

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
September 12, 2017
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

E. PUBLIC COMMENT

F. PRESENTATIONS

G. CONSENT CALENDAR

1. Minutes Adoption
2. Authorization for Four Police Officer Overhire Positions
3. Colonial Community Corrections Appropriation - \$8,175
4. Grant Award - Commonwealth Attorney - Virginia Domestic Violence Victim Fund - \$57,008
5. Grant Award - Department of Motor Vehicles - Speed Enforcement - \$19,250
6. Grant Award - Department of Motor Vehicles - Occupant Protection - \$5,390
7. Grant Award - Department of Motor Vehicles - Alcohol Enforcement - \$30,190
8. Grant Award – Virginia Community Impact Grant – \$20,000
9. Grant Award - Grove Community Garden - \$2,500
10. Grant Award- FY 2018 Radiological Emergency Preparedness - \$30,000
11. Jamestown Road Stream Restoration Contract Award - \$487,767
12. Lifesaving Recognition - Chickahominy Riverfront Park Pool
13. Resolution of Support - Naming of New Jamestown Ferry Boat

H. PUBLIC HEARING(S)

1. Ordinance to Amend Sec. 13-29 Recovery of Expenses for Emergency Response
2. Jamestown Beach Restrictive Covenant
3. SUP-0004-2017, McClure Family Subdivision
4. ZO-0009-2016, Zoning Ordinance Amendments to the Mixed Use District
5. SUP-0026-2016, Forest Glen Section 5

I. BOARD CONSIDERATION(S)

1. Virginia Department of Transportation Revenue Sharing Program - Fiscal Years 2019 - 2020

J. BOARD REQUESTS AND DIRECTIVES

K. REPORTS OF THE COUNTY ADMINISTRATOR

L. CLOSED SESSION

1. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia - Chesapeake Bay Board and Wetlands Board
2. Williamsburg/James City County Community Action Agency Board Reappointments
3. Clean County Commission Reappointment
4. Williamsburg Regional Library Board Appointment
5. Economic Development Authority Appointment

M. ADJOURNMENT

1. Adjourn until 4 pm on September 26, 2017 for the Work Session

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Minutes Adoption

The following sets of minutes have been included for adoption:

- January 24, 2017 Work Session
- February 28, 2017 Work Session
- April 25, 2017 Work Session
- May 23, 2017 Work Session
- June 27, 2017 Work Session
- July 25, 2017 Work Session
- August 8, 2017 Regular Meeting

ATTACHMENTS:

	Description	Type
▣	012417boswork-mins	Minutes
▣	022817boswork-mins	Minutes
▣	042517boswork-mins	Minutes
▣	052317boswork-mins	Minutes
▣	062717boswork-mins	Minutes
▣	072517boswork-mins	Minutes
▣	080817bos-mins	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:40 PM

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
January 24, 2017
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District

Bryan J. Hill, County Administrator
Adam R. Kinsman, County Attorney

Staff Present:

Paul Holt, Director of Community Development
Patrick Teague, Director of Human Resources
Brad Rinehimer, Police Chief
Ryan Ashe, Fire Chief
Sue Mellen, Director of Financial and Management Services

Virginia Department of Transportation Present:

Rossie Carroll
Tim McKenna

C. BOARD DISCUSSIONS

1. UPC 100921. Longhill Road Widening – Phase 1

Mr. Rossie Carroll, Virginia Department of Transportation (VDOT) Residency Administrator, gave a PowerPoint presentation to the Board regarding the project details of a fully-funded Smart Scale project and project website. He introduced Mr. Tim McKenna, Project Manager for the Longhill Road Widening Project, to the Board. He stated that the project is a fully-funded Smart Scale project with a budget estimated at \$19.9 million. He referenced a PowerPoint slideshow outlining Phase 1 of the widening of Longhill Road. General discussion ensued regarding this project.

Mr. Onizuk inquired about concerns regarding backup congestion going from four to two lanes.

Ms. Sadler inquired about cost differential between regular intersections versus roundabouts.

Mr. Carroll commented on safety improvements within this corridor, referencing Williamsburg Area Transit Authority bus cut-outs which are used for picking up or dropping off customers. He gave a summary of comments gathered from the Public Hearing held at Lafayette High School on December 6, 2016.

Mr. Onizuk inquired if roundabouts are generally a safer option than a standard intersection.

Mr. Carroll stated yes. He commented that roundabouts have been deemed a safe alternative for intersection control and are commonly used nationally. He further commented that accidents are generally less severe compared to typical intersections, partially due to vehicles traveling at slower speeds.

Ms. Larson inquired if this study included Lafayette High School.

Mr. Carroll replied yes, that the Corridor Study included all of Longhill Road; however, it is outside of the termini of this project.

Discussion ensued regarding the following project schedule:

- Right-of-Way Approval - May 1, 2017
- Advertisement for Construction - April 10, 2018
- Complete Construction - December 30, 2020

Ms. Sadler inquired regarding what can be expected regarding traffic flow during the construction phase.

Mr. Carroll replied that with this type of construction there will be some diversions and lane shifts as things are being constructed or built.

Mr. McKenna stated that there is a Traffic Management Plan which includes one lane traveling in each direction and maintaining access to all existing businesses and facilities.

In conclusion of the presentation, Mr. Carroll requested the Board provide a Resolution of Support for the project at its next meeting.

Mr. Hill expressed his gratitude on behalf of County residents for the work of VDOT.

2. Pre-Budget Discussion

Mr. Hill gave the Board an overview of a brief syllabus regarding the pre-budget discussion process. He acknowledged the following speakers: Mr. Paul Holt, Director of Community Development; Chief Brad Rinehimer, Police Chief; Chief Ryan Ashe, Fire Chief; and Ms. Sue Mellen, Director of

Financial and Management Services. He stated these are representatives from specific areas for the Board to be familiar with traveling through the Strategic Plan process.

Mr. Holt stated that he would be referring to the recently adopted update to the Comprehensive Plan throughout his presentation. Discussion ensued regarding demographic growth trends, the aging population and residential buildout within the County.

The Board took a break at approximately 4:34 p.m.

The Board reconvened at approximately 4:39 p.m.

After a brief recess the Board commenced and Mr. Hipple commented on population growth and more services needed by the year 2040. He inquired about the average number of new homes completed per year in the County being 395 as stated in the slideshow presentation.

Mr. Holt stated that the number 395 is based on market conditions and homes that are being absorbed into the market.

Mr. Hill inquired about the number of buildable lots that are presently in the Primary Service Area (PSA).

Mr. Holt stated that as it exists today and based on the analysis that was done on the recent Comprehensive Plan update, there are over 15,000 buildable lots. He further stated that this figure includes the development potential inside the PSA and commented that these are lots that have development potential with the exception of Economic Opportunities (EO) for Mooretown Road. He further stated that based on previous trends of absorption, staff estimates that could give 20-35 years of absorption without any other approvals or changes within the PSA.

Mr. Hipple emphasized that figure does not include what is outside the PSA.

Mr. Holt commented that there may be some EO land that has residential components to it that may require future rezoning and being brought into the PSA; however, that is a small percentage compared to the PSA as it exists otherwise.

General discussion ensued regarding rural lands.

Mr. Hill clarified with the Board that it wants staff to look at buildable lot areas outside of the PSA.

The focus shifted to the Human Resource segment of the Pre-Budget Discussion.

Mr. Teague referred to a PowerPoint slideshow recognizing the Performance Evaluation Results of County staff. He emphasized that one of the biggest issues is turnover amongst staff. He compared national, state and County turnover logistics. He commented that the County is following both national

and state trends regarding turnover. He discussed health insurance options and explained the principles of the Consumer Driven Healthcare Plan that was instituted in 2016. He commented that this is the plan the County is shifting towards, due to it being the only plan offered to new employees.

Mr. Onizuk inquired about the specifics of the Consumer Driven Healthcare Plan.

Mr. Teague replied that the County provides employees with a healthcare savings account where that money can accumulate monthly. He stated that the County, as the employer, provides a match to the employee as the employee puts money aside. He further stated that there is a \$3,000 deductible and once it is met, all healthcare expenses are covered. He commented that it is a back-end program versus an HMO which is a front-end program. He further commented that a Consumer Driven Healthcare Program is designed as a preventative program; therefore, the employee has a \$3,000 deductible per year; however, all of the preventative care is at a reduced or free rate. He explained that regular checkups are covered and that it is a program designed for people to manage their health as well as manage their healthcare expenses. Concluding his presentation, Mr. Teague discussed the Virginia Retirement System and its various plans.

Mr. McGlennon inquired if the Recreation Center is free to full- and part-time employees.

Mr. Hill stated yes.

Ms. Larson inquired about the difference in pay for performance of the various ratings.

Mr. Hill explained that there is a range of 0-4 and if an employee is below expectation the employee does not receive a raise. He further explained that the Performance Evaluation ratings of “Meets,” “Outstanding” and “Excellent” are usually normalized to 2%, 3% or 4% increases.

Mr. Teague commented that the Strategic Plan will tie into all of the ratings of employee Performance Evaluations.

Discussion ensued regarding retirement rates and turnover in unemployment ratios.

Mr. Hill gave an overview of this section of the Board Discussion and expressed his gratitude to staff for their work performance.

The focus shifted to the Public Safety segment of the Pre-Budget Discussion.

Police Chief Rinehimer introduced his Command Staff; Deputy Police Chief Steve Rubino, Major Tony Dallman and Major Eric Peterson.

Chief Rinehimer referenced a PowerPoint slideshow as he discussed the population growth in the County and how it affects the services the Police Department provides and services it is asked to provide. He reviewed a slide

depicting the percentage of Part 1 Crimes (serious crimes) committed within the five districts of the County. He stated that the largest concentration of Part 1 Crimes are committed in high density populated areas, typically business areas. He stated that an increase of population will typically increase the number of crimes. He noted a slide detailing the slow growth of sworn positions within the Police Department over the years and the challenges created, noting there is approximately 0.5 officer for every square mile in the County. He stated that the number of calls for service have increased approximately 15% since 2013. He stated that the proactive officer initiated activity has decreased 15%, which includes traffic enforcement, foot patrols, educational and crime prevention workshops. He commented that there is an increase in response time to emergency or in-progress calls for a variety of reasons; more population, more traffic, increased number of calls, traffic lights, geography of the County, just to name a few. He suggested adding one or two more police zones in order to break up the highly populated areas where there are a lot of calls and noted that each zone takes approximately six officers in order to provide 24/7 coverage 365 days per year.

Mr. McGlennon stated that he would like to see something showing the growth in the Police Department versus the change in population.

Chief Rinehimer stated absolutely. He further stated that there are currently approximately 1.35 officers per 1,000 residents, which is below a lot of the surrounding jurisdictions.

Mr. McGlennon inquired about the most challenging crimes in Part 1 Crimes the County is currently facing.

Chief Rinehimer stated that the most frequent calls are larceny, thefts of vehicles and breaking and entering.

Ms. Larson commented that she has gone through the Citizens Police Academy and referenced her ride-along. She stated that she was impressed with the willingness of help from officers traveling from other zones. She further stated that she does not feel there are enough officers on the street and expressed her gratitude to all the members of the Police Department.

Mr. Hipple stated his concerns with the Powhatan District experiencing a lot of crime and emphasized working together to remedy that issue. He further stated that the Board needs to consider the cost associated with the hiring of new officers and budgeting for that money. He expressed his gratitude for the work of the members of the Police Department and stated he would like to help the officers get relief.

Ms. Sadler expressed her gratitude to the members of the Police Department for all they do for the community and stressed her support in the fiscal matter.

Mr. Onizuk inquired if adding one zone would qualify as a want or as a need for citizens. He further inquired if adding one zone is a want, at what future time would that become a definite need.

Chief Rinehimer replied that he cannot predict future crime rates in the

County; however, he feels with a certain amount of predictability that the crime rate will grow as the population continues to grow in the County and noted that an indicator of more crime is escalating response times. He emphasized his intent to make the Board aware of the crime rate and response time situation and the challenges presently facing the Police Department and in the future.

Mr. Hill stated that the County is growing and noted that each department has needs and he intends to work with the Board in prioritizing those needs.

Discussion ensued regarding the number of officers per square mile and the impact of crime in the County.

Mr. McGlennon inquired about police officer retention in the County.

Chief Rinehimer replied that there is not a huge issue with turnover. He commented that he feels there is a bigger issue with recruitment than with retention in law enforcement.

Mr. Hill expressed his gratitude to the Chief and the entire Police Department for the job that they do for the community and gave a recap of the discussion for clarity to the Board.

The focus shifted to the Public Safety Fire and EMS segment of the Pre-Budget Discussion.

Fire Chief Ryan Ashe introduced his Command Staff; Battalion Chief Jason Sweet and Battalion Chief Al Catlett.

Chief Ashe referenced a PowerPoint slideshow as he discussed the population growth in the County and how it correlates with Fire and EMS response time. He noted that the data reflected in the slideshow reflects FY 15, FY 16 and up to December 1 of FY 17, and further noted that the Fire Department had a 10% increase in calls in 2016 compared to 2015. He stated that Rescue and EMS calls tend to be the highest call volume. He further stated that with the increase of call volume and the location of the calls, the average response time has increased with the goal being six minutes or less 90% of the time. He commented that thus far in FY 17 the response time has increased over six minutes. He further noted that when talking about an average response time, only emergency calls are filtered out; therefore, this average does not include non-emergency public service calls such as smoke alarm installations or non-injured fall incidents. He commented that out of the County's five districts, the Jamestown District has the highest number of calls for service.

Discussion ensued regarding Fire and EMS incidents and response time for the various districts of the County.

Chief Ashe stated the importance of mutual aid that is most often given and received by York County and the City of Williamsburg, noting that as volume has increased, the use of mutual aid has also increased. He noted the statics on the slideshow depicting more mutual aid is received with less mutual aid

being given by the County. He commented that regarding Fire-specific calls the County gives more mutual aid; however, the County is receiving more mutual aid with EMS calls. He stated that the County and its neighboring jurisdictions participate in an EMS Cost Recovery Program where we waive the copay and write-off some of the additional charges for our residents. He further stated that the County is not allowed to do this when responding to a call in another jurisdiction and vice versa; therefore, County residents occasionally receive a bill from a mutual aid partner who cannot waive those copays and write-off the additional expenses.

Mr. Hill inquired about a call stating that they would wait until James City County Fire Department could respond.

Chief Ashe stated that was correct. He explained that a resident preferred to wait for James City County to respond no matter the length of time required.

Discussion ensued regarding areas of concern in different districts and the response time being greater than six minutes.

Chief Ashe referenced the population of the County per uniform position. He stated that this was looked at as how many people one uniformed position serves, noting that in the County it is approximately 670 residents or 0.8 per square mile. He further stated that when there is a reduction in staff there is an increase in overtime, due to a minimum amount of staff that is required to maintain coverage at all times. He noted that the Dispatch Center has seen an increase in emergency calls due to increased call volume.

Mr. Onizuk inquired about the staffing of Emergency Communications.

Chief Ashe replied that it is a challenge. Emergency Communications Center dispatchers work shift work, they do not get the public safety benefits and they work 12-hour shifts. He stated that in regards to turnover, approximately half of the dispatchers make it through training and those who stay typically leave after less than five years; however, occasionally there are those that stay for longer durations. He further stated that national statistics show that approximately 3% of dispatchers change careers before retiring, making this position a constant challenge.

Mr. Hipple inquired about the cost of training a firefighter/EMT.

Discussion ensued regarding costs associated with Fire/EMT personnel, training and retention challenges as well as the tremendous value of the volunteer firefighters.

Mr. Onizuk inquired about the cost recovery for Fire and EMS.

Chief Ashe replied there is a cost of approximately \$2.4 million for EMS calls.

Mr. Onizuk inquired about turnover and pay compared to other localities.

Chief Ashe replied that turnover rates are very similar and are typically about 10% in the department. He stated that the starting pay with the County is

comparable to others in the region, except for the Southside and Richmond areas. He described the turnover gap of staff after 3-10 years of service.

Mr. Hill and the Board expressed their gratitude to the Fire Department and EMS staff for all they do for the community. Mr. Hill gave a recap of the discussion for clarity to the Board.

The Board took a break at approximately 6:16 p.m.

The Board reconvened at approximately 6:23 p.m.

The focus shifted to the Financial segment of the Pre-Budget Discussion.

Ms. Mellen introduced her staff; Sharon Day, Assistant Director of Financial and Management Services, Stephanie Lahr, Senior Budget and Accounting Analyst and Jeff Wiggins, Budget and Accounting Analyst.

Ms. Mellen referenced a PowerPoint slideshow as she discussed the FY 16 Budget Results. She commented that in the County's \$187.4 million budget, revenues came in over \$3 million positive variance and spending and commitments were \$1.7 million positive variance. She noted a practice at budget time of projecting and identifying the overall amount in savings and then planning for that one-time funding. She further noted that the Capital Improvements Program (CIP) funding was planned for \$2.8 million, with \$446,827 to Capital Reserve and \$309,958 to increase the Health Insurance Reserve and the remaining amount of \$1.3 million to Fiscal Liquidity. Ms. Mellen discussed the revenues exceeding budget highlights and property taxes per her slideshow. She referenced real estate revenue growth in the County and stated that it is very modest, running approximately \$1 million per year.

Mr. Onizuk inquired if most of the revenue growth is due to more families requiring more services and not necessarily property value increases.

