



## CITY COUNCIL AGENDA SUMMARY/STAFF REPORT

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**MEETING DATE:** February 15, 2023

**PREPARED BY:** Otis T. Spriggs, AICP, Director of Development Services

**AGENDA CONTENT:** Conduct a public hearing, discussion, and take possible action on an application for a **Special Use Permit (SUP)** pursuant to Sec. 28-63 of the Code of Ordinances to consider a request submitted by Why Not Bingo, LLC, to allow for a Specific Use Permit for a Bingo facility at property located at 1040 S. Velasco St., Angleton, TX.

**AGENDA ITEM SECTION:** Public Hearing and Action Item

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**BUDGETED AMOUNT:** N/A

**FUNDS REQUESTED:** N/A

**FUND:** N/A

**EXECUTIVE SUMMARY:** Adam Wise, Why Not Bingo, LLC is requesting consideration of a Specific Use Permit for a Bingo Hall at the property located at 1040 S. Velasco St., Angleton, TX., within the Light Industrial District (LI).

### **PROPERTY HISTORY:**

The subject property was annexed into the city limits on November 5, 1976, as part of a mass annexation, inclusive of 911.55+/- acres. The facilities was formally known as Angleton Lanes filed under Brazosport Bowl LTD as early as 1986. Later it was known as Angleton Lanes Amen Billiards. The bowling alley and accessory uses are now operating under Ten Pin Entertainment since 2019.



