

AT THE WORK SESSION OF THE HAMPTON PLANNING COMMISSION MEETING HELD IN THE COMMUNITY DEVELOPMENT DEPARTMENT CONFERENCE ROOM, 5TH FLOOR, CITY HALL, 22 LINCOLN STREET, HAMPTON, VIRGINIA, ON THURSDAY, JULY 16, 2026 AT 3:00 P.M.

Chair Kathy Rogers called the work session to order at 3:06 P.M.

A call of the roll noted Chair Kathy Rogers, Commissioners Tracy Brooks and Brian DeProfio. Vice-Chair Martha Mugler and Commissioners Keisha Samuels, Joe Griffith and Trina Coleman were noted absent, however, Commissioners Keisha Samuels, Joe Griffith, and Trina Coleman arrived after roll call. Staff in attendance were Secretary/Interim Director Kim Mikel, Interim Deputy Director Steve Lynch, Assistant City Attorney Cory Wolfe, Planning Manager Milissa Story, Zoning Administrator Melvion Fulgham, Deputy Zoning Administrator Chris Langaster, Senior Planner Jay Randolph, City Planner Valerie Taylor, City Planner Quinn Heinrich, and Clerk of Boards and Commissions Arlena Cahoon

The Commission and staff discussed the following information:

Planning Commission Bylaws:

Assistant City Attorney Cory Wolfe noted that the bylaw language regarding member absences has not yet been finalized, as he has not had an opportunity to meet with the City Attorney. He apologized for the delay and stated that he should have a revised draft at the next Planning Commission Meeting.

Planning Commission Training:

Planning Manager Milissa Story noted that due to some Commissioners experiencing difficulties receiving emails, she provided printed copies containing information and links for registering for the training sessions. While many Commissioners had expressed interest in the January session, the August session is entirely virtual and does not require travel.

Youth Planner Report:

Secretary Kim Mikel noted that there would not be a Youth Planner Presentation at the meeting since there will not be a youth planner present.

The work session adjourned at 3:11 P.M.

AT THE REGULAR MEETING AND PUBLIC HEARING OF THE HAMPTON PLANNING COMMISSION HELD IN THE CITY COUNCIL CHAMBERS, 8TH FLOOR, CITY HALL, 22 LINCOLN STREET, HAMPTON, VIRGINIA, ON THURSDAY, JULY 16, 2026 AT 3:30 P.M.

I. CALL TO ORDER

Chair Kathy Rogers called the meeting to order at 3:30 P.M.

II. ROLL CALL

A call of the roll noted Chair Kathy Rogers, Commissioners Keisha Samuels, Joe Griffith, Tracy Brooks, Trina Coleman and Brian DeProfio as present. Vice-Chair Martha Mugler was noted absent. Staff in attendance were Secretary/Interim Director Kim Mikel, Interim Deputy Director Steve Lynch, Assistant City Attorney Cory Wolfe, Planning Manager Milissa Story, Zoning Administrator Melvion Fulgham, Deputy Zoning Administrator Chris Langaster, Executive Project Manager Joshua George, Chief Neighborhood Development Specialist Travis Rash, Senior Planner Jay Randolph, City Planner Valerie Taylor, City Planner Quinn Heinrich, and Clerk of Boards and Commissions Arlena Cahoon.

III. APPROVAL OF MINUTES FROM THE JUNE 18, 2026, PLANNING COMMISSION WORK SESSION AND REGULAR MEETING

A motion was made by Commissioner Joe Griffith and was seconded by Commissioner Keisha Samuels to approve the minutes as amended in work session from the June 18, 2026 Planning Commission Work Session and Regular Meeting.

A roll call vote on the motion resulted as follows:

AYES:	Samuels, Griffith, Coleman, Rogers
NAYS:	None
ABSTAIN:	Brooks, DeProfio
ABSENT:	Mugler

IV. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Chair Kathy Rogers noted that there will be no youth planner presentation and that there are no other items for the director's report.

V. PUBLIC HEARING ITEMS

Secretary Kim Mikel read the key points of the Hampton Planning Commission Public Hearing/Comment Rules.

1. Rezoning Application No. 26-0222: This is a rezoning application by 1772 Old Buckroe Road LLC, to rezone +/- 1.94 acres at 1772 Old Buckroe Road [LRSN: 11002564] from One Family Residential (R-11) District to Two Family Residential (R-8) District with conditions for a one-family dwelling and four (4) duplex dwellings for a total of nine (9) residential units.

