C: Dir., Department of City Planning

City of NORFOLK

To the Honorable Council
City of Norfolk, Virginia

June 28, 2016

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

Subject: **The closing, vacating and discontinuing of May Avenue and a 10' Lane**

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

Ward/Superward: 3/7

Approved: Marcus D. Jones, City Manager

Item Number: **PH-7**

I. **Staff Recommendation:** **Approval**

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

III. **Request:** Street closures for portions of May Avenue, between East Virginia Beach Boulevard to the north and Booth Street to the south, and all of the remaining portion of a 10' Lane lying south of East Virginia Beach Boulevard, between May Avenue and Cecelia Street.

IV. **Applicant:** Norfolk Redevelopment and Housing Authority

V. **Description:**

- The rights-of-way to be closed are located entirely within the Central Brambleton community which is developed with a variety of residential, industrial and institutional uses.
- The closures are being advanced to support proposed new residential development east of May Avenue
- Closure of May Avenue will permit construction of an earthen berm to help buffer the neighborhood from the adjacent railroad tracks.
- Appropriate utility easements and adjustments related to the proposed closures have been made with the Norfolk Department of Utilities, Cox Communications and Dominion Virginia Power.
- This property, if closed, will convey to the Norfolk Redevelopment and Housing Authority at no cost.

VI. Staff point of contact: Jeffrey Raliski at 664-4766, jeffrey.raliski@norfolk.gov

Attachments:

- Ordinance
- Staff Report to CPC dated May 26, 2016 with attachments
- Proponents and Opponents

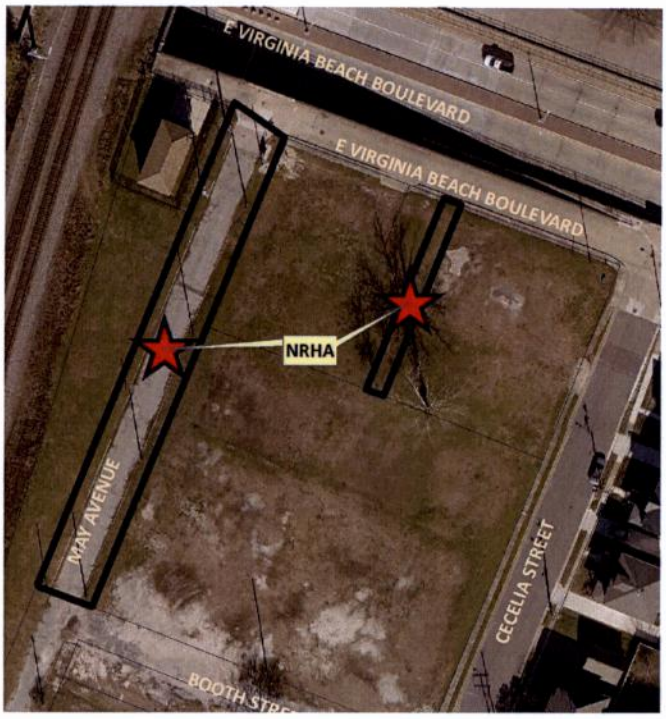
THE CITY OF NORFOLK
CITY PLANNING

Planning Commission Public Hearing: May 26, 2016

Executive Secretary: George M. Homewood, FAICP, CFM

Staff: Jeffrey K. Raliski, AICP

Staff Report	Item No. 14	
Applicant	Norfolk Redevelopment and Housing Authority	
Request	Street Closure of Portions of May Avenue and a 10' Lane	
Site Characteristics	Zoning	I-1 (Limited Industrial)
	Neighborhood	Central Brambleton
	Character District	Traditional
Surrounding Area	North	I-1, IN-1 (Institutional District): Office building and Booker T. Washington High School
	East	I-1: Vacant industrial property and mixed density residential community
	South	I-1: Vacant industrial property
	West	I-1: Vacant industrial property, City pump station and railroad tracks



810 Union Street #1101 ▪ Norfolk, Virginia 23510
Phone: 757-664-4242 ▪ Fax: 757-664-4239

A. Summary of Request

- The applicant proposes to close portions of May Avenue, between East Virginia Beach Boulevard to the north and Booth Street to the south, and all of the remaining portion of a 10' Lane lying south of East Virginia Beach Boulevard, between May Avenue and Cecelia Street.
- The closures are being advanced to support proposed new residential development east of May Avenue
- Closure of May Avenue will permit construction of an earthen berm to help buffer the neighborhood from the adjacent railroad tracks.
- The rights-of-way to be closed are located entirely within the Central Brambleton community which is developed with a variety of residential, industrial and institutional uses.
- The property will be incorporated into the adjacent parcels.
- Appropriate utility easements and adjustments related to the proposed closures have been made with the Norfolk Department of Utilities, Cox Communications and Dominion Virginia Power.

