

STAFF EVALUATION

Case No.: Use Permit No. 25-0195

Planning Commission Date: July 17, 2025

City Council Date: August 13, 2025

Prepared By: Donald Whipple, Chief Planner

Reviewed By: Millisa Story, Planning and Zoning Manager

General Information

Applicants and Property Owners Trilogy Developers LLC

Site Location An unaddressed parcel located at the intersections of LaSalle Avenue and West Pembroke Avenue, West Pembroke Avenue and West Queen Street, and West Queen Street and Michigan Drive [LRSN: 2000401]

Aerial Map:



Requested Action Use Permit to deviate from the by-right optional incentive standards for multifamily dwellings in the Downtown Business (DT-1) District

Description of Proposal The application is a request to allow deviation from the by-right optional incentive standards for multifamily dwellings in the DT-1 District.

The site, commonly known as the former site of the Lincoln Park Housing Development, was approved to be rezoned, with conditions, from Multiple Residential (R-M) District to Downtown Business (DT-1) District by the Hampton City Council in February

2023 (RZ22-00008). The referenced rezoning was approved in conjunction with a Use Permit (UP22-00011) to permit multifamily dwellings on the site. As approved by City Council, condition #6, nullification, of the approved Use Permit states the following:

6. Nullification

- a. *The use permit shall automatically expire and become null and void under any of the following conditions:*
 - i. *If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit.*

The subject site is currently in the pre-development, but has yet to reach substantial completion to comply with the condition stated above; therefore, the previous Use Permit has been nullified.

In November 2021, City Council amended the Zoning Ordinance to add optional incentive development standards for multifamily dwellings within the DT-1 Zoning District. These standards are intended to allow a by-right route of developing multifamily dwellings, while elevating the quality of the projects. They also intend to incentivize higher density development within urban core areas within the City, such as Downtown.

Multifamily developments that do not meet the by-right optional incentive standards are subject to obtaining a use permit.

As previously approved, the development proposal includes 118 fee-simple townhomes (both front- and rear-loaded), 380 multifamily dwellings (both general population and age-restricted senior housing), and 6,000 square feet of commercial space. The development proposes various community amenities, such as a central park space, pool, dog park and washing station, clubhouse, and a fitness center. The subject of the use permit is the multifamily dwelling units.

Existing Land Use

Vacant

Site History

The subject site is the former location of the Lincoln Park public housing development, built between 1968 and 1970. Lincoln Park was closed, and subsequently demolished, in 2016. The development contained approximately 275 units.

The subject site was approved to be rezoned to the Downtown Business (DT-1) District in February of 2023, subject to twelve (12) proffered conditions (see RZ22-00008). In conjunction with the rezoning, a Use Permit was also approved in February 2023 to deviate from the by-right optional incentive standards for multifamily dwellings in the DT-1 District subject to six (6) conditions.

Zoning History

In November 2021, City Council amended the Zoning Ordinance to add optional incentive development standards for multifamily dwellings within the DT-1 Zoning District. These standards are intended to allow a by-right route of developing multifamily dwellings, while elevating the quality of the projects. They also intend to incentive higher density development within urban cores, such as Downtown

Multifamily developments that do not meet the by-right optional incentive standards are subject to obtaining a use permit.

As stated, the subject site was approved to be rezoned to the Downtown Business (DT-1) District in February of 2023 subject to twelve (12) proffered conditions (see RZ22-00008). In conjunction with the rezoning, a Use Permit was also approved in February 2023 to deviate from the by-right optional incentive standards for multifamily dwellings in the DT-1 District subject to six (6) conditions.

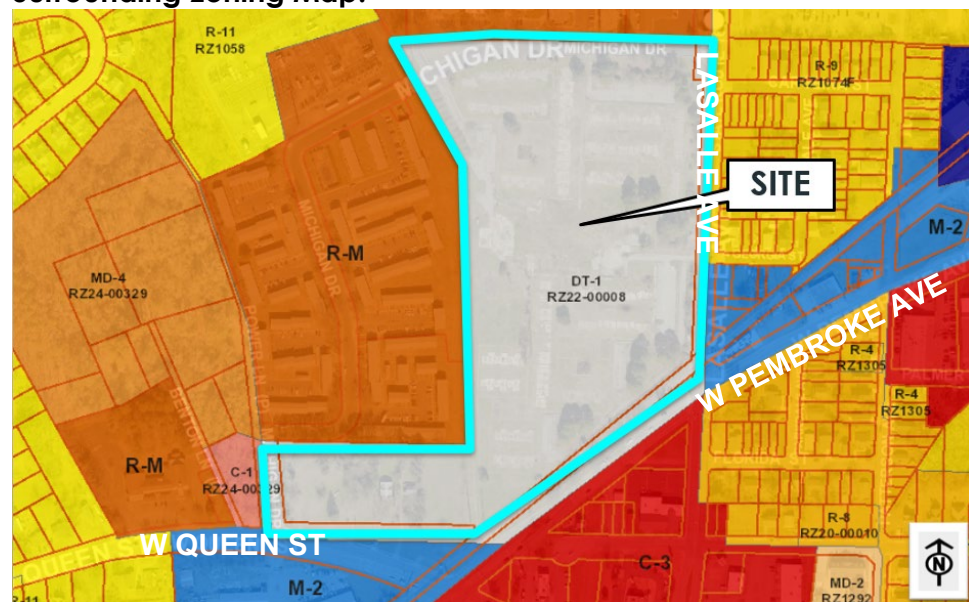
Surrounding Land Use and Zoning

North: Multiple Residential (R-M) District; apartments

South: General Commercial (C-3) District, Light Manufacturing (M-2) District; shopping center, retail sales/services, auto related uses

