# **Issue Analysis Form**

Date: July 12, 2022

Item: Special Exception Request # SE-22-05

**Applicant:** Christopher & Marisela Clark

Lead Department: Community Development

Contact Person: Tim Graves, Planner

## **Description and Current Status**

The applicant would like to open a 9-hole Golf Course with clubhouses on the site of the former Prince George Golf Course.

In order for this to be permitted, they are requesting a Special Exception pursuant to Section 90-103(3) of the Zoning Ordinance.

The Planning Commission recommends <u>APPROVAL</u> of this request, subject to recommended conditions contained in the draft ordinance.

Staff, on behalf of the Planning Commission, has attached the draft ordinance for consideration and is requesting a motion to **APPROVE** the ordinance.

#### Sample Motion:

"I move that the Board approve Special Exception request SE-22-05, subject to the specified conditions."

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Does this require IDA action?	☐ Yes	⊠ No
Does this require BZA action?	□Yes	⊠No
		PC Recommended Approval by 5-0 vote
Does this require Planning Commission action?	⊠ Yes	on June 23, 2022
Does this require Board of Supervisors action?	⊠ Yes	Public Hearing on July 12, 2022
Does this require a Public Hearing?	⊠ Yes	□ No
If so, before what date?	N/A	

#### **Fiscal Impact Statement**

The proposed use would generate additional tax revenue from the new golf course business.

#### **County Impact**

The special exception would allow a 9-hole golf course to open in the County, putting part of the former Golf Course back into action and providing residents and the surrounding community with a recreational option.

#### Notes

**Attached:** Draft Ordinance; Staff report; Application and attachments; APO letter, map, list, newspaper ad; Powerpoint Presentation

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#### Board of Supervisors County of Prince George, Virginia

#### **DRAFT** Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 12<sup>th</sup> day of July, 2022:

Present:

Marlene J. Waymack, Chair

Donald R. Hunter, Vice-Chair

Floyd M. Brown, Jr.

Alan R. Carmichael

T. J. Webb

SPECIAL EXCEPTION SE-22-05: Request of Christopher and Marisela Clark to permit a golf course within a R-A (Residential-Agricultural) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(3). The subject property is approximately 48.56 acres in size, located at 8399 and 8401 Golf Course Drive, and is identified as Tax Maps 450(06)00-00A-2, 450(06)01-001-0 and 450(06)01-002-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-22-05 is granted as an amendment to the official zoning map with the following conditions:

- 1. This Special Exception is granted to Christopher & Marisela Clark for a Golf Course on Tax Maps 450(06)00-00A-2, 450(06)01-001-0 and 450(06)01-002-0.
- 2. Hours and days of operation shall be 7am to sunset 7 days a week.
- 3. The applicants shall obtain certification from an Authorized Onsite Soil Evaluator or Professional Engineer indicating the sewage disposal system and water well have been evaluated to support their proposed usage, with review and approval by the Health Department prior to the granting of a business license.
- 4. Business signage for the golf course use shall be limited to one on-site freestanding sign no greater than sixty (60) square feet located outside of the VDOT right-of-way and meeting setback requirements in the ordinance for business signs, exclusive of the existing permitted sign(s) for the other permitted special exception uses on the property. Off-site directional signage to direct customers to the facility may be permitted in accordance with a sign permit for the property on which the directional signage is located.
- 5. The owner shall employ effective means to prevent golf balls from crossing onto adjacent properties.

- 6. This Special Exception shall become null and void if no business license is obtained within 36 months of from the date of Special Exception approval.
- 7. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four 24 consecutive months.
- 8. This Special Exception is renewable or transferrable to future owners by approval of the Board of Supervisors without a public hearing so long as there are no deviations from the conditions.
- 9. 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.

\_\_\_\_\_\_\_

Adopted on July 12, 2022 and becoming effective immediately.



#### BOARD OF SUPERVISORS STAFF REPORT

Public Hearing July 12, 2022

SE-22-05 - Clark Golf Course

Applicant: Christopher & Marisela Clark

**Case Manager:** Tim Graves - (804)722-8678

#### I. Request

The applicants would like to open a 9-hole Golf Course with clubhouses on the site of the former Prince George Golf Course. In order for this to be permitted, they are requesting a Special Exception pursuant to Section 90-103(3).

