CITY OF POQUOSON

PLANNING DEPARTMENT

500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996
(757) 868-3040 TELEPHONE (757) 868-3105 FAX

June 27, 2016

To: The Honorable City Council

Through: City Manager

From: Kevin M. Wyne, Planner

Subject: **Conditional Use Permit For A Mini-Storage Warehouse Facility In A Residential District- Tax Parcel No. 27-1-18**

Presented for your work session discussion is a request from Mr. Frank Crandol, on behalf of Brick Kiln, LLC, property owner, to establish and operate a mini-storage warehouse facility with a separate professional office building on approximately 5.9 acres located on Wythe Creek Road near Woodhaven Drive, further identified as Tax Parcel No. 27-1-18. The property is zoned R-1, Single Family Residential and commercial operations within residential districts are not permitted as by-right uses.

The Planning Commission held a public hearing on this item at their Monday, June 20, 2016 meeting and have recommended denial by a vote of 6-1.

A public hearing on this item is scheduled for your Monday, July 25, 2016 meeting.

This application was advertised for public hearing by legal notice appearing in the Daily Press on June 3 and June 10, 2016. Adjacent property owners were notified by letters mailed on June 1, 2016.

KMW

BRICK KILN LLC DEVELOPMENT

Brick Kiln LLC has been in the process of developing its property located on the west side of Wythe Creek Road, to the north of Woodhaven Drive and to the south of Poquoson Baptist Church. The first phase of Engineering work (raising elevation of property) should be complete by the spring or early summer of 2016.

The current Zoning for this property is R-1, single family housing. Brick Kiln LLC has been asked to consider the future development of this property into a Professional facility. This will require applying to the City of Poquoson for the proper permitting while retaining the current R-1 zoning.

As we all know Wythe Creek Road is in the process of being improved by widening in the very near future. With the ongoing widening, an R-1 single family development will add a significant amount of traffic entering Wythe Creek Road in a fairly congested area.

With the current ongoing development within the City of Poquoson, there is a shortage of storage facilities. Storage World located to the north which is about 10 years old, is filled to capacity and has a waiting list. Brick Kiln LLC is considering building a storage facility similar to Storage World as depicted on the attached sheets. Storage Facilities of this type develop very low traffic flow and low noise. The facility is secure, and does not allow any afterhours accessibility. With the design layout of Storage World, large trucks cannot access the storage area. As to storage spaces, most are rented on long term basis and are very seldom accessed monthly and large percentage are only accessed twice, once to store and once to remove. The Wythe Creek Road business frontage of this property, will have a building containing various professional businesses such as insurance, physicians, lawyer, etc. and of course the office to the storage facility similar to elevation study 1, 2 or 3 as depicted on attached sheet.

Brick Kiln LLC has always considered the development of this property as to what would be best for the City. We will be applying for a permit change in the near future. We hope that you will take a strong look at Storage World with its business frontage. This facility will not be a group of storage buildings on the side of Wythe Creek Road.

After Brick Kiln LLC has applied for the permitting change, there will be public hearings as to the approval. As neighbors I encourage each of you to consider the advantage of this development. Letters from adjacent property owners are greatly appreciated by the City staff, boards and council. Letters seem to have more impact with the city than casual or emotional conversations at city meetings.

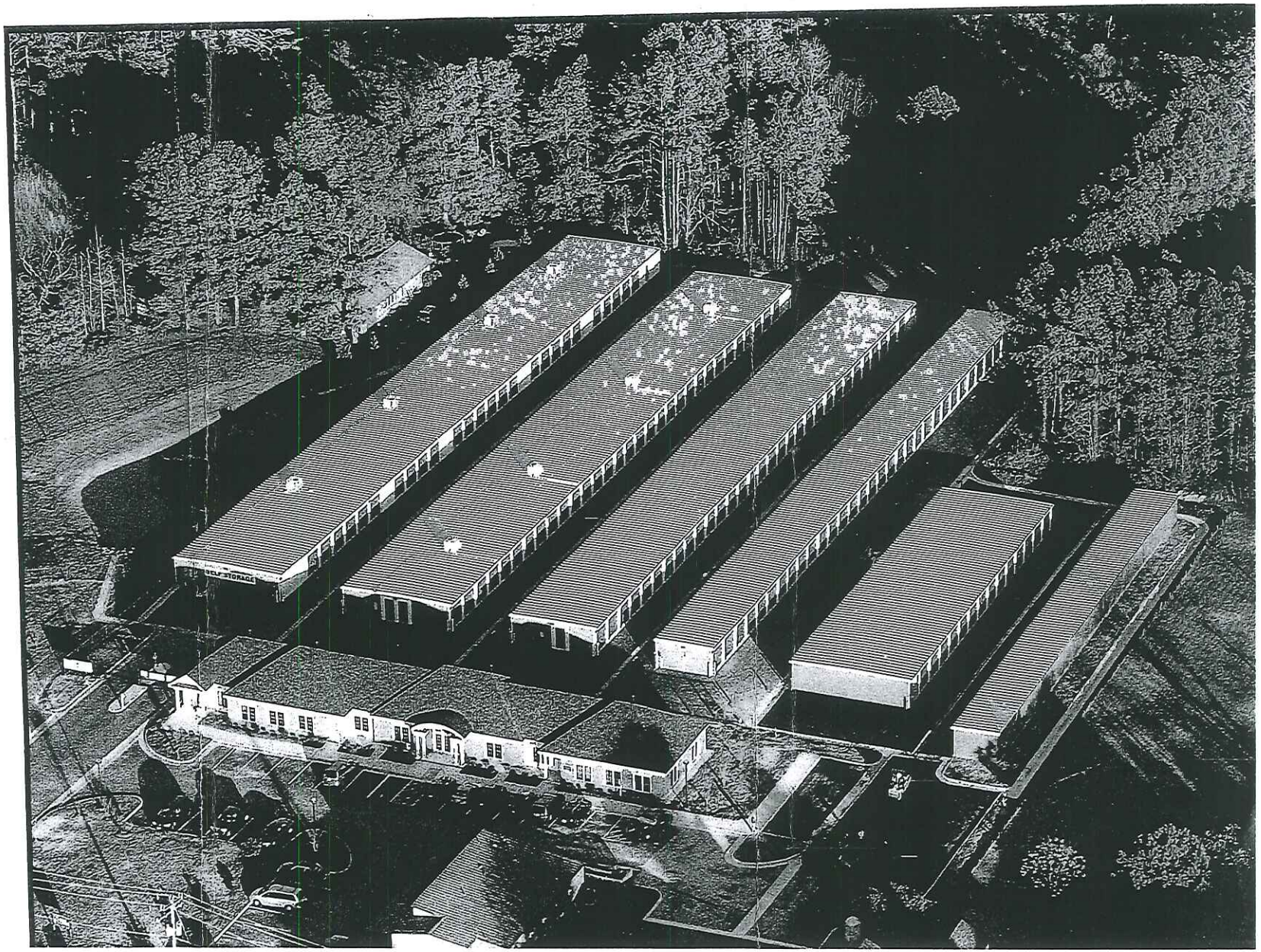
I hope that this is a favorable change for each of you to consider. Brick Kiln LLC has always kept the value of its neighbors as an important factor while developing this property.

