

**PLANNING COMMISSION
SPECIAL EXCEPTION REPORT SUMMARY**

CASE NUMBER: SE-16-02

APPLICANT: Hopewell PB, LLC dba Splat Brothers Paintball

LOCATION: 13712 Moody Road North Prince George, VA 23860

TAX MAP: 160(OA)00-007-0 partial parcel on the east line of Moody Road

REQUEST: Special Exception to permit an outdoor recreational facility

EXISTING ZONING: R-A, Residential Agricultural Zoning District

EXISTING USE: Outdoor Recreational Facility

PROPOSED USE: Outdoor Recreational Facility

UTILITIES: Commercial well and drainfield

REAL ESTATE TAXES: Delinquent taxes are not owed to the County

MEETING INFORMATION:

Planning Commission: Thursday, September 22, 2016 at 7:30 p.m.

Board of Supervisors: Tuesday, October 25, 2016 at 7:30 p.m.

Recommendation: Recommend Approval with the recommended conditions

Attachments:

Special Exception Application and Proposed Site Layout
Staff Report and GIS Map of the Surrounding Properties

PRINCE GEORGE COUNTY, VIRGINIA
PLANNING COMMISSION STAFF REPORT
SPECIAL EXCEPTION SE-16-02 SPLAT BROTHERS PAINTBALL
PUBLIC HEARING DATE: SEPTEMBER 22, 2016

Request:

A Special Exception to permit an outdoor recreational facility within an R-A, Residential Agricultural Zoning District.

Case Summary:

The applicant currently operates an outdoor recreational facility on the subject property known as Splat Brothers Paintball Facility. They are currently working with the Virginia State Health Department – Office of Drinking Water (ODW) Norfolk Office to obtain approval for potable water for their customers and their employees through the ODW state permit approval process.

The proposed plan is to construct a new unisex Americans with Disabilities Act (ADA) restroom facility to include the installation of a new septic tank, drainfield and commercial well to support the restrooms and to provide potable water for human consumption. A new 6' x 8' waterproof building will be constructed to house the new 400 amp service to support the recreational use.

Comprehensive Plan:

The 2014 Comprehensive Plan Update identifies this area as appropriate for agricultural uses.

Existing Use and Surrounding Zoning:

The subject property of this request is located on the east side of Moody Road (SR 641) is zoned R-A, Residential Agricultural and is identified as 13712 Moody Road. The surrounding properties are zoned A-1, General Agricultural and R-A, Residential Agricultural and either contain single-family dwellings, vacant or they are in active crop production as agricultural uses.

Community Development - Inspections Division:

There are six (6) buildings on the property that were constructed or were installed by a previous owner without proper permits. The applicant in 2016 applied for all the required permits for the existing buildings. The structures have been inspected by our office and approved for continued use pending the outcome of this Special Exception request. If a Special Exception is granted, building permits will be issued and the owner will complete the required building modifications. Certificates of Occupancy will be issued for each building when final inspections are approved.

Virginia Department of Health (VDH) – ODW Norfolk:

Splat Brothers Paintball proposes to operate an outdoor recreational facility that would provide water for human consumption to at least 25 individuals per day for at least 60 days out of the year. This would meet the definition of a transient non-community waterworks as defined by the Commonwealth of Virginia Waterworks Regulations. According to the plan submitted with the Special Exception Application the property owner proposes to construct a new well that meets

the requirements of the Waterworks Regulations to serve the new building which will house the restrooms for this facility. A site visit to the property to locate a satisfactory well site was made on August 29, 2016 by personnel from ODW and an acceptable well site has been identified. The ODW will issue a well site approval letter to the Owner / Agent representative. An existing shallow well of undermined construction which is not in use currently to supply water for human consumption as defined by the Waterworks Regulations will be abandoned by the land owner.

Virginia Department of Transportation (VDOT):

This outdoor recreational facility use will require that a commercial entrance be constructed in accordance with VDOT standards and specifications. The applicant will be required to submit documentation demonstrating that the proposed entrance meets all required VDOT intersection sight distance requirements. A plan must be submitted for review and approval by VDOT for the design and construction of the proposed commercial entrance. A VDOT Land Use Permit will be required to be obtained from VDOT prior to any work being performed within the VDOT right-of-way along Moody Road (SR 641).

Public Comments:

As of the writing of this report, County Staff has not received any letters, telephone calls, social media postings or any e-mails in support or in opposition to this Special Exception request. A Zoning Sign has been posted on the subject property as a courtesy for any public comments.

Recommendation:

Staff Recommends Approval of the Special Exception for an outdoor recreational use provided that the impact upon the surrounding land owners is minimal and has proposed recommended conditions to ensure that this existing use complies with all Federal, State and County Code requirements:

1. This Special Exception is granted for an outdoor recreational facility to Hopewell PB, LLC dba Splat Brothers Paintball and it is not transferable and it does not run with the land on Tax Map 160(0A)00-007-0 - part of the property on east line of Moody Road.
2. The hours of operation for the outdoor recreational facility shall be limited to Monday – Sunday 9:00 a.m. to dusk.
3. This Special Exception shall become null and void if the use of an outdoor recreational facility is abandoned for a period of twenty-four (24) consecutive months. All the related outdoor recreational facility structures and displays shall be removed from the premises within ninety (90) days at the cost of and disposal by the property owner of record for compliance purposes.
4. The applicant shall take the appropriate measures to ensure compliance with the County Noise Ordinance of the Code of the County of Prince George County, as adopted.
5. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations.