

STAFF EVALUATION

Case No.: Rezoning No. 22-00006

Planning Commission Date: August 17, 2023

City Council Date: September 13, 2023

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General Information

Applicant Langley Storage Associates, LLC

Property Owners Langley Storage Associates, LLC

Site Location 16, 18, 20 Potter Lane [LRSN: 6000829, 6000830, 6000828]

Aerial Map:



Requested Action Rezone ±15.17 acres from One Family Residential (R-9) District and General Commercial (C-3) District with conditions to Langley Flight Approach Mixed Use & Manufacturing (LFA-2) District with conditions. Approval of this application would permit the proposed use: storage facility 3, but limited to outdoor storage of motor homes (RV's), recreational vehicles, and vehicle storage (which would require an approved use permit for that purpose) at 16 & 18 Potter Lane.

Description of Proposal Langley Storage Associates, LLC currently operates a self-storage facility (234 units) at 20 Potter Lane under the banner American Classic Storage. On 16 and 18 Potter Lane, the applicant proposes

to develop and operate an outdoor storage area for motorhomes (RV's) and recreational vehicles, such as campers, boats, jet skis, trailers, etc. Applicant also proposes to use the outdoor storage area for vehicle storage, which is permissible, subject to an approved use permit. The concept plan reflects approximately 165 paved parking spaces of varying sizes. Site development would also include stormwater management, fencing, and landscaping around the north, west, and south perimeter as well as interior parking green area with landscaping. All landscaping will be native plant material. Lighting would be directed inward to the site. As an amenity, the project will offer a customer only location for wastewater disposal from RVs and water for tank refills.

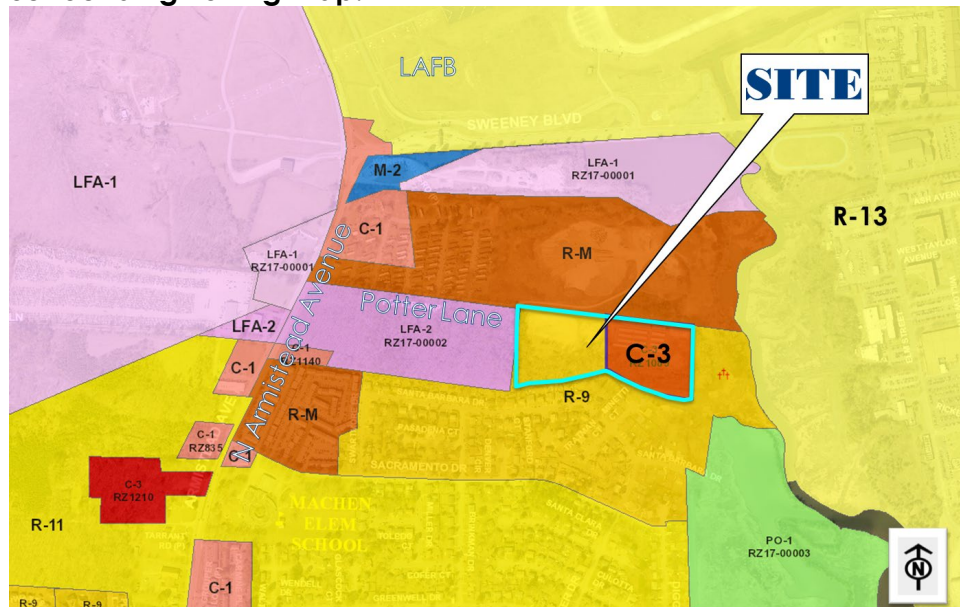
The proposed outdoor storage area would be integrated operationally and physically with the existing self-storage facility. The office hours for the combined operations will be 6 AM to 11 PM and will be operated by 1-2 employees. Access to the site would be via Potter Lane, an existing private road that connects to N. Armistead Avenue. The site would be secured with fencing, a digitally controlled entry/exit gate, and a security camera surveillance system.

