



## Legislation Text

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**File #:** 17-0369, **Version:** 1

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Ordinance to Amend and Reenact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 8, Article 7 Entitled, "Phoebus Districts".

### **Background Statement:**

In October of 2015, Council approved a Zoning Ordinance Amendment that created a special district for the Phoebus area of Hampton. Referred to as PH-1 in the Zoning Ordinance, this new district was generally applied to properties fronting Mellen St and Mallory St, in what is commonly known as the historic Phoebus business district. The zoning district's purpose is to ensure new/infill development along Phoebus's historic main street is contextually sensitive, reinforces the district's sense of place, and generally enhances the downtown area.

Sec. 8-62(3)(e) of this Ordinance states that "All buildings shall be a minimum of 18' and a maximum of 50' and 3 stories in height". The intent is to ensure that new buildings do not overwhelm the existing scale of the Phoebus business district while also permitting height that entices new investment, makes mixed-use buildings more likely, and allows for greater density to support the commercial district.

Staff recommends striking the language "and 3 stories" as it places an artificial cap on the interior use of the building. Four (4) stories readily fits within a 50' tall building. Additionally, many newer or retrofitted multifamily buildings now have rooftop recreational areas including a clubhouse type of room. As the ordinance is currently written, if a developer wanted to construct a building with three stories of residential or mixed-use with a rooftop recreational area and club room, he or she could not due to the restriction on number of stories.

Staff has briefed the Partnership for a New Phoebus on the proposal, and the organization has voiced no opposition

### **Recommendations:**

Staff Recommendation:

Approve

Planning Commission Recommendation:

Approve

**Whereas**, the public necessity, convenience, general welfare and good zoning practice so require;

**BE IT ORDAINED** by the Council of the City of Hampton, Virginia that Chapter 8, Article 7 of the

Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:

**CHAPTER 8 - SPECIAL DISTRICTS**

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**ARTICLE 7 - PHOEBUS DISTRICTS**

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**Sec. 8-62. - PH-1 District - Phoebus Business**

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- (3) Development standards.

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- (e) Height.

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