

# STAFF EVALUATION

To: Planning Commission

Prepared By: E. Marotta

728-5238

Reviewed By: C. Butler, AICP

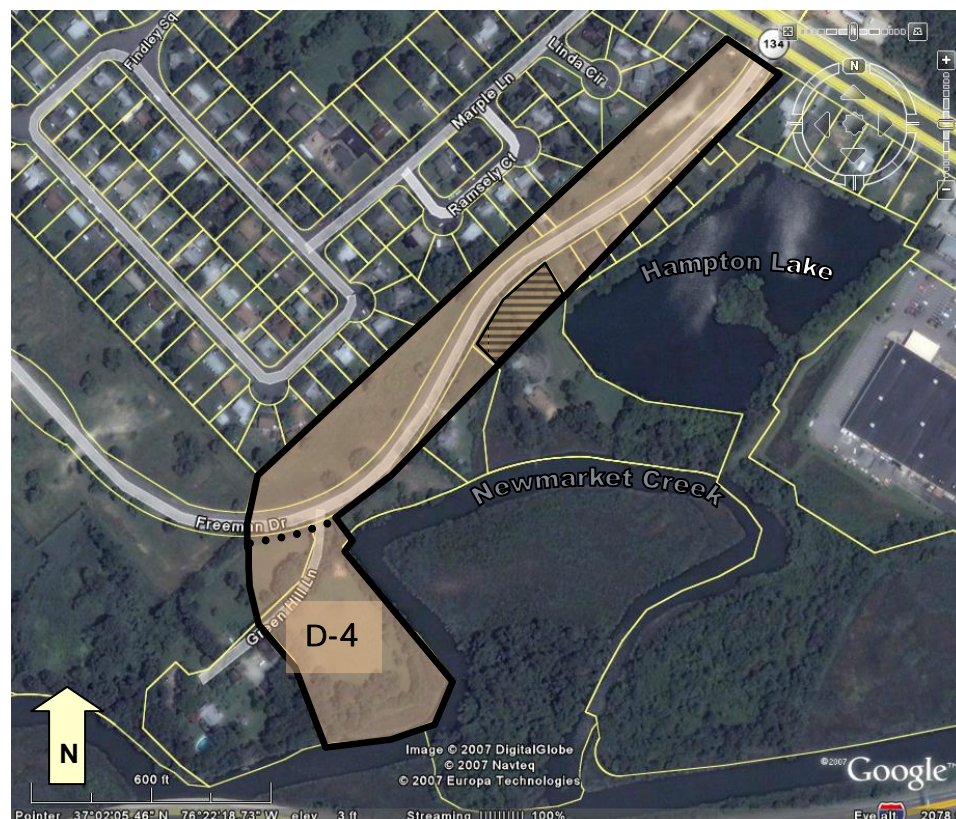
728-5231

Case No.: Rezoning 1247

Date: May 14, 2007

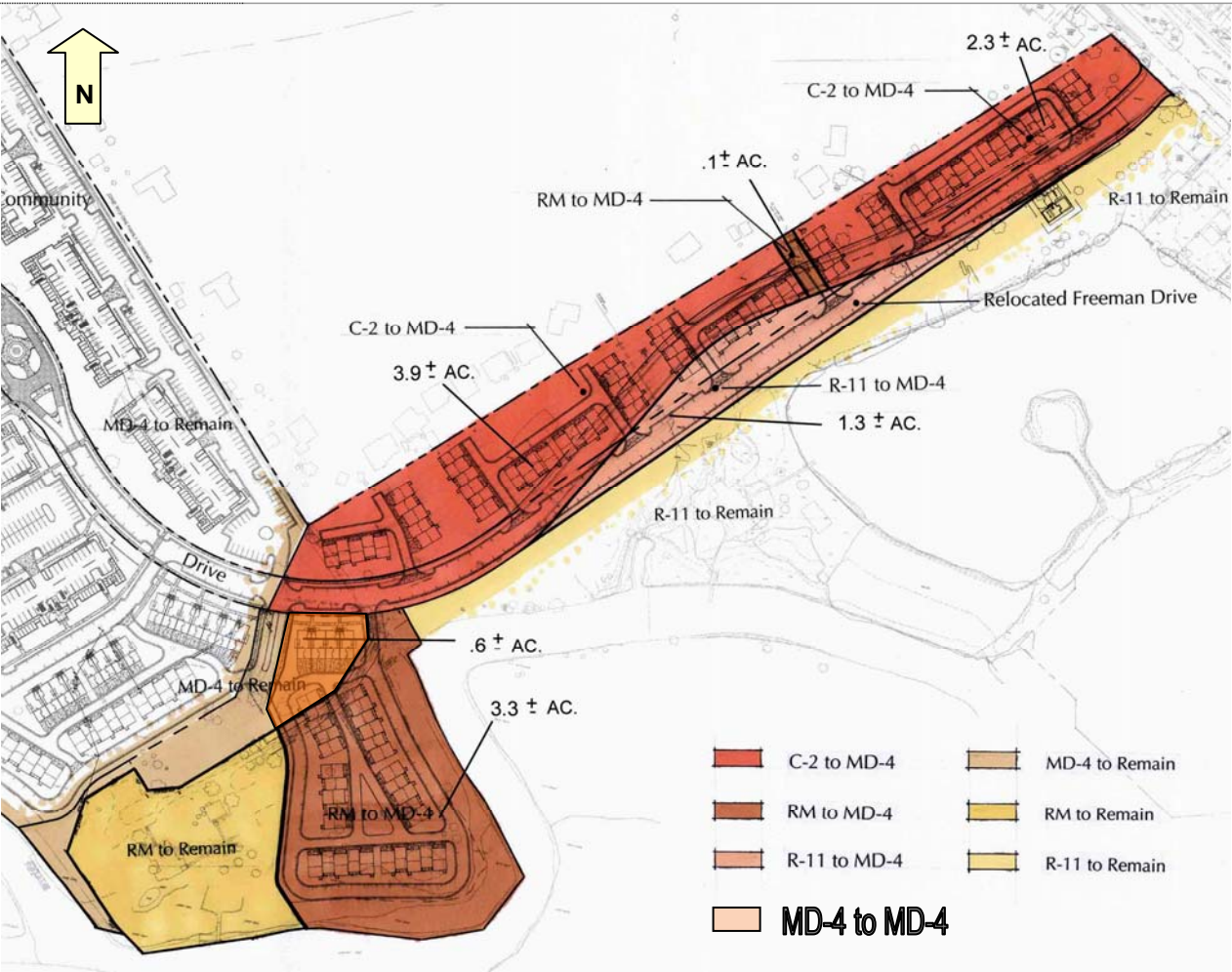
## General Information

Owner	City of Hampton
Applicant	David S. Taylor for L.M. Sandler & Sons, Inc.
Request	Rezone 11.5± acres to Multiple-Dwelling District (MD-4) with conditions to allow the development of up to 103 townhouse and stacked townhouse units within the H20 mixed, multi-family residential project in Coliseum Central. This is the final phase of the H20 project.
Location and Parcel Identification	There are four (4) whole parcels and a number of portions of parcels included in this request. It includes one parcel south of the intersection of Green Hill Lane and Freeman Drive, commonly described as Parcel "D-4" (LRSN# 13001285). And, this request also includes those parcels fronting on Freeman Drive with LRSN#s 13001179, 13001174, 700129, as well as 1.3± acres on the south side of Freeman Drive, which together can be described as starting at the northwest intersection of Freeman Drive and Armistead Avenue, extending southwest for 1610'±, south for 165'±, northeast for 1830'± and northwest for 150'±. ***While Council has authorized the purchase of the Prince property (LRSN# 7000125), they have yet to close on it. Therefore, the Prince property is excluded from this rezoning action, but once the closing occurs staff will bring it back as RZ #1247-B. (The Prince property that is part of this rezoning is shown in a hatch pattern below.)



