



APPLICATION ACCEPTED: January 9, 2014  
ADMINISTRATIVELY MOVED AT APPLICANTS REQUEST  
BOARD OF ZONING APPEALS: October 1, 2014  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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September 24, 2014

## STAFF REPORT

SPECIAL PERMIT NO. SP 2014-SP-001

### SPRINGFIELD DISTRICT

**APPLICANT:** Castle Creek Paintball LLC

**OWNERS:** Nadine C. Vazquez, Trustee for the Lee J. Vazquez Trust for the Benefit of Nadine C. Vazquez  
Jeremy Martin Vazquez, Trustee of the Jeremy Martin Vazquez Trust for the Benefit of Jeremy Martin Vazquez  
12711 Popes Head Road LLC

**SUBDIVISION:** Whitehall, Castle Branch

**STREET ADDRESS:** 12711 Popes Head Road, Clifton, 20124

**TAX MAP REFERENCE:** 75-2 ((1)) 20Z (portion), 66-4 ((1)) 29Z (portion), 66-4 ((1)) 20

**LOT SIZE:** 75 acres

**ZONING DISTRICT:** R-C

**ZONING ORDINANCE PROVISIONS:** 8-612, Group 6 - Outdoor Recreation Facilities

**SPECIAL PERMIT PROPOSAL:** To permit a paintball facility.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2014-SP-001 subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

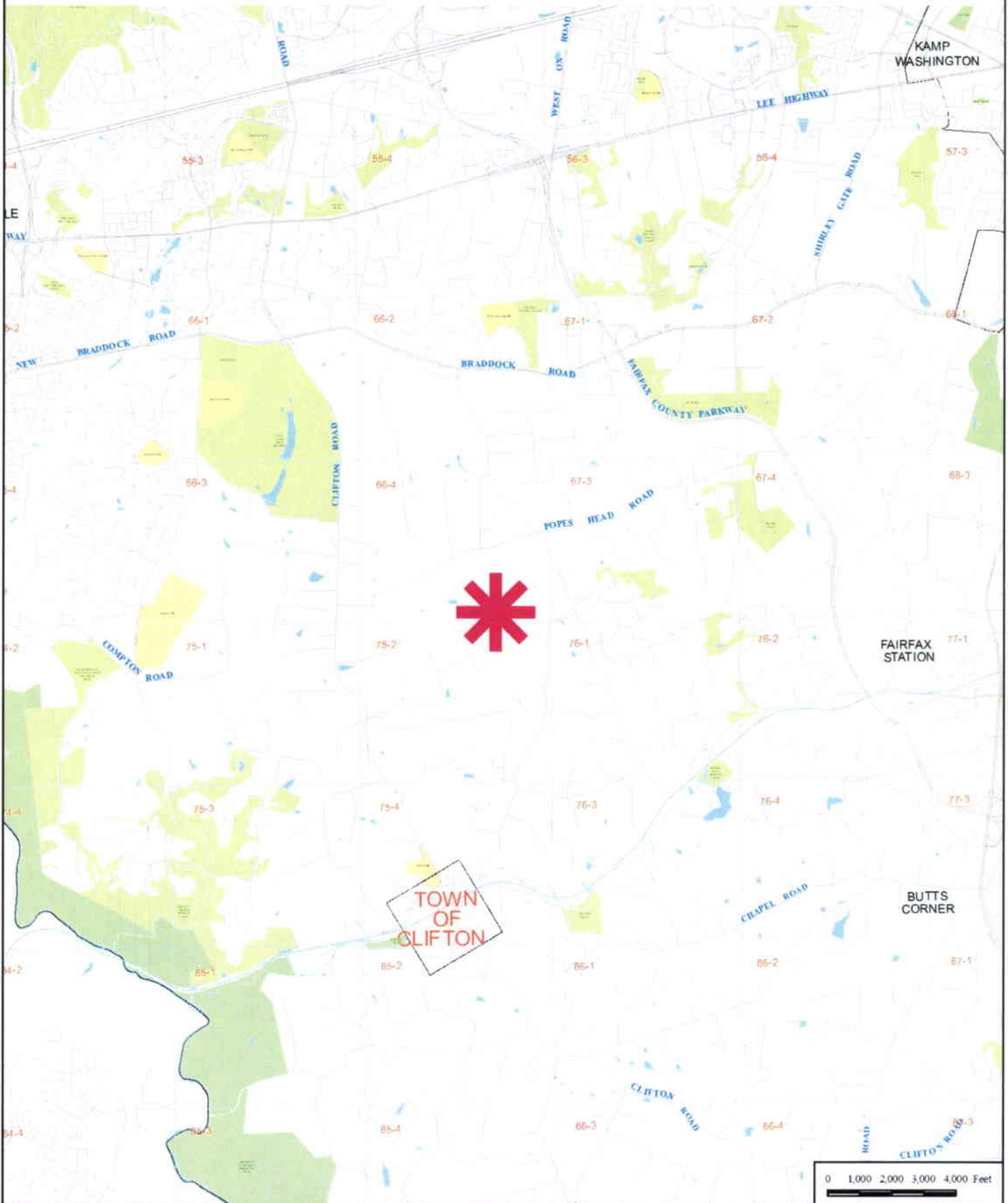
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

