City of NORFOLK

C: Dir., Department of Planning and Community Development

To the Honorable Council
City of Norfolk, Virginia

January 28, 2014

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

Subject: Amend section 11-24, "Riverview Pedestrian Commercial and Residential Overlay District (PCO-Riverview)," in order to improve certain development standards and add land uses.

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

Ward/Superward: 2/6

Approved: Marcus D. Jones, City Manager

Item Number: **PH-4**

I. **Recommendation:** Approval

II. **Applicant:** City Planning Commission on behalf of the Riverview Business Association

III. **Description**

This agenda item amends section 11-24, "Riverview Pedestrian Commercial Overlay District (PCO-Riverview), to modify development standards, streamline processes, allow additional land uses and modify parking requirements.

IV. **Analysis**

Plan Analysis

- The Healthy and Vibrant Neighborhoods chapter of *plaNorfolk2030* includes an action calling for revisions to the PCO zoning districts to ensure that they continue to encourage a concentration and scale of uses that will encourage pedestrian movement.
  - The proposed changes to the *Zoning Ordinance* are consistent with the recommendations of this action.

Zoning Analysis

- The Riverview Pedestrian Commercial Overlay District was created and adopted in 2001 to facilitate pedestrian-oriented business activity in the commercial corridor along Granby Street between LaValette Avenue and the Lafayette River Bridge.
- These amendments propose:
  - Streamlining the development approval process, allowing projects meeting all standards to move forward more quickly, by eliminating the need to obtain a PCO Development Certificate from City Council.
  - Adding uses to the area, which should increase the vitality of the PCO;

- Adding uses to the area, which should increase the vitality of the PCO;
- Changing the standards for which waivers can be requested, making modifications to only allow waivers for building location and fenestration only if the request is for an existing building.
- Modifying parking requirements to reflect current ITE standards, which should reduce excess pavement in the area
- Allowing monument/ground signs, which should create less demand for vehicular-oriented signage; with restrictions, provided that a property has a minimum of 100 feet of lot frontage on Granby Street and parking in the front or the side of the property.

- These amendments were presented to the Riverview Business Association in a series of meetings.
  - On October 8th, the Riverview Business Association requested initiation of this text amendment.

Traffic Analysis

- Traffic impacts are use dependent and will be calculated for individual developments in the Riverview area as they are submitted.

V. Financial Impact

- Approval of the request would potentially permit additional business and residential development within the city.
- Streamlining processed and removing administrative barriers to new business development should help activate this business corridor.

VI. Environmental

- The proposed *Zoning Ordinance* revisions should not have any adverse environmental impact on surrounding properties, especially given that the Business Association was involved in their development.
- The reduction in certain processes proposed is consistent with the City's Smart Processing goals.

VII. Community Outreach/Notification

- Letter was sent to the Riverview Business Association and the Colonial Place/Riverview Civic League on November 20.
- Notice was sent to the civic leagues by the Department of Communications on December 5.
- Legal notification was placed in *The Virginian-Pilot* on December 5 and 12.

VIII. Board/Commission Action

By a vote of **7 to 0**, the Planning Commission recommended that the request for a Text Amendment be **approved**.

IX. Coordination/Outreach

This request has been coordinated with the Department of Planning and Community Development and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development

- Proponents and Opponents
- Ordinance
- Location Map
- Zoning Map
- Application
- Request for Text Amendment by Riverview Business Association
- Letter to the Riverview Business Association
- Letter to the Colonial Place/Riverview Civic League

Proponents and Opponents

Proponents

Sharon Nusbaum
540 New Hampshire Avenue
Norfolk, VA 23508

Opponents

None

12/06/2013 tsv

Form and Correctness Approved:

By _____
Office of the City Attorney

Contents Approved:

By _____
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND SECTION 11-24 OF THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, SO AS TO MODIFY THE REGULATIONS AND DEVELOPMENT STANDARDS FOR THE RIVERVIEW PEDESTRIAN COMMERCIAL OVERLAY DISTRICT (PCO-RIVERVIEW).

