

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

May 9, 2000

7:00 P.M.

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A. ROLL CALL	
B. PLEDGE OF ALLEGIANCE - Miss Jamie Jackson, Senior at Lafayette High School	
C. PUBLIC COMMENT	
D. PRESENTATIONS	
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1. Personnel Matter, Section 2.1-344(A)(1) of the Code of Virginia	

AT A BUDGET WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 13TH DAY OF APRIL, 2000, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Ronald A. Nervitt, Chairman, Powhatan District
Bruce C. Goodson, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

Without Board objection, Mr. Nervitt suggested a process for examining the operating budget and Capital Improvement Program and addressing items.

Board and staff discussion followed. Mr. Nervitt and Mr. McGlennon raised the issue of potential savings resulting from combining School and County operation.

Mr. Harrison made a motion to convene into closed session pursuant to Section 2.1-344 (A)(1) to consider a personnel matter(s), the appointment of individuals to County boards and/or commissions at 10:59 p.m.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

Mr. Nervitt reconvened the Board into open session at 10:59 p.m. and made a motion to approve the closed session resolution.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and, ii) only such public business matters were heard, discussed or considered by the Board as were identified in the motion and Section 2.1-344(A)(1) to consider a personnel matter(s), the appointment of individuals to County boards and/or commissions.

Mr. McGlennon made a motion to reappoint Mr. Anthony Conyers, Jr., to the Colonial Group Home Commission for a four-year term, term expiring April 13, 2003; to reappoint Mr. James Dorsey, Mr. John Deaver, and Mr. Michael Matthews to the Parks and Recreation Commission for a four-year term, term expiring April 13, 2003; to appoint Ms. Kathy Hornsby to the Parks and Recreation Commission for a four-year term, term expiring on April 13, 2003; to appoint Mr. Sean Heuvel to the Parks and Recreation Commission to fill an unexpired term, term expiring April 12, 2002; to appoint Mr. Arthur B. Jebens to the Peninsula Disability Services Board for a three-year term, term expiring April 13, 2002; and to appoint Ms. Margaret Mondul and Mr. Kenneth Giedd to the Water Conservation Committee for a three-year term, term expiring April 13, 2002.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

Mr. McGlennon made a motion to adjourn until Monday, April 17, 2000, at 7:00 p.m. for budget work sessions with the Williamsburg-James City County School Board and the Williamsburg Regional Library System Board.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

The Board adjourned at 11:00 p.m.

Sanford B. Wanner
Clerk to the Board

AT A BUDGET WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 17TH DAY OF APRIL, 2000, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Ronald A. Nervitt, Chairman, Powhatan District
Bruce C. Goodson, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Sanford B. Wanner, County Administrator

Mr. Nervitt welcomed the Williamsburg Regional Library System Board.

Mr. Michael Fox, Williamsburg Regional Library Trustee, briefly highlighted the Library Budget. He indicated a potential increase in State aid of \$63,802 which would reduce the County share.

Discussion of the Library Board budget followed.

Mr. Nervitt welcomed the Williamsburg-James City County School Board.

Ms. Carolee S. Bush, School Board Chair, assisted by other School Board members, gave a brief summary of the School's Budget.

Discussion of the Williamsburg-James City County School budget followed.

The Board took a brief recess while the School Board adjourned.

The Board and staff discussed the budget of contributions to outside agencies, sidewalk priorities and bikeways; Economic Development; facility improvements; and Transportation Improvement Districts.

The Board agreed to forward fund CASA and not change contribution in proposed budget.

The Board by consensus left the transient lodging tax at four percent; staff to make recommendation for reallocating the two percent devoted to tourism.

John McGlennon would like to see Greenspace fund restored to equivalent of one cent on the tax rate.

Mr. McGlennon made a motion to convene into closed session pursuant to Section 2.1-344 (A)(3) to consider acquisition/disposition of a parcel/parcels of property for public use, at 11:25 p.m.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

Mr. Nervitt reconvened the Board into open session at 11:29 p.m. and made a motion to approve the closed session resolution.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and, ii) only such public business matters were heard, discussed or considered by the Board as were identified in the motion and Section 2.1-344(A)(3) to consider acquisition/disposition of a parcel/parcels of property for public use.