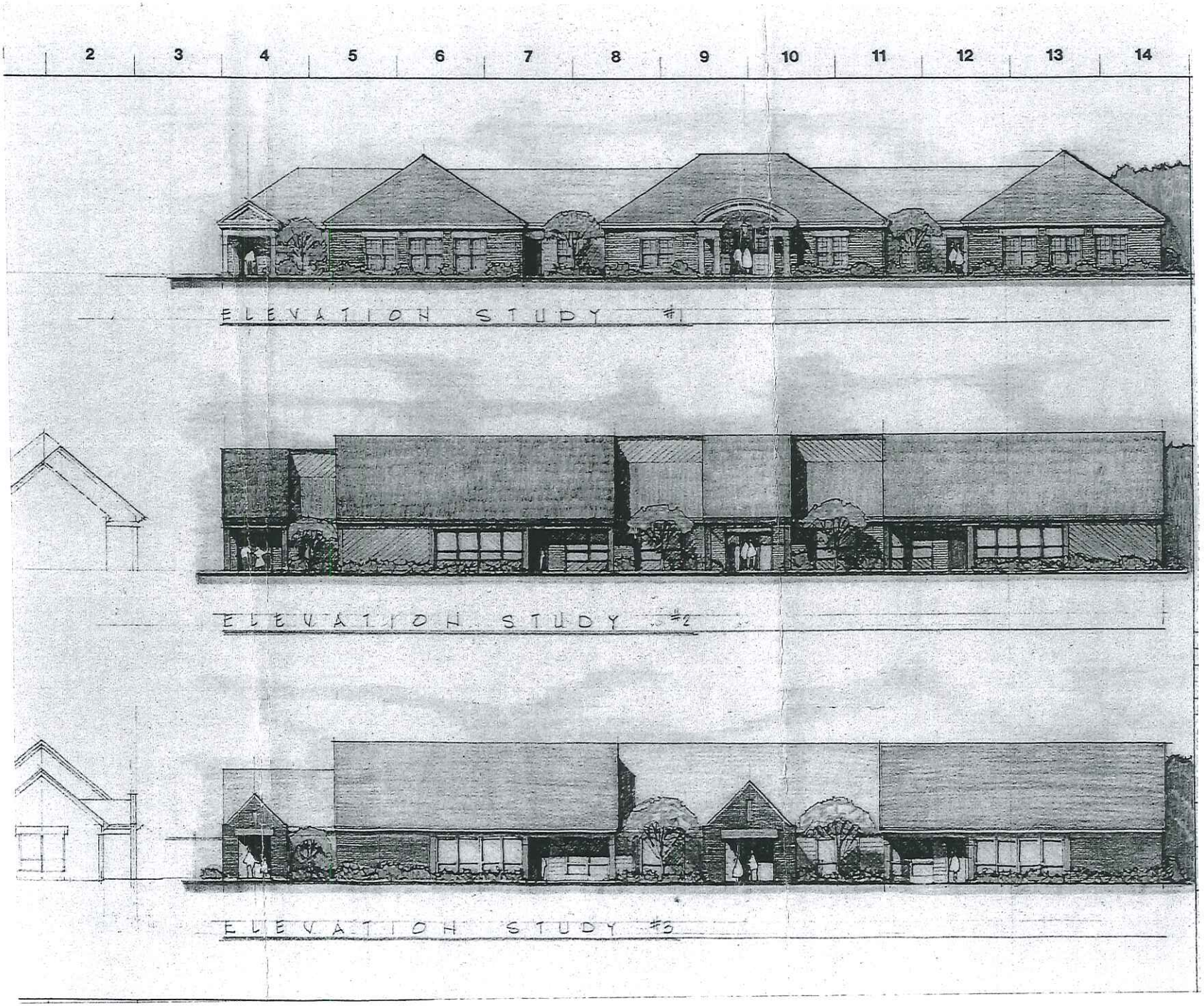
Very Respectfully,

Frank T. Crandol

Frank T. Crandol

Brick Kiln LLC.


SELF STORAGE


2
3
4
5
6
7
8
9
10
11
12
13
14
ELEVATION STUDY #1
ELEVATION STUDY #2
ELEVATION STUDY #3

CITY OF POQUOSON

PLANNING DEPARTMENT 500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996
(757) 868-3040 TELEPHONE (757) 868-3105 FAX

MEMORANDUM

Date: June 20, 2016

To: The Honorable Chairwoman and Members of the Planning Commission

From: Kevin M. Wyne, Planner

Subject: **Conditional Use Permit For A Mini-Storage Warehouse Facility In A Residential District- Tax Parcel No. 27-1-18**

Introduction

The City has received a request from Mr. Frank Crandol, on behalf of Brick Kiln, LLC, property owner, to establish and operate a mini-storage warehouse facility with a separate professional office building on approximately 5.9 acres located on Wythe Creek Road near Woodhaven Drive, further identified as Tax Parcel No. 27-1-18. The property is zoned R-1, Single Family Residential and commercial operations within residential districts are not permitted as by-right uses.

Public Notice

This application was advertised for public hearing by legal notice appearing in the Daily Press on June 3 and June 10, 2016. Adjacent property owners were notified by letters mailed on June 1, 2016.

Applicant's Proposal

The applicant is proposing to use the property for the purpose of constructing up to 800 storage units (as outlined in discussions with the applicant), similar to the existing facility on Wythe Creek Road (Storage World Poquoson). The property has been cleared over the years and is not developed. According to the plans provided by the developer/property owner, the development will consist of six (6) separate buildings containing a variable number of storage units with miscellaneous office space at the front of the property. It is important to note that the applicant has provided elevations and pictures of the existing Poquoson Storage World complex as an example of his proposal, which he intends to use in guiding the development of site specific plans for his proposal. The applicant anticipates approximately 3.95 acres of the 5.9 acre site being developed. In conversations with the applicant it has been indicated that initial plans call for approximately 200 storage units with plans to eventually reach approximately 800 units.

Site Character

The site consists of one (1) parcel owned by Brick Kiln, LLC, identified as Tax Parcel No. 27-1-18. The property is served by Wythe Creek Road, where the lot has 415' of frontage. The lot is largely rectangular, aside from an area at its west which juts out into a triangular shape. The parcel consists of 5.9 acres and measures approximately 415' wide and 855' in length at its longest, 610' at its shortest. The property has been cleared over the last several years and elevated to approximately 9' above sea level. The densest remaining vegetation lay at the property's northern and western boundaries. Additionally, some dense vegetation is located at the property's southern boundary; however, it is sparse in certain locations. The use will clearly be visible from Wythe Creek Road. A stream is located near the western boundary of the property and, as a result, some tidal wetland areas and a Chesapeake Bay Resource Protection Area buffer are present on the property.

Surrounding Land Uses

The property is surrounded by the R-1, Single Family Residential district in all directions. Within approximately 300' of the perimeter of the property lay approximately 23 single family dwellings. To the property's immediate south lay the small, 10 lot New Bridge subdivision on Woodhaven Drive. The property, while surrounded by the R-1 district, is located near several other zoning districts due to its Wythe Creek Road location. Specifically, the property is approximately 225' north of the B-1, Office/Professional district, approximately 1,200' feet south of the R-3, Multi-Family Residential district (The Villas) and approximately 2,000 feet south of the B-2, Business/Commercial district (Storage World Poquoson). In addition to the uses described above, a portion of the parcel is located adjacent (to the south) to the Poquoson Baptist Church property.