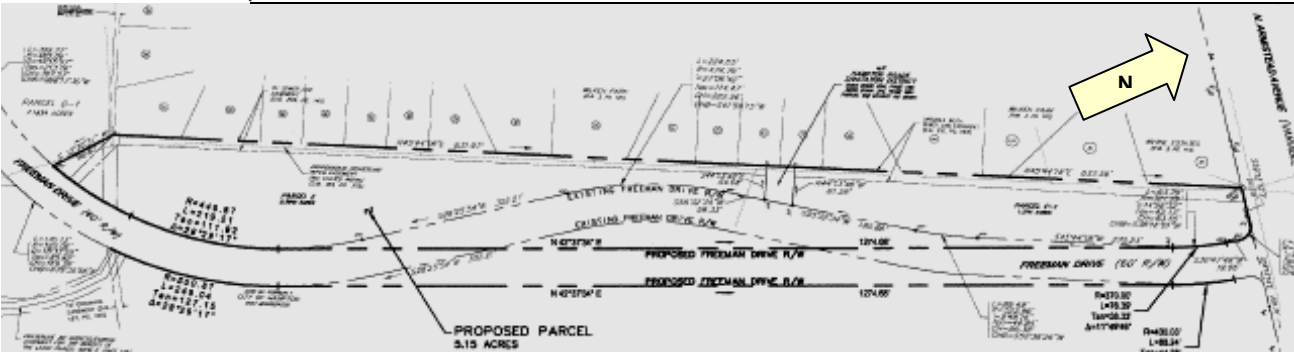
Existing Zoning

This rezoning request includes property in four different zoning categories: Limited Commercial District (C-2), Multiple Residence District (R-M), One Family Residence District (R-11), and Multiple Dwelling District (MD-4). The map below shows the existing zoning district boundaries, corresponding acreages, and specifies where the zoning is requested to be changed to MD-4 with conditions.



Existing Land Use

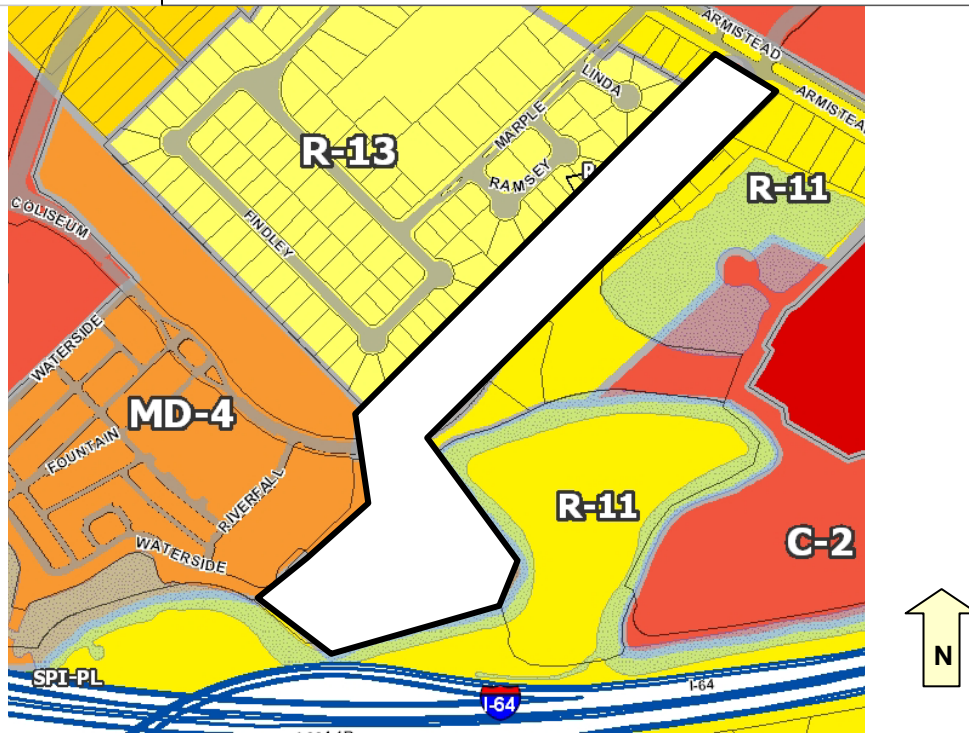
Most of the property is undeveloped; however in recent years the City has purchased a number of properties that had been developed for single-family homes. The houses that were there have been demolished. These properties are located on the south side of Freeman Drive and were purchased so that Freeman Drive could be realigned between Green Hill Lane and Armistead Avenue and thus facilitate the expansion of the H20 residential project. The following graphic shows the City's plan for realigning Freeman Drive:



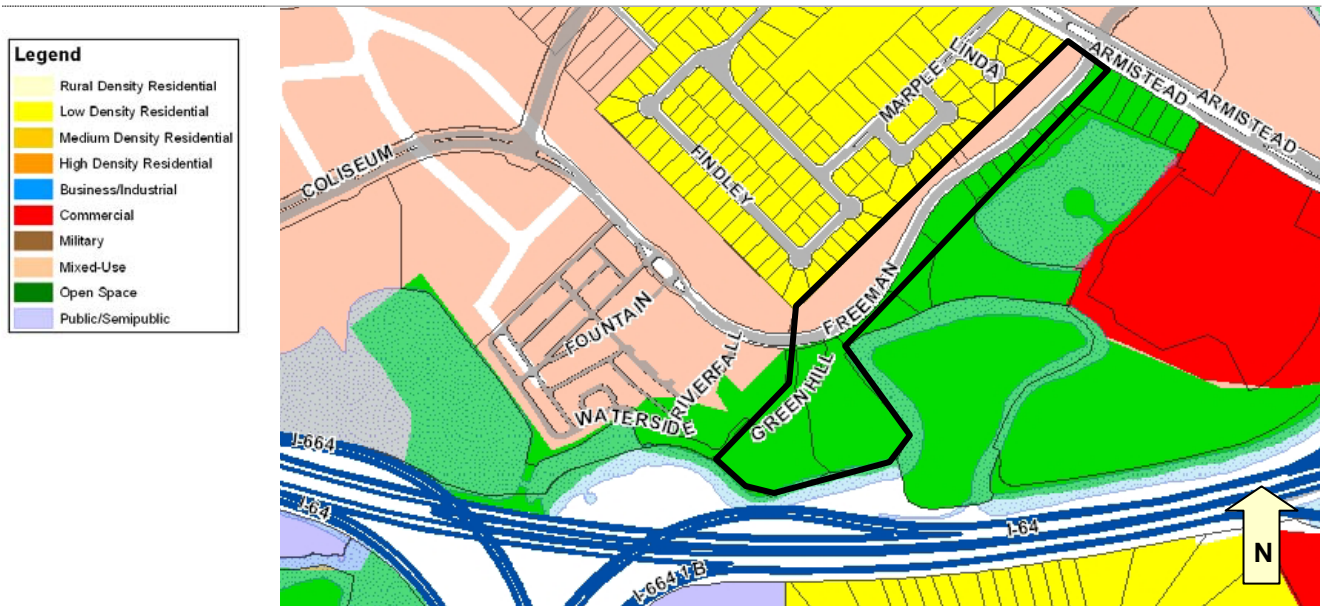


*Surrounding Land  
Use and Zoning*

<b>Northwest:</b>	Single-family homes zoned One Family Residence District (R-13 and R-11).
<b>Southeast:</b>	Newmarket Creek and Lake Hampton, zoned One Family Residence District (R-11) and Home Depot beyond, zoned General Commercial District (C-3). (The single family lots shown have been purchased by the City and will be eliminated when Freeman Drive is realigned.)
<b>West:</b>	The first phases of the H20 project are immediately adjacent to this site and are zoned MD-4. The Hampton Roads Convention Center, Hampton Coliseum, and Coliseum Central's Crossroads development is beyond and is zoned C-2.

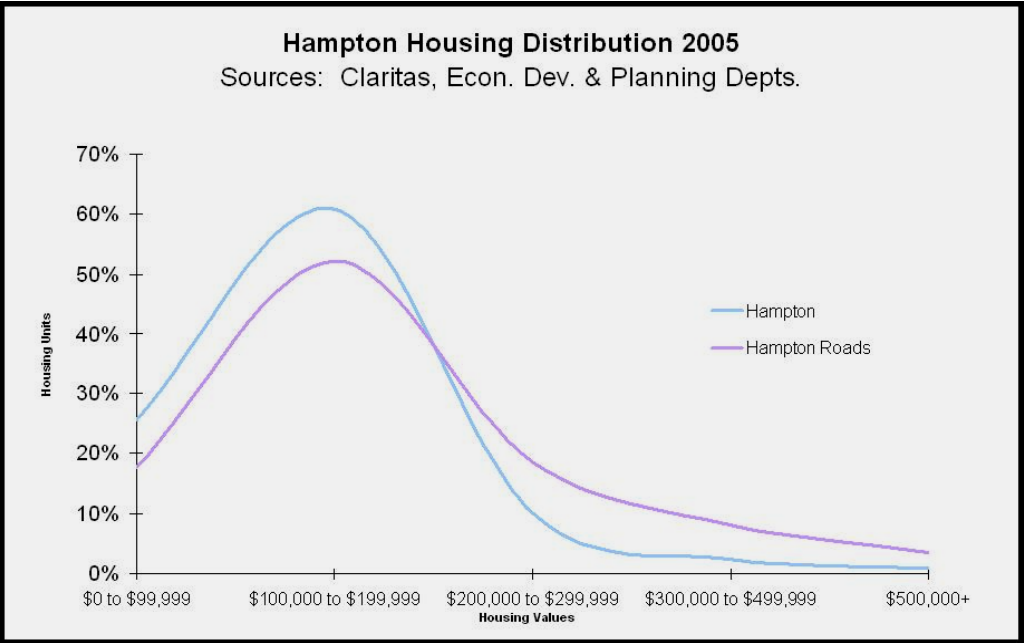
*Public Policy***The Hampton Community Plan (2006, as amended)****Land Use Plan:**

