

Index File

UP-805-12

Gayle, Jennifer, & Lance Musser

Assessor's Parcel No. 38A1-9-E1

Application No. UP-805-12, Gayle, Jennifer, & Lance Musser: Request for a Special Use Permit, pursuant to Section 24.1-306 of the Zoning Ordinance (Category 9, No. 9), to authorize a miniature golf course on a 2.12-acre of property located at 2950 Hampton Highway (Route 134). The parcel, located at the intersection of Hampton Highway and Gable Way (private road) and further identified as Assessor's Parcel No. 38A1-9-E1, is zoned GB (General Business) and is designated General Business in the Comprehensive Plan.

Attachments:

- Staff Report
- Zoning Map
- Narrative Statement
- Sketch Plan
- Color Renderings and Photos
- Proposed Resolution No. PC11-13

COUNTY OF YORK

MEMORANDUM

DATE: January 30, 2012 (PC Mtg. 2/8/12)
TO: York County Planning Commission
FROM: Earl W. Anderson, AICP, Planner
SUBJECT: Application No. UP-805-12, Gayle, Jennifer, & Lance Musser

ISSUE

Request for a Special Use Permit, pursuant to Section 24.1-306 of the Zoning Ordinance (Category 9, No. 9), to authorize the establishment of a miniature golf course on a 2.12-acre parcel of land located at 2950 Hampton Highway (Route 134). The parcel, located at the intersection of Hampton Highway and Gable Way (private road) and further identified as Assessor's Parcel No. 38A1-9-E1, is zoned GB (General Business) and is designated General Business in the Comprehensive Plan.

DESCRIPTION

- Property Owner: Shady Banks LLC
- Location: 2950 Hampton Highway (Route 134)
- Area: 2.12 acres
- Frontage: Approximately 330 feet on Hampton Highway
- Utilities: Public water and sewer are available
- Topography: Flat
- 2025 Land Use Map Designation: General Business
- Zoning Classification: GB – General Business
- Existing Development: None
- Surrounding Development:
 - North: Sherwood Forest subdivision across Hampton Highway
 - East: Entrance for the Gables of York (quadruplex development), office and recreation facilities for the Pines of York (apartment complex)
 - South: Undeveloped lot
 - West: Shady Banks shopping center

- Proposed Development: Miniature golf course

CONSIDERATIONS/CONCLUSIONS

1. The applicant is requesting a Special Use Permit to construct a miniature golf course on 2.12 acres of property located on Hampton Highway. The property, the adjacent undeveloped parcel to the south, and the Shady Banks shopping center to the west are all zoned GB (General Business). The proposal abuts Gable Way, a 60-foot wide private right-of-way, which serves as the entrance to the Gables of York quadruplex development and slightly buffers the adjacent property further to the east, where the office and recreation facilities for the Pines of York apartment complex – which is zoned RMF (Multi-Family Residential) – are located. Across the approximately 165-foot Hampton Highway right-of-way is the entrance for Sherwood Forest subdivision, which is zoned R20 (Medium Density Single-Family Residential). The majority of parcels stretching northwest from the subject property along the Hampton Highway are designated for a broad range of commercial activities.
2. The proposed courses would be located beside the existing Shady Banks shopping center and share the main access for the center off Hampton Highway. The applicant is proposing three nine-hole courses, which would run in an ‘L’-shape from the northwest corner of the property, around to the northeast corner, and end in the southeast corner. The phase I sketch plan shows 27 holes with a clubhouse, restrooms building, picnic area, and a koi pond. Each of the three courses is designed around a water feature and all the holes would be 100-percent handicap accessible. The proposed phase I clubhouse would be approximately 1,000 square feet in size and would contain walk-up windows for concessions and an area where customers would be given their golf balls and clubs, as well as a party room, and an employee area. The phase II building is proposed to be 4,000 square feet and would include the uses noted above, as well as expanded party rooms and areas for games of skill (e.g., golf simulator, basketball, soccer). The applicant has also mentioned the possible desire to have a climbing wall on the property in the future and, if that is pursued, will need to submit a request for amendment of the Special Use Permit to allow that additional type of outdoor commercial amusement use.
3. The request should not have any adverse visual impacts on the surrounding area. In accordance with the Greenbelt landscape requirements, the frontage along Hampton Highway is required to have a thirty-five (35) foot-wide greenbelt landscaping area. The greenbelt is meant to preserve any large vegetation and will allow under-vegetated areas to be supplemented with additional plantings. Under a previously approved (2008) site plan for a small retail complex the Greenbelt area was reviewed and the developer was allowed to remove some undergrowth to clean up the site and preserve the larger trees. Additional landscaping will be necessary in this area in order to comply with the Greenbelt provisions and this additional landscaping will help to buffer direct views of the miniature golf course from Route 134. Additionally, since the GB-zoned property is adjacent to a large RMF-zoned parcel, a twenty-five (25) foot transitional buffer will be required along the eastern property line. The

transitional buffer will require additional landscaping beyond a regular landscape yard.

The site is not subject to any of the County's special architectural standard requirements; however, because of the site's highly visible location along one of the County's principal arterial highways, staff believes it is appropriate to recommend a condition of approval requiring the miniature golf course to meet the "Special architectural standards" set forth under Section 24.1-378, *Route 17 corridor overlay district*. These standards regulate the building façade, rooflines, fencing, colors and materials, as well as a general coordination with the existing surrounding development.

The proposed layout includes the required greenbelt, transitional buffer, and 10-foot landscaped yards to the west and south. The proposed holes and water features lack any garish figurines or structures sometimes associated with carnival-style mini-golf courses. The plans and photographs for the course provided by the applicant depict a landscaped course with water features and appropriate landscaping. With the requirements for a Greenbelt, the transitional buffer, architectural standards, and the proposed conditions of approval, there are sufficient regulations in place to ensure that the mini-golf course will be an attractive addition to the Route 134 corridor.

4. Miniature golf courses are subject to two required performance standards set forth in Section 24.1-458 of the Zoning Ordinance, *Standards for miniature golf*. The first requires that noise be contained within the site. The second requires structures, except privacy or containment fences or sound baffles, to be set back a minimum of 500 feet from residential property and be no closer than 100 feet to any property line. However, these setback standards allow the Board to consider a lesser dimension as part of a use permit request. The only other currently operating miniature golf course in the County, Pirate's Cove, located in the upper County on Bypass Road, was granted reduced setbacks in 1999 as part of its Special Use Permit approval. Additionally, the recently approved Ripley's Believe It or Not! course was approved for reduced setbacks.

The closest residential structure in Pines of York is approximately 400 feet from the proposed miniature golf course. This area consists of sixty (60) feet for the private drive for The Gables, approximately 250 feet of vegetated area, forty (40) feet for the private drive for the Pines of York, as well as the future 25-foot transitional buffer on the subject property. According to the submitted photos, the proposed course and features would be made of materials that will contribute to the visual appeal of the course. The proposed use would be landscaped and designed to prevent excessive noise, making it more compatible with the adjacent uses, while a 100-foot setback requirement would significantly reduce the usability of the site. Under these circumstances, staff believes it would be appropriate to reduce the setback requirement from 100 feet to 10 feet for structures other than fences and sound baffles and has included a condition to that effect in the proposed resolution of approval.