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

Section 1:- That Section 11-24 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Pedestrian Commercial Overlay District--Riverview PCO-RIVERVIEW", is hereby amended and reordained so as to modify the regulations and development standards in the district, including changing the requirement for a development certificate to only apply when a project requires a waiver from any waivable development standard. The text shall read as forth in "Exhibit A," attached hereto.

Section 2:- That Table 11-24-A of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Table of Land Uses", is hereby amended and reordained so as to allow "Mixed Uses", "Farmer's Market", and "Used Books/Media Sales", as uses permitted by right and to add "Used Merchandise Sales" and "Brewery/Cidery/Distillery/Winery" as uses permitted by special exception in the Riverview Pedestrian Commercial Overlay District. The table shall read as forth in "Exhibit B," attached hereto.

Section 3:- That Table 11-24-B of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Table of Off-street Parking Requirements for PCO-Riverview", is hereby amended and reordained so as to update the regulations for off-street parking in the Riverview Pedestrian Commercial Overlay District. The table shall read as forth in "Exhibit C," attached hereto.

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

ATTACHMENTS:
Exhibit A (4 pages)
Exhibit B (3 pages)
Exhibit C (1 page)

Exhibit A

11-24 Pedestrian Commercial Overlay District--Riverview PCO-RIVERVIEW.

11-24.1 *Purpose statement.* In accordance with the provisions of section 11-11, it is the intent of the Riverview Pedestrian Commercial Overlay District to maintain and enhance commercial vitality of the Granby Street business area, to expand on the existing nucleus and establish a concentration of pedestrian-oriented commercial activities, to ensure that new construction and property renovations are harmonious with the special pedestrian character and with the planned public improvements in the district, and to ensure that required off-street parking reflects the pedestrian nature and unique development patterns of the district.

11-24.2 *Uses.* Uses in the district as specified in the Table of Land Uses found in Table 11-24-A are permitted as of right (P) or by special exception (S) subject to the general provisions set forth in Section 6-0 unless modified by the specific provisions of this overlay district.

11-24.3 *Development certificate.*

(a) *Administrative approval.* Any project that complies with all of the requirements of subsection 11-24.4 shall be issued a zoning certificate and shall not be required to receive a development certificate as set forth in section 11-11 of this ordinance.

(b) *Waivers*: Any project seeking a waiver from a development standard set forth in subsection 11-24.4 and which is eligible for such a waiver under subsection 11-24.5 shall be required to obtain a development certificate in accordance with the process set forth in section 11-11 of this ordinance.

11-24.4 *Development standards*:

(a) *Building location and orientation on lots abutting Granby Street.* Any building constructed or reconstructed on a lot abutting Granby Street shall be located in one of the following configurations:

(1) The entire front building facade is built within a zone between the front property line and a setback not to exceed ten (10) fe et from the fr ont prope rty line. The primary entrances to such building shall be on Granby Street.

(2) The building orientation is perpendicular to Granby Street with its principal facade and entrances facing a pedestrian plaza or parking court. In such cases the ends of the buildings shall be built within a zone between the front property line and a setback not to exceed ten (10) feet from the front property line and shall have active uses and entrances on the Granby Street property line.

(3) In no case shall the building be constructed or reconstructed in the middle or rear of the lot with parking or on-site vehicular circulation between the building and the Granby Street property line.

(b) *Fenestration*. In order to promote pedestrian interest and activity and to enhance security and safety by permitting visibility into and out of buildings, a minimum of 50 percent (50%) of the total area of ground floor facades along Granby Street shall be transparent from the street, as defined in article I, chapter 2 of this ordinance.

(c) *Parking location and access*:

(1) In those cases where the front building facade is built to or within ten (10) feet of the front property line of Granby Street, off-street parking shall be provided behind the building(s). No more than one curb cut, not to exceed 20 feet in width, shall be permitted on Granby Street. Rear entrances to the building(s) shall be provided.

