

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, JUNE 26, 2025, AT 3:00 P.M.

Chair Michael Harris called the work session to order at 3:00 P.M.

A call of the roll noted Chair Michael Harris, Vice-Chair Kathy Rogers, Commissioners Martha Mugler, Ruthann Kellum, and Tracy Brooks as present. Commissioners Trina Coleman and Brian DeProfio, were noted absent, however, Commissioner Coleman arrived after roll call. Staff in attendance were Secretary/Deputy Director Kim Mikel, Interim Deputy Director Steve Lynch, Public Works Administrator Mike Bowry City Attorney Courtney Sydnor, Senior Deputy City Attorney Patricia Melochick, Assistant City Attorney Jessica Kraus, Housing and Neighborhood Services Manager Jonathan McBride, Planning Manager Milissa Story, Deputy Zoning Administrator Chris Langaster, Zoning Official Wanda Wynn, Zoning Official Samar Ravan, Chief City Planner Donald Whipple, City Planner Han Vu, City Planner Valerie Taylor, and Clerk of Boards and Commissions Arlena Cahoon.

The Commission and staff discussed the agenda items, with the following information being provided.

Other Matters:

Secretary Kim Mikel announced that there will be a vacancy in the Planning Commission due to Commissioner Ruthann Kellum's term expiring on June 30, 2025. Therefore, staff is currently working on recruiting a new member to fill the vacancy.

Secretary Mikel also noted changes in CDD's staffing. We recently welcomed a new Planning Manager, Milissa Story. Ms. Story comes from the City of Newport News with valuable experience in both planning and development. Secondly, this will be the last Planning Commission Meeting for Assistant City Attorney Jessica Kraus as she will be moving on to another opportunity.

Ms. Kraus expressed that she has enjoyed working with the Planning Commission and will miss everyone.

Resolution to Amend and Re-Adopt an Electronic Meeting Policy for the Planning Commission:

Secretary Mikel noted that staff is recommending an amendment and re-adoption of an electronic meeting policy that will begin this session subject to the Planning Commission's approval.

Ms. Kraus indicated that the Planning Commission previously had an electronic meeting policy, however, updates to the Freedom of Information Act (FOIA) and State Code have required the policy to be updated annually. Since the change to State Code, the Planning Commission has not re-adopted the policy. Therefore, this action will be to amend and re-adopt it in order to become compliant. The policy explains the procedures on how a Commissioner can attend the meetings virtually as well as the requirements that need to be met. After the Planning Commission acts on this policy, it will become effective immediately.

In response to questions from Commissioner Kellum, City Attorney Courtney Sydnor responded that the Economic Development Authority recently re-adopted their old policy, however, she is unfamiliar if any other boards or commissions have done the same. Ms. Kraus

added that this policy will only apply to the Planning Commission and that the other boards and commissions will need to adopt their own policy.

Ms. Kraus explained that this item will be on the agenda right after the roll call. Currently, Commissioner Brian DeProfio is not participating in the meeting, he is listening in virtually, like a member of the public. If the Planning Commission chooses to adopt the resolution, it will become effective immediately, and Commissioner DeProfio would be able to participate in today's meeting, in accordance with the written request he has submitted.

In response to a question from Chair Michael Harris, Ms. Kraus responded that the Council Chambers has been set up for Commissioner DeProfio to join virtually, if the Planning Commission approves the resolution.

Ms. Sydnor added that she has provided a brief statement for Secretary Mikel to read in the public hearing meeting noting that Commissioner DeProfio has submitted a written request in compliance with FOIA. He will be participating virtually from Florida.

Community Plan Amendment No. 25-0102 by the City of Hampton to Consider an Amendment to the Hampton Community Plan (2006, as amended) to Update the Future Land Use Map for Certain Parcels Known as 183 E Mercury Blvd 183A E Mercury Blvd 261 Woodland Rd 265 Woodland Rd 303 Woodland Rd and 305 Woodland Road [LSRNs: 12003432 12003433 12003435 12003434 12003429 and 12003430]. The Proposed Amendment Would Change the Land Use Designation for the Specified Parcels Referenced Above from Low Density Residential to High Density Residential Land Use:

Rezoning Application No. 25-0148 by Orchard Oaks, LLC to Rezone +/-10.18 acres at 183 E Mercury Boulevard, 183-A E Mercury Boulevard, 261 Woodland Road, and 265 Woodland Road [LSRNs: 12003432, 12003433, 12003435, and 12003434], from General Commercial (C-3) District and the One-Family Residential (R-11) District to the Multifamily Residential (MD-4) District, with Conditions for a Multifamily Development:

Use Permit Application No. 25-0149 by Orchard Oaks, LLC to permit Multifamily Dwellings at 183 E Mercury Boulevard, 183-A E Mercury Boulevard, 261 Woodland Road, and 265 Woodland Road [LSRNs:12003432, 12003433, 12003435, and 12003434]:

Secretary Mikel noted that there are three (3) public hearing items on today's meeting agenda. The first item is Community Plan Amendment No. 25-0102, that was deferred from the last two (2) meetings. The following two (2) items are Rezoning and Use Permit Applications that pertain to a proposed multi-family development. The development will involve parcels that are in the proposed Community Plan Amendment. Accordingly, all three (3) items will be presented in one (1) presentation and have two (2) separate motions. The first motion will be for the Community Plan Amendment and the second motion will be for both the Rezoning and Use Permit Applications.

Chief City Planner Donald Whipple provided the Commissioners with copies of three (3) emails that were received from members of the Community, regarding the items.

In response to questions from Vice-Chair Kathy Rogers, Mr. Whipple responded that the property is currently split-zoned between Commercial (C-3) and Single-Family Residential (R-11). Therefore, the property could be rezoned up to one of the zoning boundaries or the property could be entirely rezoned to Commercial or Residential, depending on the proposed use. Additionally, staff does not know the owner's plans for the remaining parcels on the property.

however, those parcels are included in the proposed Community Plan Amendment. Mr. Whipple further explained that if the future land use is changed to high-density, and the property is zoned Residential, single-family homes are allowed by-right on the property. The zoning district is the ruling factor for the allowed uses, and the future land use map is a guidance tool for staff and the community to plan for the future.

Secretary Mikel added that staff asked the property owner if they would like to be included in the Community Plan Amendment and they specifically requested to be included.

In response to a comment from Commissioner Trina Coleman, Mr. Whipple responded that the term “underutilized” is what staff typically uses to explain properties with development potential, however, staff can look into using different terminology.

The work session adjourned at 3:27 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, JUNE 26, 2025 AT 3:30 P.M.

I. CALL TO ORDER

Chair Michael Harris called the meeting to order at 3:39 P.M.

II. ROLL CALL

A call of the roll noted Chair Michael Harris, Vice-Chair Kathy Rogers and Commissioners Tracy Brooks, Trina Coleman, Ruthann Kellum, and Martha Mugler as being present. Commissioner Brian DeProfio was noted absent, however, Commissioner DeProfio attended virtually after the roll call and adoption of the Planning Commission's Electronic Meeting Policy. Staff in attendance were Secretary/Deputy Director Kim Mikel, Interim Deputy Director Steve Lynch, Public Works Administrator Mike Bowry, City Attorney Courtney Sydnor, Senior Deputy City Attorney Patricia Melochick, Assistant City Attorney Jessica Kraus, Housing and Neighborhood Services Manager Jonathan McBride, Planning Manager Milissa Story, Deputy Zoning Administrator Chris Langaster, Zoning Official Wanda Wynn, Zoning Official Samar Ravan, Chief City Planner Donald Whipple, City Planner Han Vu, City Planner Valerie Taylor, Senior Youth Planner Helena Folkerts, and Clerk of Boards and Commissions Arlena Cahoon.

III. RESOLUTION

A motion was made by Vice-Chair Kathy Rogers and was seconded by Commissioner Martha Mugler to adopt the Electronic Meeting Policy,

A roll call vote on the motion resulted as follows:

AYES:	Brooks, Rogers, Coleman, Kellum, Mugler, Harris
NAYS:	None
ABSTAIN:	None
ABSENT:	DeProfio

Secretary Kim Mikel noted that Commissioner Brian DeProfio has requested to participate in this meeting remotely as he is unable to attend the meeting in-person due to a personal matter. More specifically, Commissioner DeProfio is out of town on previously scheduled travel. Commissioner DeProfio's request was timely made in writing, and the City Attorney's Office has determined that provided a physical quorum is otherwise assembled in the Council Chambers, Commissioner DeProfio's request is in compliance with Virginia Code Section 2.2-3708.3 and the Planning Commission's remote participation policy. Commissioner DeProfio will participate from a location in the State of Florida and the Planning Commission has arranged for Commissioner DeProfio's voice to be heard by all persons in attendance in the Council Chambers.

Commissioner DeProfio confirmed that he was able to hear everyone clearly and was now participating in the meeting remotely.

