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

II. **Request:** Change of zoning to recognize an existing single-family lot and use.

III. **Applicant:** Njoy Church

IV. **Description:**
   - The property is located on the north side of E Bayview Boulevard, east of Granby Street in the Northside neighborhood.
   - This request would change the zoning of a former single-family home utilized by the church as a day care from IN (Institutional) back to SF-6 (Single-Family).
   - Given that the structure was built as a single-family home and was previously zoned for single-family, staff recommends approval subject to the conditions in this staff report.
   - The structure was built in 1966 and meets the minimum requirements of the SF-6 zoning district.
   - The property was rezoned from R-6 (One-family Residential) to IN-1 (Institutional) in 2006 to allow the adjacent church to use the home.
   - The property is located in the Accident Potential Zone 1 (APZ1), which is an area that extends 5,000 feet beyond the Clear Zone and possesses a measurable potential for accidents relative to the Clear Zone.
   - City Council may approve the proposed use of property at the lowest density or intensity of development that is reasonable.
   - The structure has existed in place for more than 50 years and returning the zoning to a low-density single-family home can be considered “reasonable.”

V. **Historic Resources Impacts:**
   - The site is not located within a local, state, or national historic district.
VI. Public Schools Impacts:
N/A.

Staff contact: Hank Morrison at (757) 664-7470, hank.morrison@norfolk.gov

Proponents and Opponents

Proponents
Zoe El
PO Box 8771
Virginia Beach, VA 23456

Opponents
None
Executive Summary
- The property is located on the north side of E Bayview Boulevard, east of Granby Street in the Northside neighborhood.

<table>
<thead>
<tr>
<th>Staff Report</th>
<th>Item No. 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>112 E Bayview Boulevard</td>
</tr>
<tr>
<td>Applicant</td>
<td>Njoy Church</td>
</tr>
<tr>
<td>Request</td>
<td>Change of Zoning</td>
</tr>
<tr>
<td>Zoning</td>
<td>IN (Institutional), APZ1 (Accident Potential Zone), 65 DNL (Noise Zone)</td>
</tr>
<tr>
<td>Neighborhood</td>
<td>Northside</td>
</tr>
<tr>
<td>Surrounding Area</td>
<td>North</td>
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<td>East</td>
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<td>South</td>
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<td>West</td>
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<td>Staff Recommendation</td>
<td>Approval with Conditions</td>
</tr>
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• This request would change the zoning of a former single-family home utilized by the church as a day care from IN (Institutional) back to SF-6 (Single-Family).
• Given that the structure was built as a single-family home and was previously zoned for single-family, staff recommends approval subject to the conditions in this staff report.

B. Plan Consistency
• The proposed rezoning is inconsistent with the plaNorfolk2030 Future Land Use Map, which designates this site as Institutional.
• This site was an accessory service to the adjacent church at the time of the adoption of plaNorfolk2030, which is why it is designated as Institutional rather than Single-Family Suburban like the other surrounding structures in the area.

C. Zoning Analysis
i. General
• The property was built in 1966 and meets the minimum requirements of the SF-6 zoning district.
  o Minimum standard lot width for the SF-6 zoning district is 60-75 feet, based on the predominant pattern. The proposed lot width is 85.5 feet.
  o Minimum lot area is 6,000-7,500 square feet, based on the predominant pattern. The lot is proposed to be 7,524 square feet.
  o The property was rezoned from R-6 (One-family Residential) to IN-1 (Institutional) in 2006 to allow the adjacent church to use the home.
• The current proposal would reverse the rezoning from 2006, returning the house to single-family zoning.

ii. Performance Standards
• Dwelling, single-family detached – A detached building containing only one dwelling on one lot. Manufactured homes, mobile homes, travel trailers, housing mounted on self-propelled or drawn vehicles, tents, or other forms of temporary housing or portable housing do constitute a single-family detached dwelling.
  o Off-street parking facilities serving the dwelling shall be located on the same zoning lot as the dwelling.

iii. Development Standards
a) Parking:
  The required two parking spaces for single-family homes is available on the property.

iv. Flood Zone
  The property is in the X flood zone, which is a low-to-moderate risk flood zone.

D. Mobility Analysis
• The site is located along a bicycle corridor on E Bayview Boulevard.
• The site is located near transit service along Granby Street.

E. Historic Resources Impacts
The site is not located within a federal, state, and/or local historic district.
F. Public Schools Impacts
   • School attendance zones include Calcott Elementary School (106% utilization), Northside Middle School (81% utilization) and Granby High School (104% utilization).
   • No additional school aged children are projected to be generated by the proposed development of one additional unit.

G. AICUZ Impacts
   • The property is located in the Accident Potential Zone 1 (APZ1), which is an area that extends 5,000 feet beyond the Clear Zone and possesses a measurable potential for accidents relative to the Clear Zone. It is also located in the 65 DNL Noise Zone, which reflects the day-night average sound level based on an average 24-hour period.
   • Residential uses are not considered to be compatible in the APZ1 zone.
   • City Council may approve the proposed use of property at the lowest density or intensity of development that is reasonable.
   • The structure has existed in place for more than 50 years and returning the zoning to a low-density single-family home can be considered “reasonable.”

H. Payment of Taxes
   The property owner is currently tax-exempt.

I. Civic League
   • The applicant met with the Northside Civic League on October 26.
   • Notice was sent to the civic league on October 29.

J. Communication Outreach/Notification
   • Legal notice was posted on the property on November 5.
   • Letters were mailed to all property owners within 300 feet of the property on November 25.
   • Legal notification was placed in The Virginian-Pilot on November 29 and December 5.

K. Recommendation
   Given that the property was zoned Single-Family for 40 years prior to being rezoned to Institutional in 2006, reverting to a Single-Family zoning designation is appropriate. Staff recommends that the Conditional Change of Zoning request be approved subject to the following conditions:
   
a) The fence to the rear of the property shall be repaired and shall extend to the eastern property line.

   b) There shall be one splash block for each gutter downspout. Each splash block shall be installed in a manner that directs stormwater away from the foundation of the home and not toward the street.

Supporting Material:
   • Conditional Use Permit Review Standards  (PDF)
   • Overview Map (PDF)
   • Location Map (PDF)
• Zoning Map  (PDF)
• FLU Map   (PDF)
• Application  (PDF)
• PropertyOwners_300ft   (PDF)
• Email to Northside Civic League   (PDF)
[CAPTION]

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