Don't forget - 6:00 pm Work Session

CITY OF POQUOSON

POQUOSON PLANNING COMMISSION

APRIL 18, 2016

AGENDA

POQUOSON PLANNING COMMISSION
Monday, April 18, 2016, 7:00 p.m.
COUNCIL CHAMBERS – 500 CITY HALL AVENUE

6:00 p.m. – Work Session (Comprehensive Plan Update)

A. CALL TO ORDER

B. INVOCATION & PLEDGE OF ALLEGIANCE

C. APPROVAL OF THE MINUTES

1. **Regular Session – March 21, 2016**

D. AUDIENCE FOR VISITORS

E. PUBLIC HEARING

1. **A request by Bradford W. Drummond, applicant and Tagtime LLC business owner, and SGC Wythe Creek, LLC, property owner, for a Conditional Use Permit to operate Escape Room games in a storefront located at 475 Wythe Creek Road in the Wythe Creek Shopping Center, identified as Tax Map Parcel No. 27-01-00-0107-A, Zoned B-2 (Business).**

    a. **Public Hearing**
    b. **Consideration by the Commission**

F. UNFINISHED BUSINESS

1. **Comprehensive Plan Update Discussion**

G. COMMUNICATIONS AND CORRESPONDENCE

1. **Status of the Items from the March 21, 2016 Meeting**

H. ADJOURN

VIRGINIA: The Poquoson Planning Commission met in a regular meeting on Monday, March 21, 2016 at 7:00 p.m. in the Council Chambers located at 500 City Hall Avenue.

PRESENT: Commissioner Bonnie W. Shriver, Chairwoman
Commissioner William J. Travis, Vice Chairman
Commissioner Richard D. Clifton, Member
Commissioner James K. Titlow, Member
Commissioner Christopher R. Williamson, Member

Kevin M. Wyne, Planner
Karen Holloway, Environmental Compliance Officer
Victoria H. Diggs, Clerk

ABSENT: Commissioner Gustavus A. Goddin, Member
Commissioner Leigh Fenigsohn, Member
Deborah L. Vest, Director of Community Development

REGULAR SESSION

The regular session of the Planning Commission was called to order by Chairwoman Shriver.

INVOCATION AND PLEDGE OF ALLEGIANCE

Chairwoman Shriver led the audience in the invocation and the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Vice Chairman Travis moved, seconded by Commissioner Clifton, that the minutes of the February 18, 2016 regular session be approved as amended. Recorded vote on the motion:

YES: Commissioners Travis, Clifton, Titlow, Williamson and Chairwoman Shriver.

NO: None.

Vice Chairman Travis moved, seconded by Commissioner Clifton, that the minutes of the February 18, 2016 work session be approved as submitted. Recorded vote on the motion:

YES: Commissioners Williamson, Titlow, Clifton, Travis and Chairwoman Shriver.

NO: None.

AUDIENCE FOR VISITORS

No one in the audience spoke.

PUBLIC HEARINGS

1. **A REQUEST BY POQUOSON ANIMAL WELFARE SANCTUARY, INC. (PAWS), APPLICANT AND PROPERTY OWNER, TO MODIFY ITS EXISTING CONDITIONAL USE PERMIT FOR A PET SANCTUARY AT 181 MESSICK ROAD, TAX MAP PARCEL NO. 32-01-00-0044, ZONED R-2 (SINGLE-FAMILY RESIDENTIAL) BY INCREASING THE MAXIMUM NUMBER OF CATS ON-SITE FROM 50 TO 75**

Chairwoman Shriver announced that the applicant had postponed consideration of their request.

2. **A REQUEST BY WILLIAM N. PRICE (PRICE ELECTRICAL, INC.), APPLICANT, MR. & MRS. FREDDIE L. BINFORD, PROPERTY OWNERS, FOR A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE AN ELECTRICAL CONTRACTING BUSINESS FROM 834 POQUOSON AVENUE, TAX MAP PARCEL NO. 19-01-00-0213, ZONED R-1 (SINGLE-FAMILY RESIDENTIAL)**

This application was advertised for a public hearing in the Daily Press on March 4, 2016 and March 11, 2016. Adjacent property owners were notified of this request by letters mailed on March 1, 2016.

Kevin M. Wyne, Planner, introduced the request by Mr. William N. Price, applicant, and Mr. and Mrs. Freddie L. Binford, property owners, for a Conditional Use Permit to establish an electrical contracting business, i.e. Price Electrical, Inc., on the property located at 834 Poquoson Avenue. He stated that although the property is zoned R-1, Single-Family Residential, it has been operating as a legal non-conforming use since the existing structure was built in 1962, which predates the designation of the R-1 District. Mr. Wyne pointed out that the property is bound on the west by the City's Municipal Building, to the east by Claytor Rollins Funeral and to the north by Tabernacle United Methodist Church. He explained that, pursuant to Code, a legal non-conforming use may expand as long as it does not exceed 100% of the existing improvements' square footage. However, since the applicants plan to expand the existing principal structure, measuring 2,100 square feet, by adding 1,500 square feet and to improve its façade, a Use Permit is required. Mr. Wyne added that

the applicant plans to construct a 3,000 square foot accessory storage building at the rear of the property. In conclusion, he stated that staff suggests that the following conditions be applied should the Commission recommend approval of the request:

1. The use must comply with all local, state and federal regulations. If at any time this use is operating in violation of any of the regulations set forth by the aforementioned agencies, the City Council may revoke this permit.
2. The operation of the use shall be restricted to the hours of 7 a.m. and 9 p.m. No activity supporting the use shall be conducted outside of this window.
3. All business activities conducted outdoors shall not produce any more noise or odor than what is reasonably expected from a single family residential property.
4. Any outdoor storage of equipment or materials must be screened by a solid fence, measuring at least 6' in height.
5. All improvements, as required by the City's Site Plan Ordinance and depicted as a part of the approved plan for redevelopment, must be perpetually maintained in good condition.
6. If at any time the specified permitted use on the property is discontinued for a period of two (2) or more years, this permit shall become null and void.
7. City Council reserves the right to review and amend the conditions of this permit as they see fit.

Chairwoman Shriver opened the public hearing, but as there were no speakers it was closed.

During the Commissioners' discussion, it was agreed that the proposed additions/improvements would aesthetically enhance the site. Vice Chairman Travis moved, seconded by Commissioner Clifton, to recommend approval of the Conditional Use Permit to City Council inclusive of staff conditions. Recorded vote on the motion:

YES: Commissioners Williamson, Titlow, Clifton, Travis and Chairwoman Shriver.

NO: None.

3. **AN ORDINANCE AMENDING ARTICLE I, SECTION 1-3, DEFINITIONS, OF THE CITY'S ZONING ORDINANCE BY AMENDING THE DEFINITION OF "VARIANCE", SECTION 1-4, BOARD OF ZONING APPEALS, (b) BY ADDING INFORMATION PERTAINING TO EX PARTE COMMUNICATIONS AND (C) BY AMENDING AND EXPANDING THE SECTION PERTAINING TO THE POWERS AND DUTIES OF THE BOARD**

This application was advertised for a public hearing in the Daily Press on March 4, 2016 and March 11, 2016.