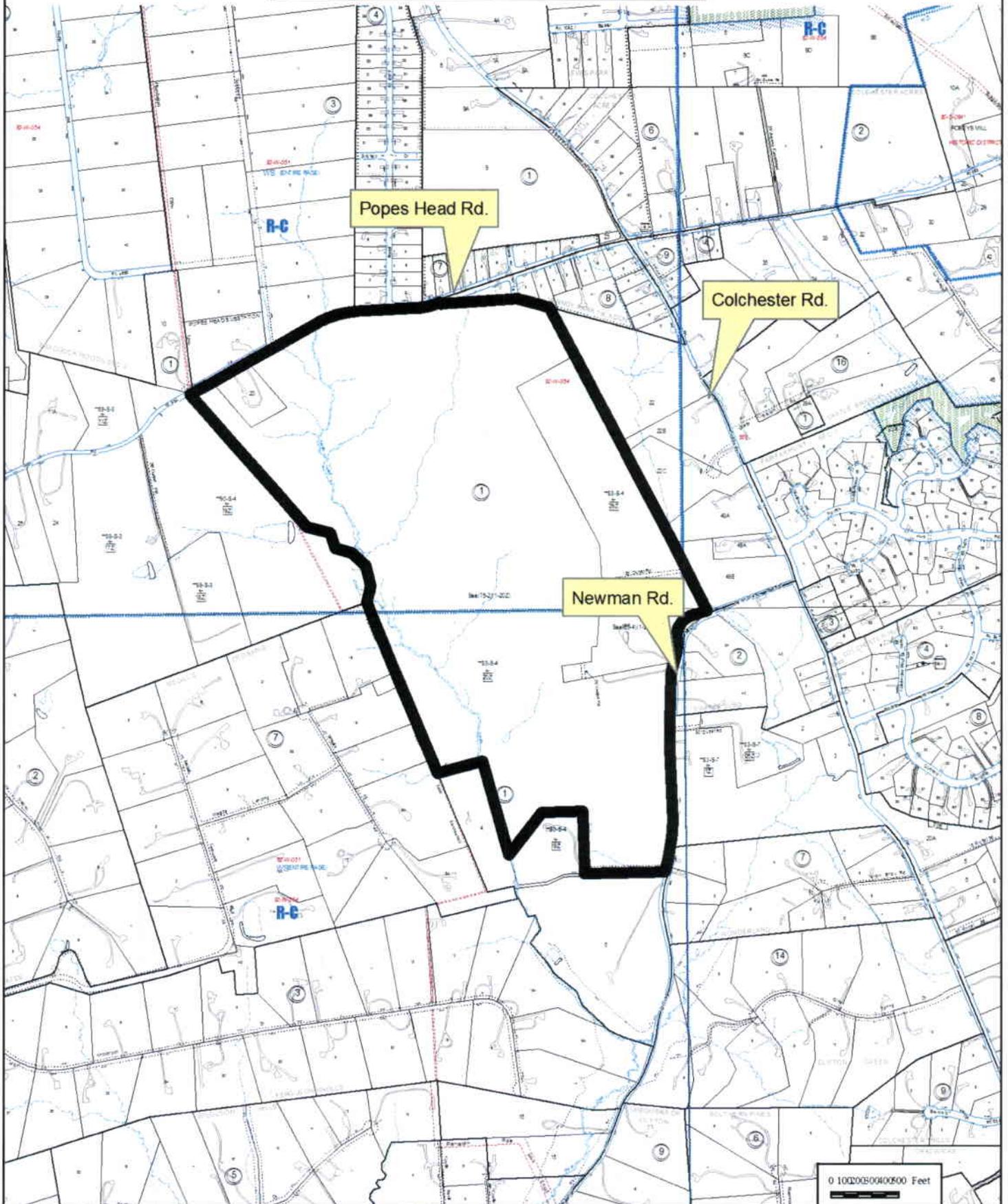


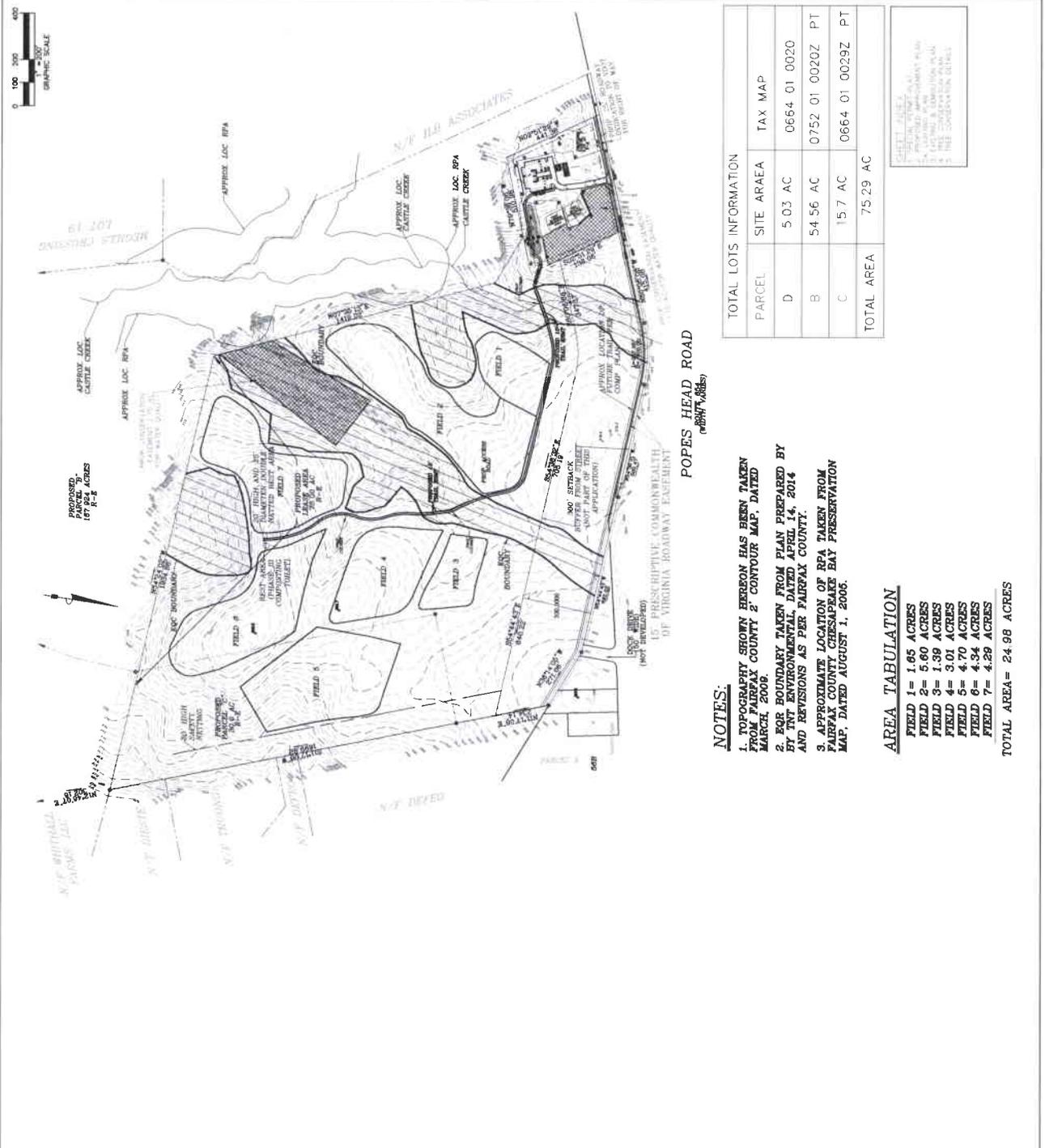
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**Special Permit**  
**SP 2014-SP-001**  
**CASTLE CREEK PAINTBALL LLC**



**Special Permit**  
**SP 2014-SP-001**  
**CASTLE CREEK PAINTBALL LLC**





**TOTAL LOTS INFORMATION**

PARCEL	SITE AREA	TAX MAP
D	5.03 AC	0664 01 0020
B	54.56 AC	0752 01 0020Z PT
C	15.7 AC	0664 01 0029Z PT
<b>TOTAL AREA</b>	<b>75.29 AC</b>	

SHEET 1 OF 1  
 1. PREPARED BY CIVILAND, LLC  
 2. DATE: 04/20/14  
 3. TITLE: SPECIAL PERMIT PLAN  
 4. FILE: 2014-0001-0001

- NOTES:**
1. TOPOGRAPHY SHOWN HEREON HAS BEEN TAKEN FROM FAIRFAX COUNTY 2' CONTOUR MAP, DATED MARCH, 2008.
  2. FOR BOUNDARY TAKEN FROM PLAN PREPARED BY CIVILAND, LLC, DATED AUGUST 14, 2014 AND REVISIONS AS PER FAIRFAX COUNTY.
  3. APPROXIMATE LOCATION OF RPA TAKEN FROM FAIRFAX COUNTY CHESAPEAKE BAY PRESERVATION MAP, DATED AUGUST 1, 2006.

**AREA TABULATION**

FIELD 1=	1.65 ACRES
FIELD 2=	5.60 ACRES
FIELD 3=	1.39 ACRES
FIELD 4=	3.01 ACRES
FIELD 5=	4.70 ACRES
FIELD 6=	4.34 ACRES
FIELD 7=	4.29 ACRES
<b>TOTAL AREA=</b>	<b>24.98 ACRES</b>

To: Mr. William Wade  
 Fairfax County DMWES  
 Jeff Waters  
 Castle Creek Farms, LLC  
 Special Permit Application # 2014-0001  
 Planning and preparation narrative

Upon approval of SP 2014-0001, the existing trail, the proposed rip and the proposed parking area will be cleared and the site will be prepared for a woodlands final site. This narrative only pertains to the 70-acre site that contains the or ~25 acres of rip and field, and the or ~5 acres where the building drive, septic field, and parking to will be located. This information is provided on a separate plan.

1. The 7 fields shown on the plan and the portion of the trail shown as proposed will be located in the field by survey.
2. The 7 fields will be located in the field by survey. The fields will be cut down by chainsaw along with any other field clearing that may present a safety hazard to persons and employees. The stumps from the chainsawing will be removed from the site by trucking to a nearby disposal site. The fields will be cut down by chainsaw along with any other field clearing that may present a safety hazard to persons and employees. The stumps from the chainsawing will be removed from the site by trucking to a nearby disposal site.
3. The 3 culverts shown on the plan will be installed according to the details shown on the plan. The culverts will be installed according to the details shown on the plan.
4. Tree removal will be done by a professional tree removal company. The trees to be removed will be identified on the plan. The trees to be removed will be identified on the plan.

5. One of the following methods shall be used to construct the field lines of the site:
  - a. Cut high, leaving the above ground line of the field line as a guide for the tractor to a width of 4' or 6' and a depth of 4' or 6' in the areas shown as the "proposed trail", the trail will bypass any existing trees larger than 2" diameter. Trees smaller than 2" diameter will be cut at grade and then stumps will be removed from the site by trucking to a nearby disposal site.
  - b. The above ground line of the field line will be marked with flagging operations. These areas will only require the placement of the mark. The above ground line of the field line will be marked with flagging operations. These areas will only require the placement of the mark.
  - c. The above ground line of the field line will be marked with flagging operations. These areas will only require the placement of the mark.
  - d. The above ground line of the field line will be marked with flagging operations. These areas will only require the placement of the mark.
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20. The above ground line of the field line will be marked with flagging operations. These areas will only require the placement of the mark.

Land along Popes Head Road shown as the 200' buffer area, or from the structure pad area, that show water through the soil/litter layer or erosion will be immediately covered with straw, mulch or otherwise stabilized and planted with limo until stabilized.

Jeff Waters  
 Castle Creek Farms, LLC  
 6390 Newman Road  
 Fairfax, VA 22030











**SPECIAL PERMIT REQUEST**

The applicant requests approval of a special permit for a paintball facility on a portion of the property, as delineated on the proposed special permit plat. A copy of the special permit plat titled "Special Use Permit Plat, Overall Site Plan, Lot 20, 20Z, Castle Branch," prepared by Farhang Mojgani, Professional Engineer, dated September 8, 2014, is included at the front of the staff report. A detailed description of the request begins on Page 2.

**CHARACTER OF THE SITE AND SURROUNDING AREA**

The existing site is developed with a one-story vinyl-sided dwelling, originally constructed in 1947. An asphalt driveway takes access from Popes Head Road. A shed is located to the rear of the dwelling. The balance of the project site is heavily forested and is located in the Whitehall Statewide Agricultural and Forestal District (AFD). A logging trail runs through the middle of the project site from a former timber operation. Areas of Environmental Quality Corridor (EQC) are located across the central portion and in the northwest and southern portion of the project site.



The project site consists of the lot where the dwelling is located (Lot 20) and portions of two other parcels (Lots 20Z and 29Z). The project site and surrounding properties lie within the RC District.

	Zoning	Use
North	R-C	Electrical substation, single family detached dwellings
South	R-C	Vacant land
East	R-C	Single family detached dwellings, vacant land
West	R-C	Vacant land

**BACKGROUND**

The owners inherited the 204-acre property in 2011. The land has been used in the past for both cattle and timber operations. The new owners would like to transition a portion of the land consisting 75 acres to operate a paintball facility, which is an outdoor recreation use. The 75-acre project area would be located in the northwest corner of the property.

The subject property has been owned by the applicant’s family members since 1961 and has been farmed for most of that time. The Whitehall Local Agricultural and Forestal District was originally established on the property for an eight year period on October 31, 1983 and was renewed for additional eight year periods in 1991, 1999, and 2007. When the property was transferred to the current owners in 2011, a 5.3 acre parcel was added to the total acreage which made the district eligible for re-designation as an A&F district of statewide significance. The Board of Supervisors approved the request to establish the Whitehall Statewide Agricultural and Forestal District on January 29, 2013 for a period of 10 years.

Since the adoption of the Zoning Ordinance, no previous applications for a paintball facility have been heard by the Board of Zoning Appeals.

**DESCRIPTION OF THE REQUEST**

The applicant requests a special permit to operate a paintball facility on the subject property by removing the existing dwelling on Lot 20, dividing the 75-acre project site into a 5-acre portion for the operation of the facility and parking area, and devoting 70 acres for seven roped-off paintball playing fields, conservation easement area, and open space. The playing fields would cover a total of 24.98 acres of the 70-acre area. The proposed paintball facility would offer a variety of paintball games such as “capture

the flag,” and “attack and defend” to no more than a total of 1,315 full-day players or 2,630 half-day players per month. The number of players is limited by the capacity of the septic system as determined by the Health Department. An alarm would be installed with the system that would require the facility to shut down should the amount of use ever approach the pre-set limit. Up to four employees would work each day of the operation. An instructor would accompany each group of players during their playing time.

