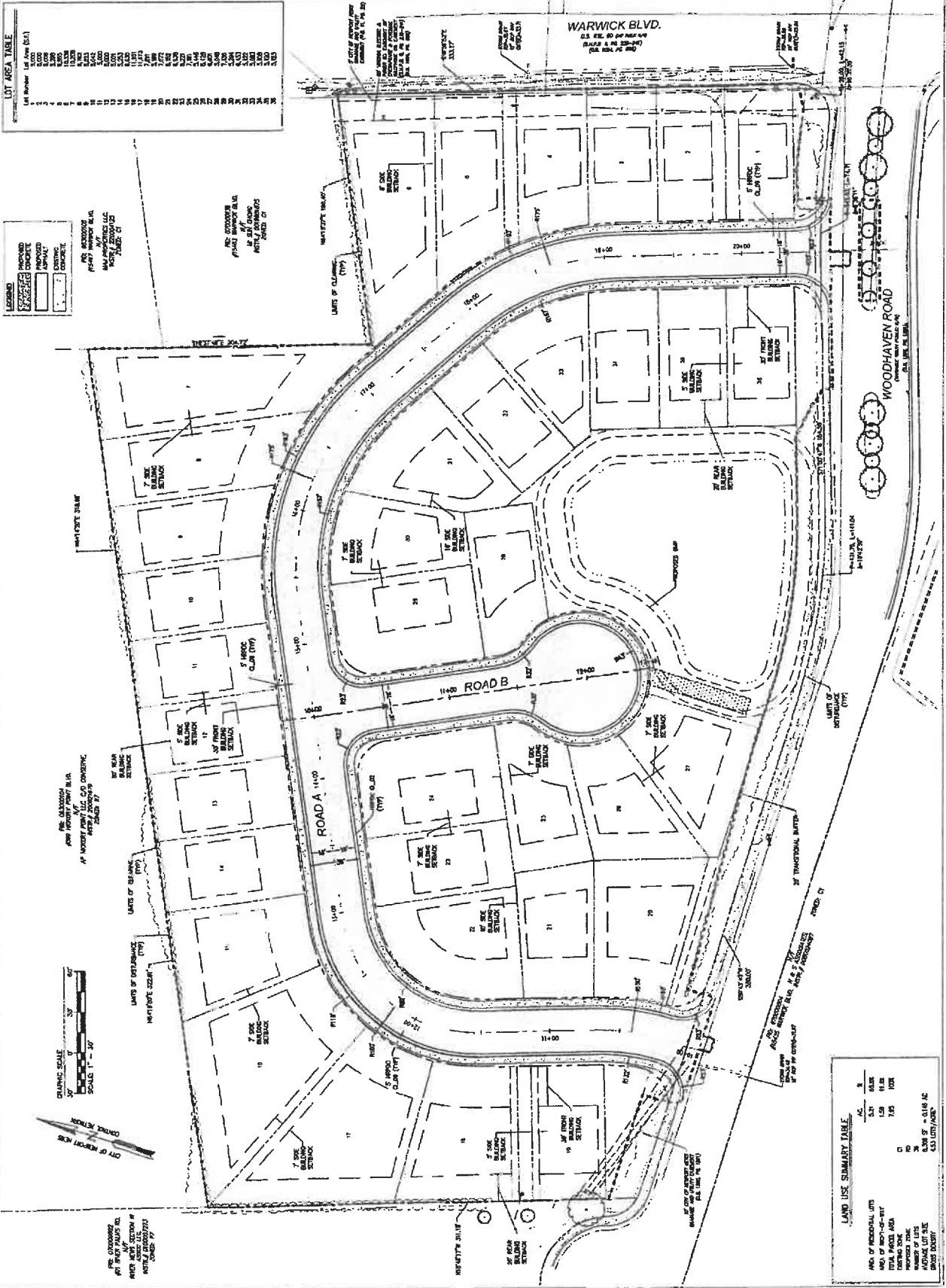
CONCEPTUAL SITE PLAN FOR RIVER MEWS SUBDIVISION

Lot No.	Area (sq. ft.)
1	1,000
2	1,000
3	1,000
4	1,000
5	1,000
6	1,000
7	1,000
8	1,000
9	1,000
10	1,000
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97	1,000
98	1,000
99	1,000
100	1,000