Zoning

The property is zoned R-1, Single Family Residential. Uses permitted in this district without a conditional use permit include single family residential structures and accessory buildings used in conjunction with those structures, playgrounds and parks of a non-commercial nature as well as public utilities. Schools and churches are permitted within this district with a Conditional Use Permit. Commercial uses such as the mini-storage warehouse in question that generate activities inconsistent with the purpose of the City's single family residential districts are not specifically permitted in this district.

Land use requests of this nature generally necessitate the need for a developer to apply for a rezoning. In this case a request to rezone the property from R-1, Single Family Residential district to B-2, Business/Commercial district would allow for the developer to then petition City Council for a Conditional Use Permit to operate a mini-storage warehouse facility in the B-2 district. However, as our Zoning Ordinance is structured, it allows a property owner to request a Conditional Use Permit from City Council, with a recommendation from the Planning Commission, for any use that is not specifically permitted for within the parcel's specified zoning district. As is the case, mini-storage warehouse facilities are not a specifically permitted use within the R-1 district, thus the property owner is requesting a use permit to allow for the construction of such facility.

Conditional Use Permits allow for a very specific use to occur on a property, while a rezoning to B-2 would allow for any commercial use permitted within the B-2 district by-right to operate on the property. In a pre-application meeting, the applicant was presented with two (2) avenues for his proposal which included the rezoning route and the Conditional Use Permit option. During that discussion with the applicant it was noted that he has no desire to operate any additional commercial uses on the property and wishes to solely

operate a self-service storage facility, thus he is only requesting a Conditional Use Permit application for a mini-storage warehouse with a professional office structure, not a rezoning.

Traffic

The development would have direct access off of Wythe Creek Road, and as such, all City and Virginia Department of Transportation (VDOT) ingress/egress standards must be adhered to. Uses of this nature do not generate large amounts of traffic. In accordance with the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition, mini-warehouses are anticipated to generate .26 vehicular trips during PM Peak Hour per 1,000 square feet of space. Using Storage World Poquoson as an example (57,000 square feet of storage space), at full build out (approximately 800 units), the storage unit use could be expected to generate approximately 15 trips during the PM Peak Hour (4:45pm to 5:45pm). Additionally, utilizing the ITE Manual and using the existing office space at Storage World Poquoson (7,000 square feet) the professional office space could be expected to generated roughly 3.49 PM Peak Hour (the hour in which the highest amount of trips are anticipated) trips per 1,000 square feet, or approximately 24 PM Peak Hour trips overall. With an estimated combined 39 PM Peak Hour trips the use is not expected to reduce the level of service in the area on Wythe Creek Road.

A widening of Wythe Creek Road, from its current two (2) lanes to a proposed three (3) lane configuration has been approved for the area the property fronts. The widening project is still in the planning and engineering phases, however, construction is imminent. As a result any ingress/egress constructed by the developer may need to be replaced as a result of the widening project. The applicant is aware of this and any definitive impacts have yet to be determined.

Environmental

The developer's submitted survey of the property indicates the presence of some tidal wetlands at the rear of the property due to the location of a tidal stream that abuts the property at its western boundary. The plans do not call for disturbance of these wetlands; however, if the plans change and require disturbance of these areas the developer would be required to submit a request for a wetlands permit to the City's Wetlands Board. They would review and hold a public hearing to consider the proposed impacts and render a decision as to whether or not the impact is justifiable and can be sufficiently mitigated.

In addition to the wetlands located on the property, due to presence of the tidal stream detailed above, the property is subject to the Chesapeake Bay Preservation Act's 100' Resource Protection Area (RPA) buffer. Specifically, any development within 100' of the stream would require review and consideration by the City's Environmental Development Plan Review Committee and/or the City's Board of Zoning Appeals to determine whether the proposal is consistent with the requirements outlined in the Commonwealth's Chesapeake Bay Preservation Act. The submitted plan does not indicate any development within the RPA at this time.

Architectural Review Board

The proposed commercial development would be located within 300' of Wythe Creek Road between Yorktown Road and the Hampton City limits, making it a part of the City's Architectural Review District. As such, any proposed commercial development to be located on the site must be reviewed by the City's Architectural Review Board. The purpose of the Architectural Review Board is to determine the aesthetic appropriateness of commercial development within the limits of the review district by reviewing the exterior

appearance of development proposals. During their review, close attention will be paid to proposed materials, colors, signage, building scale and mass, site lighting and landscape features.

Relationship to the Comprehensive Plan/Staff Findings

The property is designated for use as Low Density Residential as defined in the City's Comprehensive Plan. A detailed description of the purpose and intent of the Low Density Residential land use designation is outlined as follows:

> *This category is for single-family residential areas in Poquoson that are intended to have a maximum of one and a half (1.5) to two (2) dwelling units per acre, as prescribed by the three current land use zoning districts: R-S, R-1, and R-2. Low Density Residential is the base layer of zoning for the City and is proposed for all parts of the City not designated for commercial, conservation, public use or medium to high density residential development.*

As stated in the "Zoning" section above, the applicant does not wish to utilize the property for any other commercial use other than a mini-storage warehouse and professional office space and thus is not requesting a rezoning of the property from R-1 to B-2. A review of a rezoning application would allow the City's legislative (City Council) and quasi-legislative (Planning Commission) bodies to consider and determine whether the property is appropriate for a variety of commercial uses, to include mini-storage warehouse facilities. Prior to the review of a rezoning application, the applicant would make an application to the City requesting that its land use designation be amended to reflect its proposed rezoning request. This process would allow the City Council to determine, with a recommendation from the Planning Commission, the suitability of commercial use on the property and establish the parcel for commercial use in the City's Comprehensive Plan Land Use Map. As is the case, approval of the applicant's request for a Conditional Use Permit to specifically establish a mini-storage warehouse within a low density residential land use district would be inconsistent with the City's Comprehensive Plan Land Use Map.

Historically, Conditional Use Permits within the City are requested primarily for three (3) reasons: (1) To allow legislative review of previously established legal non-conforming (grandfathered) commercial uses to continue to operate in residentially zoned areas; (2) To allow for legislative review of more intense, potentially highly impactful or unique uses not clearly permitted for within existing commercial districts; or (3) To allow legislative review over unique and potentially impactful uses that are anticipated to operate on a property temporarily. This proposal is unique in that it does not fit into one (1) of the traditional categories above. The issuance of this use permit would allow for the construction and maintenance of a commercial facility within a low density residential district. While traffic impacts are anticipated to be minimal, the lack of a consistent existing natural vegetated buffer would allow for potential noise and light trespass that may negatively impact the neighboring properties, specifically those immediately located within the New Bridge subdivision on Woodhaven Drive. Additionally, mini-storage warehouse facilities notoriously utilize metal siding for construction which is not as aesthetically pleasing as other, preferred construction materials. These are impacts that could be mitigated or lessened with the appropriate conditions; however, it is important to note that the issuance of this use permit would allow for the permanent development and operation of a commercial use on undeveloped land designated for use as low density residential within the City's Comprehensive Plan Land Use Map which is a consistent development pattern within the immediate area. If the Planning Commission recommends approval of the request to City Council, staff recommends that approval be subject to the following conditions:

1. Hours of operation shall be limited to 7:00am-8:00pm.
2. In accordance with the City's Site Plan Ordinance, all on-site lighting shall be shielded in a manner that minimizes the impact on adjacent properties.