Mr. Nervitt made a motion to recess until April 19, 7:00 p.m.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

The Board adjourned at 11:29 p.m.

Sanford B. Wanner
Clerk to the Board

MEMORANDUM

DATE: May 9, 2000
TO: The Board of Supervisors
FROM: Anthony Conyers, Jr., Community Services Manager
SUBJECT: Mental Health Awareness Month

Attached is a resolution declaring May as Mental Health Awareness Month. The purpose of the declaration is to heighten awareness in the community about mental health issues. Mental Health Month is celebrated nationally each May.

The Colonial Services Board has requested that we make this declaration in concert with the other jurisdictions on the Peninsula. Staff recommends approval of the resolution.

Anthony Conyers, Jr.

AC/tlc
mntlhlthmo.mem

Attachment

RESOLUTION

MENTAL HEALTH AWARENESS MONTH

WHEREAS, mental illness will strike one in four Americans in a given year without regard to age, gender, race, ethnicity, religion, or economic status; and

WHEREAS, one in five children suffer from diagnosable mental, emotional, or behavioral disorder, and one in ten have a serious disorder which, if left untreated, can lead to school failure, substance abuse, and even suicide; and

WHEREAS, the causes of brain disorders are not fully understood but the illnesses are treatable and recovery is possible if those affected receive effective treatment, advocacy, and support; and

WHEREAS, the Community Services Boards serving the Peninsula celebrate National Mental Health Month each year in May to raise awareness of mental health, mental illness, and discrimination against people with mental illnesses.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby proclaims May as Mental Health Awareness Month.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May, 2000.

mntlhlthmo.res

MEMORANDUM

DATE: May 9, 2000
TO: The Board of Supervisors
FROM: Keith A. Taylor, Economic Development Director
SUBJECT: Business Appreciation Week - May 14-20, 2000

The Governor's Office and the Virginia Department of Business Assistance have declared the week of May 14-20, 2000, as Business Appreciation Week statewide.

In cooperation with that initiative, James City County will be hosting its seventh annual Celebration of Business during Business Appreciation Week.

Staff recommends adoption of the attached resolution, designating May 14-20, 2000, as Business Appreciation Week in James City County.

Keith A. Taylor

KAT/gb
appreciation.mem

Attachment

RESOLUTION

BUSINESS APPRECIATION WEEK - MAY 14 - MAY 20, 2000

WHEREAS, James City County is pleased to have a thriving base of business and industry to support the local economy; and

WHEREAS, these businesses provide essential employment opportunities, provide local tax revenues and make other significant contributions to our community that promote both educational opportunities for our children and a variety of activities which increase the quality of life.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby salutes our existing businesses and industries by virtue of this proclamation, and gives notice to our citizens that we are "honoring a New Century of Business in Virginia."

BE IT FURTHER RESOLVED that the Week of May 14-20, 2000, is Business Appreciation Week in James City County.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May, 2000.

appreciation.res

MEMORANDUM

DATE: May 9, 2000
TO: The Board of Supervisors
FROM: Sanford B. Wanner, County Administrator
SUBJECT: FY 2001 Strategic Management Plan (deferred April 25, 2000)

The County's Proposed FY 2001 Strategic Management Plan was submitted to you with the budget document for your review. Based on your comments, it has been revised to reflect those changes.

I recommend approval of the attached resolution adopting the FY 2001 Strategic Management Plan.

Sanford B. Wanner

SBW/alc
fy01smplan2.mem

Attachment

RESOLUTION

FY 2001 STRATEGIC MANAGEMENT PLAN

WHEREAS, the County's Strategic Management Plan sets forth the mission, vision, values, goals, and objectives; and

WHEREAS, the FY 2001 Strategic Management Plan has been reviewed to assure that it reflects our priorities and is consistent with resources in the FY 2001 Budget; and

WHEREAS, the Strategic Management Plan is an essential tool for identifying, communicating, and tracking the critical areas we need to address to meet the needs of our citizens.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the FY 2001 Strategic Management Plan.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May, 2000.

fy01smplan.res

MEMORANDUM

DATE: May 9, 2000
TO: The Board of Supervisors
FROM: William C. Porter, Jr., Assistant County Administrator
SUBJECT: Commendation, Ford's Colony at Williamsburg Homeowners Association

For several years the Ford's Colony Homeowners Association has promoted participation in local government through volunteers and partnering with the County's Neighborhood Connections Division to promote education and understanding of homeowners associations. As a result, the Ford's Colony Homeowners Association received the Community Associations Institute (CAI) 1999 National Community of the Year award.