IV. APPROVAL OF MINUTES

Commissioner Tracy Brooks noted a correction to the May Planning Commission minutes. The adjournment time reads the same time for both the Planning Commission work session and

public hearing meeting. The time of adjournment for the Planning Commission public hearing meeting should be amended to read 3:39 P.M.

A motion was made by Commissioner Ruthann Kellum and was seconded by Commissioner Trina Coleman to approve the minutes from the May 22, 2025 Planning Commission Meeting as amended.

A roll call vote on the motion resulted as follows:

AYES:	Rogers, Coleman, Kellum, Mugler, DeProfio, Harris
NAYS:	None
ABSTAIN:	Brooks
ABSENT:	None

Commissioner Brooks abstained from voting on the minutes as she was not present at the May 22, 2025 Planning Commission meeting.

V. PUBLIC HEARING ITEMS

Secretary Kim Mikel read the key points of the Hampton Planning Commission Public Hearing/Comment Rules. Secretary Mikel noted that there are three (3) public hearing items on the agenda that will be heard in one (1) combined presentation.

1. Community Plan Amendment No. 25-0102 by the City of Hampton to Consider an Amendment to the Hampton Community Plan (2006, as amended) to Update the Future Land Use Map for Certain Parcels Known as 183 E Mercury Blvd 183A E Mercury Blvd 261 Woodland Rd 265 Woodland Rd 303 Woodland Rd and 305 Woodland Road [LSRNs: 12003432 12003433 12003435 12003434 12003429 and 12003430]. The Proposed Amendment Would Change the Land Use Designation for the Specified Parcels Referenced Above from Low Density Residential to High Density Residential Land Use

Community Plan Amendment No. 25-0102: This is a Community Plan Amendment by the City of Hampton to consider an amendment to the Hampton Community Plan (2006, as amended) to update the future land use map for certain parcels known as 183 E Mercury Blvd, 183 A E Mercury Blvd, 261 Woodland Rd, 265 Woodland Rd, 303 Woodland Rd, and 305 Woodland Rd [LRSNs: 12003432, 12003433, 12003435, 12003434, 12003429 and 12003430]. The proposed amendment would change the land use designation for the specified parcels reference above from Low Density Residential to High Density Residential Land Use.

2. Rezoning Application No. 25-0148 by Orchard Oaks, LLC to Rezone +/-10.18 acres at 183 E Mercury Boulevard, 183-A E Mercury Boulevard, 261 Woodland Road, and 265 Woodland Road [LRSNs: 12003432, 12003433, 12003435, and 12003434], from General Commercial (C-3) District and the One-Family Residential (R-11) District to the Multifamily Residential (MD-4) District, with Conditions for a Multifamily Development

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3. Use Permit Application No. 25-0149 by Orchard Oaks, LLC to permit Multifamily Dwellings at 183 E Mercury Boulevard, 183-A E Mercury Boulevard, 261 Woodland Road, and 265 Woodland Road [LRSNs:12003432, 12003433, 12003435, and 12003434]

Use Permit Application No. 25-0149: This is a Use Permit Application by Orchard Oaks, LLC to permit Multifamily Dwellings at 183 E Mercury Boulevard, 183-A E Mercury Boulevard, 261 Woodland Road, and 265 Woodland Road [LRSNs:12003432, 12003433, 12003435, and 12003434].

Chief City Planner Donald Whipple presented the joint staff report on Community Plan Amendment No. 25-0102, Rezoning Application No. 25-0148, and Use Permit Application No. 25-0149. Staff recommends approval of Community Plan Amendment No. 25-0102, Rezoning Application No. 25-0148, subject to ten (10) proffered conditions, and Use Permit Application No. 25-0149, subject to eight (8) conditions.

In response to a question from Commissioner Martha Mugler, Mr. Whipple stated that the applicant conducted a Traffic Impact Analysis (TIA), which was reviewed by the Public Works Department. The analysis concluded that the proposed development would have a minimal impact on traffic. The TIA evaluated the intersections of East Mercury Boulevard and Andrews Boulevard, East Mercury Boulevard and East Pembroke Avenue, Andrews Boulevard and Woodland Road, and East Pembroke Avenue and Woodland Road. The impact at all four intersections was found to be within acceptable levels. As part of the proffered conditions, the applicant has proposed to align the main entrance of the development with Southerland Drive as well as constructing a dedicated left-turn lane into the site from East Mercury Boulevard.

In response to another question from Commissioner Mugler, Public Works Administrator Mike Bowry responded that the TIA did not formerly evaluate the traffic impact from the Hampton Roads Bridge Tunnel (HRBT) expansion project. However, it is anticipated that there will be a lower traffic impact when the HRBT expansion project is finished.

