

STAFF EVALUATION

To: Planning Commission

Prepared By: Lucy Stoll

727-6301

Reviewed By: Terry O'Neill, AICP
Vanessa Valdejuli

727-6140

727-6129

Case No.: Use Permit Application No. 16-00006

Date: 8/4/2016

General Information

Applicant Hampton University

Location 1414 N. Mallory Street [LRSN 12006101]



Requested Action Use Permit to allow for a private university use in an existing building, specifically a satellite facility combining educational space as the primary use and student dormitories as an accessory use.

Description of Proposal of The applicant is proposing to utilize an existing building that will combine educational/instructional space and student dormitories

Existing Land Use Church and associated Retreat Center

Zoning R-M Multiple Residence; portions of the site fall within O-CBP Chesapeake Bay Preservation Overlay district and O-FZ

Flood Zone Overlay district.

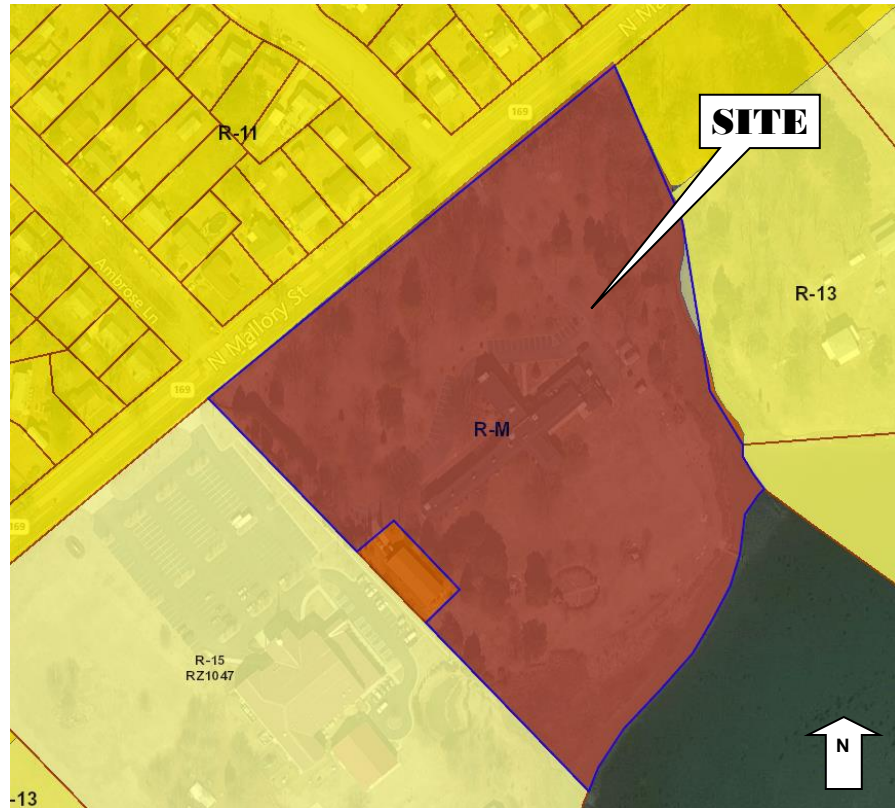
Surrounding Land Use and Zoning

North: R-11, Single Family Residences

South: R-15, Church

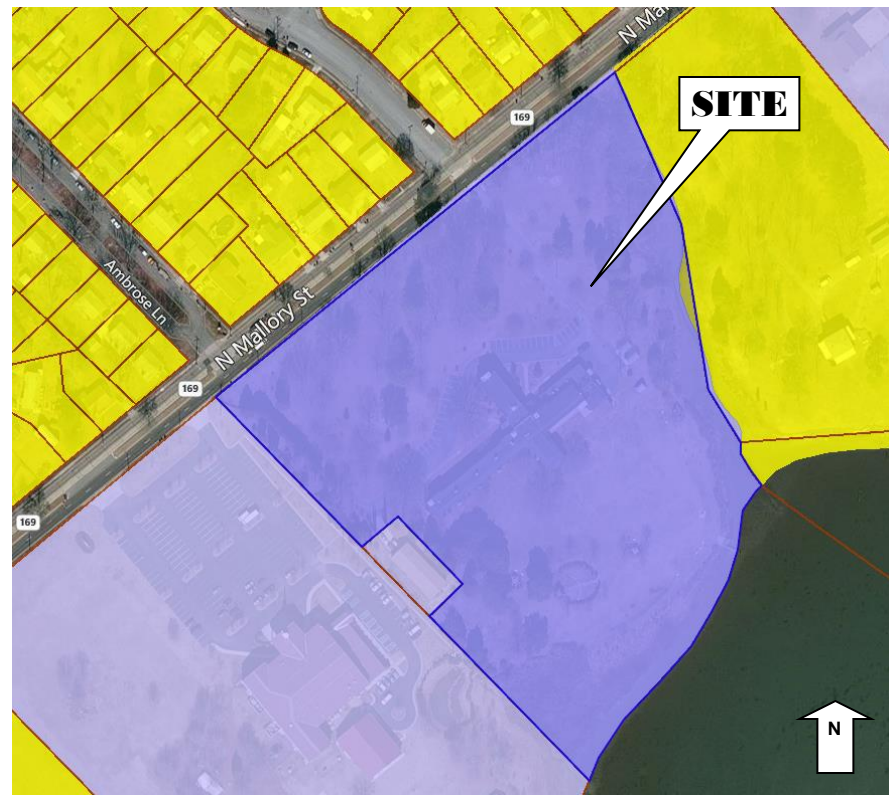
East: R-13, Single Family Residence and Mill Creek

West: R-11, Single Family Residences



Public Policy

The Hampton Community Plan (2006, as amended) recommends public/semipublic land use in this area. Educational institutions, such as schools, colleges, and universities, are included in the definition of public/semipublic land use.



Policies relevant to this application include:

LU-CD Policy 8: Support opportunities for the development and expansion of educational, cultural, medical, research, and military activities that are consistent with the City's vision and goals.

LU-CD Policy 36: Protect adjacent neighborhoods and promote compatible land uses within the city's residential corridors. Compatible uses include medium and low density residential. Other potentially compatible uses include: high density residential and public/semi-public uses (churches, community facilities, schools, etc.)

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.

Zoning History

