

MINUTES
YORK COUNTY PLANNING COMMISSION

Regular Meeting
York Hall, 301, Main Street
April 11, 2018

MEMBERS

Montgoussaint E. Jons
Glen D. Titus
Donald H. Phillips
Michael S. King
Richard M. Myer, Jr.
Robert W. Peterman
Bruce R. Sturk

CALL TO ORDER

Chair Jons called the meeting to order at 7:00 p.m.

ROLL CALL

The roll was called and all members were present with the exception of Mr. King. Staff members present were Timothy C. Cross, Principal Planner; James E. Barnett, County Attorney; Amy Parker, Senior Planner; and Earl W. Anderson, Senior Planner. Also in attendance was J. Mark Carter, Deputy County Administrator.

REMARKS

Chair Jons stated that the Code of Virginia requires local governments to have a Planning Commission, the purpose of which is to advise the Board of Supervisors on land use and planning issues affecting the County. He explained that this responsibility is exercised through recommendations conveyed by resolutions or other official means, all of which are matters of public record. He stated that the Commission is comprised of seven citizen volunteers appointed by the Board, including one representative from each voting district and two at-large members.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Chair Jons led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Sturk moved to adopt the minutes of the work session on February 21, 2018, and the motion was approved (5:0) with Mr. Jons abstaining.

Mr. Myer moved to adopt the minutes of the regular meeting of March 14, 2018, and the motion was approved (5:0) with Dr. Phillips abstaining.

CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARINGS

Application No. UP-904-18, Cross Development: Request for a Special Use Permit, pursuant to Section 24.1-306 (category 12, no. 4) to authorize an auto body repair and painting establishment on approximately 3.2 acres of land located at 1920 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 37-28. The subject parcel, located on the east side of Route 17 approximately 830 feet north of its intersection with Mid Atlantic Place (Route 1843), is zoned GB (General Business) and designated General Business in the Comprehensive Plan.

Earl W. Anderson, AICP, Senior Planner, summarized the staff report dated April 3, 2018, stating that staff recommends the Commission forward the application to the Board of Supervisors with a recommendation of approval subject to the conditions set forth in proposed Resolution No. PC18-10.

Mr. Peterman stated that he did not see any sound baffles on the sketch plan, and he asked if they would be internal to the structure.

Mr. Anderson responded in the affirmative, stating that the detailed building plans will need to include all required building features.

Mr. Myer expressed concern about stormwater and asked about the County's requirements for stormwater detention ponds to manage stormwater.

Mr. Anderson responded that the development will have to meet all state stormwater requirements and that the post-development stormwater runoff is no worse than the pre-development condition.

Mr. Myer stated that having lived in Tabb Lakes when it was first developed, he is somewhat familiar with the lake and the drainage situation, and he asked if there have been any changes to the drainage outflow.

Mr. Anderson responded that the County installed a second outflow pipe in 2007 to handle the stormwater and that the County has an ongoing maintenance program for that outfall. He added that the Capital Improvements Program includes a stream restoration project further downstream that should also help with the drainage flow.

Mr. Myer asked when that stream restoration project will occur.

Mr. Anderson responded that engineering for the project is planned for FY 2021 and construction planned for FY 2022.

Dr. Phillips asked if the developer will be required to preserve any of the existing trees along Route 17.

Mr. Anderson responded that Route 17 is not a greenbelt road, so there is no requirement for preservation of existing trees. He added that the site will need to be graded, which will require removal of trees, but that front yard landscaping will be required.

Mr. Titus asked if the transitional buffer between the property and Tabb Lakes would consist of deciduous or evergreen trees.

Mr. Anderson responded that any additional tree plantings in the transitional buffer would have to be evergreen in order to screen the development from adjacent homes.

Chair Jons asked for clarification about the prohibition on storage of vehicles awaiting repair for ninety days or more.

Mr. Anderson explained that vehicles awaiting repair cannot be stored on the property for more than ninety days.

Mr. Titus noted that there are numerous auto-related uses and salvage yards along this portion of Route 17 and asked if the proposed development would improve the appearance of the corridor.

Mr. Anderson responded that it would be an attractive building and that several of the existing auto-related businesses were built before the Route 17 Corridor overlay district was established.

Chair Jons asked if any comments have been received from owners of similar businesses in the area and how many such businesses there are.

