

A G E N D A
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
August 13, 2019
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Members of the WYBL 7U All-Star Team

E. PRESENTATIONS

1. Historical Commission Annual Update
2. Jamestown H.S. Envirothon Team Recognition

F. PUBLIC COMMENT

G. CONSENT CALENDAR

1. Minutes Adoption
2. Authorization to Purchase 8 Police Vehicles - \$180,048
3. Grant Award - Commonwealth Attorney - Victim's Witness Grant Program - \$183,260
4. Initiating Resolution - Combat Ranges
5. Initiating Resolution - Warehouse, storage, and distribution centers in the Mixed Use district
6. Highway Naming Of Route 614, Centerville Rd, In James City County, From Route 5000 To Route 613 News Road As The Earl M. "Buddy" Heisler Memorial Highway

H. PUBLIC HEARING(S)

1. Case No. ORD-19-0002. Zoning Ordinance Amendment – Section 24-111, Temporary Offices
2. SUP-19-0011. 5026 River Drive Tourist Home

I. BOARD CONSIDERATION(S)

1. Residential Impacts and Goals for Workforce Housing
2. Initiation of Rezoning within the Forest Heights Road Area

J. BOARD REQUESTS AND DIRECTIVES

K. REPORTS OF THE COUNTY ADMINISTRATOR

L. CLOSED SESSION

1. Appointments - Historical Commission
2. Appointments - Clean County Commission
3. Appointments - Community Action Agency

M. ADJOURNMENT

1. Adjourn until 5 p.m. on September 10, 2019 for the Regular Meeting

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Pledge Leader - Members of the WYBL 7U All-Star Team

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:47 PM

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Tori Haynes, Staff Liaison to the Historical Commission

SUBJECT: Historical Commission Annual Update

ATTACHMENTS:

	Description	Type
	Presentation	Presentation

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	7/25/2019 - 5:12 PM
Development Management	Holt, Paul	Approved	7/25/2019 - 5:13 PM
Publication Management	Burcham, Nan	Approved	7/26/2019 - 7:33 AM
Legal Review	Kinsman, Adam	Approved	7/26/2019 - 11:45 AM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 10:26 AM
Board Secretary	Purse, Jason	Approved	8/6/2019 - 3:01 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:27 PM

James City County Historical Commission



Board of Supervisors Update
August 13, 2019
Stephen D. Phillips, Chair

The James City County Historical Commission

Mission: to further the efforts of the County to document, commemorate, preserve, protect, and promote the rich historical heritage of James City County.

Membership

Member	District	Member	District
Frank Abbott	Powhatan	Lafayette Jones	Williamsburg
Fred Boelt	Powhatan	John Labanish	Jamestown
Ian Brickey	Powhatan	Alain Outlaw	Roberts
Adrienne Carter	Jamestown	James Parrish	Berkeley
Chris Hamilton-Petteys	Powhatan	Stephen Phillips	Roberts
Dr. Sean Heuvel	Berkeley	Ben Swenson	Stonehouse
Mark Jakobowski	Roberts		

JCCHC Essay Contest



Norge Depot Continues...



Toano Sign Repair & Historic District



Ambler House



Ewell Hall



Tomb of the Unknown Patriot Saturday, July 6



Log Cabin Beach Marker Project



Upcoming Events and Projects for 2019-2020

- Log Cabin Beach Historical Highway Marker
- JCC Tourist Publications
 - Revised paper map
 - Google Maps Project
- Elizabeth Bland Grave Marker, Church on the Main
- Ewell House Architectural Study
- Stonehouse Archaeology Report
- 75th Anniversary of the End of World War II



For more information:

Web:

<http://www.jamescitycountyva.gov/901/Historical-Commission>

Email: planning@jamescitycountyva.gov

Phone: JCC Planning Division 757-253-6685

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Jamestown H.S. Envirothon Team Recognition

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:46 PM

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Minutes Adoption

ATTACHMENTS:

	Description	Type
📎	062519 BOS Work Session	Minutes
📎	070919 BOS Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 2:15 PM

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
June 25, 2019
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

Michael J. Hipple, Vice Chairman, Powhatan District
Ruth M. Larson, Berkeley District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
James O. Icenhour, Jr., Chairman, Jamestown District

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

C. BOARD DISCUSSIONS

1. Financial Update

Ms. Sharon Day, Director of Financial and Management Services, introduced Mr. Courtney Rogers, Davenport & Company, LLC, who gave an overview of a PowerPoint slideshow regarding the Comprehensive Financial Review included in the Agenda Packet.

Mr. Rogers stated the slideshow identified the following subjects: Demographic Profile; Historical Financials; Debt Management; Overview of Current Market Conditions; Capital Planning; and an Appendix Rating Agency Overview. He discussed a comparison that was made regarding other localities, like James City County, held AAA Bond Ratings. He mentioned the presentation included financial trends, which displayed the last five audited years coming to a close. He noted fund balances in 2014 and 2015 showed negative changes in fund balances and that 2016, 2017, and 2018 monies were put back into the fund balance and used for one-time projects. He further noted 2019 currently appeared smaller, but added it was preliminary and may go up. He stated tax rates were still competitive and assessed values continued to grow.

Mr. McGlennon inquired about a year that was shown when the public service number significantly jumped upward.

Mr. Rogers replied he was not aware of the reason for the elevation.

Ms. Day stated she would obtain information regarding the elevation.

Mr. Rogers briefly discussed the assessed value per capita and unassigned fund balance. He commented fund balances continued to grow. He remarked the target was increased in 2014 and currently was at the high-end of the target in 2018 with a possibility to continue into 2019. He briefly discussed various types of funds and flexibility in other localities.

Mr. Hipple inquired if a similar flexibility would be considered in the future.

General discussion on this topic ensued.

Mr. Rogers continued the slideshow and discussed existing tax-supported debt service. He stated one consideration was how fast the debt would be repaid. He discussed the 10-year payout ratio, which was the amount of principal paid back over the next 10 years. He stated he would like to have payback in the +70% range. He spoke concerning two policies the County currently had which were debt versus assessed value and commented the County was presently in great shape, with most localities being in the 1-1.5% range. He reviewed debt service versus revenues and remarked the total amount of debt service was divided by the budget and because the County funds its schools, they were included as a part of the revenue. He commented that transfers were netted out so they were not being counted twice. He further stated the target in this case was 10-12% of the revenue number and the County was currently at 8%, therefore, it was starting to come down. He continued his synopsis of the slideshow and discussed prospective projects currently on the books as well as projected future projects. He provided an overview of "AAA Municipal Market Data and Interest Rate Trends." He gave a commentary of the "Capital Improvements Plan Uses and Sources of Funds" segment of his presentation as well as the "Impact on Existing Tax-Supported Debt Service."

Ms. Day referenced the "Potential Series 2023 Debt Services" portion of the slideshow and inquired if \$994,500 in 2024 was a half-year payment.

Mr. Rogers replied it was a partial-year payment and reflected capitalized interest for six months prior in an effort to keep that number under \$19 million. He continued reviewing the "Impact on Existing Tax-Supported Debt Service" portion of his presentation and moved on to discuss the "Impact on Debt versus Assessed Value." He concluded by summarizing the "Future Capacity above Current CIP" portion of his presentation. He stated there was still a lot of capacity and felt the key take away from this review was that the demographics, financial, and debt metrics were still in line with the Virginia AAA peers and of no concern.

Mr. McGlennon expressed his gratitude to Mr. Rogers for the hard work putting this information together and commented it was very clear and helpful in terms of understanding and reassuring in terms of abilities to accomplish important priorities and opportunities. He commended the conservative approach being taken in terms of projecting interest rates and noted the County was currently in good shape.

Mr. Icenhour gave kudos that the material was very clear and helpful when he and fellow Board members read it before the presentation.

The Board expressed its thanks to Mr. Rogers for his presentation.

Ms. Larson inquired to Mr. Stevens the best way of following up regarding the possibility of moving some things.

Mr. Stevens replied a few comments were made from the Board regarding moving forward and accelerating land conservation. He mentioned the other area he heard conversations regarded Parks and Recreation. He noted Parks and Recreation had many projects the Board could accelerate over the next five years versus 10 years or beyond. He remarked this could be future discussion for the Board to decide where it wanted to move forward with either of those items or other possibilities.

Ms. Day stated regarding capital projects, the Board should consider that many times there were impacts on the operating budget, particularly when a school, park, or new facility was

built. She commented staff could assist the Board with estimates on what possible impacts could look like.

Mr. McGlennon reflected back to when one of the County high schools was brought on board years ago and noted the tax rates were adjusted in a way that helped to fund a good portion of the capital cost. He stated when the building opened it was able to be converted to operating without changing the tax rate. Mr. McGlennon referenced the outlook.

Ms. Day replied there were positive changes and expected to end the year in a positive net position. She stated staff was conservative in the estimates; however, it was still early and taxes continue to be collected. She noted on the revenue/expenditure side, everything was trending along with budget. She further stated it had been a year with high health insurance claims; however, a change this year in carriers had been made. She noted usually the first year after a change had been made, there typically was a spike as runoff claims were paid under the old policy as well as claims paid under the new policy. She remarked there was a reserve for health insurance claims under the old policy. She commented even though it appeared like \$2 million, there was a portion of that additional cost being covered from health insurance reserves and not the current year balances. She remarked discounts were looked for as well as anything that was “within our control.”

The Board expressed its thanks to Ms. Day.

2. Presentation on Department of Social Services

Ms. Rebecca Vinroot, Director of Social Services, gave an overview of a PowerPoint slideshow included in the Agenda Packet. She introduced Ms. Barbara Watson, Assistant Director; Ms. Angie Morris, Virginia Department of Social Services Director of Local Support and Performance; and Ms. Jo Ann Wilson-Harfst, Eastern Regional Director of Social Services. Ms. Vinroot reviewed the James City County Social Services “traditional” programs. The programs included services designed to help individuals meet their basic needs as well as family services programs that work with children, the disabled population, and local senior citizens. She noted Housing programs particular to James City County and commented only a few other localities currently had Housing programs under Social Services. She reviewed the organizational chart and provided a brief description of the various positions and services offered. She discussed the Social Services Advisory Board, which currently consisted of six individuals who met on a regular basis in an effort to provide oversight. She explained that Social Services funneled into its regional and state oversight. She further explained that Housing fed into the Department of Housing Redevelopment and the Virginia Housing Development Authority oversight. She stated the James City County population currently was approximately 75,000 strong and summarized the “James City County by Numbers” and “Housing Programs” slides. She stated this was a good process to have in place and required many partnerships. She briefly discussed the “Housing Choice Voucher,” “First-Time Homebuyer,” “Housing Preservation,” and “Rural Rehab” programs. Ms. Vinroot moved along to the “Housing - Next Steps” and “Social Services - Benefits Programs” areas of her presentation. She discussed the need to continue to work through the Technical Advisory Committee of the Workforce Housing Taskforce and upcoming initiatives. She summarized the “Benefits Programs” slides that included “Supplemental Nutrition Assistance Program,” “Medicaid,” “Temporary Assistance for Needy Families,” “Child Care Assistance,” “Energy/Fuel Assistance,” and “Fraud.” She stated currently team leaders with particular skills in the construction area were being recruited and remarked a team leader was needed for every home. She commented the number of clients varied from year to year in all areas of the County. She switched to the “Medicaid Expansion” area of focus and commented as of May 2019, there were 1,738 newly enrolled participants under the expansion. She noted the Williamsburg Health Foundation was working with James City County, the City of

Williamsburg, and York County in an effort to make its mission to have as many people as possible have access to health insurance. Ms. Vinroot shifted her focus to “Services - Working Families” as well as “Services - Children & Families” areas of conversation and discussed the topic of Virginia’s Initiative for Employment not Welfare (VIEW) program. She gave an overview of several programs that were in a sense a hybrid between benefits and services detailing the specific areas of expertise for each one. She mentioned that the VIEW program had recently changed its name to the Virginia Initiative for Education and Work. She noted this program was for individuals receiving Temporary Assistance for Needy Families and were focusing on eliminating barriers to employment. She spoke of regional grants that were forthcoming and would create more impacts. She highlighted areas of children and family services programs and funding. She highlighted details of the “Child Health Initiative” program and noted it was another partnership with the Williamsburg Health Foundation which began in July 2018. She further noted the program wrapped around families having multiple challenges; socioeconomic and health challenges, with a goal to help each family achieve better health and well-being. She stated this program was very innovative as these were individuals who were not in child protective services or any particular program, but needed a wraparound team. She further stated the City of Williamsburg had a similar program. She discussed programs available for seniors that were mandated such as “Adult Protective Services” and “Adult Services” and noted referrals had increased 44% from 2017 to 2018. She turned her focus to the Community Outreach Network Educate Care Thrive program and highlighted its services as a collaboration between Social Services, Fire/EMS, and Police. She stated that 70% of individuals referred to Social Services from Fire/EMS and Police were not known to Social Services before the referral and noted the importance of the program, which allowed these individuals' needs to be served. Ms. Vinroot highlighted the “DSS Strategic Plan - 2018-2025” section of the presentation. She discussed the “Guide to Critical Priorities to Support our Community” with areas of conversation regarding “Evaluate the Services We Provide to Ensure We are Focusing Efforts Where They are Most Needed,” “Prepare to Meet the Future Needs of our Citizens,” and “Analyze Existing and Potential Partnerships with Organizations.” She recognized the last slide in the presentation and referenced the upcoming Community Fair to be held on August 17, 2019. She mentioned hosting the James City County Social Services first Community Fair at the Social Services building, located at 5249 Olde Towne Road, was an effort to bring awareness of services provided by the County and its partners.

Mr. Icenhour expressed his gratitude to Ms. Vinroot. He commented he met with Ms. Vinroot in an effort to learn more in regard to programs available to County citizens in various situations. He further commented this was an excellent, in-depth, eye-opening presentation and showed there currently was a tremendous amount of work being done. He asked his fellow Board members if they had any questions.

Ms. Sadler referenced children who received free lunches during the school year and asked where they could go during the summer.

Ms. Vinroot described various summer meal programs hosted by community partners such as the Greater Williamsburg Outreach Ministry as well as the Food Bank.

Ms. Larson referenced the upcoming Community Fair and mentioned the news had run stories regarding huge amounts of balances being run up for non-payment of school lunches. She asked if a representative from the schools would be in attendance.

Ms. Vinroot replied there would not be a spokesperson from the schools in attendance.

General discussion ensued.

Ms. Larson addressed homelessness in James City County and stated she would like there to be discussion at a future work session regarding this issue.

Ms. Vinroot discussed the current process when an individual reached out to Social Services and noted efforts made to connect and work with its partners.

General discussion ensued on this topic.

Mr. McGlennon inquired about the confidence of individuals and their ability to navigate through services and connect with programs that would be helpful as well as referenced social isolation concerning the elderly.

Ms. Vinroot discussed assessing individual needs and connecting with the case management services provided by Social Services.

General discussion ensued.

Ms. Vinroot mentioned a program, still in its initial planning stages, that collaborated with the Center for Balance and Aging Studies at the College of William & Mary Department of Health Sciences. She stated this was a program of gait analysis and balance geared toward individuals who often fell. She further stated in an effort to build up strength, services were provided and individual assessments were completed as well as Recreation Center classes recommended.

General discussion ensued regarding the Child Health Initiative and Medicaid expansion.

The Board expressed its gratitude to Ms. Vinroot for her presentation.

3. Grant Award - James City County Child Health Initiative - \$275,000

A motion to Approve was made by James Icenhour Jr, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Vinroot gave a brief overview of the memorandum and resolution included in the Agenda Packet. She noted the grant included full funding for the continuation of three full-time positions under the Department of Social Services - Care Team Coordinator, Social Work Case Manager, and Nurse Case Manager.

4. Land and Water Conservation Fund Grant

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Carla Brittle, Centers Administrator of Parks and Recreation, gave an overview of the memorandum and resolution included in the Agenda Packet. She referenced a previous work session where the Board approved the Purchase Agreement. She explained this was a separate resolution required by the grant agency that contained language regarding requirements whereupon a grant was received.

Mr. Icenhour inquired about Item No. 6 listed on the resolution that read: "We acknowledge that any non-recreational uses may not be made of the property without undergoing a conversion of use process and obtaining approval from the Department of Conservation and Recreation (DCR) and the United States Department of Interior/National Park Service." He inquired if a withdrawal process would be necessary if a portion of the property were to be

used.

Mr. Kinsman replied yes.

Mr. Icenhour inquired about the type of financial obligation.

Ms. Brittle remarked it was a repayment.

Mr. Kinsman stated as this process moved along the Board may consider discussion with the DCR and the United States Department of Interior/National Park Service regarding putting aside an area to have for later use.

Mr. Icenhour asked the Board if it had any questions.

The Board did not have any further questions.

5. Reactivating an Open Space Preservation Program in James City County: Reassembling the Toolbox and Creating a Blueprint for Decision-Making

Ms. Tammy Rosario, Principal Planner, gave an overview of a memorandum that included charts and graphics and was included in the Agenda Packet. She stated that over the past several months the Board had been discussing the past, present, and future of the County's Open Space Preservation program. She further stated in an effort to aid this discussion, staff had prepared a memorandum that covered the history, current status, and opportunities for the program. She noted it aimed to evaluate the tools of the potential open space program and create a blueprint for decision making that allowed staff and the Board to proceed accordingly. She stated that the presentation would be about the focus points regarding future actions. She briefly discussed the following topics:

- History - Early Conservation Tools and Land/
Development Rights Acquisition Tools
- Greenspace/Purchase of Development Rights Programs -
In Common and Differences
- Examples Over the Years
- Eligibility Factors
- Program Opportunities
- Summary Decision Points
- Eligibility Decision Points
- Program Decision Points

Mr. Icenhour commented he liked the Decision Tree in the presentation. He referenced the slide titled "Summary Decision Points" and referred the first bullet "Does the Board desire to stay at maintenance mode (monitoring and stewarding properties as time permits, and fielding inquiries and processing Board consideration items on a case-by-case basis)?"

Mr. Icenhour inquired if the Board had any comments.

Mr. Hipple commented efforts should begin moving in areas of getting things in place, reviewing what could be done, and how to operate.

Mr. Icenhour turned his focus to the slide titled "Eligibility Decision Points."

Mr. McGlennon referenced the history of the County's involvement and options available. He mentioned 1974 and the land use evaluation. He inquired if it was currently being used outside

of the Agricultural and Forestal District (AFD) program.

