

STAFF EVALUATION

To: Planning Commission

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727-6057

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728-5244

Bonnie Brown, Sr. Asst. City Attorney

Case No.: Use Permit Application No. 18-00002

Date: April 19, 2018

General Information

Applicant Alisha Spratley-Thomas

Property Owner WIIFU, Inc.

Location 66 W Mercury Boulevard [LRSN 8005697]



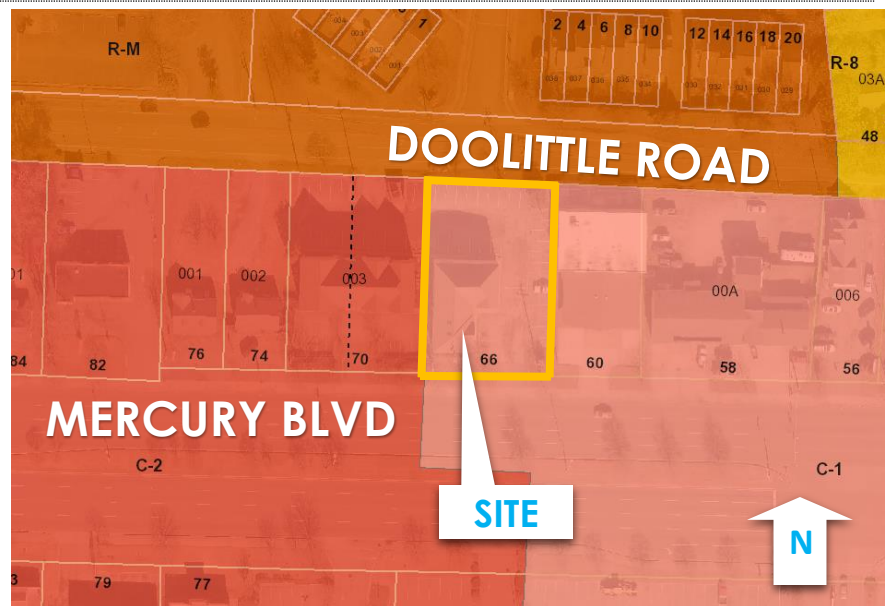
Requested Use Private School

Description of Proposal This is a use permit application to permit a driving school located at 66 W Mercury Blvd [LRSN 8005697]. The proposed business hours of operation are Monday through Friday 8:00 AM to 5:00 PM and Saturday 8:00 AM to 4:00 PM, however they are subject to change.

Existing Land Use Office Building

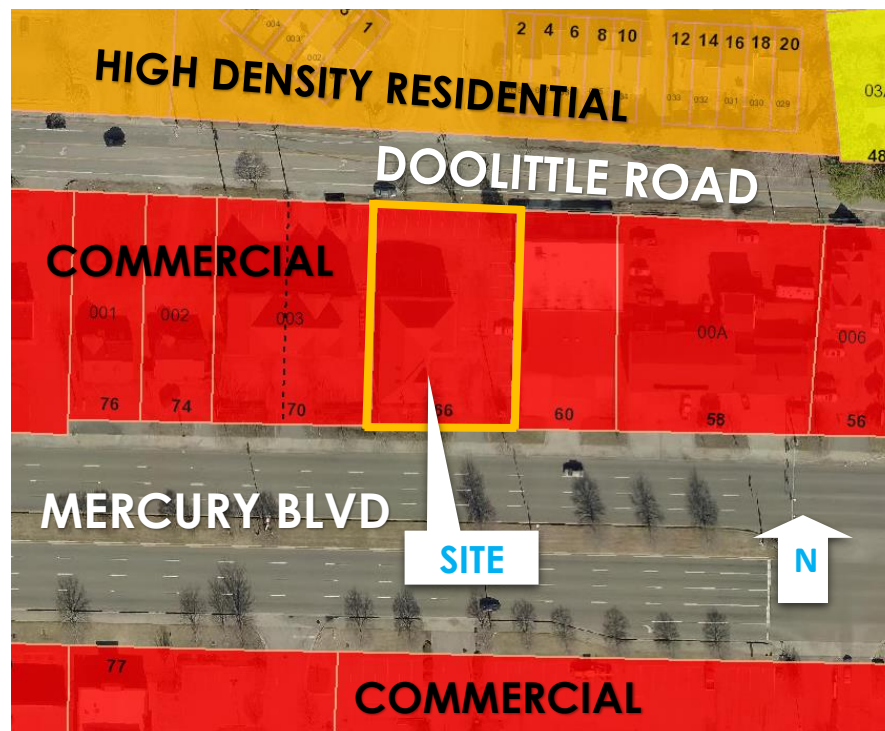
Zoning The property is currently zoned Neighborhood Commercial (C-1).

Surrounding Land Use and Zoning
North: Townhouses - Multiple Residence (R-M);
South: Langley Square Shopping Center- restaurants and shops- Neighborhood Commercial (C-1) ; Langley Square Shopping Center- restaurants and shops Limited Commercial (C-2)
East: Car repair, churches, restaurants- Limited Commercial (C-1)
West: Car repair, office spaces - Limited Commercial (C-2)



Public Policy

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



Additional policies related to this request are listed below:

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

Y3: Youth acquire essential life skills.

<i>Applicable Regulations</i>	C-1 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>	The community meeting will be held on Friday, April 20 th at 8 pm.

Analysis

Use Permit Application No. 18-00002 is a request to permit the operation of a private driving school for approximately twenty (20) students between fifteen and nineteen years of age at 66 W Mercury Blvd [LRSN 8005697]. The property is currently zoned Limited Commercial (C-1) which allows for private schools with a use permit. The proposed school will occupy approximately 650 sq. ft. of space on the second floor of the office building.

The applicant is proposing to offer a variety of driving courses from Monday through Friday 8:00 AM-5:00 PM and Saturday 8:00 AM-4:00 PM. The proposed classes include teen driving courses, behind the wheel trainings, and court-ordered driver improvement courses for adults. Under the proposed conditions, the school would not be held to these particular courses, age range, or hours of operation.

The Hampton Community Plan (2006, as amended recommends commercial uses for the subject parcel and parcels south, east, and west of it. The Hampton Community Plan (2006, as amended) details the city's economic development objectives to attract and retain businesses. The establishment of A & R Driving School will further the goal of new business development 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. The proposed program offerings at A & R Driving School are consistent with the goals set forth in the comprehensive plan to ensure "youth acquire essential life skills."

Staff has identified several conditions based on the proposed use's operational characteristics. Staff is recommending a condition to limit on-site parking of vehicles used for instructional use to no more than 5 parking spaces, unless authorized by the Zoning Administrator pursuant to the Zoning Ordinance. A capacity condition will permit approximately 20 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. 18-00002 with seven (7) conditions.

Use Permit Application 18-00002

Alisha Spratley-Thomas: Private School

66 W Mercury Blvd, Hampton, VA 23669 | LRSN: 8005697

Conditions**1. Issuance of Permit**

The Use Permit applies only to 66 W Mercury Blvd [LRSN: 8005697], 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 20 people, or the number listed on the capacity certificate, whichever is fewer.

5. Parking

The private school shall utilize no more than 5 parking spaces for on-site parking of vehicles used for instructional use, unless authorized by the Zoning Administrator pursuant to the Zoning Ordinance.

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.