Karen Holloway, Environmental Compliance Officer, introduced the first proposed amendment to the Zoning Ordinance. She stated that the Commonwealth of Virginia had adopted several revisions to its Code relative to the Board of Zoning Appeals and that the proposed ordinance amendment would ensure that our City Code reflects those changes. She briefly outlined the revisions included in the amendment as follows:

- That Article I, Section 1-3 includes a new definition for "variance" to reflect the amended criteria for approval.
- That Article I, Section 1-4(a) references Section 15.2-2308 to reflect the correct, revised State Code section.
- That a new Article I, Section 1-4(b) has been added regarding ex parte communications.
- That Article I, Section 1-4 (c) includes eight subsections describing the powers and duties of the Board of Zoning Appeals.

Chairwoman Shriver opened the public hearing. Ms. Randie Trestrail, 212 Beach Road, expressed concern that an applicant seeking relief from the City's zoning regulations no longer has to show a hardship.

Since no one else came forward, the public hearing was closed.

Prior to the vote, Commissioner Williamson noted a typographical error in the amendment to which Ms. Holloway assured the Commission it would be corrected prior to it being forwarded to City Council. Commissioner Clifton moved, seconded by Vice Chairman Travis, to recommend to City Council approval of the proposed Zoning Ordinance amendment to Article I – General Provisions. Recorded vote on the motion:

YES: Commissioners Travis, Clifton, Titlow, Williamson and Chairwoman Shriver.

NO: None.

4. AN ORDINANCE AMENDING ARTICLE XI.IV, SECTION 11.4-13(2) OF THE CITY ZONING ORDINANCE BY AMENDING THE EXCEPTION APPLICATION FEE AND PROVIDING FOR ANNUAL ADJUSTMENT OF THE FEE IF NECESSARY

Ms. Holloway explained that this specific amendment updates Article XI.IV, Environmental Management Area (EMA) Overlay District of the City Code bringing it into conformance with the State Code as it pertains to the application fee for an exception/appeal to the Board of Zoning

Appeals. In addition, she pointed out that it also allows for an annual adjustment to this fee, if deemed necessary, to reflect the consumer price index.

Chairwoman Shriver opened the public hearing; however, since no one came forward it was closed.

Vice Chairman Travis moved, seconded by Commissioner Clifton, to recommend approval to City Council of the proposed Zoning Ordinance amendment to Article XI.IV – Environmental Management Area (EMA) Overlay District. Recorded vote on the motion:

YES: Commissioners Williamson, Titlow, Clifton, Travis and Chairwoman Shriver.

NO: None.

5. AN ORDINANCE AMENDING ARTICLE XI.IV, SECTION 11.4-6(1)(2) OF THE CITY'S ZONING ORDINANCE AMENDING THE CERTIFICATION REQUIREMENTS OF SEPTIC SYSTEM INSPECTORS

Ms. Holloway stated that the Virginia Department of Environmental Quality determines the qualifications of those who are eligible to inspect on-site septic systems and/or on-site sewage systems. The proposed amendment to Article XI.IV, Section 11.4-6(1)(2) of the Zoning Ordinance will bring the City Code into conformance with the State regulations relative to this matter.

Chairwoman Shriver opened the public hearing; however, as no one came forward it was closed.

Vice Chairman Travis moved, seconded by Commissioner Williamson, to recommend approval to City Council of the proposed ordinance amendment to Article IX.IV. Recorded vote on the motion:

YES: Commissioners Travis, Clifton, Titlow, Williamson and Chairwoman Shriver.

NO: None.

NEW BUSINESS

1. Comprehensive Plan Update Discussion

Chairwoman Shriver stated that prior to the regular meeting that evening, a work session on the Comprehensive Plan update had been scheduled; however, due to the lack of a quorum a formal discussion could not be held. Therefore, following a brief discussion, it was agreed that each Commissioner would review all of the submitted Comprehensive Plan Update Committee applications and send the associated, randomly assigned application numbers for their top twelve candidates to the Clerk, Victoria Diggs, by close-of-business on Friday, April 1, 2016.

Mr. Wyne reminded the Commission that the one High School student application, whose teacher failed to submit it by the deadline, would also be forthcoming for their consideration. Upon receiving all of the responses, the overall top twelve candidate numbers would then be forwarded to the Commission for a final, formal consideration/vote at the next meeting. In conclusion, the Commission agreed that a short work session should be held prior to the May meeting in order to discuss committee appointments and the Comprehensive Plan update process.

2. **Review of the Zoning Ordinance Variance Request**

The Commission made no comment on this item.

COMMUNICATIONS AND CORRESPONDENCE

The City Planner thanked the Commission for their ongoing work to update the Comprehensive Plan and stated that it appeared at least one Conditional Use Permit application would be forthcoming for their May meeting.

Chairwoman Shriver wished the absent Deborah Vest, Community Development Director, a Happy Birthday.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 7:40 p.m.

_____ _____

Bonnie W. Shriver, Chairwoman Victoria H. Diggs, Clerk

CITY OF POQUOSON
PLANNING DEPARTMENT
500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996
(757) 868-3040 TELEPHONE (757) 868-3105 FAX

MEMORANDUM

Date: April 18, 2016

To: The Honorable Chairwoman and Members of the Planning Commission

From: Kevin M. Wyne, City Planner

Subject: **Conditional Use Permit for an Escape Room/Family Entertainment Use at 475 Wythe Creek Road–Tax Parcel No. 27-1-107A**

Introduction

The City has received a request by Bradford W. Drummond, applicant and Tagtime LLC business owner, and SGC Wythe Creek, LLC, property owner, for a Conditional Use Permit to operate an escape room game use in a storefront located at 475 Wythe Creek Road in the Wythe Creek Plaza Shopping Center, identified as Tax Map Parcel No. 27-1-107-A. The property is zoned B-2, Business/Commercial and general family amusement/recreation, which is what an escape room use most closely classifies as, is not a use that is specifically permitted. The property, which consists of approximately 4.37 acres, houses the Wythe Creek Plaza Shopping Center which is anchored by a hardware store and consists of a mix of restaurants, retail, service and professional office uses. The total square footage of the shopping center is approximately 49,000 square feet. The applicant has an active conditional use permit for a laser tag use on the property immediately northwest of the shopping center. The applicant plans to establish a use within the shopping center that can complement the laser tag use while utilizing the established store front as a means of access to the adjacent laser tag field.

Public Notice

This application was advertised for public hearing in the Daily Press on April 1, 2016 and April 8, 2016. Adjacent property owners were notified of this request by letters mailed on April 1, 2016.

Applicant's Proposal

As mentioned in the introduction, the applicant, who already has an approved conditional use permit to operate a laser tag entertainment use on the 20 acre lot immediately to the northwest of the shopping center property, wishes to establish an escape room use in a vacant storefront of the Wythe Creek Plaza Shopping Center. Escape rooms have gained popularity over the last several years and within the last year have expanded rapidly throughout the country and commonwealth. Escape rooms put small groups of

individuals (6-10), into a room. The door is then locked and the group is presented with a series of puzzles, clues, riddles and other problem solving exercises that will assist in their escape. A predetermined time limit is set (usually one hour) upon which the participants will have escaped or failed and subsequently released from the room.

The applicant is proposing four (4) escape rooms with a capacity of 6-8 people each. The applicant anticipates the use generating approximately 6-10 new vehicular trips per hour during peak times. As there is no Institute of Traffic Engineers generation figures for this use, staff believes the applicant's estimate to be reasonable. The peak period of operation will be weekday evenings after normal dinner hours (after 7 p.m.) and during weekend hours.

