To the Honorable Council  
City of Norfolk, Virginia  

From: Leonard M. Newcomb, Acting Planning Director  

Subject: The closing, vacating and discontinuing a portion of Wellville Street.  

Reviewed: Wynter C. Benda, Chief Deputy City Manager  
Ward/Superward: 4/7  

Approved: Douglas L. Smith, City Manager  

Item Number: PH-3  

I. Staff Recommendation: Approval  

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

III. Request: Street closure for an unimproved portion of Wellville Street, lying east of Kempsville Road containing 18,579 Square Feet, or 0.4264 acre, more or less.  

IV. Applicant: MPB, Inc.  

V. Description:  
- The right-of-way to be closed is located in the Kempsville area which is developed with a mixture of commercial and institutional uses in this area.  
- The applicant is seeking to close the right-of-way in support of construction of a new medical building complex on adjacent parcels.  
- Appropriate utility easements and adjustments related to the proposed closure have been made with the Norfolk Department of Utilities, Dominion Virginia Power, and Verizon.  
- The City Manager’s office has authorized waiver of fee payment for the City’s interest in the right-of-way proposed for closure as consideration for other infrastructure improvements and contributions that will made as part of the overall development program on the larger site which represents a total investment in Norfolk of more than $100M.  

VI. Historic Context and Impacts  
The site is not located in any local, state or federal historic district.  

Attachments:  
- Ordinance  
- Staff Report to CPC dated July 26, 2018 with attachments  
- Proponents and Opponents
PROPONENTS
NONE

OPPONENTS
NONE
ORDINANCE No.

AN ORDINANCE CLOSING, VACATING AND DISCONTINUING WELLVILLE STREET; AUTHORIZING THE CONVEYANCE OF ANY INTEREST THE CITY MAY HAVE IN THE SAID STREET; AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE CONVEYANCE BY THE ABUTTING PROPERTY OWNER OF A UTILITY EASEMENT.

WHEREAS, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, the City Council has the authority to close, vacate and discontinue public rights of way; and

WHEREAS, an application has been received from MPB, Inc. ("MPB") for the closure of Wellville Street, as described in Exhibit A and shown on Exhibit B, both of which are attached to and made a part of this ordinance; and

WHEREAS, after a public hearing, the City Planning Commission recommended that Wellville Street be closed, vacated and discontinued; and

WHEREAS, the City requires a utility easement, as described in Exhibit C and shown on Exhibit D attached hereto, which easement MPB has agreed to convey to the City upon vacation of the street; and

WHEREAS, Dominion Virginia Power and Verizon have
facilities located in the portion of the street to be vacated and have confirmed that satisfactory arrangements have been made with respect to such facilities; and

WHEREAS, MPB has agreed to pay to the City all costs associated with the publishing of the notice required by Section 15.2-2006 of the Code of Virginia, 1950, as amended; and

WHEREAS, in order to facilitate economic development in this section of the City and thereby provide significant financial benefit to the City, Council has determined that the said street should be vacated and any interest the City has in the street conveyed to the abutting property owner or owners by deed of quitclaim without requiring compensation from the abutting property owner or owners; and

WHEREAS, the requirements of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Sections 42-212 and 42-213 of the Norfolk City Code, 1979, which relate to the vacation of public rights of way, have been met; and

WHEREAS, after a public hearing duly held, it is the judgment of the Council that Wellville Street is not needed for public use and travel and should be closed, vacated and discontinued as a public street of the City of Norfolk; now therefore,

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

Section 1:- That Wellville Street, as more
particularly described in Exhibit A and shown on Exhibit B, attached hereto, is hereby closed, vacated and discontinued as a public street of the City of Norfolk.

Section 2:- That any interest the City has or may have in Wellville Street be conveyed to the abutting property owner or owners by deed of quitclaim; and

Section 3:- That the requirement of Section 42-212 of the Norfolk City Code, 1979, that the City’s interest in the street be purchased by the abutting property owner(s) is hereby waived in order to facilitate economic development in that section of the City, thereby providing significant financial benefit to the City.

Section 4:- That the City Manager and other proper officers of the City are authorized to accept an appropriate Deed of Easement from MPB for a utility easement as described in Exhibit C and shown on Exhibit D.

