

FY 2008 ANNUAL REPORT

YORK COUNTY PLANNING COMMISSION

MESSAGE FROM THE CHAIR

As York County Planning Commission chair for Fiscal Year 2007-08, I am pleased to present the Commission's annual report in accordance with Section 15.2-2221 of the *Code of Virginia*.

After the update of the *Comprehensive Plan* in 2004-06 and the comprehensive review and update of the County's Zoning Map that followed in 2006-07, the 2007-08 Fiscal Year has been a relatively "normal" one for the Planning Commission. Although the national economic downturn has had a dampening effect on residential construction in the County and across the country, our application numbers were up slightly compared to the previous two years.

As usual, the Commission's Special Use Permit caseload during the past year included several accessory apartments and home occupations. However, we also had the opportunity to review some unusual – and at times controversial – development proposals, such as a four-story mixed-use development on Route 17 and a street interconnection in Running Man.

Overall changes to the Zoning Map resulting from approved rezoning applications were relatively minor, affecting a total of approximately 9.7 acres. The net effect of these changes was a shift of 8.76 acres from residential to commercial/industrial zoning.

We look forward to the challenges that lie ahead in FY09, and we appreciate the opportunity to serve the Board and the citizens of York County.

Nick Barba
Chair, 2007-08



The popularity of accessory apartments – such as the apartment on the second story of this garage in Yorktown pictured above – shows no signs of abating. Four applications for accessory apartments were submitted in FY2008, and all of them were approved. Since 2000, 25 use permits for accessory apartments have been approved, 7 have been withdrawn, and 1 has been denied.



In FY2008 the Commission considered some large-scale proposals along the County's industrial Goodwin Neck corridor. These include a rezoning/use permit application for a major expansion – from 25 to 49 acres – of the HRSD wastewater treatment facility on Back Creek Road (pictured above) and a use permit for a vertical expansion of the Dominion ash disposal facility located at the end of Newsome Drive. Both properties are zoned IG (General Industrial).

YORK COUNTY PLANNING COMMISSION, 2007-08

Name	Term	District
Nick Barba, CPC (Chair)	June 4, 2002 – June 30, 2010	4
Alexander T. Hamilton, CPC (Vice Chair)	Jan. 21, 2003 – June 30, 2009	2
Christopher Abel, CPC	July 1, 2005 – June 30, 2009	1
John W. Staton, CPC	July 1, 2004 – June 30, 2008	3
Alfred E. Ptasznik, Jr., CPC	Dec. 4, 2001 – June 30, 2008	5
John R. Davis	July 1, 2003 – June 30, 2011	At Large
Anne C. H. Conner	Feb. 15, 2005 – June 30, 2011	At Large

NOTE: The CPC designation after a commissioner's name means he or she has successfully completed the Certified Planning Commissioners Training Program administered by the Citizens Planning Education Association of Virginia and is, therefore, a Certified Planning Commissioner.