Ms. Mellen stated that is correct. She further stated that particularly between FY 17 and FY 18 it is purely just growth and that reassessment is done every two years; therefore, there is no increased property value. She discussed personal property, building related revenues, consumer driven revenues and reviewed general fund revenues. Discussion ensued regarding the County debt portfolio. She discussed revenue from the commonwealth – schools, referencing a slide in her presentation. She additionally discussed State versus County funding referencing a slide that depicted the percentage of change from 2009 to 2017 detailing school population growth of 11.5% since 2009, County contribution growth of 15.3% and state contribution decrease of 3.4%.

Mr. Onizuk stated it would be interesting to see the cost per student with the school population growing.

Mr. Hill inquired if Mr. Onizuk wants the total James City County number or the total number for Williamsburg-James City County as they are two different numbers.

Mr. Onizuk stated that he would be more interested in the James City County number or both, whichever is available.

Ms. Mellen stated that information can easily be obtained.

Further discussion ensued regarding the State versus County funding, CIP funding and revenue numbers.

Mr. Hipple inquired regarding the contributions to James City County schools before 2009, noting that from 2009 to present has been a decline. He stated that the County is having to make up the deficit as well as carry the state burden for schools and further stated that this is becoming more of a burden on the County which transfers to its citizens.

Ms. Larson requested a color copy of the slide being discussed regarding the contributions.

Ms. Mellen noted her request.

Discussion ensued regarding the County's burden of declining state contributions.

The focus shifted to an overview of the Strategic Plan.

Mr. Hill referred to the five-year capita of the CIP earlier referenced by Chief Ashe. He referenced the Debt Portfolio shown earlier in Ms. Mellen's presentation. He discussed in detail each of the following seven goals of the Strategic Plan:

- Sustainable, Long-Term Water Supply
- Modern infrastructure, Facilities and Technology Systems
- Expanding and Diversifying Local Economy
- Protected Community Character and an Enhanced Built Environment
- Exceptional Public Service
- High Quality Education
- Fiscally Efficient Government

In closing, Mr. Hill expressed his gratitude to Mr. Teague, Mr. Holt, Chief Rinehimer, Chief Ashe and Ms. Mellen for their individual presentations. He mentioned that present in this meeting audience were Ms. Jody Puckett, Director of Communications, Mr. John Carnifax, Director of Parks & Recreation, Ms. Rebecca Vinroot, Director of Social Services, Ms. Grace Boone, Director of General Services, Mr. Jason Purse, Assistant County Administrator, Mr. Adam Kinsman, County Attorney, Ms. Sharon Day, Assistant Director of Financial and Management Services and Mr. Doug Powell, Director of James City Service Authority. Mr. Hill also expressed his gratitude to the Board for its continued support and reviewed the dates of upcoming Board meetings.

Mr. Onizuk inquired if the PowerPoint Presentations could be uploaded to Novus for the public to be able to view.

Mr. Hill stated that these were posted to the Budget Section as well as the County Administration Section earlier when the meeting commenced.

Ms. Sadler expressed her gratitude for the presentations and commented that the core responsibilities of government is to provide education and public safety. She further commented that she would appreciate any tax relief possible for citizens.

Mr. Hill emphasized to the Board that he would like feedback reflecting what it feels are not essential items.

Mr. McGlennon stated that the Board is looking for opportunities to provide citizens with what they need and balancing those needs.

Mr. Hipple stated that he would like to provide tax relief for the citizens if possible, but feels there are demanding issues on the horizon for more officers on the street to keep citizens safe.

Ms. Larson stated that she appreciates the work of everyone for this meeting. She further stated that public safety and quality education are both very important. She noted a recent obituary for Ms. Betty Pettengill who served the County for many years and sends sincere sympathy to her family.

D. CLOSED SESSION

None

E. ADJOURNMENT

1. Adjourn until 5 p.m. on February 14, 2017 for the Regular Meeting

A motion to Adjourn was made by Kevin Onizuk and the motion result was Passed.

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

Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

At approximately 7:20 p.m., Mr. Onizuk adjourned the Board.

Bryan J. Hill, County Administrator

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
February 28, 2017
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District

Bryan J. Hill, County Administrator

C. BOARD DISCUSSIONS

1. Hands Together Event Presentation

Ms. Rebecca Vinroot, Director of Social Services, addressed the Board and introduced Ms. Natalie Miller-Moore, one of the founding members of Hands Together.

Ms. Miller-Moore addressed the Board with an overview of the upcoming event, Hands Together, as detailed in the Agenda Packet.

Mr. Onizuk inquired where people can get more information on how to help or volunteer.

Ms. Miller-Moore replied that more information is available at the Hands Together Historical Triangle website.

Ms. Sadler reported that she enjoyed volunteering at last year's event.

Mr. McGlennon wondered about the long-term impact of the event.

Ms. Miller-Moore revealed that participants complete an exit survey for feedback regarding how they found out about the event, if they have ever been to a Hands Together event before and what they got out of it.

Ms. Vinroot added that last year's exit survey also included questions on whether participants had follow-ups scheduled for services and what services they were seeking, which was used for this year's event to ensure services that are needed are brought in.

Mr. McGlennon commended the group on giving agencies an opportunity to network.

2. Parks and Recreation Presentation

Mr. John Carnifax, Director of Parks & Recreation, addressed the Board, introducing Ms. Veda McMullen, Communications Specialist, and Ms. Julie Northcott-Wilson, Business Analyst, who have put together the draft Master Plan Update. He additionally gave kudos to staff for their teamwork in having public meetings and going through the accreditation process the same year as the Master Plan Update. He then gave an overview of the national accreditation process and the Master Plan Update included in the Agenda Packet.

Mr. McGlennon congratulated Mr. Carnifax and staff for an exceptional job over the years and on a daily basis. He also described the need for more Parks & Recreation opportunities in the Roberts District.

Mr. Hipple commented on Freedom Park, pickleball and how the County's parks compare to parks in other localities. He remarked on the number of out of town visitors for tournaments recently held at the Williamsburg Indoor Sports Complex (WISC) and County schools. He ended by thanking Parks & Recreation for its efforts in the community.

Ms. Larson stated that she looks forward to reading the Master Plan Update and noted that she and her family have taken advantage of many of the programs offered by Parks & Recreation. She expressed concern for the lack of aquatic facilities, but acknowledged that the County is moving forward in this regard. She thanked Mr. Carnifax and staff for all they have done.

Mr. Onizuk echoed the other Board members' comments in giving kudos to Parks & Recreation. He noted the excellence of the soft trails for running and how extremely well maintained they are, reported on the positive feedback about Jamestown Beach he has received from citizens and commented on the Marina project, recognizing the important role Parks & Recreation plays in tourism.

Mr. Carnifax thanked the Board for its continued support.

Mr. McGlennon suggested the use of emails and the Communications Department in getting the word out about lesser known Parks & Recreation facilities.

Mr. Hill acknowledged the annual block party and efforts in the Grove area to engage citizens and help promote what the County has to offer.

Ms. Larson noted the expense of printed materials and questioned how it is determined where to spend money to promote Parks & Recreation offerings.

Mr. Carnifax responded that Parks & Recreation is looking at ways to improve its communication with residents and park users by being as

technologically advanced as possible.

3. The Williamsburg Running Center

Mr. John Hopke, architect, addressed the Board with an overview of the proposed Williamsburg Running Center, a public-private partnership, as detailed in the materials included in the Agenda Packet.

Mr. Hopke introduced Mr. Rick Platt, writer for the Virginia Gazette and President of the Colonial Roadrunners. Mr. Platt talked about why the Williamsburg Running Center is being proposed and how it will be accomplished with funding through the Rick Platt Foundation.

Mr. Bob Singley, RJS and Associates, talked about the success of WISC and pointed out that the proposed Williamsburg Running Center could similarly be an asset to the County.

Mr. Vernon Geddy, III, Geddy, Harris, Franck & Hickman, talked about working on the lease for the property with Mr. Adam Kinsman, County Attorney.

Mr. Carnifax explained that the Williamsburg Running Center was included in the Parks & Recreation Master Plan Update. In addition, he pointed out that the community room in the proposed facility would be available for other public events.

Mr. McGlennon commended Mr. Platt on his generosity in creating a foundation that can have this kind of impact.

Ms. Larson had questions regarding the softball fields near the proposed facility and whether there is enough room for them to coexist.

Mr. Carnifax indicated there is room for four softball fields and the proposed building.

Ms. Sadler inquired how many races per year would be held.

Mr. Platt explained the seasonal types of meets and races that could be hosted throughout the year.

Mr. Hipple remarked that he liked how the proposed location fits in without disturbing anything else while adding more offerings to Parks & Recreation.

Mr. Onizuk concurred with the other Board members' comments about the benefits of the proposed facility.

4. Williamsburg Lawn Bowling Club

Mr. Carnifax introduced Mr. Clyde Haulman, Williamsburg Lawn Bowling Club, who addressed the Board with an overview of the Club's objective to construct a multi-activity lawn sports facility, details of which are included in the Agenda Packet.

Ms. Larson asked where the green would be located.

Mr. Carnifax answered that the plan is to put it next to the proposed Williamsburg Running Center, but the final location would be determined after Board approval.

Mr. Hipple inquired how much Colonial Williamsburg spent to maintain their green.

Mr. Haulman replied that they reported spending \$35,000 a year. However, based on research, he assured the Board that the estimated \$10,000 to \$12,000 a year as listed in the presentation is more accurate.

Mr. Hipple explained that from his experience in maintaining the green near Chowning's Tavern it took a lot of effort and required special equipment.

Mr. Haulman acknowledged Mr. Hipple's concerns and replied that a Memorandum of Understanding would be required between the County and the Williamsburg Lawn Bowling Club to specify the responsibilities of each. He reported that Club members have a history of providing service in manning as well as helping maintain the green.

A general discussion ensued regarding how the Club is functioning currently and further maintenance concerns.

Mr. McGlennon inquired about the timing between the running center and the green.

Mr. Carnifax indicated the running center design phase will be significantly longer than the green.

Mr. Hill asked when the green would open.

Mr. Haulman advised that to maintain enthusiasm and interest in the sport, it would be best to move quickly on the project.

A general discussion ensued concerning other possible locations, the contribution of the City of Williamsburg and how the green would be operated.

Mr. Onizuk inquired what the County was being asked to do right now.

Mr. Haulman stated that he would like the County to consider putting aside \$25,000 in the next Fiscal Year for funding the green contingent upon other anticipated funding.

Ms. Larson suggested that Mr. Carnifax would first need to get more information regarding costs, maintenance and County staff.

Mr. Hill reminded the Board that the County is in the last year of its biannual budget.

Mr. McGlennon remarked that this is an activity with support in the community and potential for the County to benefit from it; however, it has to be balanced against the difficult fiscal situation the County is in. He recommended that it be included as part of the Parks & Recreation Master Plan Update to be funded as available.

Mr. Haulman replied that fair consideration is all the Club is requesting.

Mr. McGlennon pointed out that if the Club had sponsorships and grants to start the project, maybe the County would be able to give the go-ahead to get it started next year.

5. Discussion of Joint Resolution to Amend Contract for the Joint Operation of Schools

Mr. Hill addressed the Board with an overview of the proposed resolution included in the Agenda Packet and asked for the Board members' input for any suggested changes.

Mr. McGlennon requested compression of the factor rate list in Section 1a, Operational Costs as this does not change from year to year.

Mr. Onizuk requested that the final resolution be brought before the Board at its next meeting for approval.

D. CLOSED SESSION

None.

E. ADJOURNMENT

1. Adjourn until 5 p.m. on March 14, 2017, for the Regular Meeting

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

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

Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

At approximately 6:06 p.m., Mr. Onizuk adjourned the Board.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
April 25, 2017
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District

Bryan J. Hill, County Administrator

C. BOARD DISCUSSIONS

1. Department of Social Services Presentation

Mr. Hill introduced Ms. Rebecca Vinroot, Director of Social Services.

Ms. Vinroot addressed the Board, giving an overview of the purpose and focus of Social Services.

Ms. Larson requested a copy of the presentation, which Ms. Vinroot indicated Ms. Teresa Fellows, Board Secretary, can provide copies of as needed.

Ms. Larson asked what the turnaround time is for helping clients.

Ms. Vinroot responded that it depends on the program.

Ms. Larson followed up with a question regarding clients who are in a crisis situation and how quickly they are able to get assistance.

Ms. Vinroot and staff responded that there are certain criteria that families must meet for expedited services, which they can receive within three to seven days. Additionally, gift cards can be given to help with groceries or other items as well as referral to other services.

Ms. Larson asked if services are for families only.

Ms. Vinroot replied that other programs may provide services for individuals, but Social Services focuses on helping families.

Mr. Hipple asked if there is a breakdown of new homes and rehabs per district.

Ms. Vinroot answered that she thought this was provided as part of the budget, but it is definitely available and she can provide that.

Mr. Hipple commented that his understanding from the presentation is the County has enough families to fill the needs of children in need of foster care or adoption.

Ms. Vinroot confirmed this and stated that foster parents are trained for all situations and ages of children and Social Services offers ongoing training and support.

Mr. Hipple expressed interest in the creation of a neighborhood for people in need to get into small, starter homes.

Ms. Vinroot pointed out that some partners, such as Habitat for Humanity and the Home for Good program under United Way, are meeting that need to some extent.

Mr. McGlennon asked how many families the Housing Voucher Program helps, if there is a waiting list and how long families will be on it.

Ms. Vinroot replied that currently there are 137 families in the Housing Voucher Program and there is a waiting list. The length of time a family will be on the waiting list depends on the amount of funding available, but there is always a waiting list.

Mr. McGlennon mentioned housing proffers that will eventually come in from Stonehouse that are a result of the revision of the Master Plan and wondered if anything has been programmed yet for that.

Ms. Vinroot answered that would fall under Neighborhood Development.

Mr. McGlennon asked how confident can the County be that it is identifying most of the needy residents, especially since people in this economic situation often are very transitory.

Ms. Vinroot acknowledged it is a constant challenge and reported that 65% of the citizens who are eligible for SNAP are enrolled.

Mr. McGlennon then remarked that 43% of households that face a cost burden seems extraordinarily high and wondered if this is affected by the large elderly population whose resources may not be captured in annual income calculations.

Ms. Vinroot replied this is something Social Services is trying to work on.

Mr. Onizuk thanked Ms. Vinroot for the presentation and the Social Services' team for all its work.

D. CLOSED SESSION

None.

E. ADJOURNMENT

1. Adjourn until 5 p.m. on April 25, 2017, for the Regular Meeting

A motion to Adjourn was made by Michael Hipple and the motion result was Passed.

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

Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

At 4:52 p.m., Mr. Onizuk adjourned the Board.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 23, 2017
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

Board of Supervisors

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District
Bryan J. Hill, County Administrator

Planning Commission

Present:

Jack Haldeman, Berkeley District
Danny Schmidt, Roberts District
Heath Richardson, Vice Chairman, Stonehouse District
John Wright
Robin Bledsoe, Jamestown District
Rich Krapf, Chairman, Powhatan District

Absent:

Tim O'Connor

Staff Present:

Paul D. Holt, Director of Community Development and Planning
Ellen Cook, Principal Planner

C. BOARD DISCUSSIONS

1. Update on Major Planning Division Work Program Items

Mr. Hill expressed his gratitude to both Boards for their diligence and leadership.

Mr. Onizuk concurred the Board's gratitude and stated that the Board is excited to come together and share ideas in moving forward and providing direction to County staff keeping integrated with the County Strategic Plan.

Mr. Krapf gave an overview of the following updates on work program items:

- Process Improvements ·
- Code Amendments ·
- Residential Proffers

Mr. Richardson gave an overview of the following updates on process improvements:

- Development Review Committee's Review Criteria and Processes
- Subdivision Plat Monument Notation ·
- Electric Vehicle Charging Stations
- Mobile Food Vending Vehicles
- Wireless Communications Facilities

Mr. Krapf referenced items to be considered at a future date.

Mr. Holt stated that all the items referenced thus far began in 2015 and 2016. He further stated that when the work program and list were initially developed no one envisioned the extent at which the General Assembly would pass legislation changing conditional zoning and proffer system for residential development in Virginia. He discussed recently adopted initiating resolutions; family and group home definitions, and density bonuses and age-restricted housing in the R-8, Rural Residential Zoning District. Mr. Holt referenced the staff report and memorandum included in the Agenda Packet. He provided details on potential work program items and a list of the initial grouping of work program items by timeframe, pending additional guidance from the Board of Supervisors and the Planning Commission. He discussed items commonly found in residential proffers and further discussed items proposed for FY 18 using existing available resources.

Mr. Onizuk asked if there were any questions, priorities or concerns.

Mr. McGlennon addressed community concerns about residential placement of group homes.

Ms. Larson stated her interest in short-term rentals and asked Mr. Holt to review Work Force Housing and Task Force Plan.

Mr. Holt gave an overview on the purpose of the Task Force Plan taken from the Adopted Strategic Plan. He commented that part of this group will be looking at the Housing Addition Study and the other half will be looking at Housing Opportunities Policy 2.0. He stated that it may take 12 to 18 months for a Progress Report to be brought to the Board. He feels it is critical to have a solid set of recommendations in place prior to the County starting the next Comprehensive Plan Update.

Mr. Onizuk discussed homeownership challenges and alternative affordable

options such as rentals in the community.

Mr. McGlennon concurred. He stated that he hoped the task force would consider the income levels of many citizens, resources available and affordable housing. He further stated that incentives to improve substandard housing should be considered.

Mr. Hipple discussed the challenges of building lower-income affordable homes in the County. He further discussed workforce housing and noted that the definition of what is affordable varies with each household. He discussed proffers and his desire to protect the residents currently residing in the County and making resources available to working-class citizens.