Mr. Purse, Assistant County Administrator, replied yes, if it was an agricultural property, it did not have to be in the AFD program. General discussion ensued regarding AFDs.

Mr. Hipple noted the opportunity of allowing to pick and choose as well as use several more resources to protect land. He further noted the ability for more opportunities to anyone who wanted to change and do something with his/her land. He stated as this list was gone through, more options of available tools that could be used to put land under something to keep it from being developed might be discovered. He further stated one of the first steps could be to start funding and place someone in a position who developed a dashboard of “where we are heading.” He commented this would help the Board with staff assistance on the opportunities and tools available and commented he would like to see Forge Road protected as much as possible.

Mr. Icenhour stated the decision point discussed concerning staff evaluating a landowner’s proposal on a case-by-case basis was essentially the procedure currently used and what he referred to as a “caretaker mode”. He noted “if we want this program to be a clearer range of options for citizens to come in and figure what they can do with their property, but also for us to provide staff with guidance of what it is that we are trying to accomplish with this, I think that is sort of the direction that I would want to give staff.” He inquired about the slide referring to “the next level efforts to explore program refinements and/or pursue additional funding opportunities (These would require additional resources)” and was curious about the part that stated “pursue additional funding.” He inquired if there were other funding mechanisms that could work into this in an effort to try to help make this program go forward.

Ms. Rosario replied yes and referenced the memorandum. She gave a brief overview of information in relation to this subject.

General discussion ensued regarding funding.

Mr. Purse stated he and Mr. Stevens had discussions from an administration standpoint and felt a two-part process might make more sense; whereby, using funds upfront for a consultant in order to help set up the program and then have a staff member come in for implementation and promotion.

Ms. Sadler inquired about the bond referendum; when it took place and was any of it left over.

Mr. Kinsman replied it expires after a while and noted “we did not exhaust the funds, we ran it up to the statutory time limit, asked the court to grant a couple of extensions, got those extensions and then ran out of extensions, therefore it was effectively ended.”

Mr. Icenhour remarked out of the \$20 million it was approximately \$14 million that went away because of not being used.

Mr. McGlennon stated it occurred due to the recession.

Ms. Sadler inquired if part of the problem was people did not apply for the programs.

Mr. McGlennon stated from his recollection there simply was not the money to pay for the borrowing and therefore the program was suspended.

General discussion ensued regarding this topic.

Mr. Hipple stated in an effort to run the program it needed to be set up, someone consulted to

advise the Board, and at that time hire a new staff member or move an existing staff member into the position. He discussed the possibility of someone bringing in a large piece of property if funding was not available and how it could possibly be placed into a five-year plan so as not to “hang in limbo.”

Mr. Icenhour commented the next step would be for staff to come back to the Board and lay out to the consultant, a plan on how the study would be run, funding of the study, and going forward with that information. He further commented specifics should be addressed before a commitment was made.

Ms. Sadler inquired concerning new money in the budget.

Mr. Icenhour stated there was approximately \$300,000 left over.

Mr. Stevens noted there would be further discussion regarding the funding and would be brought back before the Board to authorize its use.

Mr. Purse stated he felt it there would be enough time allowed to put it in the budget for future years.

Mr. McGlennon stated he was going to take a slightly different prospective as he did not feel an extensive and detailed effort by a consultant to put together a set of priorities and directions was necessary. He further stated, “We are always going to be talking about a relatively small number of cases and each one of them will have particular advantages or reasons to not pursue them. The thing that does concern me is I think we are in a period where we are losing some of the primary landowners and we are in an economic environment where there is pressure for development so I worry about timing. It is not to say that we could not benefit from a consultants work but I would rather think about a situation where the consultant and the staff person might work together to get the program up and running more rapidly.”

General discussion ensued regarding this topic.

Ms. Larson inquired about the method of knowing where to start and come up with a method of handling more than one person coming forward with different pieces of land in very different areas.

Mr. Hipple stated that would be where the consultant would speak with each individual.

Mr. Icenhour stated the Board needed to work with the consultant and lay out objectives. He listed the following points to consider.

- What are we trying to do?
- What are we trying to protect?
- Is there a good school site for future use that would be a good investment?
- Did it meet specific criteria?
- Consideration of a viewshed.
- Consideration of historic or scenic property.

Mr. Icenhour noted these items could be necessary in order to give guidance in case they come up with some type of a rating system. He stated he viewed this as encouraging people to come to the Board. He further stated if there was a piece of property the Board was seeking, it may want to go out proactively and see if the owner was interested in doing something with the property.

Ms. Larson stated the process should begin with the consultant. She commented the Board

could then see what was available, in an effort to see what it was interested in selecting.

General discussion ensued regarding this matter and the hiring of a consultant and staff person.

Mr. Icenhour inquired to staff if they were seeking any other decisions or guidance. He stated he was looking for staff to come back before the Board with a proposal that included timelines and costs in order to have a more in-depth discussion.

Mr. Stevens inquired if staff would be prepared over the upcoming four to six weeks regarding the proposed consultant and staff position.

Mr. Purse remarked possibly sooner. He stated staff could put in a Request for Proposals before the end of summer. He further stated he wanted to avoid putting staff in a position of telling individuals where the Board may or may not fall on the issue. He suggested a consultant come in and put criteria together in order for staff to speak with property owners.

General discussion ensued.

Mr. Icenhour stated there could be various sources of funding and therefore staff should include information such as where the money would come from as well as the cost.

Ms. Sadler inquired of Mr. Purse if there were tools that could be added to the toolbox. She noted that would allow options to be looked at rather than using taxpayer money. She further stated she understood the premise behind wanting to protect the property; however, not all taxpayers wanted to use their hard-earned tax dollars to pay other people not to develop. She commented that additional tools included in the toolbox may be a deterrent for development, as opposed to spending money.

Mr. Icenhour stated when he first got on the Board he had a similar conversation with Mr. Kinsman. He discussed details of central well issues during the time of the conversation.

General discussion ensued on this issue.

Mr. Icenhour stated there currently were options available to try to leverage money from other sources; such as grant money or leveraging programs and other things, in an effort to do more than in previous years.

Ms. Sadler commented the AFD program was a great program primarily because it helped farmers and was renewable. Ms. Sadler stated she had always been a promoter of helping farmers with their properties. She further stated the Board needed to figure out how to do this because it needed to identify properties first and foremost. She expressed concern, "what if we started getting wrapped around the axle for preserving 'for the sake of preserving' and then were tapping out money and perhaps needed to build a school or fire station, then what would we do." She remarked she could see a potential problem down the road and therefore humbly suggested the Board was very cautious on how to do this.

Mr. McGlennon stated that ultimately the choice was in the hands of the landowners as they could choose to participate or not to participate.

Mr. Hipple stated he could see exactly what Ms. Sadler was saying. He commented, "The other side was for example, a flat piece of property located on Forge Road that a developer would like to make a subdivision. If it was protected we have less on the roads, in the schools, fire departments, and in turn there would be less taxes by preserving than we would by developing." He stated in order to grow there needed to be development; however, properties that were wanted to save for the future needed to be a consideration.

General discussion ensued.

Ms. Larson stated she would like to know from staff details of the proposed full-time position.

Mr. Purse stated that was another reason to start with a consultant. He expressed kudos to Ms. Rosario for the flowchart provided in the Agenda Packet. He noted staff could put together more information and then it could be determined if the program would be able to run itself or not.

Ms. Rosario stated one side of the equation was acquisition; however, on the other hand there was monetary and stewarding of the properties, as well as handling property owner inquiries and property owner initiated changes.

Mr. Hipple gave a scenario of a piece of property with two houses on it and asked about limitations to other structures.

Ms. Rosario stated there might be instances where properties turn over to new property owners and the new owners may not be aware of some of the deed easements or conditions. She further stated there was a need for staff to go out and look at those properties. She commented staff needed to get to know the new property owners and explain things to them as well as establish a rapport.

Mr. Hipple stated it was more than going out and purchasing a piece of land, it would also include legal issues.

Ms. Sadler stated by having the toolbox the Board would be able to identify which program would best suit a particular piece of property.

Mr. Icenhour made certain his fellow Board members were comfortable with everything.

There were no further questions.

Mr. Icenhour expressed his gratitude to everyone for the presentation.

6. James City County Facility and Road Memorial Naming Policy

Mr. Purse gave an overview of the memorandum and resolution included in the Agenda Packet. He stated the key point for consideration was the process. He further stated this policy would essentially convey if a Board member had something he/she would like to be considered for any new policy, he/she would take it to the County Administrator. He acknowledged the County Administrator could have one-on-one discussions with other Board members to make certain there was a consensus. He noted there were also general guidelines included as well.

Ms. Larson referenced donors and asked if County facilities could receive sponsorships on buildings or did it have to be individuals.

Mr. Kinsman stated he had seen that occur before so it must be permissible; however, he would look up that information for the Board.

Mr. Purse commented there were examples at the library, where the library had worked with the Kiwanis Club to hold a fundraiser and named one of the rooms after a private individual who donated a lot to the Friends Foundation.

Ms. Larson inquired if a business such as Gatorade wanted to sponsor a pickleball facility, could it be named the Gatorade-Pickleball Facility.

Mr. Kinsman replied he could find the answer for the Board.

Mr. McGlennon stated he had two concerns and one item was related to what Ms. Larson had spoken about. He noted he was uncomfortable thinking of it in terms of this policy being written and basically saying “if you pay for it you can get your name on it” as opposed to saying that “a private individual who had significantly contributed to the creation of the facility” allowed a bit more flexibility and did not make it quite as mercenary. He briefly discussed his other item of concern which was a matter of language in the first paragraph.

Mr. Icenhour asked if any of his fellow Board members had anything to add to the conversation.

General discussion ensued regarding requirements for the facilities and road memorial naming policy.

D. BOARD REQUESTS AND DIRECTIVES

Ms. Larson expressed her thanks to County staff as well as the Virginia Department of Transportation for the outstanding services given with so many happenings going on over the past weeks. She expressed kudos to the extra messaging tool recently made available. She briefly discussed the recent recycling changeover. She mentioned a citizen inquired about conversations the Board had in regards to trash collection. She noted a concern of an increase in trash charges due to residents opting out from recycling. She further noted Ms. Grace Boone, Director of General Services, was working on recycling boosts. She explained recycling boosts was a program that citizens could work on recycling perks with local merchants and TFC Recycling hoped to have the program activated within the next six to 12 months. She stated Williamsburg Estate Services recently relocated to Jamestown Road and had reopened.

Ms. Sadler stated the owner of Jimmy’s Oven and Grill opened a new restaurant named 501 Bar and Grill located at the Stonehouse Golf Course, and commented the food was amazing and the atmosphere was great. She noted the golf course was on target to open very soon.

Mr. McGlennon extended kudos to a local business that sells cosmetics in Settler’s Market Shopping Center. He remarked his wife recently purchased cosmetics packaged in a small box. He commented the box contained a note, which he summarized “we have deliberately made this a small package and have done it in a way that if you would like to slip it into a drawer and use the compartments for your jewelry, or whatever else you may want to store. We encourage you to patronize businesses who recognize the need to reduce the amount of waste that we are producing.” He also extended congratulations to the students who recently graduated from the County’s school system.

Mr. Icenhour stated he attended one of the graduations and commended Mr. McGlennon for his attendance at all three of the County’s high school graduations. He mentioned recently he attended a grand reopening of Garrett Realty Partners across from Monticello Marketplace.

E. CLOSED SESSION

None

F. ADJOURNMENT

1. Adjourn until 5:00 p.m. on July 9, 2019, for the Regular Meeting

A motion to Adjourn was made by Ruth Larson, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 6:02 p.m., Mr. Icenhour adjourned the Board of Supervisors.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
July 9, 2019
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

Michael J. Hipple, Vice Chairman, Powhatan District
Ruth M. Larson, Berkeley District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
James O. Icenhour, Jr., Chairman, Jamestown District

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Sophia Melton, a 4th-grade student at Stonehouse Elementary School and a resident of the Stonehouse District, led the Board and citizens in the Pledge of Allegiance.

Ms. Sadler, Stonehouse District representative, introduced the Pledge Leader.

E. PRESENTATIONS

1. National Night Out Proclamation

Mr. Icenhour welcomed Police Chief Brad Rinehimer, McGruff the Crime Dog, and several members of the police force as he read the proclamation for the National Night Out event on August 6, 2019. He noted this was the 36th year of sponsorship from the National Association of Town Watch for the national community-building campaign that promoted strong police-community partnerships and neighborhood camaraderie. Mr. Icenhour urged local residents to participate in the National Night Out event. He presented the proclamation to Chief Rinehimer.

Chief Rinehimer thanked Mr. Icenhour and the Board as well as the community for its support. He encouraged any neighborhood that wished to participate, but had not signed up, to contact Officer Shenee Graham or Sergeant John LeClaire at 253-1800.

2. Virginia Department of Transportation Quarterly Update

Mr. Icenhour welcomed Mr. Rossie Carroll, Williamsburg Residency Administrator for the Virginia Department of Transportation (VDOT).

Mr. Carroll noted in his PowerPoint presentation that VDOT had completed 796 of 974 maintenance work orders from April 1 to June 30. He detailed the project breakdown as well

as accomplishments and current projects in his VDOT presentation. He noted the completion of the second County-wide mowing as well as highlighting the construction on Route 199. Mr. Carroll addressed the bridge construction and median lane modifications along that route. He noted a bridgework contract and its impact on James City County with the College Creek Bridge, the Scotland side, and the Glasshouse side for the Scotland Ferry. He further noted this work would take place at night. Mr. Carroll addressed the SmartScale Longhill Road widening project with a proposed completion scheduled for fall 2021. He noted several other projects and their respective timelines. Mr. Carroll provided an update on the Powhatan ferry boat's arrival. He noted a fall arrival was the projected timeline based on repair delays. He further noted the Commonwealth Transportation Board funding approval of the SmartScale application for the Longhill Road shared use path on both sides of Route 199. Mr. Carroll highlighted additional VDOT projects and Roadway Safety Analysis (RSA) conducted at various County locations. He stated various intersections with increased accident reports had prompted the RSAs.

Mr. Hipple thanked Mr. Carroll for the storm-damaged tree work at Diascund Road, sign damage work, and the Cranston Mill Pond signs. He noted a dead tree in the median in Route 60 near Norge, a possible Jolly Pond traffic light with an estimated cost of \$400,000-500,000, and the ditches on Barnes Road. Mr. Hipple thanked him for the work on those projects also.

Ms. Larson thanked Mr. Hipple for the mention of the Jolly Pond traffic light and Mr. Carroll's input. She asked about the cleanup on the paving projects.

Mr. Carroll responded most of the work was done, particularly at night. She noted Thursday's 6 p.m. upcoming community forum with VDOT to discuss the intersections of Route 5 and Route 614.

Ms. Sadler noted the vegetation to the left of westbound Exit 227 ramp. She stated visibility was blocked. She inquired about the damage to the guardrail on the eastbound Exit 227 ramp and the constant repairs. Ms. Sadler asked if caution signs or such could be located there for precautionary purposes. She inquired about ongoing issues on Rochambeau Drive. She asked if Mr. Carroll and Mr. Jason Purse, Assistant County Administrator, could follow up on those issues.

Mr. McGlennon thanked VDOT for the recent work on Route 199 between Jamestown Road and Brookwood Road. He also thanked him for the paving situations around Neck-O-Land Road and the old dam. Mr. McGlennon expressed interest in having the paving issues addressed this year or the following year for the latter section of the road.

Mr. Carroll noted it was ranked 87 on the list with approximately 20 roads a year completed, but further noted VDOT would do its best to address the paving situation.

Mr. McGlennon stated he understood priorities, but he noted he would continually remind Mr. Carroll and VDOT of the poor conditions of the road.

Mr. Icenhour noted he had received a request from the Residents Advisory Board in New Town. He noted Mr. Stevens had a copy of the letter which asked for an examination to determine if a crosswalk could be added at New Town Avenue and Town Creek Drive. Mr. Icenhour stated he would share the letter with Mr. Carroll as well as the contact information for VDOT's analysis.

F. PUBLIC COMMENT

1. Mr. Michael Garvin, 3000 Eastbound Road, President of the Williamsburg Area Beekeepers, addressed the Board. He noted he was representing the group and had several members present to stand with him during his presentation, which had been supplied to each Board member in a packet. Mr. Garvin cited some beekeeping history as well as the benefits of beekeeping. He noted beekeeping was considered a hobby by many. He further noted the Virginia General Assembly now offered the Beehive Grant Fund to promote and establish new beehives. Mr. Garvin stated under the program, people could apply for the grant to receive monies for covering the cost of purchasing a new beehive or the construction materials for a new beehive. Mr. Gavin noted this program emphasized “we need more beekeepers.” He further noted this new legislation will encourage more people to buy beekeeping material and become more involved in this vital program. He stressed the importance of honeybees as a vital natural resource. Mr. Garvin introduced Mr. Keith Tignor, state apiarist, and noted he was available for questions. Mr. Garvin also noted Code of Virginia Title 3.2, Chapter 44, Beekeeping and the authority of the state apiarist. Mr. Garvin presented information regarding beekeeping rules and Ordinances in the County. He noted backyard beekeeping was taught by the Williamsburg Area Beekeepers, citing neighborhood concerns and plans to educate more people on beekeeping. He stressed the Williamsburg Area Beekeepers wanted to keep bees lawfully on their properties. Mr. Garvin stated the group was before the Board regarding a complaint from a neighbor of one of the group’s beekeepers. He further stated that a member lost her hives of six years due to the situation and asked the Board to consider legislation that paralleled other localities for backyard beekeeping in a similar manner to the backyard chicken policies in the County.

As there were no questions, Mr. Icenhour thanked Mr. Garvin for the presentation and materials.

2. Mr. Icenhour called the next speaker to the podium, Mr. Jeremy Lind, but he was not present.

3. Ms. Peg Boarman, 17 Settlers Lane, addressed the Board to talk trash and the three R’s. She noted her presentation of fans to each Board member. Ms. Boarman further noted the trash accumulation along the roadways. She cited it was everyone’s responsibility to keep a clean community. She noted reducing the trash quantity and recycling items as well as reusing them. Ms. Boarman addressed the \$7 recycling fee and the curbside convenience, noting recycling was still free if residents wanted to take the materials to the convenience centers for separation. She noted rising costs and the “free use” of trashcans with contaminated materials that were not recyclable. Ms. Boarman thanked the Board and everyone for their efforts and time with the recycling program.

