C: Dir., Department of City Planning

City of NORFOLK

To the Honorable Council
City of Norfolk, Virginia

May 19, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Change of zoning from C-1 (Limited Commercial) to conditional R-8 (Single-Family) – Norfolk Building Corp.**

Reviewed: Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 5/6

Approved: Marcus D. Jones, City Manager

Item Number: PH-2

I. **Staff Recommendation: Approval.**

II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval.**

III. **Request:** Change of zoning from C-1 to conditional R-8 to permit a single-family home on the site.

IV. **Applicant: Norfolk Building Corp.**

V. **Description:**

- The site was previously developed with a 7-Eleven and is zoned C-1.
- The applicant is proposing to construct a single-family home, which is not permitted in the C-1 district.
- Properties to the west and south are zoned R-8.
- The applicant is requesting to rezone the property to R-8 to allow a single-family home.
- The lot exceeds the minimum lot width (50 feet) and lot size (5,000) for the R-8 district.
- Although the adjacent property is zoned R-11 there are currently two new single-family homes developed on the property on similar sized lots.

Staff point of contact: Susan Pollock at 664-4765, susan.pollock@norfolk.gov

Attachments:

- Staff Report to CPC dated April 23, 2015 with attachments
- Proponents and Opponents
- Ordinance

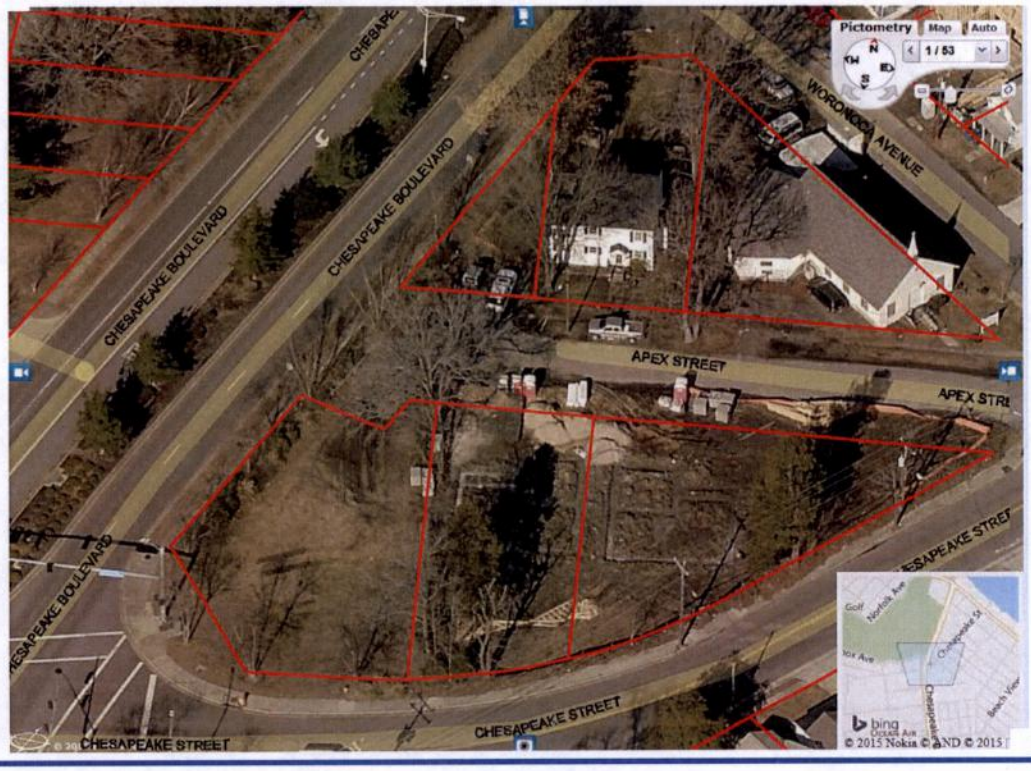
City of NORFOLK

Planning Commission Public Hearing: April 23, 2015

Executive Secretary: George M. Homewood, AICP, CFM

Staff: Susan Pollock, CFM

Staff Report		Item No. 6	
Address	**901 Apex Street**		
Applicant	**Norfolk Building Corp.**		
Request	**Conditional Change of Zoning**		
Property Owner	Norfolk Building Corp.		
Site Characteristics	Site Area	7,915 square feet	
	Zoning	From: **C-1 (Limited Commercial)**	To: **Conditional R-8 (Single-Family)**
	Neighborhood	Bayview	
	Character District	Suburban	
Surrounding Area	North	R-11 (Medium Density Multi-Family): Disciple Church of Lord Jesus Christ; Single-Family homes	
	East	R-11: Single-Family homes	
	South	R-8: Single-Family homes; C-2 (Corridor Commercial)- Harry's Lounge	
	West	R-8: Single-Family homes; OSP (Open Space Preservation) - Ocean View Golf Course	



A. Summary of Request

- This 7,915 square foot vacant site was previously developed with a 7-Eleven.
- The applicant is proposing to rezone the property to allow for the construction of a single-family home.