Mr. Krapf stated that he is an advocate for an item on the work plan that deals with residential rezonings and asked how we can mitigate impacts now that proffers are not allowed. He suggested possibly seeing what other jurisdictions are doing.

Ms. Bledsoe discussed affordable housing issues and what is available locally, referring to the 2015 Census and wonders if the price range in the Task Force Plan is still accurate. She commented that perhaps what we are seeing is market driven.

Mr. McGlennon concurred.

Mr. Onizuk mentioned Homeowner Association fees need to be considered with workforce housing and affordable housing.

Mr. Wright discussed cash proffers and exploring other areas in Virginia that have addressed this fundamental issue about future development.

Mr. McGlennon invited members to attend a conference to be held on June 23 in Culpepper, Virginia, addressing the impact of Senate Bill 549. He noted that the purpose of the conference is to hear from other localities on these same types of issues.

Mr. Hipple confirmed the importance of the proffer issue.

Ms. Sadler asked if the task force is something that can be worked with on a continual basis.

Mr. Holt replied yes, comparing it to the development of the Strategic Plan.

Mr. Hill stated the goal of the task force is to incorporate the Board and the Commission together on this topic.

Mr. Onizuk commented on the delicate balance and the lack of real estate inventory of \$350,000 or less. He stated that population is growing but the housing industry is not.

Mr. Wright commented on the cash proffer issue and future business in the County.

Mr. McGlennon concurred with Mr. Krapf's earlier comments regarding zoning ordinances.

Mr. Krapf commented about Mixed Use Zoning and supporting the Comprehensive Plan.

Mr. Hipple commented on Mixed Use Zoning, utilizing the Primary Service Area (PSA) and maintaining the character in the County.

Ms. Sadler inquired about street lights.

Mr. Holt reviewed street lights in newly constructed subdivisions. General discussion ensued regarding this topic.

Mr. Holt gave an overview of the memorandum that was included in the Agenda Packet.

Ms. Larson inquired about fee structure comparisons to other localities.

Mr. Holt commented that this had not been done for several years.

Mr. Hill noted the difficulty in comparing James City County to other counties locally or in northern Virginia.

Mr. Haldeman inquired if the consideration of permit fees depend on the cost to the County of doing business here, the whole permitting process, technology and staff that is required.

Mr. Onizuk referenced the memorandum included in the Agenda Packet. He believes the FY 18 programs are significant, with some being time sensitive. He further discussed the importance of the "Items to be Considered at a Future Date" section, noting its relevance to members of both Boards and feels that some of the items should move quickly.

Mr. Holt discussed concerns regarding Code and Comprehensive Plan updates and priorities. Further discussion from both Boards ensued regarding the memorandum included in the Agenda Packet. The Boards agreed on what items to move forward for discussion in FY 18.

Mr. Onizuk asked the Planning Commission if there were any items on the list developed by staff that were far enough along and could be dealt with quickly. He suggested moving the Mixed Use District flexibility and infill and redevelopment issue forward for Board discussion.

Mr. Hill recommended moving the items forward one at a time starting in July with the most recent one to be done last.

Mr. Haldeman inquired if the Mixed Use items would be within the PSA.

Mr. Krapf replied yes.

Mr. Onizuk referenced ice cream trucks on the list developed by staff and commented that although it needs to be addressed it might not be a high priority item for the County.

Mr. Holt stated that ice cream trucks are not regulated by the Zoning Ordinance and is on the list because it came up during a discussion regarding food trucks.

Ms. Larson expressed concerns regarding ice cream trucks in residential neighborhoods. She mentioned that they are not allowed, do not have a business license and are not paying business license taxes. She feels the County needs to be regulating this and the Board needs to address the issue.

Mr. Wright inquired if the cash proffers for schools and public facilities/infrastructure are imbedded in other things on the list or a separate topic to be addressed.

Mr. Richardson stated he feels that as the Strategic Plan moves forward some type of public facilities plan might be a more appropriate time for that particular element.

Mr. Hill recommended that the Planning Commission and the Board of Supervisors meet again in October before the Legislative Packet goes out in November with the information associated with each body. He commented that as the Strategic Plan, Capital Improvements Plan, Comprehensive Plan as well as the Bi-Annual Budget are looked at, there needs to be more dialogue on moving forward. He feels that the way this meeting was put together has been significant and as items are added will be very beneficial to both Boards.

Mr. McGlennon inquired what the Board hopes to accomplish in regards to cash proffers for schools and public facilities/infrastructure. He stated that he feels an impact fee would be a good way to proceed because it applies to every new construction not just rezoning.

Mr. Hill commented that there is plenty of capacity to build in the County.

Mr. Holt gave a recap to the Board members in an effort to be clear of item prioritization.

Mr. Onizuk expressed the Boards gratitude to County staff and Planning Commission members.

Mr. Hill concurred his appreciation.

Mr. Krapf echoed his sentiments.

At approximately 5:22 p.m. Mr. Krapf adjourned the Planning Commission meeting to the June 7, 2017, regular meeting.

The Board went into a five-minute recess and reconvened at approximately 5:27 p.m.

2. Skiffes Creek Switching Station Request For a Delay by Applicant to July 11, 2017

A motion to Approve was made by Kevin Onizuk, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

3. Colonial Heritage

Mr. Kinsman stated that at the May 9, 2017, Board of Supervisors meeting Ms. Sadler inquired about the County Code as it relates to firearms discharge in Colonial Heritage. He commented that the Board has a very limited ability to regulate the possession of firearms, but has a broad ability to regulate discharge of firearms. He described how the Virginia Code allows someone to determine what areas are heavily populated as to make discharge in those areas dangerous to inhabitants thereof. He further described the way the Board currently regulates that is through subdivision not through zoning. He stated that if a parcel has been subdivided, the Board has determined it is too heavily populated as to permit shooting. He further stated that there are several exceptions; for example, a family subdivision exception, whereas even if your parcel has been subdivided you can still have a target range outside or you can shoot in a basement or cellar. He commented that one way the Board could consider it is by looking at the distance from houses. Serving as an example only, he referenced a PowerPoint map detailing an 800-foot line drawn out from all existing houses in Colonial Heritage prohibiting all discharge of firearms in that area. He noted that he chose 800 feet providing an additional buffer to Colonial Heritage and additional trees; however, this was in the Board's purview to increase or reduce that amount. He stated that if this scenario fits what the Board seeks, he would bring a formal ordinance to the June meeting, advertise for publication and a public hearing and then the Board could formally consider it at that time.

Ms. Sadler confirmed that this is only referencing Colonial Heritage.

Mr. Kinsman replied correct.

Ms. Sadler inquired if this is something that could be adopted on a temporary basis.

Mr. Kinsman replied yes and recommended choosing a time that is far enough out to clearly see if it works and commented that July 1, 2018, is when all new laws take effect.

Mr. Onizuk inquired if Mr. Kinsman is implying to do a policy and resolution for only one neighborhood.

Mr. Kinsman stated that is correct.

Mr. Onizuk commented that it would not be County-wide.

Mr. Kinsman stated that is correct.

General discussion ensued regarding the PowerPoint map Mr. Kinsman referenced as an example.

Mr. McGlennon asked for clarification regarding a time limit on this issue.

Mr. Kinsman replied that it is one way to minimize the permanent effect of this and to see whether this works or not. He stated that it can always be appealed or amended. He further stated that he can bring it before the Board in a permanent or temporary fashion. He reiterated that he will bring this issue before the Board at its June meeting.

Mr. Onizuk thanked Mr. Kinsman on behalf of the Board for doing a wonderful job.

D. CLOSED SESSION

A motion to Enter a Closed Session was made by Kevin Onizuk, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

At approximately 5:44 p.m., the Board entered into Closed Session.

At approximately 6:15 p.m., the Board re-entered Open Session.

1. Closed Session Certification

A motion to Certify the Closed Session was made by John McGlennon and the motion result was Passed.

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

Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

2. Williamsburg Area Arts Commission Appointment

A motion to Appoint Individuals to Boards and Commissions was made by Kevin Onizuk and the motion result was Passed.

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

Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Mr. Onizuk moved to reappoint Mr. Robert Currie to a 3-year term to expire June 30, 2020.

3. Economic Development Authority Appointments

A motion to Appoint Individuals to Boards and Commissions was made by Ruth Larson and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

Ms. Larson moved to appoint Mr. Tim Harris and Mr. Tom Tingle to new four-year terms beginning June 1, 2017 and expiring May 31, 2021.

E. ADJOURNMENT

1. Adjourn until 5 p.m. on June 13, 2017 for the Regular Meeting

A motion to Adjourn was made by Kevin Onizuk and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Larson, McGlennon, Onizuk, Sadler

At approximately 6:16 p.m., Mr. Onizuk adjourned the Board.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
June 27, 2017
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District – Absent

Jason Purse, Assistant County Administrator

C. BOARD DISCUSSIONS

1. Transportation Update

Mr. Robert Crum, Executive Director of the Hampton Roads Planning District Commission (HRPDC) and Executive Director of the Hampton Roads Transportation Planning Organization (HRTPO), gave a presentation to the Board on HRPDC, which represents 17 local governments, and the Hampton Roads Transportation Accountability Commission (HRTAC). He described HRPDC's core programs, including economic benchmarking, emergency management, environmental education, housing and human services, regional planning and water resources, giving specific examples of recent successes in advocacy and outlining ongoing projects as well as future projects. He defined HRTPO's responsibilities in identifying and prioritizing transportation projects, which are then handed over to the Hampton Roads Transportation Accountability Commission (HRTAC).

Mr. Kevin Page, Executive Director of HRTAC, addressed the Board with a description of HRTAC's membership that includes 10 cities and four counties. He recognized Mr. Hipple's contributions as chair of HRTAC. He explained that HRTAC is a regional transportation funding body responsible for procuring finance and then building and operating regional tunnel and highway systems. He delineated the roles of HRTPO and HRTAC in the evolution of projects as well as HRTAC's project list and FY 2018 – FY 2023 funding plan.

Ms. Sadler inquired if after Segment 3 of the Interstate 64 widening project

ends near Route 199 and Pierce's Pitt Bar-B-Que would there be a situation of traffic congestion similar to where the highway currently goes from three lanes to two lanes near Jefferson Avenue in Newport News.

Mr. Page confirmed it will be similar in that it will go from three lanes to two lanes.

Ms. Sadler asked if the project would continue on to Bottom's Bridge soon after Segment 3 is completed to minimize the traffic congestion issue that comes with compressing from three lanes to two lanes.

Mr. Page affirmed that HRTPO plans to keep the project moving forward and is working with New Kent County and Charles City County.

Mr. Crum followed up by explaining that one of the challenges to this is that only a couple of miles past Segment 3 are included in the region represented by HRPDC, HRTAC and HRTPO. The rest falls in the Richmond region, and in Mr. Crum's experience, Richmond's priorities are to the west where congestion is heaviest near Short Pump and where Interstate 95 and Interstate 64 overlap. He related that HRPDC is really pushing and lobbying for the Commonwealth Transportation Board to consider submitting a Request for Funding to finish the Interstate 64 gap between the end of Segment 3 and Bottoms Bridge.

Ms. Sadler pointed out the complicated situation at some interstate exits such as the Lightfoot Exit where traffic is exiting and entering at the same time and asked if exits like these are going to stay the same.

Mr. Crum indicated that he could work with staff and come back with some large diagrams to illustrate what they might look like.

Mr. Purse added that the Virginia Department of Transportation (VDOT) has design standards it has to adhere to as far as the typical interchange design, but thinks they try to address these kinds of concerns.

Ms. Sadler asked what the Fort Eustis interchange will actually look like when it is finished.

Mr. Page answered that it is going to remain somewhat complicated until the eight-lane section is introduced. He mentioned that there is some bridgework underway to do some widening and eventually the shoulders will become fourth lanes during peak hours such as found in Virginia Beach. He indicated that there are plans to accomplish this for Segment 1 and maybe Segment 2. However, there will probably still be issues at Fort Eustis until the Fort Eustis Boulevard Interchange Project gets underway, which is part of the long-range plan.

Mr. Crum related that one of HRPDC's regional legislative priorities is flooring the Regional Gas Tax. He explained that because this tax is not floored, \$20 million to \$35 million is lost every year and the reason the Fort Eustis interchange will not be delivered until 2036-2038 is because of a money issue.

Mr. Hipple detailed the daily traffic numbers for the Hampton Roads Bridge Tunnel, Monitor-Merrimac Memorial Bridge Tunnel and James River Bridge and explained that HRTAC is looking at all available options to keep things flowing while building.

Mr. McGlennon inquired about mass transit solutions and indicated it would be nice to see a greater emphasis on mass transit projects, which could have a positive effect on things like the Fort Eustis situation by reducing traffic.

Mr. Crum revealed that at the last HRTPO meeting there was discussion about re-invigorating a public transit planning committee. Each local body was asked to appoint its highest level elected official available to serve on the committee to determine the vision for what transit could become in Hampton Roads. He explained that if a passion around these opportunities can be developed, funding will follow; however, there first has to be a clear vision.

Ms. Larson brought up Mr. Page's previous comments on working with VDOT on saving money and staying on budget and asked how this is done.

Mr. Page explained that HRTAC and VDOT worked out Standard Project Agreements where any cost savings or money that is not used comes back 100% to HRTAC. HRTAC closely scrutinizes charge codes in the invoice process to ensure there are no unnecessary uses of materials and equipment, makes sure right-of-ways are negotiated appropriately, works very closely with project managers and closely monitors contracts.

Mr. Hipple thanked Mr. Crum and Mr. Page for their efforts.

Mr. Rossie Carroll, Residency Administrator, VDOT, addressed the Board with an update on James City County transportation. He talked about maintaining the roads and with around 2,000 work orders a year just for maintenance issues, VDOT was able to accomplish 92% completion last fiscal year in James City County. He then outlined some notable future projects for James City County followed by a description of completed projects over the past year.

Ms. Larson thanked Mr. Carroll for his update and asked Mr. Zach Trogon, the new Williamsburg Area Transportation Authority (WATA) Director, if he would like to introduce himself to the audience.

Mr. Trogon introduced himself and said he regretted that WATA is not really in a position right now to be an integral part of today's discussion, but looks forward to the opportunity to become more involved in the future.

2. Jamestown Jams

Mr. Purse presented a one-minute video advertising Jamestown Jams, which will begin July 7 with a performance by Affirmative Groove featuring music from the '70s.

3. Fireworks Safety

Ms. Larson commented on a video featuring Mr. Kenny Driscoll, Fire Marshal, asking people to leave fireworks to the professionals.

Mr. Purse explained this was part of a regional effort working with fire departments from all around the region to produce videos about fireworks safety. He encouraged everyone to go online to the James City County Social Media page to view all of the videos.

D. CLOSED SESSION

None.

E. ADJOURNMENT

1. Adjourn until 5 pm on July 11, 2017 for the Regular Meeting

A motion to Adjourn was made by Michael Hipple and the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Larson, McGlennon, Sadler

Absent: Onizuk

At 5:30 p.m., Ms. Larson adjourned the Board.

Bryan J. Hill, County Administrator

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
July 25, 2017
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

Board of Supervisors

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District

Bryan J. Hill, County Administrator
Sue Mellen, Director, Financial and Management Services

Economic Development Authority (EDA)

Paul W. Gerhardt
Tim G. Harris
Rick Shippey
Christopher J. Odle
Marshall N. Warner
Robin D. Carson, Vice Chairman-Absent
Thomas G. Tingle, Chairman

Also Present

Amy Jordan, Director of Economic Development
Laura Messer, Event Coordinator

C. BOARD DISCUSSIONS

1. Davenport & Co.

Ms. Sue Mellen, Director of Financial and Management Services (FMS), gave an overview of the County's current statement of fiscal goals and a proposal for revised fiscal policies. She stated that since the Strategic Plan has been adopted, County staff and FMS have taken the opportunity to take it down to a more readable format, taking it from seven to two pages. The staff and FMS are proposing this and have made some changes and run it past Davenport. Davenport has made some suggestions that they will go through in this presentation and if there are any questions we are more than willing to

tweak it, but hopefully FMS staff will bring it back to your next meeting where it can be adopted and replace the old one.

Mr. Courtney Rogers, Senior Vice President of Davenport & Company, stated that the agencies have updated their methodologies and gave an overview of the PowerPoint presentation included in the Agenda Packet. Areas covered in this presentation are:

- Discussion regarding rating agencies' General Government and Utilities methodology;

- Review key characteristics that constitute a highly regarded, credit worthy locality;

- Discuss comparatives with peer AAA Virginia counties as well as regional AAA counties;

- Review James City County's financial trends including current outstanding debt and debt ratios;

- Provide commentary on the County's Financial Policy Guidelines and discuss revisions due to changes in the credit markets.

Mr. Rogers emphasized that the County has a AAA rating in all four areas across the board and it is rare to have three. The Commonwealth itself has a AAA rating. He noted that not all of the County debt is a AAA rating. The County rating is a AAA, when we lease revenue bonds they are an appropriation debt. They automatically go one notch off the AAA, so as a result you will look at some of the volunteers listed as the least revenue types and they are all listed as AA+, AA1, but that is just one notch off the AAA. That is part of their methodology. There is a little more risk involved because it is an annual appropriation. He commented that in regards to debt and contingent liabilities, it is not unusual to get a Strong rating in Virginia because we have school debt and noted that a Very Strong rating is the highest, which is almost impossible to obtain. In some states schools have their own ratings. He noted to keep your eyes on the reserves if the tax base and wealth levels suddenly change or if the debt burden would suddenly increase. He stated that those were probably not going to happen.