5. Section 24.1-454(b) of the Zoning Ordinance, *Standards for all recreation and amusement uses*, requires that applicants for uses in this category submit a traffic impact study; however, the Zoning Administrator can waive this requirement, and the applicant has requested such a waiver. The basis of this request is that according to trip generation rates published by the ITE (Institute of Transportation Engineers), the number of trips generated by the proposed miniature golf course would fall well below the County's thresholds for requiring a traffic study (1,000 vehicle trips per day or 100 peak-hour trips). The ITE manual estimates that the proposed miniature golf course and indoor family amusement center would generate approximately 26 peak-hour trips, which is half the amount of traffic that would have been generated by a previously approved retail development on the subject property for which no road improvements were required. Additionally, the proposed use will be accessed through the existing Shady Banks shopping center entrances and circulation system and no new entrances are proposed on either Hampton Highway or Gable Way. Based on this information, the Zoning Administrator has waived the traffic impact study requirement.
6. The applicant's sketch plan shows 35 parking spaces for the proposed course on the western side of the site. The Zoning Ordinance requires one (1) parking space for every four (4) persons at maximum occupancy for the miniature golf course. The maximum occupancy projections submitted by the golf course designer would equate to 108 persons at four (4) persons per hole, thus requiring 27 spaces. The amusement center building requires one (1) parking space for every 200 square feet. The phase I amusement center at 1,000 square feet would require five (5) parking spaces. The combined parking requirements for the three courses and phase I building totals 32 spaces, which is three spaces fewer than the proposed 35 parking spaces. However, in phase II when the 4,000 square foot building is constructed the required parking would increase significantly to 20 parking spaces for the amusement center. The applicant will need to add 12 more parking spaces on the property or enter into a cooperative agreement with an adjacent property owner. The Zoning Ordinance Section 24.1-602, *Location of parking* does allow uses to share parking and the applicant would have to follow the requirements for cooperative parking outlined in that section before undergoing any additional building on the subject property.
7. The applicant proposes to light the miniature golf course for nighttime use and, in accordance the standard terms of the Zoning Ordinance, all lighting fixtures will be required to be full cutoff. The full cutoff design, plus the limits on light intensity at the property lines, will prevent off-site glare onto the abutting residential properties. A condition has been placed in the resolution to emphasize the requirements lighting fixtures and illumination levels.
8. The subject property does not fall within the Watershed Management and Protection Area overlay district. Currently, the property has a BMP, which was not finalized with the previous site plan approval. During site development, the applicant will need to finalize the BMP and submit the necessary maintenance agreement.

RECOMMENDATION

The uses along Hampton Highway to the northwest are commercial in nature and the residential uses on the adjacent properties to the north and east are buffered and setback significantly from the proposed miniature golf course use. Staff believes a miniature golf course along this corridor would be compatible with the surrounding uses. The proposed course would be subject to multiple landscaping and setback requirements, as well as special architectural standards that will help ensure that the mini-golf course will be an attractive addition. Lastly, the adjacent roadways will not be adversely affected by the proposed course, as the development will not generate a significant amount of traffic. Therefore, based on the considerations and conclusions outlined above, staff recommends that the Commission forward this application to the Board of Supervisors with a recommendation of approval, subject to the conditions contained with Resolution No. PC12-5.

EWA

Attachments:

- Zoning Map
- Narrative Statement
- Sketch Plan
- Color rendering and photos
- Resolution No. PC12-5

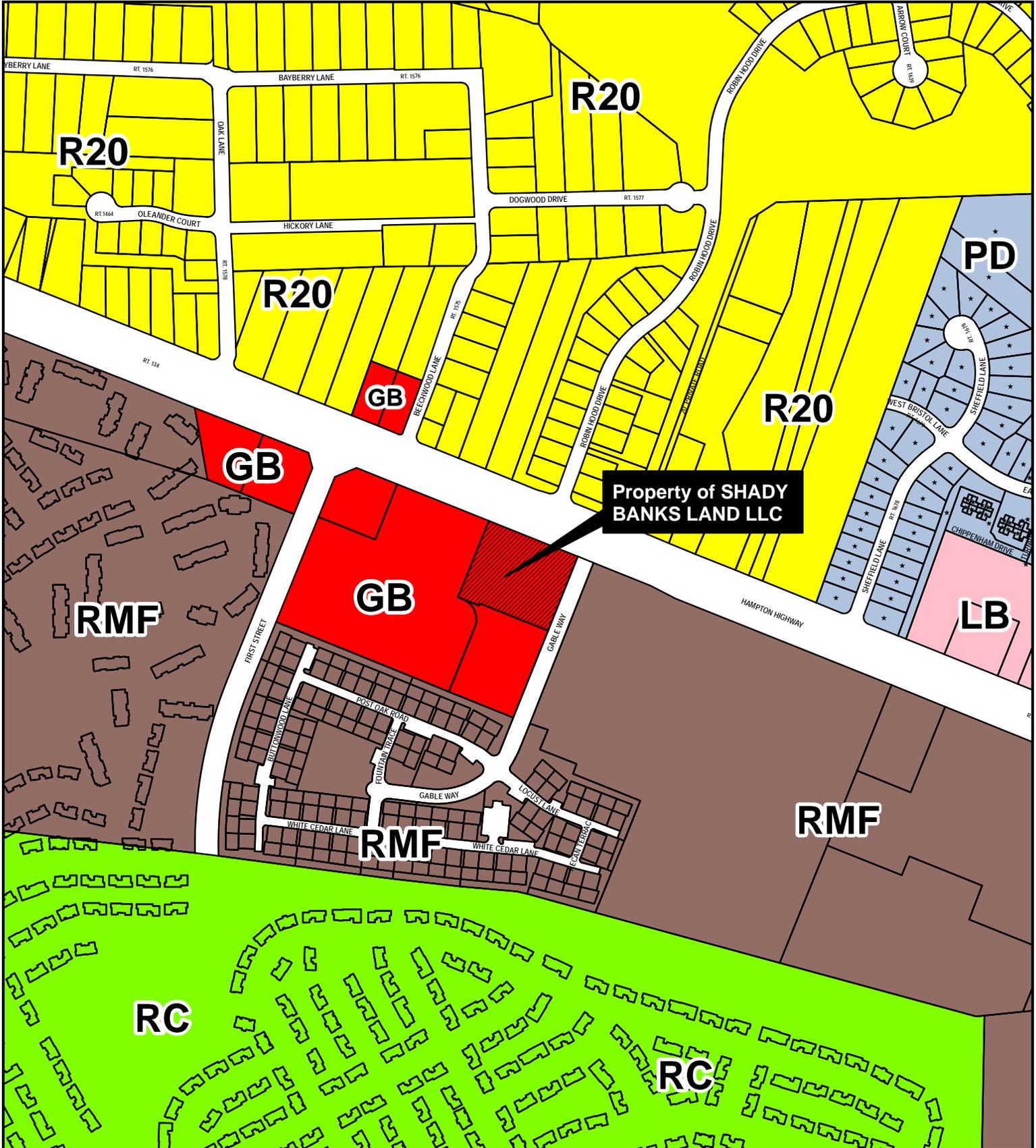
APPLICANT Gayle, Jennifer, & Lance Musser

Request for a Special Use Permit to establish a miniature golf course.

2950 HAMPTON HWY

ZONING MAP

APPLICATION NUMBER: UP-850-12



★ = Conditional Zoning



SOURCE: YORK COUNTY GIS PARCEL DATA and ZONING COVERAGE

THIS IS NOT A LEGAL PLAT. This map should be used for information purposes only. It is not suitable for detailed site planning.

Printed on January 06, 2012

January 27, 2012

RE: 2950 Hampton Hwy/Lennys Golf Phase I and II

York County,

I am asking for permission to build 27 holes of upscale miniature golf on the 2 acres located at 2950 Hampton Hwy (Shady Banks) through a Special Use Permit. My original plan I submitted for approval has become Phase II.

Phase I will consist of 27 holes of miniature golf. Each 9 holes will have its own bubbler pond and stream and return system. Most holes will play along, beside, over, around and through water features. The highest point of the land will be 3ft high. Each 9 holes will still be 100% ADA compliant.

The building will be approximately 800-1000 sq ft and will have walk up windows for the concession stand and the starter window where you'd get balls and putters. The building will have party room inside but otherwise will not be open to the public. Outside features will be a Koi pond and numerous tables to sit at. Restrooms will be outside for the public.

My initial plan submitted calls for a 4,000 sq ft building to be built (now Phase II) and originally there were plans on having arcade games. This will not be the case anymore. There will be no arcade now and there are no plans on having an arcade in the future. When the larger building is built we plan on having games of skill, i.e. basketball, golf simulators, soccer etc. Our intentions are not to be a hangout for people with nothing to do. This will be a Family entertainment center.

In the summer of this year (2012), I'd like to add a Rock Climbing Wall and another yet to be determined apparatuses for additional family fun outside other than the 27 holes of upscale miniature golf.

Thank you. If you have any questions I can always be reached on my cell phone at 713-1399.

Sincerely,

A handwritten signature in black ink that reads "Lance Musser". The signature is written in a cursive, flowing style with a large initial "L".

