Index File

Application No. UP-687-05

Ralph L. English, Sr.

Application No. UP-687-05 is a request for a Special Use Permit to authorize an automobile junkyard on 12.49 acres of land located at 2321 Wolf Trap Road (Route 630) approximately 570 feet north of the intersection of Wolf Trap Road and Goodwin Neck Road (Route 173).

The staff is recommending approval.

Attachments:

1. Staff report
2. Zoning map
3. Site map
4. Sketch plan
5. Proposed Resolution No. PC06-8

COUNTY OF YORK
MEMORANDUM

DATE: March 30, 2006 (PC Mtg. 4/12/06)

TO: York County Planning Commission

FROM: Timothy C. Cross, AICP, Principal Planner

SUBJECT: Application No. UP-687-05, Ralph L. English, Sr.

ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 19), to authorize an automobile junkyard on approximately 12.49 acres of land located at 2321 Wolf Trap Road (Route 630) approximately 570' north of the intersection of Wolf Trap Road and Goodwin Neck Road (Route 173) and further described as Assessor's Parcel Nos. 24-259 and 24-258.

DESCRIPTION

- Property Owner: Ralph L. English, Sr. and Walter Borum Estate (c/o Ralph L. English, Sr.)
- Location: 2321 Wolf Trap Road (Route 630) approximately 570' north of the intersection of Wolf Trap Road and Goodwin Neck Road (Route 173)
- Area: 12.49 acres
- Frontage: Approximately 578 feet on Wolf Trap Road (Route 630)
- Utilities: Public water is available; sanitary sewer is not available
- Topography: Relatively flat
- 2025 Land Use Map Designation: General Industrial
- Zoning Classification: IG – General Industrial
- Existing Development: None
- Surrounding Development:

  North: York Industrial Park
  East: None (across Wolf Trap Road)
  South: None
  West: Dominion Virginia Power Ash Disposal Site

- Proposed Development: Automobile graveyard/junkyard

CONSIDERATIONS/CONCLUSIONS

1. The applicant currently owns and operates an existing nonconforming automobile junkyard – English Motors, Ltd. – on approximately 17 acres of land located on the east side of Route 17 in the Tabb area (2321 George Washington Memorial Highway). He has expressed a desire to sell the existing junkyard and relocate the business to industrially zoned property that he owns on Wolf Trap Road.

2. The subject property consists of two contiguous parcels, one of them fronting on Wolf Trap Road (11.37 acres) and the other landlocked (1.12 acre). Both parcels and the entire surrounding area are zoned IG (General Industrial) and are designated General Industrial in the Comprehensive Plan. The nearest residentially zoned property is approximately 550' to the north and is separated from the subject property by an existing industrial park.

3. The applicant's sketch plan depicts a 20,000-square foot warehouse building that includes six bays and a 1,250-square foot office space. A 26-space gravel parking lot is also shown; however, pursuant to the Zoning Ordinance and Chapter 5, Automobile Graveyards and Junkyards, of the County Code, the parking lot must be paved. The fenced salvage yard itself, as depicted on the sketch plan, would occupy an estimated 10-11 acres. No cars or parts may be stored between the fence and the property boundary.

4. Section 24.1-476 of the Zoning Ordinance contains a series of performance standards for automobile graveyards and junkyard that prohibit storage in any required yard or buffer areas and require all storage areas to be effectively screened from view from all public streets and adjacent properties by landscaping supplemented by fencing. In addition, Chapter 5, Automobile Graveyards and Junkyards, of the County Code governs the operation of auto salvage yards in the County and includes additional standards regarding screening, display and storage, ground cover, etc. In accordance with these standards, the applicant's concept plan shows a 6' wooden privacy fence surrounding the proposed salvage yard and set back from the side and rear property lines by twenty feet (20'). Landscape yards will be required along the outside perimeter of the fence and, since most of the site is heavily wooded, it appears that the required planting ratios can be met by preserving existing trees and shrubs.

