

# 2002-03 ANNUAL REPORT

## YORK COUNTY PLANNING COMMISSION

### MESSAGE FROM THE CHAIR

Section 15.2-2221 of the Code of Virginia requires local planning commissions in the commonwealth to make “an annual report to the governing body concerning the operation of the commission and the status of planning within its jurisdiction.” As the Chair of York County’s Planning Commission for the 2002-03 Fiscal Year, I am pleased to present this year’s report to the Board of Supervisors.

If there was a recurring theme this year, it might be termed “alternative housing.” Whether the topic was accessory apartments, senior housing, group homes, or transitional homes, much of the Commission’s time and energy was directed toward recognizing the diverse shelter needs of York County’s citizens and expanding the range of housing options to meet those needs. Recent years have seen a sharp increase in use permit applications for accessory apartments (including 4 in 2002-03). This led us to further refine the County’s zoning regulations for such apartments, which are attractive to elderly parents who wish to live with their families while retaining some degree of independence. Some older citizens, on the other hand, desire a more independent lifestyle, while others have reached a point in their lives where they require special care that family members are not able to provide. To meet this growing need, we took a major step forward by amending the Zoning Ordinance to provide for the full range of senior housing, including independent living, congregate care, assisted living, and continuing care retirement communities. Finally, we amended the group home regulations to create opportunities for transitional homes for people (victims of physical or emotional abuse, for example) who need temporary accommodations and counseling support while trying to establish or re-establish their ability to live independently.

In August 2002 we recognized the 50<sup>th</sup> anniversary of the first York County Planning Commission meeting, which took place on August 28, 1952. As we look back with pride on fifty years of planning in the County, the Commission, the Board of Supervisors, and the citizens of York County must also look ahead as together we strive to give York County a future worthy of her past.

Michael Hendricks  
Chair, 2002-03



Pictured above is the Sonic restaurant (Application No. UP-606-02) in the Lightfoot area of upper York County. The County’s vision for Lightfoot as an area of major retail, office, tourist-oriented, light industrial development, was articulated in the original 1991 Comprehensive Plan. That vision is being realized today with the construction of Wal-Mart, Lowe’s, the Peppertree timeshare resort, the Days Inn, the International Center Business Park (including the new Ferguson Enterprises showroom and distribution center), and Phase 1 of the new Williamsburg Community Hospital (Ambulatory Care Center). Future development includes Great Wolf Lodge, Williamsburg Motors, and Phase 2 of the hospital project.



Red Coat Antiques on Alexander Hamilton Boulevard in Yorktown (Application No. YVA-16-02), located in the former “On the Hill” building, is a good example of adaptive re-use. This former art gallery is being renovated by the owner and converted to an antique store and residence. In FY03 the Planning Commission completed its work on the proposed Yorktown Historic District Design Guidelines and passed its recommendation on to the Board of Supervisors.

### YORK COUNTY PLANNING COMMISSION, 2002-03

Name	Term	District
Michael H. Hendricks (Chair)	July 17, 1996 – June 30, 2003	At Large
Ann F. White (Vice Chair)	July 1, 1999 – June 30, 2003	At Large
Andrew A. Simasek	March 3, 1999 – June 30, 2005	1
Spencer W. Semmes	July 1, 1997 – October 10, 2002	2
Alexander T. Hamilton	January 21, 2003 – June 30, 2005	2
Robert D. Heavner	July 1, 2000 – June 30, 2004	3
Robert E. Beil, Jr.	July 21, 1994 – June 30, 2002	4
Nick Barba	July 1, 2002 – June 30, 2005	4
Alfred E. Ptasznik, Jr.	December 4, 2001 – June 30, 2004	5