In addition to the proposed escape room use, the applicant will escort laser tag players from the rear of the shopping center site to the laser tag battlefield located on the adjacent parcel, approximately 250' from the rear of the storefront.

Site Character

The parcel has frontage on Victory Boulevard and Wythe Creek Road and is located along the City's main commercial corridor. The shopping center consists of two (2) buildings, one (1) smaller building that is easily accessible from Victory Boulevard and home to Chin's Cleaners, Steel Magnolias Salon and formerly the Briar Patch Tea Room. The larger complex is located on Wythe Creek Road and is anchored by Taylor's Do It Center. Additionally, the shopping center houses an ABC Store, El Rancho Mexican Restaurant, Snap 24/7 Fitness, James McRae Nationwide Insurance Agency, OP Nail Salon, The Hair Place, Little Philly sandwiches and Tropical Smoothie Café. The site serves as a mature commercial development and aside from a handful of landscaped parking islands, the 4.37 acre site largely consists of impervious cover.

The storefront that will house the escape room use last housed a children's consignment store which primarily operated during normal daytime business hours (10 am to 5 pm).

Zoning and Comprehensive Plan Considerations

The property is zoned B-2, Business/Commercial and an escape room game/family amusement use is not a specific by-right use within this district. While bowling alleys and skating rinks are permitted by right, amusement arcades, video game, pool and billiard parlors require a conditional use permit. While bowling alleys and skating rinks cater to a more family-oriented crowd, pool halls cater to the over 21 crowd. Additionally, video arcades do not necessarily attract family audiences and instead are popular with the adolescent and teenage crowds. Escape rooms contain elements of both family amusement uses (like bowling alleys) and video arcade uses. With the use not fitting cleanly into any one (1) category, it has been decided that a conditional use permit is warranted in accordance with Article I. Section 1-8 of the City's Zoning Ordinance which allows an applicant to submit an application for a use that is not specifically permitted for in any of the City's specified zoning districts.

Uses permitted in the B-2 district without a conditional use permit include retail shops, casual, sit down and fast food restaurants, general service shops, professional business and office uses and many other uses that are typically considered consistent with a community's main commercial thoroughfare. As outlined in Article X. Section 10-1(b), the purpose of the district is as follows:

> *to provide sufficient space for a wide variety of business, commercial, industrial and miscellaneous service activities.*

An escape room game/family amusement use is a unique use within the City and the Peninsula and is a use that would expand the diversity of uses within the City's B-2 district.

The Comprehensive Plan 2008-2028 identifies the property for use as General Commercial. General Commercial is described by the Comprehensive Plan as the following:

> *The General Commercial District is intended to serve retail service needs for Poquoson. They include commercial activities, which require proximity to major streets for visibility and accessibility. Unlike the Village Commercial District, the General Commercial District is needed to accommodate high traffic generating uses such as automobile sales, service stations, and fast food or drive-in restaurants. The General Commercial District is intended to designate locations for the commercial uses that generate high traffic volumes and to produce a cohesive and vibrant commercial core for the City along Victory Boulevard and Wythe Creek Road.*
>
> *Typical uses to be found in the General Commercial District include planned shopping centers, automobile sales lots, large-scale chain retailers, movie theaters, commercial lodging facilities, educational facilities, hospitals, large commercial recreational facilities and formal dine-in restaurants. Ideally, businesses with drive-thru services will target properties with a General Commercial future land use designation.*

Surrounding Characteristics

The property is surrounded by the B-2, Business/Commercial district and the GC-General Commercial district on all sides. Immediately to the property's north lay the Nick W. Perdue Contracting Yard and the O'Reilly Auto Parts store. Immediately to the east of the complex is the Poquoson Shopping Center (Farm Fresh and Wendy's). Immediately to the property's south is Victory Boulevard and the Wells Fargo Bank office complex. To the property's immediate west lay the KFC/Taco Bell/Pizza Hut development. The property is surrounded largely by developed commercial sites. The only non-developed site that touches the property in question is the proposed laser tag field, which is immediately to the property's northwest. The property is located approximately 300' north of Victory Boulevard's intersection with Wythe Creek Road and is in the heart of Poquoson's established commercial corridor.

Traffic and Access

The property has direct access from Victory Boulevard and Wythe Creek Road, however, customers of the escape room use would likely use Wythe Creek Road as the primary means of ingress/egress to the site, as using Victory Boulevard would require customers to traverse the property's loading/unloading area and alleyway in order to access the main shopping center's parking lot. The main shopping center complex (Taylor's area) has two (2) means of ingress/egress from Wythe Creek Road and staff does not anticipate the proposed use to impact the effectiveness of these two (2) points of access in any substantial manner either negatively or positively.

Utilities

The property is served by all necessary utilities.

Architectural Review Board

The site is located within the City's Architectural Review district, thus any substantial construction or improvement to the storefront's façade would require the City's Architectural Review Board review and approval.

Relationship to the Comprehensive Plan/Staff Findings

As stated above, the property is designated for use as *General Commercial* as defined in the Comprehensive Plan. A detailed description of the purpose and intent of the *General Commercial* land use designation is outlined above in the section titled "Zoning and Comprehensive Plan Considerations."

With the use utilizing an existing, vacant storefront, no significant impacts are anticipated. Additionally, with no other escape room uses operating between Virginia Beach and Richmond, this would allow Poquoson to house a truly unique use on the Peninsula. The type of use projects to be less impactful, from a customer turnover standpoint, then the already established retail and restaurant uses within the shopping center and will provide the business owner with the necessary means to access the proposed laser tag field on the adjacent parcel.

If the Planning Commission recommends approval of the request to City Council, staff recommends that approval be subject to the following conditions:

1. The use must comply with all local, state and federal regulations. If at any time this use is operating in violation of any of the regulations set forth by the aforementioned agencies, the City Council may revoke this permit.
2. The approved use permit shall be only for an escape room game use and shall not be interpreted for any other use that cannot be reasonably categorized as such. If the proposed use changes to another form of family amusement the permit shall be evaluated by the Zoning Administrator who will determine if the new use meets the intent of this use permit.
3. Prior to any on-site expansion of the proposed use, the Zoning Administrator shall review the proposal to determine whether reconsideration of this permit is necessary by City Council.
4. If at any time the specified permitted use on the property is discontinued for a period of two (2) or more years, this permit shall become null and void.
5. City Council reserves the right to review and amend the conditions of this permit as they see fit.

Attachments

RESOLUTION

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVAL OF A CONDITIONAL USE PERMIT TO OPERATE ESCAPE ROOM GAMES IN A STOREFRONT LOCATED IN THE WYTHE CREEK SHOPPING CENTER, POQUOSON TAX MAP PARCEL NO. 21-01-00-0107A

WHEREAS, a request was submitted by Bradford W. Drummond, applicant and Tagtime LLC business owner, and SGC Wythe Creek, LLC, property owner, for a Conditional Use Permit to operate Escape Room games in a storefront located at 475 Wythe Creek Road in the Wythe Creek Road Shopping Center, specifically identified as Tax Map Parcel No. 21-01-00-0107-A; and

WHEREAS, a public hearing to receive public comments and review the request was held before the Planning Commission on April 18, 2016; and

WHEREAS, careful and thorough consideration was given the request.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Poquoson, Virginia:

Section 1: That the request of Bradford W. Drummond, applicant and Tagtime LLC business owner, and SGC Wythe Creek, LLC, property owner, for a Conditional Use Permit to operate Escape Room games in a storefront located at 475 Wythe Creek Road in the Wythe Creek Road Shopping Center, specifically identified as Tax Map Parcel No. 21-01-00-0107-A is hereby recommended for approval contingent upon adherence to the following conditions:

1. The use must comply with all local, state and federal regulations. If at any time this use is operating in violation of any of the regulations set forth by the aforementioned agencies, the City Council may revoke this permit.
2. The approved use permit shall be only for an escape room game use and shall not be interpreted for any other use that cannot be reasonably categorized as such. If the proposed use changes to another form of family amusement the permit shall be evaluated by the Zoning Administrator who will determine if the new use meets the intent of this use permit.
3. Prior to any on-site expansion of the proposed use, the Zoning Administrator shall review the proposal to determine whether reconsideration of this permit is necessary by City Council.
4. If at any time the specified permitted use on the property is discontinued for a period of two (2) or more years, this permit shall become null and void.

