



Legislation Details (With Text)

**File #:** 22-0080      **Version:** 1      **Name:** UP21-00019 9 S. Mallory St  
**Type:** Use Permits      **Status:** Passed  
**File created:** 1/27/2022      **In control:** City Council Legislative Session  
**On agenda:** 2/9/2022      **Final action:** 2/9/2022  
**Title:** Use Permit Application by William A. Comer Jr., Representing the Establishment 1865 Brewing Company, to Permit the Operation of a Microbrewery with Live Entertainment 2 at 9 S Mallory Street [LRSN: 12001371]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Conditions, 2. Application, 3. Staff Report, 4. Presentation

Date	Ver.	Action By	Action	Result
2/9/2022	1	City Council Legislative Session	approved	Pass

Use Permit Application by William A. Comer Jr., Representing the Establishment 1865 Brewing Company, to Permit the Operation of a Microbrewery with Live Entertainment 2 at 9 S Mallory Street [LRSN: 12001371]

**Background Statement:**

This is a request to allow for a micro-brewery with live entertainment 2. The subject property is within the Phoebus urban core along South Mallory Street, sited next to the Phoebus Public Library and adjacent to the Phoebus public parking lot. The establishment has been operating since March 2021 as 1865 Brewing Company.

The use of micro-brewery was initially established under a Zoning Administrator Permit (ZA21-00001) which is an administrative permit for uses typically approved under the use permit process, and which contain conditions which restrict hours of operation. Additionally, two other Zoning Administrator Permits were acquired by this establishment, ZA21-00009 and ZA21-00011, which permit the accessory uses of live entertainment 1 and outdoor dining, respectively. Currently, the hours of operation for the micro-brewery are limited to 6:00 AM to 10:00 PM.

The Hampton Community Plan (2006, as amended) recommends mixed use for this property and most of the Phoebus urban core. The Plan emphasizes nurturing Hampton’s small businesses as well as fostering the successful redevelopment of well-situated vacant and underutilized commercial properties. Further, the subject property is also within the Phoebus Master Plan (2007, as amended) Initiative Area 3: Mallory Street. This initiative area recommends development and redevelopment of structures with commercial and mixed-uses.

**Recommendations:**

Staff Recommendation:  
Approve with 12 conditions

Planning Commission Recommendation:  
Approve with 12 conditions