City of Norfolk
Office of the City Manager

C: Dir., Department of Planning

September 19, 2006

To the Honorable Council
City of Norfolk, Virginia

Re: Change of Zoning & Special Exception – Northeast corner of Grantham Road and Restmere Road from IN-1 (Institutional) to conditional R-12 (Medium Density Multiple-Family) District.

Ladies and Gentlemen:

I. **Recommended Action:** Adopt ordinances.

II. **Overview**

This agenda item is to permit a rezoning and special exception on property located at the Northeast corner of Grantham Road and Restmere Road.

III. **Analysis**

A. General
The site contains a church building and a small parking area. The applicant has contracted to purchase the property and is proposing to develop 16 townhouse-styled condominium units. The site plan places the buildings along the street frontages of Grantham Road and Restmere Road with the parking on the interior.

B. Fiscal
N/A

C. Environmental
This applicant has submitted his plans for review and approval by the Site Plan Review Committee which will include a review by our Bureau of Environmental Services.

D. Community Outreach/Notification
In accordance with the Norfolk City Charter and Virginia state law, a public hearing is required for this item. Notification for this item was conducted through the City of Norfolk's agenda notification process.

1101 City Hall Building, 810 Union Street • Norfolk, Virginia 23510
(757) 664-4242 • Fax: (757) 664-4239

PH-4

IV. Board/Commission Action

By a 7 to 0 vote, the Planning Commission unanimously recommends that this rezoning and special exception be **approved** subject to the following conditions. The proposed development with conditions is in keeping with the existing character of the Wards Corner neighborhood and would represent new residential opportunities for this area:

1) The site shall be developed in accordance with an approved site plan, designed in conformance with the requirements of Table 4-A, Chapter 15 ("Parking"), Chapter 16 ("Signs"), and Chapter 17 ("Landscaping and Buffers") of the Zoning Ordinance of the City of Norfolk, 1992 (as amended).

The City Council, in considering these conditions, must also determine that the proposed Special Exception complies with each of the requirements of Section 25-7 of the Zoning Ordinance of the City of Norfolk. The requirements address compatibility with the objectives and policies of The General Plan of Norfolk, assurance against a negative impact on the value of other properties within the neighborhood, traffic congestion, impact on natural resources (water and air quality) and other conditions as noted in the attached ordinance.

It should be noted that violation of any provision or condition of this ordinance shall be punishable in accordance with the enforcement procedures set forth in Chapter 23 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) and shall constitute grounds for revocation of this Special Exception.

V. Conclusion

A rezoning and special exception at the Northeast corner of Grantham Road and Restmere Road are required for approval of the applicant's request; therefore it is recommended that City Council approve the attached ordinances.

Respectfully submitted,

Regina V.K. Williams
City Manager

Coordination/Outreach

This agenda item has been coordinated with the Department of Planning and the City Attorney's Office.

8/8/06 trr
Form and Correctness Approved: WR

By _____
Office of the City Attorney

Form CCO-003

Contents Approved:

By _____
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 430 GRANTHAM ROAD FROM IN-1 (INSTITUTIONAL) TO CONDITIONAL R-12 (MULTIPLE-FAMILY RESIDENTIAL).

- - -

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

Section 1:- That the property located at 430 Grantham Road is hereby rezoned from IN-1 (Institutional) to Conditional R-12 (Multiple-Family Residential). The property which is the subject of this rezoning is more fully described as follows:

Property fronting 160 feet, more or less, along the northern line of Grantham Road and 273 feet, more or less, along the eastern line of Restmere Road; premises numbered 430 Grantham Road.

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

(a) The site shall be developed in accordance with an approved site plan, designed in conformance with the requirements of Table 4-A, Chapter 15 ("Parking"), Chapter 16 ("Signs"), and Chapter 17 ("Landscaping and Buffers") of the Zoning Ordinance of the City of Norfolk, 1992 (as amended).

Section 3:- That this ordinance shall be in effect from the date of its adoption.

8/8/06 trr
Form and Correctness Approved:

By _____
Office of the City Attorney

Form CCO-003

Contents Approved:

By _____
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE CONSTRUCTION OF SEVEN OR MORE DWELLING UNITS ON PROPERTY LOCATED AT 430 GRANTHAM ROAD.

