MEMORANDUM

TO: Hampton Planning Commission

FROM: Mike Hayes, AICP
Planning & Zoning Administration Division Manager

DATE: December 6, 2019

SUBJECT: December 2019 Planning Commission Meeting

The next regular meeting of the Hampton Planning Commission is scheduled for Thursday, November 21, 2019. The work session for the Planning Commission meeting will begin at the standard 3:00PM in Lawson Conference Room, 8th Floor of City Hall.

As we are in the midst of the holiday season, I would like to take a moment to thank everyone for their public service and dedication to the City of Hampton. It is a personal choice to take the time and put in the effort to the current and future citizens and visitors of Hampton with the work we do and decisions the Planning Commission helps make.

The Commission’s Chairwoman, Carole Garrison, and Commissioner Tommy Southall are also due special recognition as this agenda brings forth the work of the Langley Research and Development Park Zoning Focus Group. The Chair and Mr. Southall represented the Commission through an extended process filled with learning opportunities for all, nuance, differing opinions, and ultimately consensus. Additionally, Chief Planner Donald Whipple was the lead staff in drafting various documents and often helping lead the focus group through staff’s work. Also noteworthy is the City Attorney’s Office representative, Bonnie Brown, who through this years’ long process lent her expertise to every meeting held.

The agenda for the regular meeting of the Planning Commission includes seven public hearing items and the Youth Planner’s monthly report. Five of these items relate to the Langley Business Park special zoning district, and staff asks that they be heard in a single public hearing with one presentation given by staff. The specific items are Community Plan Amendment No.19-00001, Zoning Ordinance Amendments No.19-00009-19-00011, and Rezoning Application No.19-00005.

The public hearing items not related to establishing the Langley Business Park District are:

- **Use Permit Application No. 19-00010**, which is the first request to operate a storage facility 2 under the recently adopted ordinance amendment to create 3 types of selfstorage facilities. This particular type requires the selfstorage to be a part of a mixed-use site. The location of this proposal is 5200 W. Mercury Boulevard, which is at the front of Net Center.

- **Use Permit Application No. 19-00011**, which is a request to operate a tattoo parlor at 51-55 N. Mallory Street. These addresses are three contiguous sections of the strip commercial building in the shopping center at the corner of Mallory Street and Mercury Boulevard.

At the November public hearing, City Council took the following action:
• Approved **Use Permit Application No. 19-00008**, which was a request by HPP Western, LLC to permit live entertainment 2 1976 C Power Plant Parkway, which is currently Guy Fiere’s Dive and Taco Joint.

If you have any questions about the agenda, please contact me at 757.728.5244 or mdhayes@hampton.gov.
PLANNING COMMISSION
CITY OF HAMPTON, VIRGINIA

CHAIR: Carole Garrison
VICE-CHAIR: Christopher Carter
COMMISSIONERS: Steven Brown, Trina Coleman, Thomas Southall, Ruthann Kellum, Mary Bunting

WORK SESSION
December 19, 2019 @ 3:00 PM – City Hall, Lawson Conference Room, 8th Floor

I. Questions about agenda items

MEETING AGENDA
December 19, 2019 @ 3:30 PM – City Hall, City Council Chambers, 8th Floor

I. Call to Order

II. Roll Call

III. Minutes of the November 21, 2019 Planning Commission Meeting

IV. Public Hearing Items

A. Use Permit Application No. 19-00010: This is a use permit application by MCG VA Sears, LLC to operate a storage facility as part of a proposed mixed commercial development located at 5200 W. Mercury Boulevard [LRSN: 3002532]. The Hampton Community Plan (2006, as amended) recommends business/industrial use for this site.

B. Use Permit Application No. 19-00011: This is a use permit application by Rashodd McNeill to operate a tattoo parlor at 51 & 53 N. Mallory Street [LRSN: 12001704], which faces Mallory Street and is a part of the shopping center at the intersection of N. Mallory Street and E. Mercury Boulevard. The Hampton Community Plan (2006, as amended) recommends mixed-use for this site. The Phoebus Master Plan (2007, as amended) recommends a multi-tenant shopping center in this location.

C. Comprehensive Plan Amendment No. 19-00001: Hampton Community Plan (2006, as amended): by the City of Hampton to consider amendments to the Hampton Community Plan (2006, as amended) to update the land use policies and associated map for the Magruder Boulevard Corridor; certain parcels within Langley Research and Development Park (LSRNs 6001303, 6000996, 6000987, 6000986, 6000985, 13000969, and 6000977), known as 104, 36, 22, 18, 21, and 17 Research Drive, and 3209 Commander Shepard Boulevard, respectively. The proposed changes would acknowledge designated commercial nodes along the Magruder Boulevard Business Corridor and change the land use designation for the specified parcels referenced above from Business/Industrial to Commercial land use. The policy would continue to support the majority of the park being used for Business/Industrial land use.
D. **Zoning Ordinance Amendment No. 19-00009**: Ordinance To Amend And Reenact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Uses Permitted” By Amending Section 3-2 To Add The New Zoning District Entitled “Langley Business Park (LBP) District” To the Use Table and Section 3-3 Pertaining to Additional Standards On Permitted Uses to reflect the addition of the new zoning district. This item is proposed in conjunction with Zoning Ordinance Amendments 19-00010 and 19-00011 to establish a new business/industrial zoning district for Langley Research and Development Park in support of the recommendations of the Hampton Community Plan (2006, as amended). Approval of this amendment would govern the uses permitted in the new LBP District.

E. **Zoning Ordinance Amendment No. 19-00010**: Ordinance To Amend And Reenact Chapter 8 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Special Districts” By Adding Article 9 – Langley Business Park (LBP) District. Approval of this amendment would create a new business/industrial zoning district for Langley Research and Development Park. The general purpose and intent of this district is to promote the development of a mix of office, distribution, light manufacturing, and support service uses within a modest campus setting. This item is proposed in conjunction with Zoning Ordinance Amendments 19-00009 and 19-00011 in support of the recommendations of the Hampton Community Plan (2006, as amended).

F. **Zoning Ordinance Amendment No. 19-00011**: Ordinance To Amend And Reenact Chapter 10 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Signs” By Amending Article 2 to add Section 10-19, pertaining to sign regulations, and to amend Section 10-31 entitled “Freestanding Signage Permitted” and Section 10-32 entitled “Wall Signage Permitted” As Part Of The Adoption Of A New Special District, Langley Business Park (LBP) District. Approval of this amendment would regulate the types of signs permitted and prohibited in the new LBP District. This item is proposed in conjunction with Zoning Ordinance Amendments 19-00009 and 19-00010.

G. **Rezoning Application No. 19-00005**: by the City of Hampton to rezone 177± acres, including the following LRSNs: 6000759, 6000760, 6000762, 6000767, 6000769, 6000969, 6000851, 6000852, 6000854, 6000972, 6000973, 6000974, 6000976, 6000977, 6000978, 6000979, 6000981, 6000985, 6000986, 6000987, 6000988, 6000991, 6000992, 6000993, 6000994, 6000995, 6000996, 6001001, 6001004, 6001005, 6001006, 6001007, 6001008, 6001009, 6001303, 6001443, 6001444, 13000452, 13000943, 13000969, 13000970, 13003486, 13003976, 13003978, 13004073, 13004304, from Limited Manufacturing (M-1), Multiple Residential (RM), and Neighborhood Commercial (C-1) Districts to Langley Business Park (LBP) District. The Hampton Community Plan (2006, as amended) recommends business industrial for this area. This rezoning is a zoning map amendment that identifies the boundaries of the new LBP zoning district and accompanies the adoption of the zoning ordinance text amendments associated with Langley Business Park including ZOAs 19-00009, 19-00010, and 19-00011. Together, all of the amendments will constitute a new base zoning district for the area commonly known as Langley Research and Development Park as well as certain adjacent properties.
V. Community Development Director’s Report
   A. Youth Planner Presentation – Maia Patterson

VI. Items by the Public

VII. Matters by the Commission

VIII. Adjournment of Regular Session

Protocol for Public Input at Planning Commission Meetings:
Hampton Planning Commission meetings are open to the public. The public is invited to attend meetings and to observe the work and deliberations of the Planning Commission. The public may also address the Planning Commission on public hearing items by signing up to speak. Public hearing sign-up sheets will be available until the specific item is reached during the course of the meeting. Speakers will be recognized in the order in which they sign up and are asked to state their name and address, to limit their comments to 3 minutes, and to avoid repeating comments made by previous speakers.

As a courtesy to others during the meeting,
please turn off cellular telephones or set them to vibrate.
Chairman Carole Garrison called the meeting to order at 3:03 p.m. A call of the roll noted Commissioners Ruthann Kellum, Tommy Southall, Vice-Chair Christopher Carter, Steven Brown, and Chairman Garrison as being present. Commissioners Trina Coleman and Mary Bunting were noted as absent; however Commissioner Coleman arrived after the roll call. Staff in attendance were Secretary to the Commission/Director of Community Development Terry O’Neill, Deputy City Attorney Bonnie Brown, Chief Planner Donald Whipple, City Planner Frank Glover, and Recording Secretary/Senior Administrative Assistant Kristie Graves.

The Planning Commission members and staff discussed various topics including a number of Zoning Ordinance Amendments proposed for the January and February 2020 Planning Commission meetings. Some of the amendments are for the Newmarket Creek Water Plan, the Langley Park Zoning District, large shipping center signs, and RV Parking.

Work session adjourned at 3:29 P.M.
I. CALL TO ORDER

Chairman Carole Garrison called the meeting to order at 3:33 P.M.

II. ROLL CALL

A call of the roll noted Commissioners Trina Coleman, Ruthann Kellum, Tommy Southall, Vice-Chair Christopher Carter, Steven Brown, and Chairman Garrison as being present. Commissioner Mary Bunting was noted as absent. Staff in attendance were Secretary to the Commission/Director of Community Development Terry O’Neill, Deputy Director of Community Development Steven Shapiro, Deputy City Attorney Bonnie Brown, Chief Planner Donald Whipple, City Planner Frank Glover, Senior Youth Planner William Klotz, Junior Youth Planner Maia Patterson, and Recording Secretary/Senior Administrative Assistant Kristie Graves.

III. MINUTES – OCTOBER 17, 2019 WORK SESSION & PUBLIC MEETING

A motion was made by Commissioner Tommy Southall and seconded by Vice-Chair Christopher Carter to approve the minutes of the October 17, 2019 Work Session and Planning Commission meeting.

A roll call vote on the motion resulted as follows:

AYES: Kellum, Southall, Carter, Brown, Garrison
NAYS: None
ABSTAIN: Coleman
ABSENT: Bunting

Commissioner Trina Coleman abstained from voting because she was not present at the October 17, 2019 Planning Commission meeting.

IV. PUBLIC HEARING ITEMS

Secretary O’Neill read the key points of the Hampton Planning Commission Public Hearing/Comment.

Mr. O’Neill read the public hearing notice on the agenda item.

A. UP 19-00009 – VIRGINIA SCHOOL OF HAIR DESIGN, BARBARA ANN LENOBLE, 4107 – 4111 W. MERCURY BOULEVARD [LRSN: 13003605], PRIVATE SCHOOL FOR COSMETOLOGY

Use Permit Application No. 19-00009. This is a use permit application by the Virginia School of Hair Design, Barbara Ann LeNoble, to permit a private school for cosmetology at 4107-4111 W. Mercury Boulevard [LRSN: 13003605]. This property is zoned Limited Commercial District (C-2), which allows for private schools with an approved use permit. The Hampton Community Plan (2006, as amended) recommends commercial uses for this site.
Chief Planner Donald Whipple presented the staff report on the subject application, a copy of which is attached to the original minutes. He stated that staff recommends approval of Use Permit Application No. 19-00009 with seven (7) conditions.

Mr. Whipple stated that a community meeting was held by the applicant on August 24, 2019; no members of the community were in attendance. Mr. Whipple added that the applicant was available to answer questions regarding the matter.

In response to a question from Commissioner Southall, Mr. Whipple responded that the proposed school will occupy a space that is an existing commercial building. Hours of operation are not typically recommended as a condition if the location has a by-right use that is not limited in hours, unless some specific aspect of the proposed use prompts the need to restrict the business hours. The applicant lists the school’s hours of operation in the staff report.

In response to a question from Commissioner Kellum, Mr. Whipple stated that school would not be using the entire building for the school. Mr. Whipple pointed out on the floor plan the area that would be used by the school; the remaining space would be available for lease by the property owners.

The applicant, Barbara Ann LeNoble, 101 W. Queens Way, represents Virginia School of Hair Design. Ms. LeNoble presented the Commission with a labeled floor plan showing where each service will be located.

In response to a question from Commissioner Brown, Ms. LeNoble responded that she does not plan to sublet her space. Ms. LeNoble currently teaches cosmetology, barbering, and instructors training. She hopes to expand her program to include Master barbering, esthetics, and tattooing. She added that the only tattooing school in the area is located in Richmond, VA. Ms. LeNoble stated that once those programs are established, she would like to gain accreditation in other programs. The programs would be operated under the Virginia School of Hair Design umbrella.

In response to a question from Vice-Chair Carter, Ms. LeNoble stated that the Virginia School of Hair Design began in 1968, and explained the history of the school and its owners.

Deputy City Attorney Bonnie Brown informed the Commission that if the substance of the floor plan presented by Ms. LeNoble is different from the floor plan in the package, it would need to be referenced in the motion. Mr. Whipple noted that the floor plan appears more legible than the one in the package, but also recommended a revised floor plan should be referenced in the motion and staff will include the revised floor plan as Exhibit B for City Council.

There being no further questions or speakers, the Planning Commission approved the following resolution:

WHEREAS: the Hampton Planning Commission has before it this day Use Permit Application No. 19-00009 by the Virginia School of Hair Design, Barbara Ann LeNoble, a request to permit the operation of a private school for cosmetology training at 4107-4111 W. Mercury Boulevard [LRSN 13003605];
WHEREAS: the cosmetology training school would utilize a portion of an existing commercial building;

WHEREAS: the applicant is proposing to offer a variety of cosmetology training courses and instruction, such as waxing, nails, hair design, and esthetics;

WHEREAS: the subject property is zoned Limited Commercial District (C-2), which allows for private schools with an approved use permit;

WHEREAS: the Hampton Community Plan (2006, as amended) recommends commercial for this area;

WHEREAS: the Hampton Community Plan includes economic development objectives to retain, expand, and attract businesses and nurture small and start-up businesses;

WHEREAS: the Hampton Community Plan also indicates the importance of maintaining an educated and competitive workforce through close coordination among key institutions, including employment and training agencies;

WHEREAS: seven (7) conditions proposed to be attached to this use permit based on the proposed use’s operational and site characteristics, such as, limiting the school activities to within the building; maintaining state school certification requirements; a capacity condition limiting the school to the maximum capacity determined by a City building official; and adhering to various state and city codes and ordinances; and

WHEREAS: no one from the public spoke for or against this proposal.

NOW, THEREFORE, on a motion by Commissioner Ruthann Kellum and seconded by Commissioner Trina Coleman,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Use Permit Application No. 19-00009 with seven (7) conditions.

A roll call vote on the motion resulted as follows:

AYES: Coleman, Kellum, Southall, Carter, Brown, Garrison
NAYS: None
ABST: None
ABSENT: Bunting

V. COMMUNITY DEVELOPMENT DIRECTOR’S REPORT

A. CIP – FY 2020 - 2024

Jacob Sherwood, Budget Management and Systems Analyst, provided a briefing on the Capital Improvement Plan (CIP). The CIP consists of long-term acquisitions and projects that have a life expectancy of at least five years and a minimum cost of $50,000.
CIP Projects Funded by:
- Bonds – Municipal loans
- General Fund – City’s major fund (real estate/personal property/sales taxes)
- Dedicated Sources – Revenue from certain taxes/fees (storm water/wastewater)
- State & Federal – One-time funding for specific projects (streets/road extension)

Restricted Funding Sources:
- State Funding/Match – Maintenance of roads, bridges, street resurfacing, etc.
- School Maintenance & Technology
- Wastewater & Stormwater restricted projects
- Federal and State regulations must be addressed, often times without funding from the particular regulatory agency

FY20 Capital Budget – $89.7 million:
- Crossroads Parking Expansion
- Sports Tourism & Community Pool Facility
- Downtown Investments
- Wastewater Infrastructure Rehabilitation
- Enhanced Park Maintenance & Buckroe Boardwalk Renovation
- Public Safety Investments
- Maintenance of Public Properties/Facilities
- School Maintenance & Technology
- Road Resurfacing
- Resilient Hampton Stormwater Projects

Council Strategic Priorities:
- Economic Growth
- Educated & Engaged Citizenry
- Family Resilience & Economic Empowerment
- Good Government
- Living with Water
- Place Making
- Safe & Clean Community

FY 2020 – 2024 Council Strategic Priorities Funding Allocation – $300,538,548:
- Economic Growth – 20%
- Educated & Engaged Citizenry – 11%
- Good Government – 39%
- Living with Water – 11%
- Place Making – 8%
- Safe & Clean Community – 11%

The current proposed plan is for Fiscal Year 2020 and the next four years. The first year is funded as part of the Manager’s Recommended Budget; additional years are planned but can shift. One year is added to the plan each year.
Challenges:
- Limited resources
- Unfunded Federal & State mandates
- Maintaining existing infrastructure
- Limited commercial tax base

Next Steps:
- Community Input – October/November
- City Council Briefing – December
- City Council Work Session – January
- City Council Public Hearing – February

In response to a question from Commissioner Kellum, Mr. Sherwood explained that Placemaking is creating vibrant and authentic places that reflect and celebrate the unique culture, history, and character of the City of Hampton. Some projects that fall under Placemaking are parks enhancements, neighborhood pools, etc. Mr. Sherwood stated that more information regarding Placemaking can be found online on the City’s Budget Department webpage. Mr. O’Neill expounded that Placemaking projects are projects the City would undertakes to enhance the character of the community and quality of life. Some examples are the Buckroe Beach Boardwalk, the installation of swings in parks, artwork in public spaces, and the pedestrian and bicycle improvements. Council felt that maintaining the uniqueness of our community and enhancing the quality of life projects were somewhat at a disadvantage in competing against the large capital projects, and decided to commit funding to those projects. The City has a Placemaking Planner assigned to making those projects come to fruition.