Staff recommends adoption of the attached resolution in recognition of the above.

William C. Porter, Jr.

CONCUR:

Sanford B. Wanner

WCP/gb
colony.mem

Attachment

RESOLUTION

COMMENDATION, FORD'S COLONY AT WILLIAMSBURG

HOMEOWNERS ASSOCIATION

WHEREAS, in 1998 the Ford's Colony at Williamsburg received awards from the Central Virginia Chapter of the Community Associations Institute (CAI) and the Greater Williamsburg Association of Volunteer Administrators for its participation in and contribution to the community; and

WHEREAS, in 1999 the CAI named the Ford's Colony at Williamsburg Homeowners Association the 1999 National Community of the Year; and

WHEREAS, the Homeowners Association has partnered with the County's Neighborhood Connections Division to acquire the CAI Homeowners Association Library, sponsored several courses in ABC's for Homeowners Associations, and participated in Neighborhood Emergency Plan workshops; and

WHEREAS, homeowners in Ford's Colony established more than 25 neighborhood clubs and actively participate in community organizations such as: Friends of Powhatan Creek, Hospice, Housing Partnerships, Olde Towne Medical Center, Fish, Williamsburg Community Hospital, and Avalon.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby commend and honor the Ford's Colony at Williamsburg Homeowners Association for its tradition of participation in local government affairs, partnerships with James City County, and designation by the Community Associations Institute as the 1999 National Community of the Year.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May,
2000.

colony.res

MEMORANDUM

DATE: May 9, 2000
 TO: The Board of Supervisors
 FROM: William C. Porter, Jr., Assistant County Administrator
 SUBJECT: Award of Bid - Williamsburg-James City County Courthouse Custodial Services

The Williamsburg-James City County Courthouse is scheduled to open on or about May 17, 2000. Custodial services for the 74,000-square foot facility have been budgeted for private contract services. A contract for provision of this service has been advertised and competitively bid. The following four firms submitted bids on the project:

<u>Firm</u>	<u>Amount</u>
Sheen & Shine, Inc.	\$106,827.54
Cyberclean Systems, LLC	66,900.00
Systems Management, Inc.	66,368.00
Excellent Commercial Cleaning, Inc.	40,098.64

The amount budgeted for the work is \$95,000.

The apparent low bidder, Excellent Commercial Cleaning, Inc., was eliminated due to an error in the calculation of labor requirements. Staff recommends the Board approve the attached resolution awarding the Williamsburg-James City County Courthouse Custodial Services bid to Systems Management, Inc., in the amount of \$66,368.

 William C. Porter, Jr.

CONCUR:

 Sanford B. Wanner

WCP/gb
 custodial.mem

Attachment

RESOLUTION

AWARD OF BID - WILLIAMSBURG-JAMES CITY COUNTY

COURTHOUSE CUSTODIAL SERVICES

WHEREAS, the Williamsburg-James City County Courthouse opens on or about May 17, 2000; and

WHEREAS, the custodial maintenance of the 74,000-square foot facility has been previously budgeted for private contract services; and

WHEREAS, the lowest responsive and responsible bid for this service was received from Systems Management, Inc., in the amount of \$66,368.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the Williamsburg-James City County Courthouse Custodial Services bid to Systems Management, Inc., in the amount of \$66,368 and authorizes the County Administrator to execute the contract.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May, 2000.

custodial.res

**Case No. Z-2-00 and SPECIAL USE PERMIT 3-00. Greensprings Grocery
Staff Report for the May 9, 2000, 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 Building C Board Room; County Government Complex
 Planning Commission: April 3, 2000 - 7:00 p.m.
 Board of Supervisors: May 9, 2000 - 7:00 p.m.