Mr. Rogers reviewed the Formalizing and Reviewing Financial Policies as well as the Key Takeaways sections of the PowerPoint presentation included in the Agenda Packet. He emphasized to try to keep down the amount of debt if possible and to add personal property full value per locality so as to be able to compare apples to apples.

Mr. Rogers reviewed swaps (i.e., interest rate exchange agreements) from the PowerPoint presentation that is available in the Agenda Packet.

Mr. Onizuk asked what situation would a county want to do a swap.

Mr. Rogers replied that it is interesting that in Virginia he does not have any clients that do this. Policies have to be in place first, expressing that his

company is not big on them, it is just a different mindset.

Mr. Rogers stated that James City County is a premier county in that it is one of 50 out of 3,000 counties that has a AAA rating from all three areas. He stated that James City County has the smallest population out of that group of 50, which shows how well it is doing.

Mr. Onizuk asked the Board members if there were any questions or comments.

Mr. Hipple stated great job.

Mr. Onizuk expressed the Board's appreciation to Davenport & Company and the job that they do.

Mr. McGlennon asked Mr. Rogers if he had noticed any trends or things on the horizon to watch out for.

Mr. Rogers stated that one thing they are seeing, not just in Virginia but also in other states, is that there is definitely more economic development activity, definitely more companies out testing the waters and interest rates have hung in there so that is good. We are growing as an economy, but it is slow going.

Mr. Onizuk asked if there were any more questions or comments.

Mr. Hill asked Mr. Rogers if he could stay to provide more insight on economic development.

Mr. Rogers replied yes.

Mr. Hill spoke to the Board regarding the Strong, and the Very Strong ratings. He commented that our Strategic Plan is structured for long-term debt to be even more flexible than it is today. In 2014 we had seven categories that were Strong and today we have 13 categories that are Very Strong and two that are Strong. He thanked the Board for allowing staff to move forward and pushing them to be strong financial stewards for the residents of James City County.

Mr. McGlennon asked Ms. Mellen if she was bringing these items back to the August meeting.

Ms. Mellen replied yes.

Mr. McGlennon asked how quickly the feedback is needed.

Ms. Mellen replied within the next week or so.

Mr. Hill stated that he would attach them to the Board recap.

2. Joint Work Session with Economic Development Authority

Mr. Tingle called the EDA meeting to Order.

Ms. Jordan took the Roll Call and gave a partial overview of the PowerPoint presentation included in the Agenda Packet.

Mr. Tingle stated that they had met with the Board last fall and two items were stressed; work ethnicity and more focus.

Mr. Tingle continued on the overview of the PowerPoint presentation included in the Agenda Packet. He gave brief updates on the FY 17 Accomplishments that are outlined in the Agenda Packet.

Mr. Onizuk asked to be more specific about what kind of things the Greater Williamsburg Partnership (GWP) is working on.

Mr. Tingle responded that they are doing several things, identifying our partners around the state; site selection consultants as well as building partnerships with the Virginia Economic Development Partnership; Ms. Jordan participated in a site familiarization tour; entertained the new Director, Steven Moray, from the Business and Economic Development Programs (BEDP); we are being identified as one of the 16 regions in the state by the BEDP's material as well as bringing prospects to us. The other thing they are doing is really trying to identify specific businesses that are a fit for the Greater Williamsburg region.

Ms. Larson commented that recently there was one that was a result of the GWP.

Mr. Tingle reviewed some of the Goals for FY 18 as outlined in the PowerPoint presentation included in the Agenda Packet.

Mr. Odle picked up reviewing the Goals for FY 18 as outlined in the PowerPoint presentation included in the Agenda Packet. He touched base on where James City County is in regards to infrastructure. He stated that he hopes to put out a Request for Proposal before the end of the year in an effort to solicit a private development group to come in and put up a spec warehouse or to attract some new industry to the County.

Mr. Odle reviewed Skiffe's Creek Connector and the Jamestown Marina and Beach as outlined in the PowerPoint presentation included in the Agenda Packet. He stated that they are evaluating the future of the balance of acreage at the Marina and how it will interact with the balance of the property across the road at Jamestown Beach Event Park and the Jamestown Beach area. He mentioned ideas of use for the property as photos reflect in the PowerPoint presentation in the Agenda Packet.

Ms. Larson asked if it will come to the Board once the concept is decided on, but in the meantime some of the photos are of concern. She asked what the timeframe is before seeing a report on what is envisioned. What can the Board do to help that along?

Mr. Odle suggested that the Board get with Parks & Recreation staff and talk jointly about the ongoing business of the property, marine operations, landscape and maintenance, and to discuss if there are any funds in the budget

where nominal improvements could be made making it feel more inviting. Things that are short-term, such as flowers, are visually impacting. In the same process, more understanding of long-term improvements that are anticipated for the Marina need to be discussed. He stated that he would like to think that by the first quarter of next year there should have been enough discussions to be able to come to the Board with some options.

Ms. Larson stated that she believes Billsburg is working with the Chamber to promote “Drinking Responsible in Williamsburg-James City County” or the “Williamsburg Tasting Trip.” She stated that she supports Billsburg and wants it to be successful.

Ms. Sadler asked if a restaurant were to go in, where would it be located.

Mr. Odle restated that the EDA thinks there needs to be something besides a brewery there to support and play off of it.

Mr. Hill stated that to make it work there needs to be a lot of landscaping at the site. He stated that we do plan on having a jump start on making sure we have something out there to bring people to it, we have had First Fridays, Harvest Celebration and he and Ms. Jordan have talked about multiple ideas to bring people out there. He stated that the goal is to get where we open in September and see that the amount of people coming out there will facilitate us and the Board to do more to that area. He commented that in Fiscal Years 19 and 20 there is about \$ 3.5 or 4 million budgeted for the upgrade at the Marina that has been planned out way in advance. He further commented that there are some significant repairs to make that have not been done since the County purchased the property, so it is still a work in progress.

Ms. Larson stated that she sees the location still gets a lot of visitor traffic being in its present condition. She emphasized that she is excited, but stresses to keep that forward moving direction and to get together that first quarter and talk again.

Mr. McGlennon stated that he appreciates the thoughts going into and moving forward with the Marina project. He stated that his own vision is what Parks & Recreation as well as General Services are going to be able to do in that area and the Economic Development aspect is really a subsidiary to the site as it is being described. He commented that he was wondering if there are better ways to make use of energies, time and skills. In particular he would be very interested in having the EDA looking strongly at the question of our priorities for capital investment. He stated that as pointed out earlier, there are some significant capital investments needed here and it does not strike him that this would be a high priority for the investment of funds that the group is thinking about for Economic Development. He stated there will be many claims on that money for things that are probably more significant as far as Economic Development is concerned. He further stated that he would like to know what is the best bang for the buck, is it going to be in terms of investment in fiber, is it going to be shell buildings, is it going to be the southern end of the County location or is it going to be some of the properties that we recently redesignated for commercial, residential or industrial development. He commented that focusing attention on those areas would be helpful on where

the County commits those dollars and evaluate the relative opportunities available to the County in terms of tax revenue to offset the cost of government for our citizens, also where the County might be able to find the opportunities for the limited number of increased job opportunities for citizens. He stated he would also like for the group to think about ways in which they could be an exporter of our labor, services and skills. He stated that perhaps we could have some of our construction folks trained in energy retrofit fields in both residential and commercial, go out in Hampton Roads and help businesses and homeowners figure out ways to reduce the cost of energy. He also commented that another idea would be building a cluster around agriculture/food supply, maybe refrigeration available for farmers regionally to take advantage of. Mr. McGlennon stated that his opinion of focusing on those kinds of questions seem to be very good uses of the kinds of skills that we have assembled on this committee. He stated that the ideas about the Marina are useful, interesting and worth considering, but he does not think that is the best use of time and energy.

Mr. Onizuk concurred and stated that he remembered when the Board voted to keep the Marina as a County asset. He stated he remembered speaking with Mr. Hipple of keeping the Marina as an asset to our community, our citizens and access to water. He agreed with the vision that it should continue to be something that gives use and enjoyment to our citizens, offering Billsburg Brewery, whose product is exceptional, but he thinks that it can be stretched to have an economic development benefit. He stated that ultimately he believes that the Jamestown Beach Event Park and the Marina is not what he would necessarily think would be the best use of assets. He further stated that he thinks it is a priority of the County but is not sure it is a priority of the EDA. He stated he appreciated the vision and County staff would appreciate the input, but he is not sure it is the best use of EDA time. He stated there is already money designated and planned to fix the major problems at the Marina and commented that he would not make it a huge priority.

Mr. Hill stated that he believes that because of the agreement that the EDA has with the County, there is a monetary concern to make sure that they get back what they put into the deal. He does not disagree with what anyone is saying; however, the EDA has a vested interest financially as well as the County, so we need to be collaborative to work together towards Billsburg to made whole as well as the Marina is a viable option for all residents of the County, so there is a balancing act that we are going to need to do. He stated that the more information we are given today, the easier it is to make a path to move forward.

Mr. McGlennon stated that he thinks the Board understands that responsibility and feels that everyone has a stake in it to succeed.

Mr. Onizuk concurred that both parties have a stake in it.

Mr. Hipple stated that he feels this is part of a balancing act with the Marina. He asked what could we do with the land that we paid for that is sitting idle. He stated he thinks it is part economic development because it gives something back to our citizens that enhances our community and our character which is drawing people to our area. He commented that if we do not have the

infrastructure we can forget about anyone coming to the County.

Mr. Tingle stated that the EDA does not disagree with anything that has been said. He stated that first we need to protect our investment, but the bigger interest is quality of life and tourism to some degree. He commented that while the group has been talking about the Marina, they have been talking more in economic development about what can be done more effectively to make sure properties are ready for businesses that want to locate here. He stated that if business comes here and wants to start-up in 90-180 days, it is hard to show a piece of property with trees on it and be able to say we think we can do that for you, it just is not possible.

Mr. Hill stated that perhaps it is time to think of the landowners with whom we might be able to create some synergy with infrastructure to then build and bring in the type of business that this Board wants. he stated that perhaps it is time to put some incentives together to promote what we have here in the County for the business side so that we can move forward as a community, find the land, get the infrastructure in place and then move forward.

Mr. Onizuk stated that the conversation at his first EDA meeting was a repeat of this conversation. He stated that if we have a shell concept, let's put together a proposal and see if it makes sense to the Board to finance it or to work with the EDA to finance it.

Ms. Larson stated that she wants to be clear regarding the Marina. She stated the EDA needs money in order to bring more projects to the County. Billsburg needs to be successful. She also asked when James River Commerce Center could get fiber.

Ms. Jordan stated that discussions have begun with the County's Information Technology director and various providers. She stated that quotes are being obtained and staff is hopeful to have that information back soon.

Mr. Hill stated that there has been communications with several entities to see how to have better prepared data and architecture in the County. He stated that since we are in a world of technology, the County needs to put investment into its infrastructure, which it has done in other areas, now that we are coming into the world of technology. He stated that once the infrastructure is in place, the County should be able to get companies to locate in the area.

Ms. Jordan stated that there is a good fiber network in the County. She stated that in the case of James River Commerce Center, the County has fiber that runs to the school. She explained that Cox runs cable to the front of the industrial park but does not run all the way back and Lumos is looking at extending its network and region. She further commented that this creates different options that can be looked at as currently, there is no fiber that is running all the way down to Green Mount Industrial Park. She stated that this is not an EDA property; however, it is developable land that could support up to a one-million-square-foot user. She also commented that in looking at those advanced manufacturing opportunities it is important to make sure to get that last mile in place and staff is looking county-side to find where there might be other gaps in the network.

Ms. Larson asked if these are the two things that the EDA is going to be concentrating on and hopefully coming to the Board with a proposal or a shell building or something as soon as these things are worked out. She stated that the County is in a really strong financial position right now, so it seems that we would be hopefully attractive for a lot of reasons to businesses coming to the County.

Mr. Onizuk directed a question to Ms. Jordan, commenting on her being new to the team for approximately three months. He asked Ms. Jordan if she could tell the Board what she has found that we are doing right and what needs to be done differently in regards to the EDA and working with the Board of Supervisors or the office of Economic Development.

Ms. Jordan stated that she feels the quality of life in the County is second to none and does not think we do enough to capitalize and harness that. She stated that she feels because we do have some land to develop, advanced manufacturing opportunities and large distribution centers, there are more opportunities for us to focus on. She commented that there have been conversations with Thomas Nelson Community College about the growth and expansion of mechatronics. She stated that she mentioned Green Mount Industrial Park and the one-million-square-foot user space available, which is only one of a handful of sites in Hampton Roads and the only one on the peninsula that we could create more opportunities with. She stated that the Skiffe's Creek connector is vital because if you cannot get the truck traffic in and out, you are not going to be able to get another large distribution center in the area. It is vital to existing businesses, retaining businesses, expansions and new businesses. She stated that there are things to look at with the marina such as other restaurant uses, perhaps some small complementary retails, for example a kayak/bike share rental business. She further stated that she feels there are still things that will contribute to that element and will be looked at.

Ms. Larson stated that at another time she would be interested in getting feedback on things that the Board could do different, or keep the same and also ways to make the synergy work better between the two bodies. She inquired is the Ombudsman position working and stated that it seems as though it is working, but would like an update.

Mr. Hill replied that an update could be provided.

Ms. Larson inquired if a retreat is a possibility.

Ms. Jordan replied that the EDA is working on two possibilities. The first one is trying to obtain a date for an industrial site tour. Members of the Board of Supervisors who would want to participate would be more than welcome. The other is doing a fall retreat since the recent adoption of the County Strategic Plan.

Mr. Hill stated that the reason we do the Strategic Plan is so the Board can talk to the EDA or Planning Commission and all the other entities that the County has.

Mr. Onizuk stated to the EDA members that they are all leaders in the community and are successful in individual industries. He expressed his appreciation for everything that they do and stated that he wants the EDA to go at this with the same excitement, zest and commitment that each individual shows to their personal careers. He stated that if you feel you are not getting what you need to make the EDA successful, to reach out to the Board for guidance.

Ms. Larson expressed her gratitude for the efforts of the members of the EDA.

Mr. Onizuk echoed those sentiments expressed by Ms. Larson.

D. CLOSED SESSION

None.

E. ADJOURNMENT

1. Adjourn until 5 p.m. on August 8, 2017 for the Regular Meeting

A motion to Adjourn was made by Mr. Odle.

Bryan J. Hill, County Administrator

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
August 8, 2017
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District

Bryan J. Hill, County Administrator
Adam R. Kinsman, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader – Luke Sipes, rising 5th-grade student at Matthew Whaley Elementary School and a resident of the Jamestown District.

E. PUBLIC COMMENT

1. Mr. Roberto Guerrero, 140 Stanley Drive, addressed the Board in regard to group homes in residential neighborhoods.
2. Ms. Mary Schilling, 500 Frances Thacker, addressed the Board in regard to redistricting.
3. Ms. Linda Rice, 2394 Forge Road, addressed the Board in regard to redistricting.
4. Mr. Ken Friesen, 223 Ivy Hill Road, addressed the Board in regard to tree trimmers and how much damage they are allowed to do.
5. Ms. Morgan Goad, 118 Ferncliff Drive, addressed the Board in regard to group homes in residential neighborhoods.

6. Mr. Les Solomon, 113 Wetherburn Lane, addressed the Board in regard to redistricting.
7. Ms. Virginia Wertman, 112 Southern Hills, addressed the Board in regard to redistricting.
8. Mr. Chris Henderson, 101 Keystone, addressed the Board in regard to redistricting.
9. Ms. Nicole Trifone, 3463 Westham Lane, addressed the Board in regard to redistricting.
10. Mr. Stephen Hodges, 1906 Ben Franklin Circle, addressed the Board in regard to redistricting.

F. PRESENTATIONS

1. 2017 Historical Commission Annual Update to the Board of Supervisors and Historical Preservation Awards

Mr. Frank Abbott, Chairman of the Historical Commission, addressed the Board with an annual update on the Historical Commission and presented the 2017 Historical Preservation Awards to Ms. Edith Harris Bernard, Ms. Caren Schumacher and Ms. Merry A. Outlaw, who have each made significant contributions to the preservation of historic resources in James City County.

2. General Services Update

Ms. Grace Boone, Director of General Services, presented a six-month update on General Services and introduced a new video that highlights what General Services does.

G. CONSENT CALENDAR

Ms. Larson requested that Item Nos. 8 and 9 be pulled for discussion.

1. Grant Award - Chesapeake Bay Restoration Fund Grant - \$4,600

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

2. Grant Award – Community Development – Rural Homeowner Rehabilitation Program – \$350,000

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

3. Housing Choice Voucher Revised Administrative Plan

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

4. Hampton Roads Sanitation District - James City County Nutrient Trading Agreement

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

5. Policy for Remote Participation in Meetings

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

6. Grant Award- Virginia E-911 Services Board PSAP \$2,000

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

7. Contract Award – Replacement Ambulance – \$253,886

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

8. Fiscal Policies

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Ms. Suzanne Mellen, Director of Financial and Management Services, addressed the Board, giving an overview of the memorandum included in the Agenda Packet.

A general discussion ensued regarding regular updates to the public and the Board.

Mr. Onizuk acknowledged the importance of updating the County's fiscal policies and expressed the Board's support of continued fiscal transparency.

9. Departmental Reorganization

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Ms. Larson commented on eliminating the Communications Department and

reassigning staff to different departments. She inquired how County Administration will be analyzing the results of this change to make sure it is effective and whether the Board will receive updates.

Mr. Jason Purse, Deputy County Administrator, responded that there will be many updates to the Board. He then went on to recognize the importance of the Communications Department and the outstanding leadership of Ms. Jody Puckett, Communications Administrator. He described how the functions of the Communications Department will be decentralized and absorbed within other departments. Ms. Larson observed that James City County does an outstanding job at public information and asserted that it is important for the County to continue on a path of excellence in keeping its citizens informed.

