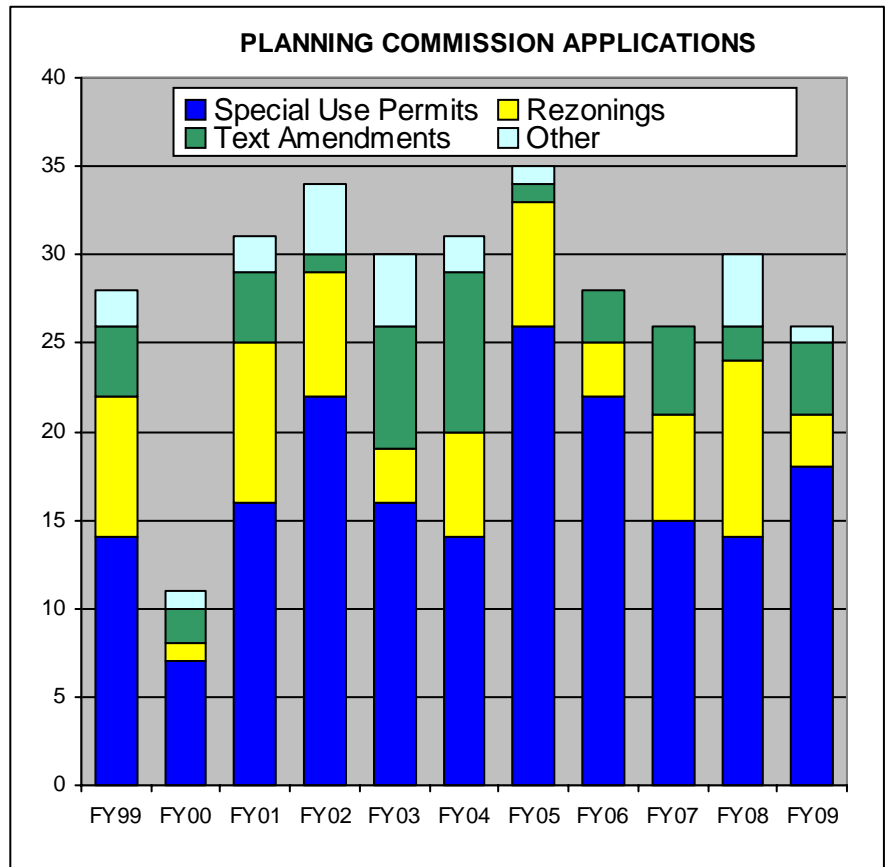


MESSAGE FROM THE CHAIR

The Planning Commission's caseload declined in the 2009 fiscal year, reflecting the national economic downturn and the resulting decrease in development activity not just in York County but across the country. Although we had fewer rezoning and Special Use Permit applications than last year, it was still an active year for the Commission, with several complex and controversial cases and some extensive Zoning and Subdivision Ordinance text amendments. Also, I am pleased to report that this year two more of our members, Sean Fisher and Jack Davis, completed the Certified Planning Commissioners Training program, and I am proud to welcome them to the ranks of Certified Planning Commissioners. As we enter a new fiscal year, the Commission looks forward to the challenges that lie ahead and is grateful to the Board of Supervisors and the Planning Division staff for their continued support.

A. T. Hamilton
Chair, 2008-09



Sean Fisher Chris Abel Nick Barba A.T. Hamilton Jack Davis Al Ptasznik Anne Conner

A sagging national economy and a changing hotel market led to proposals for adaptive re-use of two hotels on Bypass Road. An application to convert the Ramada Inn 1776 into a senior housing complex was approved...



...while an application to convert the former La Quinta hotel into a time-share resort with seasonal occupancy by college students during the school year and tourists during the summer was denied.

One of several controversial applications considered in FY09 was an application to expand an existing auto body shop on Second Street, which drew opposition from neighboring residents. In the end, the owners sat down with the neighbors and worked out a compromise expansion plan that almost all could support.