3. All existing vegetation on the northern and southern boundaries of the property shall remain undisturbed and/or replaced with similar vegetation if removed for any reason.
4. A 25' landscape buffer shall be required the full length of the developed area on the southern and northern boundaries. The existing vegetation shall be utilized and all gaps in the existing vegetation shall be filled using evergreen vegetation, of at least six (6) feet in height at the time of planting. This buffer shall be maintained in perpetuity in good condition.
5. As a part of the site plan submittal process, the developer shall depict a fence, the full length of the developed area on the southern and northern boundaries of the property. The fence must stand at least six (6) feet in height and consist of a solid material so that the development is adequately shielded from neighboring properties. Additionally, a fence meeting these conditions must be reviewed and approved by the Architectural Review Board prior to construction. The fence must be constructed prior to the issuance of any Certificate of Occupancy for the development and must be maintained in good condition.
6. In addition to the required buffer area, the use shall meet all required setbacks of the underlying Zoning District.
7. The façade of all structures facing Wythe Creek Road shall consist of brick or like masonry construction materials.
8. The operation shall obtain all required local, state and federal permits.
9. Upon the discontinuance of such use for a contiguous period of two (2) years or more, the Conditional Use Permit shall become null and void.
10. If at any time the operation is in violation of any local, state or federal regulations, including the conditions set forth in this use permit, the City reserves the right to revoke the permit.
11. If construction on the project has not begun within five (5) years of the issuance of this permit, the Conditional Use Permit shall become null and void.
12. Registered and licensed recreational vehicles and non-commercial trailers may be stored on the property, provided they are located behind the professional office structure.
13. All trash receptacles shall be screened from adjacent property owners and shall not be visible from Wythe Creek Road. Receptacles shall not be placed in any required landscape buffers or required setbacks.

Attachments

City Poquoson
500 City Hall Avenue
Poquoson, Virginia 23662
(757) 868-3040

APPLICATION FOR A CONDITIONAL USE PERMIT

To the Planning Commission/City Council
of the City of Poquoson:

I/We, BRICK KILN LLC,

the undersigned owner(s) of the described property:
5.8778 ACRES LOCATED WEST OF WYTHE CREEK ROAD, SOUTH BY WOODHAVEN DRIVE, WEST BY YORK COUNTY AND NORTH BY POQUOSON BAPTIST CHURCH AND JAYNES

hereby apply for a conditional use permit for the following reasons:
TO CONSTRUCT A STORAGE FACILITY AS DISCRIBED AND DEPICTED ON THE FOLLOWING PAGES

27-01-00-0018

(CONTINUED)

I HEREBY AUTHORIZE CITY REPRESENTATIVES TO HAVE ACCESS TO THE PROPERTY DURING REASONABLE HOURS.

SIGNATURE OF PROPERTY OWNER(S):

X Frank T. Crandol

X _____

NAME: FRANK T. CRANDOL

ADDRESS: 41 WOODLAND ROAD
POQUOSON, VA. 23662

TELEPHONE: (757) 846-7347

SIGNATURE OF PERSON REPRESENTING APPLICATION:
(IF OTHER THAN OWNER)

X _____

NAME: _____

ADDRESS: _____

_____

TELEPHONE: _____

INCLUDE WITH THIS APPLICATION:

1. A $500 FEE TO COVER ADVERTISING COST. MAKE CHECK PAYABLE TO "CITY OF POQUOSON".

2. A SURVEYED PLAT OF THE PROPERTY.

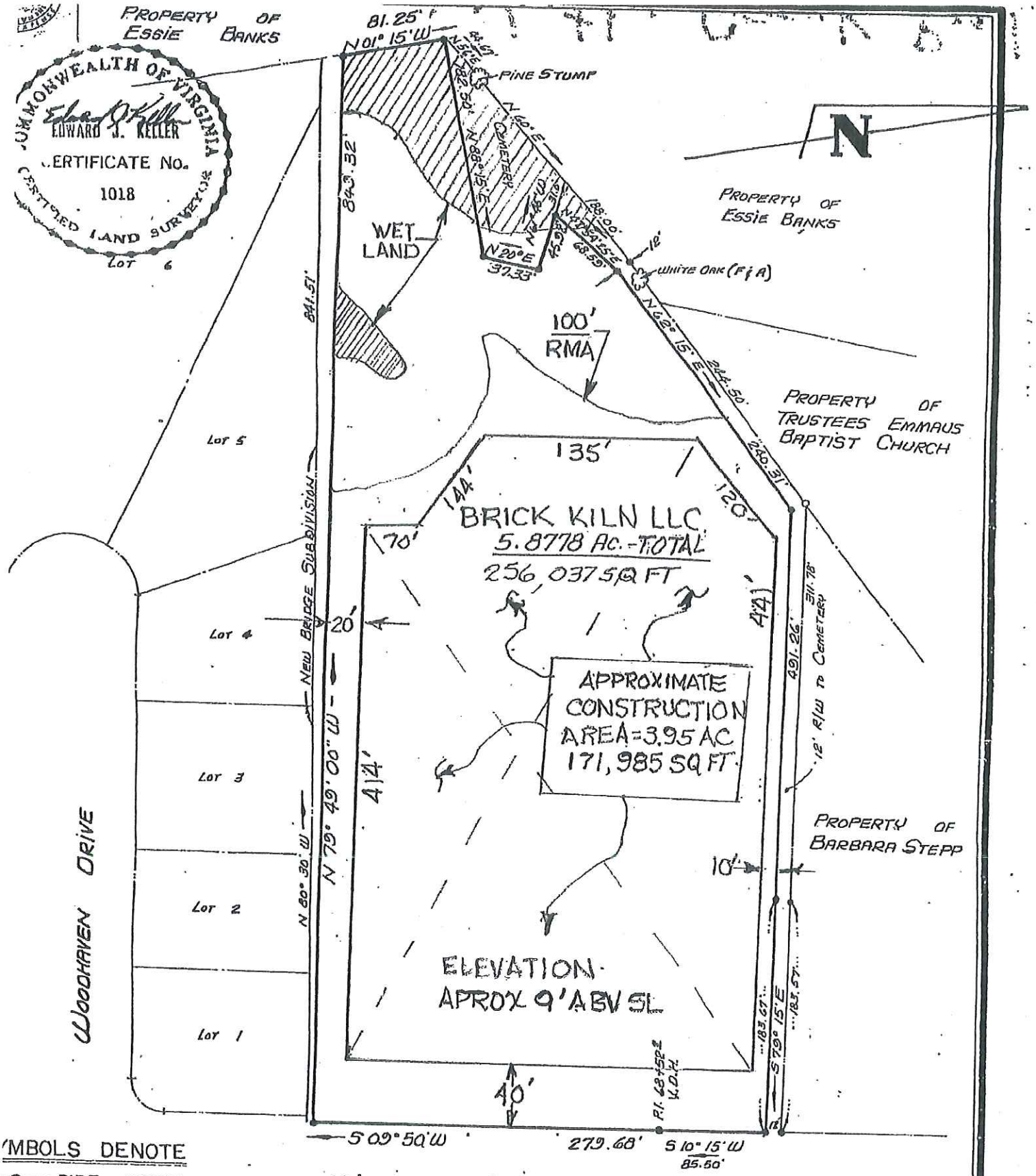
CITY OF POQUOSON
PAID
MAR 3 1 2016
TREASURER #3

Revised 1/11/10

BRICK KILN LLC Storage Facility Development

Wythe Creek Road is in the process of being improved by widening in the very near future. With the ongoing widening, an R-1 single family development will add a significant amount of traffic entering Wythe Creek Road in a fairly congested area.