Section 5:- That upon the effective date of this ordinance a certified copy shall be recorded in the Clerk’s Office of the Circuit Court of the City of Norfolk.

Section 6:- That this ordinance shall be in effect from and after thirty (30) days from the date of its adoption.
EXHIBIT A TO ORDINANCE

Closure of Wellville Street
As shown on MB 29 Pg 52

All that certain piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, said parcel being a right-of-way as shown on plat entitled “Subdivision of Parcel C-2B, Subdivision of Parcel C-2, Subdivision of Part of Parcel C, Subdivision of Property of James Barry-Robinson Home For Boys, Norfolk, Virginia”, dated June 10, 1975, prepared by Baldwin and Gregg, which said plat is duly recorded in the Clerk’s Office of the Circuit Court of City of Norfolk, Virginia, in MB 29, Pg 52, and being further described as follows: BEGINNING at the southwest corner of Lot 20, as shown on plat entitled “Pinecroft, Plat Showing Property of John E. Wales Jr., and Lawrence B. Wales, Princess Anne Co., Virginia”, dated May 1940, prepared by S. W. Armistead, CE, which said plat is duly recorded in the Clerk’s Office of the Circuit Court of Virginia Beach, Virginia, in MB 12, at page 87; thence S 01°22’12” W, a distance of 50.00’ to a point of curvature; thence, along a curve to the right, having a radius of 50.00’, and an arc length of 130.99’ to a point of reverse curve; thence, along a curve to the left, having a radius of 50.00’, an arc length of 52.36’ to a point of tangency; thence, N 88°37’57” W, a distance of 61.13’ to a point; thence, S 62°13’36” W, a distance of 72.63’ to a point of curvature; thence, along a curve to the left, having a radius of 10.00’, an arc length of 5.33’, chord bearing of S 46°57’27” W, and chord distance of 5.27’ to a point along the eastern right-of-way of Kempsville Road; thence, along the said right-of-way, N 28°20’09” W, a distance of 56.22’ to a point of curvature; thence, along a curve to the left, having a radius of 23.27’, an arc length of 7.97’, chord bearing of S 80°14’01” E, and chord distance of 7.93’ to a point; thence, N 62°13’36” E, a distance of 84.97’ to a point; thence, S 88°37’57” E, a distance of 210.73’ to the point of beginning; all as shown on that certain exhibit entitled, “Exhibit Showing a Portion of Wellville Street To Be Closed, Norfolk, Virginia”, dated December 11, 2017, prepared by Rouse-Sirine Associates, Ltd.

The above described parcel contains 18,579 Square Feet, or 0.4264 Ac. more or less.

February 13, 2018
EXHIBIT B TO ORDINANCE

PORTION OF WELLVILLE STREET TO BE CLOSED

AREA = 18,579 SQUARE FEET OR 0.4264 ACRE

NOW OR FORMERLY
SENTARA HOSPITALS
INST. #030011726
TAX ID: 37541010

NOW OR FORMERLY
MBP, INC.
INST. #020037362
TAX ID: 37541010

NOW OR FORMERLY
MBP, INC.
INST. #01026970
(NORFOLK PLAT 4095)
TAX ID: 12986634

NOW OR FORMERLY
MBP, INC.
INST. #01026970
(NORFOLK PLAT 4095)
TAX ID: 12986634

KEMPSVILLE ROAD
ROUTE 165
(VARIABLE WIDTH R/W)

NOTES:

1. THE MERIDIAN SOURCE IS BASED ON THE VIRGINIA STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH ZONE, NAD83 (1993)HARN.

EXHIBIT SHOWING A PORTION OF
WELLVILLE STREET
TO BE CLOSED
NORFOLK, VIRGINIA
SCALE: 1"=60' DECEMBER 11, 2017

ROUSE-SIRINE ASSOCIATES, LTD.
LAND SURVEYORS, MAPPING CONSULTANTS & S.U.E. QUALITY LEVELS "A-D"
www.rouse-sirine.com

333 OFFICE SQUARE LANE 362 McLAWS CIRCLE, SUITE 1
VIRGINIA BEACH, VIRGINIA 23462 WILLIAMSBURG, VIRGINIA 23185
TEL.(757)490-2300 TEL.(757)903-4695
FAX:(757)499-9136 FAX:(757)903-4469

