

# STAFF EVALUATION

To: Planning Commission

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Case No.: Use Permit Application No. 17-00011

Date: November 16, 2017

## General Information

Applicant David Riddick, Beauty for Ashes Contemporary School of Dance (BFACSD)

Property Owner Central United Methodist Church

Location 227 Chapel Street [LRSN 2001911]



Requested Use Private School

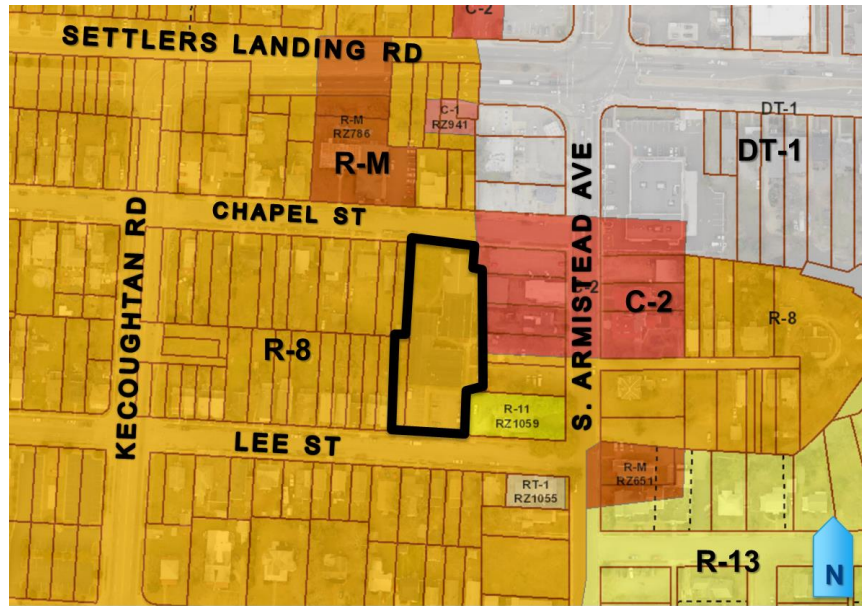
Description of Proposal This is a use permit application to permit a dance school located at Central United Methodist Church, 227 Chapel Street (LRSN 2001911). The proposed business hours of operation are Monday through Friday 10AM-8:30PM, Saturday 8AM-5PM, and Sunday 1PM-2PM.

Existing Land Use Central United Methodist Church

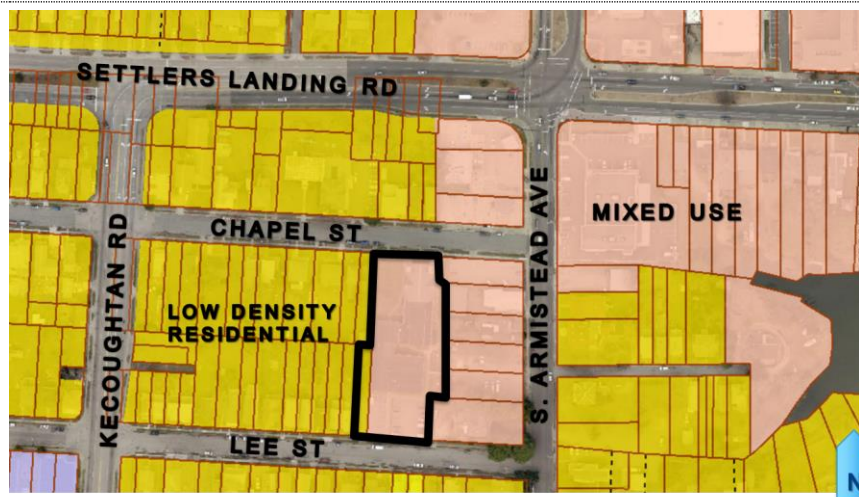
Zoning The property is currently zoned One Family Residential District (R-8).

Surrounding Land Use and Zoning

**North:** A religious facility, residences, and a restaurant - Multiple Residence (R-M), residences, a restaurant, One-Family Residential District (R-11), Downtown Business (DT-1)  
**South:** Residences - One-Family Residential District (R-8) residences  
**East:** Barber shop, bed and breakfast, residences - One-Family Residential District (R-8), parking lots, retail, Limited Commercial (C-2)  
**West:** Residences- One-Family Residential District (R-8)



Public Policy



The Hampton Community Plan (2006, as amended) recommends mixed use development for the subject parcel and several parcels east of it. The Plan includes economic development goals and educational goals for youth that are relevant to this proposal.