The Land Use Plan recommends "Mixed-Use" for this area. The Mixed-Use designation is designed to encourage the development of two or more compatible land uses within one building or within one block (pg. LU-15). The intent is to allow a number of uses and residential densities that if designed properly, could enhance and maximize development opportunities. The Plan also makes an "Open Space" recommendation for the property known as D-4, or the current Green Hill Farm Estate. While often land use recommendations are drawn following property lines, they are not parcel specific. In this case, the Open Space recommendation refers to the recommended Newmarket Creek Park and Trail system, which is programmed to loop around this property known as D-4. The Newmarket Creek Park and Trail system will indeed loop around this parcel, and a 40' open space easement is being provided for this purpose.



**Housing:**

Hampton’s distribution of housing values is below the Hampton Roads average for the region and is skewed towards low-range housing values (pp. NH-5, HN-6). In order to provide adequate services, the value of Hampton’s housing stock must continue to rise. The following graphic shows how Hampton’s housing stock (based on value) compared to that of the region:



In order to remain competitive in the housing market, to continue to attract and maintain our population in Hampton, and to sustain our real estate tax base, our land use policies and housing policies specifically direct us to encourage and maintain a *diverse mix of housing types and values* (pg. LU-16, **Land Use Policy 3**). By offering a broader range of housing options, specifically by offering more higher-end housing, Hampton can remain competitive in the housing market and bring its housing value curve more in line with that of the region.

**Housing and Neighborhood Policy 2** (pg. HN-20) specifically states: “Targeted

efforts to improve the City's housing distribution in strategic investment areas and adjacent neighborhoods." This property is within the boundaries of the Coliseum Central Master Plan Crossroads Initiative (page 33). Therefore, particular attention should be paid to ensuring any proposed new developments further the detailed vision adopted for this area.

**Policy 7** (pg. HN-20) reinforces this: "Encourage development of higher value housing. Focus higher value housing strategies within the City's strategic investment areas and on waterfront and water-view sites that are appropriate for single and multi-family use." The property that is the subject of this rezoning includes some waterfront and water-view property. By encouraging a higher density of high-value housing products here, the City can maximize investments in the strategic investment area.

*Coliseum Central Master Plan*  
(9/2004, as amended)

This property is part of the *Coliseum Central Master Plan* (2004, as amended) "Crossroads" initiative. The graphic below is the plan for the whole initiative area, with the entire H20 residential project outlined in black.



As illustrated by the above plan, a large part of this initiative relies on introducing a dense mix of urban housing (shown in orange) to support the new mixed-use and commercial uses proposed for Coliseum Drive (in red).

*Rezoning History*

There are two Rezoning Cases that are relevant to this application:

- RZ #1158 (November 2002): Approved the Crossroads project and allowed the development of the Hampton Roads Convention Center, the adjacent Embassy Suites Hotel, and set the stage for the future development of a mixed-use entertainment district (referred to as the "19 acre site") by rezoning a total of 114± acres from various districts to Limited Commercial District (C-2).
- RZ #1204 (2005): Approved the first two phases of the H20 urban residential project. It rezoned 25.2± acres from various zoning districts to Multiple-Dwelling District (MD-4) for 516+ multi-family units.

These rezonings illustrate that the City has been making a distinct effort to create an urban, mixed-use district within Coliseum Central, specifically within the Crossroads initiative area, and that the development of this area is consistent with the vision adopted in the *Coliseum Central Master Plan* (2004, as amended).