In response to questions from Commissioner Trina Coleman, Mr. Whipple responded that at the main entrance of the development, there will be decorative fencing as well as opaque fencing along the landscape buffers. Regarding the anticipated impact to adjacent properties, Mr. Whipple infers that the assessment was done for both the proposed development and the adjacent properties.

Secretary Mikel added that the information provided in the narrative statement was provided by the developer. Therefore, they would be more suitable to answer those specific questions.

Mr. Whipple explained that he cannot specify the reference documents that were used in the applicant's narrative statement.

In response to a question from Commissioner Ruthann Kellum, Mr. Whipple clarified that the trees shown on the site plan are proposed plantings. Since the property has been primarily used for agricultural purposes, there are few existing trees. However, several large oak trees are located at the opposite end of the property, and the applicant has expressed they will keep and preserve them.

In response to Commissioner Coleman's previous question regarding the assessed property values, Commissioner DeProfio responded that while looking at the City's Geographic Information

Systems (GIS) program, he noticed that there are several properties that were assessed below or in the low \$200,000s. Commissioner DeProfio further asked about the potential uses for the commercial aspect of the property.

In response to Commissioner DeProfio, Mr. Whipple confirmed that General Retail Uses, such as convenience stores or laundromats, are permitted by right in the Commercial (C-3) Zoning. Additionally, an intensive use, such as an auto body shop or storage facility, could be located in that zoning. However, a use permit would be required.

In response to a question from Chair Harris, Assistant City Attorney Jessica Kraus explained that the revocation condition is derived directly from the Zoning Ordinance. It grants City Council the authority to revoke any Use Permit, if the permit holder violates its conditions or engages in repeated violations of the City Code. The nullification condition references condition six (6) of the proffer agreement, which outlines the developer's timeline of the development. Accordingly, if the developer does not meet the timeline in the proffer agreement, then the use permit will automatically expire. If the use permit expires, the applicant would be required to reapply for a use permit, approved by City Council.

The applicant and founding partner of The Whitmore Company, Daniel Aston, provided an overview of the proposed development. Mr. Aston emphasized that the firm's mission is to build high-quality infill apartment communities. They have developed several apartment projects throughout Hampton Roads, each of which has led its respective market in quality and appeal. Mr. Aston highlighted Monroe Gates, a completed development in the City, which he believes enhanced the character and quality of the Phoebus neighborhood. Addressing the term "high density," he clarified that Monroe Gates includes 32.4 units per acre, while the proposed project, Orchard Oaks, is slightly less dense, at 31.6 units per acre. The name Orchard Oaks honors both the site's history as an orchard and the large oak trees located at the Woodland Road end of the property.

The Woods family, who have owned the property since the 1940s, are present at the meeting, and are in support of the proposal. When the family announced the business would be closing, Mr. Aston approached Mr. Woods to express interest in the property. From their initial meeting, Mr. Woods emphasized the importance of selecting a buyer committed to quality development that would contribute positively to the City. Mr. Woods also expressed a desire to ensure that the sale would help support future generations of his family. Mr. Aston assured Mr. Woods that The Whitmore Company would not build anything less than the best. Mr. Woods later visited Monroe Gates and, impressed by the project, personally signed a contract with The Whitmore Company on August 2, 2024.

After Mr. Woods' passing, his family asked the company to move forward, stating their belief that Mr. Woods had chosen The Whitmore Company to serve as responsible stewards of the land. Since the contract was finalized, The Whitmore Company has worked diligently to prepare a comprehensive and thoughtful proposal. This process included an Economic Impact Study conducted by the CHMURA Group in Richmond, which projected a positive economic benefit to the City. Additional studies were completed, including a traffic study indicating minimal impact to surrounding streets, a wetlands study, full engineering plans for a stormwater pond, a detailed site plan, infrastructure analysis both onsite and offsite, and soil bearing evaluations. In summary, Mr. Aston stated that this proposal has been carefully assembled by leading experts in their respective fields and represents the highest and best use of the site. He believes it will exceed the benefits of the current Commercial and Residential zoning designations, contributing positively to the City and neighboring areas. The development will provide quality housing for new residents, who may eventually purchase homes in the City. He also noted that past developments, such as

Monroe Gates, have led to increased local business activity and community investment. In closing, Mr. Aston shared visual materials to offer additional insight on the proposal.

