City of NORFOLK

C: Dir., Department of City Planning

To the Honorable Council
City of Norfolk, Virginia

February 23, 2016

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

Subject: **Special Exception for an entertainment establishment with alcoholic beverages at 9605 Granby Street, Suite A – Elegant Occasions**

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

Ward/Superward: 5/6

Approved: Marcus D. Jones, City Manager

Item Number: R-1

I. **Staff Recommendation: Denial.**

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

III. **Request:** Special exception – entertainment establishment with alcoholic beverages

IV. **Applicant: Elegant Occasions**

V. **Description:**

- Granting this request will allow a new banquet facility, Elegant Occasions, to serve alcoholic beverages and provide entertainment options to its patrons, in a space previously occupied East Coast Bicycles (retail) and Arianna's Café (take-away café).
- According to the 2005 Hampton Roads Joint Land Use Study (HR JLUS) evaluating the appropriate land uses near Naval Station Norfolk' Chambers Field, the site is located within an Accident Potential Zone (APZ-II) and the 65-70 DNL noise zone [2005 HR JLUS, revised 2010].
- The Identifying Land Use Strategies chapter of *plaNorfolk2030* replicates the HR JLUS map and includes an action calling for the City to not support any increase in intensity of incompatible uses in those zones.
- The HR JLUS recommend land uses with "low density" occupancy levels; occupancy levels should in general be restricted to "50 persons per acre in APZ-II are...considered to be low density." Additionally, the HR JLUS indicates that "meeting places, auditoriums, etc. are not recommended." The approximately quarter acre site with a proposed occupant load of 80 persons equates to roughly 320 persons per acre on the site, which is more than six times more dense than the HR JLUS recommendation. The 3,543 square foot tenant space itself would potentially congregate patrons at a level over 20 times more dense than the HR JLUS recommendation.
- The C-2 district permits dozens of office and retail opportunities as a matter of right (e.g., take-out eatery, pharmacy, book store, antique store, hair salon, veterinarian office, dry cleaning), all of which would be allowed in the location for which this application has been submitted. Thus, the existence of the APZ and noise zones from Chambers Field do not, as has been alleged, diminish the economic value of the investment. Special Exceptions are a privilege, not a right. The decision as to whether to grant or not depends on the specific situation and location and whether or not conditions can be applied that would ameliorate the concerns that arise from

location and type of enterprise; in this case there are no conditions that can address the location within the APZ and the inherent added danger to the public from establishing a new public assembly use in the existing building.

- Citing the 2005 City Council approved Resolution which recognized that the HR JLUS report recommendations will help protect the public health, safety and welfare of our citizens, and given that *plaNorfolk2030* discourages any increase in intensity of incompatible uses within the Accident Potential Zones, staff recommends **denial** of the special exception request.

Staff point of contact: Matthew Simons at 664-4750, matthew.simons@norfolk.gov

Attachments:

- Staff Report to CPC dated January 28, 2016 with attachments
- Proponents and Opponents
- Ordinance

THE CITY OF NORFOLK
CITY PLANNING

Planning Commission Public Hearing: January 28, 2016

Executive Secretary: George M. Homewood, AICP, CFM

Planner: Matthew Simons, AICP, CZA, CFM

Staff Report	**Item No. 17**	
Address	**9605 Granby Street, Suite A**	
Applicant	**Elegant Occasions By Krista**	
Request	**Special Exception**	**Entertainment establishment with alcoholic beverages**
Property Owner	Blue Sky I, LLC (Michael Shipp)	
Site Characteristics	Site/Building Area	11,103 sq. ft./3,543 sq. ft. of 5,420 sq. ft. retail space
	Future Land Use Map	Commercial
	Zoning	C-2 (Corridor Commercial) and APZ-2 (Accident Potential Zone)
	Neighborhood	West Ocean View/Pinewell
	Character District	Suburban
Surrounding Area	North	C-2: Ocean View Democratic Social Club
	East	C-2 and R-8 (Single-Family): offices and single-family home
	South	C-2: dentist office
	West	C-2 and R-12 (Medium Density Multi-Family): parking lot and fourplex

A. Summary of Request

- The site is located on the west side of Granby Street, between W. Balview Avenue and W. Seaview Avenue, in the West Ocean View.
- Granting this request will allow a new banquet facility, Elegant Occasions, to serve alcoholic beverages and provide entertainment options to its patrons, in a space previously occupied East Coast Bicycles (retail) and Arianna's Café (take-away café).

B. Plan Consistency

- *plaNorfolk2030* designates this site as commercial.
- According to the 2005 Hampton Roads Joint Land Use Study (HR JLUS) evaluating the appropriate land uses near Naval Station Norfolk' Chambers Field, the site is located within an Accident Potential Zone (APZ-II) and the 65-70 DNL noise zone [2005 HR JLUS, revised 2010].
- The Identifying Land Use Strategies chapter of *plaNorfolk2030* replicates the HR JLUS map and includes an action calling for the City to not support any increase in intensity of incompatible uses in those zones.
  - Retail sales and service uses are considered conditionally compatible within the APZ-II.
  - Assembly uses, such as churches, schools, and outdoor amphitheaters are not considered compatible within the APZ-II.
- While the site is designated commercial, since the proposed special exception would permit the existing retail sales and service space to be intensified and used as a place of assembly, it is not consistent with *plaNorfolk2030*.

C. Zoning Analysis

i. General

- The use is permitted in the C-2 district by special exception.
- In 2005, the City Council adopted Resolution 1,276, approving the HR JLUS.
  - "Whereas, the City Council recognizes that the findings and recommendations contained in the report will help protect the public health, safety and welfare of our citizens…" [2005 City Council Resolution 1,276].
- Within Table 3 – Air Installations Compatible Use Zones of the HR JLUS (Table 3), land uses are identified within APZ's as either:
  - "Yes," (compatible without restriction),
  - "Yes with restrictions" (generally compatible with restrictions),
  - "No" (prohibited) or,
  - "No with exception" (generally not ever permitted).
- The proposed use of the site for a "public assembly" is listed as a prohibited use within the APZ-II.
  - Notes for Table 3 within the HR JLUS recommend land uses with "low density" occupancy levels.
  - The Table 3 notes further indicate that occupancy levels should in general be restricted to "50 per acre in APZ-II are…considered to be low density,"

- Additionally, the Table 3 notes indicate that "meeting places, auditoriums, etc. are not recommended."
  - The approximately quarter acre site with a proposed occupant load of 80 persons equates to roughly 320 persons per acre on the site, which is more than six times more dense than the HR JLUS recommendation.
  - The 3,543 square foot tenant space itself would potentially congregate patrons at a level over 20 times more dense than the HR JLUS recommendation.

	Previous (East Coast Bicycles)	Proposed (Elegant Occasions)
Hours of Operation and Hours for the Sale of Alcoholic Beverages	N/A	9:00 a.m. until 10:00 p.m., Sunday through Thursday 9:00 a.m. until 12:00 a.m., Friday and Saturday
Capacity	N/A	75 seats indoors 0 seats outdoors 80 total capacity
Entertainment	None	• Karaoke • Comedian • Poetry reading • Disc jockey

ii. <u>Parking</u>

Automobile Parking

- The site is located in an area zoned for commercial uses within the Suburban Character District, which requires one parking space per 150 square feet of enclosed building area for entertainment establishments.
- Currently there are ten parking spaces available on-site.
- The *Zoning Ordinance* promotes the reuse of existing buildings throughout the City by acknowledging all buildings constructed prior to 1992 as being vested from the basic parking minimum parking requirement of one space per 250 square feet. Therefore, the entire 5,420 square foot facility is vested for 22 parking spaces.
- The current parking regulations require 24 parking spaces for the proposed 3,543 square foot establishment, of which ten spaces are provided on-site and the remaining are considered vested under the current parking requirements.
- Off-street parking is shared amongst two uses in one structure.
  - However, at times when the entertainment establishment is operating the remaining office space will be closed.

Bicycle Parking

- Given the square footage of the establishment, the total bicycle parking requirement within the Suburban Character District is for two bike spaces.
  - A bike rack or pole will have to be provided sufficient to accommodate at least two bicycles on the site within clear view of the main entrance.

iii. Flood Zone

The property is located in the X Flood Zone, which is a low-risk flood zone.

D. Transportation Impacts

- Institute of Transportation Engineers (ITE) figures estimate that this use will generate 129 new vehicle trips per day.
- Based upon ITE data, the prior retail use on this site would be expected to generate 233 weekday trips while the proposed entertainment use on the site would be expected to generate 362 trips on weekdays.

E. Historic Resources Impacts

The site is not located within a federal, state, or local historic district.

F. Public Schools Impacts

This site is located within the Ocean View Elementary School, Northside Middle School, and Granby High School Attendance Zones.

G. Environmental Impacts

- The site has adequate landscaping installed along Granby Street and there doesn't appear to be any more opportunities for additional landscaping to this existing site.
  - A condition will be added that requires that the existing landscaping be maintained.
- The new trash enclosure will be screened and landscaping installed along the base.

H. Surrounding Area/Site Impacts

- The site is located along a busy thoroughfare and is surrounded by a mix of commercial, office and residential uses nearby.
- An opaque landscape buffer exists, and must be maintained, along the western property line to shield the parking area from the limited residential exposure to the southwest.
- By requiring this use to conform to the conditions listed below, the proposed entertainment establishment should not have a negative impact on the surrounding neighborhood.
- Over the past year there have been two calls for police service with no arrests made.
  - The calls were both related to issues with the building's alarm system.

I. Payment of Taxes

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

J. Civic League

Notice was sent to the West Ocean View and Pinewell Civic League on December 16.

K. Communication Outreach/Notification

- Legal notice was posted on the property on December 15.
- Letters were mailed to all property owners within 300 feet of the property on January 15.
- Notice was sent to Naval Station Norfolk – Chambers Field on January 11.
- Legal notification was placed in *The Virginian-Pilot* on January 14 and January 21.

L. Recommendation

- Citing the 2005 City Council approved Resolution which recognized that the HR JLUS report recommendations will help protect the public health, safety and welfare of our citizens, and given that *plaNorfolk2030* discourages any increase in intensity of incompatible uses within the Accident Potential Zones, staff recommends **denial** of the special exception request.
- Should the special exception request be approved, staff recommends the following conditions:

Entertainment Establishment – Conditions

(a) The hours of operation for the establishment, for the sale of alcoholic beverages, and for entertainment shall be limited to 9:00 a.m. until 10:00 p.m., Sunday through Thursday, and from 9:00 a.m. until 12:00 midnight, Friday and Saturday. No use of the establishment outside of the hours of operation listed herein shall be permitted.

(b) The seating for the establishment shall not be less than 65 seats indoors, no seats outdoors, and the total occupant capacity, including employees, shall not exceed 80 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.

(c) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B." Any tables, chairs, booths, stools or other movable furniture may be relocated provided that it remains only within the shaded areas, and the unshaded accesses, aisles, and other areas shown on the floor plans shall remain unobstructed.

