



**Francisco Landing Holdings, LLC  
Rezoning from B-1, Downtown Central  
Business District to B-1/PUD, Planned  
Unit Development District**

*Staff Report prepared for the Planning Commission Regular  
Meeting – July 12, 2018*

Revised July 29, 2018

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*This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission to assist them in making an informed decision on this matter.*

**I. PUBLIC HEARINGS/MEETING:**

Planning Commission:	July 12, 2018	Public Hearing held Vote tabled
Planning Commission meeting	August 2, 2018	Pending

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

Proposed Zoning:	B-1/PUD, Planned Unit Development
Existing Zoning:	B-1, Downtown Central Business District
Parcel Size:	6.61 acres
Parcel IDs#	299-0005, 299-0010, and 011-0806
Owner:	City of Hopewell
Location of Property:	Appomattox Street, Lots 1 & 2, Copeland Subdivision and Lots 1, 2 and 3, Block 16 B Village Subdivision
Election Ward:	Ward 7
Land Use Plan Recommendation:	Commercial with transitional multifamily
Zoning of Surrounding Property:	North: B-1

South: B-1  
East: R-2  
West: B-1/R-2

### **III. EXECUTIVE SUMMARY:**

The City of Hopewell entered into a legally binding Letter of Intent with W.E. Bowman Construction Inc. on the 11<sup>th</sup> day of July 2017 to analyze the possibility of developing property identified as Lots 1 & 2, Copeland Subdivision and Lots 1, 2 and 3, Block 16 B Village Subdivision, further identified as Sub-Parcel's 299-0005, 299-0010, and 011-0806. The Letter of Intent was renewed on January 5, 2018. As the agent, W. E. Bowman, is requesting to rezone the above subject property from Downtown Central Business District (B-1) to a Planned Unit Development (PUD).

### **IV. FUTURE LAND USE**

The Hopewell 2028 Comprehensive Plan, adopted April 24, 2018, identifies the City's downtown as Priority Planning Area 1. The property is also located in the Urban Development Area (UDA). The future land use plan identifies the properties in question as Downtown Commercial Mixed Use. The property is also located in the Urban Development Area (UDA).

### **V. APPLICABLE CODE SECTIONS:**

The provisions of the Zoning Ordinance that are germane to this rezoning request are found in Article XXI, *Amendments*, and include the following:

Article XXI-A, *Initiation*:

"Whenever public necessity, convenience, general welfare or good zoning practice require, City Council may amend, supplement, or change this ordinance, including the schedule of district regulations and the official zoning map. Any such amendment may be initiated by resolution of City Council, by motion of the Planning Commission, or by petition of any property owner addressed to City Council."

Article XXI-B, *Action by Planning Commission*

"In recommending the adoption of any amendment to this ordinance, the Planning Commission shall fully state its reasons for any such recommendations, describing any change in conditions, if any, that it believes makes the amendment advisable and specifically setting forth the manner in which, in its opinion, the amendment would be in harmony with

the Comprehensive Plan of the City and would be in furtherance of the purpose of this ordinance."

Article VIII. Planned Developments:

See Attachment

**VI. SUBJECT PROPERTY:**

The subject property is located on Appomattox Street. It includes Lot 1 and 2 of the Copeland site, previously the location of Patrick Copeland Elementary. It also includes a corner lot located across the street from the Beacon Theater at the corner of Appomattox Street and Randolph Road (Route 10). The total acreage of the combined properties is 6.6.1. The breakdown of acreage of each property is shown below.

Lot 1, Copeland Subdivision: 3.6 acres

Lot 2, Copeland Subdivision: 2.492 acres

Lots 1, 2, and 3, Block 16, B Village Subdivision: .540 acres

**VII. STAFF/ZONING ANALYSIS:**

The intent of Planned Unit Developments is to permit development in accordance with a master plan of cluster-type communities under one ownership or control. Within the Planned Unit Developments, the location of all improvements shall be controlled in such a manner as to permit development with the greatest amount of open area and the least disturbance to natural features.

On June 12, 2018 City Council amended Article VIII Planned Developments of the City of Hopewell Zoning Ordinance to allow the B-1 Zoning District to be added as a Zoning Classification where a Planned Unit Development is permitted. The amended ordinance permits higher density, mix of use development in the area designated as the B-1 zoning district.

The development of this PUD will be phased. Phase 1 include Buildings G-1 & G-2, Plaza, Promenade and Storm water management features required for the development. The construction of this phase is estimated to take 12 months and is estimated to cost \$15,500,000. A table showing the remaining four phases is provided on page 6 of the concept plan.

Comprehensive Plan

The developer must prove that the proposed development is compatible with the 2028 Comprehensive Plan. The developer has offered a narrative of the relationship of the development to the plan on page 7.

#### Setbacks, Conceptual Plan and Layout

Please read the applicant's narrative regarding the conceptual plan layout on page 3, and the actual layout on Exhibit D

#### Land use plan

The land use plan is shown on Exhibit D. It shows the location and arrangement of all proposed land uses. Page 3 provides a narrative of the land use designations of the plan.

#### Density

The Zoning Ordinance sets a controlled density of 50 units per acre. As such, the applicant is requesting the approval of 179 multi-family units be developed on 6.61 acres.

#### Open Space

A PUD is required to have open space of not less than fifty (50) percent of the total gross area of the Planned Unit Development. The open space element is defined as area that is not improved with a building, structure, street, road parking area, or sidewalk.

