



Application for
Use Permit

OFFICE USE ONLY
Date Received:
RECEIVED
AUG 29 2019
CDD 5TH FLOOR

Case Number: UP 19-0-0008

Complete this application in its entirety and submit pages 4 and 5 along with the required materials (including any required supplements) as listed on page 2 to the address below:

City of Hampton
Community Development Department, Planning Division
22 Lincoln Street, 5th Floor
Hampton, Virginia 23669

1. PROPERTY INFORMATION

Address or Location ~~1974 Power Plant Parkway~~ 1976 C Power Plant Parkway

LRSN 13000686 Zoning District Coliseum Central

Current Land Use Restaurant

Proposed Land Use Restaurant with live music and/or DJ

The proposed use will be in: an existing building a new addition a new building

2. PROPERTY OWNER INFORMATION (an individual or a legal entity may be listed as owner)

Owner's Name Hampton Roads Associates BP, LLC (Ground Lessee*)

Address 601 E. Pratt St., 6th Floor City Baltimore State MD Zip 21202

Phone 410-752-5444 Email info@cordish.com

*Property is owned by the Industrial Development Authority of the City of Hampton, Virginia.

3. APPLICANT INFORMATION (if different from owner)

Applicant's Name HPP Western, LLC

Address 601 E. Pratt St., 6th Floor City Baltimore State MD Zip 21202

Phone 410-369-0908 Email legal-eci@ecimgt.com

4. APPLICANT AGENT INFORMATION (if different from applicant)

Agent's Name Lisa Murphy

Address 440 Monticello Avenue, Suite 2200 City Norfolk State VA Zip 23510

Phone 757-628-5540 Email lmurphy@wilsav.com

5. CERTIFICATION FOR LEGAL ENTITY PROPERTY OWNERS

Complete this section only if the property owner is **not** an individual but rather a legal entity such as a corporation, trust, LLC, partnership, diocese, etc. as specified in Step 2 above.

"I hereby submit that I am legally authorized to execute this application on behalf of the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."

Name(s), title(s), signature(s), and date(s) of authorized representative(s) of the legal entity (attach additional page if necessary): Hampton Roads Associates BP, LLC (Ground Lessee under a Ground Lease Agreement with the Industrial Development Authority of the City of Hampton, Virginia, dated September 1, 2002, as amended)

Signed by: Name (printed) Ryan Bordner, Its (title) Authorized Person
Signature [Handwritten Signature], Date 8/28/19
Name (printed) _____, Its (title) _____
Signature _____ Date _____
Name (printed) _____, Its (title) _____
Signature _____ Date _____

6. CERTIFICATION FOR INDIVIDUAL PROPERTY OWNERS

Complete this section only if the property owner is an individual or individuals.

"I hereby submit that I am the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."

Name(s), signature(s), and date(s) of owner(s) (attach additional page if necessary):
Name (printed) _____
Signature _____ Date _____
Name (printed) _____
Signature _____ Date _____

OFFICE USE ONLY
Application Form Narrative Statement Supplemental Form (if required)
Application Fee Survey Plat Additional materials (if required)



Supplemental Information for
Live Entertainment '2'

Complete this supplement in its entirety and submit with the completed Use Permit application form to the address below:

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Hampton, Virginia 23669

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CDD 5TH FLOOR

Case Number: UP L9-00008

1. LOT INFORMATION

Current Number of On-site Parking Spaces 332* Proposed Number of On-site Parking Spaces 332*

*Spaces in the portion of the on-site lot adjacent to the building. Additional parking is available elsewhere on the site and in the Power Plant Hampton Roads development.

2. BUILDING INFORMATION

Total Square Footage 7,374 sq. ft. Square Footage of Performance Area 170 (125 sq. ft. stage and 45 sq. ft. DJ booth)

Square Footage of Dance Floor NA Square Footage Served by Live Entertainment 8,093 (including patios)

Please attach a floor plan of the facility with all rooms labeled as to their use and square footage and showing the location of the areas designated above.

3. OPERATIONAL INFORMATION

Existing Use Restaurant Proposed Use Restaurant with live music and DJ

Proposed Type(s) of Entertainment to be Offered Live music and DJ performances inside the restaurant and on the restaurant's patio

Equipment Required for Type(s) of Entertainment to be Offered Speakers, soundboard, microphones, lighting, and related equipment.