B. Financial Impact

- This property, if closed, will convey to the Norfolk Redevelopment and Housing Authority at no cost.
- The addition of the right-of-way to the adjacent parcels should positively impact the value of these properties.

C. Impact on Surrounding Area/Site

- The right-of-way proposed for closure is not an identified existing or planned pedestrian or bicycle route in Norfolk plans.
- Closure of these rights-of-way will not create additional traffic in the Central Brambleton community.

D. Historic Context and Impacts

The site is currently vacant and not located in any local, state or federal historic district.

E. Public School Impacts

This sites is located in the Richard Bowling Elementary School, Ruffner Academy, and Booker T. Washington High School Attendance Zones.

F. Civic League

Letter was mailed to the Central Brambleton Civic League President on April 13.

G. Community Outreach/Notification

- Legal notice on the property was posted on April 19.
- Letters were mailed to all property owners within 300 feet of the property on May 11.
- Legal notification was placed in *The Virginian-Pilot* on May 12 and May 19.

H. Recommendation

Staff recommends that the proposed closure of portions of May Avenue and 10' Lane be **approved**.

Attachments

- Location Map
- Zoning Map
- Application
- Notice to the Central Brambleton Civic League

Proponents
None

Opponents
None

4/1/2016 lds

Form and Correctness Approved

By _____
Office of the City Attorney

Contents Approved:

By _____
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO CLOSE, VACATE AND DISCONTINUE A PORTION OF MAY AVENUE AND A 10-FOOT LANE OFF VIRGINIA BEACH BOULEVARD, TO AUTHORIZE THE CONVEYANCE OF ANY INTEREST IN THE SAID VACATED RIGHT-OF-WAY BY QUITCLAIM DEED TO NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY.

- - -

WHEREAS, application to close, vacate and discontinue the hereinafter described portion of May Avenue and the 10-foot lane off Virginia Beach Boulevard, in the City of Norfolk has been made and the requirements of § 15.2-2006 of the Code of Virginia, 1950, as amended which relate to the vacation of streets and alleys, have been met; and

WHEREAS, it is the judgment of the Council that said right-of-way is not needed for public use and travel and should be closed, vacated and discontinued; now, therefore,

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

Section 1:- That the following described portion of May Avenue is hereby vacated and discontinued as a public street of the City of Norfolk:

> Being all of that portion of May Avenue, lying between Virginia Beach Boulevard to the north and Booth Street to the south, denoted as "A" on "Street Closure Plan of a Portion of May Avenue, Between Virginia Beach Boulevard and Booth Street and 10' Lane, Between Virginia Beach Boulevard and Southerly Terminus for Norfolk Redevelopment and Housing Authority, Norfolk, Virginia", and as shown on a plat entitled "East End Heights, Owned by Home Building and Investment Co." dated April 22, 1893, prepared by C.E. Foreman, C.E., recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Map Book 3 at Page 24; and as shown on a plat entitled "Property of

Mrs. Anna M. Brown, Situated on Turnpike", as recorded in Deed Book 199 at Page 408, in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia, and being further described as follows:
BEGINNING at a drill hole found at the southwest intersection of May Avenue and Virginia Beach Boulevard; thence, S 54°01'15" E, crossing May Avenue, 39.96 feet to an iron pin found at the southeast intersection of May Avenue and Virginia Beach Boulevard; thence, S 22°01'37" W, with the easterly right-of-way of May Avenue, 120.29 feet to an iron pin found; thence, N 68°34'03" W, continuing with the easterly right-of-way of May Avenue, 2.59 feet to an iron pin found; thence, S 21°50'57" W, continuing with the easterly right of way of May Avenue, 185.50 feet to an iron pin found at the northeast intersection of May Avenue and Booth Street; thence, N 68°34'03" W, with a prolongation of Booth Street, crossing May Avenue, 36.77 feet to the westerly right-of-way of May Avenue; thence, N 22'01'37" E, with the westerly right-of-way of May Avenue, 315.83 feet to the POINT OF BEGINNING, and containing 11,627 square feet or 0.267 acre.