5. The headwaters of Chisman Creek run generally along the western boundary of the subject property. In accordance with the County's Chesapeake Bay regulations, no land disturbance or development activity can occur on the subject property until the developer has performed a Natural Resources Inventory, including a Perennial Stream Determination. If the stream is determined to be perennial, a 100' Resource Protection Area (RPA) buffer will need to be maintained landward of the stream and any adjacent wetlands that might be present.

6. The Institute of Transportation Engineers' (ITE) Trip Generation manual (7th edition) does not provide trip generation rates for automobile graveyards. With an estimated 10-20 customers per day and approximately four employees on any one shift, there will not be enough traffic to warrant any turn lanes on Wolf Trap Road at the entrance to the site; however, the applicant will be required to install a commercial entrance in accordance with VDOT standards, and the existing dirt driveway into the site will need to be paved. This segment of Wolf Trap Road has a pavement width of approximately 20' and is a designated haul route for trucks transporting fly ash from the Dominion Virginia Power-Yorktown Power Station and ash disposal site. According to the Virginia Department of Transportation (VDOT), this section of Wolf Trap Road carries approximately 1,800 vehicles per day (as of 2004, the latest year for which traffic volume data are available).

7. As noted above, the applicant has indicated that the proposed junkyard would replace his existing nonconforming junkyard on Route 17, which he plans to sell. Protecting and, where necessary, improving the aesthetic quality of the Route 17 corridor has been a longstanding goal of the County. In recent years the County has undertaken a number of strategies to address this need, including the planting of landscaping in the median, establishing the Route 17 Property Improvement Grant Program to make matching funds available to businesses along the corridor to improve their properties, and the creation of two overlay zoning districts for the Route 17 corridor with special standards for new development and incentives to encourage redevelopment of existing business properties.

   The junkyards, which occupy a combined total of over 30 acres of land and over 1,200' of frontage along the east side of Route 17 south of Victory Boulevard (of which English Motors represents about 17 acres and 600' of frontage) present a particular challenge. As stated in the Land Use element of the Comprehensive Plan, "Several junkyards along Route 17 in the Tabb area detract from the corridor's overall appearance. Aesthetic improvement or redevelopment of these nonconforming uses … should be a major objective of the County." The November 2003 report of the Route 17 Revitalization Committee identifies the salvage yards in this area as perhaps "the greatest visual challenge on Route 17." The applicant's proposal to relocate his business to Wolf Trap Road would essentially reduce this "visual challenge" by about 50%, provided that another junkyard does not take its place. Therefore, staff has proposed a condition to make approval of this use permit contingent on the prior discontinuance of the applicant's existing junkyard on Route 17. This would be accomplished by requiring the applicant, prior to establishing a new junkyard on Wolf Trap Road, to record a deed restriction on his Route 17 property stipulating that it will not be used as an automobile junkyard/graveyard. Such a deed restriction would prevent the applicant or a future purchaser from continuing to use the property for a junkyard. This is important because nonconforming uses run with the land and retain their nonconforming status until they have been discontinued for two years; without such a deed restriction, the current or a future owner could establish a new junkyard on the property after the existing junkyard has been relocated as long as he or she did so within two years of the relocation.

