

Use Permit Application No. 26-0039

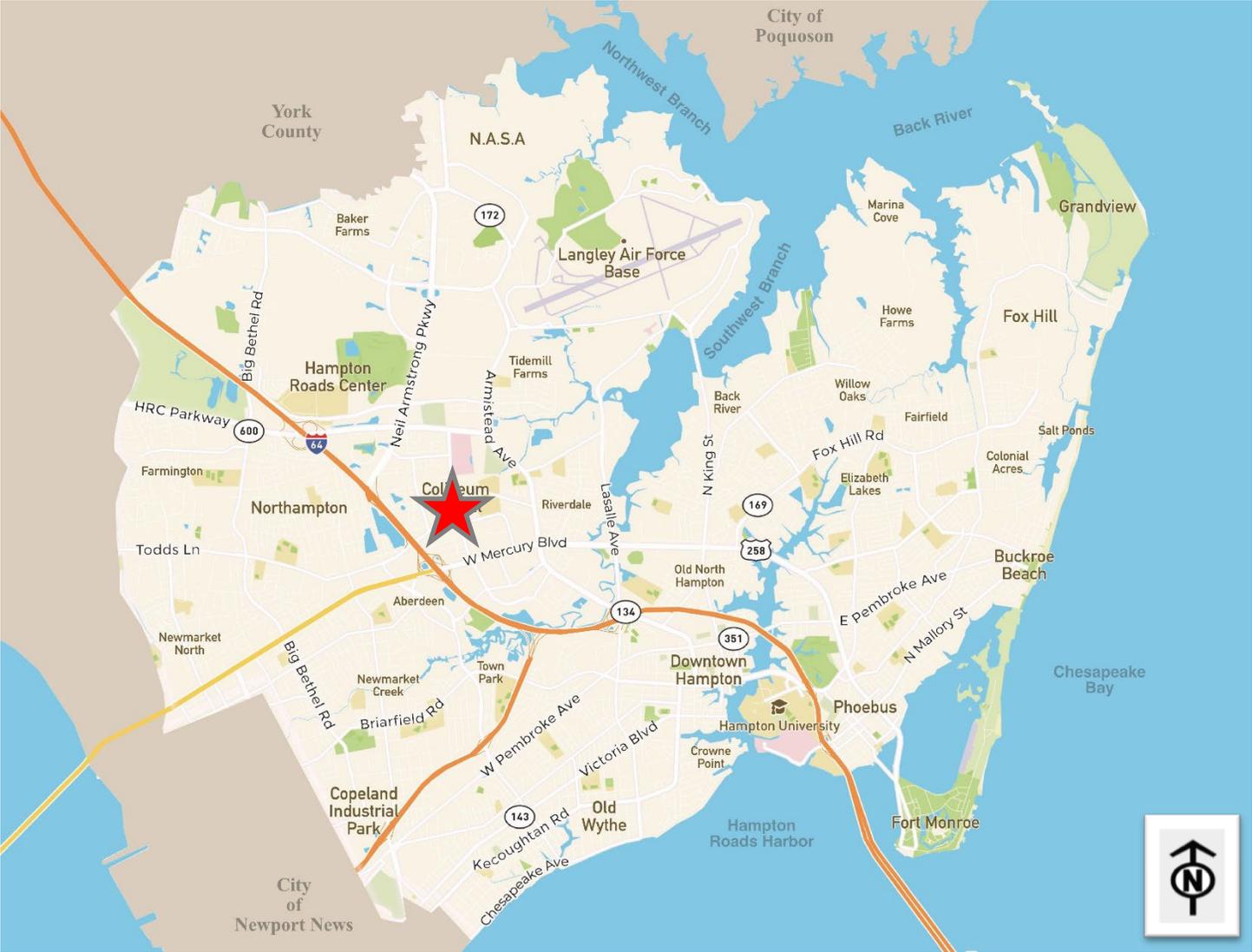
2163 & 2165 Cunningham Dr
Southern Comfort Restaurant & Lounge

Planning Commission
February 19, 2026

Application

Use permit to amend hours and security requirements of previously approved restaurant 3 Use Permit, in the Limited Commercial (C-2) & Coliseum Central Overlay (O-CC) Districts