#### **II. Property**

**Address:** 8399 and 8401 Golf Course Drive **Tax Map:** 450(06)00-00A-2, 450(06)01-001-0

and 450(06)01-002-0

Site Size: +/- 48.56 acres total across 3 parcels

Legal Owner: Christopher & Marisela Clark

RE Taxes Paid?: Yes

Zoning District: Residential Agricultural (R-A)

Current Use: Assembly Hall, Room rental home occupation, former golf course

Comp Plan Land Use: Agriculture

Planning Area: Rural Conservation Area

Previous Zoning Cases: SE-21-02 (Assembly Hall,

Room rental home occupation)

#### III. Meeting Information

Planning Commission Public Hearing: June 23, 2022 Board of Supervisors Public Hearing: July 12, 2022

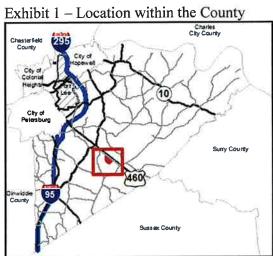
#### IV. Relevant Background

- Prior use of the property as golf course (Prince George Golf Course) and assembly hall (Chester Plantation)
- July 2021 Special Exception SE-21-02 granted by BOS for Assembly Hall and Bedroom rental (4 rooms as a home occupation) in the main "Chester Plantation" building
- 2021-2022
  - o First Tee Estates subdivision divided former golf course property into residential lots
  - O Applicants purchased Lot 1 and 2 of the new subdivision, which includes the existing golf course clubhouse buildings and a portion of the former golf course
  - O Applicants submitted Special Exception application to open a new (modified) 9-hole golf course

#### V. Applicant Proposal

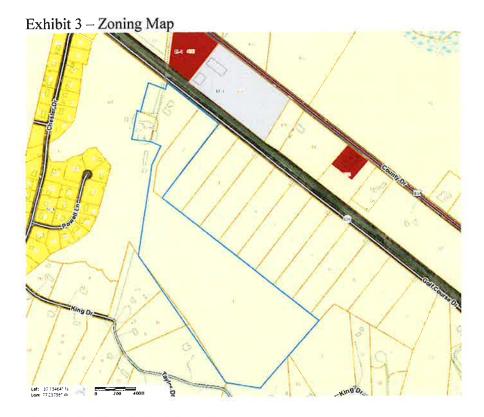
- Create a 9-hole golf course utilizing the fairways, greens and clubhouse left by the former Prince George Golf Course, and including a portion of the Chester Plantation building which also previously served as a clubhouse.
- No new buildings planned at this time
- Utilize existing parking areas
- Hours/days of operation 7 days a week 7am to sunset
- New signage as permitted by County Code