Mr. Anderson responded that there are a few auto-body shops on Production Drive as well as Coxton Collision and One Stop Auto on Route 17. He added that No Limit Auto and American Pride Automotive are also nearby. He stated that he has not received any comments on the application.

Chair Jons opened the public hearing.

Vernon Geddy, 1177 Jamestown Road, spoke on behalf of the applicant, Cross Development, which he said is a preferred developer for Caliber Collision, and he introduced other members of the project team. Stating that Caliber Collision is the largest collision center chain in the country and a good corporate citizen, he stated that the proposed auto body shop would be a great use of the site, and he noted that there would be a six-foot privacy in addition to the required landscaping to screen the development from adjacent residential properties. Mr. Geddy stated that the applicants hosted a meeting with all the immediate neighbors at the Tabb Library and that they understand the concerns about stormwater, and he stated that they are committed to working with the neighbors to ensure that the project will have a minimal impact on them. He asked the Commission to recommend approval and offered to answer questions.

Rusty Coan, 4336 Marsh Ridge Road, Carrollton, Texas, spoke on behalf of Cross Development, which will be developing the site for Caliber Collision. He stated that Caliber Collision will employ about 20 to 25 people and that the rear portion of the site would be for employee parking and cars awaiting repair. He highlighted various details of the site layout and offered to answer questions.

Mr. Myer asked what time the trash dumpsters will be emptied.

Marc Degarie, Director of Facilities and Construction for Caliber Collision, responded that dumpsters would be emptied during normal business hours.

Mr. Myer asked what the developer's plan is to minimize outflow of stormwater.

Mr. Coan responded that detailed engineering and design work will take place if and when the

use permit is approved but that the site will be developed to detain stormwater such that there will be no increase in the rate of runoff.

Scott Stannard with Commercial Site Solutions, 21764 State Road 54, Lutz, Florida, spoke as the civil engineer on the project. He stated that they will perform the drainage calculations for a wooded lot and then design the site to ensure that stormwater is released at the same rate or lower. He added that they will need to address phosphorous and nitrogen treatment, and he stated that for the stormwater ponds they usually design for the 25-year storm rather than the 10-year storm because ponds tend to fill up more quickly in flat areas such as this one.

Lucien Lafrenaye, 205 Monty Manor, stated that he is the chairman of the Stormwater Committee for the Tabb Lakes Homeowners Association. He said he is concerned about stormwater, and he noted that there are several other developments in the area that have affected drainage in Tabb Lakes. He stated that the County needs to look at the outflow area in Tabb Lakes to determine if it needs to have more capacity.

Mr. Myer asked if the homeowners association installed the second pipe.

Mr. Lafrenaye responded that the County installed the second pipe.

Chip Rowley, 155 Robanna Drive, stated that he is co-owner of One Stop Auto on Route 17, which he said has been in business in that location for twenty years, is locally owned, and has fifteen employees. He stated that his existing building is 17,600 square feet and is located approximately half a mile from the proposed Caliber Collision site. He stated that with his and other auto repair garages and body shops in the area and the fact that the collision market is shrinking, he does not feel there is not enough business to support a new collision center.

Keith Ebert, 106 Adele Court, stated that the value of his property has already decreased because of the nearby salvage yards and that he is concerned that it will decrease further if the proposed collision center is approved. He also expressed concern about the noise caused by loud vehicles towing wrecked cars to the site, which could take place late at night. In addition, he noted that a six-foot privacy fence will not screen the development from the second story of his house, and he expressed concern that the proposed detention ponds will increase the mosquito population.

Robert Cook, 104 Adele Court, urged the Commission to recommend denial of the application. He expressed concern about the high number of existing repair garages in the vicinity whose viability would be threatened by the addition of another collision center. He opined that the proposed development would not be consistent with the aesthetic objectives set forth in the Comprehensive Plan for Route 17 in the Tabb area. In addition, he expressed concerns about the possibility of a fire or explosion with an auto painting facility and the potential health impacts of a painting operation. Lastly, he expressed concerns about noise and drainage.

There being no one else wishing to address the Commission regarding the application, **Chair Jons** closed the public hearing.

Mr. Titus stated that he would like to see more diversity of businesses along that segment of Route 17 and that he is taking into consideration all the comments made at the public hearing.