B. Plan Consistency

- *plaNorfolk2030* designates this site as residential mixed.
  - The identifying land use strategies chapter of *plaNorfolk2030* identifies the residential mixed land use category as a location for a variety of housing types developed with buildings that create a walkable environment and that are similar in scale no matter the use.
- Given that it is intended to permit the construction of a single family home, which would fit within the existing development pattern in the area, the proposed rezoning is consistent with *plaNorfolk2030*.

C. Zoning Analysis

i. General

- The site was previously developed with a 7-Eleven and is zoned C-1.
- The applicant is proposing to construct a single-family home, which is not permitted in the C-1 district.
- Properties to the west and south are zoned R-8.
- The applicant is requesting to rezone the property to R-8 to allow a single-family home.
- The lot exceeds the minimum lot width (50 feet) and lot size (5,000) for the R-8 district.
- Although the adjacent property is zoned R-11 there are currently two new single-family homes be developed on the property on similar sized lots.

ii. Parking

- For a single-family home in the Suburban Character District, two parking spaces are required.
  - Two parking spaces are provided o- site.

ii. Flood Zone

- The property is in an X (Low to Moderate) Flood Zone.

D. Transportation Impacts

Institute of Transportation Engineers figures estimate that the net addition of one new single family home on this site will generate 10 new vehicle trips per day.

E. Impact on the Environment

The development of a single-family home in accordance with current zoning requirements should not negatively impact the surrounding neighborhood.

F. Impact on Surrounding Area/Site

By requiring this use to conform to the proffered conditions listed below, the proposed single-family dwelling should not have a negative impact on the surrounding neighborhood.

G. Payment of Taxes

The owner of the property is current on all real estate taxes.

H. Civic League

- Application was sent to the Bayview civic leagues on April 1.
- The applicant attended the March Bayview Civic League meeting and the civic league has provided a letter of support for the request as proposed.

I. Communication Outreach/Notification

- Legal notice was posted on the property on March 17.
- Letters were mailed to all property owners within 300 feet of the property on April 9.
- Legal notification was placed in *The Virginian-Pilot* on April 9 and April 16.

J. Recommendation

Staff recommends **approval** of the request subject to the proffered conditions shown below:

1. The property shall be developed in accordance with Exhibit 1 "Proposed Single Family Home" as prepared by Ward Holmes and dated Feb. 25, 2015.
2. The home to be developed on the site shall the Norfolk "Brighton Model" as attached.

Attachments

Location Map
Zoning Map
Application
Notice to Bayview Civic League
E-mail of support from the Bayview Civic League

Proponents and Opponents

Proponents

Jerry Miller
1507 E. Bayview Boulevard, Suite B
Norfolk, VA 23503

Opponents

None

04/15/2015 tsv

Form and Correctness Approved:

By _____
Office of the City Attorney

Contents Approved: AP

By _____
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 901 APEX STREET FROM C-1 (LIMITED COMMERCIAL) DISTRICT TO CONDITIONAL R-8 (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the property located at 901 Apex Street is hereby rezoned from C-1 (Limited Commercial) District to Conditional R-8 (Single-Family Residential) District. The property is more fully described as follows:

Property fronting 143 feet, more or less, along the eastern line of Chesapeake Boulevard and 50 feet, more or less, along the northern line of Chesapeake Street; property also fronts 59 feet, more or less, along the southern line of Apex Street; premises numbered 901 Apex Street.

Section 2:- That the property rezoned by this ordinance shall be subject to the following condition:

(a) The home built on the property shall have a front elevation consistent with the "Brighton Model," attached hereto as "Exhibit A."