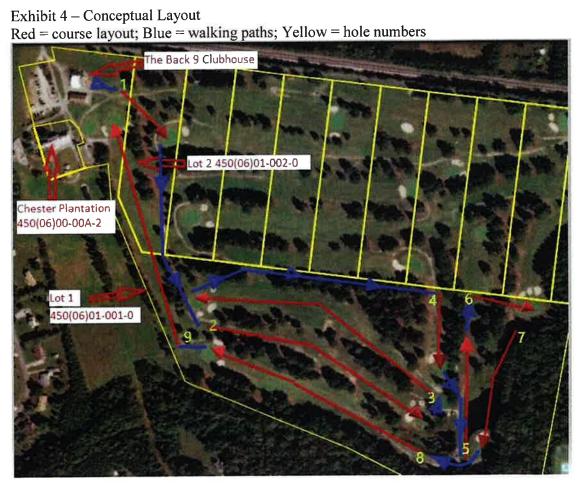
# VI. Exhibits











#### VII. Planning and Zoning Review Comments

- 1. Applicable zoning cases: SE-21-02 Chester Plantation (for the B&B and Assembly Hall) on parcel 450(06)00-00A-2 with parking on what is now parcel 450(06)01-001-0.
- 2. The desired land use, golf course, is permitted by Special Exception under Section 90-103(3) Lodge, hunting club, yacht club, golf course, country club.
- 3. Site Plan comments: A Site Plan will be required if there is a proposed building addition or land disturbance that will exceed 2,500 SF.
- 4. Other processes required after SE approval: Building/Zoning Permit for any buildings; Business zoning approval for a business license for the business
- 5. The applicants have stated that they intend to place new business signage at the property entrance and a directional sign at the corner of Prince George Drive and Golf Course Drive.
  - a. On-site business sign: Should be limited in size by condition to maintain residential-agricultural feel. Staff has recommended a condition limiting the size.
  - b. Off-site directional sign: May be permitted. Depends on exact location and subject to sign permit.
- 6. Expected impacts from this request:
  - a. Minimal traffic on Golf Course Dr. during operational hours. Mitigation: Not necessary. No increase when compared to uses that have historically occurred on the property.
  - b. Potential for stray balls to land on adjacent properties. Mitigation: Condition requiring corrective action if any issues arise.
- 7. If approved, the special exception use of a golf course would be in addition to the existing special exception uses of assembly hall and rental of four rooms in the main building.
- 8. Compatibility with surrounding zoning districts: Yes, no change to zoning
- 9. Compatibility with existing surrounding uses: Yes, the nature of this use is compatible with surrounding low-density residential uses
- 10. Compatibility with the Comprehensive Plan: Yes, compatible with Agriculture uses, as depicted on the future land use map

#### VIII. Supplemental Staff Review Comments

#### Building Inspections Division - Charles Harrison III, Building Official

- 1. Any modifications, renovations, or alterations to the building(s) or building systems will require construction permit applications to be submitted for review and approval prior to commencing work.
- 2. The proposed use of the existing "Clubhouse" is consistent with the existing use group classification of the building.

#### Virginia Department of Health - Alice Weathers, Environmental Health Specialist

1. Applicant needs to work with an Authorized Onsite Soil Evaluator or Professional Engineer who can determine what the sewage disposal system and water supply needs are for the proposed project

#### Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer

- 1. Based upon the information contained within the special exception application, a commercial entrance will be required to provide access. A commercial entrance must demonstrate that intersection sight distance is available, meet VDOT's criteria and be paved.
- 2. VDOT has no objection to the submitted special exception application.

Utilities Department - Rachael Lumpkin, Utilities Project Engineer

1. Water supply and wastewater disposal at this site are private and must be coordinated with the health department. Public water and wastewater are not available.

The departments below reviewed this request and had no comments.

Economic Development – Stacey English, Economic Development Specialist
Real Estate Assessor - Carol Crawford, Real Estate Operations Coordinator
Fire & EMS Department – Shawn Jones
Environmental Division - Angela Blount, Environmental Program Coordinator
Police Department / Sheriff's Department - Chris Douglas

#### IX. Public Notice and Community Feedback

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- Staff posted a sign on the property on 6-16-22.
- No comments from the community were received prior to finalizing this report.

#### X. Planning Commission Recommendation

The Planning Commission recommended <u>Approval</u>, subject to the recommended conditions in the section below. The vote was 5-0 following a public hearing on June 23, 2022. There were no public comments during the hearing.

#### XI. Recommended Conditions

- 1. This Special Exception is granted to Christopher & Marisela Clark for a Golf Course on Tax Maps 450(06)00-00A-2, 450(06)01-001-0 and 450(06)01-002-0.
- 2. Hours and days of operation shall be 7am to sunset 7 days a week.
- 3. The applicants shall obtain certification from an Authorized Onsite Soil Evaluator or Professional Engineer indicating the sewage disposal system and water well have been evaluated to support their proposed usage, with review and approval by the Health Department prior to the granting of a business license.
- 4. Business signage for the golf course use shall be limited to one on-site freestanding sign no greater than sixty (60) square feet located outside of the VDOT right-of-way and meeting setback requirements in the ordinance for business signs, exclusive of the existing permitted sign(s) for the other permitted special exception uses on the property. Off-site directional signage to direct customers to the facility may be permitted in accordance with a sign permit for the property on which the directional signage is located.
- 5. The owner shall employ effective means to prevent golf balls from crossing onto adjacent properties.
- 6. This Special Exception shall become null and void if no business license is obtained within 36 months of from the date of Special Exception approval.
- 7. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four 24 consecutive months.
- 8. This Special Exception is renewable or transferrable to future owners by approval of the Board of Supervisors without a public hearing so long as there are no deviations from the conditions.
- 9. 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.

