

STAFF EVALUATION

To: City Council

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Case No.: Use Permit Application No. 15-00011

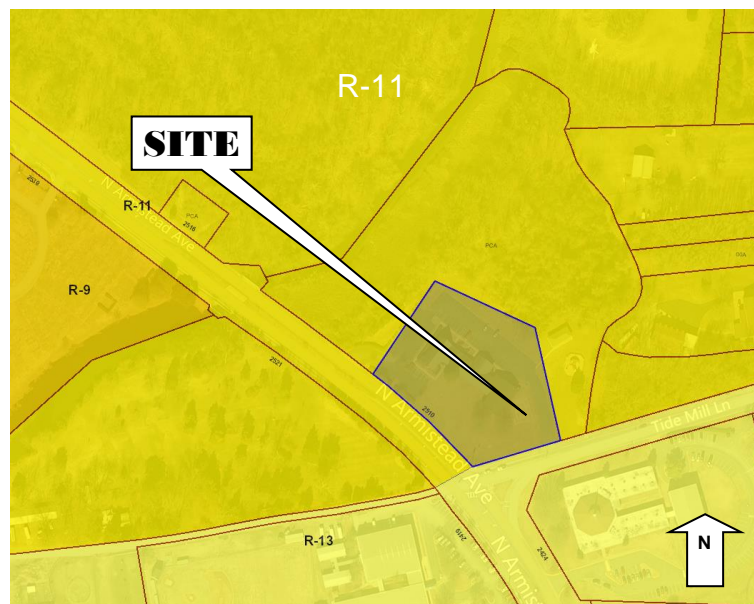
Date: 10/14/2015

General Information

Applicant	Revered Dr. Jason Snow
Owner	Trustees of Wesley United Methodist Church
Location	2510 N. Armistead Avenue



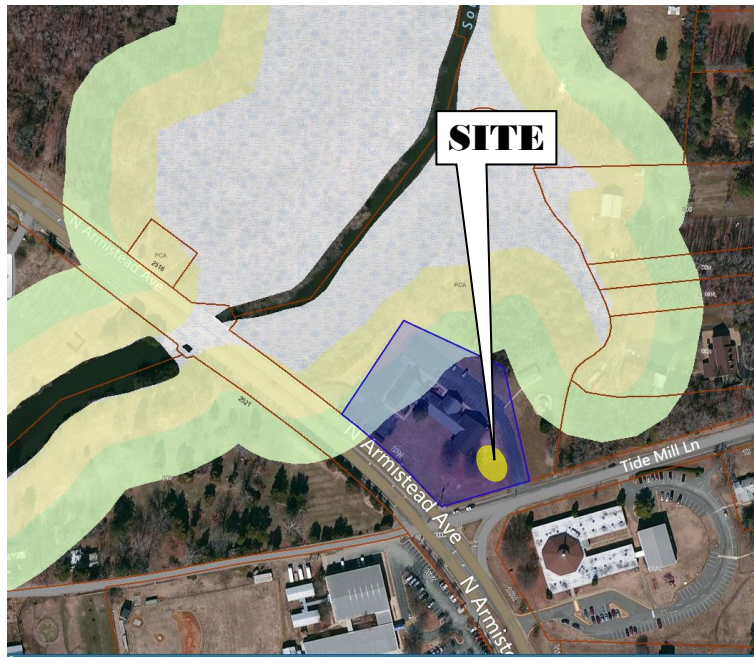
Requested Action	Use Permit to allow for active park/playground.
Description of Proposal	Wesley United Methodist Church desires to construct a new ADA accessible playground to serve the community. The playground footprint is approximately 60' x 72' with a fenced area of 76' by 95'. Capacity will be 65-75 children, ranging in ages from 2-12 years.
Existing Land Use	Religious facility.
Zoning	One-Family Residence (R-11) District Chesapeake Bay Preservation Overlay (O-CBP), Flood Zone Overlay (O-FZ), Air Installation Compatible Use Zone Overlay(O-AICUZ) – do not impact proposed playground use