**Impact Analysis**

<i>Traffic</i>	<p>Based on the proposed maximum of 103 townhouse units, the City Traffic Engineer has determined that this project is estimated to generate about 604 trips per day. This translates into 45 trips in the AM peak and 54 trips in the PM peak, or about 1 car per minute.</p> <p>With the traffic improvements and signal added to the intersection of Freeman Drive and Armistead Avenue, and the improvements made to Coliseum Drive, additional traffic generated by this project will not negatively impact traffic in the area.</p>
<i>Schools</i>	<p>This property is zoned for:</p> <p><b>Elementary: Tyler Elementary School</b>  <i>Current Enrollment: 470 (source: Tyler Elementary School, 10/2006)</i>  <i>Capacity: 528 (source: Hampton City Schools)</i></p> <p><b>Middle: Lindsay Middle School</b>  <i>Current Enrollment: 826 (source: Lindsay Middle School, March 8, 2007)</i>  <i>Capacity: 1,125 (source: Hampton City Schools)</i></p> <p><b>High: Hampton High School</b>  <i>Current Enrollment: 1,620 (source: Hampton High School, March 8, 2007)</i>  <i>Capacity: 1,925 (source: Hampton City Schools)</i></p> <p>Data provided by the Virginia Department of Education (12/7/05) estimates that school enrollment in Hampton City Schools will actually decrease between 8% and 10% by the year 2010. This proposal requests to allow up to 103 attached single-family homes, which, based on the City of Hampton school enrollment generator factor of 0.22 new students per single-family attached unit, the proposed project would generate an estimated 22± students.</p> <p>Based on existing school counts, program capacity, and estimated enrollment decreases over the next four years, this estimated additional twenty-two (22) students is not significant and will not adversely effect school enrollment.</p>
<i>Utilities</i>	<p><b>Sanitary sewer-</b> In anticipation of this project and the Oxford Trail project coming online, the City worked with the developers to relocate and upgrade the existing pump station on Freeman Drive. Therefore, sanitary sewer utilities are adequate for the additional demand.</p> <p><b>Stormwater-</b> There is existing stormwater and drainage infrastructure that runs through this site and outfalls into Newmarket Creek. While the developer must treat the project stormwater for quality and to remove pollutants before it is discharged, the existing system is adequate to handle the quantity of stormwater from this site. The specifics of how the system will be designed will be evaluated during the site plan review process. At this time, City Engineers have reviewed the proposal and have stated that as long as they treat the water onsite before it is discharged (via a BMP or underground system), stormwater drainage can be accommodated.</p>
<i>Environmental-Lake Hampton</i>	<p>Hampton Parks and Recreation has plans for this to become a stocked fishing facility. As such, it is imperative that the integrity of the lake environment be protected and the project must not discharge stormwater into the lake.</p>
<i>Environmental-CBPD</i>	<p>Areas of this application are included in the city's Special Public Interest- Chesapeake Bay Preservation District (SPI-CBPD) overlay zone as Intensely Developed Area (IDA). As such, the applicant can develop and build within 100 feet of the wetland/water feature if he provides a 10% reduction in the post-pollutant load (improves water quality before it leaves the site).</p>



The specific boundaries of the SPI-CBPD will be determined during the site plan process when the applicant will be required to submit a Major Water Quality Impact Assessment. At that time the exact boundaries and proposed impacts will be calculated and City Engineers will ensure that proper stormwater treatment is provided.

While the City will be adopting new SPI-CBPD boundaries effective July 1, 2007, which will change the IDA designation in this area to a Resource Protection Area (RPA) designation (meaning no development within the 100' buffer would be permitted), this particular project has been vested under separate City actions involving the Development Agreement and action by Hampton Redevelopment Housing Authority. Therefore, the change from IDA to RPA would not affect the developability of the land as proposed in this project.

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### Additional Information

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#### *Proffered Conditions*

Proffered conditions ensure the project will be carried out in a manner that furthers the vision established by adopted policy. This application has nine (9) proffered conditions attached, including a book of design standards that guarantee the project will further our objectives for high-quality design and diverse, high-value housing. Because this project is also governed by the Development Agreement, the proffers proposed have been evaluated to make sure they are consistent with the terms of the Agreement. Please see the application and *Proffer Book* for detailed proffers.

