

## STAFF EVALUATION

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To: City Council

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728-5237

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Bonnie Brown, Deputy City Attorney

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Case No.: Rezoning Application No. 19-00004

Date: July 10, 2019

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### General Information

Applicant	City of Hampton
Property Owners	R. Hayden Smith, Inc.
Site Location	3 S. Curry Street [LRSN 12001144]

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Requested Action	To rezone .11 ± acres from Limited Commercial (C-2) to Phoebus Town (PH-2) District.
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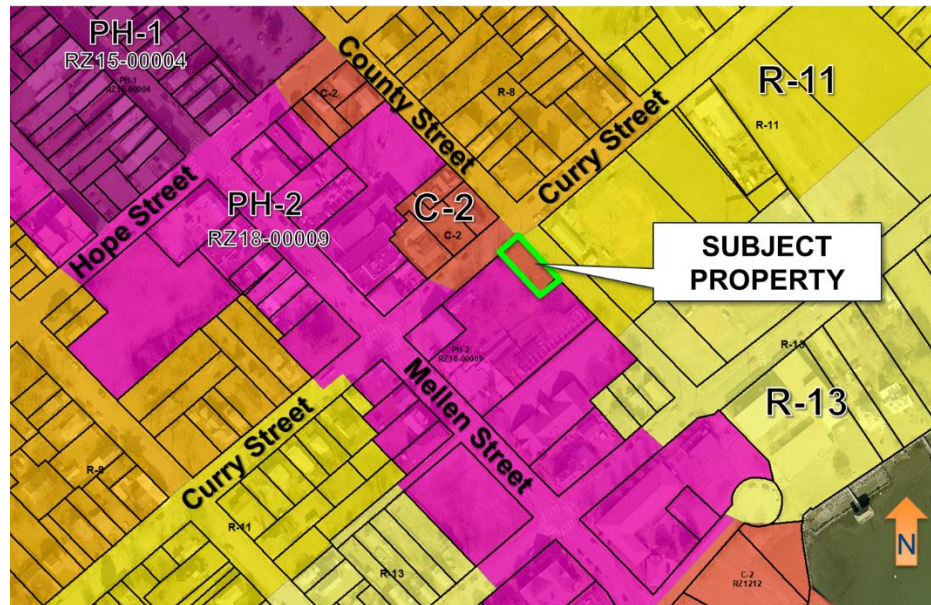
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Description of proposal	<p>This staff report is for the application of (PH-2) to the subject property. This request is an amendment to the comprehensive rezoning that was approved by City Council on January 9, 2019. The subject property, 3 S. Curry Street is zoned Limited Commercial (C-2) District and should have been included in the original amendment.</p>
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City Council approved a series of zoning ordinance amendments, along with rezonings to implement the amendments. The subject properties were within the commercial core of Phoebus, along Mellen and Mallory Streets and the edge of some secondary streets. In order to facilitate the recommendations of the Phoebus Master Plan, (2013 as amended) of enhancing and expanding urban and mixed-use development in the PH-2 District. The commercial core of Phoebus along Mellen and Mallory Streets and the edge of some secondary

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streets is intended to be an active area for shopping, dining, entertainment, and other comparable uses.



Proposed Zoning district, Phoebus Business (PH-2) District, outlined in green, and denoted subject property. Currently, the subject property is zoned Limited Commercial (C-2) as shown.

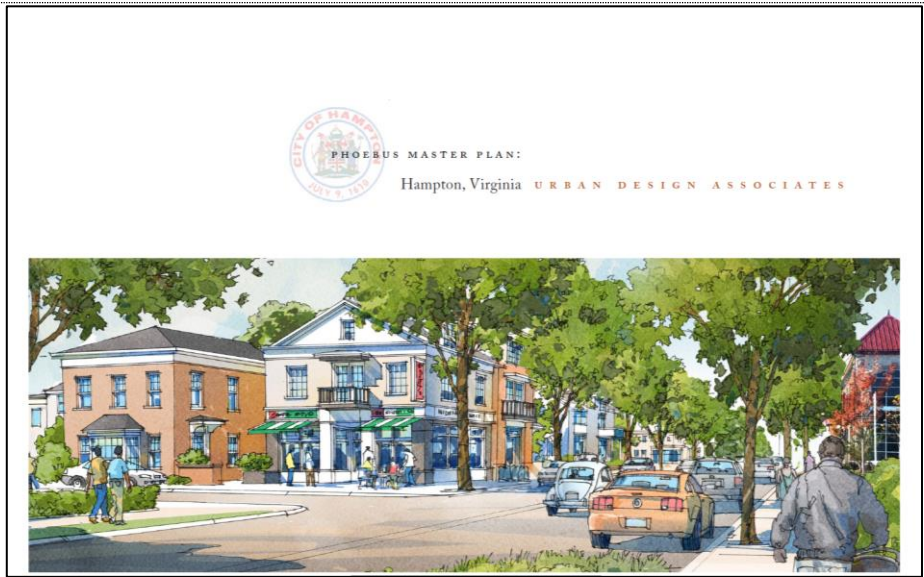
#### Plans and Policies

Land use development policies for the subject property is included in the Future Land Use Plan and the Phoebus Master Plan, (2013 as amended).