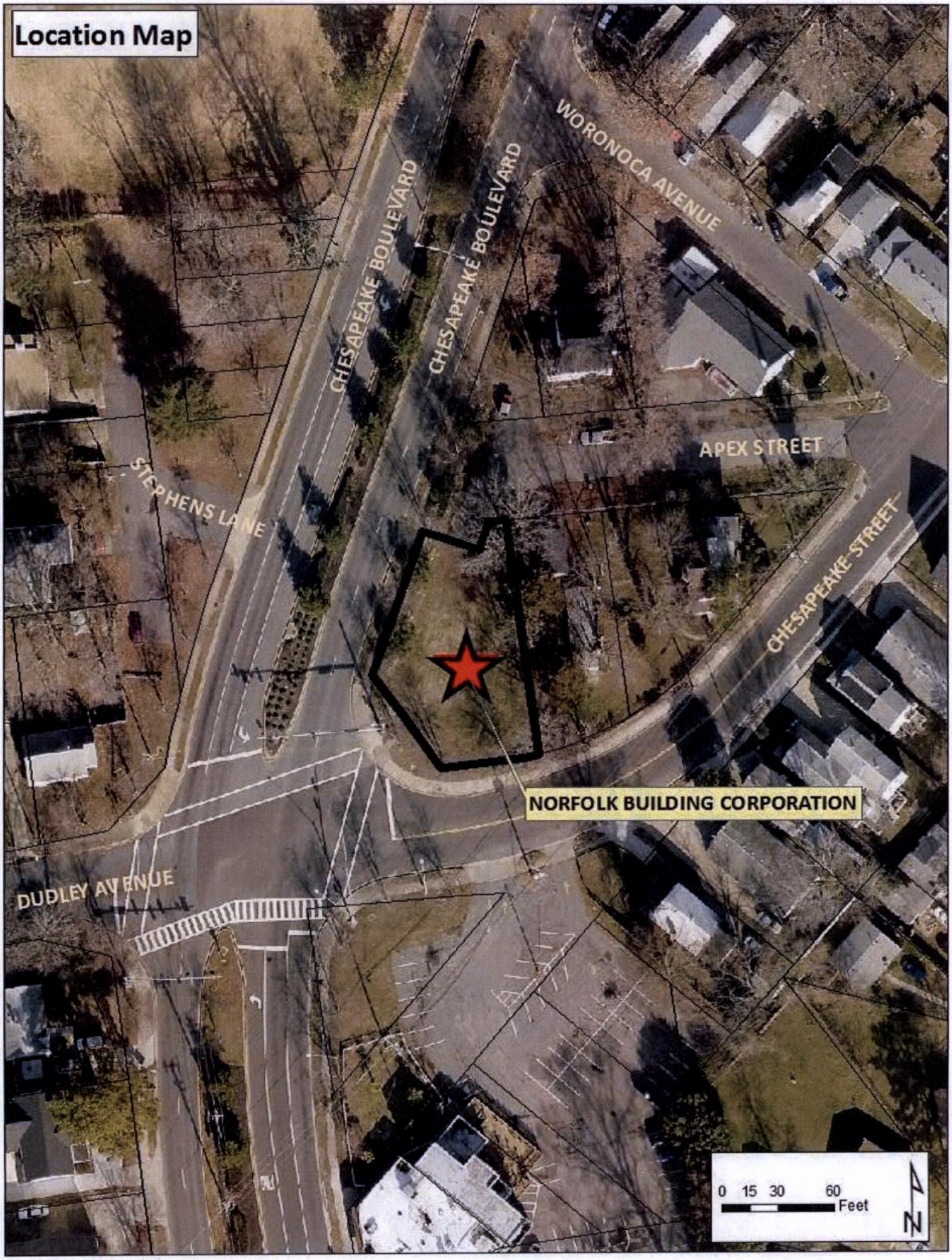
Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

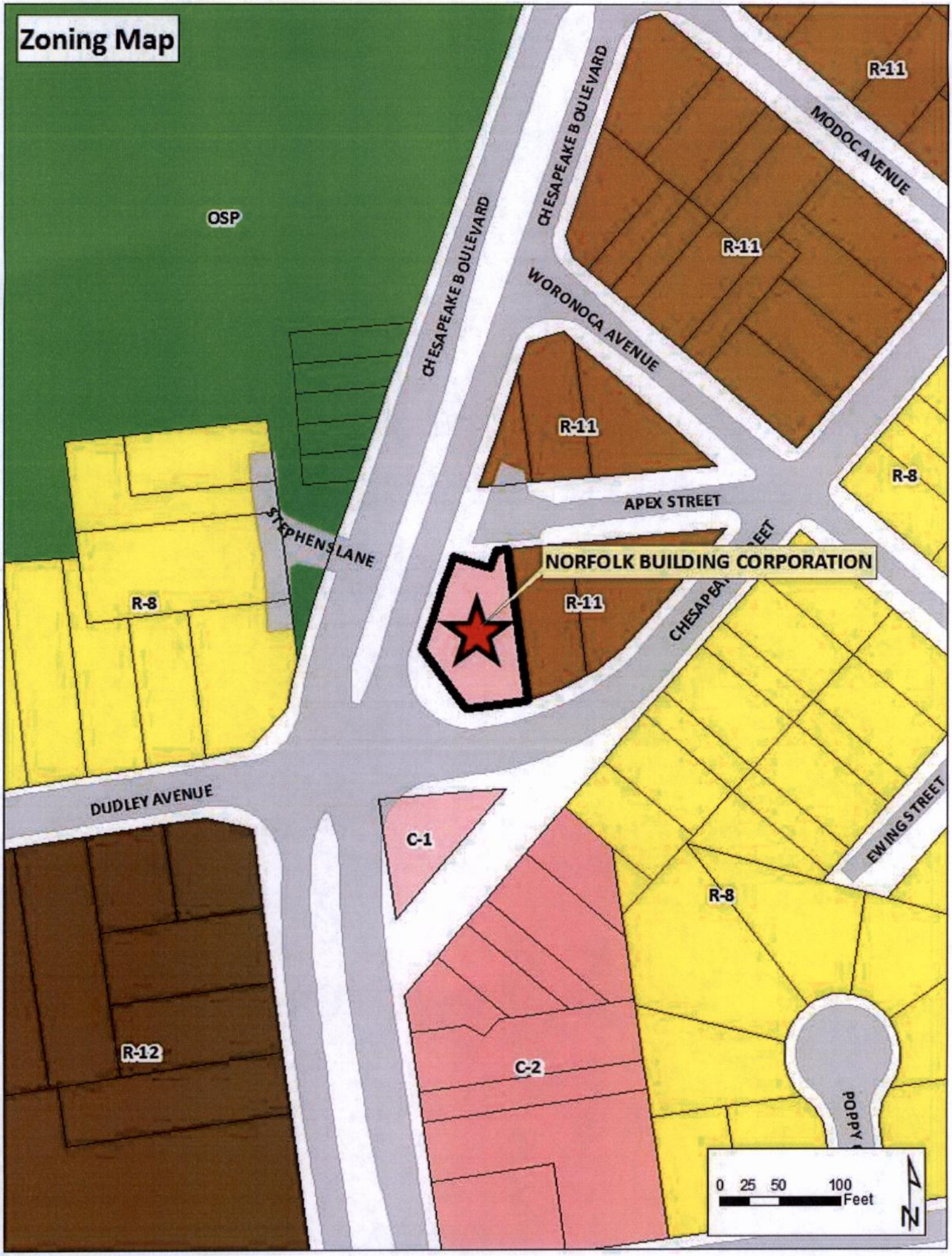
Section 4:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:
Exhibit A (1 page)