Policies related to this request are listed below:

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

**Y3:** Youth acquire essential life skills.

**Y5:** Places to go and things to do for youth.

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|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <i>Applicable Regulations</i> | R-8 allows private schools, subject to approval of a use permit.                                                               |
| <i>Traffic</i>                | There are no foreseen negative impacts to traffic.                                                                             |
| <i>Community Meeting</i>      | A community meeting was held on Thursday, October 26, 2017; approximately eight members of the community attended the meeting. |

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## Analysis

Use Permit Application No. 17-00011 is a request to permit the operation of a private school for approximately fifty (50) students between two and eighteen years of age at Central Methodist Church, 227 Chapel Street [LRSN 2001911]. The property is currently zoned One Family Residential (R-8) which allows for private schools with a use permit. The applicant currently has a school called Beauty for Ashes Contemporary School of Dance (BFACSD) located in Downtown Hampton at 5 Queens Way, Suite A and is looking to relocate to Central United Methodist Church; the church will remain in operation. The proposed school will occupy approximately  $\pm 4,000$  sq. ft. of space on the second floor of the church.

In addition to the contemporary dance component, the applicant is proposing to offer a variety of educational services Monday through Friday 10AM-8:30PM, Saturday 8AM-5PM, and Sunday 1PM-2PM. The proposed programs include:

1. Stem classes and workshops
2. Anatomy Kinesiology, Yoga Mindfulness
3. Music and dance education
4. Nutrition
5. College prep
6. Academic counseling
7. After-school program
8. Summer workshops and internships in fine arts and business
9. Mentoring
10. Community outreach

The Hampton Community Plan (2006, as amended) recommends mixed use development for this parcel and some of the properties east of the subject site. The Hampton Community Plan (2006, as amended) details the city's economic development objectives to attract and retain businesses. BFACSD is a small business that has existed in Hampton for a few years. Retaining this school in Hampton would further the goal of business retention in the comprehensive plan. The Youth Component of the Hampton Community Plan (2006, as amended) details the importance of creating a safe and caring community where youth have access to fun and educational opportunities that help prepare them for adulthood and a desire to reinvest in their community. The proposed program offerings at BFACSD are consistent with the goals set forth in the comprehensive plan to ensure "youth acquire essential life skills" and to have young people have "places to go and things to do." The Downtown Master Plan (2004, as amended) also recommends the subject property as mixed use development as a way to create a

vibrant community. Since, BFACSD is proposing to utilize a portion of an existing church; this achieves the master plan recommendation of mixed-use development.

Staff has identified several conditions based on the proposed use's operational characteristics. Staff is recommending a condition for hours between Sunday 1PM-5PM, Monday through Friday 8 AM until 9PM, and Saturday 8AM-7PM. A capacity condition will permit approximately 66 occupants or the maximum capacity determined by a City building official, whichever is lower. Other conditions relate to various state and city codes and ordinances.

***Based on the analysis of this proposal, staff recommends approval of Use Permit Application No. 17-00011 with seven (7) proffered conditions.***

## **Use Permit Application No. 17-00011**

David Riddick: Private School

227 Chapel Street, Hampton, VA 23669 | LRSN: 2001911

### **Conditions**

#### **1. Issuance of Permit**

The Use Permit applies only to 227 Chapel Street [LRSN: 2001911], and is not transferable to another location.

#### **2. Hours of Operation**

The hours of operation shall be limited to Sunday 1PM-5PM, Monday through Friday 8 AM until 9PM, and Saturday 8AM-7PM.

#### **3. Traffic**

Loading and unloading of students from vehicles shall be conducted on site and not on any public street.

#### **4. Certificate of Occupancy**

The private school operator must obtain a Certificate of Occupancy prior to commencing the private school operation.

#### **5. Capacity**

The private school capacity shall not exceed sixty-six (66) occupants, or the number listed on the capacity certificate, whichever is fewer.