(2) In those cases where the building is located perpendicular to Granby Street and facing a parking court, the parking lot shall have no more than two (2) curb cuts, not to exceed 20 feet in width, onto Granby Street. In addition to the landscape requirement in chapter 17, a wall or hedge three (3) feet in height shall be located along the Granby Street property line of the parking lot in order to define the edge of the pedestrian corridor.

(3) No parking or on-site vehicular circulation shall be permitted between the building and the Granby Street property line.

(d) *Off-street loading*. No off-street loading berth shall be located on Granby Street.

(e) *Drive-through facilities*. For drive-through facilities permitted by special exception, access shall be incorporated into permitted curb cuts for parking wherever feasible. If a separate curb cut for

the drive-through facility is needed, only one (1) such curb cut, not to exceed ten (10) feet in width, may be permitted for access on Granby Street. Impact of the drive-through on traffic flow on the principal street shall be evaluated in determining whether the drive-through will be permitted.

(f) *Landscaping and buffering.* Except where precluded by the provisions of this overlay district, the landscaping and buffering standards applicable to commercial uses as provided in chapter 17 shall apply.

(g) *Signs.* The sign standards for commercial uses in chapter 16 shall apply, subject to the following limitations:

(1) *Monument Signs.* Businesses having 125 feet or more of lot frontage and having a parking area located to the front or side of the principal building may have one monument sign facing the principal street not to exceed 32 square feet of sign surface area per sign face. The maximum height of the sign shall be six (6) feet from the ground to the top of the sign. Such signs shall be set back no less than five (5) feet from the public right of way.

(2) *A-frame signs.* Subject to a permit issued by the director of public works, a business may place one A-frame sign on the public sidewalk in front of the business. The size, placement and other characteristics of the A-frame sign shall be in accordance with the guidelines approved for A-frame signs and shall be removed from the public right-of-way during times the business is not open.

(3) *Balloon signs.* Temporary balloons shall not be permitted.

(4) *Wall signs.* Any property or business shall be permitted one square foot of sign surface area for each foot of building frontage facing the public street on which the principal access is located. For other building frontage, signs may not exceed one-half (1/2) square foot of sign surface area for each foot of building frontage facing a public street.

11-24.5 *Standards for which waivers are permitted.* Waivers may be granted through the approval of a PCO development certificate only for the following development standards:

(a) Building location, only in the case of an addition to an existing building that does not meet the building location requirements of this overlay district.

(b) Fenestration, if the building is existing and does not meet the fenestration requirements of his overlay district.

(c) Parking location and access.

(d) Landscaping and buffering.

(e) Signs.

11-24.6 *Parking requirements.* All uses and structures permitted in the district shall comply with parking provisions of article III, chapter 15, subject to modification by the specific provisions of this overlay district. Specific minimum off-street parking requirements in the district are specified in Table 11-24-B..

11-24.7 *Reserved.*

Exhibit B

PCO – RIVERVIEW
TABLE 11-24-A — TABLE OF LAND USES

LAND USES P = Permitted Use S = Special Exception Use	DISTRICT PCO-RIVERVIEW	COMMENTS
RESIDENTIAL USES		
Mixed Use	P	
OFFICE USES		
Office	P	
Office/Clinic, Medical	P	
Office, Veterinary	P	
COMMERCIAL USES		
Antique Store	P	
Art Gallery	P	
Automobile and Truck Repair	S	Subject to the requirements of § 25-10.3 Automobile repair and gas station
Car Wash	S	
Commercial Drive-Through	S	Subject to the requirements of §25-10.8, Commercial drive-through facility
Consignment Shop	S	Limited to 3,500 square feet or less
Convenience Store, 24-Hours (no fuel sales)	S	
Convenience Store, 24-Hours (with fuel sales)	S	Subject to the requirements of §25-10.3, Automobile repair and gas station. Subject to the requirements of §13-6.6 Motor fuel pumps, islands and curbs.
Eating Establishment	P	
Eating and Drinking Establishment	S	Subject to the requirements of §25-10.1, Adult uses
Entertainment Establishment	S	Subject to the requirements of §25-10.1, Adult uses
Farmer's Market	P	

