

## REVISED NARRATIVE STATEMENT

### **Rezoning Application #16-00012 for Marlyn Development Corp.**

Marlyn Development Corp., a Virginia corporation ("Marlyn") is the developer of certain real property, owned by AH&H Corp., located at 1300 N. Mallory Street in the City of Hampton, Virginia (the "Property"), which is currently zoned MD-4/R-11.

#### Need for the Rezoning

This Property is currently zoned Multiple Dwelling District MD-4, which allows for multifamily dwellings and townhouses as permitted uses with no limitation on density. A proffer agreement dated November 5, 2008 limited the total number of living units to 275. Through research of this Property and the surrounding community, it was determined that a demand for this type of housing does not exist in this part of the city. A more appropriate and marketable housing type is single family homes on lots with a minimum of 6,000 square feet in accordance with Zoning District R-9. However, due to the narrow width of the buildable area of the Property, the thirty foot (30') front setback for this Zoning District presents problems for a number of the lots.

Therefore, after consultation with the Planning Department, the applicant is requesting to rezone the Property to Zoning District R-4 with proffered conditions that include the agreement that the subdivision, the lots and all residential dwelling units shall be designed and constructed to comply with all requirements of the Zoning District R-9 rather than the Zoning District R-4, with the sole exception that the minimum front yard setback which shall be twenty feet (20') rather than thirty feet (30').

#### Proposed Use of the Site

The proposed use is a single family home subdivision consisting of 42 lots with a minimum lot area of 6,000 square feet, and a minimum frontage width of sixty feet (60').

#### Description of any New Structures to be Constructed

The Property will be subdivided to accommodate one to three-story single family homes with square footages in the range of 1,800 to 3,200.

#### Anticipated Impact to City Services

With only 42 proposed lots, it is anticipated that the development of the Property will have a minimal impact to City Services. The subdivision will have some school age children. City services such as trash collection and emergency services will be required. Approximately 1,400 linear feet of sanitary sewer lines will be added to the City's public sewer system. Approximately 1,600 linear feet of waterlines will be added to the Newport News Waterworks' maintained water distribution system. There is adequate water and sanitary sewer capacity to serve this neighborhood. The average daily vehicle trips during the weekday that will be added to the City's roadway network is approximately 500.

*How the Rezoning Conforms to the Hampton Community Plan (the "Plan")*

As stated in the 2011 Community Plan Update (the "Plan Update"), "housing starts, housing values, and home ownership rates have all declined significantly in the last several years." Goal 1 in the Plan Update provides that "Hampton neighborhoods [should] offer a mix of housing that is attractive, affordable, and accessible to accommodate all citizens." The Plan is intended to "encourage housing that meets the needs of the current market and that strikes a healthy balance of housing values." (I-5). The applicants have evaluated the housing market in the City of Hampton, and they have identified a housing product that will be appealing to potential home buyers in a part of the City that would be desirable for them to live. Furthermore, the housing type is consistent with the housing in the surrounding communities.

Even though this site is within the City's designated Intensely Developed Area (IDA), the entire 100 foot CBPA buffer is being maintained, preserving the natural beauty of the shoreline. The shoreline is currently overgrown with undesirable vegetation. To the extent described in the Chesapeake Bay Preservation Overlay District Ordinance, dead, diseased or dying trees and shrubbery, along with noxious weeds within the buffer will be removed to provide more desirable sight lines and vistas. Removed trees and vegetation will be "replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering non-point source pollution from runoff." Residents will be invited to participate in annual waterway cleanup celebrations, and neighborhood cleanups led by the Hampton Clean City Commission. This sustainable environmental stewardship complements the Hampton Comprehensive Waterways Management Plan Steering Committee's vision of "healthy tidal marshes that enhance the Chesapeake Bay's shoreline and tributaries ... creating a vision that inspires citizens, business and industry to live, support and invest in the City of Hampton, Virginia" (Shoreline Protection, pg. 39).

The stormwater management system for this subdivision will be designed in accordance with Hampton's vision of achieving "maximum efficiency of drainage and protect and enhance the water quality of Hampton's waterways and the Chesapeake Bay through both natural and manmade practices, supporting businesses, property and quality of life for the citizens of Hampton" (Stormwater Management Vision, pg. 40). The 100 foot CBPA buffer is a natural way of removing pollutants from stormwater. The drainage system will be designed to adequately convey stormwater from the subdivision and discharge it into a stormwater management facility that will improve the water quality before discharging stormwater into the Chesapeake Bay. The subdivision must be designed to meet the city's and state's stringent stormwater quality requirements.