SUMMARY FACTS

Applicant/Land Owner: Stephen E. Cryder & Cathelyn G. Cryder

Proposed Use: Convenience Store with three gas pumps

Location: 4197 Centerville Road; Powhatan District

Tax Map and Parcel No.: (36-4)(1-1A)

Primary Service Area: Inside

Parcel Size: 1.676 acres

Existing Zoning: LB, Limited Business

Proposed Zoning: B-1, General Business, with proffers

Comprehensive Plan: Low-Density Residential

Surrounding Zoning: The parcel is completely surrounded by A-1, General Agricultural, land. Several vacant parcels and single-family dwellings exist in the immediate vicinity. Greensprings Mobile Home Estates is located to the west of the property.

Staff Contact: Christopher M. Johnson - Phone: 253-6685

STAFF RECOMMENDATION:

Staff recommends approval with the attached conditions. Staff believes that, with the attached proffers and conditions, the existing convenience store and proposed fueling stations are generally consistent with the Comprehensive Plan and compatible with the surrounding zoning and development. On April 3, 2000, the Planning Commission unanimously recommended approval of this application with conditions.

Description of Project

Mr. Steven E. Cryder and Mrs. Cathelyn Cryder have submitted an application to rezone 1.67 acres from LB, Limited Business, to B-1, General Business, with proffers, and an application for a special use permit to allow the sale of gasoline at the existing Greensprings Grocery and Deli located at 4197 Centerville Road. The existing convenience store is located on the western side of Centerville Road between Brick Bat Road and News Road. The proposal would replace the existing underground fuel tanks, replace an existing gas pump with two gas pumps that will permit the fueling of four vehicles simultaneously, and install one diesel fuel pump that will permit the fueling of two vehicles simultaneously. The proposal also would replace an above ground kerosene tank with an underground tank and install an overhead canopy.

The rezoning and special use permit applications are necessary as a result of the revisions to the LB, Limited Business, and B-1, General Business, chapters of the Zoning Ordinance approved by the Board of Supervisors in June 1999 and because of the increase in the number of gas pumps. Convenience stores with the sale of fuel are no longer a permitted use in the LB zoning district and are a specially permitted use in the B-1 zoning district as a result of these revisions. Greensprings Grocery previously sold fuel on the site but was forced to suspend this area of operation due to regulations which required the underground storage tanks to be replaced. If the applicant were to resume operation with the same number of gas pumps, the sale of fuel would be considered a legally nonconforming use and would not require either a rezoning or special use permit. This application proposes two additional fueling stations on the site, therefore, both a special use permit and zoning change from LB to B-1 are required to allow the sale of fuel.

Staff has placed a condition on the proposal which limits the daily hours of operation for both the convenience store and gas pumps from 5:00 a.m. to 11:00 p.m. A condition has also been added which limits the hours of fuel delivery and solid waste removal from 7:00 a.m. to 8:00 p.m. These conditions will help ensure that the store and gas station do not negatively impact the adjacent residences.

Surrounding Zoning and Development

The Greensprings Grocery site is completely surrounded by land zoned A-1, General Agricultural. The surrounding properties are a mixture of single-family residences and vacant properties along Centerville Road. Greensprings Mobile Home Estates is located to the west of the site and is also zoned A-1. Although the use is not consistent with surrounding residential uses, staff believes the changes are minor. **With the recommended proffers and conditions, the proposed changes should not significantly increase the impacts on the surrounding area.**

Topography and Physical Features

The 1.67 acre site is relatively flat. There is very little landscaping on the site with the exception of the islands located at either entrance. The property drains from the front of the property to the rear corner of the parcel. A four-foot sidewalk was recently constructed along the right-of-way on Centerville Road.

Public Utilities

The property is located inside the Primary Service Area (PSA) and public water and sewer are available to the site.

Access

The site is accessed by two existing entrances. No new entrances or exits are proposed for the site. Twenty-four hour traffic volumes for this section of Centerville Road are not available. **Staff believes that even with the additional fueling stations proposed by this application, the 24-hour traffic volume for Centerville Road will**

be well below the commonly accepted two-lane capacity of 13,000 vehicle trips per day. The construction of Alternate Route 5 should help keep the current traffic volume constant or reduce future volume on this road.

