

STAFF EVALUATION

To: Planning Commission

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Case No.: Rezoning Application No. 18-00010

Date: December 20, 2018

General Information

Description

This rezoning is intended to be adopted along with a series of zoning ordinance amendments that are the culmination of an effort to develop the appropriate zoning regulations for the commercial core of Phoebus in order to facilitate the type of land use and development envisioned in the Phoebus Master Plan (2007, as amended). While Phoebus has a single special district, it is apparent that the district does not adequately address the variation in the historic, existing, and desired development patterns along Mellen and Mallory Streets. The three proposed districts are the Urban Core (PH-1), Phoebus Town (PH-2), and Commercial Transition (PH-3). These districts are largely focused on form as each permits the same uses. They effectively move from a small but compact scale to a more suburban development pattern.

This staff report is for the application of the suburban leaning district (PH-3) to certain properties. This district is intended to set the edge for the mixed-use center of Phoebus by providing opportunities for more auto-oriented development while maintaining some sense of the traditional development character of Phoebus and improving pedestrian accessibility.

Generally this district:

- Limits uses to those appropriate for a pedestrian-oriented commercial district. These uses will be the same uses that are currently permitted in the PH-1 district.

Development standards:

- Newly created lots will have to have a minimum depth of ninety (90) feet and connect to an alley or similar adjacent right-of-way if available.
- There is no maximum building size.
- Structures with residential uses on the first floor will be required to have a first finished floor at a minimum of thirty (30") inches above grade.

Setbacks:

- Commercial development may be setback up to 45 feet from the street, which allows for a drive aisle, one row of parking, and the requisite screening.
 - Residential development is permitted the same 15 feet of setback as in PH-1 and PH-2.
 - Buildings must take up at least 50% of the lot width within the front setback area.
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Signage:

- As with PH-1 and PH-2, this Phoebus district includes unique signage opportunities such as signs painted on buildings, relatively short roof top signs, and neon signs.
- Permitted signage would generally be scaled for pedestrians and slower speeds.
- Monument and pole signs typical of higher speed roads would not be permitted.

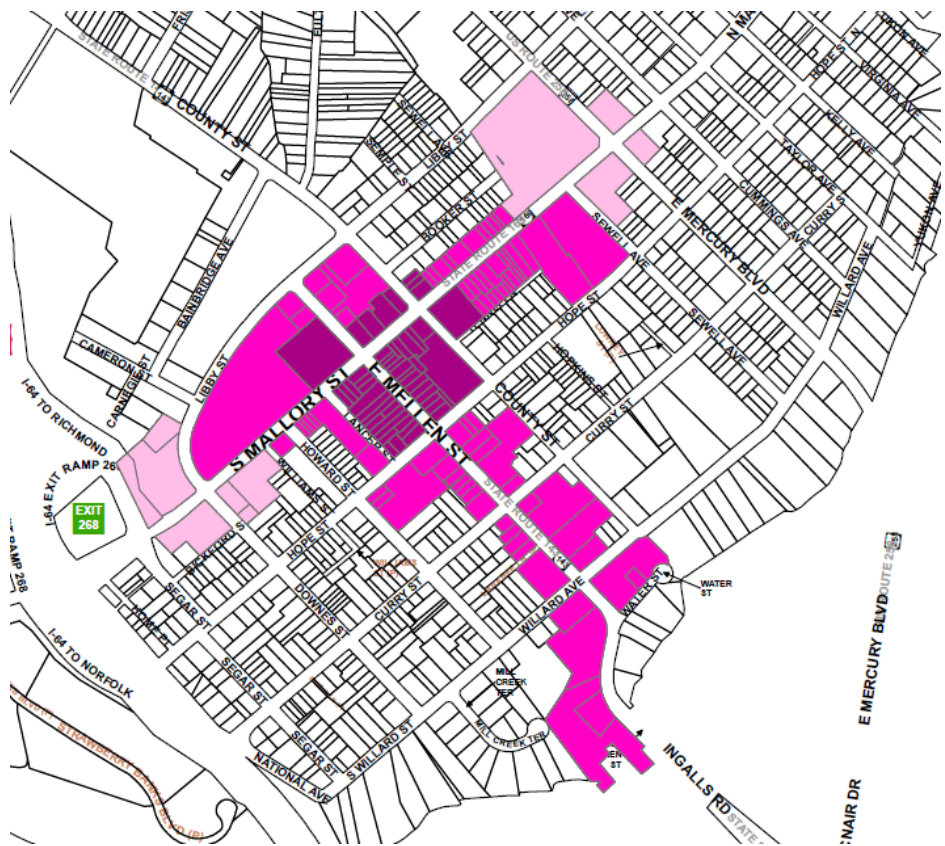
Building height:

- All buildings shall be a minimum of 18' and a maximum of 50' in height.

Parking:

- PH-3 is not included in the parking exemption like PH-1 and PH-2.

Only the properties to which PH-3 is directly applied will be affected by the proposed ordinance changes. In the future, property owners could submit a rezoning application in an effort to have the district applied to their property or have a property already in the PH-3 district rezoned into another district. As with all rezoning applications, staff would review the proposal against the adopted policies, including the Phoebus Master Plan (2007, as amended), and deliver a recommendation to Planning Commission and City Council as to whether or not the proposal furthers the City's policies. Planning Commission would vote on a recommendation to City Council, and City Council holds the authority to decide whether or not the proposed change is granted.



Proposed Zoning district, Phoebus Business (PH-3) District, highlighted in light pink.

Plans and Policies

In 2013, City Council adopted an update to the Phoebus Master Plan. Generally, the Plan was reaffirmed during the update process. This area is identified as having the potential to develop into a regional attraction. Amendments to the plan provide greater clarification on the appropriate form of development for the commercial core.