Brennan Raab, Vice President of Construction for The Whitmore Company, provided a presentation outlining the details of the proposed development. He referenced the site plan and proffer agreement, noting the inclusion of a Landscape Buffer Detail that illustrates the size of the proposed trees. In response to a previous question from Commissioner Kellum, Mr. Raab confirmed that the property will be fully enclosed with fencing. A wood-slat privacy fence will be installed along the residential side of the property, while decorative open picket metal fencing is proposed for the northern boundary. Mr. Raab assured that the preservation of the Woodland oak trees remains a priority. Also, to honor the property's history, they intend to preserve and restore the existing Wood's Orchards Peach House barn, along with an architectural style of the apartment buildings following a modern farmhouse design. Mr. Raab also noted that The Whitmore Company manages all of its properties in-house to ensure a consistent standard of quality and maintenance. The apartment community will consist of one- and two-bedroom units, with monthly rents ranging from \$1,590 to \$2,150.

According to the Traffic Impact Analysis (TIA), the multifamily use of the site will result in 186 fewer vehicle trips per day compared to the currently zoned commercial use. A 125-foot southbound left-turn lane will be required at the Mercury Boulevard median entrance. While a northbound turn lane is not required, the developer has opted to include one. The developer will also manage all stormwater onsite. Currently, a 30-foot stormwater pipe from the neighborhood to the south, runs through an open ditch to the north, carrying farm field runoff directly into Hampton Creek. The proposed improvements include rerouting this existing pipe underground to the opposite side of the property, eliminating flow restrictions. All onsite stormwater will be collected, treated, and retained using Best Management Practices (BMPs) designed for controlled release. The total estimated economic impact of the Orchard Oaks development is projected at \$17.8 million.

Chair Harris opened the public hearing.

The Honorable Donnie Tuck, former Mayor of the City of Hampton, expressed his support for the proposed development at the site formerly known as Wood's Orchard. During his tenure as Mayor, he first met Mr. Aston in 2017, when Mr. Aston presented the concept for Monroe Gates. Mr. Aston believed Monroe Gates would serve as a gateway statement for those entering the Phoebus area. He also noted that Mr. Aston resides and has headquartered his company in the City, demonstrating a strong personal and professional investment in the community. Given Mr. Aston's commitment to only associating his name with high-quality developments, he is confident that this project would also become a signature addition to the City. In 2022, the City of Hampton announced that 700 airmen and their families would be relocating to Langley Air Force Base due to the transfer of the F-22 Formal Training Unit from Tyndall Air Force Base in Florida. He emphasized that there is a critical housing shortage at Langley and that it is the responsibility of the City of Hampton to provide housing for those incoming families. The location of the proposed development is in close proximity to Langley Air Force Base, making it well-positioned to meet the housing needs not only of military families, but also of other residents. Mr. Tuck acknowledged that while some community members would prefer to preserve open green space or construct single-family homes, Hampton is landlocked, and this would not represent the best and highest use of the property. The Planning staff found the proposed project to be consistent with the City's Land Use Policy and determined that it would not negatively impact traffic. He concluded by urging the Planning Commission to recommend approval of both the Community Plan Amendment and the Rezoning application.

Edward Carden, a local resident, stated that the Planning Commission should have received an email from his neighbor, Theresa, and encouraged the Commissioners to review it. He found the email to be informative, noting that it raised several important points and questions that should be addressed prior to the Planning Commission's decision. Accordingly, he urged the Commissioners to read the email before casting their votes on the recommendation.

John Horn, a local resident, stated that he lives almost directly across from the proposed development site. He expressed concerns regarding stormwater management, specifically noting that Woodland Road frequently floods during heavy rain and thunderstorms. In the 21 years he has lived in the area, he does not believe the City has taken any action to address the issue. He recalled instances where vehicles parked in front of his home were submerged in floodwaters to the point of becoming inoperable. Mr. Horn believes that increased traffic, stormwater runoff, and the reduction of green space caused by the development will further exacerbate the flooding problem during major rain events. He suggested that single-family homes would be a more appropriate use of the land, as they would preserve more green space. He concluded by stating that he does not believe the proposed development represents the best use of the property.

Clark Taylor Woodcock, a local resident, stated that during the first community meeting, it was discussed that approximately 10.5 acres of the property would be developed, which initially raised concerns within the neighborhood. The current proposal now includes approximately 16.5 acres to be rezoned for multi-family use. He expressed concern that all previous studies were based on the original 10.5 acres and not the expanded area. The additional six (6) acres could also be developed as multi-family, and residents living adjacent to the property are aware of the sale price and the development potential it holds. He questioned the future use of that additional land and expressed concern over the lack of clarity. Several homes have been constructed on that piece of property over the years, and that three (3) of the rezoning requests include existing residences. From his and his neighbors' perspectives, the proposal represents more rezoning, more multi-family housing, and potentially, more challenges for the surrounding neighborhood. He urged the Planning Commission to take a close and critical look at the proposal before recommending approval.