(d) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever

is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.

(e) Entertainment shall be limited to karaoke, comedian, poetry reading and disc jockey. No other form of entertainment is permitted.

(f) The dance floor shall not exceed 144 square feet and shall be located as indicated on the basic floor plan attached hereto and marked as "Exhibit B." The dance floor shall be constructed of a different material than the primary floor material.

(g) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."

(h) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.

(i) The establishment shall maintain a current, active business license at all times while in operation.

(j) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.

(k) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.

(l) If located anywhere outside the building, the trashcan receptacles shall be screened by a trash receptacle enclosure to meet the following standards:

a. The trash receptacle enclosure shall not be located within any required yard.

b. Any outdoor trash receptacle enclosure shall include a six (6) foot solid wood fence with a locking gate and a concrete walkway.

c. A six (6) foot wide landscaped perimeter shall be installed and maintained around any outdoor trash receptacle enclosure with final landscape species, placement and condition upon installation to be reviewed and approved by the Department of Recreation, Parks and Open Space.

(m) All landscaping installed on the site premises shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.

(n) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so at to keep such areas free of litter, refuse, solid waste, and any bodily discharge.

(o) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.

(p) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.

(q) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

(r) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.

(s) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.

(t) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.

(u) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.

(v) No patrons or guests shall be charged a cover charge or fee for entry to the establishment.

(w) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:

(1) This special exception;

(2) Any ABC license(s);

(3) Any occupancy permit(s);

(4) Certifications of all persons who work on the premises as a security guard;

(5) All fire code certifications, including alarm and sprinkler inspection records;

(6) Any health department permit(s);

(7) The emergency action plan required under the Fire Prevention Code;

(8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;

(9) The establishment's designated driver program; and

(10) The establishment's Security Plan.

(x) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 60 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.

(y) The written security plan submitted to the City as part of the application for this special exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Attachments

Location Map
Zoning Map
1000' radii map of similar ABC establishments and Norfolk Public Schools
Application
2005 City Council adopted Resolution 1,276 to adopt the HR JLUS
AICUZ map
HR JLUS – Suggested Land Use Compatibility in APZs
Notice to the West Ocean View and Pinewell Civic League
Notice to the Commanding Officer, Naval Station Norfolk

Proponents and Opponents

Proponents

Jen Stringer
8834 Granby Street
Norfolk, VA 23503

Richard Levin
610 Pembroke Avenue
Norfolk, VA 23517

Michael Shipp
9605 Granby Street
Norfolk, VA 23503

Krista Hines
9605 Granby Street
Norfolk, VA 23503

Kenneth Hines
9605 Granby Street
Norfolk, VA 23503

Opponents

Steve Jones
1530 Gilbert Street
Norfolk, VA 23511

Commander Albon Head
Air Operations Officer
1530 Gilbert Street
Norfolk, VA 23511

01/25/2016 lds

Form and Correctness Approved:

By _____
Office of the City Attorney

Contents Approved:

By _____
DEPT.

NORFOLK, VIRGINIA

R-1

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE OPERATION OF AN ENTERTAINMENT ESTABLISHMENT WITH ALCOHOLIC BEVERAGES KNOWN AS "ELEGANT OCCASIONS BY KRISTA" ON PROPERTY LOCATED AT 9605 GRANBY STREET.

- - -

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

Section 1:- That a Special Exception is hereby granted to Elegant Occasions by Krista, LLC authorizing the operation of an entertainment establishment with alcoholic beverages named "Elegant Occasions By Krista" on property located at 9605 Granby Street. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 98 feet, more or less, along the western line of Granby Street beginning 50 feet, more or less, from the southern line of West Balview Avenue and extending southwardly; premises numbered 9605 Granby Street, Suite A.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

(a) The hours of operation for the establishment, for the sale of alcoholic beverages, and for entertainment shall be limited to 9:00 a.m. until 10:00 p.m. Sunday through Thursday and from 9:00 a.m. until 12:00 midnight on Friday and Saturday. No use of the establishment outside of the hours of operation listed herein shall be permitted.

(b) The seating for the establishment shall not be less than 65 seats indoors, shall not include any seats outdoors, and the total occupant capacity, including employees, shall not exceed 80 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the

Department of Planning.

(c) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."

(d) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.

(e) Entertainment shall be limited to karaoke, comedian, poetry reading and disc jockey. No other form of entertainment is permitted.

(f) The dance floor shall not exceed 144 square feet and shall be located as indicated on the "Option A" floor plan attached hereto and marked as "Exhibit B." The dance floor shall be constructed of a different material than the primary floor material.

(g) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."

(h) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.

(i) The establishment shall maintain a current, active business license at all times while in operation.

(j) The establishment shall remain current on all food and beverages taxes and business personal property

taxes which may become due while it is in operation.

(k) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.

(l) If trash containers are located anywhere outside the building, they shall be screened by an enclosure that complies with all of the following:

(1) The enclosure shall not be located within any required yard.

(2) Any enclosure shall consist if a solid, wood fence not less than six (6) feet in height with a locking gate and a concrete walkway for access.

(3) A landscaped perimeter not less than six (6) feet in width shall be installed and maintained around the enclosure, and the species, placement, and condition upon installation of the plants used must be approved by the Department of Recreation, Parks and Open Space prior to installation.

(m) All landscaping installed on the site premises shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.

(n) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so at to keep such areas free of litter, refuse, and both solid and liquid waste.

(o) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on

the bar or a description printed on the menu.

(p) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.

(q) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

(r) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.

(s) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.

(t) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the

establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.

(u) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.

(v) No patrons or guests shall be charged a cover charge or fee for entry to the establishment.

(w) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:

(1) This special exception;

(2) Any ABC license(s);

(3) Any occupancy permit(s);

(4) Certifications of all persons who work on the premises as a security guard;

(5) All fire code certifications, including alarm and sprinkler inspection records;

(6) Any health department permit(s);

(7) The emergency action plan required under the Fire Prevention Code;

(8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;

(9) The establishment's designated driver program; and

(10) The establishment's Security Plan.

(x) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 60 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.

(y) The written security plan submitted to the City as part of the application for this special exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

(a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;

(b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;

(c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;

(d) The proposed use and development will be

constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;

(e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;

(f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;

(g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;

(h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;

(i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;

(j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and

(k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:
Exhibit A (5 pages)
Exhibit B (2 pages)

Exhibit A

EXHIBIT "A"
Description of Operations
Entertainment Establishment
(Please Print)

Date October 21, 2015

Trade name of business Elegant Occasions By Krista

Address of business 9605 Granby St.

Name(s) of business owner(s)* Krista & Kenneth Hines - Elegant occasions By Krista, LLC

Name(s) of property owner(s)* Michael Shipp - Blue Sky 1, Inc

Name(s) of business manager(s)/operator(s) Krista & Kenneth Hines

Daytime telephone number (757) 610-3856

*If business or property owner is a partnership, all partners must be listed.
*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility			Alcoholic Beverage Sales and Entertainment		
Weekday	From 9am	To 10pm	Weekday	From 9am	To 10pm
Friday	From 9am	To 12am	Friday	From 9am	To 12am
Saturday	From 9am	To 12am	Saturday	From 9am	To 12am
Sunday	From 9am	To 10pm	Sunday	From 9am	To 10pm

2. Type of ABC license applied for (check all applicable boxes):
   ☑ On-Premises ☐ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:
   ☑ Beer ☑ Wine ☑ Mixed Beverage

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

4. Will video games, pool tables, game boards or other types of games be provided?
☐ Yes (If more than 4, additional application required) ☑ No

4a If yes, please describe type and number of each game to be provided:

_____

_____

5. Will patrons ever be charged to enter the establishment?
☐ Yes ☑ No

5a. If yes, why:

_____

_____

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday
Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?
☑ Yes ☐ No

6a. If yes, explain:
Weddings, rehearal dinners, bridal showers, Baby showers, meetings, and birthday parties

7. Will a third party (promoter) be permitted to lease, let or use the establishment?
☐ Yes ☑ No

7a. If yes, explain:

_____

_____

8. Will there ever be a minimum age limit?
☐ Yes ☑ No

9. Additional comments/description/operational characteristics or prior experience:

_____

_____

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility

Signature of Applicant

Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment

Plan A: Entertainment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
  - Tables/seats
  - Restroom facilities
  - Bar
  - Ingress and egress
  - Standing room
  - Disc Jockey/Band/Entertainment area)
  - Outdoor seating
  - Total maximum capacity (including employees)

1. Total capacity

   a. Indoor
   Number of seats (not including bar seats) 65
   Number of bar seats Ø
   Standing room 10

   b. Outdoor
   Number of seats Ø

   c. Number of employees 5

Total Occupancy
(Indoor/Outdoor seats, standing room and employees) = 80

2. Entertainment
   List ANY type of entertainment proposed other than a ~~3-member live band~~, karaoke, comedian, or poetry reading.

   DJ

3. Will a dance floor be provided? (TEMPORARY / REMOVABLE DANCE FLOOR)
   ☒ Yes ☐ No

   3a. If yes,
   Square footage of establishment 3,543 SF
   Square footage of dance floor 144 SF (04%)

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

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

Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment

Plan B:

- Complete this worksheet based for each floor plan submitted with application. NO Entertainment
- Floor plan(s) must be prepared by a registered design professional and include:
  - Tables/seats
  - Restroom facilities
  - Bar
  - Ingress and egress
  - Standing room
  - Disc Jockey/Band/Entertainment area)
  - Outdoor seating
  - Total maximum capacity (including employees)