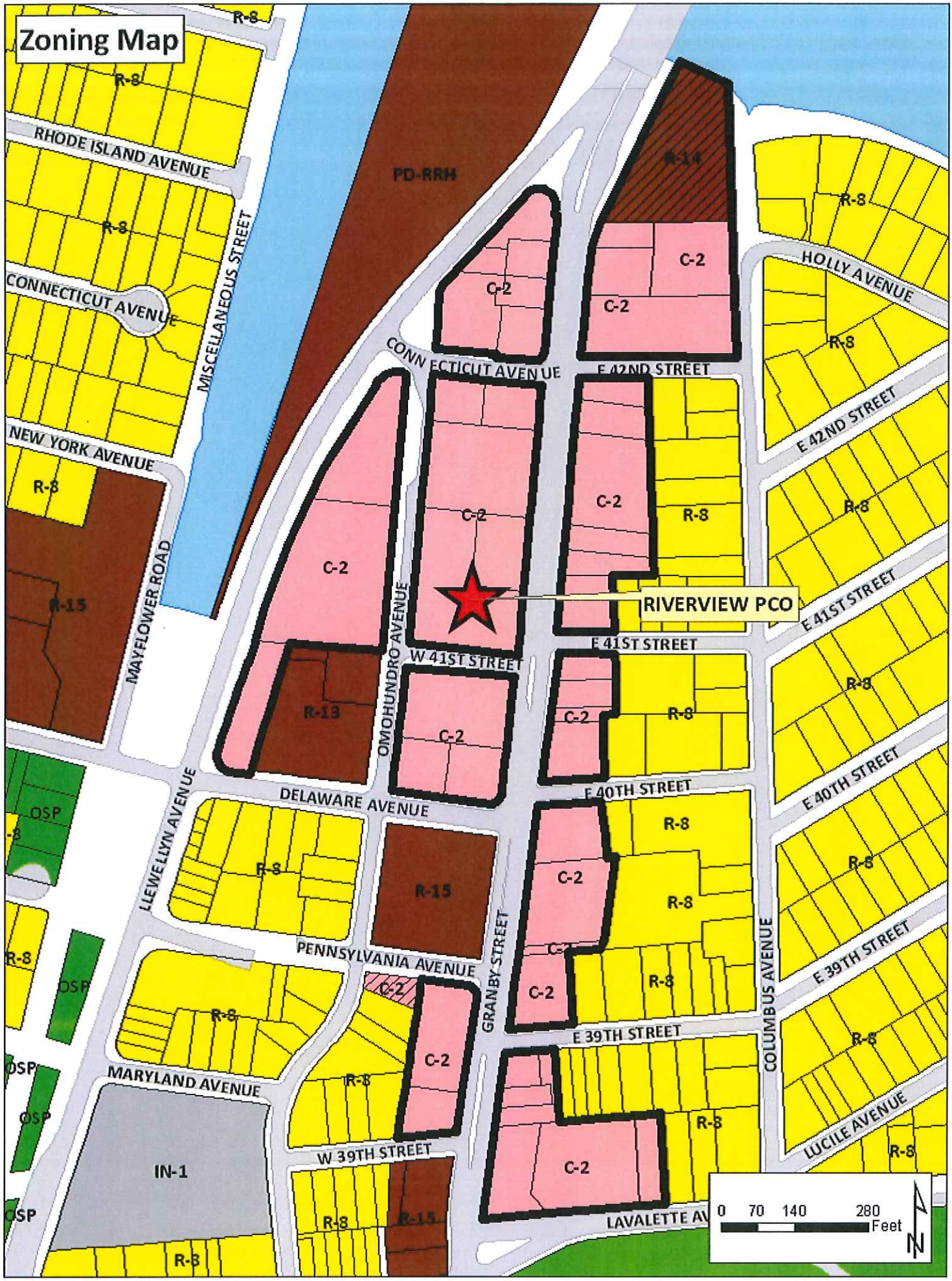
LAND USES P = Permitted Use S = Special Exception Use	DISTRICT PCO-RIVERVIEW	COMMENTS
Financial Institution	P	
Gas Station	S	Subject to the requirements of §25-10.3, Automobile repair and gas station. Subject to the requirements of §13-6.6 Motor fuel pumps, islands and curbs.
Health and Fitness Facility	P	
Marina (without boat repair)	S	
Retail Goods Establishment	P	
Retail Goods Establishment (operating after midnight)	S	
Retail Services Establishment	P	
Retail Services Establishment (operating after midnight)	S	
Sale of Alcoholic Beverages for Off-Premises Consumption	S	Subject to the requirements of §25-10.1, Adult uses
Studio, Arts	P	
Studio, Dance	P	
Theater	P	
Therapeutic Massage Facility	S	
Used Book/Media Sales	P	
Used Merchandise Sales	S	Limited to 3,500 square feet or less
PUBLIC AND CIVIC USES (Sites < 1 Acre)		
Day Care Center, Adult	P	
Day Care Center, Child	P	
Educational Facility, College/University	P	
Educational Facility, K-8	P	
Educational Facility, 6-12	P	
Educational Facility, Professional and Vocational	P	
Governmental Operations (non-industrial)	P	
Museum	P	