Mr. McGlennon echoed Ms. Larson's comments and noted that the County has a high standard to keep and it is important to assign a high priority on this.

H. PUBLIC HEARING(S)

1. SUP-0028-2016. Solar Electrical Generation Facility at Norge

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

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, McGlennon, Sadler, Onizuk

Absent: Larson

Mr. Paul Holt, Director of Planning, addressed the Board, stating that the applicant in this case has requested another deferral of the application for two months. Staff concurs with the request and recommends the Board keep open the Public Hearing and postpone consideration of the application until the October 10, 2017 Board meeting.

Mr. McGlennon inquired if a public meeting is scheduled at any point.

Mr. Holt was not aware of any upcoming public meetings, but reported there was one a while back and the applicant is working on solutions to inquiries from this meeting.

2. HW-0003-2017. Busch Gardens Madrid

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Ms. Roberta Sulouff, Planner, addressed the Board, giving an overview of the staff report included in the Agenda Packet. As there were no questions for staff, Mr. Onizuk opened the Public Hearing.

1. Mr. David Cromwell, Park President of Busch Gardens and Water Country USA, addressed the Board, reviewing the park's history, endeavors to engage local citizens as well as tourists with corresponding benefits to area lodging, restaurants and other attractions, and the local sourcing of jobs.

As there were no questions for the applicant and no other registered speakers, Mr. Onizuk closed the Public Hearing.

Mr. McGlennon commented that at a recent meeting in the Kingsmill subdivision there seemed to be no opposition from residents to the height waiver.

Mr. Onizuk recognized Busch Gardens is a fantastic asset to the County and a great partner in working with the community, supporting the community and keeping the park beautiful and attractive to visitors with new rides and attractions.

Ms. Larson thanked Busch Gardens for its willingness and flexibility in talking with her about this project and the work that was done with the balloon test and photography.

3. ZO-0001-2016. Zoning Ordinance Revisions to Allow Places of Public Assembly Including those Used Primarily as an Event Facility in A-1, General Agricultural, and R-8, Rural Residential Districts

A motion to Approve was made by Kevin Onizuk, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Ms. Ellen Cook, Principal Planner, addressed the Board with an overview of the memorandum and supporting materials included in the Agenda Packet.

As there were no questions for staff, Mr. Onizuk opened the Public Hearing.

1. Mr. James Satterwhite, 5107 Riverview Road, addressed the Board with concerns regarding noise generated by open air events and the frequency these events would be allowed with the proposed Zoning Ordinance changes.
2. Ms. Jessica Aiken, 8409 Attleborough Way, addressed the Board in support of the Zoning Ordinance revisions.
3. Mr. Chris Henderson, 101 Keystone, addressed the Board with concerns regarding the effects of event facilities on adjacent property owners.
4. Ms. Linda Rice, 2394 Forge Road, addressed the Board in opposition to the Zoning Ordinance revisions. She reported that she represents the community group, Friends of Forge Road and Toano, which has concerns regarding the traffic and noise issues that would occur with event facilities on rural collector roads.
5. Mr. Jim Murtha, 164 Old Field Road, addressed the Board with concerns that this action would be one more thing impacting the Upper County that does not add to it, but detracts from it.

As there were no other registered speakers, Mr. Onizuk closed the Public Hearing.

Ms. Robin Bledsoe, Chair of the Policy Committee and member of the Planning Commission, addressed the Board with a report on the Planning Commission's vote to recommend approval of the Zoning Ordinance revisions.

A general discussion ensued regarding the possible outcomes of approving the Ordinance revisions.

4. An Ordinance Rescinding Ordinance No. 179 and to Generally Reauthorize Incentive Awards

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Mr. Kinsman addressed the Board, recommending adoption of the proposed Ordinance.

As there were no questions for staff, Mr. Onizuk opened the Public Hearing.

As no one was registered to speak to the case, Mr. Onizuk closed the Public Hearing.

I. BOARD CONSIDERATION(S)

1. James City County Personnel Policy & Procedures Manual Update: Compensation Plan

A motion to Approve was made by Kevin Onizuk, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Mr. Patrick Teague, Director of Human Resources, addressed the Board with an overview of the memorandum included in the Agenda Packet.

Ms. Larson asked if there is a length of time that the new employee will need to stay before the County pays on the referral.

Mr. Teague replied that this is not outlined in the policy because having this as an administrative regulation allows the length of time to be dependent upon the introductory period of the position, which can vary from six months to a year or longer.

Ms. Larson followed up by inquiring if Mr. Teague was aware of other localities that have this type of program and how successful it has been in terms of retention and recruitment.

Mr. Teague indicated it is a fairly common practice at most state levels and specifically pointed out Chesapeake and Hampton.

Mr. Onizuk remarked that these are excellent changes and went on to say that in his personal business he has noted differentials to be a common practice and feels this will give the County an opportunity to be more competitive in the employment market.

2. Redistricting Resolution

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

AYES: 2 NAYS: 3 ABSTAIN: 0 ABSENT: 0

Ayes: Larson, McGlennon

Nays: Hipple, Sadler, Onizuk

Mr. McGlennon reported that he asked for a resolution in support of non-partisan redistricting in Virginia and James City County as he has been approached by a number of citizens who feel increasingly that the political process does not adequately reflect the preferences of the electorate, that there are too many instances in which the political system can be manipulated to serve the purposes of partisan groups and ignore the general need for the public to feel that democracy provides for the connection between votes and outcomes in policy debates.

A general discussion ensued regarding how other localities handle redistricting and what the Board's role would be if this Resolution is adopted.

Ms. Larson commented that she is in support of the Resolution. She reported that she has been a follower of One Virginia 2021 for a long time and described her participation in a year-long leadership group consisting of Republicans, Democrats and Independents, where redistricting was one of the main topics of conversation and one area in which they all agreed.

Mr. Hipple expressed his concern over putting staff in the middle of a situation where if something goes wrong it will be perceived as the staff's fault and indicated his wish to protect staff from this potential outcome. A general discussion followed in regards to staff's role, how the process was changed in 2011 and the results of this change.

Mr. Onizuk inquired how to determine whether redistricting is created in a non-partisan way.

Mr. McGlennon pointed out the degree to which districts change is a good indicator, explaining that in 2011 the districts changed radically.

Mr. Onizuk commented that he likes the general concept of fair districts; however, he is not thrilled about a Resolution telling future Boards how to do redistricting.

At 8:19 p.m. Mr. Onizuk recessed the Board of Supervisors in order to conduct the James City Service Authority Board of Directors meeting.

At 8:32 p.m. Mr. Onizuk reconvened the Board of Supervisors.

J. BOARD REQUESTS AND DIRECTIVES

The Board members generally discussed their activities in the community over the last few weeks.

Mr. McGlennon thanked the Fire Department, Police and all those who helped with getting the mulch fire under control at Yard Works.

Mr. McGlennon offered his and the Board's condolences to Mr. John Wright, Planning Commission, and Mr. Shawn Gordon, General Services, on recent

deaths in their families.

Ms. Larson announced that the Board is following up on the group homes issue that several citizens commented on and this subject will be included on an upcoming work session agenda.

Mr. McGlennon commented on recent publicity naming James City County as one of the areas in the state with the most toxic air quality.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Hill thanked the Board for its support of Jamestown Jams. He reported that there was about 2,100 in attendance with a wide range of ages and announced the next Jamestown Jams will be Sept. 1 and will feature music from the '90s.

Mr. Hill announced that Stormwater Neighborhood Drainage program applications are due Sept. 1.

Mr. Hill concluded by thanking the staff of James City County for being the best.

L. CLOSED SESSION

A motion to Enter a Closed Session was made by Michael Hipple, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

At 8:37 p.m., the Board entered Closed Session.

At 9:18 p.m., the re-entered Open Session.

1. Certification

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: Larson, Hipple, McGlennon, Sadler, Onizuk

2. Consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position of the public body pursuant to Section 2.2-3711 (A)(5) of the Code of Virginia

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

3. Consideration of a personnel matter, the appointment of individuals to the Economic Development Authority, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

The Board indicated that they would be postponing this appointment until the September meeting.

4. Consideration of a personnel matter, the performance review of the County Administrator, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

No action necessary.

M. ADJOURNMENT

1. Adjourn until 5 p.m. on September 12, 2017 for the Regular Meeting

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

At 9:18 p.m., Mr. Onizuk adjourned the Board.

Bryan J. Hill, County Administrator

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Authorization for Four Police Officer Overhire Positions

A number of James City County police officers serve in various armed forces reserve units or National Guard. They are subject to activation and deployment for long periods of time. During their deployment, reduced staffing of patrol officers within the police department adversely affects service delivery.

Additionally, there are a number of police officers who are either eligible to retire or will be eligible to retire within the coming years. The six months a new hire replacement is in the police academy and field training leaves the department short an officer on the street. Being able to hire someone before a retirement takes place would leave less time that the department is understaffed.

Implementing an on-going overhire program would reduce or eliminate the adverse effects of service delivery. If approved, up to four overhires would only be brought on with an incumbent's pending military activation or retirement. Each overhire position for military activation will remain in effect until the deployed officer returns and a police officer vacancy occurs, at which time the overhire will transition into the vacancy. Each overhire position for a pending retirement would be brought on no more than 135 days prior to the incumbent's termination date.

Staff recommends adoption of the attached resolution to create four full-time regular Police Officer overhire positions to be used for pending retirements and military deployments.

ATTACHMENTS:

	Description	Type
□	memorandum	Cover Memo
□	resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	8/21/2017 - 8:37 AM
Police	Rinehimer, Bradley	Rejected	8/21/2017 - 8:37 AM
Police	Rinehimer, Bradley	Approved	8/21/2017 - 8:38 AM

Police	Rinehimer, Bradley	Approved	8/21/2017 - 8:38 AM
Publication Management	Trautman, Gayle	Approved	8/21/2017 - 10:51 AM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:32 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:03 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:34 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:38 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Authorization for Four Police Officer Overhire Positions

A number of James City County police officers serve in various armed forces reserve units or the National Guard. They are subject to activation and deployment for long periods of time. During their deployment, reduced staffing of patrol officers within the Police Department adversely affects service delivery.

Additionally, there are a number of police officers who are either eligible to retire or will be eligible to retire within the coming years. The six months a new hire replacement is in the Police Academy and field training leaves the Department short an officer on the street. Being able to hire someone before a retirement takes place would leave less time that the Department is understaffed.

Implementing an ongoing overhire program would reduce or eliminate the adverse effects of service delivery. If approved, up to four overhires would only be brought on with an incumbent's pending military activation or retirement. Each overhire position for military activation will remain in effect until the deployed officer returns and a police officer vacancy occurs, at which time the overhire will transition into the vacancy. Each overhire position for a pending retirement would be brought on no more than 135 days prior to the incumbent's termination date.

Staff recommends adoption of the attached resolution to create four full-time regular Police Officer overhire positions to be used for pending retirements and military deployments.

BJR/gt
PoliceOverhire-mem

Attachment

RESOLUTION

AUTHORIZATION FOR FOUR POLICE OFFICER OVERHIRE POSITIONS

WHEREAS, a number of James City County police officers are also reservists in the U.S. Armed Forces and National Guard; and

WHEREAS, a number of officers are or will be eligible for retirement in coming years with their replacements typically taking six months to complete the Police Academy and field training; and

WHEREAS, the reduced staffing of patrol officers within the Police Department during deployments and after retirements adversely affects service delivery; and

WHEREAS, funds are available within the existing Police Department budget to create four full-time overhire positions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby establishes four full-time regular Police Officer overhire positions to only be used on an as-needed basis when an incumbent employee is pending military activation or retirement. Each overhire position for military activation will be implemented no more than 60 days prior to deployment and remain in effect until the deployed officer returns and a police officer vacancy occurs, at which time the overhire will transition into the vacancy. Each overhire position for a pending retirement would be filled no more than 135 days prior to an incumbent's termination date.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

PoliceOverhire-res

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Colonial Community Corrections Appropriation - \$8,175

Colonial Community Corrections (CCC) provides pretrial and probation supervision to offenders living in James City County and five neighboring jurisdictions. Most of the funding for CCC comes from the Virginia Department of Criminal Justice Services through the Community Corrections Act/Pretrial Services Act Grant. The Commonwealth included a 2% pay increase to state responsible local employees in their budget this year. This increase is for full-time employees and includes salary only, not fringe increases. This amount totals \$8,175 for CCC.

Staff recommends Board approval of the additional appropriation of \$8,175 to be used for salary increases.

ATTACHMENTS:

	Description	Type
□	Memo	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	8/3/2017 - 1:12 PM
Police	Rinehimer, Bradley	Approved	8/3/2017 - 1:12 PM
Publication Management	Burcham, Nan	Approved	8/3/2017 - 1:32 PM
Legal Review	Kinsman, Adam	Approved	8/3/2017 - 1:35 PM
Board Secretary	Mellen, Sue	Approved	8/18/2017 - 9:43 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:33 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:39 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Colonial Community Corrections Appropriation – \$8,175

Colonial Community Corrections (CCC) provides pretrial and probation supervision to offenders living in James City County and five neighboring jurisdictions. Most of the funding for CCC comes from the Virginia Department of Criminal Justice Services through the Community Corrections Act/Pretrial Services Act Grant. The Commonwealth included a 2% pay increase to state responsible local employees in their budget this year. This increase is for full-time employees and includes salary only, not fringe increases. This amount totals \$8,175 for CCC.

Staff recommends Board approval of the additional appropriation of \$8,175 to be used for salary increases.

BJR/gt
CCC-Appropriation-mem

Attachment

RESOLUTION

COLONIAL COMMUNITY CORRECTIONS APPROPRIATION – \$8,175

WHEREAS, Colonial Community Corrections (CCC) provides pretrial and probation supervision to offenders living in James City County and five neighboring jurisdictions; and

WHEREAS, most of the funding for CCC comes from the Virginia Department of Criminal Justice Services through the Community Corrections Act/Pretrial Services Act Grant; and

WHEREAS, the Commonwealth provided a 2% pay increase to state responsible local employees in their budget this year in the amount of \$8,175 to CCC.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the appropriation to CCC in the amount of \$8,175.

Revenue:

Commonwealth of Virginia \$8,175

Expenditure:

Personnel \$8,175

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

CCC-Appropriation-res

AGENDA ITEM NO. G.4.**ITEM SUMMARY**

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Nathan R. Green, Commonwealth Attorney

SUBJECT: Grant Award - Commonwealth Attorney - Virginia Domestic Violence Victim Fund - \$57,008

ATTACHMENTS:

	Description	Type
▣	MEMORANDUM	Cover Memo
▣	res	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Budget	Fellows, Teresa	Approved	8/18/2017 - 9:29 AM
Financial Management	Mellen, Sue	Approved	8/18/2017 - 9:42 AM
Publication Management	Burcham, Nan	Approved	8/18/2017 - 10:11 AM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:32 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:04 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:33 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:39 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Nathan R. Green, Commonwealth Attorney

SUBJECT: Grant Award – Commonwealth Attorney – Virginia Domestic Violence Victim Fund – \$57,008

The Commonwealth Attorney has been awarded a \$57,008 grant (state share \$41,030 and County match \$15,978) from the Virginia Domestic Violence Victim Fund through the State Department of Criminal Justice Services. The grant will fund the personnel costs of an attorney position to assist in the prosecution of misdemeanors and felonies involving domestic violence, sexual abuse, stalking and family abuse. The Commonwealth Attorney has been successful in obtaining this grant in previous years and plans to apply for this grant in the future.

The County match is available in the Commonwealth Attorney's General Fund account.

The attached resolution appropriates these funds to the Special Projects/Grant Fund through June 30, 2018.

Staff recommends adoption of the attached resolution.

NRG/gt
GA-DomVioFY18-mem

Attachment

RESOLUTION

GRANT AWARD – COMMONWEALTH ATTORNEY –

VIRGINIA DOMESTIC VIOLENCE VICTIM FUND – \$57,008

WHEREAS, the Commonwealth Attorney for the City of Williamsburg and James City County has been awarded a \$57,008 grant, which is awarded annually from the Virginia Domestic Violence Victim Fund (state share \$41,030; County match \$15,978) through the State Department of Criminal Justice Services (DCJS); and

WHEREAS, this grant would fund the personnel costs of an attorney position to assist in the prosecution of misdemeanors and felonies involving domestic violence, sexual abuse, stalking and family abuse beginning July 1, 2017 through June 30, 2018; and

WHEREAS, the grant requires a local match of \$15,978, which is available in the Commonwealth Attorney's General Fund account.

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 through June 30, 2018 for the purposes described above:

Revenues:

Virginia Domestic Violence Victim Fund – DCJS	\$41,030
James City County Matching Funds	<u>15,978</u>
Total	<u>\$57,008</u>

Expenditure:

Virginia Domestic Violence Victim Fund	<u>\$57,008</u>
--	-----------------

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

GA-DomVioFY18-res

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Speed Enforcement - \$19,250

The James City County Police Department has been awarded a highway safety grant from the Virginia Department of Motor Vehicles (DMV) Highway Safety Office for \$19,250. The funds are to be used toward speed traffic enforcement overtime. The grant only requires an in-kind match, which is available through the fuel and maintenance costs for police vehicles that participate in traffic enforcement duties. These funds will not take the place of budgeted expenses.

The DMV typically administers annual recurring grants passed through the National Highway Transportation Safety Administration for the purpose of supporting statewide goals in enforcing highway safety laws. Each grant has a different enforcement focus area including alcohol, speed and occupant protection.

