

Index File

UP-831-13

Landscapes by Eric Bailey

Assessor's Parcel No. 36A-3-1G, 36A-2-38, 36A-2-39, 36A-2-40, and 36A-2-41

Request for a Special Use Permit, pursuant to Section 24.1-306 (Category 15, No. 4b) of the York County Zoning Ordinance, to authorize a contractor's shop with outdoor/exposed storage on approximately 1.4 acres of land located at 2901, 2903, 2907, 2911, and 2915 George Washington Memorial Highway (Route 17). The property is located on the west side of Route 17 approximately 600 feet south of its intersection with Darby Road (Route 613) and is further identified as Assessor's Parcel Nos. 36A-3-1G, 36A-2-38, 36A-2-39, 36A-2-40, and 36A-2-41. The property is zoned GB (General Business) and is designated General Business in the Comprehensive Plan.

Attachments:

- Staff Report
- Zoning Map
- Applicant's Narrative
- Fence email
- Applicant's Sketch Plan
- Proposed Resolution No. PC13-20

COUNTY OF YORK

MEMORANDUM

DATE: August 30, 2013 (PC Mtg. 9/11/13)
TO: York County Planning Commission
FROM: Earl W. Anderson, AICP, Planner
SUBJECT: Application No. UP-831-13, Landscapes by Eric Bailey

ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-306 (Category 15, No. 4b) of the York County Zoning Ordinance, to authorize a contractor's shop with outdoor/exposed storage on approximately 1.4 acres of land located at 2901, 2903, 2907, 2911, and 2915 George Washington Memorial Highway (Route 17). The property is located on the west side of Route 17 approximately 600 feet south of its intersection with Darby Road (Route 613) and is further identified as Assessor's Parcel Nos. 36A-3-1G, 36A-2-38, 36A-2-39, 36A-2-40, and 36A-2-41.

DESCRIPTION

- Property Owner: No Limit Autosports, LLC.
- Location: 2901, 2903, 2907, 2911, and 2915 George Washington Memorial Highway (Route 17)
- Area: Approximately 1.41 acres
- Frontage: Approximately 240' along Route 17
- Utilities: Public water and sewer
- Topography: Flat
- 2025 Land Use Map Designation: General Business
- Zoning Classification: GB – General Business
Route 17 Corridor overlay
- Existing Development: Landscape contractor's shop with outdoor storage
- Surrounding Development:
 - North: Mobile home park and vacant building
 - East: Retail store (across Route 17)
 - South: Telecommunications tower
 - West: Mobile home park

- Proposed Development: Landscape contractor's shop with outdoor storage

BACKGROUND

In January 2011, the Board of Supervisors approved a Special Use Permit to allow "No Limit Autosports" to establish an auto/light truck sales, rental, and service establishment with auto body work and painting at the proposed location. A site plan for the development has not been submitted. On August 2, 2013, Zoning and Code Enforcement staff observed that the property was being used for a landscape contractor's shop and informed the proprietor that the use requires a Special Use Permit. This Special Use Permit application was submitted in early August.

CONSIDERATIONS/CONCLUSIONS

1. The applicant is operating a landscape business that includes storage of materials and the parking of equipment to the rear of the lot. There are two buildings located on the subject property. The one closer to Route 17 is being used for office space and storage, while the building to the rear is used for storage only. The subject site consists of five separate parcels, four of which are along Route 17 and are approximately 0.34 acre each in size, while the fifth parcel, approximately 0.07 acre in area, sits to the west. The combined area of the properties is approximately 1.41 acres. A proposed condition to require vacation of all interior lot lines, creating a single parcel, is included in the resolution.
2. Existing buildings to the north and south of the subject parcels on Route 17 include a telecommunications tower, a brick one-story single-family detached home, and a vacant brick storefront. Route 17 has seen many façade and landscaping improvements over the last several years. There are many positive examples of property improvement efforts stimulated by the work of the Route 17 Revitalization Committee. The subject property is within the Route 17 Corridor overlay district, which is intended to protect and enhance the aesthetic character of the corridor. The building on site was constructed before the Route 17 architectural standards were adopted.

In accordance with the overlay district standards, fencing in the Route 17 corridor is to be "landscaped to minimize visibility from the external roads or be of a decorative style that is harmonious with adjacent development." Furthermore, Section 24.1-486(a) of the Zoning Ordinance allows outdoor storage associated with contractor's shops provided the storage yards are "*designed and located so as to minimize visual impacts on adjacent properties and public rights-of-way. Landscaping supplemented by fencing, if necessary, shall be required to enclose and screen such storage yards from direct views from adjacent public streets or from adjacent commercial or residential properties.*" When the applicant moved into the site, he installed a chain-link fence with brown slats without consulting the County about the Zoning Ordinance standards. The existing fence does not obscure the view of the storage or equipment parking to the rear of the property. The applicant has stated that he intends to construct a wood slat fence along the Route 17 frontage screening the storage and

equipment areas. A condition to require this and additional evergreen planting has been included.