- - -

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

Section 1:- That a Special Exception is hereby granted authorizing the construction of seven (7) or more dwelling units on property located at 430 Grantham Road . The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 160 feet, more or less, along the northern line of Grantham Road and 273 feet, more or less, along the eastern line of Restmere Road; premises numbered 430 Grantham Road.

Section 2:- 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 of Norfolk 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 3:- That the Special Exception granted hereby shall be subject to the following condition:

(a) The site and structures shall be developed in conformity with the site plan and elevations set forth in "Exhibit A," attached hereto. The attached site plan may, at the request of the Department of Planning, be required to be revised during the site plan approval process so as to comply with applicable regulations.

Section 4:- Violation of any provision or condition of this ordinance or section 25-9 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) shall be punishable in accordance with the enforcement procedures set forth in Chapter 23 of said Zoning Ordinance and shall constitute grounds for revocation or cancellation of this Special Exception.

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

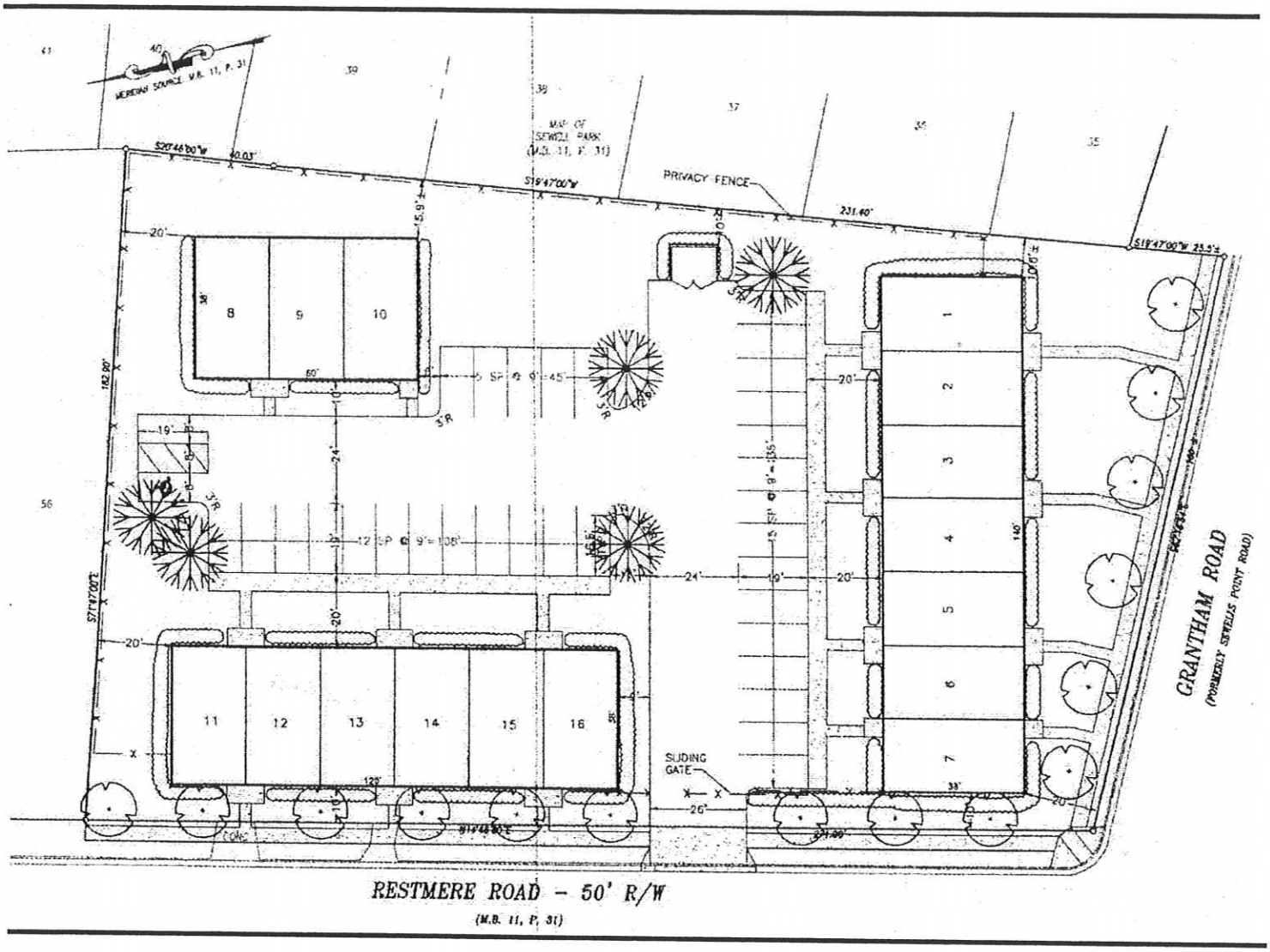
ATTACHMENT
Exhibit A (2 pages)

