

STAFF EVALUATION

To: Planning Commission

Prepared By: Donald Whipple, AICP

728-5235

Reviewed By: C. Butler, AICP

728-5231

Case No.: Rezoning Application 1256

Date: October 4, 2007

General Information

Applicant

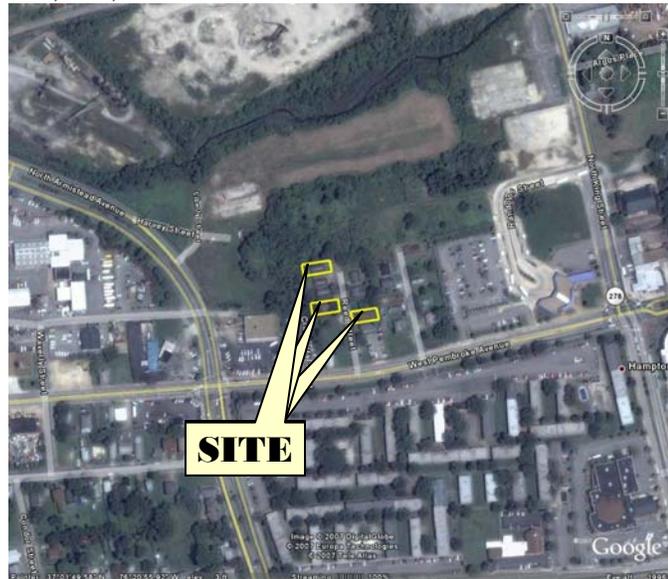
Allen C. Tanner, Jr.

Owner

Fox Mill Associates, LLC

Location

413, 414, 419 Reed Street



Requested Action

Rezone properties to One-Family District (R-9)

Existing Zoning

General Commercial District (C-3)

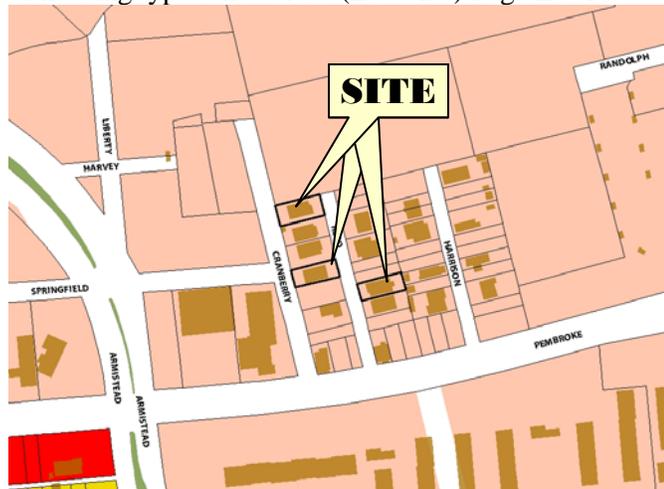


Background Information

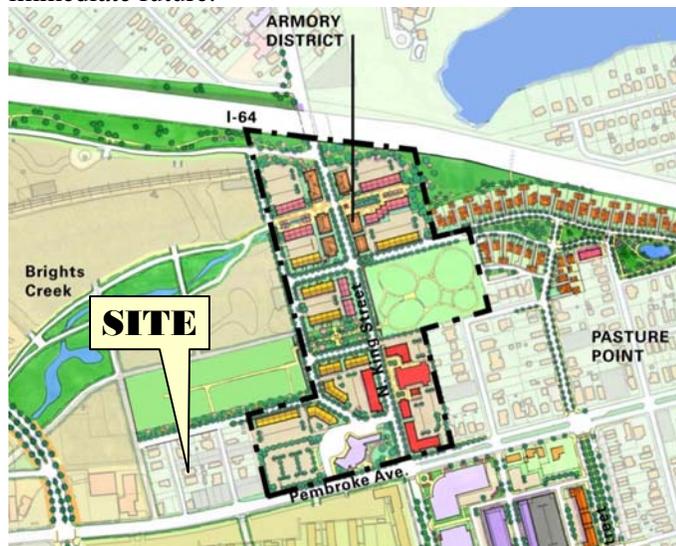
- This area was rezoned through a City-sponsored rezoning action in 1985 from Light Manufacturing District (M-2) to General Commercial District (C-3).
- In November 1989, the Zoning Ordinance no longer permitted residential use in a C-3 district; therefore the residences became non-conforming uses.

<i>Existing Land Use</i>	➤ On January 8, 1992, 424 Reed Street was rezoned from C-3 to R-9 413, 414, and 419 Reed Street each contain a single-family residence on individual 0.08+/-0.10 +/- acre site.
<i>Surrounding Land Use and Zoning</i>	<p>North: Vacant land, cemetery; zoned Limited Manufacturing (M-1)</p> <p>South: Pembroke Avenue, Harbor Apartments; zoned Special Public Interest – Old Hampton (SPI-OH)</p> <p>East: Harrison Street (7 single-family residences), HRT Bus Station; zoned General Commercial (C-3)</p> <p>West: Used car sales; zoned General Commercial (C-3)</p>

Public Policy The Hampton Community Plan (2006, as amended) recommends mixed-use development. It also recommends encouraging and maintaining a diverse mix of housing types and values (LU-CD4) Page LU-16.