1. Total capacity

   a. **Indoor**
   Number of seats (not including bar seats) 75
   Number of bar seats Ø
   Standing room Ø

   b. **Outdoor**
   Number of seats Ø

   c. **Number of employees** 5

Total Occupancy
(Indoor/Outdoor seats, standing room and employees) = 80

2. Entertainment
   List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

NONE

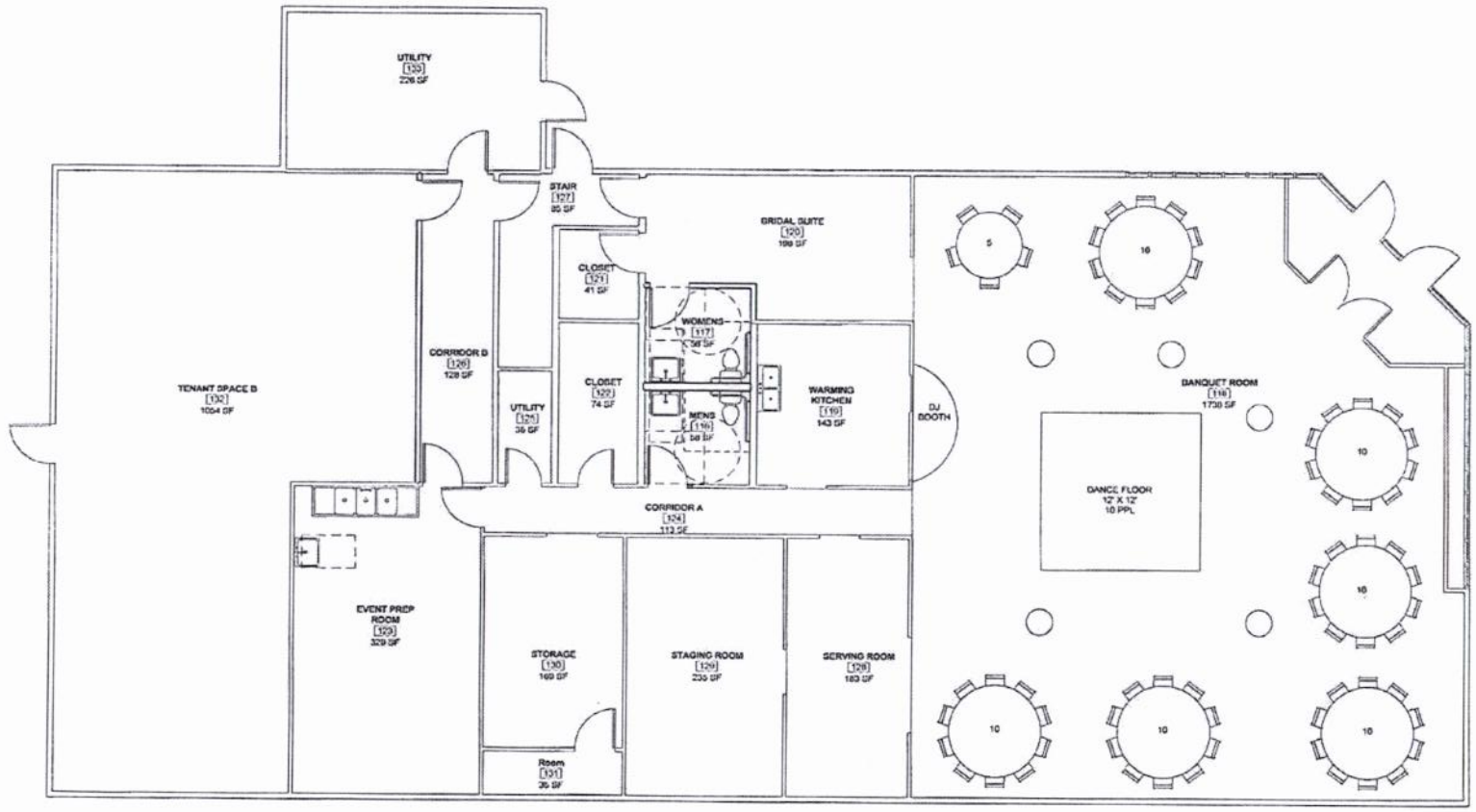
3. Will a dance floor be provided?
   ☐ Yes ☒ No

   3a. If yes,
   Square footage of establishment 3,543 ft
   Square footage of dance floor 0 SF.

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

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

Exhibit B



FIRST FLOOR PLAN -
OPTION A ENTERTAINMENT
1/4" = 1'-0"

FOR THE PEOPLE PROJECTS, LLC
PROJECT MANAGEMENT | OWNER REPRESENTATION
9634 GRANBY STREET | NORFOLK, VA 23503
757.878.3711
JW@FORTHEPEOPLEPROJECTS.COM

REVISIONS:

DESIGNER OF RECORD:

Architectural Innovations

RENOVATIONS TO 9605 GRANBY ST.

9605 GRANBY ST.
NORFOLK, VA 23503

FIRST FLOOR PLAN OPTION A

DATE: 12-14-15

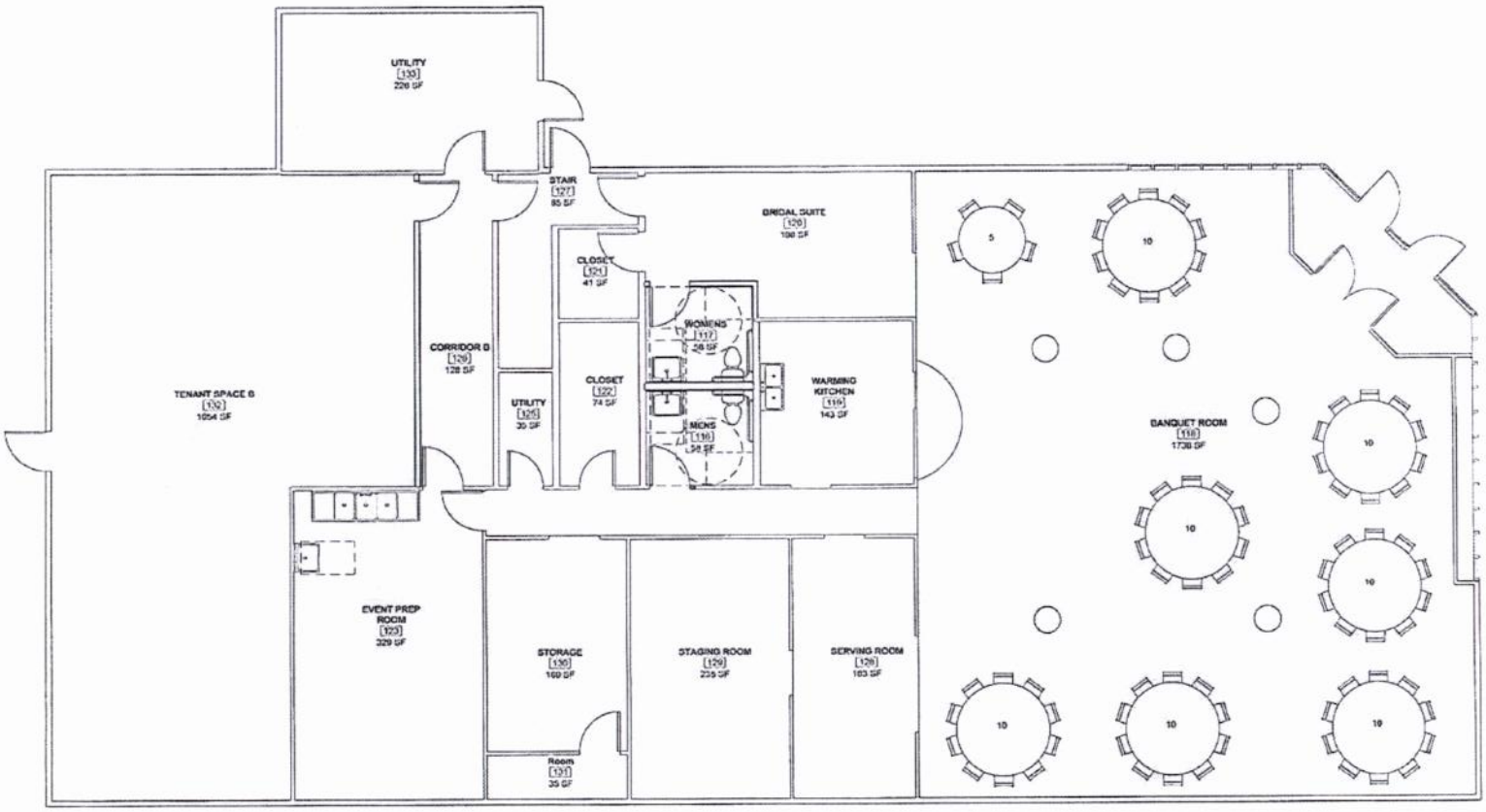
PROJECT NO: 2015 - 116

DRAWN BY: JCS

A101

01 of 2

2015-12-11 9:24:33 AM



FIRST FLOOR - OPTION B NO ENTERTAINMENT
1/4" = 1'-0"

FOR THE PEOPLE PROJECTS, LLC
PROJECT MANAGEMENT | OWNER REPRESENTATION
9634 GRANBY STREET | NORFOLK, VA 23503
757.856.3911
AN @PEOPLEPROJECTS.COM

REVISIONS:

DESIGNER OF RECORD:
Architectural Innovations

RENOVATIONS TO 9605 GRANBY ST.