Rezoning Application No. 26-0222: This is a rezoning application by 1772 Old Buckroe Road LLC, to rezone +/- 1.94 acres at 1772 Old Buckroe Rd [LRSN: 11002564] from One Family Residential (R-11) District to Two Family Residential (R-8) District with conditions for a one-family dwelling and four (4) duplex dwellings for a total of nine (9) residential units.

Senior City Planner James Randolph presented the staff report on the subject application. Staff recommended approval of Rezoning Application No. 26-0222.

In response to questions from Commissioner Joe Griffith, Mr. Randolph responded that the stormwater management facility shown on the plan is conceptual and that its location and size are approximate. The final design has not yet been completed and may change slightly following final engineering. Mr. Randolph also confirmed that the project will require a land disturbance permit and that vegetation and trees will be removed only to the extent necessary to construct the required infrastructure, including the new street, sidewalks, stormwater facility, and building sites for the proposed residences.

In response to questions from Commissioner Trina Coleman, Mr. Randolph responded that the proposed development will consist of nine (9) for-sale residential units of approximately 1,900 square feet. The homes will be two stories in height, with additional flexible heated living space in the attic, and will be constructed in accordance with the architectural elevations presented.

Mr. Randolph explained that the blue area shown on the site plan represents the proposed conceptual stormwater management facility, which is planned as a shallow wet pond. A decorative security fence is proposed around the facility to discourage unauthorized access and improve safety.

He further explained that the developer initially proposed a higher-density townhome development for the property. However, after discussions with City staff, the proposal was revised to a lower-density development with enhanced architectural design standards. The revised plan is intended to complement the surrounding neighborhood and help preserve adjacent property values.

Regarding traffic impacts, Mr. Randolph stated that a traffic impact analysis was not required because the proposed nine-unit development is expected to generate approximately 90 daily vehicle trips, which is well below the City's threshold of approximately 250 to 300 trips that would necessitate a traffic study.

In response to a follow-up question from Commissioner Coleman, Assistant City Attorney Cory Wolfe responded that the proposed development would not be affected by the recently presented zoning ordinance amendments regarding lot sizes and setbacks.

In response to a question from Commissioner Keisha Samuels, Mr. Randolph confirmed that there will be one (1) single family standing home and that it would be about 3,000 square feet.

In response to a question from Commissioner Griffith, Mr. Randolph responded that he would have to defer to the traffic and engineering division within Public Works that deals with Hampton Roads Transit (HRT) regarding any relocation or easement for a proposed shelter.

Mr. Curtis Cole, applicant for 1772 Old Buckroe Rd, stated that the project team has worked closely with City staff throughout the development process to ensure the proposal complies with City requirements and minimizes impacts on the surrounding community.

Mr. Cole explained that appropriate stormwater best management practices (BMPs) will be incorporated into the project to avoid adverse impacts on existing drainage. The proposed nine-unit development is not expected to create significant traffic impacts, as the site has adequate ingress and egress and that the proposal has undergone the City's traffic review process without identifying any concerns.

Mr. Cole noted that the original concept proposed a higher-density development but was revised through collaboration with City staff to the current nine-unit layout. The homes are anticipated to be priced in the mid- to upper-\$300,000 range, with final pricing determined by market conditions. The development is intended to be compatible with the surrounding neighborhood and concluded by offering to answer any additional questions from the Commission.

In response to questions from Chair Kathy Rogers, Mr. Cole responded that the landscape buffer and separation around the development has not been finalized and will be designed in accordance with City requirements following project approval. Mr. Cole added that he had hoped for greater community participation at the public meeting and he is committed to protecting the property and providing any required buffering and site improvements identified through the City's review process.

Chair Rogers opened the public hearing.

Mr. Jack Claude with Hoggard-Eure Associates, 901 Port Centre Parkway, Portsmouth, Virginia, stated that the firm prepared the conceptual site plan and anticipates completing the engineering plans following City Council approval. He expressed support for the proposed development and commended the presentation provided by Mr. Randolph. He offered to answer any questions from the Commission.

In response to questions from Commissioner Coleman, Mr. Claude responded that the conceptual site plan is intended to provide sufficient detail for the rezoning while avoiding the significant expense of completing full engineering plans before the project receives the necessary approvals. The applicant is confident that the project can be designed to meet all applicable City standards and acknowledged that the proposal will undergo the City's full engineering review process following approval.

