



CITY OF POQUOSON

PLANNING DEPARTMENT

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

April 25, 2016

To: The Honorable City Council

Through: City Manager

From: Kevin M. Wyne, Planner

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

Presented for your consideration and a public hearing is a request by Mr. 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 identifies as, is not a use that is specifically permitted. The applicant plans to establish a use within the shopping center that can complement an approved laser tag use on an adjacent parcel while utilizing the established store front as a means of access to the laser tag field. The applicant's plans are outlined in further detail in the attached memo prepared for the Planning Commission dated April 18, 2016.

The Planning Commission held their public hearing on this item at their Monday, April 18, 2016 meeting and has unanimously recommended its approval by a vote of 5 to 0.

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.

KMW

RESOLUTION NO. _____

A RESOLUTION APPROVING 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, 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, public hearings to receive public comments and review the request were held before the Planning Commission on April 18, 2016 and before City Council on April 25, 2016; and

WHEREAS, careful and thorough consideration was given the request.

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

Section 1: That the request of Bradford W. Drummond, applicant, 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 approved 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 deemed necessary.

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

ADOPTED: _____

TESTE: _____

City Clerk

RESOLUTION

A RESOLUTION DENYING 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, 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

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

ADOPTED: _____

TESTE: _____

City 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, than 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.

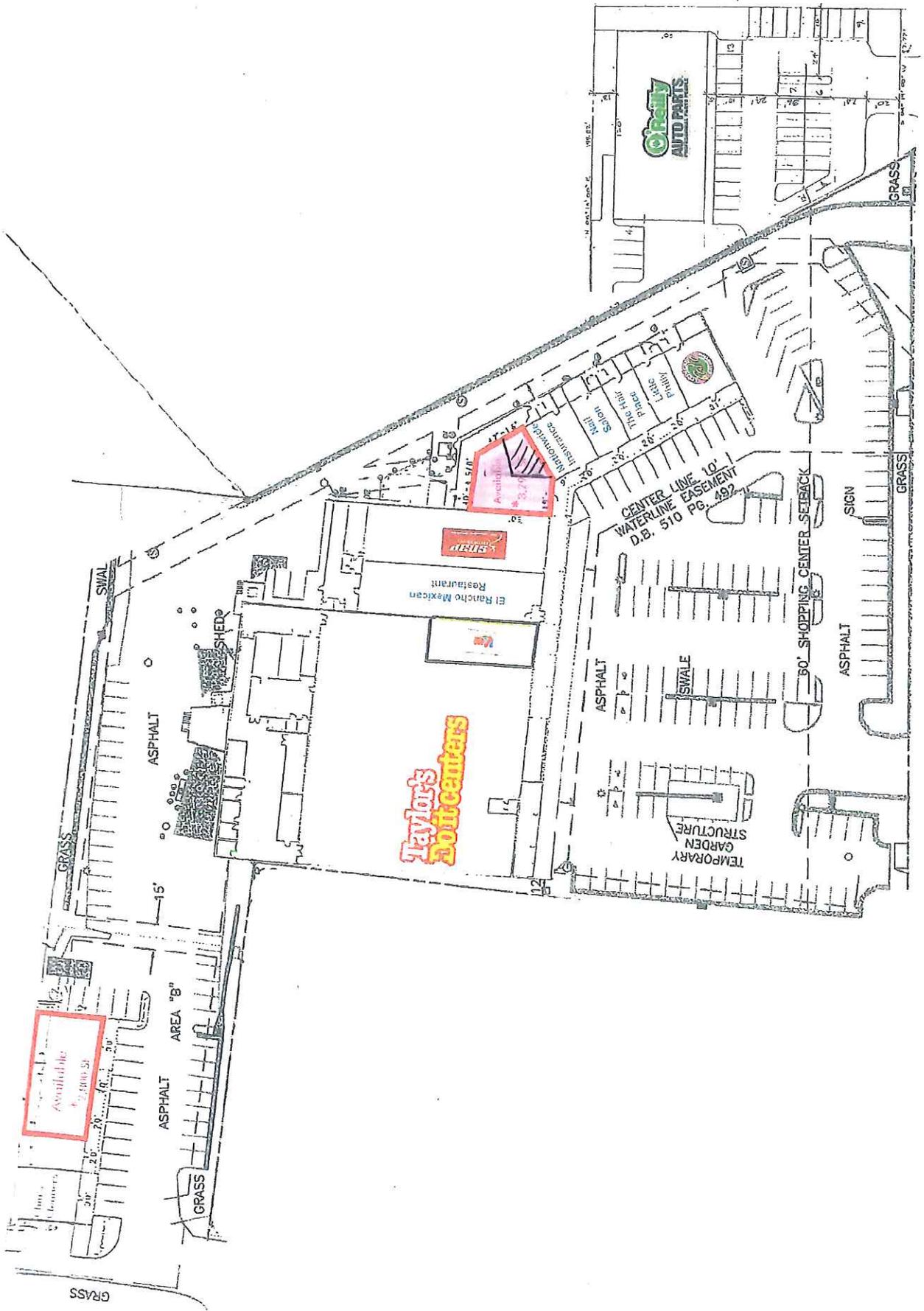
If the Planning Commission recommends approval of the request to City Council, staff recommends that approval be subject to the following conditions:

