

STAFF EVALUATION

Case No: Rezoning No. 26-0218 and Use Permit No. 26-0219

Planning Commission Date: July 16, 2026

City Council Date: August 12, 2026

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728-5235

728-5244

General Information

Applicant Old Town Development, LLC

Property Owner(s) Old Town Development, LLC

Site Location 1534 W Queen Street, 1538 W Queen Street and 1540 W Queen Street [LRSN's: 2000008, 2000007 and 2000006]

Aerial Map:

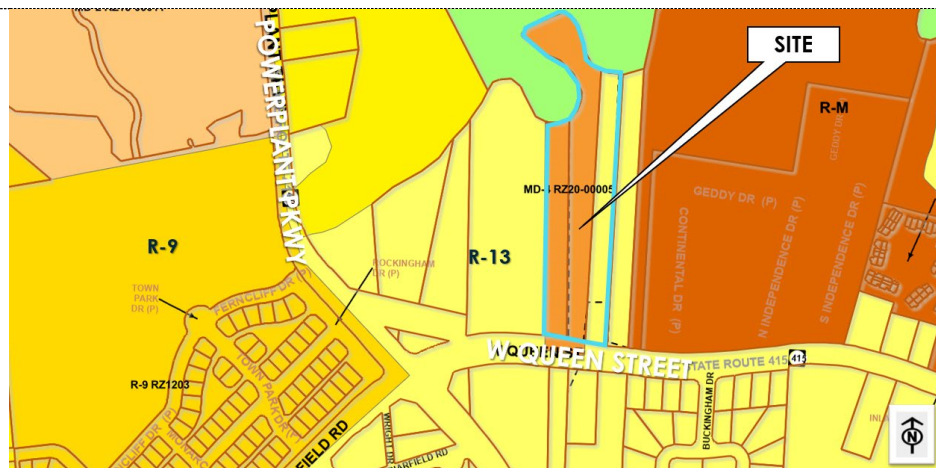


Requested Action Rezoning application No. 25-0010 is a request to rezone the parcels located at 1534 W Queen Street, 1538 W Queen Street, and 1540 W Queen Street [LRSN: 2000008, 2000007 and 2000006, respectively, encompassing approximately 5.5 acres of land, from Multifamily Residential (MD-4) District with conditions and One Family Residential (R-13) District to Multifamily Residential (MD-4) District with conditions. The purpose of the rezoning is to allow for the development of a multifamily project to include approximately 68 dwelling units.

Use Permit application No. 26-0219 is a request to permit multifamily dwellings in the Multifamily Residential (MD-4) District.

	Per the Hampton Zoning Ordinance, the uses listed and identified require an approved Use Permit in the Multifamily Residential (MD-4) District. As a result, the subject property must first be rezoned to MD-4, followed by approval of a use permit to allow the multifamily dwelling use.
<i>Description of Proposal</i>	The proposed development, as outlined in the application, involves the construction of a new multifamily development, consisting of one (1), 4-story building with approximately 68 dwelling units. Exterior architectural features of the proposed building would include brick, fiber-cement siding, vinyl windows, 30-year architectural asphalt shingles and standing seam metal accent roofing, composite decking, and vinyl railings. Screening of the provided dumpster would include a brick enclosure to match the building with composite gates and landscaping. The overall site would be professionally landscaped with enhanced landscape buffers along the east and west boundaries. The proposed development also includes 99 parking spaces to meet the minimum requirement of the zoning ordinance. The proposal also includes a range of community amenities, such as mail center, fitness facility, conference room, and activity room. In addition, the site would include a mulch walking path to Newmarket Creek that tenants could utilize as a sitting area and/or kayak launch. Additionally, the development incorporates several sustainability features, including buildings designed to meet 115 mph winds, two (2) Level 2 electric vehicle charging stations (underground stormwater features, designed to standards related to tidal elevation and design rainfall depths, and incorporate pavers in some select areas of the parking lot.
<i>Existing Land Use</i>	Single-family dwelling [LRSN: 2000008]; and vacant [LRSNs: 2000007 and 2000006]
<i>Zoning</i>	Multifamily Residential (MD-4) District with conditions and One Family Residential (R-13) District
<i>Surrounding Land Use and Zoning</i>	North: Parks and Open Space General (PO-1) District; vacant South: One-Family Residential (R-13) District; single-family residential East: One-Family Residential (R-13) District; single-family residential West: One-Family Residential (R-13) District; single-family residential

Surrounding Zoning Map:



Public Policy

The Hampton Community Plan (2006, as amended) is adopted as the guiding policy document for the City of Hampton and designates the recommended future land use for the subject property as high density residential.