Ms. Larson noted a blue heron had been seen recently in her neighborhood’s entrance. She further noted it did not fly away when people were around it, which was not typical behavior. Ms. Larson stated a diligent member of the neighborhood located Ms. Julie Wallace, who helps with animals who might need rehabilitation. Ms. Wallace came to retrieve the bird, but noticed the heron was missing a foot. Ms. Larson stated Ms. Wallace took the bird to the rehabilitator, but unfortunately the heron had to be put down. She noted Ms. Wallace found fishing line near the spot where the bird had been found. Ms. Larson reminded everyone that fishing line was trash and should be discarded properly. Ms. Larson stated “it’s ridiculous in a County this beautiful that we have the amount of trash that we do.”

Mr. McGlennon thanked staff for its diligence on the recycling program with creative and helpful ways. He noted the enormous volume of calls to General Services on the recycling program and stated 506 calls had been received on a single day. He also assured County residents the program would be monitored with rate of participation, adaption rate, changes in the recycling environment, and other variables. Mr. McGlennon thanked citizens for their patience during the process.

G. CONSENT CALENDAR

A motion to Approve was made by Sue Sadler, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

1. Minutes Adoption - June 11, 2019
2. Contract Award - Replacement Ambulance - \$263,694

H. PUBLIC HEARING(S)

1. Ordinance Amendment - Chapter 3, Animal Laws - Prohibiting Dogs Running at Large in Packs

A motion to Approve was made by Sue Sadler, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Abby Fitzgerald, current legal intern with the County Attorney's Office, addressed the Board and thanked both the County Attorney and the Board for the opportunity to present proposed Ordinance amendments to Chapter 3 of the County Code. She noted this chapter addressed animal laws. Ms. Fitzgerald cited the specifics of the proposed amendment: prohibition of dogs running at large in packs, subject owners or custodians to a civil penalty of \$100 per dog so found, and an exemption in the County Code would remain for dogs used for lawful hunting activity. She noted Animal Control Officer Shirley Anderson was in attendance for any questions.

Mr. McGlennon asked if the \$100 penalty was permitted by state law.

Ms. Fitzgerald noted it was not to exceed \$100.

Mr. McGlennon noted this was the maximum application.

Ms. Sadler reminded everyone this amendment stemmed from the issues at Colonial Heritage for its residents and their dogs' safety with dogs running at large. She thanked Ms. Anderson for all her help and thanked Ms. Fitzgerald for a great job on her presentation.

Mr. Icenhour opened the Public Hearing.

As there were no speakers, Mr. Icenhour closed the Public Hearing and asked the Board for discussion.

2. Case No. SUP-19-0010. Norge Dental Center Expansion

A motion to Approve w/ Conditions was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Tom Leininger, Planner, addressed the Board regarding the Special Use Permit (SUP) application by Mr. Adam Pratt of Kaufman & Canoles, P.C., for the Norge Dental Center Expansion. He highlighted the specifics of the application and details of a prior SUP in 2001. Mr. Leininger stated the Planning Commission, at its June 2019 meeting, recommended approval of the SUP with the removal of Condition No. 6 which addressed staff's requirement for the construction of a bike path. He noted the Planning Commission voted 6-0 in favor of the SUP with removal of Condition No. 6.

Mr. Frank Polster, Planning Commission representative, addressed the Board regarding the on-road bike lane and County policy. He noted the shared bike lane/walkway was not practical with regards to overhead power lines and the Best Management Practices (BMP). He further noted the on-road bike path and moving utility lines underground, as well as the gas and Verizon telephone lines. Mr. Polster stated the applicant's indication that the renovations were financially prohibitive. He noted this was the basis for the Planning Commission's decision regarding the removal of the bike path from staff's Conditions.

Ms. Larson asked if any pictures of the front of the building with the utility poles were available.

Mr. Polster shared those pictures.

Ms. Larson asked Mr. Leininger about the bike lane complications.

Mr. Leininger noted the adopted Regional Bikeway Master Plan showed a bike lane all along Richmond Road. He further noted that indicated an on-road bike lane as opposed to a shared bike lane/walkway off road.

Ms. Larson asked about renovations done at a neighboring location and any requirements regarding an on-street bike path.

Mr. Leininger stated he was not sure if it was required at that time.

Mr. Paul Holt, Director of Community Development, noted the SUP for that location was approved by the Board prior to the recent Ordinance amendment.

Mr. Icenhour opened the Public Hearing.

1. Mr. Greg Davis, Kaufman & Canoles, P.C., 4801 Courthouse Street, addressed the Board on behalf of the applicant, Dr. Timothy Johnston. He also introduced Mr. Adam Pratt of Kaufman & Canoles, P.C. and Mr. Ian Hutter, summer law student. Mr. Davis indicated the members of the project team: Johnston Development, LLC (Owner), LandTech Resources, Inc. (Engineering), and Kaufman & Canoles, P.C. (Legal). Mr. Davis introduced a PowerPoint presentation that highlighted the background of the Norge Dental Center and current parking issues. He continued with diagrams of the planned building and parking expansions. Mr. Davis addressed the concerns around the proposed bike lane regarding construction requirements for the various utility lines and poles. He showed markings and utilities in his presentation highlighting both directions east and west in front of the property. Mr. Davis noted the land was not an issue with the bike lane installation and he noted Dr. Johnston had installed a sidewalk per requirements with possible future connections to be made. Mr. Davis further noted the cost involved with adding the bike lane around the utilities as well as the stormwater requirements. He stated neighbors were supportive of the expansion project. He requested the Board not impose the bike lane condition.

Mr. McGlennon asked if any preliminary cost estimates had been made to meet the bike lane requirement.

Mr. Davis noted no, particularly after meeting with the Planning Commission. He further noted meeting with Vanasse Hangen Brustlin, Inc. regarding the utility impact, but due to constraints, no estimates had been obtained.

As there were no additional speakers, Mr. Icenhour closed the Public Hearing. He asked the Board for comments.

Mr. Hipple noted he was a neighbor to Dr. Johnston's property, but he had not been approached regarding the project as Mr. Hipple was a Board member. He acknowledged Dr. Johnston's business and community involvement. Mr. Hipple stated 10 years prior he had looked into moving a utility pole with rezoning changes he had made at his business. He added the price then was approximately \$17,000 and that had not included the gas line, the water line, sewer line, or any other utilities. Mr. Hipple noted the high cost with moving the utilities to add the bike lane would probably stop the project with funding issues. He thanked Dr. Johnston for all that he had done for the community. Mr. Hipple expressed his support and agreed with the Planning Commission's decision regarding Condition No. 6.

Ms. Sadler noted this project was in her jurisdiction and she thanked Dr. Johnston for all his community support. She further noted her support of the project and thought the bike lane requirement was counterproductive.

Mr. McGlennon acknowledged the cost of the expansion project; however, he commended staff for its perspective on the Adopted Regional Bikeways Master Plan and the requirements of the bike lane on both sides of the road. He questioned what precedent would be set if the bike lane conditions did not apply here. He noted a real issue in evaluating the Master Plan as realistic in terms of Richmond Road in particular and future traffic impacts. He asked if it was realistic, given current conditions, that a bike lane on Route 60 between Route 199 and Croaker Road was possible.

Mr. Holt noted with the development of all the lots in that area, there would be considerable retrofitting the existing right-of-way. He further noted the existing overhead utilities. Mr. Holt referenced the Wawa convenience store SUP and the modified plan for a mixed use trail. He noted staff reviewed existing features and utilized the current plan, but further noted future revisions could be made.

Mr. McGlennon asked for a "crystal ball gazing" on the anticipated prospective of a significant road project on Route 60 or an alternate road.

Mr. Holt referenced Mr. Carroll's earlier comment on the VDOT project in preliminary design to extend sidewalks down to Old Church Lane. Mr. Holt noted a portion of that project was the installation of bike lanes in front of the shopping center for consistency with the Adopted Regional Bikeways Master Plan.

Mr. McGlennon asked if this was the south side.

Mr. Holt noted it was on the dental facility side. He further noted this was in anticipation of linking into the widening of Croaker Road with a mixed use trail and shared bikeways. He added future improvements in this area would prove beneficial to pedestrians and cyclists.

Mr. McGlennon asked about costs and public expenditure.

Mr. Holt noted substantial costs were involved in the significant relocation of utilities.

Mr. McGlennon asked if this was a yes or no decision and inquired about other options for

less damage to the existing policy.

Mr. Holt indicated he was unaware of other options.

Mr. Hipple noted there were several facilities that were very close to the road. He further noted that the policy might need to be addressed as Croaker Road to Route 199 might not be a good fit for a bike lane. Mr. Hipple added the cost of the bike lane project would likely be a VDOT item.

Mr. McGlennon stated his support of the application without Condition No. 6, but wanted the Board to readdress the Master Plan for Bikeways. He also noted this decision was not a precedent regarding bike paths.

I. BOARD CONSIDERATION(S)

1. Case No. Z-19-0007/MP-18-0004. Forest Heights Proffer and Master Plan Amendments

Mr. Icenhour noted the applicant had requested a deferral until the September meeting.

2. Resolution of the Board of Supervisors of James City County, Virginia, Declaring its Intention to Reimburse Itself from the Proceeds of One or More Financings for Certain Costs of Capital Improvements

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Sharon Day, Director, Financial and Management Services, addressed the Board regarding the resolution as presented in the Agenda Packet. She noted the County's bond counsel firm, Hunton Andrews Kurth LLP had reviewed the resolution, which established a reimbursement date for the construction of a new fire station, fire apparatus, and for school capital improvements projects. Ms. Day further noted that in the time period between now and the bond issue, under Federal Treasury regulations, the County could reimburse itself for certain capital expenditures with bond proceeds when the bonds were issued.

3. James City County Facility and Road Memorial Naming Policy

A motion to Approve was made by Ruth Larson, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Jason Purse, Assistant County Administrator, addressed the Board noting the follow-up to discussion from the June work session on the naming policy for County facilities and road memorials. He noted staff was directed to amend the resolution which included the opening paragraph as a guiding policy and specific language changes to Item No. 3 regarding significant financial contribution. Mr. Purse further noted staff recommended approval on the resolution.

Mr. McGlennon thanked Ms. Larson for initiating the policy and thanked staff for the work.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Hipple addressed the recently proposed combat range in New Kent County in an agricultural area on land adjacent to James City County. He noted the proposal had been

withdrawn, but expressed concerns that others could surface in James City County. Mr. Hipple added, if there were no objections, he would request the County Attorney and the Zoning Administrator prepare an Initiating Resolution for Board consideration at the next meeting to amend the Zoning Ordinance to ensure combat ranges were not permitted use in agricultural or residential districts. He noted this move would close the gap in facilities like this.

Ms. Sadler noted in her district there was considerable concern about the dangers in the “red zones” as well as the late hours. She further noted James City County had less land than New Kent County.

Mr. Hipple noted the stress on neighborhoods.

Ms. Sadler said “they were very much needed” for training, but location was paramount.

Mr. Hipple noted Ms. Sadler’s attention to protection of her district and its residents. He further noted “getting ahead of it” with the request.

Mr. Icenhour stated if there were no objections, he would request the County Attorney bring that resolution before the Board at the August meeting.

Ms. Larson noted the deferment on Forest Heights and an appropriate time for the County Attorney to address her request. She further noted she had reviewed the application and looked at other developments in the Mixed Use Zoning Districts and she did not think warehouses were an appropriate use in the Mixed Use Zoning District, particularly as a matter-of-right, which was the current use. Ms. Larson requested the County Attorney prepare an Initiating Resolution or gather information to direct staff to consider removal of this use altogether from the Mixed Use Zoning District or alternatively as a use permitted only upon assurance of an SUP only. Ms. Larson noted her frustration that a storage unit would be located in affordable housing.

Mr. Icenhour asked if there were any objections. As there were none, he requested staff bring that request to the next meeting also.

Ms. Larson reminded everyone of the Community Forum at 6 p.m. on July 11 regarding the intersections of Route 5 and Centerville Road and Route 5 and Greensprings Road. She thanked staff for getting the word out as well as the local newspapers.

Ms. Sadler invited everyone to come to Stonehouse and visit the new golf club as well as the new 501 Bar and Grill, both of which recently opened. She also noted her grandson was on the Williamsburg 7-8-year-old All Star traveling team. Ms. Sadler did a shout-out to the team for winning its championship in Richmond recently and noted an upcoming tournament in New Kent County.

Mr. McGlennon noted the passing of Mr. Rob Till, Executive Director and Founder of the Grove Community Garden at James River Elementary School. He further noted Mr. Till's dedication to grow crops to grow families. Mr. McGlennon noted the memorial service details. He added that he and Mr. Icenhour had attended a conference on proffers and impact fees sponsored by The Coalition of High Growth Communities and the Virginia Chapter of the America Planning Association in Spotsylvania County several weeks prior. He noted the attendance of over two dozen high growth localities as well as the discussion and information session that addressed the possibility of impact fees being applied to by-right development and the trade-off between that point and cash coffers. Mr. McGlennon attended the second meeting of the Virginia Housing Commission Working Group on impact fees and proffers. He added Mr. Kinsman was a member of the Working Group. Mr. McGlennon noted continued interest in evaluating impact fees and their potential in the state, but to review the 2019 cash

proffer laws have affected localities and the development communities. He further noted this allowed for a “chance to take stock” before further changes in that law. Mr. McGlennon attended the Greater Peninsula Workforce Board meeting where an update on the anticipated one-stop workforce training center at the Historic Triangle campus of Thomas Nelson Community College (TNCC) was provided. He further noted Ms. Sadler’s mention of the opening through her involvement with the Economic Development Authority. He noted a potential soft opening date was slated for January 2020. He also requested within the next few months that the Board recognize Dr. John Dever, President of TNCC, who will retire in December due to health concerns. Mr. McGlennon noted Dr. Dever’s role in making TNCC a vibrant part of the community. He also noted an upcoming event on July 17, 5-8 p.m., in which the U.S. Army Corps of Engineers will hold a hearing on the required environmental impact statement ordered by the U.S. Court of Appeals, which ruled the U.S. Army Corps of Engineers failed to meet its requirements in issuing an environmental assessment of the Skiffes Creek power lines across the James River. He detailed the revocation of the permit and Dominion Energy’s part in damage to the viewshed. Mr. McGlennon added public comment was welcomed and he would provide additional information if citizens preferred to send letters. Mr. McGlennon stated he opened a tweet from Mr. Randy Hisle, formerly of the James City County Video Center, and thanked him for the tropical pictures.

Mr. Icenhour noted he had a ribbon-cutting ceremony with the opening of Garrett Realty Partners at Settlers Market.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens reminded everyone of the upcoming Jamestown Jams Concert on July 26. He noted the event was ‘80s Night featuring The Deloreans at the Jamestown Beach Event Park.

L. CLOSED SESSION

A motion to Enter a Closed Session was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 6:34 p.m., the Board entered Closed Session.

At approximately 6:57 p.m., the Board re-entered Open Session.

1. Certification of a Closed Session

A motion to Certify the Closed Session was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

2. Appointment of Alternate to the Eastern Virginia Regional Industrial Facilities Authority

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. McGlennon noted the appointment of Mr. Vincent Campana as an alternate to the Eastern Virginia Regional Industrial Facilities Authority.

3. Appointment to the Comprehensive Plan Community Participation Team (CPT)

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. McGlennon noted the following citizen appointees to the Comprehensive Plan Community Participation Team (CPT). He further noted the CPT was also comprised of members of the Policy Committee.

The appointees were: Mr. Glen Carter, Mr. Philip Piper, Ms. Rebecca Bruhl, Ms. Virginia Wertman, Mr. Thomas Hitchens, and Ms. Rachel Becke.

M. ADJOURNMENT

1. Adjourn until 4 p.m., July 23, 2019, for the Work Session

A motion to Adjourn was made by Sue Sadler, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 7 p.m., Mr. Icenhour adjourned the Board of Supervisors.

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Authorization to Purchase 8 Police Vehicles - \$180,048

ATTACHMENTS:

	Description	Type
☐	memorandum	Cover Memo
☐	resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	7/16/2019 - 6:58 AM
Police	Rinehimer, Bradley	Approved	7/16/2019 - 6:58 AM
Publication Management	Burcham, Nan	Approved	7/16/2019 - 11:26 AM
Legal Review	Kinsman, Adam	Approved	7/17/2019 - 11:53 AM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 10:15 AM
Board Secretary	Purse, Jason	Approved	8/6/2019 - 3:00 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:27 PM

MEMORANDUM

DATE: August 13, 2019
TO: The Board of Supervisors
FROM: Bradley J. Rinehimer, Chief of Police
SUBJECT: Authorization to Purchase Eight Police Vehicles - \$180,048

James City County Police Department requested and was authorized funds in the County's Fiscal Year 2020 Budget to purchase replacement police vehicles. The Department is prepared at this time to purchase eight of those vehicles at a cost of \$180,048. Purchasing replacement vehicles is a regular, standard practice.

Police Department, Fleet & Equipment, and Purchasing staff examined different options and determined the lowest procurement method for this purchase is to use a cooperative purchasing contract issued by the Virginia Sheriff's Association to Hall Automotive in Virginia Beach. The Virginia Sheriff's Association contract contains wording allowing other localities to purchase from the contract.

Cooperative procurement action is authorized by Chapter 1, Section 5 of the James City County Purchasing Policy and the Virginia Public Procurement Act. By participating in the cooperative procurement action, staff believes the County will increase efficiency, reduce administrative expenses, and benefit from an accelerated delivery process.

Adoption of the attached resolution will allow a purchase order to be created to procure eight model year 2020 Dodge Charger police-package vehicles. The cost is \$22,506 per vehicle, for a total cost of \$180,048. Those funds are available within the Police Department's current budget.

Staff recommends adoption of the attached resolution authorizing the Purchasing Department to create a purchase order for the procurement of eight police vehicles described in this memorandum for a total cost of \$180,048.

BJR/nb
8PoliceVeh-mem

Attachment

RESOLUTION

AUTHORIZATION TO PURCHASE EIGHT POLICE VEHICLES - \$180,048

WHEREAS, funds are available through the Police Department's Fiscal Year 2020 Adopted Budget for replacement vehicles; and

WHEREAS, cooperative procurement action is authorized by Chapter 1, Section 5 of the James City County Purchasing Policy and the Virginia Public Procurement Act, and the Virginia Sheriff's Association issued a cooperative purchasing contract to Hall Automotive as a result of a competitive sealed Invitation for Bid; and

WHEREAS, the Police Department, Fleet & Equipment, and Purchasing staff determined the contract specifications meet the County's performance requirements for eight police vehicles at a price of \$180,048 through Hall Automotive in Virginia Beach.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the Purchasing Director and County Administrator to execute a Purchase Order with Hall Automotive for eight police vehicles in the amount of \$180,048.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2019.

8PoliceVeh-res

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Nathan Green, Commonwealth Attorney

SUBJECT: Grant Award - Commonwealth Attorney - Victim's Witness Grant Program - \$183,260

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:33 PM

MEMORANDUM

DATE: August 13, 2019
TO: The Board of Supervisors
FROM: Nathan R. Green, Commonwealth Attorney
SUBJECT: Grant Award - Commonwealth Attorney - Victim's Witness Grant Program - \$183,260

The Commonwealth Attorney has been awarded a \$183,260 grant (federal share \$137,445; state share \$45,815) from the Victim's Witness Grant Program through the State Department of Criminal Justice Services. The Grant will fund the personnel costs for the continuation of three full-time positions and one part-time position to provide comprehensive information and direct services to crime victims and witnesses. The Commonwealth Attorney has been successful in obtaining this grant for more than 14 years, and plans to apply for this grant in the future.

The attached resolution appropriates these funds to the Special Projects/Grants Fund through June 30, 2020.

Staff recommends approval of the attached resolution.

NRG/md
GA-FY20VicWitns-mem

Attachment:

1. Resolution

RESOLUTION

GRANT AWARD - COMMONWEALTH ATTORNEY -

VICTIM'S WITNESS GRANT PROGRAM - \$183,260

WHEREAS, the Commonwealth Attorney for the City of Williamsburg and James City County has been awarded a \$183,260 federal grant from the Victim's Witness Grant Fund (federal share \$137,445; state share \$45,815) through the State Department of Criminal Justice Services; and

WHEREAS, this grant would fund the personnel costs for the continuation of three full-time equivalent positions; and one part-time position; and

WHEREAS, these positions provide comprehensive information and direct services to crime victims and witnesses beginning July 1, 2019 through June 30, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the additional appropriation to the Special Projects/Grants Fund for Fiscal Year 2020 purposes described above:

Revenues:

Victim Witness Department of Criminal Justice Services (DCJS) Federal Revenue	\$137,445
Victim Witness Department of Criminal Justice Services (DCJS) State Revenue	<u>45,815</u>
Total	<u>\$183,260</u>

Expenditure:

Victim Witness	<u>\$183,260</u>
Total	<u>\$183,260</u>

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2019.

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Abby Fitzgerald, Legal Intern; Adam Kinsman, County Attorney

SUBJECT: Initiating Resolution - Combat Ranges

ATTACHMENTS:

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	7/25/2019 - 3:22 PM
Publication Management	Daniel, Martha	Approved	7/25/2019 - 3:28 PM
Legal Review	Kinsman, Adam	Approved	7/25/2019 - 3:33 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 10:27 AM
Board Secretary	Purse, Jason	Approved	8/6/2019 - 3:01 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:27 PM

MEMORANDUM

DATE: August 13, 2019

TO: The Board of Supervisors

FROM: Abby Fitzgerald, Legal Intern
Adam R. Kinsman, County Attorney

SUBJECT: Initiation of Consideration of Amendments to the Zoning Ordinance to Address Combat Tactical Training Facilities

At the Board of Supervisors' meeting on July 9, 2019, the Board, at the request of Supervisor Hipple, asked the County Attorney to prepare an Initiating Resolution to consider an amendment to the James City County Code, Chapter 24, Zoning, to exclude combat tactical training facilities as a permitted use in agricultural and residential districts. The Initiating Resolution is attached for the Board's consideration.

AF/ARK/md
ZO-CombtTacFac-mem

Attachment:

1. Resolution

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE TO

ADDRESS COMBAT TACTICAL TRAINING FACILITIES

WHEREAS, Virginia Code § 15.2-2286(A)(7) and County Code § 24-13 permits the Board of Supervisors of James City County, Virginia (the "Board") to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of James City County Code, Chapter 24, Zoning, to define combat tactical training facilities, to exclude combat tactical training facilities as a permitted use in agricultural and residential districts, and evaluate the appropriateness of including combat tactical training facilities in the M-2, General Industrial District as a specially permitted use. The Planning Commission shall hold at least one public hearing on the consideration of amendment of said Ordinance and shall forward its recommendation thereon to the Board of Supervisors in accordance with the law.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2019.

ZO-CombtTacFac-res

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Abby Fitzgerald, Legal Intern; Adam Kinsman, County Attorney

SUBJECT: Initiating Resolution - Warehouse, storage, and distribution centers in the Mixed Use district

ATTACHMENTS:

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	7/25/2019 - 3:23 PM
Publication Management	Daniel, Martha	Approved	7/25/2019 - 3:29 PM
Legal Review	Kinsman, Adam	Approved	7/25/2019 - 3:33 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 10:32 AM
Board Secretary	Purse, Jason	Approved	8/6/2019 - 3:01 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:28 PM

MEMORANDUM

DATE: August 13, 2019

TO: The Board of Supervisors

FROM: Abby Fitzgerald, Legal Intern
Adam R. Kinsman, County Attorney

SUBJECT: Initiation of Consideration of Amendments to Chapter 24, Zoning, to Evaluate Warehouses, Storage, and Distribution Centers as a Permitted Use in the Mixed Use District

At the Board of Supervisors' meeting on July 9, 2019, the Board, at the request of Supervisor Larson, asked the County Attorney to prepare an Initiating Resolution for an amendment to the James City County Code, Chapter 24, Zoning, in order to consider removing warehouses, storage, and distribution centers from the Mixed Use District, or, alternatively, permitting warehouses, storage, and distribution centers in the Mixed Use District as a specially permitted use. The Initiating Resolution is attached for the Board's consideration.

AF/ARK/md
ZO-Storage-MUDist-mem

Attachment:

1. Resolution

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO CHAPTER 24, ZONING, TO

EVALUATE WAREHOUSES, STORAGE, AND DISTRIBUTION CENTERS AS A

PERMITTED USE IN THE MIXED USE DISTRICT

WHEREAS, Virginia Code § 15.2-2286(A)(7) and County Code § 24-13 permit the Board of Supervisors of James City County, Virginia (the "Board") to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of James City County Code, Chapter 24, Zoning, Article V, Districts, Division 15, Mixed Use, MU, in order to consider removing warehouses, storage, and distribution centers from the Mixed Use District, or permitting warehouses, storage, and distribution centers in the Mixed Use District as a specially permitted use. The Planning Commission shall hold at least one public hearing on the consideration of amendment of said Ordinance and shall forward its recommendation thereon to the Board of Supervisors in accordance with the law.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2019.

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Jason Purse, Assistant County Administrator

SUBJECT: Highway Naming Of Route 614, Centerville Rd, In James City County, From Route 5000 To Route 613 News Road As The Earl M. “Buddy” Heisler Memorial Highway

ATTACHMENTS:

	Description	Type
	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:31 PM

RESOLUTION

HIGHWAY NAMING OF ROUTE 614, CENTERVILLE ROAD, IN JAMES CITY COUNTY,

FROM ROUTE 5000 TO ROUTE 613 NEWS ROAD

AS THE EARL M. "BUDDY" HEISLER MEMORIAL HIGHWAY

- WHEREAS, Earl M. "Buddy" Heisler, served the residents of James City County exceptionally in his role as a Sergeant and Deputy Sheriff; and
- WHEREAS, Sgt. Heisler was the first and only law enforcement officer killed in the line of duty in James City County on September 19, 1978; and
- WHEREAS, Sgt. Heisler was married to his wife Carol, and was the father of three children, a daughter, Cindy and two sons, Earl and Billy; and
- WHEREAS, Sgt. Heisler served the residents of James City County in an exceptional manner for over six years and was devoted to both his family and this community; and
- WHEREAS, Sgt. Heisler and his family resided in the 4000 block of Centerville Road; and
- WHEREAS, Section 33.2-213 of the *Code of Virginia* authorizes the Commonwealth Transportation Board (CTB) to give suitable names to state highways, bridges, interchanges, and other transportation facilities and change the names of any highways, bridges, interchanges, or other transportation facilities forming a part of the systems of state highways; and
- WHEREAS, Section 33.2-213 provides that the Virginia Department of Transportation shall place and maintain appropriate signs indicating the names of highways, bridges, interchanges, and other transportation facilities named by the CTB and requires that the costs of producing, placing, and maintaining such signs shall be paid by the localities in which they are located.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, in accordance with Section 33.2-213 of the Code of Virginia, does hereby request that the CTB name the highway on Route 614, Centerville Road, in James City County, from Route 5000 to the intersection of Route 614 and Route 613 News Road, as the Earl M. "Buddy" Heisler MEMORIAL HIGHWAY.
- BE IT FURTHER RESOLVED that James City County agrees to pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2019.

HeislerRd-res

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Case No. ORD-19-0002. Zoning Ordinance Amendment – Section 24-111, Temporary Offices

ATTACHMENTS:

	Description	Type
☐	Staff Report	Cover Memo
☐	1. Strikethrough version of Section 24-111 of the Zoning Ordinance	Ordinance
☐	2. Clean version of Section 24-111 of the Zoning Ordinance	Exhibit
☐	3. Minutes from the June 5, 2019 Planning Commission meeting	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	7/26/2019 - 2:15 PM
Publication Management	Burcham, Nan	Approved	7/26/2019 - 2:27 PM
Legal Review	Kinsman, Adam	Approved	7/29/2019 - 9:15 AM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 10:16 AM
Board Secretary	Purse, Jason	Approved	8/6/2019 - 3:01 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:27 PM

MEMORANDUM

DATE: August 13, 2019

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Case No. ORD-19-0002. Zoning Ordinance Amendment – Section 24-111, Temporary Offices

In 2018, the Development Review Committee and the Planning Commission considered an applicant's request to waive the requirements of the Zoning Ordinance found in Section 24-200, Public Utilities, as it applied to a temporary office trailer. Specifically, this Section requires that utility lines be placed underground. At a subsequent meeting of the Policy Committee, a Committee member asked staff for a potential amendment to the Ordinance to make future waiver requests to allow for overhead utility lines easier for applicants proposing temporary office trailers.

Per that request, a proposed Ordinance amendment is attached. Staff does not recommend creating an exception for all structures, generally. The attached Ordinance language would be applicable to structures used as temporary offices. Staff notes that this is the only section of the Zoning Ordinance that defines and permits temporary structures, and sets forth time limitations for the removal of such structures.

No other section of the Zoning Ordinance allows staff to attach a time limit to the placement/construction of structures that are otherwise allowed by-right.

At its May 9, 2019 meeting, the Policy Committee recommended approval of this item by a vote of 3-0. At its June 5, 2019 meeting, the Planning Commission recommended approval of this item by a vote of 6-0.

PDH/nb
Ord19-02TempOffice-mem

Attachments:

1. Strikethrough version of Section 24-111 of the Zoning Ordinance
2. Clean version of Section 24-111 of the Zoning Ordinance
3. Minutes from the June 5, 2019 Planning Commission meeting

ORDINANCE NO: _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION 5, MANUFACTURED HOMES AND TEMPORARY STRUCTURES, SECTION 24-111, TEMPORARY OFFICES.

BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, Division 5, Manufactured Homes and Temporary Structures, Section 24-111, Temporary offices.

Sec. 24-111. Temporary offices.

Trailers and portable buildings may be used as temporary offices in any zoning district by issuance of a certificate of occupancy by the zoning administrator, subject to the following conditions:

- (1) The location of a temporary building or structure shall be necessary for use as a business office during the construction of any commercial structure or structures or for the sale or rental of on-site property by a developer.
- (2) The location of a temporary building or structure shall be necessary for use in conjunction with a temporary special event such as a golf tournament or music festival.
- (3) The temporary building or structure shall not be used for residential purposes.
- (4) A minimum area of 5,000 square feet shall be provided for each structure.
- (5) The structure shall not be placed closer than 15 feet to any lot line.
- (6) The sanitary facilities shall conform to county and state health regulations.
- (7) The electrical connections shall meet the requirements of the Uniform Statewide Building Code.

(8) *If the director of planning finds that it is not practical for the application to meet the undergrounding requirements of section 24-200(c), then such requirements shall not apply to the temporary office provided that all other provisions of this section are met. If the director of planning finds that it is practicable to place new utilities underground, an applicant may request waiver from the planning commission in accordance with section 24-200(c).*

~~(8)~~(9) The temporary office shall be used for a period not to exceed one year; provided, that:

- a. The one-year time period may be extended by written request to the zoning administrator showing reasonable cause; and
- b. The temporary office *and any aboveground utilities and associated equipment* shall be removed from the site within 60 days after the completion of construction.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

VOTES

AYE NAY ABSTAIN

ATTEST:

HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Teresa J. Fellows
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August,
2019.

Ord19-02TempOffices-ord

ORDINANCE NO: _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION 5, MANUFACTURED HOMES AND TEMPORARY STRUCTURES, SECTION 24-111, TEMPORARY OFFICES.

BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, Division 5, Manufactured Homes and Temporary Structures, Section 24-111, Temporary offices.

Sec. 24-111. Temporary offices.

Trailers and portable buildings may be used as temporary offices in any zoning district by issuance of a certificate of occupancy by the zoning administrator, subject to the following conditions:

- (1) The location of a temporary building or structure shall be necessary for use as a business office during the construction of any commercial structure or structures or for the sale or rental of on-site property by a developer.
- (2) The location of a temporary building or structure shall be necessary for use in conjunction with a temporary special event such as a golf tournament or music festival.
- (3) The temporary building or structure shall not be used for residential purposes.
- (4) A minimum area of 5,000 square feet shall be provided for each structure.
- (5) The structure shall not be placed closer than 15 feet to any lot line.
- (6) The sanitary facilities shall conform to county and state health regulations.
- (7) The electrical connections shall meet the requirements of the Uniform Statewide Building Code.
- (8) If the director of planning finds that it is not practical for the application to meet the undergrounding requirements of section 24-200(c), then such requirements shall not apply to the temporary office provided that all other provisions of this section are met. If the director of planning finds that it is practicable to place new utilities underground, an applicant may request waiver from the planning commission in accordance with section 24-200(c).
- (9) The temporary office shall be used for a period not to exceed one year; provided, that:
 - a. The one-year time period may be extended by written request to the zoning administrator showing reasonable cause; and
 - b. The temporary office and any aboveground utilities and associated equipment shall be removed from the site within 60 days after the completion of construction.

**Unapproved Minutes of the June 5, 2019
Planning Commission Regular Meeting**

ORD-19-0002. Zoning Ordinance Amendment – Section 24-111, Temporary Offices

Mr. Holt stated that in 2018, the DRC and the Planning Commission considered an applicant's request to waive the requirements of the Zoning Ordinance found in Section 24-200, Public Utilities, as it applied to a temporary storage trailer. Mr. Holt stated that at a subsequent meeting of the Policy Committee, a Committee member asked staff for a potential amendment to the Ordinance to make future requests easier for applicants. Mr. Holt noted that staff does not recommend creating an exception for all structures, generally. Mr. Holt further stated that the attached Ordinance language, however, would be applicable to structures used as temporary offices. Mr. Holt stated that staff notes that this is the only section of the Zoning Ordinance that defines and permits temporary structures, and sets forth time limitations for the removal of such structures. Mr. Holt further stated that no other section of the Zoning Ordinance allows staff to attach a time limit to the placement/construction of structures that are otherwise allowed by-right.

Mr. Holt stated that at its May 9, 2019 meeting, the Policy Committee recommended approval of this item by a vote of 3-0.

Mr. Haldeman opened the Public Hearing.

As no one wished to speak, Mr. Haldeman closed the Public Hearing.

Mr. Haldeman opened the floor for discussion by the Commission.

Mr. Krapf made a motion to recommend approval of ORD-19-0002. Zoning Ordinance Amendment – Section 24-111, Temporary Offices.

On a roll call vote, the Commission voted to recommend approval of ORD-19-0002. Zoning Ordinance Amendment – Section 24-111, Temporary Offices. (6-0)

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Jose Ribeiro, Senior Planner II

SUBJECT: SUP-19-0011. 5026 River Drive Tourist Home

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Attachment No. 1. Resolution	Resolution
☐	Attachment No. 2. Unapproved Minutes from the July 3, 2019, Planning Commission Meeting	Backup Material
☐	Attachment No. 3. Location Map	Exhibit
☐	Attachment No. 4. Applicant's Narrative	Exhibit
☐	Attachment No. 5. Responses to Planning Commission Concerns	Exhibit
☐	Attachment No. 6. HUD Verification Letter from IBTS and Picture of Date Plate	Exhibit
☐	Attachment No. 7. Master Plan Exhibit	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	7/26/2019 - 3:05 PM
Development Management	Holt, Paul	Approved	7/26/2019 - 3:05 PM
Publication Management	Burcham, Nan	Approved	7/26/2019 - 3:07 PM
Legal Review	Kinsman, Adam	Approved	7/29/2019 - 9:14 AM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 10:32 AM
Board Secretary	Purse, Jason	Approved	8/6/2019 - 3:01 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:28 PM

SPECIAL USE PERMIT-19-0011. 5026 RIVER DRIVE TOURIST HOME

Staff Report for the August 13, 2019, Board of Supervisors Public Hearing

SUMMARY FACTS

Applicant: Ms. Anne McCann

Land Owner: Cypress Point LLC

Proposal: To allow for the short-term rental of an entire three-bedroom residential home (Tourist Home)

Location: 5026 River Drive

Tax Map/Parcel No.: 0930300004

Project Acreage: ± .51 acre

Zoning: A-1, General Agricultural

Comprehensive Plan: Rural Lands

Primary Service Area: Outside

Staff Contact: Jose Ribeiro, Senior Planner

PUBLIC HEARING DATES

Planning Commission: July 3, 2019, 6:00 p.m.

Board of Supervisors: August 13, 2019, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed conditions, staff finds the proposal compatible with surrounding zoning and development.

2. With the proposed conditions, the proposal is consistent with the recommendations of the Comprehensive Plan adopted in 2015, *Toward 2035: Leading the Way*.
3. The site provides adequate parking exceeding the required minimum of three parking spaces.
4. The applicant has acknowledged that, should this application be granted, she will obtain the proper licensing and inspections through the County and will be subject to the appropriate use-based taxes.

FACTORS UNFAVORABLE

With the attached Special Use Permit (SUP) conditions, staff finds no unfavorable factors.

