

AT THE TRAINING AND 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, FEBRUARY 19, 2026 AT 2:30 P.M.

A training session was held at 2:30 P.M., Assistant City Attorney Cory Wolfe provided training to the Commissioners on the purpose, duties, and procedures of the Planning Commission.

Vice-Chair Kathy Rogers called the work session to order at 3:00 P.M.

A call of the roll noted Vice-Chair Kathy Rogers, Commissioners Keisha Samuels, Joe Griffith Trina Coleman, Martha Mugler, and Brian DeProfio as present. Commissioner Tracy Brooks 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, Chief City Planner Donald Whipple, 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 agenda items, with the following information being provided.

New Planning Commissioner:

Secretary Kim Mikel introduced the new Planning Commissioner Dr. Keisha Samuels.

Elections for Chair:

Mr. Wolfe noted that, unlike the annual election held in the fall, this election would involve selecting only a Chair unless Vice-Chair Kathy Rogers were elected as Chair, in which case both a Chair and Vice-Chair would need to be elected. Nominations for Chair could be made individually or as part of a slate that includes both Chair and Vice-Chair. Nominations would follow the same procedure as any motion and would require a second.

Commissioners Trina Coleman and Joe Griffith expressed their support for Vice-Chair Rogers to serve as Chair of the Planning Commission. Commissioner Coleman indicated her willingness to serve as Vice-Chair unless another commissioner wished to assume that role.

Commissioner Griffith also expressed interest in serving as Vice-Chair and stated he would be pleased to serve in that capacity if selected.

Vice-Chair Rogers noted that she may not be able to attend the next Planning Commission meeting and indicated that the individual elected as Vice-Chair may need to preside over that meeting in her absence.

Public Hearing Items:

Rezoning Application No. 26-0037 by Woda Cooper Companies LLC, to rezone +/- 1.69 acres at 2601 Cunningham Drive, 4002376, from General Commercial (C-3) District to Multifamily Residential (MD-4) District with conditions for a multifamily development:

Use Permit Application No. 26-0038 by Woda Cooper Companies, LLC, to permit Multifamily Dwellings at 2601 Cunningham Drive, 4002376. This application is brought in conjunction with Rezoning Application No. 26-0037:

Secretary Mikel stated that the application involves a rezoning and use permit request for 2601 Cunningham Drive. She added that staff identified an amendment to the proffer agreement after the agenda package was distributed. Specifically, Proffer #10 was revised from stating that "the developer shall construct 50 units" to "the developer shall construct up to 50 units."

In response to a question from Vice-Chair Rogers, Mr. Wolfe responded that this would be presented together but will require two (2) separate votes.

Use Permit Application No. 26-0039 by Southern Comfort Restaurant & Lounge, LLC, to amend the existing Restaurant 3 Use Permit to modify the security requirements and extend the operational hours of the restaurant at 2163 and 2165 Cunningham Dr [portion of LRSN:7001532]:

Secretary Mikel noted that the applicant is requesting amendments to the hours of operation and security requirements associated with the Use Permit approved by City Council in December. Staff does not recommend approving the requested amendments; however, staff would present the details of the applicant's proposal.

Mr. Wolfe added that staff prepared amended conditions for consideration in the event that the Planning Commission elects to approve the request.

In response to questions from Vice-Chair Rogers, Secretary Mikel noted that the applicant is requesting for the event space to be considered separately from the restaurant and lounge. Under the proposal, the restaurant and lounge would have a total occupancy of 319, while the event space would have an occupancy of 198.

Chief City Planner Donald Whipple added that the combined total occupancy for the restaurant, lounge, and event space would be 517.

Secretary Mikel noted that determining the number of Restaurant 3 establishments within the Coliseum Central District is somewhat difficult because the Restaurant 1, 2, and 3 classifications were adopted only within the last few years. Prior to those classifications, some restaurants operate under a variety of different approvals, including nonconforming hours, live entertainment permits, and outdoor dining permits, which were treated separately.

Mr. Whipple explained that staff prepared a rough estimate indicating that approximately 10 to 15 restaurants in Coliseum Central operate under some type of permit. Since the adoption of the Restaurant 1, 2, and 3 classifications, only about two (2) establishments currently operate as Restaurant 3 uses. The remaining establishments operate under older approvals such as Live Entertainment 2 or 3 permits, extended-hours approvals, or Zoning Administrator Permits (ZAPs). As a result, a mix of different Use Permit types currently exists within the district.