LAND USES P = Permitted Use S = Special Exception Use	DISTRICT PCO-RIVERVIEW	COMMENTS
Park	P	
Utility Facility	P	
INDUSTRIAL USES		
Brewery/Cidery/Distillery/Winery	S	

Exhibit C

PCO-RIVERVIEW
TABLE 11-24-B –MINIMUM PARKING REQUIREMENTS

LAND USES DU= Dwelling Unit SF= Square Feet GSF=Gross Square Feet	**EXCEPTIONS**	
RESIDENTIAL USES		
Mixed Uses		1.5 per DU
OFFICE USES (except as listed below)	No parking shall be required for uses located in any building smaller than 2,000 GSF	1 per 325 SF (*maximum parking = 115% of the minimum requirement)
Office/Clinic, Medical		1 per 250 SF
COMMERCIAL USES (except as listed below)	No parking shall be required for uses located in any building smaller than 2,000 GSF	1 per 325 SF (*maximum parking = 115% of the minimum requirement)
Art Gallery; Studio, Arts; Studio, Dance	No parking shall be required for buildings smaller than 2,000 GSF	1 per 675 SF
Eating Establishment; Eating and Drinking Establishment; Entertainment Establishment	No parking shall be required for buildings smaller than 2,000 GSF	1 per 200 SF within dining areas
Health and Fitness Facility		1 per 200 SF
Theater		1 per 5 seats
PUBLIC AND CIVIC USES All Public and Civic, except as listed below	No parking shall be required for any building smaller than 2,000 GSF	As determined by the zoning
Day Care Center, Adult		1 per 15 attendees
Day Care Center, Child		1 per 250 SF