East: One Family Residential (R-9) District – RZ1074F, Light Manufacturing (M-2) District; single family residences, vacant, retail sales/services

West: Multiple Residential (R-M) District, Multifamily Residential (MD-4) District; apartments, vacant

Surrounding Zoning Map:*Public Policy***Hampton Community Plan**

The Hampton Community Plan (2006, as amended) is adopted as the guiding policy document for the City of Hampton. The Plan

includes the following policy recommendations pertinent to this case:

Land Use and Community Design Policies:

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

LU-CD Policy 11: Promote high quality design and site planning that is compatible with surrounding development.

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

LU-CD Policy 28: Treat residential streets as both public rights-of-way and neighborhood amenities. Provide sidewalks, street trees, and other amenities that favor pedestrians.

LU-CD Policy 29: Encourage high quality new developments that are compatible with surrounding neighborhoods.

Housing and Neighborhoods Objectives:

Objective 6: Support the development of healthy and compatible neighborhood commercial uses.

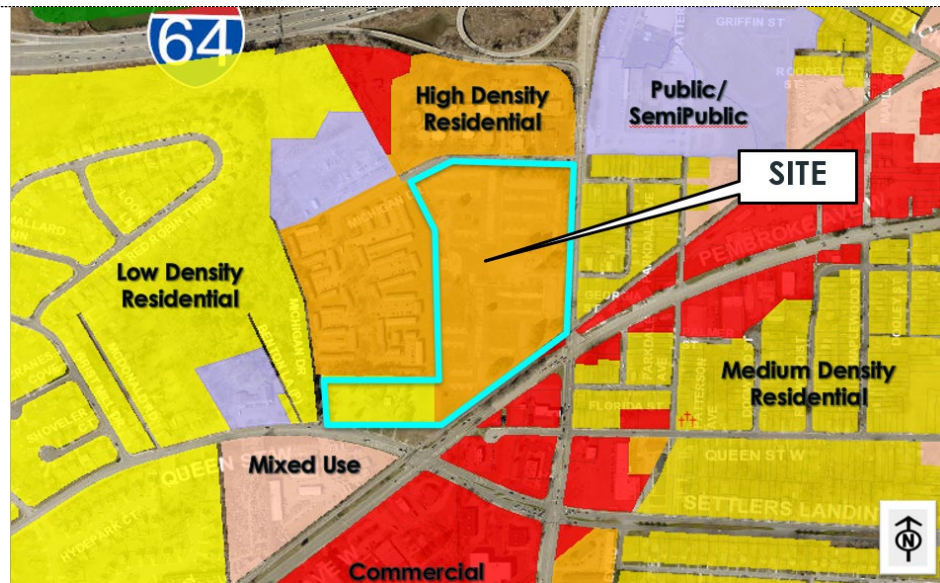
Objective 9: Promote a diverse mix of housing values, types, and choices to meet the needs of different income groups, ages, and household types and sizes.

Future Land Use:

The Hampton Community Plan (2006, as amended) designates this area as low density and high density residential. The high-density category includes Hampton's large scale multi-family apartment and condominium developments. The recommended high residential development density is 15 or more units per acre. In total, the proposed development has a project density of approximately 22 units per acre.

Future Land Use Plan Map:

(map appears on the following page)



Traffic Impacts

The site is bound by three minor arterial streets: LaSalle Avenue, West Pembroke Avenue, and West Queen Street. Minor arterial streets interconnect with, and augment, the principal arterial and collector street systems.

Vehicular traffic would access the site at three key points: (1) Michigan Drive near the intersection of Michigan Drive and West Queen Street, (2) Michigan Drive near the intersection of Michigan Drive and LaSalle Avenue, and (3) LaSalle Avenue at the existing site entrance. There is a traffic signal at the intersection of Michigan Drive and LaSalle Avenue.

A Traffic Impact Analysis (TIA) was conducted as part of the previous rezoning process and the summary findings from the TIA are as follows:

- The proposed development will generate a total of 163 external AM peak hour trips (41 in and 122 out), 203 external PM peak hour trips (125 in and 78 out), and 2,593 external average weekday daily trips.
- There are no significant changes in LOS or queueing between existing, background, and total future conditions.

The Public Works Department reviewed the TIA and found the project's impact to surrounding streets and intersections to be minimal and may require re-stripping at the LaSalle/Pembroke eastbound left turn lane to increase storage capacity, the details of which would be resolved during the site plan review process.