No previous legislative actions are associated with this address.

Applicable Regulations

The R-M zoning district permits private colleges and university uses with an approved use permit.

<i>Traffic/Parking</i>	Per the Zoning Ordinance, additional parking is necessary on the site to accommodate the proposed uses. Staff recommends a condition to ensure adequate parking is provided at all times. There are no concerns with traffic capacity or level of service.
<i>Environmental</i>	Portions of the property fall within O-CBP Chesapeake Bay Preservation Overlay district and O-FZ Flood Zone Overlay district. A recommended condition of the use permit would require the applicant to keep any improvements other than improvements to the drive aisle out of the 100-foot Resource Protection Area buffer of Chesapeake Bay Preservation District. While a piece of the property is located in the O-FZ, the primary structure itself is almost entirely out of the flood zone, with a small portion located in the 500-year floodplain. As such, there should be no enhanced regulations for improvements to the primary structure.
<i>Community Meeting</i>	A community meeting was held on July 28 th .

Analysis

Hampton University proposes utilizing an existing building at 1414 N. Mallory Street, which is off site from its main campus, for university purposes. The existing building contains 28,609 square feet in a two story structure located on \pm 10.65 acres of land. The current site contains 33 parking spaces. Currently, the University has plan approval to construct (4) two-bedroom apartments.

The University is currently converting a portion of the building to use as apartments which is a permitted use. The use permit is required in order to accommodate the University's desire to convert the rest of the building into educational/instructional space to house the Religious Studies Program along with some student dormitories. Once renovations are completed, the residential component will house 68 individuals. The Religious Studies Program will occupy more than half of the building, centered around the existing chapel areas.