Mr. Claude noted that the conceptual plan demonstrates compliance with required development standards, including building setbacks. The detailed engineering, stormwater management, landscaping, and tree preservation plans will be prepared during the design phase. A topographic survey will identify existing trees, after which an arborist will evaluate which trees can be preserved and recommend any necessary removals. A landscape plan will then be developed and reviewed by City staff as part of the engineering approval process.

Mr. Claude explained that the stormwater BMP design is a detailed and costly component of the engineering process that will be completed after rezoning approval. The BMP and all other engineering plans will be subject to review and revision by City staff and applicable state agencies before final approval.

Mr. Claude further noted that certain design details have not yet been completed because the project is still at the conceptual stage. All applicable City requirements will be addressed during the engineering design process and stated that City staff will review the plans and require compliance with all applicable standards before granting approval. While a complete design is not prepared at this stage of the development process, the applicant intends

to fully engineer the project and satisfy all required design and regulatory requirements prior to construction.

Mr. Cole added that the proposal is a conceptual plan and that additional meetings with City staff are planned and further design work will be required as the project progresses. He affirmed his commitment to complying with all proffered conditions and City requirements and that the project will be designed to satisfy all applicable standards during the City's development review process.

Hampton resident, Ryan Mueller, 1774 Buckroe Avenue, expressed concerns regarding the project. He questioned whether the conceptual site plan accurately reflected the final development and raised concerns about potential stormwater runoff and flooding impacts, and how both his property and the subject property currently experience flooding. He further stated that the removal of mature trees and vegetation could increase runoff onto his property.

Mr. Mueller further questioned the potential loss of privacy resulting from the proposed development, including the addition of nine residential units, a public street, on-street parking, and a sidewalk adjacent to his property. He asked whether fencing or additional landscaping would be provided to preserve privacy and protect neighboring properties. He also voiced concerns about the potential removal of existing mature trees that currently provide a natural buffer and canopy between the properties and how the property was vacant when he purchased his home.

Secretary Mikel clarified that if the rezoning or use permit is approved, the project must still undergo additional review processes, including site plan, subdivision, and permitting reviews. During these reviews, City staff will conduct a detailed evaluation of the stormwater management system, site elevations, drainage, and other engineering considerations to ensure the development does not adversely affect adjacent properties. Tree removal and land disturbance activities are regulated through the City's land disturbance permit process and the project will be required to comply with all applicable City standards before construction may proceed.

Hampton resident Joy Bourhill, 38 Sarfan Drive, stated that she learned of the public hearing through a neighborhood social media post and wished she had been aware of earlier meetings. She expressed concerns about the proposed density of the development on the approximately two-acre site and encouraged consideration of a lower-density design with fewer homes.

Ms. Bourhill also expressed concerns regarding the preservation of mature trees, natural vegetation, and buffers between the proposed development and adjacent residential properties. She suggested maintaining additional landscaped buffers or berms to enhance privacy, protect neighborhood character, and preserve environmental benefits associated with existing tree cover.

Ms. Bourhill questioned the width of the proposed street, the availability of open space and play areas for residents, the architectural uniformity of the proposed homes, and the design of the stormwater management facility. She encouraged the Planning Commission to hold the developer accountable for preserving neighborhood character and incorporating sustainable landscaping practices where feasible.

Chair Rogers closed the public hearing.

A motion was made by Commissioner Trina Coleman and was seconded by Commissioner Keisha Samuels to defer Rezoning Application No. 26-0222 to a future Planning Commission meeting, as determined by the Director of Community Development.

Commissioner Griffith stated that as the project moves forward, he would like additional information regarding the privacy measures proposed for adjacent property owners. He recognized the concerns expressed by neighboring residents and highlighted the importance of ensuring that appropriate buffering and screening are provided to protect the privacy of surrounding single-family homes, given the proposed clustered residential development.

Commissioner Brian DeProfio stated that if the application were to be deferred, it would be helpful to clearly identify the issues the Commission would like staff to address before the item returns for consideration. Privacy and buffering for adjacent property owners appeared to be key concerns raised by the Commission and the public. Also, stormwater management and flooding are technical engineering matters that will be evaluated through the City's engineering review process. He further highlighted the importance of identifying any additional issues the Commission would like staff to review prior to the application's return.

Commissioner Griffith added that he would like staff to evaluate whether the site layout could be modified to better preserve the existing tree canopy and reduce impacts on adjacent properties. The development requirements, such as street width, may limit the available space for buffering, but encouraged consideration of opportunities to mitigate the loss of mature trees and enhance the transition between the proposed development and neighboring residential properties.