0 60 120 180 240 FEET

GRAPHIC SCALE

J.O. 13525-1
EXHIBIT C TO ORDINANCE

10' Public Utility Easement
Kempsville Road and Wellville Street

ALL THOSE certain piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, said parcel being a portion of the northeast intersection of Kempsville Road and Wellville Street, and being further described as follows: COMMENCING at the southeast corner of Lot 20, as shown on plat entitled “Pinecroft, Plat Showing Property of John E. Wales Jr., and Lawrence B. Wales, Princess Anne Co., Virginia”, dated May 1940, prepared by S. W. Armistead, CE, which said plat is duly recorded in the Clerk’s Office of the Circuit Court of Virginia Beach, Virginia, in MB 12, at page 87; thence N 88°37’57” W, a distance of 210.97’(Plat) 210.73’(Field), more or less, to a point on the southern property line of Lot 2 as shown on aforementioned plat; thence S 62°13’36” W, a distance of 84.97’ to a point of curvature of non-tangent curve; thence, along the said curve to the right, a radius of 23.27’ and an arc distance of 11.74’ to the point of BEGINNING, said point is the centerline of 10’ Public Utility Easement; thence, N 61°39’51” E, a distance of 10.00’ to a point inside the property Now or Formerly, MPB, Inc.; all as shown on that certain exhibit entitled, “Exhibit Showing 10’ Public Utility Easement To Be Granted to The City of Norfolk by MPB, Inc., Norfolk, Virginia”, dated May 9, 2018 and revised June 8, 2018, prepared by Rouse-Sirine Associates, Ltd.

The above described parcel contains 99 Square Feet more or less

May 23, 2018
Revised area August 8, 2018
NOTES:
1. MERIDIAN SOURCE OF THIS EXHIBIT IS BASED ON VIRGINIA STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH ZONE (NAD 83)(HARN).
2. THIS EXHIBIT IS NOT INTENDED TO SHOW ANY WETLANDS NOR ALL EASEMENTS THAT MAY AFFECT THE PROPERTY.
3. THIS EXHIBIT WAS PREPARED TO ACCOMPANY A DEED OF EASEMENT TO BE RECORDED POST STREET CLOSURE AND IS NOT INTENDED TO BE A SUBDIVISION OF LAND.

CURVE TABLE

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<th>ARC</th>
<th>DELTA</th>
<th>TANGENT</th>
<th>CHORD</th>
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<td>16.71 ft</td>
<td>S49°22'40&quot;E</td>
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NOW OR FORMERLY
MPB, INC.
INST.#170026970
(NORFOLK PLAT 4095)
TAX ID: 129866532

KEMPSVILLE ROAD
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

EXHIBIT SHOWING
10' PUBLIC UTILITY EASEMENT
TO BE GRANTED TO
THE CITY OF NORFOLK
BY
MPB, INC.
NORFOLK, VIRGINIA

SCALE: 1" = 20' MAY 9, 2018
REVISED: JUNE 08, 2018

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TEL.(757)990-4695 TEL.(757)499-9136
FAX:(757)990-4469 FAX:(757)499-9136

20 40
60 FEET
GRAPHIC SCALE

J.O. #13525-1 ACAD:13525-1 UTIL EASE EXHIBIT REV 06-08-18.dwg
# Planning Commission Public Hearing: July 26, 2018

**Acting Executive Secretary:** Leonard M. Newcomb  
**Staff:** Jeffrey K. Raliski, AICP

<table>
<thead>
<tr>
<th>Staff Report</th>
<th>Item No. 9</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>MPB, Inc.</td>
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<tr>
<td>Request</td>
<td>Street Closure of a Portion of Wellville Street</td>
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| Site Characteristics | Neighborhood: Kemsipville  
Character District: Suburban |
| Surrounding Area | North: C-C: Community Commercial  
East: IN-C: Institutional - Campus  
South: C-C: Community Commercial  
West: Kemsipville Road |

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[Map Image: Aerial view of Wellville Street, with MPB, Inc. marked and a red line indicating the street closure area.]
A. Summary of Request

- The applicant proposes to close a portion of Wellville Street, lying east of Kempsville Road containing 18,579 Square Feet, or 0.4264 acre.
- The right-of-way to be closed is located in Kempsville area which is developed with a mixture of commercial and institutional uses in this area.
- The applicant is seeking to close the right-of-way in support of construction of a new medical building complex on adjacent parcels.
- Appropriate utility easements and adjustments related to the proposed closure have been made with the Norfolk Department of Utilities, Dominion Virginia Power, and Verizon.

