

ORDINANCE NO. 6545-08

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-08-264 has been made by **WORLD VICTORY CHURCH AND LIFE CENTER** for the rezoning of the hereinafter described property from the present R4 Single Family Dwelling District and C2 General Commercial District, without proffers, to C1 Retail Commercial 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 R4 Single Family Dwelling District and C2 General Commercial District, without proffers, to C1 Retail Commercial District, conditioned by written and voluntarily proffered conditions:

Legal Description:

Parcel 1

All that certain lot, piece or parcel of land situate, lying and being in the City of Newport News, Virginia, known and designated as Lot Number THIRTEEN (13), in Block Number FOUR (4) as shown on

a certain map entitled, "Map of Parkview, located in Warwick County, near Newport News, Virginia, Old Dominion Land Company", dated March 25, 1937, and duly of record in the Clerk's Office of the Circuit Court for the City of Newport News, Virginia in Plat Book 1, page 98.

EXPRESSLY EXCEPTING THEREFROM that portion of the above described lot adjacent to Route 168 and described in Certificate of Take filed by the City of Newport News, dated March 22, 1963, and duly recorded in Deed Book 488, page 153, in the Clerk's Office of Newport News, Virginia.

Parcel 2

All that certain lot, piece or parcel of land situate, lying and being in the City of Newport News, Virginia, known and designated as Lot Number FOURTEEN (14), in Block Number FOUR (4), as shown on that certain map entitled, "MAP OF PARKVIEW, LOCATED IN WARWICK COUNTY, NEAR NEWPORT NEWS, VIRGINIA, OLD DOMINION LAND COMPANY," dated March 25, 1937, which said map is duly of record in the Clerk's Office of the Circuit Court of the City of Newport News, Virginia, in Plat Book 1, pages 98 and 99.

Parcel 3

All that certain lot, piece or parcel of land situate, lying and being in the City of Newport News, Virginia, being the westerly 230 feet of that certain Lot Number FIFTEEN (15), in Block Number FOUR (4), as shown on a certain map entitled, "MAP OF PARKVIEW, LOCATED IN WARWICK COUNTY, NEAR NEWPORT NEWS, VIRGINIA, OLD DOMINION LAND COMPANY," dated March 25, 1937, and recorded in the Clerk's Office of the Circuit Court of the City of Newport News, Virginia, to which reference is here made, and being more particularly described as follows:

Beginning at a point where the northerly boundary of Hilton Boulevard intersects the easterly boundary line of Jefferson Avenue and from the point of beginning thus established running thence in an easterly direction and along the northerly boundary line of Hilton Boulevard a distance of 230 feet to a point; running thence at right angles in a northerly direction a distance of 104 feet to a point; running thence at right angles in a westerly direction a distance of

230 feet to a point in the easterly boundary line of Jefferson Avenue; running thence in a southerly direction and along the easterly boundary line of Jefferson Avenue a distance of 104 feet to the place or point of beginning.

(The parcels have common street addresses of 5900 Jefferson Avenue (Lots 14 and 15) and 5918 Jefferson Avenue (Lot 13) and are assigned Real Estate Assessor's Tax I.D. #s 283.00-03-04 and 283.00-03-03.)

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 exhibit, consisting of 1 page and labeled "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.

Conditioned
Proffer Statement for Change of Zoning

RECEIVED
Dept. of Planning
SEP 2 2008

To: _____
File

TO: The Honorable Newport News City Council

DATE: SEPT. 23, 2008

APPLICATION NUMBER: CZ-08-264

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

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

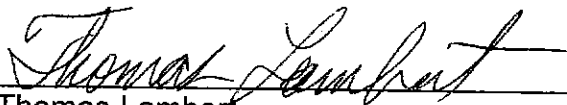
Conditions: "These properties will be limited in use to church buildings and associated structures."

"There shall be no additional free-standing signs other than what is in place currently."

"The property lines between the two properties shall be vacated."

"A Landscape Plan to be submitted and approved by the Director of Planning."

"Building Elevations to be submitted and approved by the Director of Planning."



Thomas Lambert
Trustee – World Victory Church and Lifecenter