



Legislation Details (With Text)

**File #:** 23-0283      **Version:** 1      **Name:** UP Multifamily Dwelling Merchant Lane PTC  
**Type:** Use Permits      **Status:** Denied  
**File created:** 9/12/2023      **In control:** City Council Legislative Session  
**On agenda:** 1/10/2024      **Final action:** 1/10/2024  
**Title:** Use Permit Application No. 23-0283 by Peninsula Main VA, LLC to Convert Existing Retail Suites into Residential Apartments at 1631, 1641, 1651, 1661, 1671, and 1675 Merchant Lane [portions of LRSN 13004973]  
**Sponsors:**  
**Indexes:** ,  
**Code sections:**  
**Attachments:** 1. Presentation for City Council 1-8-24, 2. Applicant Presentation, 3. Application, 4. Conditions - revised, 5. Conditions Redline - revised, 6. Staff Report - revised, 7. Conditions - October, 8. Staff Report - October, 9. Staff Presentation - revised October, 10. Staff Presentation - revised 11\_8\_2023

Date	Ver.	Action By	Action	Result
1/10/2024	1	City Council Legislative Session	denied	Pass
11/8/2023	1	City Council Legislative Session	deferred	Pass
10/11/2023	1	City Council Legislative Session	deferred	Pass

Use Permit Application No. 23-0283 by Peninsula Main VA, LLC to Convert Existing Retail Suites into Residential Apartments at 1631, 1641, 1651, 1661, 1671, and 1675 Merchant Lane [portions of LRSN 13004973]

**Background Statement:**  
**UPDATE FOR NOVEMBER 8TH COUNCIL MEETING:**

The applicant has submitted new information to the City including a design proposal to modify the exterior facade of the existing building in an effort to make the facade appear more residential in nature vs. continuing to look like vacant storefronts after the proposed conversion to residential apartment units. After reviewing this information, staff has revised the recommended conditions to address improvements to the exterior facades that are consistent with the Coliseum Central Design Guidelines and address Council's concerns. These revised recommended conditions are included within the Council package.

**Previous Statement**

Use Permit Application No. 23-0283 is a request to convert existing retail suites into residential apartments at 1631, 1641, 1651, 1661, 1671, and 1675 Merchant Lane [portions of LRSN 13004973] within the Peninsula Town Center. The property is zoned Limited Commercial (C-2) and Coliseum Central Overlay (O-CC) Districts, which would allow residential apartments with an approved use permit. More specifically, the applicant is requesting approval to convert 9,635 square feet of existing single-story retail space into nine (9) apartment units. Each unit would have an individual entrance directly on Merchant Lane. While existing retail space is proposed to be converted into apartment units on the north side of Building D, fronting on Merchant Lane, the south side of the building, fronting McMenamin Street, would remain retail.

The Hampton Community Plan (2006, as amended) and the Coliseum Central Master Plan (2015, as amended) both recommend mixed-use land use for the subject property. The Conservation Plan for The Hampton Coliseum Mall Project (2006, as amended) presents the Peninsula Town Center as an urban mixed-use lifestyle center that has a mix of multifamily residential, general office, general retail, restaurants, and entertainment uses. Existing mixed-use buildings within the center have a mix of uses that are separated by floors. If approved, this would be the first building within the center that mixes residential and retail on the same ground floor.

This item was deferred by Council at the October 11, 2023 meeting.

**Recommendations:**

Staff Recommendation:

Deny; should the use permit application be approved, staff recommends nine (9) conditions

Planning Commission Recommendation:

Approve with nine (9) conditions