With the current single and multi-family ongoing development within the City of Poquoson, there is a shortage of storage facilities. Storage World located to the north which is about 10 years old, is filled to capacity and has a waiting list. Brick Kiln LLC is considering building a storage facility similar to Storage World as depicted on the attached sheets. Storage facilities of this type develop very low traffic flow and low noise. The facility is secure, and does not allow any afterhours accessibility. With the design layout of Storage World, large trucks cannot access the storage area. As to storage spaces, most are rented on long term basis and are very seldom accessed monthly and a large percentage are only accessed twice, once to store and once to remove. The Wythe Creek Road business frontage of this property, will have a building containing various professional businesses such as insurance, physicians, lawyers, etc. and of course the office to the storage facility similar to the elevation study and aerial view as depicted on the attached sheets.



SYMBOLS DENOTE

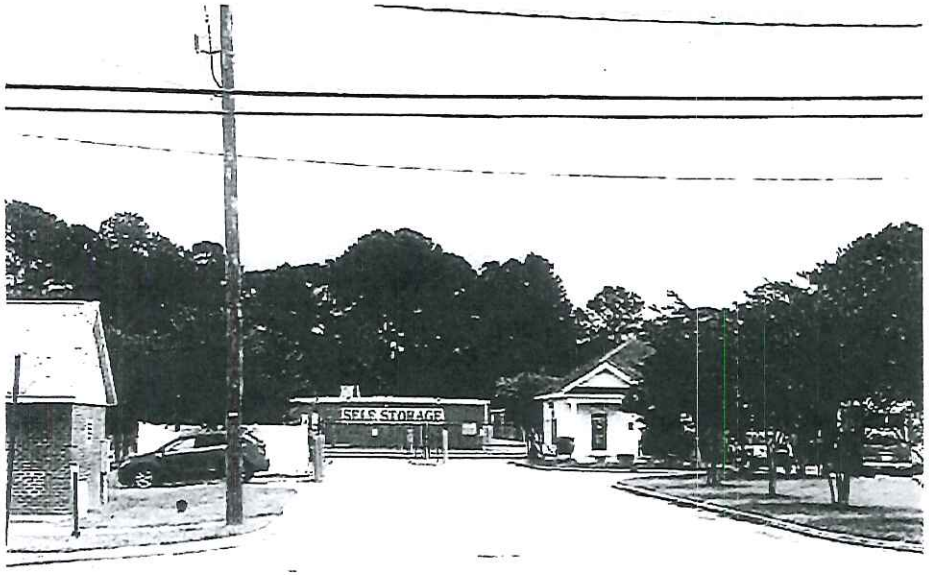
- PIPE FOUND
- PIPE SET
- ROD FOUND
- CONC MONUMENT