Comprehensive Plan

The property is designated Low-Density Residential on the James City County 1997 Comprehensive Plan Land Use Map. Low-Density Residential areas are located inside the Primary Service Area (PSA) where natural characteristics such as terrain and soils are suitable for residential development and public services exist or are expected to be expanded to serve the site over the next 20 years. The Low-Density Residential designation allows very limited commercial establishments which compliment the residential character of the area in which they are located. The Comprehensive Plan states that such commercial establishments should be adequately buffered or screened to protect adjacent residential uses and the character of the surrounding area.

Staff has added conditions which address intercom noise, headlight glare, objectionable features, hours of operation, and restrictions on hours for fuel delivery and solid waste removal. Although staff believes convenience stores are inconsistent with the intent of the low-density residential designation, this is an existing use. **The proffers and conditions ensure the scale of the business will not change significantly and provide additional measures to buffer the use from nearby residences.**

The Comprehensive Plan designates Centerville Road as a Community Character Corridor (CCC). Because of this designation, careful attention must be paid to the design, materials and colors used on the proposed canopy, and the proposed landscaping. The Comprehensive Plan states that “the predominant visual character of the suburban CCC should be the built environment and natural landscaping, with parking areas and other auto related areas intended to be a secondary component of the streetscape.” It further states that “development should not replicate standardized designs commonly found in other communities and an emphasis should be placed on innovative design solutions.” **Staff believes that the proffers submitted with this application and the conditions proposed by staff will ensure this development’s consistency with the Community Character Corridor standards.** Outlined below are conditions that ensure this development’s consistency with the Community Character Corridor standards and also help make this use compatible with nearby residential development.

Signs

The freestanding sign shall be ground mounted and shall not exceed a cumulative size of sixteen (16) square feet or a height of six (6) feet unless approved by the Planning Director. The location, design, materials, and lighting of such sign shall be approved by the Planning Director prior to the issuance of a sign permit.

Landscaping

A landscaping plan shall be provided for the area at the south end of the parking lot and along the landscape buffer along Centerville Road. The landscaping shall be provided in a manner that minimizes the amount of headlight glare onto adjacent properties and minimizes views of vehicle parking and fueling areas on a year-round basis, as determined by the Director of Planning.

Lighting

The lighting plan for the site, to include the canopy lighting, shall be reviewed and approved by the Director of Planning prior to final site plan approval. The plan shall indicate no glare outside the boundaries of the site. All lights shall have recessed fixtures with no bulb, lens, or globe extending below the casing or the canopy ceiling.

Objectionable Features

The dumpster shall be completely screened on three sides with materials subject to the approval of the Director of Planning. The front of the dumpster enclosure shall be gated. The gate shall be a dark color subject to the approval of the Director of Planning.

RECOMMENDATION:

Although this proposal is not generally consistent with the Comprehensive Plan and surrounding development, staff feels that this proposal, with the attached proffers and conditions, will have no more impacts on the area than the existing use and will have an enhanced appearance. On April 3, 2000, the Planning Commission unanimously recommended approval of this application with conditions. Staff recommends approval of the attached resolutions for the rezoning and special use permit with the following conditions:

1. The freestanding sign shall be ground mounted and shall not exceed a cumulative size of sixteen (16) square feet or a height of six (6) feet unless approved by the Planning Director. The location, design, materials, and lighting of such sign shall be approved by the Planning Director prior to the issuance of a sign permit.
2. A lighting plan for all lighting on the site, including the canopy lighting, shall be reviewed and approved by the Director of Planning prior to final site plan approval. The plan shall ensure that no glare extends outside the boundaries of the site. All lights shall have recessed fixtures with no bulb, lens, or globe extending below the casing or the canopy ceiling.
3. The daily hours of operation for both the convenience store and gas station shall be limited to the hours of 5:00 a.m. to 11:00 p.m.
4. The daily hours of fuel delivery and solid waste pickup shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
5. Intercom systems designed to allow oral communication between employees inside the store and customers refueling their vehicles, shall operate in such a manner that they will not be audible by adjacent property owners.
6. If construction has not begun on the project within 36 months of the issuance of the special use permit, it shall become void. Construction shall be defined as the pouring of foundations and/or footings for the canopy.
7. The dumpster shall be completely screened on three sides with materials subject to the approval of the Director of Planning. The front of the dumpster enclosure shall be gated with a structure that conceals the dumpster. The gate shall be a dark color subject to the approval of the Director of Planning.
8. A landscaping plan shall be provided for the area at the south end of the parking lot and along the landscape buffer along Centerville Road. The landscaping shall be provided in a manner that minimizes the amount of headlight glare onto adjacent properties and minimizes views of vehicle parking and fueling areas on a year-round basis, as determined by the Director of Planning.
9. There shall be no more than three gas pumps (vehicle fueling stations) permitted on the property. The pumps shall be arranged in a manner generally consistent with the attached conceptual plan (Exhibit A).
10. No signs shall be allowed on the canopy mansard, fascia or roof area covering the gas dispensers.
11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Christopher M. Johnson

