

Conditional Privilege Application #93

1565 Briarfield Road



Proposal

Request Live Entertainment @ Restaurant

PROJECT COMPONENTS	Existing Restaurant Use	Proposed Live Entertainment	Staff Recommendation if Approved
Building Capacity	118	118	118
Parking Spaces	41	41	52 (42 restaurant requirements+ 10)
Hours of Operation	Monday-Saturday :6:30am-1am Sunday:8am-9pm	Wednesday. :6pm-9pm Friday: 9pm-2am Saturday: 9pm-2am	Wednesday :6pm-9pm Friday: 9pm-1am Saturday: 9pm-1am
Entertainment Activities	pool/jukebox/lottery machine	DJ/band/karaoke	DJ/band/karaoke
Location of Entertainment	Indoor	Indoor	Indoor
Size	3920 square feet	20 square feet	Marked area

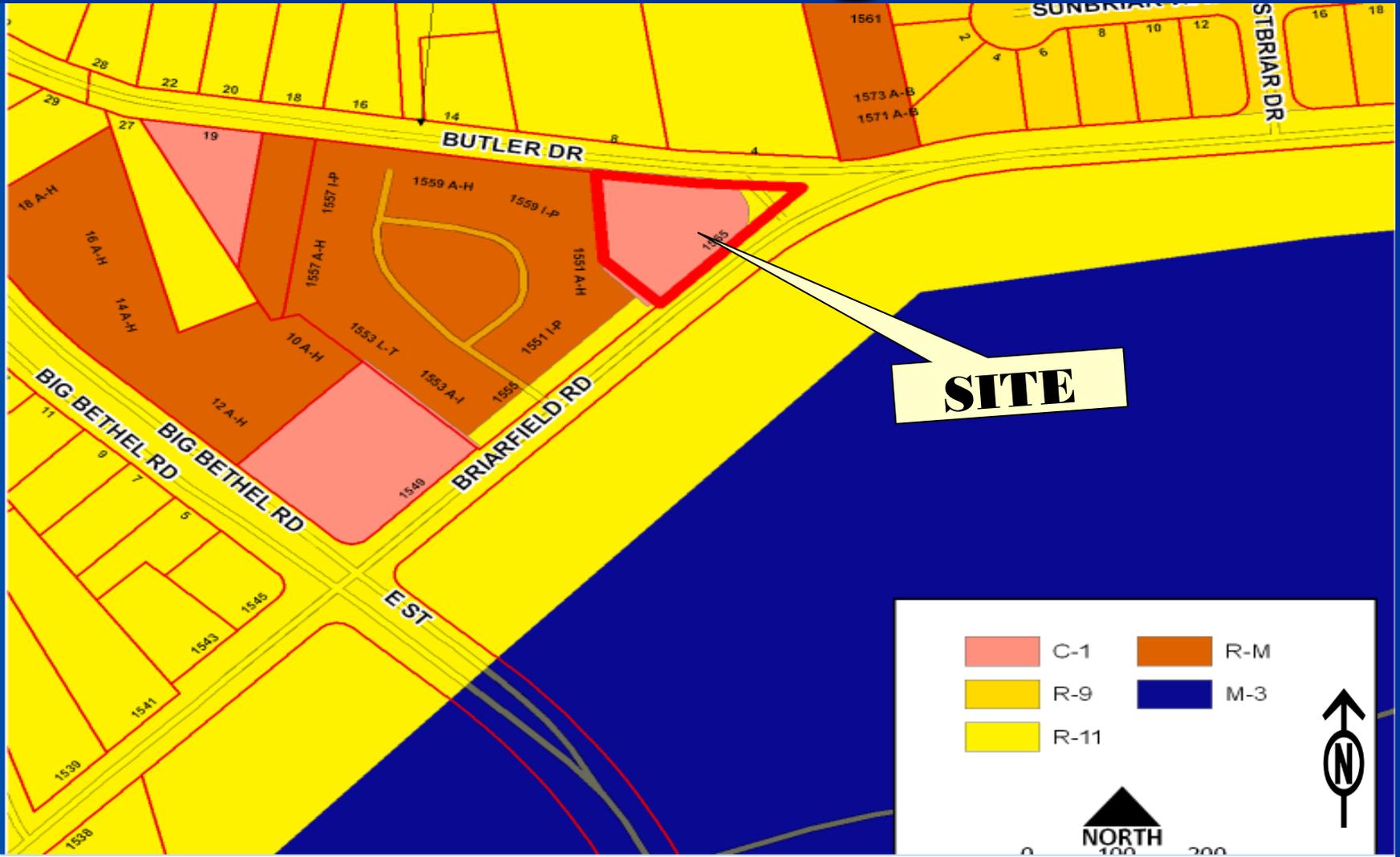
General Location



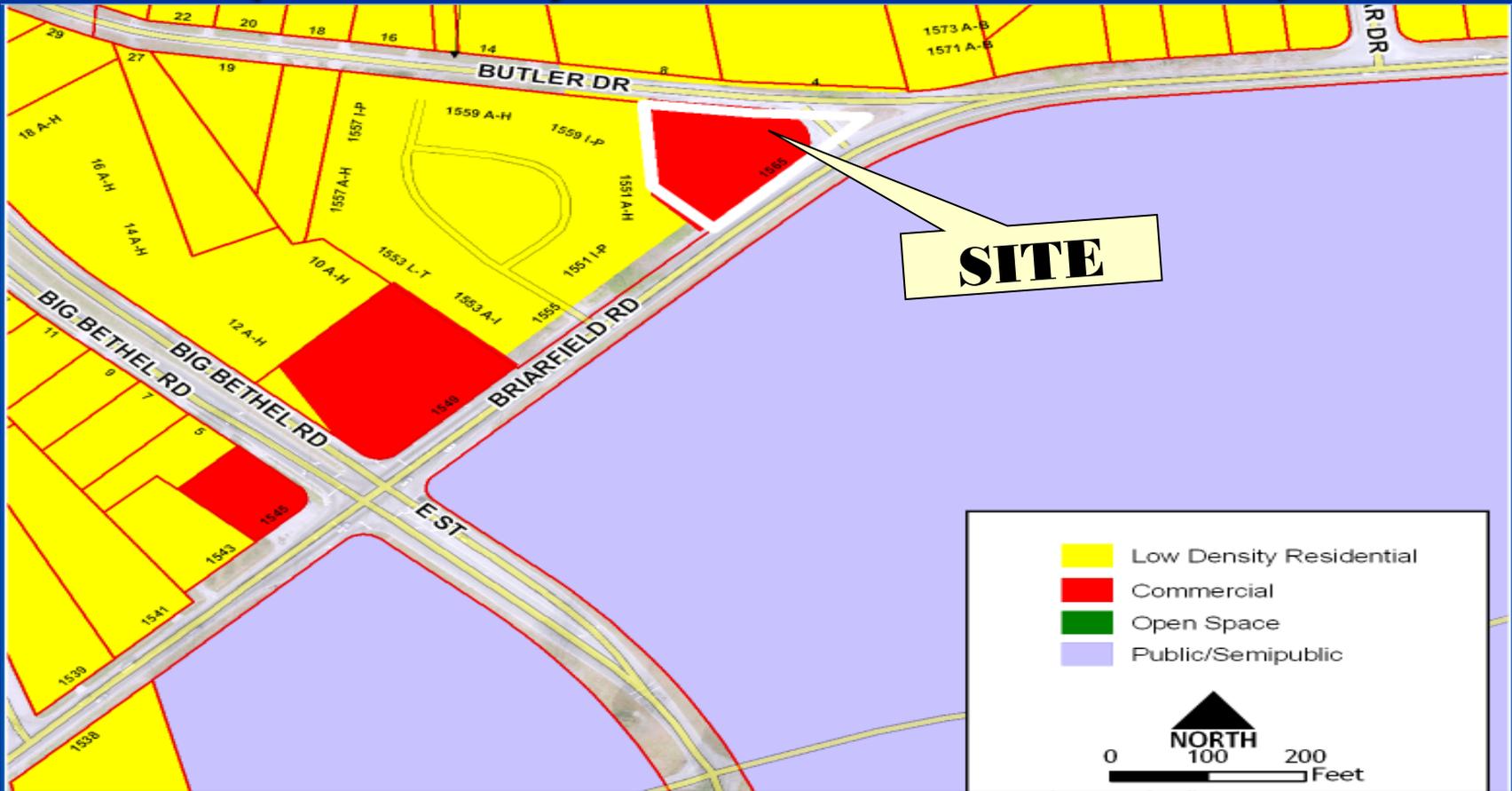
Background

- Use Permit #245 granted in March 1971
- Mallory family sold restaurant April 2007
- Cited by Codes for operating without Permit
- Granted 1-time Temporary Permit for Live Entertainment March 2008

Zoning



Hampton Community Plan (2006, as amended)



Public Safety

HAMPTON LIVE ENTERTAINMENT VENUES: 1 Year Recorded

NAME	ADDRESS	ZONING	COMPLAINTS (types)	# INCIDENTS
Restaurant A	Residential	C-1	intoxication, larceny, vehicle window shot, auto accident, fight	11
Restaurant B	Shopping Center/residential	C-1	public nuisance, vandalism, fight, gun, intoxication, stolen car	97
Restaurant C	Retail Strip Center	C-1	larceny, fight, disorderly conduct, gun, lacerations	33
Restaurant D	Residential	C-1	public nuisance, disorderly conduct, boat in distress,	17
Restaurant E	Shopping Center	C-2	Gun activity burglar alarm	9
Restaurant F	Residential	C-2	intoxication, suicide, domestic assault, fight, stolen car, assault	37

Police Incidents

- Fighting in parking lot
- Public Intoxication (drunkenness)
- Larceny
- Domestic dispute

Community Meeting

- 18 attendees on 6/3/08
- Concerns raised
 - Noise: impacted preparation/rest for work
 - Public nuisance
 - Build up of trash in parking lot near apartments
 - Public drunkenness
 - Late Hours of operation: impacted preparation/rest for work
 - Parking
 - Potential for increased crowd with additional use
- Applicant would be willing to address some concerns raised

Recommendation

- Staff recommends denial of CP #93
 - Not a designated commercial node
 - Parking concern
 - Past incidents