

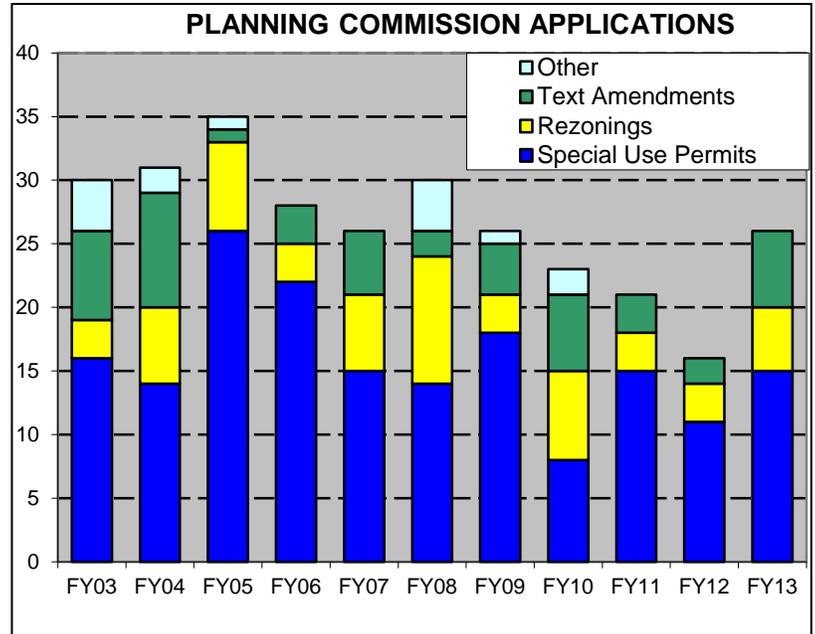
# FY 2013 ANNUAL REPORT

## YORK COUNTY PLANNING COMMISSION

### MESSAGE FROM THE CHAIR

As Planning Commission Chair for the 2012-13 Fiscal Year, I am pleased to present the Commission's Annual Report. This was an especially active year for the Commission with the five-year review and update of the Comprehensive Plan – the long-range plan for the physical development of the County. The Commission conducted the first ever coordinated comprehensive plan review with the neighboring localities of James City County and the City of Williamsburg. The purpose of this coordination was to promote closer inter-jurisdictional discussion of planning issues that cross city and county boundaries.

From July 2012 through June 2013, the Commission conducted an intensive series of work sessions to review and update as necessary the previous plan. On June 12, the Commission approved the draft Plan, titled *Charting the Course to 2035: The County of York Comprehensive Plan*, and forwarded it on to the Board of Supervisors, which adopted the Plan in September with only two fairly minor changes. The Comprehensive Plan represents the combined efforts of York County's citizens, elected and appointed officials, and staff to analyze conditions in the County, identify present and future needs, and devise strategies for meeting these needs consistent with shared community goals and objectives. It is the County's vision for its future, specific enough to provide clear



guidance to present and future policy makers yet broad and flexible enough to be adapted to account for changing circumstances.

The Comprehensive Plan review was in addition to our normal duty of reviewing rezoning and Special Use Permit applications and proposed Zoning and Subdivision Ordinance text amendments, and in this area we had a busy year as our caseload increased for the first time in five years. We look forward to the coming year and beginning the work of implementing the vision for York County set forth in *Charting the Course to 2035*.



Front Row: Todd Mathes, Chris Abel; Second Row: Melissa Magowan, Mark Suiter, Rich Myer; Back Row: Tim McCulloch, A. T. Hamilton

