

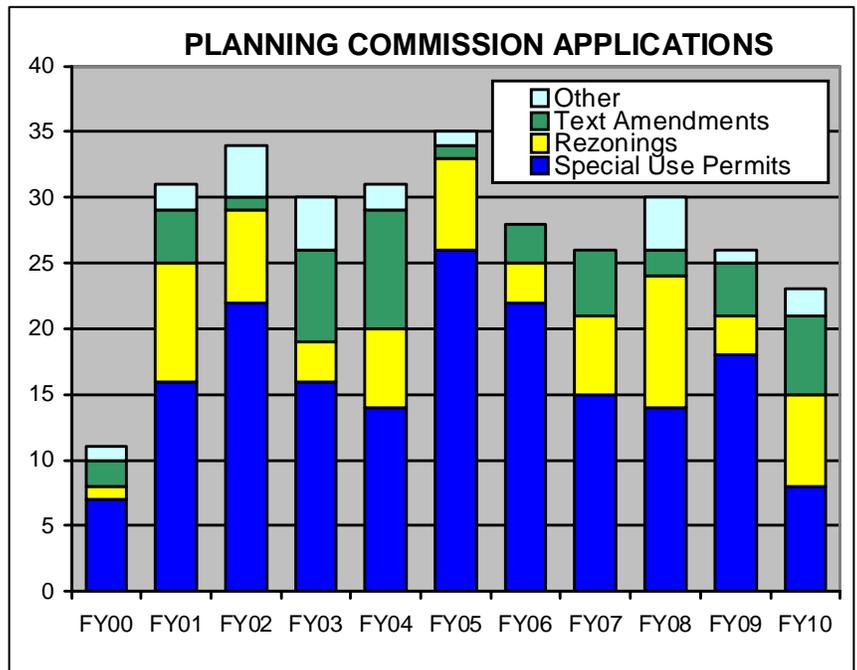
# FY 2010 ANNUAL REPORT

## YORK COUNTY PLANNING COMMISSION

### MESSAGE FROM THE CHAIR

As Planning Commission Chair for 2009-2010, I am pleased to present the Commission's Annual Report for the 2010 Fiscal Year. The effects of the national economic downturn continued to be felt in the past year as development activity declined further; this is reflected in the second consecutive decline in our yearly caseload. Details about these cases are included in the table on Pages 2 and 3 of this report, and a few of them are highlighted on Page 4.

At the end of the fiscal year we said farewell to two of our long-time members – Nick Barba and Al Ptasznik – who completed 8 and 8½ years of service respectively. I know the Board of Supervisors joins us in thanking them for the inestimable amounts of time, talent, and energy they have devoted to making York County a better place. The opportunity to make a positive difference in the lives of our citizens is what makes service on the Planning Commission so rewarding, and we are grateful to the Board for this opportunity.