SUMMARY STAFF RECOMMENDATION

Approval, subject to the proposed conditions.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5-1 to recommend approval of this application to the Board of Supervisors (Mr. Schmidt absent). During the meeting, Commissioners raised some questions/concerns regarding the standards used to inspect a “tourist home” and if the manufactured home subject to this SUP application had a Department of Housing and Urban Development (HUD) seal/tag. Staff’s responses shared with the Planning Commission regarding their questions/concerns are provided in Attachment No. 5.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

SPECIAL USE PERMIT-19-0011. 5026 RIVER DRIVE TOURIST HOME

Staff Report for the August 13, 2019, Board of Supervisors Public Hearing

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

None.

PROJECT DESCRIPTION

- The proposal would allow for the short-term rental of an existing three-bedroom home as a Tourist Home. According to the applicant, the short-term rental will allow guests to stay on the property for no less than two days but no longer than two weeks. The property is located within Cypress Point subdivision. Access to the property is on a paved portion of River Road and Laurel Lane. The property's driveway is asphalt and has adequate space to park the minimum parking requirement of three cars. This SUP request includes no changes to the size or footprint of the home.
- The Zoning Ordinance defines a Tourist Home as "a dwelling where lodging or lodging and meals are provided for compensation for up to five rooms which are open to transients."
- The proposed conditions limit the number of bedrooms available for rental to three since there are three bedrooms in the existing home. Any future expansion to include a fourth bedroom would require an SUP amendment.

PLANNING AND ZONING HISTORY

- In 1983, the Board of Supervisors approved an SUP for the placement of a manufactured home, which is still the existing home in the property.
- According to the applicant, this property has been previously offered for rent in the rental market. Recently the applicant contacted planning staff and submitted a conceptual plan and an

SUP application for the proposed short-term rental use of the property.

SURROUNDING ZONING AND DEVELOPMENT

This property is located within Cypress Point subdivision and zoned A-1. The property borders Diascund Creek to the north and adjacent properties to the south, east, and west are all single-family lots zoned A-1, General Agricultural. Residential lots within this subdivision have areas less than the current minimum requirement of three acres. This is due to the fact that Cypress Point was developed in the late 1950s prior to enactment of the zoning regulations in 1969.

COMPREHENSIVE PLAN

- The site is designated Rural Lands on the adopted Comprehensive Plan Land Use Map. Appropriate primary uses include traditional agricultural and forestal activities, but also uses such as agri-tourism, rural support business, and rural-based public or commercial recreation. Staff finds this use to generally fit within these categories as nearby lodging options could support agri-tourism or eco-tourism uses in the Rural Lands.
- The development standards state that non-agricultural/non-forestal uses should be sited to minimize impacts or disturbance to agricultural and forestal uses, open fields, and important agricultural/forestal soils and resources. Staff finds the use to be consistent given that the proposal will take place within existing structures and there are no forested and/or agricultural resources on the property or which would be otherwise impacted.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

SPECIAL USE PERMIT-19-0011. 5026 RIVER DRIVE TOURIST HOME

Staff Report for the August 13, 2019, Board of Supervisors Public Hearing

PUBLIC IMPACTS

1. Anticipated Impact on Public Facilities and Services:

- *Streets:* No impacts anticipated. The Virginia Department of Transportation has reviewed this application and has no objections.
- *Environment:* No impacts anticipated. The Stormwater and Resources Protection Division has reviewed this application and has no objections. No new impervious surface is proposed as part of this SUP request.
- *Services:* No impacts anticipated. The Health Department has reviewed this application and has no objections as long as occupancy does not exceed six persons at a time.

2. Anticipated Impact on Nearby and Surrounding Properties:

- Given that the proposed would not result in any changes to the site or footprint of the home, and given the proposed SUP conditions, no impacts are anticipated.
- Adjacent property to the east, at 5028 River Drive is currently vacant, and there is some vegetation separating the property from the adjacent property to the west at 5024 River Drive.

PROPOSED SUP CONDITIONS

The full text of the proposed conditions is provided as Attachment No.

1.

STAFF RECOMMENDATION

Staff finds the proposal compatible with surrounding development and consistent with the recommendations of the adopted Comprehensive Plan. Staff recommends that the Board of Supervisors approve this application, subject to the attached conditions.

JR/nb

SUP19-01-5026RvrDr

Attachments:

1. Resolution
2. Unapproved Minutes from the July 3, 2019, Planning Commission Meeting
3. Location Map
4. Applicant's Narrative
5. Responses to the Planning Commission
6. HUD seal verification letter from the Institute for Building Technology and Safety and a picture of the Date Plate.
7. Master Plan Exhibit

RESOLUTION

CASE NO. SUP-19-0011. 5026 RIVER DRIVE TOURIST HOME

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Cypress Point, LLC has applied for an SUP to allow for the operation of a tourist home located on property consisting of approximately 0.51 acres zoned A-1, General Agricultural, located at 5026 River Drive, further identified as James City County Real Estate Tax Map Parcel No. 0930300004 (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on July 3, 2019, recommended approval of Case No. SUP-19-0011 by a vote of 5-1; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-19-0011; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2035 Comprehensive Plan Land Use Map designation for the Property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-19-0011 as described herein with the following conditions:

1. Master Plan: This SUP shall permit a tourist home on property located at 5026 River Drive, further identified as James City County Real Estate Tax Map Parcel No. 0930300004 (the "Property"). The use and layout of the Property shall be generally consistent with the document titled "JCC SUP-19-0011: 5026 River Drive Tourist Home" and date stamped April 8, 2019 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended. This condition does not restrict improvements typical of a residential property as determined by the Director of Planning.
2. Commencement: An updated Certificate of Occupancy and evidence of a business license shall be provided to the Director of Planning within 12 months from the issuance of this SUP, or this SUP shall automatically become void.
3. Number of Rental Rooms and Occupants: There shall be no more than three bedrooms available for rent to visitors, and no more than six rental occupants total at any one time.
4. Contracts per Rental Period: There shall not be simultaneous rentals of the Property under separate contracts.
5. Signage: No signage related to the tourist home shall be permitted on the Property.

6. Parking: Off-site parking for the tourist home shall be prohibited. No oversized commercial vehicles such as, but not limited to, buses, and commercial trucks and trailers associated with rental occupants of the tourist home shall be allowed to park on the Property.
7. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2019.

SUP19-01-5026RvrDr-res

**Unapproved Minutes of the July 3, 2019
Planning Commission Regular Meeting**

SUP-19-0011. 5026 River Drive Tourist Home

Mr. José Ribeiro stated that Ms. Anne McCann has applied for a Special Use Permit (SUP) to allow the operation of a Tourist Home at 5026 River Drive. Mr. Ribeiro stated that the SUP will allow for short-term rental of a three-bedroom home with no changes to the size or footprint of the home. Mr. Ribeiro further stated that the property is located in an established neighborhood, Cypress Point, is zoned A-1 General Agricultural, is located outside of the Primary Service Area (PSA) and designated Rural Lands on the 2035 Comprehensive Plan Land Use Map, as are most surrounding parcels.

Mr. Ribeiro stated that access to the property is on a paved portion of River Road at the intersection of River Road and Laurel Lane. Mr. Ribeiro stated that there is a paved driveway in front of the house with enough space to accommodate the minimum parking requirement of three vehicles. Mr. Ribeiro stated that the existing dwelling is an approximately 900 square foot mobile home built out with an attached screened porch and decking. Mr. Ribeiro stated that the property borders Diascund Creek to the north and adjacent properties to the south, east and west, all single-family lots. Mr. Ribeiro stated that adjacent properties to the east are currently vacant, and there is some vegetation separating the property from the adjacent property to the west.

Mr. Ribeiro stated that staff is recommending conditions which are intended to mitigate the impacts of the use and preserve the residential character of the home. Mr. Ribeiro stated that such conditions include limitations on the number of rooms rented, and on the number of total occupants at any one time.

Mr. Ribeiro stated that staff finds the proposal to be compatible with the 2035 Comprehensive Plan, the Zoning Ordinance and surrounding development, and recommends that the Planning Commission recommend approval of the application to the Board of Supervisors subject to the proposed conditions.

Mr. Rich Krapf inquired if any concerns had been expressed by adjacent property owners. Mr. Ribeiro stated that no comments had been received.

Mr. Krapf requested clarification on whether the owner would reside at the property under the Tourist Home use.

Mr. Ribeiro stated that the owner is not obligated to live on-site under the Tourist Home use; however, for the Rental of rooms use, the owner would have to reside on-site.

Mr. Krapf inquired if the applicant lives nearby or has a local agent to respond to issues.

Mr. Ribeiro stated that he believed the applicant lives in York County.

Mr. O'Connor inquired if the County required a mobile home to have Housing and Urban Development (HUD) certification if it is to be used for transient occupancy.

Mr. Haldeman called for disclosures by the Commission.

There were no disclosures.

Mr. Haldeman opened the Public Hearing.

Ms. Anne McCann, 600 Old Landing Road, Yorktown VA, Applicant, addressed the Commission in favor of the application.

Mr. Krapf inquired if the applicant lived close enough to respond to any concerns.

Ms. McCann stated that she in in Yorktown, about 30 minutes away and that her neighbor also works with her to accommodate any needs.

Mr. O'Connor inquired when the mobile home was manufactured.

Ms. McCann stated that she felt certain it was manufactured in 1985.

Mr. O'Connor inquired if the HUD sticker was affixed to the mobile home.

Ms. McCann stated that she did not know but would find out. M.s McCann stated that it was purchased new by the previous owner.

Ms. Leverenz noted that mobile homes have a life expectancy of about 10 years and inquired what has been done to maintain and improve the structure.

Ms. McCann stated that the previous owner had constructed a roof along with the decking and screened porch. M.s McCann further stated that she has put siding on the structure and repaired or replaced the majority of the interior. M.s McCann further noted that they had even replaced the flooring, including the subfloor.

As no one further wished to speak, Mr. Haldeman closed the Public Hearing.

Mr. Haldeman opened the floor for discussion by the Commission.

Mr. O'Connor noted that that his question about the HUD certification was because that guarantees that the mobile home has been inspected and found to be satisfactory. Mr. O'Connor stated that since the County is a tourist destination, everything should be kept to the highest possible standard. Mr. O'Connor noted that his primary concern was the difficulty in evaluating these applications without a set of criteria or performance standards.

Mr. Krapf noted concerns over the GPS directions to the property should someone not be familiar with the alternate route. Mr. Krapf further stated that he inquired about comments from adjacent property owners because of the potential for a high number of transient guests in an established neighborhood.

Ms. Leverenz inquired if the HUD certification was a one-time inspection or if it was renewed periodically.

Mr. O'Connor responded that it was one-time.

Ms. Leverenz noted that a mobile home could have a HUD sticker, but without maintenance, be uninhabitable.

Mr. O'Connor stated that the HUD certification is what carries weight for mobile homes no matter what the interior condition.

Mr. Polster inquired about the criteria used by the Fire Department and Building Safety and Permits when determining suitability for occupancy.

Mr. Holt stated that the County does not have a property maintenance code. Mr. Holt further stated that staff would reach out to the Building Official and the Fire Marshall to see what standards they might go by; however, there is no distinction between a manufactured home and a stick built home.

Ms. Leverenz inquired about standards for frame built homes.

Mr. Holt noted that the standards were for the initial construction, but there are not ongoing property maintenance requirements.

Ms. Leverenz inquired about the criteria when issuing a Certificate of Occupancy many years later.

Mr. Holt stated that he did not have the information handy, but would obtain the information.

Mr. Krapf noted that the County has approved a number of similar applications for properties along Ironbound Road. Mr. Krapf inquired if the inspections for those properties were the same as what would be done for this property. Mr. Krapf inquired if it would be a visual inspection to confirm soundness, absence of leaks, existence of smoke detectors and the like.

Mr. Holt confirmed, but noted that older structures would not be required to meet current standards.

Mr. Polster stated that he would be interested in a response from the Fire Marshal.

Ms. Leverenz stated that she did not believe that the Commission could hold this property to a different standard than those previously approved.

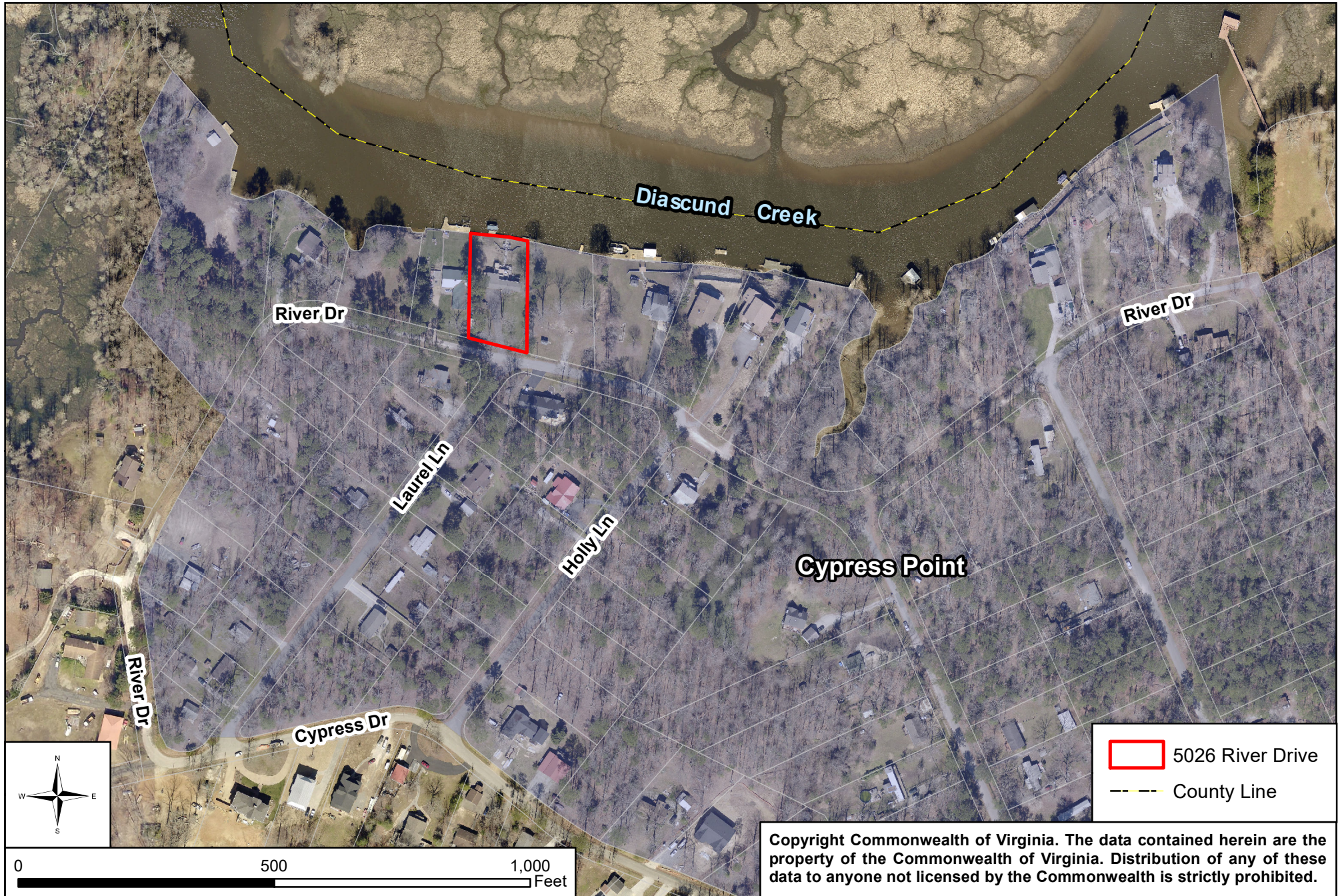
Mr. Haldeman noted that the Workforce Housing Task Force had a similar discussion.

Mr. Polster made a motion to recommend approval of the application.

On a roll call vote the Commission voted to recommend approval of SUP-19-0011. 5026 River Drive Tourist Home. (5-1)

JCC SUP-19-0011

5026 River Drive Tourist Home



RE: 5026 River Dr., Lanexa, VA 23089
Owner: Cypress Point LLC
Manager: Anne M. McCann

CONCEPTUAL PLAN for a Tourist Home

This property is a .505 acre lot situation on Diascund Creek with bulkhead and boat lifts. The bulk head was restored in 2009 which resulted in the elimination of a large dock and the installation of a new vinyl bulkhead and a separate retaining wall. This is mentioned because the work was a project permitted in James City County and approved by the Corp. of Engineers (documents provided).

The house is in-between 5024 and 5028 River Dr. The owners of 5024 River Dr. approve of the use of the dwelling as a tourist home. The recent dwelling on 5028 River Dr. was demolished and it is currently a vacant lot.

The dwelling is a 900 sq. ft. mobile home covered with a shingled roof and built out with an attached screened porch and decking. It is fully furnished with 3 bedrooms, 2 bathrooms, kitchen and den. It is considered a rental, cottage or Summer home.

The access to the property is on a paved portion of River Rd. at the intersection of River Rd. and Laurel Lane. The driveway is asphalt paved and wide enough for 3 cars to park side-by-side. It is lengthy enough for four cars to park from the house to the street.

The property is ideal for use by tourists who appreciate the privacy, natural surroundings, the water view and the proximity to the Williamsburg/Jamestown area.

There are strict rules to follow for the use of the dwelling, parking and the number of guests. No private parties, special events or other visitors are allowed.

Guests are screened through AirBnb's website, which administers to the identification and financial transactions. As a tourist Home for AirBnB guests visits are to be no less than 2 days but no longer than 2 weeks. No more than one reservation at any time for the use of the entire property 6 guests and 3 cars. No food or drinks are provided but guests have access to the amenities available to store and cook their own food.

AirBnb provides \$1,000,000 of insurance coverage for property damage.

The operation of a tourist home will generate revenue for the county and state as well as assist the owners in the maintenance of the property.

Respectfully submitted,

Anne M. McCann

Attachment No. 5

1. Does the County Code and/or Building Code require that manufactured homes if used to accommodate transients must have a HUD seal/tag (Certification)?

Neither the County Code nor Building Code require that a manufactured home have a HUD seal/tag to allow for a change in occupancy classification. However, a HUD seal/tag is required of all manufactured homes constructed after June 15, 1976 to show compliance with HUD standards (standards for construction, design, performance and installation of manufactured homes). When the unit is manufactured, a metal plate is affixed to the home attesting that the dwelling structure has been inspected in accordance with the requirements of the HUD and is constructed in conformance with the Federal Manufactured home construction and safety standards. This metal plate is the “seal/tag” that provides this verification.