3. The subject parcels are zoned GB (General Business), as are the adjacent parcels along Route 17 to the north and south. The 3.14-acre parcel to the west and north is zoned R20 (Medium Density Residential) and is currently occupied by a legally existing nonconforming mobile home park with 16 mobile homes. Several mature deciduous and evergreen trees along this common boundary provide some buffering between the commercial and residential properties. Zoning Ordinance Section 24.1-243 requires a Type 35 (35') landscaped transitional buffer between the GB and R20 zoning districts, with placement normally on the commercial property; however, because the two abutting parcels are both currently developed, the Ordinance allows the buffer to be split between the two developments (i.e., 17.5 feet on each).

Staff is recommending that the same buffer requirement that was approved by the Board of Supervisors as part of the previously approved Special Use Permit for "No Limit Autosports" be adopted as part of this application. This would require establishment of a 25-foot wide buffer along the majority of the rear boundary to the southern edge of the existing shed, a 22.5-foot wide buffer along the remainder of the rear property line, and a 17.5-foot wide buffer along the northern property line abutting the R20 district. These proposed widths, particularly if planted with additional evergreen trees, will provide an effective and attractive landscape buffer between the commercial and residential properties.

4. The proposed landscape contractor use would generate little additional traffic on Route 17. The ITE (Institute of Transportation Engineers) *Trip Generation* manual (8th edition) contains trip generation figures for wholesale nurseries, which provide a frame of reference for estimating the amount of traffic that might be generated by the proposed uses. According to the ITE, a wholesale nursery of the proposed size (approximately 1,000 square feet of gross storage area) would generate 26 to 30 vehicle trips in the weekday AM or PM peak hours. The use is not expected to generate a significant amount of traffic on Route 17 and is well below the thresholds for requiring a traffic impact analysis (1,000 trips per day or 100 peak-hour trips).
5. The site currently has two entrances. The southern entrance serves both the existing business and the telecommunications tower that is located on a separate parcel to the south of the site (a variable-width ingress-egress easement allows access to the tower across and over to the subject property). When reviewing the plans for "No Limit Autosports" in 2011, VDOT recommended that the northern entrance be open to right-in and right out traffic and the southern entrance be converted to a right-out-only driveway in accordance with its *Access Management Regulations: Principal Arterials* (24 VAC-30-72) in order to limit the points of vehicular conflict on Route 17. The same condition previously approved by the Board of Supervisors has been included in the proposed resolution.

RECOMMENDATION

The proposed project is consistent with the Comprehensive Plan's vision for the Route 17 corridor and provides an improvement to the existing business, bringing further redevelopment of the corridor under the guidance of the Route 17 Corridor overlay district. The outdoor storage aspect of the subject contractor's business is less intense than the previously approved "No Limit Autosports" Special Use Permit and can be accommodated on the property without adverse impacts on surrounding properties subject to compliance with the proposed approval conditions. Opaque fencing and landscaping parallel to Route 17 in front of the storage and equipment areas will screen the use from views from Route 17 and maintaining a transitional buffer between the GB and the R20 will protect the residential use to the rear. In addition, the proposed conditions of approval similarly approved for the "No Limit Autosports" Special Use Permit and the Zoning Ordinance provisions provide further controls for the proposed development. Therefore, based on the considerations and conclusions as noted, staff recommends that this application be forwarded to the Board of Supervisors with a recommendation of approval subject to the conditions contained in proposed Resolution No. PC13-20.

EWA

Attachments:

- Zoning map
- Narrative statement
- Fence email
- Sketch plan
- Proposed Resolution No. PC13-20

