

Scottsville Planning Commission

Regular Meeting
Monday, January 4, 2016, 7:00 p.m.
Victory Hall
401 Valley Street
Scottsville, Virginia

Members:
James V. Kerlin, *Chair*
William S. Hyson
Stuart C. Munson
Joshua Peck
Ronald L. Smith

Minutes

1. *Call to order* – Mr. Kerlin called the meeting to order at 7:00 p.m.
2. *Establish a quorum* – Mr. Kerlin, Mr. Hyson, Mr. Munson, Mr. Peck, and Mr. Smith were present. Also in attendance was Town Clerk Amy Moyer.
3. *Review and approval of meeting minutes of December 7, 2015* – Upon a motion by Mr. Munson, seconded by Mr. Smith, the minutes were approved.
4. *Matters not on the agenda from the public* – No one from the public wished to speak.
5. *ZTA-2015-03: Request by Isaac Shelley for amendments to Zoning Ordinance Sections 3.9 (Definitions) and Section 9.2.2 (Village Residential – By Special Use Permit) to define and provide for the use “Self-Service Storage Facility.”*

SUP-2015-01: Special Use Permit application by Isaac Shelley for Self-Service Storage Facility (TMP 36A-A-19, Zoning Category: Village Residential).

Applicant and property owner Isaac Shelley, consultant Andy Duke, and nearby landowners Susan Cable and Kim Yoder joined the commission members for discussion.

Mr. Hyson asked if the applicants were proposing anything they had not already discussed. Mr. Duke replied no, but they are happy to answer any questions. Mr. Kerlin said the hearing is not until February, but he understands that people have some questions about the zoning text amendment and the special use permit.

Ms. Cable noted that this property is zoned Village Residential and pointed out other areas on the town zoning map that are also zoned Village Residential. She commented that if the commission approves a Zoning Ordinance amendment to allow storage units on this property, it would be doing the same thing for all these other properties. She stated that storage units are by any other definition considered to be a commercial use. She asked why

they would want to put commercial use in the middle of an area that is residential and a scenic, historic entrance corridor.

Ms. Yoder commented that this is in the Historic Overlay District, and she does not consider these units to be in historic proportion to the town.

Ms. Cable stated that the commission members are the guardians of the Comprehensive Plan, and the Zoning Ordinance is the method for implementing the Comprehensive Plan. She read aloud the Comprehensive Plan vision statement and the Village Residential intent statement, commenting that 30,000 square feet of storage units do not fit that definition by any stretch of the imagination. Ms. Cable stated that there are two issues here: one is the Comprehensive Plan, the Zoning Ordinance, and town's responsibility to implement the vision that has been set forth in the Comprehensive Plan; and the second is the impacts of this particular type of development. Ms. Cable displayed photographs of storage units that Mr. Duke has developed in the Richmond area. She remarked that this is spot zoning; and this particular use, according to what Mr. Duke has developed in other areas, has 24-hour access with lights, parking, and a 24-hour kiosk, and would be fenced and gated with security cameras but no one on site. Deliveries could come any time of the day. She said that Mr. Duke has provided moving vans at other facilities, and there are large signs. Ms. Cable remarked that this is on an area of a scenic byway on a curve where there have been 11 reported accidents in the last five years, and 3,000 cars go by there every day including large timber trucks. She asked how they would provide any kind of sight distance. Ms. Cable stated that this is totally inappropriate, and Mr. Shelley's project in 2008 was in violation of the residential area zoning.

Mr. Hyson asked what the violation was. Ms. Cable read from the February 2008 zoning violation letter and said they may have gotten approval after the fact, but it started as a violation.

Mr. Hyson commented that the entrance corridor objective is to improve and maintain the entrance corridors leading into the town to provide a favorable impression and demonstrate community pride, and maybe it could be a nice looking thing, but the strategies that stood out to him were controlling development and eliminating grandfathered nonconforming uses. Mr. Hyson said it is a pretty road there with nice trees and shrubbery, so his concern is the beauty of the area.

