

STAFF EVALUATION

Case No.: Rezoning 22-00011

Planning Commission Date: January 19, 2023

City Council Date: February 8, 2023

Prepared By: Michael Hayes, Planning and Zoning Division Manager 728-5244
Reviewed By: Bonnie Brown, Deputy City Attorney

General Information

Applicant/Property Owner Hampton Yacht Club, Inc. and the City of Hampton

Site Location 4709, 4710 Victoria Boulevard [13004507 and 13004508], and the portion of Victoria Boulevard east of Bridge Street, which is proposed to be vacated

Aerial Map:



Requested Action Use Permit to allow for the operation of a marina.

Description of Proposal The Hampton Yacht Club is made up of a number of lots, including three that are involved in this application. On this particular property, the proposal is to allow for a small boat launch along with slips in the water, along with a plaza near the waterfront, and parking in the former right-of-way. The Yacht Club also intends to construct a new main entrance at Bridge Street at some point.

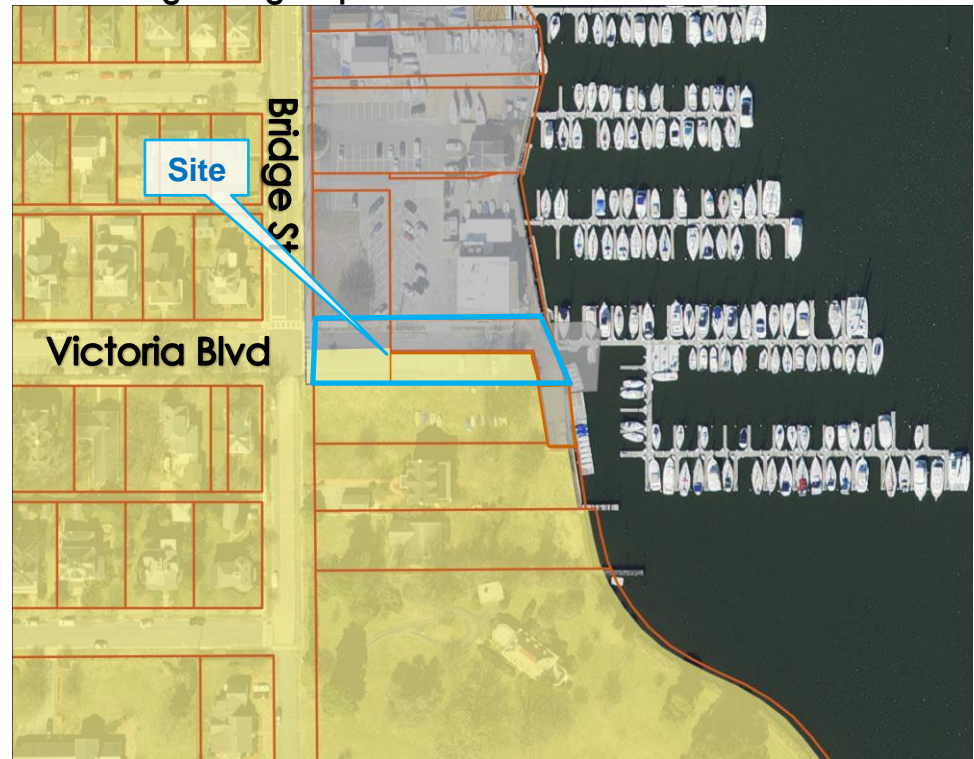
The existing monument is proposed to be moved to an adjacent parcel at the corner of Bridge Street and Victoria Boulevard.

Existing Land Use Most of the site is currently used as a part of the Hampton Yacht Club, a portion is still public right-of-way and is home to a historic monument.

Zoning One Family Residential (R-13) District and Downtown Waterfront (DT-2) District
Chesapeake Bay Preservation (O-CBP) District

Surrounding Land Use and Zoning **North:** Downtown Waterfront (DT-2) District; marina
South: One Family Residential (R-13) District; Hampton Yacht Club small boat storage and single family houses
East: One Family Residential (R-13) District;
West: One Family Residential (R-13) District; single family houses

Surrounding Zoning Map:



Chesapeake Bay Preservation District:*Public Policy*

The Hampton Community Plan (2006, as amended) recommends mixed-use for one portion of the site and medium density residential land use for another. The portion denoted as medium density residential is part of the former Victoria Boulevard right-of-way and is adjacent to property owned by the Hampton Yacht Club and approved for a use permit for marina use in 2022.