Application No. & PC Mtg. Date	Applicant	Description	Board Action & Resolution or Ordinance No.
ZM-112-07 7/11/07	Olivet Medical Ministry	Rezone a 0.45-acre parcel located at 1616 Old Williamsburg Road (Route 238) from R13 (High Density Single Family Residential) to GB (General Business), subject to voluntarily proffered conditions.	Approved Ord. No. 07-15
UP-727-07 7/11/07	Sharon E. Hrichak (The Natural Health Consultant, Inc.)	Nutritional counseling as a home occupation with on-premises customer/client contact and two non-resident employees at 115 Albacore Drive	Approved R07-109
YVA-25-07 8/8/07	Richard and Rosemary Stacpoole	Detached accessory apartment at 121 Alexander Hamilton Boulevard in the Yorktown village	Approved R07-117
UP-728-07 9/12/07	Premier Properties	Retail center with 200,000 square feet of gross floor area (The Marquis, Phase 2) at 500 Marquis Parkway	Approved R07-127
ZM-113-07 9/12/07	Harmon J. Coxton, Jr.	Rezone a 2.1-acre portion of a 4.4-acre parcel located at 901 Old York-Hampton Highway from Limited Industrial (IL) and General Business (GB) to conditional IL subject to voluntarily proffered conditions	Approved Ord. No. 07-18
ZM-114-07 10/10/07	MRP Enterprises LLC	Request to amend conditions previously proffered and accepted by removing car and truck rental establishments from the list of prohibited uses on the IL-zoned portion of the property located at 7307 George Washington Memorial Highway (Route 17) and 122 Whites Road	Approved Ord. No. 07-21
UP-730-07 10/10/07	Enterprise Leasing Company of Norfolk/Richmond	Car and light truck rental establishment on the GB-zoned portion of the property located at 7307 George Washington Memorial Highway (Route 17)	Approved R07-139
YVA-26-10/10/07	John and Twyla Oppenhuizen	Detached accessory apartment at 108 Church Street in the Yorktown village	Approved R07-140
ZM-115-07 11/14/07	Naft Construction Corp.	Rezone approximately 5.6 acres located in the southwest quadrant of the intersection of Route 17 and Faulkner Road (6903 and 6909 George Washington Memorial Highway) from R20 (Medium-density single-family residential) and General Business (GB) to conditional GB subject to voluntarily proffered conditions	Approved Ord. No. 07-23
ZM-116-07 11/14/07	Hampton Roads Sanitation District	Rezone approximately one acre located on the north side of Back Creek Road approximately 900 feet east of its intersection with Goodwin Neck Road from RC (Resource Conservation) to IG (General Industrial)	Approved Ord. No. 07-24
UP-731-07 11/14/07	Patricia J. W. Block	Nutritional counseling as a home occupation with on-premises customer/client contact and one non-resident employee at 102 Kay Circle	Approved R07-157
UP-732-07 11/14/07	Hampton Roads Sanitation District	Expansion of an existing wastewater treatment plant located at 515 Back Creek Road and 2100 Goodwin Neck Road	Approved R07-155(R)
UP-726-07 11/14/07	Verizon Wireless	150-foot self-supporting communications tower with associated ground-mounted equipment at 715 Lakeside Drive	Approved R07-156
YVA-27-07 12/12/07	Albert G. Pinalto and Robert J. Andrade II	Two-lot subdivision of a 0.32-acre parcel at 121 Smith Street in Yorktown utilizing a 10-foot front yard setback rather than the normally required 25 feet	Subdivision request denied; twelve-foot setback approved R08-2(R)*
ST-12-07 12/12/07	York County Board of Supervisors	Amend the Subdivision Ordinance to add "spouse or siblings of an owner with no natural or legally-defined offspring" to the list of persons eligible to be conveyed a lot created by family subdivision; to establish a requirement that the parent tract must have been owned by the current owner or a member of the immediate family for a minimum period of 15 years; and, to increase to 15 years the minimum length of time that the parcels created must be held by the eligible family members.	Approved as amended (with no change to the time limits for family subdivisions) Ord. No. 08-1
UP-705-06 1/9/08	T-Mobile Northeast LLC	Telecommunications tower up to 180' in height at 108 Railway Road	Denied**

Application No. & PC Mtg. Date	Applicant	Description	Board Action & Resolution or Ordinance No.
UP-735-08 1/9/08	Mark and Loretta Mims	Detached accessory apartment at 143 Lawson Drive	Approved R08-16
UP-736-07 1/9/08	PTP, LLC	Forestry operation on 29.2 acres of land located at 601 East Rochambeau Drive	Denied***
ZM-109-07 3/12/08	Raymond Souder	Rezone a 4.91 acres parcel at 409 East Rochambeau Drive from RR (Rural Residential) to GB (General Business) subject to voluntarily proffered conditions	Approved Ordinance No. 08-3
UP-723-07 3/12/08	Raymond Souder	Recreational vehicle storage facility; warehousing establishment including moving and storage; and contractor's shops with outdoor/exposed storage at 409 East Rochambeau Drive	Approved R08-35
UP-739-08 3/12/08	Dominion	Vertical expansion of a previously approved ash disposal facility located at 380 Newsome Drive	Approved R08-43
SW-4-08 4/9/08	Running Man Community Association	Request to overturn the Subdivision Agent's decision to allow a street connection between Kiskiack Turn in the Running Man subdivision and a new section of the Lotz Acres Estate subdivision	Appeal denied by the Planning Commission PC08-9(R)
ZM-117-08 4/9/08	James York Plaza LLC	Rezone approximately 8.3 acres at 212 Hubbard Lane (behind James York Plaza shopping center) from GB (General Business) to IL (Limited Industrial) subject to voluntarily proffered conditions	Board of Supervisors action pending*
ZM-118-08 4/9/08	York County School Board	Request to amend previously proffered conditions applicable to the parcels located at 413 Grafton Drive and 415 Grafton Drive	Approved Ord. No. 08-8
UP-741-08 4/9/08	Sarah Green	Detached accessory apartment in connection with an existing single-family detached home located at 413 Railway Road	Approved R08-59
PD-22-08 5/14/08	Mid-Atlantic Communities, LLC	Rezone from GB and R20 to PDMU (Planned Development Mixed Use), approximately 12.5 acres of land located on the east side of Route 17 south of Battle Road for a mixed-use development consisting of 189 residential apartment units and approximately 29,400 square feet of retail/office space	Denied
UP-738-08 6/11/08	Lewis A. McMurrin III	Forestry operation on approximately 112.4 acres of land located on the south side of Denbigh Boulevard (Route 173) at its intersection with the Newport News city line	Approved R08-88
UP-743-08 6/11/08	Burger King	Fast-food restaurant with a drive-through window at 759 East Rochambeau Drive	Approved R08-89
ZT/ZM-119-08 6/11/08	York County Board of Supervisors	Amend various sections of the Zoning Ordinance to ensure consistency with other sections of the York County Code, to correct certain references and conform provisions to the Code of Virginia, and to consider revise regulations that have been identified as problematic in the context of processing zoning applications or enforcement actions; and establish an RC zoning classification for the approximately 83 acres of U.S. Naval Weapons Station property that was annexed into York County as part of a boundary line adjustment with the City of Newport News that became effective July 1, 2007.	Board of Supervisors action pending***

