



Legislation Details (With Text)

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**Title:** Use Permit Application No. 17-00010 by Debora Tanner to allow for a commercial day care 2 at 3406 Commander Shepard Boulevard [LRSN 6001197]

**Sponsors:**

**Indexes:** ,

**Code sections:**

**Attachments:** 1. Application, 2. Commercial Day Care 2 Supplement, 3. Narrative, 4. Boundary Plat, 5. Survey, 6. Conceptual Site Plan, 7. Floor Plan, 8. Traffic Analysis Excerpt, 9. Wetlands Preliminary Assessment, 10. Phase I Excerpt, 11. Phase II Excerpt, 12. Conditions, 13. Staff Report, 14. Presentation, 15. Planning Commission Resolution

Date	Ver.	Action By	Action	Result
10/11/2017	1	City Council Legislative Session	approved	Pass

Use Permit Application No. 17-00010 by Debora Tanner to allow for a commercial day care 2 at 3406 Commander Shepard Boulevard [LRSN 6001197]

**Background Statement:**

This is a request to permit a commercial day care 2 at 3406 Commander Shepard Boulevard [LRSN 6001197]. A Commercial Day Care is defined as a facility receiving children or adults for care that includes any number of clients in any facility other than the residence of a client or provider. The property is located near the intersection of Commander Shepard Boulevard and North Armistead Avenue, and is zoned C-3 with proffered conditions. C-3 allows for a commercial day care 2 with a use permit. The property also falls into the Chesapeake Bay Overlay District (O-CB), Air Installation Compatible Use Zone District (O-AICUZ), Magruder Visual Corridor District (O-MVC) and Flood Zone Overlay District (O-FZ).

The applicant is proposing to remove the existing structures on the site and build a new day care facility that has a larger capacity for her business. At present, the applicant operates a day care across the street at 3355 Commander Shepard Boulevard. The current location serves just under 70 children. This use permit requests to accommodate 130 children at the new location.

Recognizing the unique location of the site along with the additional peak hour traffic typically generated by a day care, staff reviewed a number of potential impacts to the surrounding. The unique street network and existing peak hour traffic required a closer look at the traffic patterns on and adjacent to the site. The applicant provided trip generation counts, a traffic signal warrant analysis, and a level of service analysis to confirm the existing street pattern can handle the proposed influx of vehicles and trips without creating a disruption to the current level of service. Additionally, based on the applicant's provided concept plan, there will be no adverse impacts to the small amount of existing wetlands on the site. Finally, a Phase I and II Environmental Site Assessment were conducted by the applicant to determine any concerns with children using the site and a

recommended remediation strategy was provided. The remediation strategy is reflected in staff's proposed conditions to ensure proper remediation is accomplished.

The Hampton Community Plan (2006, as amended) recommends commercial for this site. The proposed use permit is consistent with the City's policies to support small businesses and promoting quality daycare services as outlined in the Hampton Community Plan (2006, as amended).

**Recommendations:**

Staff Recommendation:

Approve with 11 conditions

Planning Commission Recommendation:

Approve with 11 conditions