To the Honorable Council  
City of Norfolk, Virginia  

From: Leonard M. Newcomb III, CFM, Acting Planning Director  

Subject: IPConfigure INC., for a change of zoning to amend the proffered conditions of property zoned Conditional C-C (Community Commercial) at 2330 Bowdens Ferry Road.

I. Staff Recommendation: Approval.

II. Planning Commission Recommendation: By a vote of 5 to 0, the Planning Commission recommends Approval.

III. Request: To allow office space and retail sales.

IV. Applicant: IPConfigure Inc.

V. Description:
   • The site is located within the Lamberts Point neighborhood, at the southeast corner of Bowdens Ferry Road and W. 25th Street.
   • The site was rezoned as part of a larger site and conditioned to allow a shopping center.
     o The shopping center will not be developed as originally proposed; as such, any new development proposal to the previously approved shopping center properties would require a rezoning to modify the proffered conditions attached to the properties.
       ▪ The applicant is proposing to use the site for office and must modify the conditions.

VI. Historic Resources Impacts:
   • The primary structure, and two secondary structures on the site are listed as “contributing” resources (DHR No.: 122-5799-0099) within the Norfolk and Western State/National Historic District, which is listed on the Virginia Landmarks Register and the National Register of Historic Places; approved as a historic resource by the National
Park Service (NPS) and the Virginia Department of Historic Resources (VDHR) (DHR No.: 122-5799; NRHP 2015).

- In 1906, the original resubdivision plat was recorded, establishing industrial land at the intersection of a major Norfolk & Western railroad spur on land owned by Bellamy Hough of Hardy, Inc.
- Between 1939-1948, the site was developed by The Linde Air Products Co. (later used as the Dubin Metals Scrapyard), for use as an acetylene tank manufacturing facility, later used as scrapyard.

- Under the current proposal, the applicant is proposing an adaptive reuse of the primary structures on the site, using the Secretary of the Interior’s Standards for Rehabilitation.

VII. Civic League:

- The applicant presented to the Lamberts Point Civic League on August 2 and August 30.
- Notice was sent to the Lamberts Point Civic League on August 14.

Staff contact: Matt Simons at (757) 664-4750, matthew.simons@norfolk.gov

Attachments:

- Proponents and Opponents
- Staff Report to CPC dated September 27, 2018 with attachments
- Ordinance
City Planning Commission Public Hearing: September 27, 2018

Executive Secretary: Leonard M. Newcomb III, CFM
Staff Planner: Matthew Simons, AICP, CZA, CFM

<table>
<thead>
<tr>
<th>Staff Report</th>
<th>Item No.</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addresses</td>
<td></td>
<td>2330 Bowdens Ferry Road</td>
</tr>
<tr>
<td>Applicant</td>
<td></td>
<td>IPConfigure</td>
</tr>
<tr>
<td>Requests</td>
<td>Change of Zoning</td>
<td>To modify proffered conditions for property zoned Conditional C-C (Community Commercial)</td>
</tr>
<tr>
<td>Property Owner</td>
<td></td>
<td>Moses Industries II, Inc.</td>
</tr>
</tbody>
</table>

**Site Characteristics**
- Site/Building Area: 4.4 acres/ Approximately 23,000 square feet
- Future Land Use Map: Commercial
- Current Zoning: Conditional C-C and CRO (Coastal Resilience Overlay)
- Neighborhood: Lamberts Point
- Character District: Traditional

**Surrounding Area**
- North: I-L (Industrial Light): mini-warehouse
- East: Conditional C-C: vacant industrial land and buildings
- South: Norfolk Southern Railway
- West: I-L: Bold Mariner Brewery, contractor's offices
A. Summary of Request

- The site is located within the Lamberts Point neighborhood, at the southeast corner of Bowdens Ferry Road and W. 25th Street.
- The site was rezoned as part of a larger site and conditioned to allow a shopping center.
  - The shopping center will not be developed as originally proposed; as such, any new development proposal to the previously approved shopping center properties would require a rezoning to modify the proffered conditions attached to the properties.
  - The applicant is proposing to use the site for office and must modify the conditions.

B. Plan Consistency

Analysis

General Plan Analysis – plaNorfolk2030

- The proposed rezoning is consistent with plaNorfolk2030, which designates this site as Commercial.
- The “Historic Preservation” chapter of plaNorfolk2030 includes an outcome calling for an increased number of protected historic resources and an action calling for the city to work with neighborhoods to gain support for the creation and expansion of locally-designated historic districts.
  - Given that the proposed rezoning would promote the adaptive reuse of a contributing historic resource by requiring the initial renovation to conform with the Secretary of the Interior Standards for Rehabilitation, the proposal is consistent with plaNorfolk2030.