Lance Musser

Lennys Golf

SHADY BANKS

MINIATURE GOLF

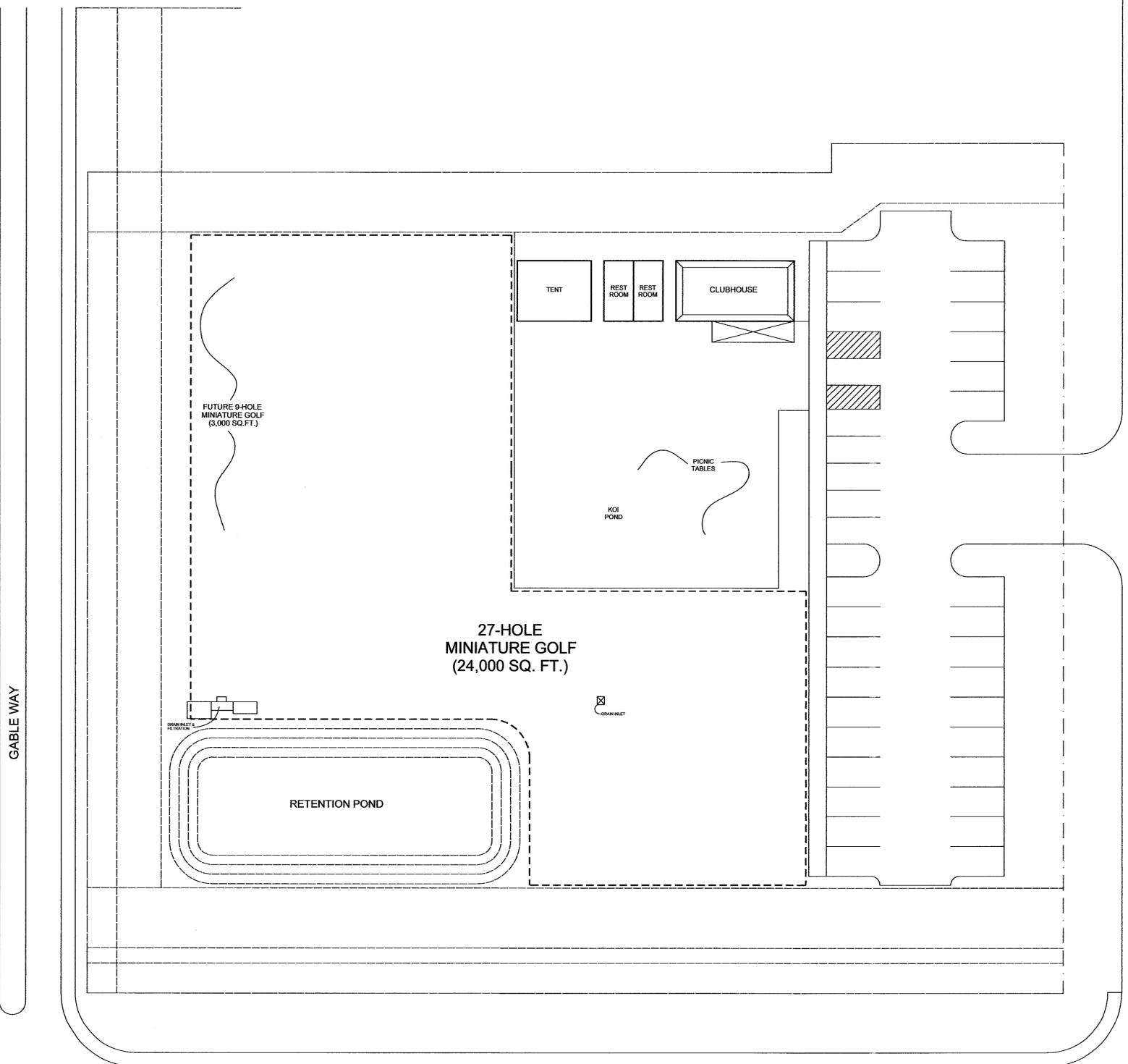
YORKTOWN, VA



CONTENTS

- SHEET 1 - SITE PLAN 1"=20'-0"
 - SHEET 2 - LAYOUT PLAN 1"=10'-0"
 - SHEET 3 - GRADING PLAN 1"=10'-0"
 - SHEET 4 - LAYOUT & GRADING
PLAN 1" =10'-0"
 - SHEET 5 - LIGHTING PLAN 1"=20'-0"
 - SHEET 6 - DETAIL SHEET 1
 - SHEET 7 - DETAIL SHEET 2
 - SHEET 8 - DETAIL SHEET 3
 - SHEET 9 - DETAIL SHEET 4
 - SHEET 10 - COLOR RENDERING
-





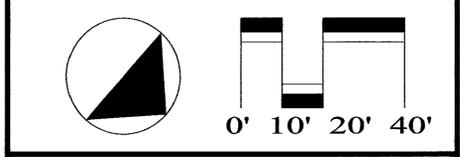
REVISIONS:

DATE PRINTED: 01/25/12

GRAPHICS KEY

DROP-OFF ELEV. CHANGE	R — ROUGH
EMBANKMENT	M — MOUND
DRAIN INLET	P — PLANTER
RETENTION POND	ST — SAND TRAP

*COLORED CARPET MAY BE USED IN PLACE OF NATURAL SAND



REUSE OF DOCUMENTS:
This Document, and the designs incorporated herein, are the property of Harris Miniature Golf Courses, Inc. and are not to be used in whole or in part for construction of this or any other project without the written authorization of Harris Miniature Golf Courses, Inc.

FOR:
**SHADY BANKS
MINIATURE GOLF
YORKTOWN, VA**

SITE PLAN	DATE: 01/23/12
DRAWN BY: J.J.O.	SCALE: 1" = 20'-0"
CHECKED BY: G.F.L.	SHEET #: 1 JOB #: 12-06-3



Handicap accessible portions of the course(s) are designed in accordance with ADAAG (Americans with Disabilities Act Accessibility Guidelines) Chapter 10 Section 1007.

Notes:
 Three Phase available but motor starter is required. Please consult your electrician in choosing appropriate pump assembly.
 Unless otherwise agreed, electrician is responsible for supplying and installing starters and overloads for Three Phase pumps.
 Owner MUST require Three Phase pumps IN WRITING.
 It is strongly recommended that a phase retractor be installed if a single phase leg is taken from 3-phase service to power the pumps, due to the unstable voltage of this arrangement.
 Spray fountain heads in lower ponds MUST be HIGHER than pump.

REVISIONS:
 DATE PRINTED: 01/25/12

GRAPHICS KEY

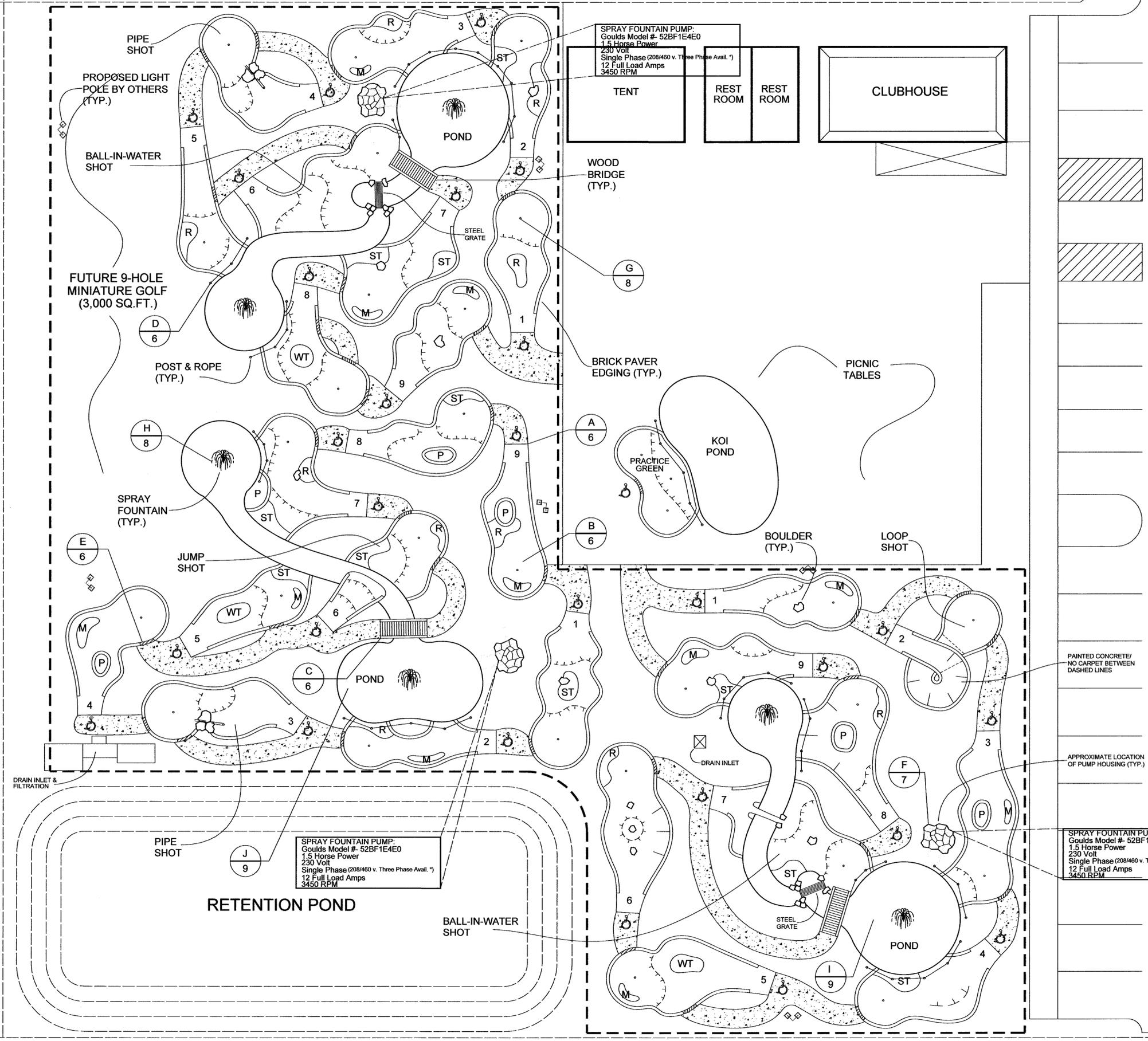
DROP-OFF ELEV. CHANGE	R — ROUGH
EMBANKMENT	M — MOUND
	P — PLANTER
	ST — SAND TRAP
	*COLORED CARPET MAY BE USED IN PLACE OF NATURAL SAND