In response to a question from Chairman Garrison, Mr. Sherwood stated that the CIP would come before the Planning Commission in the Spring 2020.

B. YOUTH PLANNER PRESENTATION

Senior Youth Planner Will Klotz presented the Youth Planner Report for the month of October.

The October 7th meeting served as a time for committees to focus on forwarding their work plan goals. The Grants Committee has been receiving applications for review and vetting.

In response to a question from Commissioner Brown, Mr. Klotz stated that there are varieties of proposed grant projects such as shuttling kids to volunteer programs. Mr. O’Neill reminded the Commission that the Grant Program was put in place by City Council to provide funding to organizations that are youth oriented to help further the goals and objectives of the Youth Component of the Master Plan. This is the first year the Grant Program will be in effect since 2000, when it was last instituted. The Youth Voice Committee scheduled a networking meeting with the Youth Advisory Group (YAG) for November 4th.

A special meeting was held on October 14th. The Youth Commission was given a presentation by Placemaking Planner Alison Eubank on the Parks, Recreation, and Leisure Services Master Plan. This meeting served as an opportunity for input form the Youth Commissioners and also provided them an example to follow when they begin updating the Youth Master Plan.
At the October 21st meeting, the Youth Commissioners prepared for the Capital Improvement Plan (CIP) presentation that would be given at the October 28th meeting. Commissioners learned meaning and purpose of the CIP. The Grants Committee also held a Grants Interest meeting for potential applicants.

A special meeting was held on October 28th. Jacob Sherwood of the Budget Department presented the CIP process to the Youth Commission. Youth Commissioners were instructed on how to give their input regarding the creation of the future CIPs.

December HYC meetings:
- Executive Committee – December 3rd, December 17th
- Committee – December 2nd, December 16th
- General – December 9th

The Youth Commission meetings are held in the Ruppert Sargent Building, 1 Franklin Street, at 6:00 P.M. – 7:30 P.M., and are open to the public.

The Youth Commission will continue working on the Grant Program in the upcoming months, including accepting and reviewing applications, distributing funds, and monitoring the projects as the year progresses. The Candidates Forum will be held in March 2020; it is in the developmental stages.

Chairman Garrison stated that she was glad that the Youth Commission had initiated the Grants Program. She added that it will be very helpful in their adult life; they get to see the process on both sides.

Mr. Klotz introduced Nicole Dennis, who is the Recreation Coordinator in the Parks, Recreation, and Leisure Services Department. Ms. Dennis gave a briefing on the Money Life Program, which teaches youth on how to manage money. The Youth Commission trained staff on the program. It will be implemented at the North Phoebus and West Hampton Community Center locations for the Re-Connect After-School Membership Campaign that serves middle and high school students. The program will start December 2nd and run for two (2) weeks.

In response to a question from Commissioner Brown, Ms. Dennis stated that the Money Life Program is a financial literacy program. The curriculum requires students to find a mock employment, and then pay bills and grocery shop with the salary they receive from their mock job.

In response to a question from Commissioner Kellum, Ms. Dennis responded that the West Hampton Community Center has 40 students registered and the North Phoebus Community Center has 35 registered students.

Commissioner Kellum commented that 75 students was a great number of participants and congratulated Ms. Dennis on implementing the program.

Chairman Garrison stated that she was very glad that the program was being enacted and she was very impressed when the program was presented last year. The Youth Commissioners put a lot of effort into the program.

Ms. Dennis stated that Youth Commissioners did a great job in training staff.
VII. ITEMS BY THE PUBLIC

There were no items by the public.

VIII. MATTERS BY THE COMMISSION

There were no matters by the Commission.

IX. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:14 P.M.

Respectfully Submitted,

____________________________
Terry O’Neill
Secretary to the Commission

APPROVED BY:

____________________________
Carole Garrison
Chairman
SUBJECT: Use Permit Application No. 19-00010: by Madison Capital Group (MCG) VA Sears, LL.C., to operate a storage facility 2 as part of a proposed mixed commercial development located at 5200 W. Mercury Boulevard [LRSN: 3002532].

ACTION REQUESTED OF PLANNING COMMISSION: Recommend approval of Use Permit Application No. 19-00010 with eight (8) conditions.

BRIEF BACKGROUND STATEMENT:

Use Permit Application No. 19-00010 is a request to operate a storage facility 2 as part of a mixed commercial development in a portion of the building, formerly occupied by Sears Department store, located at 5200 Mercury Blvd. [LRSN 3002532] within the Net Center Business Park.

In September 2019, City Council approved Zoning Ordinance amendments, pertaining to how self-storage facilities are classified and where permitted. As a result of these amendments, self-storage is now defined as either storage facility 1 (SF-1), storage facility 2 (SF-2), or storage facility 3 (SF-3). As defined, SF-1 and SF-2 incorporate elements of mixed-land uses; thus, they are permitted with a use permit in a wider range of zoning districts than the previous self-storage land use, now known as SF-3.

The applicant is requesting a use permit for a storage facility 2 at the subject site. Storage facility 2 is defined as “a building containing separate storage spaces which are leased or rented to the general public for storage purposes only, are fully enclosed with internal and/or external access to each individual unit, where the storage units are a part of mixed-use either within the building, parcel, or shopping center.”

This proposal includes renovating and repurposing approximately 100,000 square feet of an existing building for 500 storage units, with no outdoor storage. The 24-hour facility would have office hours between the hours of 8:00 AM and 5:00 PM, staff approximately four (4) employees, and be monitored with security cameras 24 hours a day. The remaining half of the existing building would remain available to be leased by a commercial retail and/or office tenant. The development also includes additional future commercial development on outparcels of the subject site. No changes are proposed for the existing site, pertaining vehicular access points serving the property.

The Hampton Community Plan (2006, as amended) identifies this area for Business/Industrial uses and the development of two or more compatible land uses within the same parcel, building structure, or block is encouraged to promote innovation and achievement of economic development goals. The Plan also focuses special attention on strengthening the ability of older commercial and industrial areas to support new and expanded business activity. Maintaining the architectural character and quality of the existing building will help keep Net Center as a viable mixed-use business park. Based on the analysis of this application, the proposed use permit would be consistent with the City’s goals and policies, as outlined in the Community Plan. Staff recommends that eight (8) conditions be attached to the self-storage use permit to ensure the proposed land use action is executed properly. Based on the analysis of these applications, the proposed rezoning and use permit are consistent with the City’s goals and policies, as outlined in the Hampton Community Plan (2006, as amended).

Staff recommends approval of Use Permit Application No. 19-00010 with eight (8) conditions.

ADDITIONAL REFERENCE MATERIAL AVAILABLE:
Application, Conditions, Staff Report, PowerPoint presentation
DATES ADVERTISED: Planning Commission: December 5, 2019 and December 12, 2019

CONDITIONS ATTACHED:  x  Yes  __  No
Application for Use Permit

Complete this application in its entirety and submit pages 4 and 5 along with the required materials (including any required supplements) as listed on page 2 to the address below:

City of Hampton
Community Development Department, Planning Division
22 Lincoln Street, 5th Floor
Hampton, Virginia 23669

1. PROPERTY INFORMATION

Address or Location 5200 W. Mercury Boulevard

LRSN 3002532 Zoning District C-2

Current Land Use Vacant (previously a Sears Department Store)

Proposed Land Use Storage Facility 2

The proposed use will be in: X an existing building ☐ a new addition ☐ a new building

2. PROPERTY OWNER INFORMATION (an individual or a legal entity may be listed as owner)

Owner's Name MCG VA Sears, LLC

Address 5605 Carnegie Blvd., Suite 420 City Charlotte State NC Zip 28209

Phone Email

3. APPLICANT INFORMATION (if different from owner)

Applicant's Name Same as Owner

Address City State Zip

Phone Email

4. APPLICANT AGENT INFORMATION (if different from applicant)

Agent's Name R.J. Nutter, II Esq., Troutman Sanders LLP

Address 222 Central Park Avenue, Suite 2000 City Virginia Beach State VA Zip 23462

Phone 757-687-7502 Email rj.nutter@troutman.com
5. CERTIFICATION FOR LEGAL ENTITY PROPERTY OWNERS

Complete this section only if the property owner is not an individual but rather a legal entity such as a corporation, trust, LLC, partnership, diocese, etc. as specified in Step 2 above.

"I hereby submit that I am legally authorized to execute this application on behalf of the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."

Name(s), title(s), signature(s), and date(s) of authorized representative(s) of the legal entity (attach additional page if necessary):

Name of Legal Entity: MCG VA Sears, LLC

Signed by:

By: Madison Capital Group LLC, its Manager

Name (printed) Joe F. Teague, Jr. Its (title) President

Signature ___________________________ Date 9/11/2019

Name (printed) ___________________________ Its (title) ___________________________

Signature ___________________________ Date ___________________________

Name (printed) ___________________________ Its (title) ___________________________

Signature ___________________________ Date ___________________________

6. CERTIFICATION FOR INDIVIDUAL PROPERTY OWNERS

Complete this section only if the property owner is an individual or individuals.

"I hereby submit that I am the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."

Name(s), signature(s), and date(s) of owner(s) (attach additional page if necessary):

Name (printed) N/A

Signature ___________________________ Date ___________________________

Name (printed) ___________________________

Signature ___________________________ Date ___________________________

OFFICE USE ONLY

- Application Form
- Narrative Statement
- Supplemental Form (if required)
- Application Fee
- Survey Plat
- Additional materials (if required)
ALL THOSE CERTAIN LOTS, PIECES OR PARCELS OF LAND, SITUATE, LYING AND BEING IN THE CITY OF
HAMPTON, VIRGINIA AND DESIGNATED AS PARCELS TWO, THREE AND FIVE, ALL AS SHOWN ON THAT
PLAT ENTITLED "PLAT SHOWING PARCELS ONE, TWO, THREE, FOUR, FIVE AND F-1" MADE BY WILLIAM
M. SOURS, SURVEYOR DATED JANUARY 10, 1974 AND RECORDED IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT OF THE CITY OF HAMPTON, VIRGINIA IN DEED BOOK 472 PAGE 325.

SAID PARCELS OF LAND BEING MORE PARTICULARLY DESCRIBED ON THAT CERTAIN SURVEY RECORDED
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF HAMPTON, VIRGINIA IN PLAT BOOK 9 AT
PAGE 152 AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF THE NEWMARKET BAPTIST CHURCH PROPERTY AS
RECORDED IN DEED BOOK 357, PAGE 368, SAID CORNER BEING ON THE WESTERLY RIGHT OF WAY LINE
OF ORCUTT AVENUE, 80.00 FEET WIDE; THENCE, SOUTH 67° 19' 30" WEST ALONG THE SOUTHERLY LINE
OF SAID CHURCH PROPERTY 267.71 FEET TO THE SOUTHWEST CORNER OF SAID CHURCH PROPERTY;
THENCE NORTH 22° 57' 50" WEST ALONG THE WESTERLY SIDE OF SAID CHURCH PROPERTY, 37.98 FEET;
THENCE SOUTH 72° 30' 50" WEST, 49.23 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 72°
30' 50" WEST 844.35 FEET; THENCE SOUTH 17° 29' 10" EAST 21.20 FEET; THENCE SOUTH 72° 30' 50"
WEST, 291.22 FEET; THENCE SOUTH 15° 29' 10" EAST, 270.00 FEET; THENCE NORTH 72° 30' 50" EAST,
332.41 FEET; THENCE SOUTH 17° 29' 10" EAST 419.99 FEET TO A POINT IN THE NORTHERLY RIGHT OF
WAY LINE OF MERCURY BOULEVARD, 180.00 FEET WIDE; THENCE NORTH 58° 00' 30" EAST ALONG THE
SAID NORTHERLY LINE OF MERCURY BOULEVARD, 1194.00 FEET TO THE BEGINNING OF A TANGENT
CURVE, CONCAVE NORTHWASTERLY WITH A RADIUS OF 25.00 FEET; THENCE NORTHIERLY ALONG SAID
CURVE THROUGH A CENTRAL ANGLE OF 18° 58' 40" AN ARC DISTANCE OF 8.24 FEET TO A POINT A
RADIAL LINE TO SAID POINT BEARS NORTH 49° 28' 17" WEST; THENCE NORTH 31° 59' 30" WEST, 211.46
FEET; THENCE NORTH 22° 40' 30" WEST, 96.89 FEET; THENCE SOUTH 67° 19' 30" WEST 80.43 FEET;
THENCE NORTH 22° 40' 30" WEST, 45.00 FEET; THENCE SOUTH 67° 19' 30" WEST 232.85 FEET; THENCE
NORTH 01° 00' 01" WEST, 94.81 FEET TO THE TRUE POINT OF BEGINNING.

LESS AND EXCEPT THAT CERTAIN PARCEL OF LAND CONVEYED TO COMMONWEALTH OF VIRGINIA BY
DEED RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF HAMPTON, VIRGINIA IN
DEED BOOK 1112, PAGE 1666, AND ORDER RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT
OF THE CITY OF HAMPTON, VIRGINIA IN DEED BOOK 1207 PAGE 1685.
NARRATIVE STATEMENT

Use Permit Application of MCG VA Sears, LLC

MCG VA Sears, LLC (the “Applicant”) proposes to obtain a Conditional Use Permit for an approximate 2.7 acre portion of the real property located at 5200 W. Mercury Boulevard (identified as LRSN 3002532) (the “Property”) from the C-2 zoning classification to accommodate the redevelopment of a former Sears Department Store with an approximate 100,000 square foot self-storage facility (the Storage Facility 2).

As depicted on the conceptual site plan attached hereto as Exhibit A, the former Sears Department Store building would be divided between the Storage Facility 2 and approximately 100,000 square feet of general retail and/or office space. In addition to retail and office uses within the shopping center, there are restaurants and services facilities as well. The quality of materials and architectural design used for the exterior of the former Sears Department Store building would in substantial conformity with the elevation attached hereto as Exhibit B.

The Storage Facility 2 would contain approximately 500 storage units, would have approximately 4 employees, would be open between the hours of 8:00 am and 5:00 pm, and would be monitored with security cameras twenty-four (24) hours per day. Approximately twenty-four (24) parking spaces would be provided, on-site and landscaping would be provided in conformance with applicable codes. No changes are proposed to the existing vehicular access points serving the Property.

The redevelopment of the Property for the proposed use would be consistent with existing surrounding land uses. The Property was previously used for retail, is located along a major commercial thoroughfare, and is bounded by commercial uses on each side. Additionally, the proposed use would generate less traffic than the previous retail use, and the anticipated impact to City services would be equal to or less than that of previous use of the Property.