5. City Council reserves the right to review and amend the conditions of this permit as they see fit.

Section 2: That this resolution shall be in effect on and after its adoption.

ADOPTED: April 18, 2016

TESTE: _____
Clerk, Planning Commission

RESOLUTION

A RESOLUTION RECOMMENDING CITY COUNCIL DENIAL OF A CONDITIONAL USE PERMIT TO OPERATE ESCAPE ROOM GAMES IN A STOREFRONT LOCATED IN THE WYTHE CREEK SHOPPING CENTER, POQUOSON TAX MAP PARCEL NO. 21-01-00-0107A

WHEREAS, a request was submitted by Bradford W. Drummond, applicant and Tagtime LLC business owner, and SGC Wythe Creek, LLC, property owner, for a Conditional Use Permit to operate Escape Room games in a storefront located at 475 Wythe Creek Road in the Wythe Creek Road Shopping Center, specifically identified as Tax Map Parcel No. 21-01-00-0107-A; and

WHEREAS, a public hearing to receive public comments and review the request was held before the Planning Commission on April 18, 2016; and

WHEREAS, careful and thorough consideration was given the request.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Poquoson, Virginia:

Section 1: That the request of Bradford W. Drummond, applicant and Tagtime LLC business owner, and SGC Wythe Creek, LLC, property owner, for a Conditional Use Permit to operate Escape Room games in a storefront located at 475 Wythe Creek Road in the Wythe Creek Road Shopping Center, specifically identified as Tax Map Parcel No. 21-01-00-0107-A is hereby recommended for denial.

Section 2: That this resolution shall be in effect on and after its adoption.

ADOPTED: April 18, 2016

TESTE: _____
Clerk, Planning Commission

City of Poquoson
500 City Hall Avenue
Poquoson, Virginia 23662
(757) 868-3040

APPLICATION FOR A CONDITIONAL USE PERMIT

To the Planning Commission/City Council
of the City of Poquoson:

I/We, _ Bradford Westphal Drummond. Owner, Tagtime LLC

the undersigned owner(s) of the described property:
Parcel ID# 18-01-00-0123, Plat of Property of Susan Ella Watkins Estate,
0 Victory Boulevard, Poquoson, VA 23662 and,

Parcel ID# 27-01-00-0107-A, 475 Wythe Creek Road, Poquoson, VA 23662

hereby apply for a conditional use permit for the following reasons:

Tagtime LLC is seeking an amendment to its Conditional Use Permit for the operation of Escape Rooms from a storefront in the Wythe Creek Shopping center. This area will be used as a base of operation for our Laser Tag Battlefield as well as the Escape Rooms.

Real-life room escape games are a type of physical adventure game in which people are placed in a room with other participants and have to use elements of the room to solve a series of puzzles, find clues, and escape the room within a set time limit.

Four Escape Rooms are planned, with a customer capacity of 6-8 people in each room. This is expected to generate an additional 6-10 Vehicle trips per peak hour. Primary business hours will be evenings and weekends, and are after normal high traffic hours.

Laser Tag customers will be escorted to and from the rear of the storefront onto the Battlefield area for game play. No customer vehicles will use the rear shopping center road.

I HEREBY AUTHORIZE CITY REPRESENTATIVES TO HAVE ACCESS TO THE PROPERTY DURING REASONABLE HOURS.

SIGNATURE OF PROPERTY OWNER(S):

X EO Cooper, Manager

X _____

NAME: SGC Wythe Creek, LLC, by: Erik Cooper, Manager

ADDRESS: 555 E. Main Street, Suite 1100
Norfolk, VA 23510

TELEPHONE: 757-622-2768

SIGNATURE OF PERSON REPRESENTING APPLICATION:
(IF OTHER THAN OWNER)