Zoning Map
RHODE ISLAND AVENUE
CONNECTICUT AVENUE
MISCELLANEOUS STREET
NEW YORK AVENUE
MAYFLOWER ROAD
LLEWELLYN AVENUE
DELAWARE AVENUE
PENNSYLVANIA AVENUE
MARYLAND AVENUE
W 39TH STREET
LAVALETTE AV
GRANBY STREET
COLUMBUS AVENUE
LUCILE AVENUE
E 39TH STREET
E 40TH STREET
E 41ST STREET
E 42ND STREET
HOLLY AVENUE
CONNECTICUT AVENUE
E 42ND STREET
E 41ST STREET
W 41ST STREET
OMOHUNDRO AVENUE
RIVERVIEW PCO
PD-RRH
R-8
R-14
R-15
R-13
C-2
OSP
IN-1
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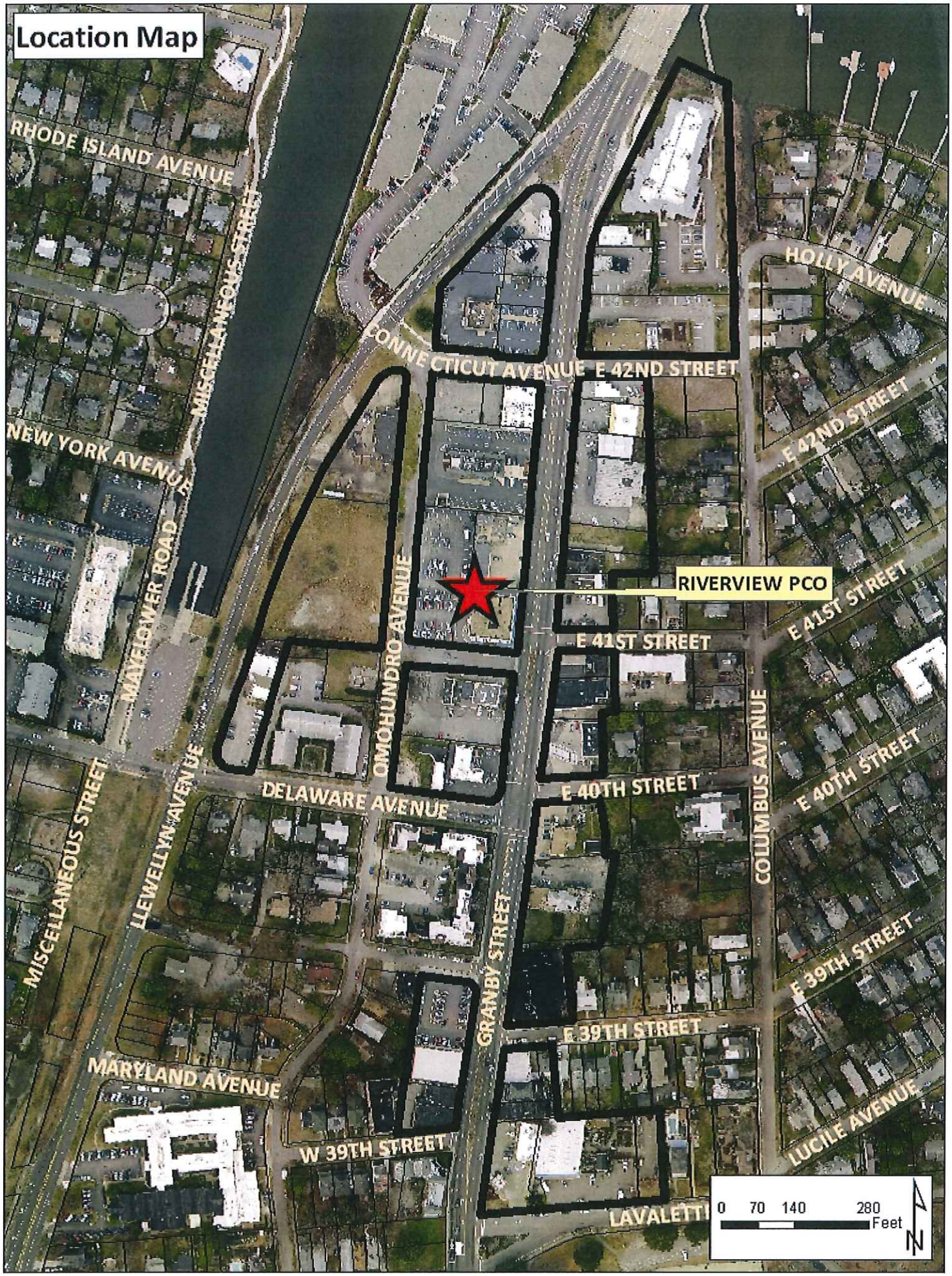
Location Map
RHODE ISLAND AVENUE
MISCELLANEOUS STREET
HOLLY AVENUE
CONNECTICUT AVENUE
E 42ND STREET
E 42ND STREET
NEW YORK AVENUE
MAYFLOWER ROAD
OMOHUNDRO AVENUE
RIVERVIEW PCO
E 41ST STREET
E 41ST STREET
COLUMBUS AVENUE
E 40TH STREET
E 40TH STREET
DELAWARE AVENUE
LLEWELLYN AVENUE
MISCELLANEOUS STREET
GRANBY STREET
E 39TH STREET
E 39TH STREET
MARYLAND AVENUE
W 39TH STREET
LUCILE AVENUE
LAVALETTE
0 70 140 280
Feet
N

