

# STAFF EVALUATION

**Case No.:** Rezoning 23-00003

**Planning Commission Date:** May 18, 2023

**City Council Date:** June 14, 2023

**Prepared By:** Michael Hayes, Planning and Zoning Division Manager 728-5244

## General Information

*Applicant* City of Hampton

*Property Owner* Hampton Redevelopment and Housing Authority

*Site Location* 200 N First Street and 327A N First Street [LRSNs: 12006702 and 12007400], which are parcels at the end of Tappan Avenue and Richmond Drive respectively

### Aerial Map:



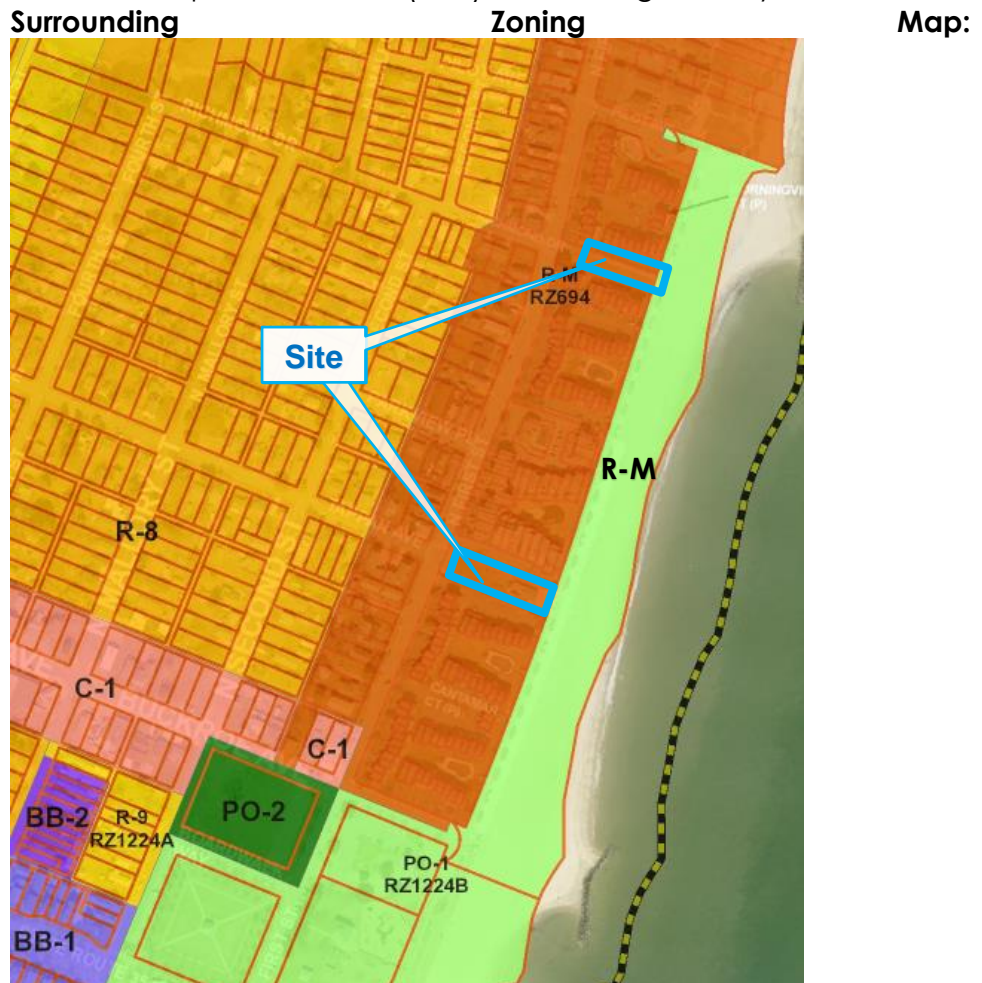
*Requested Action* Rezoning from the Multiple Residential (R-M) District to the Parks and Open Space (PO-1) District.

*Description of Proposal* Continued use of the sites as access points and accessory use related to the beach and park. The only construction currently planned for the site is installation of a new fence for the storage area.

*Existing Land Use* The two parcels involved in this rezoning have long been managed by the City of Hampton as public access points to the boardwalk and Buckroe Beach. The parcel at the end of Tappan Avenue contains the beach's lifeguard station and equipment storage area behind the station.

*Zoning* Multiple-Residential (R-M) District, which permits multi-family housing, single-family housing, duplexes, and limited commercial uses, such as offices

*Surrounding Land Use and Zoning* **North:** Multiple-Residential (R-M) District; condominiums  
**South:** Multiple-Residential (R-M) District; condominiums  
**East:** Public Open Space (PO-1) District; Buckroe Beach  
**West:** Multiple-Residential (R-M) District; single-family homes



*Public Policy*

The Hampton Community Plan (2006, as amended) future land use map recommends public/semi-public land use for these two parcels. The parcels also fall within the boundaries of the Buckroe Master Plan (2005, as amended) with specific recommendations as outlined below.

Objectives and policies supporting this vision include:

**LU-CD Objective 1:** Promote the efficient use of land. Recognize land as a limited resource.

**LU-CD Objective 2:** Leverage and promote the effective use of city services, assets, and amenities.

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

**LU-CD Policy 2:** Leverage the impact of city resources by focusing on strategic investment areas.

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

**LU-CD Policy 6:** Support the City's economic development priorities: high wage jobs in targeted industry segments; regional retail and entertainment destination; first retail choice for Hampton residents; tourism destination; and, higher value housing.