Joe Zagari, a local resident, inquired as to the number of bedrooms allowed per-unit in the Multi-Family (MD-4) Zoning,

In response to Mr. Zagari, Mr. Whipple responded that MD-4 Zoning does not have a specific limit on the number of bedrooms for apartments or townhomes.

Mr. Zagari inquired about the developer's flexibility to modify some of the units from studio or one-bedroom layouts to a three- or four-bedroom configuration.

In response to Mr. Zagari, Chair Harris clarified that the public hearing is a time for comments and not questions, however, he added that he will allow Mr. Whipple to respond to Mr. Zagari's question.

Mr. Zagari expressed that his concern is the impact on taxes and the cost of educating school-aged children. If the developer has the flexibility to build larger units, such as three- or four-bedroom layouts, it could result in more school-aged children moving into area, which would significantly increase the cost to taxpayers for education.

Debbie Ott, a local resident, stated that she is speaking on behalf her family. The Wood Family is in support of the rezoning and development plan for the property known as Woods Orchards. She expressed that from the beginning, it has been clear that the City Planning staff

approached this project as if they had a wish list for high quality apartment living. If something was not already on that list, the staff has quickly added. As a result, it has been a well-rounded community responsive plan. Every concern that has been raised by the community has been addressed through careful design and professional analysis. She believes that the opposition to the proposal is rooted more in the general discomfort with growth rather than specific unresolved issues. She acknowledged that change can bring concern, however, this plan strikes a fair and thoughtful balance between community input and responsible development. From a land use perspective, this is a logical and appropriate fit. On the one side, the property borders garaged storage units and other modest homes, the other side borders undeveloped land that is also currently being considered for rezoning. Orchard Oaks aligns with the surrounding area and represents smart, realistic growth. On behalf of the family, they have worked in good faith to make sure this project reflects what is best for the land, the neighborhood, and the City. She respectfully urged the Planning Commission to support staff's recommendation of approving the rezoning application and the Orchard Oaks development.

Chair Harris closed the public hearing.

In response to a question from Chair Harris, Mr. Whipple responded that the proposed zoning could not be accomplished with a medium density use. It would fall below the density ranges that are laid out in the Comprehensive Plan for low, medium and high densities. MD-4 Zoning is the highest unit per acre zoning category.

In response to questions from Commissioner Mugler, Mr. Whipple explained that staff recommended high-density residential zoning because it allows for greater opportunity and flexibility in providing a range of housing options. Several City policies support a diverse mix of housing types, meaning the property does not have to be developed exclusively according to the current rezoning request. Mr. Whipple further indicated on the site plan an existing drainage ditch that currently collects runoff from properties to the south and channels it northward of the project site. The applicant is proposing to enclose this ditch with piping, allowing runoff from both the southern properties and the proposed development to be directed into an on-site BMP facility, where it will be collected and treated. The stormwater outfall will continue to discharge into the same area as it does today.

In response to a question from Vice-Chair Rogers, Mr. Whipple confirmed that the Community Plan Amendment proposes changing the land use designation of the entire parcel outlined in blue from low-density residential to high-density residential. However, the rezoning application applies only to the portion of the property that is shaded on the map. The upper portion of the parcel will remain zoned Single-Family Residential (R-11).

In response to questions from Commissioner Kellum, Mr. Whipple referenced the Zoning Map, indicating that the area outlined in blue is being recommended for rezoning. The portion shaded in red is currently zoned Commercial (C-3), and if the property remains under its current zoning, the uses previously referenced by Commissioner DeProfio would be permitted by-right. Mr. Whipple clarified that while the Woods family still owns the property, staff is working with the applicant on the rezoning application. The only impact to the adjacent properties would be the proposed change in the land use designation, from low-density residential to high-density residential. The surrounding properties will remain zoned as Single-Family Residential (R-11).

In response to a question from Commissioner Brooks, Mr. Whipple responded that the zoning is the authority of what can be done on the property. Changing the land use designation to high-density residential opens up greater opportunity for development of the property, and would not prevent it from being low-density residential.

In response to a question from Commissioner Mugler, Mr. Whipple confirmed that only the Woods Orchards property has a portion currently zoned Commercial (C-3).