3. SITE PLAN

PROPOSED REZONING & SPECIAL EXCEPTION

EXHIBIT "A"
Page 1 of 2

JOE COVINGTON, JR.
Grantham Road & Restmere Road



Planning Commission Public Hearing

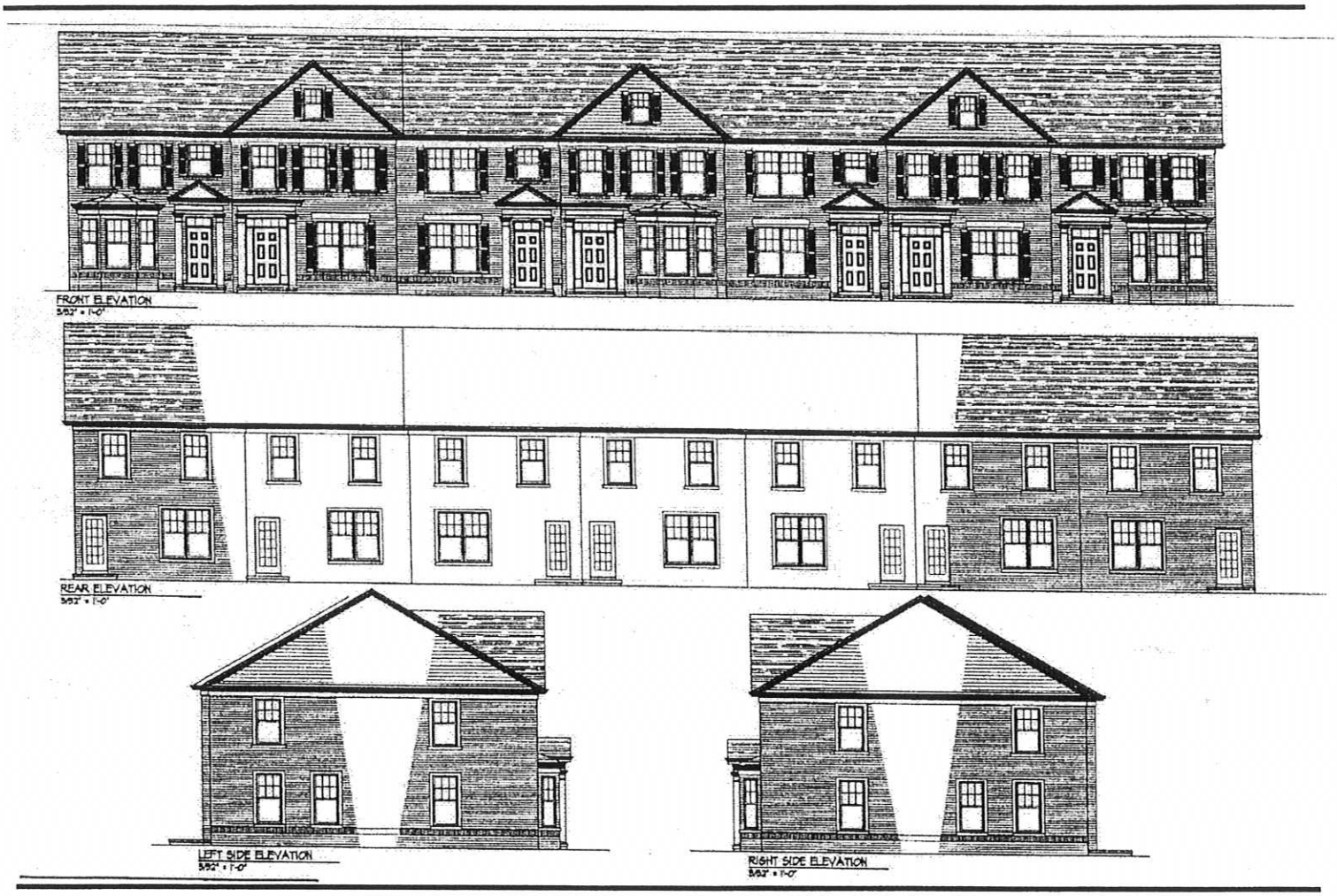
July 27, 2006 Application 9 a & b

4. ELEVATIONS

PROPOSED REZONING & SPECIAL EXCEPTION

JOE COVINGTON, JR.
Grantham Road & Restmere Road

EXHIBIT "A"
Page 2 of 2



Planning Commission Public Hearing

July 27, 2006 Application 9 a & b

City of Norfolk

Inter Department Correspondence Sheet

TO: City Manger

FROM: City Planning Commission

COPIES TO:

SUBJECT: Application for Rezoning (9 a & b P.H. 27 July 2006)

PART 1: APPLICATION DESCRIPTION:

Nature of Applications:

a. **Change of Zoning:** From IN-1 (Institutional) to conditional R-12 (Medium Density Multiple-Family) District.

b. **Special exception:** To construct 7 or more units.

Location: Northeast corner of Grantham Road and Restmere Road, premises numbered 430 Grantham Road.

Applicant: Joe Covington, Jr.

Property owner: Union Mission

Description of proposed use:

The site contains a church building and a small parking area. The applicant has contracted to purchase the property and is proposing to develop 16 townhouse-styled condominiums units.

The developer has provided two site plans that differ by the basic sitting of the townhouse structures. Site plan (A) places the townhouse styled buildings generally perpendicular to Restmere Road and Grantham Road with parking occupying the street corner frontage. Site plan (B) places the buildings along the street frontages of Grantham Road and Restmere Road with the parking on the interior.

Conditions Proffered

The applicant has proffered the following condition:

1. The site shall be developed in accordance with an approved site plan, designed in conformance with the requirements in Table 4-A of Chapter 4 "Yard Requirements and in Article III, including Chapter 15 "Parking", Chapter 16 "Signs", and Chapter 17 "Landscaping and Buffers", of the Zoning Ordinance of the City of Norfolk, 1992, as amended.

2. The site will be developed in accordance with the attached site plan subject to site plan approval.

3. The design of the residential units will be as shown on the attached elevation.

4. The height of all physical improvements will not exceed 35 feet.

Description of existing land use pattern:

The properties to the east and west of this site are developed with two different apartment complexes build at least 40 years ago. Both complexes are populated with two story buildings generally containing eight units each with little off street parking. A series of single family homes are located to the south facing Little Creek Road with their driveways fronting onto Grantham Road.

PART 2: ANALYSIS/EVALUATION:

Prior Zoning History:

There have not been any related zoning applications in the immediate area in recent times.

Neighborhood Impact:

The overall Wards Corner neighborhood is populated with several older large apartment complexes similar to the two that are nearby this site. The proposed development will be in keeping with the existing character of this area and should negatively impact the adjoining properties.

General Plan Impact:

The General Plan designates this area as high density residential. This request would not conflict with the General Plan.

Zoning Impact:

The nearby properties to the east and west of the site are currently zoned R-11 and R-12, both multiple-family zoning districts. The proposed development would be compatible to the existing development and zoning.

For the site to be developed with a condominium project, it would have to meet the requirements set forth in Chapter 4, Residence Districts, of the City of Norfolk Zoning Ordinance, 1992 as amended, specifically Section 4-12 (Medium Density Multiple-Family). It would also be required to comply with the standards of Chapter 17 "Landscaping and Buffers" and chapter 26 "Site Plan Review".

PART 3: RECOMMENDATION:

The Planning Commission unanimously recommends (by a 7 to 0 vote) recommends that this rezoning and special exception be approved subject to the conditions. The proposed development is in keeping with the existing character of the Wards Corner neighborhood and would represent new residential opportunities for this area.

The developer prefers the site plan (A) because it allows a small rear yard to be assigned to most of the units. The staff recommends site plan (B) because it is more compatible with the adjoining properties and provides better appearance from the streets. It is more urban in it's layout and reflects current site layout principles. Both versions have been provided for consideration by the Commission:

1) The site shall be developed in accordance with an approved site plan, designed in conformance with the requirements of Table 4-A, Chapter 15 ("Parking"), Chapter 16 ("Signs"), and Chapter 17 ("Landscaping and Buffers") of the Zoning Ordinance of the City of Norfolk, 1992 (as amended).