Application No. & PC Mtg. Date	Applicant	Description	Board Action
UP-601-02 7/10/02	Richmond 20MHz, LLC, (NTELOS)	198-foot self-supporting communications tower at 1311 Seaford Road	Approved 9/17/02 R02-166
CP-8-02 8/14/02	York County Board of Supervisors	Amend the Comprehensive Plan to change the land use designation along Old Williamsburg Road between Church Road and Dogwood Road in Lackey from Neighborhood Business to General Business and extend the General Business designation to encompass a small adjacent area previously designated High Density Residential.	Approved 9/1/02 Ord. No. 02-14
ZM-66-02 8/14/02	York County Board of Supervisors	Rezone 27 acres on Old Williamsburg Road in Lackey from NB and R13 to GB	Approved 9/1/02 Ord. No. 02-15
UP-603-02 8/14/02	Virginia and Earl Young	900-square foot accessory apartment at 114 Fishermans Cove	Approved 9/17/02 R02-167
ZT-67-02 8/14/02	York County Planning Commission	Amend the Zoning Ordinance to incorporate changes made necessary by amendments to the <u>Code of Virginia</u> . Amendments reflect the five-year term of validity for site plans and the mandate to allow replacement of nonconforming manufactured housing units.	Approved 9/1/02 Ord. No. 02-16
ST-9-02 8/14/02	York County Planning Commission	Amend the Subdivision Ordinance to incorporate changes made necessary by amendments to the <u>Code of Virginia</u> . Amendments delete the language pertaining to the term of validity for preliminary plans, development plats and final plats and add a new Section 20.5-31.1 to include provisions reflecting the 5-year (or 3-year, in certain cases) term of validity required by the <u>Code of Virginia</u> for preliminary plans, and establish concurrent periods of validity for development plans and final plats.	Approved 9/1/02 Ord. No. 02-17
ZM-68-02 9/11/02	Ned's Marine & Auto Center	Rezone from R13 to conditional GB approximately 2.16 acres of land located on the rear portion of a 2.85-acre parcel located at 2113 and 2115 George Washington Memorial Highway (Route 17)	Approved 10/1/02 Ord. No. 02-19
SW-2-02 9/11/02	Harrison & Lear Land Corporation	Waive a required street interconnection (Messongo Run) between Kanawah Run in Running Man and Brentmeade Drive in Wythe Creek Farms.	Denied by Commission
UP-604-02 9/11/02	Randy Firth/Total Home Improvements	Contractor's shop with outdoor storage at 4033 George Washington Memorial Highway (Route 17)	Approved 10/15/02 R 02-173
UP-605-02 9/11/02	Jimmie L. Goode	Accessory apartment at 711 Dare Road containing in excess of 25% of the total floor area of the associated single family detached dwelling	Denied
UP-606-02 9/11/02	ZAC Enterprises	Sonic drive-in fast food restaurant at 721 East Rochambeau Drive	Approved 11/19/02 R 02-175
YVA-16-02 9/11/02	Richard and Rosemary Stacpoole	Establish an antique store with living quarters in the former "On the Hill" art gallery at 121 Alexander Hamilton Boulevard	Approved 10/1/02 R02-172
UP-608-02 10/9/02	York County Volunteer Association	3,700-square foot expansion of "The Bargain Box" thrift shop at 222 Dare Road	Approved 11/19/02 R 02-186
UP-609-02 10/9/02	York River, LLC	Establish an office within an existing building currently used as a single-family detached residence located at 3201 Old Williamsburg Road	Approved 11/19/02 R 02-186
UP-610-02 10/9/02	Kenneth Dale Moore	Mini-storage warehouse facility at 2360 Hampton Highway	Remanded to Commission
ZT-69-02 11/13/02	York County Board of Supervisors	Amend Zoning Ordinance to create a Yorktown Historic District Overlay district and establish architectural design guidelines to be applicable within the proposed Yorktown Historic District Overlay	Approved 12/2/03 Ord. No. 03-13(R)