The applicant proposes to operate from 1:00pm to 6:00pm on Wednesday and Thursday, and from 8:00am to 6:00pm Friday through Sunday. The facility would be closed all non-holiday Mondays and Tuesdays. The applicant also requests two charity events a year, limited by the capacity of the drainfield and on-site parking. A development condition has been proposed to address these limits. A food truck service would sell food to patrons and a covered area with picnic tables would allow for outdoor seating. An office trailer would be used for office space, ticket sales, provide ADA-accessible bathrooms, and offer retail sales of items necessary for paintball play. Only compressed air would be allowed for paintball propellant (precluding CO2 propellant) and the paintballs would be made of polyethylene glycol (PEG), a food additive. Outdoor lights would be located only around the proposed parking area, which would contain 50 spaces. The existing driveway entrance would be improved to a 30-foot VDOT standard commercial entrance.

The existing logging trail would be improved to a width of 8 feet and covered with mulch sourced from the clearing of deadwood, tree crowns, and stumps left from the former timber operation. Four wheel drive vehicles would be used for maintenance operations or in the case of emergencies. A 20-foot high barrier of safety netting would be erected 100 feet back from the eastern side of the project site. The east side of the site is the only portion of the property that borders other dwellings. Several types of non-permanent structures would be placed around the playing fields to provide cover for the players. These structures would consist of cut logs, brush piles, straw bales, sand bags, wood walls 6 feet in height, pipe sections, and plywood “helicopters” and “tanks”. A rest area for the players would be located near the end of the trail, between Fields 6 and 7. This area is proposed to be 25 feet in diameter and surrounded by 20-foot high double netting. A Health Department approved composting toilet would also be located in the rest area.

**ZONING ORDINANCE PROVISIONS**

<b>RC DISTRICT BULK REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Lot Size</b>	75,000 square feet	75 acres
<b>Lot Width</b>	200 feet	505 feet
<b>Building Height</b>	35 feet (residence) 60 feet (other)	Dwelling: to be removed Trailer/tent: not to exceed 35 feet in height

<b>RC DISTRICT BULK REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Front Yard</b>	40 feet (dwelling) Controlled by a 50 degree angle of bulk plane, but not less than 40 feet (other)	Dwelling: N/A Trailer/tent: 155 feet
<b>Side Yard</b>	20 feet (dwelling) Controlled by a 45 degree angle of bulk plane, but not less than 20 feet (other)	Dwelling: N/A Trailer/tent: 116 feet
<b>Rear Yard</b>	25 feet (dwelling) Controlled by a 45 degree angle of bulk plane, but not less than 25 feet (other)	Dwelling: N/A Trailer/tent: 197 feet
<b>Parking</b>	N/A	50 spaces

**COMPREHENSIVE PLAN PROVISIONS**

**Plan Area:** Pohick Planning District; Area III  
**Planning Sector:** Johnny Moore Community Planning Sector (PO03)  
**Plan Map:** Residential 0.2 d.u. per acre

**ANALYSIS**

**Land Use Analysis**

The Comprehensive Plan shows the application property planned for large lot residential development at a density of 0.2 du/ac. In addition, Paragraph 2 in the Land Use Recommendations for the Johnny Moore Community Planning Sector in the Comprehensive Plan recommends review of special exception and special permit uses as follows:

“Nonresidential uses requiring special exception or special permit approval should be rigorously reviewed. In general, these uses should be located at the boundary of Low Density Residential Areas and Suburban

Neighborhoods or where their impact on existing residences is minimal. These uses should be granted only if the following conditions are met:

- Access for the use is oriented to an arterial;
- The use is of a size and scale that will not adversely impact the character of the area in which it is located; and
- The use is designed to mitigate impacts on the water quality of the Occoquan Reservoir.”

A paintball operation is not a use specifically identified in the Zoning Ordinance; at the request of the applicant the Zoning Administrator determined through an interpretation that a paintball facility is most similar to a skeet or trapshooting range, which is a Group 6 Category use allowed in an R-C District with the approval of a special permit.

The applicant initially requested a more intensive operation, to be developed in three phases with phases two and three to include the construction of larger permanent buildings containing a commercial kitchen and retail showroom. Staff identified this as a significant issue, noting that future intensification of the use could result in negative impacts to the rural nature of the area and the natural resources present on the site, and suggested that the project be limited to that described in phase one. Phase one (now the application) limited the proposal to smaller, more temporary structures and limited the impact of the food service and retail uses to be strictly accessory in nature to the paintball use.

In response to these land use and environmental concerns, the applicant significantly scaled back the request and revised the special permit plat accordingly. The hours of operation are also proposed to be limited along with limitations on the number of players allowed per month.

Staff believes that since the applicant has substantially reduced the original proposal to the lower intensity use that is now the subject of the application, using only small scale more temporary structures, generating fewer anticipated vehicle trips coupled with limitations on the operating hours, the proposed special permit is in harmony with the intent of the land use recommendations of the Comprehensive Plan.

#### *Agricultural and Forestal District*

The project area is located within the Whitehall-Vasquez AFD as noted previously. A representative from Urban Forest Conservation of the Commonwealth of Virginia Department of Forestry inspected the project site and made a determination that the proposed paintball facility use would not require the whole of the project site to be removed from the AFD. The 5 acre portion of the project site that contains Lot 20 and the parking lot, trailer and picnic area would be removed from the AFD, leaving the balance of the site within the AFD District. A copy of the letter with this determination is included as Appendix 4.

### *Water Quality Controls*

Water quality controls are required for this development by the Public Facilities Manual (PFM). Since the site is located within the Occoquan Water Supply Protection Overlay District, the projected phosphorous runoff must be reduced by 50%.

To address this issue, the applicant has proposed to dedicate a Conservation Easement 2.75 acres in size in the southwestern corner of the project site and a Conservation Easement 1.15 acres in size in the northwestern portion of the site to meet this requirement. Natural open space is assigned a phosphorus removal efficiency of 100%, per the PFM.

### *Environmental Quality Corridor*

According to the applicant, players and employees will cross the areas of EQC located on the project site only to access the playing fields shown on the special permit plat. Players will cross Castle Creek in one EQC location and cross two seasonal water flows in another EQC location. The proposed mulch trail will serve as player movement control through these areas. No playing fields are located in the EQC areas and employees will be instructed to prohibit players from traveling out of approved playing areas. Staff has reviewed the EQC delineation and description of the proposed crossings submitted by the applicant and concurs with the delineation.

To address the issue of maintaining the integrity of the EQC during operation of the paintball facility, a development condition has been proposed to limit movement across the EQC to the proposed trail

## **Urban Forestry Analysis (Appendix 5)**

### *Existing Vegetation Map*

Urban Forest Management Division noted that the original application lacked an Existing Vegetation Map (EVM) with information about the general composition and extent of the existing vegetation for this special permit application. In addition, the original submittal did not provide preliminary 10-year tree canopy requirements and it was unclear how the 10-year tree canopy requirements for this site would be met.

In response to these comments, the applicant provided an EVM written by an urban forest conservationist from the Virginia Department of Forestry as part of the recent recertification of the property owners' AFD. The Urban Forestry Management Division (UFMD) has determined that this is sufficient information to account for the EVM. The UFMD memo is included as Appendix 7. The applicant has also submitted a revised tree preservation plan showing a detailed EVM, which includes tree canopy calculations, showing over 77 percent tree canopy coverage. The minimum required canopy is 30 percent; therefore the applicant exceeds the minimum required. The revised plan also includes details of tree preservation fencing.

With the provision of the documentation from the Virginia Department of Forestry, submission of a revised tree preservation plan, and adoption of the proposed development conditions, all Urban Forestry issues are addressed.

### **Transportation Analysis (Appendix 6)**

The transportation analysis provided by the Fairfax County Department of Transportation (FCDOT) and the Virginia Department of Transportation (VDOT) for the initial submission of the special permit application noted that the applicant should dedicate an additional 15-foot right-of-way along the site's frontage on Popes Head Road; improve the driveway entrance to VDOT commercial standards while meeting site distance requirements; widen the driveway to allow two vehicles to pass simultaneously; and improve the parking lot to PFM specifications. FCDOT also requested additional information about peak hour vehicular trips and noted that the sign be located outside of the right-of-way and sight distance areas. The applicant has since submitted a revised plat that addresses all of these issues. A development condition has been included requiring FCDOT's recommendation of 20 feet of paving to reduce the amount of gravel from the driveway being scattered on to Popes Head Road. Memos from VDOT and FCDOT are included in Appendix 6.

### **Storm Water Analysis (Appendix 7)**

#### *Floodplain*

DPWES notes that there is a minor floodplain along the extent of Castle Creek through the site to an area upstream of Popes Head Road. Minor floodplain restrictions will apply for any construction within or adjacent to this floodplain, which will be addressed at the time of site plan review. There is also a major floodplain in the southern portion of the larger property that contains the site, but it is located a sufficient distance from the project site so that impacts are not anticipated. There is no RPA on the project site.

#### *Stormwater Detention*

In the DPWES analysis of the original submission, it was noted that the preliminary design of the stormwater facility did not contain enough information regarding detention ability for 2-year and 10-year storm events, site outfall, and culvert design for the crossings over Castle Creek. The revised special permit plat includes the requested information and addresses the issues stated within the memo.

Staff notes that with the adoption of the new Stormwater Management Ordinance on July 1, 2014, the applicant will be required to address the changes to the Ordinance at the time of site plan review. The DPWES memo is included as Appendix 7.

With the submission of the revised plat and the adoption of the proposed development conditions, all stormwater management issues are addressed.

### **Septic System Approval (Appendix 8)**

The applicant has obtained approval for a new septic system from the Fairfax County Health Department, dated April 29, 2013. The approval memo and a copy of the approved Soil Test Hole Plat are included as Appendix 8.