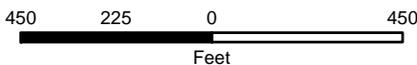
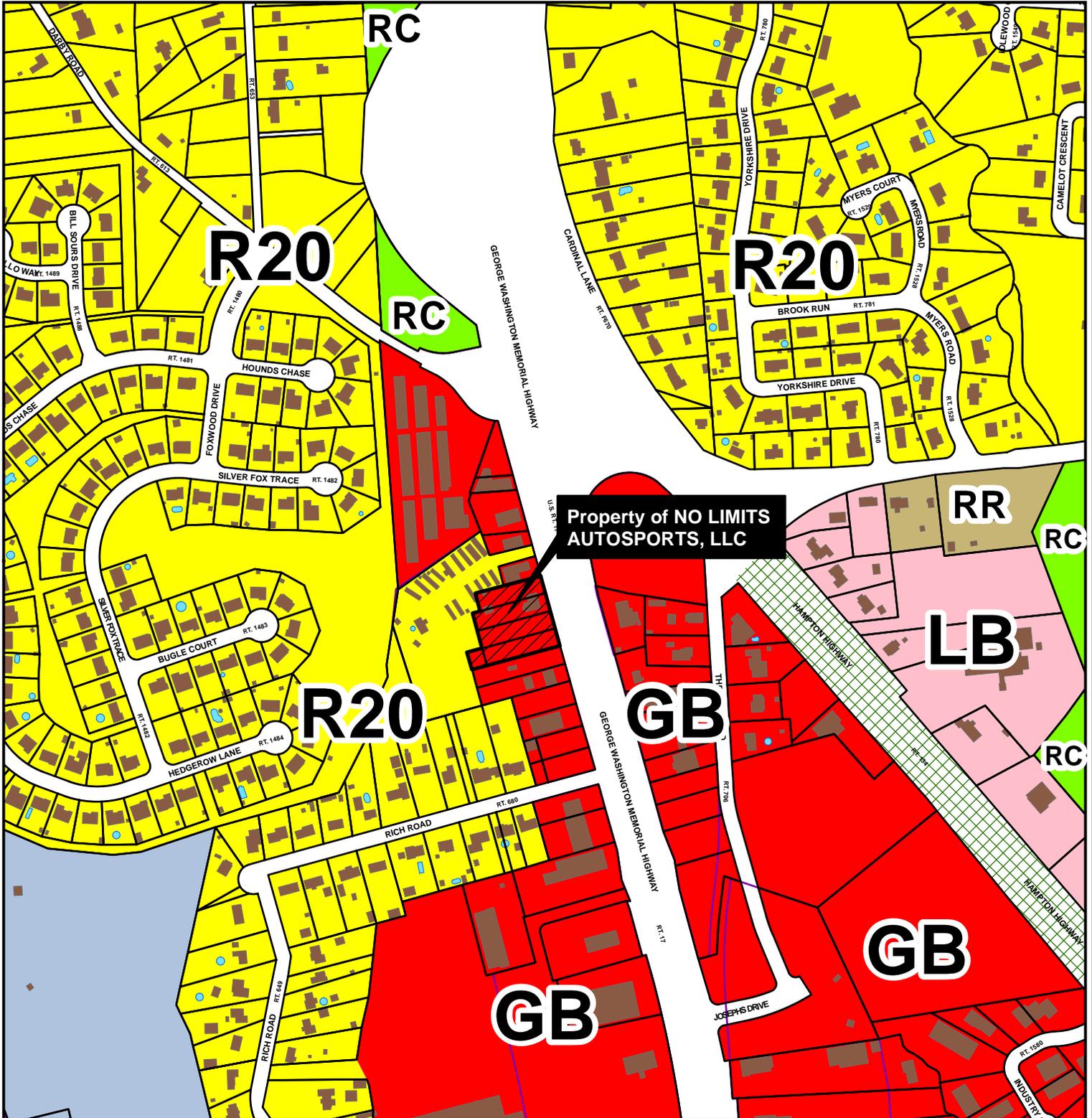
APPLICANT Landscapes by Eric Bailey

Request to authorize the establishment
of a landscape contractor's shop.

2901, 2903, 2907, 2911, and 2915 George Washington Memorial Highway

ZONING MAP

APPLICATION NUMBER: UP-831-13



Printed on August 7, 2013



SOURCE: YORK COUNTY
GIS PARCEL DATA and
ZONING COVERAGE

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



Q and E, Inc.
2911 George Washington Memorial Highway
Yorktown, VA 23693
Office: (757) 890-0770
Fax: (757) 890-4510

We are a fast growing residential and commercial landscape solution provider. We are committed to delivering service that exceeds expectations. We take pride in being known for top-notch service and always providing a thorough clean-up after the job is finished.

Our team performs a wide array of services including the design and installation of paver patios and outdoor kitchens, irrigation systems, custom outdoor lighting, trees, shrubs, perennials, and annual color.

Our mission is to keep a neat and clean office on route 17 while adding extensive landscaping to the front of the property. We are in the curb appeal business and by no means want to create an eyesore. As potential and current clients pass by we want them to know that our office is going to be kept as neat and tidy as their jobsite. All storage will be behind the slatted fence, and no storage will be allowed outside the fenced area.

We plan on using this location as our home base to store our trucks and plant material as well as a place to meet with clients. You will find that we will become a visible asset to the community.

FILED
York County

AUG 5 2013

Planning Division

The quality you expect...
The perfection you deserve!!!

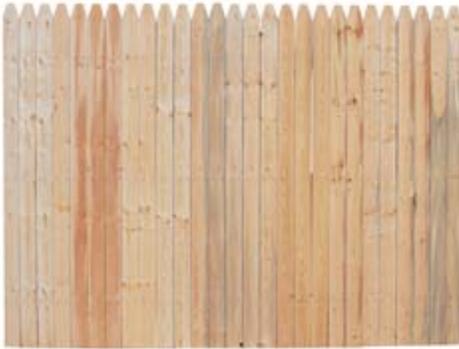
Anderson, Earl

From: Eric Bailey [eric@landscapesbyeb.com]
Sent: Tuesday, August 27, 2013 4:08 PM
To: Anderson, Earl
Subject: 2911 George Washington Memorial Highway

Earl,

Here is a pic of the wooden fencing we plan on placing in front of the chain link fence along the road footage of route 17. This will also include all gates.