RECOMMENDATION

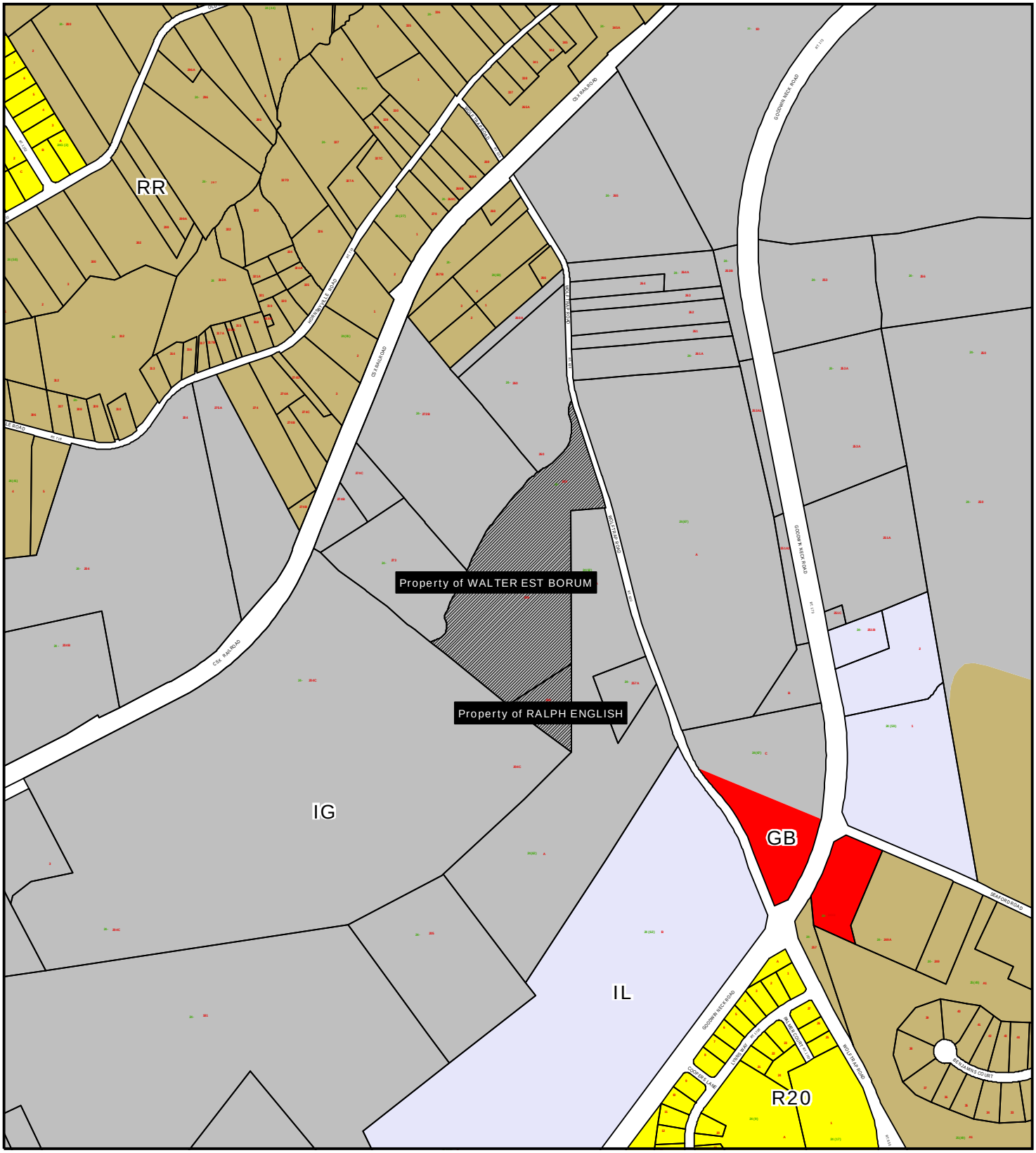
Staff views this application as an opportunity to relocate an existing nonconforming business to a more appropriate location and in so doing provide an opportunity for redevelopment and revitalization of a highly visible and heavily traveled segment of the County's main commercial corridor. While it would not eliminate all the nonconforming junkyards on Route 17, it would represent a very positive step toward the realization of the County's long-term goals for this area. The proposed site on Wolf Trap Road is in an industrial area with no residential uses nearby, and the junkyard would be properly screened to prevent views of the auto storage area from Wolf Trap Road and surrounding properties. Therefore, based on the considerations and conclusions as noted, staff recommends that the Commission forward this application to the Board of Supervisors with a recommendation of approval subject to the conditions contained in proposed Resolution No. PC06-8.