Mr. Whipple further stated that staff has generally applied Restaurant 3 Use Permit conditions consistently. One exception is Raising Cane's, which received a Restaurant 3 designation solely to allow extended operating hours beyond 2:00 a.m. However, it differs from other Restaurant 3 establishments because it does not offer live entertainment or serve alcohol. Another Restaurant 3 establishment is the Rhythm Room in Peninsula Town Center, which received its approval several years ago.

The only restaurant previously granted a Restaurant 3 Use Permit with extended hours beyond the standard staff recommendation was Karma Restaurant and Lounge in the Downtown District. That Use Permit has since been revoked and is no longer in effect. The applicant's existing approval, which was a compromise reached with City Council, already allows hours of operation until 2:00 a.m. on Fridays and Saturdays, along with additional holiday exceptions that permit the same hours on specific holidays listed in the conditions.

In response to a question from Commissioner Coleman, Mr. Whipple responded that he would address the security requirements in the presentation. Without the specified security requirements, enforcement and logistical challenges would arise for both the City and the Hampton Police Department (HPD).

In response to a question from Commissioner Griffith, Secretary Mikel responded that staff's original recommendation to City Council in December included a security ratio of one guard per 75 patrons, which is the ratio preferred by HPD. However, the final approval adopted a ratio of one guard per 100 patrons, significantly reducing the number of security personnel required.

Mr. Wolfe added that staff's initial recommendation of one security guard per 75 occupants based on maximum occupancy was ultimately revised to one guard per 100 patrons. Based on a capacity of 500 patrons, this would result in a requirement of five security guards.

The work session adjourned at 3:17 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, FEBRUARY 19, 2026 AT 3:30 P.M.

I. CALL TO ORDER

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

II. ROLL CALL

A call of the roll noted Vice-Chair Kathy Rogers and Commissioners Keisha Samuels, Joe Griffith, Trina Coleman, Martha Mugler, and Brian DeProfio as present. Commissioner Tracy Brooks 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, Chief City Planner Donald Whipple, Senior Planner Jay Randolph, City Planner Valerie Taylor, City Planner Quinn Heinrich, Senior Youth Planner Henry Godfrey, and Clerk of Boards and Commissions Arlena Cahoon.

III. ELECTION OF CHAIR AND VICE-CHAIR

A motion was made by Commissioner Trina Coleman and was seconded by Commissioner Brian DeProfio to elect Kathy Rogers as Chair and Martha Mugler as Vice-Chair of the Planning Commission.

A roll call vote on the motion resulted as follows:

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

IV. APPROVAL OF MINUTES FROM THE DECEMBER 18, 2025 PLANNING COMMISSION WORK SESSION AND REGULAR MEETING

A motion was made by Commissioner Trina Coleman and was seconded by Vice-Chair Martha Mugler to approve the minutes from the December 18, 2025 Planning Commission Work Session and Regular Meeting.

A roll call vote on the motion resulted as follows:

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

V. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. January and February 2026 Youth Planner Report

Senior Youth Planner Henry Godfrey presented the January and February Youth Planner report for the Hampton Youth Commission (HYC).

Upcoming Events:

- Sending surveys out to high schools
- Synthesizing Teen Town Hall data
- Transitioning and continuing to recruit members

VI. PUBLIC HEARING ITEMS

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

Rezoning Application No. 26-0037 by Woda Cooper Companies LLC, to rezone +/- 1.69 acres at 2601 Cunningham Drive, 4002376, from General Commercial (C-3) District to Multifamily Residential (MD-4) District with conditions for a multifamily development.

Use Permit Application No. 26-0038 by Woda Cooper Companies, LLC, to permit Multifamily Dwellings at 2601 Cunningham Drive, 4002376. This application is brought in conjunction with Rezoning Application No. 26-0037

City Planner Quinn Heinrich provided the staff report on the subject applications. Staff recommended approval of Rezoning Application No. 26-0037 and Use Permit Application No. 26-0038.

