

STAFF EVALUATION

Case No.: Rezoning No. 24-0329

Planning Commission Date: July 18, 2024

City Council Date: August 14, 2024

Prepared By: Mike Hayes, Planning Manager
Reviewed By: Jessica Kraus, Assistant City Attorney

728-5244

General Information

Applicant Trilogy Developers, LLC

Property Owner Westley Dana Brenton, Faith Ann Reynolds & Wendy G Friesz, Denny W Taylor III, and Hampton Redevelopment and Housing Authority

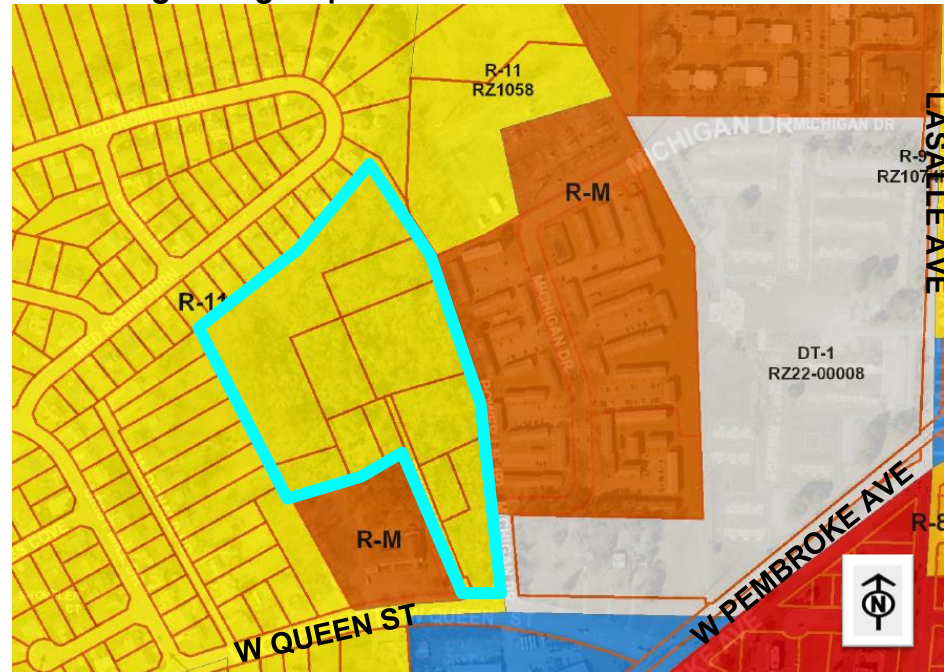
Site Location Ten (10) properties off of the intersections of W. Queen Street and W. Pembroke Avenue, [LRSNs: 2000218, 2000219, 2000220, 2000221, 2000222, 2000223, 2000224, 2000225, 2000226, and 2000227]

Aerial Map:



Requested Action Rezone ten parcels, totaling ± 12.45 acres, from One Family Residential (R-11) District to Multifamily Residential (MD-4) District and Neighborhood Commercial (C-1) to create a ± 0.7 acre commercial parcel and a ± 11.8 acre townhouse subdivision.

<i>Description of Proposal</i>	<p>The proposed development includes a small commercial parcel directly on W. Queen Street. The uses are proposed to be limited to day care, day spa, office, print shop, restaurant, and retail. As depicted in the concept plan, vehicular access to the site is from Michigan Drive.</p> <p>Behind the commercial parcel, and constituting the majority of the site, is a proposed fee-simple townhouse subdivision. A fee-simple townhome is a townhome that sits upon its own lot. Common areas would be owned and maintained by a property owners' association. The proposed subdivision would include between 90 and 114 townhomes.</p>
<i>Existing Land Use</i>	Vacant
<i>Site History</i>	The subject site has generally been vacant. At one time, a single-family home did sit on a portion of the property directly behind the neighboring church.
<i>Zoning History</i>	In November 2023, City Council approved a rezoning of the former Lincoln Park site, along with some adjacent lots, to the Downtown Business (DT-1) District to facilitate the development of townhomes along the Lasalle Avenue and W. Queen Street frontages, multifamily buildings in the center of the site, and an age restricted multifamily building with a small amount of commercial on the northern end of Michigan Drive.
<i>Surrounding Land Use and Zoning</i>	<p>North: One-Family Residential (R-11) District; single-family</p> <p>South: Multiple Residential (R-M) District, Light Manufacturing (M-2) District; church and auto related uses, such as storage and repair</p> <p>East: Multiple Residential (R-M) District, Downtown Business (DT-1) District; multi-family</p> <p>West: One-Family Residential (R-11) District; single-family</p>

Surrounding Zoning Map:*Public Policy***Hampton Community Plan**

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

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

LU-CD Policy 12: Encourage building design and site planning that enhances community interaction and personal safety.

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.

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

Housing and Neighborhoods Objectives:

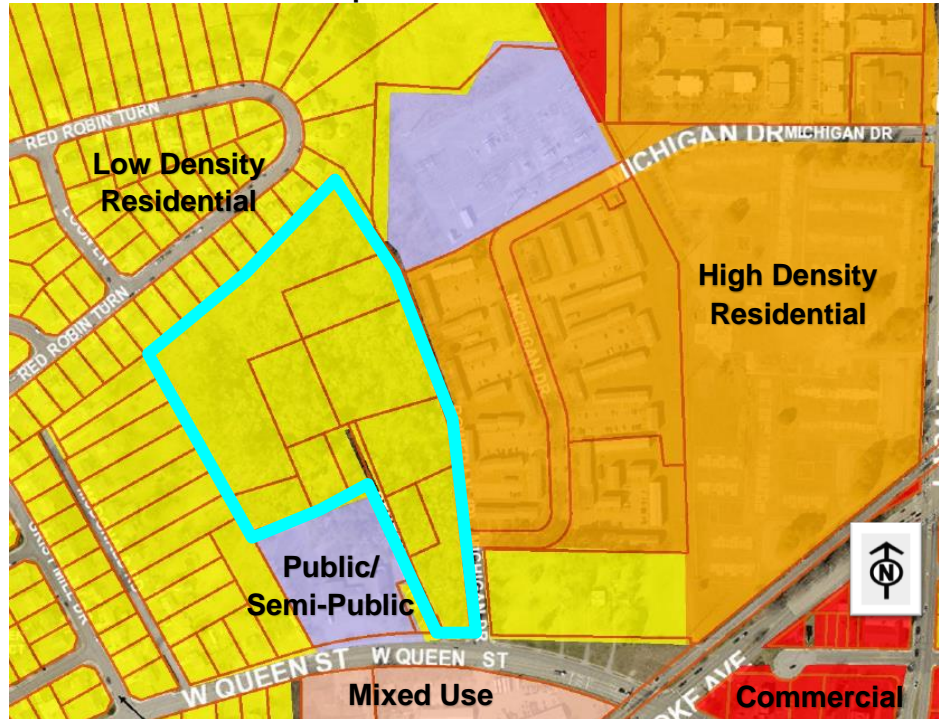
Objective 6: Support the development of healthy and compatible neighborhood commercial uses.

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.

Future Land Use:

The Hampton Community Plan (2006, as amended) designates this area as low density. Low density residential is defined as between 3.5 and 9 units per acre.

Future Land Use Plan Map:



Traffic Impacts

With direct access being limited to Michigan Drive, this development is not expected to produce a substantial impact on traffic.

Environmental

There are Chesapeake Bay Area feature wetlands that affect the northeast corner of the property with the feature and buffer being identified on the concept plan along with supporting documents.

The northern portion of the site is within the FEMA FIRM Flood Zones AE08 and X-Shaded.

Proffered Conditions

In synopsis proffered conditions include:

1. Limitation on allowed uses
 - a. Residential: Fee simple townhouses
 - b. Commercial: Day care, day spa, office, print shop, retail, restaurant
2. Limitation on allowed unit count
 - a. Townhomes: min. 90 – max. 114
3. Substantial conformance with conceptual plan
4. Substantial conformance with elevations
 - a. Townhomes:
 - i. 18" raised slab foundation/crawl space

- ii. 2' alternating depth of front façade
- iii. Architectural articulation of street facing side façade
- iv. Vinyl siding (0.046" min. thickness), 30-year shingles

The full set of proffered conditions can be found in the application package.

Community Meeting

The traditional community meeting was not held. However, the applicant informed staff that they notified the adjacent church and reached out to the neighboring single-family community organization.

Analysis

Rezoning No. 24-0329 is a request by Trilogy Developers, LLC to rezone 10 properties totaling ±12.45 acres off of the intersections of W. Queen Street and W. Pembroke Avenue, [LRSNs: 2000218, 2000219, 2000220, 2000221, 2000222, 2000223, 2000224, 2000225, 2000226, and 2000227]. The application is to rezone from One Family Residential (R-11) District to Multifamily Residential (MD-4) District and Neighborhood Commercial (C-1) to create a ±0.7 acre commercial parcel and a ±11.8 acre townhouse subdivision.

The commercial uses are proposed to be limited to day care, day spa, office, print shop, retail, restaurant. These uses are generally seen as neighborhood serving and could be an amenity to the neighboring residences.

The number of townhouses proposed could range from 90 units to 114 units. The purpose of the range is to allow for flexibility as the site is further engineered if the rezoning is approved. The bottom of the range guarantees some minimally efficient usage of the property while the top of the range ensure a certain cap on the density. This range also provides the development will adhere to the layout of the proffered concept plan.

The density of proposed development is generally consistent with the future land use recommendation of the Hampton Community Plan (2006, as amended), which designates the property as low density residential. Low density residential is defined as 3.5 to 9 units per acre. At 90 units the residential portion of the development would achieve 7.6 units per acre while if the top end of the unit range is achieved, the residential development would be just into medium density residential at 9.66 units per acre. In either case, the proposed density serves as a transition between Asbury Place and the previously approved Trilogy I development, which have a density of 18.5 and 21.8 units per acre respectively, and the single-family subdivision to the west, which has a density of 3.0 units per acre.

The proposed commercial lot is less than 1 acre and sits directly on W. Queen Street, a four-lane road, between to St. Cyprians Episcopal Church and Michigan Drive. Vehicular access to the commercial lot would come off of Michigan Drive. Directly across W. Queen Street is a sizeable property zoned Limited Manufacturing (M-2), which is used for a variety of businesses including those parking and storing various types of vehicles.

As mentioned, the proposed development is adjacent to the Trilogy I development, which had an associated Rezoning and Use Permit for a multi-family, age restricted multi-family, and townhouse development. A limited amount of commercial space is included in the age restricted building. The applicants of the current rezoning are the developer and builder of the townhouses that are a part of Trilogy I. Staff views the proposed townhouses as an extension Trilogy I. The townhouses are of similar size and certain architectural elements carry over from the previous Trilogy design. The applicants have also proffered the use of the dog park at Trilogy I to be a shared amenity with the proposed development that is the subject of this rezoning. A section of townhouses in Trilogy I and the newly proposed townhouses have their primary access off of Michigan Drive with sidewalks that will connect the two.

In conclusion, given the specifics of the location and the development on the former Lincoln Park site moving forward, this rezoning application with its proffered conditions ensures that this proposed development would meet the goals and intent of the Community Plan.

Staff recommends **APPROVAL** of Rezoning Application No. 24-0329 with thirteen (13) proffered conditions.