Existing Land Use Vacant (16& 18 Potter Lane), Self-storage (20 Potter Lane)

Zoning One Family Residential (R-9) District and General Commercial (C-3) District with conditions

Surrounding Land Use and Zoning **North:** Multiple Residential (R-M) District; excavation, filling, borrow pit operation
South: One Family Residential (R-9) District; single family residential
East: One Family Residential (R-9) District; cemetery
West: Langley Flight Approach Mixed Use & Manufacturing (LFA-2) District; vacant

Surrounding Zoning Map:



The subject property is zoned One Family Residential (R-9) District and General Commercial (C-3) District with conditions and Air Installation Compatible Use Zone Overlay (O-AICUZ) District. In 1999, the 7.28 acre site, 20 Potter Lane, was rezoned from One Family Residential (R-9) District to General Commercial (C-3) District with conditions to permit a storage facility.

Public Policy

The Hampton Community Plan (2006, as amended) is adopted as the guiding policy document for the City of Hampton with regards to future growth and development of the community. The Community Plan includes the following policy recommendations pertinent to this case:

Land Use and Community Design Policies:

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

Resilience Policies:

LU-CD Policy 39: Prioritize protecting natural systems and restore or recreate natural systems where they have been compromised.

Environmental Stewardship Policies:

EN Policy 13: Continue to protect streams, wetlands, floodplains, and woodlands from the impacts of new development and redevelopment as required by local, State, and Federal environmental laws and regulations.

Economic Development Policies:

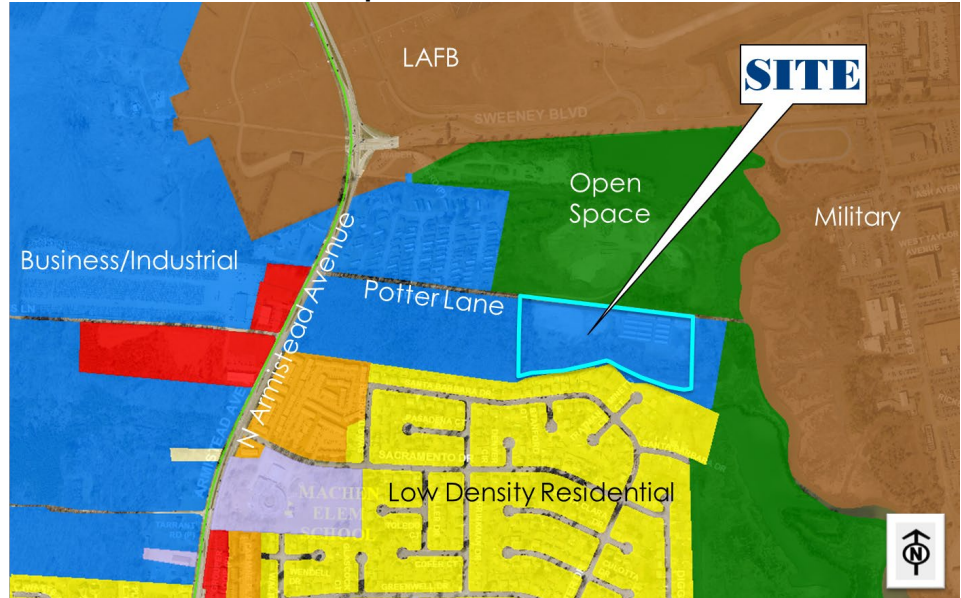
ED Policy 10: Foster the successful redevelopment of well-situated vacant and underutilized commercial and industrial properties within the city.

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 the future land use of the subject site as Business/Industrial.

Future Land Use Plan Map:



Traffic Impacts The primary point of access to the site is from N. Armistead Avenue via Potter Lane, which is currently used to access the existing self-storage business.

Environmental The southern boundary of the site has been confirmed as a tidal drainage feature that feeds into the southwest branch of the Back River. No portion of the existing wetlands are to be disturbed with the proposed development. Tree clearing would only occur within the limits of disturbance as indicated on the concept plan.