The Downtown Hampton Master Plan recommends that the existing small neighborhood remain intact for the immediate future.



<i>Applicable Regulations</i>	<ul style="list-style-type: none"> ➤ The R-9 District permits one-family residences with a minimum standard of 1,500 sq. ft. dwelling size, 6,000 sq. ft. lot size, and 60 feet lot frontage. ➤ The averages of the existing dwellings on Reed and Harrison Streets are 1,036 sq. ft. dwelling size, 4,500 sq. ft. lot size, and 46 feet lot frontage. ➤ The applicant has proffered one (1) condition: <i>We will continue to improve and upgrade the properties to meet City Code requirements.</i>
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Impact Analysis

<i>Traffic/Parking</i>	The three residences currently exist and there are no new dwellings proposed with this application; thus, the traffic and parking would not be further impacted.
<i>Schools</i>	Since the residences currently exists there would be no additional students added to the system.
<i>Environmental</i>	There is no new development proposed that would environmental impacts to the site.
<i>Utilities</i>	Existing utilities serve the site.

Analysis

The owners have purchased and rehabilitated 413 Reed Street and are currently renting 414 and 419 Reed Street. They seek to rezone the three subject properties from C-3 to R-9 in order to sell to potential homebuyers; however, no lender will finance these properties with the current C-3 zoning. Each of the three individual lots contains an existing single-family residence. The geographic area in which these properties are located is small, consisting of vacant lots and small number of residential structures that are adjacent to a cemetery, commercial properties, and an intensive manufacturing district. Reed Street and Harrison Street contain a combined 17 single-family residences, 10 of which have been constructed since the mid-1980's. In that residential uses are not allowed in the C-3 District, these existing residential dwelling are non-conforming uses. The existing C-3 zoning permits a variety of high intensity commercial uses, some which permit outdoor and semi-industrial operations. Adjacent properties west of Reed Street and east of Harrison Street are zoned and used for commercial development. Residential development is not a compatible land use with intensive commercial development. At the time of the 1992 rezoning application (RZ# 994), the Comprehensive Plan (1989) and *Downtown Plan* (199) targeted this area as a mixed use/service retail area due to its proximity to Downtown. Based on those plan recommendations, staff and Planning Commission both recommended denial. However, City Council approved Rezoning Application #994 on January 8, 1992 to rezone 424 Reed Street to R-9, with the recommendation that the Planning Commission review the entire area with regard to residential zoning versus commercial zoning.

Fifteen years later, the Hampton Community Plan (2006, as amended), continues to support previous plan proposals that visualize the development potential for this area as mixed-use, building on the redevelopment of downtown. As defined in the Plan mixed-use “encourages the development of two or more compatible land uses and densities as the primary uses within one parcel, building structure, or the same block.” Citywide policies from the Plan call for promoting a diverse mix of housing choices. At the district level (downtown), the Plan policies recommend adhering to the direction of the district master plan with respect to identifying specific land uses and community design that are

unique to the individual district. Under the Brights Creek and Armory District initiatives of the *Downtown Master Plan* (2004, as amended), the existing small neighborhood is shown intact for the immediate future as the land to the north is recommended for neighborhood development and mixed-use development to the east and west. The specific recommendation states “Work with property owners to create a new in-town neighborhood between Downtown and the northern edge of the proposed Brights Creek Greenway.” Other recommendations from the Armory District initiative reflect the Hampton Roads Transit site (east of the subject property) as a potential mixed-use redevelopment site. This is a long-term recommendation dependent upon the solidification of the performance venue and supporting commercial activities and residential units around the Armory along N. King Street. The only direct reference to the existing residential refer to new mixed-use buildings “located on sites adjacent to the existing single family residential areas should be respectful of the scale of individual homes.” While at first glance it may appear that supporting this rezoning request would be inconsistent with the City’s adopted plans for this area, the Downtown Plan maintains the existing residential for the immediate future. Although the long-term future of the neighborhood could be threatened with redevelopment as the Armory District strategy unfolds and the used car dealerships and the HRT station on either side of the neighborhood are redeveloped, staff recommends the proper action at the present time would be to approve the rezoning request. Approving the request would permit home ownership and reinvestment to occur in the neighborhood, which supports further supports other City goals and objectives pertaining to Hampton neighborhoods and housing.

The applicant has proffered one condition: We will continue to improve and upgrade the properties to meet City Code requirements. A community meeting was held by the applicant on September 26, 2007. The general consensus of those in attendance expressed their support of rezoning the properties to residential for single-family uses.

Staff recommends approval of this application.