Location Map



Location Map



History

September 9, 2020

- Southern Comfort Restaurant & Lounge obtained ownership for the restaurant
- Southern Comfort Restaurant & Lounge received a ZAP for “Restaurant with Retail Alcoholic Beverage License” subject to standard ZAP conditions:
 - Hours of Operation:
 - Daily 6:00 AM to 10:00 PM
 - Sound
 - Live Entertainment
 - Zoning Ordinance compliance
 - Expiration
 - Revocation

This ZAP predates the Restaurant 1,2,3 Ordinance update

History

September 29, 2025

- Southern Comfort Restaurant & Lounge received a ZAP for “Restaurant 2” subject to standard ZAP conditions:
 - Hours of Operation:
 - Daily 5:00 AM to 12:00 AM
 - Compliance with all laws, including ABC licensing
 - Floor Plan
 - Live Entertainment
 - Any applicable outdoor dining
- The ZAP’s purpose is to extend the hours of operation to 12 AM pending the Restaurant 3 Use Permit

History

December 10, 2025

- Southern Comfort Restaurant & Lounge received a Use Permit to operate as a restaurant 3 with hours extending until 2 am on a limited schedule and allowed for live entertainment.
- Hours of Operation:
 - Daily 5:00 AM to 12:00 AM Sunday – Thursday
 - 5:00 AM to 2:00 AM Friday – Saturday and Holidays
- Compliance with all laws, including ABC licensing
- Floor Plan
- Live Entertainment
- Any applicable outdoor dining

Applicant Proposed Hours of Operations

Proposed:

- Monday - Sunday, 11:00 AM to 2:00 AM

Existing Approved:

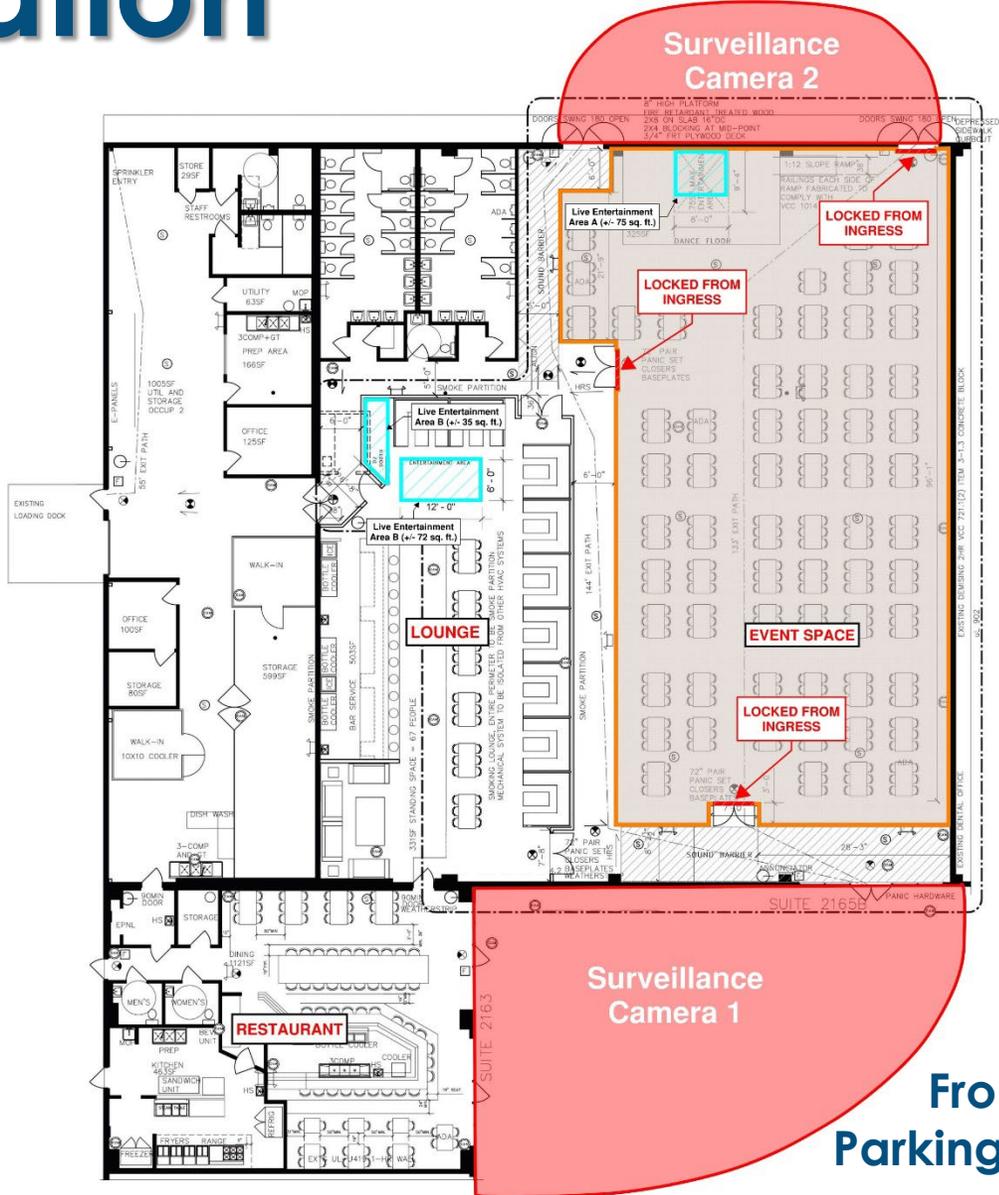
- Sunday-Thursday 11:00 AM to 12:00 AM
- Friday-Saturday 11:00 AM to 2:00 AM
- 11:00 AM to 2:00 AM on the holidays list as indicated in the Conditions