Commissioner DeProfio stated that staff could provide additional information regarding the proposed street width. The street dimensions may be based on standards necessary for VDOT acceptance and future public maintenance. He explained that a narrower street could require private ownership and maintenance rather than acceptance into the public street system.

Commissioner Tracy Brooks stated that she appreciated the innovative nature of the proposed development and that the Commission was not opposed to the concept. The Commission is seeking additional information to ensure the proposal represents the highest quality development for the City of Hampton.

Mr. Claude addressed the Commission's concerns and stated that the landscaping and buffering plan will be developed during the engineering and site plan review process in accordance with City standards and the recommendations of the City Arborist. The required buffer will meet or exceed the City's minimum standards and may include privacy fencing, shrubs, trees, or landscaped berms, depending on the final design and staff recommendations. The applicant intends to preserve as many existing mature trees as practicable while meeting development requirements.

Mr. Claude also confirmed that the proposed 30-foot-wide street is designed to meet City and VDOT standards for public maintenance eligibility.

Mr. Cole requested that the Commission not defer the application, and that the proposal is intended to move the project to the next stage of the review process rather than serve as the final design. The proffered conditions require the applicant to comply with all applicable City requirements and complete the necessary reviews with City departments before development may proceed. Mr. Cole stated that deferring the application would only delay that process and

that the proposed development would provide quality housing, attract new residents, and contribute positively to the City's tax base and economy.

In response to a question from Chair Rogers, Secretary Mikel responded that in addition to the City's public notice requirements, the zoning ordinance was recently amended to require applicants to provide notice of community meetings to property owners within one-quarter mile of the subject property. She confirmed that the required notification was completed for this application to provide broader community outreach.

Assistant City Attorney Cory Wolfe added that if the Commission recommends approval of the rezoning as presented, there would be no practical mechanism to ensure that the requested change would occur without revising the proffered conditions. While such revisions would be possible, he could not guarantee the outcome because the change is not included in the current proffers.

Chair Rogers clarified that public comments are limited to individuals who have signed up to speak and are subject to the established three-minute time limit. She acknowledged that additional time had been provided to the applicant and project representatives to respond to questions from the Commission but additional comments from the audience would be out of order.

Chair Rogers further stated that she was conflicted regarding the proposal. She recognized the City's need for additional attainable housing and that duplexes may provide a more affordable housing option than single-family homes. At the same time, she recognized the concerns expressed by neighboring residents, particularly regarding the proposed public street adjacent to existing homes, and indicated that she was carefully weighing those considerations.

Commissioner Griffith stated that he was seeking an appropriate balance between accommodating new development and preserving the character of the existing neighborhood. He emphasized the importance of addressing the concerns raised by nearby residents and that he did not want the application to be delayed unnecessarily. He requested guidance from Mr. Wolfe regarding the appropriate process to ensure the project could continue moving forward while allowing the identified issues to be addressed.

Mr. Wolfe explained that if the application were deferred, the Commission should provide clear direction regarding the issues they want addressed. Staff would then work with the applicant to evaluate and negotiate potential revisions to the proposal before the application returned to the Commission. He could not predict the extent to which changes would be feasible, however, staff would work with the applicant to address the Commission's concerns to the extent possible.

Commissioner Coleman stated that if the application were deferred, she would like additional information regarding the proposed boundaries and buffering between the new development and the surrounding neighborhood, including clear measures to define and separate the properties. She also reiterated her interest in the project's traffic impacts as the site's location is near a curve in the roadway.

Commissioner Coleman further asked whether the number of proposed residential units could change during the deferral process or whether the development would remain limited to the nine-unit concept presented with the rezoning application.

In response to Commissioner Coleman, Mr. Wolfe responded that the number of units are indicated in the proffers. It is possible to redraft the proffers upon the developer's degree.

Commissioner Coleman stated that if the application were deferred, she would want greater certainty regarding the proposal that would ultimately return to the Commission for consideration. The current submission is conceptual and she questioned how the Commission could confidently evaluate the rezoning if the design, proffers, or other project details could change during the deferral process. She further stated that she would like to see a more fully developed proposal, including the requested buffering and other site improvements, before making a final decision on the rezoning.

In response to Commissioner Coleman, Mr. Wolfe responded that many of the detailed design elements are typically addressed during the site plan review process, which generally occurs after rezoning approval. While it is possible for a more detailed design to be completed before rezoning, doing so would require a significant investment by the applicant and is not the typical sequence of the development review process.