Energan: SE-22-0011



# SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance
Planning & Zoning Division

6602 Courts Drive, Prince George, VA 23875 (804) 722-8678 | www.princegeorgecountyva.gov

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MAY 0 6 2022

**APPLICANT FILL-IN ALL BLANKS** REQUEST: 9-hole golf Course with clubhoures 8399 4840 | Golf Course Drive, Disputanta REQUEST TAX MAP PIN(S): (List all) ENTIRE PARCEL (Y / N - Each parcel): (Each parcel): 450 (06)00 00A1 IN 450 60001-001-0 2 N 450 (06) 01-002-0 ATTACHMENTS (Check if Attached; \* = Required): APPLICANT STATEMENT\* (Specify goals, details, etc.) ☐ COMMUNITY MEETING SUMMARY PROPOSED CONDITIONS ■ ADDITIONAL ATTACHMENTS: SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN® (Show proposed improvements; Use GIS or Engineer Drawing) NAME(S): 8401 Gold E-MAIL: NAME(S): If different than owner): Same CONTACT RELATION TO OWNER: MAILING ADDRESS: (Incl. City, State, Zip): PHONE: E-MAIL: OFFICE USE ONLY (Completed at the time of application) LAND USE(S) CODE REFERENCE(S): ZONING DISTRICT(S): 90-10313 PAYMENT TYPE: FEE PAID: FEE DUE: Special Exception: \$700 CHECK / CASH / CREDIT / DEBIT Special Exception Home Occ: \$350 RECEIVED BY: DATE RECEIVED: CHECK # / TRANSACTION #:

Page 1 of 2

5 June 101

	OWNER AFFIDAVIT
	The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.
	Christopher P. Clark Harisela B. Clark
٥	DATE: 5/6/2022 DATE: 5/6/2022
AFFIDAVIT	NOTARIZATION: STATE OF VIRGINIA COUNTY OF: LITY OF PETLYS DWG
	Subscribed and sworn before me this
	My Commission expires: 4130 2023  CHRISTINA DAWN GRIMM. NOTARY PUBLIC COMMONWEALTH OF VIRGINIA MY COMMISSION EXPIRES APRIL 30, 2023 COMMISSION # 7842286

# INVOICE (INV-00002040) FOR PRINCE GEORGE COUNTY, VA

BILLING CONTACT Christopher Clark 8401 Golf Course Drive Disputanta, VA 23842



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00002040	06/02/2022	06/02/2022	Paid In Full	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
SE-22-0011	PGC Special Exception Request	\$700.00
8399 Golf Course Dr VA 23	842 SUB TOTAL	\$700.00

REMITTANCE INFORMATION	
Prince George County, VA	
6602 Courts Drive	
P.O. Box 68	
Prince George, VA 23875	

TOTAL	\$700.00

#### Legacy Tree Corp dba The Back 9 Golf Course

8399 Golf Club Drive Disputanta, Va 23842 804-350-3726

Request to open a 9-hole golf course with clubhouses.

Parcel Numbers 450(06)00-00A-2, 450(06)01-001-0, 450(06)01-002-0

#### General:

With the purchase of lots 1 and 2 of the First Tee Subdivision we intend to re-create a 9 hole golf course utilizing the fairways, greens and clubhouse left by the former owner of the Prince Geroge Golf Course. We intend to also incorporate a portion of the Chester Plantation which historically also served as the clubhouse in days gone by. Pricing will be determined at a later date and the option to play the course twice will be available at a moderately increased price.

We believe this venture will be successful considering the lack of play in the area and the low overhead with a smaller course and it being managed by the owner operator starting out. We will also build a website and use social media in an up-to-date fashion, advertising events, tournaments, special pricing and better marketing to schools, the county and the general public.

We do not have experience running a Golf Course but with help from some of the former employees and local teens there will be a mutual benefit working towards success. With better overall management, we intend to make this a destination course for locals and others. As time goes on, we will improve the fairways, greens and create a park like atmosphere including a fountain in the back pond. We also intend to seek grants and possibly funding from PGC and corporate donors to assist in our launch.

#### Course layout:

The new layout will consist of four Par 3s, a hybrid Par3/4, four Par 4s and a single Par 5 for a 9-hole Par 32 for women and Seniors and par 33 for men. This could change slightly depending on modifications such as extending existing holes where feasible. The Back 9 Golf Couse will start out being a walking course with pull cart rentals and eventually golf carts depending on business.

The new layout will use all of the existing holes within the boundaries of lots 1 and 2 with a redesign of certain holes to fit the new lot geometries. See Figure 1 on page 2.

