

M I N U T E S
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
February 9, 2023
4:00 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at approximately 4:00 p.m.

B. ROLL CALL

Present:

Jack Haldeman, Chair

Rich Krapf

Tim O'Connor

Frank Polster

Staff:

Ellen Cook, Principal Planner

Jose Ribeiro, Senior Planner II/Landscape Planner

Suzanne Yeats, Planner

Terry Costello, Senior Planner

Andrea Case, Community Development Assistant

Liz Parman, Deputy County Attorney

Margo Zechman, Senior Budget and Accounting Analyst

Cheryl Holland, Budget Manager, Financial and Management Services

Christopher Johnson, Director of Economic Development

Tammy Rosario, Assistant Director of Community Development

C. MINUTES

There were no minutes.

D. OLD BUSINESS

1. ORD-22-0004. Amendments to the Zoning Ordinance Regarding Community Recreation Facilities in Residential Districts

Ms. Yeats presented the staff report, stating that staff had addressed questions from the Policy Committee meeting on December 8, 2022. These questions included how widespread the problem was; how the new Ordinance would be enforced; what specific activities would be addressed by the language; what conditions would be included in special use permits (SUPs); and whether there are different ways to address concerns. Ms. Yeats summarized the information presented in the staff report.

Mr. Haldeman asked a question about enforcement authority if a neighborhood facility is used by citizens who live outside a neighborhood, in a circumstance where there is no homeowners association (HOA).

Ms. Yeats stated that if the neighborhood had a recreation association, that would likely be a matter for them.

Mr. Haldeman, Mr. Krapf, and Ms. Yeats discussed the possibility of this being considered

trespassing and if police would be able to assist in this situation., with Ms. Yeats also noting that some neighborhoods have their own police or security arrangements.

Mr. Haldeman stated that the matter before them was a situation where an outside group had been given permission to use a facility on a recurring basis.

Ms. Yeats confirmed.

Mr. Krapf asked for more information about staff's response to the Policy Committee's question about what conditions would apply to a potential SUP and expressed concern about the amount of work that would be involved in developing appropriate conditions, particularly when there are a number of existing regulations that address many of the potential issues.

Mr. Krapf, Ms. Yeats, and Ms. Cook discussed that the conditions would depend on whether the Ordinance moved forward, and if it did, then the conditions would depend on the specifics of the case and the analysis and studies done for the SUP - for example, one facility might trigger the need for roadway improvements, while another might not.

Mr. Krapf asked for confirmation that there had been a total of one complaint.

Ms. Yeats confirmed.

Mr. Krapf stated that a response to the Board could be that the Policy Committee had examined this issue and a draft approach to address it, should it become a more frequent issue, but that at this point in time it appears to be a rare and isolated issue and the Committee would not recommend making an Ordinance change at this point.

Mr. Haldeman and Mr. Polster concurred.

Mr. Polster stated that the swim club in Kingswood involved in the complaint had been a 501(c) since 1971. Mr. Polster stated that membership in this group was open for anyone to join, and that their calendar was posted. He stated that he did not think that the concerns related to swim meets, such as some parking on adjacent streets or noise, were significant issues as they would happen infrequently.

Mr. O'Connor noted that there are a number of similar swim clubs in the County. He questioned how, in circumstances where the club is open to the community or to a group of neighborhoods (as in the case of Kingswood), the County could define 50% of a neighborhood as specified in the draft Ordinance language. He stated his concern that this approach was overreaching by telling HOAs how to manage their recreation facilities.

Mr. Haldeman summarized the discussion, stating that the Committee had reviewed the information provided by staff and found that the issue was a very infrequent problem and would require substantial staff oversight. He stated that the Committee would recommend not moving forward with an Ordinance amendment unless the problem became more frequent.

The Committee concurred.

Mr. O'Connor added his strong concern that if the Ordinance is adopted, the County would end up in the middle of internal HOA strife.

Ms. Cook advised the Committee that at the Planning Commission stage, staff would attach draft Ordinance language. The Committee's recommendation to not move forward with Ordinance adoption would be in the staff report, but the language would be available, should the Commission or Board of Supervisors wish to move forward.

The Committee and staff discussed next steps for this item.

E. NEW BUSINESS

1. Fiscal Year 2024-2028 Capital Improvements Program Review

Ms. Costello presented the staff report, stating the number of applications submitted by the various departments. Ms. Costello provided an overview of the Capital Improvements Program (CIP) review process.

Mr. Polster asked about how the process the Committee is going through relates to the list of CIP projects included in budget document from last year, since staff and the Board had already made decisions about items moving forward. He noted that the General Services building has funding shown for FY23 and FY24, as an example, and asked why the Committee would be including this project in the prioritization process.

