

STAFF EVALUATION

To: City Council

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Bonnie Brown, Deputy City Attorney

Case No.: Rezoning Application No. 18-00005

Date: November 14, 2018

General Information

Applicant Freedom Life Church

Property Owner Ivy Memorial Baptist Church

Site Location 2220 Coliseum Drive [LRSN:7001695]



Requested Action Amend the proffered conditions from Rezoning 899 which was adopted in September 1987

Description of Proposal Permit flexibility in screening the property along the rear property line. The current condition requires the construction of a brick wall. The proposal is to permit other types of fencing along with vegetative screening.

Existing Land Use Vacant

Zoning Neighborhood Commercial (C-1) District with proffered conditions, Coliseum Central Overlay (O-CC) District

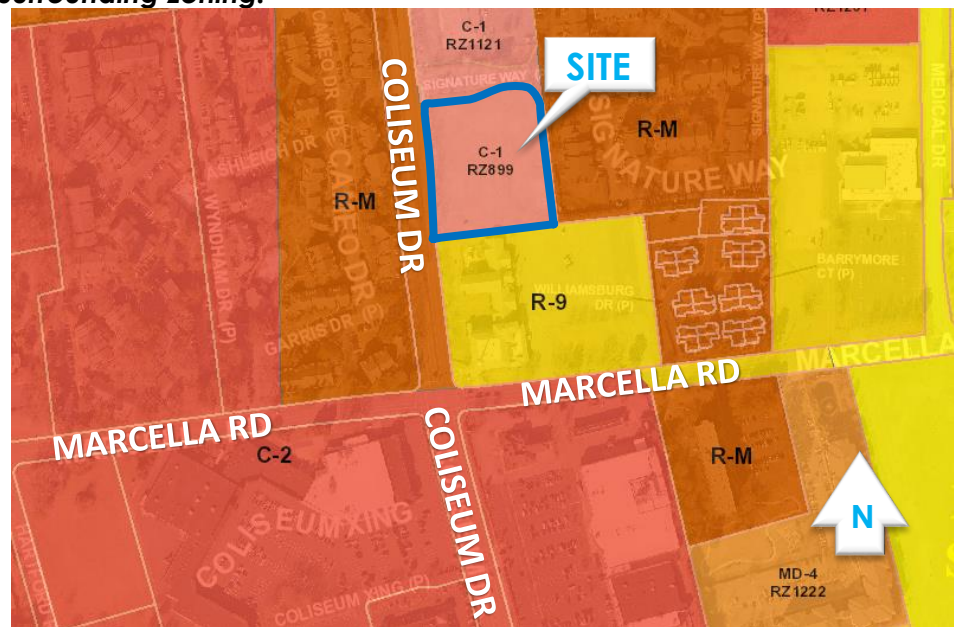
Surrounding Land Use and Zoning

North: Neighborhood Commercial (C-1) District and Coliseum Central Overlay (O-CC) District; medical office

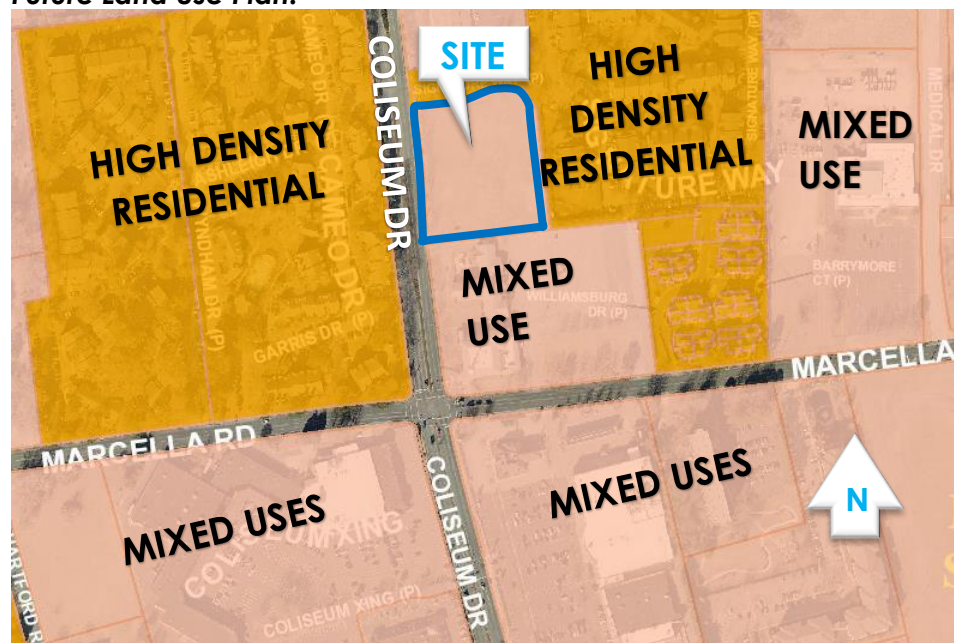
South: Residential (R-9) One-Family District and Coliseum Central Overlay (O-CC) District; church