In response to a question from Chair Kathy Rogers, Mr. Heinrich responded that within the Coliseum Central district, the overlay provisions allow staff to reduce parking requirements to as low as zero, provided certain conditions are met. These conditions include meeting the green area requirements for the district and providing an increased number of bicycle parking spaces. The applicant has satisfied the green area requirements and has provided the required number of bicycle and accessible parking spaces based on the applicable ratios. As a result, there is no minimum parking requirement for the project at the staff level. The applicant is proposing to provide parking at a ratio of 1.3 spaces per unit, regardless of the number of bedrooms.

Vice President Bruce Watts and Chief Engagement Officer Eric Wright from Woda Cooper Companies, introduced themselves and provided a presentation about the company and the proposed project at 2601 Cunningham Drive.

In response to questions from Vice-Chair Martha Mugler, Mr. Wright responded the parcel includes Build America drive and there will be two drive entrances. One will be to the North side servicing the ADA parking spaces and then the other is just south of that, which is a one-way parking isle, therefore, you would enter on the North and exit on the South. Additionally, from Build America Drive, they can either exit onto Cunningham Drive or Mercury Boulevard.

In response to a question from Chair Rogers, the applicant responded that may have been an old version of the site plan but there will be a support services office on the first floor that will provide resources like financial literacy classes, programs for youth, and other support services.

Therefore, the place on the first floor is an office for these programs to meet with residents. They're not going to be there everyday in the office, but it's for them when they are on-site to use that space.

Chair Rogers opened the public hearing

Travis Adams, Hampton Citizen, stated that he is in support of the application

Sonia Crane with Payne Properties stated that she is not opposed to development in the area if it is done appropriately. However, she raised concerns regarding Build America Drive, which is a private road maintained by the property owners through a road agreement committee. The committee was not notified of the proposal and that any infrastructure changes affecting the road should be reviewed through that process.

Ms. Crane explained that property owners share the cost of maintaining the road, which has become increasingly expensive. When the hotel, storage facility, and Lidl were constructed, a portion of the road was voluntarily dedicated to the City for infrastructure improvements related to increased traffic. When maintenance issues arise on the remaining private portion of the road, the City typically does not provide assistance because it is privately owned.

Ms. Crane expressed concern that the proposed residential development could further increase maintenance costs and traffic impacts on the road. There are currently no sidewalks along Build America Drive, which primarily functions as a commercial roadway with frequent truck traffic and speeding vehicles. She questioned how pedestrian safety would be addressed if the development were approved, particularly with respect to residents, children, and individuals walking to nearby businesses such as Lidl, local hotels, and the 7-Eleven.

Anthony Scarpelli stated that he owns two units adjacent to the proposed property. He expressed concern about traffic and infrastructure issues along Build America Drive and questioned where the ingress and egress easements are located.

Mr. Wright addressed the public comments and explained that Build America Drive is currently maintained by a committee composed of the four property owners who have access to the road. While their company has not yet purchased the property, if the project moves forward, they would become one of the property owners responsible for participating in decisions and sharing in the costs associated with maintaining the private road. Additionally, the proposed 44 residential units would not represent a significant increase in traffic and would likely generate less traffic than other commercial uses that could be developed on the site. Lastly, the proposed parking spaces meet standard size requirements.

In response to a question from Chair Rogers, Mr. Wright responded that the proposal does not include major modifications to Build America Drive itself, as the proposed improvements are limited to the project site. Discussions regarding potential improvements such as curbs, gutters, stormwater management, and general maintenance would likely occur later during the site plan review process as more detailed engineering plans are developed.

In response to a question from Commissioner Joe Griffith, Mr. Wright responded that sidewalks are not proposed along Build America Drive. However, the site plan includes sidewalks connecting the residential buildings, bicycle storage area, and playground to Cunningham Drive.