The property is zoned R-M Multiple Residence District which allows for private colleges and universities with an approved use permit. The property is also partially located in the O-CBP Chesapeake Bay Preservation Overlay district and O-FZ Flood Zone Overlay district. Staff recommends a condition to limit development in the Chesapeake Bay Preservation Overlay district to diminish any negative environmental impacts from improvements necessary to meet building and other requirements.

The educational space will contain flexible learning space, breakout areas, and support space. The existing chapel will remain as part of the Religious Studies Program space and the primary educational use will be support of the University's Religious Studies Program. The facility will host "educational activities directly connected to the University's main campus." The site will likely require additional parking spaces, and staff has recommended a condition that will ensure adequate parking will be available at all times for students and residents as well as ensure there are no off-site parking impacts to the adjacent property owners. Required parking will be able to be calculated once Hampton University completes plans for the building.

The Hampton Community Plan (2006, as amended) recommends public/semi-public land use, which includes institutions such as schools, colleges, and universities, for this site. The property is also located within the boundaries of the Buckroe Master Plan (2005); the plan continues to show the site as a public/semi-public use, and does not recommend a different use for the property. Additionally, City policy calls for protecting adjacent neighborhoods and promote compatible land uses within the city's residential corridors. Schools and public/semi-public uses are considered compatible with the surrounding single family neighborhoods and sensitive to the character of Buckroe.

In summary, Hampton University is an important and valued asset and partner in our Community. Their proposed re-use of an existing building is consistent with the recommendations in the Hampton Community Plan (2006 as amended) and assists the University in expanding its mission and enrollment. The attached recommended conditions limit any anticipated environmental or parking impacts that may occur. This application is being concurrently advertised for the City Council meeting of August 10, 2016 in order to facilitate Hampton University's need to house students in this facility during the upcoming fall semester.

Staff recommends approval of Use Permit Application #16-00006 with 8 conditions.

**Use Permit Application No. 16-00006
Hampton University Satellite Facility
1414 N. Mallory Street**

1. Location

The Use Permit applies only to 1414 N. Mallory Street [LRSN 12006101] and is not transferable to another location.

2. Operation

- a. Educational space associated with a private university shall be the principal use of the property. The principal use shall occupy more than 50% of the total square footage of the principal structure.
- b. Prior to issuance of a temporary Certificate of Occupancy, a building floor plan shall be submitted that stipulates the square footage and location allocated to each proposed use in the building. At the discretion of the Zoning Administrator, the floor plan shall provide sufficient detail to determine the type of use proposed. The required floor plan shall be prepared by a duly licensed professional.

3. Site Development

- a. A site plan shall be submitted for review for any new parking or development exceeding 10,000 square feet of land disturbance in accordance with Ch. 35.1 of the Hampton City Code.
- b. No additional impervious area, other than improvements to the drive aisle as required by the Director of Public Works, or designee, or the Hampton Fire Marshall, shall be located in the 100-foot Resource Protection Area buffer of Chesapeake Bay Preservation Overlay district.

4. Parking

- a. All required parking shall be constructed prior to the issuance of the final Certificate of Occupancy.
- b. At any time, pursuant to Ch. 11 Section 11-8 of the Zoning Ordinance, the applicant may apply for a parking credit to reduce the minimum number of parking spaces needed to be maintained on site.
- c. In the event that the parking requirements set forth in condition 4(a) above are not met prior to the issuance of a temporary certificate of occupancy, the applicant shall submit an alternate temporary parking plan in accordance with the requirements of Ch. 11 Section 11-8 of the Zoning Ordinance which shall be reviewed for approval by the Zoning Administrator.
- d. A site plan or zoning permit application shall be submitted prior to issuance of a temporary Certificate of Occupancy.

5. Lighting

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

6. Occupancy

Prior to issuance of a temporary Certificate of Occupancy, all codes and ordinances, except as specified in condition 4 of this use permit, must be met.

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.

8. 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 14 of the zoning ordinance.