Area Plan Analysis – Central Hampton Boulevard Area Plan (2010)

- The Central Hampton Boulevard Area Plan (Central Hampton plan) identifies this site as a location for office or research, residential (attached or multifamily), and industrial uses.
- The Central Hampton plan also includes recommendations as to the form of new development on this site, including:
  - Defining the street edge along public streets by aligning building facades to the setback line.
  - Locating active uses with 60% transparent glazing on the ground floors of commercial buildings and 40% transparent glazing for residential uses.
  - Providing ground-level entrances at least every 100 feet along the sidewalk.
  - Providing facades facing public streets of at least two stories or at least 20 feet in height.
    - Any recommendation of compliance with these form standards would be preempted by the Secretary of the Interior Standards for Rehabilitation.
- The Central Hampton plan also includes additional recommendations regarding this site, including:
  - Locating and improving the condition of the Elizabeth River Trail between Hampton Boulevard and the Lamberts Point neighborhood to the west.
• Given that the proposed rezoning is in keeping with the land use recommendations of the Central Hampton Boulevard Area Plan; the applicant would likely reuse the historic building for office and research uses, and given the accommodation of the Elizabeth River Trail is including in the proffered conditions, the proposed amendment is consistent with the Central Hampton plan.

C. Zoning Analysis
   i. General
   • The site is located at the southeast corner of Bowdens Ferry Road and West 25th Street, bounded to the south by the Norfolk Southern Railway.
   • This request would amend the previously proffered zoning conditions pertaining to a shopping center site plan which included the adaptive reuse of existing historic buildings on the site and the general location of the Elizabeth River Trail, and which ensured the exterior of all buildings be improved in accordance with specific architectural elevations for a shopping center development.
     o The revised proffers would eliminate the shopping center site plan and architectural building elevations, however, the proffers would now require the adaptive reuse of the historic principal structures, in a manner that is keeping with the Secretary of the Interior’s Standards for Rehabilitation.
       ▪ The adaptive reuse of the principal historic structures will no longer be tied to specific architectural building elevations, because the Secretary of the Interior’s Standards will be applied when the project is submitted to the Department of Historic Resources as a historic tax credit project.
     o The incorporation of the Elizabeth River Trail through the site will still be required with the revised proffers.

   ii. History:

<table>
<thead>
<tr>
<th>Year</th>
<th>Applicant</th>
<th>Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>West Norfolk Marketplace, LLC</td>
<td>Rezoning from Industrial to Commercial with proffered conditions for a shopping center</td>
</tr>
<tr>
<td>2016</td>
<td>Vistacorp Advisors, LLC</td>
<td>Amend proffered conditions to change shopping center layout, incorporate the historic buildings, change building elevations</td>
</tr>
<tr>
<td>Pending</td>
<td>IPConfigure, Inc.</td>
<td>Remove existing proffers; new proffers tie exterior building elevations of historic structures to Secretary of the Interior’s Standards, and accommodate the Elizabeth River Trail through the site</td>
</tr>
</tbody>
</table>

   ii. Parking
   • The principal building on the site consists of approximately 23,000 square feet, which is proposed to be renovated.
• Off-street parking is required for most office and commercial uses in the Traditional Character District at a ratio of one space per 300 square feet; 77 parking spaces for a 23,000 square foot commercial building.

• There is an existing parking lot on the site; however, the Zoning Ordinance encourages the reuse of existing buildings by recognizing any parking deficiency as “grandfathered” (vested) from the required parking ratio.
  o The site is grandfathered only for the amount of required parking that is not currently located on the site.
  o The site would only have to provide additional off-street parking to accommodate any proposed building additions on the site, not having to reach for full compliance with their grandfathered parking deficiency.
  ▪ A detailed parking analysis is required with any site plan submittal to ensure that these parking requirements are met.

iii. Flood Requirements

• The properties are in the X and X Shaded (Low to Moderate) Flood Zones, which are low and moderate-risk flood zones.

• Any buildings located in the X Shaded Flood Zone are also located within the Coastal Resilience Overlay (CRO) district, and are required to meet the minimum flood and resilience requirements set forth in the Zoning Ordinance.
  o Certain flood and resilience requirements may be waived for substantial modifications to historic buildings (structures listed as “contributing” within a State, National or Local historic district or Landmark registry) if the requirement has the potential to jeopardize the structure’s ability to remain “contributing.”