Applicant Proposed Security Amendment

Security:

- To reduce the number of required security personnel required on nights when the event space is not in use.
- The event space will operate on an as needed basis, and access would be restricted to the event space when it is not in use.
- Interior security personnel requirement is based on total occupancy allowance for restaurant/lounge and event space used collectively or separately at a ratio of 1 security personnel to 100 patrons. All exterior security requirements would remain the same as the previously approved Use Permit No 25-0285.

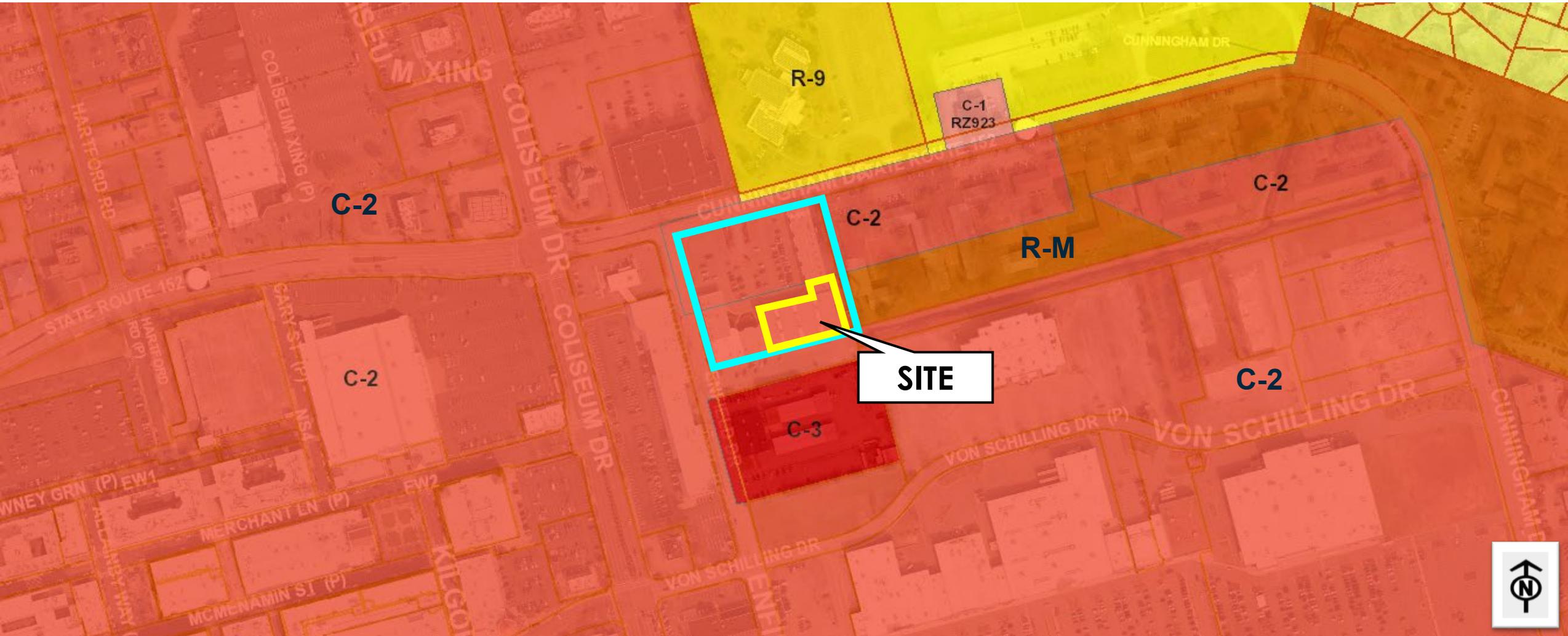
Proposed Separation Rear



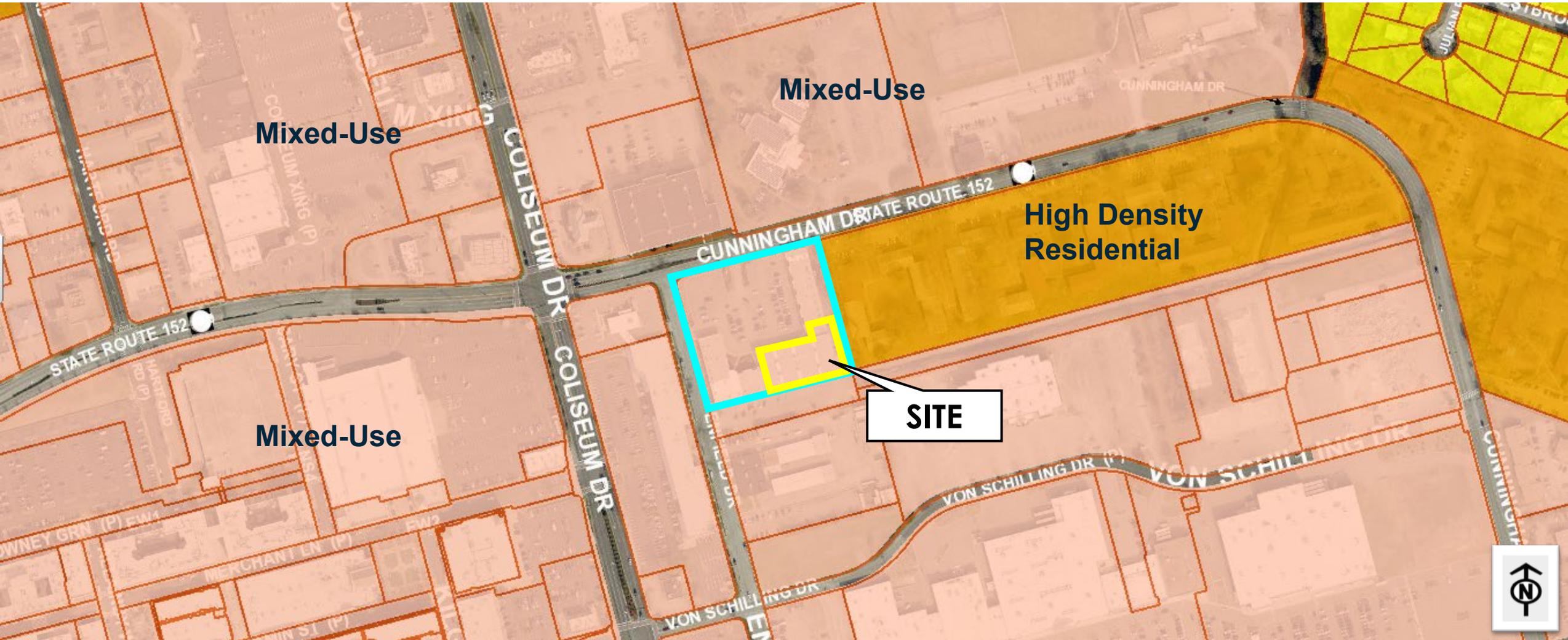
ENFIELD DR

Front & Parking Lot

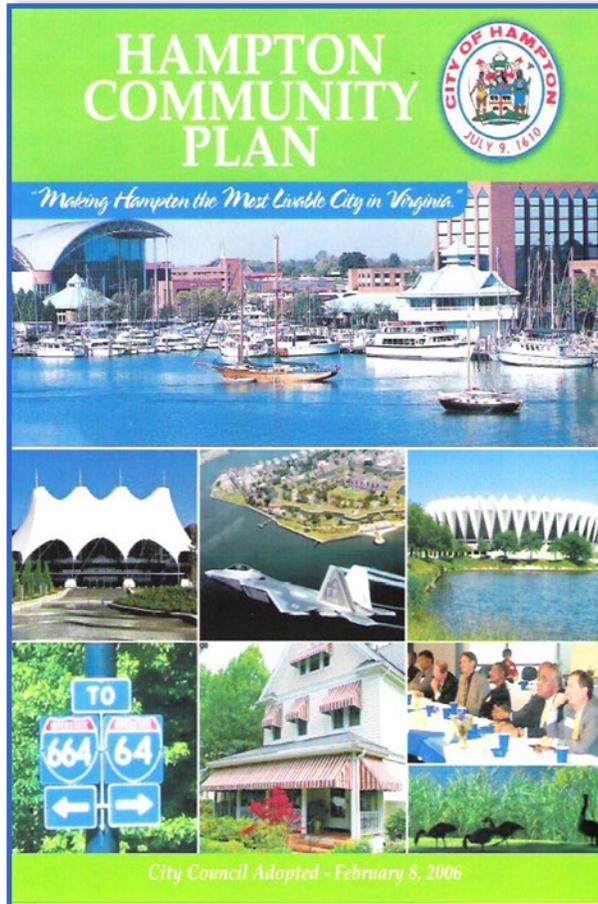
Zoning Map



Proposed Land Use Map



Public Policy



- **LU-CD Policy 3:** Promote compatibility and synergy among different land uses.
- **LU-CD Policy 31:** Encourage a mix of land uses that is appropriate for each district.
- **ED Policy 4:** Nurture small and start-up businesses.
- **ED Policy 6:** Expand tourism, entertainment, and cultural opportunities within the city.

Hampton Community Plan (2006, as amended)

Coliseum Central Master Plan (2015, as amended)

Analysis