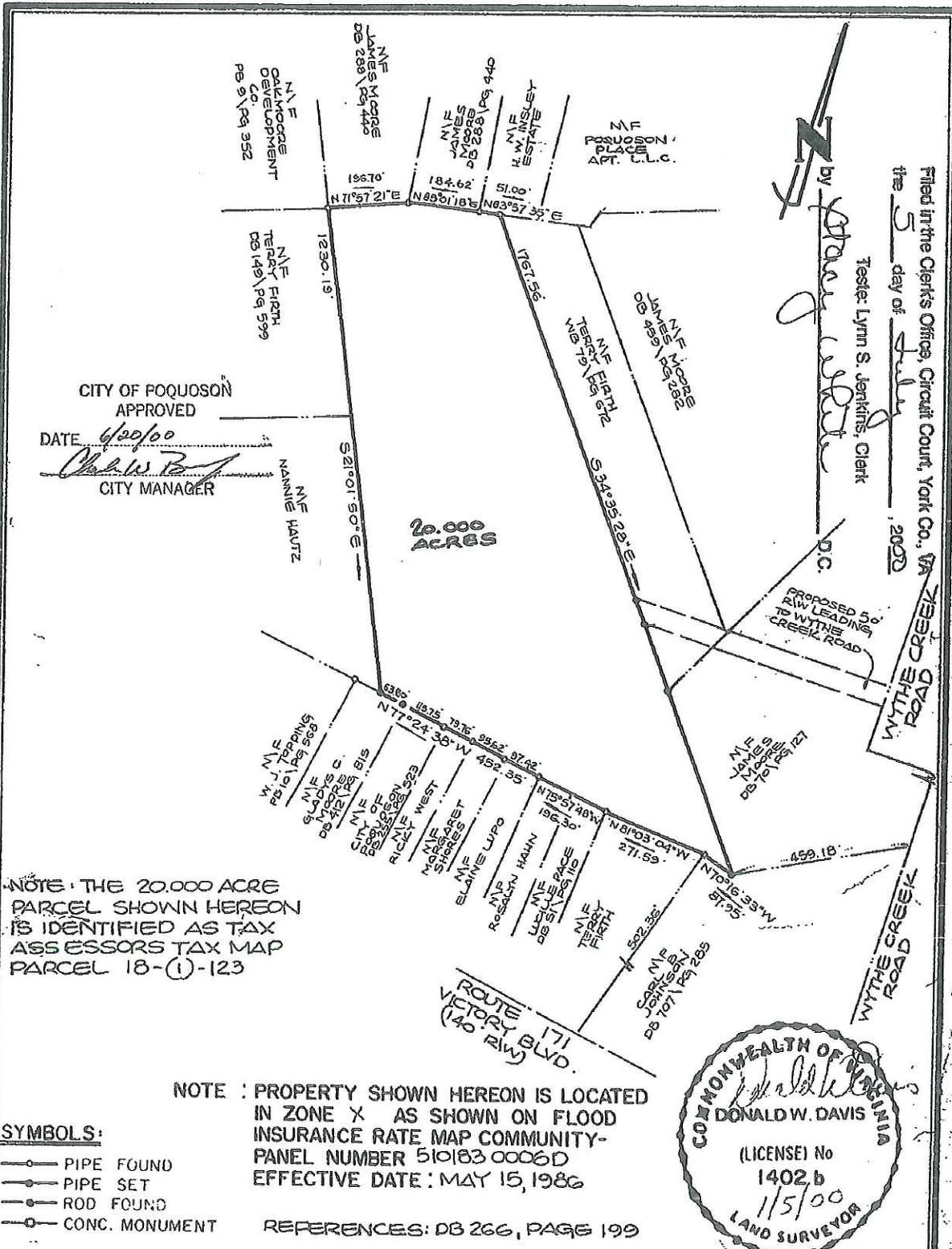
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3. Prior to any on-site expansion of the proposed use, the Zoning Administrator shall review the proposal to determine whether reconsideration of this permit is necessary by City Council.
4. If at any time the specified permitted use on the property 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



WYTHE CREEK PLAZA - SITE PLAN





CITY OF POQUOSON APPROVED
 DATE 6/20/00
Charles B. ...
 CITY MANAGER

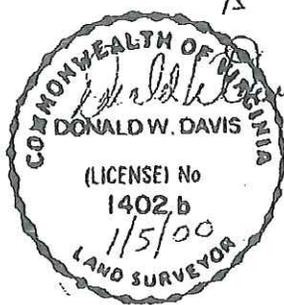
Filed in the Clerk's Office, Circuit Court, York Co., VA
 the 5 day of July, 2000
 Tester: Lynn S. Jenkins, Clerk

NOTE: THE 20.000 ACRE PARCEL SHOWN HEREON IS IDENTIFIED AS TAX ASSessor's 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