AVES
 CONSULTING ENGINEERS
 1000 W. 10th St., Suite 100
 Oklahoma City, Oklahoma 73106
 Phone: (405) 233-1111
 Fax: (405) 233-1112
 Website: www.aves.com

RIVER MEWS SUBDIVISION
 CONCEPTUAL SITE PLAN

Project No. 1000000000
 Date: 10/15/10
 Scale: 1" = 30'



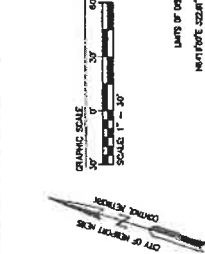
LOT AREA TABLE

Lot Number	Lot Area (sq. ft.)
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2	1,000
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6	1,000
7	1,000
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35	1,000

LEGEND

- PROPOSED IMPROVEMENTS
- EXISTING IMPROVEMENTS
- EXISTING UTILITIES
- EXISTING EASEMENTS

PROPOSED IMPROVEMENTS: 1. 10' FRONT SETBACK, 2. 5' SIDE SETBACK, 3. 10' SIDE SETBACK, 4. 10' REAR SETBACK, 5. 10' CORNER SETBACK, 6. 10' FRONT SETBACK, 7. 5' SIDE SETBACK, 8. 10' SIDE SETBACK, 9. 10' REAR SETBACK, 10. 10' CORNER SETBACK.



LAND USE SUMMARY TABLE

Category	Area (sq. ft.)	Area (ac.)
RESIDENTIAL	1,000,000	22.96
TOTAL PROJECT AREA	1,000,000	22.96
AVG. DENSITY		43.11 UNITS/AC

EXHIBIT A-3
**CONCEPTUAL LANDSCAPE PLAN FOR RIVER MEWS
SUBDIVISION**

NO.	DESCRIPTION	QUANTITY	UNIT
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AES
Engineering & Construction

CONCEPTUAL LANDSCAPE PLAN FOR
RIVER MEWS SUBDIVISION

DATE: 08/15/2011
SCALE: AS SHOWN
PROJECT NO: 11-00000001
SHEET NO: 2 OF 2

CONCEPT PLANT SCHEDULE

EMERGENCY TREES

- 7. CALIFORNIA WHITE PINE
- 8. GRAND OAK
- 9. CALIFORNIA REDWOOD
- 10. CALIFORNIA REDWOOD
- 11. CALIFORNIA REDWOOD
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- 98. CALIFORNIA REDWOOD
- 99. CALIFORNIA REDWOOD
- 100. CALIFORNIA REDWOOD