Again, thanks for your help.
Eric Bailey



LANDSCAPE SCHEDULE

ITEM	TOTAL QUANTITY	RATIO	TREES			SHRUBS		
			MIN. NO. REQ'D.	NO. PROVIDED	CREDITS	RATIO	MIN. NO. REQ'D.	NO. PROVIDED
20' FRONT LANDSCAPE YARD	4,800 SQ. FT.	1 TREE PER 350 SQ. FT.	14	0	0	3 SHRUBS PER 350 SQ. FT.	41	41
10' SIDE LANDSCAPE YARD	4,850 SQ. FT.	1 TREE PER 700 SQ. FT.	7	7	0	3 SHRUBS PER 700 SQ. FT.	21	21
BUILDING PERIMETER STRIP	2,387 SQ. FT.	1 TREE PER 500 SQ. FT.	5	5	0	3 SHRUBS PER 500 SQ. FT.	21	21
PARKING LOT	5,805 SQ. FT.	1 TREE PER 8400 SQ. FT.	3	3	0	1 SHRUB PER 800 SQ. FT.	7	7
FREE STANDING IDENTIFICATION SIGN	1 SIGN	N/A				N/A		
TRANSITIONAL BUFFER	315 LIN. FT.	REFER TO BUFFER SCHEDULE	14	20	30	REFER TO BUFFER SCHEDULE	47	47
TREE TOTALS			43	35	30	SHRUB TOTALS		
						137	137	

EACH EXIST. TREE SAVED WITHIN THE REQUIREMENT AREA MAY BE COUNTED AS ONE (1) TREE AND EACH EXIST. MATURE TREE (14" OR GREATER CALIPER SIZE) SAVED MAY BE COUNTED AS TWO (2) TREES FOR THE PURPOSE OF MEETING THE MINIMUM TREE NUMBER REQUIREMENT.
NOTE: 50% OF THE SHADE TREES INSTALLED SHALL HAVE A MINIMUM CALIPER OF TWO AND ONE HALF INCHES(2-1/2").

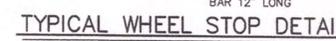
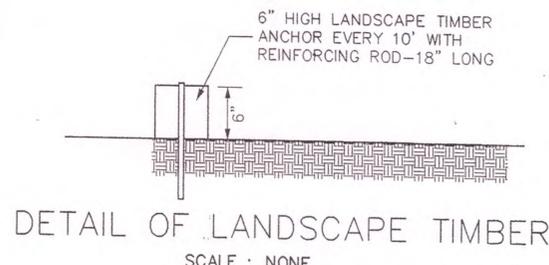
PLANT LIST

TREES

SYMBOL OR KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	CALIPER	HEIGHT	SPREAD	COMMENTS
T-1	4	LAGERSTROEMIA INDICA	CRAPE MYRTLE	2'-1/2"	10'	4'	
T-2	3	CORNUS FLORIDA VARIETIES	FLOWERING DOGWOOD	2'-1/2"	10'	4'	
T-3	4	LIGUSTRUM STRYCNIFOLIA	SWEET GUM	2'-1/2"	10'	4'	
T-4	4	QUERCUS PLAUSTRIS	PIN OAK	2'-1/2"	10'	4'	

SHRUBS

SYMBOL OR KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	HEIGHT	SPREAD	COMMENTS
○	23	AZALEA CALENDULACEAE	FLAME AZALEA	2'	24"	
●	23	CALYCANTHUS FLORIDUS	CAROLINA ALLSPICE	2'	24"	
□	23	BUXUS SEMPERVIRENS	AMERICAN BOXWOOD	2'	24"	
■	23	MYRTICA CERIFERA	WAX-MYRTLE	2'	24"	
△	23	ILEX AQUIFOLIUM	ENGLISH HOLLY	2'	24"	
▲	22	JUNIPERUS HORIZONTALIS PLUMOSA	ANDORRA JUNIPER	2'	24"	

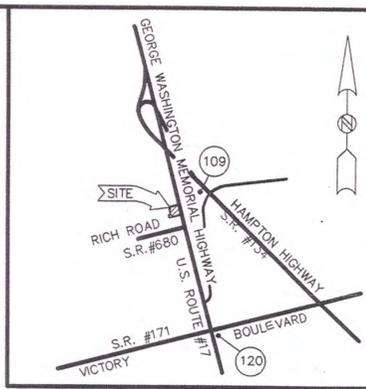


PRIMARY GEODETIC CONTROL MONUMENTS

- 109 - A 3-1/4" DISK IN CONCRETE, APPROXIMATELY 2" BELOW THE GROUND SURFACE, STAMPED "STATION NO. 109". THE DISK IS LOCATED 17.5' EAST OF THE EDGE OF PAVEMENT OF THE NORTHBOUND LANE OF ROUTE #17 (GEORGE WASHINGTON MEMORIAL HIGHWAY), 25.0' SOUTHWEST OF UTILITY POLE #XA-98 COORDINATES-U.S.SURVEY FEET-12078059.409(E), 3585931.591(N)
- 120 - A 3-1/4" DISK IN CONCRETE, APPROXIMATELY 2" BELOW THE GROUND SURFACE, STAMPED "STATION NO. 120". THE DISK IS LOCATED 13.0' SOUTH OF THE EDGE OF PAVEMENT OF THE EASTBOUND LANE OF ROUTE NO. (GEORGE WASHINGTON MEMORIAL HIGHWAY), 9.0' NORTHEAST OF THE TRAFFIC SIGNAL POLE. COORDINATED-U.S.SURVEY FEET-12078735.772(E), 3572959.931(N)