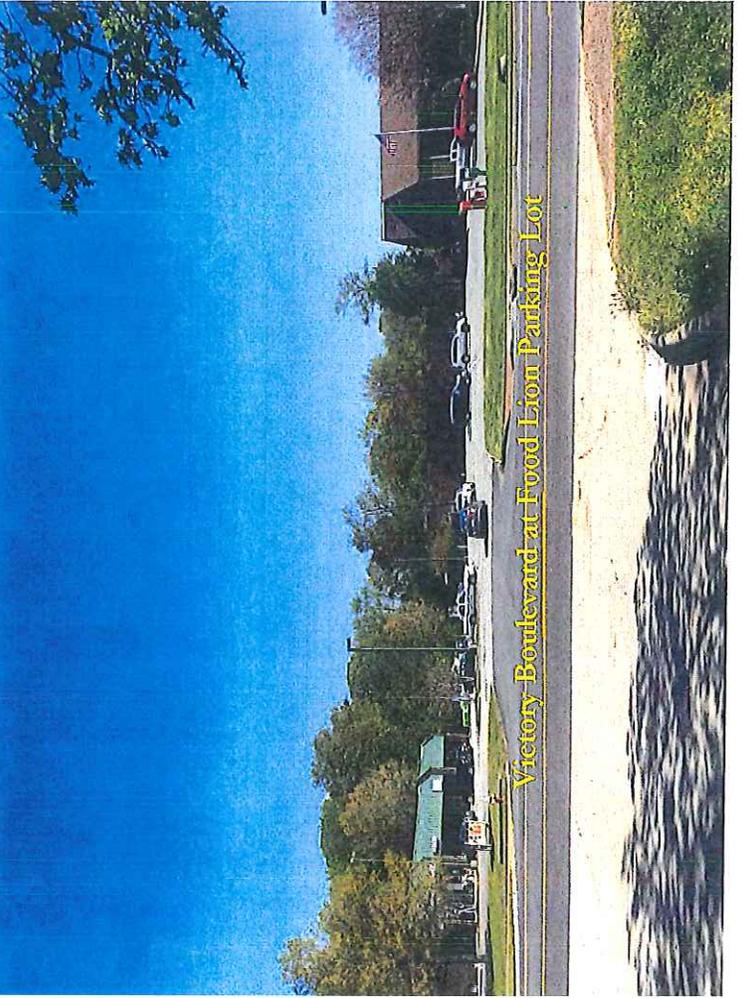
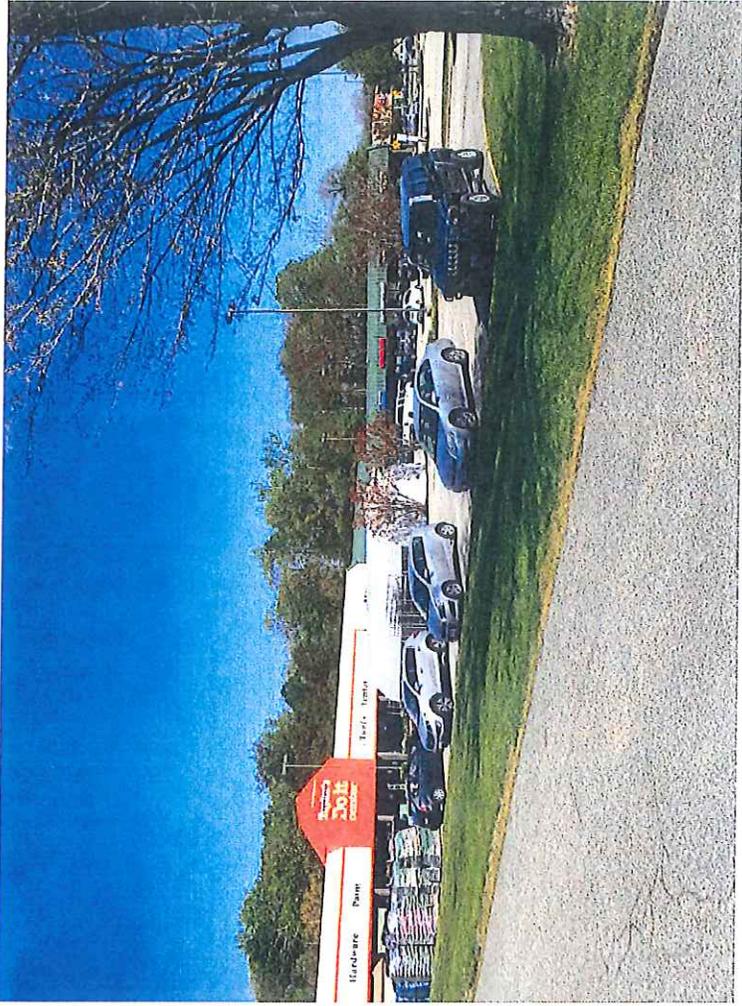
- SYMBOLS:**
- PIPE FOUND
 - PIPE SET
 - ROD FOUND
 - CONC. MONUMENT