Section 2:- That the following described ten-foot lane is hereby vacated and discontinued as a public street of the City of Norfolk:

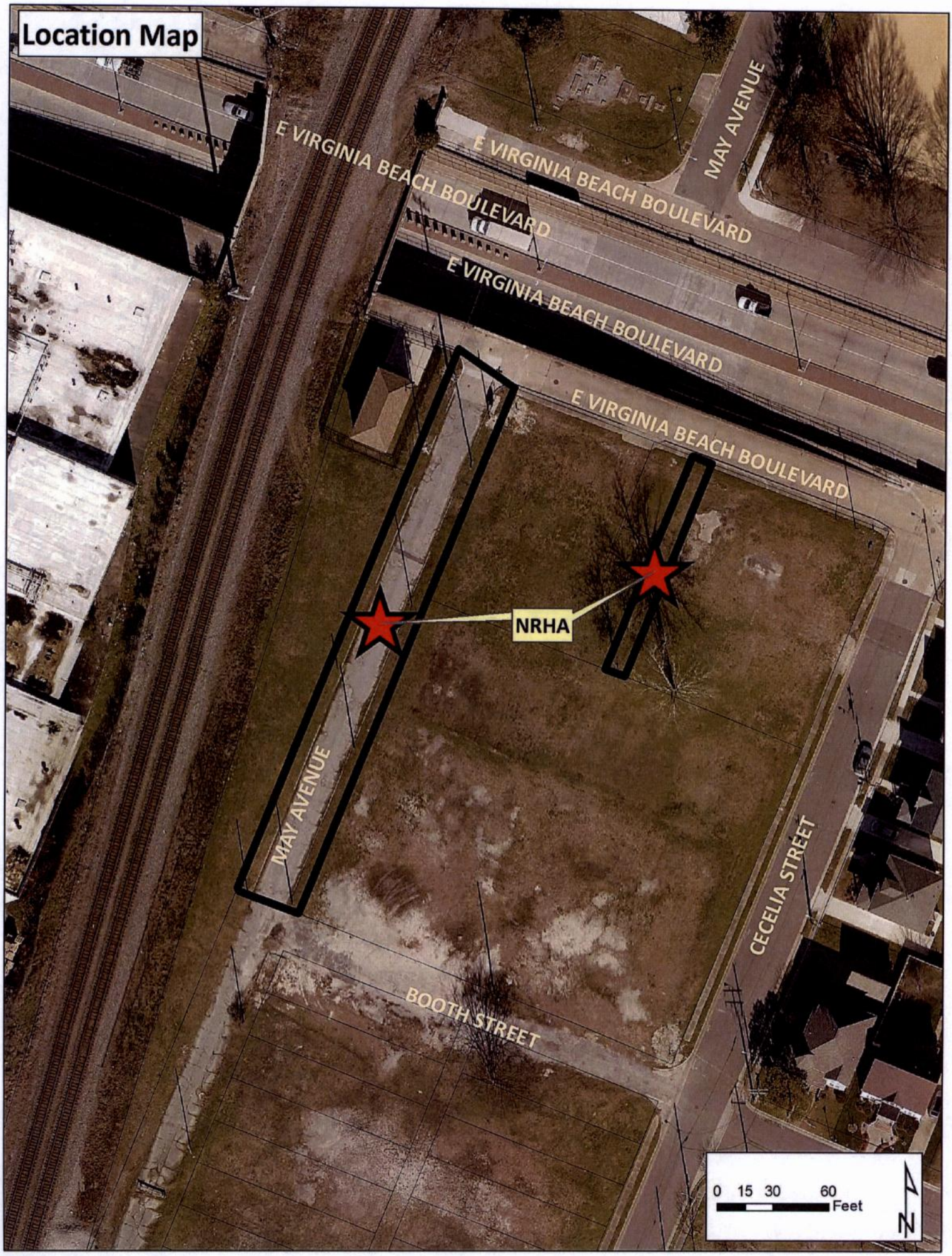
Being all of the remaining portion of a 10' Lane lying south of Virginia Beach Boulevard, between May Avenue and Cecelia Street, and running parallel thereto, denoted as "B" on "Street Closure Plan of a Portion of May Avenue, Between Virginia Beach Boulevard and Booth Street and 10' Lane, Between Virginia Beach Boulevard and Southerly Terminus for Norfolk Redevelopment and Housing Authority, Norfolk, Virginia", and as shown on a plat entitled "Property of Mrs. Anna M. Brown, Situated on Turnpike", as recorded in Deed Book 199 at Page 408, recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia, and being further described as follows:
COMMENCING at an iron pin found at the southeast intersection of May Avenue and Virginia Beach