Seating Capacity 133 (interior) 90 (patio) Length of Ownership of this Business Business: 8 years This location: 3 months

Proposed Hours of Live Entertainment:

Mon	<u>NA</u>	Tue	<u>7pm-11:59pm</u>	Wed	<u>NA</u>
Thu	<u>7pm-2am</u>	Fri	<u>9pm-2am</u>	Sat	<u>9pm-2am</u>
				Sun	<u>NA</u>

HIT Western, LLC
Use Permit Application
Live Entertainment 2
Guy Fieri's Dive & Taco Joint
1976 C Power Plant Parkway

HPP Western, LLC ("HPP") is applying for a use permit in order to provide live entertainment inside and outside of Guy Fieri's Dive & Taco Joint located at 1976 C Power Plant Parkway (formally 1974 Power Plant Parkway) in the Power Plant Hampton Roads retail center.

The Cordish Companies, through an affiliate Hampton Roads Associates BP, LLC, leases the subject property, which is part of the 16.5668 acre Bass Pro Parcel, from the Industrial Development Authority of the City of Hampton. Guy's Dive & Taco Joint and adjoining restaurants, Guy's Pizza Parlor and PBR Hampton Roads, are operated by HPP, which holds licenses from the Virginia Department of Alcoholic Beverage Control to serve beer, wine and mixed beverages on and off premises.

This past June, after a \$1.6 million dollar renovation, the old Joe's Crab Shack building was re-opened to the public as Guy's Dive & Taco Joint ("Guy's Dive"). The building, which is located at 1976 C Power Plant Parkway, is 7,374 square feet of which 3,744 square feet are open to the public (including the dining room, entryway, and restrooms). This restaurant also has outdoor patio areas totaling 4,349 square feet, all as indicated on the floor plan submitted with this application.

HPP currently has more than 80 employees working at Guy's Dive. Guy's Dive is open from 11:00 a.m. until midnight Sunday through Wednesday, and from 11:00 a.m. until 2:00 a.m. Thursday, Friday, and Saturday. Guy's Dive serves approximately 150 guests on a typical weekday and approximately 350 guests on a typical weekend.

HPP intends to feature bands on a 125 square foot stage on select evenings, typically Thursday, Friday, and Saturday's, beginning at 9:00 p.m. and continuing until closing. HPP also intends to periodically host a DJ in its 45 square foot DJ booth on select Tuesday evenings from 9 p.m. until midnight and on Thursday, Friday, and Saturday evenings until closing, when no band is playing. The music will be played inside of Guy's Dive and on speakers in the outdoor patio areas. The facility does not have a dance floor, and HPP does not intend regularly to remove or reconfigure seating during live entertainment.

Given the location of this restaurant, which is adjacent to Guy's Pizza Parlor & PBR Hampton Roads, in a large retail center that backs up to Bass Pro Lake and Interstate 64, there should be limited impact on any other businesses or residents from the proposed use. There are no residential units in Power Plant Hampton Roads. Moreover, if the proposed live entertainment brings additional guests and traffic to Power Plant Hampton Roads, there is easy vehicular access via Power Plant Parkway and ample parking in the center's shared lots for all of the businesses (including 332 parking spaces in the portion of the lot nearest to Guy's Dive). Further, noise from the live entertainment should have little or no impact given that (1) the volumes will be relatively modest; (2) the closest businesses to Guy's Dive have similar uses; and (3) any music played externally will be played in the outdoor patio areas, which adjoin Bass Pro Lake and Interstate 64.

EXHIBIT A

METES AND BOUNDS DESCRIPTION
16.5668 ACRE PARCEL OF LAND
Bass Pro Parcel
CITY OF HAMPTON, VIRGINIA

BEGINNING FOR THE SAME at a concrete VDOT monument on the Westerly right of way line of Pine Chapel Road and the Southerly right of way line on Interstate Route 64, thence binding on the Westerly right of way of Pine Chapel Road, the following three (3) courses and distances, viz:

- 1) S 34° 19' 25" W, 331.47',
- 2) S 38° 14' 43" W, 281.86'
- 3) Southwesterly by a curve to the right having a radius of 597.00', an arc length of 121.38', subtended by a chord of S 44° 04' 12" W, 121.18', thence running for new lines of division, the following two (2) courses and distances, viz:
 - 4) N 56° 00' 50" W, 415.78',
 - 5) S 34° 00' 50" W, 95.87', thence binding on the Northerly right of way line of Power Plant Way,
- 6) Northwesterly by a curve to the left, having a radius of 1,120.00', an arc length of 552.21', subtended by a chord of N 45° 23' 16" W, 546.63', thence leaving the right of way line of Power Plant Way and running for new lines of division, the following nine (9) courses and distances, viz:
 - 7) N 30° 27' 39" E, 87.35'
 - 8) N 81° 36' 28" E, 218.44'
 - 9) N 17° 04' 16" E, 47.00'
 - 10) N 72° 55' 44" W, 57.67'
 - 11) N 11° 17' 53" E, 48.81'
 - 12) N 29° 10' 17" E, 114.22'
 - 13) S 72° 55' 44" E, 38.64'
 - 14) N 17° 04' 16" E, 38.32'
 - 15) N 41° 20' 59" E, 352.66', thence binding in the Southerly right of way line of Interstate Route 64, the following two (2) courses and distances, viz:
 - 16) Southeasterly by a curve to the left, having a radius of 7,769.44', an arc length of 719.57', subtended by a chord of S 51° 18' 13" E, 719.30',
 - 17) S 43° 36' 20" E, 154.16' to the POINT OF BEGINNING.

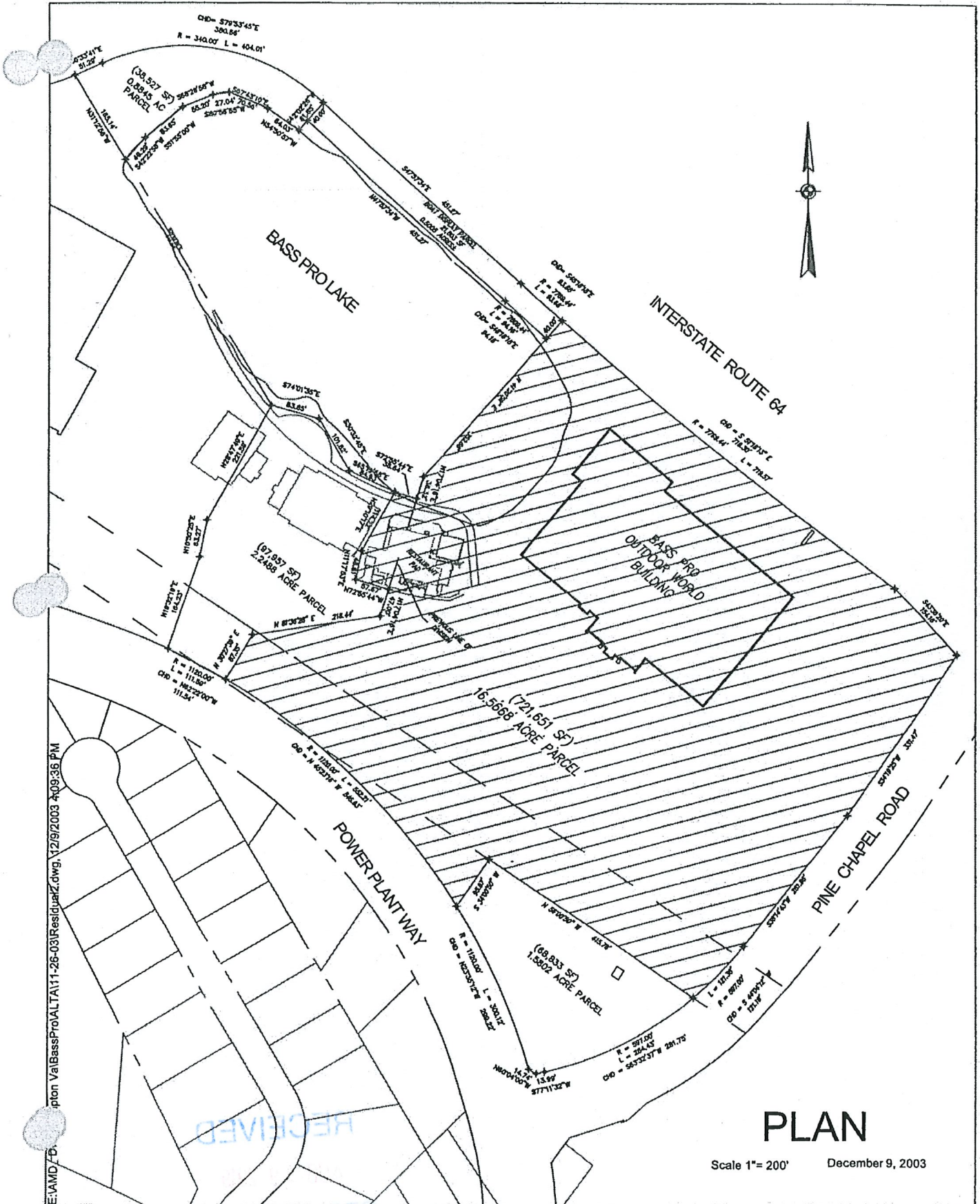
CONTAINING 16.5668 ACRES (721,651 SQ.FT.) OF LAND more or less.