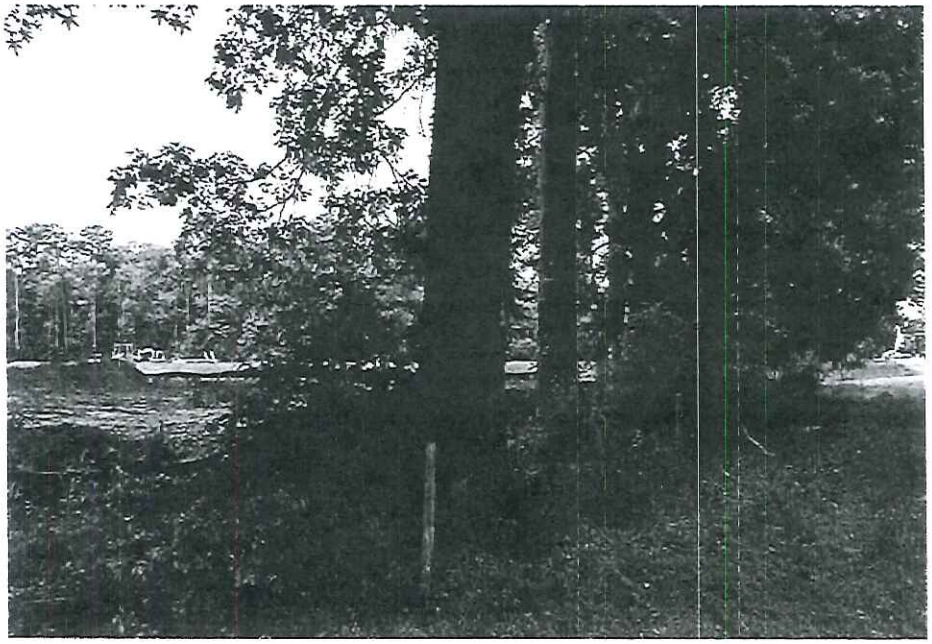
JOB LOCATION # WYTHE CREEK ROAD

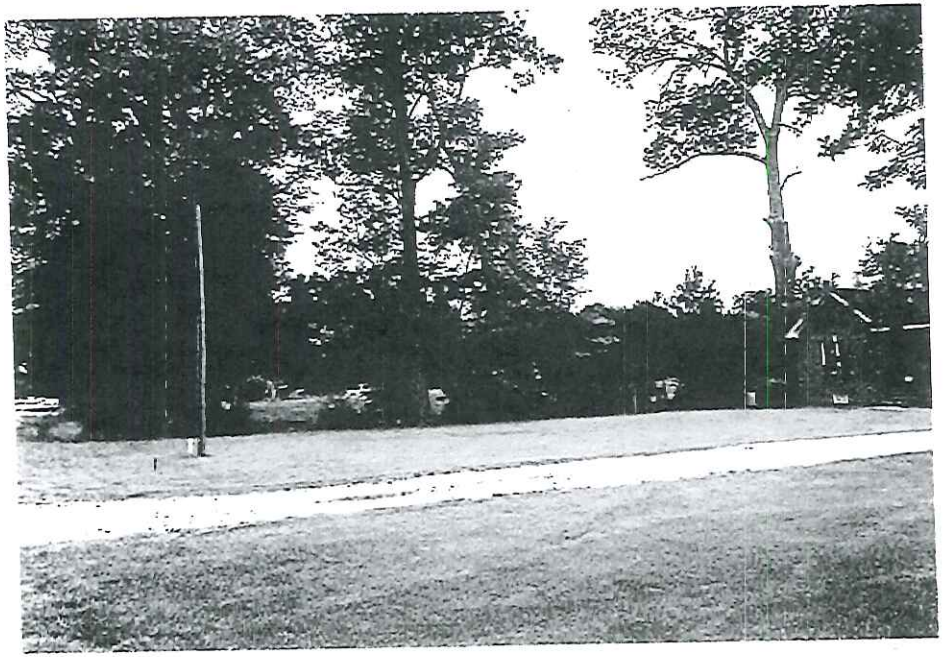
POQUO
SELF STOR

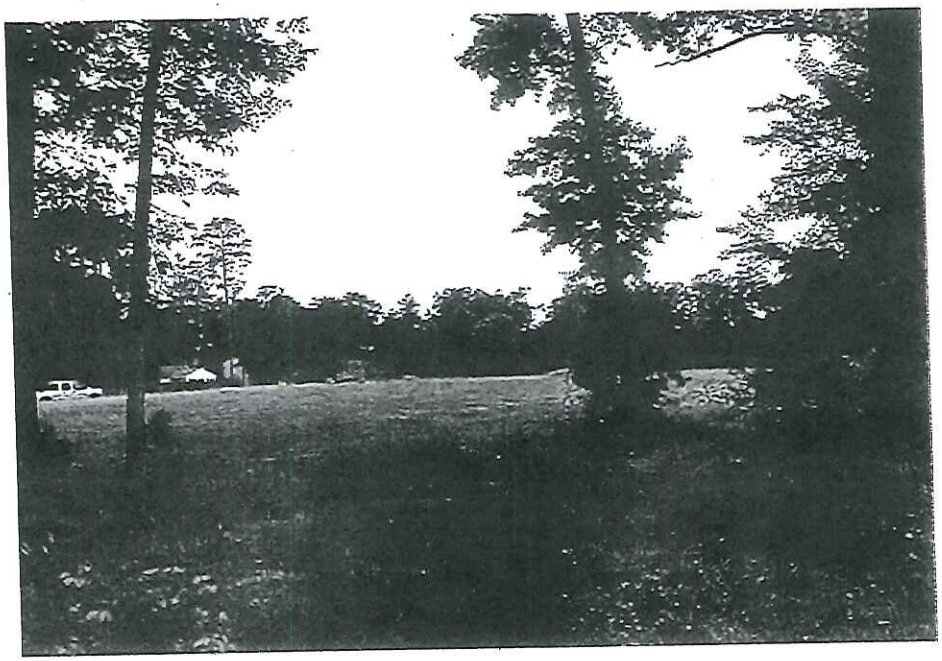
POQUOSON
SELF STORAGE

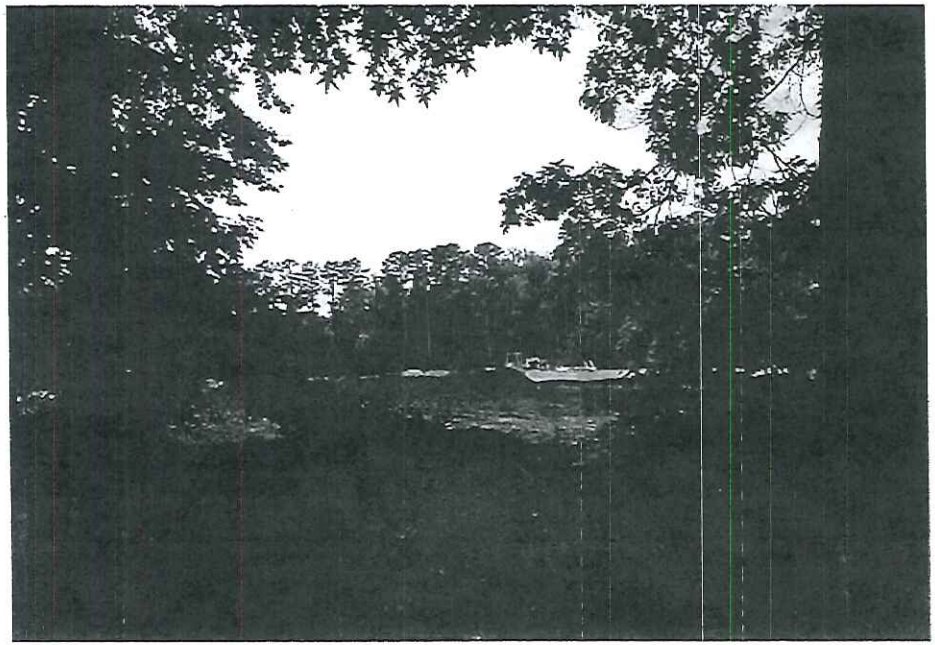
360
STORAGE WORLD
POQUOSON