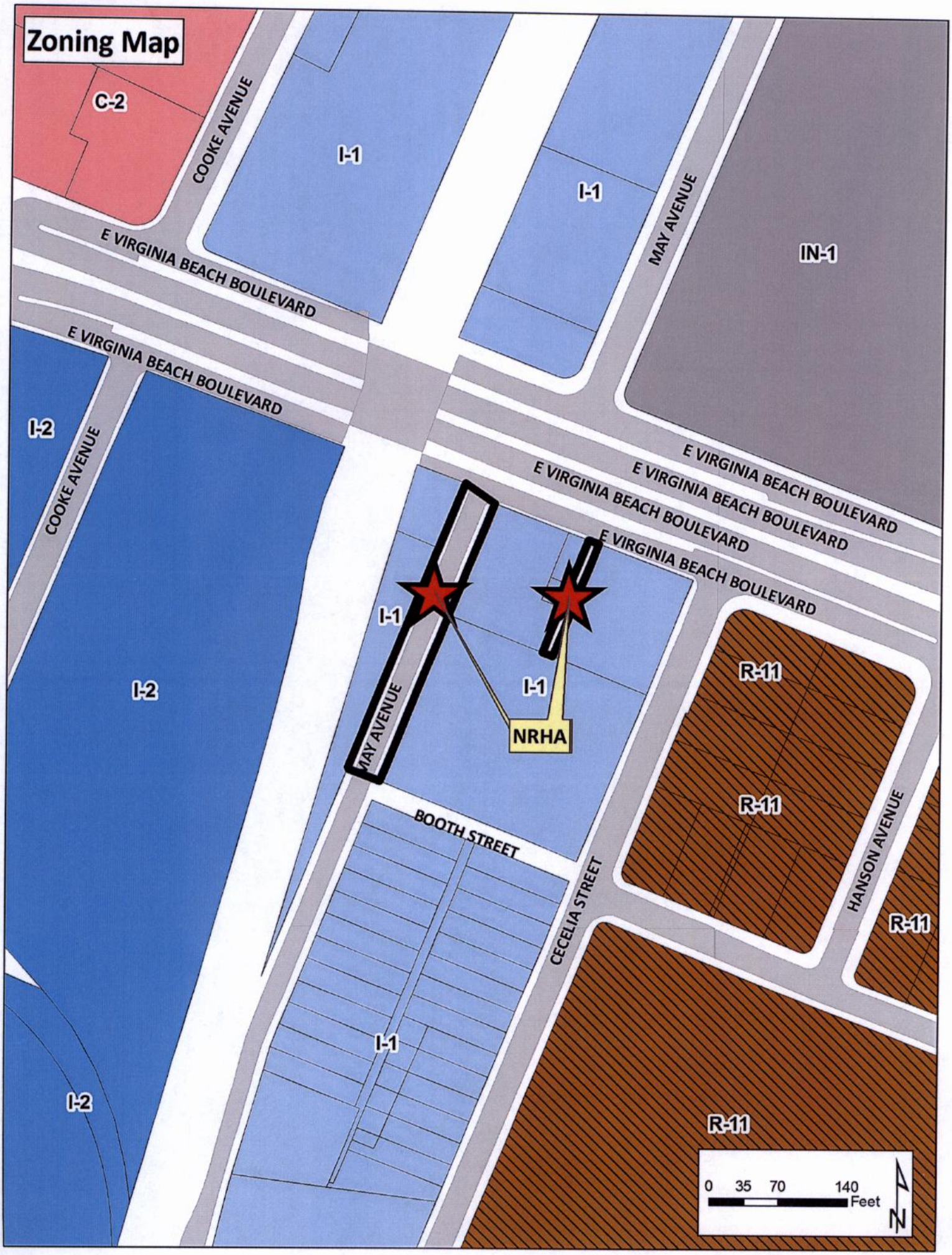
Boulevard; thence, S 68°23'23" E, with the southerly right-of-way of Virginia Beach Boulevard, 100.00 feet to an iron pin found at the southwest intersection of Virginia Beach Boulevard and a 10' Lane, being the true POINT OF BEGINNING;