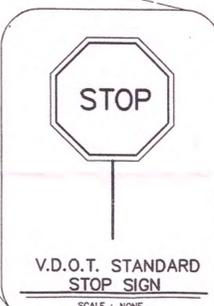
STATISTICAL INFORMATION

AREA OF DISTURBANCE.....	1,200 S.F. OR 0.0275 ACRE
PRE-DEVELOPMENT DATA.....	2,672 S.F. OR 0.0613 ACRE
EXISTING BUILDINGS.....	0
EXISTING BUILDING TO BE REMOVED.....	0
EXISTING DRIVEWAYS.....	2
EXISTING DRIVEWAYS TO BE REMOVED.....	0
POST-DEVELOPMENT DATA.....	0
PROPOSED BUILDINGS.....	0
PROPOSED DRIVEWAYS.....	5,003 S.F. OR 0.1378 ACRE
PROPOSED SIDEWALKS.....	54 S.F. OR 0.0012 ACRE
TOTAL AREA OF IMPERVIOUS SURFACE.....	8,229 S.F. OR 0.2004 ACRE
PARKING SPACES REQUIRED.....	6 SPACES (1SPACE/EMPLOYEE=3; 2 SPACES/BAY WINDOW=2; 1 SPACE/2,500 S.F. OF OPEN DISPLAY AREA=2)
PARKING SPACES PROVIDED.....	7 SPACES (6 STANDARD; 1 HANDICAP)
ZONE.....	GB(GENERAL BUSINESS DISTRICT)
TOTAL LOT AREA.....	61,500 S.F. OR 1.4118 ACRES
GREEN AREA REQUIRED(25% OF LOT).....	15,375 S.F. OR 0.3530 ACRE
GREEN AREA PROVIDED(26% OF LOT).....	15,500 S.F. OR 0.3558 ACRE



GENERAL NOTES

- SOLID WASTE DISPOSAL TO BE BY PRIVATE TRASH PICK-UP.
- CONTRACTOR TO VERIFY LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ANY CONSTRUCTION.
- ANY ERRORS OR DISCREPANCIES SHALL BE REPORTED TO THE SURVEYOR BEFORE PROCEEDING WITH WORK.
- BEFORE DIGGING CALL "MISS UTILITY" 1-800-522-2001.
- THERE ARE NO HERITAGE, MEMORIAL, OR SPECIMEN TREES LOCATED ON THIS SITE.
- THE CONTRACTOR MUST NOTIFY THE YORK COUNTY DEPARTMENT OF ENVIRONMENTAL AND DEVELOPMENT SERVICES (890-3531) 48 HOURS PRIOR TO BEGINNING ANY CONSTRUCTION OR TESTING TO INSURE THAT AN INSPECTOR WILL BE AVAILABLE. ALSO THE INSPECTOR MUST HAVE 48 HOURS NOTICE WHEN REQUESTING A FINAL INSPECTION.
- HANDICAP PARKING SIGN TO BE 4' (FEET) BUT NOT TO EXCEED 7' (FEET) ABOVE GROUND LEVEL (SEE DETAIL).
- EXTERIOR LIGHTING MUST PROVIDE A MINIMUM ILLUMINATION LEVEL OF 0.25 LUMENS PER SQUARE FOOT OF PARKING AREA. ALL EXTERIOR LIGHTING IS TO BE DESIGNED AS TO DIRECT LIGHT & GLARE AWAY FROM ADJACENT PROPERTIES AND RIGHT-OF-WAYS.
- LANDSCAPING IN 20' x 20' SITE TRIANGLES @ ENTRANCE SHALL LIMIT HEIGHTS OF SHRUBBERY TO 3' (FEET).
- MINIMUM OVERLAND SLOPES (GRASS AREAS) TO BE 1.0%.
- THE SOILS LOCATED ON THIS SITE HAVE A LOAM SHRINK SWELL PATTERN AS PER THE SCS SOIL SURVEY OF YORK COUNTY.
- LIMITS OF CLEARING AND GRADING AS SHOWN ON PLAN.
- AREA OF LAND DISTURBANCE IS 1,400 S.F., THEREFORE NO EROSION & SEDIMENT CONTROL PERMIT IS REQUIRED.
- PURSUANT TO SECTION 24.1-2520(B) THE YORK COUNTY ZONING ORDINANCE, ALL UTILITY FACILITIES, INCLUDING WRES, PIPES, CONDUITS AND APPURTENANT EQUIPMENT CARRYING OR USED IN CONNECTION WITH THE FURNISHING OF ELECTRIC, TELEPHONE, CABLE TELEVISION OR SIMILAR SERVICE WITHIN THE PROJECT SHALL BE PLACED BELOW THE SURFACE OF THE GROUND, WITH EXCEPTION OF THOSE ITEMS EXEMPTED BY ORDINANCE.
- THERE ARE NO WETLANDS LOCATED ON THIS SITE.
- SIGNS SHALL REQUIRE A SEPARATE PERMIT FROM THE ZONING ADMINISTRATOR.
- CONTRACTOR SHALL BE RESPONSIBLE FOR DELINEATING THE PARKING ISLANDS & STALLS WITH 4-INCH WIDE WHITE PAINT STRIPPING.
- TAX MAP PARCEL NO. 8088 (2)-38-41 & 8084 (3)-1G
- OWNER/DEVELOPER: RONNIE NEFF - CAROLINA, INC. 2911 & 2907 GEO. WASH. MEM. HWY. YORKTOWN, VIRGINIA 23693 (757)867-6500
- THE CONTRACTOR SHALL DO SUCH OVER-TOP GRADING AS NECESSARY TO PRECLUDE THE PONING OF WATER ADJACENT TO THE PROPOSED ROADWAY.
- ALL ON-SITE PRIVATE UTILITIES MUST BE DESIGNED, INSTALLED AND INSPECTED IN ACCORDANCE WITH THE STATE WIDE UNIFORM BUILDING CODE AND YORK COUNTY'S BUILDING REGULATIONS.
- THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE X AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 510182 0039 B, REVISED DATE: DECEMBER 16, 1998.
- NONE OF THE AREA CONTAINED ON THIS SITE IS LOCATED WITHIN THE RESOURCE PROTECTION AREA OR THE RESOURCE MANAGEMENT AREA OR THE WATERSHED OVERLAY DISTRICT. WHENEVER ANY EXISTING ON-SITE ABOVE GROUND UTILITIES REQUIRE RELOCATION FOR ANY REASON THEY SHALL BE REMOVED AND PLACED THEREAFTER IN THE GROUND IN THE DEVELOPMENT PROJECT IMPROVES EXISTING OFF-SITE ABOVE GROUND UTILITIES. NECESSARY TO BE SUBMITTED TO THE DEVELOPMENT DEPARTMENT. EACH UTILITY SHALL BE PLACED UNDERGROUND AND THIS SITE IS SUBJECT TO SECTION 24.1-2520(B) REGULATIONS FOR ALL MOTOR VEHICLE AND TRANSPORTATION RELATED USES OF THE LANDSCAPE SHALL NOT PROMOTE ACCESS BY THE FIRE DEPARTMENT TO THE BUILDING AND/OR FIRE INCIDENT DISPLAY VEHICLES SHALL NOT PROMOTE ACCESS BY THE FIRE DEPARTMENT TO THIS BUILDING AND/OR FIRE INCIDENT. EXISTING TREES WITHIN THE 50-FOOT TRANSITIONAL BUFFER ALONG THE REAR (WEST) PROPERTY LINE SHALL BE PRESERVED. ANY CLEARING WITHIN THIS AREA IS PROHIBITED.