The Future Land Use Plan recommends the subject property and much of the commercial core of Phoebus as Mixed-Use. The areas outside of the commercial core is recommended for medium density residential development.





The Phoebus Master Plan (2013, as amended) is identified as having the potential to develop into a regional attraction, featuring a pedestrian-friendly and eclectic variety of residential, commercial, and entertainment uses. The Plan includes guidance on the building form and design for development and the location of parking. While these varied forms exist, the development pattern places parking at the rear of the property and leaves the front of the development free to pedestrians. The Plan also highlights the significance of Mellen and Mallory streets as gateways to Fort Monroe.

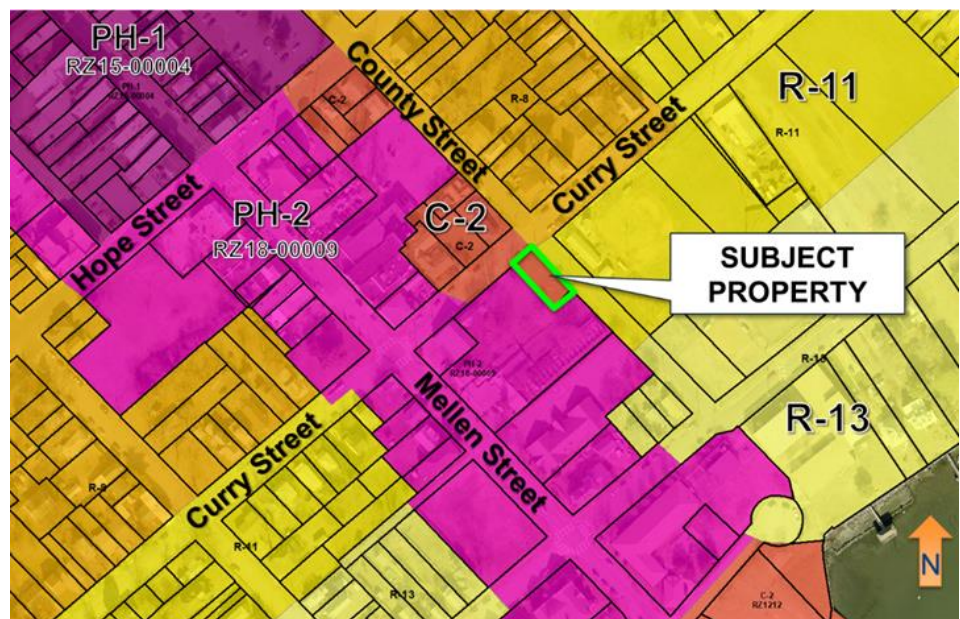
#### Existing Regulations

**North:** C-2 (Limited Commercial), R-8 (Single-Family Residence), R-11 (Single-Family Residence): houses and Phoebus ball fields

**South:** PH-2 (Phoebus Town): micro-cidery

**East:** PH-2 (Phoebus Town), R-11 (Single-Family Residence): American Legion hall, Phoebus ball fields, and St. Mary Star of the Sea School

**West:** PH-2 (Phoebus Town), C-2 (Limited Commercial): micro-cidery, lighting and repair shop, other businesses, houses



*Analysis*

This request is an amendment to the comprehensive rezoning that was approved by City Council on January 9, 2019. The subject property, 3 S. Curry Street is zoned Limited Commercial (C-2) District and should have been included in the original amendment.

City Council approved a series of zoning ordinance amendments along with rezonings to implement the amendments. The affected properties were within the commercial core of Phoebus along Mellen and Mallory Streets and the edge of some secondary streets. This action was taken to promote future development aligned with the vision of the community and the Phoebus Master Plan (2013, as amended). Two new Phoebus districts were created, making a total of three districts. The districts now allow for a more appropriate gradation of urban mixed-use development that is most dense around the intersection of Mellen and Mallory Streets and generally getting less dense moving away from the intersection.

The Hampton Community Plan (2006, as amended) and Phoebus Master Plan (2013, as amended) recommend the development of a mixture of residential and commercial land uses in a pedestrian oriented development pattern for this area.

Approval of this rezoning would change 3 S. Curry Street to PH-2, in order to ensure the properties that comprise Sly Clyde Ciderworks (207 E Mellen Street [LRSN: 12001143] and 3 S Curry Street [LRSN: 12001144]) have the same zoning district of PH-2. Additionally, the current C-2 zoning on 3 S. Curry does not permit micro-brewery/winery/cidery use, much less live entertainment in conjunction with a micro-brewery/winery/cidery.

**Staff and Planning Commission recommend approval of Rezoning No.19-00004 with no conditions.**