Thence, from the true point of beginning, S68°23'23" E, crossing the 10' Lane, 10.00 feet to an iron pin found at the southeast intersection of Virginia Beach Boulevard and the 10' Lane; thence, S 22°01'37" W, with the easterly right-of-way of the 10' Lane, 119.99 feet to an iron pin at the southerly terminus; thence, N 68°34'03" W, with the southerly terminus of the 10' Lane, 10.00 feet to an iron pin found on the westerly right-of-way of the 10' Lane; thence, N 22°01'37" E, with the westerly right-of-way of the 10' Lane, 119.98 feet to the true POINT OF BEGINNING, and containing 1,200 square feet or 0.028 acre.

Section 3:- That the conveyance by quitclaim deed to Norfolk Redevelopment and Housing Authority, of any and all right, title and interest the City may possess in and to the above described property is hereby authorized.

Section 4:- That this ordinance shall be in effect from and after 30 days of its adoption.


Location Map
E VIRGINIA BEACH BOULEVARD
E VIRGINIA BEACH BOULEVARD
E VIRGINIA BEACH BOULEVARD
E VIRGINIA BEACH BOULEVARD
MAY AVENUE
MAY AVENUE
NRHA
CECELIA STREET
BOOTH STREET
0 15 30 60
Feet
N


Zoning Map
C-2
COOKE AVENUE
I-1
I-1
MAY AVENUE
IN-1
E VIRGINIA BEACH BOULEVARD
E VIRGINIA BEACH BOULEVARD
I-2
COOKE AVENUE
E VIRGINIA BEACH BOULEVARD
E VIRGINIA BEACH BOULEVARD
E VIRGINIA BEACH BOULEVARD
E VIRGINIA BEACH BOULEVARD
I-1
I-1
NRHA
MAY AVENUE
I-2
R-11
R-11
BOOTH STREET
CECELIA STREET
HANSON AVENUE
R-11
I-1
I-2
R-11
0 35 70 140
Feet
N

Application for City Planning Commission Public Hearing

STREET CLOSURE

Street Closure Fee.....Treasurer, City of Norfolk $105

Date of application: 4/21/14

Name of Applicant or Adjacent Property Owner:

(Last) Montgomery (MI) R. (First) Shurl

Mailing address (Street/P.O. Box): NRHA - 201 Granby Street

(City) Norfolk (State) VA (Zip Code) 23510-1816

Daytime telephone (757) 314-1679 Fax (757) 640-0052 Email smontgomery@nrha.us

Email address of applicant:

Name of Representative (if different from Applicant):

(Last) McCormick (MI) S. (First) Nathaniel

Mailing address (Street/P.O. Box): NRHA - 201 Granby Street

(City) Norfolk (State) VA (Zip Code) 23510-1816

Daytime telephone (757) 314-2097 Fax (757) 314-1302 Email nmccormick@nrha.us

Description of Property (List street name and location of closure request):

(Street Name) A portion of May Avenue and the remaining portion of a 10' lane

(Location of closure request) Between Virginia Beach Boulevard and Booth Street

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

Street Closure Application
Page 2

(Zoning) I-1 (Land Area in acres or square feet) May Avenue: 11,627 sq ft
10' lane: 1,200 sq

Please describe the reason for requesting the closure:

To support residential redevelopment east of May Ave. Closure of the street will allow construction of an earthem berm to buffer the neighborhood from the adjacent Norfolk Southern railroad tracks.

List each **adjacent property owner** (print owner name and address) with signature of consent for the closure request. Use additional paper if needed:

Property Owner: City of Norfolk / _____
Print Name Signature
Address:

Property Owner: n/a / _____
Print Name Signature
Address:

Property Owner: _____ / _____
Print Name Signature
Address:

Property Owner: _____ / _____
Print Name Signature
Address:

Property Owner: _____ / _____
Print Name Signature
Address:

Property Owner: _____ / _____
Print Name Signature
Address:

CIVIC LEAGUE INFORMATION

Civic League contact: Karen Tanner

Date(s) contacted: November 20, 2012 - Civic League Meeting

Ward/Super Ward information: Ward 3 - Alveta Green

REQUIRED ATTACHMENTS

- ✓ Check for $105.00 made payable to: Treasurer, City of Norfolk.
- ✓ Two 8½ x14 inch copies of house plat or survey showing portion of right of way requested to be closed.
- ✓ Title Search of right-of-way to be closed.
- ✓ Appraisal of right-of-way to be closed, *conducted by MAI appraiser*, if necessary.