RECEIVED
York County
AUG 5 2013
Planning Division

SITE PLAN
 PRELIMINARY FINAL
 APPROVED
 APPROVED AS NOTED ON PLAN
BY: *Al Maddalena*
CHIEF OF DEVELOPMENT & COMPLIANCE
DATE: 1/11/01

Condition of Approval:
The motor vehicle sales display area located on the south side of the building shall be limited to a 75-foot by 55-foot area as redlined on the approved plan.

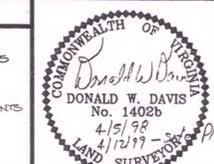
TRIP GENERATION RATES (CODE 841)

MONDAY - FRIDAY:	AM PEAK HOUR=43 TRIPS
	PM PEAK HOUR=43 TRIPS
SATURDAY PEAK HOUR	= 32 TRIPS
SUNDAY PEAK HOUR	= 52 TRIPS

LEGAL DESCRIPTION
LOTS 38 THRU 41
ADDITION #1
RICH ACRES
COUNTY OF YORK, VIRGINIA
(P.B. 5, PG. 83)

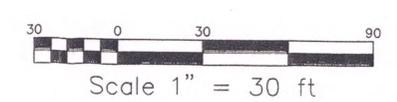
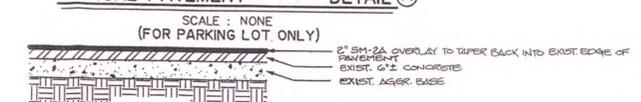
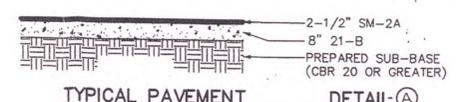
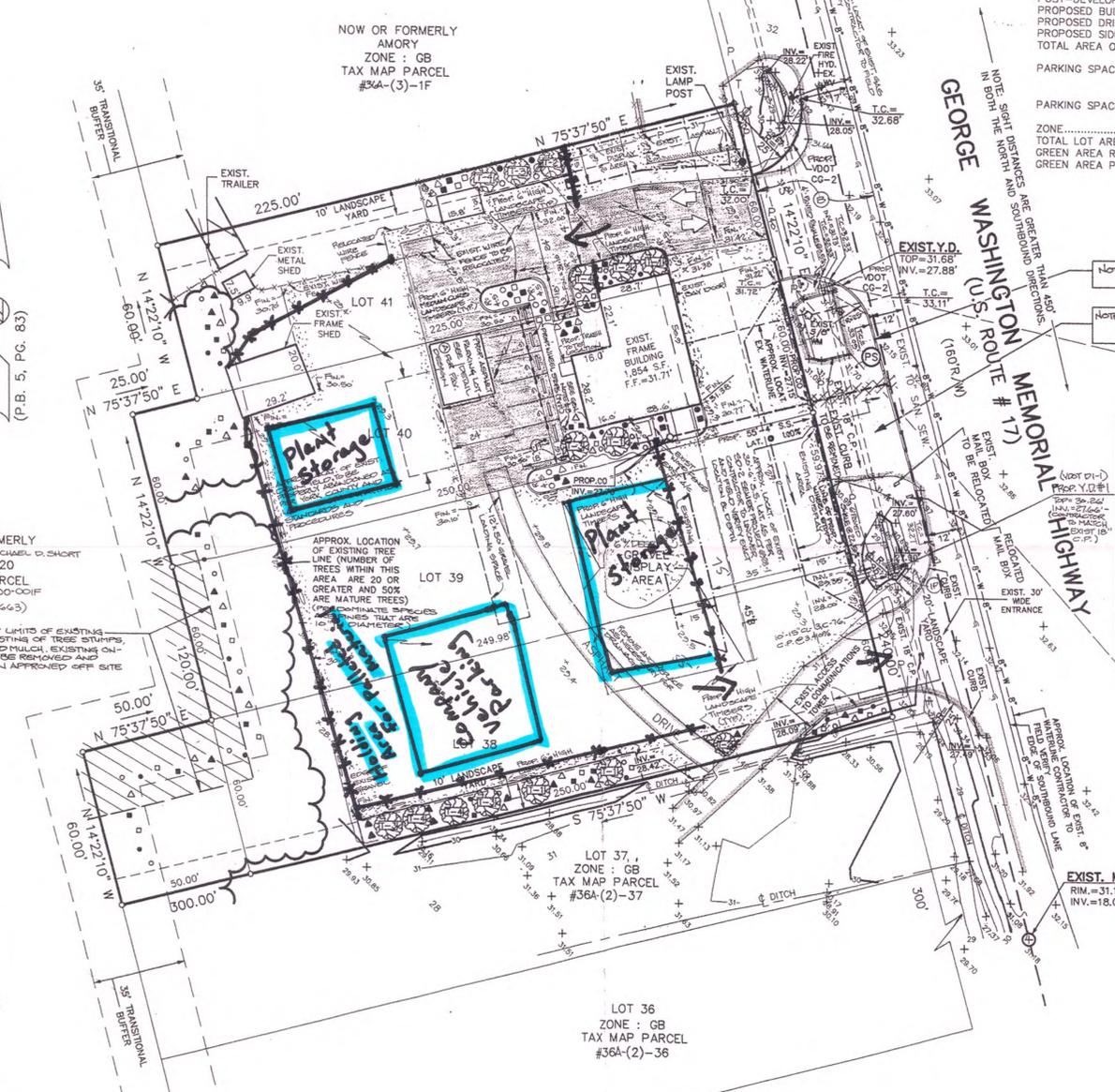
CAR LAND
BETHEL MAGISTERIAL DISTRICT
COUNTY OF YORK, VIRGINIA

SCALE: 1" = 30' DATE: 5 APRIL 98-TOPOGRAPHIC SURVEY