X Bradford W Drummond

NAME: Bradford W Drummond

ADDRESS: 201 Hudgins Farm Drive
Yorktown, VA 23692

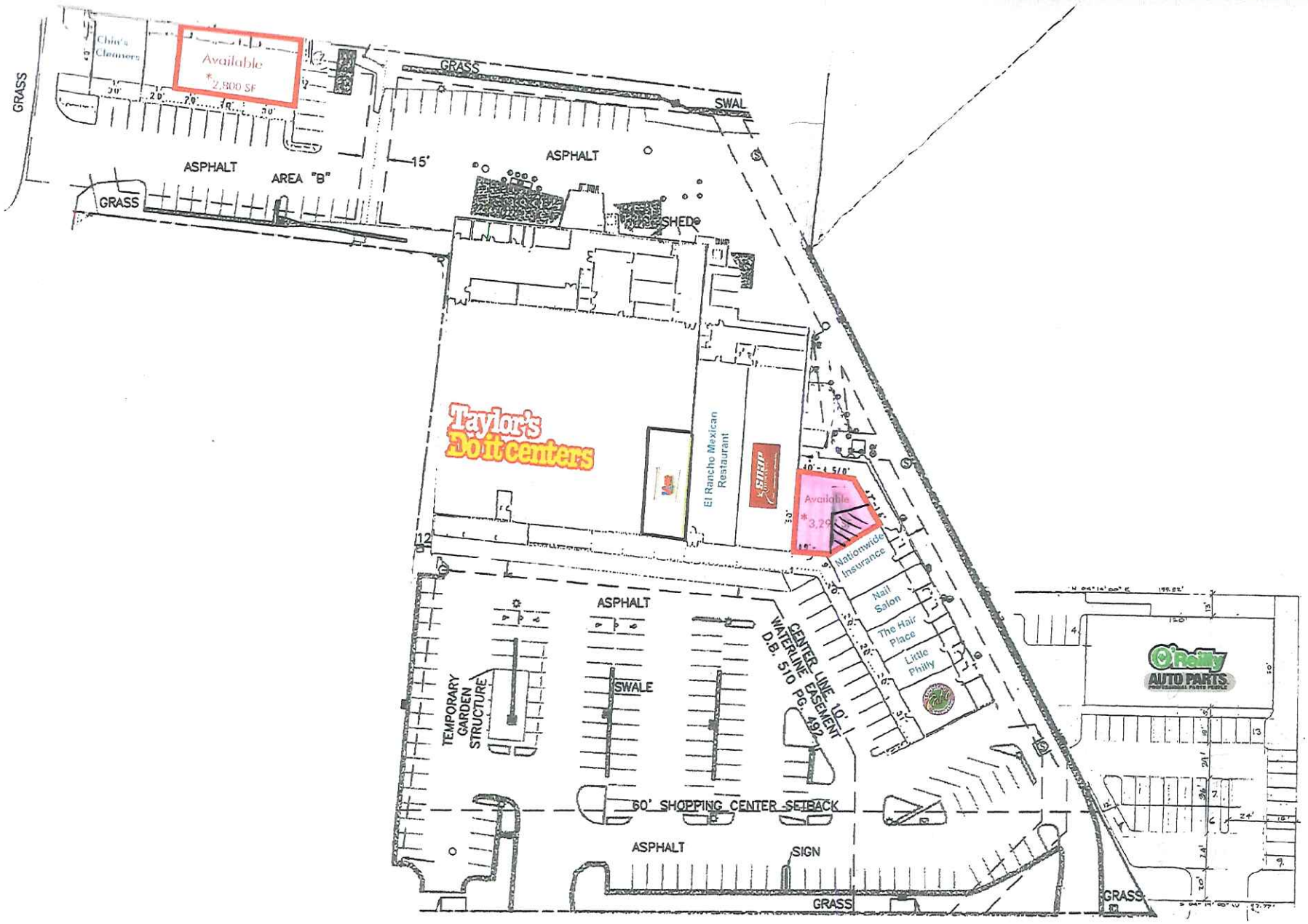
TELEPHONE: 757-876-2870

INCLUDE WITH THIS APPLICATION:

1. A $500 FEE TO COVER ADVERTISING COST. MAKE CHECK PAYABLE TO "CITY OF POQUOSON".
2. A SURVEYED PLAT OF THE PROPERTY.

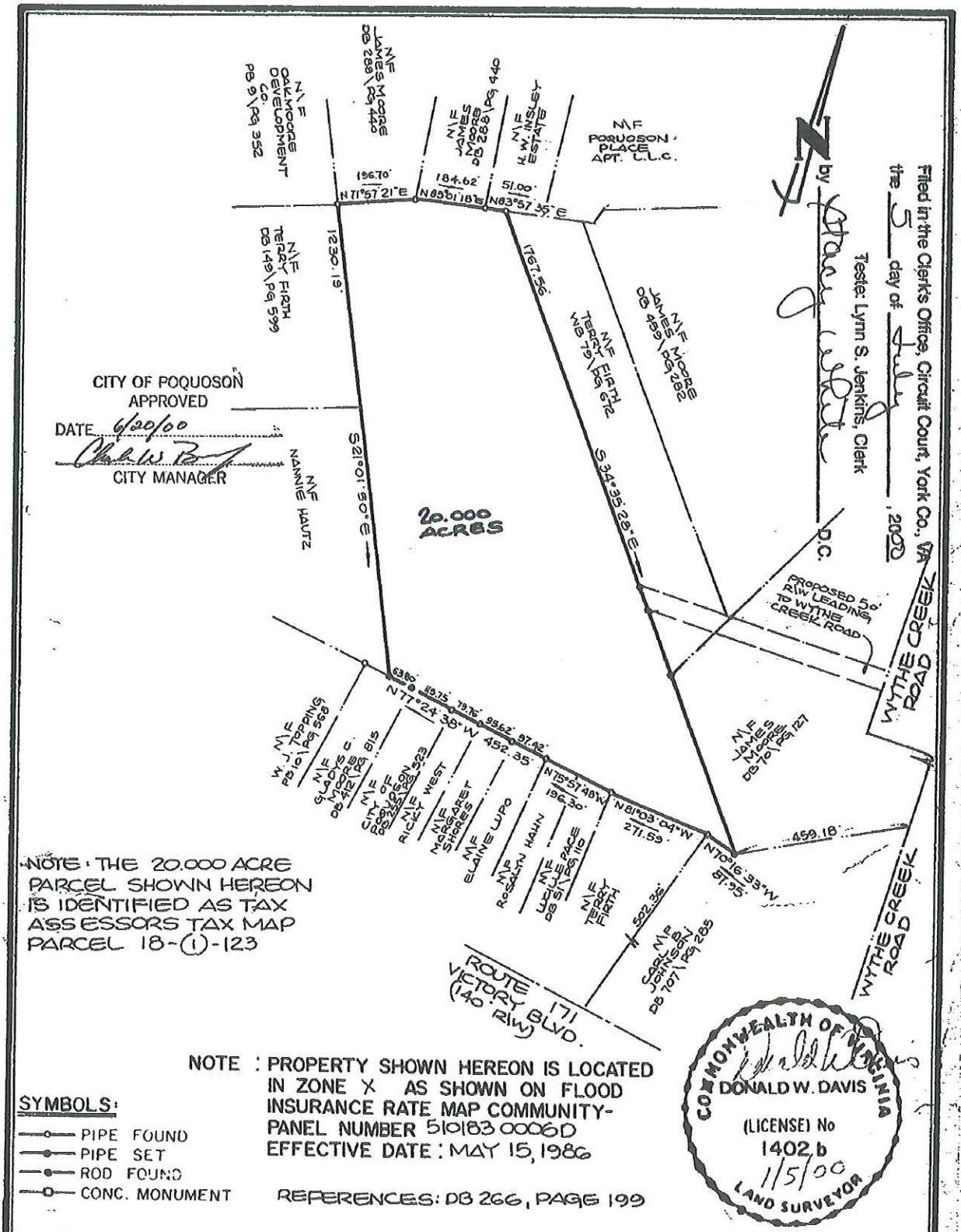
CITY OF POQUOSON
PAID
MAR 07 2016

Revised 1/11/10
TREASURER #3


Chin's Cleaners
Available
*2,800 SF
GRASS
SWAL
ASPHALT
AREA "B"
15'
SHED
Taylor's Do it centers
El Rancho Mexican Restaurant
Available
*3,29
Nationwide Insurance
Nail Salon
The Hair Place
Little Philly
O'Reilly AUTO PARTS
ASPHALT
SWALE
TEMPORARY GARDEN STRUCTURE
CENTER LINE 10' WATERLINE EASEMENT D.B. 510 PG. 492
50' SHOPPING CENTER SETBACK
ASPHALT
SIGN
GRASS
GRASS

50

Plat Book No. 13 Page 156



Filed in the Clerk's Office, Circuit Court, York Co., VA
the 5 day of July, 2000
by [signature]
Teste: Lynn S. Jenkins, Clerk
D.C.

NOTE: THE 20.000 ACRE PARCEL SHOWN HEREON IS IDENTIFIED AS TAX ASSESSORS TAX MAP PARCEL 18-(1)-123

NOTE: PROPERTY SHOWN HEREON IS LOCATED IN ZONE X AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 510183 0006D EFFECTIVE DATE: MAY 15, 1986

REFERENCES: DB 266, PAGE 199

SYMBOLS:
- PIPE FOUND
- PIPE SET
- ROD FOUND
- CONC. MONUMENT

COMMONWEALTH OF VIRGINIA
DONALD W. DAVIS
(LICENSE) No 1402 b
1/5/00
LAND SURVEYOR

I, Donald W. Davis HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE BY ME ON THIS DATE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO ENCROACHMENTS OF BUILDINGS UNLESS SHOWN HEREON.