Finally, the proposed redevelopment is consistent with applicable provisions of the Hampton Community Plan, which designates the Property for “Business/Industrial” uses. The Community Plan states on Page LU-17 that “the development of two or more compatible land uses within the same parcel, building structure, or block [is] encouraged to promote innovation and achievement of economic development goals.” Further, the Community Plan specifically identifies offices and storage facilities as preferred uses for properties designated for “Business/Industrial” uses.
NEWMARKET FAIR REDEVELOPMENT
CONDITIONAL USE PERMIT (CUP) EXHIBIT - September 16, 2019

SITE DATA - SEPTEMBER 16, 2019

TOTAL PARCEL: 16 AC +/-
REDEVELOPMENT PARCEL (CUP): 2.7 AC +/-
PRESERVED PARCEL (C-2): 13.3 AC +/-

BUILDING: 100,000 SF +/-
500 INTERIOR STORAGE UNITS

PARKING:
MINIMUM: 5 SPACES ADJACENT TO OFFICE/ENTRY PLUS 1 SPACE PER 50 UNITS
MAXIMUM: 7 SPACES ADJACENT TO OFFICE/ENTRY PLUS 1 SPACE PER 30 UNITS

REQUIRED: 
MIN: 15 SPACES
MAX: 24 SPACES

PROVIDED: 
24 SPACES
2nd Unit Mix Schedule

<table>
<thead>
<tr>
<th>Count</th>
<th>Name</th>
<th>Rent As</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>5 X 3</td>
<td>30</td>
<td>1%</td>
</tr>
<tr>
<td>65</td>
<td>5 X 5</td>
<td>1625</td>
<td>23%</td>
</tr>
<tr>
<td>4</td>
<td>5 X 7.5</td>
<td>150</td>
<td>1%</td>
</tr>
<tr>
<td>51</td>
<td>10 X 5</td>
<td>2550</td>
<td>18%</td>
</tr>
<tr>
<td>2</td>
<td>10 X 7.5</td>
<td>150</td>
<td>1%</td>
</tr>
<tr>
<td>111</td>
<td>10 X 10</td>
<td>11100</td>
<td>40%</td>
</tr>
<tr>
<td>12</td>
<td>10 X 12.5</td>
<td>1500</td>
<td>4%</td>
</tr>
<tr>
<td>16</td>
<td>10 X 15</td>
<td>2400</td>
<td>6%</td>
</tr>
<tr>
<td>11</td>
<td>10 X 17.5</td>
<td>1925</td>
<td>4%</td>
</tr>
<tr>
<td>1</td>
<td>12.5 X 17.5</td>
<td>218.75</td>
<td>0%</td>
</tr>
<tr>
<td>2</td>
<td>15 X 12.5</td>
<td>375</td>
<td>1%</td>
</tr>
<tr>
<td>1</td>
<td>15 X 15</td>
<td>225</td>
<td>0%</td>
</tr>
<tr>
<td>2</td>
<td>15 X 17.5</td>
<td>525</td>
<td>1%</td>
</tr>
<tr>
<td>280</td>
<td></td>
<td>22773.75</td>
<td>100%</td>
</tr>
</tbody>
</table>

Copyright © 2019, Janus International Corporation.
Use Permit No. 19-00010, Self-storage Facility
5200 West Mercury Blvd [LRSN 3002532] Hampton, VA 23666

Conditions

1. Issuance of Permit
   The Use Permit shall apply only to the property, known as 5200 W. Mercury Blvd [LRSN 3002532], and further identified as “Proposed Parcel for Rezoning” on that plan entitled, “Newmarket Fair Redevelopment,” prepared by Timmons Group and dated 09/16/2019 and attached here as Exhibit A, and is not transferable to another location. The self-storage use shall be limited to the area as delineated on Exhibit B.

2. Mixed Use
   The building and/or the parcel shall be mixed-used per Zoning Ordinance Sec. 3-3. (53).

3. Outdoor Storage
   No outdoor storage will be permitted as part of the storage facility operation.

4. Elevations
   The building shall be constructed/renovated in substantial conformance with the elevations entitled “BUILDING ELEVATIONS, GO STORE IT- HAMPTON VA”, prepared by RRMM Architects PC and dated 10/03/2019, attached as Exhibit C. This condition shall not be construed as approval of any signage shown on Exhibit C, which is subject to a separate review and permitting process.

5. Surveillance
   Surveillance cameras shall be provided for monitoring the property. Surveillance video shall be made available for review by authorized personnel of the City of Hampton upon request.

6. Compliance with Applicable Laws
   This Use Permit may be terminated for any violation of applicable federal, state, or local law.

7. Nullification
   The use permit shall automatically expire and become null and void under any of the following conditions:

   (1) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit;

   (2) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or

   (3) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.
8. **Revocation**  
Notwithstanding any condition or provision of this use permit to the contrary, the use permit may be revoked for violation of any terms or conditions of the use permit as set forth in chapter 14 of the Hampton Zoning Ordinance (as amended).
BUILDING ELEVATIONS
GO STORE IT - HAMPTON, VA
100 NEWMARKET FAIR MALL, NEWPORT NEWS, VA 23605
MADISON CAPITAL

EXHIBIT C

RRMM Project No: 18310-00
Date: 10/3/19
STAFF EVALUATION

To: Planning Commission
Prepared By: Donald Whipple 728-5235
Reviewed By: Mike Hayes 728-5244
Bonnie Brown 727-6157

Case No.: Use Permit Application #19-00010     Date: 12/19/2019

General Information

Applicant & Property Owner: Madison Capital Group (MCG) VA Sears, LLC

Location: 5200 Mercury Blvd (LRSN 3002532)

Requested Use: Storage facility 2

Description of Proposal:
The applicant proposes to reuse and repurpose a portion of an existing building (half of the former Sears building), on a 2.7± acre portion of real property, located at 5200 Mercury Boulevard for the operation of a storage facility 2.

By definition, Storage Facility 2 is a building containing separate storage spaces which are leased or rented to the general public for storage purposes only, are fully enclosed with internal and/or external access to each individual unit, where the storage units are a part of mixed-use either within the building, parcel, or shopping center.

The 100,000 square foot facility would contain approximately 500 storage units, with approximately four (4) employees. Although a 24-hour operation, the facility would have office hours between 8:00 AM -5:00PM and be monitored with security cameras 24 hours per day. Approximately 24 parking spaces would be provided for the operation.
No changes are proposed to the existing vehicular circulation and access, serving the property.

As the additional standards for storage facility 2 require the building and/or parcel to be mixed-use, the proposed development intends to comply by maintaining the other half of the former Sears building as a commercial tenant and providing new commercial tenants on outparcels adjacent to Mercury Blvd.

The applicant has submitted elevations for repurposing the building as a storage facility use, intending to maintain the quality of the existing building with respect to building design and materials. The primary building material of the existing building consists of brick with textured panels, glass, and aluminum trim. New work consist of new paint to be consistent with the businesses franchise colors.

**Parking**
Based on the concept, approximately a minimum of 15 parking spaces would be required – the applicant is proposing to provide 24 parking spaces.

**Existing Land Use**
Vacant commercial building; undeveloped land

**Existing Zoning**
Limited Commercial [C-2] District

**Surrounding Land Use and Zoning**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>C-2/R-9 (Limited Commercial/One-Family Residential) – Office/Residential</td>
</tr>
<tr>
<td>South</td>
<td>C-2 (Limited Commercial) – Commercial</td>
</tr>
<tr>
<td>East</td>
<td>C-1 (Limited Commercial) – Commercial</td>
</tr>
<tr>
<td>West</td>
<td>City of Newport News (Commercial District) – Commercial</td>
</tr>
</tbody>
</table>
The future land use plan for the subject properties is addressed by the Hampton Community Plan (2006, as amended). The Community Plan provides goals, objectives, and policies for the future of Hampton, which includes recommendations for appropriate land uses. Land use recommendation for this property is business industrial.

The Plan defines the commercial land use category as “mercantile uses serving neighborhood, community, and regional areas, including retail, food, lodging, personal services, and offices.” Business/Industrial land use is defined as “existing and future areas appropriate for employment centers, business parks, research and development, and manufacturing.” The Plan identifies this portion of West Mercury Boulevard as a business corridor in the city, which means it is dominated by commercial and/or industrial land uses. with targeted commercial nodes, including one at Floyd Thompson Blvd.

Additional applicable policies from the Community Plan include:

**LU-CD Policy 4:** Evaluate land use proposals from a regional, city-wide, and neighborhood perspective. [pg. LU-16]

**LU-CD Policy 11:** Promote high quality design and site planning that is compatible with surrounding development.

**LU-CD Policy 31:** Encourage a mix of land uses that is appropriate for each district. Promote the efficient use of land and high quality urban design.
In the Hampton Zoning Ordinance, a storage facility is permitted in the C-2 zoning district, subject to an approved use permit. In September 2019, Zoning Ordinance amendments were approved pertaining to how self-storage facilities are classified and where they are permitted. As a result of these amendments, self-storage is now defined as either storage facility 1 (SF-1), storage facility 2 (SF-2), or storage facility 3 (SF-3). As defined, SF-1 and SF-2 incorporate elements of mixed-land uses; thus, they are permitted with a use permit in a wider range of zoning districts than the previous self-storage use, now known as SF-3.

The applicant is requesting a use permit for a storage facility at the subject site. Storage facility 2 is defined as "a building containing separate storage spaces which are leased or rented to the general public for storage purposes only, are fully enclosed with internal and/or external access to each individual unit, where the storage units are a part of mixed-use either within the building, parcel, or shopping center." The proposal includes repurposing approximately 100,000 square feet of the existing approx. 200,000 sq. ft. building that was previously occupied by Sears Department store. The remaining half of the building will be leased to a commercial retail/office tenant, and at least two (2) outparcels are proposed to be developed as commercial business. The proposal is consistent with the definition of storage facility 2 as well as the additional standards for SF-2, which pertain to mixed-use and building setback from a road right-of-way.

The Hampton Community Plan (2006, as amended) identifies this area for Business/Industrial uses, and the development of two or more compatible land uses within the same parcel, building structure, or block is encouraged to promote innovation and achievement of economic development goals. In addition, West Mercury Boulevard is identified as a Business Corridor which is appropriate for retail sales, services, and office uses within Limited Commercial C-2. The Plan further encourages an efficient use of land and high quality site planning that is compatible with the surrounding development [LU-CD Policy 31]. The adopted policy pays special attention is given to strengthening the ability of older commercial and industrial areas to support new and expanded business activity. Maintaining the architectural character and quality of the existing building will help keep Net Center as a viable mixed-use business park. Based on the analysis of this application, the proposed use permit would be consistent with the City’s goals and policies, as outlined in the Community Plan.

Proposed conditions for the self-storage facility address issuance of permit and limits of the storage facility operation, including no outdoor storage. Another condition ensures the mixed use provision of the ordinance is being met and another condition references building elevations and materials associated with the renovation of the building. Surveillance and security are also addressed. The full set of proposed conditions for each use is attached to this report.

With the proposed conditions, this proposed storage facility 2 would be appropriate for this location. It would provide a service and could attract more small businesses and workers to the business area, fulfilling a policy that is detailed in the Community Plan [ED Policy 4].

Staff Recommendation:

- Approval of Use Permit Application No. 19-00010 with eight (8) conditions.
Application

Use Permit for Self-Storage 2
Future Land Use Plan

- Business
- Industrial
Floor Plan
Go Store It Elevations
Go Store It Elevations
Public Policy:
Hampton Community Plan

Evaluate from regional, city, & neighborhood perspective

High quality site planning & efficient use of land

Mix of land uses

Strengthen older business/industrial areas

Support new & expanded businesses
Self-Storage Conditions

- Issuance of Permit
- Mix of Uses
- Elevations
- Outdoor Storage
- Surveillance
- Compliance with applicable laws
Recommendation

Approve UP#19-000010
with 8 conditions
SUBJECT: Use Permit Application No. 19-00011: by Rahshodd McNeil to permit a tattoo parlor at 51-55 N. Mallory Street [LRSN: 12001704].

ACTION REQUESTED OF COMMISSION: Recommend approval of Use Permit No. 19-00011 with six (6) conditions.

BRIEF BACKGROUND STATEMENT:
This Use Permit application is a request to permit a tattoo parlor in an existing commercial building that is a part of the shopping center at the intersection of N. Mallory Street and Mercury Boulevard [LRSN: 12001704]. The space includes multiple stalls that front directly on N. Mallory Street. Please see the attached Exhibit A for the specific area. The property is zoned Phoebus Commercial Transition (PH-3), which allows for tattoo parlors with an approved use permit.

In 2018, the Phoebus Commercial District (PH-1) was split into three zoning districts to better accommodate the appropriate forms of development on different segments of N. Mallory and Mellen Streets. While this zoning ordinance amendment affected physical development standards each district continues to permit the same uses as the original PH-1. In 2016, City Council approved an amendment to add tattoo parlors as a permitted use with an approved use permit in PH-1. This followed a public input process and was clear policy support for tattoo parlors being a part of the arts and cultural scene in main street Phoebus.

The Hampton Community Plan (2006, as amended) recommends mixed-use use for the subject parcel and the main street area of Phoebus. The Phoebus Master Plan (2013, as amended) envisions a mix of uses that create an arts and entertainment regional draw in a traditional main street development pattern.

If approved, staff recommends attaching six (6) conditions to this application to mitigate any potential impacts from the use. These include limiting the use to the stalls shown in Exhibit A, limit on hours of operation, screening of actual tattooing of patrons, adherence to City Code and Health Department regulations, and a review similar to those performed for live entertainment venues with use permits.

Staff recommends approval of Use Permit Application No. 19-00011 with six (6) conditions.

ADDITIONAL REFERENCE MATERIAL AVAILABLE:
Application, Staff Report, Conditions, PowerPoint presentation

DATES ADVERTISED: Planning Commission: December 5, 2019 and December 12, 2019

CONDITIONS ATTACHED:  x Yes  __ No
Application for Use Permit

Complete this application in its entirety and submit pages 4 and 5 along with the required materials (including any required supplements) as listed on page 2 to the address below:

City of Hampton
Community Development Department, Planning Division
22 Lincoln Street, 5th Floor
Hampton, Virginia 23669

1. PROPERTY INFORMATION

Address or Location 668 W Ma 51nd and 55
LRSN 12001764 Zoning District PH3
Current Land Use Shopping Center "Vacant Suite"
Proposed Land Use Tattoo and Body Enhancement Salon
The proposed use will be in: ☑ an existing building ☑ a new addition ☑ a new building

2. PROPERTY OWNER INFORMATION (an individual or a legal entity may be listed as owner)

Owner’s Name Club Forest Inactive LLC c/o Pembroke Commercial Realty
Address PO Box 4908 City Virginia Beach State VA Zip 23454
Phone __________________________ Email www.pembrokerealty.com

3. APPLICANT INFORMATION (if different from owner)

Applicant’s Name Hanshaw M 1001
Address 228 W Taylor AVE City Hampton State VA Zip 23663
Phone 757-500-1644 Email Hanshaw1@comcast.com

4. APPLICANT AGENT INFORMATION (if different from applicant)

Agent’s Name N/A
Address __________________ City __________________ State _____ Zip ______
Phone __________________ Email __________________
5. CERTIFICATION FOR LEGAL ENTITY PROPERTY OWNERS

Complete this section only if the property owner is **not** an individual but rather a legal entity such as a corporation, trust, LLC, partnership, diocese, etc. as specified in Step 2 above.

"I hereby submit that I am legally authorized to execute this application on behalf of the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."

Name(s), title(s), signature(s), and date(s) of authorized representative(s) of the legal entity (attach additional page if necessary):

Name of Legal Entity: Club Forest Buckroe, LLC

Signed by:

Name (printed): Lawrence L. Stingel, Its (title): Manager

Signature: [Signature]

Date: Oct 1, 2019

Name (printed): 

Signature: 

Date: 

Name (printed): 

Signature: 

Date: 

Name (printed): 

Signature: 

Date: 

6. CERTIFICATION FOR INDIVIDUAL PROPERTY OWNERS

Complete this section only if the property owner is an individual or individuals.

"I hereby submit that I am the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."

Name(s), signature(s), and date(s) of owner(s) (attach additional page if necessary):

Name (printed): 

Signature: 

Date: 

Name (printed): 

Signature: 

Date: 

Office Use Only:

- Application Form
- Narrative Statement
- Supplemental Form (if required)
- Application Fee
- Survey Plat
- Additional materials (if required)
Matriarch Gallery of Body Enhancements LLC

Matriarch Gallery of Body Enhancements would be a place of EVERYTHING art. Occupying 3626 square feet at the address 51 N Mallory St in the Phoebus area of Hampton, operating from the hours of 11am to 10pm Monday through Saturday and close to the public on Sunday. There are about 6 parking spots on the street located in the front of the building, a few on the side of the building as well as a shared parking lot with a Food Lion which has about 120 parking spaces. Due to the ample parking from the shared Food Lion parking lot I’m sure that traffic and vehicle circulation will remain smooth and fluent.

Matriarch Gallery of Body Enhancements as an idea will be more than “just a” tattoo shop and I can ensure the stigma of the traditional tattoo shop is not what we stand for. Matriarch Gallery is a place where artist grow and have a platform to display their art. Our main work duty would be providing all our amazing clients with an unforgettable experience and an even better tattoo. We plan to be very active in the community by orchestrating drives and collecting for major holidays and events, which include but are not limited to; back to school drive, Thanksgiving and Christmas food drive.