REQUEST FOR TEXT AMENDMENT

Date of request: 10/9/13

DESCRIPTION OF REQUESTED AMENDMENT

Purpose of Amendment: to modify development standards for new and existing buildings; and allow several new land uses within the Riverview Pedestrian Commercial Overlay District

Ordinance Section(s) to be amended (if known) 11-24
Ordinance Section(s) to be added (if known)

REQUESTOR INFORMATION

Name of requestor (Last) Childers (First) John (MI)

Mailing address (Street/P.O. Box) 4019 Granby Street

(City) Norfolk (State) VA (Zip Code) 23504

Daytime telephone number (757) 714-6043 Fax number ( )

E-mail address RVBA23504@yahoo.com

Print name: (ON-FILE ELECTRONICALLY) **Sign:** / 10 / 9 / 13
(Applicant or Authorized Agent Signature) (Date)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised July 2013)

Smith, Chrishaun

From: President RVBA <rvba23504@yahoo.com>
Sent: Wednesday, October 09, 2013 4:10 PM
To: Smith, Chrishaun
Subject: voting last night at RVBA meeting

Chrishaun, last night we approved the following chamges to our PCO.

Below are the recommendations for approval from last night's meeting:

- Changing the Development Certificate process to an administrative approval if a development meets the PCO standards.
- Requiring any development requesting waivers from the standards to get a development certificate

- Adding land uses:
  - Mixed uses permitted by right
  - Office, Veterinary by right
  - Antique Store: by right
  - Consignment Shop: special exception
  - Farmers Market: by right
  - Brewery/Cidery/Distillery: special exception
  - Used Book/Media Sales: by right

- Allowing six foot (from ground to top of the sign) monument signs; setback 5 ft. from right of way

If there is anyhting we can do to help please let us know. Thanks, John

John Childers
President RVBA / Owner MJ's Tavern
4019 Granby St
Norfolk VA 23504
757-714-6063

City of NORFOLK

November 19, 2013

John Childers
President, Riverview Business Association
4019 Granby Street
Norfolk, VA 23504

Dear Mr. Childers:

The City Planning Commission has initiated a zoning text amendment affecting properties located in the PCO-Riverview (Pedestrian Commercial Overlay District – Riverview) district. This item is tentatively scheduled for the December 19, 2013 City Planning Commission public hearing.

Summary
The zoning text amendment would amend section 11-24, "Pedestrian Commercial Overlay District – Riverview" (PCO-Riverview), to modify development standards, streamline processes, allow additional land uses, and modify parking requirements.

If you would like additional information on the request, you may telephone Chrishaun Smith at (757) 664-4740. A copy of the complete application is enclosed.

Sincerely,

George M. Homewood, AICP, CFM
Acting Planning Director

cc: Vanessa Seals, Senior Neighborhood Development Specialist

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

City of NORFOLK

November 20, 2013

Dave McDonald
President, Colonial Place/Riverview Civic League
619 Mayflower Road
Norfolk, VA 23508

Dear Mr. McDonald:

The City Planning Commission has initiated a zoning text amendment affecting properties located in the PCO-Riverview (Pedestrian Commercial Overlay District – Riverview) district. This item is tentatively scheduled for the December 19, 2013 City Planning Commission public hearing.

Summary

The zoning text amendment would amend section 11-24, "Pedestrian Commercial Overlay District – Riverview" (PCO-Riverview), to modify development standards, streamline processes, allow additional land uses, and modify parking requirements.

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Sincerely,

George M. Homewood, AICP, CFM
Acting Planning Director

cc: Vanessa Seals, Senior Neighborhood Development Specialist

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