

STAFF EVALUATION

To: City Council

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Case No.: Use Permit Application No. 16-00004

Date: 9/14/2016

General Information

Applicant American Legion Hall Post 67

Owner Catholic Diocese of Richmond

Location 1307 LaSalle Ave [LRSN 2000246]



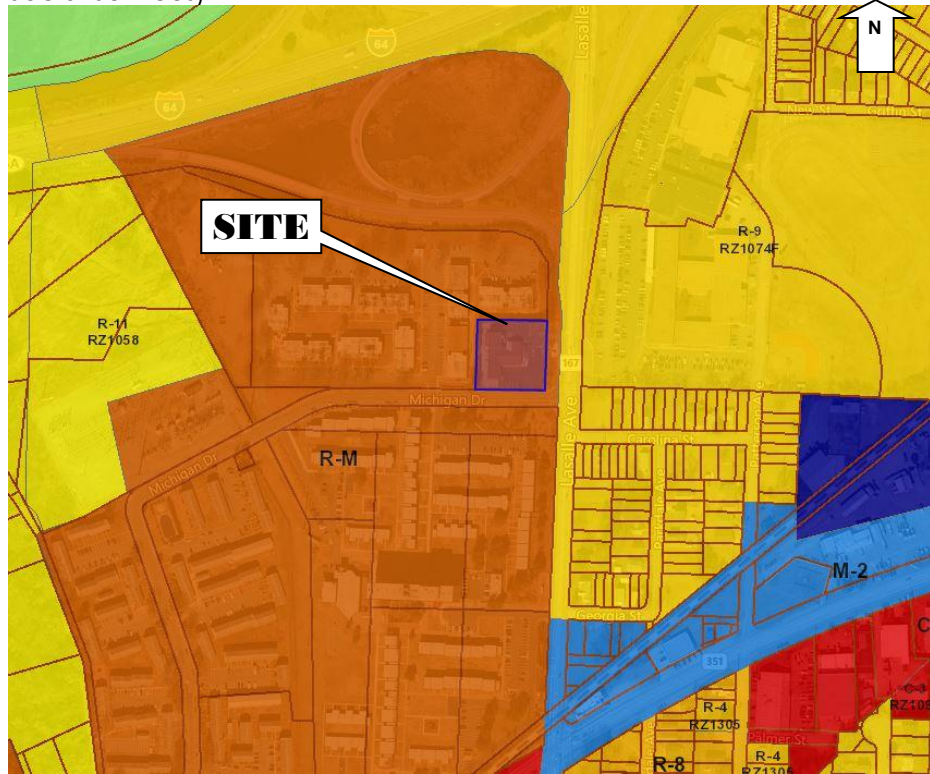
Requested Action Use Permit to allow for a lodge.

Description of Proposal The applicant desires to open an American Legion Lodge. Additionally, the applicant is proposing to operate a Bingo Hall at this site, which would be open to the public and accommodate 150-200 patrons. They would hold Bingo events from 6pm-10:30pm on Tuesday-Saturday. After reviewing the proposal and working with the applicant, staff has recommended conditions that require compliance with parking standards in the City of Hampton's Zoning Ordinance, and limit the occupancy of the building. This limit is to ensure there is adequate parking to support the desired use.

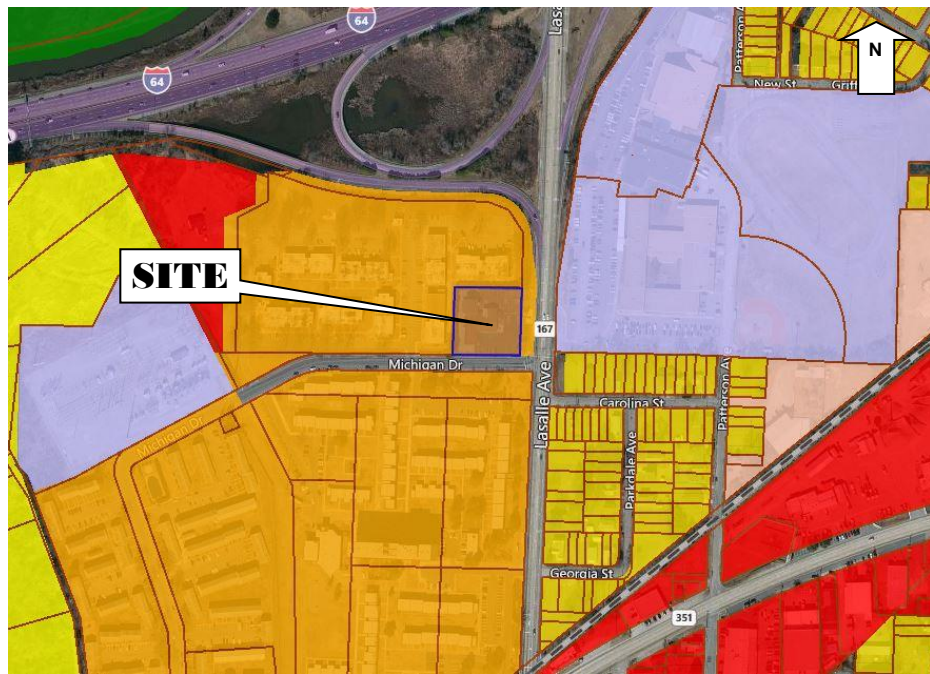
Existing Land Use Religious Facility

Zoning R-M (Multi-Family Residential); additionally the site falls within Chesapeake Bay Preservation District (RMA, RPA), and the X500 and AE-8 Flood Zone