Ms. Holland described the budget process the County uses, noting that the first year is adopted, while the second year is a framework year and items may be reconsidered.

Mr. Polster stated that it seemed that if a project was funded in FY23, that the County would certainly fund it in FY24. In addition, if there is already a plan for floating a bond for certain projects, and he questioned whether there is a purpose in revisiting those projects.

Ms. Holland stated that depending on input on the projects from the Committee in relation to Comprehensive Plan consistency, paired with updated information on funding resources and other considerations, there could still be changes to what had been planned, if directed by the Board.

Mr. Polster noted that the Board made the final decision on what projects are funded, and that projects may be funded by the Board that are at the bottom of the Committee's prioritization.

Ms. Holland stated that another factor was the availability of General Services Department staff to administer the projects.

Mr. Polster asked about the CIP projects included in the budget that were not reviewed by the Policy Committee and questioned the prioritization process if not all projects are included.

Ms. Holland asked if he was referring to the capital maintenance items.

Mr. Polster confirmed. He stated that his point was to ask why they were ranking repeat or already funded projects versus just the new ones.

Ms. Holland stated that would be a change in the process but could be considered.

Ms. Cook noted that a larger change in the process would likely be a discussion for a future year.

Mr. Krapf asked if the capital maintenance projects had been included in previous years, and if the Committee at some point had decided not to review them.

Ms. Cook and Ms. Holland confirmed.

Mr. Haldeman asked about the expected facility life for several projects and whether it would be appropriate for the ones with the longer facility life be handled through bonds. He noted this

would relate the use of the facility to the people who are in the community using it. He noted the low interest rates and the benefit of front-loading projects, as well as the economies of scale that could be achieved by consolidating projects.

Ms. Holland described the process Financial and Management Services Department goes through in consulting with financial advisors on especially the larger and more expensive projects.

Mr. Haldeman and Ms. Holland discussed the County's debt load.

Mr. Krapf asked about American Rescue Plan Act (ARPA) funds and its use for capital projects.

Ms. Holland stated that all ARPA funds have been allocated by the Board. Ms. Holland stated that the items included in the CIP list are items that are not fully funded by ARPA, although some of the projects included may have a piece or a phase funded by ARPA.

Mr. Polster asked about Brickyard Landing.

Ms. Holland stated that Parks & Recreation has been reprioritizing its projects. She stated that some projects may have been shown as funded in FY23 with ARPA funds; however, there have been discussions about whether to continue to move forward with those Parks & Recreation projects that had been previously selected, or whether to switch to other projects in order to meet ARPA timeline requirements (the need to complete projects by 2026), and that some changes had been made.

Mr. Polster and Ms. Holland further discussed the ARPA funds and how it related to the CIP projects on the list.

Ms. Cook asked the Committee for the feedback on whether it had questions for the various Departments that had submitted applications. Ms. Cook asked about whether there were questions for County Administration for the consolidated campus application.

Mr. Haldeman confirmed and stated he would send his questions to staff.

Mr. Polster stated that he had a question for this application as well as some of the General Services applications regarding the inclusion of solar energy in the design of County and Williamsburg-James City County (WJCC) Schools facilities. He recommended that the County include sustainability and renewable energy considerations in facility designs. He recommended considering a solar farm on the 504 acres at the County landfill for sustainability reasons and financial reasons.

Ms. Cook stated that these questions could be passed along to the Departments and asked if there were other questions for Administration.

Mr. Haldeman stated that he had sent questions to Mr. Jason Purse, Assistant County Administrator, via email.

Mr. O'Connor stated he had questions that were partially for Administration and partially for General Services regarding the need for office and other spaces described in the applications. Mr. O'Connor suggested efficient consolidation of services to best serve County citizens, such as Chesterfield County. Mr. O'Connor asked about co-locating a library at the planned consolidated campus in order to create a walkable community with good transportation access.

Ms. Cook stated that Mr. Purse may be able to address considerations for the consolidated campus, including any possibly library co-location. Ms. Cook asked if the Committee had questions for Community Development staff, either for transportation or open space.

In relation to the transportation match application, Mr. Haldeman recommended considering widening Blow Flats Road at the same time that improvements are made to Pocahontas Trail. Mr. Haldeman noted that he would share the responses he received from Ms. Rosario on the open space application with the other Committee members.

Ms. Cook asked if there were questions on the Economic Development application.

Mr. Polster stated that he had two questions, one about the matching funding for one of the projects, and one about the Tier ranking status. Mr. Polster stated that it appeared that the Stonehouse project had received FY23 funding.

Ms. Cook asked if there were questions for the Fire Department application.

Mr. Haldeman stated that he had several, which he had sent to staff and would forward to the Committee. Mr. Haldeman stated that one of his questions was about the entrance design for the new station.