B. 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.

C. Historic Context and Impacts

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

D. Civic League

Notice was sent to the Hollywood and Newtown Civic League Presidents on June 15.

E. Community Outreach/Notification

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

F. Recommendation

Staff recommends that the proposed closure of a portion of Wellville Street be approved.

Attachments

- Location Map
- Overview Map
- Zoning Map
- Application
Application for City Planning Commission Public Hearing

STREET CLOSURE

Street Closure Fee........................................ $105 made payable to the City of Norfolk

Date of application:

Name of Applicant or Adjacent Property Owner:

(Last) MPB, Inc.  (MI)  (First)

Mailing address (Street/P.O. Box): 6015 Poplar Hall Drive, Suite 310

(City) Norfolk (State) VA (Zip Code) 23502

Daytime telephone (757) 252-3110 Fax (757) 252-3101 Email N/A

Email address of applicant: rlsouder@Sentara.com

Name of Representative (if different from Applicant):

(Last) Souders (MI) (First) Robert

Mailing address (Street/P.O. Box): 835 Glenrock Rd., Suite 170

(City) Norfolk (State) VA (Zip Code) 23502

Daytime telephone (757) 252-3110 Fax (757) 252-3101 Email rlsouder@Sentara.com

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

(Street Name) Wellville St.

(Location of closure request) Section of street that runs from Kempsville Rd. to the old Roughton property, where it dead ends bound on the north by MPB, Inc. owned property that houses the Food Lion grocery store and on the south by 890 Kempsville Rd.

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)
Street Closure Application
Page 2

(Zoning) ___________  (Land Area in acres or square feet) 18,579 SF & extend approximately 282 feet in length

Please describe the reason for requesting the closure:

To incorporate the land into the IDA in support of the development of a Cancer Center and parking structure in support thereof. Additionally, would no longer serve the general public but only staff and patients of the newly developed Cancer center.

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: MPB, Inc.
Print Name Robert L Souders, VP
Address: 890/880 Kempsville Rd, Norfolk, VA
Signature

Property Owner: Sentara Healthcare
Print Name Robert L Souders, Director Commercial Real Estate
Address: 6241 E. Virginia Beach Blvd., Norfolk, VA
Signature

CIVIC LEAGUE INFORMATION

Civic League contact: N/A
Date(s) contacted: 
Ward/Super Ward information: 

REQUIRED ATTACHMENTS
✓ Check for $105.00 made payable to: 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 CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752  Fax (757) 441-1569
(Revised January, 2015)
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: Robert L Souders Sign: Robert L Souders
(Adjacent Property Owner or Authorized Agent of Signature) (Date)

Print name: Robert L Souders, VP Sign: / 
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: Sign: / 
(Authorized Agent Signature) (Date)
PORTION OF WELLVILLE STREET TO BE CLOSED

AREA = 18,579 SQUARE FEET OR 0.4264 ACRE

NOW OR FORMERLY
SENTARA HOSPITALS
INST. #030011726
TAX ID: 37541010

NOW OR FORMERLY
MBP, INC.
INST.#030011726
TAX ID: 12866534

NOW OR FORMERLY
MBP, INC.
INST.#1702088970
(TAX ID: 12866534)

NOW OR FORMERLY
MBP, INC.
INST.#1702088970
(TAX ID: 12866534)

NOW OR FORMERLY
MBP, INC.
INST.#020037362
REM. OF PARCEL C
(M.B. 29, P.52)
TAX ID: 17719705

KEMPSVILLE ROAD
ROUTE 165
(VARIABLE WIDTH R/W)

NOTES:
1. THE MERIDIAN SOURCE IS BASED ON THE VIRGINIA STATE PLANE COORDINATE SYSTEM OF
1983, SOUTH ZONE, NAD83 (1993)HARN.

EXHIBIT SHOWING A PORTION OF
WELLVILLE STREET
TO BE CLOSED
NORFOLK, VIRGINIA
SCALE: 1"=60' DECEMBER 11, 2017

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GRAPHIC SCALE

0 60 120 180 240 FEET

J.O. 13525-1