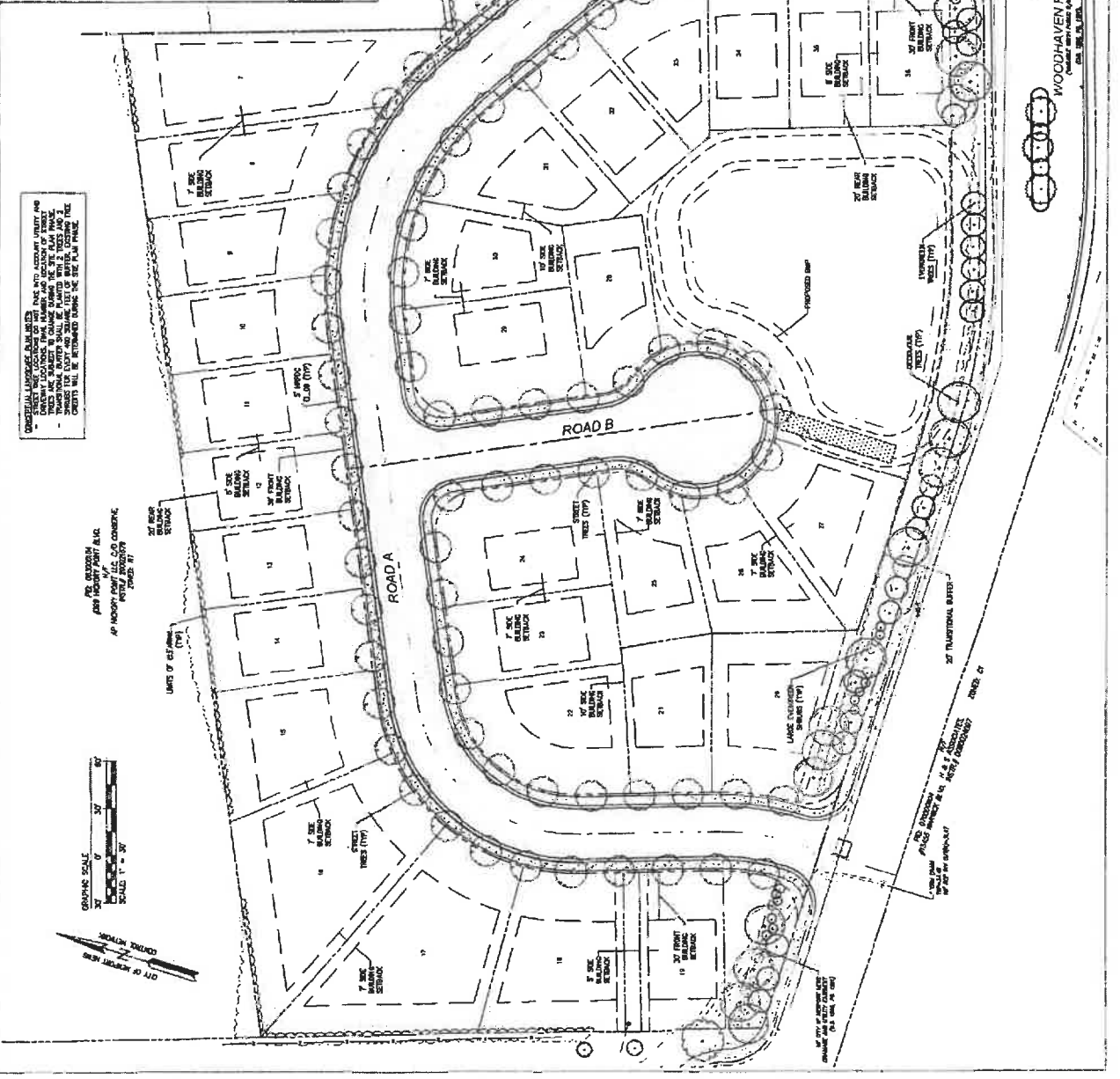


EXHIBIT A-4
BUILDING ELEVATIONS FOR RIVER MEWS RESIDENCE

BEACON
 ARCHITECTURE + DESIGN P.L.L.C.
 1000 COMMONWEALTH BLVD., SUITE 200
 FALLS CHURCH, VA 22044
 PHONE: 703.441.1770 FAX: 703.441.1705

PROJECT NAME:
**RIVER MEWS
 RESIDENCE**
 WOODHAVEN ROAD
 NEWPORT NEWS
 VIRGINIA

REVISIONS:

NO.	DESCRIPTION	DATE
1	CLIENT REVIEW	1/7/2013

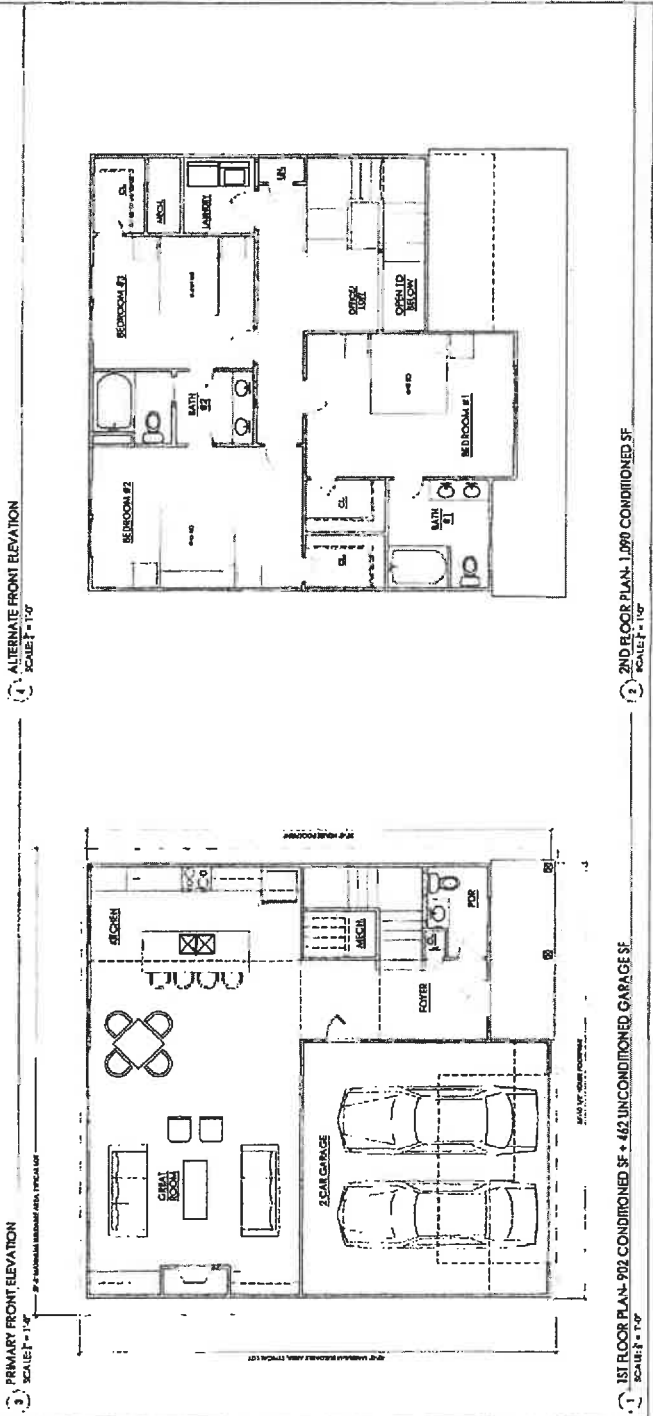
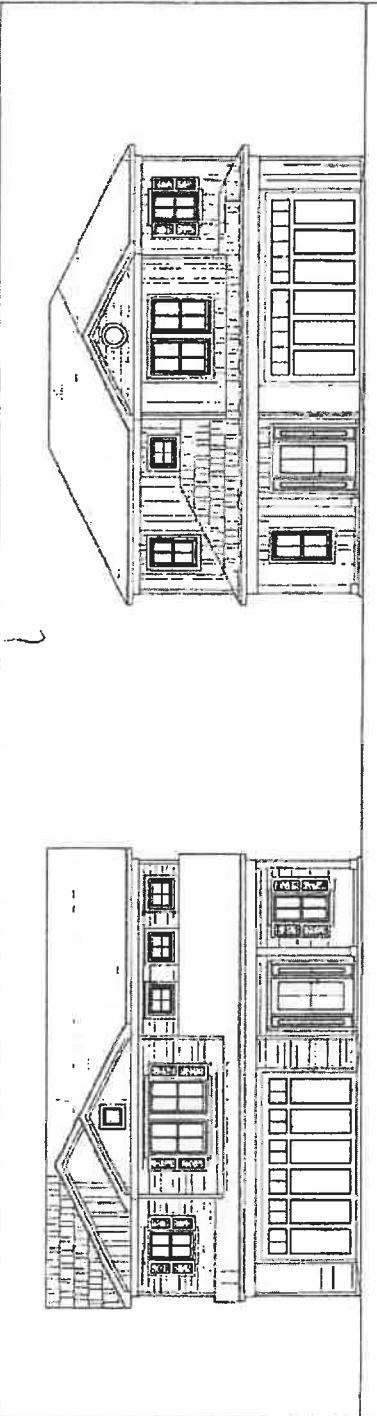
DATE: 1/7/2013
 DRAWING NAME:
PLAN #1

PREPARED FOR OWNER:
 NOT FOR CONSTRUCTION

DRAWN BY: CH
 DATE: 1/7/2013
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STAMP:
 THIS COMPUTER FILE DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT A SEALED SET OF CONSTRUCTION DOCUMENTS FROM THE ARCHITECT.