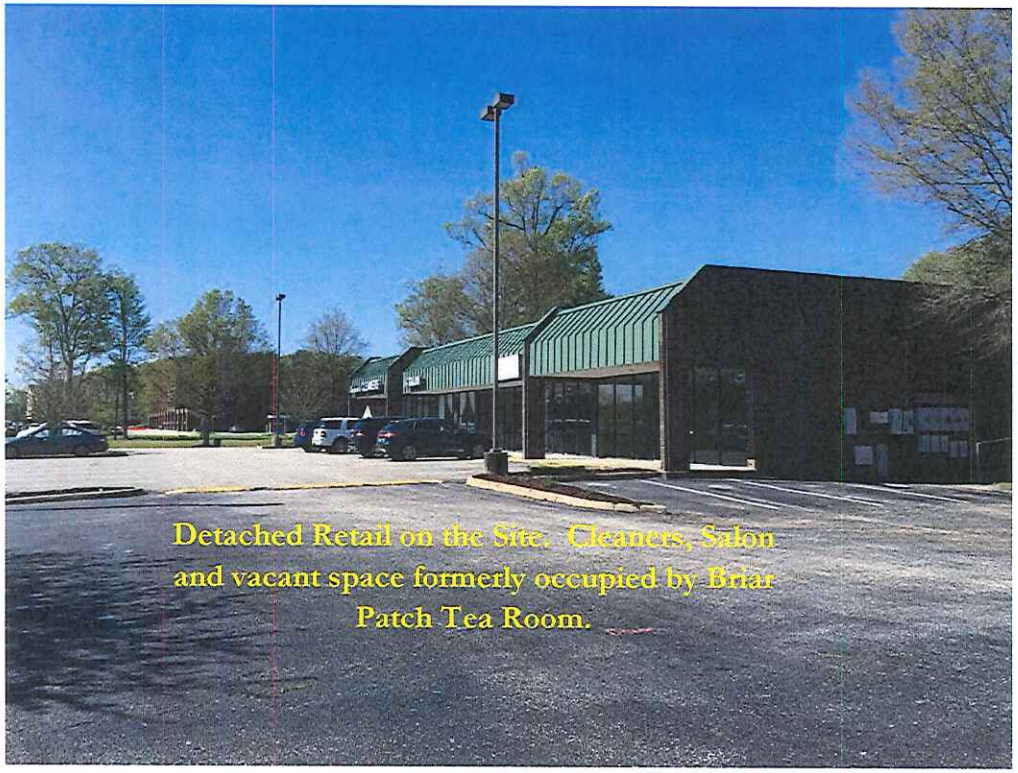
DAVIS & ASSOCIATES
SURVEYORS & PLANNERS
YORK COUNTY, VIRGINIA

JOB LOCATION

PLAT OF THE PROPERTY OF:
SUSAN ELLA WATKINS ESTATE
PARCEL OF LAND
CONTAINING: 20.000 ACRES
SOMETIMES KNOWN AS "TOPPING & WHITE"
CITY OF POQUOSON, VIRGINIA

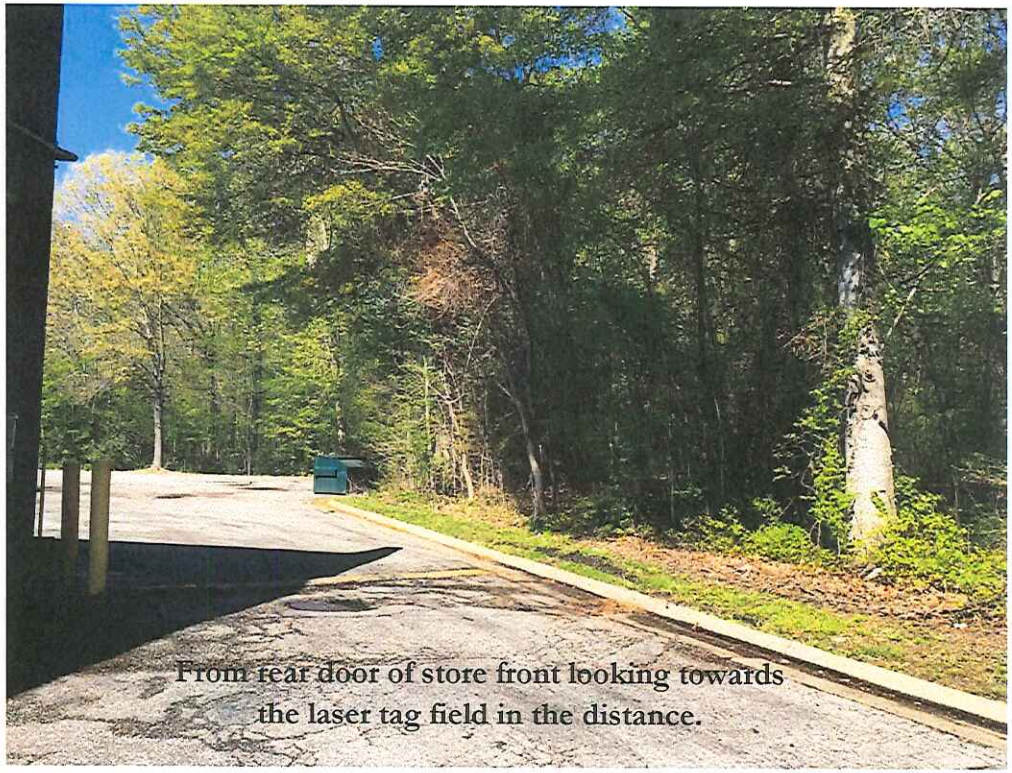
CODE: 99-0249	DWN.BY-NM	SCALE: 1" = 300'	TO: HOLLOWAY	DATE: 25 MAY 2000

Victory Boulevard at Food Lion Parking Lot

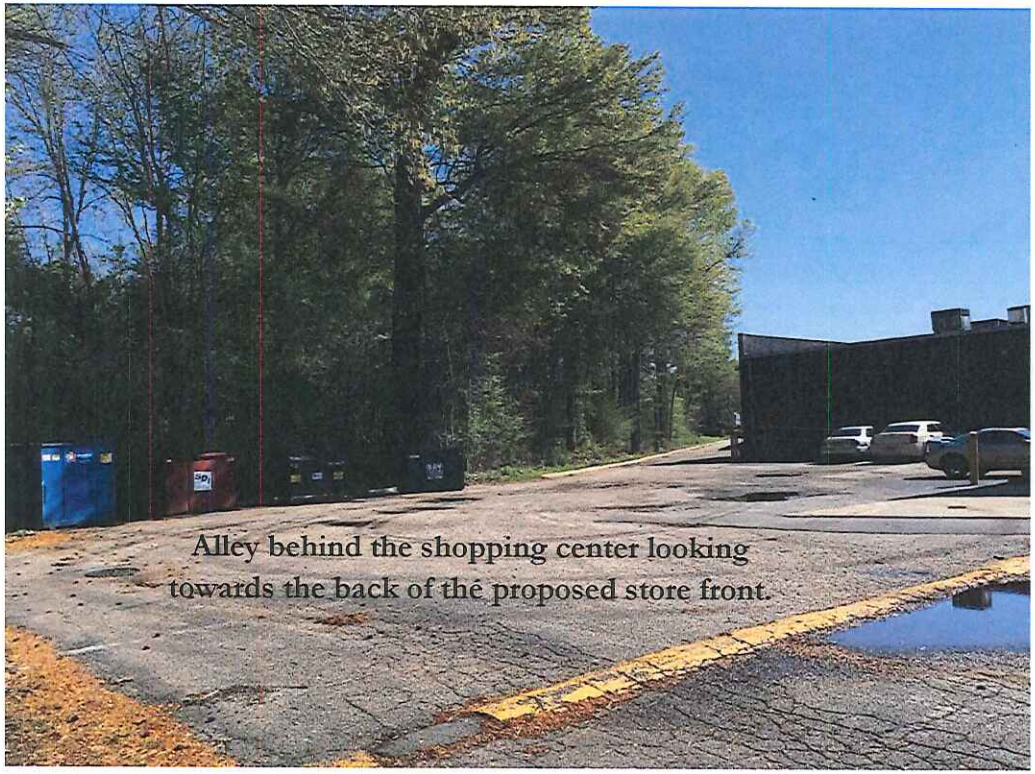


Detached Retail on the Site. Cleaners, Salon and vacant space formerly occupied by Briar Patch Tea Room.