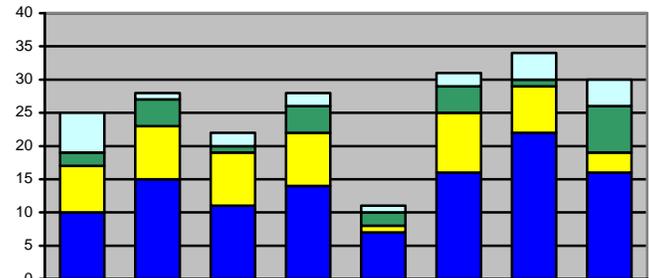
Application No. & PC Mtg. Date	Applicant	Description	Board Action
UP-611-02 12/11/02	Deanna & Dwight Newingham	Real estate office as a home occupation at 218 Ryans Way	Approved 2/4/03 R 03-4(R)
UP-612-02 12/11/02	Carl & Karen Berquist	750-square foot accessory apartment at 469 Catesby Lane	Approved 2/18/03 R 03-5(R)
ZT-70-02 12/11/02	York County Planning Commission	Amend the Zoning Ordinance to revise the use regulations applicable to Group Homes.	Approved 2/4/03 Ord. No. 03-2
ZT-71-03 1/8/03	York County Planning Commission	Amend the Zoning Ordinance to revise the FMA-Floodplain Management Overlay District, to incorporate certain changes required by the Federal Emergency Management Agency for consistency with the National Flood Insurance Program requirements.	Approved 6/17/03 Ord. No. 03-24
UP-610-02 (amended) 1/8/03	Kenneth Dale Moore	Mini-storage warehouse facility at 2360 Hampton Highway. The Planning Commission originally considered this application at its October 9, 2002 meeting and voted 6:0 to recommend denial. The applicant has since modified the original application, and the Board of Supervisors has referred it back to the Commission for consideration.	Approved 2/18/03 R 03-17
UP-613-03 1/8/03	Sharon G. Crowder	900-square-foot accessory apartment at 315 Dandy Loop Rd.	Withdrawn
UP-614-03 1/8/03	Columbian Council 7469	Amend a previously approved Special Use Permit for a Knights of Columbus meeting hall at 8729 George Washington Memorial Highway (Route 17) Revisions include reduction of landscaping and extension of time period to comply with conditions of approval.	Approved 2/18/03 R 03-19
UP-615-03 2/12/03	Joseph Smith	Forestry operation at 590 Taliaferro Road.	Approved 3/4/03 R 03-42
ZT-72-03 2/12/03	York County Board of Supervisors	Amend the Zoning Ordinance to revise the definition of Accessory Apartment and to revise the Accessory Apartment performance standards.	Approved 3/4/03 Ord. No. 03-8(R)
ZM-73-03 3/12/03	David Stephens et ux; Thomas Omiecinski et ux; S. D. Ashe Landscaping; MDC; Norman Patton et ux; Erlinda Johnson; & Grafton Christian Church	Rezone seven parcels (5.58 acres) on the west side of Grafton Drive from LB to conditional GB, subject to conditions voluntarily proffered by the property owners. Proffered conditions include the prohibition of certain land uses and the provision of a Type 25 transitional buffer to the rear of the subject parcels.	Approved 4/15/03 Ord. No. 03-12
SW-3-03 4/9/03	Falcon Crest Homeowners' Association	Waive a required street interconnection between Edgehill Lane in the Edgehill subdivision and Runaway Lane in the Falcon Crest subdivision.	Approved by Commission
ZT-74-03 5/14/03	York County Board of Supervisors	Amend the Zoning Ordinance to establish definitions, district designations, and performance standards for various types of senior housing.	Approved 6/17/03 Ord. No. 03-25
UP-618-03 6/11/03	ALLTEL Communications, Inc.	150-foot self-supporting communications tower at 715 Lakeside Drive	Approved 7/15/03 R03-119

## PLANNING COMMISSION ACTIVITIES AND HIGHLIGHTS, 2002-03

- The Commission handled 30 cases in FY03, including 16 Special Use Permit applications, 3 Zoning Map amendments, 2 street interconnection waiver requests, 7 Zoning and Subdivision Ordinance text amendments, 1 YVA (Yorktown Village Activity) application, and 1 Comprehensive Plan amendment. In addition to its 12 regular meetings, the Commission held 2 work-sessions and one public informational meeting.

- Ms. White chaired an ad hoc Senior Housing Study Committee, on which Mr. Heavner and Mr. Ptasznik also served, along with Board of Supervisors member Don Wiggins and citizen members Paul Garman, Vern Lockwood, Willie McIntosh, Rick Moberg, Reverend Solomon Wesley. The committee met four times to discuss and develop recommendations for amending the Zoning Ordinance to better recognize the range of senior housing products being pursued in the housing market, including independent living, congregate care, assisted living, and continuing care retirement communities. The purpose of these amendments is to establish definitions for these terms, identify the zoning districts in which they are permitted, and set forth performance standards. The Planning Commission reviewed and approved these amendments, which were subsequently adopted by the Board of Supervisors.

Planning Commission Applications



Other	6	1	2	2	1	2	4	4
Text Amendments	2	4	1	4	2	4	1	7
Rezoning	7	8	8	8	1	9	7	3
Special Use Permits	10	15	11	14	7	16	22	16

- The Commission completed its work on the proposed Yorktown Historic District Design Guidelines, holding a work session, a public meeting with the Yorktown residents, and a public hearing. The Commission's recommendations have been forwarded to the Board of Supervisors for its consideration.
- Various sections of the Zoning Ordinance were amended through so-called "housekeeping amendments" that were needed either to keep the ordinance consistent with recent State Code changes or to correct problems that have emerged during the day-to-day administration of the ordinance.



**Front row:** Michael Hendricks, Ann White, Al Ptasznik, Andy Simasek  
**Back row:** Rob Heavner, Nick Barba, A. T. Hamilton