* Planning Commission recommended denial.

**Planning Commission failed to make a recommendation by virtue of a tie vote.

***Planning Commission recommended approval.

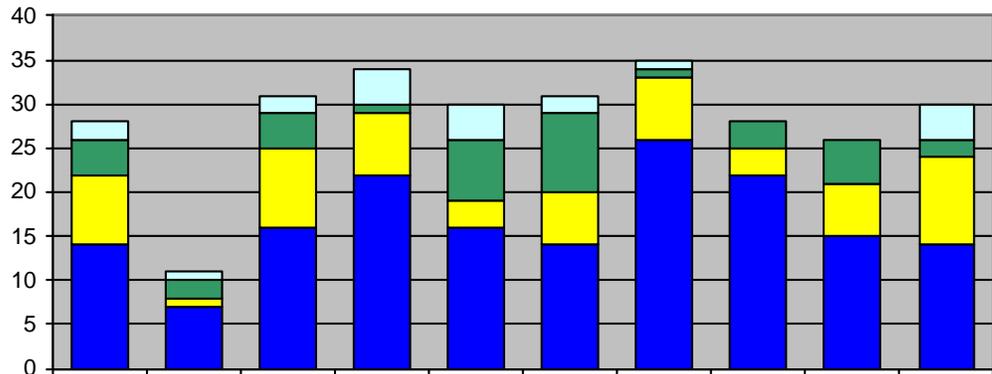
Summary of Zoning Map Changes (Net Change in Acreage by Zoning District)

RC	RR	R20	R13	GB	IL	IG
-1.0 acre	-4.91 acres	-2.4 acres	-0.45 acre	+6.83 acres	+0.93 acre	+1.0 acre

PLANNING COMMISSION ACTIVITIES AND HIGHLIGHTS, FY2008

- The Commission handled 30 cases in FY08, including 14 Special Use Permit applications, 10 rezoning applications (including one Planned Development), 3 Yorktown Village Activity applications, 2 Zoning and Subdivision Ordinance text amendments, and one street interconnection waiver request.
- In addition to its regular meeting schedule, the Commission conducted a special work session to review and discuss in detail a series of proposed Zoning Ordinance amendments.
- Mr. Ptasznik continued his service as Second Vice President of the Citizens Planning Education Association of Virginia – a volunteer, nonprofit 501(c)(3) association of Virginians dedicated to furthering public understanding and awareness of the need for excellent community planning. He also continued his service as the Commission’s representative on the Regional Issues Committee for James City County, Williamsburg, and York County.

PLANNING COMMISSION APPLICATIONS



	FY99	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08
Other	2	1	2	4	4	2	1	0	0	4
Text Amendments	4	2	4	1	7	9	1	3	5	2
Rezoning	8	1	9	7	3	6	7	3	6	10
Special Use Permits	14	7	16	22	16	14	26	22	15	14



Jack Davis, Jack Staton, Chris Abel, Nick Barba, Anne Conner, Al Ptasznik, A. T. Hamilton