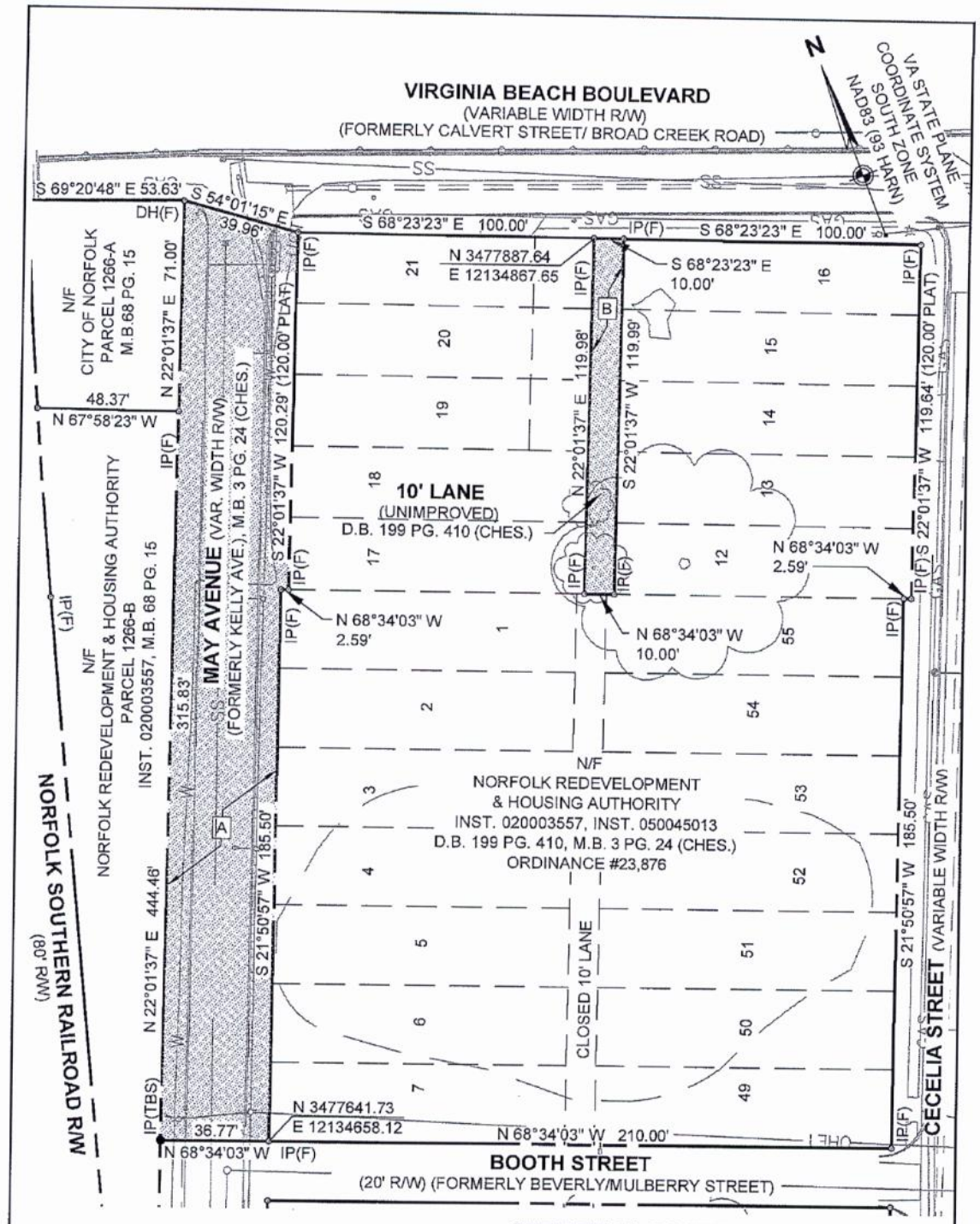
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569

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

SIGNED: _____ 3/26/14
(Applicant, adjacent property owner or authorized agent signature) (Date)

SIGNED: _____ 4/4/14
(Representative signature, as applicable) (Date)

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



A PORTION OF MAY AVENUE RIGHT-OF-WAY TO BE CLOSED
AREA = 11,627 SQ. FT. OR 0.267 AC.