Surrounding Land Use and Zoning **North:** R-M, Multi-Family Residential (apartment complex)
South: R-M, Multi-Family Residential (vacant, former public housing site)
East: R-M, Multi-Family Residential (apartment complex)
West: R-9, Single-Family Residential (single family homes, Department of Social Services)



Public Policy The Hampton Community Plan (2006, as amended) recommends high density residential uses for this site. High density residential uses are also recommended to the west, north, and south. Public/Semi-Public uses are recommended to the east of the property.



Land use policies related to this request are listed below:

LU-CD Policy 23: Promote family, school, and community interaction at the neighborhood level.

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

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 and public/semi-public uses (churches, community facilities, schools, etc.)

Zoning History

Variance Case#69-5, allow for a second detached sign

Applicable Regulations

R-M allows for a lodge subject to securing a Use Permit. The purpose of the Use Permit is to identify the operational characteristics of the proposal and establish the conditions under which the facility will operate. This action is necessary to ensure the safety and welfare of the public as well as minimize project impacts on the adjoining properties.

Traffic/Parking

The subject property is currently out of compliance with the parking standards listed in the City of Hampton's Zoning Ordinance (See Exhibit A); this is due to 13 spaces encroaching into the Public Right of Way along LaSalle Ave. There are also 14 angled spaces that were installed without being permitted, and are substandard according to the dimensional requirements for parking spaces in the City of Hampton's Zoning Ordinance. As a result, the site requires 8 additional legal spaces to be in compliance with City parking requirements.

Schools

This proposal does not impact schools.

<i>Environmental</i>	The proposed lodge will operate in an existing building and will have no increased impacts on the environment.
<i>Community Meeting</i>	A community meeting was held on the evening of July 21 st , 2016, at the subject property. No members of the public attended.

Analysis

Hampton's Zoning Ordinance allows Lodges in R-M, Multiple Residential zoning districts with the approval of a use permit. Additionally, the applicant is proposing to hold Bingo Hall events, which have been determined by the Zoning Administrator to be an allowable accessory use. General hours of operation would be from 6pm to 10:30pm on Tuesday through Saturday, and accommodate 150-200 patrons.

Due to the limited amount of on-site parking, relatively large size of the building, and high number of proposed patrons for Bingo Hall events, staff does have concerns that the proposed use could have some adverse impacts on parking and traffic in the surrounding neighborhood. City of Hampton Traffic Engineers specifically highlighted potential conflicts with the PM traffic peak.

As a result, staff is proposing conditions to mitigate these potential impacts. Specifically, the conditions will require the applicant to increase the amount of available on-site parking to comply with the City of Hampton's parking standards, and to limit the maximum occupancy of the building.

One of the visions set out in the Community Plan is: that "Hampton will thrive as a diverse community which celebrates, supports, and encourages positive people to people relations as a foundation for community success." The lodge facility is consistent with the Hampton Community Plan (2006 as amended), which recommends promoting family, school, and community interaction at the neighborhood level, as well as promoting access to educational, social, civic, recreational, and employment opportunities particularly for youth and seniors. The proposed lodge would be an acceptable use and is compatible with surrounding land uses. The project is consistent with the land use recommendation and policies of the Community Plan.

Staff and Planning Commission recommend approval of Use Permit No. 16-00004 with ten (10) conditions.

**Use Permit Application No.16-00004
American Legion Hall Post 67: Lodge
1307 LaSalle Ave, Hampton, VA 23669**

1. Issuance of Permit

The Use Permit applies only to 1307 LaSalle Ave [LRSN 2000246] and is not transferable to another location.

2. Hours of Operation

Events open to the general public shall be limited to:

- 8:00 AM until 12:00 AM (midnight) Sunday through Thursday.
- 8:00 AM until 2:00 AM, Friday and Saturday.

3. Parking

Prior to commencing the operation of a lodge, 49 parking spaces must be provided at 1307 LaSalle Ave that conform to the dimensional standards listed in Sec. 11-7 of the City of Hampton Zoning Ordinance.

4. Certificate of Occupancy

The applicant must obtain a Certificate of Occupancy prior to commencing the operation of a lodge.

5. Capacity

The lodge capacity shall not exceed 245 individuals, or the number listed on the capacity certificate, whichever is fewer.

6. Licensing and Compliance with all Laws

When required by law, the lodge must maintain a valid license with Virginia Department of Alcoholic Beverage Control (VABC) and comply with all restrictions and requirements imposed by VABC. In addition, this Use Permit may be terminated for any violation of federal, state, or local law.

7. Live Entertainment

Live Entertainment is not permitted at this location.

8. Gaming Operations

Any gaming operations must comply with Chapter 4 of the City Code regarding Amusements.

9. Nullification

- a) The Use Permit shall become null and void if the use is not established within twelve (12) months of the date of approval by City Council.
- b) The Use Permit shall become null and void if the facility is not used for the permitted use for a period of twenty-four (24) consecutive months.

10. 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.

Exhibit A