I, myself, being the owner of Matriarch Gallery will be there daily working as I am also an artist. I’ve been a professional tattoo artist for almost 2 years and have been completely blindsided by the bad imagery that the tattoo industry paints. I want to build something different, something unique, something OURS. Matriarch Gallery will be drug and alcohol free and will not accept the business of anyone under the influence of drugs or alcohol. We will follow the rules of our trade to the exact word provided by the City of Hampton Health Department and DPOR. Matriarch Gallery plans to partner with as many business owners in the surrounding areas to guarantee the success and growth of the community. We would also like to partner with as many schools to host different events to build after school programs and promote activeness for our youth. As a father I wouldn’t think of another place to raise my children and start our legacy, as a Phoebus resident there is no place like home.
COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

ARTICLES OF ORGANIZATION  
OF A VIRGINIA LIMITED LIABILITY COMPANY

Pursuant to Chapter 12 of Title 13.1 of the Code of Virginia the undersigned states as follows:

1. The name of the limited liability company is  
   Club Forest Buckroe, LLC  
   (The name must contain the words limited company or limited liability company or the abbreviation L.C., LLC, L.L.C., or LLC)

2. A. The name of the limited liability company's initial registered agent is  
   Lawrence L. Steingold

B. The initial registered agent is (mark appropriate box):

   (1) an INDIVIDUAL who is a resident of Virginia and
   ☐ a member or manager of the limited liability company.
   ☐ a member or manager of a limited liability company that is a member or manager of the limited liability company.
   ☐ an officer or director of a corporation that is a member or manager of the limited liability company.
   ☐ a general partner of a general or limited partnership that is a member or manager of the limited liability company.
   ☐ a trustee of a trust that is a member or manager of the limited liability company.
   ☐ a member of the Virginia State Bar.

   OR

   (2) ☐ a domestic or foreign stock or nonstock corporation, limited liability company or registered limited liability partnership authorized to transact business in Virginia.

3. A. The limited liability company's initial registered office address, including the street and number, if any, which is identical to the business office of the initial registered agent, is  
   500 N. Birdneck Road, Suite 100 Virginia Beach VA 23451
   (number/street) (city or town) (zip)

B. The registered office is located in the ☐ county or ☐ city of Virginia Beach

4. The limited liability company's principal office address, including the street and number, is  
   500 N. Birdneck Road, Suite 100 Virginia Beach VA 23451
   (number/street) (city or town) (state) (zip)

Organizer(s):

Lawrence L. Steingold

(printed name) (signature) (telephone number (optional))

11/04/11 (date)

PRIVACY ADVISORY: Information such as social security number, date of birth, maiden name, or financial institution account numbers is NOT required to be included in business entity documents filed with the Office of the Clerk of the Commission. Any information provided on these documents is subject to public

SEE INSTRUCTIONS ON THE REVERSE
Use Permit No. 19-00011
Rahshodd McNeil – Matriarch Tattoo
51-53 N. Mallory Street

Conditions

1) Issuance of Permit
The Use Permit applies only to 51-55 N. Mallory Street [LRSN 12001704], which are collectively depicted on Exhibit A, attached hereto, and is not transferable to another location.

2) Hours of Operation
The hours of operation shall be limited to 10:00AM to 10:00PM Sunday through Saturday.

3) Compliance with Applicable Laws
The applicant must comply with all Health Department, Code of Virginia, and Hampton City Code requirements, including but not limited to Section 18.2-371.3, as amended, of the Code of Virginia and Chapter 24 of the Hampton City Code, as well as all other applicable Federal, State, and Local ordinances and regulations.

4) Interior Screening
All tattooing shall be screened in a way to not be visible from the exterior of the building.

5) Nullification
The use permit shall automatically expire and become null and void under any of the following conditions:

   (1) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit;

   (2) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or

   (3) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

5) Revocation of Use Permit
The City Council may revoke this use permit, after notice and a public hearing as set forth in section 15.2-2204 of the Virginia Code, as amended, for any violation of a term or condition thereof or repeated or continuing violations of the city zoning ordinance or city code, failure to comply with approved plans, and/or when false, fraudulent, or misleading information is supplied by the applicant. The consideration of a possible revocation shall follow the procedure set forth in the zoning ordinance for approving the use permit, provided that fifteen (15) days’ written notice is given to the owner of the subject property prior to the public hearing.

6) Review of Tattoo Parlor Uses
After 12 months of operation, the Use Permit will be scheduled for review by the Director of Community Development (the “Director”) to consider if the continuation of the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district. The review will be based, in part, upon a physical site review, traffic flow and control, access to and circulation within the property, off-street parking and loading, hour and manner of operation, noise, light, neighborhood complaints, police service calls, and any violations of any federal, state, or local law. If after review, the Director determines that the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the permit shall be scheduled for the same administrative review in 5-year increments. If the Director determines that the Use Permit would be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director will notify the Permittee in writing and may initiate the revocation process before City Council. Nothing contained herein shall limit the City’s ability to enforce City Code violations at any time during the operation.
Exhibit A

51-95 N. Mallory Street

MALLORY COMMONS
First Floor Plan

| Suites 51-55 | 3,625 SF | AVAILABLE |
| 57-61       | 2,970 SF | VA ABC    |
| 65          | 861 SF   | Giant Wireless |
| 67          | 1,000 SF | 1029 Barber Shop |
| 69          | 1,000 SF | New China |
| 71-73       | 1,900 SF | Skrimp Shack |

FOR MORE INFORMATION, PLEASE CONTACT:
LENNY BURNS
(757) 490-3141
lburns@pembrokerealty.com

COLE WERKHEISER
757-490-3141
cwerkheiser@pembrokerealty.com

Pembroke Commercial Realty
4460 Corporation Lane, Suite 300
Virginia Beach, VA 23462
www.pembrokerealty.com

RECEIVED
OCT 03 2019
CDD 5TH FLOOR
**General Information**

<table>
<thead>
<tr>
<th><strong>Applicant</strong></th>
<th>Rahshodd McNeil</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Owner</strong></td>
<td>Club Forest Buckroe LLC</td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td>51-55 N. Mallory Street [a portion of LRSN 12001704]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Requested Use</strong></th>
<th>Use Permit for a tattoo parlor.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description of Proposal</strong></td>
<td>The applicant intends to lease two bays in the strip shopping center to operate a tattoo parlor.</td>
</tr>
<tr>
<td><strong>Existing Land Use</strong></td>
<td>Shopping center; this specific store front is vacant</td>
</tr>
<tr>
<td><strong>Zoning</strong></td>
<td>The property is zoned Phoebus Commercial Transition (PH-3) District, which allows tattoo parlors with an approved use permit.</td>
</tr>
</tbody>
</table>
**Surrounding Land Use and Zoning**

**North:** Two-family Residence District (R-8), PH-3, Neighborhood Commercial District (C-1), Limited Commercial District (C-2); Single family residences, shopping center, cold storage facility, and a cleaners  

**South:** Phoebus Town District (PH-2); Restaurant and vacant land  

**East:** PH-3 and C-1; Storage/contractor storage, convenience store, restaurant, and single family residences  

**West:** PH-2 and R-8; Single family residences, vacant land
The Hampton Community Plan (2006, as amended) recommends mixed-use for this site and much of the downtown Phoebus area.

Additional policies related to this request from the Community Plan are listed below:

**LU-Cd Policy 31:** Encourage a mix of land uses that is appropriate for each district. [Phoebus is identified as a special district.] Promote the efficient use of land and high quality urban design.

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

This location also falls within the boundaries of the Phoebus Master Plan (2013, as amended). The Master Plan recommends Mellen and Mallory Streets develop into a mixed-use regional attraction with a concentration of “specialty shops that focus on antiques, arts, and design”.

<table>
<thead>
<tr>
<th>Applicable Regulations</th>
<th>M-3 allows for a trash sorting facility, subject to approval of a use permit.</th>
</tr>
</thead>
</table>

**Traffic**

The proposed operation is not expected to have negative impacts on traffic in the area. The proposal is to make use of existing commercial space with parking available on Mallory Street as well as in a large parking lot serving the shopping center. Typically tattoo parlors do not produce as many trips as most other commercial uses permitted in the district, such as restaurants and retail.
Analysis

Use Permit Application No. 19-00011 is a request to permit a tattoo parlor at 51-55 N. Mallory Street [a portion of LRSN 12001704], which is located in Phoebus. This commercial space is a part of a larger shopping center. The shopping center is zoned Phoebus Commercial Transition (PH-3), which allows tattoo parlors with an approved use permit. The PH districts have been amended in recent years. The original PH-1 (Phoebus Business) District, which extended to include this shopping center, had tattoo parlors added as a permitted use with a use permit in 2016. In 2017, the original Phoebus Business District was split into three districts to provide more appropriate development standards for each area but permit the same uses in each district. So, a very intentional policy decision was made in recent years to permit tattoo parlors with a use permit in this area.

51-55 N. Mallory Street are adjoining sections of the strip shopping center (See attached Exhibit A) and face directly onto N. Mallory Street. Parking is provided in the adjacent parking lot shared by the entire shopping center as well as on-street along Mallory Street. If approved with the recommended conditions, the storefront would continue as a typical storefront, however, any tattooing would be screened from public view.

The Hampton Community Plan (2006, as amended) recommends mixed-use for the subject parcel and the general main street Phoebus area with recommendations for maintaining existing residential neighborhood around it. The Phoebus Master Plan (2013, as amended) recognizes the opportunity for Mellen and Mallory Streets to be a regional draw for arts and entertainment in a traditional main street development pattern.

If approved, staff recommends attaching six (6) conditions to this application. These conditions limit the tattoo operation to the stalls shown in Exhibit A. The conditions also require the screening of any tattooing from public view and limit the hours of operation from 10:00AM to 10:00PM, which is consistent with previously approved tattoo parlors. The operation will also have to follow all applicable City Code and Health Department laws as well as undergo a review after 12 months, similar to those performed for live entertainment use permits to assure the operation is adhering to the conditions and not generating deleterious effects on the neighboring community.

Given the zoning, land use, and development policies for the larger area of main street Phoebus, the proposed tattoo parlor is appropriate in this location.

Staff and Planning Commission recommend approval of Use Permit Application No. 19-00011 with six (6) conditions.
Application

Use Permit for a Tattoo parlor
Store Fronts

Parking lot

N Mallory Street
Zoning

Site

PH-3

R-8

PH-2
Public Policy:
Hampton Community Plan

Encourage a mix of land uses appropriate for each district

Nurture small and start up businesses
Public Policy: Phoebus Master Plan

- Mallory & Mellen serve as the commercial main street core of Phoebus
- Diversity in architecture and culture
- Authentic – not sanitized
Conditions

- Location
- Hours of operation
- Screening of tattooing
- Compliance with applicable laws
- Review
Recommendation

Approve UP#19-000011 with 6 conditions
AGENDA REVIEW

Item No: CPA 19-00001  Prepared By: Donald Whipple, AICP  Phone: 728-5235
Date: December 19, 2019  Reviewed By: Michael Hayes, AICP  Phone: 728-5244
Reviewed By: Bonnie Brown, Sr. Asst. City Attorney

SUBJECT: Comprehensive Plan Amendment No. 19-00001: Hampton Community Plan (2006, as amended): by the City of Hampton to consider amendments to the Hampton Community Plan (2006, as amended) to update the land use policies and associated map for the Magruder Boulevard Corridor; certain parcels within Langley Research and Development Park, LRSNs 13000969, 6000986, 6000985, 6000987, 6000996, 6001303, and 6000977, known as 17, 18, 21, 22, 36, and 104 Research Drive, and 3209 Commander Shepard Boulevard, respectively, totaling 16.5+ acres. The proposed changes would acknowledge designated commercial nodes along the Magruder Boulevard Business Corridor and change the land use designation for the specified parcels referenced above from Business/Industrial to Commercial land use. The policy would continue to support the majority of the park being used for Business/Industrial land use. This item is being proposed in conjunction with Zoning Ordinance Amendment 19-00009, 19-00010, and 19-00011; RZ 19-00005.

ACTION REQUESTED OF PLANNING COMMISSION: Approve proposed amendments to Land Use and Community Design section of the Community Plan.

BRIEF BACKGROUND:
Through indepth conversations with representatives from the Langley Research and Development Park Association, Planning Commission, and Economic Development Authority (Stakeholder Group), City staff has been exploring ideas to expand the list of permitted uses within the business park. All parties agreed on the basic premise that the list of permitted uses in the park should be expanded in order to enhance its competitiveness as a business/industrial/research park. Part of the analysis, included investigating other business/industrial parks in the region (e.g. Oyster Point Business Park (Newport News) and Harbour View Business Park (Suffolk) to compare their permitted land uses to what is currently permitted in Langley Research and Development Park. This research of other localities provided valuable information of how to proceed with a broader spectrum of uses which would assist in making Langley R&D properties a more attractive investment and job creation location.

Staff’s recommendation contains several companion components, all of which would accomplish the desired objectives expressed by the Stakeholder Group. The first component is an amendment to the Land Use section of the Hampton Community Plan (2006 as amended) which would designate specific parcels of land as appropriate for commercial uses that would serve the support and convenience needs of the occupants of the park. Specifically, such parcels, comprising approximately 16.5+ acres, would be located entrances to the part at Magruder Boulevard and Floyd Thompson Drive and Research Drive and Commander Shepard Boulevard. The land use designation for these parcels would change from Business/Industrial to Commercial, which would pave the way for these properties to seek a use permit that would allow the desired support retail and/or service use. The second component includes an amendment to the Zoning Ordinance that would create a new special zoning district, Langley Business Park (LBP), which would expand the list of permitted uses within the subject area. While the new zoning district expands the number of permitted uses in the institutional and industrial categories, this Plan amendment further identifies sites where an expanded number of
retail sales and service uses are potentially appropriate. Finally, with the new zoning district
adopted, the subject properties would be rezoned to the new special district, Langley Business
Park.

This proposed plan amendment is accompanied by proposed Zoning Ordinance Amendments: ZOA
19-00009, 19-00010, and 19-00011; and RZ 19-00005. All property owners have been notified of
the draft proposal to include the subject Community Plan Amendment, Zoning Ordinance
Amendments and Rezoning.

**ADDITIONAL INFORMATION AVAILABLE:**
Proposed Plan Amendment Language; Presentation

**DATES ADVERTISED:**
Planning Commission: December 5, 2019 and December 12, 2019
**III. Land Use and Community Design**

**LU-CG Policy 25:** Promote community involvement in planning and implementation of neighborhood improvement initiatives such as neighborhood watch, streetscape beautification, and infill development.

**LU-CG Policy 26:** Promote access to educational, social, civic, recreational, and employment opportunities particularly for youth and seniors.

**LU-CG Policy 27:** Preserve and enhance the character of historic residential neighborhoods by encouraging new or remodeled structures to be compatible (prevailing scale, form, and materials) with the neighborhood and adjacent structures.

**LU-CG Policy 28:** Treat residential streets as both public rights-of-way and neighborhood amenities. Provide sidewalks, street trees, and other amenities that favor pedestrians.

**LU-CG Policy 29:** Encourage high quality new developments that are compatible with surrounding neighborhoods.

*(See the Housing and Neighborhoods section of the Community Plan for additional policies.)*

### District Policies

<table>
<thead>
<tr>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buckroe/Salt Ponds</td>
</tr>
<tr>
<td>Coliseum Central</td>
</tr>
<tr>
<td>Copeland Industrial Park</td>
</tr>
<tr>
<td>Downtown Hampton</td>
</tr>
<tr>
<td>Hampton Roads Center</td>
</tr>
<tr>
<td>Langley Research and Development Park</td>
</tr>
<tr>
<td>Phoebus</td>
</tr>
</tbody>
</table>

**LU-CG Policy 30:** Follow a master planning process for districts to identify and address land use and community design issues that are unique to individual districts.

**LU-CG Policy 31:** Encourage a mix of land uses that is appropriate for each district. Promote the efficient use of land and high quality urban design.

**LU-CG Policy 32:** Encourage the upgrading and revitalization of districts in a manner that is consistent with the character and scale of the district and is compatible with the character of surrounding neighborhoods.

**LU-CG Policy 33:** Enhance and set the standard for the appearance of districts with the maintenance, repair, and upgrading of City infrastructure and facilities. Set the standard for appearance and maintenance with City infrastructure and facilities.

**LU-CG Policy 34:** Provide for certain types of research and development and manufacturing uses relatively free from offense within Langley Research and Development Park, including certain support commercial uses intended to provide services to the park, limited to land at the park entrances.

**LU-CG Policy 35:** Create a special zoning district to promote the development of a mix of office, distribution, light manufacturing, and support service uses within a modest campus setting for Langley Research and Development Park. The central location of this District should support the commercial and high-tech interests located in the surrounding Magruder Corridor area, including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.

### Corridor Policies

**LU-CG Policy 36:** Follow a planning process for corridors to identify and address land use and community design issues that are unique to the individual corridor.
LU-CD Policy 37: Encourage corridor-oriented commercial development within specified areas to strengthen the viability of commercial uses and to protect residential uses and adjacent neighborhoods. Areas specified for corridor-oriented commercial include business corridors and commercial nodes within residential corridors.