REFERENCES: DB 266, PAGE 199

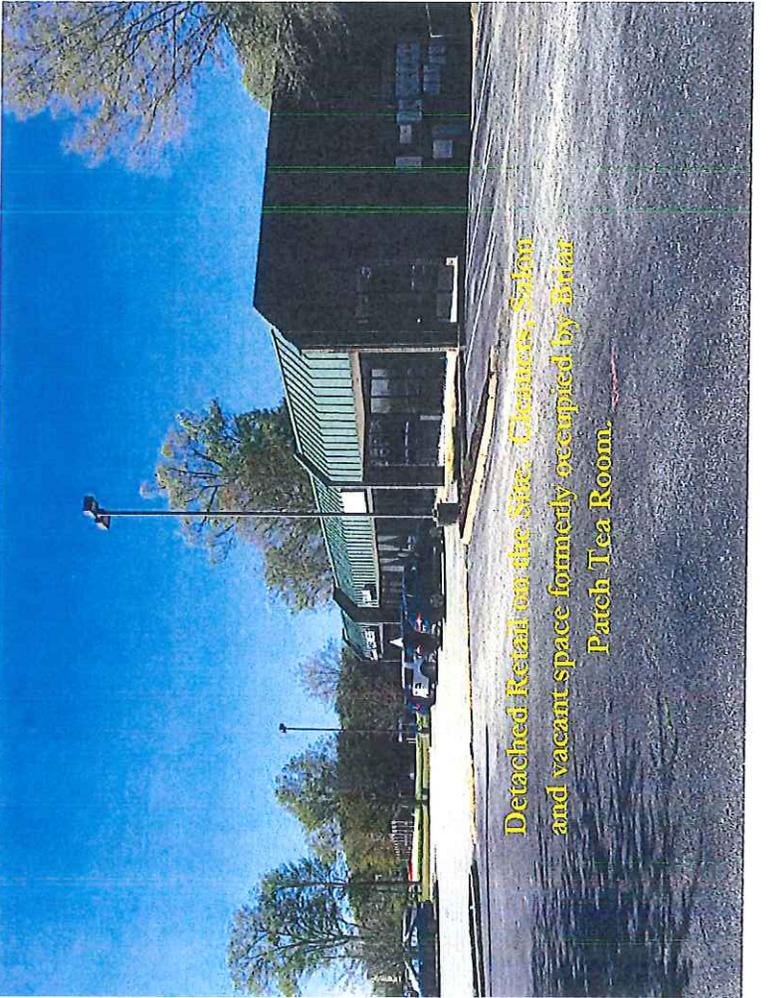
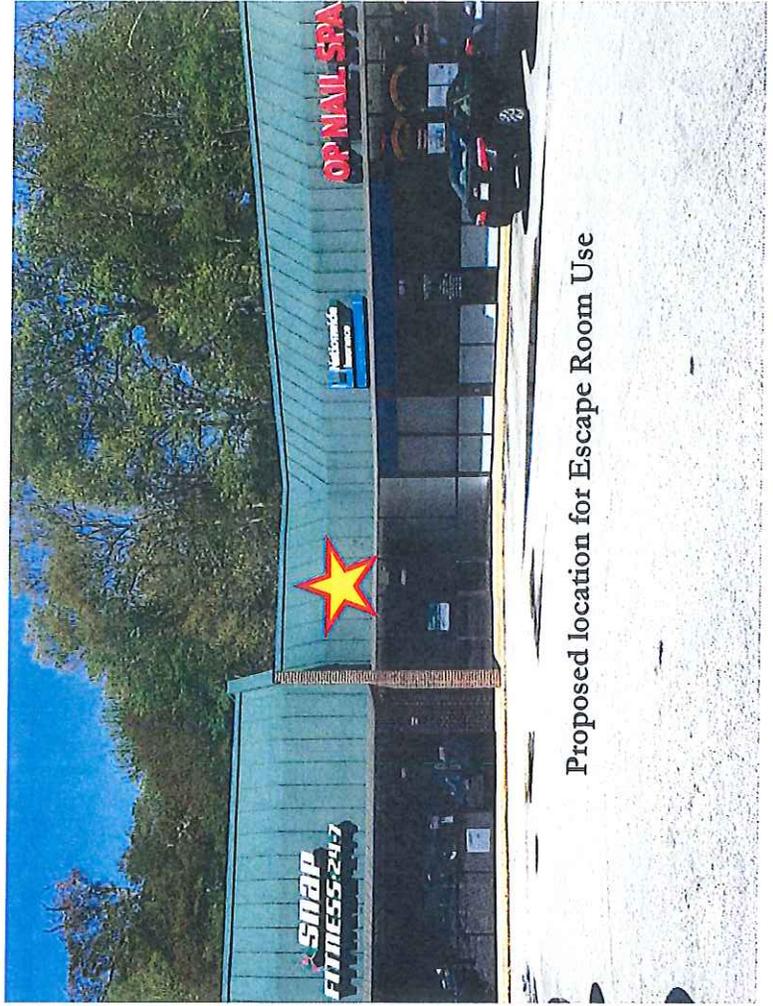


I, *Donald W. Davis* JOB LOCATION
 HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE BY ME ON THIS DATE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO ENCROACHMENTS OF BUILDINGS UNLESS SHOWN HEREON.
DAVIS & ASSOCIATES
 SURVEYORS & PLANNERS
 YORK COUNTY, VIRGINIA