### **Transitional Screening and Barriers**

Under the provisions of Sect. 13-302, Par. 5 of the Zoning Ordinance, where transitional screening is not specifically listed for a proposed use, the Director (or Zoning Administrator) shall determine the extent of transitional screening and barriers required for the use. A paintball use is not specifically listed in the Zoning Ordinance with a prescribed transitional screening requirement. The applicant proposes to incorporate existing trees and the natural vegetative buffers existing on the site, with a minimum width of 50 feet at its closest point surrounding the gravel parking lot. Given the relatively low intensity of the use and the use of only temporary structures on the site that would be subject to screening, staff has conferred with Zoning Administration and determined that the natural screening proposed is sufficient to provide adequate screening on the site in accordance with Article 13 of the Zoning Ordinance.

### **OTHER ZONING ORDINANCE REQUIREMENTS**

#### **Special Permit Requirements (See Appendix 9)**

- General Special Permit Standards (Sect. 8-006)
- Standards for All Group 6 Uses (Sect. 8-603)
- Additional Standards for Skeet and Trapshooting Ranges (Sect. 8-610)

#### **General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. *The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.*

The Comprehensive Plan recommends low density residential uses in the vicinity of the proposed use. The proposed paintball facility would be located on a lot in excess of 75 acres with little proposed construction and few permanent structures. Staff believes that the scale of the proposed use is in harmony with the uses contemplated in the adopted comprehensive plan.

2. *The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.*

The purpose and intent of the R-C Zoning District is to promote large lot, low density residential uses and to allow other selected uses that are compatible with the open and rural character of the district. Staff believes that the proposed paintball facility limited to

small, mostly temporary structures and comprised of 75 acres is compatible with the open and rural character of the district and is therefore in harmony with the general purpose and intent of the applicable zoning district.

3. *The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.*

The 75-acre project site provides a minimum setback of 100 feet from any developed lot and 300 feet from Popes Head Road. Screening is provided by the existing dense trees along the perimeter of the property. Given the protections offered by the applicant to limit impacts from the use and enforced by the proposed development conditions, staff believes that the application for the special use permit will be harmonious with and will not adversely affect the use or development of neighboring properties.

4. *The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*

Parking is provided in a 50-space lot; the limited days of operation further restrict the number of vehicles that access the site. In addition, the applicant will provide a commercial grade entrance with adequate paving to reduce the impact of gravel being scattered onto Popes Head Road, and provide adequate sight distance. The use is limited through the development conditions such that vehicular and pedestrian traffic associated with the use will not be hazardous or conflict with traffic in the neighborhood.

5. *In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.*

The existing project site is heavily forested and the number of trees proposed for removal is minimal. The application will be in accordance with the provisions of Article 13 of the Zoning Ordinance.

6. *Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.*

Open space is provided in excess of 50% of the site, in accordance with the provision of the R-C District, therefore General Standard 6 has been met.

7. *Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.*

Parking to serve the proposed use is provided in accordance with the provisions of Article 11. Utilities such as drainfield location and capacity and stormwater management design and facilities have been evaluated and determined to serve the use without impacts to the site or surrounding properties. Therefore, this General Standard has been met.

8. *Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.*

The sign for the proposed use will be located out of the right-of-way and sight distance areas and will be located and installed in accordance with applicable sign regulations, as stated on the special permit plat.

### **Standards for all Group 6 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 6 special permit uses shall satisfy the following standards:

1. *All uses shall comply with the bulk regulations of the zoning district in which located, except as may be qualified below.*

The only proposed structures are a trailer and a tented picnic area, which both comply with the bulk regulations.

2. *All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.*

The use complies with the performance standards for an R-C district, as demonstrated above, and an illumination plan has been provided

3. *Except as may be provided for in Sect. 609 below, no off-street parking and loading space shall be located within fifty (50) feet of any adjoining property which is in an R district.*

The parking lot is located 51 feet away from all lot lines, therefore this standard had been met.

4. *Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.*

With the approval adoption of the proposed development conditions, the standards for all Group 6 uses have been met.

**Additional Standards for Skeet and Trapshooting Ranges**

1. *The minimum lot size requirement shall be seventy-five (75) acres.*

The lot size for the application property is 75.29 acres with 0.29 acres proposed for dedication for right-of-way; therefore the requirements of Paragraph 1 of Sect. 8-610 are met.

2. *Except for light poles, no structure associated with a skeet or trapshooting range shall be located closer than 100 feet to any lot line.*

With the exception of the light poles around the parking area, no structure is proposed to be located closer than 100 feet from any lot line. Additionally, the project site is largely surrounded by the larger AFD property and is mostly vacant land. As a result, staff believes that with the adoption of the proposed development conditions, the requirements of Paragraph 2 of Sect. 8-610 are met.

3. *No permit shall be issued for a skeet or trapshooting range until the applicant has furnished evidence that the proposed development meetings all regulations specified by State law and all County Ordinances.*

Although the Zoning Administrator has determined that a paintball facility is most similar to a skeet or trapshooting range, no regulated firearms are proposed to be used as part of this application. Therefore, Paragraph 3 of Sect. 8-610 does not apply.

4. *In the consideration of an application for a permit, the BZA shall take into account both safety and noise factors, and may prescribe additional conditions with respect thereto.*

The applicant is proposing adequate buffer areas from neighboring lots, safety netting between the paintball facility and adjacent dwellings, and limited operating hours. Staff believes that this will minimize any safety or noise factors from the proposed application. Therefore the requirements of Paragraph 4 of Sect. 8-610 are met.

**Summary of Zoning Ordinance Provisions**

All applicable standards have been satisfied with the proposed development conditions.

**CONCLUSIONS**

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions as discussed previously in the report with the implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

## **RECOMMENDATIONS**

Staff recommends approval of SP 2014-SP-001 subject to the Proposed Development Conditions in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Commonwealth of Virginia Department of Forestry memo
5. Urban Forestry Analysis
6. Transportation Analysis
7. Department of Public Works and Environmental Services, Site Development and Inspections Division memo
8. Septic System Approval
9. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****September 24, 2014****SP 2014-SP-001**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-SP-001 located at Tax Maps 66-4 ((1)) 29Z (portion), 75-2 ((1)) 20Z (portion), and 66-4 ((1)) 20 for an outdoor recreation use (paintball facility), pursuant to Section 8-610 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, Castle Creek Paintball LLC, and is for the location indicated on the application, 12711 Popes Head Road (75 acres), and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Farhang Mojgani, professional engineer, of Civiland, LLC, dated September 8, 2014 and approved with this application, as qualified by these development conditions.
3. A copy of these special permit conditions **shall be posted** in a conspicuous place on the property of the use and be made available to all department of the County of Fairfax during the hours of operation of the permitted use.
4. The paintball facility and all uses on the site shall not exceed 1,315 player days per month, in accordance with the limits of the septic system as stated by the Fairfax County Department of Health. Should the septic system alarm sound, all uses shall cease immediately until the system is inspected and released for use by the Fairfax County Department of Health.
5. Parking shall be provided as shown on the special permit plat. All parking shall be provided on site.
6. The hours of operation shall be as follows:
  - Closed on non-holiday Mondays or Tuesdays,
  - 1:00pm to 6:00pm Wednesdays and Thursdays,
  - 8:00am to 6:00pm Friday through Sunday.
7. Not more than two special events shall be allowed per year. Event guests shall park only in assigned on-site parking areas. Events shall not be conducted beyond the hours of operation described in development condition 6.

8. All food sales shall be provided by a food truck properly licensed by Fairfax County to staff and patrons of the paintball facility. Food sales shall not be conducted outside of the hours of operation for the principal use.
9. Retail sales shall be accessory to the principal paintball use and limited to items related to the use and enjoyment of the paintball facility. Retail sales shall not be conducted outside of the hours of operation for the principal use.
10. The paintball facility shall only use compressed air for propellant.
11. All paintballs used at the facility shall be filled with polyethylene glycol.
12. There shall be no loud speakers or amplified music on site associated with the paintball facility.
13. The driveway shall be constructed to a commercial standard VDOT entrance with a minimum of 20 feet of paving as measured beginning from the right-of-way.
14. No outdoor lighting shall be permitted in conjunction with the paintball play activities. Lighting may be located around the parking lot as depicted on the special permit plat, and shall be in conformance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.
15. All players and employees shall cross the areas of Environmental Quality Corridor (EQC) located on the project site only for the purpose of accessing the playing fields shown on the special permit plat. The proposed mulch trail shall serve as the only point of access through these areas. No playing fields shall be located in the EQC areas and employees shall be instructed to prohibit players from traveling out of approved playing areas. Any clearing for the construction of the mulch trail or the playing fields shall be completed by hand; no heavy equipment shall be utilized. Removal of vegetation from these areas shall utilize only light trucks.
16. The applicant shall submit plans at the time of site plan review that demonstrate projected phosphorus runoff reductions of at least 50%, in accordance with the requirements of the Occoquan Water Supply Protection Overlay District. All site plans shall comply with the provisions of Chapter 124 of the Public Facilities Manual, Stormwater Management Ordinance, effective July 1, 2014.
17. The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist with experience in mitigating decline in trees resulting from the

impacts of construction activities, and shall be subject to the review and approval of the UFMD.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 10 feet of the limits of clearing and grading in the area to be disturbed, and within 25 feet of the limits of clearing and grading in the protected area. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the Special Permit Plat, and additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

18. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with a UFMD representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.
19. The Applicant shall conform strictly to the limits of clearing and grading as shown on the special permit plat, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director, DPWES. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the plat, they shall be located in the least disruptive manner necessary as determined by UFMD. A replanting plan shall be developed and implemented, subject to approval by UFMD, for any areas

protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

20. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below. All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, UFM shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFMD.
21. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by the UFM, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
  - a. Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
  - b. Root pruning shall take place prior to any clearing and grading, or demolition of structures.
  - c. Root pruning shall be conducted under the supervision of a certified arborist.
  - d. A UFM representative shall be informed when all root pruning and tree protection fence installation is complete.
22. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by UFMD. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction and

demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD.

This approval, contingent on the above-noted conditions, shall not relieve the Applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. **The use shall not be established until a Non-Residential Use Permit (Non-RUP) has been approved.**

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s):

SP 2014 SP-001

(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

07-26-2013

(enter date affidavit is notarized)

I, JEFFREY O. WATERS, do hereby state that I am an (enter name of applicant or authorized agent)

(check one)

[ ] [x]

applicant applicant's authorized agent listed in Par. 1(a) below

121643

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES of the land described in the application,\* and, if any of the foregoing is a TRUSTEE,\*\* each BENEFICIARY of such trust, and all ATTORNEYS and REAL ESTATE BROKERS, and all AGENTS who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in BOLD print must be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Rows include CASTLE CREEK PAINTBALL, LLC; JEFFREY O. WATERS; NAOMIE C. VAZQUEZ, TRUSTEE FOR THE LEE J. VAZQUEZ TRUST FOR THE BENEFIT OF NAOMIE C. VAZQUEZ.

There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium. \*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 1

**Special Permit/Variance Attachment to Par. 1(a)**

DATE: 07-26-2013  
(enter date affidavit is notarized)

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**(NOTE):** All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
12711 POPES HEAD ROAD LLC	6390 NEWMAN ROAD FAIRFAX, VA. 22030	<b>TITLE OWNER/LESSOR OF</b> <b>TM 066-4 ((1))</b> <b>PARCEL 20</b>
JEREMY MARTIN VAZQUEZ, TRUSTEE OF THE JEREMY MARTIN VAZQUEZ TRUST, FOR THE BENEFIT OF; JEREMY MARTIN VAZQUEZ	6300 NEWMAN ROAD FAIRFAX, VA. 22030	<b>TITLE OWNER/LESSOR OF</b> <b>TM 066-4 ((1))</b> <b>PARCEL 292</b>

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Permit/Variance Attachment to Par. 1(a)" form.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 07-26-2013  
(enter date affidavit is notarized)

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1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

**(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)**

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

CASTLE CREEK PAINTBALL, LLC  
6390 NEWMAN ROAD  
FAIRFAX, VA 22030

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

JEFFREY O. WATERS

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

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**Special Permit/Variance Attachment to Par. 1(b)**

DATE: 07-26-2013  
(enter date affidavit is notarized)

121643

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

12711 POPES HEAD ROAD LLC  
6390 NEWMAN RD.  
FAIRFAX, VA. 22030

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

NADINE C. VAZQUEZ

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): \_\_\_\_\_

(county-assigned application number(s), to be entered by County Staff)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 07-26-2013  
(enter date affidavit is notarized)

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): \_\_\_\_\_

(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 07-26-2013  
(enter date affidavit is notarized)

121643

1(d). One of the following boxes **must** be checked:

[ ] In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

[] Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) [ ] There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 07-26-2013  
(enter date affidavit is notarized)

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3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)**

NONE

**(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)**

(check if applicable)  There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

Applicant

Applicant's Authorized Agent

JEFFREY O. WATERS  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 26th day of July 2013 in the State/County/City of Virginia/Fairfax

Charmayne Rolon  
Notary Public



My commission expires: 2/29/16

**SPECIAL PERMIT STATEMENT OF JUSTIFICATION**

Date of Statement: April 25, 2013, Changed July 1, 2013

Applicant's name and address:

Jeff Waters  
6390 Newman Road  
Fairfax, VA 22030

To whom it may concern,

- A. I endeavor to open and operate a paintball business, including laser tag, located on 75 acres of land owned by the LJ Vazquez Trust FBO Nadine Vazquez and land owned by the Jeremy Martin Trust. The former is the wife of the applicant and the latter is the step son of the applicant. The business address and location will be 12711 Popes Head Road, opposite the NOVEC sub-station. The games will be played on part of the forest land of the Whitehall Statewide AFD (8A-83-S-0042), located at 6200 Newman Road, Fairfax, VA. (Tax map #s 066401 0029Z, 0752 01 0020Z, and 0664 01 0020).
- B. The hours of operation will be: Closed all non-holiday Mondays and Tuesdays, open from 1PM to 6PM Wednesdays and Thursdays and 8AM to 6PM, Friday through Sunday. Actual hours of play would be from 2PM to 5PM Wednesday and Thursday and 9AM to 5PM Friday through Sunday. Under no circumstances will there be nighttime play. Retail sales will occur only when open for play.
- C. Estimated average monthly player days will be + or - 1,315 due to projected septic limitations. That is an average of + or - 43 player days per day based on a monthly average. A player day is one player playing all day or two half day players. A proposed Phase 3 addition of a Clivus Multrum composting toilet unit installed at the far end of the used acreage might raise these numbers slightly.
- D. Estimated average monthly employees will be + or - 125 employee days. That is an average of + or - 4 employees per day based on a monthly daily average.
- E. Accepted paintball industry standards show a per car average of 2.5 players and if the estimated + or - total of 16,000 player days has 50% all day players and 50% half day players, this would total + or - 9600 annual car trips by players. Add in + or - 2000 annual employee trips and the total car trips would be + or - 11,600, divided by 365 days a year, gives a daily average of 32 car trips. If all the estimated + or - 16,000 player days were to be half day players, the daily average would be 41 car trips. Car trips would be split between the 8AM to 10AM, 12Noon to 2PM, and 4PM to 6PM time frames.
- F. Based on the next nearest paintball facility being located 21 miles to the west of this location in an adjoining county and there being no locations to the east of this location, we anticipate most players will come from eastern locations of Fairfax County, with the balance coming from other geographic areas of Fairfax County and other close in counties. We anticipate many players from George Mason University, located just 6.2 miles away.

- G. Business building infrastructure will be built in three Phases; Phase 1 will consist of an office trailer with restrooms, skirting, stairs, ramp and plantings. Office trailer rest rooms will be tied into septic system and use approved well water. Phase 1 may also have a storage trailer. Phase 1 food to be supplied by a licensed food truck, food trailer, or caterer. Phase 1 will have a 20' x 30' pole tent (top only) to be used for eating area and player instruction. Phase 2 building will consist of his and her ADA restrooms and food kitchen on a 24' by 24' footprint and connected to a 24' by 24' covered, open sided pavilion to be built with either tan or grey split faced CMUs, dyed concrete flooring, asphalt singled roof, and plantings. Food truck/ trailer will be removed at this time. Phase 3 building will consist of a 24' by 36' either tan or grey split faced CMU structure (in the same style of the Phase 2 structure) to be used as an office, showroom and storage. A Clivus Multrum composting toilet unit may be installed in Phase 3 to keep players from having to walk back to office area, a distance of up to ½ mile.
- H. To the best of my knowledge, there will not be any hazardous, toxic, and/or petroleum product substances generated, utilized, stored, treated and or disposed of onsite other than fuel used in machinery to build structures or maintain facility (such as mowers and tractors.) The facility will use HPA (compressed air), not CO2, for propellant. The paintball fill is made of polyethylene glycol (PEG), a food additive.
- I. The proposed outdoor paintball facility is deemed by the Department of Zoning Administration to be most similar to the Group 6 special permit use of skeet and trap shooting ranges. Skeet and trap shooting ranges are permitted with special permit approval by the Board of Zoning Appeals (BZA) in the R-P and R-C Districts. Skeet and trapshooting ranges are subject to the additional standards required in Sect. 8-610 of the Zoning Ordinance which require: (1) a minimum lot size requirement of 75 acres; (2) except for light poles, no structure associated with a skeet or trapshooting range shall be located closer than 100 feet to any lot line; and (3) all regulations specified by State law and County ordinance must be met. The only alterations to the 70 acres of play areas will be; a mulch on existing ground, path/ road that follows existing logging trails, removal of <2" tree saplings, standing deadwood, grounded deadwood, some safety netting, a netted rest area, and a Phase 3 composting toilet. The plat for the 5 acre business headquarters area will have all required information (parking, buildings, plantings, etc.).

- The engineered septic system will have excess storage capacity so that heavy weekend usage will be sent to the field over the course of a full week. The system has a volume meter, it has to have yearly maintenance preformed, and a report of that maintenance has to be sent to the health department every year. I'm sure the health department won't allow any overuse. Our Statement of justification shows an estimated monthly average of 1315 player days (a player day is one player all day or two half day players), an estimated monthly average of 125 employee days, with the possibility of slightly higher numbers after the installation of a field located Clivis Multrum composting toilet. An average maximum number of patrons and employees at any one time would be in the + or - 115 range. We would like the ability to go over those numbers for a maximum of two charity weekends a year. We will use an advance reservation system for all players, including players not with a group. We will not allow walk on players who haven't reserved a spot by reservation.
- Retail sales will be to playing patrons only.
- Food sales will be to playing patrons, spectators, and employees only.
- If septic system overflow alarms are activated, play will be suspended.
- Mulch trail will not be used for player transportation, except in emergencies.
- If a Special Permit is granted to Castle Creek Paintball, LLC to operate a paintball business located at 12711 Popes Head Road, Clifton, VA 20124, players and employees will cross the EQCs located on the Special Permit acreage only to access the 7 playing fields shown on the plats associated with this application. We will cross Castle Creek in one EQC location and two seasonal water flows in another EQC location as shown on plats provided for this application. The proposed mulch trail will serve as player movement control through these areas. No playing fields are located in the EQCs and employees and referees will not allow players to travel out of approved areas.

May 13, 2014

To: Director, Fairfax DOT

From: Jeff Waters  
Castle Creek Paintball, LLC  
Special Permit App. SP 2014-SP-001

Re: Driveway and parking lot paving waiver

Please accept this letter as my formal request for a waiver from the county requirements of having to pave the driveway and parking lot of my proposed paintball business, to be located at 12711 Popes Head Road, Clifton, VA 20124. We have self-limited the size of our proposed business in an attempt to minimize the impact on our neighborhood. Our parking lot will hold a maximum of 50 cars and, due to septic limitations, we will be limited to an average of + or – 1315 player days a month. A player day is one player for a full day or 2 players for a half day each and these players will arrive, on average, at a carpooling rate of 2.5 players per car. We anticipate a mix of 75% all day players and 25% half day players. We understand that the entrance and first + or – 25' of the driveway will have to be paved even with a granted waiver.

Thank you,  
Jeff Waters  
Castle Creek Paintball, LLC

**1. Car trips with all players being half day players:**

1,315 monthly player days equals  
2,630 monthly half day players  
Times 12 months equals  
31,560 yearly half day players  
Divided by the 260 days we will be open equals  
121 half day players per day equals  
605 half day players per week  
Divided by the 8 half day sessions per week (1 on Wednesday, 1 on Thursday, 2 on Friday, 2 on Saturday, and 2 on Sunday) equals  
76 half day players per session  
Divided by 2.5 players per car (industry figure) equals  
30 one way player car trips per session times two ways equals  
60 one way player car trips per session plus  
12 one way employee car trips per session equals  
72 total one way car trips per day on Wednesday and Thursday  
132 total one way car trips per day on Friday, Saturday, and Sunday.

**Car trips with 75% of players being all day and 25% of players being half day players:**

1315 monthly player days equals  
986 all day players plus  
658 half day players equals  
1,644 monthly players  
Times 12 months equals  
19,728 yearly players  
Divided by the 260 days we will be open equals  
76 players per day  
Divided by 2.5 players per car equals  
30 one way player car trips per day times two ways equals  
60 one way player car trips per day plus  
12 one way employee car trips per day equals  
72 total one way car trips per day.

**2. Peak hour trips for all half day players:**

Wednesday and Thursday; 1 to 2PM= 36 one way car trips and 5 to 6PM=  
36 one way car trips.

Friday, Saturday, and Sunday; 8 to 9 AM= 36 one way car trips, 12 to 2PM= 60 one way car trips, and 5 to 6PM= 36 one way car trips.

**Peak hour car trips for 75% all day players and 25% half day players:**

Wednesday and Thursday; 1 to 2PM= 36 one way car trips and 5 to 6PM= 36 one way car trips.

Friday, Saturday, and Sunday; 8 to 9 AM= 36 one way car trips and 5 to 6PM= 36 one way car trips.

**3. Entrance requirements:**

Entrance must meet commercial-grade entrance requirements. Can this be shown on site plan?

**4. Sight distances at entrance:**

Entrance has 375' sight line to the west and 700'+ to the east. Distance was measured by wheel @ 4' off pavement by applicant.

**5. Sign location:**

Sign will be located out of the right of way and out of the entrance sight lines.

March 3, 2014  
Erin Haley  
Staff Coordinator  
Fairfax County  
Zoning Evaluation Division  
Re: SP 2014-SP-001

Dear Erin,

Below, please find a clarification of our proposed food and retail sales as they relate to SP 2014-SP-001:

- Food service: If approved, we will open with Phase 1 food service being provided by either a food truck or food trailer. If the business is successful, we will transition to a small kitchen inside the Phase 2 pavilion. We will serve only our playing patrons, chaperones of our patrons, employees, and people who have business with our business (delivery people, first responders, etc.). Will we not serve the general public and will post signage to that effect. Food to be sold will be consistent with that which one would find at a small diner; burgers, hot dogs, sandwiches, fries, tacos, breakfast foods, chips, candy, soda, etc.
- Retail sales: If approved, we will sell only to only our playing patrons, not to the general public and will post signage to that effect. Products being sold will be; gloves, disposable coveralls, extra paintballs, propellant tanks, some markers, other paintball related products, and possibly tee shirts with our logo. We would like to use approximately 200 sq. ft. in either the Phase 1 office trailer or in the Phase 3 office building for this purpose. If allowed, I would also like to sell my book, The Adventures of Cover Girl Katie, in the shop. All proceeds from the book go to Katie's Friends, Inc., the non-profit started by my wife and I that benefits companion animals and we would like to have at least one weekend a year where we can dedicate the proceeds from the business to this non-profit charity.

Thank you,  
Jeff Waters  
Castle Creek Paintball, LLC

June 3, 2013  
Department of Planning and Zoning  
Special Permit and Variance Branch  
Zoning Evaluation Division

To whom it may concern,

Please note that this Special Permit Application plat shows a proposed Parcel D + or - 5.03 acre lot that is comprised of the existing + or - 2.99 acre 12711 Popes Head Road lot (tax map # 0664 01 0020) and + or - 2.04 acres to be taken from the + or - 170 acres of Parcel B (tax map # 0752 01 0020Z) in a lot line adjustment. This lot line adjustment is needed due to 12711 Popes Head Road's septic field being inadequate for the needs of the proposed Special Permit business. A new and adequate septic field has been located on the + or - 2.04 acres and approved by the Fairfax County Health department (by Lynn Jones and reviewed by Kevin R. Wastler). Both parcels involved in the needed lot line adjustment are owned by the Lee J. Vazquez Trust FBO Nadine Vazquez. Mrs. Vazquez is the lessor to the applicant, Castle Creek Paintball LLC, and the husband of the applicant, Jeff Waters.

Proposed Parcel D will meet all lot size and area standards required by the RC zoning. Parcel B will still meet all the requirements of both the underlying RC zoning and its' current zoning of Statewide Agricultural Forestal District.

Upon the approval of this Special Permit application by the BZA, this lot line adjustment will be recorded.

Thank you,  
Jeff Waters, Applicant  
Castle Creek Paintball LLC

RECEIVED  
Department of Planning & Zoning

JUN 21 2013

Zoning Evaluation Division

Carl E. Garrison III  
State Forester



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF FORESTRY  
12055 Government Center Parkway  
Suite 904  
Fairfax VA 22035  
703-324-1489

April 4, 2013

Ms. Nadine C. Vazquez  
6390 Newman Road  
Fairfax VA 22030

Dear Ms. Vazquez,

I recently met with your husband Jeff to inspect the area of your property that you propose to use as a paintball facility. According to an e-mail string I received from Jeff, Lisa D. Jacobs has indicated that under section § 58.1-3230 of the Code of Virginia as long as the area still conforms to the statutory definition of forest you will not have to remove it from your Agricultural and Forestal District. The statutory definition of forest is found in the administrative code of Virginia at 4VAC10-20-20, which I have attached for your convenience.

My inspection found that the area was mainly stocked with *Quercus alba* (white oak) in the 9 to 15 inch diameter at breast height range. White oak is a desirable commercial species and the property is accessible for harvesting as evidenced by the recent harvest activities in the stand. I found 8 to 10 trees per 1/10 of an acre. Thus the area where you propose to run the paintball operation meets all the requirements of forest land under the definition set out in 4VAC10-20-20.

If I can be of further assistance in this matter, please don't hesitate to contact me.

Respectfully,

James McGlone  
Urban Forest Conservationist

4VAC10-20-20. Technical standards for classification of real estate devoted to forest use.

A. The area must be a minimum of 20 acres and must meet the following standards to qualify for forestry use.

B. Productive forest land.

The real estate sought to be qualified shall be devoted to forest use which has existed on it, and well distributed, commercially valuable trees of any size sufficient to compose at least 40% normal stocking of forest trees, as shown in Table 1. Land devoted to forest use that has been recently harvested of merchantable timber, is being regenerated into a new forest and not currently developed for nonforest use shall be eligible. To be qualified the land must be growing a commercial forest crop that is physically accessible for harvesting when mature.

C. Nonproductive forest land.

The land sought to be qualified is land devoted to forest use but which is not capable of growing a crop of industrial wood because of inaccessibility or adverse site conditions such as steep outcrops of rock, shallow soil on steep mountain sides, excessive steepness, heavily eroded areas, coastal beach sand, tidal marsh and other conditions which prohibit the growth and harvesting of a crop of trees suitable for commercial use.

D. Definitions.

1. Tree. A tree is a single woody stem of a species presently or prospectively suitable for commercial industrial wood products.

2. Stocking. Stocking is the number of trees three inches and larger in diameter breast high (d.b.h.- a point on the tree trunk outside bark 4 ½ feet from ground level) required to equal a total basal area (b.a. is the area in square feet of a cross section of a tree at d.b.h.) of 75 square feet per acre, or where such trees are not present, there shall be present tree seedlings, or tree seedlings and trees in any combination sufficient to meet the 40% stocking set forth in Table 1.

D.B.H. Range	D.B.H. in 2" Classes	Basal Area Per Tree	Per Acre	Per 1/5 Acre	Per 1/10 Acre
up to 2.9"	Seedlings		400	80	40
3.0-4.9"	4	0.0873	400	80	40
5.0-6.9"	6	0.1964	153	31	15
7.0-8.9"	8	0.3491	86	17	9
9.0-10.9"	10	0.5454	55	11	6
11.0-12.9"	12	0.7854	38	8	4
13.0-14.9"	14	0.0690	28	6	3
15.0-+	16+	1.3963	21	4	2

NOTE: (a) Area 1/5; acre; circle, diameter 105'4"; square 93'4" per side

(b) Area 1/10 acre; circle, diameter 74'6"; square 66'

(c) Number of seedlings present may qualify on a percentage basis; Example, 100 seedlings would be equivalent of 7.5 square feet of basal area ( $25\% \times 30 = 7.5$ ).

(d) Seedlings per acre are based on total pine and hardwood stems. Where intensive pine management is practiced a minimum of 250 well distributed loblolly or white pine seedlings will qualify.

Statutory Authority

§§ 58.1-3230 and 58.1-3240 of the Code of Virginia.

Historical Notes

Derived from VR312-01-02 § 1, eff. January 1, 1989.