East: Residential (R-M) Multiple Residential District and Coliseum Central Overlay (O-CC) District; apartments

West: Residential (R-M) One-Family District and Coliseum Central Overlay (O-CC) District; apartments

Surrounding Zoning:**Public Policy**

The Hampton Community Plan (2006, as amended) recommends "Mixed-Use" for the site.

Future Land Use Plan:

	<p><u>Land Use and Community Design Policies</u></p> <p>LU-CD Policy 18: Promote the important role of trees, quality landscaping, and public open spaces in defining the image of the city. Encourage connections between open spaces and community facilities.</p> <p>The Coliseum Central Master Plan (2015, as amended) identifies this site for potential residential development.</p>
<i>Zoning History</i>	<p>This site was rezoned from Multiple-Residence District (R-M) to Neighborhood Commercial (C-1) under Rezoning 899 in September 1987 to allow for a neighborhood commercial center.</p> <p>Neighboring parcel 2240 Coliseum Drive was also rezoned under Rezoning 899. In May 2000, City Council approved Rezoning 1121 for 2240 Coliseum Drive to amend the condition that requires a five foot brick fence, and replace that requirement with a 5 foot fence with evergreen landscaping or a continuous evergreen screen capable of attaining a height of 5 to 6 feet.</p>
<i>Traffic & Parking Impacts</i>	Amending the existing proffer will not generate any impacts on the transportation network.
<i>Environmental</i>	This proposed change will not have a significant environmental impact on the site.
<i>Community Meeting</i>	A community meeting was held on Tuesday October 9th at 6:30PM.

Analysis

Rezoning Application No.18-00005 is a request by Freedom Life Church to rezone 2220 Coliseum Drive to amend the proffered conditions from Rezoning No. 899. Rezoning No. 899 was adopted in September 1987 in connection with a neighborhood commercial center proposed by Dominion Park Associates. The zoning conditions placed on the site were specific to the project proposed at that time, which also included adjacent properties. These conditions included a conceptual site plan and building elevation review, restrictions on permitted uses, and a five foot high brick fence with landscaping to be placed along the eastern property line, which abuts the apartments to the rear.

As proposed by this rezoning application the proffered condition which requires a five foot high brick fence with landscaping to be placed along the eastern property line would be replaced with another condition which requires a five foot high fence of any material along with evergreen landscaping or a continuous evergreen screen capable of attaining five to six feet of height. All other substantive proffered conditions would remain the same.

The parcel is currently zoned C-1 with proffered conditions following rezoning No. 899. Permitted uses include but are not limited to retail sales, banks, general offices, and restaurants. One of the conditions on the existing rezoning restricts the parcel from becoming a mobile home park, massage parlor, gas station, or commercial parking facility use. The current owner intends to use the site for an overflow parking lot for the church. However, they wish to retain the current right to develop the property or sell the property for commercial development in the future.

The Hampton Community Plan (2006, as amended) recommends mixed-use for the subject property. The amendment to the rezoning would not change the existing religious facility use, and therefore supports the land use plan. This proposal supports the Hampton Community

Plan (2006, as amended) which promotes the important role of trees and quality landscaping in defining the image of the city. The Coliseum Central Master Plan (2015, as amended) identifies this site for potential residential redevelopment.

An adjacent property, 2240 Coliseum Drive [LRSN: 7001699], was also included in Rezoning No. 899, In 2000, Rezoning Application No. 1121 was requested for 2240 Coliseum Drive and approved by City Council. Like the current application, Rezoning No. 1121 amended the condition requiring a five foot brick fence and replaced it with another condition requiring a five foot fence with no material restrictions with evergreen landscaping or a continuous evergreen screen capable of attaining a height of five to six feet. This case sets a precedent that supports approval of the amendment requested by Freedom Life Church.

Staff and Planning Commission recommend **APPROVAL** of Rezoning Application No. 18-00005 with eight proffered conditions.