To ensure that the new homes are not impacted by tidal flooding and storm events (pg. 39), the homes will be built with the first floors at or above the design flood elevation, which is three feet above the base flood elevation. In accordance with the Floodplain Overlay District ordinance, any portion of the homes below the design flood elevation will be uninhabitable, and constructed of flood resistant materials.

Homebuyers will also be encouraged to participate in civic leagues to become more informed about community activities and more involved in the community (Housing & Neighborhoods: Goal 2, pg. 32).

Providing new homes in an area with an older housing stock will increase the number of residents who report that housing conditions are improving in their area, which was identified as a way of measuring how Hampton is reinvesting in neighborhoods. This neighborhood will also be adding to the “mix of housing that is attractive, affordable, and accessible to accommodate all citizens” (Housing & Neighborhoods: Goal 1, pg. 32). A sidewalk will be installed along both sides of the proposed subdivision streets, thereby providing “accessible pedestrian and bicycle friendly choices to promote mobility of citizens and to offer accessibility to neighborhood services and amenities” (Housing & Neighborhoods: Goal 3, pg. 32). These sidewalks will also provide access to the network of sidewalks along Mallory Street and into the surrounding neighborhoods. Residents will be able to ride their bicycles to Buckroe Beach Park, Jane H. Bryan Elementary School, and other desirable community destinations.

Finally, the proposed new development is consistent with the Plan for a number of reasons. The Plan recognizes that land is a limited resource in the City and that its efficient use must be promoted. The development is an example of improving vacant and underutilized land to construct high quality and high value homes for our citizens at an appropriate location for the proposed density. The development will be constructed in an attractive style, with homes fronting on Mallory Street, that will add lots of “curb appeal” to the neighborhood. Furthermore, the development is consistent with the following statements and policies from the Plan:

1. LU-CD Policy 5: “Promote increased compatibility, interdependence, and support among the city’s neighborhoods, districts, and corridors.” The proposed single family development is much more compatible with the adjoining neighborhood than the current zoning of the Property for multifamily development.

2. LU-CD Policy 6: “Support the City’s economic development priorities ... [including] higher value housing.” The homes in the development will average more than three times the average value of the adjoining homes.

3. LU-CD Policy 7: “Safeguard the integrity of existing residential neighborhoods.” The proposed development will be single family homes like the adjoining neighborhood, but will not adversely affect the integrity of the adjoining neighborhood since there will be no street connection.

4. LU-CD Policy 9: “Promote the appropriate use and reuse of waterfront land. Encourage appropriate design of new developments in relation to the water.” A waterside trail will be provided and a number of residences will be oriented to face the water.

5. LU-CD Policy 11: “Promote high quality design and site planning that is compatible with surrounding development.” As compared to the current zoning of the Property which is not compatible with the surrounding neighborhood.

6. LU-CD Policy 15: “Maintain an aesthetically pleasing street network that helps frame and define the community while meeting the needs of pedestrians, bicyclists, and motorists.” Consistent with the community desires to maintain the character of their neighborhood, a street connection between the proposed development and the adjoining residential development will not be installed.

7. 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." The proposed development will provide sidewalks on both sides of all road and will provide at least one street tree per home.

8. LU-CD Policy 29: "Encourage high quality new developments that are compatible with surrounding neighborhoods." The proposed development will consist of single family homes with an average value that is three times the value of the adjoining neighborhood.

9. 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." The proposed development is very compatible with the adjoining neighborhood; especially compared to the current zoning of the Property.

10. LU-CD Policy 36: "Protect adjacent neighborhoods and promote compatible land uses within the city's residential corridors. Compatible uses include medium and low density residential." Low density is between 3.5 to 9 units per acre and medium density is between 9 and 15 units per acre; and the proposed development is approximately 2.5 units per acre.

In closing, we believe this new neighborhood will support Hampton's visions of being "a community of choice that preserves and builds for future generations" and "achieve beauty, health, access and management of its waterway resources unparalleled in the lower Chesapeake Bay."