

**Meeting Notes**  
**York 2040 Committee**

Wednesday, January 4, 2023 – 5:00 p.m.

Senior Center of York

5314 George Washington Memorial Highway, Yorktown, Virginia

Members Present: Michael King, Mark Bellamy, Gregory “Skip” Brooks, Chad Green, Eugene Seiter, Richard Myer, Sheila Myers, Leigh Houghland, Jacob Rizzio

Staff Present: Susan Kassel, Director of Planning and Development Services; Timothy Cross, AICP, Deputy Director of Planning and Development Services; Earl Anderson, AICP, Senior Planner; Amy Parker, Senior Planner; Cathy Tartabini, Planning Assistant; Jeanne M. Sgroi, Management Analyst; Gail Whittaker, Public Information Officer; Richard E. Hill, Deputy County Attorney

Member Absent: Rick Moberg, Cowles “Buddy” Spencer

Others Present: Douglas Holroyd

Call to Order

Chairman King called the meeting to order at approximately 5:00 p.m.

Opening Remarks

Chairman King welcomed everyone and stated that the purpose of the meeting was to continue the December 7, 2022, discussion of the draft Land Use Element of the Comprehensive Plan.

Approval of Meeting Notes

On motion of Mr. Seiter, the meeting notes for December 7, 2022, were unanimously approved.

Committee Discussion of Draft Land Use Element of the Comprehensive Plan

Chairman King stated that the discussion of the draft Land Use element would pick up where the Committee left off at the December 7 meeting, which was at the “SUB-AREA DESCRIPTIONS” section of the document, which he said seemed to be a logical stopping point. First, however, he wanted to know if anyone had any additional comments on the material that was discussed in December. Mr. Seiter stated that he feels the document is comprehensive and well-written.

Chairman King asked Mr. Cross if he had any introductory comments to make before the Committee proceeds with its discussion. Mr. Cross reiterated the statement he made at the previous meeting that almost 90% of the land in York County has been developed and therefore has an established land use. He said that most of the changes that have been made to the land use designations are to recognize development that has taken place since the last Comp Plan update and that the one significant policy change is the removal of the Mixed Use overlay designations. Ms. Myers asked about the future school site at the Marquis that was proffered by the developer. Mr. Cross responded there has been some discussion about possibly using the property as something other than a school site, such as a recreational site. He said at this point there is no specific plan for the parcel, which is located deep into the Marquis property. Mr. Green added that site is very hilly and constrained and that the developer has not yet transferred the property to the County.

Chairman King asked for comments on the “SUB-AREA DESCRIPTIONS” section of the document, beginning with page 16. Mr. Cross noted that the Sikimino sub-area map will need to be modified to be consistent

with the text. He explained that he and Ms. Kassel recently discussed the area at the eastern end of Fenton Mill Road and had agreed that this area, which is currently zoned Limited Industrial, should be designated on the future Land Use Map as Limited Industrial rather than Low Density Residential. Mr. Seiter asked if the land around the Waller Mill Reservoir that is designated Conservation is legally required to remain undeveloped. Mr. Cross responded that some the land might be developable but that since the City of Williamsburg acquired the property for watershed protection purposes, it makes no sense to designate the land for development. He added, however, that the City has talked about developing some of this property as workforce housing for its employees. Mr. Seiter said he thought the Conservation designation makes sense.

Ms. Myers said she was glad to see the statement on page 19 referencing the need for road improvements in the Lightfoot area. Mr. Cross responded that there has been talk for many years about the possibility of extending Mooretown Road up to Croaker Road and that a regionally-funded study was completed that identified three possible alignments for the road extension. He said that the study was presented to the James City County Board of Supervisors, but the Board decided not to choose a preferred alignment. He added that a lot of citizens in the Croaker area do not want a road bringing development into the area, so James City County ended up not making a decision. Ms. Myers asked if that means there is not likely to be any development on Lightfoot Road without the road extension. Mr. Cross said that is not necessarily the case. He explained that the land is designated Economic Opportunity in the Comp Plan and is zoned Economic Opportunity and that there are a lot of uses that are permitted as a matter of right and could be built without any transportation improvements. He said that if there were a development proposal that required a rezoning or Special Use Permit, however, that would open the possibility for requiring road improvements. Ms. Myers asked if there would be opportunities for public comment in that scenario, and Mr. Cross responded that there would be public hearings before both the Planning Commission and the Board of Supervisors.

Mr. Seiter asked for clarification as to whether or not the City of Williamsburg owns the Waller Mill Reservoir and surrounding property in York County. Mr. Cross said that is true but the land is still under the County's jurisdiction. He added that the City continues to buy property in that area to prevent the development and protect the watershed. Chairman King stated that the City of Newport News is doing to same thing in the lower end of the County. Mr. Seiter commented that it seems strange for a municipal government to buy property within another municipality. Chairman King responded that Newport News owns property in several different localities. Mr. Green noted that as part of this arrangement, York County customers pay a lower water rate.