9605 GRANBY ST.
NORFOLK, VA 23503

FIRST FLOOR PLAN OPTION B

DATE: 12-14-15

PROJECT NO: 2015 - 116

DRAWN BY: JCS

A102

2 of 2

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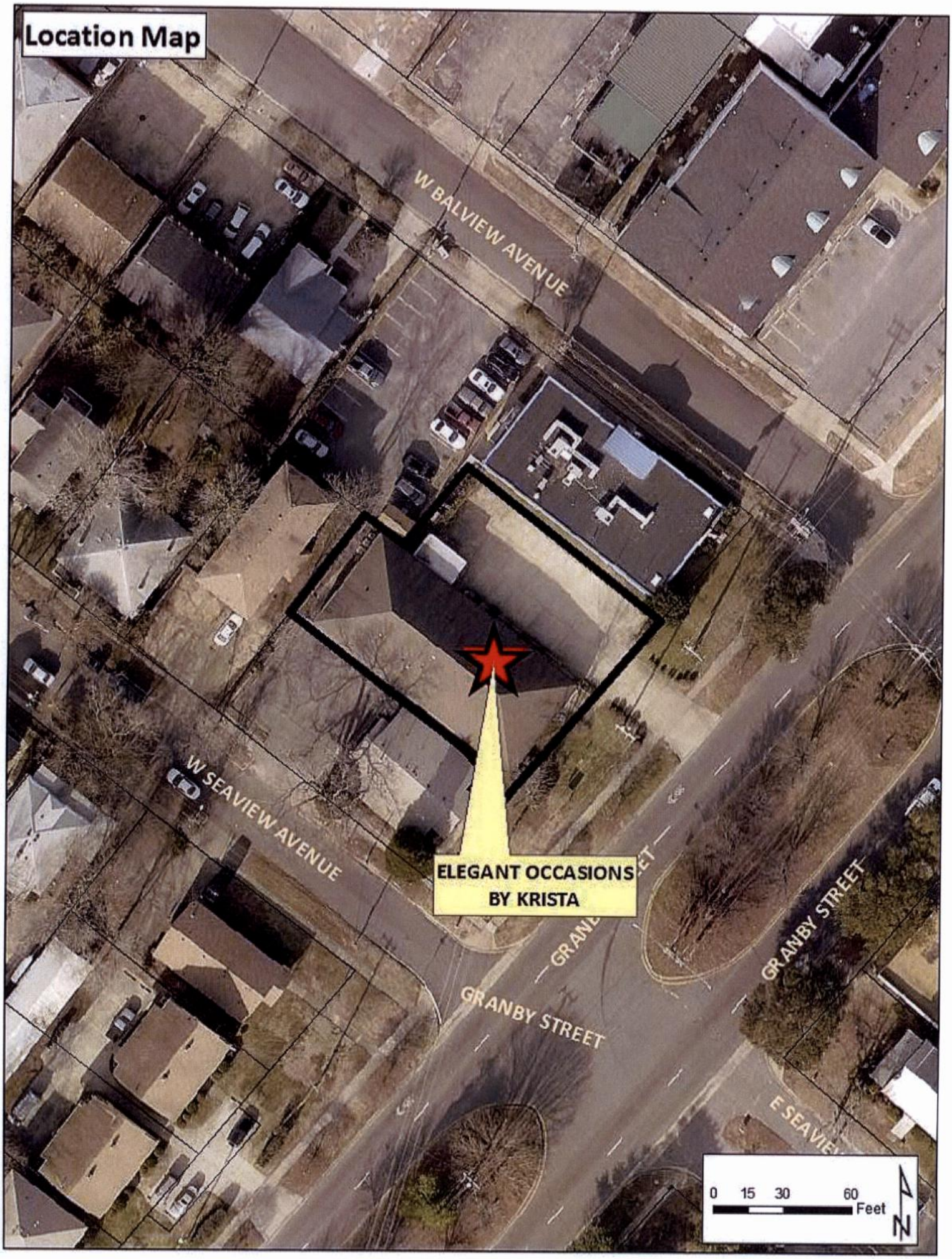
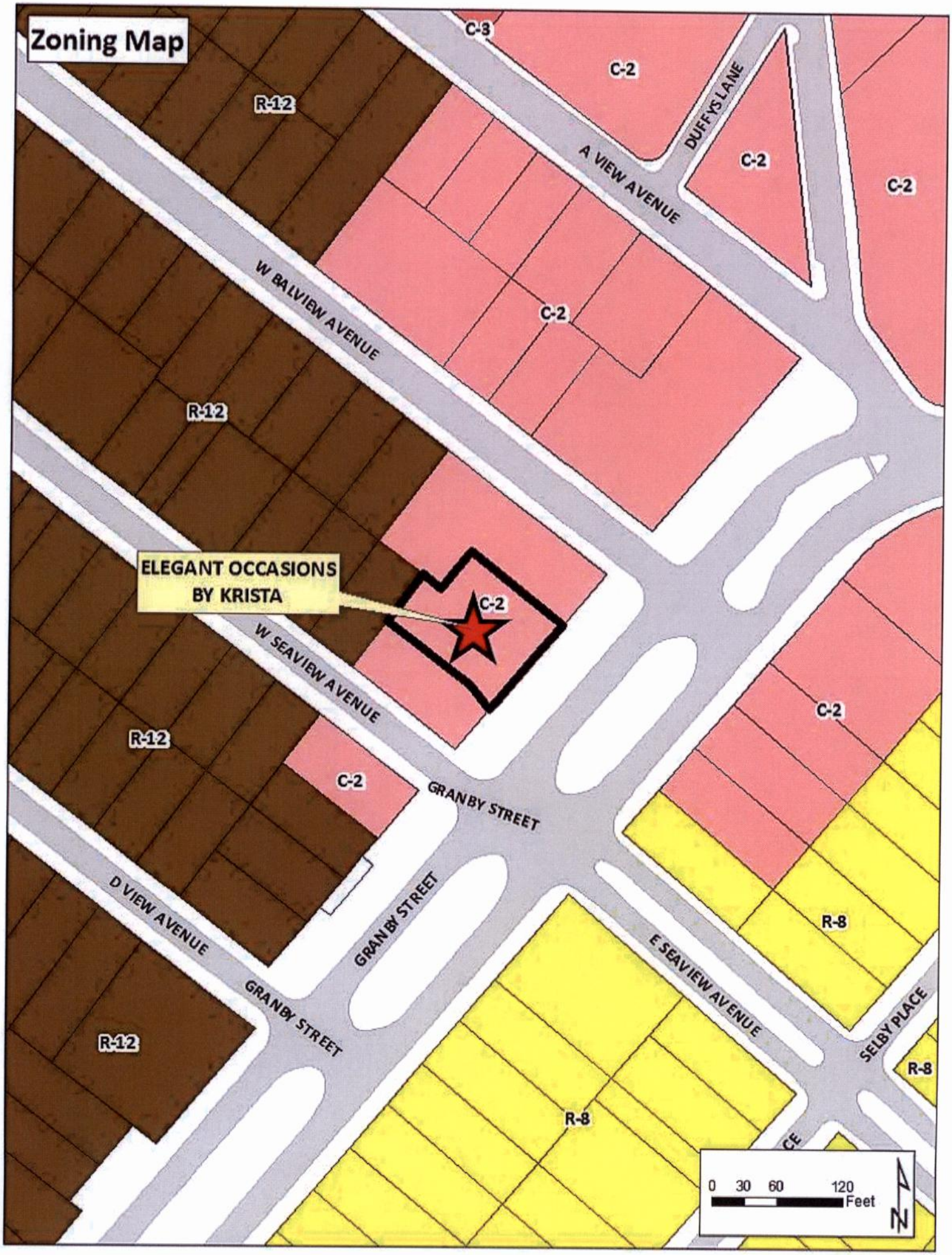
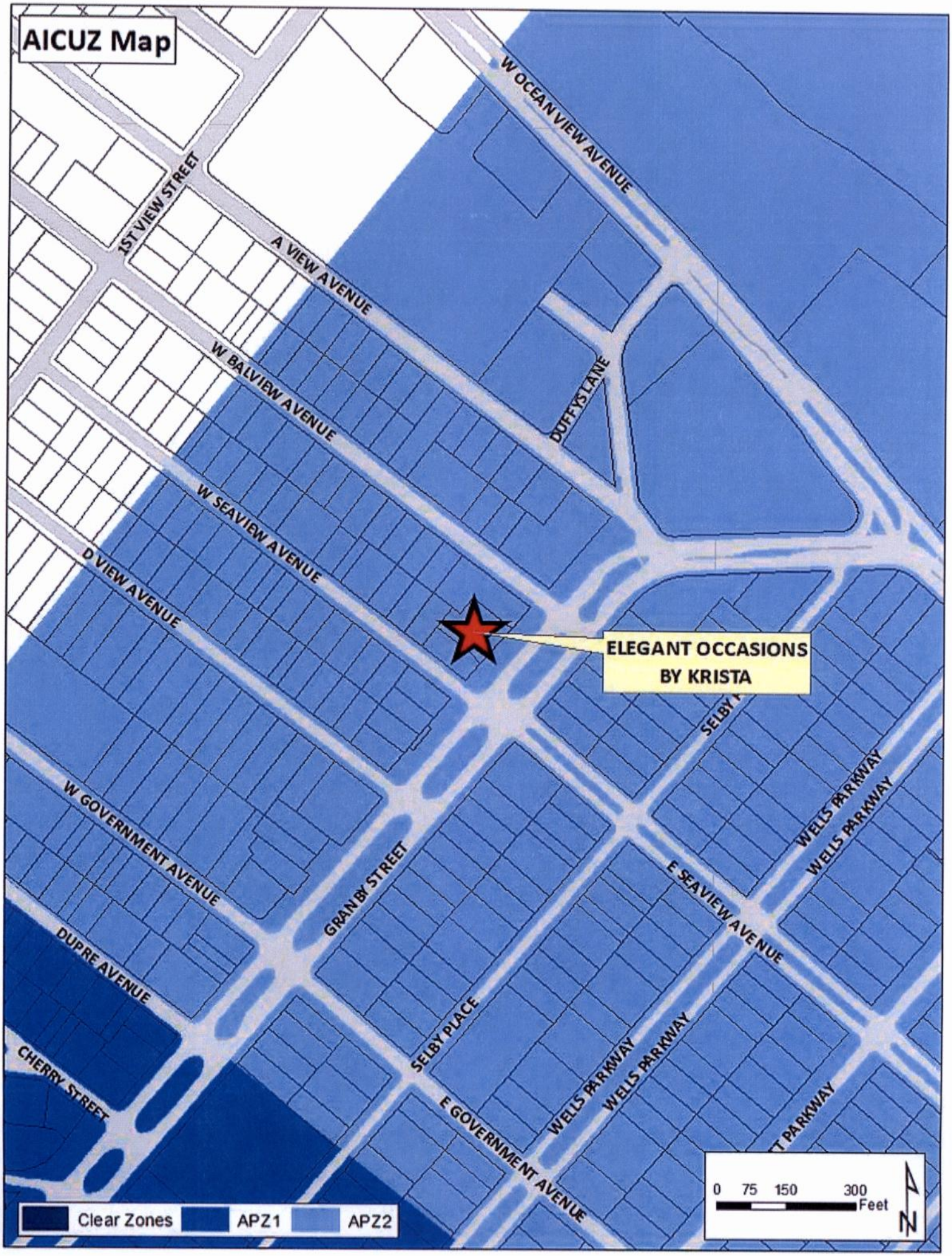
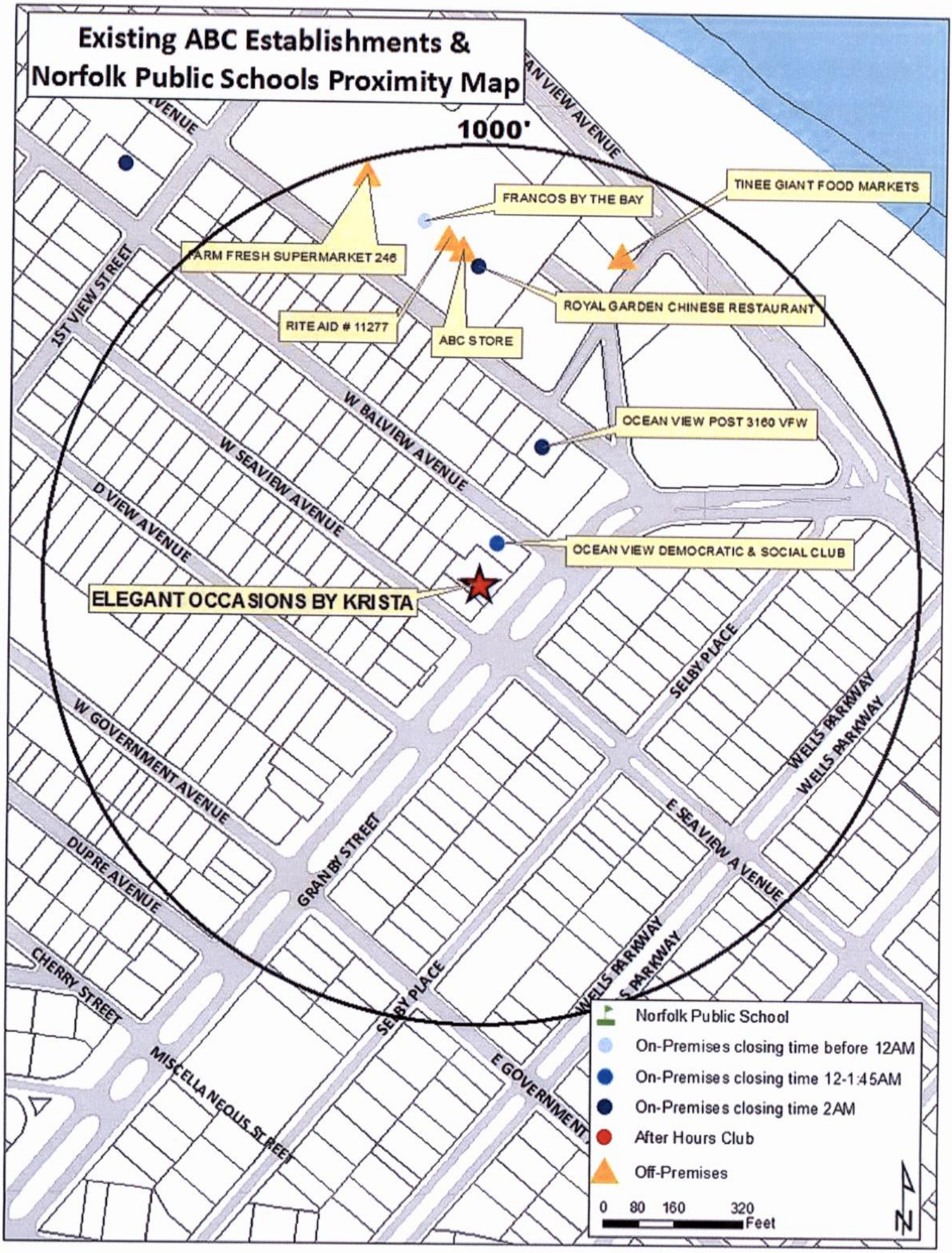

