

STAFF EVALUATION

Case No.: Use Permit No. 22-00004

Planning Commission Date: May 19, 2022

City Council Date: June 8, 2022

Prepared By: Donald Whipple, Chief City Planner 728-5235

Reviewed By: Mike Hayes, Planning & Zoning Administration Division Manager

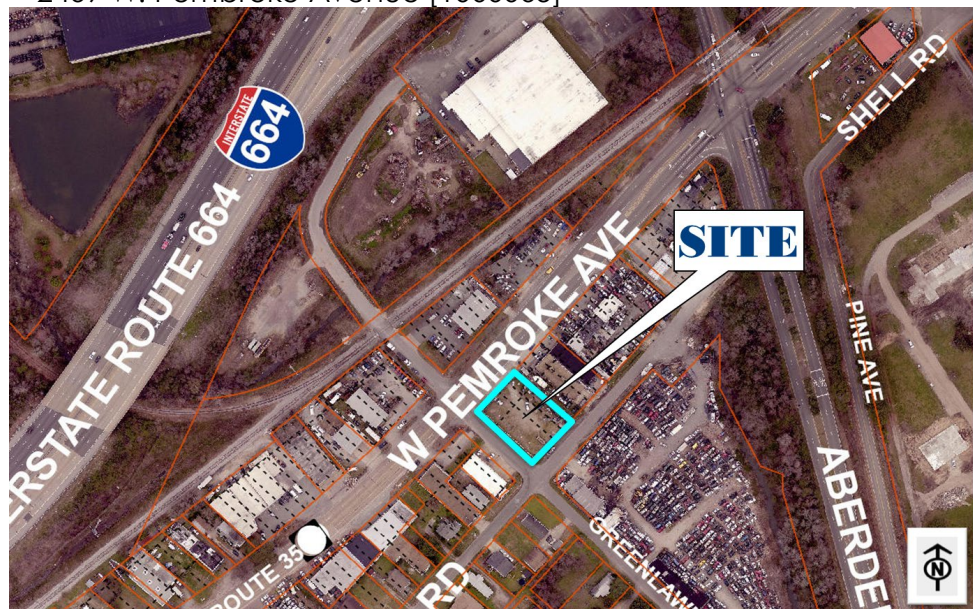
Reviewed By: Bonnie Brown, Deputy City Attorney

General Information

Applicant Dyon Banks

Property Owner Tia and Yen Pham

Site Location 2469 W. Pembroke Avenue [1000065]



Requested Action Use Permit to allow for vehicle sales, used within the General Commercial (C-3) District.

Description of Proposal Diversified Automotive LLC is a used auto/car selling company that proposes to sell used automobiles at a car-lot located at 2469 West Pembroke Ave (± 0.36 acres parcel). The parking area would include 10 spaces for sales inventory, three (3) spaces for customers, and two (2) spaces for staff parking. The existing building would include 220 sq. ft. of office space and the remaining 581 sq. ft. for garage space. Hours of operation would be Monday-Saturday 10am-6pm. There would be two (2) employees.

Existing Land Use Currently vacant

Zoning

General Commercial (C-3) District

Surrounding Land Use and Zoning

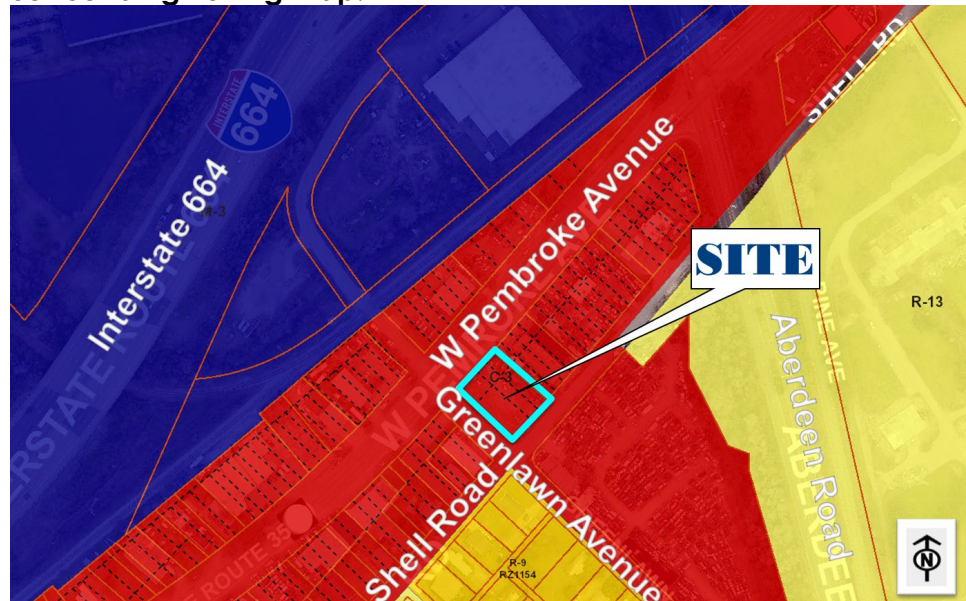
North: General Commercial (C-3) District; mechanical contractor, auto repair & towing (legally nonconforming)