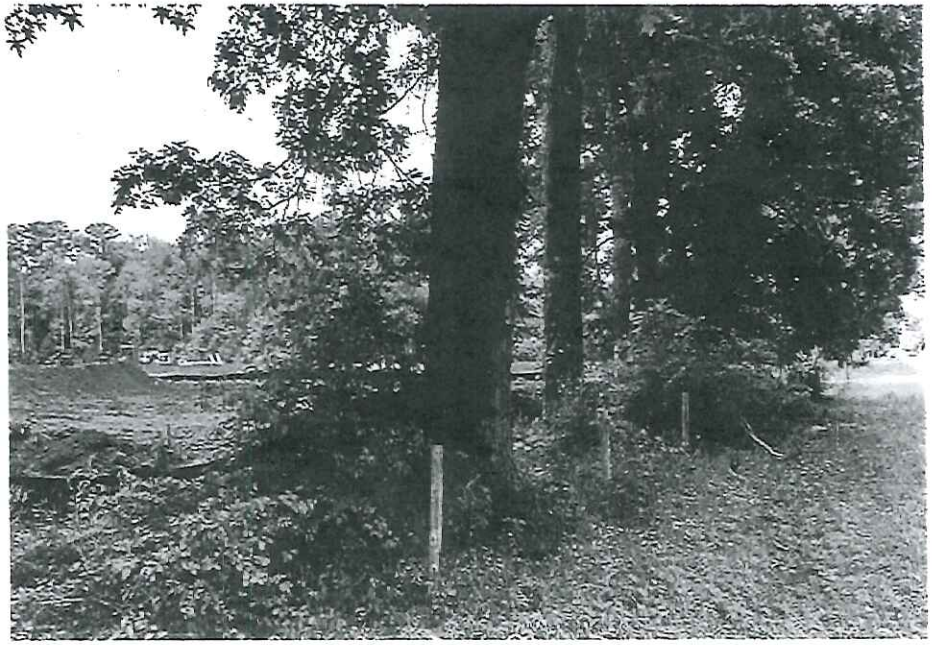

SELF STORAGE

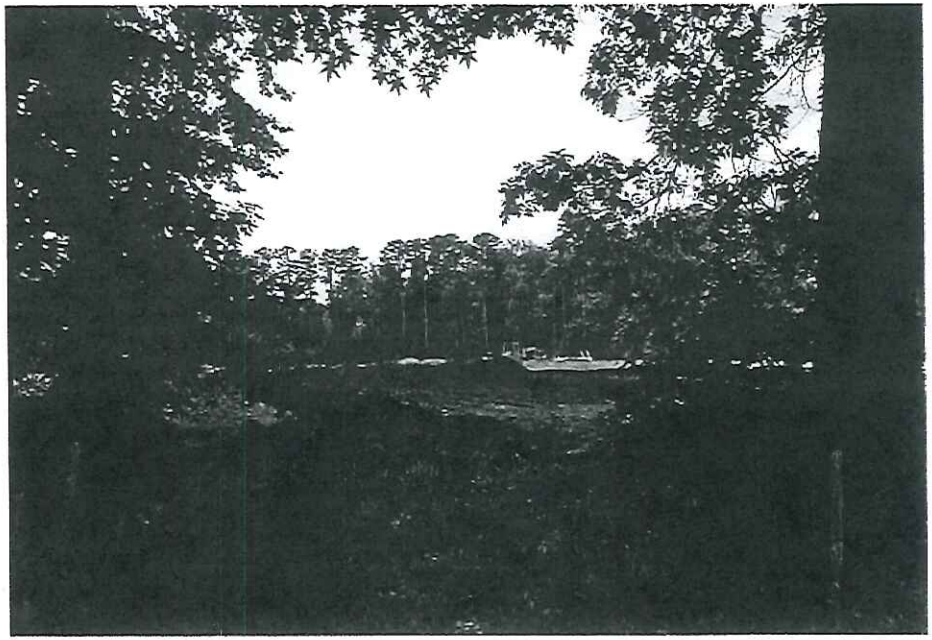


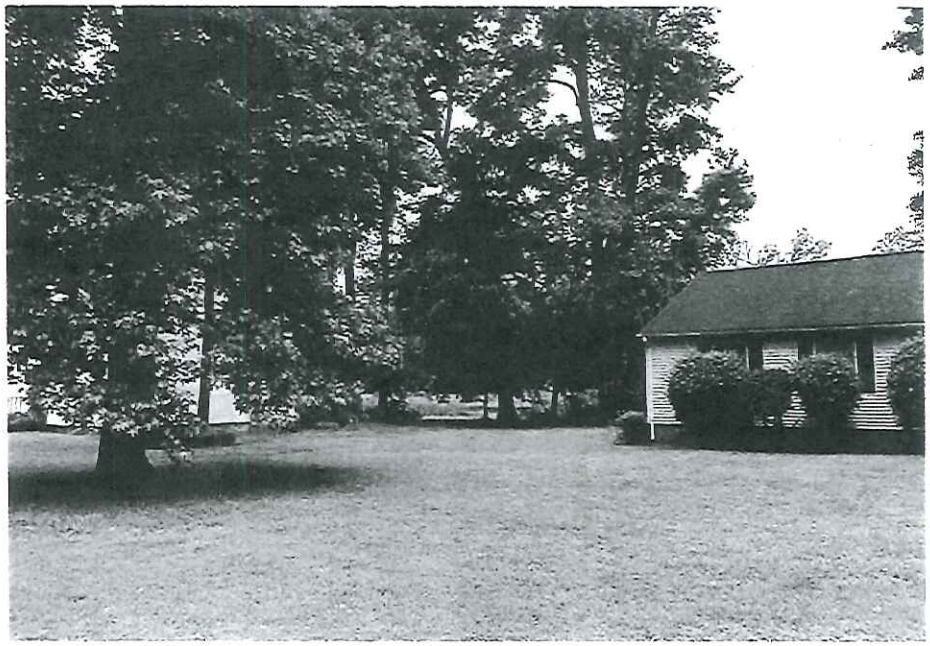


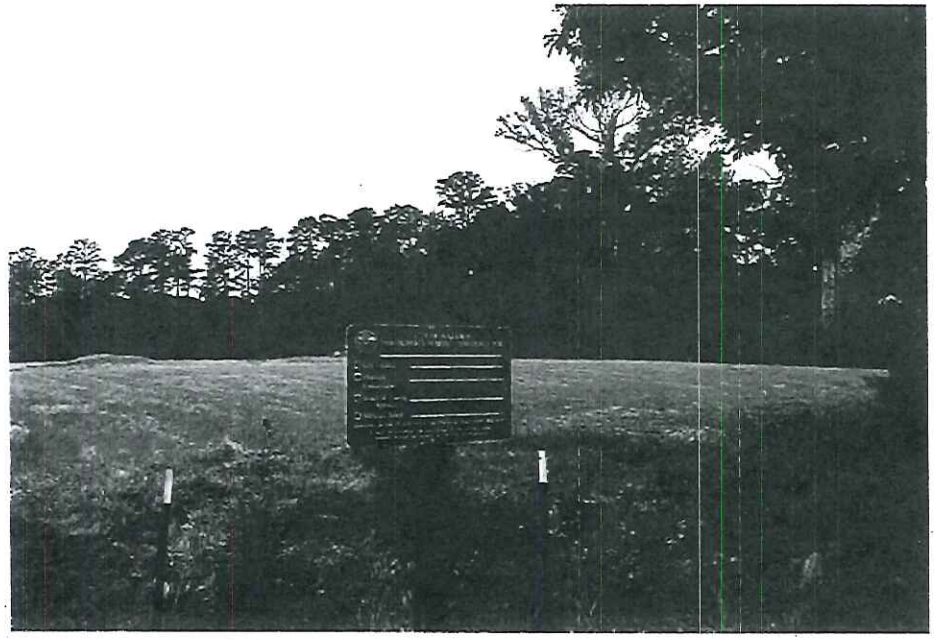


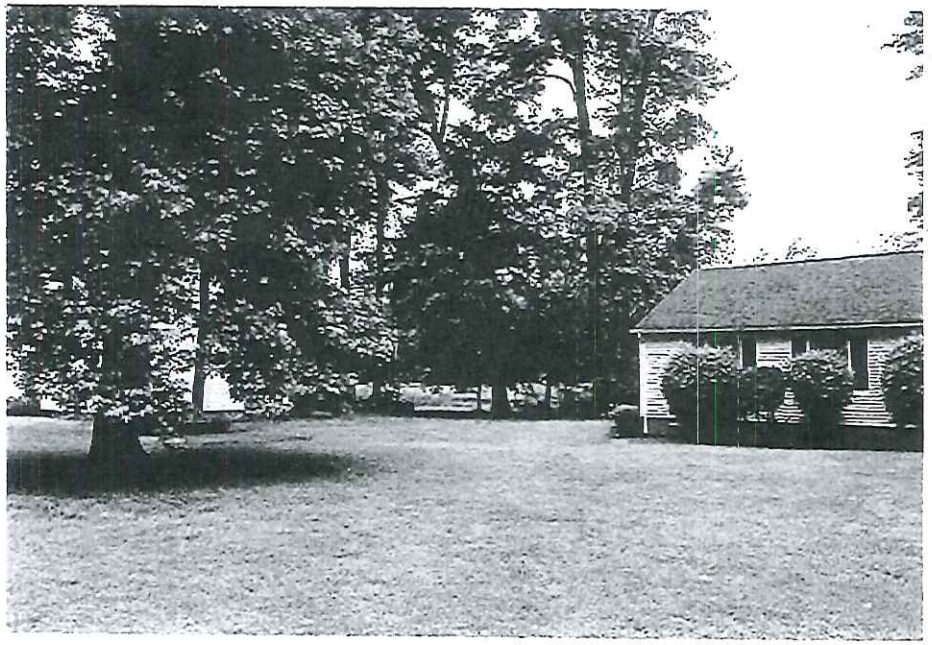


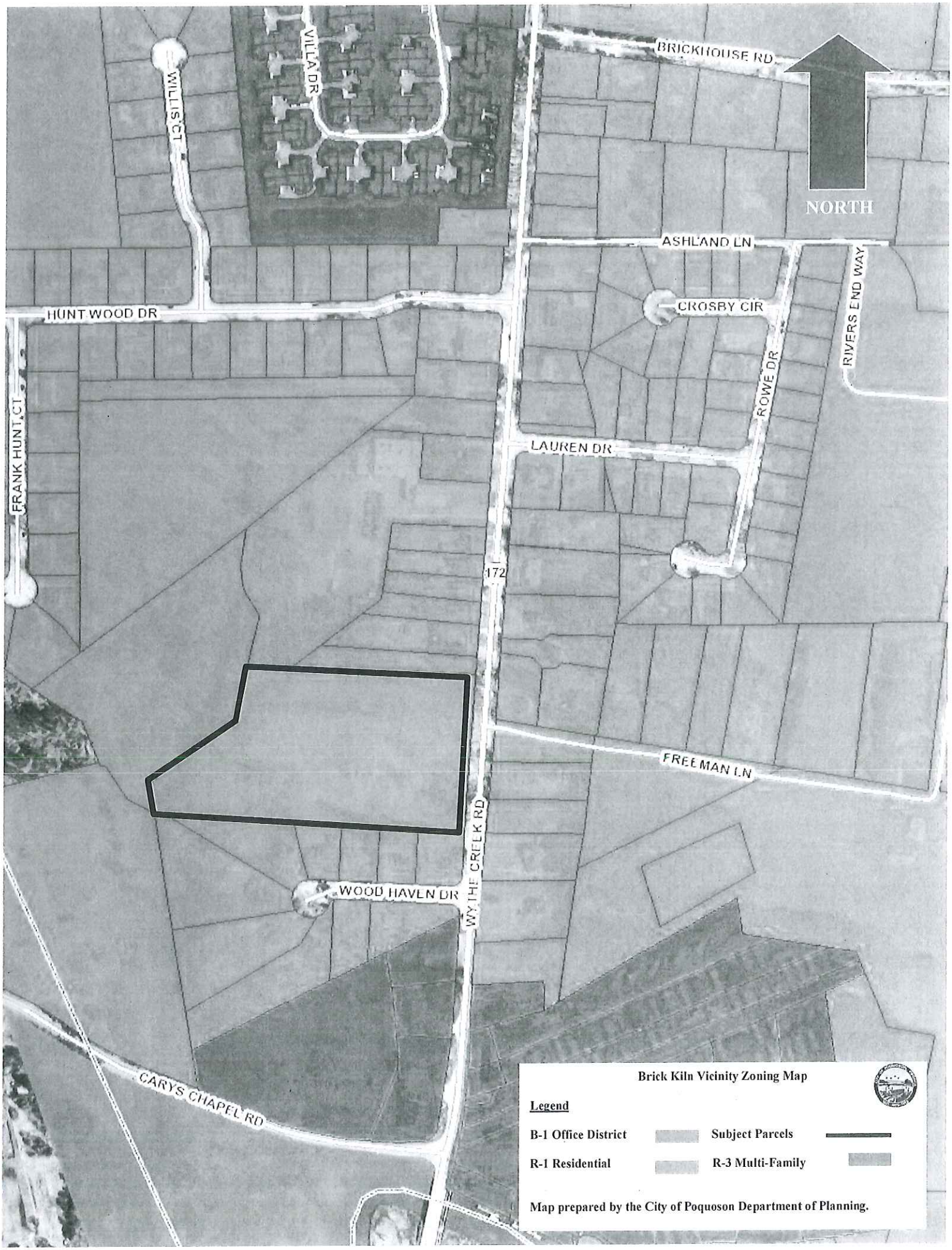