Ms. Myers asked if York County's restrictions on colors and signage along Bypass Road are as strict as those in the City of Williamsburg. Mr. Cross responded that Bypass Road and a number of other commercial corridors are located in the Tourist Corridor Management overlay district and are subject to special architectural and design standards. He said these standards are much less restrictive than Williamsburg's Architectural Preservation District standards.

With regard to the Marquis area, Mr. Cross stated that this is one area where the Committee felt mixed-use development might be appropriate in order to provide nearby residential customers to support the stores and hopefully spur additional commercial development, such as restaurants and/or a gas station/convenience store, on some of the smaller undeveloped parcels. Ms. Myers asked why there are no gas stations or restaurants at the Marquis. Mr. Cross responded that staff has been told that there are not residential rooftops in the surrounding area to make it work. Ms. Myers asked Mr. Cross how many people live in the Marquis area. Mr. Cross responded that there will be 182 single-family detached homes when the Marquis Hills subdivision is completed and another 265 apartment units when the approved apartment site is developed. He explained that in 2013 when the owner of the Marquis applied to rezone the South Pod for residential development, he said the homes were needed in order to attract a new Sam's Club store, with a gas station, on the North Pod. He stated that after the rezoning was approved,

Sam's Club did indeed purchase the property and went through the site plan review process but then decided not to build. Chairman King stated that the Committee discussion regarding the Marquis was that mixed-use development was the preferred option so that the area could potentially attract some residential development to help support the businesses. He stated that the impact on existing property owners would be minimal since the property is located next to an interstate interchange.

Mr. Cross stated that staff changed the land use designation in the Lackey sub-area at the end of Baptist Road from Medium Density Residential to High Density Residential in recognition of the previously approved Rose Hill development. He noted another change in this area on Goosley Road where the American Battlefield Trust recently acquired property, which had been approved for a residential subdivision, for preservation purposes and has been redesignated from Low Density Residential to Conservation.

Discussing the Route 17 corridor beginning on page 29, Mr. Cross stated that since Route 17 runs the entire length of the lower County, staff felt it was appropriate to treat it as a separate sub-area. He said almost all of the land along Route 17 south of the National Park Service property is designated General Business. Mr. Seiter commented that there seems to be a lot of under-developed land along Route 17 that has great potential. Chairman King responded that if land along Route 17 is vacant, there is probably a reason it can't be developed, such as wetlands, ownership problems, parcel size, etc. Mr. Seiter stated that given the high traffic volumes on Route 17, it would seem to represent a valuable opportunity for commercial redevelopment. Mr. Cross commented that this is why both the Land Use and Economic Development elements of the Comp Plan emphasize the need for redevelopment and adaptive reuse. He added that the County has a Commercial Corridor Revitalization overlay district that provides for relaxed standards on constrained properties along commercial corridors in order to encourage redevelopment. Mr. Seiter contrasted Route 17 with Jefferson Avenue in Newport News, which he said has nice, well-maintained strip malls and businesses. Chairman King said that is true in some areas of Jefferson Avenue but not others. Mr. Seiter asked why the County can't have big box stores or strip malls on Route 17. Ms. Kassel responded the County does not have large enough parcels on Route 17 for that kind of development. Mr. Green stated that about five years ago the County started looking at opportunities for demolition and redevelopment and as part of that effort, the Economic Development Authority (EDA) bought the old commercial site on Route 17 where the Beale's brewpub is now under construction. He stated that when it is complete, it will be a true asset to the County and possibly stimulate more redevelopment in that area. He added that some parcels on Route 17 are constrained by the lack of public sewer, so the Board of Supervisors is programming funding in the Capital Improvements Program to extend sewer to unserved areas on Route 17. Chairman King added that Newport News has implemented a similar strategy of acquiring property for redevelopment and that it can take a very long time. Mr. Brooks commented that he has never understood why the large outparcel in front of Patriots Square shopping center on Route 17 has never been developed.

Chairman King asked if there are any structures on the Goodwin Islands. Mr. Green responded that there are not anymore but that there used to be a fish factory and that at one time there was a proposal to develop condos there. Mr. Cross stated that a long time ago, the islands used to be zoned for industrial development, presumably because of the fish factory.

Mr. Seiter asked if there are any plans for the Yorktown Power Station when it is shut down. Mr. Cross responded that Dominion Energy is going to hold onto the property but has not indicated what it plans to do with the property. Mr. Green added that Dominion is removing the burners but not the generators, so there will be opportunities for other industrial uses on the site. Mr. Cross noted that there is language on page 33 of the draft document referencing the phased shutdown of the power plant and that with the significant industrial infrastructure in place, that area of the County lends itself to a General Industrial designation. Mr. Rizzio asked if a study has been conducted or proposed to identify heavy industrial uses that would be appropriate in that area. Mr. Cross responded that the draft Economic Development

element of the Comp Plan specifically recommends that the County hire a consultant to study that area and identify targeted industries. Mr. Seiter commented that this may be an opportunity for some clean industry.