Location Map
W BALVIEW AVENUE
W SEAVIEW AVENUE
ELEGANT OCCASIONS
BY KRISTA
GRANBY STREET
GRANBY STREET
GRANBY STREET
0 15 30 60
Feet
N


Zoning Map
C-3
C-2
DUFFYS LANE
R-12
A VIEW AVENUE
C-2
C-2
W BALVIEW AVENUE
C-2
R-12
ELEGANT OCCASIONS
BY KRISTA
C-2
W SEAVIEW AVENUE
C-2
R-12
C-2
GRANBY STREET
D VIEW AVENUE
GRANBY STREET
R-8
E SEAVIEW AVENUE
GRANBY STREET
SELBY PLACE
R-12
R-8
R-8
0 30 60 120
Feet
N


AICUZ Map
W OCEAN VIEW AVENUE
1ST VIEW STREET
A VIEW AVENUE
W BALVIEW AVENUE
DUFFYS LANE
W SEAVIEW AVENUE
D VIEW AVENUE
ELEGANT OCCASIONS
BY KRISTA
SELBY
WELLS PARKWAY
WELLS PARKWAY
W GOVERNMENT AVENUE
GRANBY STREET
E SEAVIEW AVENUE
DUPRE AVENUE
SELBY PLACE
CHERRY STREET
WELLS PARKWAY
WELLS PARKWAY
E GOVERNMENT AVENUE
Clear Zones
APZ1
APZ2
0 75 150 300
Feet
N


Existing ABC Establishments &
Norfolk Public Schools Proximity Map
1000'
FRANCOS BY THE BAY
TINEE GIANT FOOD MARKETS
FARM FRESH SUPERMARKET 246
ROYAL GARDEN CHINESE RESTAURANT
RITE AID # 11277
ABC STORE
OCEAN VIEW POST 3160 VFW
OCEAN VIEW DEMOCRATIC & SOCIAL CLUB
ELEGANT OCCASIONS BY KRISTA
1ST VIEW STREET
W BALVIEW AVENUE
W SEAVIEW AVENUE
D VIEW AVENUE
W GOVERNMENT AVENUE
DUPRE AVENUE
GRANBY STREET
CHERRY STREET
MISCELLANEOUS STREET
SELBY PLACE
WELLS PARKWAY
E SEAVIEW AVENUE
E GOVERNMENT
Norfolk Public School
On-Premises closing time before 12AM
On-Premises closing time 12-1:45AM
On-Premises closing time 2AM
After Hours Club
Off-Premises
0 80 160 320
Feet
N

APPLICATION
ADULT USE SPECIAL EXCEPTION
ENTERTAINMENT ESTABLISHMENT
(Please Print)

Date October 21, 2015

DESCRIPTION OF PROPERTY

Address 9605 Granby Street

Existing Use of Property Retail and Cafe

Proposed Use Meeting Space for less than 70 people

Current Building Square Footage 5420

Proposed Building Square Footage 3543

Trade Name of Business (If applicable) Elegant Occasions By Krista, LLC

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

1. Name of applicant: (Last) Hines (First) Krista and Kenneth (MI) S.

Mailing address of applicant (Street/P.O. Box): 4008 River Breeze Circle

(City) Chesapeake (State) VA (Zip Code) 23321

Daytime telephone number of applicant (757) 610-3856 Fax ( )

E-mail address of applicant: elegantoccasionsbykrista@yahoo.com

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) STRINGER (First) JENNIFER (MI) C.

Mailing address of applicant (Street/P.O. Box): 8834 GRANBY ST.

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

Daytime telephone number of applicant (757) 828-5911 Fax ( )

E-mail address of applicant: jen@forthepeopleprojects.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) Shipp (First) Michael (MI)

Mailing address of property owner (Street/P.O. box): 407 Sinclair Street

(City) Norfolk (State) VA (Zip Code) 23505

Daytime telephone number of owner (757) 692-8885 email: mike@eastcoastbicycles.com

CIVIC LEAGUE INFORMATION

Civic League contact: Ocean View C.L. + Greater Pinewell C.L.

Date(s) contacted: 12·2·15

Ward/Super Ward information: WARD 2 / SUPER WARD 6.

REQUIRED ATTACHMENTS

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: Michael **Sign:** _____ / 10 / 23/15
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Krista Hines **Sign:** _____ 10 / 22 / 15
(Applicant) (Date)
Kenneth Hines _____ 10/22/15

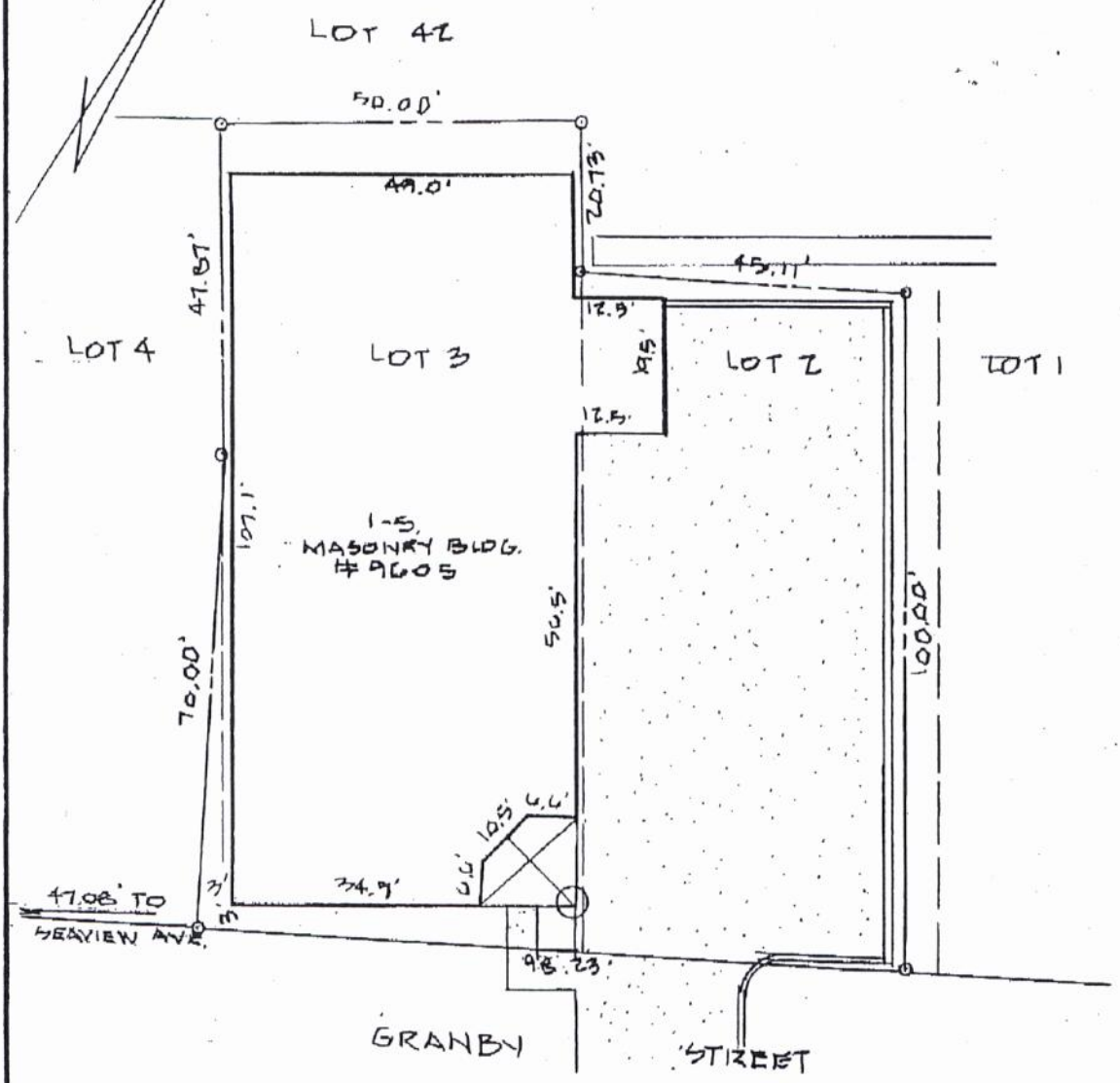
ONLY NEEDED IF APPLICABLE:

Print name: JENNIFER STRINGER **Sign:** _____ 12 / 13 / 15
(Authorized Agent Signature) (Date)

THIS IS TO CERTIFY THAT I, ON 7/5/06 SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE TITLE LINES AND WALLS OF THE BUILDINGS ARE AS SHOWN ON THIS PLAT.

THE IMPROVEMENTS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OR VISIBLE EASEMENTS, EXCEPT AS SHOWN.

G. CLIFFORD FREEMAN, II



PHYSICAL SURVEY
OF

LOT 3 & PART OF LOTS 2 & 4
PLAT SHOWING SUBDIVISION OF
LOTS 21, 22, 43 & 44, BLOCK C
OCEAN VIEW RESIDENCE PARK CORP.
NORFOLK, VIRGINIA
FOR
BLUE SKY, INC.

