

COUNTY OF YORK

MEMORANDUM

DATE: January 27, 2022 (PC Mtg. 2/9/22)

TO: York County Planning Commission

FROM: Timothy C. Cross, AICP, Deputy Director of Planning and Development Services

SUBJECT: Application No. UP-984-22, Locke Supply Company

ISSUE

This application is a request for a Special Use Permit, pursuant to Section 24.1-306 (category 14, no. 3b) of the York County Zoning Ordinance, to authorize a wholesale trade establishment with outdoor storage in the former Kingsgate Greene (Big Kmart) shopping center located at 118 Waller Mill Road (Route 713). The 16.5-acre parcel (GPIN D15a-1247-3462) is zoned GB (General Business) and designated General Business in the Comprehensive Plan.

DESCRIPTION

- Property Owner: Colonial KM LLC
- Location: 118 Waller Mill Road (Route 713)
- Area: Parcel area is approximately 16.5 acres
- Frontage: Parcel frontage is approximately 770 feet on Waller Mill Road and approximately 750 feet on Mooretown Road (Route 603)
- Utilities: Public water and sewer
- Topography: Flat
- 2035 Land Use Map Designation: General Business
- Zoning Classification: GB – General Business
- Existing Development: Shopping center
- Surrounding Development:

North: Wyndham at Kingsgate timeshare resort

East: Waller Mill Road; Snow Companies office building and Best Western motel beyond

South: Mooretown Road; Pirate's Cove mini-golf and former Dairy Queen restaurant beyond
West: Embassy Suites motel

- Proposed Development: Wholesale trade establishment with outdoor storage

CONSIDERATIONS/CONCLUSIONS

1. The former Kingsgate Greene shopping center consists of two buildings with a combined gross floor area of approximately 138,300 located on a 16.5-acre parcel in the northwest quadrant of the intersection of Waller Mill Road (Route 713) and Mooretown Road (Route 603). There is also an undeveloped 0.6-acre outparcel fronting on Mooretown Road. The Kmart store that previously anchored the center closed in January 2019, and approximately two-thirds of the building are now occupied by Ollie's Bargain Outlet and Ashley Home Store. The remaining 37,000 square feet of space is to be leased by Locke Supply Company, which is a wholesale and retail distributor of HVAC equipment, plumbing and electrical products, and tools. The company plans to utilize the former Kmart garden shop for outdoor storage of plumbing and electrical pipe. The Zoning Ordinance defines this use as a wholesale trade establishment with outside storage, which is permitted in the GB zoning district upon the approval of a Special Use Permit by the Board of Supervisors. If not for the outside storage, this use would be permitted as a matter of right.
2. The outdoor storage area measures approximately 142 feet by 65 feet (9,140 square feet) and is enclosed with brick walls approximately eight feet (8') in height with a gated opening approximately twelve feet (12') in width. The applicant has indicated that nothing stored in this area would extend above the top of the walls.
3. The proposed resolution includes conditions limiting outdoor storage to the former Garden Shop and prohibiting materials stored outdoors from exceeding the height of the brick walls. Additional conditions have been included at the recommendation of the Department of Fire and Life Safety to 1) prohibit outdoor storage under eaves or other overhangs except where automatic sprinklers are installed, 2) require plans showing the design and layout of outdoor shelving or storage racks to ensure compliance with the Virginia Construction Code and the Statewide Fire Prevention Code, and 3) require a Hazardous Materials Contingency Plan for any hazardous materials used or stored.