D. Transportation Impacts

• Institute of Transportation Engineers (ITE) figures estimate that that this proposed new office use will generate 263 additional vehicle trips per day, a reduction of 725 vehicle trips per day from the 988 weekday trips that could be generated by the current zoning (assuming shopping center of same size).

• Hampton Boulevard near the site is identified as a severely congested corridor in either the AM or PM peak hours in the current update to regional Hampton Roads Congestion Management analysis.

• The site is near frequent transit service with Hampton Roads Transit bus route 2 (Hampton Boulevard) operating directly adjacent to the site.

• Portions of Bowdens Ferry Road, W. 26th Street, W. 27th Street and Hampton Boulevard near the site are identified priority corridors in the City of Norfolk Bicycle and Pedestrian Strategic Plan.
  o The amended proffers include the accommodation of the Elizabeth River Trail through the site.
E. Historic Resource Impacts

- The primary structure (circa 1939), and two secondary structures on the site (circa 1939-1948), are listed as "contributing" resources (DHR No.: 122-5799-0099) within the Norfolk and Western State/National Historic District, which is listed on the Virginia Landmarks Register and the National Register of Historic Places; approved as a historic resource by the National Park Service (NPS) and the Virginia Department of Historic Resources (VDHR) (DHR No.: 122-5799; NRHP 2015).
  o In 1906, the original resubdivision plat was recorded, establishing industrial land at the intersection of a major Norfolk & Western railroad spur on land owned by Bellamy Hough of Hardy, Inc.
  o Between 1939-1948, the site was developed by The Linde Air Products Co. (later used as the Dubin Metals Scrapyard), for use as an acetylene tank manufacturing facility, later used as scrapyard.
- Under the current proposal, the applicant is proposing an adaptive reuse of the primary structures on the site, using the Secretary of the Interior’s Standards for Rehabilitation.

F. Public School Impacts

N/A

G. Environmental Impacts

- The redevelopment will be reviewed and approved through the Site Plan Review process, which will ensure compliance with all standards set forth in the Zoning Ordinance including landscape buffer areas and stormwater impacts.
  o The Elizabeth River Trail will extend through the site and will be reviewed by the Department of Public Works to ensure compliance with industry standards for multi-use trails.

H. AICUZ Impacts

N/A

I. Surrounding Area/Site Impacts

The development of the site will be in accordance with the attached proffers, and will be compliant with planNorfolk2030 and should not have a negative impact on the surrounding area.

J. Payment of Taxes

The owners of the properties are current on all real estate taxes.

K. Civic League

- The applicant presented to the Lamberts Point Civic League on August 2 and August 30.
- Notice was sent to the Lamberts Point Civic League on August 14.
L. Communication Outreach/Notification
   • Legal notice was posted on the property on August 14.
   • Letters were mailed to all property owners within 300 feet of the property on September 12th.
   • Legal notification was placed in The Virginian-Pilot on September 13th and 20th.

M. Recommendation
   Staff recommends that the request be approved in accordance with the following proffered conditions:

   1. The existing historic principal structure and the historic gas-filling structure, as shown in Exhibit “A,” will be retained.

   2. The exterior design and construction of the historic principal structure and the historic gas-filling structure, as shown in Exhibit “A,” will conform to the Secretary of the Interior’s Standards for Rehabilitation until the 5-year compliance period has expired.

   3. The Elizabeth River Trail will be accommodated along the perimeter of the property in a mutually agreed manner that does not diminish the development potential of the site.

Attachments
   Overview map
   Location map
   Future Land Use map
   Zoning map
   Application
   Historic Sanborn map
   Notification list of all property owners within 300 feet of the site
   Notice to the Lamberts Point Civic League
Proponents and Opponents

Proponents
Chris Uiterwyk - Applicant
4211 Monarch Way, Suite 500
Norfolk, VA 23508

Jacob Combee
208 E. Plume Street
Norfolk, VA 23510

Opponents
None
ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 2330 BOWDENS FERRY ROAD IN ORDER TO MODIFY CONDITIONS ON PROPERTY ZONED C-C (COMMUNITY-COMMERCIAL) DISTRICT.