CONCUR:

O. Marvin Sowers, Jr.

CMJ/OMS/gb
z200³00.wpd

Attachments:

1. Planning Commission Minutes
2. Location Map
3. Proffers
4. Conceptual Plan
5. Rezoning Resolution
6. Special Use Permit Resolution

RESOLUTION

CASE NO. SUP-3-00. GREENSPRINGS GROCERY

WHEREAS, the Board of Supervisors of James City County has adopted by Ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, convenience stores with the sale of fuel are a specially permitted use in the B-1, General Business, zoning district; and

WHEREAS, the Planning Commission of James City County, following its public hearing on April 3, 2000, recommended approval of SUP-3-00, by a vote of 7 to 0, to permit the sale of fuel at the existing convenience store located at 4197 Centerville Road and further identified as Parcel No. (1-1A) on James City County Real Estate Tax Map No. (36-4).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-3-00 as described herein with the following conditions:

1. The freestanding sign shall be ground mounted and shall not exceed a cumulative size of sixteen square feet or a height of six feet unless approved by the Planning Director. The location, design, materials, and lighting of such sign shall be approved by the Planning Director prior to the issuance of a sign permit.
2. A lighting plan for all lighting on the site, including the canopy lighting, shall be reviewed and approved by the Director of Planning prior to final site plan approval. The plan shall ensure that no glare extends outside the boundaries of the site. All lights shall have recessed fixtures with no bulb, lens, or globe extending below the casing or the canopy ceiling.
3. The daily hours of operation for both the convenience store and gas station shall be limited to the hours of 5:00 a.m. to 11:00 p.m.
4. The daily hours of fuel delivery and solid waste pickup shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
5. Intercom systems designed to allow oral communication between employees inside the store and customers refueling their vehicles, shall operate in such a manner that they will not be audible by adjacent property owners.
6. If construction has not begun on the project within 36 months of the issuance of the special use permit, it shall become void. Construction shall be defined as the pouring of foundations and/or footings for the canopy.
7. The dumpster shall be completely screened on three sides with materials subject to the approval of the Director of Planning. The front of the dumpster enclosure shall be gated with a structure that conceals the dumpster. The gate shall be a dark color subject to the approval of the Director of Planning.

8. A landscaping plan shall be provided for the area at the south end of the parking lot and along the landscape buffer along Centerville Road. The landscaping shall be provided in a manner that minimizes the amount of headlight glare onto adjacent properties and minimizes views of vehicle parking and fueling areas on a year round basis, as determined by the Director of Planning.
9. There shall be no more than three gas pumps (vehicle fueling stations) permitted on the property. The pumps shall be arranged in a manner generally consistent with the attached conceptual plan (Attachment 4, Exhibit A).
10. No signs shall be allowed on the canopy mansard, fascia or roof area covering the gas dispensers.
11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May,
2000.

sup-3-00.res

MEMORANDUM

DATE: May 9, 2000
TO: The Board of Supervisors
FROM: Andrew H. Herrick, Assistant County Attorney
SUBJECT: Sale of Surplus Property at 220 The Maine

As part of the County's acquisition of the Sydnor Waterworks last year, the County acquired several parcels, among them a 0.289-acre parcel at 220 The Maine in First Colony. Since the James City Service Authority will not need this facility to service the surrounding area, the County is looking to dismantle the existing waterworks and sell this and other surplus properties.