Business Corridors - are dominated by commercial and/or industrial land uses. Business Corridors in Hampton are noted in the table below:

<table>
<thead>
<tr>
<th>Business Corridors</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Aberdeen Road (City limits to Briarfield Road)</td>
</tr>
<tr>
<td>2. Armistead Avenue (Hampton Roads Center Parkway to Semple Farm Road)</td>
</tr>
<tr>
<td>3. Armistead Avenue (Settlers Landing Road to Mercury Boulevard)</td>
</tr>
<tr>
<td>4. Big Bethel Road (Aluminum Avenue to Briarfield Road)</td>
</tr>
<tr>
<td>5. Coliseum Drive</td>
</tr>
<tr>
<td>6. Commander Shepard Boulevard (Armistead Avenue to Brick Kiln Creek)</td>
</tr>
<tr>
<td>7. King Street (Hampton River to I-64)</td>
</tr>
<tr>
<td>8. Mallory Street (I-64 to Mercury Boulevard)</td>
</tr>
<tr>
<td>9. Magruder Boulevard (with targeted commercial nodes at Hardy Cash Drive, Floyd Thompson Blvd., and Commander Shepard Blvd./Semple Farm Road)</td>
</tr>
<tr>
<td>10. West Mercury Boulevard (City limits to King Street)</td>
</tr>
<tr>
<td>11. West Pembroke Avenue (City limits to King Street)</td>
</tr>
<tr>
<td>12. Settlers Landing Road (Armistead Avenue to I-64)</td>
</tr>
<tr>
<td>13. Todds Lane/Cunningham Dr. (Aberdeen Road to West Mercury Boulevard)</td>
</tr>
<tr>
<td>14. Wythe Creek Road</td>
</tr>
</tbody>
</table>

Residential Corridors with Commercial Nodes - have a mix of residential and commercial uses; they include the city's oldest commercial corridors. These corridors may be characterized by individual commercial buildings and sites that are marginal or no longer viable in today's market. New and expanded commercial uses are encouraged to concentrate within established commercial nodes. Residential Corridors with Commercial Nodes in Hampton are noted in the table below:

<table>
<thead>
<tr>
<th>Residential Corridors with Commercial Nodes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Aberdeen Road (Briarfield Road to Todds Lane)</td>
</tr>
<tr>
<td>2. Armistead Avenue (Settlers Landing Road to Sunset Creek)</td>
</tr>
<tr>
<td>3. Armistead Avenue (West Mercury Blvd. to Hampton Roads Center Parkway)</td>
</tr>
<tr>
<td>4. Big Bethel Road (City limits to Briarfield Road)</td>
</tr>
<tr>
<td>5. Briarfield Road/Queen Street/Settlers Landing Road (City limits to Armistead Avenue)</td>
</tr>
<tr>
<td>6. Commander Shepard Boulevard (Brick Kiln Creek to Big Bethel Road)</td>
</tr>
<tr>
<td>7. County Street</td>
</tr>
<tr>
<td>8. Hampton Roads Center Parkway</td>
</tr>
<tr>
<td>9. Fox Hill Road</td>
</tr>
<tr>
<td>10. Kecoughtan Road</td>
</tr>
<tr>
<td>11. King Street (I-64 to SW Branch of Back River)</td>
</tr>
<tr>
<td>12. Lasalle Avenue</td>
</tr>
<tr>
<td>13. Mallory Street (East Pembroke Avenue to Richmond Drive)</td>
</tr>
<tr>
<td>14. East Mercury Boulevard (King Street to Mill Creek)</td>
</tr>
<tr>
<td>15. East Pembroke Avenue (King Street to First Street)</td>
</tr>
<tr>
<td>16. Power Plant Parkway</td>
</tr>
<tr>
<td>17. Todds Lane (City limits to Aberdeen Road)</td>
</tr>
<tr>
<td>18. Woodland Road</td>
</tr>
</tbody>
</table>

LU-CD Policy 38: Protect adjacent neighborhoods and promote compatible land uses within the city's residential corridors. Compatible uses include medium and low
density residential. Other potentially compatible uses include: high density residential and public/semi-public uses (churches, community facilities, schools, etc.).

**Residential Corridors** - corridors are dominated by single family residential uses. Residential Corridors in Hampton are noted in the table below:

<table>
<thead>
<tr>
<th>Residential Corridors</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Andrews Boulevard</td>
</tr>
<tr>
<td>2. Little Back River Road</td>
</tr>
<tr>
<td>3. Mallory Street (East Mercury Blvd. to East Pembroke Ave.)</td>
</tr>
<tr>
<td>4. Shell Road</td>
</tr>
<tr>
<td>5. Victoria Boulevard</td>
</tr>
</tbody>
</table>
Proposed Commercial Land Use
Proposed Commercial Land Use
CPA 19-00001
ZOA 19-00009
ZOA 19-00010
ZOA 19-00011
RZ 19-00005
Langley Business Park

Planning Commission
December 19, 2019
Application

- Community Plan Amendment
- Zoning Ordinance Amendments to create the district
- Rezoning to apply the district
Vision Statement

*Hampton’s Innovation Park* – innovative, flexible, and diverse to respond to market needs and provide opportunities to generate economic growth
Objectives

- Support the economic growth and diversification of Hampton’s tax base
- Create an innovative and adaptive environment
- Attract, support, and sustain a diverse mix of businesses
- Encourage the development, redevelopment, and/or reuse of quality buildings
- Create an attractive and safe working environment with its own unique sense of place
- Provide for diversity in the types of retail, office, research and development, and light manufacturing uses
- Adhere to the goals and objectives contained in the adopted Joint Land Use Study with Langley Air Force Base (August 2010, as amended)
Key Principals

- Expand the range of permitted uses
- Special district is focused on light industrial and office type uses
- Retail and service commercial uses will be secondary support uses
- Not a center for destination retail
- Retail uses should be focused around key intersections (Floyd Thompson-Magruder and Research-Commander Shepard)
- Protect existing uses
Existing Land Use Plan

CPA 19-00001
LU-CD Policy 35: Create a special zoning district to promote the development of a mix of office, distribution, light manufacturing, and support service uses within a modest campus setting for Langley Research and Development Park. The central location of this District should support the commercial and high-tech interests located in the surrounding Magruder Corridor area, including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.
The general purpose and intent of this DISTRICT is to promote the development of a mix of office, distribution, light manufacturing and support service uses within a modest campus setting. The central location of this District serves to support the commercial and high-tech interests located in the surrounding Magruder Corridor area including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.
Langley Business Park District

- Boundaries
- Uses Permitted
- Development Standards
- Building Height
- Setbacks
- Signage
Langley Business Park District
Proposed Land Use Table

- **Increases # of Retail & Service (16)**
  (e.g. bicycle sales/repair, catering, clothing maker, upholstery)
- **Increases # of Institutional (5)**
  (e.g. college, library, museum)
- **Increases # of Recreational (4)**
  (e.g. club/lodge, community center, park)
- **Increases # of Agricultural & Animal (2)**
  (e.g. kennel, veterinarian, plant nursery)
- **Increases # of Industrial (9)**
  (e.g. brewery, laundry/dry cleaning, artisan, manufacturing/processing/treatment)

36 TOTAL Uses Added
LBP Development Standards

- Uses conducted outside, including storage
- Fencing
- Loading
- Landscaping
- Accessory buildings or structures
LBP Zoning Parcels

45 TOTAL Parcels

177+ Acres
Public Policy: Hampton Community Plan

Evaluate from regional, city, & neighborhood perspective

High quality site planning & efficient use of land

Mix of land uses

Strengthen older business/industrial areas

Retain existing businesses

Support new & expanded businesses
Recommendation

Approve CPA19-00001
ZOA 19-000009
ZOA 19-00010
ZOA 19-00011
RZ 19-00005
SUBJECT:
Ordinance To Amend And Re-Enact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Uses Permitted” Pertaining To The Langley Business Park District

ACTION REQUESTED OF COMMISSION: Recommend approval of Zoning Ordinance Amendment No. 19-00009.

BRIEF BACKGROUND STATEMENT:

This proposal would amend the Chapter 3, Section 3-2 to add a new special zoning district, Langley Business Park (LBP), to the use table and add the new district to relevant portion of the Additional Standards in Section 3-3. This new special district would replace the current zoning of most parcels within the Langley Research and Development Park as well as certain adjacent properties, which are mostly zoned Limited Manufacturing (M-1) District.

This amendment is the culmination of a multiple year effort of staff and property owners, within the Langley Research and Development Park, working together to expand the number of allowed land uses within the park. As the dynamics of the economy and workforce have changed over the decades, the limiting of uses primarily to research and development became antiquated, and owners found it increasingly difficult to sell and lease their properties. The general purpose and intent of this district is to promote the development of a mix of office, distribution, light manufacturing, and support service uses within a modest campus setting. The central location of this District serves to support the commercial and high-tech interests located in the surrounding Magruder Corridor area including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.

Approval of this amendment would create a new special district that would better serve the property owners’ interests and City policy by expanding the current list of permitted uses under the Limited Manufacturing (M-1) District. Expanding the number of permitted uses would help property owners within Langley Research and Development Park better utilize their properties and provide better support and services to surrounding employment centers.

This Zoning Ordinance Amendment is proposed in conjunction with Comprehensive Plan Amendment 19-00001 Commercial Nodes; Zoning Ordinance Amendments 19-00010 Special Districts and 19-00011 Signage; and Rezoning 19-00005.

ADDITIONAL REFERENCE MATERIAL AVAILABLE: Proposed Amendment; Presentation

DATES ADVERTISED: Planning Commission: December 5, 2019 and December 12, 2019.
Ordinance To Amend And Re-Enact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Uses Permitted” Pertaining To The Langley Business Park District

Whereas, the public necessity, convenience, general welfare and good zoning practice so require;

BE IT ORDAINED by the Council of the City of Hampton, Virginia that chapter 3 of the Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:

CHAPTER 3– USES PERMITTED

Sec. 3-3. – Additional Standards on uses.

(22) Live entertainment 1, in conjunction with a restaurant use in the C-1, C-2, C-3, RT-1, BB-3, BB-4, BB-5, PH-1, DT-1, DT-2, FM-1, FM-2, FM-3, and FM-4 districts, or;
Live entertainment 1, in conjunction with a micro-brewery/distillery/winery use in the LBP, M-1, M-2, M-3, HRC-1, HRC-2, PH-1, DT-1, DT-2, FM-2, FM-3, and FM-4 districts.

(23) Live entertainment 2, in conjunction with a restaurant use in the C-1, C-2, C-3, RT-1, BB-3, BB-4, BB-5, PH-1, DT-1, DT-2, FM-1, FM-2, FM-3, and FM-4 districts, or;
Live entertainment 2, in conjunction with a micro-brewery/distillery/winery use in the LBP, M-1, M-2, M-3, HRC-1, HRC-2, PH-1, DT-1, DT-2, FM-2, FM-3, and FM-4 districts.

(31) Storage of materials, indoor or outdoor, including equipment rental and contractor’s storage in the LBP, M-1, M-2, M-3, LFA-1, LFA-2, HRC-2, and HRC-3 districts.


(34) Communication tower, commercial in the R-R, R-LL, R-43, R-33, R-22, R-15, R-13, R-11, R-9, R-8, R-4, MD-1, MD-2, MD-3, R-M, C-1, C-2, C-3, LBP, M-1, M-2, M-3, RT-1, HRC-1, HRC-2, HRC-3, PH-1, DT-1, DT-2, DT-3, FM-3, and PO-1 districts.

(44) Laboratory or research office in the LBP, M-1, LFA-2 LFA-3, LFA-4, LFA-6, PH-1, HRC-1, HRC-2, and HRC-3 districts shall not permit the testing of explosives.
# TABLE OF USES PERMITTED - CITY OF HAMPTON ZONING ORDINANCE

<table>
<thead>
<tr>
<th>USES</th>
<th>Special Zoning Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Langley Flight Approach</td>
</tr>
<tr>
<td></td>
<td>LFA-1</td>
</tr>
<tr>
<td></td>
<td>P*</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**REZONING - 1, 2 & MULTIFAMILY**

1-family detached dwelling  
2-family dwelling (on one lot)  
duplex dwelling (on two fee-simple lots)  
multifamily dwelling  
lawnhouse (on a face-same lot)  
manufactured/mobile home park  
manufactured/mobile home subdivision  
upper-floor dwelling unit (one unit over commercial)  
dwelling unit for resident caretaker/watchman

**GROUP LIVING**

boarding/day care homes  
detention facility  
group home

**RETAIL, SALES, SERVICES & OFFICE**

bank, drive-through  
barber shop/beauty salon  
bed & breakfast  
bicycle sales and repair  
boat repair  
boat sales  
car wash, hand-car wash  
catering services

clothing, clothing repair  
computer repair

day care 1, family  
day care 1, commercial  
day care 2, commercial  
dry cleaning, collection or pick-up station  
dry cleaning, closed type using nonflammable liquid  
dry cleaning

**FARM, SUPPLIES & EQUIPMENT SALES & SERVICE**

funeral home/mortuary  
gas station  
hotel, extended stay  
laundromat  
laundromat

**COMMERCIAL**

office, general  
office, government  
office, laboratory or research  
office, medical  
office, taxi  
outdoor dining  
outdoor dining  
outdoor dining  
other uses permitted

**ADDITIONAL STANDARDS ON USES**

*See additional standards column for reference.
<table>
<thead>
<tr>
<th>LFA-1</th>
<th>LFA-2</th>
<th>LFA-3</th>
<th>LFA-4</th>
<th>LFA-5</th>
<th>RT-1</th>
<th>BB-1</th>
<th>BB-2</th>
<th>BB-3</th>
<th>BB-4</th>
<th>BB-5</th>
<th>HRC-1</th>
<th>HRC-2</th>
<th>HRC-3</th>
<th>LBP</th>
<th>DT-1</th>
<th>DT-2</th>
<th>DT-3</th>
<th>PH-1</th>
<th>PH-2</th>
<th>PH-3</th>
<th>FM-1</th>
<th>FM-2</th>
<th>FM-3</th>
<th>FM-4</th>
<th>PO-1</th>
<th>PO-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>outdoor dining, downtown ZA* ZA* ZA* ZA*</td>
<td>outdoor dining, Downtown ZA* ZA* ZA*</td>
<td>outdoor dining, Phoebus ZA* ZA*</td>
<td>print shop/private postal service, max. 500 sq. ft. P</td>
<td>print shop/private postal service, max. 3000 sq. ft. P</td>
<td>print shop/private postal service, no max. P</td>
<td>restaurant, without drive-through P</td>
<td>restaurant, with drive-through P</td>
<td>restaurant, drive-in P</td>
<td>restaurant, accessory, not to include drive-through P</td>
<td>retail sales, general P</td>
<td>print shop/private postal service, max. 500 sq. ft. P</td>
<td>print shop/private postal service, no max. P</td>
<td>vehicle sales, of used vehicles P</td>
<td>vehicle sales, of new vehicles, to include sales of used vehicles as accessory to new sales UP* UP*</td>
<td>vehicle storage, including vehicle storage accessory to sales of new vehicles or gas station Sec. 3-3(42)</td>
<td>vehicle storage, including vehicle storage accessory to heavy vehicle repair UP* UP*</td>
<td>vending stand, food P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>college/university, public UP</td>
<td>college/university, private UP</td>
<td>hospital UP</td>
<td>library, public UP</td>
<td>library, private UP</td>
<td>museum, public UP</td>
<td>museum, private UP</td>
<td>pupil office UP</td>
<td>religious facility P* P* P* P* P* P*</td>
<td>mental health/substance abuse treatment facility</td>
<td>school, horse riding Sec. 3-3(19)</td>
<td>school, public UP</td>
<td>school, private UP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>adult entertainment establishment UP</td>
<td>amusement center UP</td>
<td>amusement operations UP</td>
<td>auditorium P</td>
<td>ballroom P</td>
<td>banquet hall ZA* ZA* ZA* ZA*</td>
<td>billiard hall UP UP UP P</td>
<td>bowling alley P</td>
<td>bowling alley P</td>
<td>club-lodge, private or fraternal UP</td>
<td>community center UP</td>
<td>co-op/computer center UP</td>
<td>UP* UP* UP* UP* UP* UP* UP* UP* UP* UP* UP* UP* UP* UP*</td>
<td>dance hall UP</td>
<td>golf course/country club UP</td>
<td>live entertainment 1, in conjunction with a restaurant UP* UP*</td>
<td>live entertainment 1, in conjunction with a micro-brewery/distillery/whisky UP</td>
<td>live entertainment 2, in conjunction with a restaurant UP* UP*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category</td>
<td>Example Activities</td>
<td>Notes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------</td>
<td>----------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AGRICULTURAL &amp; ANIMAL-RELATED</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture/farming</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animal boarding/stables</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community garden</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Silviculture/nursery, no retail sales</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Silviculture/nursery, including retail sales</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slaughterhouse/stockyard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taxidermist</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterinarian office/hospital</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessory use/structure for keeping of recreational animals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INDUSTRIAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blacksmith</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blast furnace/boiler works</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brewery/distillery, micro</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brewery/distillery</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cotton gin/oil mill</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drop forge/power hammer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elevator, coal, grain or flour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flour mill</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freezing plant for produce</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ice storage and distribution</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Laundry and cleaning, commercial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Machine shop or light fabrication</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing of boats/sail-making</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing/processing/treatment of baked goods, dairy products</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing/processing/treatment of seafood</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing/processing/treatment 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing/processing/treatment 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing/processing/treatment 3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing/processing/treatment 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing/processing/treatment 5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mill, lumber or saw, including lumberyard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mixing plant, asphalt or concrete</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motion picture studio</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pharmaceutical processing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rolling mill</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small artisan shop</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smelting or flux, copper, iron, or zinc</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storage/distribution of flammable liquids</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storage of materials, indoor/outdoor, including equipment rental and contractor's storage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trash or junk collection, storage, sorting or bailing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yant, railroad freight classification</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yant, trucking terminal or draying</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warehouse/distribution center</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wrecking, automobile, indoor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wrecking, automobile, outdoor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UTILITIES &amp; TRANSPORTATION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus terminal</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communication antenna, commercial building-mounted</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: The table includes various activities and their corresponding designations or symbols, with notes indicating specific sections of a code or regulation (e.g., Sec. 3-3(33)).
<table>
<thead>
<tr>
<th>Land Use</th>
<th>Location Notes</th>
<th>Zoning Restriction</th>
</tr>
</thead>
<tbody>
<tr>
<td>parking lot, commercial</td>
<td></td>
<td>Sec. 3-3(34)</td>
</tr>
<tr>
<td>parking garage, commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>heliport/helispot</td>
<td></td>
<td></td>
</tr>
<tr>
<td>communication tower, commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>heliport/helispot</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LFA-1 LFA-2 LFA-3 LFA-4 LFA-5 LFA-6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RT-1 BB-1 BB-2 BB-3 BB-4 BB-5 HRC-1 HRC-2 HRC-3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>towers or antennas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>communication tower, noncommercial 75' max.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>communication tower, noncommercial 75' to 125'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>parking lot, commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>parking lot, accessory to PO-2 uses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>parking lot, used as an extension of or in conjunction with adjacent C-zoned property under common ownership</td>
<td></td>
<td></td>
</tr>
<tr>
<td>pier, dock, seawall related to commercial or industrial water transport</td>
<td></td>
<td></td>
</tr>
<tr>
<td>utility infrastructure/structure to house a government function</td>
<td></td>
<td></td>
</tr>
<tr>
<td>railroad track spur</td>
<td></td>
<td></td>
</tr>
<tr>
<td>transit station</td>
<td></td>
<td></td>
</tr>
<tr>
<td>transmission center, government-operated</td>
<td></td>
<td></td>
</tr>
<tr>
<td>utility building/substation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>utility plant/power plant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>cementery</td>
<td></td>
<td></td>
</tr>
<tr>
<td>excavation, filling, borrow pit operation, extraction, processing or removal of soil</td>
<td></td>
<td></td>
</tr>
<tr>
<td>off-premises advertising signs, existing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>open-air version of any use permitted in HRC-2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>promotional event</td>
<td></td>
<td></td>
</tr>
<tr>
<td>rescue mission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>wholesaler</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*UP* indicates required permits. *ZA* indicates zero access. *PC* indicates performance criteria.
CPA 19-00001
ZOA 19-00009
ZOA 19-00010
ZOA 19-00011
RZ 19-00005
Langley Business Park

