

# STAFF EVALUATION

To: City Council

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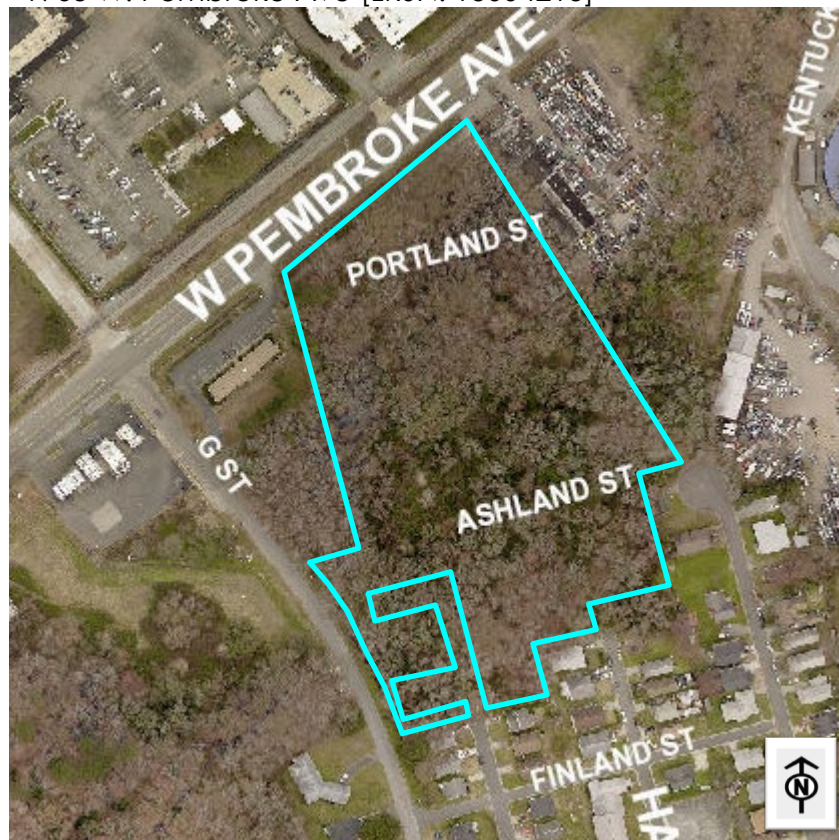
Case No.: Rezoning Application No. 21-00006      Date: July 15, 2021

## General Information

Applicant                      Marlyn Development Corporation

Property Owners              Hampton Bay Associates, LLC

Site Location                      1963 W. Pembroke Ave [LRSN: 13004215]



Requested Action              Rezone a parcel, totaling 7.82± acres, from General Commercial [C-3] to Multifamily Residential (MD-3) District with proffered conditions.

Description of Proposal              The development as described in the application includes one, four-story, 150-unit, age restricted, senior apartments and associated parking, stormwater management facility, and community amenities. Community amenities include, but are not

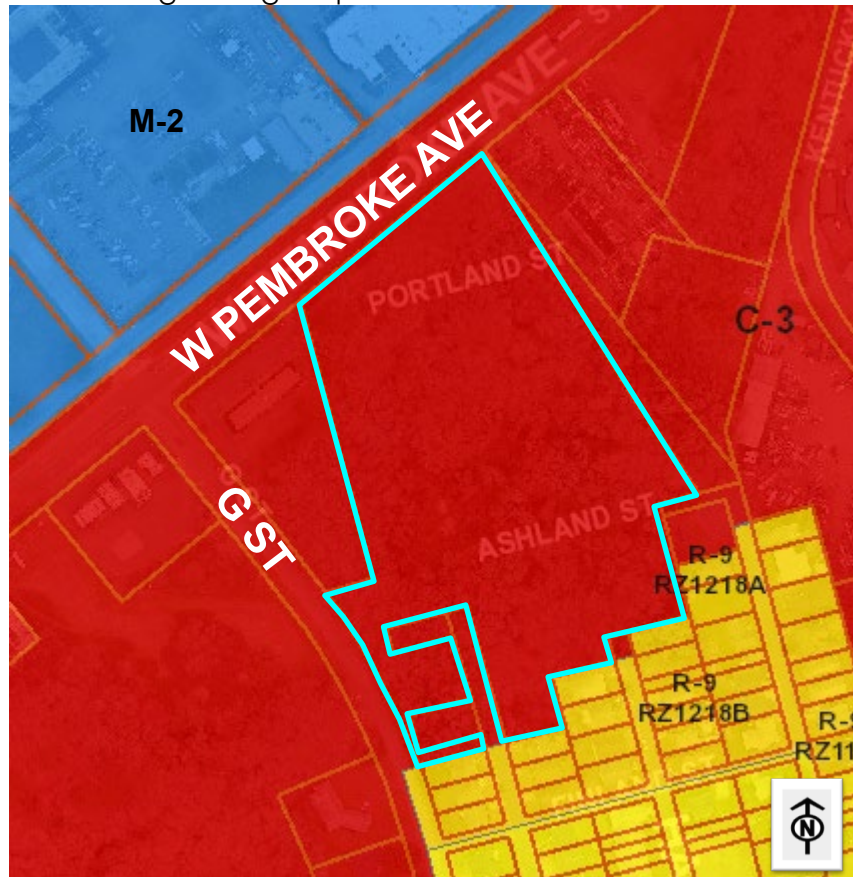
limited to, a community garden, fitness center, lounge, media room, salon, and other amenities.