The Hampton Yacht Club property to the north is recommended for mixed-use. The properties to the south and west are recommended to be medium-density residential. The site is within the Downtown Hampton Master Plan (2017, as amended). The Plan has several recommendations for redevelopment of the marina site as follows:

- The form of any considered future redevelopment should be compatible with the neighborhood.
- Visual access to the water should be maintained.
- Redevelopment should encourage public or semi-public access to and along the waterfront.

The subject property represents a piece of the marina site referenced in the Downtown Hampton Master Plan.

Objectives and policies supporting this vision include:

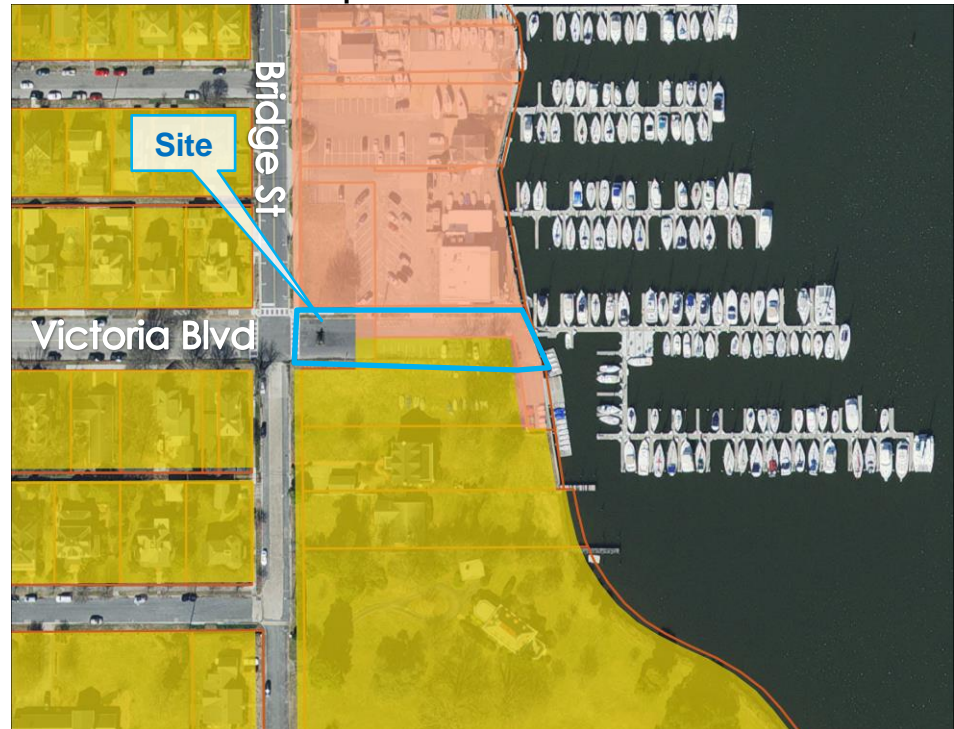
LU-CD Policy 16: Promote public access, both physical and visual to the water. Promote boating access, water uses, and dredging for recreational and commercial use of waterways.

LU-CD Policy 27: Preserve and enhance the character of historic residential neighborhoods by encouraging new or remodeled structures to be compatible (prevailing scale, form, and materials) with the neighborhood and adjacent structures.

EN Policy 24: Protect and enhance public access to waterways and waterfront areas

EN Policy 25: Encourage further development of boat launching and docking facilities.

Future Land Use Plan Map:



Zoning & Site History The existing lots fall into two different zoning districts with the one to the north sharing the same zoning as the bulk of the Hampton Yacht Club property, Downtown Waterfront (DT-2) District, and the lot adjacent to the newly approved small boat storage being zoned One Family Residential (R-13) District. Vacated right-of-way takes on the zoning of the adjacent property, which would leave the proposed vacation split zoned, hence the primary purpose of this rezoning.