Planning Commission
December 19, 2019
Application

- Community Plan Amendment
- Zoning Ordinance Amendments to create the district
- Rezoning to apply the district
Hampton’s Innovation Park – innovative, flexible, and diverse to respond to market needs and provide opportunities to generate economic growth
Objectives

- Support the economic growth and diversification of Hampton’s tax base
- Create an innovative and adaptive environment
- Attract, support, and sustain a diverse mix of businesses
- Encourage the development, redevelopment, and/or reuse of quality buildings
- Create an attractive and safe working environment with its own unique sense of place
- Provide for diversity in the types of retail, office, research and development, and light manufacturing uses
- Adhere to the goals and objectives contained in the adopted Joint Land Use Study with Langley Air Force Base (August 2010, as amended)
Key Principals

- Expand the range of permitted uses
- Special district is focused on light industrial and office type uses
- Retail and service commercial uses will be secondary support uses
- Not a center for destination retail
- Retail uses should be focused around key intersections (Floyd Thompson-Magruder and Research-Commander Shepard)
- Protect existing uses
Proposed Land Use Plan
Proposed Citywide Land Use Plan

Land Use Plan

Hampton's Community Plan
Land Use Section

Features
- Proposed Land Use
- Rural Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Business/Industrial
- Commercial
- Military
- Mixed-Use
- Open Space
- Public/Semipublic
- Historic Village: Mixed Use
- North Gate: Mixed Use
- Inner Fort: Mixed Use
- Wherry Quarter: Mixed Use

Data Sources:
- City Assessor's Data Files
- Parcel File
- Land Use Map Classifications, Planning Department

City of Hampton Planning Department
Oct 2019
LU-CD Policy 35: Create a special zoning district to promote the development of a mix of office, distribution, light manufacturing, and support service uses within a modest campus setting for Langley Research and Development Park. The central location of this District should support the commercial and high-tech interests located in the surrounding Magruder Corridor area, including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long-standing maritime interests in the area.
The general purpose and intent of this DISTRICT is to promote the development of a mix of office, distribution, light manufacturing and support service uses within a modest campus setting. The central location of this District serves to support the commercial and high-tech interests located in the surrounding Magruder Corridor area including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.
Langley Business Park District

- Boundaries
- Uses Permitted
- Development Standards
- Building Height
- Setbacks
- Signage
<table>
<thead>
<tr>
<th>Proposed Land Use Table</th>
</tr>
</thead>
<tbody>
<tr>
<td>** Increases # of Retail &amp; Service (16)**</td>
</tr>
<tr>
<td>(e.g. bicycle sales/repair, catering, clothing maker, upholstery)</td>
</tr>
<tr>
<td>** Increases # of Institutional (5)**</td>
</tr>
<tr>
<td>(e.g. college, library, museum)</td>
</tr>
<tr>
<td>** Increases # of Recreational (4)**</td>
</tr>
<tr>
<td>(e.g. club/lodge, community center, park)</td>
</tr>
<tr>
<td>** Increases # of Agricultural &amp; Animal (2)**</td>
</tr>
<tr>
<td>(e.g. kennel, veterinarian, plant nursery)</td>
</tr>
<tr>
<td>** Increases # of Industrial (9)**</td>
</tr>
<tr>
<td>(e.g. brewery, laundry/dry cleaning, artisan, manufacturing/processing/treatment)</td>
</tr>
</tbody>
</table>

36 TOTAL Uses Added
LBP Development Standards

- Uses conducted outside, including storage
- Fencing
- Loading
- Landscaping
- Accessory buildings or structures
LBP Zoning Parcels

45 TOTAL Parcels

177+ Acres

RZ 19-00005
Existing Zoning Map
Existing Land Use Map

Rezoning Area:
- Rural Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Business/Industrial
- Commercial
- Military
- Open Space
- Public/Transportation

RZ 19-00005
Public Policy: Hampton Community Plan

Evaluate from regional, city, & neighborhood perspective

High quality site planning & efficient use of land

Mix of land uses

Strengthen older business/industrial areas

Retain existing businesses

Support new & expanded businesses
Recommendation

Approve CPA19-000001
ZO A 19-000009
ZO A 19-00010
ZO A 19-00011
RZ 19-00005
SUBJECT:
Ordinance To Amend And Re-Enact Chapter 8 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Special Districts” By Adding Article 9 – Langley Business Park District

ACTION REQUESTED OF COMMISSION:  Recommend approval of Zoning Ordinance Amendment No. 19-00010.

BRIEF BACKGROUND STATEMENT:

This proposal would amend Chapter 8, by adding Article 9 to create a new business/industrial special zoning district, Langley Business Park (LBP), for most parcels within the Langley Research and Development Park as well as certain adjacent properties, which are mostly currently zoned Limited Manufacturing (M-1) District. The general purpose and intent of this district is to promote the development of a mix of office, distribution, light manufacturing, and support service uses within a modest campus setting.

This amendment is the culmination of a multiple year effort of staff, Planning Commission representatives, and property owners within the Langley Research and Development Park, working together to expand the number of allowed land uses within the park. As the dynamics of the economy and workforce have changed over the decades, the limiting of the park primarily to research and development land uses had become antiquated and owners found it increasingly difficult to sell and lease their properties. The central location of this District along the Magruder Corridor serves to support the commercial and high-tech interests located in the surrounding area including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.

Approval of this amendment would create a new special district that would better serve the property owners’ interests and City policy by expanding the current list of permitted uses under the Limited Manufacturing (M-1) District. Expanding the number of permitted uses would help property owners within Langley Research and Development Park better utilize their properties and provide better support and services to surrounding employment centers.

This Zoning Ordinance Amendment is proposed in conjunction with Comprehensive Plan Amendment 19-00001 Commercial Nodes; Zoning Ordinance Amendments 19-00009 Uses Permitted and 19-00011 Signage; and Rezoning 19-00005.

ADDITIONAL REFERENCE MATERIAL AVAILABLE:  Proposed Amendment; Presentation

DATES ADVERTISED:  Planning Commission: December 5, 2019 and December 12, 2019.
Ordinance To Amend And Re-Enact Chapter 8 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Special Districts” By Adding Article 9 – Langley Business Park District

Whereas, the public necessity, convenience, general welfare and good zoning practice so require;

BE IT ORDAINED by the Council of the City of Hampton, Virginia that chapter 8 of the Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:

CHAPTER 8 - SPECIAL DISTRICTS

…

ARTICLE IX. - LBP DISTRICT—LANGLEY BUSINESS PARK

Sec. 8-76. – Overall intent of Langley Business Park (LBP) District.

The general purpose and intent of this district is to promote the development of a mix of office, distribution, light manufacturing and support service uses within a modest campus setting. The central location of this district serves to support the commercial and high-tech interests located in the surrounding Magruder Corridor area including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.

Specific objectives to be promoted by the establishment of the district include:

1. Provide business sites that will support the economic growth and diversification of Hampton’s tax base.
2. Create a high quality, innovative, and adaptive environment capable of attracting and sustaining a diverse mix of businesses, including both skilled labor and professional, free from offensive operations.
3. Be inclusive of support service uses that support the day to day operations of base employers in the park.
4. Provide for diversity in the types of research, development, manufacturing and support commercial uses that are realistically free from offense.
5. Encourage business development that adheres to the recommendations of the Joint Land Use Study with Langley Air Force Base.

(1) Boundaries. The LBP District shall include the area designated on the zoning map with the symbol “LBP.”

(2) Uses permitted. Uses shall be permitted as set forth in Chapter 3 – Uses Permitted.

(3) Development standards.
a) All uses conducted outside of a building, including but not limited to outdoor material and equipment storage, shall be screened so that it is not visible from any existing or proposed public right-of-way, and so that it is not visible from adjacent properties.

b) All screening fences shall be opaque; the use of electrified fences, barbed or razor wire, and chain link with or without slats anywhere on site is expressly prohibited.

c) Loading operations shall occur along the side and rear of buildings only. Loading areas shall be screened so that they are not visible from public rights-of-way and adjacent properties; however, no loading operations shall be visible from Magruder Boulevard or Commander Shepard Boulevard.

d) Front yards and unfenced side yards which abut a street shall be landscaped in accordance with the "City of Hampton Landscape Guidelines."

e) Accessory buildings or structures shall not be located in the front yard.

(4) Building height.

a) Buildings shall be a maximum of 120 feet in height.

(5) Setbacks

Minimum dimensions as follows:

<table>
<thead>
<tr>
<th></th>
<th>Required Setback Main Buildings</th>
<th>Required Setback Accessory Buildings</th>
<th>Required Parking, Setback (including access drives and aisles)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property lines abutting</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Magruder Boulevard</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property lines abutting</td>
<td>20 feet</td>
<td>20 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Commander Shepard</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boulevard</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front yard</td>
<td>30 feet</td>
<td>accessory buildings not permitted</td>
<td>10 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>within the front yard</td>
<td></td>
</tr>
<tr>
<td>Side yard</td>
<td>10 feet</td>
<td>5 feet</td>
<td>5 feet</td>
</tr>
<tr>
<td></td>
<td>Required Setback Main Buildings</td>
<td>Required Setback Accessory Buildings</td>
<td>Required Parking, Setback (including access drives and aisles)</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Side yard abutting a residential district or residential use</td>
<td>40 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Rear yard</td>
<td>15 feet</td>
<td>10 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Rear yard abutting a residential district or residential use</td>
<td>40 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
</tbody>
</table>

Sec. 8-77 – 8-80. – Reserved.
Application

- Community Plan Amendment
- Zoning Ordinance Amendments to create the district
- Rezoning to apply the district
Vision Statement

*Hampton’s Innovation Park – innovative, flexible, and diverse to respond to market needs and provide opportunities to generate economic growth*
Objectives

- Support the economic growth and diversification of Hampton’s tax base
- Create an innovative and adaptive environment
- Attract, support, and sustain a diverse mix of businesses
- Encourage the development, redevelopment, and/or reuse of quality buildings
- Create an attractive and safe working environment with its own unique sense of place
- Provide for diversity in the types of retail, office, research and development, and light manufacturing uses
- Adhere to the goals and objectives contained in the adopted Joint Land Use Study with Langley Air Force Base (August 2010, as amended)
Key Principals

- Expand the range of permitted uses
- Special district is focused on light industrial and office type uses
- Retail and service commercial uses will be secondary support uses
- Not a center for destination retail
- Retail uses should be focused around key intersections (Floyd Thompson-Magruder and Research-Commander Shepard)
- Protect existing uses
CPA Subject Parcels

[Map of CPA Subject Parcels with highlighted parcels and coordinates]
Existing Land Use Plan

CPA 19-00001
Proposed Land Use Plan
Proposed Citywide Land Use Plan

Land Use Plan

Features
- Proposed Land Use
  - Rural Density Residential
  - Low Density Residential
  - Medium Density Residential
  - High Density Residential
  - Business/Industrial
  - Commercial
  - Military
  - Mixed-Use
  - Open Space
  - Public/Semipublic
  - Historic Village: Mixed Use
  - North Gate: Mixed Use
  - Inner Fort: Mixed Use
  - Wherry Quarter: Mixed Use

Data Sources:
- City Assessor's Data Files
- Parcel File
- Land Use Map Classifications, Planning Department

City of Hampton Planning Department
Oct 2019

CPA 19-00001
LU-C&D Policy 35: Create a special zoning district to promote the development of a mix of office, distribution, light manufacturing, and support service uses within a modest campus setting for Langley Research and Development Park. The central location of this District should support the commercial and high-tech interests located in the surrounding Magruder Corridor area, including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.
The general purpose and intent of this DISTRICT is to promote the development of a mix of office, distribution, light manufacturing and support service uses within a modest campus setting. The central location of this District serves to support the commercial and high-tech interests located in the surrounding Magruder Corridor area including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.
Langley Business Park District

- Boundaries
- Uses Permitted
- Development Standards
- Building Height
- Setbacks
- Signage
Langley Business Park District
<table>
<thead>
<tr>
<th>Proposed Land Use Table</th>
</tr>
</thead>
<tbody>
<tr>
<td>o <strong>Increases # of Retail &amp; Service (16)</strong></td>
</tr>
<tr>
<td>(e.g. bicycle sales/repair, catering, clothing maker, upholstery)</td>
</tr>
<tr>
<td>o <strong>Increases # of Institutional (5)</strong></td>
</tr>
<tr>
<td>(e.g. college, library, museum)</td>
</tr>
<tr>
<td>o <strong>Increases # of Recreational (4)</strong></td>
</tr>
<tr>
<td>(e.g. club/lodge, community center, park)</td>
</tr>
<tr>
<td>o <strong>Increases # of Agricultural &amp; Animal (2)</strong></td>
</tr>
<tr>
<td>(e.g. kennel, veterinarian, plant nursery)</td>
</tr>
<tr>
<td>o <strong>Increases # of Industrial (9)</strong></td>
</tr>
<tr>
<td>(e.g. brewery, laundry/dry cleaning, artisan, manufacturing/processing/treatment)</td>
</tr>
<tr>
<td>36 TOTAL Uses Added</td>
</tr>
</tbody>
</table>
LBP Development Standards

- Uses conducted outside, including storage
- Fencing
- Loading
- Landscaping
- Accessory buildings or structures
LBP Zoning Parcels

45 TOTAL Parcels
177+ Acres
Existing Zoning Map
Public Policy: Hampton Community Plan

Evaluate from regional, city, & neighborhood perspective

High quality site planning & efficient use of land

Mix of land uses

Strengthen older business/industrial areas

Retain existing businesses

Support new & expanded businesses
Recommendation

Approve CPA19-00001
ZOAL 19-000009
ZOAL 19-000010
ZOAL 19-000011
RZ 19-000005
SUBJECT:
Ordinance To Amend And Re-Enact Chapter 10 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Signs” By Amending Article II Pertaining to Langley Business Park District Signs

ACTION REQUESTED OF COMMISSION: Recommend approval of Zoning Ordinance Amendment No. 19-00011.

BRIEF BACKGROUND STATEMENT:

This proposal would amend Chapter 10, Article 2, Section 10-19, adding language pertaining to signage with the creation of the new business/industrial special zoning district, Langley Business Park (LBP). More specifically, this amendment adds signage regulations for the LBP District. In addition, Section 10-31 and 10-32 would be amended to add the new LBP District to the freestanding and wall signage tables respectively; thus, enabling properties within the new district to qualify for freestanding and wall signage.