Commissioner DeProfio stated that historically, when the Commission has deferred applications, it has identified specific issues for staff and the applicant to address rather than requiring completion of the full site plan and permitting process before considering a rezoning request. In previous cases, the Commission had requested additional buffering, fencing, or other proffered improvements to address neighborhood concerns. The Commission's role is to determine whether the proposed proffered conditions adequately address identified issues before making a recommendation to City Council, rather than requiring final engineering plans at the rezoning stage.

Chair Rogers stated that it seems that staff, the developers, and the neighbors have now been clearly made aware of the Commission's concerns. In her experience, many development proposals include more detailed information regarding perimeter treatments at the rezoning stage but also the Commission is not opposed to the proposed development concept.

Mr. Wolfe requested clarification for the record regarding the Commission's direction to staff. He confirmed that the Commission was requesting staff to evaluate options for enhanced fencing and/or vegetative buffering between the proposed development and adjacent existing homes, as well as opportunities to preserve the existing tree canopy to the greatest extent practicable.

Chair Rogers stated that she is particularly concerned about the interface between the proposed public street and the adjacent private residential properties.

Commissioner Samuels requested more details regarding the flood mitigation.

Commissioner Coleman requested a traffic study, if it has not been done already.

A motion was made by Commissioner Trina Coleman and was seconded by Commissioner Keisha Samuels to defer Rezoning Application No. 26-0222 to a future Planning Commission meeting, as determined by the Director of Community Development.

A roll call vote on the motion resulted as follows:

AYES:	Samuels, Griffith, Brooks, Coleman, DeProfio, Rogers
NAYS:	None
ABSTAIN:	None
ABSENT:	Mugler

2. Rezoning Application No. 26-0218: This is a rezoning application by Old Town Development LLC to rezone +/- 5.5 acres of land located at 1534 W Queen Street, 1538 W Queen Street and 1540 W Queen Street [LRSN: 2000008, 2000007 and 2000006, respectively] from Multifamily Residential (MD-4) District with conditions and One Family Residential (R-13) District to Multifamily Residential (MD-4) District with conditions for a multifamily development. This application is brought in conjunction with Use Permit Application No. 26-0219 to allow for multifamily dwellings

Rezoning Application No. 26-0218: This is a rezoning application by Old Town Development LLC to rezone +/- 5.5 acres of land located at 1534 W Queen Street, 1538 W Queen Street and 1540 W Queen Street [LRSN: 2000008, 2000007 and 2000006, respectively] from Multifamily Residential (MD-4) District with conditions and One Family Residential (R-13) District to Multifamily Residential (MD-4) District with conditions for a multifamily development.

3. Use Permit Application No. 26-0219: This is a use permit application by Old Town Development LLC to permit Multifamily Dwellings at 1534 W Queen Street, 1538 W Queen Street and 1540 W Queen Street [LRSN: 2000008, 2000007 and 2000006, respectively]. This application is brought in conjunction with Rezoning Application No. 26-0218

Use Permit Application No. 26-0219: This is a use permit application by Old Town Development LLC to permit Multifamily Dwellings at 1534 W Queen Street, 1538 W Queen Street and 1540 W Queen Street [LRSN: 2000008, 2000007 and 2000006, respectively].

Chief City Planner Donald Whipple presented the staff report on the subject applications. Staff recommended approval of Rezoning Application No. 26-0218 with 18 proffered conditions and Use Permit Application No. 26-0219 with eight (8) proffered conditions.

In response to questions from Commissioner Coleman, Mr. Whipple responded that one of the homes have been removed from 1540. At 1538 and 1534, the houses are still there but remain vacant. He further stated that the revised access configuration improved access to the site compared with the previous proposal. The existing roadway includes a left-turn lane serving the property, eliminating the need for the previous U-turn movement. A Traffic Impact Analysis (TIA) was completed and concluded that the existing roadway network was adequate to accommodate the proposed development without requiring additional transportation improvements.

In response to questions from Commissioner Griffith, Mr. Whipple responded that the proposed development has been designed to remain outside the Resource Protection Area (RPA) and wetland boundaries. The only proposed improvement within the RPA is a mulched pedestrian path, which was selected to minimize environmental disturbance while providing residents with access to the waterfront. The approach balances environmental protection with public access by limiting impacts within the protected buffer area.

Mr. Whipple stated that the proposed development has been designed to minimize impacts to wetlands and protected areas in accordance with applicable environmental regulations. The applicant has obtained the necessary permit from the U.S. Army Corps of Engineers and that the approved plans locate the development outside the wetlands and

protected buffer areas. The permitted mulched pedestrian path within the buffer was reviewed as part of the permitting process and that no concerns were identified by the reviewing agencies.