*Aerial View of Site*



*View looking northwest at Subject property*

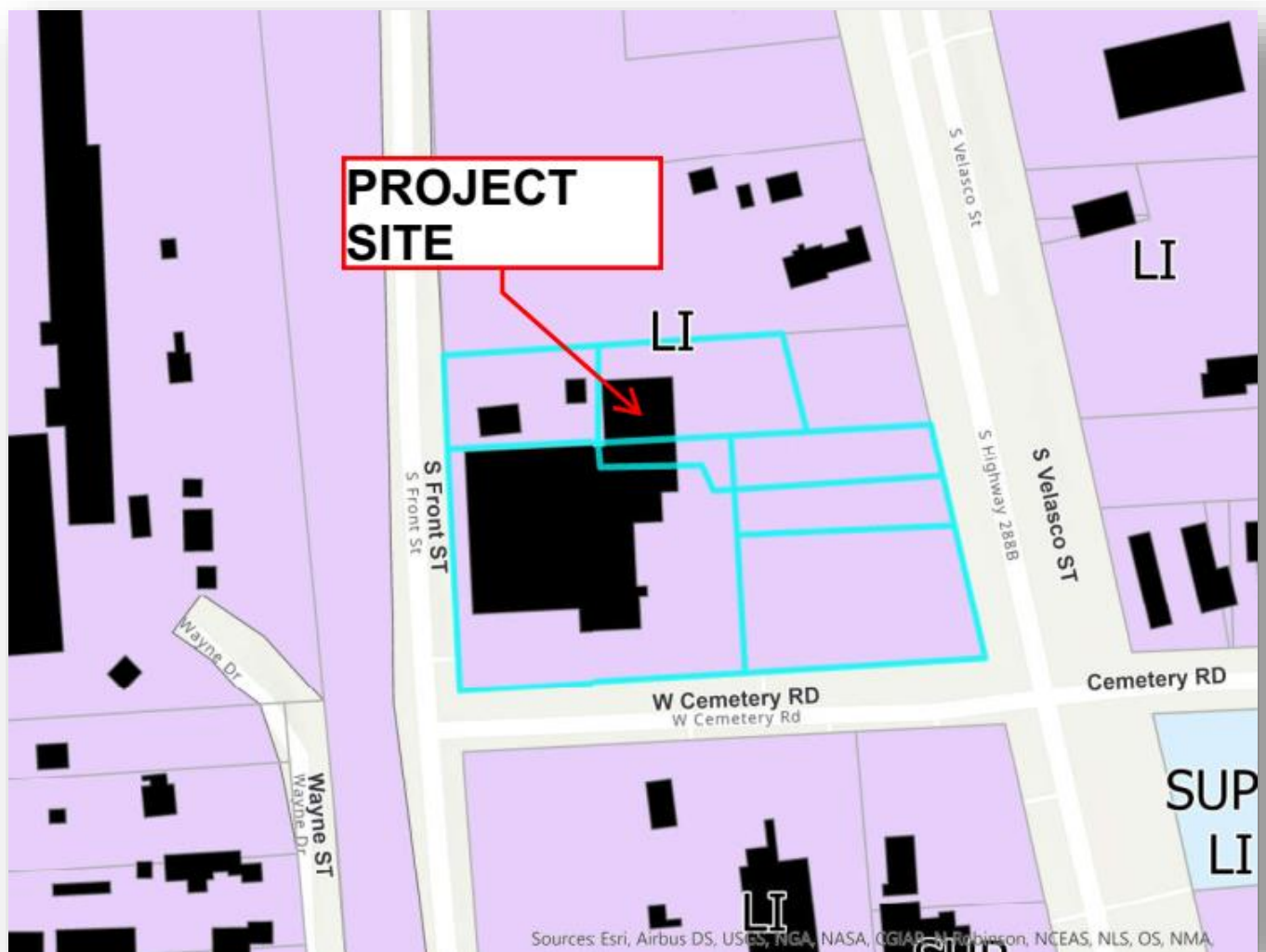


*View from Cemetery Road looking north at the Subject property*



*View from Business 288 looking west at neighboring business to the North*

A D.A.W.G. working group meeting was held on January 4, 2023. The applicant described the space as 7,500 sq. ft. in area. Business hours will be from 4:00 PM to 11 PM, 6 days per week; Sundays hours will be from 10:00 AM to 3:00 PM. The space was previously used as a ballroom. There will be some lighting upgrades. The owner will utilize the food service that is already present.



**Zoning & Vicinity Map**



## STAFF ANALYSIS:

Bingo Hall/Facility use is allowed within the C-G, Commercial General or the Light Industrial (LI) District as a Specific Use Permit, if approved by City Council.

Section 28-63, 5 (e); SUP- Specific use permits, outlines the requirements and factors for consideration:

***When considering applications for a specific use permit, the planning and zoning commission in making its recommendation and the city council in rendering its decision on the application shall, on the basis of the site plan and other information submitted, evaluate the impact of the specific use on, and the compatibility of the use with, surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. The planning and zoning commission and the city council shall specifically consider the extent to which:***

- a. The proposed use at the specified location is consistent with the goals, objectives and policies contained in the adopted comprehensive plan;
- b. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
- c. The proposed use meets all supplemental standards specifically applicable to the use as set forth in this chapter;
- d. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts, including but not limited to:
  - Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;
  - Off-street parking and loading areas;
  - Refuse and service areas;
  - Utilities with reference to location, availability, and compatibility;
  - Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses;
  - Control of signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
  - Required yards and open space;
  - Height and bulk of structures;
  - Hours of operation;
  - Exterior construction material and building design; and
  - Roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.
- e. The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.

Staff has taken the above criteria into consideration when reviewing the proposed assembly type use for the bingo facility. The space adequately provides for the use and if approved, it will not be in conflict with the Zoning Resolution nor the Comprehensive Plan. The use is compatible with the overall character of the area. The parking lot will adequately accommodate the proposed bingo and existing bowling alley use. The owner intends to do some upgrades to the parking surfacing including restriping. Refuse and service areas are currently being serviced by the overall facility management. Signage will be provided as a re-face to the existing pole sign onsite.

Within the current adopted Zoning Code under Sec. 10, Bingo facility is defined as a “premises used primarily for the purpose of conducting games of chance:”.

Bingo is one of the few forms of legal gambling in the state of Texas. State law only allows for certain organizations to conduct bingo games and the proceeds are only to be used for charitable purposes. Local elections, either in the county, justice of the peace precinct or municipality, must also be held in order to approve the use of bingo games in the area.

The applicants currently hold a license within the state of Texas and are applying for a transfer of said license to operate at 1040 S. Velasco St., Angleton, TX, subject to this approval. Note that *Bingo halls* and *Bowling alleys* are exempt from the provisions of Code Section 10-45 for smoking prohibited uses. The owner stated that smoking will only be allowed outside in this establishment.

### **Public Notification**

Staff sent public notices to the local newspaper, and to the property owners within 200 feet of the subject property under consideration for the SUP application.

### **Opposition to or Support of Proposed Request**

To-date, Staff has not received any notices in support or in opposition of the proposed SUP request.

### **Recommended Action:**

The Planning and Zoning Commission adopts this as its Final Report, forwards it to City Council with a positive recommendation of this Specific Use Permit (S.U.P.) application for a Bingo facility in the Light Industrial District, (LI), for approval consideration and appropriate action.

**Recommendation.** The planning and zoning commission forwards this Specific Use Permit (S.U.P.) application at 1040 S. Velasco St., for a “bingo facility” to the city council for approval consideration and appropriate action, and there are findings of fact of no negative impact to the surrounding properties.