Benjamin L. and Linda B. Scherer, neighboring property owners, have offered to pay \$8,000 for the property. This offer exceeds the assessed value.

I recommend that the Board authorize the sale of the 0.289-acre parcel at 220 The Maine to Benjamin L. and Linda B. Scherer for \$8,000. A resolution authorizing the sale is attached.

Andrew H. Herrick

CONCUR:

Frank M. Morton, III

AHH/alc
maine.mem

Attachment

RESOLUTION

SALE OF SURPLUS PROPERTY AT 220 THE MAINE

WHEREAS, in 1999, James City County acquired a certain 0.289-acre parcel at 220 The Maine from Sydnor Pump and Well Company for use by the James City Service Authority (JCSA); and

WHEREAS, the JCSA no longer requires this property or facility for its operations; and

WHEREAS, Benjamin L. and Linda B. Scherer, neighboring property owners, have offered to pay \$8,000 for this property; and

WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion the County should convey this property to Benjamin L. and Linda B. Scherer, their successors, or assigns for the agreed-upon price.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs Sanford B. Wanner, County Administrator, to execute a deed and any other document needed to convey the property at 220 The Maine to Benjamin L. and Linda B. Scherer, their successors, or assigns for \$8,000.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia this 9th day of May,
2000.

maine.res

MEMORANDUM

DATE: May 9, 2000
TO: The Board of Supervisors
FROM: John T. P. Home, Manager of Development Manager
SUBJECT: Virginia Department of Transportation (VDOT) Revenue Sharing Program

The Board of Supervisors has previously authorized staff to request up to \$500,000 from VDOT as part of the Revenue Sharing Program for FY 99-00. We were notified after that request that we had been awarded \$483,600. The County has now been informed that we may request up to an additional \$100,000 from the Program. We must notify VDOT by May 19, 2000, of our desires in this matter. Staff recommends that the Board of Supervisors request \$100,000 in additional allocation under the Revenue Sharing Program. Funds would go towards funding the Monticello Avenue Project and highway landscaping along entryway corridors. Funding for the local match is available in existing County CIP accounts.

Staff recommends adoption of the attached resolution.

John T. P. Home

JTPH/gb
revenue.mem

Attachments

RESOLUTION

VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)

REVENUE SHARING PROGRAM

WHEREAS, the Revenue Sharing Program administered by the State of Virginia provides valuable matching funds on a one-to-one basis for construction of needed roadway projects in James City County; and

WHEREAS, the Board has been notified by VDOT that an additional allocation of up to \$100,000 may be requested for FY 99-00; and

WHEREAS, the Monticello Avenue Project can productively utilize additional Revenue Sharing Program funding, and highway landscaping enhances County highways.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the request to the Virginia Department of Transportation for \$100,000 in additional Revenue Sharing Program funds.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May, 2000.

VDOTrevshar.res

MEMORANDUM

DATE: May 9, 2000
TO: The Board of Supervisors
FROM: John T. P. Horne, Development Manager
SUBJECT: Rail Service

The Regional Issues Committee (RIC), as part of an ongoing series of discussions related to important topics in the Historic Triangle, has discussed a number of issues related to transportation in the Historic Triangle and the Hampton Roads region. On February 22, 2000, the RIC heard a number of presentations on a variety of transportation issues. One issue that the RIC felt deserved additional support by James City County, York County, and the City of Williamsburg was the need for improved rail service to the Historic Triangle and Peninsula. At the RIC meeting on April 25, 2000, the Committee voted to request that each governing body pass the attached resolution supporting enhanced rail service. The resolution, if approved, would be forwarded to State and Federal legislators and appropriate agencies.

Mr. Goodson is the Board of Supervisors representative on the RIC. Staff recommends adoption of the attached resolution.