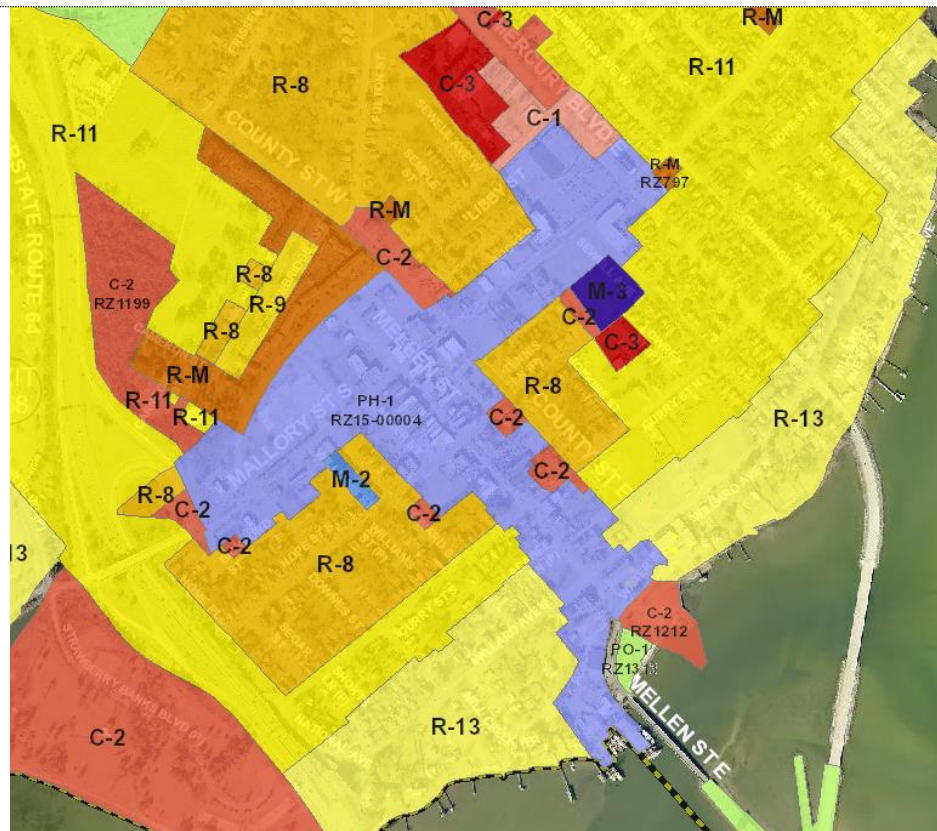
Development regulations in the historic, commercial core of Phoebus should work to maintain the remaining historic structures, which form the backbone of the community, while leading to appropriate infill development supportive of the pedestrian friendly atmosphere and character of the neighborhood. Due to the way the commercial district evolved over time, there are single family residential buildings, many of which were converted to commercial uses, in addition to the traditional mercantile mixed-use buildings. While these varied forms exist, traditionally, the development pattern places parking at the rear of the property and leaves the front of the development free to pedestrians.

Three distinct subareas also exist. There is a denser core from the key gateway of County and Mallory Streets, the more suburban and auto-oriented areas near the interstate interchange and the intersection of Mercury and Mallory Streets, and a third segment that offers an opportunity to expand the urban core with pedestrian oriented development while maintaining and enhancing certain historic elements, like the post office and New American Theater.

This particular rezoning is focused on the areas more suburban and auto-oriented in nature. These areas should be developed or redeveloped over time in a way that is supportive of the entry to main street Phoebus and as a gateway to Fort Monroe.

Existing Regulations

Properties are currently zoned Phoebus Business (PH-1) District following Rezoning 15-00004.



Existing zoning districts.

When the update to the Phoebus Master Plan was adopted in 2013, a series of action items was produced. Topping the list of action items was the analysis of existing zoning and development of appropriate zoning regulations for the commercial core of historic Phoebus. Zoning Ordinance Amendments No.167-2015 and 171-2015 through 175-2015 along with Rezoning Application No.15-00004 were the culmination of those efforts.

While the existing PH-1 district is a good start, with the privilege of hindsight, which includes hearing from the community, seeing new investment, and receiving development inquiries, the City brings forward a series of Zoning Ordinance Amendments as well as two rezonings to refine the zoning of the commercial center of Phoebus. One district does not serve to provide the varied opportunities for development envisioned and appropriate along Mellen and Mallory Streets. There is a relatively dense urban core, a more auto-oriented and suburban development pattern near the interstate interchange and the intersection of Mallory and Mercury. Then there are the areas between the core and the edge as well as the core and the waterfront. This rezoning request deals with the properties on the edges, thus the request to rezone them to PH-3.

The Phoebus Master Plan recommends supporting the mixed-use, historic commercial core as a unique community. The plan also recognizes that gateways to Phoebus, are gateways to historic Fort Monroe. With this in mind, the PH-3 district is developed to permit more suburban scale and auto-oriented development while also providing an introduction to pedestrian friendly elements. For instance, where PH-1 and 2 bring buildings to the back of the sidewalk, PH-3 permits the building to be setback from the street far enough to allow for a drive aisle and one row of parking. While the pavement for vehicles is permitted between the building and street in PH-3, the district also requires the front door to face the street and a clear pedestrian path, such as a sidewalk or colored and stamped concrete, to connect the front door directly to the public sidewalk. With such standards, PH-3 is the district that most readily accommodates mid to large

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sized single user commercial development or strip commercial development of the three districts.

Staff recommends approval of Rezoning No.18-00010.