2. Does the applicant’s manufactured home has a HUD seal/tag?

After the Planning Commission meeting Ms. McCann searched for the location of the HUD seal/tag affixed to her home but was not able to locate it. Ms. McCann indicated that the home was re-covered with vinyl and that she did not think that she was going to be able to find the seal/tag exposed. Ms. McCann requested a HUD seal/tag verification letter from the Institute for Building Technology and Safety (IBTS) to confirm that the HUD seal/tag was attached to the home. A copy of this letter and a picture of the home’s Date Plate (which contain information such as manufacturer, date the home was built, serial and model numbers) are attached for your reference (Attachment no. 5).

According to the HUD website (https://www.hud.gov/program_offices/housing/rmra/mhs/mhslabels) a letter certifying that seals/tags were attached to the home can be requested through IBTS. Building and Safety Permits staff also reviewed the attached letter and found it to be appropriate evidence that the HUD seal/tag was attached to the home.

3. What are the standards used when inspecting the manufactured home for a change in occupancy classification (i.e. transient).

According to the Fire Department, single family dwellings are not subject to routine inspections by the Fire Marshall’s Office (however, the Fire Department does perform inspections based on complaints or reported incidents). When the Fire Department reviews SUP applications for tourist homes, they inform applicants about the need for working smoke detectors, a fire extinguisher and a fire safety/evacuation that shows exit routes from the structure and instructions on how to operate any appliances and/or equipment on the house. According to the Building Safety and Permits Division, tourist homes are regulated by the Virginia Uniform Statewide Building Code (USBC) and the Virginia Statewide Fire Prevention Code (SFPC). During inspection, the Building Safety and Permits inspectors will verify that the dwelling complies with the aforementioned regulations as well as the building code in effect at the time the original permit was issued.



July 18, 2019

JUST PLUMBING
Attn: Anne Mccann

Subject: Verification for HUD Label Number(s) CAS003389

The following information is provided pursuant to authorization by HUD. According to our records, the subject HUD label number(s) was(were) attached to a home built by River Oaks Homes, Boaz, AL, completed 06-23-1983 with serial number(s) ROC 05886AL and shipped to Rosser Sales, Hampton, VA.

This letter is not issued by the FHA mortgage insurance program for manufactured housing. If you are interested in learning more about FHA's mortgage insurance requirements for manufactured housing using this certification rather than a HUD label, you should contact your regional Processing and Underwriting Center at the HUD Home Ownership Center (HOC) administering the FHA mortgage insurance program in your area, or at www.hud.gov.

E. Davis

Elena Davis
Data Services Program Manager
IBTS
Contractor to HUD
866-482-8868 (direct)

DATA PLATE

MANUFACTURED BY: RIVER OAKS HOMES, INC.

ADDRESS: BOX 416

BOAZ, ALABAMA

MODEL NO: 14x70 3+2 AK SERIAL NO: ROC 05886 AL

DATE OF MANUFACTURE: 6-23-83 LABEL NO: CAS003389

THIS MOBILE HOME IS DESIGNED TO COMPLY WITH THE FEDERAL MOBILE HOME CONSTRUCTION AND SAFETY STANDARD IN FORCE AT THE TIME OF MANUFACTURE.

DESIGN APPROVAL BY: C.A.S.

FACTORY INSTALLED EQUIPMENT INCLUDES:

EQUIPMENT	MANUFACTURER	MODEL NO.
COMFORT HEATING	INTERTHERM	FEH-015HA
AIR COOLING	NONE	
COOKING APPLIANCES	MAGIC CHEF	35CA-8W
REFRIGERATOR	MAGIC CHEF	RB17BA-1A
WATER HEATER	INTERTHERM	HSE-30F-240D
WASHER	NONE	
CLOTHES DRYER	NONE	
DISHWASHER	NONE	
GARBAGE DISPOSAL	NONE	
SMOKE DETECTORS	BRK	769AC-1

"FIRE WARNING EQUIPMENT TO BE TESTED FOR PROPER OPERATION-SEE EQUIPMENT INSTRUCTIONS"
 "OUTSIDE FUSED DISCONNECT SWITCH FOR CENTRAL AIR-CONDITIONING AND OUTSIDE LIGHT TO
 BE FIELD PROVIDED AND INSTALLED "USE SUPPLY CONDUCTORS RATED AT LEAST 75C."

THE FEEDER ASSEMBLY IS DESIGNED FOR USE WITH THREE 75°C RATED COPPER CONDUCTORS. TYPES THW OR XHHW AND A BARE COPPER GROUNDING CONDUCTOR.

FEEDER ENTRANCE ASSEMBLY RATING	CONDUIT SIZE	CONDUCTOR SIZE (3 CONDUCTORS)	GROUNDING CONDUCTOR SIZE
100 AMP	1-1/2"	#3	#8
200	2"	3/0	4

JUNCTION BOXES ARE TO BE SIZED FOR THE LARGEST CON-
 NECTED RACEWAY ACCORDING TO ARTICLE 370-18 OF THE NA-
 TIONAL ELECTRICAL CODE OR IN ACCORDANCE WITH THE LOCAL
 ELECTRICAL CODES OR REGULATIONS

SUP-19-0011, 5026 River Drive Tourist Home

Property Information

0930300004
CYPRESS POINT LLC
5026 River Drive
Williamsburg, VA 23089
Zoning: A1, General Agriculture
Comp. Plan: Rural Lands
Acres: ±0.51

General Notes

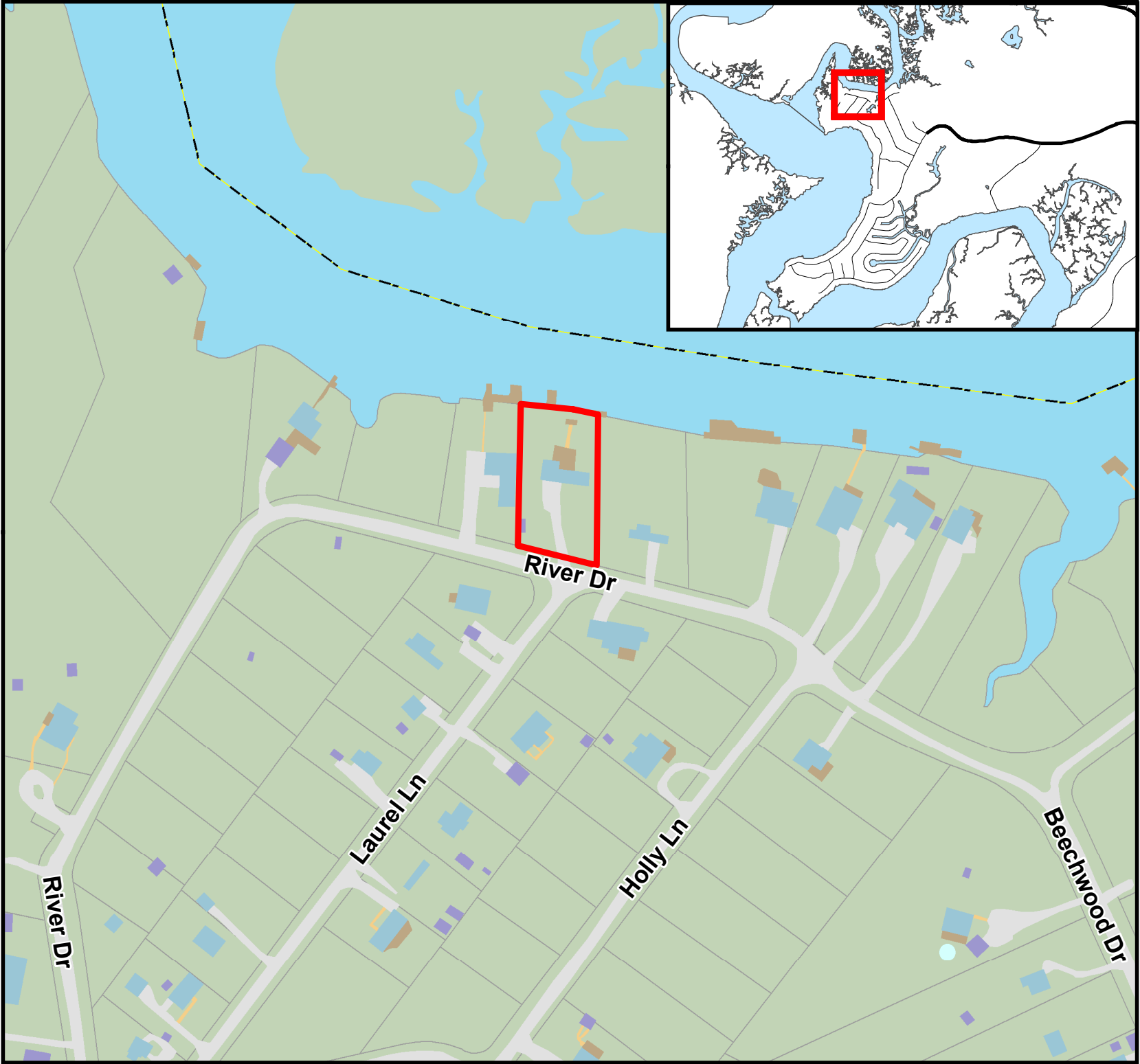
- 1. Site is not served by public water and sewer.
- 2. A portion of the property is located in the special flood hazard area per FEMA FIRM 51095C0019D dated 12/16/15.
- 3. The property appears to contain Resource Protection Area.
- 4. The property has an existing driveway.
- 5. Three parking spaces shall be provided.

Adjacent Properties

0930300003 James C. Miller 5024 River Drive Williamsburg, VA 23089 A1, General Agriculture	0930300005 Bonnie J. McSherry 5028 River Drive Williamsburg, VA 23089 A1, General Agriculture
0930200009 Benjamin G. Howard 5016 Laurel Lane Williamsburg, VA 23089 A1, General Agriculture	0930200027 Timothy A. Fox 5017 Laurel Lane Williamsburg, VA 23089 0930200027

Sheet Index

- 1. Cover Page
- 2. Site Photos



Maps Not To Scale

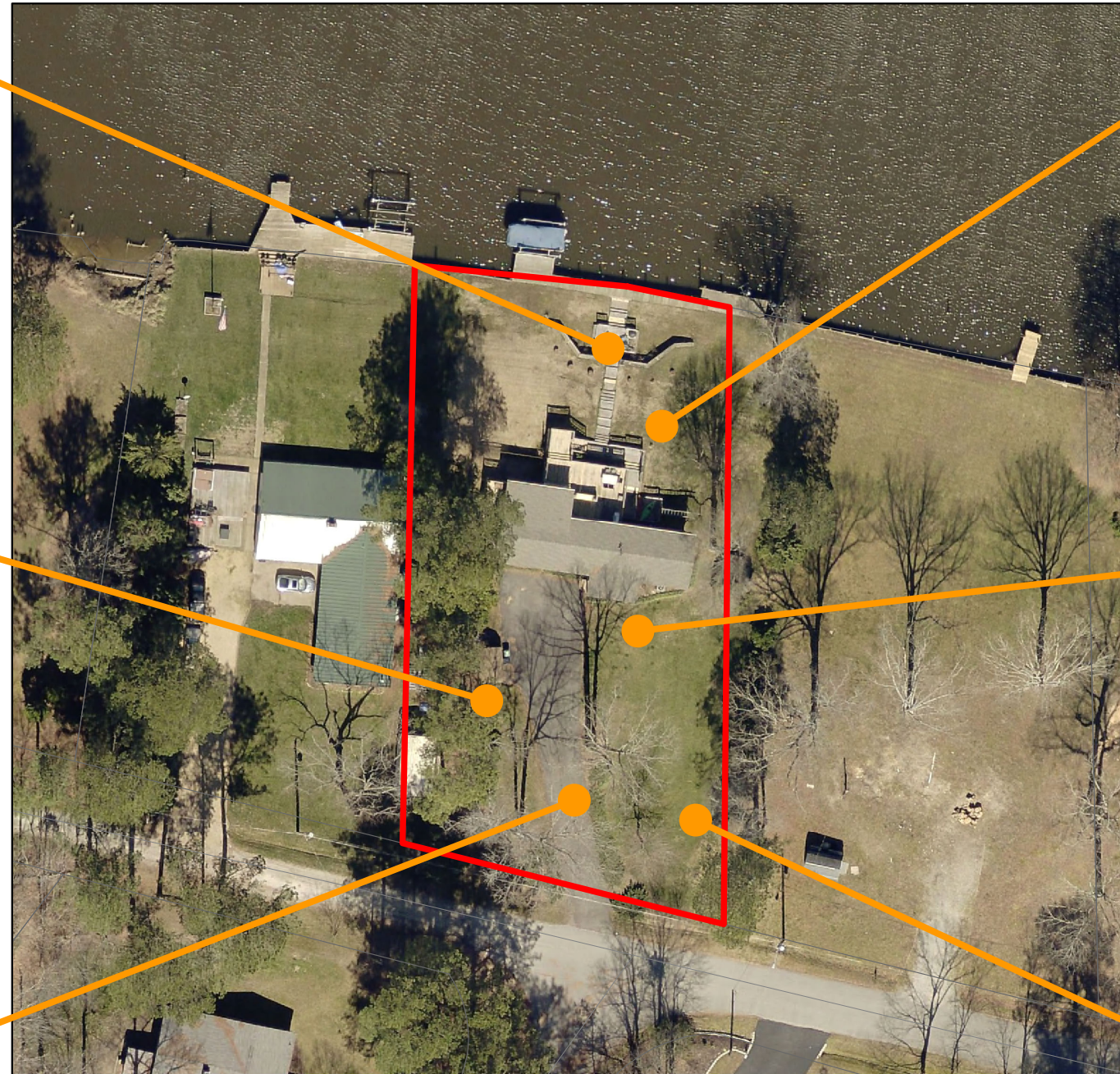
PLANNING DIVISION

April 8, 2019

RECEIVED

JCC SUP-19-0011

5026 River Drive Tourist Home



ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Residential Impacts and Goals for Workforce Housing

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	1. Resolution Regarding Impacts to Public Facilities and Resources Related to Residential Dwelling Units	Resolution
☐	2. Resolution Regarding Goals for Workforce Housing	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	7/26/2019 - 11:41 AM
Publication Management	Burcham, Nan	Approved	7/26/2019 - 11:44 AM
Legal Review	Kinsman, Adam	Approved	7/26/2019 - 11:45 AM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 10:21 AM
Board Secretary	Purse, Jason	Approved	8/6/2019 - 3:01 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:28 PM

MEMORANDUM

DATE: August 13, 2019

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Residential Impacts and Goals for Workforce Housing

As discussed during the July 23 work session, prior to the completion of the Comprehensive Plan update and the referenced fiscal impact studies and updates, the Board may wish to identify the current impacts of residential dwellings on public facilities and resources and to affirm its goals for workforce housing. Attached are two draft resolutions for the Boards consideration.

The first resolution directs staff to produce a fact sheet that outlines general or average financial impacts of residential dwellings based on a five-year rolling average using the Adopted Budget, the Capital Improvements Program, the Comprehensive Plan, the Strategic Plan, and any other relevant data. The resolution further notes that the fact sheet should address immediate and long-range fiscal impacts related to the increased use and demand on several categories of public facilities and resources.

The second resolution follows on, and furthers the work of the workforce housing task force (Task Force) and states the Boards goals for workforce housing, to include creating workforce housing options and aspiring to create economically integrated neighborhoods for those making less than 100% of area median income (AMI).

AMI for James City County is based on calculations completed by the United States Department of Housing and Urban Development (HUD) and is based on the Virginia Beach-Norfolk-Newport News, VA-NC HUD Metro Area. This Metropolitan Statistical Area includes: Virginia Beach, Norfolk, Newport News, Hampton, Portsmouth, Chesapeake, Suffolk, Poquoson, York County, Gloucester County, Isle of Wight County, Mathews County, James City County, the City of Williamsburg, Currituck County (NC) and Gates County (NC).

The Task Force found that in 2018, the average home price in James City County was \$316,500 and that an individual or family would need an income of \$79,000 or more to buy the typical home in the County. In 2016, the median rent was \$1,236 and that an individual for family would need an income of \$49,440 or more to afford the typical rent. The Task Force further found that the primary measure of housing affordability in the community is the number of households that are “housing cost burdened,” that is, spending more than 30% of their income on housing.

The Task Force came to a consensus to define workforce housing broadly as housing that is affordable to any working individual or family. Specifically, the Task Force found that workforce housing is defined as the types of housing that are needed in James City County to ensure that the County can attract and retain the workers needed to sustain the local economy and that this definition includes all types of housing affordable to households in the workforce with an emphasis on working households with incomes below 100% of AMI since this is where the needs are the greatest.

The second resolution, much like the first, likewise directs staff to produce a fact sheet to be available to identify strategies for the provision of workforce housing in the County, including soft second mortgages and long-term commitments to rent prices.

Residential Impacts and Goals for Workforce Housing

August 13, 2019

Page 2

If adopted, the information and data from both resolutions and these work efforts can also be used, as mentioned, as baseline material and in support of the Comprehensive Plan update and ensuing models.

PDH/nb

ResImpGlsWH-mem

Attachments:

1. Resolution Regarding Impacts to Public Facilities and Resources Related to Residential Dwelling Units
2. Resolution Regarding Goals for Workforce Housing
3. Link to the Workforce Housing Task Force Findings and Recommendations:
<https://jamescitycountyva.gov/DocumentCenter/View/21386/Workforce-Housing-Task-Force-Report-Findings--Recommendations-PDF?bidId=>

RESOLUTION

IMPACTS TO PUBLIC FACILITIES AND RESOURCES RELATED TO

RESIDENTIAL DWELLING UNITS

WHEREAS, the Board of Supervisors of James City County, Virginia (the "Board"), has adopted certain policy and planning documents that guide its legislative considerations in James City County (the "County"), including the Comprehensive Plan, the Strategic Plan, the Annual Budget, and the Capital Improvements Program; and

WHEREAS, the Board is currently updating the County's Comprehensive Plan and, as part of that update, the Board has retained consultant services to support several operational initiatives from the 2035 Strategic Plan, including: conducting scenario planning; conducting a cumulative fiscal, infrastructure, community character, and environmental impact analysis of expanding the Primary Service Area; and refining the fiscal impact model to assess development impacts on the County's fiscal health; and

WHEREAS, this consultant will provide the specialized technical knowledge necessary to build, run, and extract pertinent information from sophisticated models; and

WHEREAS, prior to the completion of the Comprehensive Plan update and completion of the aforementioned fiscal impact studies and updates, the Board desires to identify the impacts of residential dwellings on public facilities and resources.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that staff is directed to produce a fact sheet that outlines general financial impacts of residential dwellings based on the Adopted Budget, the Capital Improvements Program, the Comprehensive Plan, the Strategic Plan, and any other relevant data. The fact sheet should address the immediate and long-range fiscal impacts related to increased use and demand on the following public facilities and resources:

1. Public Transportation - Construction of new roads and other rights-of-way, or the improvement or expansion of existing facilities, including necessary property acquisition, for automobile, public transit vehicle, pedestrian, and bicycle travel within the County; and construction, improvement, or expansion of buildings, structures, parking, and other facilities, including necessary property acquisition, directly related to the Williamsburg Area Transit Authority and other transit facilities in the County.
2. Public Safety - Construction, improvement, or expansion of buildings, structures, parking, and other facilities, including necessary property acquisition, related to law enforcement (Police, Sheriff, Courthouse, Jail and Animal Control), Fire, Emergency Medical Services, Emergency Management, Emergency Communications, and Rescue. Because these public safety facilities serve the entire County and provide mutual aid to other jurisdictions, the impact of residential dwellings on public safety facilities should be analyzed on a County-wide basis.

