



Legislation Text

File #: 19-0004, **Version:** 1

Use Permit Application No. 18-00007 by Colonial Downs Group, LLC to Permit an Amusement Center for an Indoor Off-Track Betting Horse Racing Facility at 1990 to 1996 Power Plant Parkway [LRSN 13001056, portion]

Background Statement:

Use Permit Application No. 18-00007 is a request for an amusement center for an off-track betting horse racing facility. In conjunction with the use permit, the applicant is proposing a full service restaurant. The subject property is located at 1990 to 1999 Power Plant Parkway [LRSN 13001056, portion], which is the former NASCAR Grill and Lucky's restaurants in the Power Plant of Hampton Roads Shopping Center.

The proposed business is called Colonial Downs & Rosie's. The applicant is proposing to provide a satellite betting facility with simulcast horse racing for the purpose of pari-mutuel wagering of historical horse races. Pari-mutuel wagering allows an individual to bet on specific races where the payout is based upon the type of bet and the pool of money collected from all betters of the race.

The applicant plans to renovate and expand the former NASCAR Grill and Lucky's restaurants which include roughly 15,800 SF, as well as construct an addition on the western side of the former NASCAR Grill building. The building addition will be approximately 22,580 SF. In total, the facility will be approximately 38,380 SF. The facility will feature a full service restaurant that is approximately 2,470 SF and an off-track horse racing betting facility that will allow patrons to bet on randomized historical horse races that have previously occurred worldwide. The off-track betting facility will include a maximum of 700 historical horse racing electronic gaming devices similar to what one may see in a casino. Contrasting to live betting where participants know the horses and conditions involved, the historic betting machines are based on historic races but the participants are unaware of many race details such as jockey, horse names, and track, which might identify the specific race.

The applicant's requested hours of operation for the facility are from 8AM until 2AM Sunday through Saturday. In the future, the applicant may desire twenty-four hour operations depending upon market demands; however, through the Use Permit conditions staff recommended more limited hours to Planning Commission. Those hours include: Sunday through Wednesday: 8AM-12AM and Thursday through Saturday: 8AM-2AM. This is a unique use being proposed so staff based its initial recommendation on restaurants with live entertainment that are situated similarly.

The subject site is zoned Limited Commercial (C-2) District with proffered conditions; which in this case permits amusement centers subject to an approved Use Permit. The subject property was rezoned (RZ1062 with conditions) in 1997 from R-11 to C-2 for a regional scale retail/mixed-use development.

The Hampton Community Plan (2006, as amended) recommends mixed use development for the subject property and much of the surrounding area. The policies in the City's comprehensive plan

related to this request signify the importance of making Hampton a unique regional retail, tourism, and entertainment destination, by supporting the City's economic development priorities. Additional policy guidance comes from the Coliseum Central Master Plan, (2015, as amended), which recommends promoting the Power Plant Parkway initiative area as the location for destination and larger format retail uses, continue reinvestment in existing retail centers, and treating the character of driveways within retail centers like streets, and providing appropriate landscaping, sidewalks, and crosswalks.

Planning Commission voted to recommend extending week day hours to 2AM. Staff sees no issue with this proposed change.

Recommendations:

Staff Recommendation:

Approve Use Permit No. 18-00007 with seventeen (17) conditions, with an amendment to staff-recommended condition number nine (9) to allow hours of operation from 8AM-2AM daily.

Planning Commission Recommendation:

Approve Use Permit No. 18-00007 with seventeen (17) conditions, with an amendment to staff-recommended condition number nine (9) to allow hours of operation from 8AM-2AM daily.