TCC
Attachments
- Zoning Map
- Site Map
- Sketch Plan
- Proposed Resolution No. PC06-8

APPLICANT
Ralph L. English, Sr.
Automobile Junkyard
R08b-4924-4060, S08a-0061-3407

ZONING MAP

APPLICATION NUMBER: UP-687-05



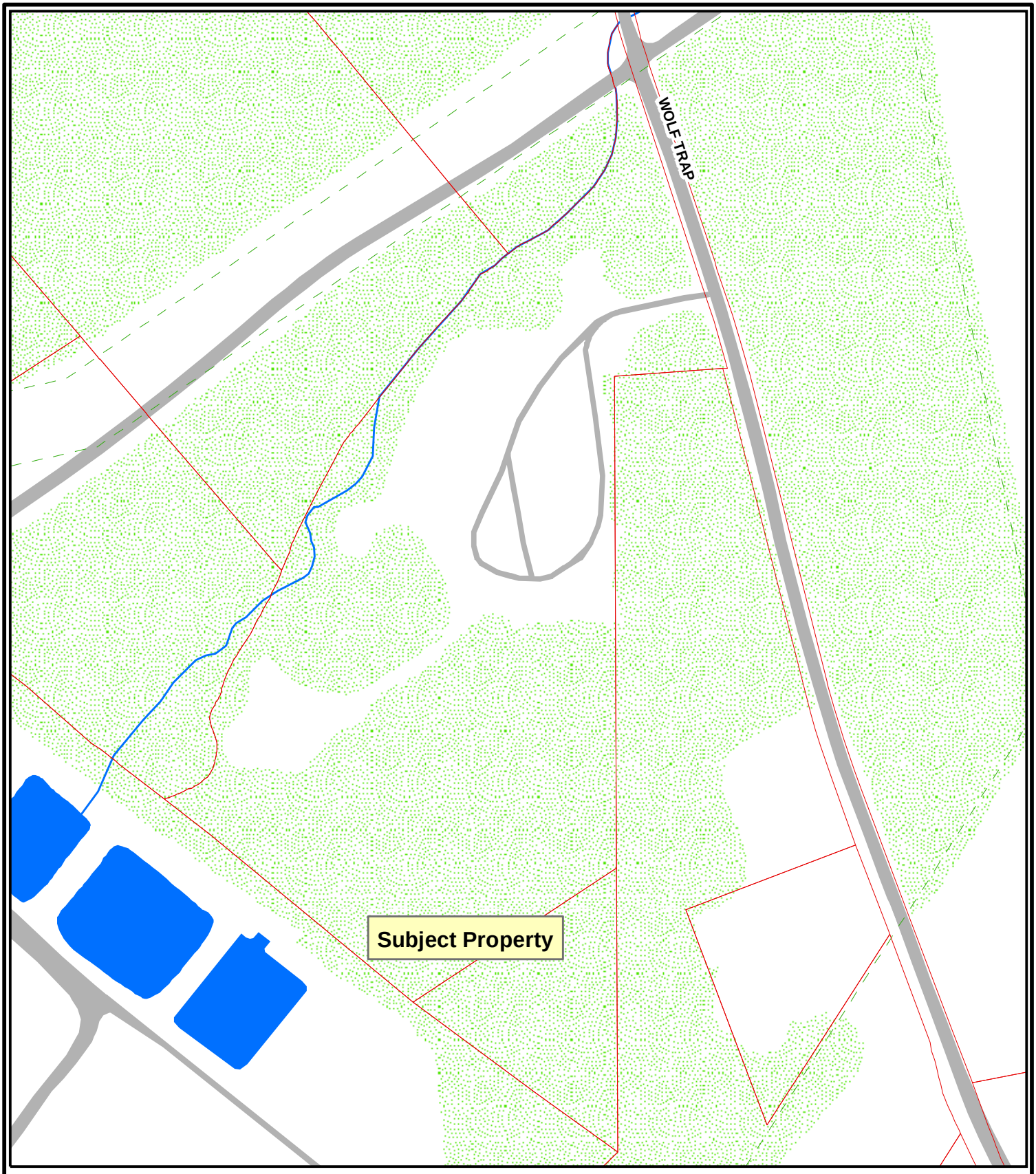
^ = Conditional Zoning

0 350 700 1,400 Feet

Printed on March 07, 2006

SOURCE: YORK COUNTY GIS PARCEL DATA and ZONING COVERAGE

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



2321 Wolf Trap Road

York County
VIRGINIA
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GEOGRAPHIC INFORMATION SYSTEMS
Division of Computer Support Services
Department of Financial & Management Services
WWW.YORKCOUNTY.GOV