MAPS:

1. Location
2. Location and zoning
3. Site Plan
4. Elevations

Property Description:

Property fronts 160 feet, more or less, along the northern line Grantham Road and 273 feet, more or less, along the eastern line of Restmere Road.

Proponents:

Joe Covington
6061 River Crescent
Norfolk, VA 23515

Opponents:

None

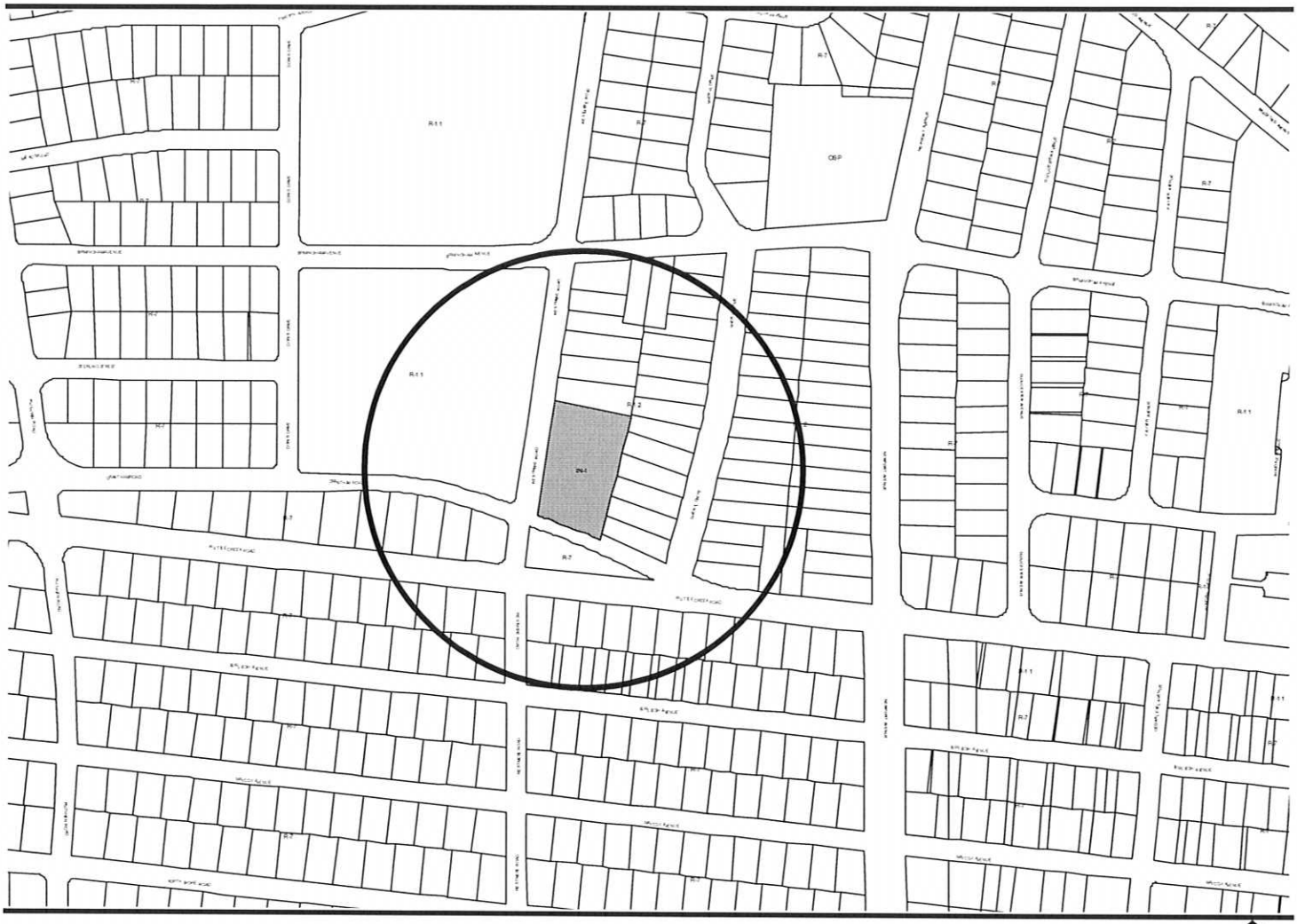
Stanley Stein
Acting Executive Secretary