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

Section 1:- That the property located at 2330 Bowdens Ferry Road is hereby rezoned from conditional C-C (Community-Commercial) District to conditional C-C (Community-Commercial) District in order to change the conditions. The property which is the subject of this rezoning is more fully described as follows:

Property fronts 486 feet, more or less, along the eastern line of Bowdens Ferry Road and 415 feet, more or less, along the southern line of West 25th Street; said property is also bounded on the south by the Norfolk Southern railroad right-of-way; premises numbered 2330 Bowdens Ferry Road.

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

(a) The existing historic principal structure and the historic gas-filling structure, as shown in Exhibit "A," will be retained.

(b) The exterior design and construction of the historic principal structure and the historic gas-filling structure, as shown in Exhibit "A," will conform to the United States Secretary of the Interior's Standards for Rehabilitation until the 5-year compliance period has expired.

(c) The Elizabeth River Trail will be accommodated along the perimeter of the property in a manner mutually agreed upon by the city and the property owner that does not diminish the development potential of the site.
Section 3:– That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:– The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

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

ATTACHMENT:
Exhibit A (1 page)
EXHIBIT A

KEY
- Historic Building to be retained

19 September 2018
Application
Change of Zoning

Date: 10 AUGUST 2018

Change of Zoning:
From: _____ Zoning  To: _____ Zoning

DESCRIPTION OF PROPERTY
Address: 2330 BONDENS FERRY ROAD, NORFOLK, VA 23508

Existing Use of Property:

Proposed Use:

Current Building Square Footage: 2,566  Proposed Building Square Footage: 2,566

Trade Name of Business (If applicable):

APPLICANT*
1. Name of applicant: (Last) MOBO   (First) SARAH   (MI) C
Mailing address of applicant (Street/P.O. Box): 4211 MONROCH WAY, STE 500
(City): NORFOLK   (State): VA   (Zip Code): 23508
Daytime telephone number of applicant: (757) 111-1111 / 757.888.1010
E-mail address: SARAH.MOBO@IPCONFIGURE.COM

AUTHORIZED AGENT* (if applicable)
2. Name of applicant: (Last) VIERTYK   (First) CHRISTOPHER   (MI) S
Mailing address of applicant (Street/P.O. Box): 4211 MONROCH WAY, STE 500
(City): NORFOLK   (State): VA   (Zip Code): 23508
Daytime telephone number of applicant: 757 618 3148  Fax: N/A
E-mail address: CHRIS.VIERTYK@IPCONFIGURE.COM

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752  Fax (757) 441-1569
(Revised July, 2018)
PROPERTY OWNER*

3. Name of property owner: (Last) MOSES (First) DOUGLAS (MI) A

Mailing address of property owner (Street/P.O. box): 661 SAM SPEAD LANE

(City): VIRGINIA BEACH (State): VA (Zip Code): 23462

Daytime telephone number of owner: ( ) 757-544-2282

E-mail address: DOUGFISBAKS@GMAIL.COM

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

CIVIC LEAGUE INFORMATION

Civic League contact: LAMBERT POINT: THOMAS HARRIS

Date meeting attended/held: EXEC COMMITTEE: 02 AUG 2018 / CIVIC LEAGUE SCHEDULED: 21 AUG 2018

Ward/Super Ward information: WARD 2 / SUPERWARD 7

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: DOUGLAS MOSES Sign: ___________ (Date) 8/10/18

(Property Owner)

Print name: SARAH L. HEDO Sign: ___________ (Date) 10 AUGUST 2018

(Applicant)

(If Applicable)

Print name: ___________________________ Sign: ___________________________ (Date)

(Authorized Agent Signature)
13 August 2018

Department of City Planning
810 Union Street, Room 508
Norfolk, Virginia 23510

Description of the Change of Zoning Request

We are requesting that the conditions described in Ordinance No. 46,298 be changed to **exclude the property located at 2330 Bowdens Ferry Road.** The property, which is currently under a purchase agreement by the applicant, IPConfigure, will remain as C-C Community Commercial, and be converted from its previous uses as a metal recycling center to a new office headquarters for their Business operations. A portion of the primary existing building, as well as two existing outbuildings, may also be developed as tenant spaces to include uses indicated to be Permitted or Conditional in C-C zoning such as a restaurant, brewery, or other Commercial or Assembly uses. A significant portion of the site will be converted from its current industrial-oriented use with impervious paved or stone to pervious green space for recreation. An extension of the Elizabeth River Trail through the property is being considered connecting from W. 24th Street to Bowdens Ferry Road. Historic Tax Credits will be pursued for the adaptive reuse of the property, which was formerly a WWII era oxyacetylene factory (c. 1939).