0' 5' 10' 20'

REUSE OF DOCUMENTS:
 This Document, and the designs incorporated herein, are the property of Harris Miniature Golf Courses, Inc. and are not to be used in whole or in part for construction of this or any other project without the written authorization of Harris Miniature Golf Courses, Inc.

FOR:
SHADY BANKS MINIATURE GOLF YORKTOWN, VA

LAYOUT PLAN	DATE: 01/23/12
DRAWN BY: J.J.O.	SCALE: 1" = 10'-0"
CHECKED BY: G.F.L.	SHEET #: 2 JOB #: 12-06-3

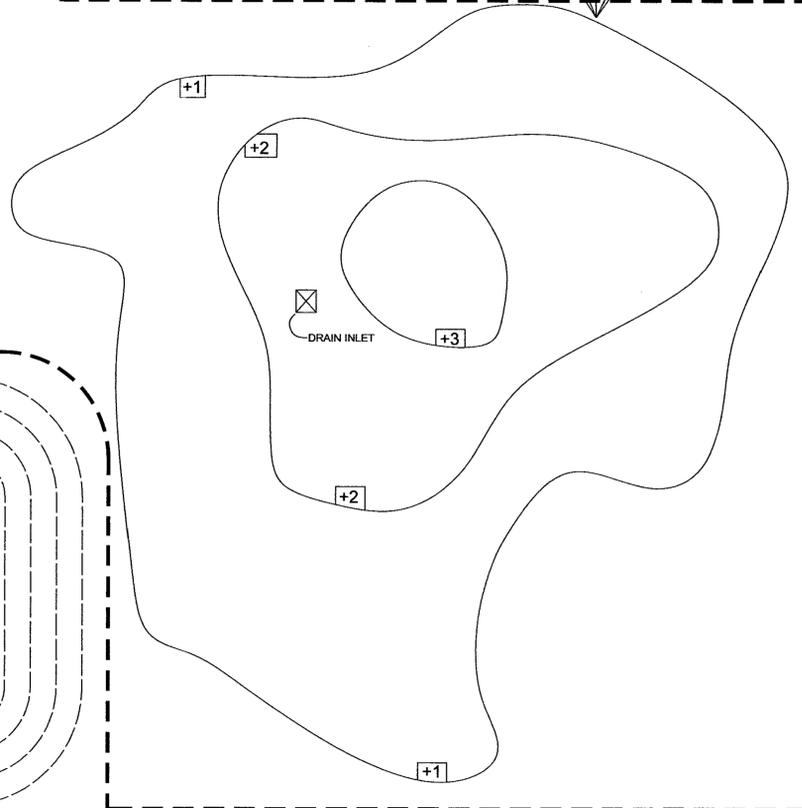
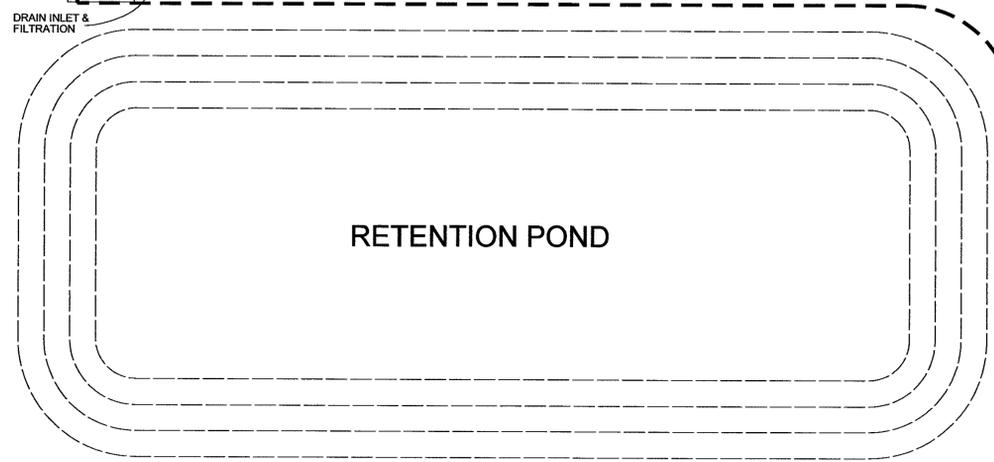
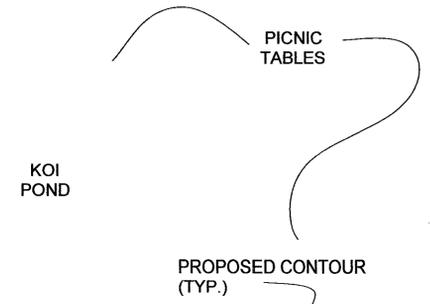
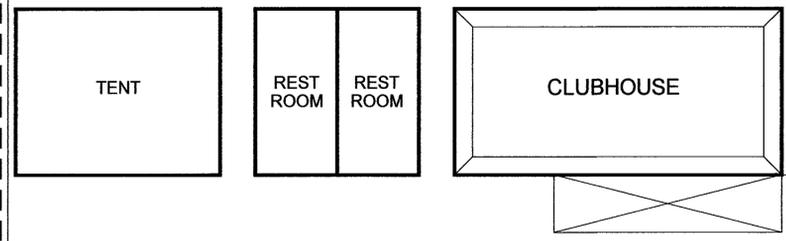
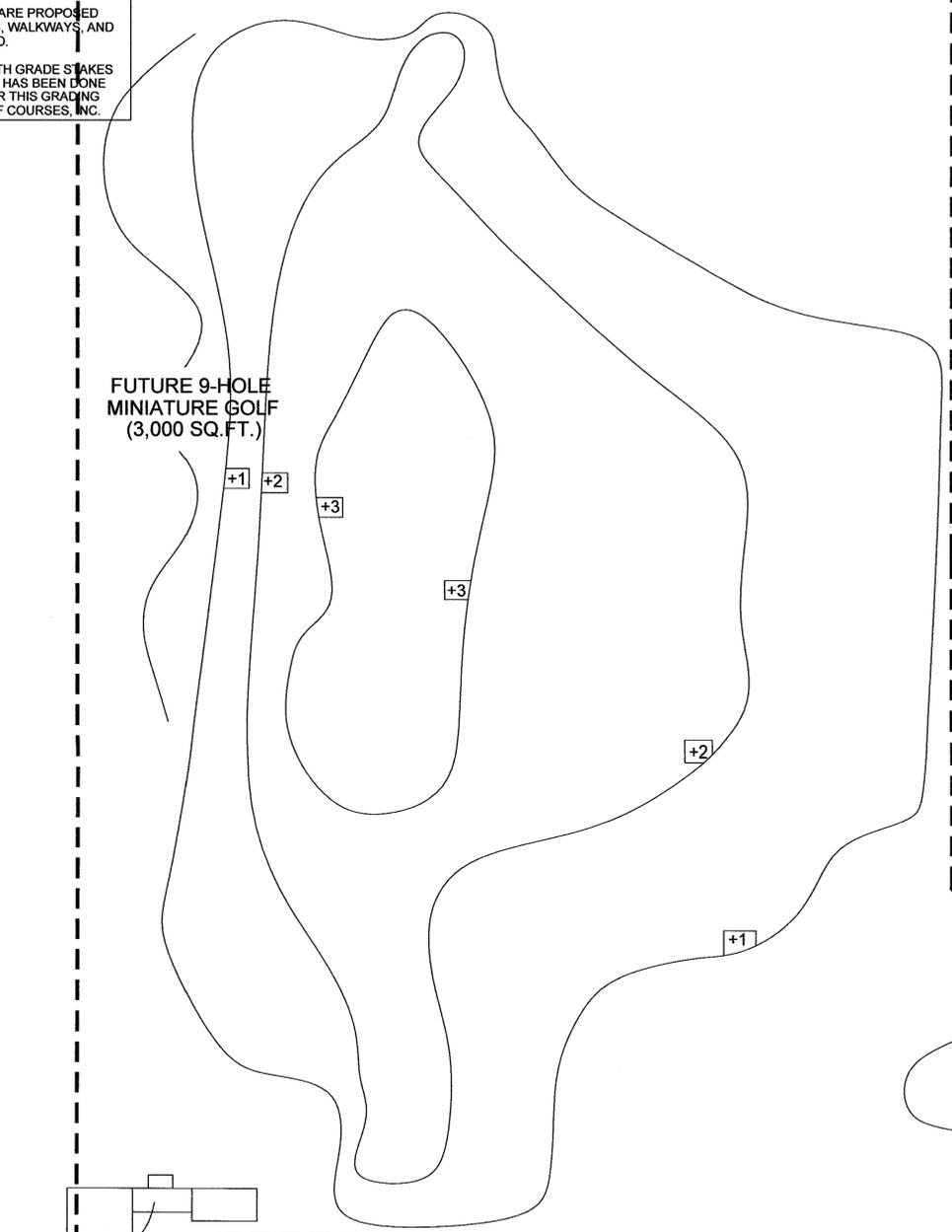


