

STAFF EVALUATION

To: City Council

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Case No.: Use Permit Application No. 18-00009

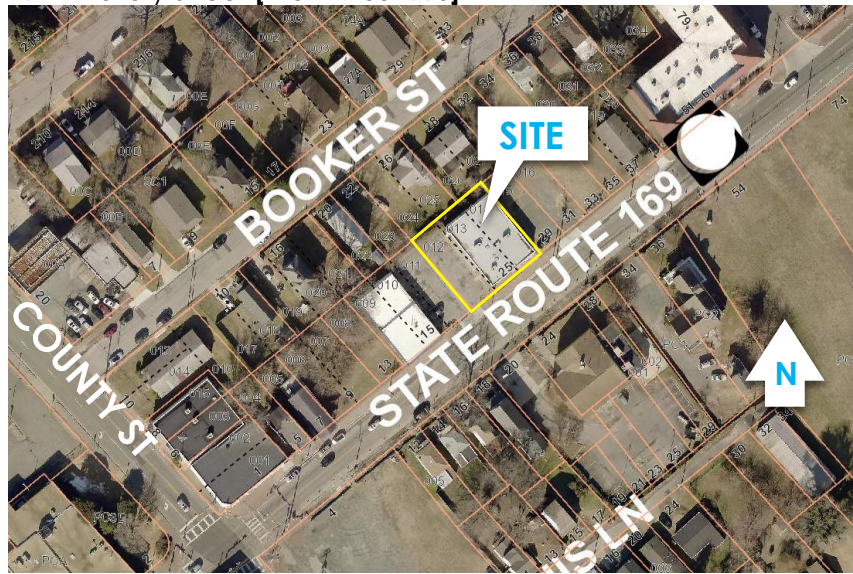
Date: October 10, 2018

General Information

Applicant Dianne Cesvette

Property Owner Phoebus Land Development LLC

Location 19 N Mallory Street [LRSN 12001996]



Requested Use Private School

Description of Proposal This is a use permit application to permit a healthcare training school located at 19 N. Mallory Street [LRSN 12001996]. The proposed business hours of operation are Monday through Saturday from 9:00 AM to 9:00 PM; however, they are subject to change.

Existing Land Use General retail

Zoning The property is currently zoned Phoebus Business District (PH-1).

Surrounding Land Use and Zoning **North:** single-family dwellings R-8 District (Two Family Residential)
South: restaurants - PH-1 District (Phoebus Business)
East: vacant - PH-1 District (Phoebus Business)
West: general retail - PH-1 District (Phoebus Business)

ED Policy 18: Maintain a top-notch workforce through close coordination among key institutions: employment and training agencies, the business community, Hampton City Schools, Thomas Nelson Community College, Hampton University, and other local educational and research facilities.

<i>Applicable Regulations</i>	PH-1 allows private schools subject to approval of a use permit.
<i>Traffic</i>	There are no foreseen negative impacts to traffic.

Analysis

Use Permit Application No. 18-00009 is a request to permit the operation of a healthcare training school for approximately thirty (30) students at 19 N. Mallory Street [LRSN 12001996]. The property is currently zoned Phoebus Business District (PH-1) which allows for private schools with a use permit. The proposed school will occupy approximately 1500 sq. ft. of an existing building.

The applicant is proposing to offer a variety of courses from Monday through Saturday 9:00 AM-9:00 PM. The proposed classes include personal care aide trainings, medication aide courses, medication administration aide trainings for childcare providers, CPR/AED courses, and first aid classes. Under the proposed conditions, the school would not be held to these particular courses or hours of operation.

The Hampton Community Plan (2006, as amended) recommends mixed uses for the subject parcel and parcels to the north, south, east, and west. The Plan also details the City's economic development objectives to attract and retain businesses and to nurture small businesses. The establishment of Healthcare Training Solutions will further the Plan's goals of new business development, and to nurture small businesses. The Plan also outlines the importance of maintaining a top-notch workforce through close coordination among key institutions such as employment and training agencies. The proposed program offerings at Healthcare Training Solutions are consistent with the goals set forth in the Plan to ensure that Hampton continues to have a competitive and educated workforce.

Staff has identified several conditions based on the proposed use's operational characteristics, including a condition to limit the school use to within the building to ensure that no classes are held outside. A capacity condition will permit approximately 33 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.

Staff and Planning Commission recommend approval of Use Permit Application No. 18-00009 with seven (7) conditions.

Use Permit Application 18-00009

Dianne Cesvette: Private School

19 N Mallory Street, Hampton, VA 23669 | **LRSN: 12001996****Conditions****1. Issuance of Permit**

The Use Permit applies only to 19 N. Mallory Street [**LRSN: 12001996**], and is not transferable to another location.

2. Traffic

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

3. Certificate of Occupancy

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

4. Capacity

The private school capacity shall not exceed 33 people, or the number listed on the capacity certificate, whichever is fewer.

5. Indoor Use

The school use shall only be conducted within the building. No classes may be taught outside of the building on the parcel.

6. 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.

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.