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** June 16, 2014

**TO:** Erin M. Haley, Planner II  
Zoning Evaluation Division, DPZ

**FROM:** Hugh Whitehead, Urban Forester II  
Forest Conservation Branch, DPWES

**SUBJECT:** Castle Branch, SP 2014-SP-001

I have reviewed the Special Permit Plat submitted with the above referenced application, stamped as received by the Zoning Evaluation Division on June 3, 2014. Previous comments regarding the required Existing Vegetation Map and transitional screening have been adequately addressed. Development Conditions have not been provided for review.

1. **Comment:** Given the nature of tree cover located on the site, and depending on the ultimate development configuration provided, several development conditions will be instrumental in assuring adequate tree preservation throughout the development process.

**Recommendation:** Include the following Development Conditions to ensure effective tree preservation:

**Tree Preservation:** "The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist with experience in mitigating decline in trees resulting from the impacts of construction activities, and shall be subject to the review and approval of the UFMD.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 10 feet of the limits of clearing and grading in the area to be disturbed, and within 25 feet of the limits of clearing and grading in the protected area. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading

Department of Public Works and Environmental Services  
Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 711, Fax: 703-803-7769  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



shown on the Special Permit Plat, and additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.”

Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant’s certified arborist or landscape architect shall walk the limits of clearing and grading with a UFMD representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.

Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the DPA/PCA/PRC Plan, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director, DPWES. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the DPA/PCA/PRC Plan, they shall be located in the least disruptive manner necessary as determined by UFMD. A replanting plan shall be developed and implemented, subject to approval by UFMD, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the “Root Pruning” proffer below. All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing

structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, UFM shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFMD.

Root Pruning. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by the UFM, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted under the supervision of a certified arborist.
- A UFM representative shall be informed when all root pruning and tree protection fence installation is complete.

Site Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by UFMD. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD.

If there are any questions or a need for clarification, please contact me at (703)324-1770.

HCW/  
UFMDID #: 192680

cc: DPZ File



**COMMONWEALTH of VIRGINIA**

**DEPARTMENT OF TRANSPORTATION**

4975 Alliance Drive  
Fairfax, VA 22030

June 13, 2014

**CHARLES A. KILPATRICK, P.E.**  
COMMISSIONER

**To:** Ms. Barbara Berlin  
Director, Zoning Evaluation Division

**From:** Kevin Nelson  
Virginia Department of Transportation – Land Development Section

**Subject:** SP 2014-SP-001 Castle Creek Paintball  
Tax Map # 66-4((01))0020 & 0029 & 75-2((01))0020Z

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on June 6, 2014, and received on June 10, 2014. I have no additional comments regarding this application.

If you have any questions, please call me.

**cc:** Ms. Angela Rodeheaver  
fairfaxpex2014-SP-001sp2CastleCreekPaintball6-13-14BB



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

January 24, 2014

GREGORY A. WHIRLEY  
COMMISSIONER

**To:** Ms. Barbara Berlin  
Director, Zoning Evaluation Division

**From:** Kevin Nelson  
Virginia Department of Transportation – Land Development Section

**Subject:** SP 2014-SP-001 Castle Creek Paintball  
Tax Map # 66-4((01))0020 & 0029 & 75-2((01))0020Z

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on July 26, 2014, and received on January 16, 2014. The following comments are offered:

1. The math for calculating the site generated trips is incorrect. The statement says the site is only open 5 days a week, but the calculation divides the daily totals by 7.
2. Peak hour trips information should be provided.
3. The entrance is required to meet the VDOT commercial entrance requirements.
4. Sight distance for the sight entrance location needs to be demonstrated.
5. The proposed sign should be located out of the right of way and out of any entrance sight lines.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver  
fairfaxspex2014-SP-001sp1CastleCreekPaintball1-24-14BB



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** March 25, 2014

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Michael A. Davis, Acting Chief  
Site Analysis Section  
Department of Transportation 

**FILE:** 3-6 (SP 2014-SP-001)

**SUBJECT:** Transportation Impact

**REFERENCE:** SP 2014-SP-001; Castle Creek Paintball  
Traffic Zone: 1659  
Land Identification Map: 6-64 ((01)) 20, 20 Z pt., 29 Z pt.

The 75 acre site is currently zoned RC. The applicant proposes an outdoor gaming use for paintball and laser tag.

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the submitted justification dated January 9, 2014 and plat dated December 2013.

- The applicant should dedicate an additional 15-ft. of right-of-way along the site's frontage on Popes Head Road. This will provide a total dedication of 25-ft. from centerline along the site on Popes Head Road.
- The site access to Popes Head Road should be improved to a standard VDOT commercial entrance and should meet all sight distance measures as well.
- The current site driveway would need to be improved with asphalt and widened to allow two vehicles to pass simultaneously.
- The driveway and parking lot area would need to meet the County's Public Facility Manual (PFM) specifications. The parking lot travel aisle nearest the building should be labeled as one-way travel.

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Fairfax County Department of Transportation  
4050 Legato Road, Suite 400  
Fairfax, VA 22033-28980  
Phone: (703) 877-5600 TTY: (703) 877-5602  
Fax: (703) 877-5723  
[www.fairfaxcounty.gov/fcdot](http://www.fairfaxcounty.gov/fcdot)



Barbara Berlin  
March 25, 2014  
Page two

- More specific information is requested regarding the number of peak hour vehicular trips for the weekday and the weekend including the operational characteristics of the proposed use (ex: number of games and direction).
- Any proposed signs should be located outside the VDOT right-of-way.

MAD/AK/SP2014SP001 Castle Creek Paintball

**Haley, Erin M.**

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**From:** Bastakoti, Mohan  
**Sent:** Wednesday, July 16, 2014 3:24 PM  
**To:** Haley, Erin M.  
**Cc:** Kharel, Durga D.; Veon, William  
**Subject:** SP 2014-SP-001\_\_Castle Creek Paintball LLC

Erin:

Effective July 1, 2014 Fairfax County adopted new SWM Ordinance(Chapter 124). PFM was revised per new SWMO. I offer the following SWM review comments on the subject Plan:

1. Provide Stormwater management and BMP narratives including Virginia Runoff Reduction Spreadsheet. Chapter 124-4-2
2. Provide descriptions of how detention and best management practices requirements will be met. Chapter 124-4-4-3 & 4
3. Please provide a detailed description and analysis of how the channel protection requirements and flood protection requirements of each numbered outfall will be satisfied per Stormwater Management Ordinance and Public Facilities Manual. Chapter 124-4-4

If there are any questions, let me know.

Thanks.

-Mohan

**Mohan Bastakoti** | Senior Engineer III (Stormwater & Geotechnical) | DPWES-SDID  
Direct: 703-324-1739 | Main: 703 324 1720 | [Mohan.Bastakoti@fairfaxcounty.gov](mailto:Mohan.Bastakoti@fairfaxcounty.gov)

## Cline, Julie B.

---

**From:** Veon, William  
**Sent:** Monday, September 22, 2014 2:31 PM  
**To:** Cline, Julie B.  
**Subject:** RE: Castle Creek Paintball SP 2014-SP-001

Hello Julie:

Based on my cursory review of the 9/8/14 SP Plat you shared with me this morning, the conditions specified below address the final stormwater management issues for the proposed site. The actual SWM/BMP and outfall design and compliance details will be reviewed at the time of site plan submittal.

Thanks,  
Bill

**William J. Veon, Jr.** | Senior Engineer III (Stormwater)  
Fairfax County-Site Development and Inspections Division (SDID)  
Direct: 703-324-1648 | [william.veon@fairfaxcounty.gov](mailto:william.veon@fairfaxcounty.gov)

---

**From:** Cline, Julie B.  
**Sent:** Monday, September 22, 2014 10:54 AM  
**To:** Veon, William  
**Subject:** Castle Creek Paintball SP 2014-SP-001

Based on your review of the special permit plat received in this office on September 8, 2014, I've included the following conditions to address stormwater management concerns, (edits to the conditions are underlined):

15. All players and employees shall cross the areas of Environmental Quality Corridor (EQC) located on the project site only for the purpose of accessing the playing fields shown on the special permit plat. The proposed mulch trail shall serve as the only point of access through these areas. No playing fields shall be located in the EQC areas and employees shall be instructed to prohibit players from traveling out of approved playing areas. Any clearing for the construction of the mulch trail or the playing fields shall be completed by hand; no heavy equipment shall be utilized. Removal of vegetation from these areas shall utilize only light trucks.
16. The applicant shall submit plans at the time of site plan review that demonstrate projected phosphorus runoff reductions of at least 50%, in accordance with the requirements of the Occoquan Water Supply Protection Overlay District. All site plans shall comply with the provisions of Chapter 124 of the Public Facilities Manual, Stormwater Management Ordinance, effective July 1, 2014.

Julie B. Cline  
Branch Chief, Special Permit and Variance Branch  
Zoning Evaluation Division  
Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia, 22035-5505  
Ph 703-324-1280  
Fax 703-324-3924



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** February 28, 2014

**TO:** Erin Haley, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** William J. Veon, Jr., Senior Engineer III (Stormwater)  
Central Branch, Site Development and Inspections Division  
Department of Public Works and Environmental Services

**SUBJECT:** Special Permit Application No.: SP 2014-SP-001  
Castle Creek Paintball LLC  
Special Permit Plat (dated December 2013)  
LDS Project No.: 006812-ZONA-001-1  
Tax Map No.: 066-4-01-0020 & parts of 066-4-01-0029Z & 075-2-01-0020Z  
Springfield District

We have reviewed the subject application and offer the following stormwater management comments at this time:

The applicant has not provided a Stormwater Information Sheet (LTI 06-06).

Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on or adjacent to the site, and certainly within the larger, contiguous property that contains the site. The site-specific boundaries of the RPA will need to be developed and displayed per PFM 6-1701.3, and the use of land within the RPA shall be limited by PFM 6-1702 and CBPO 118-2.