This amendment is the culmination of a multiple year effort of staff, Planning Commission representatives, and property owners within the Langley Research and Development Park, working together to expand the number of allowed land uses within the park. As the dynamics of the economy and workforce have changed over the decades, the limitation of the park to primarily research and development land uses had become antiquated and owners found it increasingly difficult to sell and lease their properties. The general purpose and intent of the new LBP District is to promote the development of a mix of office, distribution, light manufacturing, and support service uses within a modest campus setting. The central location of this District along the Magruder Corridor serves to support the commercial and high-tech interests located in the surrounding area including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.

Approval of this amendment creates sign regulations for the new district and enables applicable freestanding and wall signage for properties within the new special district. The signage criteria would be consistent with what is currently allowed under the Limited Manufacturing (M-1) District.

This Zoning Ordinance Amendment is proposed in conjunction with Comprehensive Plan Amendment 19-00001 Commercial Nodes; Zoning Ordinance Amendments 19-00009 Uses Permitted and 19-00010 Special District; and Rezoning 19-00005.

ADDITIONAL REFERENCE MATERIAL AVAILABLE: Proposed Amendment; Presentation

DATES ADVERTISED: Planning Commission: December 5, 2019 and December 12, 2019.
Whereas, the public necessity, convenience, general welfare and good zoning practice so require;

BE IT ORDAINED by the Council of the City of Hampton, Virginia that chapter 10 of the Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:

CHAPTER 10 - SIGNS

ARTICLE II. – SUPPLEMENTAL SIGN REGULATION IN CERTAIN ZONING DISTRICTS

Sec. 10-19. – LBP District sign regulations.

(1) Sign area shall be as permitted in article I of this chapter, however the following shall also apply in the LBP District:

(a) No sign shall be painted on a building, accessory structure or fence.

(b) Parcels are required to have at least 50 feet of frontage on a public right-of-way in order to place a freestanding sign facing that right-of-way.

(c) No freestanding sign shall be located closer than 50 feet to any other freestanding sign.

(d) All freestanding signs shall be ground-mounted monument signs as defined in this chapter.

Sec. 10-20 – 10-30. – Reserved.
<table>
<thead>
<tr>
<th>ZONING DISTRICT</th>
<th>CONTIGUOUS ZONING DISTRICT</th>
<th>NUMBER OF FREESTANDING SIGNS</th>
<th>OVERALL HEIGHT, MONUMENT SIGN</th>
<th>OVERALL HEIGHT, PYLON SIGN</th>
<th>SIGN AREA</th>
<th>NOTES AND ADDITIONAL LIMITATIONS AND PERMISSIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any R, MD, or PO district, C-1, LFA-5</td>
<td>Any district</td>
<td>Per establishment except establishments which constitute a portion of a business/shopping center: 1</td>
<td>8 feet</td>
<td>14 feet</td>
<td>48 sq. ft.</td>
<td>Business/shopping centers over 5 acres with multiple street frontages may have 1 additional freestanding sign provided each sign is on a separate street frontage.</td>
</tr>
<tr>
<td>C-2, C-3, any M district, LBP, LFA-1, LFA-2, LFA-3, LFA-4, LFA-6</td>
<td>Any C, M, or HRC district, LFA-1, LFA-2, LFA-3, LFA-4, LFA-6</td>
<td>Per establishment except establishments which constitute a portion of a business/shopping center: 1</td>
<td>12 feet</td>
<td>22 feet</td>
<td>90 sq. ft.</td>
<td>Business/shopping centers over 5 acres with multiple street frontages may have 1 additional freestanding sign provided each sign is on a separate street frontage.</td>
</tr>
<tr>
<td>LFA-3, HRC-1</td>
<td>Any district</td>
<td>Single-establishment building:</td>
<td>Sign A: 6.5 feet</td>
<td>Sign B: 3.5 feet</td>
<td>Sign C: 26 sq. ft.</td>
<td>Sign “A” shall be set back at least 21 feet from the adjacent right-of-way.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multiple-establishment building:</td>
<td>Sign C: 6.5 feet</td>
<td>Sign D: 5 feet</td>
<td>Sign E: 3.5 feet</td>
<td>Sign “C” shall be set back at least 21 feet from the adjacent right-of-way.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Single-establishment building:</td>
<td>Sign F: 6.5 feet</td>
<td>Sign G: 5 feet</td>
<td>Sign H: 3.5 feet</td>
<td>Sign “D” is only permitted on properties with frontage on Magnuder Blvd. and must be placed along Magnuder Blvd.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multiple-establishment building:</td>
<td>Sign K: 6.5 feet</td>
<td>Sign L: 5 feet</td>
<td>Sign M: 3.5 feet</td>
<td>Sign “E” shall be located internal to the site.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Single-establishment building:</td>
<td>Sign N: 6.5 feet</td>
<td>Sign P: 5 feet</td>
<td>Sign Q: 5.5 feet</td>
<td>Sign “F” and “H” shall be set back at least 21 feet from the adjacent right-of-way.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multiple-establishment building:</td>
<td>Sign N: 6.5 feet</td>
<td>Sign P: 5 feet</td>
<td>Sign Q: 5.5 feet</td>
<td>Sign “G” is only permitted on properties with frontage on Magnuder Blvd. and must be placed along Magnuder Blvd.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Single-establishment building:</td>
<td>Sign K: 6.5 feet</td>
<td>Sign L: 5 feet</td>
<td>Sign M: 3.5 feet</td>
<td>Sign “J” shall be located internal to the site.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multiple-establishment building:</td>
<td>Sign N: 6.5 feet</td>
<td>Sign P: 5 feet</td>
<td>Sign Q: 5.5 feet</td>
<td>Sign “K” shall be set back at least 21 feet from the adjacent right-of-way.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Single-establishment building:</td>
<td>Sign K: 6.5 feet</td>
<td>Sign L: 5 feet</td>
<td>Sign M: 3.5 feet</td>
<td>Sign “L” is only permitted on properties with frontage on Big Bethel Rd. or I-64 and must be placed along that frontage.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multiple-establishment building:</td>
<td>Sign N: 6.5 feet</td>
<td>Sign P: 5 feet</td>
<td>Sign Q: 5.5 feet</td>
<td>Sign “M” shall be located internal to the site.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Single-establishment building:</td>
<td>Sign K: 6.5 feet</td>
<td>Sign L: 5 feet</td>
<td>Sign M: 3.5 feet</td>
<td>Sign “N” and “O” shall be set back at least 21 feet from the adjacent right-of-way.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multiple-establishment building:</td>
<td>Sign N: 6.5 feet</td>
<td>Sign P: 5 feet</td>
<td>Sign Q: 5.5 feet</td>
<td>Sign “P” is only permitted on properties with frontage on Big Bethel Rd. or I-64 and must be placed along that frontage.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Single-establishment building:</td>
<td>Sign K: 6.5 feet</td>
<td>Sign L: 5 feet</td>
<td>Sign M: 3.5 feet</td>
<td>Sign “R” shall be located internal to the site.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multiple-establishment building:</td>
<td>Sign N: 6.5 feet</td>
<td>Sign P: 5 feet</td>
<td>Sign Q: 5.5 feet</td>
<td>Sign “R” is only permitted on properties with frontage on Big Bethel Rd. or I-64 and must be placed along that frontage.</td>
</tr>
<tr>
<td>Any DT district</td>
<td>Any district</td>
<td>In Area A: No freestanding signs are permitted.</td>
<td>8 feet</td>
<td></td>
<td>65 sq. ft.</td>
<td>“Area A” is that area having frontage on Queens Way between W. Queens Ct. and Wine St. or on Kings Way between Lincoln St. and Settlers Landing Rd. “Area B” is that area not included in Area A.</td>
</tr>
<tr>
<td>Any BB or FM district, Ph-1</td>
<td>Any district</td>
<td></td>
<td>1</td>
<td>6 feet</td>
<td>24 sq. ft.</td>
<td>No freestanding signs are permitted.</td>
</tr>
<tr>
<td>ZONING DISTRICT</td>
<td>NUMBER OF FACADES WHICH CAN HOLD SIGNAGE</td>
<td>SQUARE FOOTAGE OF SIGNAGE</td>
<td>NOTES AND ADDITIONAL LIMITATIONS AND PERMISSIONS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------</td>
<td>-----------------------------------------</td>
<td>---------------------------</td>
<td>-------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any R, MD, C, LBP, or M</td>
<td>2 per establishment</td>
<td>1 per linear foot of façade on which it is mounted</td>
<td>1.5 sq. ft. per linear foot of façade on which it is mounted if front façade is at least 400 feet from parallel right-of-way</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LFA-1, LFA-2, LFA-4, LFA-5, LFA-6</td>
<td>2 per establishment</td>
<td>1 per linear foot of façade on which it is mounted</td>
<td>1.5 sq. ft. per linear foot of façade on which it is mounted if front façade is at least 400 feet from parallel right-of-way</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LFA-3 or any HRC district</td>
<td>Up to 2 qualifying facades per establishment</td>
<td>1 per linear foot of the qualifying facades, max. 150 sq. ft. sign area per building total</td>
<td>Qualifying facades are those which face Magruder Blvd., Hampton Roads Center Pkwy., Enterprise Pkwy., Butler Farm Rd., Big Bethel Rd., West Park Ln., or I-64. Signage shall be individual characters mounted a track whose color coordinates with the background building material. Signage shall not be painted directly onto a building. Signage shall be located at the uppermost elevation of the building.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RT-1</td>
<td>2 per establishment</td>
<td>1 per every 3 linear feet of façade on which it is mounted</td>
<td>Each establishment may have a maximum of one projecting sign not to exceed 10 sq. ft. Only external or exposed neon-style illumination is permitted.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any BB district</td>
<td>2 per establishment</td>
<td>1 per every 10 linear feet of façade on which it is mounted</td>
<td>Qualifying facades are those which face a public right-of-way, plus one additional façade. Projecting signs shall not exceed 5 sq. ft. “Area A” is that area having frontage on Queens Way between W. Queens Ct. and Wine St. or on Kings Way between Lincoln St. and Settlers Landing Rd. “Area B” is that area not included in Area A.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DT-1</td>
<td>Up to 3 qualifying facades per establishment</td>
<td>In Area A: 24 sq. ft. of sign area for a single-tenant building or 36 sq. ft. of sign area for a multi-tenant building. In Area B: 1 per linear foot of façade on which it is mounted, or 40 sq. ft. of sign area, whichever is greater.</td>
<td>Qualifying facades are those which face a public right-of-way, plus one additional façade. Projecting signs shall not exceed 5 sq. ft. “Area A” is that area having frontage on Queens Way between W. Queens Ct. and Wine St. or on Kings Way between Lincoln St. and Settlers Landing Rd. “Area B” is that area not included in Area A.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DT-2</td>
<td>Up to 3 qualifying facades per establishment</td>
<td>In Area C: 24 sq. ft. of sign area for a single-tenant building or 36 sq. ft. of sign area for a multi-tenant building. In Area D: 1 per linear foot of façade on which it is mounted, or 40 sq. ft. of sign area, whichever is greater.</td>
<td>Qualifying facades are those which face a public right-of-way, plus one additional façade. Projecting signs shall not exceed 5 sq. ft. “Area C” is that area bounded by Settlers Landing Rd., King St., Rudd Ln., and Bridge St.; or bounded by Settlers Landing Rd., Wine St. extended, Eaton St. extended, and the Hampton River; or bounded by Settlers Landing Rd., Eaton St., E. Queen St., and the Hampton River. “Area D” is that area not included in Area C.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DT-3</td>
<td>Up to 3 qualifying facades per establishment</td>
<td>1 per linear foot of façade on which it is mounted, or 40 sq. ft. of sign area, whichever is greater.</td>
<td>Qualifying facades are those which face a public right-of-way, plus one additional façade. Projecting signs shall not exceed 5 sq. ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PH-1</td>
<td>2 per establishment</td>
<td>0.75 per linear foot of façade on which it is mounted</td>
<td>Only external or exposed neon-style illumination is permitted. Changeable copy and changeable electronic signage is prohibited. Roof signs shall be permitted but shall not exceed 180 square feet, shall not project more than 10 feet above the highest point of the building, and shall not count toward the total number of facades which may hold wall signage. Signage painted directly on the wall of a building shall be permitted at a ratio of 1.5 sq. ft. of sign area per linear foot of the façade, is permitted on any building façade, and shall not count toward the total number of facades which may hold wall signage.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any FM district</td>
<td>2 per establishment</td>
<td>0.75 per linear foot of façade on which it is mounted</td>
<td>Only external or exposed neon-style illumination is permitted. Changeable copy and changeable electronic signage is prohibited.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any PO district</td>
<td>2 per establishment</td>
<td>1 per linear foot of façade on which it is mounted</td>
<td>1.5 sq. ft. per linear foot of façade on which it is mounted if front façade is at least 400 feet from parallel right-of-way.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CPA 19-00001
ZOA 19-00009
ZOA 19-00010
ZOA 19-00011
RZ 19-00005
Langley Business Park

Planning Commission
December 19, 2019
Application

- Community Plan Amendment
- Zoning Ordinance Amendments to create the district
- Rezoning to apply the district
Hampton’s Innovation Park – innovative, flexible, and diverse to respond to market needs and provide opportunities to generate economic growth
Objectives

- Support the economic growth and diversification of Hampton’s tax base
- Create an innovative and adaptive environment
- Attract, support, and sustain a diverse mix of businesses
- Encourage the development, redevelopment, and/or reuse of quality buildings
- Create an attractive and safe working environment with its own unique sense of place
- Provide for diversity in the types of retail, office, research and development, and light manufacturing uses
- Adhere to the goals and objectives contained in the adopted Joint Land Use Study with Langley Air Force Base (August 2010, as amended)
Key Principals

- Expand the range of permitted uses
- Special district is focused on light industrial and office type uses
- Retail and service commercial uses will be secondary support uses
- Not a center for destination retail
- Retail uses should be focused around key intersections (Floyd Thompson-Magruder and Research-Commander Shepard)
- Protect existing uses
CPA Subject Parcels

CPA 19-00001

[Map of CPA Subject Parcels with highlighted parcels and labels]
Existing Land Use Plan

CPA 19-00001
Proposed Citywide Land Use Plan

Hampton’s Community Plan Land Use Section

Features
- Proposed Land Use
- Rural Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Business/Industrial
- Commercial
- Military
- Mixed-Use
- Open Space
- Public/Semipublic
- Historic Village: Mixed Use
- North Gate: Mixed Use
- Inner Fort: Mixed Use
- Wherry Quarter: Mixed Use

Data Sources:
- City Assessor’s Data Files
- Parcel File
- Land Use Map Classifications, Planning Department

City of Hampton Planning Department
Oct 2019
LU-CD Policy 35: Create a special zoning district to promote the development of a mix of office, distribution, light manufacturing, and support service uses within a modest campus setting for Langley Research and Development Park. The central location of this District should support the commercial and high-tech interests located in the surrounding Magruder Corridor area, including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.
The general purpose and intent of this DISTRICT is to promote the development of a mix of office, distribution, light manufacturing and support service uses within a modest campus setting. The central location of this District serves to support the commercial and high-tech interests located in the surrounding Magruder Corridor area including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.
Langley Business Park District

- Boundaries
- Uses Permitted
- Development Standards
- Building Height
- Setbacks
- Signage
Langley Business Park District
<table>
<thead>
<tr>
<th>Proposed Land Use Table</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Increases # of Retail &amp; Service (16)</strong></td>
</tr>
<tr>
<td>(e.g. bicycle sales/repair, catering, clothing maker, upholstery)</td>
</tr>
<tr>
<td><strong>Increases # of Institutional (5)</strong></td>
</tr>
<tr>
<td>(e.g. college, library, museum)</td>
</tr>
<tr>
<td><strong>Increases # of Recreational (4)</strong></td>
</tr>
<tr>
<td>(e.g. club/lodge, community center, park)</td>
</tr>
<tr>
<td><strong>Increases # of Agricultural &amp; Animal (2)</strong></td>
</tr>
<tr>
<td>(e.g. kennel, veterinarian, plant nursery)</td>
</tr>
<tr>
<td><strong>Increases # of Industrial (9)</strong></td>
</tr>
<tr>
<td>(e.g. brewery, laundry/dry cleaning, artisan, manufacturing/processing/treatment)</td>
</tr>
</tbody>
</table>

36 TOTAL Uses Added
LBP Development Standards

- Uses conducted outside, including storage
- Fencing
- Loading
- Landscaping
- Accessory buildings or structures
LBP Zoning Parcels

45 TOTAL Parcels

177+ Acres
Existing Zoning Map
Existing Land Use Map

Rezoning Area
- Rural Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Military
- Open Space
- Public/Nonpublic

RZ 19-00005
Public Policy: Hampton Community Plan

Evaluate from regional, city, & neighborhood perspective

High quality site planning & efficient use of land

Mix of land uses

Strengthen older business/industrial areas

Retain existing businesses

Support new & expanded businesses
LBP Zoning Map
Recommendation

Approve CPA19-000001
ZO A 19-000009
ZO A 19-00010
ZO A 19-00011
RZ 19-00005
SUBJECT: Rezoning Application No. 19-00005: by the City of Hampton to rezone 177± acres, including the following LRSNs: 6000759, 6000760, 6000762, 6000767, 6000769, 6000961, 6000851, 6000852, 6000854, 6000972, 6000973, 6000974, 6000976, 6000977, 6000978, 6000979, 6000981, 6000985, 6000986, 6000987, 6000988, 6000991, 6000992, 6000993, 6000994, 6000995, 6000998, 6001001, 6001004, 6001005, 6001006, 6001007, 6001008, 6001009, 6001303, 6001443, 6001444, 13000452, 13000943, 13000969, 13000970, 13003486, 13003976, 13003978, 13004073, 13004304, 13004767 from Limited Manufacturing (M-1), Multiple Residential (RM), and Neighborhood Commercial (C-1) Districts to Langley Business Park (LBP) District. The Hampton Community Plan (2006, as amended) recommends business industrial for this area. This rezoning is a zoning map amendment that identifies the boundaries of the new LBP zoning district and accompanies the adoption of the zoning ordinance text amendments associated with Langley Business Park including ZOAs 19-00009, 19-00010, and 19-00011. Together, all of the amendments will constitute a new base zoning district for the area commonly known as Langley Research and Development Park as well as certain adjacent properties. Copies of documents or information concerning this proposal may be obtained from the Community Development Department located in City Hall at 22 Lincoln Street or from Donald Whipple, 757-728-5235 or dwhipple@hampton.gov.