FILL RECOMMENDATIONS:
 WHEN BRINGING IN FILL, WE RECOMMEND USING FILL MATERIAL THAT IS GRANULAR, SELF-DRAINING AND COMPACTABLE. FILL SHOULD BE ROLLED AND COMPACTED IN 6"-12" LIFTS TO REDUCE SETTLING. THIS WILL RESULT IN 85-90% COMPACTION. WE ALSO RECOMMEND HAVING ADDITIONAL FILL AVAILABLE FOR SHAPING AND CONTOURING OF THE GOLF HOLES.

GRADING NOTES:
 ELEVATIONS SHOWN ON THIS GRADING PLAN ARE PROPOSED ROUGH GRADES. FINE GRADING FOR HOLES, WALKWAYS, AND WATER SYSTEMS WILL BE DONE IN THE FIELD.

ELEVATIONS MUST BE CLEARLY MARKED WITH GRADE STAKES TO ENSURE AND VERIFY THAT THE GRADING HAS BEEN DONE PROPERLY AND TO THE SPECIFICATIONS PER THIS GRADING PLAN PROVIDED BY HARRIS MINIATURE GOLF COURSES, INC.

FUTURE 9-HOLE
 MINIATURE GOLF
 (3,000 SQ.FT.)



Notes:
 Elevations shown on this grading plan represent proposed rough grades. Fine grading for holes, walkways, and water systems will be done in the field.
 Elevations must be CLEARLY MARKED with GRADE STAKES to ENSURE and VERIFY that the grading has been done properly and to specifications as per this Grading Plan provided by Harris Miniature Golf Courses, Inc.
 Handicap accessible portions of the course(s) are designed in accordance with ADAAG (Americans with Disabilities Act Accessibility Guidelines) Chapter 10 Section 1007.

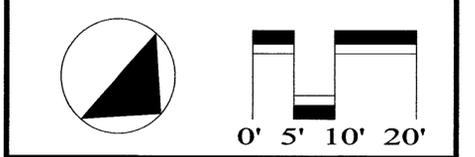
REVISIONS:

 DATE PRINTED: 01/25/12

GRAPHICS KEY

	DROP-OFF ELEV. CHANGE	R — ROUGH
	EMBANKMENT	M — MOUND
	PLANTER	P — PLANTER
	SAND TRAP	ST — SAND TRAP

*COLORED CARPET MAY BE USED IN PLACE OF NATURAL SAND



REUSE OF DOCUMENTS:
 This Document, and the designs incorporated herein, are the property of Harris Miniature Golf Courses, Inc. and are not to be used in whole or in part for construction of this or any other project without the written authorization of Harris Miniature Golf Courses, Inc.

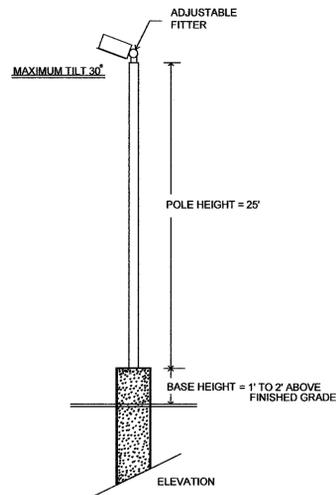
FOR:
**SHADY BANKS
 MINIATURE GOLF
 YORKTOWN, VA**

GRADING PLAN	DATE: 01/23/12
DRAWN BY: J.J.O.	SCALE: 1" = 10'-0"
CHECKED BY: G.F.L.	SHEET #: 3
	JOB #: 12-06-3

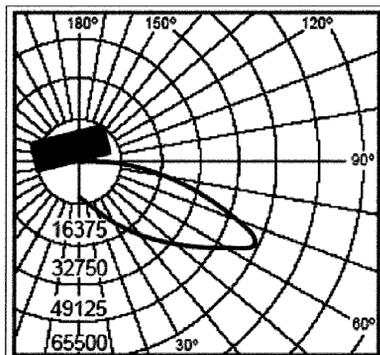
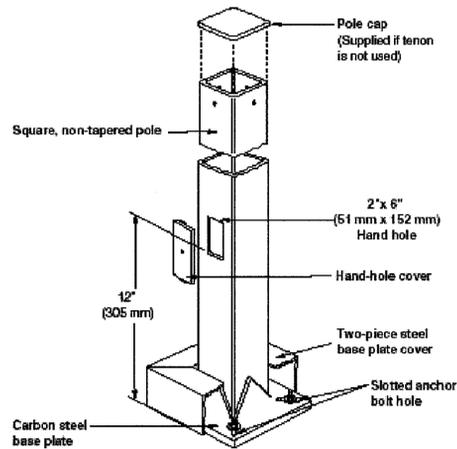