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

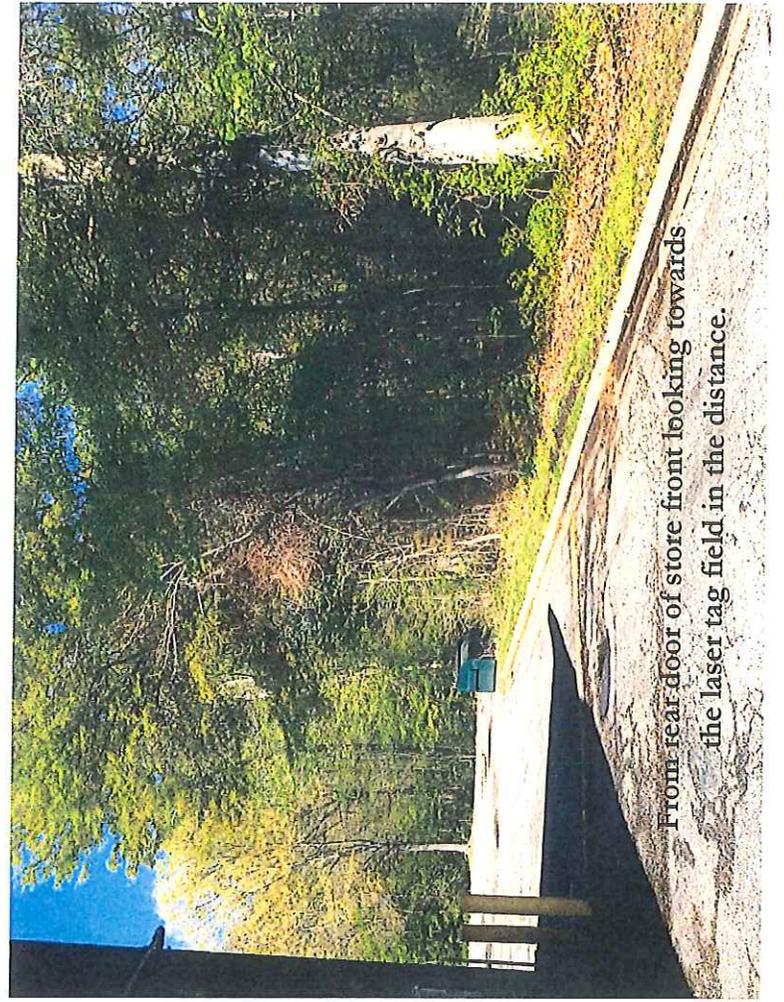
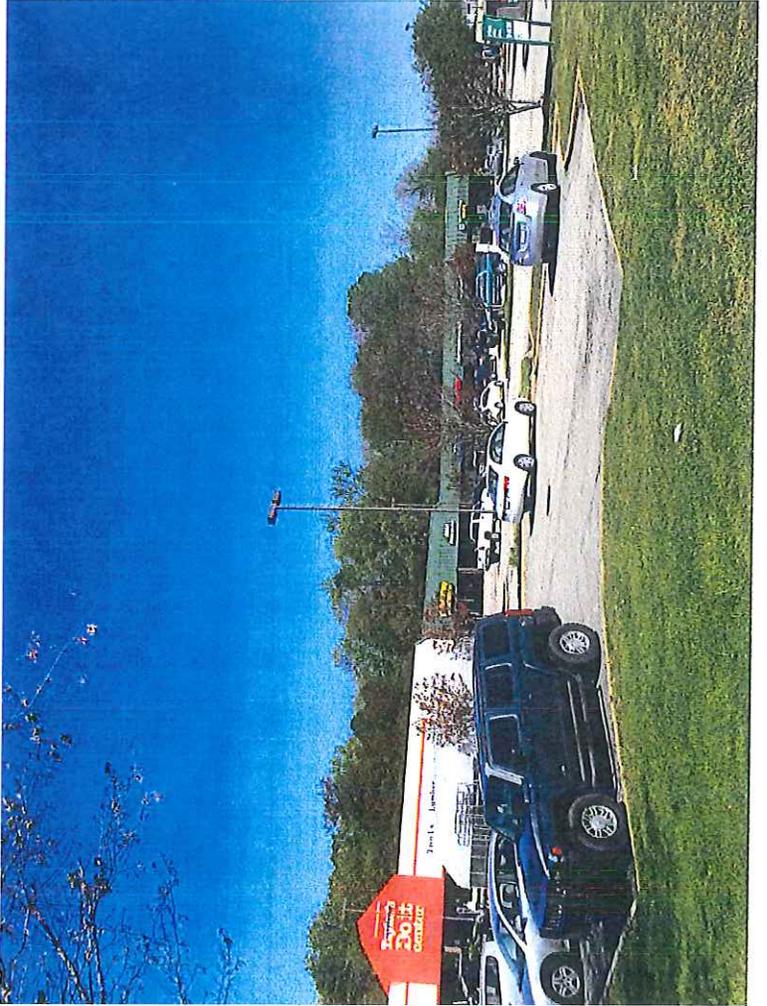