Proffered Conditions Proposed proffered conditions address the following:

- Limitation of use: storage of motorhomes and towed recreational equipment;
- Substantial conformance with the proposed concept plan;
- Boundary line vacation for the outdoor storage parcels;
- Site lighting directed inward and way from residential properties;
- Architectural style and quality of materials of new buildings on the existing storage parcel;
- Preserve natural vegetated buffer adjacent to residential properties;
- All new landscaping to comply with the "Native Plants for Southeast Virginia" Guide

The full set of proffered conditions can be found in the application package.

Community Outreach A community meeting was held on June 20, 2023.

Analysis

Rezoning Application No. 22-00006 is a request by Langley Storage Associates, LLC to rezone ±15.17 acres, located at 16, 18, & 20 Potter Lane [LRSN: 6000829, 6000830, 6000828], from One Family Residential (R-9) District and General Commercial (C-3) District with conditions to Langley Flight Approach Mixed Use & Manufacturing (LFA-2) District with conditions. The property is also within the Air Installation Compatible Use Zone (O-AICUZ) Overlay. Approval of this application would permit the proposed use: storage facility 3, specifically the proffered development and operation of an outdoor storage area for the purposes of parking/storing recreational vehicles, such as motor homes, campers, golf carts, motorcycles, trailers, dry storage for boats and other watercraft, and vehicle storage (subject to an approved use permit for that purpose) at the 16 & 18 Potter Lane parcels and the existing indoor storage at 20 Potter Lane. By definition, storage facility 3 refers to indoor and/or outdoor storage spaces which are leased or rented to the general public for storage purposes only. This category may include storage for boats and RVs. Based on the current definition, both the current indoor storage and proposed outdoor storage would be classified as storage facility 3.

In 1999, the 20 Potter Lane parcel was rezoned from One Family Residential (R-9) District to C-3 District with conditions for the purpose of constructing and operating a self-storage facility. The zoning definition and classification of storage facilities was amended in 2019; thus, this existing use is currently a legal non-conforming use, which was previously permitted by-right in the C-3 District, but now requires a use permit. The proposed LFA-2 District permits the requested storage facility 3 use by-right. Should the rezoning be approved the storage facility at 20 Potter Lane would become a conforming land use in zoning terms.

Proposed site improvements to establish the outdoor storage area include 165 paved parking spaces of varying sizes and associated drive aisles along with stormwater management facilities. Fencing and landscaping are proposed around the north, west, and south perimeter as well as interior parking green area with landscaping. All landscaping will include native plant material. Lighting would be directed inward to the site and away from adjoining residential properties and Joint Base Langley Eustis, so as not to be distracting or misleading to operating aircraft. As an amenity for customers only, the project will offer a location for wastewater disposal from RV's and water for tank refills. Access to the proposed outdoor storage area will be across 20 Potter Lane via Potter Lane from N. Armistead Avenue. No additional improvements are proposed for 20 Potter Lane.

Per the Hampton Community Plan (2006, as amended), the future land use designation for this property is business/industrial. The Plan defines business/industrial as existing and future areas appropriate for employment centers, business parks, research and development, and manufacturing. Furthermore, the Plan recommends that land use proposals be evaluated from a regional, city-wide, and neighborhood perspective (LU-CD Policy 4). In addition, the Plan recommends advancing the successful redevelopment of well-situated vacant and underutilized commercial, and industrial properties as well as strengthening the ability of older commercial and industrial areas to support new and expanded business activity [ED 10, 12]. The subject site has been vacant for many years

and the proposed use would complement the existing indoor storage facility and provide an alternate solution for parking recreational vehicles.