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HORIZONTAL ACCURACY: +/- 2.5 feet DATUM: VA State Plane South, NAD 83
VERTICAL ACCURACY: +/- 1 foot DATUM: NVAD 1929

This map should NOT be used for engineering or other design purposes without full verification having been undertaken by a qualified surveyor.

The County of York, Virginia assumes no responsibility for the accuracy of this map or the information contained herein or derived here from. The buyer and/or user assumes all risks and liabilities whatsoever resulting from, or arising out of the use of this map.

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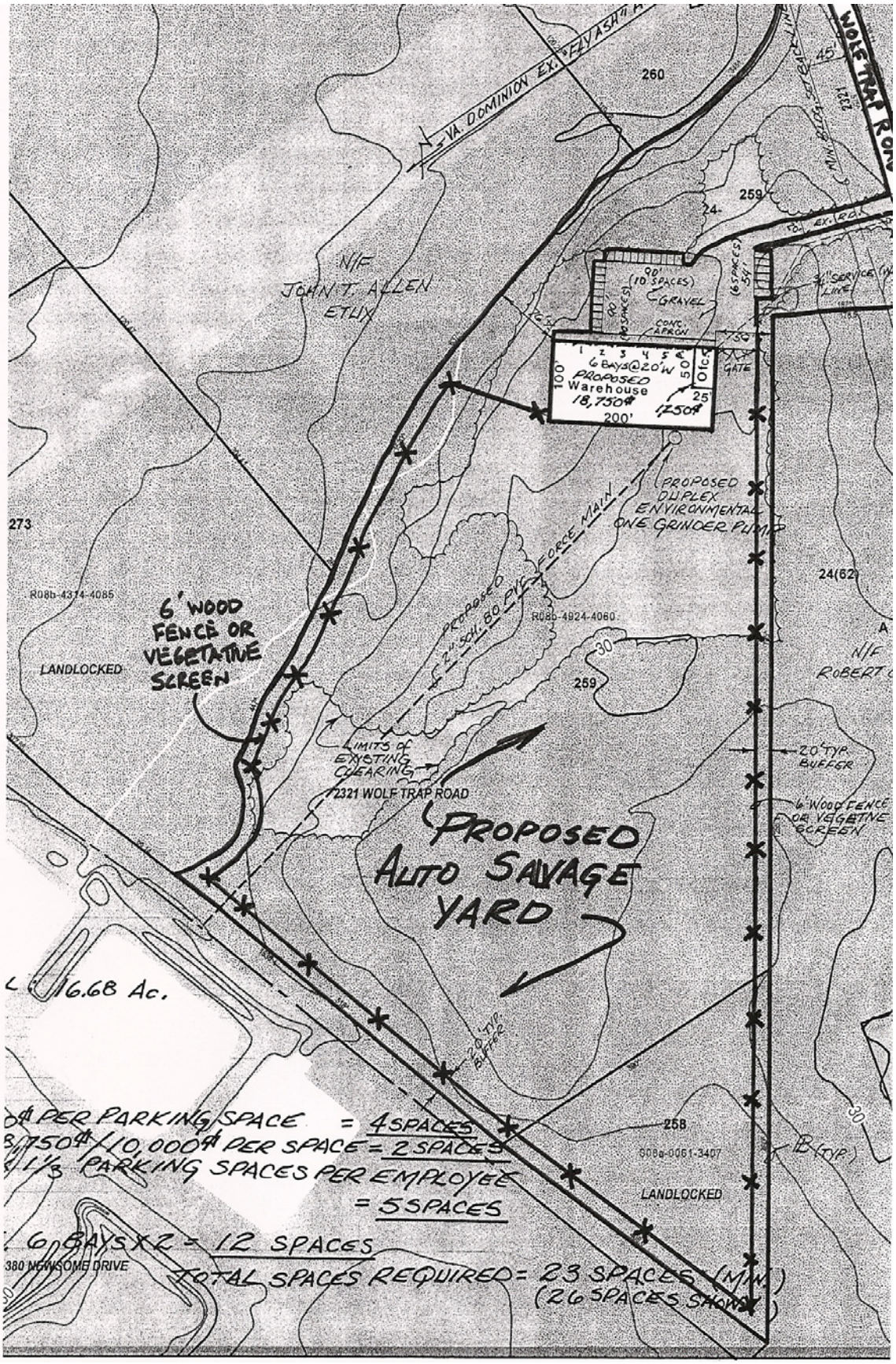
Flood Information Courtesy of:
Federal Emergency Management Agency (FEMA)
This flood data has not been certified.

