

STAFF EVALUATION

Case No.: Use Permit No. 22-00024

Planning Commission Date: June 22, 2023

City Council Date: July 12, 2023

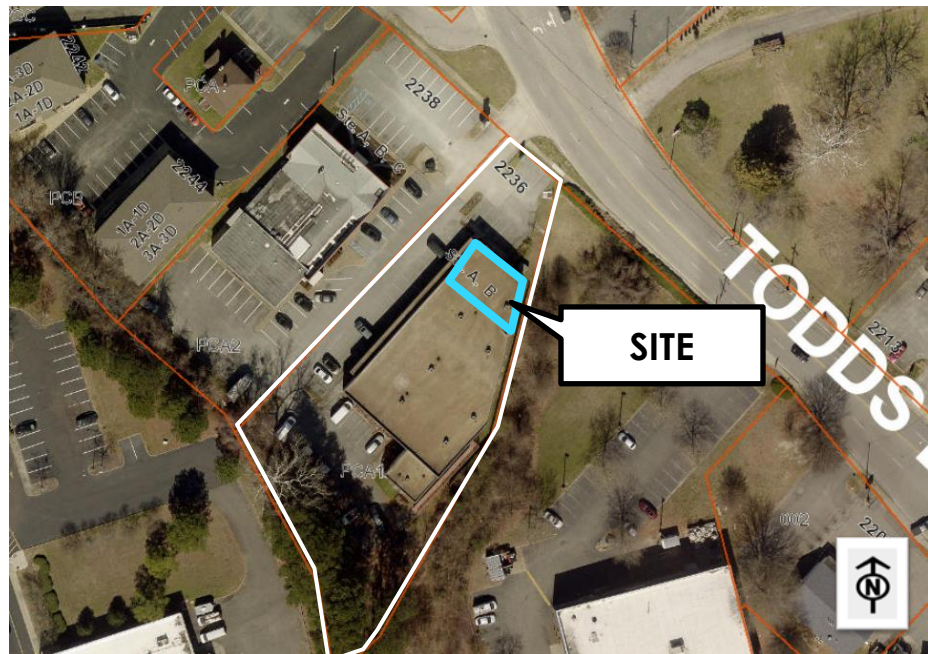
Prepared By: Davis Pemberton, City Planner 728-2040
Reviewed By: Mike Hayes, Planning and Zoning Division Manager 728-5244
Reviewed By: Patricia Melochick, Senior Deputy City Attorney

General Information

Applicant(s) Viviana Fullwood (Future Achievers Bilingual Academy)

Property Owner(s) Jeany DeLima DeVilla, LLC

Site Location 2236 Todds Ln. Suite A (LRSN: 3003913)



Requested Action Use permit to allow for a *private school* in order to operate an academy for pre-K students.

Description of Proposal The applicant is requesting to operate a private school, the Future Achievers Bilingual Academy, for children aged six (6) months to five (5) years of age. There would be a maximum of twenty-seven (27) students. The number of instructors would depend on the staff-to-children ratio requirements which relies on the age demographics of students, but the maximum anticipated number of instructors is seven (7). All instruction will be conducted inside of the building. The building unit, approximately 1,900 square feet, contains seven (7) classrooms.

State licensing for the private school would be required from the Virginia Department of Education. The proposed hours of operation are Monday through Saturday 7 AM to 8 PM, and the school is intended to be closed on Sundays.

Existing Land Use

The subject property is divided into three (3) suites (A, B and C). Suite A, where the proposed use will occur, is currently vacant. Suite B currently operates as a Day Care 2, Commercial with an approved Use Permit (UP14-00021), and Suite C is currently a Medical Office, according to City records.