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#### *Design Review*

While the conceptual layout of the D-4 parcel is proffered to this application, the conceptual layout of the rest of the property will be determined during the Design Review process. Below are three sketches showing possible configurations of the site. Please note that none of the layouts below have been endorsed by the Planning Department, they are simply provided to give an idea of how the site could be laid out to accommodate up to 103 new units and the realigned Freeman Drive:





Product Description- “Stacked Townhouse”	This development proposal would result in up to 103 new units comprised of a mix of traditional townhouses and some “stacked townhouses.” Where traditional townhouses are separated vertically with garages on the ground floor, stacked townhouses are separated horizontally. For example, in the stacked townhouse the first level of a building has two garages, with one townhouse on the second floor and one townhouse on the third floor.
Development Agreement	See Addendum, attached.
Variance Package	See Addendum, attached.
Community Meeting	The applicant had not held a community meeting at the time this report was published, however he was working with City staff to arrange one before May 14, 2007. Staff will report further at the Planning Commission meeting.

Analysis

This rezoning is requested in order to facilitate developing the final two phases of the H20 project. The *Coliseum Central Master Plan* (2004, as amended) recommends the dense, urban residential project, and in the last four years City Council has taken a number of actions that support and demonstrate that this project implements the City’s long range vision. Some of these actions include property acquisitions, approving Development Agreements and property swaps, and approving the rezoning of the first two phases of this project. While staff must determine whether this rezoning request furthers adopted policies on its own merit, ultimately the question this rezoning raises is “Does this phase of the project, as proposed, further the vision established by adopted policies and recent City Council actions?”

To answer the first part “Does this rezoning request further adopted policies,” we look to the Hampton Community Plan (2006, as amended) and the *Coliseum Central Master Plan* (2004, as amended). The Hampton Community Plan Land Use Plan recommends this entire area be developed for Mixed-use. Mixed-use encourages a broad mix of commercial and residential uses at different densities and proportions. In this area, the *Coliseum Central Master Plan* (2004, as amended) further defines that Mixed-use recommendation, and delineates which areas of the Crossroads initiative would be most appropriate for true commercial, which areas would be best for a true mixing of uses (on the same site), and which areas would be best for true residential.



The area included in this rezoning request was recommended for dense residential units of varying types. This rezoning proposes to build a mix of dwelling types at a density of approximately 9 units per acre. Therefore, the proposal does conform to the land use recommendation and further the vision set forth in the master plan.

The Housing and Neighborhoods chapter of the Hampton Community Plan (2006, as amended) also makes recommendations for new housing in the City. This chapter recommends that in order for the City to remain competitive in the regional market, and in order to continue to be able to provide services to its residents, the City needs to diversify its housing stock and provide more diverse, high-value housing choices for prospective residents. Proffered conditions ensure the quality of design and materials that will be used and ensure that this project will contribute to balancing the housing-value curve as shown on page 4 of this report.

This chapter also reinforces the need to direct some of those high-value housing investments into initiative areas: “Encourage development of higher value housing. Focus higher value housing strategies within the City’s strategic investment areas and on waterfront and water-view sites that are appropriate for single and multi-family use (pg. HN-20).” The property that is the subject of this rezoning includes some waterfront and water-view property. By encouraging a higher density of high-value housing products here, the City can maximize investments in the strategic investment area. Thus, this proposal does further the City’s objective to provide more high-value, waterfront housing options within initiative areas.

The second part of evaluating this application is to determine whether or not the proposed project is in conformance with the vision City Council has adopted via the Development Agreement and other official contracts. Specifically, the Development Agreement that governs the development of this property establishes a number of design criteria and standards the project must achieve. So while the Hampton Community Plan (2006, as amended) does establish recommendations and policies that encourage Traditional Neighborhood Design (ie. Smaller, walkable blocks, smaller setbacks so that housing fronts closer on public streets, clear hierarchy of public, semi-public, and private spaces), the Development Agreement that was adopted between City Council and the developer for this property takes those recommendations a step further and clearly requires those design principles and standards must apply to this project. Staff has carefully evaluated the proposed proffers and design standards proposed in the Proffer Book and we have determined that this proposed project is in conformance with that legally binding agreement. And, the proffers attached to this rezoning application give the Planning Director design review privileges, thereby ensuring that as the site layout and mix of building types are finalized, it will remain consistent with the objectives set forth by City policies and agreements.

Therefore, because this project furthers City policies to add diverse, high-value housing to the City of Hampton, and because the proposal is consistent with the vision established in the Coliseum Central Master Plan (2004, as amended) and applicable Agreements that have been made, staff find this proposal in conformance with City of Hampton policies.

***Staff recommends approval of this rezoning application subject to nine (9) proffered conditions, as this project furthers the recommendations of the Hampton Community Plan (2006, as amended) and all other applicable policies and documents.***