As stated, due to the nullification condition(s) of the previous Use Permit (UP22-00011) and the current development having yet to reach substantial completion, the Use Permit has been nullified. This new Use Permit application does not include any site plan

	changes, building elevation changes, or any other substantial changes when compared to the previous set of applications.
<i>Environmental</i>	<p>There are no significant or special environmental features on or adjacent to the subject. No wetlands were identified and the property is not within the Chesapeake Bay Preservation District Overlay or a Special Flood Hazard Area.</p> <p>The northwestern portion of the site is within the FEMA FIRM Flood Zones AE08 and X-Shaded.</p>
<i>Community Meeting</i>	A community meeting was not held during the previous Rezoning and Use Permit applications process in 2022. Although there were no meetings specific to the applications, the developers, in partnership with HRHA, met with the community as part of the development agreement process. In that the current application is intended to reinstate the previously approved use permit application, no additional community engagement was solicited.

Analysis

Use Permit No. 25-0195 is a request by Trilogy Developers LLC to permit multifamily dwellings at an unaddressed parcel, located at the intersections of LaSalle Avenue and West Pembroke Avenue, West Pembroke Avenue and West Queen Street, and West Queen Street and Michigan Drive [LRSN: 2000401], commonly known as the site of the previously Lincoln Park Housing Development, now referred to as the Trilogy I development.

In February 2023, the subject site was approved to be rezoned to the Downtown Business (DT-1) District, subject to twelve (12) proffered conditions (see RZ22-00008) in conjunction with a Use Permit (see UP22-00011), subject to six (6) conditions to deviate from the by-right optional incentive standards for multifamily dwellings in the DT-1 District. Condition 6 of UP22-00011, states that the use permit shall automatically expire and become null and void *"if in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit."* Although the subject site is currently in pre-development, it has yet to reach substantial completion to comply with the condition stated above; therefore, the previous Use Permit (UP22-00011) has been nullified.

As approved, the development proposal included 118 fee-simple townhomes (both front- and rear-loaded), 380 multifamily dwellings (both general population and age-restricted senior housing), and 6,000 square feet of commercial space. The development proposes various community amenities, such as a central park space, pool, dog park and washing station, clubhouse, and a fitness center.

In November 2021, City Council amended the Zoning Ordinance to add optional incentive development standards for multifamily dwellings within the DT-1 Zoning District. These standards are intended to allow a by-right route of developing multifamily dwellings, while elevating the quality of the projects. They also intend to incentive higher density development within urban cores, such as Downtown. The DT-1 District allows for

the by-right construction of multifamily dwellings, subject to the optional incentive standards in Zoning Ordinance Sec. 3-3(42)(b). Multifamily dwellings which do not meet the optional incentive standards are subject to obtaining a use permit.

For this application, and the previously approved Use Permit application, the applicant is seeking a use permit to deviate from the following by-right optional incentive standards:

- Sec. 3-3(42)(b)(iv): Off-street parking shall be prohibited in the front yard.
Applicant's proposal: Off-street parking between age-restricted building (Building No.4) and Michigan Drive.
- Sec. 3-3(42)(b)(vi): A minimum of twenty (20) percent of the first-floor street-adjacent building façades shall be comprised of glass windows and/or glass doors.
Applicant's proposal: 15% glass windows and/or doors
- Sec. 3-3(42)(b)(ix): The minimum ceiling height of the first floor of a building containing residential dwelling units shall be ten (10) feet.
Applicant's proposal: 9-foot ceiling height
- Sec. 3-3(42)(b)(x): For any building with residential dwelling area on the ground floor and which faces a public right-of-way, the first finished floor of the dwellings shall be a minimum of thirty-six (36) inches above the grade of the public sidewalk at the primary entrance to the building.
Applicant's proposal: 10-foot finished floor elevation (FFE) for multifamily buildings; 18" raised slab construction for townhome buildings

The density of proposed development is generally consistent with the future land use recommendation of the Hampton Community Plan (2006, as amended), which designates a majority of the subject property as high density residential. The plan identifies this portion of LaSalle Avenue as a residential corridor with commercial/mixed-use nodes (LU-23). For this corridor, the Plan encourages promoting uses compatible with the residential character and that high density residential uses may be appropriate under certain circumstances (LU-CD 36). The recommended high residential development density is 15 or more units per acre. In total, the proposed development has a project density of approximately 22 units per acre.

Similar to UP22-00011, in the event the use permit is granted, staff has identified nine (9) recommended conditions based upon the proposed use's operational and land use characteristics. These recommended conditions are subject to change, pending potential changes to the proffer statement and application materials. A few key conditions are highlighted below:

- Compliance with the proffered conditions of Rezoning 22-00008
- On-site management
- Certificate of Occupancy
- Additional use permit requirement for conversion of commercial space into multifamily dwellings
- Nullification extended to include the building to be erected, with doors, windows, roof covering and exterior finish materials in place within **five (5)** years of the issuance of the use permit

In that the components of the original development proposal have not changed and a use permit was previously approved, this application and the development it represents, would be appropriate.

Staff recommends **APPROVAL** of Use Permit Application No. 25-0195 **subject to nine (9) conditions.**