THIS LOT APPEARS TO BE LOCATED IN FLOOD HAZARD ZONE C AS DETERMINED BY THE F.I.A. FLOOD HAZARD MAP IN EFFECT.
THIS IS TO CERTIFY THAT THIS SURVEY REFERS TO THE SAME LOT AS SET FORTH BY PLAT DATED — AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF CHESAPEAKE VIRGINIA IN MAP BOOK 7 PAGE 90.

COMMONWEALTH OF VIRGINIA
G. Clifford Freeman, II
Certificate No. 1107 & 1430-B
7/5/06
CERTIFIED LAND SURVEYOR

FREEMAN AND ASSOCIATES
LAND SURVEYORS
PORTSMOUTH, VIRGINIA
TEL: (757) 399-8105

SURVEYED: 7/5/06 SCALE: 1" = 20'

12/14/15

To Whom it May Concern:

I am the property owner of Family Dentistry John B. Lapetina, D.D. S. & Associates at 9601 Granby Street Norfolk, Va. 23503 and I give permission for Elegant Occasions by Krista LLC. to use 2 parking spaces as needed at 9605 Granby Street Norfolk, Va.23503. During Business hours when business is not being operated at 9601 Granby Street, all open parking spots may be used. Please contact me with any questions.

Respectfully,

John B. Lapetina Jr
D.D.S

13 December 2015

SECURITY PLAN

FOR
Elegant Events By Krista
9605 Granby St.
Norfolk, VA 23503

Definition of "Security"

Security is the act of protecting against any violation of the law as defined by the U. S. Constitution, Federal Regulations, and State Regulation. Security is also the act of protecting against anything that is seen harmful or offensive as well as anything perceived in that manner.

Goals:

- Lay out the structure of the security team
- Defines how members of the security team are to interact with the establishment and patrons of the establishment
- Establish a security plan
- Explain the way to execute the plan
- Define and execute internal and external procedures to mitigate issues

Features of the Plan:

Security Team:

The security will be provided by a Virginia Department of Criminal Justice Service registered agency, licensed to provide armed security protection to businesses under a contract.

Rules and Regulations:

The age limits will vary. We will be doing pat downs to prevent the admittance of any weapons or controlled substances. If those items are found or any violation the individual will be asked to leave the premise. If there continue to be violations the Norfolk Police Department will be contacted at (757) 441-5610 to provide with assistance.

Dress Code:

- No White Tees
- No baggy clothes
- No Gang associated appeal
- No backwards facing ball caps
- Nice polo or button up shirt
- Nice jeans or casual dress pants

Once someone has one has been identified as an over intoxicated individual they will be cut off by Catering staff. If the catering staff is not aware of this, the security team will bring this to their attention then handle accordingly. If an individual becomes unruly they will be escorted off the premises. If an individual is in a smoke free part of the establishment they will be asked to move to a smoking section of the establishment.

Access:

There is onsite parking and it will be patrolled by an armed security officer. There is pedestrian access that is public access area that is protected by Norfolk Police Department.

Integration:

There will be complete cooperation with any Federal, State, or Local agent that is properly identified themselves as so. If there is issues or concerns from the neighborhood or businesses will be handled accordingly.

Uniform for Security Team

Proper Staffing Security's uniforms consist of a solid color shirt that has 'SECURITY' across the chest and back with professional looking pants or nice looking jeans. On special event that are upscale type of events then nice button down shirt and dress pants with a badge that says security enforcement officer either clipped to their belt or on a necklace device that hangs around the neck. Jacket and or suit are applicable.

Security Team:

Personnel:

[Describe the composition of the security and/or staff team, indicating the title of each position, the number of persons assigned to each position and the duties and responsibilities of each position.]

- At least 1 Door Security Person.
- At least 1 Roving Security Person.

At all times, at least one of the persons in each of the designated positions shall be certified by the Virginia Department of Criminal Justice Services (DCJS).

General Duties and Responsibilities:

Each member of the Security Team will be trained to set up and control queuing in accordance with any floor plans approved through the City's special exception process. All members shall work in concert to maintain order within the facility and outside in the immediate surroundings so as to prevent any activity which would interfere with the quiet enjoyment of nearby property owners or leaseholders.

All team members will coordinate with any personnel who may be hired by the property owner to provide security immediately outside of the facility and will be responsible for communicating wait times and cut-offs for any prospective patron queuing up to gain entry.

Security Team Leader:

- Maintains communication with staff of establishment
- Maintain communication with any agency that is needed
- Maintain communication with leadership with Proper Staffing Security
- Will confirm with the establishment's management and the Proper Staffing Security staff to have a schedule for the week

- Supervise all other security team members and monitors all members' compliance with this Security Plan
- Enforce occupancy limits in accordance with any floor plans approved through the City's special exception process. The Leader may rely on information about the number of patrons entering and leaving the facility that might be gathered by other members of the security team.
- Rove entire venue during operating hours to ensure patron flow and maintenance of open aisles and clear pathways to exits.
- Coordinate configuration of the floor plan on a daily basis under the direction of the General Manager and in accordance with any floor plans approved through the City's special exception process.
- Provide or arrange security accompaniment for employees departing at the end of their shift.
- During emergency evacuation, ensure that all security team members are properly executing emergency duties and responsibilities.
- Maintain CPR certification.

Door Security:

- Enumerate each duty which falls exclusively within the role of this position.
- Control activity at main entrance(s) at all times, monitoring entry of patrons and maintaining a clear egress.
- Control access to the venue.
- Check for proper identification of patrons seeking admission.
- Enforce dress code, age limitation, legitimacy of identification cards and code of conduct.
- Enforce restrictions on contraband by employing one or more of the following techniques: searching of bags/purses, metal-detector wands, pat-downs, walk-through metal detectors.
- Keep count all persons entering and leaving the club.
- During emergency evacuation, direct patrons out of exits and to a location far enough from the building to be safe and to allow room for other patrons to continue to move away from the building and assemble.
- Maintain CPR certification.

Stationary and Roving Security:

- Enumerate each duty which falls exclusively within the role of this position.
- Monitor continual compliance with Virginia ABC regulations.
- Identify and address hazards as they arise throughout the facility.
- Maintain security around bar area(s).
- Maintain security in restroom corridor.
- Rove entire venue during operating hours to ensure patron flow and maintenance of open aisles and clear pathways to exits.
- Regularly check emergency exits to ensure they are clear and accessible.
- During emergency evacuation, report to direct those in dance floor and stage areas to use rear exits.
- Maintain CPR certification.

Communication:

Officer will use line of sight, word or mouth, and flash lights to communicate with each other. To contact for support to the facility will be conduct via a phone to the appropriate team for that support.

Electronic Security:

No electronic security is provided at this time.

Emergency Evacuation Plan:

The team will be placed at key location in the establishment and or premises to effectively get everyone out calmly and peacefully.

03/07/04-nrk

Form CCO-005

Form and Correctness Approved:

By
Office of the City Attorney

NORFOLK, VIRGINIA

Contents Approved:

By
DEPT.

Resolution 1,276

R-10

A RESOLUTION APPROVING THE REPORT OF THE JOINT LAND USE STUDY IN WHICH THE CITY PARTICIPATED WITH THE CITIES OF CHESAPEAKE AND VIRGINIA BEACH, AND WITH THE UNITED STATES NAVY AND THE HAMPTON ROADS PLANNING DISTRICT COMMISSION.

- - -

WHEREAS, by ordinance number 41,331 adopted on February 24, 2004, the City Council authorized the City's participation in a Joint Land Use Study initiated and coordinated by the Office of Economic Adjustment of the Department of Defense, with the participation also of the Navy, the Hampton Roads Planning District Commission and the cities of Chesapeake and Virginia Beach; and

WHEREAS, a final Joint Land Use Study report was issued in March 2005; and

WHEREAS, the report includes recommendations for the adoption of regional goals and local policies intended to promote cooperative and compatible land use planning, to minimize the impact of military operations in proximity of naval air force bases, to prevent land use that would interfere with operations of the United States Navy and to increase citizen awareness of the impact of these operations; and

WHEREAS, the City Council recognizes that the findings and recommendations contained in the report will help protect the public health, safety and welfare of our citizens; now, therefore,

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

Section 1:- That the Council approves the final report of the Joint Land Use Study.

Section 2:- That this resolution shall be in effect from and after its adoption.

