
STAFF EVALUATION

To: Planning Commission

Prepared By: Mike Hayes, AICP

728-5224

Reviewed By: Keith Cannady, AICP

728-5239

Reviewed By: Sharon McSmith, CAP

728-5240

Case No.: Use Permit #1090-2013 Date: October 3, 2013

General Information

Owner/Applicant

Schaubach Rentals LLLP

Location

310 E Street (LSRNs 1000080), a 10.1± acre site in Copeland Industrial Park.



Requested Use

Expand existing recycling sorting facility

Background Information

In 2011, City Council approved Use Permit 1071-2011 with 7 conditions for the current recycling sorting facility. Among those conditions and what has led to another use permit application are the conditions which included a specific site plan for the expansion of the facility and a prohibition on the storage of empty containers.

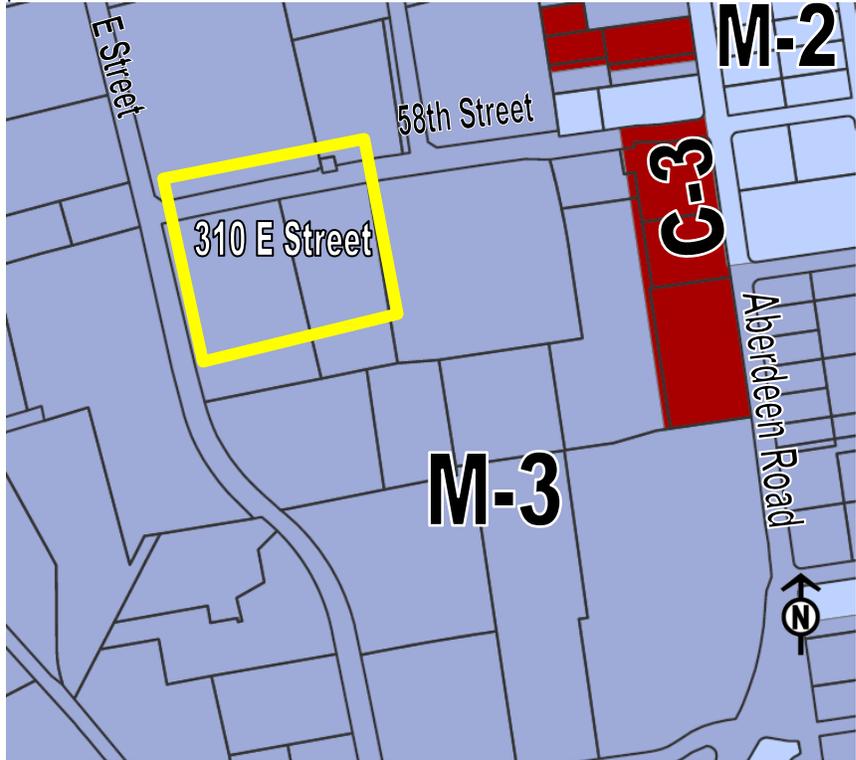
Description of Proposal

The applicant wishes to continue the recycling sorting facility where trucks would back up to bays in the building to deliver recyclable material collected from various sites in the region. All material is sorted and bailed within the building then loaded on trucks from another set of bays. Recyclable materials are not and will be stored or sorted outside.

The applicant wishes to put an addition on the building for the purposes of adding office space and mechanics bays to perform repairs on the trucks.

Existing Land Use and Zoning

The site is currently zoned Heavy Manufacturing District (M-3), which permits the proposed use with an approved use permit.



Surrounding Land Use and Zoning

- North:** M-3: Manufacturing
- South:** M-3: Warehouse
- East:** M-3: Manufacturing
- West:** M-3: Manufacturing

Public Policy

Hampton Community Plan (2006, as amended)
 The Hampton Community Plan recommends business/industrial uses in this area.

The City's Plan also includes other recommendations supportive of industrial businesses:

ED Policy 1: Retain, expand, and attract businesses that provide jobs with family-supporting wages. (p. ED-23)

Impact Analysis

New improvements would have to meet all applicable codes and ordinances.

The location is well situation for any additional traffic created by a successful business.

Conditions

The previously approved application contained seven (7) conditions while the currently proposed set contains nine (9). A redlined version showing the proposed changes is included in the package for review. The nine (9) conditions that are currently recommended to be attached to this request should City Council approve this use permit are as follows:

1. Issuance of Permit

The Use Permit applies only to 310 E Street [LRSN 1000080], and is not transferable to another location.

2. Hours of Operation

- a. The hours of delivery and removal of material by truck shall be between the hours of 6:00AM and 11:00PM Monday through Friday and 6:00AM and 6:00PM Saturday and Sunday.
- b. The hours of operation within the building shall be between the hours of 5:00AM and midnight Monday through Sunday.
- c. Maintenance of equipment internal to the building may occur after standard operating hours Monday through Friday.