Within the open space, the required developed recreational space shall not be less than ten (10) percent of the total gross area of the Planned Unit Development. The developed recreational space is defined, per the Zoning Ordinance, as the portion of the open space within the boundaries of the PUD which is improved for recreational purposes. Those recreational improvements may include passive and active recreational uses.

The applicant has demonstrated that 50 percent of the development will be open space. See page 4 for a tabulation of the open and recreational space and Exhibit F for an illustration.

#### Height/Screening

The maximum permitted height for multifamily housing in the B-1 Zoning District for PUD is 50 feet. The applicant has submitted a conceptual design of the building that indicates the buildings will be no more than four story above grade of no more than 50 feet in height excluding additional roof top features that are being considered on the G-1 and G-2 Buildings.

At this time the exact placement and quantity of elements needed screening such as antennas, or utility boxes has not yet been determined. Article XVIII, Development Standards, requires sufficient screening of all utilities that can be seen from a public right of way. Proper screening will also be reviewed by the Downtown Design Review Committee for all buildings and site locations seen from the public right-of-way.

#### Covenants, Restrictions and Conditions Pertaining to the Use

It is the intent of the developer to convey open spaces ( including the plaza, promenade, amphitheater and green space) back to the City for permanent public use following permanent public use following improvement of the open spaces.

According to the plan, the conveyed open spaces will be covered by restrictions such that they will remain public assets and not be at risk of future development. Following the conveyance the city will be responsible for the governance, upkeep and maintenance of the open spaces.

The developer will be granted access easements to allow for the future construction access and building maintenance access.

#### Total Number of Dwelling Units/Percentage of Occupancy by Structures

A concept plan must provide the total number of dwelling units with a breakdown of the number of bedrooms, the percentage of occupied structures on the property, and the total floor area. Phase I of the development will include Buildings G-1 and G-2 with 75 units and a restaurant. Phase 2, building J will include 50 residential units. Phase 3 will have 54 units for a total residential count of 179 units. Exhibit D and G provide an illustrative representation and table of the bedroom breakdown.

#### Architectural Sketches

Architectural Sketches of buildings G-1 and G-2 have been provided. The Downtown Design Review Committee (DDRC) will review the sketches and other elements of the design of the building and site at their July 11, 2018 meeting. The DDRC's job is to review the design in context of the historic downtown. The Planning Commission should rely on the DDRC to fulfill their duty to ensure the architectural compatibility of the development. Of course, any concerns should be voiced to Staff so that they can be provided to DDRC members. Article XVIII of the Zoning Ordinance and the Hopewell Vision Plan, adopted 2003, outline design guidelines for new construction. City Staff will review these elements such as landscaping, lighting, and signage during the site plan review process. The DDRC will review these elements after Staff's review.

#### Timing and Estimated Cost of Offsite Improvements (road, sewer, drainage facilities)

The developer does not anticipate that the development will require meaningful offsite improvements as it has been represented that existing utilities to the site will be sufficient

to support the planned improvements. The developer will request that the existing utilities be brought to property line or within five (5) feet of the proposed buildings by the City.

#### Traffic Impact Analysis

The developer in partnership with the City and the Hopewell Downtown Partnership has hired Desmond Design Management, a national specialist in the planning and design of parking and transportation improvements. The firm will analyze the parking requirements of the site and how the development will impact the downtown overall. The work product was due prior to the Planning Commission meeting, however, it was not complete at the time this document was complete. The work product will be provided to the Commission as soon as it is ready. Parking and transportation is a crucial element

#### Chesapeake Bay Preservation Overlay

The subject property is not located within a Resource Protection Area. Lots 1 & 2 are adjacent to Lot 3 of the Copeland Subdivision that is within a RPA and a FEMA Flood Hazard area.

### **VIII. PROPOSAL UPDATE:**

At the July 12, 2018 meeting, Staff recommended that the Planning Commission defer a vote on the rezoning in order to review the Desmond Design Management parking and transportation study and to discuss the request by the developer that the City bring existing utilities to the property line or within 5 feet of the proposed buildings.

The parking and transportation study was provided to the Department of Development on July 27, 2018. The Planning Commission should review the report and be prepared to ask questions at the meeting on August 2, 2018. At the time this report was updated, Staff did not have the opportunity to review the study but did receive a verbal summary of its findings. Staff therefore, cannot provide a thorough recommendation at this time. Staff has requested that a representative from Desmond be available telephonically to discuss the study and answer questions from the Planning Commission.

There has been discussion about the request of the developer that the City bring existing utilities to the property line or within five feet on the proposed building. With any new construction within the City, the location and connection of private utilities is the responsibility of the developer and the private utility company (water, gas). The City, however, would work with the developer to ensure City owned utilities are provided within the right-of-way to the property line or within 5 feet. It is the responsibility of the developer to provide utilities on their property that tie into the connection within the right-of-way and to pay for such connection, unless located within the Enterprise Zone where such fees can be waived,

**IX. PROPOSED RESOLUTION:**

The Hopewell Planning Commission recommends *approval, approval with conditions, deferral or denial* with a vote of \_\_\_\_\_ - \_\_\_\_\_ to rezone Sub-parcels 299-0005, 299-0010, and 011-0806 also known as Lots 1 and 2, Copeland Subdivision, and Lots 1, 2 and 3, Block 16 B Village Subdivision, from the Downtown Central Business District (B-1) to a Planned Unit Development (PUD).

Attachments:

1. Rezoning Application
2. Conceptual Plan
3. Parking and Transportation Study