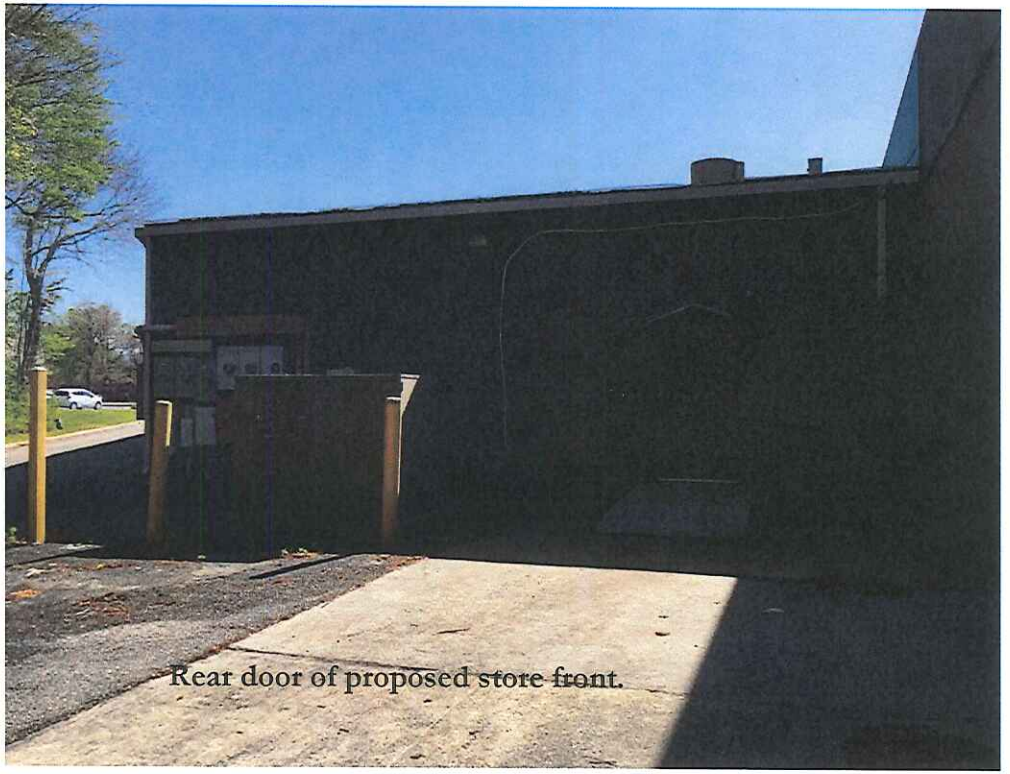
Proposed location for Escape Room Use



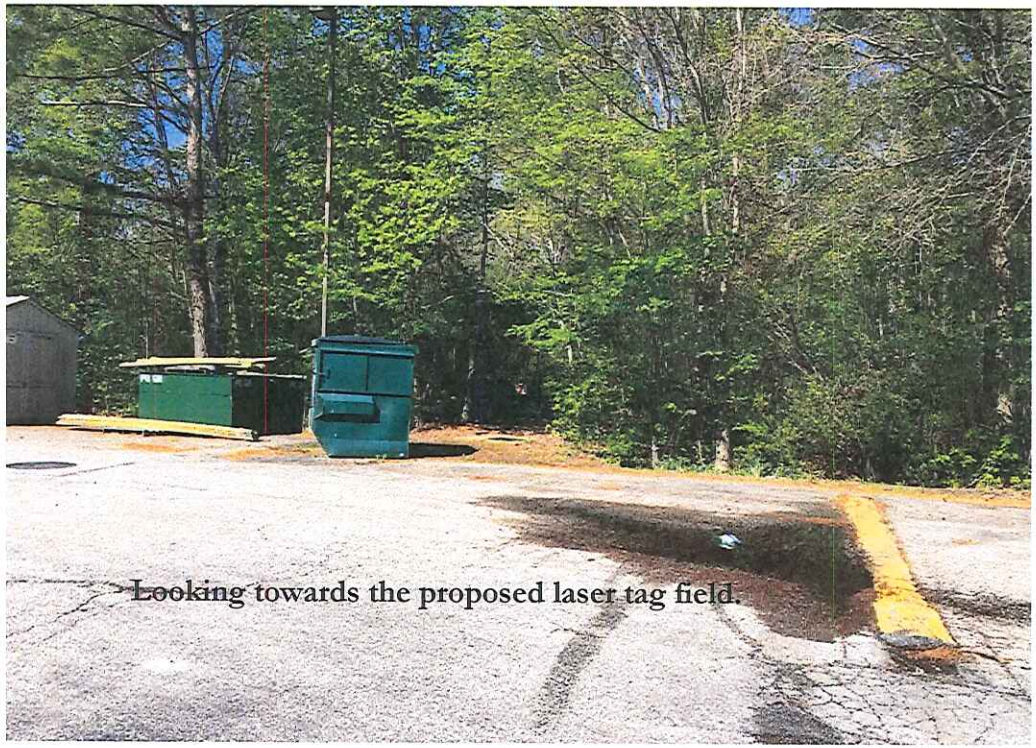
From rear door of store front looking towards the laser tag field in the distance.



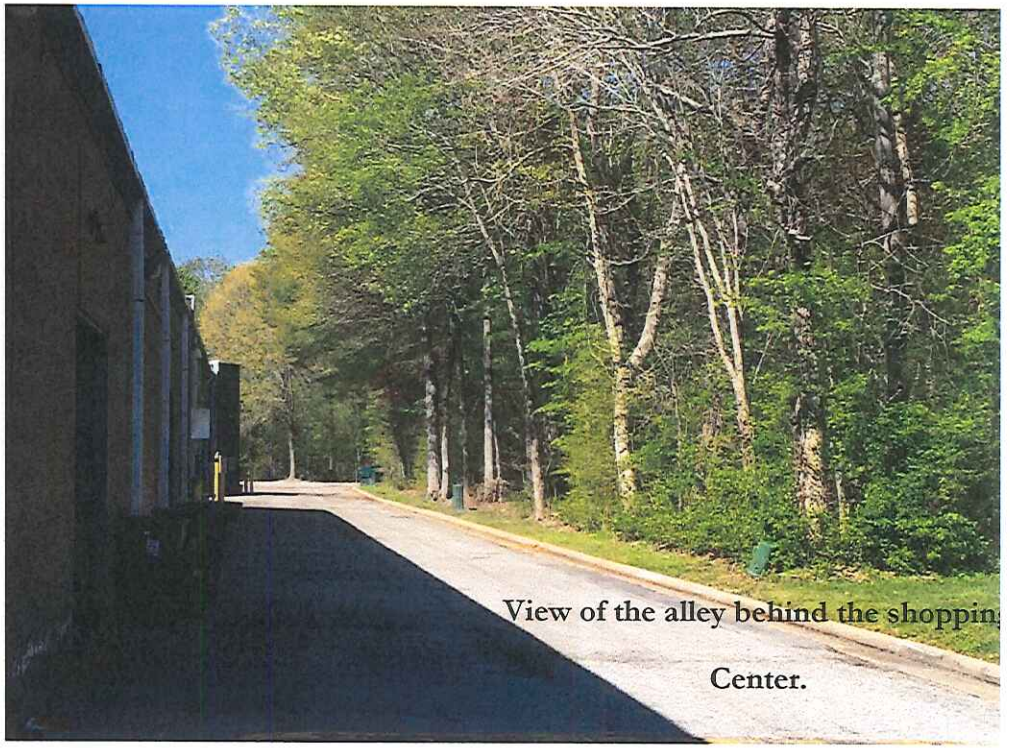
Alley behind the shopping center looking towards the back of the proposed store front.