He added that the current proposal includes shoreline access only and does not propose a hardened pier or other permanent waterfront structure. Any future pier or similar improvement would require separate regulatory approvals and the appropriate permits. No such improvements are included as part of the current application. Mr. Whipple added that the proposed development will be required to provide bicycle parking in accordance with City's zoning ordinance. The specific bicycle parking facilities will be reviewed and approved during the site plan review process.

Mr. Wolfe clarified that the proposed proffered conditions provide that the mulched walkway and kayak launch would only be constructed if the necessary environmental approvals are obtained. If the required approvals cannot be secured or if the improvements would result in adverse environmental impacts, the applicant would not be required to construct those amenities.

In response to a question from Commissioner Coleman, the applicant responded that the project would start within a year upon approval from the Planning Commission and City Council and the goal would be to break ground sometime in April of next year.

There being no further questions or speakers, the Planning Commission approved the following resolutions:

- WHEREAS: the Hampton Planning Commission has before it this day a Rezoning Application by Old Town Development, LLC to rezone the parcels located at 1534 W Queen Street, 1538 W Queen Street, and 1540 W Queen Street [LRSN: 2000008, 2000007 and 2000006], respectively, encompassing approximately 5.5 acres of land, from Multifamily Residential (MD-4) District with conditions and One Family Residential (R-13) District to Multifamily Residential (MD-4) District with conditions for a multifamily development;
- WHEREAS: the proposed multifamily residential project includes 68 apartment units within one (1), 4-story building and includes 99 parking spaces, including two (2) Level 2 electric vehicle charging stations;
- WHEREAS: the proposed community amenities include a mail center, fitness facility, conference room, and activity room and a mulch walking path to Newmarket Creek that tenants could utilize as a sitting area and/or kayak launch;
- WHEREAS: the Hampton Community Plan (2006, as amended) recommends high density residential land use for the subject property;
- WHEREAS: the Plan also recommends encouraging new high-quality residential development in appropriate forms that relate to neighboring land uses and in walkable mixed-use districts and dense and upscale rental residential units that include a diverse mix of unit types;
- WHEREAS: the applicant has proffered eighteen (18) conditions to include substantial conformance with the concept plan, 68 units, substantial conformance with the elevations, provision of high-quality and durable building materials, community

amenities, resiliency and sustainability elements, fencing materials, landscaping, lighting, and screening of HVAC systems;

WHEREAS: the MD-4 District requires an approved use permit for the proposed multifamily development;

WHEREAS: this application is in conjunction with Use Permit Application No. 26-0219, which would allow multifamily dwellings within the Multifamily Residential (MD-4) District with an approved use permit;

WHEREAS: Commissioners had questions pertaining to the traffic impact analysis (TIA) study, compliance with Chesapeake Bay Preservation District (CBPD) and wetland protection, and the provision of bike racks;

WHEREAS: City staff recommends approval of this Rezoning Application; and

WHEREAS: no one from the public spoke to this application during the public hearing.

NOW, THEREFORE, on a motion by Commissioner Trina Coleman and seconded by Commissioner Tracy Brooks,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Rezoning Application No. 26-0218 with eighteen (18) proffered conditions.

A roll call vote on the motion resulted as follows:

AYES:	Samuels, Griffith, Brooks, Coleman, DeProffio
NAYS:	None
ABSTAIN:	None
ABSENT:	Mugler

WHEREAS: the Hampton Planning Commission has before it this day a Use Permit Application by Old Town Development, LLC to allow for the development of 68 multifamily dwelling units within Multiple Residential (MD-4), District, located at 1534 W Queen Street, 1538 W Queen Street, and 1540 W Queen Street [LRSN: 2000008, 2000007 and 2000006], respectively;

WHEREAS: the proposed multifamily residential project includes 68 apartment units within one (1), 4-story building and includes 99 parking spaces, including two (2) Level 2 electric vehicle charging stations;

WHEREAS: the proposed community amenities include a mail center, fitness facility, conference room, and activity room and a mulch walking path to Newmarket Creek that tenants could utilize as a sitting area and/or kayak launch;

WHEREAS: the Hampton Community Plan (2006, as amended) recommends high density residential land use for the subject property;

WHEREAS: the Plan also recommends encouraging new high-quality residential development in appropriate forms that relate to neighboring land uses and in walkable mixed-use districts and dense and upscale rental residential units that include a diverse mix of unit types;

WHEREAS: staff recommends eight (8) conditions to include compliance with the rezoning proffers, on site management, security certificate of occupancy, and compliance with laws;

WHEREAS: the proposed multifamily development is permitted within the MD-4 District, subject to an approved use permit;

WHEREAS: this application is in conjunction with Rezoning Application No. 26-0218, which would allow multifamily dwellings with an approved use permit;

WHEREAS: Commissioners had questions pertaining to the traffic impact analysis (TIA) study, compliance with Chesapeake Bay Preservation District (CBPD) and wetland protection, and the provision of bike racks;

WHEREAS: City staff recommends approval of this Use Permit Application; and

WHEREAS: no one from the public spoke to this application during the public hearing.