Exhibit A


Location Map
WORONOCA AVENUE
CHESAPEAKE BOULEVARD
CHESAPEAKE BOULEVARD
APEX STREET
STEPHENS LANE
CHESAPEAKE STREET
NORFOLK BUILDING CORPORATION
DUDLEY AVENUE
0 15 30 60
Feet
N


Zoning Map
OSP
CHESAPEAKE BOULEVARD
CHESAPEAKE BOULEVARD
MODOC AVENUE
R-11
R-11
WORONOCA AVENUE
R-11
R-8
APEX STREET
STEPHENS LANE
NORFOLK BUILDING CORPORATION
R-11
R-8
DUDLEY AVENUE
C-1
EWING STREET
R-8
R-12
C-2
0 25 50 100
Feet
N

APPLICATION
CHANGE OF ZONING

Date of application: 2/11/2015

Change of Zoning

From: C1 **Zoning** **To:** Conditional R8 **Zoning**

DESCRIPTION OF PROPERTY

Property location: (Street Number) 901 (Street Name) Apex Street

Existing Use of Property: Vacant Land

Current Building Square Footage NA

Proposed Use One single family residence

Proposed Building Square Footage 2,200 sq.ft. living area

Trade Name of Business (If applicable) Norfolk Building Corp.

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Norfolk Building Corp. (First) _____ (MI) ____

Mailing address of applicant (Street/P.O. Box): 1507-B E. Bayview Blvd.

(City) Norfolk (State) VA (Zip Code) 23503

Daytime telephone number of applicant (757) 587-8801 Fax (757) 587-8978

E-mail address of applicant: millerrlty@aol.com

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

AUTHORIZED AGENT (if applicable)
(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Miller (First) Jerome (MI) President

Mailing address of applicant (Street/P.O. Box): 1507-B E. Bayview Blvd.

(City) Norfolk (State) VA (Zip Code) 23503

Daytime telephone number of applicant ( ) 587-8801 Fax ( ) 587-8978

E-mail address of applicant: millerrlty@aol.com

PROPERTY OWNER
(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) SAME (First) _____ (MI) _____

Mailing address of property owner (Street/P.O. box): _____

(City) _____ (State) _____ (Zip Code) _____

Daytime telephone number of owner ( ) _____ email: _____

CIVIC LEAGUE INFORMATION

Civic League contact: Bayview Civic League, Linda Lundquist, President

Date(s) contacted: Phone conversation 2/11/15 Civic League Meeting 3/10/15

Ward/Super Ward information: Ward 5 Superward 6

See proferred conditions (attached)

REQUIRED ATTACHMENTS

- ✓ Required application fee, **$705.00** (if check, make payable to the City of Norfolk).
  - Application fee includes a non-refundable $5 technology surcharge.
  - If accompanied with a necessary map amendment to the City's adopted general plan, *plaNorfolk2030*, an additional technology surcharge of **$5** will be required.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
  - Existing and proposed building structures
  - Driveways
  - Parking
  - Landscaping
  - Property lines (see attached example)
- ✓ One 8 ½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.
- ✓ Written description and details of the operation of the business (i.e., # of employees, # of bays, reason for rezoning, etc…)

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Jerome Miller **Sign:** Jerome Miller 3 / 9 / 2015
(Property Owner or Authorized Agent of Signature) (Date)
President

Print name:_____ **Sign:**_____ / ____ / ____
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name:_____ **Sign:**_____ / ____ / ____
(Authorized Agent Signature) (Date)

