

STAFF EVALUATION

To: Planning Commission	Prepared By: Donald Whipple	728-5235
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Case No.: Rezoning Application No. 20-00005 **Date:** November 19, 2020

General Information

<i>Applicant</i>	Old Town Development, LLC; Rob the Builder, Inc.
<i>Property Owners</i>	Old Town Development, LLC; Rob the Builder, Inc.
<i>Site Location</i>	1538 W. Queen Street [LRSN: 2000007] & 1540 W. Queen Street [LRSN: 2000006]



<i>Requested Action</i>	Rezone two (2) parcels, totaling 4.28± acres, from Multiple Residence [RM] and One-Family Residence (R-13) Districts to Multiple Dwelling (MD-4) District with proffered conditions.
<i>Description of Proposal</i>	The development as described in the application includes two (2), four-story 19-unit, residential buildings for a total of 38 apartment units. Community amenities include a secured building access, business center, fitness facility, and access to Newmarket Creek via walking trails and a kayak launch.
<i>Existing Land Use</i>	Vacant, Office
<i>Zoning</i>	Multiple Residence (RM) District and One-Family (R-13) District.

Surrounding Land Use and Zoning

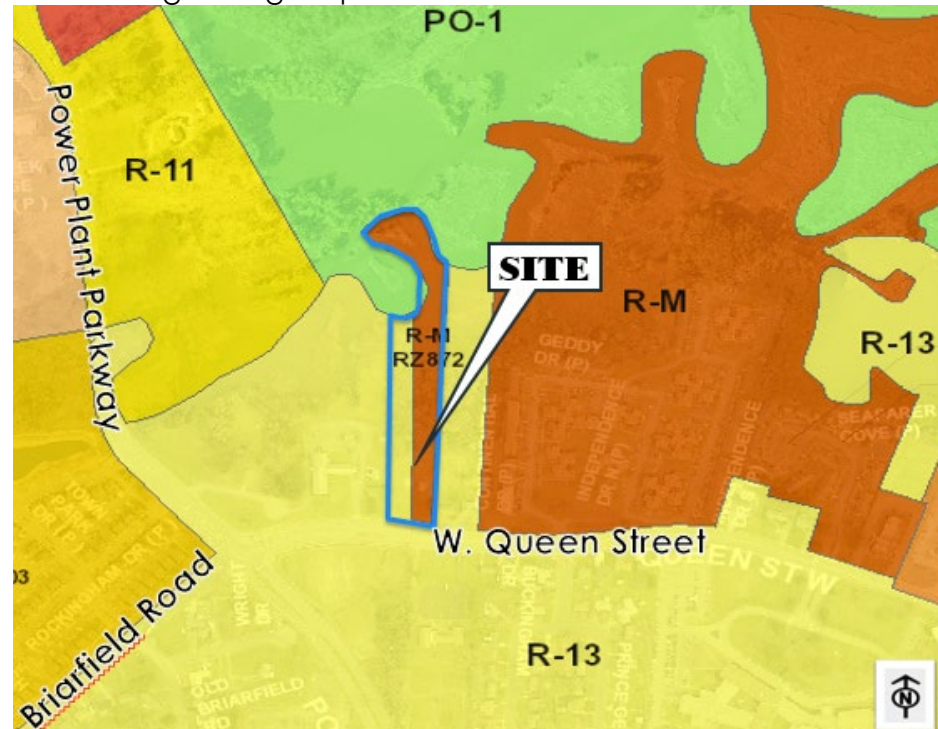
North: Public Open Space (PO-1) District; vacant, Newmarket Creek

South: One-Family Residence (R-13) District; single-family residential

East: One-Family Residence (R-13) District; single-family residential and Multiple Residence (RM) District; apartments

West: One-Family Residence (R-13) District; church

Surrounding Zoning Map:

*Public Policy*

The Hampton Community Plan (2006, as amended) is adopted as the guiding policy document for the City of Hampton. The Hampton Community Plan includes the following policy recommendations pertinent to this case:

Land Use and Community Design Policies:

Land Use and Community Design Objective 1: Promote the efficient use of land. Recognize land as a limited resource.

Land Use and Community Design Objective 3: Promote compatibility and synergy among different land uses.

Land Use and Community Design Objective 4: Be responsive to market and demographic trends and opportunities.

LU-CD Policy 3: Encourage and maintain a diverse mix of housing types and values.

LU-CD Policy 10: Encourage compact, high density/mixed-use development where appropriate to create walkable communities and promote increased physical activity.