Mr. Polster noted that the older station had very low clearance for the ladder trucks, which can slow them down as they are leaving.

Mr. Haldeman asked about the status of Fire Station 6.

Ms. Costello confirmed with Mr. Krapf that he had a question for the Fire Department as well.

Ms. Cook asked about the General Services applications, stating that some questions for General Services had already been discussed, and asking if there were any additional questions.

Mr. Haldeman asked if the architectural study from 2014 was still valid or needed to be updated.

Mr. O'Connor asked, in relation to the stormwater applications, if the County owned the dam in Mirror Lakes.

Mr. Polster confirmed and described the history of that project.

Mr. Polster discussed the General Services building application, noting that renewable energy needs to be part of the initial design and engineering considerations for County facilities, as the feasibility to include this component is decreased or eliminated if considered later. Mr. Polster noted that renewable energy and sustainability considerations are part of the Comprehensive Plan.

Ms. Costello referred to a question that Mr. Krapf had sent asking if the General Services building could be included in the new consolidated campus.

Mr. Krapf confirmed that he wondered if that was possible or if there would be reasons these facilities could not be located together and recalled that there had been some feedback from General Services that operational needs would not be compatible. He asked for some additional information on what the adverse impacts would be to General Services if they were to be located within the campus.

Ms. Cook asked if there were questions on the Parks & Recreation applications.

Mr. Polster stated that he would like more information about funding for the various Parks and Recreation projects. He expressed support for the Lower County Park application.

Mr. Haldeman asked why the Lower County Park project needed to wait until the Pocahontas Trail project moves forward, as stated in the application. He noted his concerns about equity of access to parks within the County.

Mr. Polster asked what the use of the Abram Frink Jr. Community Center would be after Lower County Park is in place, and whether it would become a library. He noted that there was a separate application for a lower County library.

Ms. Cook asked if the Committee had questions for the Police firing range application.

Mr. Haldeman asked for an update on what has been done so far.

Ms. Holland stated that the additional fund request may be due to cost increases associated with inflation.

Ms. Cook asked if there were questions on the WJCC Schools applications.

Mr. Polster stated his questions regarding the Bright Beginnings program, the implications for school classroom usage, bus times, and overall capacity issues in the elementary schools. He asked for updated documentation. He also asked for information about the plans for cafeteria expansion and how that matched or did not match redistricting plans and considering a bond.

Ms. Cook asked if there were questions on the Social Services application.

The Committee did not have questions.

Ms. Cook asked if the Committee had questions on the Library applications.

Mr. Haldeman stated he did not have questions, and that he was unable to rank the project until a decision has been made on the location.

Mr. Polster asked what the County Administrator and officials in the City of Williamsburg decided. Mr. Polster stated that it was his understanding that the City of Williamsburg was planning to put the library in the old Police building and that funding had already been allocated. He stated that he felt the City of Williamsburg had indicated its direction, and that inclusion of funds in the out years of the County's CIP was puzzling since the location is unknown and no decision has been made.

Mr. O'Connor stated that unless the Library has an update on a decided location, the situation remains the same as in past years and he is not able to rank it either.

Ms. Cook asked if the Committee had questions on the other Library applications.

Mr. Polster stated that he did have questions about the other Library applications, including the plan for the lower County.

Ms. Costello asked the Committee to forward questions to her as soon as possible and she will provide them to the Departments in advance.

Mr. Polster noted that Mr. Krapf would not be in attendance at upcoming CIP meetings and

asked if he was comfortable with the rankings he had provided.

Mr. Krapf confirmed, stating that he was familiar with many of the projects from previous years. Mr. Krapf stated that he respected the Committee's judgement and any adjustments to the final order that the Committee might deem appropriate.

The Committee concluded discussion of the CIP agenda item.

Mr. Krapf asked to return to discussion of the Community Recreation Facilities Agenda item. Mr. Krapf asked for clarification from Mr. O'Connor about this desired next step for this item.

Mr. O'Connor stated that his desire was that the item not move forward from the Committee to the full Planning Commission but acknowledged that the staff needed to address the Board's Initiating Resolution. He stated that he would not support this Ordinance change at the Commission level and that, given the Committee concerns, it seemed like a wasted effort on staff's part, should the Board eventually reconsider.

The Committee discussed concerns with enforcing the Ordinance and the staff time that would be involved, as well as impacts to the overall community if there are restrictions on recreation facility uses.

F. ADJOURNMENT

Mr. Polster made a motion to Adjourn.

The motion passed 4-0.

Mr. Haldeman adjourned the meeting at approximately 5:14 p.m.

Mr. Jack Haldeman, Chair

Mr. Paul Holt, Secretary