South: General Commercial (C-3) District; used auto parts & service(legally nonconforming)

East: General Commercial (C-3) District; auto body shop (legally nonconforming)

West: General Commercial (C-3) District; electrical contractor

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 includes the following policy recommendations pertinent to this case:

Land Use and Community Design Policies:

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

Economic Development Policies:

ED Policy 4: Nurture small and start-up businesses.

ED Policy 12: Focus special attention on strengthening the ability of older commercial and industrial areas to support new and expanded business activity.

Future Land Use:

The Hampton Community Plan (2006, as amended) designates this area as commercial. This category includes mercantile uses serving neighborhood, community, and regional areas, including retail, food, lodging, personal services, and offices.

Future Land Use Plan Map:



Traffic Impacts There are no anticipated traffic impacts on the existing street network relative to the proposed use.

Environmental No anticipated environmental impacts associated with the proposed use.

Conditions Staff recommends the following ten (10) conditions:

- Issuance of permit for 2469 W. Pembroke Avenue;
- Combine six (6) existing parcels into one (1) consolidated parcel to be recorded;
- No vehicle repair shall be permitted without an approved use permit for the specific use;
- No vehicle storage shall be permitted;
- Exterior storage area(s) shall not be permitted;
- Location of accessory structures;
- On-site parking area shall be paved and landscaped;
- All existing fencing to be removed and any new fencing shall be approved by the Community Development Director
- Landscaping guidelines;
- Revocation and nullification of use permits;

Community Outreach At this time, a community meeting has not scheduled.

Analysis

Use Permit Application No.22-00004 is a request to operate a use of vehicle sales, of used vehicles at 2469 W. Pembroke Avenue. On October 14, 2020, the City of Hampton adopted changes to the definition of uses relating to vehicles, additional standards

around such uses, and the way in which they are permitted in various districts. Vehicle sales of used vehicles was affected by the change. This is the first use permit application for the vehicle sales of used vehicles since these amendments were adopted. The use permit requirement allows the Planning Commission and City Council to consider the appropriateness of the proposed use at this location as well as apply conditions to assure the use operates appropriately for the specific location.

The property is zoned General Commercial (C-3) District, which permits vehicle sales, of used vehicles with an approved use permit. C-3 also permits many other vehicle-related uses with an approved use permit. Surrounding uses include auto body repair, vehicle repair, service and towing, auto parts and service, and electrical and mechanical contractor businesses and were in place prior to the 2020 amendments.

The future land use recommendation of the Hampton Community Plan (as amended) designates the subject site as commercial. The Community Plan recognizes the need to nurture small and start-up businesses and strengthening the ability of older commercial and industrial areas to support new and expanded business activity (pg. ED-23).

The City has been actively working to improve this commercial corridor that connects to neighboring localities and serves as the front door to neighborhoods. In an effort to protect and enhance property values and promote economic viability and vitality along the W. Pembroke corridor, as well as the nearby residential properties and Greenlawn Cemetery, staff has recommended conditions to address the potential concerns typically associated with the proposed vehicle related use. Should this application be approved, staff recommends ten (10) conditions that address the standards of use, including prohibiting vehicle repair and vehicle storage, prohibiting exterior storage areas, addressing accessory structures, as well as parking, fencing, and landscaping requirements. In that the vehicle sales of used vehicles appears to be consistent with the City's policies and is comparable to existing uses within this portion of the W. Pembroke Corridor, staff recommends this application be approved.

Staff recommends **APPROVAL** of Use Permit Application No. 22-00004. If approved, staff recommends approval with ten (10) conditions.