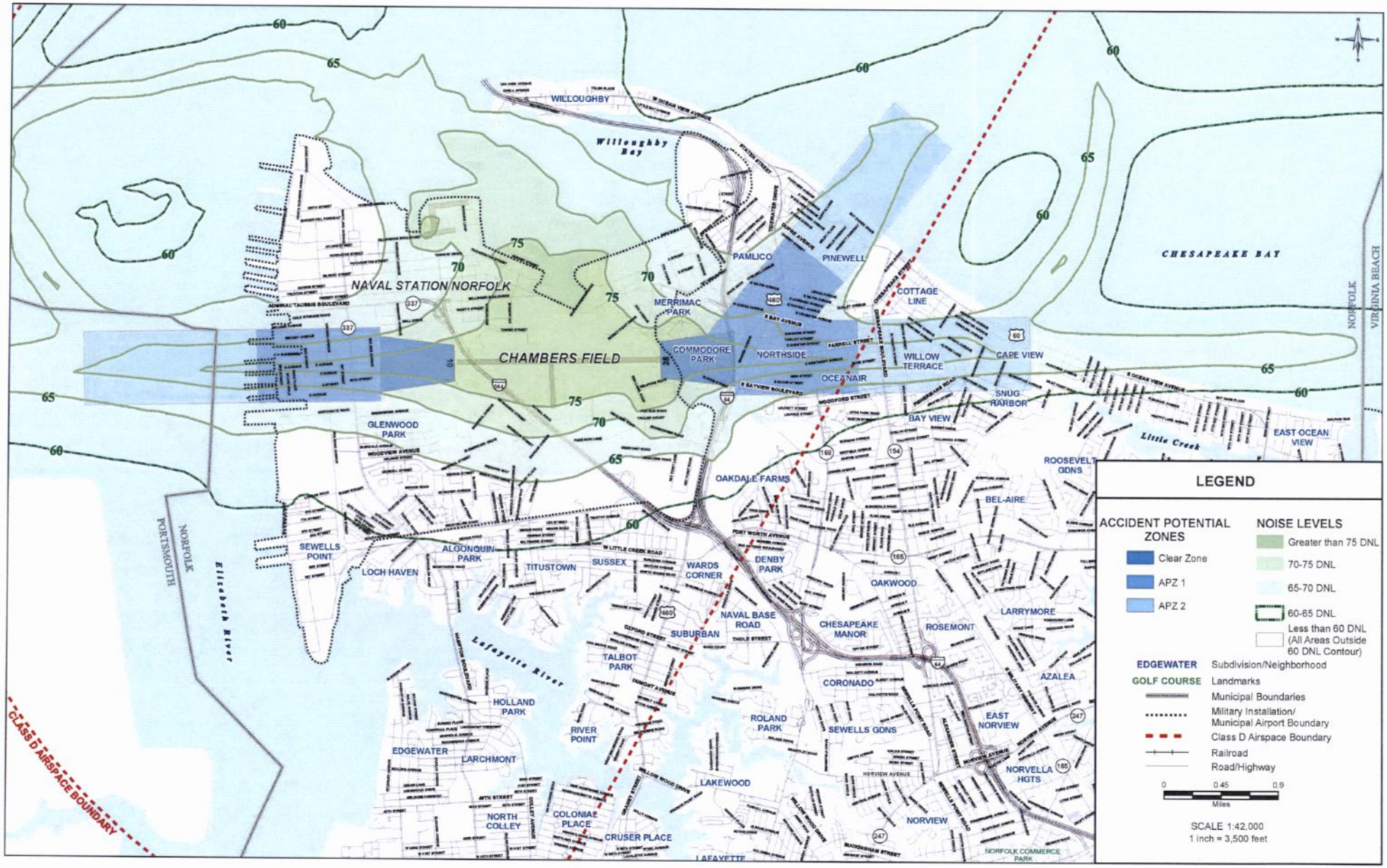

NAVAL STATION NORFOLK
CHAMBERS FIELD
WILLOUGHBY
Willoughby Bay
CHESAPEAKE BAY
NORFOLK
VIRGINIA BEACH
PORTSMOUTH
Elizabeth River
Lafayette River
Little Creek
CLASS D AIRSPACE BOUNDARY
PAMLICO
PINEWELL
COTTAGE LINE
MERRIMAC PARK
COMMODORE PARK
NORTHSIDE
WILLOW TERRACE
CAPE VIEW
OCEANAIR
SNUG HARBOR
BAY VIEW
EAST OCEAN VIEW
GLENWOOD PARK
OAKDALE FARMS
ROOSEVELT GDNS
BEL-AIRE
SEWELLS POINT
ALGONQUIN PARK
LOCH HAVEN
TITUSTOWN
SUSSEX
WARDS CORNER
DENBY PARK
OAKWOOD
NAVAL BASE ROAD
SUBURBAN
CHESAPEAKE MANOR
ROSEMONT
LARRYMORE
TALBOT PARK
CORONADO
AZALEA
HOLLAND PARK
ROLAND PARK
SEWELLS GDNS
EAST NORVIEW
RIVER POINT
EDGEWATER
LARCHMONT
NORVELLA HGTS
LAKEWOOD
NORVIEW
NORTH COLLEY
COLONIAL PLACE
CRUSER PLACE
LAFAYETTE
NORFOLK COMMERCE PARK
60
65
70
75
LEGEND
ACCIDENT POTENTIAL ZONES
Clear Zone
APZ 1
APZ 2
NOISE LEVELS
Greater than 75 DNL
70-75 DNL
65-70 DNL
60-65 DNL
Less than 60 DNL (All Areas Outside 60 DNL Contour)
EDGEWATER Subdivision/Neighborhood
GOLF COURSE Landmarks
Municipal Boundaries
Military Installation/ Municipal Airport Boundary
Class D Airspace Boundary
Railroad
Road/Highway
0 0.45 0.9
Miles
SCALE 1:42,000
1 inch = 3,500 feet

TABLE 3-AIR INSTALLATIONS COMPATIBLE USE ZONES
SUGGESTED LAND USE COMPATIBILITY IN ACCIDENT POTENTIAL ZONES [1]

SLUCM NO.	LAND USE NAME	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
10	***Residential***				
11	Household Units				
11.11	Single units: detached	N	N	Y[2]	Maximum density of 1-2 Du/Ac
11.12	Single units: semidetached	N	N	N	
11.13	Single units: attached row	N	N	N	
11.21	Two units: side-by-side	N	N	N	
11.22	Two units: one above the other	N	N	N	
11.31	Apartments: walk-up	N	N	N	
11.32	Apartment: elevator	N	N	N	
12	Group quarters	N	N	N	
13	Residential Hotels	N	N	N	
14	Mobile home parks or courts	N	N	N	
15	Transient lodgings	N	N	N	
16	Other residential	N	N	N	
20	***Manufacturing*** [3]				
21	Food & kindred products; manufacturing	N	N	Y	Maximum FAR 0.56
22	Textile mill products; manufacturing	N	N	Y	Same as above
23	Apparel and other finished products; products made from fabrics, leather and similar materials; manufacturing	N	N	N	
24	Lumber and wood products (except furniture); manufacturing	N	Y	Y	Maximum FAR of 0.28 in APZ I & 0.56 in APZ II
25	Furniture and fixtures; manufacturing	N	Y	Y	Same as above
26	Paper and allied products; manufacturing	N	Y	Y	Same as above
27	Printing, publishing, and allied industries	N	Y	Y	Same as above
28	Chemicals and allied products; manufacturing	N	N	N	
29	Petroleum refining and related industries	N	N	N	

TABLE 3-AIR INSTALLATIONS COMPATIBLE USE ZONES
SUGGESTED LAND USE COMPATIBILITY IN ACCIDENT POTENTIAL ZONES [1] (Continued)

SLUCM NO.	LAND USE NAME	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ II Recommendation	Density Recommendation
30	***Manufacturing [3] (continued)***				
31	Rubber and misc. plastic products; manufacturing	N	N	N	
32	Stone, clay and glass products; manufacturing	N	N	Y	Maximum FAR 0.56
33	Primary metal products; manufacturing	N	N	Y	Same as above
34	Fabricated metal products; manufacturing	N	N	Y	Same as above
35	Professional scientific, & controlling instrument; photographic and optical goods; watches & clocks	N	N	N	
39	Miscellaneous manufacturing	N	Y	Y	Maximum FAR of 0.28 in APZ I & 0.56 in APZ II
40	***Transportation, communication and utilities [4].***				See Note 3 below.
41	Railroad, rapid rail transit, and street railway transportation	N	Y[5]	Y	Same as above.
42	Motor vehicle transportation	N	Y[5]	Y	Same as above
43	Aircraft transportation	N	Y[5]	Y	Same as above
44	Marine craft transportation	N	Y[5]	Y	Same as above
45	Highway and street right-of-way	N	Y[5]	Y	Same as above
46	Auto parking	N	Y[5]	Y	Same as above
47	Communication	N	Y[5]	Y	Same as above
48	Utilities	N	Y[5]	Y	Same as above
485	Solid waste disposal (Landfills, incineration, etc.)	N	N	N	
49	Other transport, comm. and utilities	N	Y[5]	Y	See Note 3 below
50	***Trade***				
51	Wholesale trade	N	Y	Y	Maximum FAR of 0.28 in APZ I. & .56 in APZ II.
52	Retail trade - building materials, hardware and farm equipment	N	Y	Y	Maximum FAR of 0.14 in APZ I & 0.28 in APZ II

TABLE 3-AIR INSTALLATIONS COMPATIBLE USE ZONES
SUGGESTED LAND USE COMPATIBILITY IN ACCIDENT POTENTIAL ZONES [1] (Continued)

SLUCM NO.	LAND USE NAME	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
50	***Trade (Continued)***				
53	Retail trade - shopping centers	N	N	Y	Maximum FAR of 0.22.
54	Retail trade - food	N	N	Y	Maximum FAR of 0.24
55	Retail trade - automotive, marine craft, aircraft and accessories	N	Y	Y	Maximum FAR of 0.14 in APZ I & 0.28 in APZ II
56	Retail trade - apparel and accessories	N	N	Y	Maximum FAR 0.28
57	Retail trade - furniture, home, furnishings and equipment	N	N	Y	Same as above
58	Retail trade - eating and drinking establishments	N	N	N	
59	Other retail trade	N	N	Y	Maximum FAR of 0.22
60	***Services*** [6]				
61	Finance, insurance and real estate services	N	N	Y	Maximum FAR of 0.22 for "General Office/Office park"
62	Personal services	N	N	Y	Office uses only. Maximum FAR of 0.22.
62.4	Cemeteries	N	Y[7]	Y[7]	
63	Business services (credit reporting; mail, stenographic, reproduction; advertising)	N	N	Y	Max. FAR of 0.22 in APZ II
63.7	Warehousing and storage services	N	Y	Y	Max. FAR 1.0 APZ I; 2.0 in APZ II
64	Repair Services	N	Y	Y	Max. FAR of 0.11 APZ I; 0.22 in APZ II
65	Professional services	N	N	Y	Max. FAR of 0.22
65.1	Hospitals, nursing homes	N	N	N	
65.1	Other medical facilities	N	N	N	
66	Contract construction services	N	Y	Y	Max. FAR of 0.11 APZ I; 0.22 in APZ II
67	Government Services	N	N	Y	Max FAR of 0.24
68	Educational services	N	N	N	
69	Miscellaneous	N	N	Y	Max. FAR of 0.22

TABLE 3-AIR INSTALLATIONS COMPATIBLE USE ZONES
SUGGESTED LAND USE COMPATIBILITY IN ACCIDENT POTENTIAL ZONES [1] (continued)

SLUCM NO.	LAND USE NAME	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
70	*Cultural, entertainment and recreational*				
71	Cultural activities	N	N	N	
71.2	Nature exhibits	N	Y[8]	Y[8]	
72	Public assembly	N	N	N	
72.1	Auditoriums, concert halls	N	N	N	
72.11	Outdoor music shells, amphitheaters	N	N	N	
72.2	Outdoor sports arenas, spectator sports	N	N	N	
73	Amusements - fairgrounds, miniature golf, driving ranges; amusement parks, etc	N	N	Y	
74	Recreational activities (including golf courses, riding stables, water recreation)	N	Y[8]	Y[8]	Max. FAR of 0.11 APZ I; 0.22 in APZ II
75	Resorts and group camps	N	N	N	
76	Parks	N	Y[8]	Y[8]	Same as 74
79	Other cultural, entertainment and recreation	N	Y[8]	Y[8]	Same as 74
80	***Resource production and extraction***				
81	Agriculture (except live stock)	Y[4]	Y[9]	Y[9]	
81.5, 81.7	Livestock farming and breeding	N	Y[9,10]	Y[9,10]	
82	Agriculture related activities	N	Y[9]	Y[9]	Max FAR of 0.28 APZ I; 0.56 APZ II no activity which produces smoke, glare, or involves explosives
83	Forestry Activities [11]	N	Y	Y	Same as Above
84	Fishing Activities [12]	N[12]	Y	Y	Same as Above
85	Mining Activities	N	Y	Y	Same as Above
89	Other resource production or extraction	N	Y	Y	Same as Above
90	*Other*				
91	Undeveloped Land	Y	Y	Y	
93	Water Areas	N[13]	N[13]	N[13]	

KEY TO TABLE 3 - SUGGESTED LAND USE COMPATIBILITY IN ACCIDENT POTENTIAL ZONES

SLUCM -	Standard Land Use Coding Manual, U.S. Department of Transportation
Y (Yes) -	Land use and related structures are normally compatible without restriction.
N (No) -	Land use and related structures are not normally compatible and should be prohibited.
Y^x - (Yes with restrictions)	the land use and related structures are generally compatible. However, see notes indicated by the superscript.
N^x - (No with exceptions)	the land use and related structures are generally incompatible. However, see notes indicated by the superscript.
FAR - Floor Area Ratio.	A floor area ratio is the ratio between the square feet of floor area of the building and the site area. It is customarily used to measure non-residential intensities.