Ms. Yoder agreed that is the concern from all the neighbors, as well as loss of night sky quality, traffic, and 24-hour access with night lighting. She said the traffic is huge, it is a dangerous corner, and they cannot get enough police coverage on that side of town as it is. Ms. Yoder encouraged that they put this in a more visible area, not in a residential area like that.

Ms. Cable said put it in a commercial area. Ms. Yoder agreed, saying she does not think anybody is against it, just not there. Ms. Yoder said that she speaks for all of the property owners on the hill behind the parcel.

Mr. Peck asked if as proposed it would still be open 24 hours. Mr. Duke replied yes, tenants would have 24-hour access, just like for an apartment or a residence, but non-tenants would never have access as the facility is gated and fenced. Mr. Duke stated that traffic counts are always pretty low for self-storage facilities, and his assessment over two one-week periods found on average six percent of customers enter the site on any given day. Mr. Duke said that this facility, depending on how the property lends itself to development from a physical standpoint, will probably have from 120 to 200 units; and a maximum of 200 units would average 10 to 12 vehicles per day. Mr. Duke remarked that it is not a high traffic generator at all, especially when most of the customers are residential tenants.

Mr. Peck asked if the storage facility in Buckingham across from Spangler's would impact the rental demand. Mr. Duke replied that he personally was not aware of that facility when they were here last time, as it did not come up in his internet search, but he has since visited the facility. Mr. Duke said that facility is about 3.5 miles away. Mr. Duke stated that their core demographics for use are 80 to 85 percent of customers come from within a five-mile radius, so that facility would be on the fringe, assuming that it is the same quality to attract the customers they want to attract; and he thinks that would have minimum impact, as the demand analysis shows that there is demand for more than that in the area.

Ms. Cable asked if his demand analysis is based on apartment units or housing units, as there are not that many apartment units in the Town of Scottsville, and houses that are considered rental units may or may not have a need for storage facilities. Mr. Duke explained his demand analysis uses national and state averages and applies those metrics to the number of households and population in the area. He said the last thing they want in the development business is to build without need, and his approach is to be fairly conservative compared to national standards for demand. At any given time, on a national basis, ten percent of the households in a given area will rent at any given time, and the population within a five-mile radius is 5,000 to 6,000. Mr. Duke said that a his facility in Montpelier has a similar population mass and household mass within a five-mile radius, and there are competing self-storage facilities far closer to that village than Charlottesville or anywhere else with quality competition is to Scottsville.

Ms. Yoder asked if they think there is such a need for these units, could they not think of a better place in the community where there are more commercial buildings already, rather than in a rural residential area. Mr. Duke said that is a question for Mr. Shelley, as he owns the land.

Mr. Shelley commented that no matter where he goes, in any business endeavor there is always going to be a neighbor, and the neighbors tend to not like what they are doing until hopefully Mr. Duke and he can explain what they are doing. The fact remains that he does not own any other land; that is the piece of land that he happens to own and happens to be graded to lend itself to self-storage. Mr. Shelley said that self-storage does not require sewer or water, and there is no sewer or water available in that part of town. In years past he had surveyors collect field data and did preliminary research to find out what would be involved to get water and sewer up to that part of town. Water stops at Fluvanna Street, and sewer stops at Poplar Spring Road. Ever since he bought the property to remove the dirt for the

Food Lion, there has been some plan of development. Mr. Shelley explained that VDOT has a right of way on CSX, and CSX owns everything from the river to people's front yards, so VDOT has an easement from CSX for Route 6, and then he would have to get an easement from CSX to get sewer from that last manhole by the laundromat up to his property. He commented that the railroad can be difficult and expensive to work with. These utility costs led him to hold off on by-right residential development. Mr. Shelley said that self-storage is low impact because it does not need water and sewer, the traffic count is pretty low, and it can be classy if it is done right. He remarked that that is the land he owns, he does not own any other land, and so that is why they are picking that one. He said if he went to the top of the hill, they would not be here but somebody else would who would say no, don't build up here, so it is kind of "don't build in my backyard."