Victory Boulevard at Food Lion Parking Lot

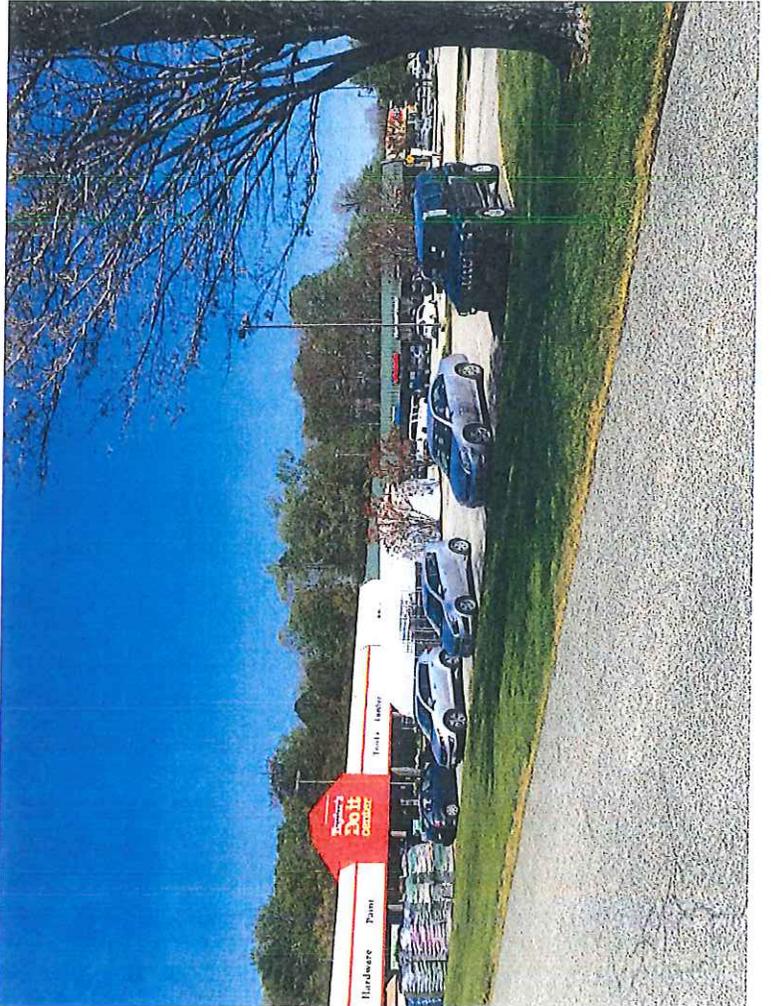


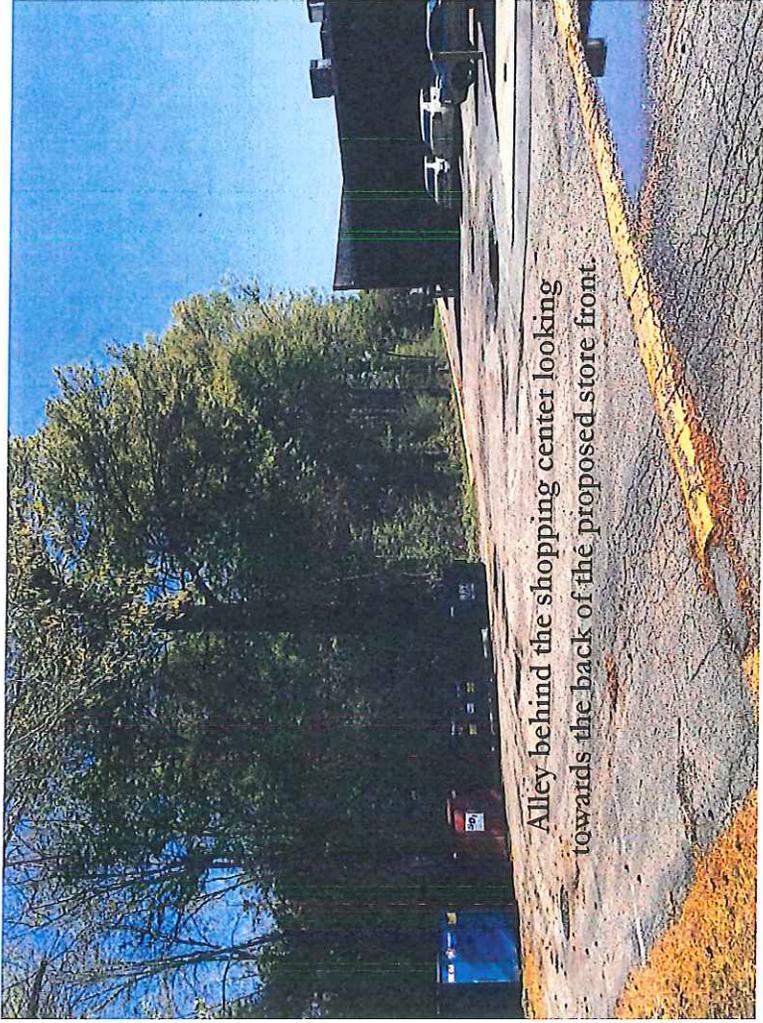
Detached Retail on the Site. Cleaners, Salon and vacant space formerly occupied by Bizar Patch Tea Room.

Proposed location for Escape Room Use

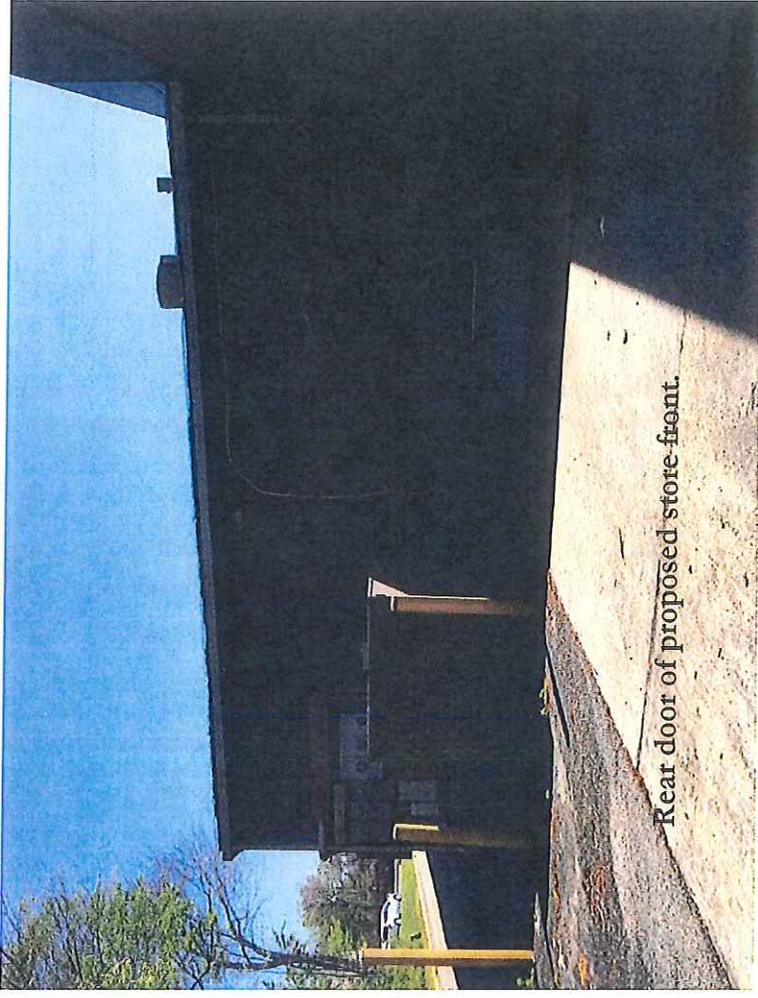


From rear door of store front looking towards the laser tag field in the distance.

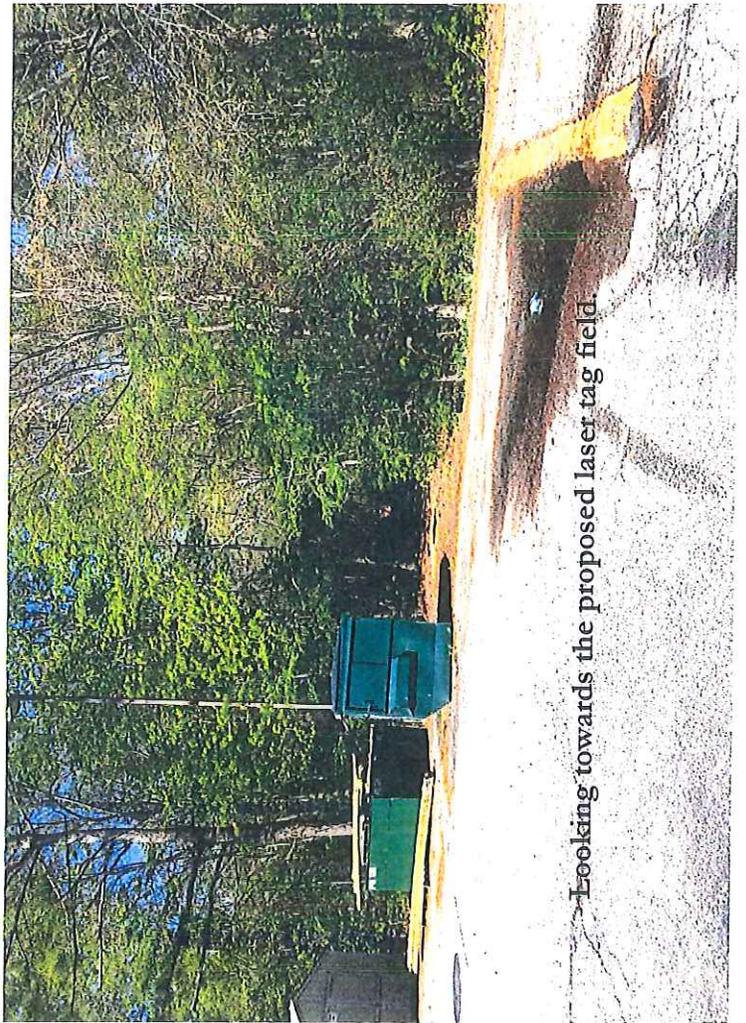




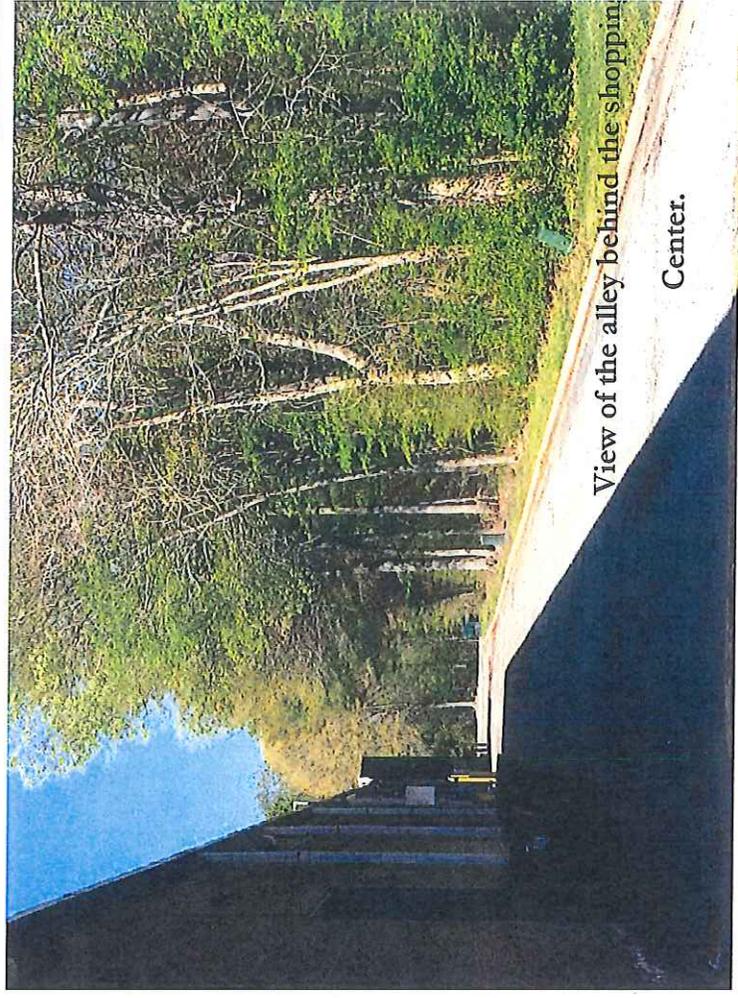
Alley behind the shopping center looking towards the back of the proposed store front.