LU-CD Policy 28: Treat residential streets as both public rights-of-way and neighborhood amenities. Provide sidewalks, street trees, and other amenities that favor pedestrians.

Housing and Neighborhood Policies:

Housing and Neighborhood Objective 9: Promote a diverse mix of housing values, types, and choices to meet the needs of different income groups, ages, and household types and sizes.

HN Policy 7: Encourage the development of higher value housing.

Economic Development Policies:

Economic Development Objective 11: Maintain a coordinated approach to economic development including jobs, retail, convention and tourism, and housing.

Future Land Use:

The Hampton Community Plan (2006, as amended) designates this area as high density residential and open space.

Future Land Use Map:



Zoning History

One of the subject parcels, 1538 W. Queen Street, was rezoned in 1986 from One-Family Residence (R-13) District to conditional Multiple Residence (RM) District that limited the use to a professional office or any other use permitted in R-13. In 2005,

	approximately 42 acres, located at the northwest corner of Power Plant Parkway and Briarfield Road were rezoned from One-Family Residence (R-13) and One-Family Residence (R-11) Districts to One-Family Residence (R-9) District to permit a higher density of single-family residential units.
<i>Traffic Impacts</i>	The 2016 <u>Hampton Community Plan</u> , as amended, designates W. Queen Street as a minor arterial street. Upon reviewing the proposal for potential traffic impacts to W. Queen Street, City staff has determined that the proposed multi-family residential development would not negatively impact existing traffic patterns. Adequate access to the project site currently exists.
<i>Environmental</i>	Tidal wetlands of Newmarket Creek and the Chesapeake Bay Preservation District impact the rear three-fourths of the subject parcels. A wetland delineation was adequately completed to locate the actual wetland boundary for the subject site. All proposed development will occur outside of the wetlands and buffer area, with the exception of the proposed nature trails and kayak launch which are permitted uses within the buffer area.
<i>Community Meeting</i>	A virtual community meeting was held on November 3, 2020, which was attended by six residents .

Analysis

Rezoning Application No.20-00005 is a request to rezone two (2) parcels, totaling ± 4.28 acres, from Multiple Residence [RM] and One-Family Residence (R-13) Districts to Multiple Dwelling (MD-4) District with proffered conditions. The proposed development would be consistent with development standards of the Multiple Dwelling (MD-4) District. Although the total acreage is ± 4.28 , the applicant is concentrating the development of 38 residential apartment units on only one (1) acre of land, adjacent to W. Queen Street and outside of the Chesapeake Bay Preservation District. The remaining 3+ acres consists of a portion of Newmarket Creek, tidal wetlands, and buffer area that will not be impacted by the proposed development. The prevailing existing land use pattern on the north side of this segment of W. Queen Street (between I-664 and Power Plant Parkway) consist of apartments and townhouses, along with a church, and a lodge.

The proposed plan includes two (2), four-story buildings with 19 units in each building and an adjacent centralized parking area. The concept plan is configured in such a way to allow a future connection to land to the east that could be redevelopment from single-family residential to a possible future expansion of the proposed development. Building exteriors will include high quality architectural materials, including brick, fiber cement siding, architectural asphalt shingles and standing seam metal roofing, composite decking, and reduced maintenance trim and railings. Interior features will include, but not limited to, internalized and secured entry lobby, business center, fitness facility, nine-foot ceilings, and granite countertops. Other project amenities include access to Newmarket Creek via planned nature trails and a kayak launch within the tidal wetland and buffer areas.

The proposed apartment project is consistent with the future land use recommendation of the Hampton Community Plan (2006, as amended), which designates the subject property as high density residential. A portion of the subject property that includes the

creek is designated as open space; however, this area is undevelopable and only accessed by watercraft. Other public policies addressed by this proposal include the provision of diverse mix of unit and higher value housing types for the City (LU-CD 3, HN 7). The development also proposes a sidewalk to connect the apartment buildings to W. Queen Street and trail access to Newmarket which supports walkable communities and neighborhood connectivity as well as promoting increased physical activity within a high density residential development (LU-CD 10. 28).

Proffered conditions include limitations of use, combining the two parcels into one, the concept plan, building elevations, building materials, dumpster enclosure construction, parking lot screening, the walking trail, and a kayak launch. If approved, these conditions would replace the previous condition from RZ 872 on 1538 W. Queen Street.

Staff recommends **APPROVAL** of Rezoning Application No. 20-00005 with 12 proffered conditions.