Dr. Phillips stated that he shares the concerns expressed about the salvage yards and noted that

they are grandfathered, so there is nothing the County can do about them. He stated that the Commission's focus is on land use and that the Board of Supervisors will make the final decision on this application.

Mr. Myer reiterated his concerns about stormwater.

Mr. Peterman stated that he is concerned about adding another auto repair business on Route 17 and that he does not see the demand or need for another such use. He said he is also concerned about drainage.

Chair Jons stated that he shares some of the same concerns expressed by the other Commissioners. He stated that after listening to all the comments tonight, he fails to see how the proposed development can have a positive impact on the community.

Mr. Myer moved adoption of Resolution No. PC18-10.

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION
FOR A SPECIAL USE PERMIT TO AUTHORIZE AN AUTO BODY REPAIR
AND PAINTING ESTABLISHMENT AT 1920 GEORGE WASHINGTON
MEMORIAL HIGHWAY

WHEREAS, Cross Development has submitted Application No. UP-904-18 to request a Special Use Permit to authorize the establishment of an auto body repair and painting establishment on approximately 3.3 acres of land located at 1920 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 37-28 (GPIN S03d-4118-0676); 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 11th day of April, 2018, that Application No. UP-904-18 be, and it is hereby, forwarded to the York County Board of Supervisors with a recommendation of approval to authorize the establishment of an auto body repair and painting establishment on approximately 3.3 acres of land located at 1920 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 37-28 (GPIN S03d-4118-0676) subject to the following conditions:

1. This Special Use Permit shall authorize an auto body repair and painting establishment on approximately 3.3 acres of land located at 1920 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel No. 37-28 (GPIN S03d-4118-0676).
2. A site plan prepared in accordance with the provisions set forth in Article V of the York County Zoning Ordinance shall be submitted to and approved by the Development Services Division prior to the commencement of any land clearing or development activities on the

property. Said site plan shall be in substantial conformance with the sketch plan titled "Caliber Collision" prepared by Commercial Site Solutions, Inc. and dated February 9, 2018, except as modified herein.

3. With the exception of any modifications determined necessary by the Zoning Administrator to ensure compliance with the Route 17 Corridor overlay requirements of the Zoning Ordinance, building architecture and design shall be in substantial conformance with the building elevations submitted by the applicant, a copy of which shall remain on file in the office of the Planning Division.
4. A Type 35 (35') Transitional Buffer shall be installed along the property's boundary with the R13 zoning district boundary. The existing vegetation within the 35-foot buffer shall remain undisturbed during the site development process and shall be supplemented as necessary to provide sufficient quantities of evergreen trees and shrubs to provide and maintain year-round screening. The landscape buffer shall be supplemented by installation of an 8-foot tall screening fence on the inside edge of the buffer.
5. 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.

On roll call the vote was:

Yea: (0)
Nay: (6) Sturk, Titus, Myer, Phillips, Peterman, Jons

Application No. UP-905-18, Cross Development: Request for a Special Use Permit, pursuant to Section 24.1-306 (category 12, no. 4) to authorize an auto body repair and painting establishment on five parcels totaling approximately 3.3 acres of land located at 315, 315A, 317, 317A, and 317C Bypass Road (Route 60) and further identified as Assessor's Parcel Nos. 9A-1-15, 9A-1-16, 9A-1-17, 9A-2-G, and 9A-2-F. The subject site, located on the north side of Bypass Road approximately 925 feet east of its intersection with Palace Lane (Route 690), is zoned GB (General Business) and designated General Business in the Comprehensive Plan.

Amy M. Parker, Senior Planner, summarized the staff report dated April 3, 2018, stating that staff feels the proposed body shop would not be compatible with existing development on Bypass Road or consistent with the Comprehensive Plan's vision of this as a corridor for tourist-oriented businesses. She said that for these reasons, staff recommends the Commission forward the application to the Board of Supervisors with a recommendation of denial but that should the Commission wish to recommend approval, staff recommends that it be subject to the conditions set forth in proposed Resolution No. PC18-11.

Dr. Phillips asked about the fiscal impact of the proposed use compared to a small motel or pancake house, noting that there are direct impacts in the form of tax revenues and indirect impacts from the salaries of the employees. He stated that auto repair technicians are probably paid higher wages than motel and restaurant service workers.