Sincerely,

Thom White, AIA
Authorized Agent of the Applicant
KEY

Historic Building to be retained

19 September 2018

EXHIBIT A

Historic Building to be retained
IPConfigure Inc.—Notification sent to all Property Owners within 300ft

<table>
<thead>
<tr>
<th>Property Owners</th>
<th>Property Address</th>
<th>Mailing Address</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>2401hb Llc</td>
<td>1014 W 24th St</td>
<td>Norfolk</td>
<td>23517-1013</td>
</tr>
<tr>
<td>Bohannon, Eric C Et Al</td>
<td>1275 W 26th St</td>
<td>Norfolk</td>
<td>23508-2440</td>
</tr>
<tr>
<td>Casey Sloane, LLC</td>
<td>537 New Jersey Ave</td>
<td>Norfolk</td>
<td>23508-2718</td>
</tr>
<tr>
<td>Chin, Eddie &amp; Lisa</td>
<td>1280 W 25th St</td>
<td>Norfolk</td>
<td>23508-2369</td>
</tr>
<tr>
<td>Cook, Rudolph W Jr</td>
<td>1283 W 26th St</td>
<td>Norfolk</td>
<td>23508-2440</td>
</tr>
<tr>
<td>Cubilla, Clifford G V</td>
<td>1276 W 25th St</td>
<td>Norfolk</td>
<td>23508-2369</td>
</tr>
<tr>
<td>Gerald, Austin Glenn</td>
<td>1305 W 25th St</td>
<td>Norfolk</td>
<td>23508-2366</td>
</tr>
<tr>
<td>Hall, Nancy B Trust</td>
<td>4710 Pinehurst Ave</td>
<td>Norfolk</td>
<td>23513-3755</td>
</tr>
<tr>
<td>Hampton Dash 2 Eat Llc Et Al</td>
<td>6919 Catherine St</td>
<td>Norfolk</td>
<td>23505-4306</td>
</tr>
<tr>
<td>Haprah, Llc</td>
<td>1014 W 24th St</td>
<td>Norfolk</td>
<td>23517-1013</td>
</tr>
<tr>
<td>Hawkins, Lorinda L &amp; Willie R</td>
<td>1300 W 25th St</td>
<td>Norfolk</td>
<td>23508-2368</td>
</tr>
<tr>
<td>Hpr, Llc</td>
<td>Po Box 9014</td>
<td>Virginia Beach</td>
<td>23450-9014</td>
</tr>
<tr>
<td>K &amp; C Shelf Corp Seventy</td>
<td>1209 W 26th St</td>
<td>Norfolk</td>
<td>23508</td>
</tr>
<tr>
<td>Mcneill, Edith P</td>
<td>1269 W 26th St</td>
<td>Norfolk</td>
<td>23508-2440</td>
</tr>
<tr>
<td>Moses Industries Li Inc</td>
<td>661 Sam Snead Ln</td>
<td>Virginia Beach</td>
<td>23462-4746</td>
</tr>
<tr>
<td>Natl Bk Of Comm Of Nfk Trs</td>
<td>3156 Gracefield Rd Apt 112</td>
<td>Silver Spring MD</td>
<td>20904-0824</td>
</tr>
<tr>
<td>Osipina, Andrea</td>
<td>1301 W 25th St</td>
<td>Norfolk</td>
<td>23508-2366</td>
</tr>
<tr>
<td>Riddick, Lonell J &amp; Keisha L</td>
<td>1279 W 26th St</td>
<td>Norfolk</td>
<td>23508</td>
</tr>
<tr>
<td>Talbot Park Associates Li, Llc</td>
<td>1232 W Little Creek Rd Ste 500</td>
<td>Norfolk</td>
<td>23505-1952</td>
</tr>
</tbody>
</table>
Mr./Mrs.

Attached please find the following application tentatively scheduled to be heard at the September 27, 2018 Planning Commission public hearing:

**IP CONFIGURE INC.**, for a change of zoning to amend the proffered conditions of property zoned from Conditional C-C (Community Commercial) at 2330 Bowdens Ferry Road.

The purpose of this request is to reuse the existing building to allow commercial and office uses on the site.

*Staff contact: Susan Pollock at (757) 664-4765, susan.pollock@norfolk.gov*

Thank You

Sherri Williams
Planning Technician

**THE CITY OF NORFOLK**
Planning Department
810 Union Street | Suite 508
Norfolk, VA 23510
(757) 664-6771

Connect with us:
www.norfolk.gov

facebook twitter linkedin instagram