3. Public Schools - Construction, improvement, or expansion of buildings, structures, parking, and other facilities, including necessary property acquisition, related to the Williamsburg-James City County Public Schools. Because public school facilities serve the entire County and are shared with the City of Williamsburg, and new or expanded public school facilities may result in adjustments to attendance zones, the impact of residential dwellings on public school facilities should be analyzed on a County-wide basis.
4. Public Parks and Recreation - Construction, improvement, or expansion of buildings, structures, parking, and other facilities, including necessary property acquisition, related to parks and recreation. Because public parks and recreation facilities serve the entire County, the impact of residential dwellings on these facilities should be analyzed on a County-wide basis.
5. Public Libraries and Cultural Centers - Construction, improvement, or expansion of buildings, structures, parking, and other facilities, including necessary property acquisition, related to the Williamsburg Regional Library System and Arts Centers. Because public library facilities serve the entire County and are shared with the City of Williamsburg, and new or expanded public library facilities may result in regional adjustments to facility capacity, the impact of residential dwellings on public library facilities should be analyzed on a County-wide basis.
6. Groundwater and Drinking Water Resources - Construction, improvement, or expansion of buildings, structures, parking, and other facilities, including necessary property acquisition, related to the James City Service Authority. Principally, the Board encourages the use of water conservation measures such as reduction or elimination of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought-tolerant plants where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
7. Watersheds, Streams, and Reservoirs - Construction, improvement, or expansion of capital projects and other facilities, including necessary property acquisition, related to the maintenance or improvement of water quality in the County's watersheds. Construction of residential dwellings shall be consistent with the adopted watershed management plans for Gordon Creek, Mill Creek, Powhatan Creek, Ware Creek, Yarmouth Creek, and York River-Skimino Creek, as those plans may be amended, and any other watershed management plans adopted by the Board of Supervisors.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2019.

ResImp-res

RESOLUTION

GOALS FOR WORKFORCE HOUSING

WHEREAS, the Board of Supervisors of James City County, Virginia (the “Board”), has adopted certain policy and planning documents that guide its legislative considerations in James City County (the “County”), including the Comprehensive Plan, Strategic Plan, and Annual Budget; and

WHEREAS, the Board is currently updating the County’s Comprehensive Plan and, as part of that update, has retained consultant services to support several operational initiatives from the 2035 Strategic Plan, including: conducting scenario planning; conducting a cumulative fiscal, infrastructure, community character, and environmental impact analysis of expanding the Primary Service Area; and refining the fiscal impact model to assess development impacts on the County’s fiscal health; and

WHEREAS, prior to beginning the Comprehensive Plan update, the Board created the Workforce Housing Task Force (the “Task Force”) which found that there is a need for housing at more diverse price and rent levels in the County and that there is an insufficient stock of housing that is affordable to those making less than 100% of area median income; and

WHEREAS, the Task Force found that the need to expand workforce housing options and create economically integrated neighborhoods is consistent with, and directly supports the goals of the County’s Comprehensive Plan and Strategic Plan; and

WHEREAS, prior to the completion of the Comprehensive Plan update and the aforementioned fiscal impact studies and updates, and in an effort to provide guidance for each, the Board desires to state its goals for affordable housing in the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that there is an insufficient stock of housing in James City County that is affordable to those making less than 100% of area median income as defined by the U.S. Department of Housing and Urban Development (“AMI”), and that there is a need for housing at more diverse price and rent levels that is fully integrated in the community with regard to location, architectural detailing, quality of exterior materials, and general appearance. In furtherance of addressing this identified need, the Board aspires for at least 20% of residential dwelling units in the County to be offered for sale or made available for rent as follows: at least 8% of dwelling units being affordable for households earning between 30% and 60% of AMI; at least 7% being affordable for households earning over 60% and up to 80% of AMI; and at least 5% being affordable for households earning over 80% and up to 100% of AMI. To support this goal the Board hereby directs the following:

1. The consultant and staff shall support this goal during the update of the Comprehensive Plan.
2. Semiannually, the James City County Director of Financial and Management Services, or her designee, shall calculate and publish the rent and sale prices that correspond to the above-referenced ranges.

3. Any owner may consult with, and accept referrals of qualified buyers on a noncommission basis from the James City County Housing Office on the initial sale of for-sale units and prior to each new lease period for rental units.
4. The Community Development Department shall make a fact sheet available to identify strategies for the provision of Workforce Housing in the County, including soft second mortgages and long-term commitments to rent prices.

BE IT FURTHER RESOLVED that this resolution shall replace and supersede the previous Housing Opportunities Policy, adopted November 27, 2012.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2019.

GoalsWFH-res

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Initiation of Rezoning within the Forest Heights Road Area

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution
☐	Location Map	Exhibit
☐	Staff Report from December 13, 2011	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	8/6/2019 - 10:00 AM
Publication Management	Burcham, Nan	Approved	8/6/2019 - 11:06 AM
Legal Review	Kinsman, Adam	Approved	8/6/2019 - 11:14 AM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:28 PM
Board Secretary	Purse, Jason	Approved	8/6/2019 - 3:34 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:49 PM

MEMORANDUM

DATE: August 13, 2019

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Initiation of Rezoning within the Forest Heights Road Area

On December 13, 2011, the Board of Supervisors approved Case No. Z-0001-2011, which rezoned various parcels within the Forest Heights Road Area from R-2, General Residential to MU, Mixed Use, with proffers.

The rezoning was initiated by the Board on July 12, 2011, for the purpose of allowing various property line adjustments which then allowed for the lots to become conforming to the Zoning Ordinance after significant infrastructure improvements were made.

At its June 11, 2019 and July 9, 2019 meetings, the Board reviewed a Master Plan and Proffer Amendment request for the existing Forest Heights neighborhood. This request included new residential units and a proposed mini-storage development on property currently owned by the Salvation Army.

During the Board deliberations, several questions were raised, including whether or not the MU Zoning District (which requires a non-residential land use) continues to be an appropriate zoning for the property.

Attached is an Initiating Resolution for the Board's consideration that would begin the process of rezoning all of the MU zoned parcels to the R-3, Residential Redevelopment District.

The purpose of the Residential Redevelopment District is to encourage the replacement or reuse of existing buildings or previously developed sites to accommodate new residential development that provides benefits to the County, but would be difficult to achieve with other zoning districts. The principal uses and development form should preserve or improve the desirable and viable characteristics of the previous use and the adjacent parcels. The desired result is improved function and appearance of the same use or introduction of a use or uses compatible and/or complementary to the surrounding developed areas.

Unlike MU, the R-3 District does not require a non-residential use. If adopted, staff would begin the process of verifying the R-3 requirements, notifying the affected property owners and scheduling a public hearing with the Planning Commission.

PDH/md
InitRez-ForHts-mem

Attachments:

1. Resolution
2. Location Map
3. Staff Report from December 13, 2011

RESOLUTION

INITIATION OF REZONING WITHIN THE FOREST HEIGHTS ROAD AREA

WHEREAS, on December 13, 2011, the Board of Supervisors adopted an Ordinance rezoning 65 parcels in the Forest Heights redevelopment area from R-2, General Residential, to MU, Mixed Use, so that the reduced setback lines in the MU District could be used in the redevelopment area; and

WHEREAS, on September 11, 2012, the Board of Supervisors created the R-3, Residential Redevelopment District, to “encourage the replacement or reuse of existing buildings or previously developed sites to accommodate new residential development that provides benefits to the County, but would be difficult to achieve with other zoning districts”; and

WHEREAS, subsequent to the rezoning of the Forest Heights redevelopment area, it has been determined that the requirements of the MU, Mixed Use Zoning District including, but not limited to, the required inclusion of a non-residential element, are not desirable in the Forest Heights redevelopment area; and

WHEREAS, rezoning the Forest Heights redevelopment area to the R-3, Residential Redevelopment District, would comply with the Comprehensive Plan and would allow continued residential redevelopment without the required inclusion of a non-residential use; and

WHEREAS, staff has identified 68 relevant parcels in the Forest Heights redevelopment area that require rezoning to the R-3, Residential Redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the rezoning of the following 68 parcels from their current zoning designation to R-3, Residential Redevelopment, shall be initiated and shall be considered by the Planning Commission and Board of Supervisors:

TAX MAP NO.	ADDRESS	OWNER
3221500002A	506 BENEFIT LANE	JAMES CITY COUNTY
3221500005	501 BENEFIT LANE	COWLES, LAKEISHA S.
3221500006	503 BENEFIT LANE	ROBINSON, ANGELIA Y.
3221500007	505 BENEFIT LANE	RODGERS, PAULA M.
3221500008	507 BENEFIT LANEN	MOORE, CHANDRE M.
3221500001A	100 FOREST HEIGHTS DRIVE	JAMES CITY COUNTY
3220100085A	174 FOREST HEIGHTS ROAD	JAMES CITY SERVICE AUTHORITY
3220400003	115 FOREST HEIGHTS ROAD	JOHNSON, INDIA
3220400032	170 FOREST HEIGHTS ROAD	CLARKE, BENJAMIN EDWARD ESTATE
3221500001	102 FOREST HEIGHTS ROAD	CHRISTIAN, ELAINE M. & MICHAEL A.
3221500002	104 FOREST HEIGHTS ROAD	BAKER, SHIRLEY
3221500003	108 FOREST HEIGHTS ROAD	SMITH, PAMELA A.

3221500004	112 FOREST HEIGHTS ROAD	STATEWIDE INC.
3221500009	124 FOREST HEIGHTS ROAD	TAYLOR, HAZEL & MORRIS E.
3221500010	128 FOREST HEIGHTS ROAD	BROWN, BESSIE L.
3221500011	132 FOREST HEIGHTS ROAD	BOWMAN, CLARINE R.
3221500012	136 FOREST HEIGHTS ROAD	BROWN, WILLIAM ALFRED
3221500013	138 FOREST HEIGHTS ROAD	WATSON, PAUL J. & PAULETTE
3221500014	142 FOREST HEIGHTS ROAD	BARBA, CHARLES D. & JOLLY MAE
3221500015	146 FOREST HEIGHTS ROAD	JAMES CITY COUNTY
3221500016	150 FOREST HEIGHTS ROAD	JAMES CITY COUNTY
3221500017	154 FOREST HEIGHTS ROAD	BILLUPS, ALLEN J. & EARLDEAN N.
3221500018	158 FOREST HEIGHTS ROAD	MOORE, GARY C. & GERALINE M.
3221500019	166 FOREST HEIGHTS ROAD	NOVAK, SEAN P.
3221500021	173 FOREST HEIGHTS ROAD	GUTIERREZ, RUBEN ARROYO TRUSTEE
3221500022	169 FOREST HEIGHTS ROAD	WILHOIT, TODD A. & PICAZO, CHRISTIAN
3221500023	165 FOREST HEIGHTS ROAD	SKY BLUE HOMES LLC
3221500024	153 FOREST HEIGHTS ROAD	BILLUPS, ALLEN J. & EARLDEAN N.
3221500025	149 FOREST HEIGHTS ROAD	BILLUPS, ALLEN J. & EARLDEAN N.
3221500026	145 FOREST HEIGHTS ROAD	BARTLETT, BETTY J.
3221500027	141 FOREST HEIGHTS ROAD	BARTLETT, BETTY J.
3221500028	137 FOREST HEIGHTS ROAD	ANDERSON, DORIS & ANDERSON, RENATA
3221500029	133 FOREST HEIGHTS ROAD	STILL, DERRICK T.
3221500030	129 FOREST HEIGHTS ROAD	STILL, DERRICK
3221500031	127 FOREST HEIGHTS ROAD	ASHLOCK, LEROY
3221500032	123 FOREST HEIGHTS ROAD	JAMES CITY COUNTY
3221500033	119 FOREST HEIGHTS ROAD	JAMES CITY COUNTY
3220100086	138 NEIGHBORS DRIVE	G GILLEY INVESTMENTS LLC
3220100087	139 NEIGHBORS DRIVE	MARTIN, EDWARD E. TRUSTEE
3220100088	104 NEIGHBORS DRIVE	BRABHAM, DENNIS J. III & CHRISTINA
3220100089A	102 NEIGHBORS DRIVE	REYNOLDS, SHARON
3220100090	101 NEIGHBORS DRIVE	WALLACE, CHARLENE FAY
3220100116	140 NEIGHBORS DRIVE	JAMES CITY COUNTY
3220500001	134 NEIGHBORS DRIVE	JAMES CITY COUNTY
3220500003	126 NEIGHBORS DRIVE	PRIOR, JANIE M.
3220500004	122 NEIGHBORS DRIVE	DE LEON, VICTOR A. TRUSTEE & JACQUELI
3220500005	118 NEIGHBORS DRIVE	KNOX-GIVENS, YULONDA D. & ROBINSON, R.
3220500006	116 NEIGHBORS DRIVE	SMITH, JEFFREY D. & LYNDA A.
3220500007	135 NEIGHBORS DRIVE	G GILLEY INVESTMENTS LLC
3220500008	131 NEIGHBORS DRIVE	BORNSTEIN, JANET C. & BENJAMIN A.
3220500009	127 NEIGHBORS DRIVE	JAMES CITY COUNTY

3220500010	123 NEIGHBORS DRIVE	CLEMENTE, FERNANDO & IRENE E.
3220500011	119 NEIGHBORS DRIVE	O'SHEA, KEVIN F. II & LISA A.
3220500012	115 NEIGHBORS DRIVE	JAMES CITY COUNTY
3220500013	111 NEIGHBORS DRIVE	BOWERS, ANTONETTE M.
3220500016	100 NEIGHBORS DRIVE	HERTZLER, DAVID L TRUSTEE
3220100076	6059 RICHMOND ROAD	CARRILLO, JUAN & EMELIA
3220100077	6051 RICHMOND ROAD	BAKER, RUSSELL & MARY LIFE ESTATE
3220100078	6047 RICHMOND ROAD	TAYLOR, STANFORD
3220100079	6043 RICHMOND ROAD	ROBINSON, EUNICE
3220100080	6039 RICHMOND ROAD	GRAY, MEL & SHANISE KOTINA
3220100081	6015 RICHMOND ROAD	SALVATION ARMY (THE)
3220100089	5981 RICHMOND ROAD	HERTZLER, DAVID L. TRUSTEE
3220100092	5943 RICHMOND ROAD	SMITH, ELSIE M.
3220100093	5941 RICHMOND ROAD	SMITH, MARTHA LEE MAURICE ESTATE
3220100094	5947 RICHMOND ROAD	SMITH, MARTHA LEE MAURICE ESTATE
3220100095	5939 RICHMOND ROAD	J & E INVESTMENTS LLC
3220500014	5951 RICHMOND ROAD	JAMES CITY COUNTY

James O. Icenhour, Jr.
Chairman, Board of Supervisors

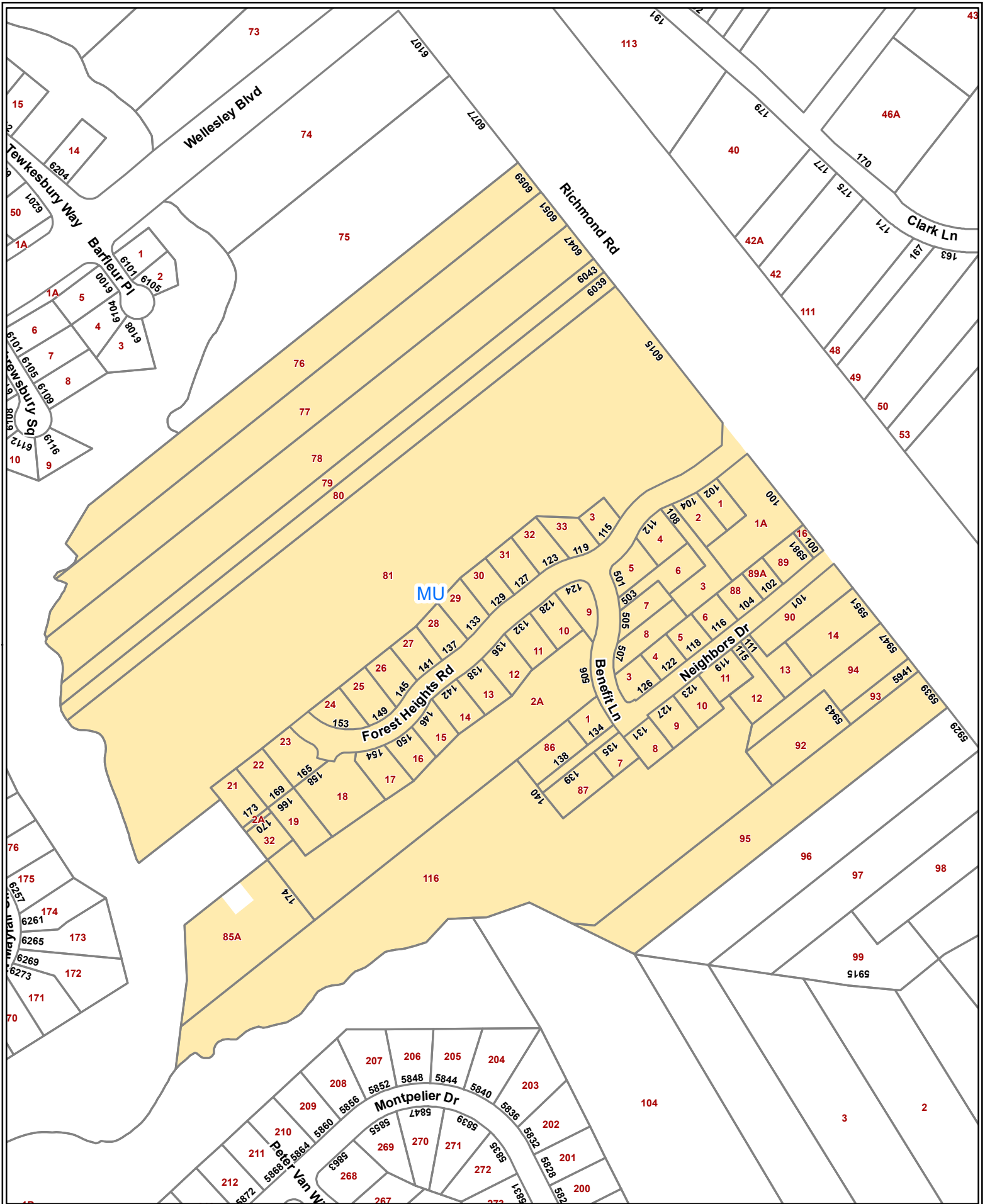
ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	___	___	___
LARSON	___	___	___
SADLER	___	___	___
MCGLENNON	___	___	___
ICENHOUR	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2019.