The popularity of accessory apartments, such as this garage apartment on Dare Road, continued in FY09. There were six Special Use Permit applications for accessory apartments last year, all of which were approved by the Board of Supervisors with recommendations of approval from the Planning Commission.

| Application No. & PC Mtg. Date | Applicant | Description | Board Action & Resolution or Ordinance No. |
|---|----------------------------------|--|--|
| UP-744-08 7/9/08 | Colonial X, Inc. | Convert an existing hotel at 119 Bypass Road (Route 60) into a timeshare resort with college student and tourist occupancy on a seasonal basis | Denied |
| ST-13-08 7/9/08 | York County Board of Supervisors | Amend the York County Subdivision Ordinance to revise the process for considering appeals of the Subdivision Agent's decision whether or not to waive the requirement for interconnection of subdivision streets by 1) giving the Board of Supervisors rather than the Planning Commission the final authority to approve or deny such appeals; 2) expanding the criteria for considering such appeals; and 3) establishing an application fee of \$450. | Approved as amended to allow the Planning Commission's decisions on street interconnection waivers to be appealed to the Board of Supervisors Ord. No. 08-12 |
| UP-746-08 8/13/08 | Dominion Virginia Power | Electric substation on a 1.6-acre parcel located along the west side of Interstate 64 approximately 220 feet south of the intersection of Penniman Road and Route F-139 | Approved R08-106(R) |
| UP-748-08 8/13/08 | David S. Aliff | Detached accessory apartment at 312 Fielding Lewis Drive | Approved R08-107 |
| UP-749-08 9/10/08 | Pegasus Tower Company | Telecommunications tower up to 199' in height on property located at 2032 Old Williamsburg Road (Route 238) | Approved R08-115 |
| UP-750-08 9/10/08 | Michael and Cynthia Burkett | Detached accessory apartment at 504 Tide Mill Road | Approved R08-116 |
| UP-751-08 | MasTec North America, Inc. | Contractor's shop with outdoor/exposed storage at 4300 George Washington Memorial Highway (Route 17) | Withdrawn |
| ZM-121-08 9/10/08 | Jeanette J. Keener | Rezone an approximately 1.9-acre portion of a 7.8-acre parcel located at 1807 George Washington Memorial Highway (Route 17) from EO (Economic Opportunity) to GB (General Business) to accommodate expansion of an existing fencing contractor business | Approved Ord. No. 08-14 |
| ZM-120-08 10/8/08 | Edward E. Hall | Rezone a 0.94-acre parcel located at 464 Catesby Lane from R13 (High-density single-family residential) to R13 and GB (General Business) subject to voluntarily proffered conditions, and a 1.01-acre parcel located at 535 Second Street from GB to GB, subject to voluntarily proffered conditions | Approved Ord. No. 08-16 (R-1)* |
| SE-20-08 10/8/08 | Edward E. Hall | Special Exception to authorize expansion of a nonconforming auto body work and painting use located at 535 Second Street (Ebby's Auto Painting and Collision) and 464 Catesby Lane | Approved R08-126(R-2)* |
| UP-752-08 10/8/08 | Mi Suk Holland | Barber shop as a home occupation in a single-family detached home located at 200 Oak Lane | Denied |
| UP-753-08 10/8/08 | Angelica Nash | Beauty salon as a home occupation in a single-family detached home located at 105 Hemlock Court | Approved R08-127 |
| UP-754-08 11/12/08 | Williamsburg Players, Inc. | Amend a Special Use Permit to authorize a 6,600-square foot expansion of the James-York Playhouse at 200 Hubbard Lane | Approved R09-6 |
| UP-755-08 11/12/08 | The Spot | Amend a previously approved Special Use Permit to authorize an extension, on a six-month trial basis, of the hours of operation for a nightclub (The Spot) located at 113N Palace Lane in the Palace Plaza shopping center from 12:00 midnight to 1:30 AM | Approved R09-7 |
| PD-23-08 12/10/08 | American Eastern, Inc. | Amend the conditions of approval for Area 8 of the Coventry Planned Development to authorize an increase in the maximum building height for a previously approved 96-unit apartment complex at 201 Owen Davis Blvd. from forty feet to fifty feet, three inches | Withdrawn |
| UP-756-08 12/10/08 | Leo and Brenda Schatzel | Detached accessory apartment at 111 Loblolly Drive | Approved R09-3 |
| UP-758-08 12/10/08 | Smith/Packett Med-Com, LLC | Convert an existing hotel at 725 Bypass Road (Ramada Inn 1776) into a Senior Housing facility with Independent Living and Assisted Living, including dementia care | Approved R09-4 |

