

STAFF EVALUATION

To: Planning Commission

Prepared By: C. Butler, AICP

728-5231

Reviewed By: T. O'Neill

727-6140

Case No.: Rezoning Application 1257

Date: September 6, 2007

General Information

Applicant

George E. Gaynor

Owner

Ronyag, Ltd.

Location

675, 677, 681 and 691 Greenbriar Avenue



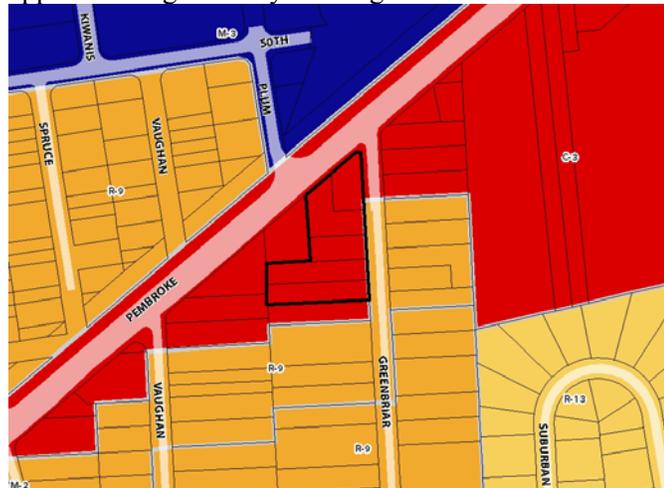
Requested Action

Rezone properties to Multiple Dwelling District (MD-4)

Existing Zoning

Base Zoning: General Commercial District (C-3)

Overlay Districts: Special Public Interest-Infill Housing District (SPI-IH) is not applicable as it only applies to single-family housing.



Background Information

- Years ago, the applicant developed apartments at 675, 677 and 691 Greenbriar Avenue under their C-3 zoning, which at the time permitted apartments under the Multiple Residence District (R-M) standards.
- During one of the Greater Wythe planning processes, the owner of 681 Greenbriar Avenue approached the applicant about purchasing this property, which is

sandwiched between the applicant’s existing apartments and real estate office. The applicant now proposes to build apartments on this site.

●C-3 does not permit multi-family development. Earlier this year, the applicant was inadvertently permitted to go through the site plan process to expand the existing nonconforming development at the R-M standards onto 681 Greenbriar Avenue. By the time the error was realized, the applicant had invested a significant amount of money and time in the site plan process.

●To resolve the issue, City staff asked the applicant to request a rezoning of all four properties to the MD-4 category, which will make the existing apartments conforming uses. This will also eliminate the possibility of future C-3 uses being built by right on these properties.

Existing Land Use

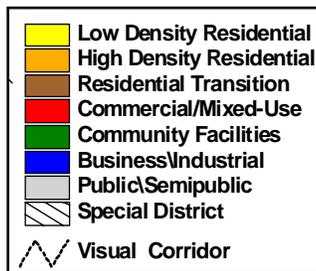
675 and 677 Greenbriar Avenue each contain four 2-bedroom units and 691 Greenbriar Avenue contains twelve 1-bedroom units. 681 Greenbriar Avenue contains a single family house that will be demolished and replaced with a two-story building containing ten 1-bedroom units. In total, there will be 30 units on the 1 ± acre site.

Surrounding Land Use and Zoning

North: Pembroke Avenue, C&O rail line; Heavy Manufacturing District (M-3)
South: Applicant’s contractor’s office; One Family Residence District (R-9)
East: Three contractors and one vacant property; General Commercial District (C-3); two vacant properties and one single family house; R-9
West: Applicant’s real estate office; C-3

Public Policy

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



The Greater Wythe Area Plan recommends that commercial properties along the Pembroke Avenue

<i>Applicable Regulations</i>	<p>corridor should have a minimum depth of 200’ to be viable as commercial uses.</p> <ul style="list-style-type: none"> ● Three of the four parcels (675, 677 and 691 Greenbriar Avenue) have already been built under the RM standards, which has a minimum lot area of six thousand (6,000) square feet and requires a minimum dwelling unit size of eight hundred (800) square feet. ● The MD-4 District permits multi-family units with a minimum dwelling unit size of five hundred (500) square feet. There is no minimum lot area required in the MD-4 category. The maximum building coverage area is fifteen percent (15%) of the lot, of which a minimum of forty percent (40%) must be maintained as green area. ● The applicant has received variances from the Board of Zoning Appeals for MD-4 standards that the development cannot meet.
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Impact Analysis

<i>Traffic/Parking</i>	<ul style="list-style-type: none"> ● 10 new one-bedroom apartments will generate 33 average daily vehicle trips. ● Traffic on this section of West Pembroke Avenue operates at a Level of Service (LOS) of “B”. The addition of 10 new apartments will not have any effect on the LOS. ● The existing and new apartment units meet the parking requirements.
<i>Schools</i>	<p>The 10 new apartment units will produce 0.9 students for Hampton City Schools. This number is negligible.</p>
<i>Environmental</i>	<p>The existing and proposed apartments pose no environmental impacts to the site.</p>
<i>Utilities</i>	<p>Existing utilities serve the site.</p>

Analysis

The applicant controls a triangle of property at the southeast intersection of Greenbriar Avenue and West Pembroke Avenue. The recommended land use is low density residential. The existing land use is high density multi-family apartments and a single-family house, both of which are non-conforming uses in their commercial zoning category. The zoning is C-3, which permits a variety of high intensity commercial uses, some which permit outdoor and semi-industrial operations. Adjacent properties are primarily zoned and used for commercial enterprises, several of which have outdoor storage.

At the City’s request, the applicant has agreed to request a rezoning to MD-4. This is not a perfect solution, in that we are trying to impose current zoning standards on existing multi-family development and one new apartment building. On balance, however, the MD-4 zoning presents an opportunity to legitimize the existing uses through correct zoning and provides predictability in the land use. This rezoning will make the existing and proposed apartments conforming uses. It will eliminate the C-3 zoning and the opportunity for future incompatible and undesirable uses.

Staff recommends approval of this application with no conditions.