John T. P. Horne

JTPH/alc
railservice.mem

Attachment

RESOLUTION

RAIL SERVICE

WHEREAS, the Historic Triangle of Williamsburg, James City County, and York County is a vibrant growing region of the Commonwealth; and

WHEREAS, millions of visitors visit the Historic Triangle each year due to its unique attributes; and

WHEREAS, these visitors are a significant contributor to the economic vitality of the Commonwealth; and

WHEREAS, improved rail service to the Historic Triangle, Virginia Peninsula, and the entire Hampton Roads region will be increasingly important in providing safe and convenient access to the area, in combination with road and air transportation facilities; and

WHEREAS, the report of the Celebration 2007 Steering Committee calls for a variety of transportation modes to support the Celebration, including enhanced rail service; and

WHEREAS, the City of Williamsburg and Commonwealth have invested significant funds and effort to upgrade the Williamsburg Transportation Center to make it available to handle increased rail service in the future, as well as serving as a multi-modal transportation center.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, expresses its strong support for the following enhancements to the rail service to the Historic Triangle and encourages the Commonwealth of Virginia to increase its efforts to have these enhancements brought to the area as soon as possible.

- High speed rail service from Washington, D.C. to Richmond, with connections down the Virginia Peninsula to the Historic Triangle and Newport News/Hampton.
- Enhanced Rail Improvements as recommended in the I-64 Major Investment Study approved by the Hampton Roads Metropolitan Planning Authority. Those improvements include higher speed rail service, more frequent service, rail station expansions, additional and upgraded tracks, and crossing improvements.
- Light Rail Transit service along the CSX Corridor providing connections between the Historic Triangle, Newport News-Williamsburg International Airport and the Newport News/Hampton area, with the potential for future extensions to the Southside through the proposed Hampton Roads Third Crossing.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May,
2000.

railservice.res

MEMORANDUM

DATE: May 9, 2000

TO: The Board of Supervisors

FROM: Keith A. Taylor, Economic Development Director
Leo P. Rogers, Deputy County Attorney

SUBJECT: Industrial Access Road Fund Application

Wal-Mart's import distribution center, which is now under construction on property off Pocahontas Trail in the Skiffe's Creek area of James City County, will require road improvements for site access. The accelerated construction schedule for the project, which expects to be operational in the Fall of 2000, will require that Wal-Mart assume responsibility for the private design and construction of certain aspects of the necessary road improvements. However, certain other aspects of the road improvements can be funded through the State Industrial Access Road Fund grant program. Wal-Mart has requested that James City County apply for a State Industrial Access Road Fund grant for these other improvements.

In order for the Commonwealth Board of Transportation to consider such an application, a resolution of support from the local elected body and a letter of request from the company are required. The proposed resolution is attached, along with Wal-Mart's letter of request.

Staff recommends that the resolution be adopted.

Keith A. Taylor

Leo P. Rogers

KAT/LPR/alc
industacc.mem

Attachments

RESOLUTION

INDUSTRIAL ACCESS ROAD FUNDING

AT GREEN MOUNT INDUSTRIAL PARK

WHEREAS, Wal-Mart Stores, Inc., owns and has agreed to cooperate in the development of property which is a portion of the Green Mount Industrial Park, in the County of James City, Virginia for the purpose of attracting industrial development; and

WHEREAS, Wal-Mart Stores, Inc., has entered into an agreement with the County to provide any necessary right-of-way, to reimburse any costs associated with the road improvements and provide surety to the County; and

WHEREAS, the property is expected to be the site of a new private capital investment in land, building, and/or manufacturing equipment by Wal-Mart Stores, Inc., which will provide new substantial employment; and

WHEREAS, the subject property has no access to a public street or highway and will require the construction of a new roadway to connect with Pocahontas Trail (Route 60 East); and

WHEREAS, the County of James City hereby guarantees that the necessary right-of-way for this new roadway and utility relocations or adjustments, if necessary, will be provided at no cost to the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests that the Commonwealth Transportation Board provide Industrial Access Road funding to provide an adequate road to this property.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to execute an agreement with the Virginia Department of Transportation and any other necessary documentation to facilitate this industrial access road project.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby agrees to provide a letter of credit, bond or other surety, acceptable to and payable to the Virginia Department of Transportation, in the full amount of the cost of the Industrial Access Road; this surety shall be exercised by the Department of Transportation in the event that sufficient qualifying capital investment does not occur either on the subject site or other eligible sites served by the Industrial Access Road within three years of the Commonwealth Transportation Board's allocation of funds pursuant to this request.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby agrees that the new roadway so constructed will be added to and become a part of the Secondary System of Highways.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May,
2000.

industacc.res