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 Woda Cooper Companies, LLC to rezone +/-1.69 acres at 2601 Cunningham Dr [LRSN 4002376] from General Commercial (C-3) District to Multifamily Residential (MD-4) District with conditions;
- WHEREAS: this application is brought in conjunction with Use Permit Application No. 26-0038 to allow for multifamily dwellings;
- WHEREAS: the proposed multifamily residential project includes 44 apartment units within one (1) 4-story building, and every unit shall be rented at or below 80% of market rate;
- WHEREAS: the proposed project includes 57 parking spaces, including seven (7) ADA accessible spaces, 12 bicycle parking spaces, and two (2) Level 2 electric vehicle charging stations;
- WHEREAS: the proposed community amenities include a community room, patio-covered picnic area, playground, grill, and enclosed dumpster;
- 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 improved pedestrianization and access to retail west of Interstate 64.
- WHEREAS: the applicant has proffered twenty (20) conditions to include substantial conformance with the concept plan, substantial conformance with the elevations, provision of high-quality and durable building materials, compliance with Coliseum Central Design Guidelines, increased setbacks due to a sewer easement, design alternatives to comply with green area requirements, building height, density, fencing, lighting, HVAC screening, landscaping requirements, community amenities, and resiliency and sustainability elements;
- WHEREAS: Commissioners had questions and comments pertaining to whether the parking on site would be sufficient;
- WHEREAS: City staff recommends approval of the rezoning application;
- WHEREAS: one (1) member from the public spoke in support of this application during the public hearing;
- WHEREAS: two (2) members from the public spoke in opposition of this application during the public hearing, noting concerns with increased traffic in the area, as well as unresolved issues with maintenance and ownership of the private street Build America Drive;

NOW, THEREFORE, on a motion by Commissioner Joe Griffith and seconded by Vice Chair Martha Mugler,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Rezoning Application No. 26-0037 with twenty (20) proffered conditions

A roll call vote on the motion resulted as follows:

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

WHEREAS: the Hampton Planning Commission has before it this day a Use Permit application by Woda Cooper Companies to permit Multifamily Dwellings at at 2601 Cunningham Dr [LRSN 4002376];

WHEREAS: this application is brought in conjunction with Rezoning Application No. 26-0037 to rezone the subject site from General Commercial (C-3) District to Multifamily Residential (MD-4) District with 20 proffered conditions to permit the multifamily use with an approved use permit;

WHEREAS: the proposed multifamily residential project includes 44 apartment units within one (1) 4-story building, and every unit shall be rented at or below 80% of market rate;

WHEREAS: the proposed project includes 57 parking spaces, including seven (7) ADA accessible spaces, 12 bicycle parking spaces, and two (2) Level 2 electric vehicle charging stations;

WHEREAS: the proposed community amenities include a community room, patio-covered picnic area, playground, grill, and enclosed dumpster;

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 improved pedestrianization and access to retail west of Interstate 64.

WHEREAS: the staff is recommending nine (9) conditions for the use permit to include substantial conformance with the rezoning proffers, management, dumpster screening, security, certificate of occupancy, compliance with laws, and revocation and nullification;

WHEREAS: Commissioners had questions and comments pertaining to whether the parking on site would be sufficient;

WHEREAS: City staff recommends approval of the use permit application;

WHEREAS: one (1) member from the public spoke in support of this application during the public hearing;

WHEREAS: two (2) members from the public spoke in opposition of this application during the public hearing, noting concerns with increased traffic in the area, as well as unresolved issues with maintenance and ownership of the private street Build America Drive;

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

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Use Permit Application No. 26-0038 with nine (9) conditions

A roll call vote on the motion resulted as follows:

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

Use Permit Application No. 26-0039 by Southern Comfort Restaurant & Lounge, LLC, to amend the existing Restaurant 3 Use Permit to modify the security requirements and extend the operational hours of the restaurant at 2163 and 2165 Cunningham Dr [portion of LRSN:7001532]

Chief City Planner Donald Whipple provided the staff report on the subject application. Staff recommended denial of the proposed amended Use Permit Application No. 26-0039.

In response to a question from Vice-Chair Mugler, Mr. Whipple responded that there were about eight (8) people that showed up to the community meeting and were overall were supportive of the application.

In response to a question from Chair Rogers, Hampton Police Department (HPD) Officer Rausch stated that he reviewed data from the past eight months, which reflected approximately 15 calls for service at the location, none of which involved acts of violence. Other establishments in the City have unfortunately experienced incidents involving violence resulting in fatalities. HPD's primary concern is ensuring that patrons are able to enjoy themselves safely and return home without incident. He added that the proposed security requirements were developed in coordination with City staff and represent what HPD believes to be an appropriate level to maintain safety.

Officer Rausch further explained that if the restaurant/lounge and event space were operated as two separate entities, each would still be subject to the same requirement of one security guard per 100 patrons. Therefore, if both spaces were open, the total number of security personnel would need to correspond to the combined occupancy of both areas. Enforcement concerns arise if the spaces are not completely separated or are not operated as distinct businesses. Situations in which patrons can move freely between areas or where additional space is opened within an establishment can create challenges for HPD in monitoring activity and ensuring adequate supervision throughout the entire venue.