Zoning

Limited Commercial (C-2) District;
Coliseum Central Overlay (O-CC) District;
Chesapeake Bay Preservation Overlay (O-CBP) District; and
Flood Zone Overlay (O-FZ) District

Surrounding Land Use and Zoning

North: One-Family Residential (R-13) and Limited Commercial (C-2); Vacant and Office, General

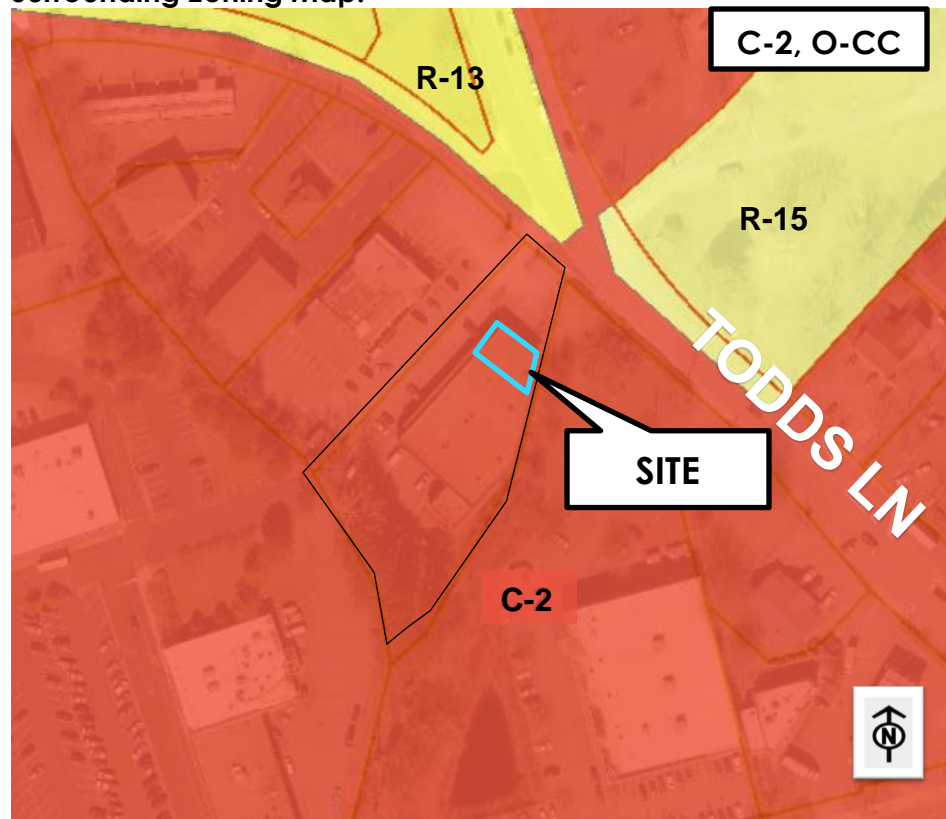
South: Limited Commercial (C-2); Vehicle Repair and Restaurant

East: One-Family Residential (R-15) and Limited Commercial (C-2); Religious Facility and Restaurant

West: Limited Commercial (C-2); Commercial Shopping Center and Restaurant 1

This area also falls within the boundaries of the Coliseum Central Overlay District.

Surrounding Zoning Map:



*Public Policy***Hampton Community Plan**

The Hampton Community Plan (2006, as amended) recommends mixed-use for the subject property. Applicable policies related to this request involve providing access to educational opportunities to underserved groups and promoting compatible land uses.

Listed below are policies related to this request:

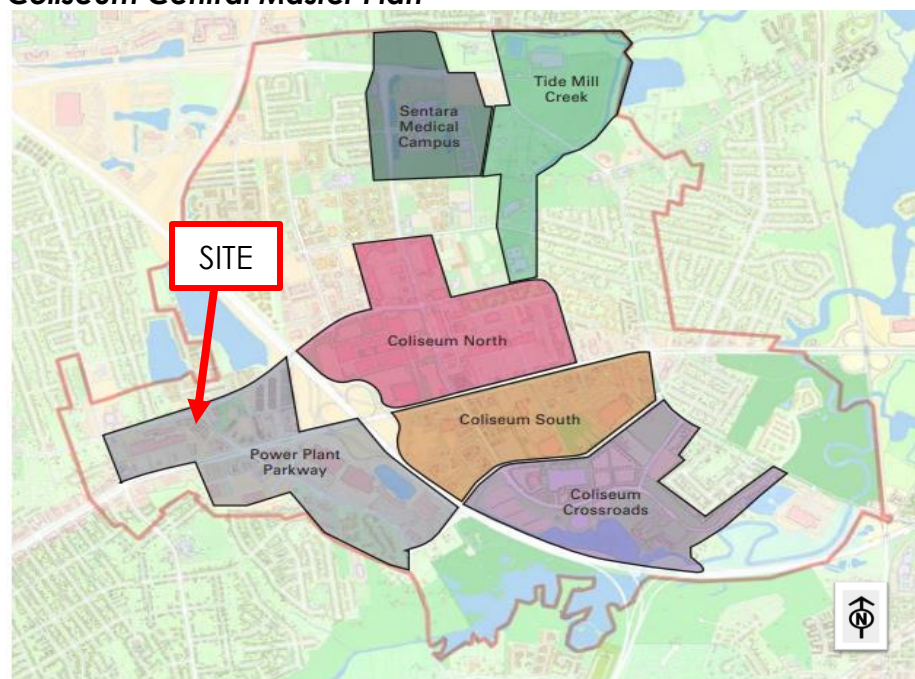
LU-CD Objective 3: Promote compatibility and synergy among different land uses.

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

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

CF Policy 18: Promote educational facilities that have a high degree of flexibility for broad based community use. Recognize that the world and community values and practices are in rapid change.

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

Coliseum Central Master Plan

The property falls within the Coliseum Central Master Plan (2015, as amended) and is located in the Power Plant Parkway initiative

area, which calls for promoting the area as a location for destination and larger format retailers with a focus on service-oriented or new retail functions, or more comprehensive redevelopment as necessary as the area and demand for traditional retail space evolves. With this, new opportunities will rise for reuse of the space(s).

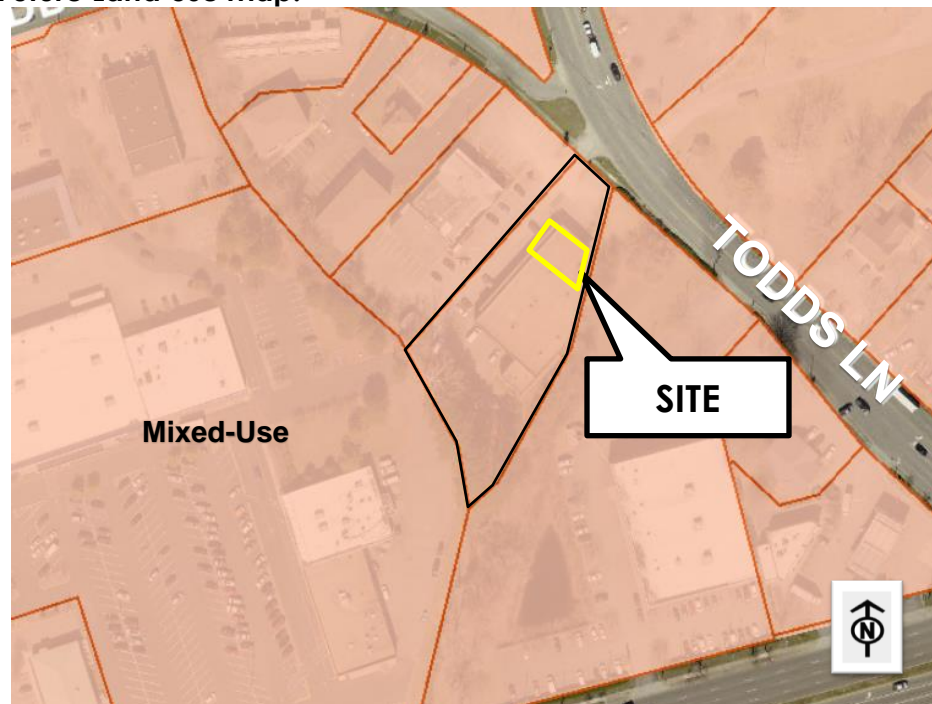
Youth Master Plan (Youth Component of the Community Plan)

The City's Youth Master Plan recommends the following policy that is relevant to this request:

Objective Y3.1: Youth Have Access to Educational, Social, Civic, and Recreational Opportunities That Provide Opportunities for the Development of Strong Life Skills.