With respect to protecting the natural environment, the Community Plan recommends protecting natural systems and restoring or recreating natural systems where they have been compromised [LU-CD Policy 39]. The Plan also supports preserving and protecting existing mature trees as well as protecting wetlands in new development and redevelopment [EN Policy 13]. Wetland features have been identified on the site, including a tidal wetland feature located along the southern property boundary, which have been confirmed by the U.S. Army Corps of Engineers and the Zoning Administrator for Chesapeake Bay Act boundaries. Per the Chesapeake Bay Preservation Overlay (O-CBP) District, a 100-foot buffer from the tidal feature has been provided, as indicated on the concept plan. No portion of the existing tidal wetlands or buffer area are to be disturbed with the proposed development. In addition, the applicant has proffered to supplement the planting along the northern edge of the buffer area. All new plant material will be native plant materials consistent with the "*Native Plant Material for Southeast Virginia*" Guide.

On May 21, 2022, staff received a complaint for possible disturbance within the buffer. After staff inspection, a Notice of Violation was issued on June 6, 2022 for unpermitted disturbance in the RPA. The applicant acknowledged cleaning up debris scattered around the site, including the buffer area, and the clearing work ceased. On September 22, 2022, it was determined by staff that there was no disturbance done that would require re-establishment of the buffer and the violation was closed. On July 28, 2023, City staff conducted a site inspection in order to examine the current condition of the buffer. Staff verified that there was no further unpermitted work done since the initial inspection and no further action is required from the owner at this time. Due to the previous use of the property, additional debris remains in the buffer area. An environmental study done by the applicant and reviewed by staff concludes there is no recommendation for removal of the debris. Additionally, removal of the debris could potentially cause more harm to the buffer due to the disturbance and clearing of vegetation that may have to take place.

In 2020, Zoning Ordinance Amendments were passed that regulate the parking and storage requirements of recreational equipment on residential property. These regulations placed limitations on the number of recreational vehicles that could be parked on a residential lot. In instances where the number of vehicles exceeds the limit, owners must either store them in a wholly enclosed garage or find storage elsewhere, such as the proposed lot. As an outdoor storage area for recreational vehicles, this is a more land intensive use with minimal people on-site at any given time; thus, the impacts to the surrounding residential area are expected to be minimal. Also, based on the site's proximity to Langley AFB and the AICUZ, 70 and 75 dB DNL noise contours, such land intensive use would be compatible with the recommendations of the Joint Land Use Study ("JLUS") and in keeping with the intent of the LFA-2 District. The overall intent and purpose of LFA-2 District is to provide reasonable land use regulations for those industrial and commercial uses which, by their nature, require large amounts of land but are minimally populated by either employees or customers. This proposal has been vetted by Langley staff, who has indicated in writing that they are in agreement with the proposal and proffers/conditions submitted and find that there appears to be no negative impact to the Joint Base Langley Eustis (JBLE) – Langley installation/mission.

The applicant has proffered five (5) conditions with the application. These proffers include substantial conformance with the concept plan, boundary line vacation for the outdoor storage parcels, site lighting directed inward and away from residential properties so as to not interfere with operating aircraft from, to, or around JBLE – Langley, architectural style and quality of materials of new buildings on the existing storage parcel, preserving the natural vegetated buffer adjacent to residential properties, and all new landscaping will comply with the "*Native Plants for Southeast Virginia*" Guide. Staff believes these proffers would result in appropriate use of the site consistent with the surrounding business/industrial character and successfully minimize the potential environmental impacts of the proposed development.

In summary, the proposed use is considered land intensive with few people which would be consistent with the purpose and intent of the LFA-2 District. The proposed application is consistent with the City's adopted policy as articulated in the Hampton Community Plan (2006 as amended) with respect to land use and community design, resiliency, environmental stewardship, and economic development policies. With respect to compatible development, the proposal protects existing tidal wetlands, including the 100-foot buffer, incorporates perimeter landscaping on the north, west, and south sides of the property, and provides appropriate stormwater management facilities to appropriately collect and treat runoff onsite. As such, the proposed use is expected to have minimal impact to the residential neighborhood located to the south.

Staff recommends **APPROVAL** of Rezoning Application No. 22-00006 with five (5) proffered conditions.