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ROOM 811 FLOOR

Page 1 of 2

Exhibit B

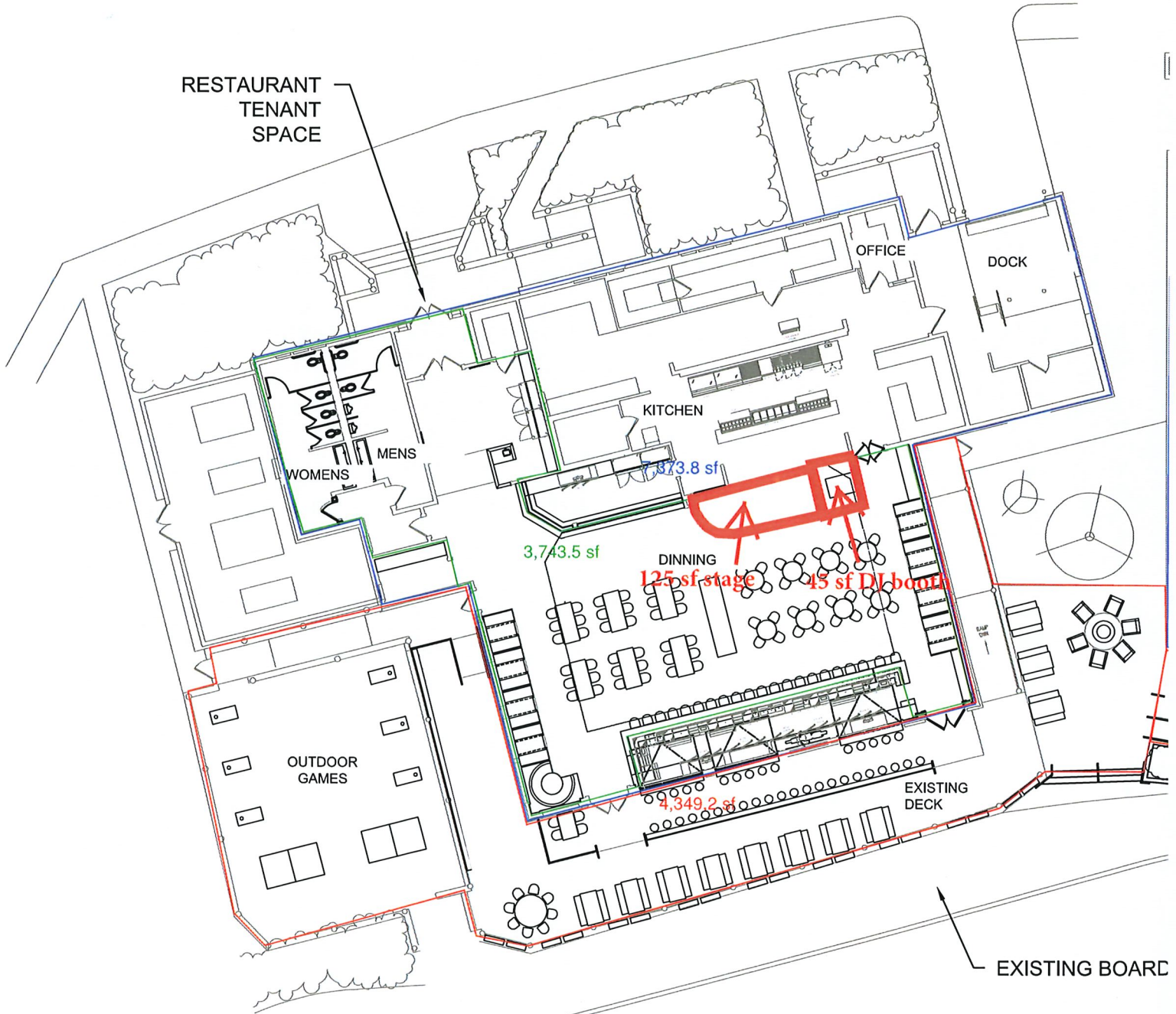


PLAN

Scale 1"= 200' December 9, 2003

← EXISTING PARKING LOT →

Guy Fieri's Dive & Taco Joint



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SITE PLAN
SCALE $\frac{1}{16}'' = 1'-0''$



← EXISTING LAKE →