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569

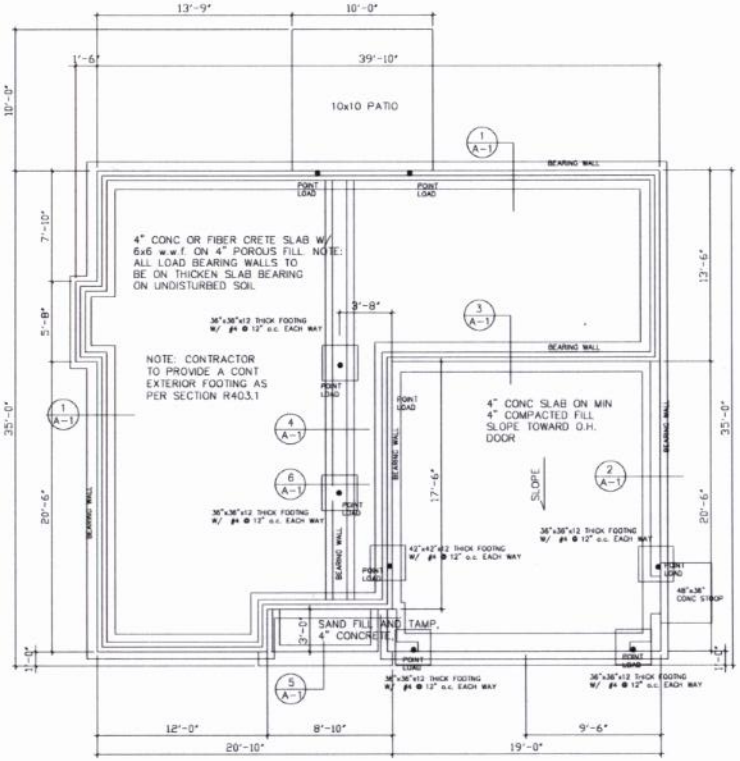
NORFOLK BUILDING CORP.

1507-B EAST BAYVIEW BLVD. • NORFOLK, VIRGINIA 23503
PHONE: (757) 587-8801

PROFERRED CONDITONS

901 Apex Street

1. "Brighton" model to be built on property (see attached elevation/sketch)



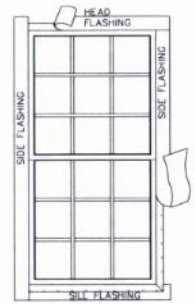
FIRST FLOOR PLAN – 859 SF
1/4"=1'-0"

NOTE: ALL FOOTING ARE ASSUMED TO BEAR ON SOIL WITH A MIN. BEARING OF 1500 P.S.F.
BUILDER SHALL VERIFY SUB-SOIL CONDITIONS BEFORE PROCEEDING.
(ALL UN-ENGINEERED FTG'S SHALL BEAR ON UNDISTURBED SOIL.)

NOTE: CONTRACTORS OPTION TO USE FIBERMESH REINFORCING IN ANY AREAS WHICH CALLS FOR WWF SLAB REINF. FIBERMESH REINFORCING SUPPLIED IN CONC MIX FBY CONC MANUFACTURER

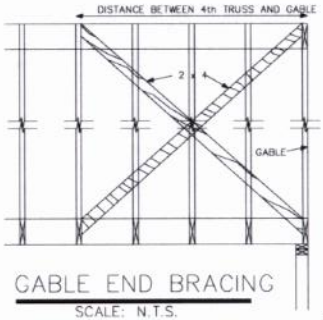
NOTE:
ALL WINDOWS TO BE DP-35 RATED

NOTE:
ALL WINDOWS & DOORS TO BE LABLED WITH A FENSTRATION U FACTOR OF .35 OR LESS

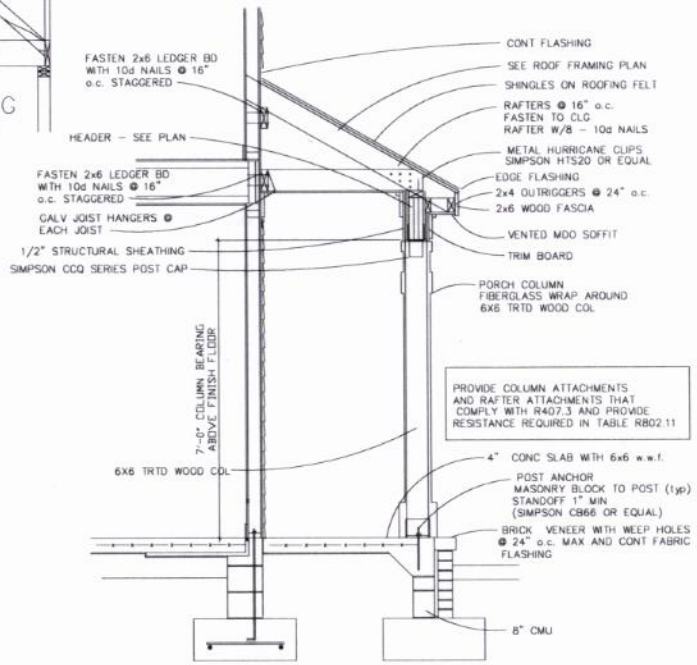


USE SELF ADHESIVE FLEXIBLE FLASHING A MINIMUM OF 4" WIDE WHICH HAS A SELF-ADHERING SURFACE ON ONE SIDE. APPROVED FOR USE ON VINYL, WOOD & OTHER SUBSTANCES SUCH AS HOUSE WRAP.

FIREBLOCKING DETAIL
SCALE: N.T.S.



GABLE END BRACING
SCALE: N.T.S.



COVERED PORCH DETAIL
3/4"=1'-0"

Progressive Designs

NORFOLK BRIGHTON MODEL
PLAN AND ELEVATION
VIRGINIA

REVISION:

DRAWN BY:
LINDA R. SULLIVAN

ISSUE DATE
7.30.2013

A–1

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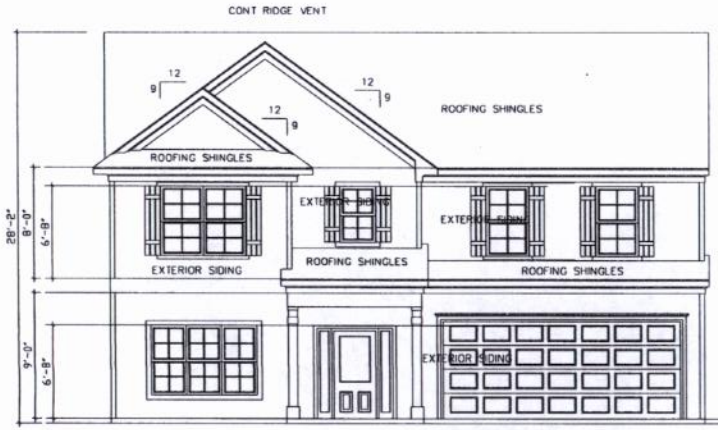
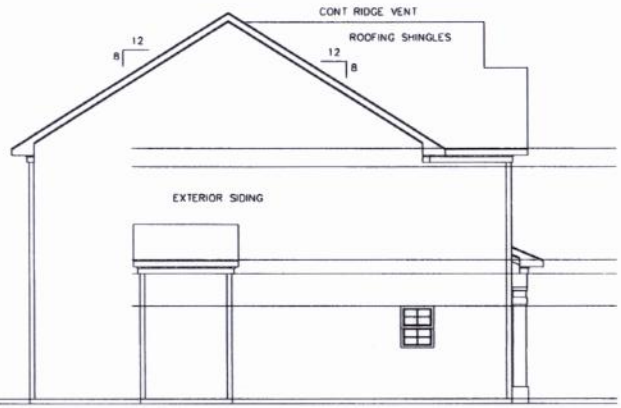
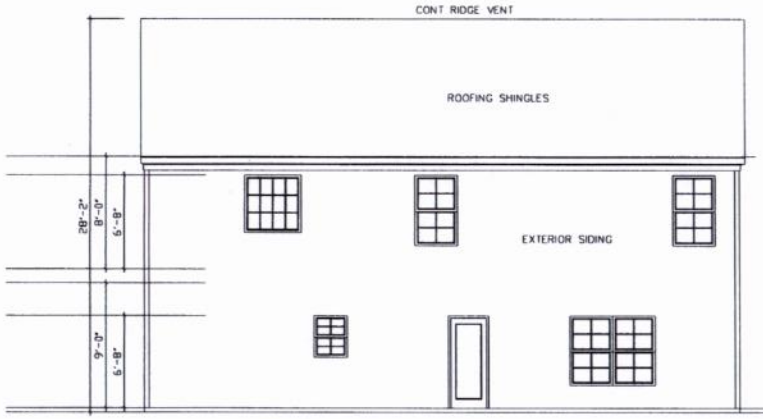


FRONT ELEVATION
1/4"=1'-0"

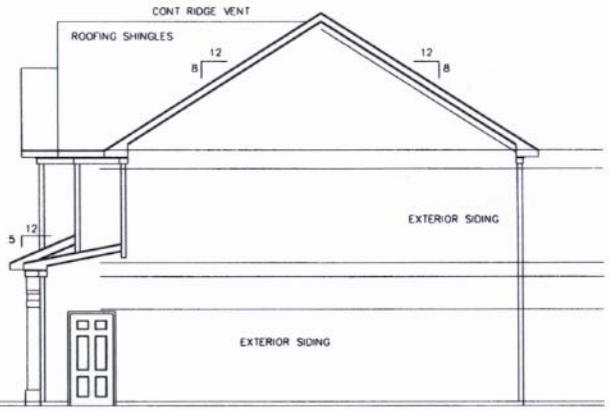
ROOF COVERINGS SHALL BE APPLIED IN ACCORDANCE WITH APPLICABLE PROVISIONS OF SECTION R905 AND THE MANUF INSTULLATION INSTRUCTIONS MIN SLOPE FOR ASPHALT SHINGLES IS 2:12 SLOPE. FOR SLOPES FROM 2:12 TO 4:12 A DOUBLE UNDERLAYMENT APPLICATION IS REQUIRED IN ACCORDANCE WITH IRC R905.2.7



SIDE ELEVATION
1/4"=1'-0"



REAR ELEVATION
1/4"=1'-0"



SIDE ELEVATION
1/4"=1'-0"

Progressive Designs

NORFOLK BRIGHTON MODEL
PLAN AND ELEVATION
VIRGINIA

REVISION:

DRAWN BY:
LINDA R. SULLIVAN

ISSUE DATE
7.30.2013

A-4

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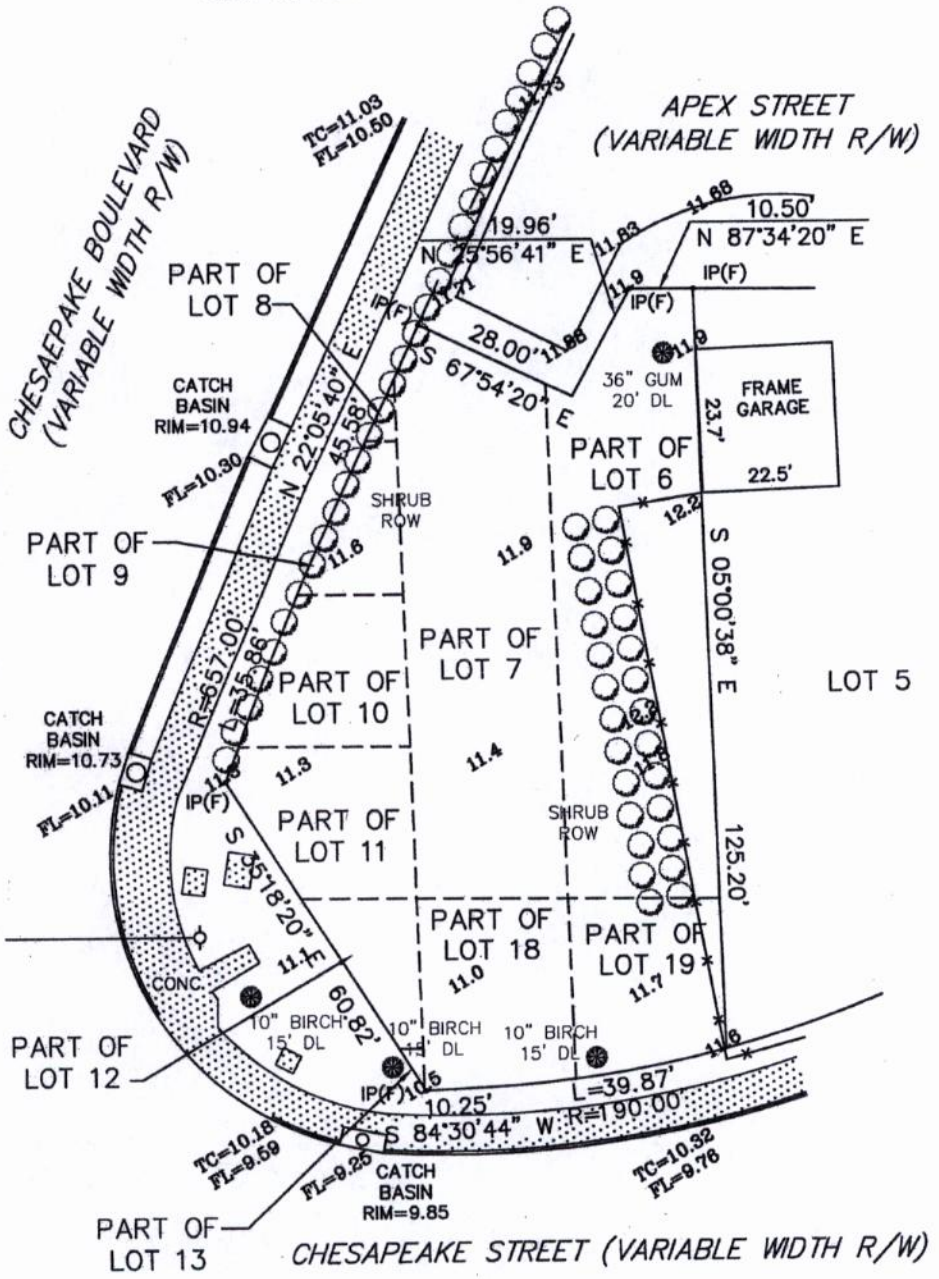
COPYRIGHT © PROGRESSIVE DESIGNS
ALL RIGHTS RESERVED

THIS IS TO CERTIFY THAT I, ON AUG. 11, 2005, SURVEYED THE PROPERTY SHOWN HEREON AND THAT THE TITLE LINES AND PHYSICAL IMPROVEMENTS ARE AS SHOWN HEREON. THE IMPROVEMENTS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN.

SIGNED: Ward M. Holmes

NOTE: THE PROPERTY SHOWN HEREON APPEARS TO LIE IN " C " FLOOD ZONE ACCORDING TO F.E.M.A. MAP PANEL NO. 510104-0010D, REVISED APRIL 17, 1984.



PHYSICAL SURVEY
OF
PART OF LOTS 6, 7, 8, 9, 10, 11, 12, 13, 18 & 19 BLOCK 36
OCEAN VIEW COTTAGE CO.
NORFOLK, VIRGINIA
FOR
NORFOLK BUILDING CORP.

DATE: AUG. 11, 2005
SCALE: 1" = 25'
NOTE: FOR PLAT SEE M.B.7 PG.72 CHESAPEAKE, VA.