Attachments

1. LOCATION AND ZONING

PROPOSED REZONING & SPECIAL EXCEPTION

JOE COVINGTON, JR.
Grantham Road & Restmere Road



Planning Commission Public Hearing

July 27, 2006 Application 9 a & b

Location

2. SITE

PROPOSED REZONING & SPECIAL EXCEPTION

JOE COVINGTON, JR.
Grantham Road & Restmere Road

Planning Commission Public Hearing

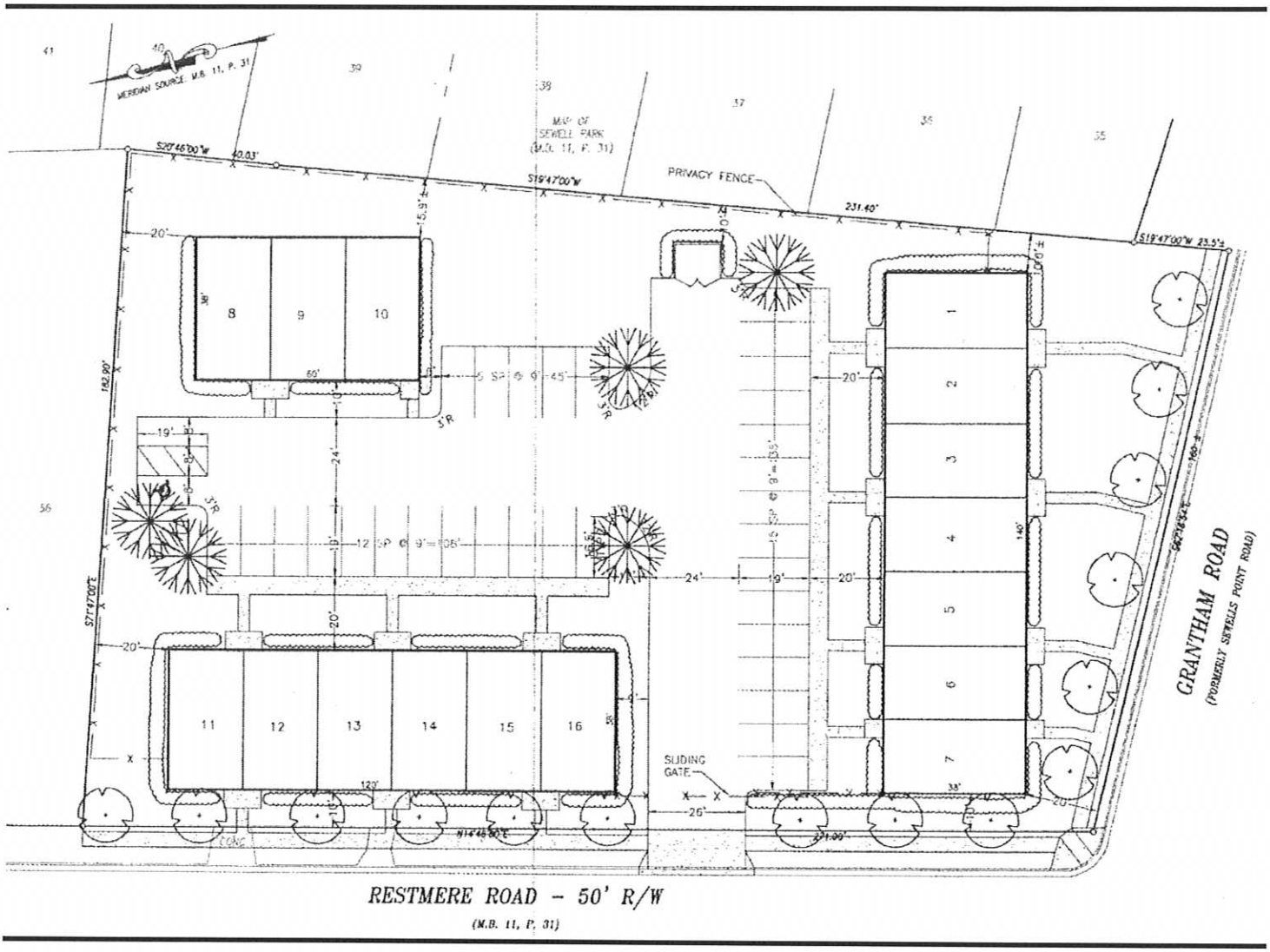
July 27, 2006 Application 9 a & b

Location

3. SITE PLAN

PROPOSED REZONING & SPECIAL EXCEPTION

JOE COVINGTON, JR.
Grantham Road & Restmere Road



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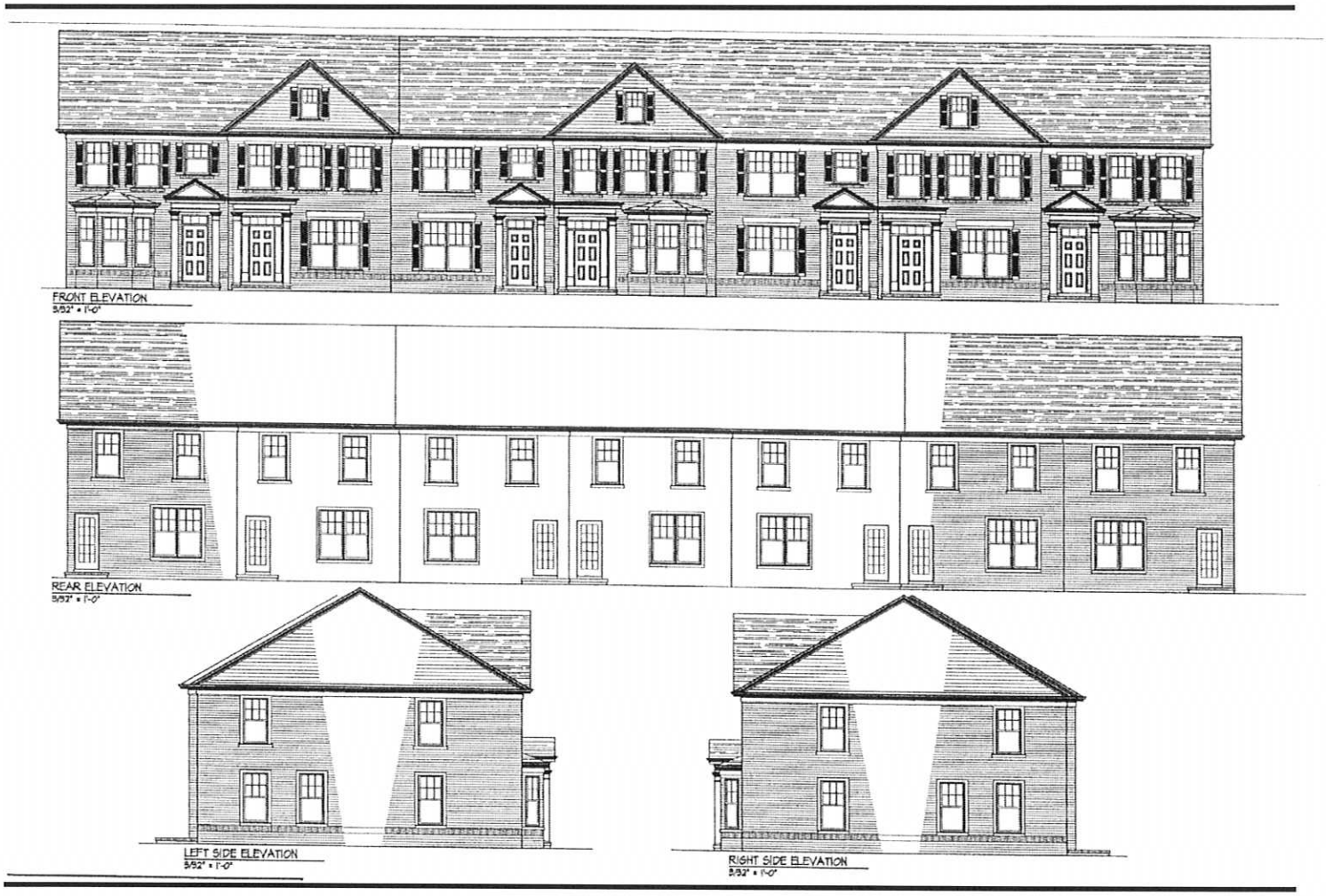

Planning Commission Public Hearing

July 27, 2006 Application 9 a & b