NOW, THEREFORE, on a motion by Commissioner Trina Coleman and seconded by Commissioner Tracy Brooks,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Use Permit Application No. 26-0219 with eight (8) conditions.

A roll call vote on the motion resulted as follows:

AYES:	Samuels, Griffith, Brooks, Coleman, DeProfio, Rogers
NAYS:	None
ABSTAIN:	None
ABSENT:	Mugler

4. Use Permit Application No. 26-0221: This is a use permit application by Canopy Development to permit Multifamily Dwellings at 1044 Von Schilling Drive [LRSN 7001564 and 7001565]

Use Permit Application No. 26-0221: This is a use permit application by Canopy Development to permit Multifamily Dwellings at 1044 Von Schilling Drive [LRSN: 7001564 and 7001565]

City Planner Quinn Heinrich presented the staff report on the subject application. Staff recommended approval of Use Permit Application No. 0221 with 21 conditions.

In response to questions from Commissioner Brooks, Mr. Heinrich responded that he does not believe there will be a traffic light connecting to the Riverdale Plaza. There is one currently at the corner of Von Schilling and Cunningham, as well as Von Schilling and Coliseum Drive.

Hal Ewell, Principal with Canopy Development, introduced members of the project team, including representatives of the development, architecture, and engineering firms, and thanked City staff for their assistance throughout the review process. They had collaborated with staff to

address comments prior to submitting the application and expressed appreciation for the staff presentation.

Mr. Ewell explained that Von Schilling Drive is a private street and that pedestrian access to the retail center is intended to occur through existing sidewalk connections and crosswalks along N. Armistead Avenue rather than across the retail center's service entrance.

Mr. Ewell stated that the project is located within an Opportunity Zone and that the proposed development will utilize Class A building materials, with no vinyl exterior siding proposed. They intend to retain ownership of the property for an extended period to take advantage of Opportunity Zone tax incentives, demonstrating a long-term investment in the project. The development will consist of market-rate apartments and that they are committed to being a responsible community partner. Mr. Ewell concluded by offering to answer questions from the Commission.

In response to a question from Commissioner Coleman, Secretary Mikel responded that she does not know the current Short-Term Rental (STR) density within that area but does not believe that it is an area that is full at this point. Therefore, it could be a possibility that they meet the density of separation.

Mr. Ewell added that their intention is not to build Short-Term Rentals.

In response to a question from Commissioner Samuels, Mr. Ewell responded that his team has completed six (6) multifamily residential developments. He identified two (2) projects in Chesapeake known as Cottage Trails, two (2) developments in Chesterfield County named Oxygen and Sapphire, and a recently completed project in the Innsbrook submarket of Richmond known as Metropolis.

In response to a question from Commissioner Griffith, Mr. Ewell responded because the property is accessed by a private street and is subject to an access easement, the applicant was required to obtain an amendment to the existing easement. He explained that Kroger and the adjacent retail center had review rights under the reciprocal easement agreement and that both parties had reviewed, approved, and signed the amendment to accommodate the proposed development.

There being no further questions or speakers, the Planning Commission approved the following resolution:

- WHEREAS: the Hampton Planning Commission has before it this day a Use Permit Application by Canopy Development to permit multifamily dwellings at 1044 Von Schilling Drive, and an unaddressed parcel on Von Schilling Drive, LRSN 7001564 and 7001565, respectively;
- WHEREAS: this application for multifamily dwellings is located on the site of the former Cinema Café, which was recently demolished;
- WHEREAS: the proposed multifamily residential project includes 255 apartment units within three (3) buildings, all to be rented at market rate for Hampton;
- WHEREAS: the proposed project includes 375 parking spaces, along with multiple bicycle racks, and four (4) level II electric vehicle charging stations;