*Richard M. Myer, Jr., CPC*  
Chair, 2012-13

<b>Application No. &amp; PC Mtg. Date</b>	<b>Applicant</b>	<b>Description</b>	<b>Board Action &amp; Resolution or Ordinance No.</b>
PD-33-12 7/11/12	Breeden Investment Properties, Inc.	Rezone an 11.4-acre parcel located at 2500 Ft. Eustis Blvd. (Route 105) from GB (General Business) to PDR (Planned Development Residential) for a development of 92 multi-family dwelling units	Approved Ord. No. 12-11
UP-808-12 7/11/12	James York Plaza LLC	Single-story mini-storage warehouse facility on 1.7 acres of land located at 212 Hubbard Lane (Route 716)	Approved R12-102(R)
UP-810-12 8/8/12	Chom Suk Kim	Beauty shop as a home occupation in a single-family detached home at 1630 George Washington Memorial Hwy (Route 17)	Approved R12-108
UP-811-12 8/8/12	Williamsburg Ford Lincoln Mercury	Expansion of an existing auto and light truck dealership onto an adjacent 0.81-acre property located at 639 and 641 East Ro-chambeau Drive (Route F-137)	Approved R12-109
UP-812-12 8/8/12	Deborah and Daniel Mazanek	Home office with customer/client contact as a home occupation in a single-family detached home on a 0.41-acre parcel located at 309 Marks Pond Way (Route 1437)	Approved R12-110
ST-19-12	York County Board of Supervisors	Amend the Subdivision Ordinance to provide, as required by the Code of Virginia, that plans/plats that are valid as of January 1, 2011 will remain valid until July 1, 2017	Approved Ord. No. 12-14
ZT-136-12	York County Board of Supervisors	Amend various sections of the Zoning Ordinance to add and revise definitions as required by the Code of Virginia (COV); to require delinquent real estate taxes or liens on a property to be paid prior to filing a rezoning, special use permit, special exception or variance application for the property; to change the performance date for certain cash proffer payments from July 1, 2014 to July 1, 2017; to clarify that appeals of governing body decisions on proffer appeals will be to the Circuit Court; add reference to §15.2-2202 of the COV regarding proffer amendment procedures; to provide a July 1, 2017 performance deadline for certain proffer obligations valid and outstanding as of January 1, 2011; to delete special extended validity provisions that expired July 1, 2011; amend the special validity provisions for new residential or commercial use permits to extend the term to July 1, 2017; to allow, in the case of appeals taken to the Board of Zoning Appeals, an applicant to request that a tie-vote decision be carried over to the next scheduled meeting	Approved Ord. No. 12-15
UP-813-12 9/12/12	J. Rhines Consulting, LLC	Firearms repair as a home occupation in a single-family detached home located at 218 Cherwell Court (Route 1629)	Approved R12-121(R)
UP-815-12 10/10/12	Joel R. Fortune	Auto repair garage and an auto or light truck sales, rental, service (new or used vehicle sales) without auto body work and painting on property located at 1808 George Washington Memorial Highway (Route 17)	Approved R12-128
ZM-135-12 11/14/12	1776 Hotel, LLC	Rezone 10.7 acres of a 12.3-acre site at 725 and 725Z Bypass Road (Route 60) from General Business (GB) to Residential Multi-family (RMF) to allow a development of single-family attached homes with a maximum of 102 dwelling units	Approved* Ord. No. 12-19
UP-816-12 11/14/12	Old Dominion Associates, LC	Single-story mini-storage warehouse facility on a 4.2-acre parcel at 7800 George Washington Memorial Highway (Route 17)	Denied**
UP-817-12 11/14/12	Merrimac Partners, LLC	Conversion of an existing hotel (George Washington Inn) on Merrimac Trail into a 200-unit senior housing facility containing 70 assisted living units and 130 independent living units	Approved R12-144
UP-818-12 12/12/12	Gayle, Jenny, & Lance Musser	Miniature golf course on a 2.74-acre parcel located at 4301 George Washington Memorial Highway (Route 17)	Approved R13-4
UP-820-12 12/12/12	Casey & Associates, LP	Height increase to allow installation of a 100-foot flagpole at the Casey Toyota dealership at 601 East Ro-chambeau Drive	Approved R13-6
ZM-139-13 1/9/13	Kevin Rollins	Rezone 9.2 acres of land located at 313 and 315 Dorothy Drive from PD (Planned Development), RMF (Residential Multi-Family), and GB (General Business) to conditional R20 subject to the proffered condition that the property will be developed with a maximum of 9 single-family detached homes	Approved Ord. No. 13-1