Future Recommended Land Use Map:



The Plan also provides the following policy recommendations pertinent to this case:

Land Use and Community Design Objectives and Policies

Objective 1: Promote the efficient use of land. Recognize land as a limited resource.

Objective 5: Protect community appearance, character, and design.

LU-CD Policy 3: Encourage and maintain a diverse mix of housing types and values.

LU-CD Policy 4: Evaluate land use proposals from a regional, city-wide, and neighborhood perspective.

LU-CD Policy 12: Encourage building design and site planning that enhances community interaction and personal safety.

LU-CD Policy 10: Encourage compact, high density/mixed-use development where appropriate to create walkable communities and promote increased physical activity.

LU-CD Policy 31: Encourage a mix of land uses that is appropriate for each district. Promote the efficient use of land and high-quality urban design.

LU-CD Policy 39: Prioritize protecting natural systems and restore or recreate natural systems where they have been compromised.

LU-CD Policy 42: Appreciate Hampton's culture of water and promote access to the water.

Housing and Neighborhood Policies

HN Policy 5: Encourage mixed-use projects as a means of increasing the housing supply while promoting diversity and the revitalization of neighborhood and districts.

Economic Development Policies

ED Policy 9: Ensure that the City's implementation plans, physical infrastructure, and land use regulations support the City's goals for economic development and growth.

ED Policy 10: Foster the successful development of well-situated vacant and underutilized properties within the City.

*Traffic Impacts
and Parking*

In November 2024, Timmons Group completed a Traffic Impact Analysis (TIA) for the proposed development and sites. Based on the study, all intersections will operate with acceptable queueing and delay with the development of the site. No improvements are required at any of the study intersections beyond the construction of a westbound right turn lane (100 feet) along N. Armistead Avenue at the site entrance. The proposed parking meets the minimum requirements of the Zoning Ordinance.

Environmental

The subject site is located within the Overlay – Chesapeake Bay Preservation District (O-CBPD) and the Overlay – Flood Zone District

(O-FZ). However, the proposal avoids any encroachment or disturbance of wetlands or the Resource Protection Area (RPA) buffer. Of the site's total 16.9 acres, approximately 6.7 acres are classified as wetlands, with an additional 2.3 acres designated as RPA buffer. This leaves roughly 7.9 acres of developable area.

Conditions

Rezoning Application No. 26-0218 features eighteen (18) proffered conditions as part of this rezoning application, which include:

- Limitation to 68 units and 4-story building
- Vacation of parcel lines
- Substantial conformance with the proposed conceptual site plan;
- Substantial conformance with the proposed elevations;
- Provision of high-quality and durable building materials and architectural elements such as fences, walls, and other building components;
- Community amenities;
- Resiliency and sustainability components;
- Provision of a landscape plan that conforms with the City of Hampton Landscape;
- Screening of HVAC equipment; and
- Fencing;
- Dumpster screening;
- Site and building lighting that complies with the city's lighting policy.

The full set of proffered conditions can be found in the package.

In the event Use Permit Application No. 26-0219 is approved, staff has recommended eight (8) conditions to include:

- Compliance with the rezoning
- Management of the property;
- Security;
- Certificate of Occupancy;
- Compliance with Laws; and
- Revocation

The full set of recommended conditions can be found in the package.

Community Meeting

A community meeting was held on May 20, 2026. Questions were raised regarding **the** number of units, stories, parking, traffic, low income. Landscaping, and drainage/flooding.