Mr. Cross responded that he suspects Dr. Phillips' observations are correct but that the staff has no data to verify them. He added that higher-wage employees do tend to spend more money in the local community than lower-wage workers.

Dr. Phillips explained that his concern about salaries has to do with the fact that lower-income workers sometimes generate greater service demands and also create a need for affordable housing.

Mr. Cross responded that since applicants for this type of use are not required to submit a fiscal impact analysis, the staff has no data to quantify the comparative fiscal impacts.

Chair Jons opened the public hearing.

Vernon Geddy, 1177 Jamestown Road, Williamsburg, spoke on behalf of the applicant. He stated that the applicant does not agree with the staff's recommendation. He stated that the proposed body shop falls within the definition of General Business in the Comprehensive Plan and noted that there are no other collision centers nearby in the County. Mr. Geddy stated that the proposed body shop would be a significant aesthetic improvement over the existing auto repair business, which he said has been in that location since the 1950s. Regarding fiscal impacts, he stated that the proposed business can be expected to generate \$2.5 to \$3 million in annual sales and would provide higher-paying jobs relative to the tourist industry. He stated that the Comprehensive Plan does not specify that only hotels and restaurants should be allowed along Bypass Road. In addition, he noted that last month the Commission recommended approval of a car wash with gas pumps on the property next door, and he opined that the proposed body shop would be equally in conformance with the Comprehensive Plan. He encouraged the Commission to recommend approval, and he offered to answer questions.

Dr. Phillips asked the applicant to address a comment made during the previous public hearing about vapors and odors associated with the painting operation.

Rusty Coan, 4336 Marsh Ridge Road, Carrollton, Texas, provided details regarding the design of the paint booth, which he said will be enclosed and located inside the building.

Dr. Phillips commented that he had not been aware that the paints would be water-based rather than hydrocarbon-based.

Mr. Myer asked about the emptying of trash dumpsters.

Marc Degarie responded that as with the Route 17 site, dumpsters would be emptied during daylight hours. He also stated that contrary to the common perception about older body shops, Caliber Collision's facilities are modern, clean, neat, and organized and do not have negative external impacts on surrounding areas. He stated that Caliber has body shops near Disneyworld, Six Flags, and other tourist areas and that they have always been an asset to the local community.

Mr. Coan stated that the applicant is willing to work with the adjacent car wash on developing a

shared driveway on Bypass Road.

There being no one else wishing to address the Commission regarding the application, **Chair Jons** closed the public hearing.

Mr. Peterman stated that he visited the property and found the existing building to be old and not very attractive. He said the proposed development would be an improvement, but that on the other hand, he tends to agree with staff that a body shop is not an appropriate use for a tourist corridor.

Mr. Sturk agreed with Mr. Peterman.

Mr. Titus agreed, stating that he is not convinced that the application fits the Comprehensive Plan's vision for this corridor.

Dr. Phillips stated that he has mixed feelings, stating that he understands the concerns expressed by the other Commissioners and staff about the desire for tourist-oriented businesses but that this is an opportunity to improve a grandfathered, nonconforming site. He added that economically, a body shop makes more sense than a motel or restaurant.

Mr. Myer agreed that the proposed development would be an improvement over the existing development but that he is concerned about consistency with the Comprehensive Plan.

Chair Jons stated that he is impressed with Caliber Collision and its reputation, and he opined that if it is considered undesirable to add another body shop to an area with a lot of auto repair businesses already in place, as in the previous application, it would probably be just as undesirable to add another hotel or restaurant to an area like Bypass Road, which already has many such businesses. He added that the proposed development would be an attractive addition to the corridor that is aesthetically superior to the existing development.

Dr. Phillips moved adoption of Resolution No. PC18-11.

