Excerpts
Planning Commission Minutes
November 12, 2003

> **Application No. UP-627-03, Kenneth Dale Moore:** Request for a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (category 14, number 6), to authorize the establishment of a mini-storage warehouse facility on a 1.74-acre parcel located at 5922 George Washington Memorial Highway approximately 300 feet north of the intersection of George Washington Memorial Highway (Route 17) and Wolftrap Road (Route 630) and further identified as Assessor's Parcel No. 29-4-4B. The proposed development would be an expansion of the existing Stor Moore mini-storage warehouse facility located at 6000 George Washington Memorial Highway. The property is zoned GB (General Business) and the Comprehensive Plan designates this area for General Business development.

Mr. Tim Cross, Principal Planner, summarized the memorandum to the Commission dated November 12, 2003. He said there were no substantive differences between the current application and the application submitted for the same purpose in 2000, which was denied by the Board. He added that the current proposal to add a row of 12 crape myrtles to serve as a landscape buffer does not meet the minimum landscaping requirements of the Zoning Ordinance. He stated the staff recommends denial of the application.

Mr. Davis asked if renderings were available of the proposed side or front elevations, and Mr. Cross stated the artist's sketch attached to the staff memo was submitted by the applicant, but no other drawings were submitted.

Chair Simasek opened the public hearing.

Mr. Lamont Myers, 108 Pheasant Watch, Mid-Atlantic Commercial, represented the applicant. Mr. Myers said there has been growing concern in recent years about what is happening on Route 17, noting the County's recently commissioned study of the Route 17 corridor.

Mr. Myers pointed out what he considered to be significant differences in the current application and the application that was denied in 2000, namely a brick façade on the buildings, a heavily landscaped berm, brick fencing between two buildings, and exterior improvements to the office building including modification to the roof line and installation of decorative lighting. He said that many communities are bringing buildings closer to the street and locating their parking or paved areas behind and thought increased landscaping at the front of the project, as proposed, would enhance the beautification of Route 17. Mr. Myers agreed with conditions proposed by the staff with the exception of the section of Condition No. 9 of proposed Resolution PC03-35 that requires the berm to be set back at least ten feet from the right-of-way reservation line, which he felt was excessive. He agreed with the other recommendations contained in the proposed resolution.

Mr. Myers thought the proposed storage facilities represent a higher and better use than some uses allowed by right. He did not agree that commercially-zoned property is becoming scarce on Route 17 and said ten businesses between Ella Taylor Road and Denbigh Boulevard have closed or moved closer to the Route 171 corridor, and 27 for-sale signs are up between Ella Taylor Road and Fort Eustis Boulevard.

Mr. Myers noted the applicant's existing Stor Moore facilities on Route 17 and Wolf Trap Road are totally leased but to place another facility in an out-of-the-way location would doom it to failure. He did not see any negative impacts to the proposal and said, in fact, it offers controlled access, attractive signage, low traffic impact and liberal landscaping. He thought it would be more appropriate to reward the applicant's successes than place obstacles in his path.

Mr. Myers noted a letter that Mr. Edward L. Chambers, Jr., 6021 George Washington Memorial Highway, wrote to Mr. Cross in which Mr. Chambers supported the application. [Letter, dated October 29, 2003, attached to minutes of record.]

Mr. Barba asked how many square feet the Route 17 and Wolf Trap Road Stor Moore facilities comprise.

Mr. Dale Moore, the applicant, responded that the combined total is between 60,000 and 70,000 square feet.

Mr. Barba asked if the expansion onto Wolf Trap Road was made in lieu of developing the Route 17 frontage. **Mr. Moore** explained it was "secondary to the first one and nothing else was available." He thought the Board would be happy with the proposed improvements, including the angled exteriors, recessed lighting with accent lighting on stucco side walls, and an entirely different appearance to the office building.

Mr. Heavner asked the applicant if Victory Industrial Park would be a more appropriate location for such a facility. **Mr. Moore** said he had been told by Mr. James Noel, Office of Economic Development, that the County is adamantly against using industrial property for this purpose.

Mr. Heavner asked if the proposal provides access for 18-wheel trucks and **Mr. Moore** said their use is discouraged at his storage facilities and management recommends that customers deliver their storage items by pickup truck.

In response to **Mr. Ptasznik**, **Mr. Cross** stated that a mini-storage warehouse facility is an allowed use in the IG – General Industrial – zoning district.

Discussion followed about what impact the future widening of Route 17 might have on the project, and Mr. Cross explained that the proposed right-of-way reservation depicted on the applicant's concept plan should be sufficient to accommodate the widening. He explained that the staff's recommendation to change the berm location was intended to prevent the widening from intruding on the berm.

Mr. Mark Carter, Zoning Administrator, added that widening this segment of Route 17 is not on the Virginia Department of Transportation's plan until at least the year 2010. The only other consideration in terms of widening, Mr. Carter added, is that sometimes there is a need for a temporary construction easement and utility line in which case the applicant's investment could be protected from disturbance.

Chair Simasek closed the public hearing.

Mr. Davis, noting his strong advocacy of property rights, asked if the members would consider tabling the application until roof elevations are available to show the project's possible effect on surrounding properties.

Mr. Simasek expressed his surprise the applicant and his agent did not present better drawings to the Commission, particularly because they are aware of the County's position on storage facilities. He agreed that the Commission should not move forward without seeing precisely what is proposed.

Mr. Davis added it is critical to see what the project would look like, considering the investment the County has made in the Route 17 beautification study.

Mr. Barba was not convinced this application represented the best use of the property.

Mr. Hamilton agreed with Mr. Barba, and was not sure there was a need for more mini-storage warehouses.

Mr. Heavner believed the proposed facilities were a good use of the property but wanted to see more pictorials.

Mr. Myers said renderings will be drawn to comply with the conditions of the proposed staff resolution concerning appearance and will be completed in time for Board consideration. Mr. Myers requested that the Commission make a recommendation rather than table or defer the application.

Mr. Ptasznik thought the facilities would be attractive but not suitable for the subject property. He did not think the proposed facilities were supportive of the long-term redevelopment of the area envisioned in the Comprehensive Plan. Mr. Ptasznik recommended the applicant consider an IG-zoned area for this project.

Mr. Simasek indicated he could not support the project because a higher and better use should be made of the property, and he would support the staff's recommendation.

Mr. Ptasznik moved the adoption of Resolution PC03-35, recommending approval. It failed by a vote of 5:1 (Mr. Harvell absent, Mr. Heavner opposing).

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