Staff recommends adoption of the attached resolution.

ATTACHMENTS:

	Description	Type
▣	Memo	Cover Memo
▣	Resolution	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	8/21/2017 - 8:38 AM
Police	Rinehimer, Bradley	Approved	8/21/2017 - 8:38 AM
Publication Management	Trautman, Gayle	Approved	8/21/2017 - 8:50 AM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:32 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:05 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:34 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:40 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Speed Enforcement - \$19,250

The James City County Police Department has been awarded a highway safety grant from the Virginia Department of Motor Vehicles (DMV) Highway Safety Office for \$19,250. The funds are to be used toward speed traffic enforcement overtime. The grant only requires an in-kind match, which is available through the fuel and maintenance costs for police vehicles that participate in traffic enforcement duties. These funds will not take the place of budgeted expenses.

The DMV typically administers annual recurring grants passed through the National Highway Transportation Safety Administration for the purpose of supporting statewide goals in enforcing highway safety laws. Each grant has a different enforcement focus area including alcohol, speed and occupant protection.

Staff recommends adoption of the attached resolution.

BJR/nb
GA-SpeedEnfnt-mem

Attachment

RESOLUTION

GRANT AWARD - DEPARTMENT OF MOTOR VEHICLES -

SPEED ENFORCEMENT - \$19,250

WHEREAS, the James City County Police Department has been awarded a highway safety grant from the Virginia Department of Motor Vehicles (DMV) Highway Safety Office for \$19,250; and

WHEREAS, the funds are to be used toward speed traffic enforcement overtime; and

WHEREAS, the grant only requires an in-kind match, which is available through the fuel and maintenance costs for police vehicles that participate in traffic enforcement duties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants Fund:

Revenue:

FY 18 DMV - Speed Enforcement	<u>\$19,250</u>
-------------------------------	-----------------

Expenditure:

FY 18 DMV - Speed Enforcement	<u>\$19,250</u>
-------------------------------	-----------------

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

GA-SpeedEnfint-res

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Occupant Protection - \$5,390

The James City County Police Department has been awarded a highway safety grant from the Virginia Department of Motor Vehicles (DMV) Highway Safety Office for \$5,390. The funds are to be used toward traffic enforcement overtime where officers will focus on the enforcement of laws related to proper use of occupant restraints. The grant only requires an in-kind match, which is available through the fuel and maintenance costs for police vehicles that participate in traffic enforcement duties. These funds will not take the place of budgeted expenses.

The DMV typically administers annual recurring grants passed through the National Highway Transportation Safety Administration for the purpose of supporting statewide goals in enforcing highway safety laws. Each grant has a different enforcement focus area including alcohol, speed and occupant protection.

Staff recommends adoption of the attached resolution.

ATTACHMENTS:

	Description	Type
▣	Memo	Cover Memo
▣	Resolution	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	8/21/2017 - 8:39 AM
Police	Rinehimer, Bradley	Approved	8/21/2017 - 8:39 AM
Publication Management	Trautman, Gayle	Approved	8/21/2017 - 8:52 AM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:33 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:04 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:34 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:39 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Occupant Protection - \$5,390

The James City County Police Department has been awarded a highway safety grant from the Virginia Department of Motor Vehicles (DMV) Highway Safety Office for \$5,390. The funds are to be used toward traffic enforcement overtime where officers will focus on the enforcement of laws related to proper use of occupant restraints. The grant only requires an in-kind match, which is available through the fuel and maintenance costs for police vehicles that participate in traffic enforcement duties. These funds will not take the place of budgeted expenses.

The DMV typically administers annual recurring grants passed through the National Highway Transportation Safety Administration for the purpose of supporting statewide goals in enforcing highway safety laws. Each grant has a different enforcement focus area including alcohol, speed and occupant protection.

Staff recommends adoption of the attached resolution.

BJR/nb
GA-OccupantProt-mem

Attachment

RESOLUTION

GRANT AWARD - DEPARTMENT OF MOTOR VEHICLES -

OCCUPANT PROTECTION - \$5,390

WHEREAS, the James City County Police Department has been awarded a highway safety grant from the Virginia Department of Motor Vehicles (DMV) Highway Safety Office for \$5,390; and

WHEREAS, the funds are to be used toward alcohol traffic enforcement overtime; and

WHEREAS, the grant only requires an in-kind match, which is available through the fuel and maintenance costs for police vehicles that participate in traffic enforcement duties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants Fund:

Revenue:

FY 18 DMV - Occupant Protection	<u>\$5,390</u>
---------------------------------	----------------

Expenditure:

FY 18 DMV - Occupant Protection	<u>\$5,390</u>
---------------------------------	----------------

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

GA-OccupantProt-res

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Alcohol Enforcement - \$30,190

The James City County Police Department has been awarded a highway safety grant from the Virginia Department of Motor Vehicles (DMV) Highway Safety Office for \$30,190. The funds are to be used toward alcohol traffic enforcement overtime, traffic enforcement equipment and highway safety related training. The grant only requires an in-kind match, which is available through the fuel and maintenance costs for police vehicles that participate in traffic enforcement duties. These funds will not take the place of budgeted expenses.

The DMV typically administers annual recurring grants passed through the National Highway Transportation Safety Administration for the purpose of supporting statewide goals in enforcing highway safety laws. Each grant has a different enforcement focus area including alcohol, speed and occupant protection.

Staff recommends adoption of the attached resolution.

ATTACHMENTS:

	Description	Type
▣	Memo	Cover Memo
▣	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	8/21/2017 - 8:39 AM
Police	Rinehimer, Bradley	Approved	8/21/2017 - 8:39 AM
Publication Management	Trautman, Gayle	Approved	8/21/2017 - 8:54 AM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:33 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:04 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:34 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:39 PM

M E M O R A N D U M

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Alcohol Enforcement - \$30,190

The James City County Police Department has been awarded a highway safety grant from the Virginia Department of Motor Vehicles (DMV) Highway Safety Office for \$30,190. The funds are to be used toward alcohol traffic enforcement overtime, traffic enforcement equipment and highway safety related training. The grant only requires an in-kind match, which is available through the fuel and maintenance costs for police vehicles that participate in traffic enforcement duties. These funds will not take the place of budgeted expenses.

The DMV typically administers annual recurring grants passed through the National Highway Transportation Safety Administration for the purpose of supporting statewide goals in enforcing highway safety laws. Each grant has a different enforcement focus area including alcohol, speed and occupant protection.

Staff recommends adoption of the attached resolution.

BJR/nb
GA-AlcoholEnf-mem

Attachment

RESOLUTION

GRANT AWARD - DEPARTMENT OF MOTOR VEHICLES -

ALCOHOL ENFORCEMENT - \$30,190

WHEREAS, the James City County Police Department has been awarded a highway safety grant from the Virginia Department of Motor Vehicles (DMV) Highway Safety Office for \$30,190; and

WHEREAS, the funds are to be used towards alcohol traffic enforcement overtime, traffic enforcement equipment and highway safety related training; and

WHEREAS, the grant requires only an in-kind match, which is available through the fuel and maintenance costs for police vehicles that participate in traffic enforcement duties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants Fund:

Revenue:

FY 18 DMV - Alcohol Enforcement	<u>\$30,190</u>
---------------------------------	------------------------

Expenditure:

FY 18 DMV - Alcohol Enforcement	<u>\$30,190</u>
---------------------------------	------------------------

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

GA-AlcoholEnf-res

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services and Paul Holt, Director of
Community Development

SUBJECT: Grant Award – Virginia Community Impact Grant – \$20,000

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo
▣	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	8/23/2017 - 11:04 AM
Publication Management	Burcham, Nan	Approved	8/23/2017 - 11:08 AM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:34 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:05 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:35 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:41 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services
Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Grant Award – Virginia Community Impact Grant – \$20,000

On November 22, 2016, the James City County Board of Supervisors adopted the 2035 Strategic Plan, which includes the goal of “Expanding and Diversifying [the] Local Economy.” The purpose of this goal is to support the expansion and diversification of the local economy by providing the regulatory framework to support business development, by undertaking economic development marketing and recruitment efforts, by fostering the development and expansion of businesses and by supporting strategies to facilitate the development of affordable workforce housing. Through this goal, James City County is striving to create a diverse and sustainable local economy that upholds a commitment to protect community character and supports regional economic development targets.

As recently discussed, the strategy to address affordable and workforce housing needs will begin by establishing a Workforce Housing Task Force to evaluate the findings of the recently completed Housing Conditions Study and to make housing policy and implementation recommendations to the Board of Supervisors. Specifically, the Task Force will:

- Evaluate data, programs and efforts that affect affordable and workforce housing within the County.
- Assess strategies, best practices and initiatives to address the affordable and workforce housing needs within the County.
- Make recommendations to the Board of Supervisors on strategies to address affordable and workforce housing challenges.

The Virginia Housing Development Authority (VHDA) encourages localities in the Commonwealth to seek out innovative solutions to meet the need for quality housing for all Virginia citizens.

In support of the County’s efforts to establish a Workforce Housing Task Force, VHDA has awarded James City County \$20,000 from the Virginia Community Impact Grant. The funds will be used in support of a consultant, who will lead the task force effort, which will be comprised of a steering group of key stakeholders and a technical assistance group of staff.

Staff recommends adoption of the attached resolution to appropriate funds.

RV/PDH/gt
GA-VaCommImpact-mem

Attachment

RESOLUTION

GRANT AWARD – VIRGINIA COMMUNITY IMPACT GRANT – \$20,000

WHEREAS, the Virginia Housing Development Authority (VHDA) provides funding for the development of innovative approaches to housing in the Commonwealth; and

WHEREAS, the James City County Board of Supervisors has adopted a Strategic Plan that calls for the creation of a Workforce Housing Task Force to recommend solutions to the County's workforce housing needs; and

WHEREAS, James City County has been awarded \$20,000 in funding from VHDA as part of the Virginia Community Impact Grant; and

WHEREAS, the funds will be used in support of a consultant, who will lead the task force effort, which will be comprised of a steering group of key stakeholders and a technical assistance group of staff; and

WHEREAS, there is no formal match required to the grant.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes acceptance of this grant and the budget appropriation in the amount of \$20,000 to the County's Housing and Neighborhood Development Fund as shown below and further authorizes the County Administrator or his designee to enter into and sign all necessary contracts to implement this grant.

Revenue:

Virginia Community Impact Grant	<u>\$20,000</u>
---------------------------------	-----------------

Expenditure:

Workforce Housing Task Force	<u>\$20,000</u>
------------------------------	-----------------

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

GA-VaCommImpact-res

AGENDA ITEM NO. G.9.**ITEM SUMMARY**

DATE: 9/12/2017

TO: Board of Supervisors

FROM: John Carnifax, Director of Parks and Recreation

SUBJECT: The Department of Parks and Recreation was awarded a \$2,500 grant for improvements to the Grove Community Garden.

ATTACHMENTS:

	Description	Type
▣	Grant Memo	Cover Memo
▣	grant resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Parks & Rec - Community Centers	Brittle, Carla	Approved	8/24/2017 - 3:10 PM
Parks & Recreation	Carnifax, John	Approved	8/24/2017 - 3:16 PM
Publication Management	Burcham, Nan	Approved	8/24/2017 - 3:19 PM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:34 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:05 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:35 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:41 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: John H. Carnifax, Jr., Director of Parks & Recreation

SUBJECT: Grant Award – Grove Community Garden – \$2,500

James City County's Department of Parks & Recreation has been awarded a \$2,500 Dominion Energy Charitable Foundation Grant for sustainability improvements for the Grove Community Garden.

The Grove Community Garden, located adjacent to the Abram Frink Jr. Community Center, began in 2012 and is operated and sustained by community volunteers. Last year approximately 15 families obtained plots and numerous school and community groups participated in garden activities. Grant funds will be used for the acquisition of materials and labor to construct a pitched roof shelter with a guttering system to capture rain water for use in the garden. Additionally, funds will also be used to purchase materials needed for a new permanent fence to protect the integrity of the garden and its products.

Staff recommends approval of the attached resolution to accept the \$2,500 grant for the garden improvements and to appropriate the funds as described.

JHC/gt
GA-GroveGarden-mem

Attachment

RESOLUTION

GRANT AWARD – GROVE COMMUNITY GARDEN – \$2,500

WHEREAS, the Dominion Energy Charitable Foundation, which is funded by Dominion Energy, has made funds available for community projects; and

WHEREAS, funds are needed to improve the sustainability and integrity of the Grove Community Garden.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts the \$2,500 grant awarded by the Dominion Energy Charitable Foundation to assist with the needed improvements.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants Fund:

Revenue:

Dominion Energy Charitable Foundation	<u>\$2,500</u>
---------------------------------------	----------------

Expenditure:

Grove Community Fund Expense	<u>\$2,500</u>
------------------------------	----------------

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

GA-GroveGarden-res

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Grant Award- FY 2018 Radiological Emergency Preparedness - \$30,000

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo
▣	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Fire	Ashe, Ryan	Approved	8/29/2017 - 2:18 PM
Publication Management	Burcham, Nan	Approved	8/29/2017 - 2:24 PM
Legal Review	Kinsman, Adam	Approved	9/5/2017 - 12:45 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 1:21 PM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 1:56 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 1:58 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Grant Award - Radiological Emergency Preparedness - \$30,000

Each Virginia locality within 10 miles of a nuclear power plant receives pass-through funding annually from Dominion Virginia Power through the Virginia Department of Emergency Management (VDEM) to support Radiological Emergency Preparedness (REP).

The James City County Fire Department's Emergency Management Division has been awarded \$30,000 in radiological emergency preparedness funds from Dominion Virginia Power through VDEM due to the County's proximity to the Surry Power Station nuclear power plant. This funding is part of VDEM's 2018 package.

The funds are to be used for planning and response for public protective actions related to the Surry Power Station nuclear plant. The County uses the funds to maintain emergency response plans, participate in readiness drills and exercises, provide REP training, make improvements to the Emergency Operations Center, purchase and maintain radiological response equipment and support the JCC Alert County emergency notification system.

This grant requires no local match.

Staff recommends adoption of the attached resolution to appropriate funds.

RTA/nb
GA-REP2018-mem

Attachment

RESOLUTION

GRANT AWARD - RADIOLOGICAL EMERGENCY PREPAREDNESS - \$30,000

WHEREAS, the James City County Fire Department's Emergency Management Division has been awarded pass-through funds in the amount of \$30,000 to support Radiological Emergency Preparedness (REP) from the Virginia Department of Emergency Management (VDEM); and

WHEREAS, the funds are to be used for planning and response for public protective actions related to the Surry Power Station nuclear plant; and

WHEREAS, the grant requires no match.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation to the Special Projects/Grants fund:

Revenue:

Radiological Emergency Preparedness Funds - VDEM \$30,000

Expenditure:

Radiological Emergency Preparedness Funds - VDEM \$30,000

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

GA-REP2018-res

AGENDA ITEM NO. G.11.**ITEM SUMMARY**

DATE: 9/12/2017

TO: Board of Supervisors

FROM: Barry Moses

SUBJECT: Contract award to River Works, Inc. of \$487,767 for the Jamestown Road Stream Restoration

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo
▣	Resolution	Resolution
▣	Exhibit	Exhibit
▣	Photo of Current Conditions	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Capital Projects	Moses, Barry	Approved	8/28/2017 - 2:25 PM
General Services	Boone, Grace	Approved	8/28/2017 - 2:59 PM
Publication Management	Trautman, Gayle	Approved	8/28/2017 - 3:12 PM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 3:13 PM
Board Secretary	Mellen, Sue	Approved	8/30/2017 - 10:46 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:35 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:41 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Barry E. Moses, Capital Projects Coordinator

SUBJECT: Contract Award - Jamestown Road Stream Restoration - \$487,767

The Jamestown Road Stream Restoration will repair drainage infrastructure and protect property and sewer infrastructure by stabilizing erosion in an area of the County which has highly erodible soils and uncontrolled runoff from upstream development that was created prior to stormwater management regulations. The project flows northeast to southwest between the Boughsprings Subdivision on Jamestown Road, the James Square Subdivision and the Springdale Subdivision on North Court (see attached location map). The project begins at the Virginia Department of Transportation culvert under Jamestown Road and terminates approximately 900 feet downstream in a stable stream section. The project will also stabilize approximately 200 linear feet of stream channel below the outfall from the James Square Subdivision. The Jamestown Road Stream Restoration is located in the Mill Creek Watershed and is identified as a priority restoration in the Mill Creek Watershed Management Plan and will also provide credit under the County's Chesapeake Bay Total Maximum Daily Load requirements. The goal of the design is to create a channel with a stable pattern, profile and dimension and stabilize actively eroding banks. Natural channel design principles were utilized to develop the limits for the design. Streambank stabilization structures will be employed in the stream restoration. Invasive plants will be removed and replaced with native trees, shrubs and herbaceous vegetation. All necessary permits and/or approvals have been obtained for this project.

A two-step Invitation for Bids was publicly advertised. Step 1 required the submittal of a Technical Bid Form primarily to demonstrate the bidder has completed a minimum of two projects of similar size and type. Step 2 was to open the Bid Form if the technical bid requirements were met.

The following five qualified firms submitted bids to be considered for contract award:

<u>Firm</u>	<u>Amount</u>
River Works, Inc.	\$487,767.00
Finish Line Construction, Inc.	\$529,203.86
Environmental Quality Resources, LLC	\$640,760.00
Henry S. Branscome, LLC	\$875,034.00
HGS, LLC dba Angler Environmental	\$897,984.00

River Works, Inc. has performed satisfactory work for James City County in the past and was determined to be the lowest qualified, responsive and responsible bidder. This project is part of the approved Capital Improvements Program budget and \$258,750 of Stormwater Local Assistance grant funds are also available to fund this project.