Du/Ac - Dwelling Units per Acre. This metric is customarily used to measure residential densities.

NOTES FOR TABLE 3 - SUGGESTED LAND USE COMPATIBILITY IN ACCIDENT POTENTIAL ZONES

The following notes refer to Table 3.

1. A "Yes" or a "No" designation for compatible land use is to be used only for general comparison. Within each, uses exist where further evaluation may be needed in each category as to whether it is clearly compatible, normally compatible, or not compatible due to the variation of densities of people and structures. In order to assist installations and local governments, general suggestions as to floor/area ratios are provided as a guide to density in some categories. In general, land use restrictions which limit commercial, services, or industrial buildings or structure occupants to 25 per acre in APZ I, and 50 per acre in APZ II are the range of occupancy levels considered to be low density. Outside events should normally be limited to assemblies of not more that 25 people per acre in APZ I, and maximum assemblies of 50 people per acre in APZ II.

2. The suggested maximum density for detached single-family housing is one to two Du/Ac. In a Planned Unit Development (PUD) of single family detached units where clustered housing development results in large open areas, this density could possibly be increased provided the amount of surface area covered by structures does not exceed 20 percent of the PUD total area. PUD encourages clustered development that leave large open areas.

3. Other factors to be considered: Labor intensity, structural coverage, explosive characteristics, air-pollution, electronic interference with aircraft, height of structures, and potential glare to pilots.

4. No structures (except airfield lighting), buildings or aboveground utility/ communications lines should normally be located in Clear Zone areas on or off the installation. The Clear Zone is subject to severe restrictions. See NAVFAC P-80.3 or Tri-Service Manual AFM 32-1123(I); TM 5-803-7, NAVFAC P-971 "Airfield and Heliport Planning & Design" dated 1 May 99 for specific design details.

5. No passenger terminals and no major above ground transmission lines in APZ I.

6. Low intensity office uses only. Accessory uses such as meeting places, auditoriums, etc. are not recommended.

7. No Chapels are allowed within APZ I or APZ II.

8. Facilities must be low intensity, and provide no tot lots, etc. Facilities such as clubhouses, meeting places, auditoriums, large classes, etc. are not recommended.

9. Includes livestock grazing but excludes feedlots and intensive animal husbandry. Activities that attract concentrations of birds creating a hazard to aircraft operations should be excluded.

10. Includes feedlots and intensive animal husbandry.

11. Lumber and timber products removed due to establishment, expansion, or maintenance of Clear Zones will be disposed of in accordance with appropriate DOD Natural Resources Instructions.

12. Controlled hunting and fishing may be permitted for the purpose of wildlife management.

13. Naturally occurring water features (e.g., rivers, lakes, streams, wetlands) are compatible.

Simons, Matthew

From:	Straley, Matthew
Sent:	Wednesday, December 16, 2015 12:42 PM
To:	'leidingnorfolk@cox.net'; 'Gpclpresident@gmail.com'
Cc:	Smigiel, Thomas; Winn, Barclay; Ransom, Carlton; Simons, Matthew
Subject:	new Planning Commission application - 9605 Granby Street
Attachments:	Elegant Occasions.pdf

Mr. Saunders and Mr. Apatov,

Attached please find the application for a special exception to operate an entertainment establishment with alcoholic beverages at 9605 Granby Street.

The item is tentatively scheduled for the January 28, 2016 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Matt Simons at (757) 664-4750, matthew.simons@norfolk.gov*

Thank you.

Matthew Straley
GIS Technician II
Norfolk Department of City Planning
810 Union Street, Suite 508 | Norfolk, Virginia 23510
Matthew.Straley@norfolk.gov | Tel: 757-664-4769 | Fax: 757-441-1569

THE CITY OF NORFOLK
CITY PLANNING

January 12, 2016

Commanding Officer, Naval Station Norfolk
1530 Gilbert Street
Norfolk, VA 23511

The Norfolk Department of City Planning has recently received an application by **ELEGANT OCCASIONS** for a special exception to operate an entertainment establishment facility on property located at 9605 Granby Street, and located within the Accident Potential Zone (APZ-II) as identified on the Joint Land Use Study (JLUS) Air Installations Compatibility Use Zones (AICUZ) Planning Map, dated 2005, revised 2010.

The request, if approved, would permit the use of the property to be changed from a bicycle shop to a place of public assembly (a bicycle shop would be referred to in the JLUS Table 3 as "Retail trade – furniture, home furnishings and equipment" [Standard Land Use Coding Manual (SLUCM), U.S. DOT – SLUCM No. 57]). This change of use does not appear to be in concert with the life-safety goals of the JLUS/AICUZ program.

Furthermore, in 2013, the Norfolk City Council adopted the City's new comprehensive plan, *plaNorfolk2030*, which contains an action statement within the Identifying Land Use Strategies chapter which states: *Do not support any increase in intensity of uses located in incompatible noise and accident potential zones (see Map LU-3) and seek opportunities to reduce the intensity of those incompatible uses* [*plaNorfolk2030* LU1.2.11]. Map LU-3 referred to in the action is a reproduction of the JLUS/AICUZ Planning Map, dated 2005, revised 2010. Because of this action statement, the City of Norfolk Planning Department staff recommendation must be denial given the existing conditions and proposal.

This item is tentatively scheduled for the Norfolk City Planning Commission public hearing to be held on January 28, 2016 at 2:30 p.m. in the City Council Chamber, 11th Floor, City Hall Building, Civic Center, Norfolk, Virginia.

If you would like additional information on the request, you may contact the applicants, Krista and Kenneth Hines at (757) 610-3856, elegantoccasionsbykrista@yahoo.com, or you may telephone Matthew Simons, on my staff at (757) 664-4750, matthew.simons@norfolk. gov. A copy of the complete application is enclosed.

508 City Hall Building / Norfolk, Virginia 23510
Ph. (757) 664-4752 / Fax (757) 664-4748

The City of Norfolk Department of City Planning respectfully requests a formal response from the U.S. Navy in regards to the proposed special exception request.

Sincerely,

George M. Homewood, AICP CFM
Planning Director
Department of City Planning
City of Norfolk

810 Union Street, Suite 500
Norfolk, VA 23510
757-664-4770 (O)
757-620-3630 (M)

cc: Matthew Simons, AICP CZA CFM
City Planner II – Land Use Services
(hand delivered)

cc: Steve G. Jones, RLA, ASLA, LEED AP BD+C
Community Plans Liaison Officer (CPLO)
Naval Station Norfolk
1530 Gilbert Street
Bldg N-26, Suite 2000
Norfolk, VA 23511

cc: Elegant Occasions
c/o Kenneth and Krista Hines
4008 River Breeze Circle
Chesapeake, VA 23321

cc: Property Owner for 9605 Granby Street
Blue Sky I, LLC
c/o Michael Shipp
407 Sinclair Street
Norfolk, VA 23505

DEPARTMENT OF THE NAVY
NAVAL STATION NORFOLK
1530 GILBERT STREET SUITE 2000
NORFOLK, VA 23511-2722

3700
Ser N00/0046
January 26, 2016

George M. Homewood, AICP CFM
Director, Department of City Planning
City of Norfolk
810 Union Street, Suite 500
Norfolk, VA 23510

Dear Mr. Homewood,

Thank you for the opportunity to review the Adult Use Special Exception Application for a Banquet Hall at 9605 Granby Street. From the information you provided the site is located approximately one and one half miles northeast of Chambers Field in the 65-70 decibel day-night average noise zone, Accident Potential Zone Two (APZ-2) and directly underneath a major departure corridor.

The Navy's Air Installation's Compatible Use Zones program and the 2005 (revised 2010) Hampton Roads Joint Land Use Study (JLUS) indicate this type of use is incompatible with air operations and should be prohibited in APZ-2 designated area. The City of Norfolk has adopted the JLUS recommendations into comprehensive plan in support of air operations at Chambers Field.

In summary, the Navy is concerned with any encroachment that could negatively impact the ability to operate, meet mission requirements and potentially endanger the public. We view development at this site as an encroachment upon operations on Naval Station Norfolk.

If you have any questions, please contact my Community Planning Liaison Officer, Mr. Steve Jones at (757) 322-2333.

Sincerely,

D. J. BEAVER
Captain, U.S. Navy
Commanding Officer

Copy to:
Mayor Paul Fraim
Norfolk City Council
Norfolk Planning Commission

Martin A. Thomas, Jr.
City of Norfolk
City Planning Commission Member
City Hall, 10th Floor
Norfolk, Virginia 23510

January 26th, 2016

Dear Mr. Martin:

My name is Carl E. Lee, Jr and I and my wife Janice reside at 151 Osborne Road in the Ocean View section of Norfolk.

I write to you today to disapprove of Agenda Item 17 of the January 28th, 2016 Norfolk City Planning Commission. Item 17 is a request for an Adult Use Special Exception for Elegant Occasions by Krista, LLC located at 9605 Granby Street. The application request to operate an ABC On establishment from 9AM – 10PM on workdays, 9AM – 12PM on Friday/Saturday and 9AM – 10PM on Sunday.

The proposed site is approximately a half mile from my house. It is my belief that the application is inappropriate for the community and the immediate residential neighborhood.

I support the Staff recommendation for **DENIAL** of the Special Exception request.

Thank you for your service to the city.

Carl E. Lee, Jr
151 Osborne Road
Norfolk, Virginia 23503
757-966-6067
CleePGK3548@gmail.com

Simons, Matthew

From: Kevin Easter <1ovdad@gmail.com>
Sent: Thursday, January 28, 2016 10:26 AM
To: Simons, Matthew
Subject: Planning commision 1/28

My name is Kevin Easter and I am the president of the Ocean View Democratic and Social Club. We are located next door to Elegant Occasions by Krista, which is on the agenda for today's meeting. I see that the staff will not be recommending the approval of the application. We are also against the approval and I was wondering if there was any reason for me to speak today or should I wait and bring our concerns up at the city council meeting in February.

Best Regards,

Kevin Easter
President- OVDSC

DEPARTMENT OF THE NAVY
NAVAL STATION NORFOLK
1530 GILBERT STREET SUITE 2000
NORFOLK, VA 23511-2722

3700
Ser N00/0046
January 26, 2016

George M. Homewood, AICP CFM
Director, Department of City Planning
City of Norfolk
810 Union Street, Suite 500
Norfolk, VA 23510

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Sincerely,

D. J. BEAVER
Captain, U.S. Navy
Commanding Officer

Copy to:
Mayor Paul Fraim
Norfolk City Council
Norfolk Planning Commission