*John R. Davis*  
Chair, 2009-10



**Sitting: A. T. Hamilton, Jack Davis, Sean Fisher**  
**Standing: Chris Abel, Nick Barba, Al Ptasznik, Anne Conner**

<b>Application No. &amp; PC Mtg. Date</b>	<b>Applicant</b>	<b>Description</b>	<b>Board Action &amp; Resolution or Ordinance No.</b>
ZT-125-09 7/8/09	York County Board of Supervisors	Amend the Zoning Ordinance to incorporate various changes to the Code of Virginia adopted in the 2009 General Assembly session	Approved Ord. No. 09-15
ST-15-09 7/8/09	York County Board of Supervisors	Amend the Subdivision Ordinance to incorporate mandatory Code of Virginia provisions that extend to July 1, 2014 the term of validity for any preliminary plans, development plans, and final plats valid as of January 1, 2009	Approved Ord. No. 09-16
ST-16-09 7/8/09	York County Board of Supervisors	Amend the Subdivision Ordinance to 1) incorporate the new VDOT Secondary Street Acceptance Requirements and Subdivision Street Design Guide; 2) eliminate the requirement for cul-de-sac streets longer than 600 feet to have a landscaped median; and 3) permit deciduous ornamental tree species to meet the requirement for street trees	Approved Ord. No. 09-17
ZM-126-09 8/12/09	Chong I. Degges	Rezone 4.4 acres located at 212 and 214 Dare Road (Route 621) from R20 (Medium-density single-family residential) to GB (General Business) with proffers to establish a retail/wholesale plant nursery business	Approved Ord. No. 09-19
PD-25-09 8/12/09	Centrum-Williamsburg LP	Amend the conditions of approval for The Reserve at Williamsburg Planned Development, a previously approved senior housing development located on the east side of Mooretown Road, by increasing the maximum building height of the rental apartment buildings from 60 feet to 69 feet	Approved Ord. No. 09-20
ZM-127-09 9/9/09	E. Neil Pickett	Rezone 25.4 acres on the west side of Route 17 and north of the CSX rail spur from IL (Limited Industrial) to conditional RMF (Residential Multi-Family) subject to voluntarily proffered conditions, and rezone an adjacent 1.2-acre parcel located at 7701 George Washington Memorial Highway (Route 17) from IL to GB (General Business)	Approved Ord. No. 09-23
UP-771-09 9/9/09	E. Neil Pickett	Senior housing/independent living and/or senior housing/assisted living on 30.6 acres of land located on the west side of Route 17 north of the CSX rail spur	Approved R09-140
UP-769-09 9/9/09	New Cingular Wireless PCS, LLC (AT&T)	Expansion of the compound area housing ground-mounted equipment at the base of an existing 137-foot communications tower at Dare Elementary School located at 300 Dare Road	Approved R09-141
YVA-30-09 10/14/09	Rudee Inlet Parasail	Parasail/charter boat/sightseeing business on a portion of two parcels containing a total of 1.5 acres in Yorktown located at 309 and 313 Water Street	Denied*
UP-770-09 10/14/09	Robert G. Dean	Borrow pit on three parcels of land totaling 35.5 acres located at 2001 and 2021 Wolf Trap Road (Route 630)	Approved R09-153
UP-773-09 11/18/09	The Carson Group, Inc.	Fifty percent (50%) expansion of a conforming special use (recreational vehicle sales and service) on 5.8 acres of land located at 7023 George Washington Memorial Highway (Route 17)	Approved R09-179
PD-26-09 12/9/09	Coventry Apartments, LLC	Amend the conditions of Area Plan approval for a 96-unit apartment complex (Coventry Planned Development Area 8) located on the east side of Owen Davis Boulevard by authorizing the addition of a nine-unit garage building and a 97 <sup>th</sup> apartment unit to be occupied by a resident manager	Approved** R10-4
UP-774-09 12/9/09	Yizhi Liang and Weihong Zhang	Accessory apartment in a detached structure in conjunction with an existing single-family detached home on a 0.96-acre parcel of land located at 131 Dawson Crescent	Approved R10-6
ZT-119-08 ZT-122-09	York County Board of Supervisors	Amend the Zoning Ordinance by 1) changing the standard for building height measurement from "to the peak" to "to	Approved Ord. No. 10-

Application No. & PC Mtg. Date	Applicant	Description	Board Action & Resolution or Ordinance No.
12/9/09		the midpoint between the eaves and the peak"; 2) establishing special emergency services requirements applicable to single-family detached dwellings with ridgeline heights exceeding 35 feet (administrative review and approval) and those with ridgeline heights exceeding 40 feet (Special Exception review and approval by Board of Supervisors), specifying accessibility by ladders and similar devices, and accessibility to fire hydrants; 3) establishing opportunities for dwelling unit heights up to 45 feet when super-elevating the structure above the base flood elevation; 4) establishing special design, dimensional, and maintenance standards for private driveways serving single-family dwellings located more than 150 feet from the edge of pavement of a public street. Another element of this application – provisions that would address soil stockpiling – was tabled and remains under discussion.	1(R)
ZT-128-10 1/13/10	York County Board of Supervisors	Amend the Zoning Ordinance to allow accessory small wind energy systems (wind turbines with support structures) in all zoning districts except YVA 1) as a matter of right up to a height of 25% greater than the district maximum if roof-mounted, or 40' if freestanding, or 2) with a Special Use Permit for systems that exceed these height limits; to require minimum setbacks equal to the height of such systems in all cases; and to establish performance standards for such systems pertaining to appearance, noise, and safety.	Approved Ord. No. 10-2
PD-27-10 2/10/10	Pritchard and Miller Real Estate	Rezone 13.7 acres on the east side of Route 17 approximately 380 feet south of its intersection with Battle Road from GB (General Business) and R20 (Medium-density single-family residential) to PDMU (Planned Development Mixed Use) for the purpose of establishing a mixed-used development consisting of up to 66 townhouses and 46 condominium apartments and at least 13,750 square feet of retail/office/civic space	Approved Ord. No. 10-4
ZM-129-10 2/10/10	Seaford Scallop Co., Inc.	Rezone a 1.8-acre portion of a 3.3-acre parcel located at 413 Shirley Road from conditional WCI (Water-oriented Commercial/Industrial) to conditional RR (Rural Residential)	Approved Ord. No. 10-5
UP-775-10 4/14/10	Richmond 20 MHz, LLC (NTELOS)	Telecommunications tower up to 194 feet in height on property located at 925, 929, and 1009 Dare Road (Route 621)	Approved R10-66
UP-776-10 4/14/10	Pensu Towing and Recovery LLC	Towing service/automobile storage yard on a 0.71-acre parcel located at 117 Greene Drive	Approved R10-67
YVA-31-10 4/14/10	Yorktown Main Street, LLC (David and Phillip Bowditch)	Five-guest room bed and breakfast operation on two parcels located at 702 Main Street	Approved R10-68(R)
PD-28-10 5/12/10	Yorkshire Downs Master Association/ Yorkshire Downs Condominium Owners' Association, Inc.	Elimination of a required picnic area/tot lot as part of the Yorkshire Downs Planned Development	Approved Ord. No. 10-10
UP-777-10 5/12/10	Robert and Sheri Mann	Tourist home at 121 Lafayette Road	Approved R10-92