Analysis

Rezoning Application No. 26-0218 and Use Permit Application No. 26-0219 are requests Old Town Development, LLC to rezone the parcels located at 1534 W Queen Street, 1538 W Queen Street and 1540 W Queen Street [LRSN's: 2000008, 2000007 and 2000006], encompassing approximately 5.5 acres, from Multifamily Residential (MD-4) District with conditions and One Family Residential (R-13) District to Multifamily Residential (MD-4) District with conditions. The purpose of the rezoning is to allow for the development of a multifamily project to include approximately 68 dwelling units. In addition, an approved use permit is required for a multifamily dwelling use within the Multifamily Residential (MD-4) District. The subject property must first be rezoned to MD-4, followed by approval of a use permit to allow the proposed multifamily dwelling project.

The proposed development, as outlined in the application, involves the construction of one (1) new four-story new multifamily apartment buildings with a total of 21568 dwelling units. The proposed composition of units will include approximately thirty-six (36) 1-bedroom units and thirty-two (32) 2-bedroom units. Although the primary entrance to the building will be adjacent to the parking area, the 4-story building will be strategically located to front along W. Queen Street with an access point and connecting sidewalk to the street. Landscaping will be provided throughout the site with an emphasis of screening landscape along the eastern and western property boundaries. In addition, the proposed dumpster and HVAC units will be adequately screened through walls and/or landscaping.

The proposal also includes a range of community amenities, such as a mail center, fitness facility, conference room, and activity room. In addition, the site would include a mulch walking path to Newmarket Creek that tenants could utilize as a sitting area and/or kayak launch. Additionally, the development incorporates several sustainability features, including buildings designed to meet 115 mph winds, two (2) Level 2 electric vehicle charging stations (underground stormwater features, designed to standards related to tidal elevation and design rainfall depths, and **incorporate** pavers in some select areas of the parking lot. Proposed stormwater management would be through an underground detention system, located beneath the parking area. The applicant has proffered to design the system to account for future flood conditions.

A portion of subject site is located within the Overlay – Chesapeake Bay Preservation District (O-CBPD) and the Overlay – Flood Zone District (O-FZ). However, the proposal avoids any encroachment or disturbance of wetlands or the Resource Protection Area (RPA) buffer. Of the site's total acreage, the proposed development would only utilize 1.75 acres, leaving approximately 3.5 acres for undeveloped green space and water.

The proposed apartment project is consistent with the future land use recommendation of the Hampton Community Plan (2006, as amended), which designates the subject property as high density residential. A portion of the subject property that includes the creek is designated as open space; however, this area is undevelopable and only accessed by watercraft. Overall, locating multifamily residential units in this area of Hampton meets a number of Land Use and Community Design, Housing and Neighborhood, and Economic Development policies within the Hampton Community Plan, such as the provision of a diverse mix of units and higher value housing types for the City (LU-CD 3, HN 7), supporting walkable communities and neighborhood connectivity as well as promoting increased physical activity within a high-density residential development (LU-CD 10. 28), protecting natural systems and (LU-CD Policy 39) and promoting access to the water (LU-CD Policy 42).

In that the site is located in close proximity to Coliseum Central, the proposal has great access to many cultural, commercial and entertainment offerings, as well as convenient access to Interstate 64 and 664. The quality of the site design and proposed buildings, on-site amenities, size of units, and proposed density meet the land use policies relevant to this location. In addition, the development avoids encroachment and disturbance of environmentally sensitive areas and provides several resilient offerings as part of the proposed development, to include designing the stormwater features to resilient standards and pavers within a portion of the parking area. Regarding pedestrian connectivity, the proposal will feature a series of sidewalks to connect the community both internally and externally, including the nature trail leading to Newmarket Creek.

Proffered conditions include limitations of unit count, combining the parcels into one, the concept plan, building elevations, building materials, community amenities, the walking trail, overall landscaping, dumpster enclosure, HVAC and parking lot screening, and lighting. If approved, these proffered conditions would replace the previous condition from RZ 20-00005 on 1538 and 1540 W. Queen Street. Staff recommended use permit conditions include compliance with proffered conditions, on-site management, security, and certificate of occupancy. With the proposed proffered conditions and use permit conditions, this set of applications and the development they represent, would be appropriate for this location.

Staff Recommendation:

- **APPROVAL of Rezoning Application No. 26-8021 with eighteen (18) proffered conditions.**
- **APPROVAL of Use Permit Application No. 26-0219 with eight (8) conditions.**