

STAFF EVALUATION

Case No.: Rezoning No. 24-0278

Planning Commission Date: June 20, 2024, August 22, 2024

City Council Date: September 11, 2024, November 13, 2024

Prepared By: Davis Pemberton, Senior City Planner 728-2040
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Reviewed By: Jessica Kraus, Assistant City Attorney

General Information

Applicant D.R. Horton, Inc.

Property Owner(s) JB Holdings, LLC

Location 31, 39, 41, and 49 Semple Farm Road [LRSN: 6001077, 6000966, 6001076, and 6001075]



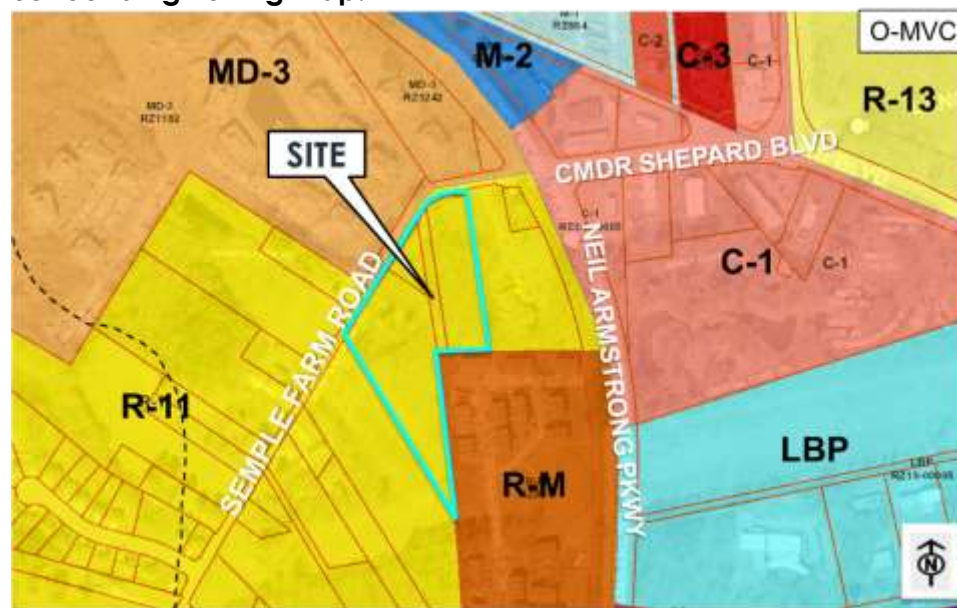
Requested Action Rezone four parcels, totaling +/- 7.93 acres, from One Family Residential (R-11) District to Townhouse Multifamily Residential (MD-1) District with conditions to construct townhomes on fee-simple lots.

Description of Proposal The proposed development as described in the application includes 67 two-story townhome units in a mix of building configurations from 3- unit to 6-unit models. The homes are anticipated to contain approximately 1,500 square feet of conditioned floor space, feature front loaded garages, raised slab foundations, and brick or stone veneer on all sides of the

foundation. The proposed townhomes are expected to be for-sale units. The development will also feature community bike racks, a community gazebo, children's playground area, pedestrian trail, and two (2) electric vehicle charging stations.

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| Existing Land Use | Vacant |
| Existing Zoning | One Family Residential (R-11) District; Magruder Visual Corridor Overlay (O – MVC) District; and Flood Zone Overlay (O – FZ) District |
| Surrounding Land Use and Zoning | <p>North: Multifamily Residential (MD-3) District; multifamily residential</p> <p>South: One Family Residential (R-11) and Multiple Residential (R-M) District; single-family and multifamily residential</p> <p>East: One-Family Residential (R-11) District and Neighborhood Commercial (C-1) District; religious facility, private school, and general commercial</p> <p>West: One Family Residential (R-11) District; single-family residential</p> |

Surrounding Zoning Map:



Public Policy

Hampton Community Plan

The Hampton Community Plan (2006, as amended) provides goals, objectives, and policies for the future of Hampton, which includes recommendations for appropriate land uses. Land use recommendations for the subject properties are rural-density and high-density residential.