- WHEREAS: the proposed community amenities include a clubhouse with a resort-style pool, business center, fitness center, and yoga studio; along with grilling stations, park benches, and a dog park;
- WHEREAS: resiliency elements proposed on the site include cool roofs, energy star or equivalent appliances, solar-powered canopies above the electric vehicle chargers, and a BMP located to the east of the site;
- WHEREAS: the proposal is designed to be urban and pedestrian-oriented in character, including the construction of sidewalks and on-street parking along Von Schilling Drive;
- WHEREAS: the Hampton Community Plan (2006, as amended) currently recommends mixed use land use for the subject property;
- WHEREAS: the Coliseum Central Master Plan (2015, as amended) recommends residential development at dense scales throughout the Coliseum Central district, and recommends high-density residential uses on the subject site in coordination with revitalizing the adjacent Riverpointe shopping center;
- WHEREAS: the staff is recommending twenty-one (21) conditions for the Use Permit to include limiting the use to multifamily dwellings, substantial conformance to the concept plan and elevations, high-quality building materials, compliance with the Coliseum Central Design Guidelines, building height, fencing, lighting, HVAC and dumpster screening, enhanced landscaping, community amenities, resilience elements, vacation of the property lines, house of operation, security cameras in the parking areas, and obtaining a certificate of occupancy;
- WHEREAS: City staff recommends approval of the Use Permit Application;
- WHEREAS: Commissioners had questions about how residents would travel to the Riverpointe shopping center;
- WHEREAS: No members of the public appeared in opposition during the public hearing;

NOW, THEREFORE, on a motion by Commissioner Joe Griffith and seconded by Commissioner Trina Coleman,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Use Permit Application No. 26-0221 with twenty-one (21) conditions.

A roll call vote on the motion resulted as follows:

AYES:	Samuels, Griffith, Brooks, Coleman, DeProfio, Rogers
NAYS:	None
ABSTAIN:	None
ABSENT:	Mugler

5. Use Permit Application No. 26-0226: This is a use permit application by L. Orlando Panka to permit a vehicle sales, used operation at 690 Bell Street [LRSN:1002400].

Use Permit Application No. 26-0226: This is a use permit application by L. Orlando Panka to permit a vehicle sales, used operation at 690 Bell Street [LRSN:1002400].

City Planner Valerie Taylor presented the staff report on the subject application. Staff recommended approval of Use Permit Application No. 26-0226, subject to 11 conditions.

Mr. Orlando Panka, applicant for 690 Bell Street, introduced himself and stated that he has operated used automobile dealerships since 2007. He is seeking approval to establish a new dealership at the subject property as part of the expansion of his business. He currently operates a dealership in Chesapeake but resides in Williamsburg and is seeking to relocate closer to his residence. He concluded by offering to answer questions from the Commission.

There being no questions or speakers, the Planning Commission approved the following resolution:

WHEREAS: the Hampton Planning Commission has before it this day a Use Permit Application by L. Orlando Panka to permit Used Vehicle Sales in conjunction with an existing Light Vehicle Repair business at 690 Bell Street [LRSN: 12002400],

WHEREAS: Car Farmer & Sales is a used vehicle auto/car selling company that proposes to sell used automobiles located at the subject +0.94 acre lot.

WHEREAS: 3,500 sq. ft. of the existing 5,500 sq. ft. building would include office space, restrooms, storage, service bays and vehicle repair operations. The parking and display area would include twelve (12) to fifteen (15) spaces. Hours of operation would be Monday through Saturday, 9:00 AM – 5:00 PM;

WHEREAS: the property is zoned General Commercial (C-3) District, which permits vehicle sales, used vehicles with an approved use permit;

WHEREAS: the Hampton Community Plan (2006, as amended) recommends commercial use for the subject property;

WHEREAS: staff recommends eleven (11) conditions based upon the proposed use's operational and land use characteristics,

WHEREAS: City staff recommends approval of this Use Permit Application; and

WHEREAS: no one from the public spoke to this application.

NOW, THEREFORE, on a motion by Commissioner Joseph Griffith and seconded by Commissioner Trina Coleman,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Use Permit Application No. 26-0226 with eleven (11) conditions.

A roll call vote on the motion resulted as follows:

AYES: Samuels, Griffith, Brooks, Coleman, DeProffio, Rogers

NAYS: None
ABSTAIN: None
ABSENT: Mugler

VII. MATTERS BY THE PUBLIC

There were no matters by the public.

VIII. MATTERS BY THE COMMISSION

There were no matters by the Commission.

IX. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:43 PM.

Respectfully Submitted,

Kimberly Mikel
Secretary to the Commission

APPROVED BY:

Katherine L. Rogers
Chairperson