Application No. & PC Mtg. Date	Applicant	Description	Board Action & Resolution or Ordinance No.
UP-821-13 1/9/13	James Sasin	Accessory apartment on the second story of a proposed detached garage located at 149 Wynne Road (Route 657)	Approved R13-20
ZT-140-13 3/13/13	York County Board of Supervisors	Amend the Zoning Ordinance to provide for portable sidewalk signs in connection with commercial uses; to increase the opportunities for wall signage for businesses on the Yorktown waterfront; and to clarify opportunities for building-mounted signs and banners	Approved Ord. No. 13-5
UP-823-13 4/10/13	Jennifer Bacon & Louella Heck (Bakin' It Better, Inc.)	Catering kitchen as a home occupation with customer/client contact at 105 Nelson Drive	Approved R13-45
UP-824-13 4/10/13	Trinity Assisted Living	Group home to be operated as an assisted living facility, as defined by the Virginia Department of Social Services, at 101 Shady Bluff Point	Approved R13-46
UP-825-13 5/8/13	Patrice Janene (Jan) Wiener	Home craft sales with customer contact as a home occupation in conjunction with an existing single-family detached home located at 101 Old Dare Road	Approved R13-68
UP-826-13 5/8/13	Redline Performance Motorsports	Expansion of an existing motorcycle sales and service facility located at 7325 and 7331 George Washington Memorial Highway (Route 17)	Approved R13-69
ST-20-13 5/8/13	York County Board of Supervisors	Amend the Subdivision Ordinance to exempt boundary line adjustments from the requirement to dedicate half of the right-of-way width deficiency for any street abutting the subject property	Approved Ord. No. 13-8
ZM-141-13 6/12/13	Bieri Family Limited Partnership	Rezone a 4.1-acre parcel (Yorkshire Downs Shopping Center) on Hampton Highway (Route 134) from LB (Limited Business) to conditional GB (General Business)	Approved Ord. No. 13-9
PD-35-13 6/12/13	The Reserve at Williamsburg LLC	Amend the conditions of approval for The Reserve at Williamsburg Planned Development (located at the intersection of Mooretown Road) applicable to front yard setback requirements for single-family detached homes, townhouses, and duplexes	Approved Ord. No. 13-10
ZT-142-13 6/12/13	York County Board of Supervisors	Amend the Zoning Ordinance to incorporate revisions to the temporary family health care structures provisions to allow occupancy by a married couple and extend from 30 to 60 days the time allowed for removal of the structure from a property	Approved Ord. No. 13-11
ZT-143-13 6/12/13	York County Board of Supervisors	Amend the Zoning Ordinance by adding provisions allowing operators of bed-and breakfast establishments to request a Special Use Permit to authorize the hosting of weddings and receptions subject to performance standards	Approved Ord. No. 13-12

Except as noted below, the Board of Supervisors' actions were consistent with the Planning Commission's recommendations.

\*Planning Commission recommended denial

\*\*Planning Commission recommended approval

*An issue facing York County and the entire Historic Triangle in recent years is the adaptive re-use and redevelopment of older, obsolete motels. With changes in the hospitality industry and the motel market, a number of motels in the greater Williamsburg area have found themselves unable to compete with newer, more modern motels and have gone out of business, leaving the localities with large, empty, sometimes rundown buildings in fairly prominent locations. Last year the Planning Commission considered and recommended approval of a proposal to convert one such motel property in the upper County to an economically productive use. This was a Special Use Permit application to convert the former George Washington Inn/Lexington Inn on Merrimac Trail (pictured) into senior housing.*



## Commission Highlights

- In FY2013 the Commission considered fifteen Special Use Permit applications, five rezoning applications, and six sets of Zoning and Subdivision Ordinance text amendments.
- The Commission held eight special work sessions in FY2013 for the purpose of discussing the various chapters or *elements* of the Comprehensive Plan – Community Facilities, Economic Development, Environment, Historic Resources, Housing, Transportation, and Land Use – and discussed the Plan at five of its regular meetings as well. In all, from the beginning of this project in February 2012 to its conclusion in September 2013, the Commission participated in a total of seventeen work sessions, meetings, and public information and input sessions dedicated to the Comprehensive Plan review.
- Tim McCulloch and Todd Mathes were appointed to the Commission in FY2013, representing Districts 3 and 4 respectively.
- Commissioner Melissa Magowan successfully completed the Virginia Certified Planning Commissioners’ Program, which is a comprehensive statewide training program designed to provide planning commissioners and decision makers with the legal and technical background needed to make sound, legally defensible planning and zoning decisions.
- Commissioner Myer continued to serve as the Planning Commission’s representative on the Regional Issues Committee. This multi-jurisdictional committee, with representatives from Williamsburg, James City County, York County, the College of William and Mary, the Colonial Williamsburg Foundation, the Greater Williamsburg Chamber and Tourism Alliance, the Jamestown-Yorktown Foundation, and the National Park Service, studies issues of concern to the Historic Triangle.



<b>YORK COUNTY PLANNING COMMISSION, FY2013</b>		
Name	Term	District
Richard M. Myer, Jr., CPC (Chair)	July 1, 2010 – June 30, 2014	5
Mark B. Suiter, CPC (Vice Chair)	Oct. 26, 2010 – June 30, 2015	At Large
Alexander T. Hamilton, CPC	Jan. 21, 2003 – June 30, 2013	2
Christopher A. Abel, CPC	July 1, 2005 – June 30, 2013	3*
Timothy D. McCulloch	July 1, 2012 – June 30, 2016	3
Mario C. Buffa, CPC	July 1, 2010 – Sept. 11, 2012	4
Todd H. Mathes	Oct. 16, 2012 – June 30, 2014	4
Melissa S. Magowan, CPC	July 1, 2011 – June 30, 2015	At Large

*\*Adjusted from District 1 into District 3 as a result of the 2011 Election District changes.*

*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 (also known as PlanVirginia).*