*Surrounding Land Use
and Zoning***North:** R-11- Vacant land**South:** R-13 - Hampton Christian Church and School**East:** R-11 & R-13 - Single-family residential and religious facilities**West:** R-9, R-11, & R-13 – Vacant land and cemetery

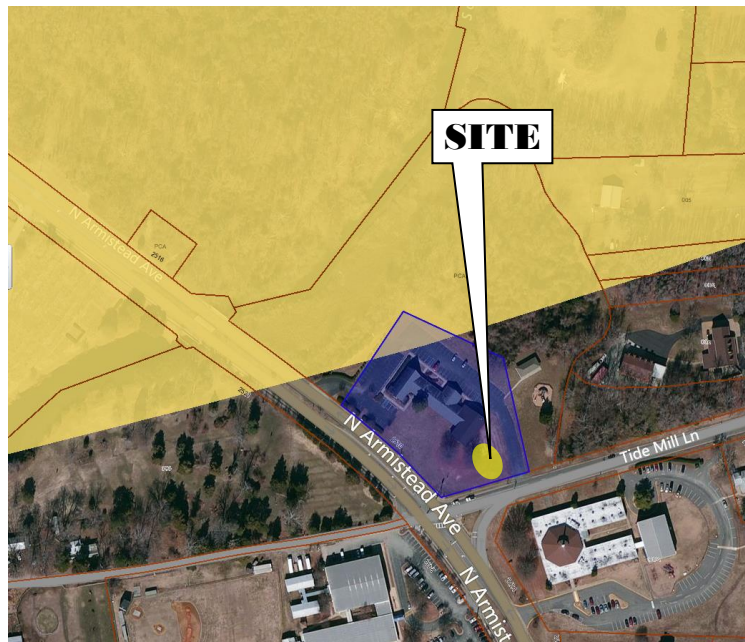
Current zoning depicted above.



The Flood Zood Overlay (O-FZ), depicted above, does not impact this proposal.



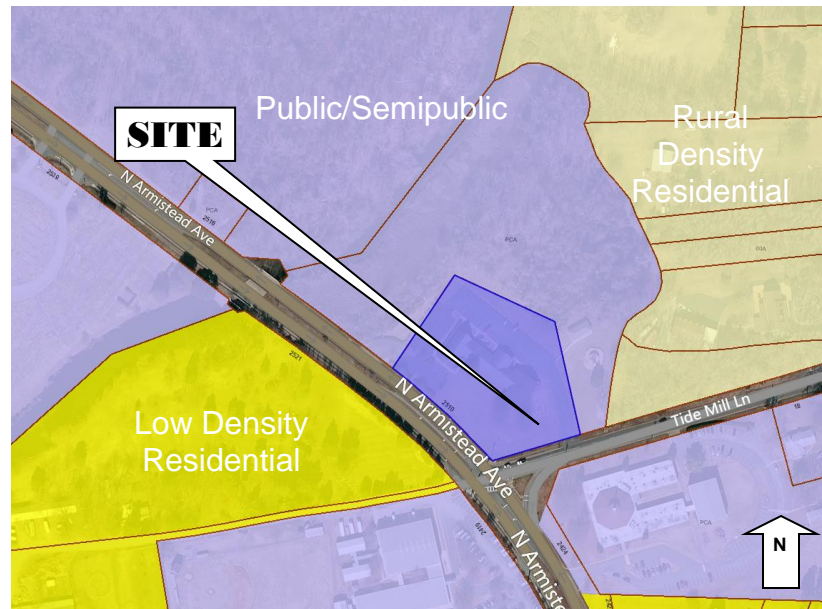
The Chesapeake Bay Overlay (O-CBP), depicted above, does not impact this proposal.



The Air Impact Compatible Use Zone (O-AICUZ), depicted above, does not impact this proposal.

Public Policy

The Hampton Community Plan (2006, as amended) recommends public/semi-public use for this property.



An element of the Community Plan's vision "To Make Hampton the Most Livable City in Virginia" includes providing an environment where children and youth can thrive.