Chair Harris commended The Whitmore Company for doing an excellent job on the proposal. He shared that he had conducted some research on median household income and found that the proposed rent range aligns with the income bracket for the area. However, he expressed concern regarding the affordability of the development for senior citizens, particularly those aging out of the workforce and living on limited or fixed incomes as individuals. He emphasized the importance of more intentionally considering seniors when labeling housing as "affordable." He is hopeful that the property closer to downtown will be designated for senior housing in the future. While he indicated that he would be voting in favor of the recommendation, he expressed reservations and reiterated his hope that future development downtown will take the needs of senior citizens into greater account.

There being no further individuals signed up to speak, the Planning Commission approved the following Resolutions:

- WHEREAS: the Hampton Planning Commission has before it this day an amendment to the Hampton Community Plan (2006, as amended) to update the future land use map for certain parcels known as 183 E. Mercury Blvd., 183A E. Mercury Blvd., 261 Woodland Rd, 265 Woodland Rd, 303 Woodland Rd, and 305 Woodland Road, [LSRNs: 12003432, 12003433, 12003435, 12003434, 12003429, and 12003430];
- WHEREAS: the proposed amendment would change the future land use designation for the specified parcels referenced above from Low Density Residential to High Density Residential land use;
- WHEREAS: the properties are currently zoned as General Commercial (C-3) One-Family Residential (R-11) and historically have served as agricultural, commercial, and one-family dwelling uses;
- WHEREAS: the Hampton Community Plan classifies low-density residential as 3.5 to 9 residential units per acre and high-density residential as 15 or more residential units per acre;
- WHEREAS: high-density residential development would allow multi-family units, townhomes, or mixed-use structures to accommodate the City's growing demand for housing diversity and mixed housing types;
- WHEREAS: the proposed amendment would align with Hampton's geography, growth patterns, environmental conditions, and the need for efficient land use, supporting the City's long-term growth strategies and housing demands, and aims to balance land use compatibility by integrating higher-density residential development within the existing commercial hubs along Mercury Boulevard and Pembroke Avenue;
- WHEREAS: Commissioners had questions and comments pertaining to the potential transportation and drainage impacts of increasing residential density within this area, as well as the impacts on the change in the land use map on future development;
- WHEREAS: City staff recommends approval of this Community Plan Amendment;

WHEREAS: members of the public spoke in support of this application during the public hearing, noting consistency with City policies, and the City's housing needs; and

WHEREAS: members of the public spoke in opposition of this application during the public hearing, noting concerns with increased traffic and flooding in the area, and the potential increase in school age children.

NOW, THEREFORE, on a motion by Commissioner Brian DeProfio and seconded by Vice-Chair Kathy Rogers,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Comprehensive Plan Amendment No. 25-0102.

A roll call vote on the motion resulted as follows:

AYES:	Rogers, Brooks, Kellum, Mugler, DeProfio, Harris
NAYS:	Coleman
ABSTAIN:	None
ABSENT:	None

WHEREAS: the Hampton Planning Commission has before it this day a Rezoning Application by Orchard Oaks, LLC to rezone +/-10.18 acres at 183 E Mercury Boulevard, 183-A E Mercury Boulevard, 261 Woodland Road, and 265 Woodland Road [LRSNs: 12003432, 12003433, 12003435, and 12003434] from General Commercial (C-3) District and One Family Residential (R-11) District to Multifamily Residential (MD-4) District with conditions; and an accompanying Use Permit Application for a multifamily development;

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

WHEREAS: the proposed multifamily residential project includes 316 apartment units within four (4) buildings: three (3), 4-story buildings and one (1), 3-story building and includes 420 parking spaces, including five (5) Level 2 electric vehicle charging stations;

WHEREAS: the proposed community amenities include a clubhouse, including a fitness room, an indoor billiard/game room, a package room, and a conference room, as well as an outdoor pool area with grilling areas and fire pits, and project-wide sidewalk connectivity. In addition, the existing Woods Orchard Barn will be refurbished and utilized as an outdoor amenity with fire pits and outdoor seating;

WHEREAS: the Hampton Community Plan (2006, as amended) currently recommends low density residential land use for the subject property; however, the City of Hampton is proposing an amendment to the Community Plan (CPA25-0102) to amend the recommended future land use as high-density residential;

WHEREAS: the applicant has proffered ten (10) conditions for the rezoning, which include substantial conformance with the concept plan, substantial conformance with the elevations, provision of high-quality and durable building materials, community amenities, resiliency and sustainability elements, fencing, lighting, landscaping, and screening of HVAC systems, and traffic improvements, among others;

WHEREAS: the staff is recommending eight (8) conditions for the Use Permit, which include substantial conformance with the rezoning proffers, on-site management, dumpster screening, certificate of occupancy, compliance with laws, and revocation and nullification;