Excepted as noted below, the Board of Supervisors' action was the same as the Planning Commission's recommendation:

- Application No. YVA-30-09 – Planning Commission recommended approval; Board denied the application
- Application No. PD-26-09 – Planning Commission recommended denial; Board approved the application

# Application Highlights

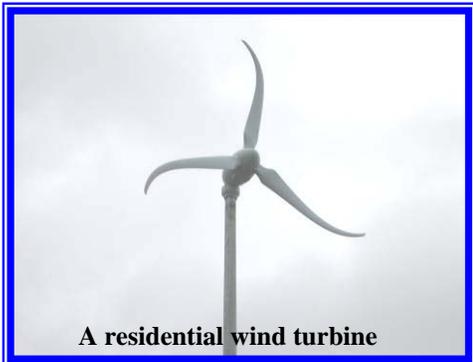
## Mixed Use Development Coming to York County

In April 2010 York County approved its first mixed-use development. Nelson’s Grant, to be located on a 13.7-acre site on the east side of Route 17 between Battle Road and the Patriots Square shopping center, will consist of a minimum of 13,750 square feet of retail, office, and civic space along with up to 66 townhouses and 46 condominium apartments. The property is located in one of several areas designated for mixed-use development in the York County Comprehensive Plan update adopted in 2005.



**Rendering of Nelson’s Grant**

## Zoning for Small Wind Energy Systems



**A residential wind turbine**

In March 2010 York County became the first locality on the Peninsula to adopt a wind turbine ordinance, allowing small wind energy systems as an accessory use – either as a matter of right or with a Special Use Permit, depending on the height – in every zoning district except YVA. This was one of many Zoning and Subdivision Ordinance text amendments that were approved by the Board of Supervisors in the 2009-10 Fiscal Year. Other noteworthy amendments include a change to the definition of building height, which is now measured not to the peak of the roof but rather to the mid-point between the eaves and the ridge, and the incorporation of new VDOT subdivision street standards requiring interconnected street systems and sidewalks.

## Business Grows Despite Economic Decline

One sign of hope for the slumping economy is a major business expansion that was approved in December 2009. Dodd RV, a recreational vehicle sales and service establishment located at 7023 George Washington Memorial Highway (Route 17), requested authorization for an expansion of approximately fifty percent (50%). Following a favorable recommendation from the Planning Commission, the Board of Supervisors approved this request as a major enlargement of a conforming Special Use (since RV sales require a Special Use Permit in the General Business zoning district).



**Dodd RV**

<b>YORK COUNTY PLANNING COMMISSION, FY2010</b>		
<b>Name</b>	<b>Term</b>	<b>District</b>
John R. Davis, CPC (Chair)	July 1, 2003 – June 30, 2011	At Large
Christopher Abel, CPC (Vice Chair)	July 1, 2005 – June 30, 2013	1
Alexander T. Hamilton, CPC	Jan. 21, 2003 – June 30, 2013	2
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 means a commissioner is a Certified Planning Commissioner, having successfully completed the Certified Planning Commissioners Training Program administered by the Citizens Planning Education Association of Virginia.*