800-236-7000 USA
 905-671-1991 CAN
 www.ruudlighting.com

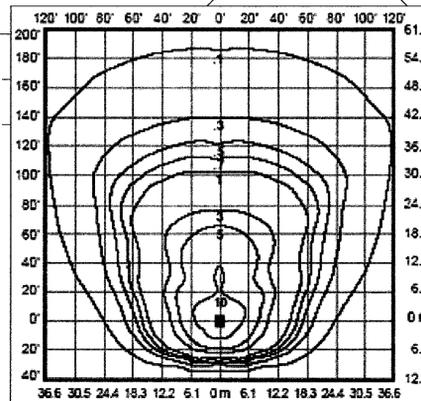
CF_499-MH



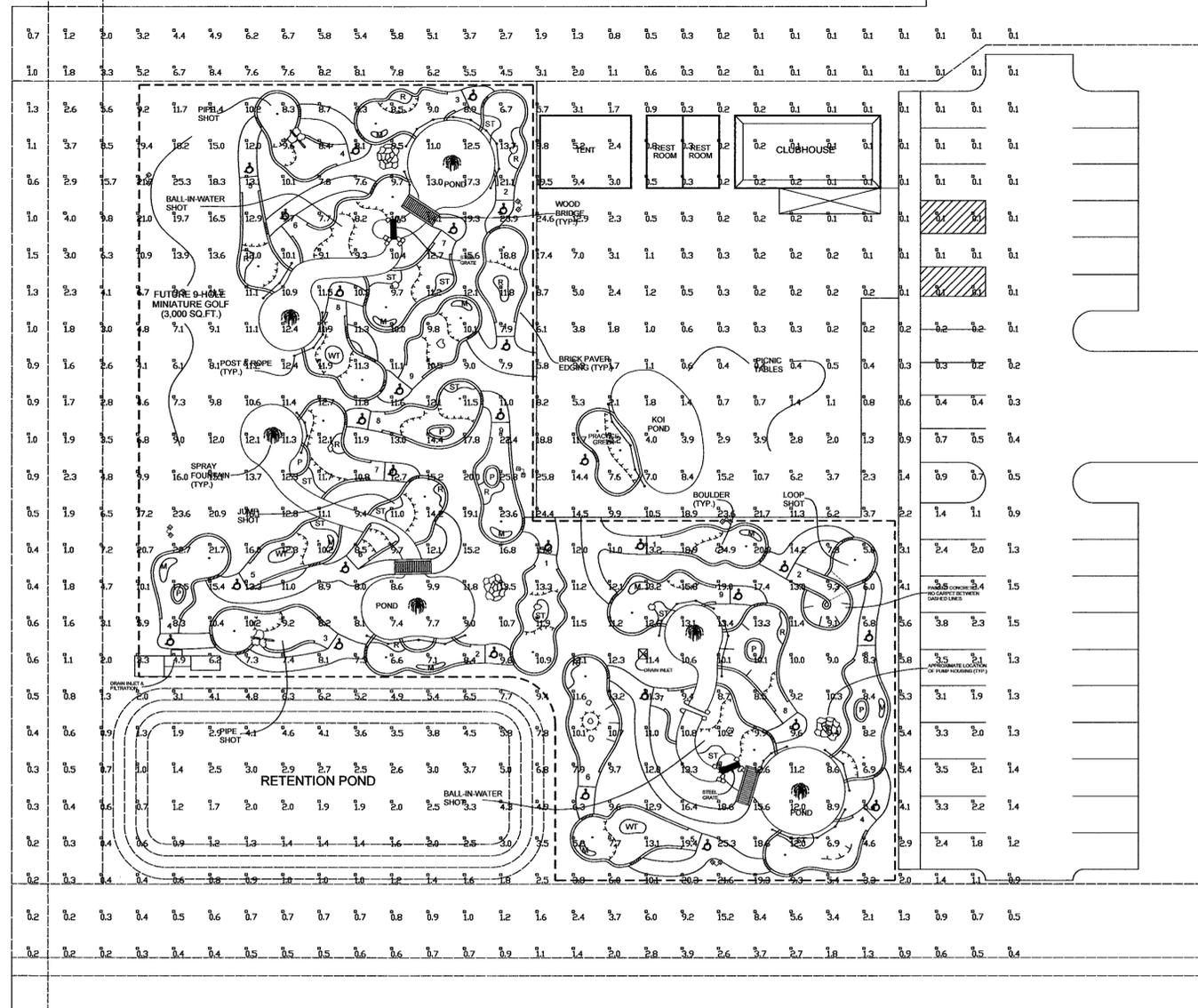
*** Poles meet 90 mph sustained winds
 *** Fixtures mounted at 26' (25' pole + 1' - 2' a.f.g. base)



Lighting Sciences Inc.
 Certified Test Report No. LSI 9004
 Candlepower distribution curve of 1000W MH
 Cutoff Floodlight at 20° vertical tilt.



Isofootcandle plot of 1000W MH Cutoff
 Floodlight at 30° (9.1 m) mounting height
 and 20° vertical tilt. (Plan view)



Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Lumens	LLF	Description
⊗	6	double	2 @ 90 DEGREES	96600	0.650	CF 499M (1000 W MH)

Numeric Summary						
Label	Calc Type	Units	Avg	Max	Min	Avg/Min
course	Illuminance	Fc	5.82	25.8	0.1	58.20
						258.00

SPRAY FOUNTAIN PUMP:
 Goulds Model # 52BF1E4E0
 1.5 Horse Power
 230 Volt
 Single Phase (208/460 v. Three Phase Avail. *)
 12 Full Load Amps
 3450 RPM



Notes:
 Illumination results shown on this lighting design are based on project parameters provided to Harris Miniature Golf Courses, Inc. used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying compliance with any applicable electrical, lighting, or energy code.

If you choose to obtain your lighting fixtures from RUUD Lighting, based on this lighting plan created by Harris, it is imperative that you contact our exclusive RUUD representative, Suzy Trevino, at 800-236-700 ext. 3232

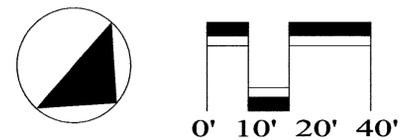
Handicap accessible portions of the course(s) are designed in accordance with ADAAG (Americans with Disabilities Act Accessibility Guidelines) Chapter 10 Section 1007.

REVISIONS:

DATE PRINTED: 01/25/12

GRAPHICS KEY

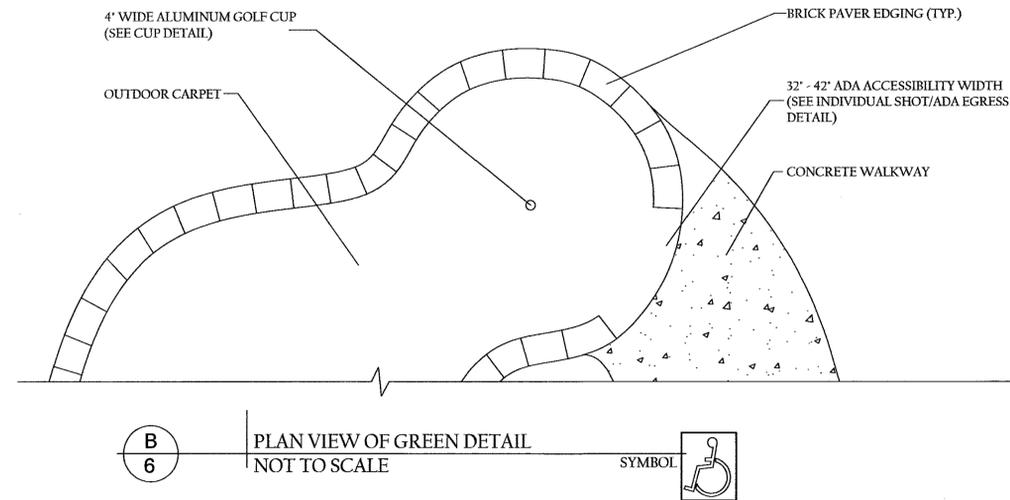
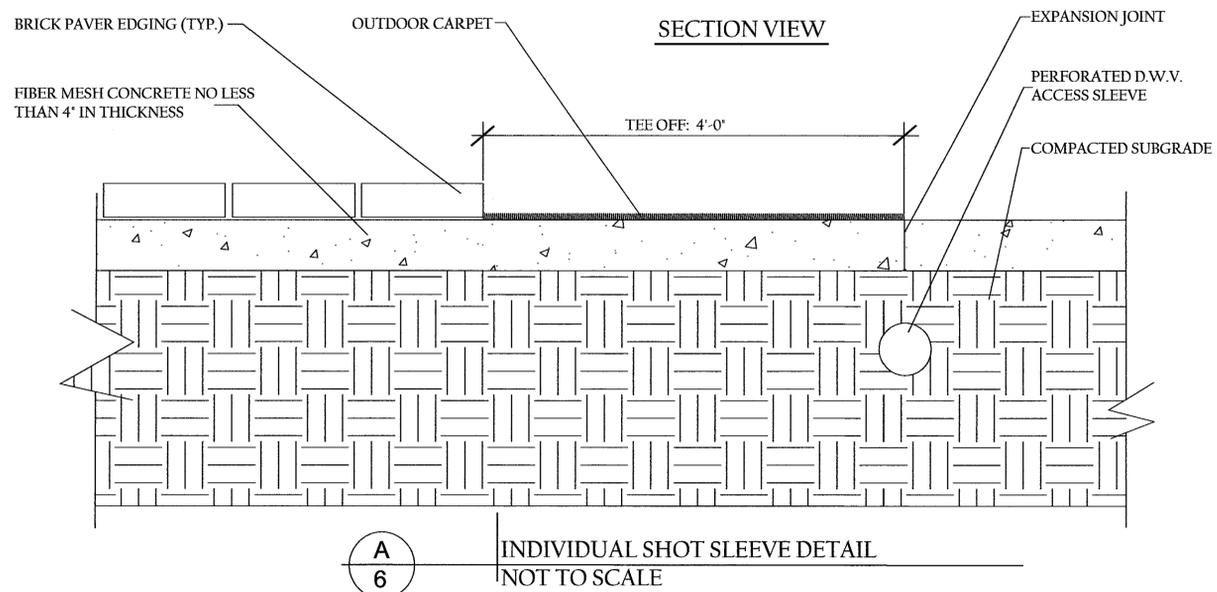
- DROP-OFF ELEV. CHANGE: R — ROUGH
 - EMBANKMENT: M — MOUND
 - ST — SAND TRAP
 - P — PLANTER
- *COLORED CARPET MAY BE USED IN PLACE OF NATURAL SAND