Applicant Eddie Gomez, owner of Southern Comfort Restaurant and Lounge located at 2163 and 2165 Cunningham Drive, stated that he intends to use only one portion of the building for late-night entertainment, while the other portion would be reserved for special events. In response to Officer Rausch's comments, the unused portion of the building would remain closed to patrons and locked at all times, and he would take full responsibility for ensuring that it is not accessible.

Mr. Gomez further stated that if only one side of the building is in use, the occupancy would be significantly lower and would not warrant the number of security guards required under the

current ratio of one security guard per 100 patrons. He expressed concern that this requirement places a significant strain on operating the business and maintaining profitability.

He also noted that his establishment has experienced minimal issues and that he takes proactive measures to prevent problems and maintain a safe environment for patrons. He does not anticipate reaching the maximum occupancy permitted for the building and indicated that if larger events were planned, he would notify the Hampton Police Department in advance, as he has done previously, to help ensure that patrons can enjoy themselves and leave the establishment safely.

In response to questions from Chair Rogers, Mr. Gomez responded that his security team follows a coordinated strategy when the establishment closes. A portion of the security personnel remain inside the building to ensure that all patrons exit, while the remaining security staff are stationed outside to assist other security personnel and police officers in directing patrons to their vehicles and ensuring that they leave the area safely.

Mr. Gomez further stated that when he initially applied for the Use Permit, he inadvertently listed incorrect hours of operation due to the COVID-19-related restrictions that were in place at the time. As a result, he unknowingly operated until 2:00 a.m. on approximately three to four days a week before the City notified him that he was in violation. He then immediately corrected the issue once it was brought to his attention.

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 Southern Comfort Restaurant & Lounge, LLC to amend the existing Restaurant 3 Use Permit to modify security requirements and extend the operational hours of the restaurant at 2163 & 2165 Cunningham Dr [portion of LRSN: 7001532];

WHEREAS: the property is zoned Limited Commercial District (C-2) District, which permits the restaurant 3 use subject to an approved Use Permit;

WHEREAS: the applicant is proposing to expand the general hours of operation and modify the security requirement of the current Use Permit for Restaurant 3, granted on December 10, 2025;

WHEREAS: the requested general hours of operation and live entertainment are 11:00 AM to 2:00 AM, daily;

WHEREAS: the requested change to the security requirement is to consider the required security personnel for restaurant and lounge and event spaces independently based on their use rather than the establishment as a whole;

WHEREAS: the Hampton Community Plan (2006, as amended) and Coliseum Central Master Plan (2015, as amended) recommend mixed-use for the subject property;

WHEREAS: staff recommends upholding the previously approved fourteen (14) conditions which are based upon the proposed use's operational and land use characteristics, to include issuance of permit, location of live entertainment, hours of operation, capacity, security, window transparency, dancing, sound, third party promoters, ABC license and expiration, and compliance with applicable laws;

WHEREAS: staff recommends maintaining the approved hours of operation: 11:00 AM to 12:00 AM Sunday through Thursday, and 11:00 AM to 2:00 AM on Fridays, Saturdays, and designated holidays;

WHEREAS: Commissioners discussed the advantages and disadvantages of the applicant's proposal to the determine the number of security guards based on the spaces in use versus the overall establishment;

WHEREAS: City staff recommends denial of this Use Permit Application to amend the hours of operation and modify the security requirements of Use Permit Application No. 25-0285; and

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

NOW, THEREFORE, on a motion by Commissioner Martha Mugler and seconded by Commissioner Joe Griffith,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council denial of Use Permit Application No. 26-0039 and uphold the previously approved Use Permit Application No. 25-0285 with fourteen (14) conditions.

A roll call vote on the motion resulted as follows:

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

VII. ITEMS BY THE PUBLIC

There were no items by the public.

VIII. MATTERS BY THE COMMISSION

Chair Rogers thanked the Commission for their confidence in electing her as Chair. She expressed her appreciation for the leadership of Michael Harris and that she intends to conduct meetings with the same level of professionalism. She encouraged the Commissioners to provide feedback if they observe areas in which she may improve.

IX. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:53 PM.

Respectfully Submitted,

Kimberly Mikel
Secretary to the Commission

APPROVED BY:

Katherine L. Rogers
Chairman