Rear door of proposed store front.



Looking towards the proposed laser tag field.



View of the alley behind the shopping center.

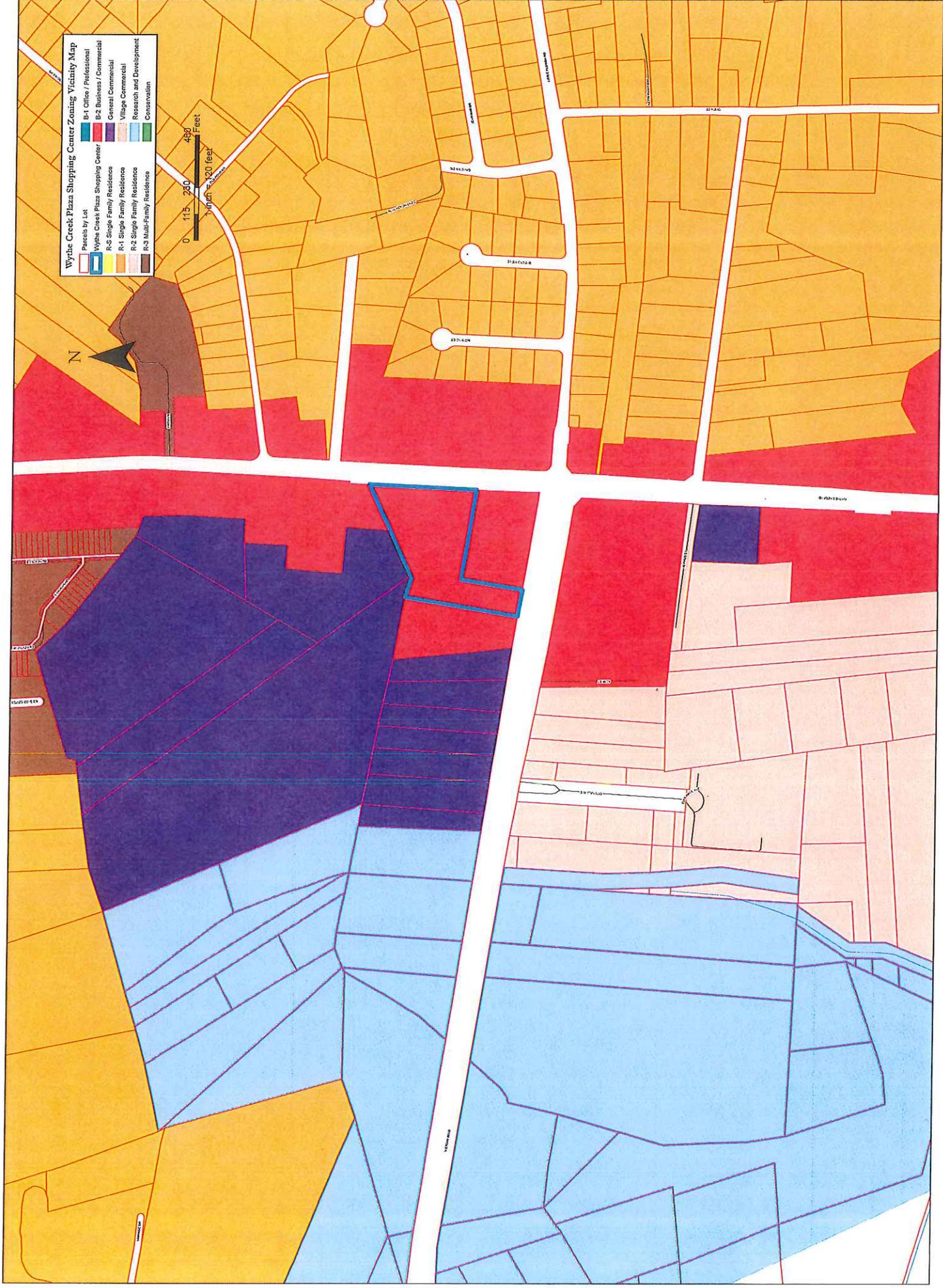
Wythe Creek Plaza Shopping Center Zoning Vicinity Map

- Parcel by Lot
- Wythe Creek Plaza Shopping Center



Wythe Creek Plaza Shopping Center Zoning 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





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.

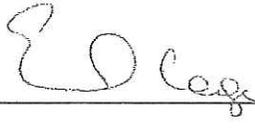
Real-life room escape games are a type of physical adventure game in which people are placed in a room with other participants and have to use elements of the room to solve a series of puzzles, find clues, and escape the room within a set time limit.

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  , Manager

X _____

NAME: SGC Wylthe Creek, LLC, by: Eric 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 

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