REUSE OF DOCUMENTS:
 This Document, and the designs incorporated herein, are the property of Harris Miniature Golf Courses, Inc. and are not to be used in whole or in part for construction of this or any other project without the written authorization of Harris Miniature Golf Courses, Inc.

FOR:
SHADY BANKS MINIATURE GOLF
 YORKTOWN, VA

LIGHTING PLAN	DATE: 01/23/12
DRAWN BY: J.J.O.	SCALE: 1" = 20'-0"
CHECKED BY: G.F.L.	SHEET #: 5
	JOB #: 12-06-3



SCREWS & BOLTS USED IN CONSTRUCTION

- 6' GALVANIZED CARRIAGE BOLTS
- 2 1/2' GALVANIZED SCREWS
- ALL MATERIALS ACQ TREATED, EXCEPT 3/4" TREX

2 1/2' GALVANIZED SCREWS

4' x 4' UPRIGHT POST (6)

2' x 6' CCA FASTENED TO SIDE OF BRIDGE JOIST TO EXTEND 4' ABOVE WALK SURFACE

6' GALVANIZED CARRIAGE BOLTS

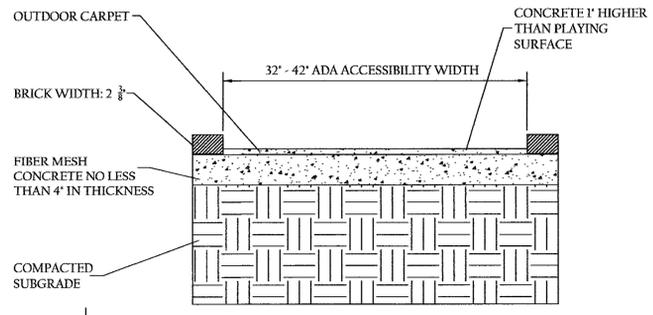
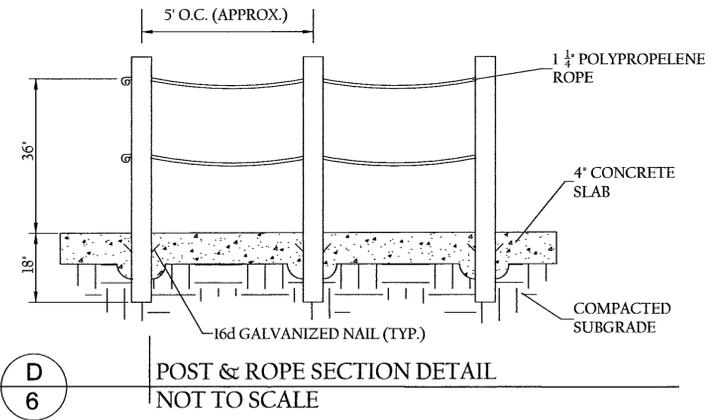
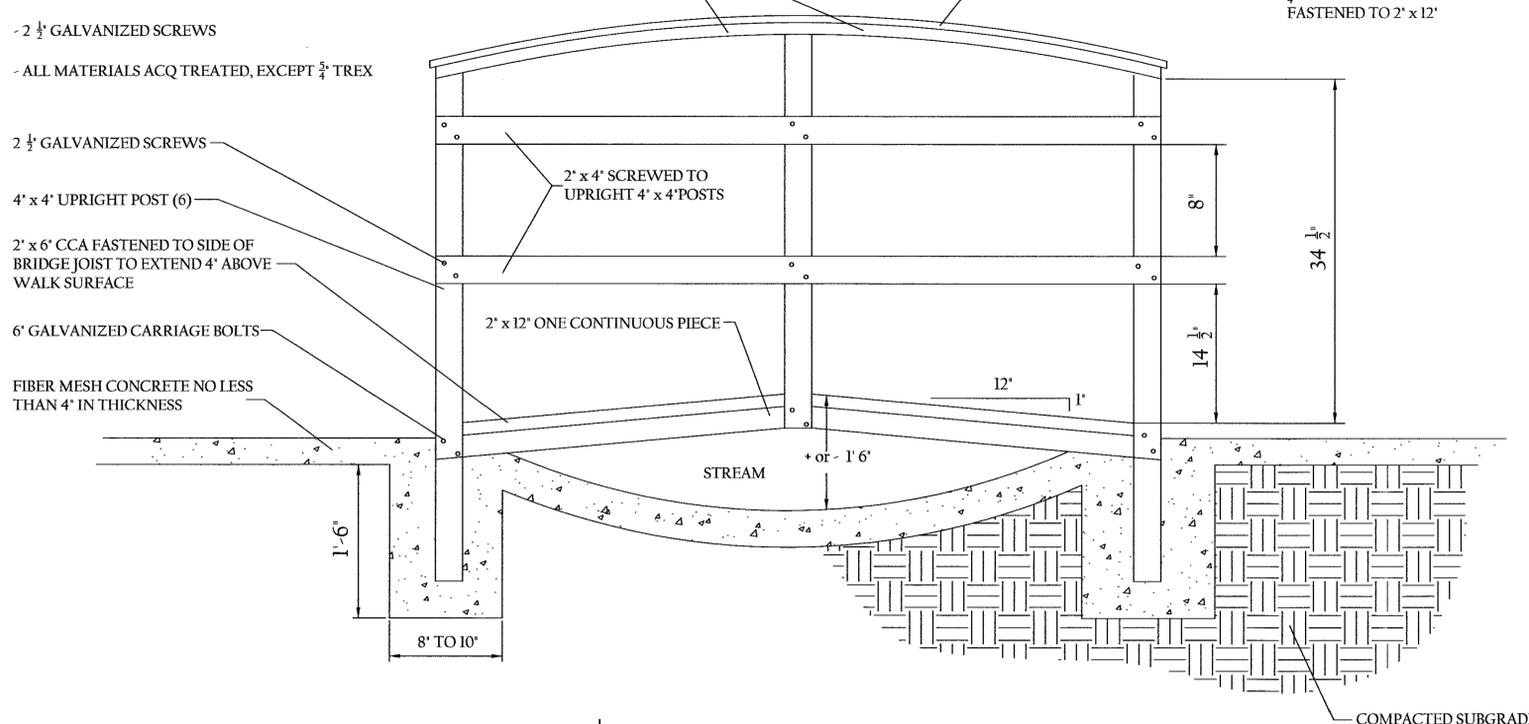
FIBER MESH CONCRETE NO LESS THAN 4" IN THICKNESS

TREATED 2' x 4' LAID FLAT - CAPS POST (CONTINUOUS)

3/4" x 6" TREX CAP RAIL (CONTINUOUS)

WALK/DECKING MATERIAL

3/4" x 6" DECKING OR 2' x 6" FASTENED TO 2' x 12"



NOTES:
- ALL CONCRETE ON SITE SHALL BE A FIBER MESH BASED CONCRETE WITH A 3500 P.S.I. RATING

Handicap accessible portions of the course(s) are designed in accordance with ADAAG (Americans with Disabilities Act Accessibility Guidelines) Chapter 10 Section 1007.