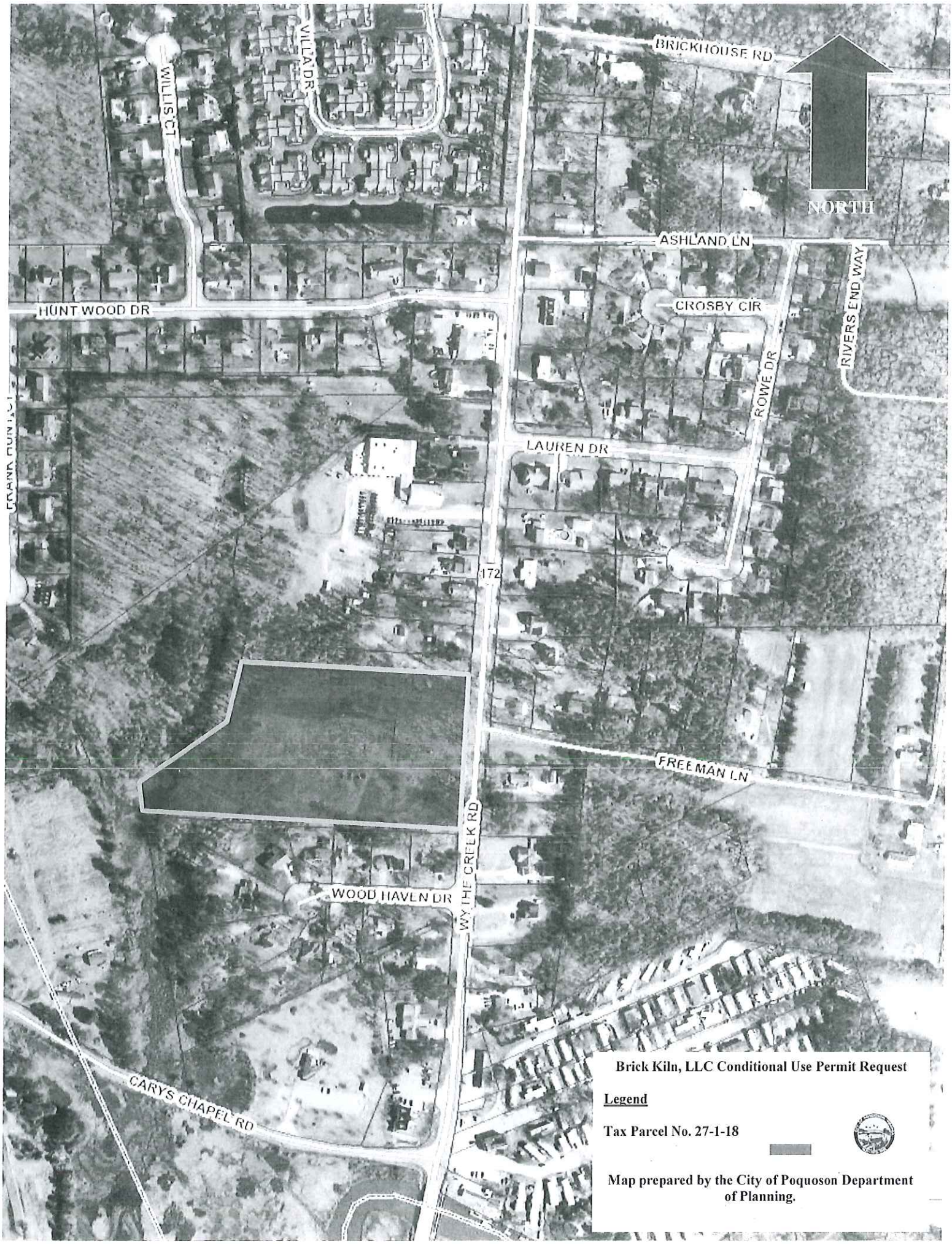






Brick Kiln Vicinity Zoning Map

Map prepared by the City of Poquoson Department of Planning.



Brick Kiln, LLC Conditional Use Permit Request

Legend

Tax Parcel No. 27-1-18

Map prepared by the City of Poquoson Department of Planning.