3. Licensure

The operator shall secure and maintain any required licensure with the Virginia Department of Environmental Quality (DEQ).

4. Operation

- a. The operator will only deliver single stream recycling products, such as glass, plastic bottles, newspapers, and aluminum cans, and commercial recyclable dry waste, such as cardboard, office paper, and shrink wrap, and open container loads of construction debris to the facility. While construction debris may be sorted and transported to and from this facility, crushing, grinding, or altering the material other than is necessary to bail the material is expressly prohibited. Any incidental non-recyclable waste will be hauled out and disposed at a permitted
-

facility.

- b. Other than as incidental waste, garbage, food waste and organic waste, meaning a type of solid waste consisting of organic materials including, but not limited to processed and unmanipulated manures, grass, clippings, leaves, brush, tree prunings, logs, tree stumps and other yard, landclearing or vegetative waste, shall not be delivered and/or processed at this facility.
- c. Hazardous waste, radioactive/nuclear waste, and/or biohazardous waste materials are prohibited on site.
- d. All sorting, processing, or temporary storage of materials shall occur within the building.
- e. Outdoor storage, except for the parking of vehicles and empty containers as expressly permitted in these conditions, is prohibited.
- f. The operator shall keep the property outside the facility free and clear of transported materials and litter, and take measures to avoid stray materials or litter from escaping onto adjacent properties.

5. Vehicle Parking and Container Storage

- a. The parking of vehicles used in the transport and delivery of material shall occur behind the front façade of the building on any side facing a public right-of-way.
- b. Containers shall be stored in an area behind the front façade of the building on any side facing a public right-of-way.
- c. Containers shall not be stored any closer than five feet (5') from an adjacent property line.
- d. All stored containers must be clear of material.
- e. Any container stored on site must be stored in an area screened from view of the public right-of-way and adjacent properties by a six foot tall opaque fence or vegetation which achieves the same affect.

6. Screening

A short, continuous, evergreen hedge row (2.5 to 4

feet in height) shall be established and maintained along the public rights-of-way (E Street and 58th Street) to screen operations at the sides and back of the building.

7. Inspection

The facility will be available for inspection by the Zoning Administrator and/or designee during operational hours. The facility and operation shall be subject to a stop work order by the Zoning Administrator and/or designee in order to investigate or verify in concert with any state or federal agency any violation, real or alleged, of any federal, state, or local law or ordinance and deed restrictions affecting the property.

8. Nullification

- a. The Use Permit shall become null and void if the use is not established within twelve (12) months of the date of approval by City Council.
- b. The Use Permit shall become null and void if the facility is not used for the permitted use for a period of twenty-four (24) consecutive months.

9. 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 conditional privilege as set forth in chapter 20 of the zoning ordinance.

Community Meeting

No community meeting has been held.

Analysis

310 E Street is located in Copeland Industrial Park and currently has an approved use permit for a recycling sorting center (UP #1071-2011). Use Permits are required for uses that are generally deemed appropriate in the given zoning district but may require site specific conditions to ensure there will be no negative impacts on neighboring properties. This application has been brought forward because the applicant, who is the current operator and property owner, would like to amend the conditions.

Specifically, the previous set of conditions includes a requirement to adhere to a submitted site plan and prohibits outdoor storage with the

exception of parked vehicles. The requested changes would grant flexibility in how the site is developed and operations expand in the future. Rather than requiring the operator to adhere to a specific site plan attached to the use permit, performance standards for screening are recommended. Development would also have to meet site plan standards, including storm water related requirements, just like any similar development in the City of Hampton.

With regards to the second amendment request, staff proposes a change to the conditions which would permit the outdoor storage of empty containers provided the storage occurs toward the rear, in a defined area, screened from view at the public right-of-way. The outdoor storage of materials would remain prohibited in order to maintain a site and park that is free of debris and litter. The need to maintain a clean site is further reinforced in condition No. 4, which limits the types of materials to be handled and that all processing operations shall occur inside the building.

The land use recommendations of the Hampton Community Plan (2006, as amended) are supportive of this proposal. The Copeland Industrial Park area is recommended for business/industrial uses. This proposal also helps fulfill recommendations in the Economic Development section of the Community Plan by creating jobs and utilizing a currently vacant building and underdeveloped lot.

Being located in the heart of industrial park, having all sorting operations occur within the building, and limiting the types of materials to be brought on-site, as required in condition No. 2, the proposed use should not have a negative impact on neighboring property.

Staff recommends approval of this application with amended conditions.