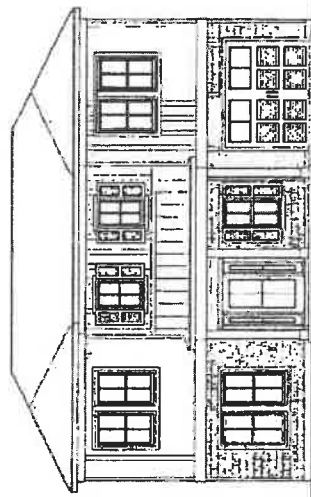
5. BEACON ARCHITECTURE + DESIGN P.L.L.C.
 1000 COMMONWEALTH BLVD., SUITE 200
 FALLS CHURCH, VA 22044
 SHEET:
A1.1



							
BEACON ARCHITECTURE + DESIGN, P.L.L.C. 17400 EIGHTH STREET, SUITE 200 FORT MYERS, FL 33907 PHONE: 888.420.2424 FAX: 888.341.4248							
PROJECT NAME: RIVER MEWS RESIDENCE WOODHAVEN ROAD NEWPORT NEWS VIRGINIA				DATE: 1/20/23	REVISIONS: CLIENT REVIEW		
DRAWING NAME: PLAN #2							
PREPARED BY: DMW NOTED FOR CONSTRUCTION				DRAWN BY: DMW	DATE: 1/20/23	SCALE: AS SHOWN	STAMP: THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSTRUCTION DOCUMENTS FROM THE ARCHITECT.
© 2023 BEACON ARCHITECTURE + DESIGN, P.L.L.C. ALL RIGHTS RESERVED.				SHEET: A1.2			



3 PRIMARY FRONT ELEVATION
SCALE: 1/8" = 1'-0"



4 ALTERNATE FRONT ELEVATION
SCALE: 1/8" = 1'-0"



1 1ST FLOOR PLAN - 648 CONDITIONED SF + 385 UNCONDITIONED GARAGE/STORAGE SF
SCALE: 1/8" = 1'-0"



2 2ND FLOOR PLAN - 827 CONDITIONED SF
SCALE: 1/8" = 1'-0"



7011 MARKET STREET
NEWPORT NEWS, VA 23606
PHONE: 804.241.1400

PROJECT NAME:
**RIVER MEWS
RESIDENCE**
WOODHAVEN ROAD
NEWPORT NEWS
VIRGINIA

REVISED: DATE:
CLIENT REVIEW: 1/13/13

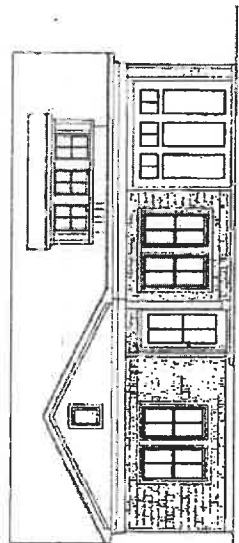
DRAWING NAME:
PLAN #3

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

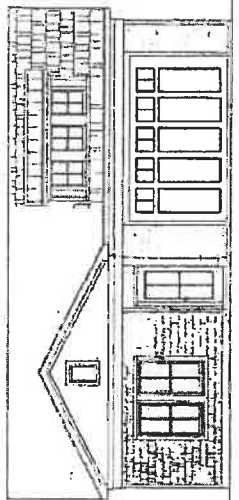
DRAWN BY: CH
DATE: 1/30/13
SCALE:

STAMP:
THE COMPUTER FILE/DRAWING
IS FOR INFORMATIONAL
PURPOSES ONLY. IT IS NOT
INTENDED FOR CONSTRUCTION.
DO NOT START CONSTRUCTION
OR ANY OTHER ACTION
BASED ON THIS DRAWING
UNLESS YOU RECEIVE
CONSTRUCTION DOCUMENTS
FROM THE ARCHITECT.