REVISIONS:

DATE PRINTED: 01/25/12

GRAPHICS KEY

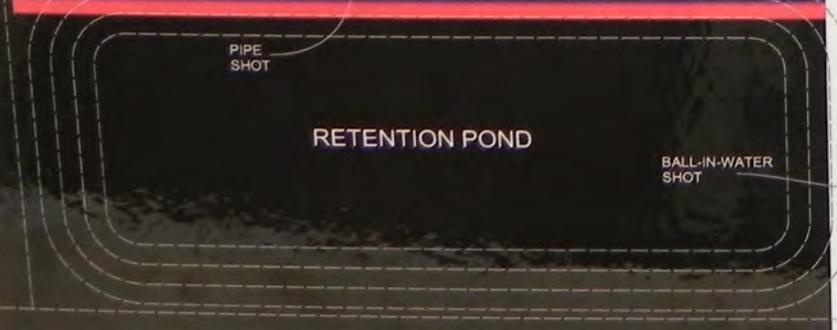
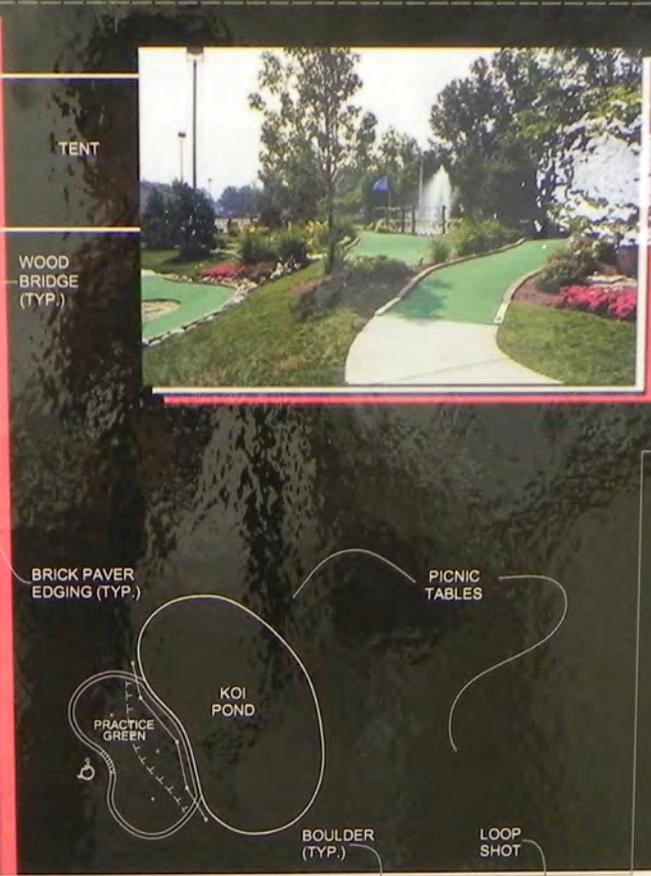
	R — ROUGH
	M — MOUND
	P — PLANTER
	ST — SAND TRAP

*COLORED CARPET MAY BE USED IN PLACE OF NATURAL SAND

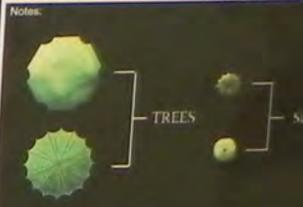
REUSE OF DOCUMENTS:
This Document, and the designs incorporated herein, are the property of Harris Miniature Golf Courses, Inc. and are not to be used in whole or in part for construction of this or any other project without the written authorization of Harris Miniature Golf Courses, Inc.

FOR:
SHADY BANKS MINIATURE GOLF YORKTOWN, VA

DETAIL SHEET 1	DATE: 01/23/12
DRAWN BY: J.J.O.	SCALE: NOT TO SCALE
CHECKED BY: G.F.L.	SHEET #: 6 JOB #: 12-06-3



Handicap accessible portions of the course(s) are designed in accordance with ADAAG (Americans with Disabilities Accessibility Guidelines) Chapter 10 Section 1007.



REVISIONS:

DATE PRINTED: 01/25/12

GRAPHICS KEY

	DROP-OFF	R — ROUGH
	ELEV. CHANGE	M — MOUND
	P — PLANTER	ST — SAND TRAP
	EMBANKMENT	*COLORED CARPET MAY BE USED IN PLACE OF NATURAL SAND



REUSE OF DOCUMENTS:
This Document, and the designs incorporated herein, are the property of Harris Miniature Golf Courses, Inc. and are not to be used in whole or in part for construction of this or any other project without the written authorization of Harris Miniature Golf Courses, Inc.

FOR:
SHADY BANKS MINIATURE GOLF
YORKTOWN, VA

COLOR RENDERING	DATE: 01/23/12
DRAWN BY: J.J.O.	SCALE: 1" = 10'-0"
CHECKED BY: G.F.L.	SHEET # 10
	JOB # 12-06-3

PIPE
SHOT

BALL-IN-WATER
SHOT

FUTURE 9-HOLE
MINIATURE GOLF
(3,000 SQ. FT.)

POST & ROPE
(TYP.)

SPRAY
FOUNTAIN
(TYP.)

JUMP
SHOT

DRAIN INLET &
FILTRATION



B
ED

PLANNING COMMISSION
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of _____, 2012:

Present

Vote

M. Sean Fisher, Chair
Richard M. Myer, Jr., Vice Chair
Christopher A. Abel
Alexander T. Hamilton
Mario C. Buffa
Melissa S. Magowan
Mark B. Suiter

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A MINIATURE GOLF COURSE AT 2950 HAMPTON HIGHWAY

WHEREAS, Gayle, Jennifer, and Lance Musser have submitted Application No. UP-805-12, which requests a Special Use Permit, pursuant to Section 24.1-306 (Category 9, No. 9) of the York County Zoning Ordinance, to authorize the establishment of a miniature golf course on a parcel located at 2950 Hampton Highway (Route 134) and further identified as Assessor’s Parcel No. 38A1-9-E1 (GPIN V02c-0188-2081); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the ____ day of _____, 2012 that Application No. UP-805-12 be, and it is hereby, transmitted to the York County Board of Supervisors with a

recommendation of approval to authorize the establishment of miniature golf course on a parcel of land located at 2950 Hampton Highway (Route 134) and further identified as Assessor's Parcel No. 38A1-9-E1 (GPIN V02c-0188-2081) subject to the following conditions:

1. This use permit shall authorize the establishment of a miniature golf course on a parcel of land located at 2950 Hampton Highway (Route 134) and further identified as Assessor's Parcel No. 38A1-9-E1 (GPIN V02c-0188-2081).
2. A site plan and landscape plan prepared in accordance with the provisions set forth in Article V of the Zoning Ordinance shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any construction or land disturbing activities on the site. Said site plan shall be in substantial conformance with the sketch plan titled "Miniature Golf, Shady Banks" prepared by Fjord Construction, and dated 12/31/11, a copy of which shall remain on file in the office of the Planning Division. The landscape plan shall incorporate such additional landscaping in the Greenbelt area and other perimeter buffer areas as is necessary to comply with Zoning Ordinance requirements.
3. The miniature golf course shall be established and operated in accordance with the standards set forth in Section 24.1-454, *Standards for all recreation and amusement uses*; Section 24.1-458, *Standards for miniature golf, waterslide, skateboard rink, baseball hitting range, golf driving range, and other outdoor commercial amusements*, and Section 24.1-378 (d), *Route 17 corridor overlay district, Special architectural standards* of the York County Zoning Ordinance, except as modified herein.
4. No structure except privacy or containment fences or sound baffles shall be allowed within ten (10) feet of the rear and western side property lines, within forty-five (45) feet of the front property line, and within twenty-five (25) feet of the eastern side property line.
5. Architectural design of the golf course and buildings shall be in substantial conformance with the rendering and photographs submitted by the applicant, copies of which shall be kept on file in the office of the York County Planning Division.
6. All site lighting shall be designed with full cutoff fixtures and directed downward to prevent off-site glare onto abutting properties and the road right-of-way. Illumination levels shall not exceed 0.1 foot-candle at any residential property line and 0.5 at other property lines. All lighting fixtures shall be consistent with the lighting recommended by the Illumination Engineering Society of North America (IESNA). A photometric plan detailing all proposed fixtures and ground illumination levels shall be submitted for approval by the plan-approving agent at the time of application for site plan approval.

7. Off-street parking for the proposed use shall be provided in accordance with the standards set forth in Section 24.1-606 (Category 9 – Recreational or amusement establishments other than those listed) of the Zoning Ordinance.
8. In accordance with Section 24.1-115(b)(6) of the York County Zoning Ordinance, a certified copy of this resolution shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court within one month of use permit approval.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable, and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.