COMMONWEALTH OF VIRGINIA
WARD M. HOLMES
CERTIFICATE No.
1403
VIRGINIA
Ward M. Holmes 8-11-05
LAND SURVEYOR

WARD M. HOLMES
LAND SURVEYOR, P.C.
9225 GRANBY STREET
NORFOLK, VIRGINIA 23503
757-480-1230

DRAWN BY: DHH

PROJECT NO. 051512

7/8/153

NOTES:

1) THE PROPERTY SHOWN HEREON APPEARS TO LIE IN "X"(UNSHADED) FLOOD ZONE ACCORDING TO F.E.M.A. MAP PANEL NO. 510104-0030F, REVISED SEPT. 2, 2009.
2) THE PROPERTY SHOWN HEREON IS CURRENTLY ZONED: C-1
3) THE PROPERTY SHOWN HEREON CONTAINS 7,886 SQ. FT.

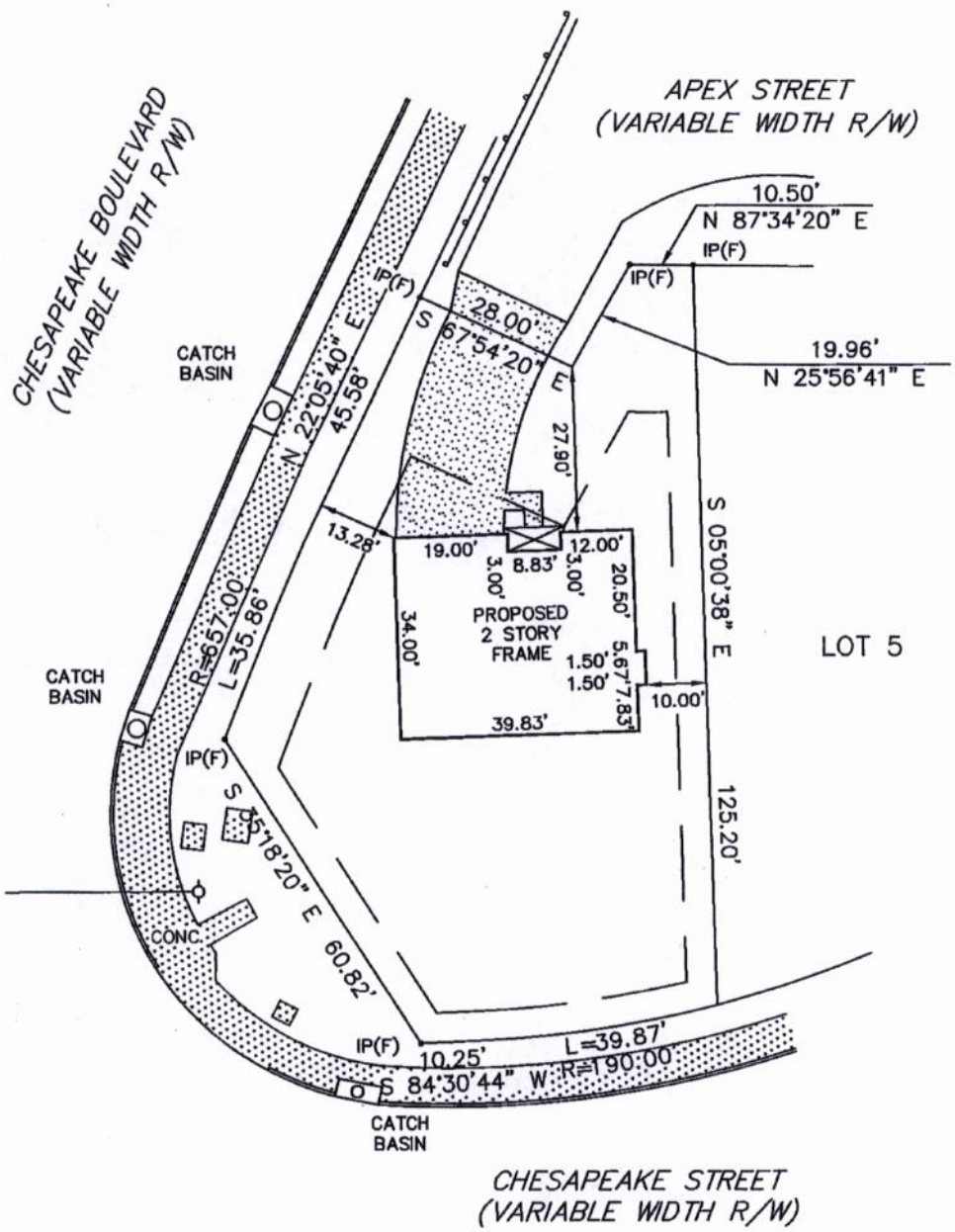


EXHIBIT
SHOWING PROPOSED SINGLE FAMILY HOME ON
PART OF LOTS 6, 7, 8, 9, 10, 11,
12, 13, 18 & 19 BLOCK 36
OCEAN VIEW COTTAGE CO.
NORFOLK, VIRGINIA
FOR
NORFOLK BUILDING CORP.

DATE: FEB. 25, 2015
SCALE: 1" = 25'
NOTE: FOR PLAT SEE
M.B.7 PG.72
CHESAPEAKE, VA.

WARD M. HOLMES
LAND SURVEYOR, P.C.
9225 GRANBY STREET
NORFOLK, VIRGINIA 23503
757-480-1230

DRAWN BY: DHH

PROJECT NO. 051512