REVISED: 12 APRIL 99-SITE PLAN



DAVIS & ASSOCIATES, P.C.
SURVEYORS - PLANNERS
3630 GEORGE WASHINGTON
MEMORIAL HIGHWAY - SUITE G
YORKTOWN, VIRGINIA 23693
(757)867-8583

98-0147

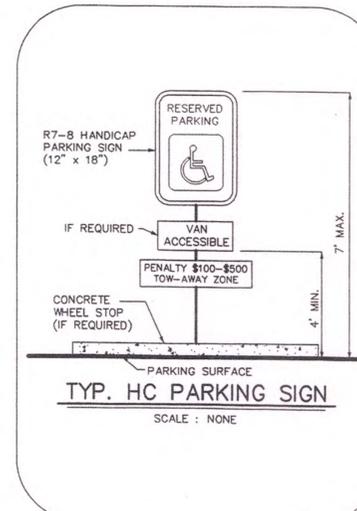


- SYMBOLS -

88x96	EXIST. PAVEMENT ELEVATION
88x9	EXIST. SPOT ELEVATION
FIN.= 88.96	PROPOSED FINISHED ELEVATION
⊕	EXIST. POWER POLE
⊙	HANDICAP PARKING SPACE
○	PROP. CLEAN OUT
○	PROP. WATER METER

REVISIONS

REVISED: 9 NOV. 99	AS PER YORK COUNTY COMMENTS DATED: 8 JUNE 99
REVISED: 9 NOV. 99	AS PER VDOT COMMENTS DATED: 11 MAY 99
REVISED: 4 MAY 2000	AS PER YORK COUNTY COMMENTS DATED: 17 APRIL 2000
REVISED: 4 MAY 2000	AS PER VDOT COMMENTS DATED: 16 MARCH 2000



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 _____, 2013:

Present

Vote

Mark B. Suiter, Chair
Melissa S. Magowan, Vice Chair
Glenn A. Brazelton
Timothy D. McCulloch
Todd H. Mathes
Richard M. Myer, Jr.