#### **6. Nullification**

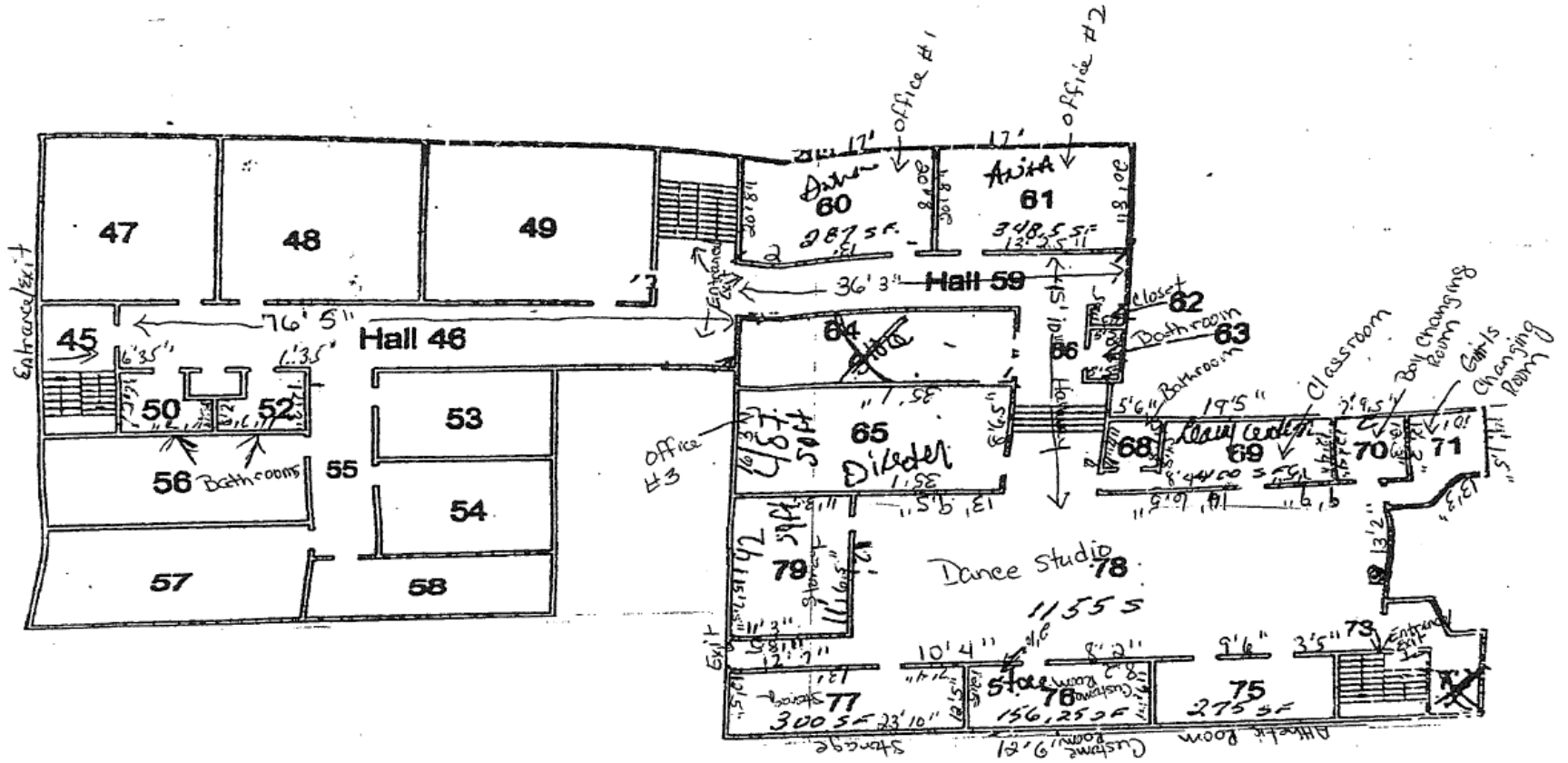
The use permit shall automatically expire and become null and void under any of the following conditions:

- (a) 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;
- (b) 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
- (c) 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.

## **7. 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 20 of the zoning ordinance.

Exhibit A: Floor Plan



Central United Methodist Church

Second floor