Existing Land Use Vacant

Zoning General Commercial (C-3) District.

Surrounding Land Use and Zoning **North:** Light Manufacturing (M-2) District; VEPCO facility  
**South:** One-Family Residential (R-9) District; single-family residential  
**East:** General Commercial (C-3) District; vacant and heavy vehicle repair/salvage  
**West:** General Commercial (C-3) District; charitable organization and vacant

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:**

**LU-CD Objective 3:** Promote compatibility and synergy among different land uses.

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

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

**LU-CD Policy 32:** Encourage the upgrading and revitalization of districts in a manner that is consistent with the character and scale of the district and is compatible with the character of surrounding neighborhoods.

***Housing and Neighborhood Policies:***

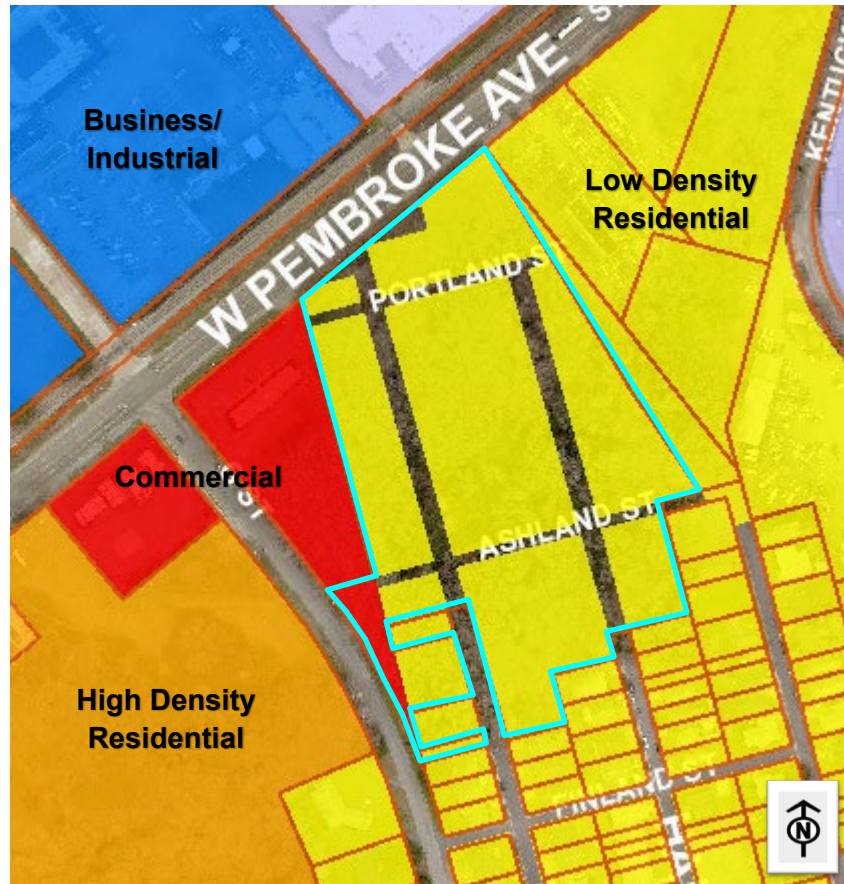
**Housing and Neighborhood Objective 9:** Promote a diverse mix of housing values, types, and choices to meet the needs of different income groups, ages, and household types and sizes.