B 10' LANE (UNIMPROVED) RIGHT-OF-WAY TO BE CLOSED
AREA = 1,200 SQ. FT. OR 0.028 AC.

0 40 80 120
GRAPHIC SCALE IN FEET

STREET CLOSURE PLAN

OF A PORTION OF

MAY AVENUE

BETWEEN VIRGINIA BEACH BOULEVARD AND BOOTH STREET

AND

10' LANE

BETWEEN VIRGINIA BEACH BOULEVARD AND SOUTHERLY TERMINUS

FOR

NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY

NORFOLK, VIRGINIA

WOOLPERT
DESIGN | GEOSPATIAL | INFRASTRUCTURE

676 INDEPENDENCE PARKWAY
SUITE 100
CHESAPEAKE, VA 23320-5218
TEL: 757.549.3549
FAX: 757.549.3540

DES.	N/A	JOB NO.	72169.05
DRN.	JGB	SCALE	1" = 40'
CKD.	JGB	DATE	03/06/2013
		SHEET NO.	1 OF 1
		FILE NO.	AAA Street Closure.dwg

Raliski, Jeffrey

From: Straley, Matthew
Sent: Wednesday, April 13, 2016 11:43 AM
To: cbcl2@hotmail.com
Cc: Johnson, Mamie; Williams, Angelia M.; Howard, Oneiceia; Raliski, Jeffrey
Subject: new Planning Commission application
Attachments: NRHA Street Closure.pdf

Mr. Thompson,

Attached please find the application for the following street closures:

a. Being all that portion of May Avenue, lying between Virginia Beach Boulevard to the north and Booth Street to the south.
b. Being all of the remaining portion of a 10' Lane lying south of Virginia Beach Boulevard, between May Avenue and Cecelia Street.

The item is tentatively scheduled for the May 26, 2016 Planning Commission public hearing.

Staff contact: Jeff Raliski at (757) 664-4766, jeffrey.raliski@norfolk.gov

Thank You.

Matthew Straley
GIS Technician II

THE CITY OF NORFOLK
City Planning
810 Union Street, Suite 508
Norfolk, VA 23510
757-664-4769

Connect with us:
www.norfolk.gov

Archived: Wednesday, May 25, 2016 3:41:29 PM
From: Raliski, Jeffrey
Sent: Wednesday, May 25, 2016 3:32:26 PM
To: Simons, Matthew; Whitney, Chris
Subject: Fwd: Planning Commission - May Avenue Street Closure
Importance: Normal

Please add to the May Ave staff report. Thanks. Jeff

Sent from my iPhone

Begin forwarded message:

> **From:** Michael Clark <mclark@nrha.us>
> **Date:** May 25, 2016 at 3:20:38 PM EDT
> **To:** "'Raliski, Jeffrey'" <jeffrey.raliski@norfolk.gov>, Nathaniel McCormick <nmccormick@nrha.us>
> **Cc:** "Ken T (thompsonatlantic@gmail.com)" <thompsonatlantic@gmail.com>
> **Subject: RE: Planning Commission - May Avenue Street Closure**
>
> Good Afternoon Jeff:
> With the May Avenue Street Closure an agenda item for the May 26th Planning Commission meeting, we wanted provide a quick re-cap of NRHA's recent presentation to the Central Brambleton Civic League. Nat McCormick and I attended their May 17th Civic League Meeting to review the berm project and to clarity the need for the May Avenue street closure. There was good dialogue with the residents in attendance. We displayed a photo showing a general design of the berm in addition to a site plan illustrating the street closure. We discussed the berm in detail as well as several other community concerns. At the conclusion of our presentation, the Central Brambleton Civic League affirmed their support of the project.
>
> By copy of this email, I am asking that Ken Thompson please confirm the community support.
>
> Thanks for your help with this project and thanks to Ken for scheduling us in time for the May 26th Planning Commission meeting.
>
> **Michael G. Clark**
> **Real Estate Services Director**
> **Norfolk Redevelopment and Housing Authority**
> **757-533-4697**