

STAFF EVALUATION

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Case No.: Use Permit Application #21-00021
Planning Commission Date: December 16, 2021
City Council Date: January 20, 2022

General Information

Applicant Terry Riddick

Property Owner Mercury Boulevard Center, LLC

Location 1025 N. King Street [LRSN 8000660]



Requested Action Application to operate a private club/lodge, which is permitted in Limited Commercial (C-2) District, subject to an approved use permit.

Description of Proposal Best Kept Secret – Stop the Violence is a charity, fundraising organization that advocates for at risk youth. Their stated mission is to keep youth focused on education and to help them make the right decisions, encouraging them to choose better alternatives to gang activities. Daily activities of the facility include mentoring and counseling young people as well accepting donations and distributing resources. In addition, the applicant intends to host fundraising events, primarily on the weekends. Examples of fundraising activities and events include Christmas toy drive and giveaway, charity donation drives, and fundraising dinners. The daily activities by themselves could be classified as an office use; however, the proposed fundraising events as described by the applicant has been determined to function as a private club/lodge. Said events could include such activities as food and drink service, live music, dancing, raffles, etc., which are similar to common activities of a private club/lodge. Proposed hours of operation provided by the applicant are: 9:00 AM to 5:00 PM, daily, for main office hours and youth programs and activities; and 7:00 PM to 11:30 PM, Friday, and 1:00 PM to 11:30 PM, Saturday, for fundraising events/activities. Routinely,

there are 1 to 10 people on site during the week with up to 75 people on the weekends.

Existing Land Use

Commercial building; formerly a restaurant

Existing Zoning

Limited Commercial (C-2) District



Surrounding Land Use and Zoning

- North:** Limited Commercial (C-2) – shopping center
- South:** Limited Commercial (C-2) – vacant
- East:** Multiple Dwelling 3 (MD-3) – age restricted apartments
- West:** Limited Commercial (C-2) – parking lot

Public Policy





The Hampton Community Plan (2006, as amended) provides goals, objectives, and policies for the future of Hampton, which includes recommendations for appropriate land uses. Land use recommendations for the subject is commercial.

The Plan defines commercial land use as “mercantile uses serving neighborhood, community, and regional areas, including retail, food, lodging, personal services, and offices.”

Additional applicable policies from the Community Plan include:

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.)

Traffic Impact/Parking

Based on the proposed use, the traffic expected is minimal. Based on the 2018 Building Code, the maximum capacity would be limited to 25 persons. Per the Zoning Ordinance, a minimum of six (6) parking spaces are required for the proposed use and adequate off-street parking is provided on site. There is an opportunity for additional parking through a cross access easement as two (2) adjacent properties are under common ownership.

Community Meeting

A community meeting was held by the applicant on November 30, 2021.

Analysis

On July 14, 2021, City Council approved a use permit (UP 21-00005) by the same applicant, Terry Riddick, for the same use, private club/lodge, at a nearby but different location: 20 W. Mercury. The current proposal would essentially be the same operation, a fundraising and charity organization, at the new subject site: 1025 N. King Street. The previous application was heard by the Planning Commission on June 17, 2021. The proposal is a charity organization, Best Kept Secret – Stop the Violence, for the purpose of hosting programs and fundraising events to benefit young people. Proposed events could include such activities as dinners, live music, dancing, raffles, etc., which are similar to common activities of a private club/lodge. Per the submitted floor plan, the activities and events described by the applicant will take place in the open floor area. Based upon the activities that would occur on site according to the applicant's description, the use has been determined to be a private club/lodge. Per the Zoning Ordinance, a private club/lodge is permitted in Limited Commercial (C-2) Districts, subject to securing an approved use permit.

The applicant has indicated the general hours of operation would be from 9:00 AM to 5:00 PM, daily, for main office hours and youth programs and activities; and 7:00 PM to 11:30 PM, Friday, and 1:00 PM to 11:30 PM, Saturday, for fundraising events/activities. Staff proposes to expand the hours of operation to be consistent with other private clubs/lodge applications. Staff recommends the hours of operation be limited as follows:

- o Sunday – Thursday: 8:00 AM until 12:00 AM
- o Friday – Saturday: 8:00 AM until 2:00 AM

Per the applicant, up to 10 people would routinely be on site during the week; however, fundraising events could include up to 75 people on the weekends. Currently, there is only one (1) unisex restroom, which based on the 2018 Building Code would limit the maximum capacity to 25 persons. If an additional restroom is added, the maximum capacity could then be re-evaluated; however, the Building Official estimates the maximum capacity could only be increased to approximately 50 persons. Staff is recommending a condition that limits the number of people to the building capacity as determined by the Building Official.

Per the Zoning Ordinance, a minimum of six (6) parking spaces are required for the proposed use. Adequate off-street parking is provided on site. Although not needed, additional parking could be provided on two (2) adjacent parcels through a cross access easement as the parcels are under common ownership.

Regarding City policy on this type of use, one of the visions set out in the Hampton Community Plan (2006 as amended) 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". Additionally, the Plan 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. The future land use plan recommendation from the Plan is Commercial. Staff believes the proposed private club/lodge facility would be an acceptable use and would be compatible with the surrounding commercial uses; and thus, consistent with the Hampton Community Plan.

Staff proposes twelve (12) conditions be attached to approval of the application. These conditions address the issuance of permit, hours of operation, capacity, security, and sound; as well as potential live entertainment and gaming operations, and third party events. These conditions are similar to those attached to the previously approved use permit for this operation at 20 W. Mercury Blvd (UP 21-00005). A community meeting was held by the applicant on November 30, 2021; two (2) citizens were in attendance. With the proposed conditions in place, staff believes the proposed private club/lodge would be appropriate for this location.

Staff Recommendations: Approval of Use Permit Application No. 21-00021 with twelve (12) conditions.