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

**LU-CD Policy 9:** Promote the appropriate use and reuse of waterfront land. Encourage appropriate design of new developments in relation to the water.

**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 21:** Design public buildings and other infrastructure (utility structures, signs, parking lots, etc.) to meet high quality urban design standards.

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

Future Land Use Plan Map:



**Buckroe Master Plan** (2005, as amended)

One of the key "Design Principles" of the Buckroe Master Plan is to improve access to the parks and beaches (pg. 17). Speaking specifically to the need for greater public access, page 29 of the master plan envisions not only parking improvements around the park but the potential addition of spaces on the parcels at the end of Tappan Avenue and Richmond Drive.



*Site History*

These two sites were acquired in 1967 by the Hampton Redevelopment and Housing Authority during a period of blight removal, which also included the beach front land where Morningview and Cantamar sit today. While the other properties were developed privately 40 years ago, the Hampton Redevelopment and Housing Authority has retained these two parcels, which have been used for public access to the beach since.

	Following the rezoning decision, the Hampton Redevelopment and Housing Authority intends to transfer the property to the City of Hampton.
<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>Proffered Conditions</i>	There are no proffered conditions with this application. The PO-1 District limits the use to parks, open space, and recreational uses. Use of the property would be managed by the City of Hampton's Parks, Recreation, and Leisure Services Department.
<i>Community Meeting</i>	The Parks, Recreation, and Leisure Services Department spoke with neighbors about the fence being erected prior to submitting the rezoning application. No additional community meeting was held.

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### *Analysis*

Rezoning Application No.23-00003 is a request to move two parcels used for beach access and parks and beach support out of the Multiple Residential (R-M) District and into the Parks and Open Space (PO-1) District with conditions. The subject properties are 200 N First Street and 327A N First Street [LRSNs: 12006702 and 12007400] in Buckroe. The property was acquired by the Hampton Redevelopment and Housing Authority (HRHA) in the late 1960's, and while the adjacent property was redeveloped privately approximately 40 years ago, these two parcels were carved out for public access and to and accessory use related to beach. Regardless of the outcome of the rezoning application, the Hampton Redevelopment and Housing Authority intends to transfer the property to the City of Hampton following the public hearing process.

Buckroe Park and Beach are significant local and regional attractions in the City of Hampton, especially in the warmer months. Having such a large peak season draw adjacent to and in the neighborhood makes Buckroe unique among Hampton neighborhoods. The adopted policies in the Hampton Community Plan (2006, as amended) have to be viewed through the lens of this interesting dynamic. The City of Hampton wants to protect the character of its neighborhoods while also growing tourism, improving parks experiences, and creating greater access to the waterfront for our citizens. Further, in recognition of the uniqueness of the neighborhood and importance of Buckroe Park and Beach to the entire city, the Buckroe Master Plan (2005, as amended) was created and adopted. With improving access to the beach and water being a primary goal, the master plan recommends adding parking on the two subject parcels. The City is not proposing adding such parking, but the policy speaks to the importance of greater access to the beach and the importance of these parcels in that access.

The only new construction proposed by Parks, Recreation, and Leisure Services is a new fence to replace a dilapidated fence that has been removed. The fence is for a storage area behind the lifeguard station at 200 N First Street. Members of the Buckroe community expressed concerns over the potential use of the properties prompting staff to request and Planning Commission to grant a deferral at the May Planning Commission meeting. The Parks, Recreation, and Leisure Services Department hosted an community meeting on May 30<sup>th</sup>. At that meeting, concerns over the size of the proposed storage area, height

of the fence, need to maintain access and site lines, and thoughts on future use of the property were expressed. The proposed proffers are the City's proposed conditions intended to balance the concerns of the neighborhood with the concerns expressed by the members of the community in attendance with the need to operate a beach, boardwalk, and park that are an attraction for many people beyond the neighborhood boundaries.

The conditions specifically address maintaining pedestrian access. They also limit the size of the building, allowing for the current building to be modified or replaced, but not in a way that is any more intrusive than the one that currently exists. Limitations on the size of the storage area and what can be stored in it. The height of the fence around the proposed storage area, which is larger than the previously fenced in area. However, previously, there was also storage outside of the fenced area, which extended beyond the proposed storage area. Also, if in the future, additional fencing is needed for an amenity like a dog park, standards for that fence are proffered.

Please note that the City is committed to the proffered conditions. They are signed by the Executive Director of the Hampton Redevelopment and Housing Authority because the property is currently owned by HRHA. If approved, the proffers run in perpetuity with the land.

As stated in the opening paragraph, the proposed rezoning changes the zoning on the property from the Multiple Residential (R-M) District, which permits a variety of housing types along with some office uses, to the Parks and Open Space (PO-1) District. The PO-1 District is the same zoning district as the rest of the public beach and park. These parcels being zoned Parks and Open Space and being managed by the Parks, Recreation, and Leisure Services Department would be a clear step forward in fulfilling adopted policy.

Staff recommends **APPROVAL** of Rezoning Application No. 23-00003 with eight (8) proffered conditions.