Land Use Policies:

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

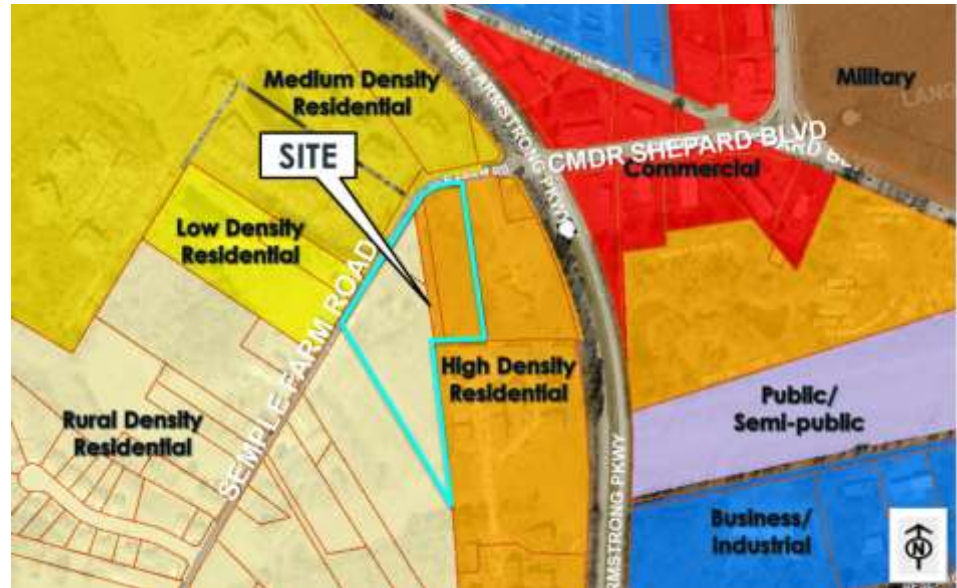
LU-CD Policy 4: Evaluate land use proposals from a regional, city-wide, and neighborhood perspective.

LU-CD Policy 7: Safeguard the integrity of existing residential neighborhoods.

LU-CD Policy 11: Promote high quality design and site planning that is compatible with surrounding development.

LU-CD Policy 29: Encourage high quality new developments that are compatible with surrounding neighborhoods.

Future Land Use Plan:



Rural density residential development includes areas with a recommended density of less than 3.5 units per acre. High density residential includes areas with a recommended density range of 15 units or more units per acre.

Proffered Conditions

There are fourteen (14) proffered conditions which include:

1. Development of no less than 60 units minimum and no more than 67 units;
2. Conformance with the concept plan;
3. Conformance with the elevations;
4. High-quality, durable building materials;
5. Fencing materials;
6. Landscaping;
7. Resiliency and sustainability components; and
8. Community amenities

The complete proffer agreement is included in the application package.

Traffic Impact

A low-level traffic impact study was completed by McPherson Consulting on December 14, 2023. This study concluded that the proposed development has potential to generate between 32 and 38 trips during AM and PM peak hours, respectively. The

proposed development will have two connections to Semple Farm Road.

Upon review of the proposal and the low-level traffic impact study, staff has determined that the proposed development would negligibly impact existing traffic patterns.

Community Meeting

On June 19 and June 20, 2024, prior to the June Planning Commission meeting, City staff began receiving feedback from faculty, staff, and parents of attending students at the Hampton Roads International Montessori School (HRIMS) concerning the proposed site plan and density of the project, vehicle and pedestrian traffic impacts, safety, and overall security of the proposed development and surrounding properties. A meeting was held on July 19, 2024 between faculty and staff of HRIMS, the applicant and developer of the proposed rezoning, as well as City staff to address the concerns raised and to discuss potential alternatives or solutions that the development could employ to mitigate or remove any potential negative impacts.