Mr. Duke said that this parcel is zoned Village Residential, and he asked what can be built on this parcel currently. Mr. Smith read the list of permitted uses by right and by special use permit for Village Residential. Mr. Smith stated that he does not know at this point if he would vote for or against, but he would vote for the text amendment to add storage facilities so that they are at least mentioned in the Zoning Ordinance and require a special use permit.

Ms. Cable asked Mr. Duke what the zoning is for his five other facilities. Mr. Duke replied that the Enon facility is immediately adjacent to an apartment complex, and he is not sure what the zoning is, but it was done by conditional use permit. He said the Glen Allen facility is zoned B-1 and was under a conditional use permit. The facility at Virginia Center is zoned M-2, but that facility was built in 1984 when he believes there were 16 self-storage facilities in the Richmond metropolitan area. He stated that right now there are 186 self-storage facilities in the Richmond area, the majority of which are built in areas that are more accessible to the general public than an industrial area. Mr. Duke commented that when the industry was born, the facilities were typically in a more industrial area and considered to be warehouses, but none of the facilities seen here with the possible exception of the one built in 1984 are those that would have the appearance related to industrial but more a high-end commercial like a shopping center or something else serving residences. Mr. Duke stated that most municipalities only have by right zoning either in a B-2 or B-2 area or in an M-1 light industrial area, so most storages are built under conditional use permits because owners and developers want to be close to residential areas.

Ms. Cable said she heard commercial and industrial, but she did not hear residential. She said she hears Mr. Smith saying that somewhere in the Zoning Ordinance there ought to be a special use permit for storage facilities. Mr. Smith stated that the current ordinance does not even mention storage facilities, so a zoning text amendment would put the definition of a self-storage facility in there and then say it has to have a special use permit. Ms. Cable asked if he would put it in Village Residential. Mr. Smith said yes, that is where it would go, last on the list he read. Ms. Cable asked why not put it in Commercial and is there not a better place than a residential area.

Mr. Duke said that under the zoning text amendment it could be allowed in any zoning classification, under control of the Town Council, which is a benefit of the conditional use zoning. Ms. Moyer said there is no generalized special use permit list; each district sets out

what it is allowed in that district by SUP, so the Planning Commission would need to add this use to every district in which they wanted to permit it by SUP. Mr. Duke stated that this is ultimately the proper way to do it. Mr. Smith asked if it ends up here, does it end up in every zoning classification. Ms. Moyer replied that it does not as proposed; the applicant applied to add the use to the district that affects his property. Ms. Moyer said the Planning Commission could recommend adding it to another district if it believes that is preferable.

Ms. Cable said that they cannot just add a general zoning text amendment to allow storage units anywhere; it has to be attached to a specific zone. Ms. Moyer stated that it would need to be added to each zoning district chapter to which they wished it to apply. Ms. Cable encouraged that it be added to business, commercial, or industrial, any other zoning except residential.

Mr. Duke spoke about his Midlothian facility that was zoned residential but in the land use plan for potential commercial for office buildings and hotels, but they requested zoning under a conditional use permit. One of the requirements for the conditional use permit was that the building follow the colonial architectural scheme. He pointed out the picture of the Mount Vernon facility.

Ms. Cable commented on the large self-storage sign. Mr. Duke said the building is three stories high and the sign is in that proportion because that is the way the photographer took the picture, but the sign was approved by Chesterfield County, whose development requirements are strict, and those things are all under the supervision of the governing authority to make sure that it does what they want to do from an architectural presentation and street view.

Ms. Cable asked about the entrance, as the current entrance coming out of that property is blind. She asked how they would shave back what buffer exists there. Mr. Hyson stated that the entrance would have to be approved by VDOT. Mr. Shelley responded that they do not know how VDOT will make them do it because they have not gotten that far yet, as they have to go step by step through the approval process, and this is the first step. Mr. Shelley explained how VDOT evaluates sight distance in his experience as a contractor, noting that the gravel road is a temporary entrance, and VDOT will not issue a permit for a commercial entrance until the criteria are met.