ACTION REQUESTED OF COMMISSION: Recommend approval of Rezoning Application No. 19-00005.

BRIEF BACKGROUND STATEMENT:

Rezoning Application No. 19-00005, as well as the accompanying community plan amendment and zoning ordinance amendments, are the outcome of ongoing conversations with representatives from the Langley Research and Development Park Association, Planning Commission, and Economic Development Authority (Stakeholder Group). City staff has been exploring ideas to expand the list of permitted uses within the business park. All parties agreed on the basic premise that the list of permitted uses in the park should be expanded in order to enhance its competitiveness as a business/industrial/research park. Part of the analysis, included investigating other business/industrial parks in the region (e.g. Oyster Point Business Park (Newport News) and Harbour View Business Park (Suffolk) to compare their permitted land uses to what is currently permitted in Langley Research and Development Park. This research of other localities provided valuable information of how to proceed with a broader spectrum of uses which would assist in making Langley R&D properties a more attractive investment and job creation location.

Staff’s recommendation contains several companion components, all of which would accomplish the desired objectives expressed by the Stakeholder Group. The first component is an amendment to the Land Use section of the Hampton Community Plan (2006 as amended) which would designate specific parcels of land as appropriate for commercial uses that would serve the convenience needs of the occupants of the park. Specifically, such parcels, comprising approximately 16.5+ acres, would be located entrances to the part at Magruder Boulevard and Floyd Thompson Drive and Research Drive and Commander Shepard Boulevard. The land use designation for these parcels would change from Business/Industrial to Commercial, which would pave the way for these properties to seek a use permit that would allow the desired support retail and/or service use. The second component includes an amendment to the Zoning Ordinance that would create a new special zoning district, Langley Business Park (LBP), which would expand the list of permitted uses within the subject area. While the new zoning district expands the number of permitted uses in the “institutional” and industrial categories, this Plan amendment further expands the number of retail sales and service uses within the subject expanded commercial nodes. Finally, with the new zoning district in place, the subject properties would be rezoned to the new special district, Langley Business Park.
This rezoning accompanies CPA 19-00001 and Zoning Ordinance Amendments: ZOA 19-00009, 19-00010, and 19-00011. The collective proposal of amendments and the subject comprehensive rezoning is endorsed by the Langley Park Stakeholder Group and the Economic Development Authority. All property owners have been notified of the draft proposal to include the subject Community Plan Amendment, Zoning Ordinance Amendments and Rezoning.

**ADDITIONAL REFERENCE MATERIAL AVAILABLE:** Staff Report, PowerPoint presentation

**DATES ADVERTISED:** Planning Commission: December 5, 2019 and December 12, 2019

**CONDITIONS ATTACHED:** Yes  X  No
General Information

Description

Comprehensive rezoning of approximately 45 parcels, totaling 177+ acres, from Limited Manufacturing (M-1), Neighborhood Commercial (C-1), and Multiple Residence (RM) Districts to the new special district Langley Business Park (LBP) District. This rezoning application is packaged with a series of zoning ordinance amendments that are the culmination of a multiple year effort of staff and property owners, within the Langley Research and Development Park, working together to expand the number of allowed land uses within the park. As the dynamics of the economy and workforce have changed over the decades, the limitation of the park to primarily research and development land uses had become antiquated and owners found it increasingly difficult to sell and lease their properties. The central location of this District along the Magruder Corridor serves to support the commercial and high-tech interests located in the surrounding area including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area. This proposal also includes an amendment to the Hampton Community Plan (2006, as amended).

This rezoning application is to apply the newly created Langley Business Park (LBP) District to certain properties. This new district is most similar to the Limited Manufacturing (M-1) District it is replacing. It largely applies to parcels in and around Langley Research and Development Park that are currently zoned M-1. There are a few parcels within the proposed rezoning boundary that are currently zoned Neighborhood Commercial (C-1) and Multiple Residence (RM).

Generally this district:

- Provides business sites that will support the economic growth and diversification of Hampton’s tax base.
- Creates a high quality, innovative, and adaptive environment capable of attracting and sustaining a diverse mix of businesses, including both skilled labor and professional, free from offensive operations.
- Is inclusive of support service uses that support the day to day operations of base employers in the park.
- Provides for diversity in the types of research, development, manufacturing and support commercial uses that are realistically free from offense.
• Encourages business development that adheres to the recommendations of the Joint Land Use Study with Langley Air Force Base.

Development standards:
• All uses conducted outside of a building, including but not limited to outdoor material and equipment storage, shall be screened so that it is not visible from any existing or proposed public right-of-way, and so that it is not visible from adjacent properties.
• All screening fences shall be opaque; the use of electrified fences, barbed or razor wire, and chain link with or without slats anywhere on site is expressly prohibited.
• Loading operations shall occur along the side and rear of buildings only. Loading areas shall be screened so that they are not visible from public rights of way and adjacent properties; however, no loading operations shall be visible from Magruder Boulevard or Commander Shepard Boulevard.
• The front yard and unfenced side yards which abut a street shall be landscaped in accordance with the "City of Hampton Landscape Guidelines."
• Accessory buildings or structures shall not be located in the front yard.

Setbacks:
Minimum dimensions as follows:

<table>
<thead>
<tr>
<th></th>
<th>Required Setback Main Buildings</th>
<th>Required Setback Accessory Buildings</th>
<th>Required Parking, Setback (including access drives and aisles)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property lines abutting Magruder Boulevard</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Property lines abutting Commander Shepard Boulevard</td>
<td>20 feet</td>
<td>20 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Front yard</td>
<td>30 feet</td>
<td>accessory buildings not permitted within the front yard</td>
<td>10 feet</td>
</tr>
<tr>
<td>Side yard</td>
<td>10 feet</td>
<td>5 feet</td>
<td>5 feet</td>
</tr>
</tbody>
</table>
Side yard abutting a residential district or residential use

<table>
<thead>
<tr>
<th></th>
<th>40 feet</th>
<th>20 feet</th>
<th>20 feet</th>
</tr>
</thead>
</table>

Rear yard

<table>
<thead>
<tr>
<th></th>
<th>15 feet</th>
<th>10 feet</th>
<th>10 feet</th>
</tr>
</thead>
</table>

Rear yard abutting a residential district or residential use

<table>
<thead>
<tr>
<th></th>
<th>40 feet</th>
<th>20 feet</th>
<th>20 feet</th>
</tr>
</thead>
</table>

Signage:
- Signage regulations would generally be consistent with the provisions for M-1 District.
- Permitted freestanding signage would generally be consistent with the M-1 District regulations.
- Permitted wall signage would generally be consistent with the M-1 District regulations.

Building height:
- Buildings shall be a maximum of 120 feet in height.

Parking:
- Parking requirements are based on respective land uses so the standard requirements of the zoning ordinance apply and will not be altered by this new district.

Only the properties to which LBP is directly applied will be affected by the proposed ordinance changes. In the future, property owners could submit a rezoning application in an effort to have the district applied to their property or have a property already in the LBP district rezoned into another district. As with all rezoning applications, staff would review the proposal against the adopted policies, including Hampton Community Plan (2006, as amended), and deliver a recommendation to Planning Commission and City Council as to whether or not the proposal furthers the City’s policies. Planning Commission would vote on a recommendation to City Council, and City Council holds the authority to decide whether or not the proposed change is granted.
Plans and Zoning History

In the summer of 2016, the Economic Development and Community Development Department staff met with the Langley R&D Park Association and to discuss the process of adding uses to the Langley Research and Development Park and potentially rezoning the park.

Over the next few months several zoning options were explored to expand the list of permitted land uses. Alternatives included amending the existing M-1 District, rezoning to the HRC-2 District, and examining the zoning of Oyster Point and Harbor View Parks as they include mixed uses and identified as primary competitors for business.

In June 2017, staff brought forward a proposal, endorsed by the Economic Development Authority (EDA) that included a Community Plan amendment and a Zoning Ordinance amendment to the Planning Commission. The plan amendment proposed changing the land use from business/industrial to commercial for specific properties at the Park entrances that would pave the way for commercial rezoning of those certain properties. The proposed zoning ordinance amendment would have added permitted land uses to the current M-1 District. The Association supported the plan amendment; however, did not support
In September 2017, City Council commissioned a group comprised of representatives of the Park Association, Economic Development Authority, and Planning Commission to work toward a consensus on a land use proposal. Facilitated by staff, the group met over the next two years, establishing a vision and goals for the business park, discussing appropriate land uses for the park, and creating a new special zoning district for the park. In May 2019, the group held a public meeting to present their new land use proposal to all the interested property owners within the park, including several adjacent and surrounding property owners.

City staff then drafted the proposed Community Plan Amendment (CPA) and the several Zoning Ordinance Amendments necessary to implement the land use proposal. On October 30, 2019, staff presented the CPA and ZOA amendments to the working group and received unanimous support to bring the items forward to Planning Commission and City Council for approval.

Existing Regulations

The comprehensive rezoning includes approximately 45 individual parcels, seven (7) of which are either owned by the City of Hampton or the City’s Economic Development Authority. The vast majority of parcels are currently zoned Limited Manufacturing (M-1) District; however, two (2) properties are zoned Neighborhood Commercial (C-1) District and two (2) properties are zoned Multiple Residence (RM) District.
Through extensive conversations with representatives from the Langley Research and Development Park Association, Planning Commission, and Economic Development Authority (Stakeholder Group), City staff explored ideas for appropriately expanding the list of permitted uses within the business park. All parties agreed on the basic premise that the list of permitted uses in the park should be expanded in order to enhance its competitiveness as a business/industrial/research park. Part of the analysis, included investigating other business/industrial parks in the region (e.g. Oyster Point Business Park (Newport News) and Harbour View Business Park (Suffolk) to compare their permitted land uses to what is currently permitted in Langley Research and Development Park. This research of other localities provided valuable information of how to proceed with a broader spectrum of uses which would assist in making Langley R&D properties a more attractive investment and job creation location.

Staff’s recommendation contains several companion components, all of which come together to accomplish the desired objectives expressed by the Stakeholder Group. The first component is an amendment to the Land Use section of the Hampton Community Plan (2006 as amended) which would designate specific parcels of land as appropriate for commercial uses that would serve the convenience needs of the occupants of the park. Specifically, such parcels, comprising approximately 16.5+ acres, would be located entrances to the part at Magruder Boulevard and
Floyd Thompson Drive and Research Drive and Commander Shepard Boulevard. The land use designation for these parcels would change from Business/Industrial to Commercial, which would pave the way for these properties to seek a use permit that would allow the desired support retail and/or service use. The second component includes an amendment to the Zoning Ordinance that would create a new special zoning district, Langley Business Park (LBP), which would expand the list of permitted uses within the subject area. Finally, with the new zoning district in place, the subject properties would be rezoned to the new special district, Langley Business Park through approval of this comprehensive rezoning.

This comprehensive rezoning, RZ 19-00005, is accompanied by a proposed Community Plan Amendment, CPA 19-00001; and Zoning Ordinance Amendments: ZOA 19-00009, 19-00010, and 19-00011. This collective proposal is endorsed by the Langley Park Stakeholder Group and the Economic Development Authority. All property owners have been notified of the draft proposal to include the subject Community Plan Amendment, Zoning Ordinance Amendments and Rezoning.

**Staff recommends approval of Rezoning No.19-00005.**
Langley Business Park Rezoning
Langley Business Park Proposed Zoning
Application

- Community Plan Amendment
- Zoning Ordinance Amendments to create the district
- Rezoning to apply the district
Vision Statement

Hampton’s Innovation Park – innovative, flexible, and diverse to respond to market needs and provide opportunities to generate economic growth
Objectives

- Support the economic growth and diversification of Hampton’s tax base
- Create an innovative and adaptive environment
- Attract, support, and sustain a diverse mix of businesses
- Encourage the development, redevelopment, and/or reuse of quality buildings
- Create an attractive and safe working environment with its own unique sense of place
- Provide for diversity in the types of retail, office, research and development, and light manufacturing uses
- Adhere to the goals and objectives contained in the adopted Joint Land Use Study with Langley Air Force Base (August 2010, as amended)
Key Principals

- Expand the range of permitted uses
- Special district is focused on light industrial and office type uses
- Retail and service commercial uses will be secondary support uses
- Not a center for destination retail
- Retail uses should be focused around key intersections (Floyd Thompson-Magruder and Research-Commander Shepard)
- Protect existing uses
Existing Land Use Plan

CPA 19-00001
Proposed Land Use Plan
LU-CD Policy 35: Create a special zoning district to promote the development of a mix of office, distribution, light manufacturing, and support service uses within a modest campus setting for Langley Research and Development Park. The central location of this District should support the commercial and high-tech interests located in the surrounding Magruder Corridor area, including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.
The general purpose and intent of this DISTRICT is to promote the development of a mix of office, distribution, light manufacturing and support service uses within a modest campus setting. The central location of this District serves to support the commercial and high-tech interests located in the surrounding Magruder Corridor area including NASA Langley Research Center, Langley Speedway, and the business parks of Hampton Roads Center South, Central and North Campuses, along with long standing maritime interests in the area.
Langley Business Park District

- Boundaries
- Uses Permitted
- Development Standards
- Building Height
- Setbacks
- Signage
Langley Business Park District
Proposed Land Use Table

- **Increases # of Retail & Service (16)**
  (e.g. bicycle sales/repair, catering, clothing maker, upholstery)
- **Increases # of Institutional (5)**
  (e.g. college, library, museum)
- **Increases # of Recreational (4)**
  (e.g. club/lodge, community center, park)
- **Increases # of Agricultural & Animal (2)**
  (e.g. kennel, veterinarian, plant nursery)
- **Increases # of Industrial (9)**
  (e.g. brewery, laundry/dry cleaning, artisan, manufacturing/processing/treatment)

36 TOTAL Uses Added
LBP Development Standards

- Uses conducted outside, including storage
- Fencing
- Loading
- Landscaping
- Accessory buildings or structures
LBP Zoning Parcels

45 TOTAL Parcels

177+ Acres
Existing Land Use Map
Public Policy:
Hampton Community Plan

- Evaluate from regional, city, & neighborhood perspective
- High quality site planning & efficient use of land
- Mix of land uses
- Strengthen older business/industrial areas
- Retain existing businesses
- Support new & expanded businesses
LBP Zoning Map
Recommendation

Approve CPA19-000001
ZOA 19-000009
ZOA 19-00010
ZOA 19-00011
RZ 19-00005
MEMORANDUM

TO: Hampton Planning Commission
FROM: Maia Patterson, Junior Youth Planner
DATE: December 6, 2019
SUBJECT: Monthly Youth Planner Report

Over the month of the November the Hampton Youth Commission (HYC) has continued to work diligently to complete the Commission’s work plan. During this time the HYC held a total of two commission meetings, two grants meetings, and two executive meetings. During the committee meetings, each committee focused on forwarding their work toward each of their individual committees’ goals.

The Grants Committee worked on processing grant applications received. This involved evaluating each application received and determining if that applicant warranted an interview. Once decided, the committee developed questions they still had about the application and assigned times for the youth leader applicant to be interviewed.

The Youth Voice Committee worked on building the bonds they have created with the Youth Advisory Group (YAG) at the last commission meeting by attending their movie night on 18th of November. They also began contacting locations to host the Hampton Youth Commission Candidates Forum. Along with research the Candidates involved in the forum.

The Youth Master Plan Update Committee continued to process data received from their surveys. They also created and displayed posters around each high school in Hampton containing a QR code that allows more students and youth in Hampton access to the survey and the opportunity to provide input on the plan update.

If you have any questions feel free to contact Maia Patterson, Junior Youth Planner: Maia.patterson@hampton.gov or 757-728-5225.