Following deferral of the application by City Council at the September 11, 2024 public hearing, the applicant hosted a community meeting. The community meeting was held on October 7. At the meeting, residents clearly expressed several directly relevant concerns.

1. Continuing to add units that are not traditional single-family homes along Semple Farm Road is unwelcome
2. Semple Farm Road has not been improved to provide amenities, such as street lights and sidewalks, to accommodate the added vehicles and pedestrians from both single family and multi-family development
3. While the traffic study may indicate little expected impact from the new development, the study does not capture the lived experience of the residents. Over time, driving habits of residents and visitors along the corridor have worsened. Speeding, poorly timed turns onto Semple Farm Road, and cutting cars off have worsened. The area of Semple Farm Road near the entrance to Falcon Creek, which is directly across from the proposed development, is particularly problematic.

Analysis

Rezoning application no. 24-0278 is a request by D.R. Horton, Inc. to rezone four parcels located at 31, 39, 41, and 49 Semple Farm Road [LRSN: 6001077, 6000966, 6001076, and 6001075], totaling +/- 7.93 acres, from One Family Residential (R-11) District to Townhouse Multifamily Residential (MD-1) District with conditions, which would allow for the development of sixty-seven (67) two-story townhomes on fee-simple lots.

The proposed development includes 67 townhome units in a mix of building configurations from 3- unit to 6-unit models. The homes are anticipated to contain approximately 1,500 square feet of conditioned floor space, feature front loaded garages, raised slab foundations, and brick or stone veneer on all sides of the foundation. Each townhouse unit will include two on-site parking spaces: one within an attached garage and one in the driveway. Additionally, the proposed development will offer fourteen extra guest parking spaces, bringing the total to 148 spaces for the entire 67-unit development. The development will also feature community bike racks, a community gazebo, children's playground area, and pedestrian trail connecting the entire development. A portion of this pedestrian trail will run parallel to Semple Farm Road. Resilience and sustainability components as part of the overall development include electric vehicle charging stations serving two vehicles, buildings designed to withstand a 110 mile per hour wind-load, and Energy Star appliances in all units. These elements implement some of the objectives of the Resilient Hampton Initiative and goals outlined in the Community Plan.

On June 19, 2024, City staff and leadership began receiving feedback from faculty, staff, and parents of students attending the Hampton Roads International Montessori School (HRIMS) concerning the proposed rezoning. Concerns were raised around the proposed site plan and density of the project, vehicle and pedestrian traffic impacts, safety, and overall security of the proposed development and surrounding properties. Following this, the applicant requested to defer the application at the June 20, 2024 Planning Commission meeting to meet with and address the concerns from HRIMS. A meeting was held on July 19, 2024 between faculty and staff of HRIMS, the applicant and developer of the proposed rezoning, as well as City staff, to discuss potential alternatives or solutions that the development could employ to mitigate or remove any potential negative impacts.

Following this, the applicant and developer made slight modifications to the conceptual site plan. These changes include removal of a portion of the pedestrian path along Semple Farm Road to potentially discourage any foot traffic from carrying-over to the property belonging to HRIMS. The developer also added a 6-foot tall, white PVC/vinyl fence along the eastern and southeastern property boundary that abuts the HRIMS and the Magruder Run Apartments. This fence serves to prevent individuals from the two adjoining properties from trespassing onto the proposed development.

Additionally, the developer has been coordinating with faculty and staff from HRIMS to potentially enter into a private agreement to install a fence or wall along the southern property line of 23 Semple Farm Road, which would also serve to address HRIMS' concerns regarding trespassing. However, since this fencing would not be located on the proposed project site, it cannot be considered as part of this rezoning application. City staff provides this information as additional context only.

The site of the proposed development is situated near the Neil Armstrong Parkway, Semple Farm Road/Commander Shepard Boulevard intersection and aims to potentially cater to Langley Air Force Base, NASA, the HRC Business District, and their respective workforces. Additionally, there are three (3) existing apartment complexes located in close proximity to the subject site: Falcon Creek Apartments; Magruder Run Apartments; and Luna Pointe Apartments. The residential densities of these apartment complexes are 16.6 units per acre, 12.9 units per acre, and 9.0 units per acre, respectively.