| Application No. & PC Mtg. Date | Applicant | Description | Board Action & Resolution or Ordinance No. |
|--------------------------------|----------------------------------|--|--|
| UP-759-09 1/14/09 | Shane Hatchell | Detached accessory apartment in a detached structure in connection with an existing single-family home on a 0.45-acre parcel of land located at 713 Dare Road | Approved R09-23 |
| UP-760-09 1/14/09 | Kenneth Dale Moore | Amend a previously approved Special Use Permit to authorize cross-parcel parking lot inter-connection between an existing mini-storage warehouse/retail/contractor business and an adjacent convenience store/gas station (Uppy's) located at 7307 and 7305 George Washington Memorial Highway (Route 17) respectively | Approved R09-24 |
| ST-14-09 1/14/09 | York County Board of Supervisors | Amend the Subdivision Ordinance to revise the terms of validity for subdivision plats in accordance with the Code of Virginia. | Approved Ord. No. 08-17(R) |
| ZT-122-09 1/14/09 | | Amend the Zoning Ordinance to increase maximum criminal penalty and civil fine amounts; to provide for inspection warrants in some cases; to modify the standards for homes over 35' in height; to allow additional height for "super-elevated" homes in a flood zone; to allow home improvement centers in the GB district; to clarify standards for non-conforming uses/structures; and to allow violations of dwelling unit occupancy limits to be cited every 10 days. | Portions approved Ord. No. 08-17(R) Action pending on remaining portions |
| ZT-123-09 | York County Planning Commission | Amend the Zoning Ordinance to require that land use applications requiring review by the Planning Commission and approval by the Board of Supervisors be processed before applications for architectural review by the Historic Yorktown Design Committee | Withdrawn |
| ZT-124-09 4/8/09 | York County Board of Supervisors | Amend the provisions of the Floodplain Management Area overlay district of the Zoning Ordinance to incorporate references to the new flood insurance rate maps prepared by the Federal Emergency Management Agency; to modify or add various definitions; to establish standards dealing with recreational vehicles; and to incorporate FEMA-required language pertaining to the review and approval of variances. | Approved Ord. No. 09-11 |
| UP-757-08 5/13/09 | Ntelos | Telecommunications tower up to 154' in height on property located at 1420 Lakeside Drive (Route 620) | Denied** |
| UP-765-09 5/13/09 | Lillie V. Lacks | Detached accessory apartment at 411 Oriana Road (Route 621) | Approved R09-84 |
| UP-766-09 5/13/09 | Steven Kamsiuk | Detached accessory apartment at 103 Chris Court | Approved R09-85 |
| UP-767-09 5/13/09 | Mark A. and J. Paige Stephens | Bed and breakfast operation at 4201 Seaford Road (Route 622) | Approved R09-86 |

*Because of a tie vote, there was no Planning Commission recommendation.

**The Planning Commission recommended approval.

| YORK COUNTY PLANNING COMMISSION, FY2009 | | |
|---|-------------------------------|----------|
| Name | Term | District |
| Alexander T. Hamilton, CPC (Chair) | Jan. 21, 2003 – June 30, 2013 | 2 |
| John R. Davis, CPC (Vice Chair) | July 1, 2003 – June 30, 2011 | At Large |
| Christopher Abel, CPC | July 1, 2005 – June 30, 2013 | 1 |
| M. Sean Fisher, CPC | July 1, 2008 – June 30, 2012 | 3 |
| Nick Barba, CPC | June 4, 2002 – June 30, 2010 | 4 |
| Alfred E. Ptaszniak, Jr., CPC | Dec. 4, 2001 – June 30, 2010 | 5 |
| Anne C. H. Conner | Feb. 15, 2005 – June 30, 2011 | At Large |

NOTE: The CPC designation after a commissioner's name means he or she is, a Certified Planning Commissioner, having successfully completed the Certified Planning Commissioners Training Program administered by the Citizens Planning Education Association of Virginia.