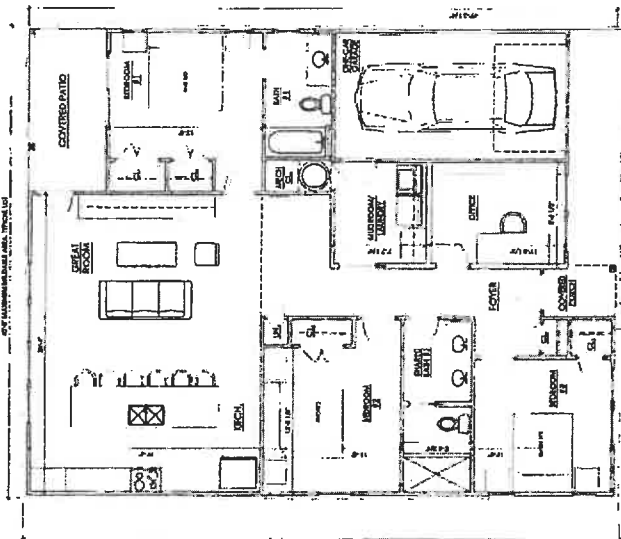
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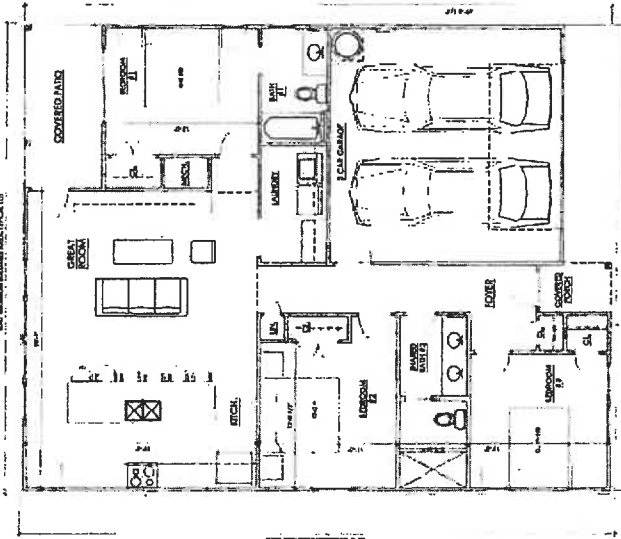
PRIMARY FRONT ELEVATION
SCALE: 1/4" = 1'-0"




ALTERNATE FRONT ELEVATION
SCALE: 1/4" = 1'-0"

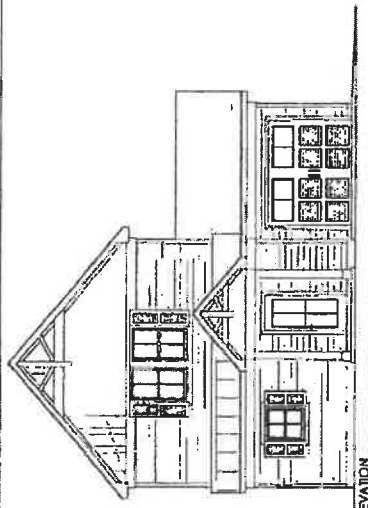


1ST FLOOR PLAN - 1,527 CONDITIONED SF + 222 UNCONDITIONED GARAGE STORAGE SF
SCALE: 1/4" = 1'-0"