200 100 0 200
Feet


VA. DOMINION EX. FLY ASH
WOLF TRAP ROAD
260
259
N/F
JOHN T. ALLEN
ETUX
(10 SPACES)
GRAVEL
CONC. APRON
GATE
6 BAYS@20'W
PROPOSED
Warehouse
18,750#
1250#
200'
100'
50'
25'
PROPOSED DUPLEX ENVIRONMENTAL ONE GRINDER PUMP
PROPOSED 2" SCH. 80 PVC FORCE MAIN
273
R08b-4374-4085
6' WOOD FENCE OR VEGETATIVE SCREEN
LANDLOCKED
R08b-4924-4060
24(62)
N/F
ROBERT
LIMITS OF EXISTING CLEARING
12321 WOLF TRAP ROAD
20' TYP. BUFFER
6' WOOD FENCE OR VEGETIVE SCREEN
PROPOSED AUTO SALVAGE YARD
16.68 Ac.
20' TYP. BUFFER
258
R08a-0061-3407
LANDLOCKED
(TYP.)
4# PER PARKING SPACE = 4 SPACES
8,750#/10,000# PER SPACE = 2 SPACES
1 1/3 PARKING SPACES PER EMPLOYEE
= 5 SPACES
6 BAYS X 2 = 12 SPACES
380 NEWSOME DRIVE
TOTAL SPACES REQUIRED = 23 SPACES (MIN.)
(26 SPACES SHOWN)

PLANNING COMMISSION
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of _____, 2006:

Present	Vote
Alfred E. Ptasznik, Jr., Chair	
Nicholas F. Barba, Vice Chair	
Christopher A. Abel	
Alexander T. Hamilton	
John W. Staton	
Anne C. H. Conner	
John R. Davis	

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

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO AUTHORIZE AN AUTOMOBILE GRAVEYARD/JUNKYARD AT 2321 WOLF TRAP ROAD (ROUTE 630)

WHEREAS, Ralph L. English, Sr. has submitted Application No. UP-687-05 to request a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 19), to authorize an automobile graveyard/junkyard on approximately 12.49 acres of land located at 2321 Wolf Trap Road (Route 630) approximately 570' north of the intersection of Wolf Trap Road and Goodwin Neck Road (Route 173) and further described as Assessor's Parcel Nos. 24-259 (GPIN# R08b-4924-4060) and 24-258 (GPIN# S08a-0061-3407); and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the ____ day of _____, 2006, that Application No. UP-687-05 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize an automobile graveyard/junkyard on approximately 12.49 acres of land located at 2321 Wolf Trap Road (Route 630) approximately 570' north of the intersection of Wolf Trap Road and Goodwin Neck Road (Route 173) and further described as Assessor's Parcel Nos. 24-259 (GPIN# R08b-4924-4060) and 24-258 (GPIN# S08a-0061-3407), subject to the following conditions:

1. This Special Use Permit shall authorize an automobile graveyard/junkyard on approximately 12.49 acres of land located at 2321 Wolf Trap Road (Route 630) approximately 570' north of the intersection of Wolf Trap Road and Goodwin Neck Road (Route 173) and further described as Assessor's Parcel Nos. 24-259 (GPIN# R08b-4924-4060) and 24-258 (GPIN# S08a-0061-3407).

2. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any land clearing or development activities on the subject property.

3. Said site plan shall be in substantial conformance with the concept plan titled "Future English Motors" and dated February 6, 2006, except as modified herein.

4. A wooden privacy fence no less than six feet (6') in height, and with the finished side facing abutting properties, shall be constructed along the perimeter of all storage areas to fully shield such areas from view from adjacent properties and Wolf Trap Road. Said fence shall be set back a minimum of twenty feet (20') from the perimeter property lines and the 20' wide strip shall be landscaped in accordance with the requirements of the Zoning Ordinance.

5. The driveway and all off-street customer and employee parking areas shall be constructed of asphalt, concrete, or any equivalent permanent dustless paving material. The entrance drive shall be so paved for a minimum distance of 100 feet beyond the paved surface of Wolf Trap Road.

6. The automobile graveyard/junkyard shall be constructed and operated in conformance with the provisions contained in Sections 24.1-475, <u>Standards for all motor vehicle and transportation related uses</u>, and 24.1-476, <u>Standards for automobile graveyard, junkyard</u>, of the York County Zoning Ordinance and Chapter 5, <u>Automobile Graveyards and Junkyards</u>, of the York County Code.

7. Prior to the commencement of any land disturbance or construction activity on the property, the developer shall submit a Natural Resources Inventory, including a

Perennial Stream Determination, in accordance with Section 23.2-6 of the County Code. If any stream is determined to be perennial, then a 100-foot Resource Protection Area (RPA) buffer shall be maintained landward of the stream and any adjacent wetlands.

8. Prior to the issuance of a Land Disturbing Permit for an automobile graveyard/junkyard on the above-referenced property and prior to the lease, sale, or other conveyance of any of the properties listed below, the applicant shall prepare and record with the Clerk of the Circuit Court, at his expense, a deed restriction on the properties described below stipulating that:

   a) all junkyard/automobile graveyard activities shall be discontinued and all junk shall be removed from said properties within six months following the issuance of a Certificate of Occupancy for the Wolf Trap Road facility, provided, however, that the Board of Supervisors may by resolution extend this period by up to six months upon receipt of a written request from the applicant, said request to be processed as a minor modification of this Special Use Permit in accordance with the provisions set forth in Section 24.1-115(d)(2) of the Zoning Ordinance; and

   b) none of the below listed properties shall be used after said six-month period for the establishment, operation, or maintenance of an automobile graveyard or junkyard, absent express authorization from the York County Board of Supervisors.

   The restriction shall be in the form of a restrictive covenant running with the land, enforceable by the County, and shall be approved as to form by the County Attorney. The restriction shall cover the properties listed below:

   - 2312 George Washington Memorial Highway (Assessor's Parcel No. 37-36, GPIN# S03d-3958-2150)
   - 2314 George Washington Memorial Highway (Assessor's Parcel No. 37-37, GPIN# S03d-4316-2302)
   - 2316A George Washington Memorial Highway (Assessor's Parcel No. 37F-2-1A, GPIN# S03b-4317-2657)
   - 2318 George Washington Memorial Highway (Assessor's Parcel No. 37-35, GPIN# S03d-4290-1932)

   For the purposes of enforcement of this condition, operation or maintenance of an automobile graveyard or a junkyard, as defined in the York County Zoning Ordinance, on any of the above-named parcels (unless expressly authorized by the Board of Supervisors), either individually or collectively, shall be reason for the County seeking to enforce the covenant.

9. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

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