Mr. Duke asked if that would be so for a residential entrance as well. Mr. Shelley replied that VDOT does the same test and makes a recommendation, and a multi-family residential would have the same requirements, but he does not think they can stop a driveway for a single-family home.

Mr. Peck asked what the maximum amount of storage in the first phase is. Mr. Duke replied that he cannot say until they have more of a site plan developed, but he estimates a maximum yield of 24,000 to 25,000 square feet if there were no topographical restrictions. With the topographical restrictions of this site, Mr. Duke estimates a maximum of 20,000 to 22,000 square feet at best. Mr. Munson asked how many units that would be. Mr. Duke said the demand assessment shows unmet demand in the area for 24,000 to 26,000 square feet, and

they would probably do 12,000 to 14,000 square feet in phase one and whatever is left in phase two, but they would build out the pads for the maximum initially. Mr. Duke stated that units would average 120 square feet per unit, yielding 100 units at 12,000 square feet.

Mr. Peck asked about tax revenue to the areas where storage facilities are built. Mr. Duke asked if he meant from a property tax standpoint. Mr. Peck replied yes. Mr. Duke said that is based on the assessed value and tax rate, but they pay about \$50,000 per year in property tax for three facilities in Hanover County. Mr. Peck asked what that is percentage wise on annual income from the units. Ms. Moyer asked if Mr. Peck was thinking more of business license tax. Mr. Peck replied yes. Ms. Moyer said that she was not sure if this is a taxable category. Mr. Duke said no, it is not; they do not have business licenses, but they pay real estate tax as revenue to the localities. Mr. Duke estimated that property taxes range from seven to ten percent of annual revenues.

Ms. Cable asked if that means that the only revenue that the town could get would be the property tax. She noted that her adjacent property is 3.88 acres, and she pays approximately \$1,000 per year in property taxes. She asked if it is worth impacting the historic district and entrance corridor for that.

Ms. Moyer said that the Town of Scottsville does not levy a property tax. Ms. Yoder said it goes to Fluvanna, so the town stands to gain nothing.

Mr. Peck asked if the property can be served by well and septic instead of public water and sewer. Mr. Hyson said a well would have to be deep there. Ms. Yoder said that is what they have; they are not on town water and sewer. Mr. Peck asked if there is any restriction to that being inside the town. Ms. Moyer replied no, it is up to the health department to approve.

Mr. Smith asked Mr. Shelley if he will build at ground level or excavate down. Mr. Shelley replied that the grade is lower behind the berm, which was left as a diversion dike to keep water off of Route 6 and channel water to their sediment basin. He would like to build on the exact grade it is right now but he will have to manipulate it some. However, the slab level will not be down to Route 6.

Ms. Yoder asked about further excavation in the back. Mr. Shelley said the site is not finished graded, but rather graded to the point of erosion and sediment control stabilization. The property is inspected monthly, and they keep a bond posted on the property. Mr. Shelley stated there is a possibility that they will have to go into the hill some more, but they have not done the engineering yet because of the cost.

Mr. Smith asked if they have to have a holding pond for stormwater runoff. Mr. Shelley replied they already have a retention pond. Mr. Shelley explained the purpose of stormwater retention, noting that there are a number of ways to handle it and that is for the engineer to design and the county to review and approve.

Ms. Cable expressed concern about additional stormwater runoff, the visual appearance with the removal of the buffer between the land and the level of the pad, and degradation of the

entrance corridor and historic district.

Mr. Duke remarked that all of those considerations would be under the control of the governing authority and everyone would have a chance to speak to them as the plan develops.

Mr. Hyson commented that the Zoning Ordinance calls for infill of vacant areas that is compatible with the character of existing lots buildings, so there is supposed to be some sort of uniformity within Village Residential.

These applications will be advertised for public hearing on February 1, 2016.

6. *Adjourn* – Upon a motion by Mr. Munson, seconded by Mr. Peck, the meeting was adjourned at 7:55 p.m.