Staff recommends approval of the attached resolution authorizing the contract award to River Works, Inc.

BEM/nb
CA-JmstnRdRest-mem

Attachments

RESOLUTION

CONTRACT AWARD - JAMESTOWN ROAD STREAM RESTORATION - \$487,767

WHEREAS, this James City County General Services Division received competitive bids for the Jamestown Road Stream Restoration; and

WHEREAS, five bids were considered for award and River Works, Inc. was the lowest qualified, responsive and responsible bidder; and

WHEREAS, previously authorized Capital Improvements Program (CIP) budget funds and Stormwater Local Assistance Funds are available to fund this project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$487,767 to River Works, Inc. for the Jamestown Road Stream Restoration project.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

CA-JmstnRdRest-res



OXFORD ROAD

JAMESTOWN ROAD

JAMES SQUARE

NORTH COURT

COLONY POINT ROAD

PROPOSED STREAM
CHANNEL RESTORATION



ITEM SUMMARY

DATE: 8/23/2017

TO: The Board of Supervisors

FROM: John H. Carnifax, Jr., Director of Parks and Recreation

SUBJECT: Lifesaving Recognition - Chickahominy Riverfront Park Pool

ATTACHMENTS:

	Description	Type
▣	Lifesaving Recognition-CRFP, Memo	Cover Memo
▣	Lifesaving Recognition-CRFP, Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Parks & Recreation	Carnifax, John	Approved	8/23/2017 - 2:30 PM
Publication Management	Trautman, Gayle	Approved	8/23/2017 - 2:33 PM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:34 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:05 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:35 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:40 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: John H. Carnifax, Director of Parks and Recreation

SUBJECT: Lifesaving Recognition - Chickahominy Riverfront Park Pool

On Saturday, July 22, 2017, a child at the Chickahominy Riverfront Park Pool nearly drowned. Staff responded immediately and Mr. Zachary Clevinger, Seasonal Lifeguard, performed an assessment on the child with Mr. Sam VanTasel, Seasonal Lifeguard, assisting. The child was not breathing and did not have a pulse. Mr. Clevinger and Mr. VanTasel began performing CPR. After three cycles of CPR the child had a pulse but was still not breathing. Mr. VanTasel began rescue breathing until he became tired and Ms. Trish Patton, Seasonal Lead Lifeguard, took over rescue breathing until paramedics arrived.

The child was transported by helicopter to MCV for additional evaluation and treatment. Staff from the hospital and EMS helicopter personnel cited staff's quick actions as the reason the child survived.

Staff recommends adoption of the attached resolution recognizing the lifesaving efforts taken by Ms. Patton, Mr. Clevinger and Mr. VanTasel while performing their work at the Chickahominy Riverfront Park Pool.

JHC/nb
CRP-LfeSvRecog-mem

Attachment

RESOLUTION

LIFESAVING RECOGNITION - CHICKAHOMINY RIVERFRONT PARK POOL

WHEREAS, a five-year-old child was in the pool with his aunt in the Chickahominy Riverfront Park pool on July 22, 2017; and

WHEREAS, at some point the child was submerged and lost consciousness in the vicinity of his aunt; and

WHEREAS, the Lifeguard staff responded and found him unresponsive without a pulse or respirations; and

WHEREAS, Mr. Zachary Clevinger, Mr. Sam VanTasel and Ms. Trish Patton, together performed Cardiopulmonary Resuscitation (CPR) in conjunction with rescue breathing; and

WHEREAS, their quick response and immediate action resulted in a successful recovery for the young patron.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby recognizes and thanks Mr. Clevinger, Mr. VanTasel and Ms. Patton for their heroic efforts in saving the life of a James City County citizen at the Chickahominy Riverfront Park Pool.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

CRP-LfesvRecog-res

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Bryan J. Hill, County Administrator on behalf of Rossie Carroll, VDOT
Williamsburg Residency

SUBJECT: Resolution of Support - Naming of New Jamestown Ferry Boat

- In lieu of a public naming contest, Rossie Carroll, accompanied by Wes Ripley, will provide information on how the name Powhatan was selected for your consideration and give an update about the new ferry (dates, pictures and proposed name) to the James City County (JCC) Board of Supervisors during their September 12, 2017 meeting.
- VDOT is requesting the JCC Board of Supervisor's support by resolution for the name "Powhatan" which will accompany the request for final approval by the Commonwealth Transportation Board at their September 19-20, 2017 meeting.

ATTACHMENTS:

	Description	Type
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	8/30/2017 - 10:09 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:36 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:40 PM
Publication Management	Trautman, Gayle	Approved	9/5/2017 - 12:44 PM
Legal Review	Kinsman, Adam	Approved	9/5/2017 - 12:45 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 1:22 PM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 1:57 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 1:58 PM

RESOLUTION

NAMING THE NEW JAMESTOWN-SCOTLAND FERRY VESSEL THE “POWHATAN”

WHEREAS, the Jamestown-Scotland Ferry system transports approximately 936,000 vehicles annually and is the only 24-hour, state-run ferry in Virginia; and

WHEREAS, the Jamestown-Scotland Ferry fleet currently operates with four boats, carrying between 28 and 70 cars; and

WHEREAS, the Virginia Department of Transportation (VDOT) is in the process of building a new ferry vessel to replace the ferry boat Virginia, which was built in 1936; and

WHEREAS, the new vessel, with 70-vehicle capacity, is under construction in Pascagoula, Mississippi; and

WHEREAS, the project is included in the six-year improvement plan for 2013-2018 with \$2.5 million currently allocated for design, and funding for the remaining \$25 million for construction available in FY 2017-2018; and

WHEREAS, the name of the new vessel needs to be placed on the ferry before it is christened in November 2017; and

WHEREAS, there has been a return to the naming of ferries after important historical figures, including the most recent ferry boat Pocahontas, which was built in 1995; and

WHEREAS, Powhatan was Pocahontas' father and was chief of all the Algonquin tribes in the area; and

WHEREAS, according to the Jamestown-Yorktown Foundation historian, John Smith recorded on his map of Virginia the Indian name for the James River, the Powhatan; and

WHEREAS, Powhatan represents a strong name for a strong vessel; and

WHEREAS, the new ferry will be delivered to VDOT in the spring of 2018.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby supports the name Powhatan for the new Jamestown-Scotland Ferry boat.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of
September, 2017.

NewFerryBoat-res

AGENDA ITEM NO. H.1.**ITEM SUMMARY**

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Max Hlavin, Assistant County Attorney

SUBJECT: This ordinance changes the amount of the County's flat fee for recovering the expense of emergency response incident to certain criminal violations from \$250 to \$350. This amendment adopts a change in the authorizing state law made by the General Assembly in 2010.

ATTACHMENTS:

	Description	Type
▣	Memo	Cover Memo
▣	Ordinance	Ordinance
▣	Ordinance (Final)	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	7/21/2017 - 4:36 PM
Publication Management	Trautman, Gayle	Approved	7/21/2017 - 4:38 PM
Legal Review	Kinsman, Adam	Approved	7/21/2017 - 4:39 PM
Board Secretary	Fellows, Teresa	Approved	7/27/2017 - 9:23 AM
Board Secretary	Purse, Jason	Approved	7/28/2017 - 2:03 PM
Board Secretary	Fellows, Teresa	Approved	7/31/2017 - 9:20 AM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Max Hlavin, Assistant County Attorney

SUBJECT: Ordinance to Amend Chapter 13, Motor Vehicles and Traffic, Section 13-29, Recovery of Expenses for Emergency Response

Attached for your consideration is an ordinance amending County Code Chapter 13, Motor Vehicles and Traffic, Section 13-29, Recovery of Expenses for Emergency Response.

This ordinance changes the amount of the County's flat fee for recovering the expense of emergency response incident to certain criminal violations from \$250 to \$350. This amendment adopts a change in the authorizing state law made by the General Assembly in 2010.

Staff recommends adoption of the attached ordinance.

MH/nb
Ch13Sec13-29RecExp-mem

Attachments

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13 OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED OR UNDER THE INFLUENCE OF ANY DRUG, SECTION 13-29, RECOVERY OF EXPENSES FOR EMERGENCY RESPONSE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Motor Vehicles and Traffic, Article II, Driving Automobiles, etc., While Intoxicated or Under the Influence of Any Drug, is hereby amended and reordained by amending Section 13-29, Recovery of expenses for emergency response.

Chapter 13

ARTICLE II. DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED

OR UNDER THE INFLUENCE OF ANY DRUG

Sec. 13-29. Recovery of expenses for emergency response.

- (a) Any person who is convicted of violating any of the following provisions shall, at the time of sentencing or in a separate civil action, be liable to the county or to any responding volunteer fire or rescue squad, or both, for restitution of reasonable expenses incurred by the county for responding law enforcement, firefighting, rescue and emergency services, including those incurred by the sheriff's office of the county or by any volunteer fire or rescue squad, or by any combination of the foregoing, when providing an appropriate emergency response to any accident or incident related to such violation. A person convicted of violating any of the following provisions shall, at the time of sentencing or in a separate civil action, be liable to the county or to any responding volunteer fire or rescue squad, or both, for restitution of reasonable expenses incurred by the county when issuing any related arrest warrant or summons, including the expenses incurred by the sheriff's department, or by any volunteer fire or rescue squad, or by any combination of the foregoing.
 - (1) The provisions of Virginia Code Sections 18.2-36.1, 18.2-51.4, 18.2-266, 18.2-266.1, 29.1-738, 29.1-738.02, or 46.2-341.24, *or a similar ordinance*, when such operation of a motor vehicle, engine, train, or watercraft while so impaired is the proximate cause of the accident or incident;
 - (2) The provisions of Virginia Code Section 46.2-852 et seq. relating to reckless driving, when such reckless driving is the proximate cause of the accident or incident;
 - (3) The provisions of Virginia Code Section 46.2-300 et seq. relating to driving without a license or driving with a suspended or revoked license;
 - (4) The provisions of Virginia Code Section 46.2-894 relating to improperly leaving the scene of an accident.
- (b) Personal liability under this section for reasonable expenses of an appropriate emergency response pursuant to subsection (a) shall not exceed \$1,000 in the aggregate for a particular accident, arrest, or incident occurring in the county. In determining the "reasonable expenses" at the time of sentencing, the county's flat fee shall be \$2350 unless the county otherwise provides a minute-by-minute accounting of the actual costs incurred. As used in this section, "appropriate emergency response"

includes all costs of providing law-enforcement, fire-fighting, rescue, and emergency medical services. In addition to the foregoing, the court may order as restitution the reasonable expenses incurred by the county for responding law enforcement, fire-fighting, rescue and emergency medical services. The provisions of this section shall not preempt or limit any remedy available to the commonwealth, to the county, or to any volunteer rescue squad to recover the reasonable expenses of an emergency response to an accident or incident not involving impaired driving, operation of a vehicle, or other conduct as set forth herein.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

Ch13Sec13-29-RecExp-ord

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13 OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED OR UNDER THE INFLUENCE OF ANY DRUG, SECTION 13-29, RECOVERY OF EXPENSES FOR EMERGENCY RESPONSE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Motor Vehicles and Traffic, Article II, Driving Automobiles, etc., While Intoxicated or Under the Influence of Any Drug, is hereby amended and reordained by amending Section 13-29, Recovery of expenses for emergency response.

Chapter 13

ARTICLE II. DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED

OR UNDER THE INFLUENCE OF ANY DRUG

Sec. 13-29. Recovery of expenses for emergency response.

- (a) Any person who is convicted of violating any of the following provisions shall, at the time of sentencing or in a separate civil action, be liable to the county or to any responding volunteer fire or rescue squad, or both, for restitution of reasonable expenses incurred by the county for responding law enforcement, firefighting, rescue and emergency services, including those incurred by the sheriff's office of the county or by any volunteer fire or rescue squad, or by any combination of the foregoing, when providing an appropriate emergency response to any accident or incident related to such violation. A person convicted of violating any of the following provisions shall, at the time of sentencing or in a separate civil action, be liable to the county or to any responding volunteer fire or rescue squad, or both, for restitution of reasonable expenses incurred by the county when issuing any related arrest warrant or summons, including the expenses incurred by the sheriff's department, or by any volunteer fire or rescue squad, or by any combination of the foregoing.
 - (1) The provisions of Virginia Code Sections 18.2-36.1, 18.2-51.4, 18.2-266, 18.2-266.1, 29.1-738, 29.1-738.02, or 46.2-341.24, or a similar ordinance, when such operation of a motor vehicle, engine, train, or watercraft while so impaired is the proximate cause of the accident or incident;
 - (2) The provisions of Virginia Code Section 46.2-852 et seq. relating to reckless driving, when such reckless driving is the proximate cause of the accident or incident;
 - (3) The provisions of Virginia Code Section 46.2-300 et seq. relating to driving without a license or driving with a suspended or revoked license;
 - (4) The provisions of Virginia Code Section 46.2-894 relating to improperly leaving the scene of an accident.
- (b) Personal liability under this section for reasonable expenses of an appropriate emergency response pursuant to subsection (a) shall not exceed \$1,000 in the aggregate for a particular accident, arrest, or incident occurring in the county. In determining the "reasonable expenses" at the time of sentencing, the county's flat fee shall be \$350 unless the county otherwise provides a minute-by-minute accounting of the actual costs incurred. As used in this section, "appropriate emergency response" includes all

costs of providing law-enforcement, fire-fighting, rescue, and emergency medical services. In addition to the foregoing, the court may order as restitution the reasonable expenses incurred by the county for responding law enforcement, fire-fighting, rescue and emergency medical services. The provisions of this section shall not preempt or limit any remedy available to the commonwealth, to the county, or to any volunteer rescue squad to recover the reasonable expenses of an emergency response to an accident or incident not involving impaired driving, operation of a vehicle, or other conduct as set forth herein.

AGENDA ITEM NO. H.2.

ITEM SUMMARY

DATE: 9/12/2017

TO: Board of Supervisors

FROM: Max Hlavin, Assistant County Attorney

SUBJECT: Resolution authorizing a restrictive covenant on a portion of the Jamestown Beach property in accordance with acceptance of Land and Water Conservation Fund grants.

ATTACHMENTS:

	Description	Type
▣	Memo	Cover Memo
▣	Resolution	Resolution
▣	Exhibit A	Exhibit
▣	Draft Deed of Restrictive Covenant	Backup Material
▣	October 23, 2012 Resolution	Backup Material
▣	August 12, 2014 Resolution	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	8/3/2017 - 3:22 PM
Publication Management	Burcham, Nan	Approved	8/3/2017 - 3:25 PM
Legal Review	Kinsman, Adam	Approved	8/3/2017 - 3:32 PM
Board Secretary	Fellows, Teresa	Approved	8/18/2017 - 9:29 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:33 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:41 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Max Hlavin, Assistant County Attorney
John Carnifax, Director of Parks & Recreation

SUBJECT: Restrictive Covenant for a Portion of the Jamestown Beach Property

The Virginia Department of Conservation and Recreation (DCR), in conjunction with the National Park Service, previously awarded James City County's Division of Parks & Recreation two Land and Water Conservation Fund Grants totaling \$299,548 for the development costs for Phase II improvements at Jamestown Beach (the "Grants"). The Grants were used in conjunction with approved Capital Improvements Program funds for the restoration of a second section of the beach, upgrading an existing road to serve as the new entrance, an ADA trail, additional parking and the installation of restroom facilities.

A requirement of the Grants was that the County hold the improved park area in perpetuity for public outdoor recreation use. This requirement does not impose restrictions on the improved portion above those that currently exist as a result of the Virginia Land Conservation Foundation and Coastal and Estuarine Land Conservation Program Grants that were used to purchase the property.

To comply with this requirement, a covenant restricting uses of the affected property is required for the final close-out paperwork. A draft of the deed has been approved by DCR and is enclosed with this memorandum.

Staff recommends approval of the attached resolution.

MH/JC/gt
JamestownBeach-mem

Attachments

RESOLUTION

RESTRICTIVE COVENANT FOR A PORTION OF THE JAMESTOWN BEACH PROPERTY

WHEREAS, the County is the owner of certain real property located at 2205 Jamestown Road, further identified as James City County Real Estate Tax Map Parcel No. 4630100005 (the "Property"); and

WHEREAS, the County, by Resolutions dated October 23, 2012 and August 12, 2014, accepted a Land and Water Conservation Fund (LWCF) Grant to make improvements to a portion of the Property; and

WHEREAS, as part of fulfilling the terms of the LWCF Grant, the County desires to restrict future uses on a portion of the Property to those related to public outdoor recreation under certain terms and conditions to be set forth by Deed; and

WHEREAS, the Virginia Department of Conservation and Recreation, as the administrator of the LWCF on behalf of the National Park Service, has approved the terms and form of the Deed setting forth the Restrictive Covenant; and

WHEREAS, the Board of Supervisors of James City County, following a public hearing, is of the opinion that it is in the public interest to restrict a portion of the Property to public outdoor recreation use.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to execute any and all documents necessary to place a Restrictive Covenant meeting the requirements of the LWCF Grant on a portion of the Property identified on Exhibit A, which is hereby incorporated into this Resolution.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MC GLENNON	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

JamestownBeach-res

EXHIBIT A

Jamestown Beach



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. If discrepancies are found, please contact the Real Estate Assessment Division of James City County, Mapping/GIS Section.