**HN Policy 24:** Support housing opportunities for individuals and groups with special needs including seniors, youth, and persons with disabilities.

**Future Land Use:**

The Hampton Community Plan (2006, as amended) designates this area as low density residential.

Land Use Plan:



<i>Zoning History</i>	None
<i>Traffic Impacts</i>	West Pembroke Avenue is classified as a Business Corridor (LU-19). It is also identified in the Current City Road Network (TR-8) as an arterial road. The proposal is projected to generate 59 vehicle trips during the peak weekday hour. Upon reviewing the proposal for potential traffic impacts to W. Pembroke Ave, staff has determined that the proposed multifamily residential development would negligibly impact existing traffic patterns. Proposed access to the site is through a right-in-right-out drive on W Pembroke Ave and a full access drive on G Street.
<i>Environmental</i>	Non-tidal wetlands have been identified on the property. These wetlands are not subject to the Chesapeake Bay Preservation Act. An existing Virginia Department of Environmental Quality permit allows development of the site. This permit expires December 23, 2021.
<i>Proffered Conditions</i>	There are fifteen (15) proffered conditions. These conditions are included in the rezoning application.

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*Community Meeting* A community meeting was held June 30<sup>th</sup> at 6:00pm at The Woodlands at Phoebus development. There were eight (8) members of the public in attendance. The Woodlands at Phoebus was developed by Marlyn Development Corporation and is a similar product to this rezoning proposal.

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### *Analysis*

Rezoning Application No.21-00006 is a request to rezone one (1) parcel, totaling 7.82± acres, from General Commercial [C-3] District to Multifamily Residential (MD-3) District with fifteen (15) proffered conditions. The proposed development would be consistent with development standards of the Multifamily Residential (MD-3) District.

Under the existing C-3 the zoning, there is an existing approved site plan for small office space and contractor storage similar to Build America off of Cunningham Drive. This application seeks to take the development of the site in a different direction.

The proposed development consists of a four-story apartment building containing 150 units, which are age restricted. Building exteriors will include high quality architectural materials, including brick, premium vinyl siding, and architectural asphalt shingles. Proposed community amenities include, but are not limited to, a grilling area, community garden, dog park, billiards room, fitness center, and media room. Exterior community amenities are distributed in the courtyard areas, while indoor amenities are primarily concentrated within the three (3) floors over the primary entrance. The site also includes parking around the building and yard area as well as a stormwater pond at the rear of the property between the proposed development and existing single family neighborhood.

The Hampton Community Plan (2006, as amended) designates the subject property as low density residential for future land use, which is in keeping with the surrounding neighborhood. Though the proposed land use and the Land Use Plan, are not directly aligned, a higher density residential product, such as age-restricted senior residential, allows a transition from the high intensity uses along West Pembroke Avenue and appropriately safeguards the integrity of the existing single family residential neighborhood to the south (LU-CD Policy 7). By nature of the type of development, age-restricted senior multifamily developments are a lower intensity, lower impact use than standard market multifamily developments by having minimal impact on City services and the neighboring community. Therefore, the proposed development provides an appropriate transition between the surrounding land uses (LU-CD Objective 3). Additionally, the Hampton Community Plan (2006, as amended) identifies the need for diverse housing types that serve targeted special populations, such as seniors (HN Policy 24). The proposed development meets this objective through its high quality design and proffered condition limiting the development to individuals of 55 years old, or 62 years old, and older.

This application 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. As supported by these City policies, staff finds that age-restricted senior multifamily development would be an appropriate project for this site and an addition of quality residential units needed in the area.

Proffered conditions include limitations of use, the concept plan, building elevations, building materials, dumpster enclosure construction, landscape buffers, fencing materials, and community amenities.

A community meeting was held on June 30, 2021.

Staff recommends **APPROVAL** of Rezoning Application No. 21-00006 with 15 proffered conditions.