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION FOR A SPECIAL USE PERMIT TO AUTHORIZE AN AUTO BODY REPAIR AND PAINTING ESTABLISHMENT AT 315, 315A, 317, 317A, AND 317C BYPASS ROAD (ROUTE 60)

WHEREAS, Cross Development has submitted Application No. UP-905-18 to request a Special Use Permit to authorize the establishment of an auto body repair and painting establishment on approximately 2.7 acres of land located at 315, 315A, 317, 317A, and 317C Bypass Road (Route 60) and further identified as Assessor's Parcel Nos. 9A-1-15 (GPIN D15d-2792-2299), 9A-1-16 (GPIN D15d-2843-2295), 9A-1-17 (GPIN D15d-2892-2293), 9A-2-G (GPIN D15b-2850-2587), and 9A-2-F (GPIN D15b-2726-2681); 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 11th day of April, 2018, that Application No. UP-905-18 be, and it is hereby, forwarded to the York County Board of Supervisors with a recommendation of approval to authorize the establishment of an auto body repair and painting establishment on approximately 2.7 acres of land located at 315, 315A, 317, 317A, and 317C Bypass Road (Route 60) and further identified as Assessor's Parcel Nos. 9A-1-15 (GPIN D15d-2792-2299), 9A-1-16 (GPIN D15d-2843-2295), 9A-1-17 (GPIN D15d-2892-2293), 9A-2-G (GPIN D15b-2850-2587), and 9A-2-F (GPIN D15b-2726-2681) subject to the following conditions:

1. This Special Use Permit shall authorize an auto body repair and painting the establishment of an auto body repair and painting establishment on approximately 2.7 acres of land located at 315, 315A, 317, 317A, and 317C Bypass Road (Route 60) and further identified as Assessor's Parcel Nos. 9A-1-15 (GPIN D15d-2792-2299), 9A-1-16 (GPIN D15d-2843-2295), 9A-1-17 (GPIN D15d-2892-2293), 9A-2-G (GPIN D15b-2850-2587), and 9A-2-F (GPIN D15b-2726-2681).
2. A site plan prepared in accordance with the provisions set forth in Article V of the York County Zoning Ordinance shall be submitted to and approved by the Development Services Division prior to the commencement of any land clearing or development activities on the property. Said site plan shall be in substantial conformance – except as modified herein – with the sketch plan titled “Caliber Collision; 317 Bypass Road,” prepared by Commercial Site Solutions, Inc. and dated February 9, 2018, a copy of which shall remain on file in the office of the Planning Division.
3. Building architecture and design shall be in substantial conformance with the building elevations titled “Caliber Collision; Bypass Road,” prepared by Cuhaci & Peterson, dated March 28, 2018, a copy of which shall remain on file in the office of the Planning Division.
4. A landscape yard equivalent to Type 35 (35') Transitional Buffer standards shall be installed along the property's northern boundary.
5. All fencing as shown on the referenced sketch plan shall be solid opaque fencing, a minimum of six (6) feet in height, the design and materials of which shall be approved by the Zoning Administrator.
6. Prior to issuance of a Land Disturbing Activity Permit for the development, the applicant shall submit documentation to the Development Services Division verifying approval of a VDOT Access Management Exception Request for the proposed Bypass Road entrance.
7. 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(s) as grantor(s) in the office of the Clerk of the Circuit Court prior to application for site plan approval.

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.

On roll call the vote was:

Yea: (3) Myer, Phillips, Jons
Nay: (3) Peterman, Sturk, Titus

Application No. UP-906-18, RA-Property LLC: Request for a Special Use Permit, pursuant to Section 24.1-306 (category 12, no. 7) of the York County Zoning Ordinance, to authorize a farm equipment sales, rental, and service store on 3.3 acres of land located at 7427 (portion), 7437, 7505, 7517, 7521, and 7529 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel Nos. 24D-1-2 (portion), 24D-1-2A, 24-119, 24-118, 24-117, and 24-116. The property is zoned GB (General Business) along Route 17 and IL (Limited Industrial) to the rear (i.e., west), and the entire property is designated General Business in the Comprehensive Plan.

Timothy C. Cross, Principal Planner, summarized the staff report dated April 3, 2018, stating that staff recommends the Commission forward the application to the Board of Supervisors with a recommendation of approval subject to the conditions set forth in proposed Resolution No. PC18-12.

Chair Jons opened the public hearing.

Frank Fawcett, P. O. Box 12078, Charlotte, North Carolina, spoke on behalf of RA-Property LLC, which he said is a preferred developer for Tractor Supply Company. He offered to answer questions.

Steven Barrs, 7601 George Washington Memorial Highway, stated that he is an adjacent property owner and that he feels the proposed Tractor Supply Company store would be a great use for this area of the County and would be compatible with the surrounding area.