Goal Y-04: Every Young Person is Prepared for a Career.

Future Land Use Map:



Parking/ Traffic

Staff does not anticipate that the operation of a small private school would cause a significant difference in the parking or traffic on-site over current existing conditions.

Transportation to and from the site will be provided by the parent or guardian of the pupil. All dropping off and picking up will occur on the site and out of the right of way.

Community Meeting

The applicant has not scheduled a community meeting at this time.

Analysis

Use Permit Application No.22-00024 is a request to permit a private school for instructional and pre-school programs for infants, toddlers, and preschoolers at 2236 Todds Lane, Suite A [LRSN: 3003913]. The site is zoned Limited Commercial (C-2) and Coliseum Central Overlay (O-CC) Districts. C-2 allows for the desired use, subject to an approved use permit.

As described in the application the school would have a maximum of twenty-seven (27) students and a maximum of seven (7) instructors. All instruction will be conducted inside of the building. The building, of approximately 1,900 square feet, contains seven (7) classrooms. State licensing for the private school would be required from the Virginia Department of Education.

The Hampton Community Plan (2006, as amended) recommends mixed-use for the subject site. Applicable policies related to this request includes providing access to educational opportunities to underserved groups, promoting educational facilities with a high degree of flexibility, and nurturing small and start-up businesses. The property is located along Todds Lane which is classified as a residential corridor with commercial nodes. For new and expanded commercial uses along these types of corridors, the Plan encourages that the uses be concentrated within established and existing commercial nodes. The subject property can be categorized as one of these commercial nodes, ma

Furthermore, the Coliseum Central Master Plan (2015, as amended) states that land uses should be organized in terms of the scale of development, and compatible uses should be clustered. The property falls within the Power Plant Parkway initiative area, which calls for promoting the area as a location for destination and larger format retailers with a focus on service-oriented or new retail functions, or more comprehensive redevelopment as necessary as the area and demand for traditional retail space evolves. With this, new opportunities will rise for reuse of the space(s). The proposed use takes advantage of underutilized space for a private school and demonstrates an efficient approach to repurposing space within an existing commercial node, along with leveraging new opportunities.

Furthermore, the Youth Master Plan also highlights the importance of providing wide access to educational opportunities to young people in the community.

The applicant has proposed a private school offering academic instruction for individuals aged six (6) months to five (5) years of age. The academy, the Future Achievers Bilingual Academy, proposes operating from 7:00 AM to 8:00 PM, Monday through Saturday. The applicant does not anticipate operating on Sundays at this time. The academy will focus on a curriculum called STREAMin3, which promotes love for learning, curiosity, and

conceptual thinking. There will be a focus on science, technology, engineering, mathematics (STEM) along with art and reading.

Due to the small-scale nature of this request, staff does not anticipate any negative impacts to surrounding properties or neighborhoods related to this use. All activities will be conducted inside the building, and the unloading and loading of vehicles will occur on the property.

Staff recommends seven (7) conditions, which are included in the full package. Two key conditions are:

- Hours of operation shall be Monday through Sunday 6:00 AM to 8:00 PM
- All unloading and loading of vehicles shall occur on site and out of the right-of-way

The proposed conditions hours are consistent with other private schools use permit applications occurring in areas with similar characteristics. This is an expansion of hours compared to those requested in the application but allows for appropriate operational flexibility in the future.

Staff recommends **APPROVAL** of Use Permit Application No. 22-00024 with seven (7) conditions.