The hours would generally be 7am to sunset 7 days a week.

#### Clubhouse(s)

#### The White Trailer -

Regarding the trailer on lot 1, we intend to continue using it in its current configuration as the former clubhouse. There are currently 5 toilets between the men's and women's bathrooms and a partial kitchen including coffee make, ice maker and hotdog warmer. Additionally, the clubhouse would sell merchandise, sandwiches, candy, chips, beer, wine (with appropriate licensing) and soft drinks.

Chester Plantation - We also intend to use the basement and outdoor facility at the Chester Plantation on certain days to function as the Clubhouse Cantina area also selling merchandise, hotdogs, sandwiches, beer/wine (with appropriate license), soft drinks, candy and chips. There are 2 bathrooms

# Legacy Tree Corp dba The Back 9 Golf Course

8399 Golf Club Drive Disputanta, Va 23842 804-350-3726

available to the golfing patrons at the Chester Plantation. This space also has a full kitchen and ice maker.

#### Parking:

The existing parking will continue to be used for patrons and is about 1 acre in area. Figure 1 (lots 3 thru 11 are only shown and will not part of this special exception application)

The plat below has the course layout with the long red arrows designating the course layout, the blue lines with arrows are the walking paths and the yellow numbers delineating the hole numbers. Because these holes are partly from the front 9 and some from the back 9 of the PGGC, there will be new hole numbers placed at each T Box, a new path created where necessary and signs clearly marking the direction of the next hole to play.

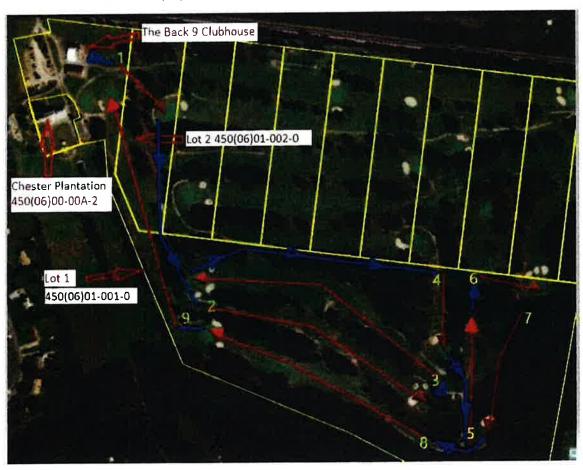


FIGURE 1THE BACK 9 CLUBHOUSE AND COURSE LAYOUT

Best Regards,

Christopher and Marisela Clark 804-350-3726

# Legacy Tree Corp dba The Back 9 Golf Course

8399 Golf Club Drive Disputanta, Va 23842 804-350-3726

May 5, 2022

Amendment to our March 21st Request to open a 9-hole golf course with clubhouses.

Parcel Numbers 450(06)00-00A-2, 450(06)01-001-0, 450(06)01-002-0

In response to Questions and comments from your Preliminary SE Application # PSE-22-05 dated April 14<sup>th</sup>, 2022.

Ms. Alice Weathers, VDH; We acknowledge that parcel 450(06)01-001-0 before it can be approved, we must first have the sewage system evaluated and the contact the office of drinking water for the Well system. These efforts are underway.

Mr. Frank Haltom, PE, County Engineer; We acknowledge that any improvements to the parcels that increase water and sewer demands will require approval from the Virginia Department of Health.

Mr. Charles Harrison III - Building Official / Fire Official; We acknowledge that any modifications, renovations, or alterations to the building(s) or building systems will require construction permit applications to be submitted for review and approval prior to commencing work

Mr. Tim Graves, Planner;

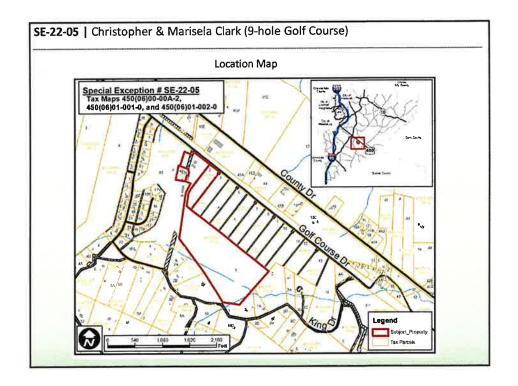
- Signage We plan to place new signage at the property entrance and at the corner of Prince George and Golf Course Drive with permission of Standard Motor Products. The signs will be in compliance with local laws and ordinances.
- 2. Expected Hours and days of operation 7 days a week, 7 am to sunset.
- 3. What measures if any will be taken to prevent stray balls from entering adjacent properties. No measures taken immediately and only as necessary if requested by directly affected parties.
- 4. Fee of \$700 acknowledged
- 5. Site Plan comments: we acknowledge that a Site Plan will be required if there is a proposed building addition or land disturbance that will exceed 2,500 SF. None planned at this time.

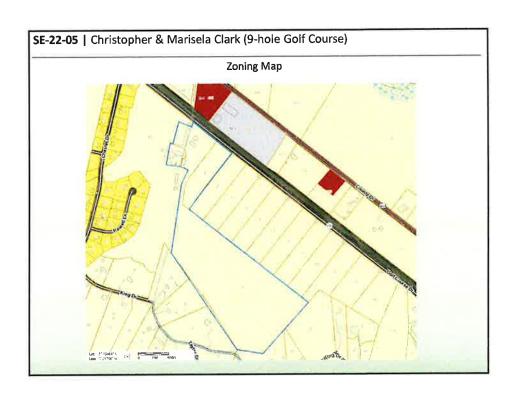
Best Regards,

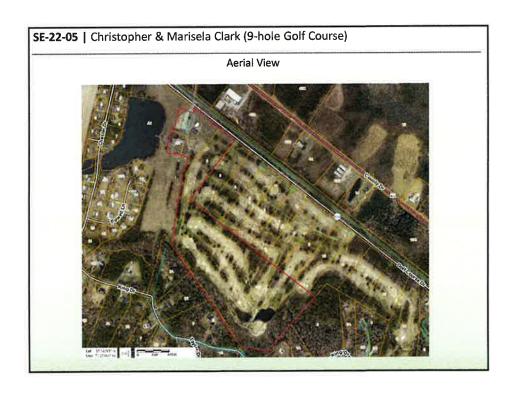
Christopher and Marisela Clark 804-350-3726

## **SPECIAL EXCEPTION SE-22-05:**

Request of Christopher and Marisela Clark to permit a golf course within a R-A (Residential-Agricultural) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(3). The subject property is approximately 48.56 acres in size, located at 8399 and 8401 Golf Course Drive, and is identified as Tax Maps 450(06)00-00A-2, 450(06)01-001-0 and 450(06)01-002-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses.







SE-22-05 | Christopher & Marisela Clark (9-hole Golf Course)

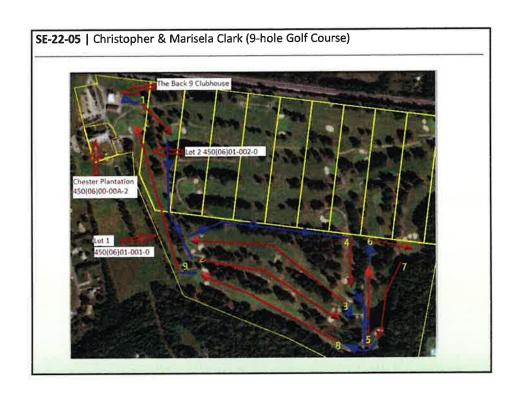
# Background

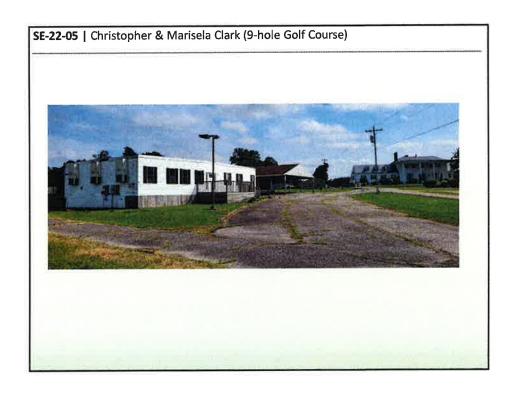
- Prior use of the property as golf course (Prince George Golf Course) and Assembly Hall (Chester Plantation)
- July 2021 Special Exception for Assembly Hall and Bedroom rental (4 rooms as a home occupation) in the main "Chester Plantation" building
- 2021-2022 -
  - First Tee Estates subdivision
  - Applicants purchased Lot 1 and 2 of the new subdivision (includes clubhouse buildings and a portion of the former golf course)
  - Applicants submitted Special Exception application