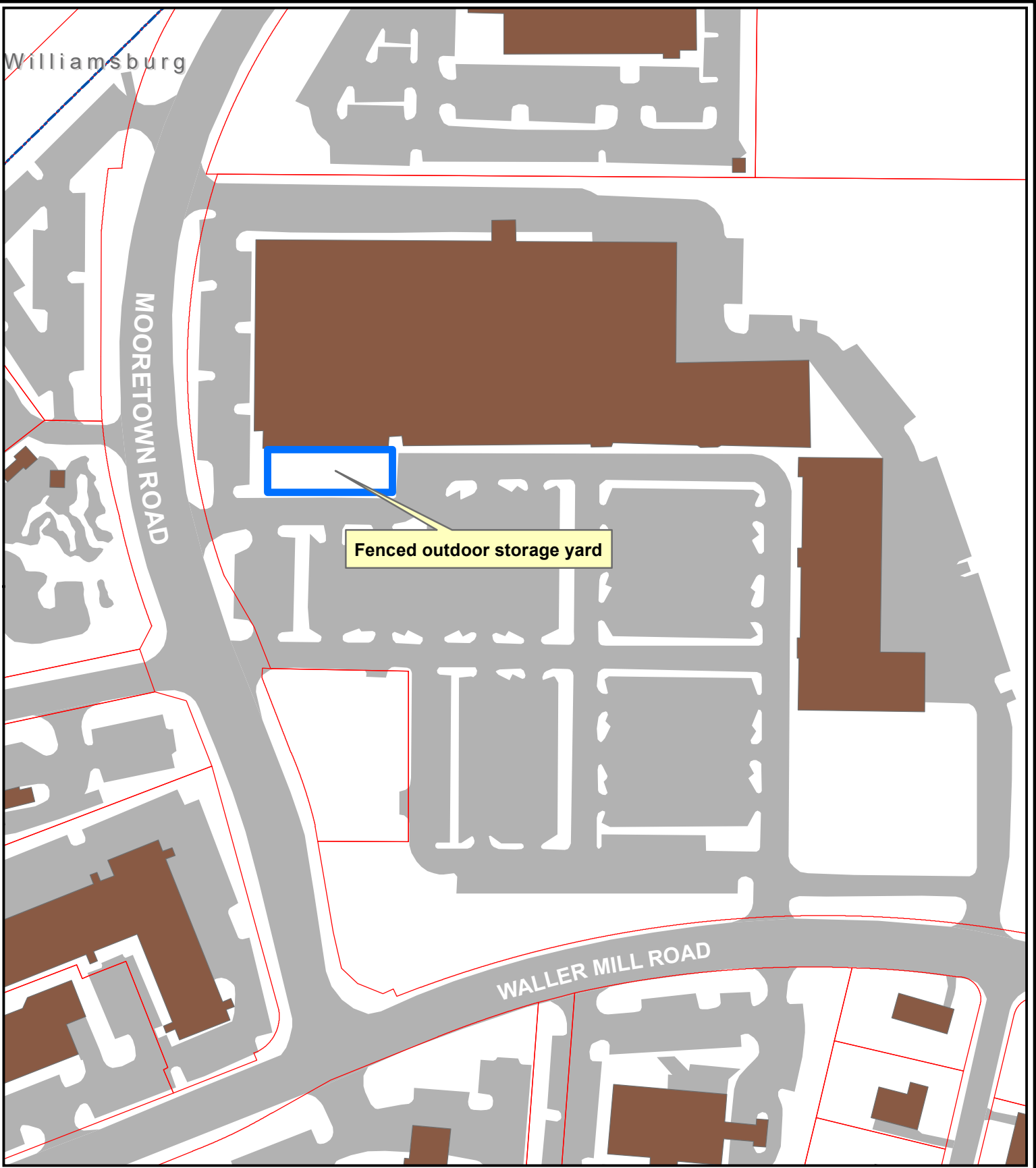
RECOMMENDATION

This application presents an opportunity to fill a vacant commercial space in a manner that, in staff's opinion, would have no adverse impact on surrounding businesses and properties, given that the proposed outdoor storage would be almost entirely screened by brick walls. 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 set forth in proposed Resolution No. PC22-7.

TCC

Attachments:

- Zoning Map
- Site Diagram
- Proposed Resolution No. PC22-7



York County
 VIRGINIA
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118 Waller Mill Road

HORIZONTAL ACCURACY: +/- 2.5 feet DATUM: VA State Plane South, NAD 83
 VERTICAL ACCURACY: +/- 1 foot DATUM: NAVD 1988
 DATE OF ELEVATION INFORMATION: 2007

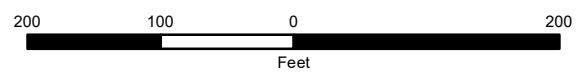
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PLANNING COMMISSION
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2022:

Present

Vote

Glen D. Titus, Chair
Robert T. Criner, Vice Chair
Douglas Holroyd
Mary P. Leedom
Michael S. King
Robert W. Peterman
Joseph P. Smith

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

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION FOR A SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A WHOLESALE TRADE ESTABLISHMENT WITH OUTSIDE STORAGE AT 118 WALLER MILL ROAD

WHEREAS, Locke Supply Company has submitted Application No. UP-984-22 to request s Special Use Permit to authorize a wholesale trade establishment with outside storage in an existing shopping center on a 16.5-acre parcel (GPIN D15a-1247-3462) located at 118 Waller Mill Road (Route 713); 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 _____, 2022, that Application No. UP-984-22 be, and it is hereby, forwarded to the York County Board of Supervisors with a

recommendation of approval of a Special Use Permit to authorize a wholesale trade establishment with outside storage in an existing shopping center on a 16.5-acre parcel (GPIN D15a-1247-3462) located at 118 Waller Mill Road (Route 713) subject to the following conditions:

1. This Special Use Permit shall authorize a wholesale trade establishment with outside storage in an existing shopping center on a 16.5-acre parcel (GPIN D15a-1247-3462) located at 118 Waller Mill Road (Route 713).
2. All outside storage shall be limited to the existing brick enclosure located at 118-A Waller Mill Road and shall not extend above the height of said enclosure.
3. Outdoor storage under eaves, canopies, or other projections or overhangs shall be prohibited except where automatic sprinklers are installed.
4. Storage arrangements shall comply with the Virginia Construction Code and Statewide Fire Prevention Code. Plans showing the design and layout of shelving or storage racks shall be submitted for review.
5. A Hazardous Materials Contingency Plan for all hazardous materials used or stored shall be submitted to the Department of Fire and Life Safety for review and approval.
6. In accordance with Section 24.1-115(b)(6) 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 prior to application for a building permit.

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.