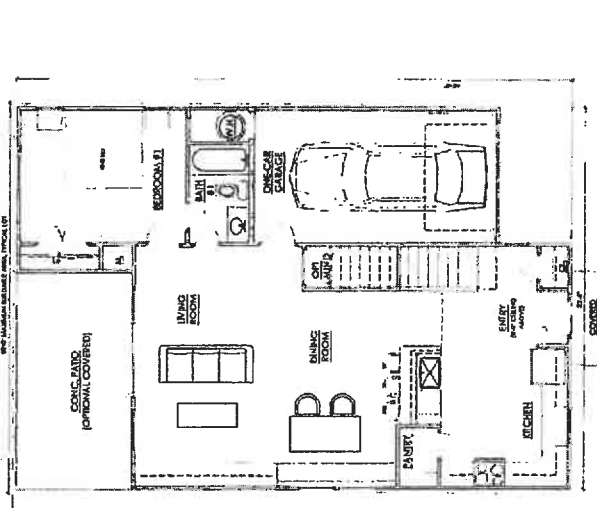


1ST FLOOR PLAN - 1,354 CONDITIONED SF + 400 UNCONDITIONED GARAGE STORAGE SF
SCALE: 1/4" = 1'-0"

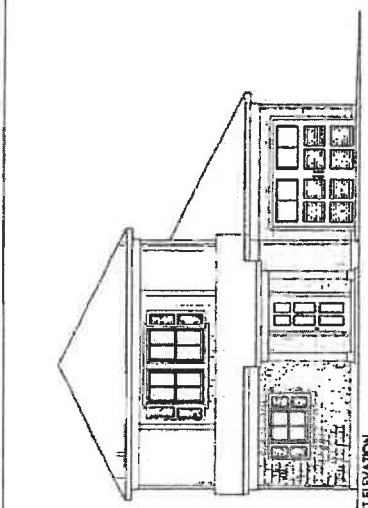
 <p>BEACON ARCHITECTURE 1001 W. 10TH ST. SUITE 100 DENVER, CO 80202 PH: (303) 733-1111 FAX: (303) 733-1112</p>			<p>PROJECT NAME: RIVER MEWS RESIDENCE</p> <p>WOODHAVEN ROAD NEWPORT NEWS VIRGINIA</p>	<p>DATE: 1/20/23</p> <p>REVISIONS:</p> <p>CLIENT REVIEW:</p>	<p>DRAWING NAME: PLAN #4</p>	<p>PREPARED BY: NOT FOR CONSTRUCTION</p>	<p>DRAWN BY: CH</p> <p>DATE: 1/20/23</p> <p>SCALE:</p>	<p>STAMP:</p> <p>THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT A SEALED SET OF CONSTRUCTION DOCUMENTS FROM THE ARCHITECT.</p>	<p>A1.4</p> <p>SHEET:</p>
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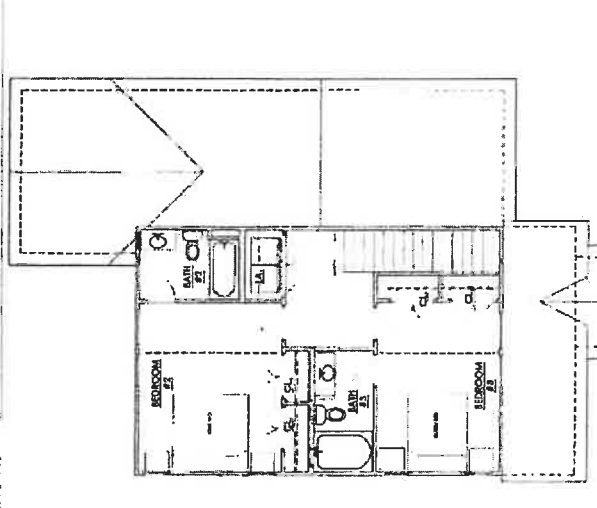
1. PRIMARY FRONT ELEVATION
SCALE: 1/4" = 1'-0"



1. 1ST FLOOR PLAN - 1,027 CONDITIONED SF + 240 UNCONDITIONED GARAGE STORAGE SF
SCALE: 1/4" = 1'-0"



2. ALTERNATE FRONT ELEVATION
SCALE: 1/4" = 1'-0"



2. SECOND FLOOR PLAN - 451 CONDITIONED SF
SCALE: 1/4" = 1'-0"