The Hampton Yacht Club was originally established in 1926, predating modern zoning requirements. Beginning in 1968, Yacht Club expansion led to a number of use permits and a conditional privilege being requested and approved.

Use Permit No.300 in 1973 allowed for an addition to the existing club building.

Use Permit No.516 provided for marina expansion in 1983.

Use Permit No.915 permitted the expansion of the marina south in 1997.

	<p>Conditional Privilege No.34 permitted the expansion of private club use to 525, 529, and 531 Bridge Street in 1999.</p> <p>Use Permit No.14-00015 permitted the expansion of the marina use to 515, including what is now 519, Bridge Street.</p> <p>Use Permit No.17-00008) added 4701 Victoria Boulevard, allowing for an expansion of the marina use in 2017. Use Permit No.17-00008 set a president for expanding the marina use to an adjacent property that does not have direct water access.</p> <p>Last spring, a use permit for marina use was approved for 4706 Victoria Boulevard. The conditions of that use permit limit the use to the storage of small craft on hand carts.</p>
<i>Traffic Impacts</i>	There are no anticipated traffic impacts on the existing street network relative to the proposed use.
<i>Environmental</i>	No anticipated environmental impacts associated with the proposed use.
<i>Conditions</i>	<p>Staff is recommending ten (10) conditions that address:</p> <ul style="list-style-type: none"> • Limitations on marina activities; • Standards for site improvements; • Limitation on new structures; • Limitations on site improvements; • Sound; • Revocation and nullification of use permit;
<i>Community Meeting</i>	The applicant hosted a community meeting on April 12, 2022 as part of the previous use permit request. The vision for the improvements that could occur with approval of this use permit application were presented at that time. No meeting specific to this use permit application has been held.

Analysis

This application is a request to rezone 4700 and 4710 Victoria Boulevard [13004507 and 13004508], as well as the portion of Victoria Boulevard east of Bridge Street, which is proposed to be vacated. The parcel is owned by the Hampton Yacht Club, Inc., which has chosen to not rezone the property, vacate property lines, or bring the entire operation under one use permit. Instead, this application continues the tradition of adding properties or aspects of the operation through a separate use permit over a number of adjacent properties. The particular properties in this application are currently zoned One Family Residential (R-13) District and Downtown Waterfront (DT-2) District. It is in conjunction with a rezoning application for three of the properties, including the portion of right-of-way proposed to be vacated. The rezoning would bring all of these properties under the DT-2 District, which permits marinas with an approved use permit.

The Hampton Yacht Club began operations in 1926, which preceded modern zoning law in the City of Hampton. Beginning with a use permit application approved in 1968, the yacht club has grown and changed shape with the approval of seven use permits for a marina and a conditional privilege for a private club. The most recent was approved in

the spring of 2022 for 4706 Victoria Boulevard, which is the southern extent of the operation.

The future land use recommendation of the Hampton Community Plan (2006, as amended) designates the subject site as medium density residential. The property also falls within the Downtown Master Plan (2017, as amended), which emphasizes maintaining viewsheds to the Hampton River from the surrounding historic neighborhood.

The main purpose of the current application is to incorporate the proposed right-of-way vacation, bring existing operations into conformance, and assure certain improvements may occur in the future. The Yacht Club envisions a more formal entrance, shifting parking toward the street, and potentially expanding the plaza area from its waterfront location landward across the entrance to the main building.

Given the context of the property within the historic neighborhood, the Hampton Yacht Club has proffered conditions that allow for the changes over time that are envisioned by the Hampton Yacht Club while protecting the viewshed of the Hampton River down Victoria Boulevard. The conditions would allow for the expansion of the plaza by the main building and waterfront, shifting parking toward Bridge Street, creating a more formal main vehicle entrance, and allowing for small boat storage and operations on the southern portion at the waterfront.

Staff recommends **APPROVAL** of Rezoning Application No. 22-00011 with eight (8) proffered conditions.