- Applicant has requested the maximum hours of operation compared to those approved for other Restaurant 3 uses
- Staff recommended condition for hours of operation would balance business operation with public safety concerns
- Existing location and the character of the surrounding area supports the restaurant operation

Staff Recommended Conditions

- **General Hours of Operation:**
 - Sunday – Thursday 11:00 AM to 12:00 AM
 - Friday – Saturday 11:00 AM to 2:00 AM
 - 11:00 AM to 2:00 AM on the holidays list as previously approved in UP25-0285
 - The key staff recommended conditions address the following topics:
- Specific Locations of Indoor Live Entertainment as indicated in the Conditions
- Window Transparency/Privacy
- Certification of Occupancy
- Third Party Promotions Prohibited
- Criminal Investigations
- ABC Licensing & Expiration
- Compliance with Laws
- Revocation & Nullification

*Complete List of Recommended Conditions found in the Package

Security Conditions

- Applicant is responsible for monitoring:
 - the parking areas for the Restaurant, and
 - on any portion of public property immediately adjacent to the Restaurant premises and parking areas
- Seven (7) total security guards are required on-site from 10:30 PM to 30 min after closing:
 - Five (5) security guards (1 per 100 patrons) are required interior and front door
 - Two (2) additional security guards are required to monitor the parking lot
- Two (2) extra duty HPD officers on nights operating until 2:00 AM, from 10:30 PM to 2:30 AM
- All security personnel has to be certified by the Virginia Department of Criminal Justice Services (VDCJS)

*Complete List of Recommended Conditions found in the Package

Security Conditions (cont.)

- Two (2) exterior cameras for the purpose of effectively monitoring the entryways and shall be connected to HPD Real Time Information Center (RTIC)
- ID scanner for the purpose of verifying the age of all patrons from 8:00 PM to closing and information shall be retained for a minimum of seven (7) days
- Any criminal activity observed by Restaurant staff or security personnel shall be reported to the Hampton Police Division

*Complete List of Recommended Conditions found in the Package

Community Meetings

- Previous community meetings were held on August 7, 2025 and August 27, 2025
- A community meeting was held on February 16, 2025

Conclusion

- Applicant opportunity to present
- Public hearing
- Action
 - Staff recommends **Denial** of the amended Use Permit Application No.26-0039 and uphold the approved Use Permit Application No.25-0285 with fourteen (14) conditions