InitRez-ForHts-res



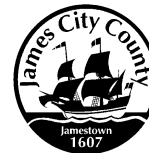
1 inch = 260 feet
0 130 260 Feet

James City County Forest Heights/Neighbors Dr



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.

Copyright James City County GIS Office 8/5/2019
C:\GIS\Daily\Daily_Map_June_2018.mxd



MEMORANDUM COVER

Subject: Case No. Z-0001-2011. Forest Heights, Neighbors Drive, and Richmond Road Improvements

Action Requested: Shall the Board approve the attached resolution to rezone the Forest Heights, Neighbors Drive, and Richmond Road project area from R-2, General Residential, to MU, Mixed Use?

Summary: Within the 47.1-acre rezoning area, approximately 27.4 acres will be reconfigured through a combination of boundary line adjustments and subdivision to accommodate single-family detached residences. The Salvation Army use (approximately 19.7 acres) is also located within the rezoning area and is proposed to contain new offices, community meeting space and gym, and other accessory uses associated with the Salvation Army's mission.

The proposed project will result in many significant benefits, including bringing nonconforming parcels into conformance with the zoning ordinance; many improvements to stormwater, road, and utility infrastructure; and housing rehabilitation and construction.

Staff finds the proposal to have substantial benefits and minimum additional impacts. It is compatible with the 2009 Comprehensive Plan. Staff recommends approval of this application and acceptance of the voluntary proffers.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes ☐ No ☒

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

Attachments:

1. Memorandum of Acquisition of Property in the Forest Heights Neighborhood Improvement Project Area
2. Planning Commission Minutes
3. Location Map
4. Proffers
5. Salvation Army Building Elevation
6. Master Plan (previously provided)
7. Community Impact Statement (previously provided)
8. Resolution

Agenda Item No.: J-2

Date: December 13, 2011

**REZONING-0001-2011. Forest Heights, Neighbors Drive, and Richmond Road Improvements
Staff Report for the December 13, 2011, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

Planning Commission:

Board of Supervisors:

Building F Board Room; County Government Complex

September 7, 2011, 7:00 p.m.

November 22, 2011, 7:00 p.m. (deferred by the Board)

December 13, 2011, 7:00 p.m.

SUMMARY FACTS

Applicant:

This rezoning was initiated by a Board of Supervisors resolution dated July 12, 2011, in accordance with Section 24-13 of the Zoning Ordinance. The project is represented by Ms. Marion Paine of the County's Office of Housing and Community Development ("OHCD").

Land Owners:

The attached resolution contains a list of property land owners (Attachment 8).

Proposal:

Rezone the properties to allow for property line adjustments that will facilitate infrastructure improvements and bring the lots into conformance with the Zoning Ordinance.

Location:

The project is located along the south side of Richmond Road between Premium Outlets and Villages at Westminster. Attachment 2 shows a location map.

Project Acreage:

47.1 acres

Existing Zoning:

R-2, General Residential

Proposed Zoning:

MU, Mixed Use

Comprehensive Plan:

Low Density Residential (majority) and Moderate Density Residential

Primary Service Area:

Inside

STAFF RECOMMENDATION

Staff finds the proposal to have substantial benefits and minimum additional impacts, and to be compatible with the 2009 Comprehensive Plan. Staff recommends approval of this application and acceptance of the voluntary proffers.

Staff Contact: Ellen Cook, Senior Planner

Phone: 253-6685

PLANNING COMMISSION RECOMMENDATION

At its September 7, 2011 meeting, the Planning Commission recommended approval of this application by a vote of 6-0.

Proposed Changes Made Since Planning Commission Meeting

Subsequent to the September 7, 2011, Planning Commission meeting, two proffers have been slightly amended. The first is the shared stormwater agreement proffer (6) which, at the advice of the County Attorney's office, was amended to remove sentences with details that can be worked out in the shared stormwater agreement itself. The second is the architectural elevations proffer (4), which was amended to include a reference to the building elevation title and date.

Proffers: Are signed and submitted in accordance with the James City County Proffer Policy (Attachment 3).

PROJECT DESCRIPTION

Within the 47.1-acre rezoning area, approximately 27.4 acres will be reconfigured through a combination of boundary line adjustments and subdivision to accommodate single-family detached residences. The reconfigured single-family residential area includes a portion of the future Salvation Army site (through land exchanges), Forest Heights Road, Neighbors Drive, and properties from 5939 Richmond Road to 6059 Richmond Road.

The Salvation Army use (approximately 19.7 acres) is also located within the rezoning area, just to the north of Forest Heights Road. The site is proposed to contain new offices, community meeting space and gym, and other accessory uses associated with the Salvation Army's mission. The Salvation Army has provided a building elevation, which is included as Attachment 4 and is also referenced in proffer 4. The Salvation Army entrance is planned to be located on Forest Heights Road.

The proposed project will result in many significant benefits. Rezoning of the area to Mixed Use provides the flexibility required to bring the many nonconforming parcels into conformance with the zoning ordinance. Infrastructure improvements that are planned include: addressing currently uncontrolled and untreated drainage and stormwater; upgraded water and sewer mains; realignment, widening and pavement of Forest Heights Road and Neighbors Drive, safety improvements to Richmond Road, addition of open space and pedestrian amenities; and provision of streetlights and street trees. The proposed project will also include rehabilitation of homes (including energy audits and energy efficiency improvements), construction of homes to provide homeownership opportunities for low- and moderate-income households, and demolition of vacant, dilapidated dwellings.

Finally, to address future development, the master plan (Attachment 5) shows areas for potential future residential development on the Salvation Army site. The road improvements currently proposed have been designed to accommodate this additional traffic, but since the details on exact number, type, size and location of the units not currently known, no approval is being sought at this time. Any additional residential units in this location would require a master plan amendment to be approved by the Board of Supervisors.

OHCD has had many meetings to solicit neighborhood input and has worked directly with property owners on proposed boundary line adjustment paperwork. Additional information about these efforts is on page 7 of the Community Impact Statement (Attachment 6). The project is expected to be completed in two phases, starting with Forest Heights Road for which a Community Development Block Grant has already been awarded, followed by Neighbors Drive, for which OHCD is currently engaged in the process that is expected to lead to awarding of the second grant in 2012 or 2013. OHCD's most recent efforts to acquire property in the rezoning area are summarized in Attachment 7.

Zoning Ordinance Consideration Items

Due to the redevelopment nature of this project, this project will need several modifications and exceptions to applicable Zoning Ordinance requirements. As part of its motion to recommend approval of this case, the Planning Commission approved the perimeter buffer reduction described below.

Perimeter Buffer Reduction.

Section 24-527 of the Zoning Ordinance requires a 50-foot buffer from existing public rights-of-way, and a 50-foot perimeter buffer in a mixed use district. The majority of the rezoning area meets these requirements. However, in three locations there are existing residences located within the buffer area and a reduction is sought in recognition of this fact. The first location is the perimeter buffer on 5939 Richmond Road at the east end of the project. The second location is the right-of-way buffer along the front of 6039, 6043, 6047, 6051, and 6059 Richmond Road, as well as the perimeter buffer along the side of 6059 Richmond Road at the west end of the project. The third location is at the rear (southern end) of the project at 170, 173, and 174 Forest Heights Road, where there are two existing platted lots and a JCSA pump station. Staff believes that the rezoning project meets the reduction criteria in the ordinance by virtue of item (c)(3), the unusual conditions of the property in that the structures and lots have been existing in their current locations for many years. Since this area is not designated Mixed Use on the Comprehensive Plan, the reduction also has to meet the criteria of not adversely impacting the public health, safety or welfare, and in being compatible with adjacent properties; staff finds that the proposal meets these criteria.

Road Frontage Exception:

Section 19-40 of the Subdivision Ordinance requires that “each lot shall abut and have access to a proposed public street to be dedicated by the subdivision plat or to an existing publically dedicated street, unless otherwise specifically provided for in this chapter.” It is likely that several lots at the end of Forest Heights Road would be accessed via a shared driveway, but that the lots themselves would not have road frontage. While the area of these lots currently fronts on the existing gravel road, the proposed alignment of the paved public Forest Heights Road would terminate earlier, to preserve the opportunity of connecting to the rear of the Salvation Army property in a manner that avoids disturbing environmentally sensitive areas. Staff is supportive of this exception; however, this item will be considered at the development plan level once final details are known so no action is requested at this time.

PUBLIC IMPACTS

Archaeology

A Phase IA cultural resources assessment of the rezoning area was conducted in the fall of 2010. The assessment concluded that the houses do not appear to be potentially eligible for the National Register of Historic Places and recommended no further architectural survey work. The Phase IA includes a description of areas of high archaeological probability and recommends these areas for Phase I archaeological testing.

Proffer:

- Proffer #5. Preparation of Phase I Archeology study(ies) for a portion of the site identified in the Phase IA study.

Engineering and Resource Protection

Stormwater drainage for the area along Forest Heights Road and Neighbors Drive will be collected by a new storm sewer system installed in the roadways. Additional swales along lot lines will also be provided to minimize or eliminate cross-lot drainage issues currently observed. Stormwater will be transported through the storm sewer system to one of two Best Management Practices (BMPs). Low Impact Development (LID) techniques will also be incorporated into the design since Special Stormwater Criteria applies to this site.

Watershed: Powhatan Creek

Proffer:

- Proffer #6. A Shared Maintenance Agreement will be developed to provide for routine and non-routine maintenance of the stormwater basin at 6001 Richmond Road.

Engineering and Resource Protection Staff Comments: Staff has reviewed the Community Impact Statement and Master Plan and concurs with the approach presented, while providing information that will need to be addressed at the development plan design stage.

Public Utilities

Most of the rezoning area is already served by public water and sewer. As part of the project, the water mains will be upgraded, and better circulation will be achieved by creating a loop in the distribution system between Forest Heights Road and Neighbors Drive.

Proffer:

- Proffer #7. Water conservation standards will be reviewed and approved by the JCSA.
- Proffer #1. EarthCraft, or equivalent, water conservation measures shall apply to County-owned lots and to rehabilitations on County property.

Staff Comments: Staff has reviewed the Community Impact Statement and Master Plan and concurs with the approach presented, while providing information that will need to be considered at the development plan design stage.

Transportation

Trip generation for this project is below the threshold for preparation of a full traffic study. The summary study included in the Community Impact Statement projects average daily trips of approximately 1,270-1,586 including those from the Salvation Army facility and possible future residential development at the end of Forest Heights Road. This equates to worst case peak hour traffic of 110-138 vehicles per hour entering the rezoning area during the PM peak of Richmond Road.

2007 County Traffic Counts: On Richmond Road from Route 646, Lightfoot Road, to Olde Towne Road there were 24,646 trips.

2035 Daily Traffic Volume Projected (from 2009 Comprehensive Plan): On Richmond Road between Route 199 and the City of Williamsburg Line, 45,325 average annual daily trips (AADT) are projected – this is in the category of warranting improvement (from 4 to 6 lanes). However, Richmond Road is discussed more specifically in later Comprehensive Plan text, where it states that widening should be avoided.

Road Improvements: Proposed improvements to be made to Richmond Road include a 200-foot-long turn lane and 200-foot-long taper for westbound Richmond Road traffic entering Forest Heights Road, a right-turn taper for eastbound Richmond Road traffic entering Forest Heights Road, and elimination of the existing median crossover approximately 300 feet south of Neighbors Drive to correct a safety hazard. To prevent incorrect and unsafe turns in and out of Neighbors Drive, a concrete “pork chop” directional island will be installed. Finally, both Forest Heights Road and Neighbors Drive are planned for realignment, widening and paving. The final alignment for Neighbors Drive will be determined during the course of OHCD’s second planning grant. These improvements are shown on the master plan.

VDOT Comments: VDOT concurred with the improvements to Richmond Road and Forest Heights Road, and noted that the proposed project improves access management along this section of Richmond Road. The final alignment of Neighbors Drive will need to meet applicable VDOT regulations; OHCD anticipates consultation with VDOT will occur during the planning process. VDOT’s comment letter provides additional information that will need to be addressed at the development plan design stage.

Fiscal

The Fiscal Impact Analysis found that the project initially creates a positive fiscal impact by investing in infrastructure and housing improvements to increase taxable value of the properties in the project area. However, as for nearly all residential projects, new housing on the remaining vacant lots will push the expected fiscal impact from positive to negative. The Fiscal Impact Analysis is included as Appendix A in the Community Impact Study.

Housing

As noted above, the proposed project will include rehabilitation of homes (including energy audits and energy efficiency improvements), construction of homes to provide homeownership opportunities for low- and moderate-income households, and demolition of vacant dilapidated dwellings.

Proffers:

- Proffer 2. A minimum of six housing units will be made available to low- and moderate-income households, either through Habitat for Humanity or through County programs.

Public Facilities

This project is located within the Norge Elementary School, Toano Middle School and Warhill High School districts. Under the proposed Master Plan, the same overall number of lots is maintained. It is expected that houses will be built on the vacant lots once the infrastructure improvements are made, generating a total of approximately ten additional school children. Per the adequate public school facilities test adopted by the Board of Supervisors, all special use permit or rezoning applications should meet the test for adequate public school facilities. The test adopted by the Board uses the design capacity of a school, while the Williamsburg - James City County schools recognize the effective capacity as the means of determining student capacities. As shown in the table below, all three schools are projected to have sufficient capacity.

School	Design Capacity	Effective Capacity	Enrollment (2010)	Projected Students Generated	Enrollment + Projected Students
Norge	760	695	517	Approx. 5	522
Toano	775	822	678	Approx. 2	680
Warhill	*	1,441	1,149	Approx. 3	1,152

* The WJCC School System no longer lists or uses design capacity in its documents.

Parks and Recreation

The existing Forest Heights Road and Neighbors Drive do not have any pedestrian accommodations or recreation areas. The acreage of the passive open space park on Forest Heights Road, and the length of the multi-use trail along Richmond Road, meets the Parks and Recreation Master Plan guidance. Salvation Army representatives have indicated that additional recreation opportunities will be available on the Salvation Army site, once the facility is constructed. Sidewalks will be provided along one side of both improved Forest Heights and Neighbors Drive.

COMPREHENSIVE PLAN

The majority of the project area is designated Low Density Residential (LDR) in the James City County 2009 Comprehensive Plan, with some area at the front of the western-most lots on Richmond Road designated Moderate Density Residential. LDR recommended uses include schools, churches, community-oriented facilities, very limited commercial establishments, and single-family homes. The Comprehensive Plan also recommends projects be located inside the Primary Service Area, provide affordable and workforce housing, and minimize impact on major roads by limiting access points.

The proposed project is located within the Primary Service Area, and consists of uses and densities that are in accordance with the recommendations of the Comprehensive Plan. Furthermore, the project will minimize impacts on major roads by limiting the access point to Salvation Army to Forest Heights Road. Staff finds the proposed development to be consistent with the 2009 Comprehensive Plan.

RECOMMENDATION

Staff finds the proposal to have substantial benefits and minimum additional impacts, and to be generally compatible with the 2009 Comprehensive Plan. Staff recommends approval of this application and acceptance of the voluntary proffers.


Ellen Cook

CONCUR:

Allen J. Murphy, Jr.

EC/gb
Z-1-11improve2.doc

ATTACHMENTS:

1. Planning Commission Minutes
2. Location map
3. Proffers
4. Salvation Army building elevation, prepared by Guernsey Tingle Architects
5. Master plan (previously provided with the November 22, 2011, Board packet)
6. Community Impact Statement (previously provided with the November 22, 2011, Board packet)
7. Memorandum of Acquisition of Property in the Forest Heights Neighborhood Improvement Project Area
8. Resolution

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Tori Haynes, Staff Liaison to the Historical Commission

SUBJECT: Appointments - Historical Commission

ATTACHMENTS:

Description	Type
-------------	------

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	7/25/2019 - 5:10 PM
Development Management	Holt, Paul	Approved	7/25/2019 - 5:10 PM
Publication Management	Burcham, Nan	Approved	7/26/2019 - 7:33 AM
Legal Review	Kinsman, Adam	Approved	7/26/2019 - 11:44 AM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 10:15 AM
Board Secretary	Purse, Jason	Approved	8/6/2019 - 3:00 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:27 PM

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Dawn Oleksy, Environmental Coordinator

SUBJECT: Appointment of Clean County Commissioners

ATTACHMENTS:

Description	Type
-------------	------

REVIEWERS:

Department	Reviewer	Action	Date
General Services	Boone, Grace	Approved	7/31/2019 - 10:47 AM
Publication Management	Daniel, Martha	Approved	7/31/2019 - 10:57 AM
Legal Review	Kinsman, Adam	Approved	8/1/2019 - 11:38 AM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 10:15 AM
Board Secretary	Purse, Jason	Approved	8/6/2019 - 3:00 PM
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:26 PM

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Appointments - Community Action Agency

ATTACHMENTS:

Description	Type
-------------	------

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	8/12/2019 - 2:53 PM

ITEM SUMMARY

DATE: 8/13/2019

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Adjourn until 5 p.m. on September 10, 2019 for the Regular Meeting

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	8/6/2019 - 3:48 PM