There being no one else wishing to address the Commission regarding the application, **Chair Jons** closed the public hearing.

Mr. Sturk moved adoption of Resolution No. PC18-6.

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION FOR A SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A FARM EQUIPMENT SALES, RENTAL, AND SERVICE STORE ON PROPERTY LOCATED AT 7427, 7437, 7505, 7517, 7521, AND 7529 GEORGE WASHINGTON MEMORIAL HIGHWAY (ROUTE 17)

WHEREAS, RA-Property LLC has submitted Application No. UP-906-18 to request a Special Use Permit, pursuant to Section 24.1-306 (category 12, no. 7) of the York County Zoning Ordinance, to authorize the establishment of a farm equipment sales, rental, and service store on an approximately 2.3-acre portion of 3.3 acres on six parcels of land, or portions thereof, located at 7427, 7437, 7505, 7517, 7521, and 7529 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel Nos. 24D-1-2, 24D-1-2A, 24-119, 24-118, 24-117, and 24-116; 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 11th day of April, 2018, that Application No. UP-906-18 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval for a Special Use Permit, pursuant to Section 24.1-306 (category 12, no. 7) of the York County Zoning Ordinance, to authorize the establishment of a farm equipment sales, rental, and service store on an approximately 2.3-acre portion of 3.3 acres encompassing six parcels of land, or portions thereof, located at 7427, 7437, 7505, 7517, 7521, and 7529 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel Nos. 24D-1-2, 24D-1-2A, 24-119, 24-118, 24-117, and 24-116 (GPINs Q08d-4845-1204, R08c-0170-1397, R08c-0051-1446, R08c-0023-1520, Q08d-4990-1566, and Q08d-4975-1613) subject to the following conditions:

1. This Special Use Permit shall authorize the establishment of a farm equipment sales, rental, and service store on an approximately 2.3-acre portion of 3.3 acres encompassing six parcels of land, or portions thereof, located at 7427 (portion), 7437, 7505, 7517, 7521, and 7529 George Washington Memorial Highway (Route 17) and further identified as Assessor's Parcel Nos. 24D-1-2 (portion), 24D-1-2A, 24-119, 24-118, 24-117, and 24-116 (GPINs Q08d-4845-1204, R08c-0170-1397, R08c-0051-1446, R08c-0023-1520, Q08d-4990-1566, and Q08d-4975-1613) as depicted on the survey plat entitled "ALTA/NSPS LAND TITLE SURVEY OF THE PROPERTY OF LEGACY LAND, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, AND BEING PARCELS 1, 2, 3, 4, 5, & 6, #7505 GEORGE WASHINGTON MEMORIAL HIGHWAY," prepared by Campbell Land Surveying, Inc. and dated March 8, 2018.
2. A site plan prepared in accordance of the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the York County Development Services Division prior to the commencement of any land disturbing or development activities on the property. Said site plan shall be in substantial conformance, except as modified herein, with the sketch plan "Site Plan," prepared by Triangle Site Design, PLLC and dated March 5, 2018, a copy of which shall be kept on file in the office of the York County Planning Division.
3. The architecture and design of the retail building shall be in substantial conformance with the building elevations titled "Tractor Supply Building," prepared by C.L. Helt, Architect Inc. and dated March 7, 2018. Building and site design shall comply with the standards set forth in Section 24.1-378, *Route 17 corridor overlay district*, of the Zoning Ordinance, provided, however, that:
 - a. the south-facing building façade shall not be subject to the special architectural standards set forth in Section 24.1-378 of the Zoning Ordinance, and

- b. the north-facing façade shall either conform with the referenced special architectural standards or be screened with additional landscape plantings in the north side landscape yard in accordance with the planting ratio for a front landscape yard (i.e., 40 Landscape Credit Units per 100 linear feet rather than 10 LCU's per 100 feet).
4. Fencing of the outdoor display shall either be of a wrought iron-type or other decorative style or be screened with landscape plantings in the northern and eastern perimeter landscape yards in accordance with the front landscape yard planting requirements to minimize visibility from Route 17.
5. One freestanding identification sign shall be permitted and shall be a monument-type sign in substantial conformance with the sign elevation titled "Proposed New Monument Sign," prepared by The Sign Resource, Inc. and dated March 5, 2018, subject to any adjustments determined necessary to ensure compliance with all applicable requirements of the Zoning Ordinance.
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.