Water quality controls are required for this development (PFM 6-0401). Since the site is located within the Occoquan Water Supply Protection Overlay District, the projected phosphorus runoff must be reduced by 50% (PFM 6-0401.1). A bioretention filter has been proposed as the project's SWM/BMP facility. However, neither preliminary BMP calculations nor preliminary bioretention design information has been provided to allow for an assessment of whether the site's water quality requirements can/will be met. (Refer to PMF 6-1307 for bioretention filter and basin design requirements.) Note that "natural open space" areas may be considered in the BMP calculations to determine the need for other BMPs, so long as such areas are incorporated into dedicated Conservation Easements and designated as such on the plat. Natural open space is assigned a phosphorus removal efficiency of 100% in the calculations (PMF 6-0402.3).

Department of Public Works and Environmental Services  
Land Development Services, Site Development and Inspections Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



#### Floodplains

There is minor floodplain along the extent of Castle Creek through the site to upstream of Popes Head Road. Minor floodplain restrictions will apply for construction within or adjacent to this floodplain. There is also major floodplain in the southern portion of the larger property that contains the site, but this major floodplain is not close enough to the site to cause concern.

#### Downstream Drainage Complaints

There are no applicable downstream drainage complaints on file within about 2-3 miles of the site.

#### Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). A SWM/BMP facility (bioretention filter) has been proposed, but preliminary design information has not been provided to ascertain if this facility will provide the required site detention for the 2-yr and 10-yr storm events. The total detention for the ultimate proposed build-out must be provided with the Phase 1 improvements. Other options for providing the required detention may be more practical if much or all of the site's water quality requirements are addressed by the use of Conservation Easements. (Note that appropriate outlet protection will be required for the SWM/BMP facility.)

#### Site Outfall

An outfall statement has been provided. However, the statement does not adequately address at least a preliminary assessment of the requirements of the downstream drainage system analysis. (PFM 6-0203.2 & .3) Note that as an alternative to an actual downstream analysis, additional detention may be provided. (PMF 6-0203.4 & .5)

#### Stormwater Planning Comments

This site is located in the Popes Head Creek Watershed and the Castle Creek Subwatershed. There are a few future County culvert and bridge capacity projects located downstream from the subject site. However, the applicant's proposed project should have little to no impact on these future County projects.

#### Miscellaneous

The culvert design for the proposed crossing of Castle Creek is not adequate. Also, the proposed Trail crosses other tributaries to Castle Creek without proposed culvert installations. If this is not an oversight, include an explanation in the Stormwater Management Narrative. (Note that appropriate outlet protection will be required for all culverts.)

In addition to the erosion & sediment control information provided on Sheet 3, the project's limits of disturbance for erosion & sediment control purposes must include all areas where significant construction will occur - including the proposed culvert installations and all areas where heavy equipment will be used.

Erin Haley, Staff Coordinator  
Special Permit Application No.: SP 2014-SP-001  
February 28, 2014  
Page 3 of 3

The preceding comments are based on the 2011 version of the Fairfax County Public Facilities Manual (PFM). However, a new stormwater ordinance and updates to the PFM's stormwater requirements were adopted by the County's Board of Supervisors on January 28, 2014. The effective date of implementation of these new regulations is scheduled for July 1, 2014, but is subject to possible change pending the outcome of the review of the regulations by the State's Department of Environmental Quality. The site plan for this application may be required to conform to the updated PFM and the new ordinance.

Please contact me at 703-324-1648 if you require additional information.

WJV/

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, Stormwater Planning  
Division, DPWES  
Durga Kharel, Chief, Central Branch, Site Development and Inspection Division, DPWES  
Zoning Application File

**MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION,  
SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS**

The following information is required to be shown or provided in all zoning applications, or a waiver request of the submission requirement with justification shall be attached. Note: Waivers will be acted upon separately. Failure to adequately address the required submission information may result in a delay in processing this application.

This information is required under the following Zoning Ordinance paragraphs:

- |  |  |
|--|--|
| Special Permits (8-011 2J & 2L)                | Special Exceptions (9-011 2J & 2L)                       |
| Cluster Subdivision (9-615 1G & 1N)            | Commercial Revitalization Districts (9-622 2A (12)&(14)) |
| Development Plans PRC District (16-302 2 & 4L) | PRC Plan (16-303 1E & 10)                                |
| FDP P Districts (except PRC) 916-502 1F & 1Q)  | Amendments (18-202 10F & 10I)                            |

- Plat is at a minimum scale of 1"=50' (unless it is depicted on one sheet with a minimum scale of 1"=100).
- A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond spillways, access roads, site outfalls, energy dissipation devices, and stream stabilization measures as shown on Sheet 1 & 2 of 5

3. Provide:

Facility Name/ Type & No.	On-Site area served (acres)	Off-Site are served (acres)	Drainage area (acres)	Footprint area (sf.)	Storage Volume (cf.)	If pond, dam height (ft.)
(e.g. dry pond A. inflt. Trench, underground vault, etc.) DRY POND	2.70	N/A	2.70	6,515	15,415	4
<b>Totals</b>						

- Onsite drainage channels, outfalls and pipe systems are shown on Sheet 2-5.
- Maintenance accesses (road) to stormwater management facility(ies) are shown on Sheet 2-5.
- Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet. 4 & 5 -5
- A "stormwater management narrative" which contains a description of how detention and best management practices requirements will be met is provided on Sheet 2-5.
- A description of the existing conditions of each numbered site outfall extended downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (640 acres) is provided on Sheet. 2-5
- A description of how the outfall requirements, including contributing drainage areas of the Public Facilities Manual will be satisfied is provided on Sheet 2-5.
- Existing topography with maximum contour intervals of two (2) feet and a note as to whether it is an air survey or field run is provided on Sheets. 2-5

11. A submission waiver is requester for N/A RECEIVED  
Department of Planning & Zoning

12. Stormwater management is not required because N/A JUN 03 2014



# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

April 29, 2013

Jeff Waters  
6390 Newman Road  
Fairfax, VA 22030

RECEIVED  
Department of Planning & Zoning

AUG 15 2013

Zoning Evaluation Division

RE: Soils Evaluation for a Subsurface Sewage Disposal Drip System at 12711 Popes Head Road, Fairfax, Virginia 22030; Tax Map: 0664 01 0020, in Accordance with the Code of Virginia, Chapter 613, Regulations for Alternative Onsite Sewage Systems, and the Commonwealth of Virginia Department of Health Guidance, Memorandum, and Policy (GMP #147)

Dear Mr. Waters:

Site and soils evaluations on the above referenced lot were satisfactory with an estimated rate of 90 minutes per inch at a depth of 1 inch. Issuance of a Sewage Disposal System Construction Permit is subject to the following requirements:

1. Sufficient area must be available within the approved footprint for the required individual sewage disposal system. A reserve area equal to 100% of the initial system must be provided.
2. A dimensional site/grading plan showing the house location and all required information must be submitted to the Health Department for review.
3. The Health Department must review and approve the building permit applications.
4. A complete set of Architectural Plans, to include all existing and proposed structures, must be submitted to the Health Department during review of the site/grading plans. If a Fairfax County approved set is not available, the set submitted to the Health Department must contain an owner signed and dated notice as part of the Architectural Plans stating that the structures represented will be those built.
5. The available area appears adequate for a 700 gallons per day maximum sewage disposal system utilizing tertiary treatment with disinfection and absorption drip dispersal. The drip dispersal system must be installed on original contour. No grade cuts are allowed. The sewage disposal system selected for use must have general approval through the *Virginia Department of Health* for a loading rate of 0.15 gallons of sewage effluent per square foot of absorption area per day. The absorption area must have a minimum of 4667 square feet.

Fairfax County Health Department  
Division of Environmental Health  
Technical Review and Information Resources  
10777 Main Street, Suite 102, Fairfax, VA 22030  
Phone: 703-246-2510 TTY: 711 Fax: 703-278-8157  
[www.fairfaxcounty.gov/hd](http://www.fairfaxcounty.gov/hd)



Jeff Waters  
April 29, 2013  
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6. The installation area must be cleared by hand. No motorized equipment for the purpose of clearing or installing the drip dispersal system is allowed over or within 10 feet of the installation area.
7. Please note that some types of secondary and tertiary treatment systems contain media that must be replaced on a periodic basis. Replacement of the media is the responsibility of the property owner.
8. The existing well on the property must be properly abandoned prior to any Health Department site/grading plan review for redevelopment of the property. A Health Department Well Abandonment Permit will be required for abandonment.
9. Due to the variations in soil, in some instances it may be necessary to reappraise a particular lot.
10. Where public water is not available, approval is subject to proper location of a well in accordance with applicable State and County Regulations.

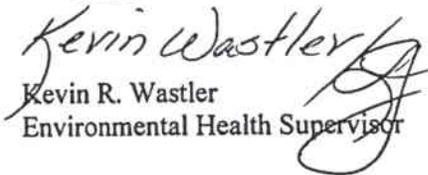
If you require further information concerning this matter, please contact our office at (703) 246-2201, between 8:00 a.m. and 4:30 p.m., Monday through Friday.

Sincerely,



Lynn Jones, MSCE, REHS  
Senior Environmental Health Specialist

Reviewed by:



Kevin R. Wastler  
Environmental Health Supervisor

lj/krw/ds

Encl: Copy of Plat  
cc: Department of Tax Administration  
The Helm Group

**8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

**8-603 Standards For All Group 6 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 6 special permit uses shall satisfy the following standards:

1. All uses shall comply with the bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
3. Except as may be provided for in Sect. 609 below, no off-street parking and loading space shall be located within fifty (50) feet of any adjoining property which is in an R district.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

**8-609 Additional Standards for Skeet and Trapshooting Ranges**

1. The minimum lot size requirement shall be seventy-five (75) acres.
2. Except for light poles, no structure associated with a skeet or trapshooting range shall be located closer than 100 feet to any lot line.
3. No permit shall be issued for a skeet or trapshooting range until the applicant has furnished evidence that the proposed development meets all regulations specified by State law and all County ordinances.
4. In the consideration of an application for a permit, the BZA shall take into account both safety and noise factors, and may prescribe additional conditions with respect thereto.