Rear door of proposed store front.



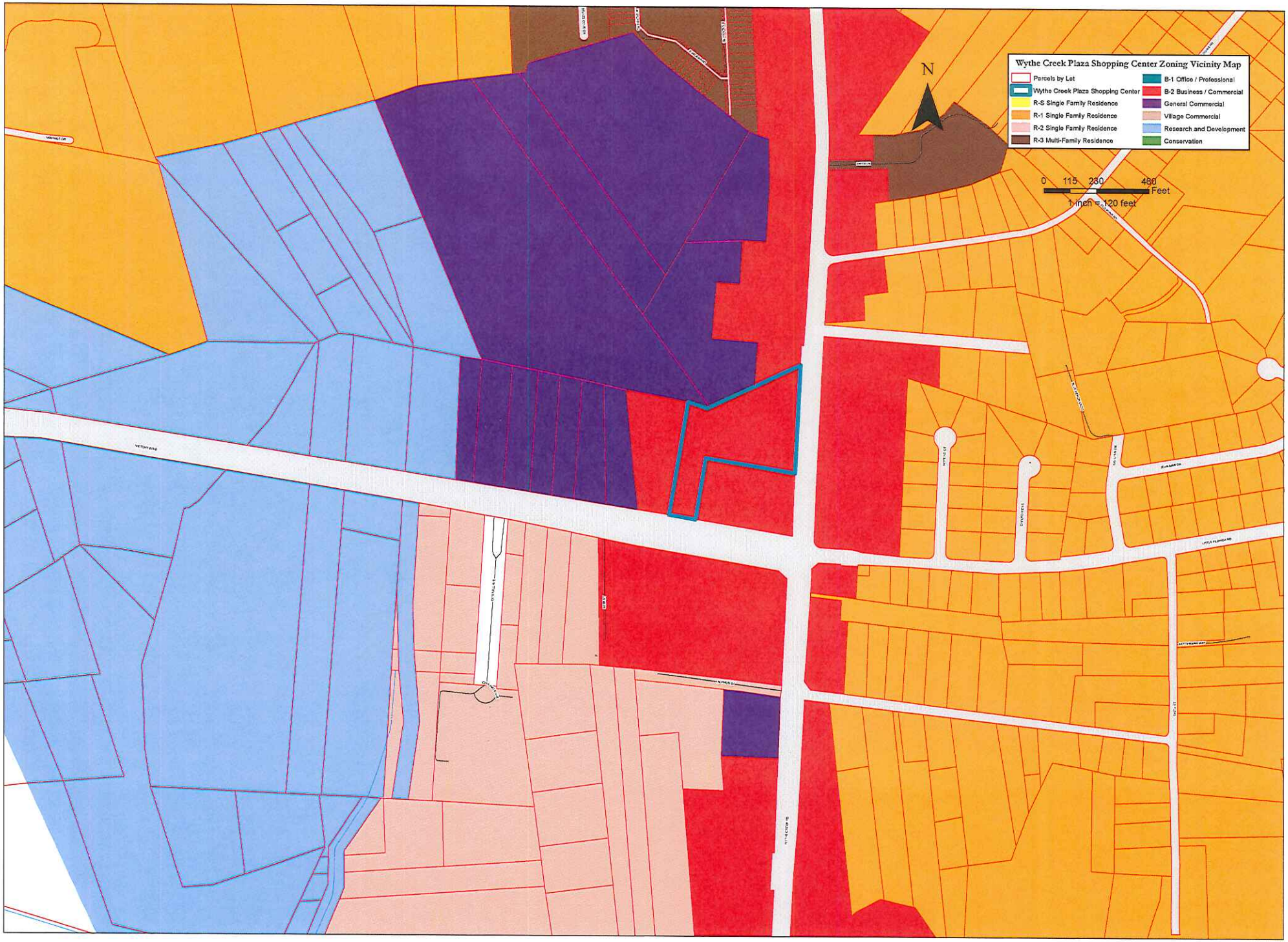
Looking towards the proposed laser tag field.



View of the alley behind the shoppin

Center.

Wythe Creek Plaza Shopping Center Zoning Vicinity Map
Parcels by Lot
Wythe Creek Plaza Shopping Center
N
0
30
60
Feet
1 inch = 120


Wythe Creek Plaza Shopping Center Zoning Vicinity Map
Parcels by Lot
Wythe Creek Plaza Shopping Center
R-S Single Family Residence
R-1 Single Family Residence
R-2 Single Family Residence
R-3 Multi-Family Residence
B-1 Office / Professional
B-2 Business / Commercial
General Commercial
Village Commercial
Research and Development
Conservation
N
0 115 230 460 Feet
1 inch = 120 feet

CITY OF POQUOSON

PLANNING DEPARTMENT

500 CITY HALL AVENUE, POQUOSON,
VIRGINIA 23662-1996
(757) 868-3040 TELEPHONE (757) 868-3105 FAX

MEMORANDUM

Date: April 18, 2016

To: Chairwoman and Members of the Planning Commission

From: Deborah L. Vest, Director of Community Development

Subject: **Status of the Items from the March 21. 2016 Meeting**

The current status of the items considered by the Planning Commission at its March 21, 2016 meeting is:

1. At its March 28, 2016 meeting, City Council approved a request by William N. Price (Price Electrical, Inc.), applicant, Mr. & Mrs. Freddie L. Binford, property owners, for a Conditional Use Permit to establish and operate an electrical contracting business from 834 Poquoson Avenue, Tax Map Parcel No. 19-01-00-0213, zoned R-1 (Single-Family Residential).

2. At its April 11, 2016 meeting, City Council approved an ordinance amending Article I, Section 1-3, Definitions, of the City's Zoning Ordinance by amending the definition of "variance", Section 1-4, Board of Zoning Appeals, (b) by adding information pertaining to ex parte communications and (c) by amending and expanding the section pertaining to the powers and duties of the board.

3. At its April 11, 2016 meeting, City Council approved an ordinance amending Article XI.IV, Section 11.4-6(1)(2) of the City's Zoning Ordinance amending the certification requirements of septic system inspectors.

4. At its April 11, 2016 meeting, City Council approved an ordinance amending Article XI.IV, Section 11.4-13(2) of the City's Zoning Ordinance by amending the exception application fee and providing for annual adjustment of the fee if necessary.

DLV:vhd