SE-22-05 | Christopher & Marisela Clark (9-hole Golf Course)

# **Request Summary**

- Create a 9-hole golf course utilizing the fairways, greens and clubhouse left by the former Prince George Golf Course, and including a portion of the Chester Plantation building which also previously served as a clubhouse.
- · No new buildings planned at this time
- Utilize existing parking areas
- Hours/days of operation 7 days a week 7am to sunset
- New signage as permitted by County Code





SE-22-05 | Christopher & Marisela Clark (9-hole Golf Course)

# **Planning & Zoning Staff Review Comments**

#### Expected Impacts on adjacent properties and roadways:

- Minimal traffic on Golf Course Dr. during operational hours.
- Mitigation: Not necessary. No increase compared to past uses.
- Potential for stray balls to land on adjacent properties.
- Mitigation: Condition requiring corrective action if any issues arise.

#### Compatibility with surrounding zoning districts:

Yes, no change to zoning

#### Compatibility with existing surrounding uses:

Yes, the nature of this use is compatible with surrounding low-density residential

#### Compatibility with the Comprehensive Plan:

Yes, compatible with future Agriculture (including low-density residential uses)

SE-22-05 | Christopher & Marisela Clark (9-hole Golf Course)

#### **Other Staff Review Comments**

#### Virginia Department of Health

Applicant needs to work with an Authorized Onsite Soil Evaluator or Professional Engineer who can determine what the sewage disposal system and water supply needs are for the proposed project.

#### Virginia Department of Transportation (VDOT)

- Based upon the information contained within the special exception application, a commercial entrance will be required to provide access. A commercial entrance must demonstrate that intersection sight distance is available, meet VDOT's criteria and be paved.
- VDOT has no objection to the submitted special exception application.

SE-22-05 | Christopher & Marisela Clark (9-hole Golf Course)

# **Recommended Conditions**

#### **Highlights:**

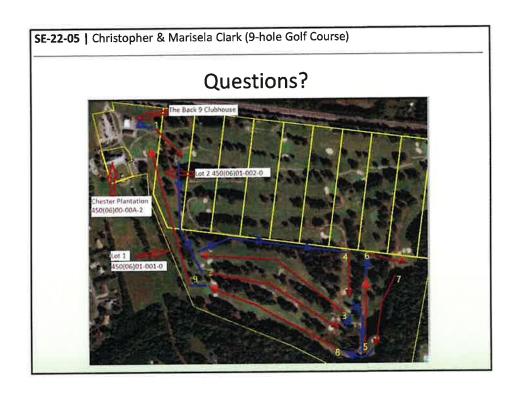
- 1. Hours and days of operation: 7am to sunset 7 days a week.
- Applicants to obtain certification from an Authorized Onsite Soil Evaluator or Professional Engineer indicating the sewage disposal system and water well have been evaluated to support their proposed usage, with review and approval by the Health Department prior to the granting of a business license.
- 3. Business signage for the golf course use shall be limited to one additional onsite freestanding sign no greater than sixty (60) square feet.
- 4. The owner shall employ effective means to prevent golf balls from crossing onto adjacent properties.

(Full list of recommended conditions in the Staff Report / Draft Ordinance)

SE-22-05 | Christopher & Marisela Clark (9-hole Golf Course)

Planning Commission Recommendation

Approval, subject to the recommended conditions



# **LOCALIQ**

## The Progress-Index

# Account Number: 696922 Customer Name: Board Of Supervisors Customer Address: 6602 Courts Drive PRINCE GEORGE VA 23875 Contact Name: Board Of Supervisors Contact Phone: 8047228600 Contact Email: PO Number:

# **Order Confirmation**

Not an Invoice

Date:	06/28/2022
Order Number:	7474971
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	97.0000
Height in Inches:	0.0000

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Product

#Insertions

Start - End

Category

PTR The Progress-Index

2

06/30/2022 - 07/07/2022

**Public Notices** 

PTR progress-index.com

2

06/30/2022 - 07/07/2022

**Public Notices** 

**Total Order Confirmation** 

\$486.06

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# **Ad Preview**

COUNTY OF PRINCE

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