The subject site features a portion of the 200-foot Virginia Electric and Power Company (VEPCO) utility easement, which is reflected on the conceptual site plan. With this and the unique shape of the lot, the project utilizes 2.24 acres of the 7.93-acre site for residential purposes, and 4.82 acres for open/natural space. The remaining 0.87 acres will be dedicated to roads and rights-of-way. In total, the development is expected to have a development density of 8.4 units per acre.

The Hampton Community Plan (2006, as amended) designates the subject properties as rural-density and high-density residential for future land use. Rural-density residential recommends development density of less than 3.5 per acre and high-density residential recommends development density of 15 or more units per acre. Overall, the expected development density falls between the two and aligns with the recommended development density for low-density residential at 8.4 units per acre. This density serves a transition from the medium- and high-density developments and more intensive uses along Neil Armstrong Parkway and Commander Shepard Boulevard, safeguarding the integrity of the existing single-family neighborhoods to the west and south. Additional policies applicable to this land use application include encouraging and maintaining a diverse mix of housing types and values, promoting high quality design and site planning that is compatible with surrounding development, and encouraging high quality new developments that are compatible with surrounding neighborhoods.

In addition to the policies of the Community Plan, the proposed development is consistent with the Overlay – Magruder Visual Corridor (O-MVC) District. The intent of the O-MVC is to protect the visual environment along Neil Armstrong Parkway, previously Magruder Boulevard, in order to allow planned economic development to occur in a manner which provides a positive visual impact along the major roads in the Magruder Visual Corridor.

The proposed development is consistent with the City's overall adopted policies and recommendations that support safeguarding existing neighborhoods through appropriate land use transitions and a diverse mix of housing types and values in this area. With the proposed proffered conditions in place, staff finds that the development would support the adopted policies relevant to this site.

There are fourteen (14) proffered conditions including unit count, conformance with the conceptual plan and elevations, high quality building and fencing materials, inclusion of community amenities, and resilient and sustainable elements. Additional proffered

conditions can be found in the rezoning application. The proffered conditions ensure that the proposed development will meet the goals of the Hampton Community Plan.

All of the above analysis was written for the original staff report, which went to Planning Commission in August and City Council in September 2024. It also remains generally true. However, since it was written, the applicant hosted a community meeting. In that meeting, residents repeatedly shared negative experiences involving traffic on Semple Farm Road. These are concerns that are relevant to a rezoning case and making a land use decision. Specifically, residents were concerned with continuing to add units to a road that is mostly rural in nature and does not have full modern urban amenities, like sidewalks and street lights. While there is a commercial center within walking distance, the lack of sidewalks makes it a dangerous venture for pedestrians and cyclists. Similarly, children are known to walk along the street to reach friends and family members' houses, but again, it is not the safest or most comfortable walk due to the lack of sidewalks and at times, need to walk in the street. Additionally, residents noted that the traffic engineer's study may show that the increased number of vehicles expected from the proposed development would not harm service standard numbers, but experientially, it will likely add to existing issues. Residents experience speeding and drivers timing pulling onto Semple Farm Road in a way that cuts off oncoming vehicles. Multiple residents have shared that this problem is most clear and dangerous at the entrance to Falcon Creek, which is an apartment complex directly across Semple Farm Road from the proposed development. The residents fear that the situation will be exacerbated with additional homes in this location.

While staff continues to find that the proposed rezoning application does meet the City's adopted policies, staff support is tepid given our understanding of the residents' experiences on Semple Farm Road. City Council has the authority in a land use case decision to weigh and consider the perspectives shared by the residents of their experience and concerns as those concerns are directly related to an increase in density on the proposed site as well as the health, safety, and welfare of those who live in and traverse the area.

Staff recommends approval of rezoning application no. RZ24-0278 with fourteen (14) proffered conditions.