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

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO AUTHORIZE A CONTRACTOR’S SHOP WITH OUTDOOR STORAGE LOCATED AT 2901, 2903, 2907, 2911, AND 2915 GEORGE WASHINGTON MEMORIAL HIGHWAY (ROUTE 17)

WHEREAS, Landscapes by Eric Bailey has submitted Application No. UP-831-13 to request a Special Use Permit, pursuant to Section 24.1-306 (Category 15, No. 4b) of the York County Zoning Ordinance, to authorize the establishment of a contractor’s shop with outdoor storage on approximately 1.41 acres of land located at 2901, 2903, 2907, 2911, and 2915 George Washington Memorial Highway (Route 17), approximately 600 feet south of Darby Road (Route 613) on property further identified as portions of Assessor's Parcel Nos. 36A-3-1G (GPIN SO4d-2840-0173), 36A-2-38 (GPIN SO4d-2985-0212), 36A-2-39 (GPIN SO4d-2968-0269), 36A-2-40 (GPIN SO4d-2953-0327), and 36A-2-41 (GPIN SO4d-2948-0389); 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 given careful consideration to the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the ____ day of _____, 2013 that Application No. UP-831-13 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval of a Special Use Permit, pursuant to Section 24.1-306 (Category 15, No. 4b) of the York County Zoning Ordinance, to authorize the establishment of a contractor's shop with outdoor storage on approximately 1.41 acres of land located at 2901, 2903, 2907, 2911, and 2915 George Washington Memorial Highway (Route 17), approximately 600 feet south of Darby Road (Route 613) on property further identified as portions of Assessor's Parcel Nos. 36A-3-1G (GPIN SO4d-2840-0173), 36A-2-38 (GPIN SO4d-2985-0212), 36A-2-39 (GPIN SO4d-2968-0269), 36A-2-40 (GPIN SO4d-2953-0327), and 36A-2-41 (GPIN SO4d-2948-0389), subject to the following conditions:

1. This use permit shall authorize establishment of a contractor's shop with outdoor storage on approximately 1.41 acres of land located at 2901, 2903, 2907, 2911, and 2915 George Washington Memorial Highway (Route 17), approximately 600 feet south of Darby Road (Route 613) on property further identified as portions of Assessor's Parcel Nos. 36A-3-1G (GPIN SO4d-2840-0173), 36A-2-38 (GPIN SO4d-2985-0212), 36A-2-39 (GPIN SO4d-2968-0269), 36A-2-40 (GPIN SO4d-2953-0327), and 36A-2-41 (GPIN SO4d-2948-0389).
2. A site plan prepared in accordance with the provisions set forth in Article V of the Zoning Ordinance shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any construction or land clearing activities on the site. Said site plan shall be in substantial conformance with the plan titled "Carland" dated April 12, 1999 and prepared by Davis & Associates, P.C. revised by the applicant, a copy of which shall remain on file in the office of the Planning Division.
3. A subdivision plat prepared in accordance with the provisions set forth in Chapter 20.5, Subdivisions, shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance, prior to commencement of any construction or land clearing activities on the site. Said subdivision plat shall vacate all interior property lines, combining the five individual lots into one single lot.
4. The contractor's shop with outdoor storage shall be established and operated in compliance with the performance standards set forth in Sections 24.1-378, *Route 17 Corridor overlay district*, 24.1-455, *Standards for all limited industrial uses*, and 24.1-486, *Standards home improvement and building contractors' shops and storage yards* of the Zoning Ordinance.
5. In accordance with the Virginia Department of Transportation (VDOT) *Access Management Regulations: Principal Arterials (24 VAC-30-72)*, the existing southern

- entrance shall be re-configured in accordance with VDOT design standards to function as an exit-only driveway. In conjunction with this re-configuration, the property owner shall establish revised access easement rights to ensure continued ingress/egress to the communications tower located on the adjoining parcel to the south.
6. The site shall meet or exceed the minimum landscaping standards as set forth in Section 24.1-240 et. seq. of the Zoning Ordinance, except as supplemented below. Planting areas shall not be located within any vehicular access/egress easements. A Type 25 (25-foot) transitional buffer shall be installed along the full length of the rear property boundary bordering the adjacent R20 (Medium Density Single Family Residential) district, provided however that the width may be reduced to 22.5 feet at the northern end of that boundary. Landscape plantings within the rear transitional buffer shall be planted to meet the requirements for a Type 50 transitional buffer. A 17.5-foot transitional buffer shall be installed along the northern property line where it abuts the R20 zoning on the mobile home park parcel. Landscape plantings within the 17.5-foot buffer area shall be sufficient to meet the Type 35 planting ratios. Any new and additional plantings necessary to meet the planting ratios within either of these buffer areas shall be evergreen species.
 7. Opaque decorative style fencing of the type depicted in the applicant's email dated August 27, 2013 having a height of not less than six (6) feet and approved by the Zoning Administrator shall be installed along the frontage of the storage and equipment parking areas. Evergreen shrubs planted at a maximum of 15-foot spacing shall be installed along the outside face of the portion of fencing facing and parallel to Route 17.
 8. No stormwater detention/retention facilities serving the property's development shall be allowed in Virginia Department of Transportation right-of-way.
 9. In accordance with Section 24.1-115(b)(6) of the York County Zoning Ordinance, prior to site plan approval a certified copy of this resolution shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

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.