Mr. Seiter stated that the Bay Tree Beach and York Point areas in Seaford are some of the most beautiful areas of the County but are largely inaccessible. Mr. Cross stated that these areas are designated Conservation because of environmental as well as access constraints.

With regard to the area surrounding the Newport News/Williamsburg Airport, Mr. Cross stated that the 250 acres that was declared surplus by the airport and is being conveyed to the American Battlefield Trust has been redesignated from Limited Industrial to Conservation. Mr. Green pointed out that both airport runways extend into York County, and Chairman King noted that even so, the County is not represented on the Peninsula Airport Commission. Mr. Green responded that about seven years ago, the Board of Supervisors nominated Mr. Wassmer to serve on the Airport Commission, but his nomination was never voted on. Mr. Seiter stated that the airport is a nice facility but is not used much and that the County should do what it can to help. Mr. Brooks opined that before the County offers more assistance to the airport, it needs to be a voting member of the Airport Commission.

Mr. Cross noted that the Tabb East sub-area is almost fully developed, so the land use designations have not changed much. Mr. Seiter stated that he lives in this area and that he had recently spoken with his neighbors, who indicated that they like the area as it is and don't want to see any changes.

Discussing the Tabb West sub-area on page 40, Chairman King commented that Oriana Road was just repaved but is still very dangerous. Mr. Myer added that it is a two-lane road with hardly any shoulders. Mr. Cross responded that the County has applied for SMART SCALE funding to add shoulders along Oriana Road between the Harwood's Mill Reservoir and Route 17 but will not know if it has been approved until January 17.

Chairman King noted that there is a summary table on page 41 that breaks down the amount of gross and undeveloped acreage by 2040 Land Use designation. Mr. Cross explained that the undeveloped acreage includes all vacant land that is not set aside as conservation land, whether or not it is developable. He added that there are discrepancies between the acreage figures in Tables 1 and 2 and that he is working with the mapping staff to correct them. Mr. Rizzio asked if the Mixed Use acreage in Table 2 reflects only those mixed-use projects that have already been approved. Mr. Cross said that is correct.

Chairman King asked for comments on the Goal, Objectives, and Implementation Strategies. Mr. Seiter asked if it is possible that the County could be incorporated into neighboring localities such as Newport News and Hampton. Mr. Hill responded that there is a moratorium on annexations, although there is a procedure in the Code of Virginia for private property owner-initiated annexations.

Regarding the 80,000 maximum build-out population strategy, Mr. Rizzio suggested removing the word "maximum." Mr. Cross said that would change the meaning of the whole sentence. Chairman King stated that this is important to County residents because they want some limits on growth. Mr. Seiter said the 80,000-resident is simply a target and should be included.

In reference to Strategy 1 under Objective 2, Ms. Myers suggested rewording the reference to taking a "fresh look" at the landscaping regulations. Mr. Cross agreed to come up with alternative language.

Ms. Myers asked if the Committee had agreed not to recommend adoption of a property maintenance code for reasons that were discussed at the December 7, 2022, meeting. Mr. Cross responded that he did not include it in the draft document since the Committee never expressed an interest in pursuing it.

Chairman King noted the language on page 45 about promoting land use compatibility between military bases and surrounding property. Mr. Seiter asked if there is much interaction between the County and the military. Mr. Cross responded that there is significant communication. Chairman King added that in his job with the Navy, he interacts with the localities that have Navy bases in order to prevent encroachment. He said it is important to mention that interaction in the Plan to justify future cooperation to keep military bases' missions intact. Mr. Seiter agreed that it is important to have some communication with the military bases.

#### Other Business

Chairman King welcomed Mr. Rizzio back to the Committee, noting that he is in the middle of his winter break at the University of Virginia. He also noted that Amy Parker is retiring from the Planning Division at the end of January, and he thanked her for her service to the County. Mr. Cross commended Ms. Parker for writing the Historic Resources element of the Comp Plan, which he said is by far the most interesting element of the Plan. The Committee recognized Ms. Parker with a round of applause.

Mr. Cross stated that the Committee has one more plan element – the Environment Element – to review, but the document probably will not be ready for the February 1 meeting, so that meeting will likely be canceled. In that event, he said, the next meeting will likely be on March 1.

#### Citizen Comments

Douglas Holroyd offered comments on the draft Land Use element. He recommended that the discussion of the Lightfoot sub-area include language stating that future development on Lightfoot Road should be contingent on significant roadway improvements in that area to reduce congestion. With regard to the Marquis area, he opined that high-density apartments should not be specifically encouraged and that any consideration of apartments as part of a mixed-use project should be tied to commercial development. Mr. Holroyd stated that stronger language should be added to the discussion of Springfield Road, which is a narrow substandard road where he said the residents have been negatively affected by construction traffic associated with the Tranquility development. Lastly, he stated that the James City County Comprehensive Plan includes guidelines as to appropriate locations for short-term rentals (STRs), and he felt York County's Plan should also address STR guidelines.

#### Adjournment

The meeting was adjourned at 6:42 p.m.