

AT A PUBLIC HEARING IN A REGULAR MEETING OF THE HAMPTON PLANNING COMMISSION HELD IN THE CITY COUNCIL CHAMBERS, CITY HALL, HAMPTON, VIRGINIA, ON THURSDAY, DECEMBER 20, 2018 AT 3:30 P.M.

- WHEREAS:** the Hampton Planning Commission has before it this day a request by Bowman's Soul-N-The-Wall to permit Live Entertainment 2 in conjunction with a restaurant at 1899 N Armistead Avenue, which is at the corner of N Armistead Avenue and Pine Chapel Road [LRSN: 7001182];
- WHEREAS:** the subject property is currently zoned Neighborhood Commercial (C-1) District with proffered conditions which allows for live entertainment in conjunction with a restaurant subject to an approved use permit;
- WHEREAS:** the Hampton Community Plan (2006, as amended) designates the future land use of the subject property and much of the surrounding area as mixed-use development;
- WHEREAS:** residential uses are recommended for properties to the east of the subject property, across Armistead Avenue;
- WHEREAS:** additional land use recommendations from the Coliseum Central Master Plan (2015, as amended) recommends the subject site remain as commercial;
- WHEREAS:** the restaurant Bowman's Soul-N-The-Wall, occupies 2,800± square feet. If approved, the use permit would only apply to the retail space currently leased by Bowman's Soul-N-The-Wall;
- WHEREAS:** there are several conditions recommended to be attached to this application, including conditions related to building capacity, sound volume, staffing, and adherence various state and city codes and ordinances;
- WHEREAS:** Staff recommended a condition limiting the live entertainment hours to 11AM-11PM Sunday through Thursday and 11AM-1AM Friday and Saturday, which is consistent with other use permits for similarly situated properties;
- WHEREAS:** instead of the hours recommended by staff, Planning Commission recommends hours of operation from Sunday through Thursday: 11AM-12AM and Friday and Saturday 11AM-2AM. Staff has no issue with the recommended change; and
- WHEREAS:** one (1) member of the public spoke for this proposal.

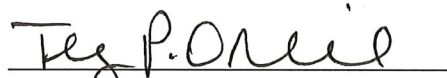
NOW, THEREFORE, on a motion by Commissioner Steven Brown and seconded by Commissioner Mary Bunting,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Use Permit Application No. 18-00012, subject to twelve (12) conditions, with an amendment to staff recommended condition number three (3) to allow hours of operation from Sunday through Thursday: 11AM-12AM and Friday and Saturday 11AM-2AM.

A roll call vote on the motion resulted as follows:

AYES:	Coleman, Kellum, Southall, Brown, Bunting, Carter
NAYS:	None
ABST:	None
ABSENT:	Garrison

A COPY; TESTE:



Terry P. O'Neill
Secretary to the Commission