On roll call the vote was:

Yea: (6) Myer, Titus, Phillips, Peterman, Sturk, Jons
Nay: (0)

OLD BUSINESS

There was no old business.

NEW BUSINESS

Mr. Cross stated that each year the Commission is asked to adopt a resolution to certify conformance of the proposed Capital Improvements Program (CIP) with the goals and objectives of the Comprehensive Plan. He stated that the staff report includes a cross-reference table listing all of the proposed projects and the corresponding Comprehensive Plan goal, objective, or implementation strategy for each. Mr. Cross recommended that the Commission certify conformance of the proposed CIP with the Comprehensive Plan through the adoption of proposed Resolution No. PC18-13.

Mr. Peterman moved adoption of Resolution No. PC18-13.

A RESOLUTION TO CERTIFY CONFORMANCE OF THE PROPOSED
YORK COUNTY CAPITAL IMPROVEMENTS PROGRAM FOR FISCAL
YEARS 2019 THROUGH 2024 WITH THE YORK COUNTY
COMPREHENSIVE PLAN

WHEREAS, Section 15.2-2232 of the *Code of Virginia* requires public facilities to be substantially in accord with the local comprehensive plan; and

WHEREAS, the York County Planning Commission has been requested to review the Capital Improvements Program for conformance with the Comprehensive Plan; and

WHEREAS, the Planning Commission finds that the projects contained in the proposed Capital Improvements Program will further the objectives and policies set forth in the Comprehensive Plan and not obstruct their attainment;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 11th day of April, 2018, that it does hereby certify the York County, Virginia Proposed Capital Improvements Program for Fiscal Years 2019 through 2024 as being in conformance with *Charting the Course to 2035: The County of York Comprehensive Plan*.

On roll call the vote was:

Yea: (6) Sturk, Titus, Phillips, Myer, Peterman, Jons
Nay: (0)

STAFF REPORTS

Mr. Cross referred to the April Development Activity Report, stating that last month the Board of Supervisors approved the Tranquility senior housing project at the end of Springfield Road and the Autobell car wash on Route 17. He added that at its April 17 meeting the Board will consider the minor expansion of Whittaker's Mill and the Terrebonne Road rezoning, both of which were considered by the Commission in March, while the other March applications will be considered by the Board in May. Mr. Cross explained that it was necessary to make some adjustments to the application schedule since the Board will hold its public hearing on the proposed budget in April and will hold its regular June meeting on the 5th instead of the 19th because the County Administrator and several Board members will be in Zweybrucken, Germany as part of the County's sister cities program. He stated that for the Commission's May 9 meeting, there is an application for a telecommunications tower on Merrimac Trail.

Lastly, **Mr. Cross** noted that this would be the last Planning Commission meeting for Mr. Mark Carter, Deputy County Administrator, who is retiring at the end of the month after more than forty years of County service. He said that it has been his privilege to serve under Mr. Carter, either directly or indirectly, for 29 of those 40 years and that there are not enough accolades to adequately describe Mr. Carter and the contributions he has made to York County. He said that Mr. Carter is a true public servant whose dedication to the County and its citizens has been tireless, and that he has made a lasting, positive impact on the County, its natural and built environment, and the lives of its citizens. He stated that the entire County staff will miss him and wishes him all the best.

The Commission and staff recognized Mr. Carter with a round of applause.

Mark Carter, Deputy County Administrator, thanked Mr. Cross for his remarks and stated that it has been his privilege to work with the staff and the Planning Commission throughout the

years. He stated that he appreciates the support the staff has received from the Commissioners and their predecessors. He added that it has been an honor to work for the County and its citizens and that he has been blessed in his career.

Chair Jons commented that Mr. Carter is a true professional who never lost his composure in times of turbulence or controversy.

COMMITTEE REPORTS

There were no committee reports.

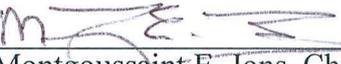
COMMISSION REPORTS AND REQUESTS

There were no Commission reports or requests.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 8:42 PM.

SUBMITTED: 
Timothy C. Cross, Principal Planner

APPROVED: 
Montgoussaint E. Jons, Chair

DATE: 5/9/18