WHEREAS: Commissioners had questions and comments pertaining to the quality of development, fencing and landscape buffers, traffic improvements per the Traffic Impact Analysis (TIA), by-right uses within the General Commercial (C-3) District, revocation and nullification procedures, and the median incomes stated within the "Economic and Fiscal Impact" report, which was distributed during the public hearing;

WHEREAS: City staff recommends approval of the rezoning and use permit applications;

WHEREAS: members of the public spoke in support of these applications during the public hearing, noting consistency with City policies, meeting the City's housing need, the quality of the development proposal, and less intensive use than by-right commercial uses; and

WHEREAS: members of the public spoke in opposition of these applications during the public hearing, noting concerns with increased traffic and flooding in the area, potential increase in school age children, and a lack of fit for the neighborhood.

NOW, THEREFORE, on a motion by Commissioner Ruthann Kellum and seconded by Vice-Chair Kathy Rogers,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Rezoning Application No. 25-0148 with ten (10) proffered conditions and approval of Use Permit Application N. 25-0149 with eight (8) conditions.

A roll call vote on the motion resulted as follows:

AYES:	Rogers, Brooks, Kellum, Mugler, DeProfio, Harris
NAYS:	Coleman
ABSTAIN:	None
ABSENT:	None

VI. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

May 2025 Youth Planner Report to the Planning Commission

Secretary Mikel mentioned that this will be Helena Folkerts last Planning Commission meeting.

Senior Youth Planner Helena Folkerts presented the Youth Planner Report for the Hampton Youth Commission (HYC).

Commissioner Kellum recognized Ms. Folkerts for all the work she has done and wished her the best in her next endeavor.

Chair Harris congratulated Ms. Folkerts on a job well done for keeping everything together. He knows that there will be some great people coming behind her. He wished her well on her future endeavors and thanked her for serving the City of Hampton and the youth.

Ms. Folkerts thanked the Planning Commission for giving her the opportunity to come and present the Youth Planner reports.

VII. ITEMS BY THE PUBLIC

There were no items by the public.

VIII. MATTERS BY THE COMMISSION

Chair Harris announced that this would be Ms. Kraus' final meeting with the Planning Commission. He expressed his sincere appreciation for her contributions and recognized her for consistently demonstrating professionalism and thoroughness in her work with the Commission.

Vice-Chair Rogers expressed that she will miss Ms. Kraus and shared that she always felt comfortable approaching her with legal questions or questions about the Planning Commission. She recognized Ms. Kraus for her straightforward and direct demeanor and noted that she always understood the guidance Ms. Kraus provided.

Commissioner Coleman congratulated Ms. Kraus and wished her the best on her future endeavors.

Commissioner Brooks congratulated Ms. Kraus and thanked her for everything that she has done for the Planning Commission.

Commissioner DeProfio expressed his appreciation for the contributions that Ms. Kraus has made for the City and wished her the best.

Ms. Kraus expressed that it has been a pleasure working with the Planning Commission and the City of Hampton. She shared that she has learned a great deal during her time here and was glad to hear that her contributions were meaningful. While she will miss being part of the City, she is excited for the next steps in her professional journey.

Chair Harris announced that Commissioner Kellum's term with the Planning Commission was ending, and that this will also be her last Planning Commission meeting.

Commissioner Kellum stated that one of the most rewarding aspects of serving the City of Hampton has been how much she has learned throughout the process. Serving on the Planning Commission has given her the opportunity to better understand the issues that arise and other things involved with addressing them. For her, the most important part of this role is ensuring that citizens have the opportunity to understand the process and to be empowered to shape their community into what they want it to be. She expressed her appreciation for the opportunity to serve and be involved with the Planning Commission.

Chair Harris stated that when he was first elected Chair of the Planning Commission, Commissioner Kellum served as Vice-Chair and would slide him notes and give him reminders. He thanked her for her support, even professionally outside of the Planning Commission.

Commissioner Coleman expressed that she will miss Commissioner Kellum and shared her appreciation for the personal support she has shown, noting that she always took the time to check in beyond their work on the Planning Commission.

Chair Harris expressed his appreciation that The Whitmore Company submitted a proposal for the Woods Orchard property. He stated that, in his view, a residential development is a more appropriate and beneficial use of the site compared to a by-right commercial use.

IX. ADJOURNMENT

There being no further business, the meeting was adjourned at 5:27 PM.

Respectfully Submitted,

Kimberly Mikel
Secretary to the Commission

APPROVED BY:

Michael Harris
Chairman