Policies and objectives supporting this vision include:

LU-CD Policy 23: Promote family, school, and community interaction at the neighborhood level.

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

CF Policy 26: Continue to provide parks and recreation facilities that promote passive and active recreational, educational, and cultural opportunities for all residents and visitors.

CF Policy 29: Provide parks and recreational facilities that contribute to the health and safety of children and youth. Encourage physical activity and pedestrian and bike access to reduce the dangers of traffic and the risks associated with a sedentary lifestyle.

Zoning History

None

Applicable Regulations

The R-11 district allows for active parks/playgrounds subject to securing a use permit. The purpose of this use permit is to identify the operational characteristics of the proposal and establish the conditions under which the facility will be operated. This action is necessary to ensure the safety and welfare of the public as well as minimize project impacts on the adjoining properties.

<i>Traffic/Parking</i>	The Zoning Ordinance requires that active parks/playgrounds have five on-site parking spaces per acre of facility. Wesley United Methodist Church has 93 existing parking spaces, six of which are handicap accessible. These spaces provide adequate parking for the playground.
<i>Schools</i>	This proposal does not impact city schools.
<i>Environmental</i>	There are no known environmental concerns on this site.
<i>Community Meeting</i>	Wesley United Methodist Church will receive grant funding through the Neighborhood Commission Neighborhood Improvement Grant Fund to help construct this playground should the use permit be approved. Through the Neighborhood Commission grant process, a community meeting was held on November 6, 2014 and publicized to the Riverdale and Tidemill/Machen communities, as well as the Hampton City Schools Special Education Advisory Committee.

Analysis

Wesley United Methodist Church desires to construct a new ADA accessible playground to serve the community. The playground footprint is approximately 60' x72' with a fenced area of 76' by 95'. Capacity will be 65-75 children, ranging in ages from 2-12 years.

The National Recreation and Park Association, through its 1996 *Park, Recreation, Open Space, and Greenway Guidelines (Guidelines)*, provides park classification and facility guidelines to assist localities with park planning. The *Guidelines* define a mini park as one less than one acre in size, with a one quarter mile service radius, that is used to address limited, isolated, or unique recreational needs. This description is appropriate to describe the Wesley United Methodist Church playground.

A vision of the Hampton Community Plan (2006 as amended) is to provide an environment where children and youth can thrive. Policies supporting this vision include those calling for community interaction, access to recreational facilities, and the provision of parks and recreation facilities that contribute to the health and safety of children and youth. The proposed Wesley United Methodist Church playground aligns with these policies.

Should this use permit be approved, the Wesley United Methodist Church will receive grant funding through the Neighborhood Commission Neighborhood Improvement Grant Fund to help construct this playground. Through the Neighborhood Commission grant process, the church worked with the Riverdale and Tidemill/Machen communities, as well as the Hampton City Schools Special Education Advisory Committee.

Staff recommends attaching conditions that address location of the playground and provide a provision for fencing.

Both Staff and Planning Commission recommend approval of Use Permit Application #15-00011 with 7 conditions.

Use Permit Application No. 15-00011

Rev. Dr. Jason Snow: Park/Playground, Active
2510 N. Armistead Avenue, Hampton, VA, 23666

1. Issuance of Permit

The Use Permit applies only to 2510 N. Armistead Avenue and is not transferable to another location.

2. Location

The playground shall be constructed in the location depicted on the site plan, attached hereto as Exhibit A.

3. Park Facilities

All active recreational uses which abut any parcel in any one- or two-family residential zoning district or any parcel containing any one- or two-family or duplex dwelling unit shall be setback a minimum of 50' from all property lines shared by any abutting parcel as described above.

4. Lighting

All outdoor lighting shall be focused downward and inward in a way that prevents spillover onto adjacent parcels.

5. Fencing

Fencing shall be required around the perimeter of the playground. No chain link fencing shall be permitted.

6. Revocation

Failure to comply with any conditions of this Use Permit shall constitute a violation of the provisions of Chapter 14 of the Zoning Ordinance and shall be cause for revocation of the use permit by City Council.

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.

Exhibit A

