

The Poquoson Planning Commission met in a regular session on Monday, April 18, 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 Gustavus A. Goddin, Member
Commissioner James K. Titlow, Member
Commissioner Leigh Fenigsohn, Member

Deborah L. Vest, Director of Community Development
Kevin M. Wyne, Planner
Victoria H. Diggs, Clerk

ABSENT: Commissioner Richard D. Clifton, Member
Commissioner Christopher R. Williamson, Member

REGULAR SESSION

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Chairman Travis led the audience in the invocation and the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Vice Chairman Travis moved, seconded by Commissioner Titlow, that the minutes of the March 21, 2016 regular session be approved as amended. Recorded vote on the motion:

YES: Commissioners Fenigsohn, Titlow, Travis and Chairwoman Shriver.

NO: None.

ABSTAIN: Commissioner Goddin.

AUDIENCE FOR VISITORS

No one in the audience spoke.

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).

This application was advertised for a 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.

Kevin M. Wyne, Planner, introduced the 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 establish an escape room game use on property located at 475 Wythe Creek Road in the Wythe Creek Plaza. He stated that the Wythe Creek Shopping Center is anchored by the Taylor Do-It Center and is Zoned B-2, Business. He pointed out that the most closely related uses to that which is being requested is a bowling alley which is permitted by-right and an arcade which is not specifically permitted in the B-2 District thus necessitating a Conditional Use Permit.

Mr. Wyne explained that the applicant already has an approved Conditional Use Permit to operate a laser tag entertainment business on the 20 acre lot immediately to the northwest of the shopping center property. The requested escape room use he stated would be located in a vacant 2,000 square foot storefront containing four (4) unlocked escape rooms which could hold 6 to 8 people each while they try to solve puzzles and other problem solving exercises in order to exit the room. The area would also be utilized as a gathering area for laser tag players who would be escorted from the rear of the storefront to the laser tag field located on the adjacent parcel.

The Planner concluded his presentation with the following information:

- That an escape room is a unique use (currently not found on the Peninsula);
- That the use fits the B-2 purpose of a variety of commercial uses;
- That it will occupy an existing vacant storefront; and
- That it affords the business owner ease of access for his laser tag patrons to commute to the playing field.

Mr. Wyne 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 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.

Chairwoman Shriver opened the public hearing. Mr. Bradford Drummond, applicant and Tagtime LLC business owner, stated that he owns the adjacent 20 acre parcel which is utilized for his Tagtime Laser business and that the aforementioned storefront would provide direct access to the parcel while providing the required restrooms.

Mr. Alan Moody, 207 Browns Neck Road, spoke in support of the new escape room business.

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

The Commissioners expressed support for the proposed business and in response to their queries Mr. Drummond stated he would have approximately four (4) to five (5) employees working in the storefront and two (2) to three (3) employees operating the Tagtime business at any given time. He also explained that the lighting for the laser field would be portable LED solar lights and that all participants would travel back and forth in a group. Lastly, Mr. Drummond stated that there was sufficient parking for both uses on-site.

Vice Chairman Travis moved, seconded by Commissioner Goddin, to recommend approval of the Conditional Use Permit to City Council inclusive of staff conditions. Recorded vote on the motion:

YES: Commissioners Travis, Titlow, Goddin, Fenigsohn and Chairwoman Shriver.

NO: None.

UNFINISHED BUSINESS

Comprehensive Plan Update Discussion

Chairwoman Shriver stated that in order to take action on any item discussed in the earlier work session, the Planning Commission must first make a motion to amend the agenda accordingly.

Commissioner Goddin moved, seconded by Commissioner Titlow, to amend the agenda to enable the Commission to make appointments to the Community Participation Team (CPT). Recorded vote on the motion:

YES: Commissioners Fenigsohn, Goddin, Titlow, Travis and Chairwoman Shriver.

NO: None.

Vice Chairman Travis moved, seconded by Commissioner Titlow, to appoint the top twelve applicants to the CPT. Recorded vote on the motion:

YES: Commissioners Travis, Titlow, Goddin, Fenigsohn and Chairwoman Shriver.

NO: None.

COMMUNICATIONS AND CORRESPONDENCE

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

Deborah L. Vest, Director of Community Development, stated that Council at their March 28, 2016 meeting approved the housekeeping ordinances ensuring City Code compliance with the State Code relative to the Board of Zoning Appeals and its processes. In addition, she noted that in the same meeting Council also approved the Price Electrical, Inc. Conditional Use Permit. Ms. Vest pointed out that City Council has requested that the existing pockets of business uses located in residential areas of the City be examined and addressed when the Land Use Chapter of the Comprehensive Plan is updated. Lastly, she stated that a storage warehouse on the west side of Wythe Creek Road may be on the next Planning Commission agenda.

Kevin M. Wyne, Planner, stated that the PAWS Conditional Use Permit request to increase the number of cats on their property at 181 Messick Road is postponed until the next meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 7:35 p.m.

ADOPTED: _____

ATTESTE: _____
Victoria H. Diggs, Clerk