1 inch = 220 feet

0 0.035 0.07 Miles

Copyright James City County GIS Office 7/17/2017
C:\GIS\Daily\LWCF_Easement.mxd by KAH



Prepared by/Return to:
Maxwell Hlavin, Esq. VSB 86066
101-D Mounts Bay Road
Williamsburg, VA 23185

Tax Map No. Portion of 4630100005

**DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**

This Declaration is made _____, 2017 by the **COUNTY OF JAMES CITY, VIRGINIA** (the "Declarant"), and provides:

All of the real estate described in Exhibit A hereto shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens hereinafter set forth, as the same may be amended or supplemented from time to time.

Recitals

WHEREAS, the Declarant is the owner of that certain property located at 2205 Jamestown Road, Williamsburg, Virginia 23185, further identified as James City County Real Estate Tax Map No. 4630100005, and consisting of 94.76 acres±, which property is more completely described on a plat recorded in the Clerk's Office of the Williamsburg-James City County Circuit Court as Instrument No. 060031150 (the "Property"); and

WHEREAS, the Declarant received a grant under the Land and Water Conservation Fund (54 U.S.C. §§ 200301 et seq.) to make outdoor recreation improvements to a portion of the Property (the "Grant"); and

WHEREAS, in accordance with the Grant, the Declarant wishes to place restrictions on a portion of the Property, identified as "LWCF Boundary, Section 6(f)(3) boundary, 33.6 acres" on a map entitled, "Jamestown Beach," which is attached as Exhibit A and incorporated herein (the "Restricted Area").

WHEREAS, the Declarant, in order to provide all protections required by the terms of the Grant, desires that all property embraced within the Restricted Area, be held and sold subject to certain restrictions, covenants, conditions, and easements.

NOW, THEREFORE, the Declarant hereby declares, covenants, and agrees for itself, its successors and assigns, for all persons, their heirs and assigns, to whom it may sell lots in the Restricted Area, that each and all said lots shall be sold and held by the purchasers thereof, their heirs and assigns, subject to the following restrictions, covenants, conditions, limitations and reservations, to-wit:

The property identified in Exhibit A has been developed with federal assistance provided by the National Park Service of the Department of the Interior in accordance with the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601-5 et seq. (170 ed.). Pursuant to a requirement of that law, this property may not be converted to other than public outdoor

recreation uses (whether by transfer, sale, or in any other manner) without the express written approval of the Virginia Department of Conservation & Recreation and the secretary of the Department of the Interior. By law, the secretary shall approve such conversion only if it is in accord with the then-existing Statewide Comprehensive Outdoor Recreation Plan (SCORP) and only upon such condition as the substitution of other recreation properties are of at least equal fair market value and of reasonably equivalent usefulness and location.

IN WITNESS WHEREOF, the County of James City, Virginia has caused these declarations to be executed as authorized by resolution adopted by the Board of Supervisors on September 12, 2017.

Dated this ____ day of _____, _____

By _____ (SEAL)
Bryan Hill, County Administrator

State of Virginia

City/County of _____

I, _____, a Notary Public in and for the City/County and State aforesaid, do hereby certify that the persons whose names are signed to the foregoing writing have acknowledge the same before me in the City/County aforesaid.

Given under my hands this _____ day of _____, _____

Signature

My Commission expires: _____.

Notary registration number: _____.

EXHIBIT A

RESOLUTION

GRANT AWARD – LAND AND WATER CONSERVATION FUND GRANT FOR

JAMESTOWN BEACH PARK - \$152,049

WHEREAS, the Virginia Department of Conservation and Recreation has Land and Water Conservation grant funds available for shoreline stabilization, parking, trail, and restroom enhancements; and

WHEREAS, funds are needed to stabilize the shoreline, improve parking, drainage, restrooms, and accessible access to Jamestown Beach.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts the \$152,049 grant to help with the improvements at Jamestown Beach Park and authorizes the County Administrator to execute the required documents.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants Fund.

Revenue:

Virginia Department of Conservation and Recreation	<u>\$152,049</u>
--	------------------

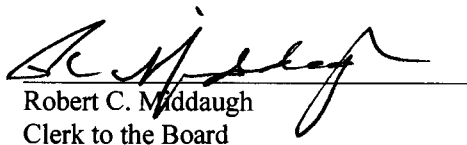
Expenditure:

Jamestown Beach Park	<u>\$152,049</u>
----------------------	------------------



John J. McGlennon
Chairman, Board of Supervisors

ATTEST:


Robert C. Middaugh
Clerk to the Board

VOTES

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
MCGLENNON	<u>X</u>	___	___	___
JONES	<u>X</u>	___	___	___
KENNEDY	<u>X</u>	___	___	___
ICENHOUR	<u>X</u>	___	___	___
KALE	<u>X</u>	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of October, 2012.

BeachGrant_res

RESOLUTION

LAND AND WATER CONSERVATION FUND GRANT AMENDMENT

WHEREAS, the Department of Conservation and Recreation, in cooperation with the National Park Service, has already allocated funds to be used for the development of Jamestown Beach Phase II; and

WHEREAS, additional funds are needed for the installation of water and sewer and construction of a permanent restroom building to complete Phase II of the Jamestown Beach project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, accepts the \$147,499.50 grant amendment awarded by the Department of Conservation and Recreation in cooperation with the National Park Service to assist with the construction of Jamestown Beach Phase II.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation.

Revenue:

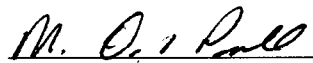
From the Dept. of Conservation and Recreation (024-307-2216)	<u>\$147,499.50</u>
---	---------------------

Expenditure:

Jamestown Beach Phase II Account (024-155-2216)	<u>\$147,499.50</u>
--	---------------------


Mary K. Jones
Chairman, Board of Supervisors

ATTEST:


M. Douglas Powell
Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
KENNEDY	<u>X</u>	___	___
JONES	<u>X</u>	___	___
MCGLENNON	<u>X</u>	___	___
ONIZUK	<u>X</u>	___	___
HIPPLE	<u>X</u>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of August, 2014.

LndWtrGmtA-res

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Alex Baruch, Planner

SUBJECT: SUP-0004-2017, McClure Family Subdivision

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Resolution	Resolution
▣	Location Map	Backup Material
▣	Family Subdivision Affidavit	Backup Material
▣	Draft Subdivision Plat	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	8/22/2017 - 3:00 PM
Development Management	Holt, Paul	Approved	8/22/2017 - 3:00 PM
Publication Management	Trautman, Gayle	Approved	8/22/2017 - 3:05 PM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:35 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:06 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:34 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:40 PM

SPECIAL USE PERMIT-0004-2017. McClure Family Subdivision

Staff Report for the September 12, 2017, Board of Supervisors Meeting

SUMMARY FACTS

Applicant:	Mr. M. Anderson Bradshaw
Land Owner:	Phyllis S. McClure
Proposal:	Family subdivision to create one new lot and leave one parent parcel.
Location:	9437 Diascund Reservoir Road
Tax Map/Parcel No.:	0230100009A
Project Acreage:	+/-2.76 acres
Zoning:	A-1, General Agricultural
Comprehensive Plan:	Rural Lands
Primary Service Area:	Outside
Staff Contact:	Alex Baruch, Planner

PUBLIC HEARING DATES

Planning Commission: N/A
Board of Supervisors: September 12, 2017, 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 staff finds the proposal consistent with the recommendations of the 2035 Comprehensive Plan.
3. The proposal would bring the existing residences into conformance with the Zoning Ordinance.

FACTORS UNFAVORABLE

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

SUMMARY STAFF RECOMMENDATION

Approval, subject to the proposed conditions.

PROJECT DESCRIPTION

- The proposal is to create one new lot and one remaining parent parcel, which would be given to Ms. McClure's daughter (see attached affidavit). An SUP is required because the proposed lot and remainder parcel will both be less than three acres but greater than one acre.
- The applicant has submitted a draft survey of the property and proposed lot lines showing that the new lot would be 1.33 acres and the remainder lot would be 1.31 acres. Ten feet of additional right-of-way for Diascund Reservoir Road may need to be dedicated (currently shown on the draft survey), but even after the potential dedication, both lots would be greater than one acre in size.
- There are currently residential structures on both proposed lots and the structures are served by well and septic.

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.

- A proposed SUP Condition would require the demolition of a blighted structure that exists on the property before subdivision approval.

PLANNING AND ZONING HISTORY

The parcel had a previously approved SUP (SUP-0018-2013); however, the subdivision plat was not recorded in the required time the Conditions stated, thereby invalidating the SUP. The septic system issues that held up the subdivision plat have been solved between the Virginia Department of Health and the applicant.

SURROUNDING ZONING AND DEVELOPMENT

- The property is surrounded by A-1, General Agriculture property that is designated Rural Lands on the 2035 Comprehensive Plan Land Use Map. Existing uses are residential, agriculture or vacant parcels ranging in size from one and two acres to about 25 acres. The parcel is in the vicinity of Richmond Road near New Kent County.

COMPREHENSIVE PLAN

The 2035 Comprehensive Plan Land Use Map designates this property as Rural Lands. Rural Lands are areas containing farms, forests and scattered houses, exclusively outside the PSA, where a lower level of public service delivery exists or where utilities and urban services do not exist and are not planned for the future. Primary suggested uses include agricultural and forestall activities, scattered houses and certain recreational public or semi-public and institutional uses that are compatible with the natural and rural surroundings.

Staff finds that the creation of an additional lot is not in conflict with the rural character since there are already multiple existing residences on the parcel and no additional residences are proposed.

PUBLIC IMPACTS

1. Anticipated Impact on Public Facilities and Services:

- *Streets:* The proposed use did not trigger the requirements for a traffic study. The lots in this subdivision will be required to share one driveway with access to Diascund Reservoir Road. This is specified in Condition No. 2 on the attached Resolution. There is currently a single driveway serving the residences on this property. Dedication of an approximately 10-foot wide strip of property along the frontage may be required to be dedicated as right-of-way so that Diascund Reservoir Road can meet the 50-foot minimum width standard for public roads.
- *Utilities:* New Parcel A1 has an existing well that serves both lots currently along with an existing septic system. The remainder lot is proposing a new well and new septic system.

2. Environmental:

The Stormwater and Resource Protection Division has reviewed the proposal and has conceptually approved the proposed subdivision with a few comments related to the plat that will need to be completed before final approval.

PROPOSED SUP CONDITIONS

- Proposed conditions are provided in the attached Resolution.

STAFF RECOMMENDATION

Staff finds that a family subdivision in this area is compatible with surrounding development and consistent with the 2035 Comprehensive Plan and Zoning Ordinance. Staff recommends the James City County Board of Supervisors approve the SUP subject to the conditions listed in the attached resolution.

AB/gt
SUP04-17McClure

Attachments:

1. Resolution
2. Location Map
3. Family Subdivision Affidavit
4. Draft Subdivision Plat

RESOLUTION

CASE NO. SUP-0004-2017. MCCLURE FAMILY SUBDIVISION

- 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 (SUP) process; and
- WHEREAS, Mr. M. Anderson Bradshaw, on behalf of Phyllis McClure, has requested an SUP to allow for a family subdivision with lots less than three acres in size on a piece of property located at 9437 Diascund Reservoir Road, further identified as James City County Real Estate Tax Map Parcel No. 0230100009A; and
- WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case SUP-0004-2017; and
- WHEREAS, the Board of Supervisors is of the opinion that the SUP to allow for the above-mentioned family subdivision should be approved.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. SUP-0004-2017 as described herein, subject to the following conditions:

1. Plan: This SUP is valid for a family subdivision for the creation of no more than one new lot of greater than one acre and one parent lot of greater than one acre (the "Subdivision") on property located at 9437 Diascund Reservoir Road, further identified as James City County Real Estate Tax Map Parcel No. 0230100009A (the "Property"). The Subdivision shall be generally as shown on the plan drawn by Angle and Distance Land Surveying, Inc., titled, "Family Subdivision of the Property of Phyllis S. McClure," dated November 1, 2016.
2. Access: All lots in the Subdivision shall access Diascund Reservoir Road through one shared entrance and driveway.
3. Demolition: The one-story dwelling shown to be destroyed on the plan shall be demolished and all debris removed from the Property before final approval of the subdivision plat.
4. Commencement: Final subdivision approval must be received from the County within 24 months from the issuance of the SUP or the SUP shall become void.
5. Severance Clause: The SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

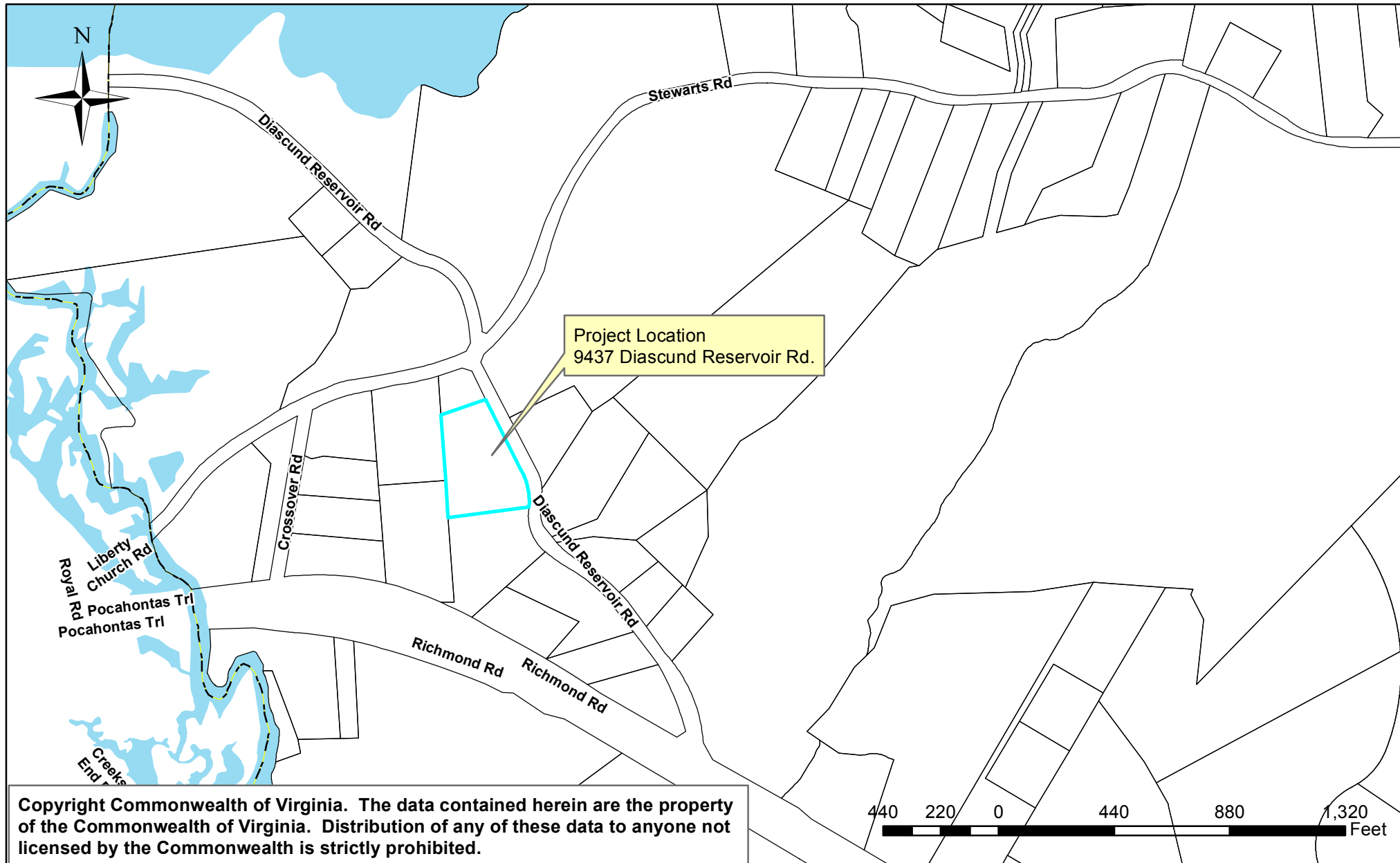
	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of
September, 2017.

SUP-04-17McClure-res

JCC-SUP-0004-2017

McClure Family Subdivision





County of James City, Virginia - Family Subdivision Affidavit

August 4, 2017

I/we, Phyllis S. McClure, own a parcel of property consisting of 2.76 acres and located at 9437 Diascund Reservoir Rd., Lanexa, VA and further identified as James City County Real Estate Tax Map No. 0230100009A (the "Property"). I/we hereby request that James City County, Virginia, approve a family subdivision of the Property into a total of 2 parcel(s), in the specific location and sizes as shown on a plat entitled "Family Subdivision of the Property of Phyllis S. McClure", made by Edward C. Carr, II, and dated March 16, 2017 (the "Family Subdivision Plat").

This family subdivision is being made for the purpose of transferring a lot by sale or gift to:

Diane Hutchens, who is my/our daughter, and is not made for the purpose of circumventing any of the provisions of the Code of the County of James City, Virginia. It is my/our intention that the deed(s) of transfer will be drawn and duly recorded as soon as reasonably possible subsequent to the approval of the Family Subdivision Plat.

Phyllis S. McClure
Owner

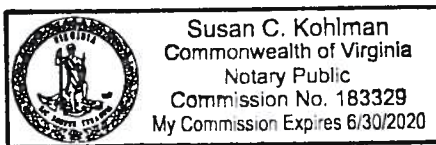
Owner

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY of James City, to-wit:

The foregoing Affidavit was acknowledged before me this 4 day of August, 2017 by, Phyllis S. McClure, owner(s).

My Commission expires: 06/30/2020

Susan C. Kohlman
Notary Public



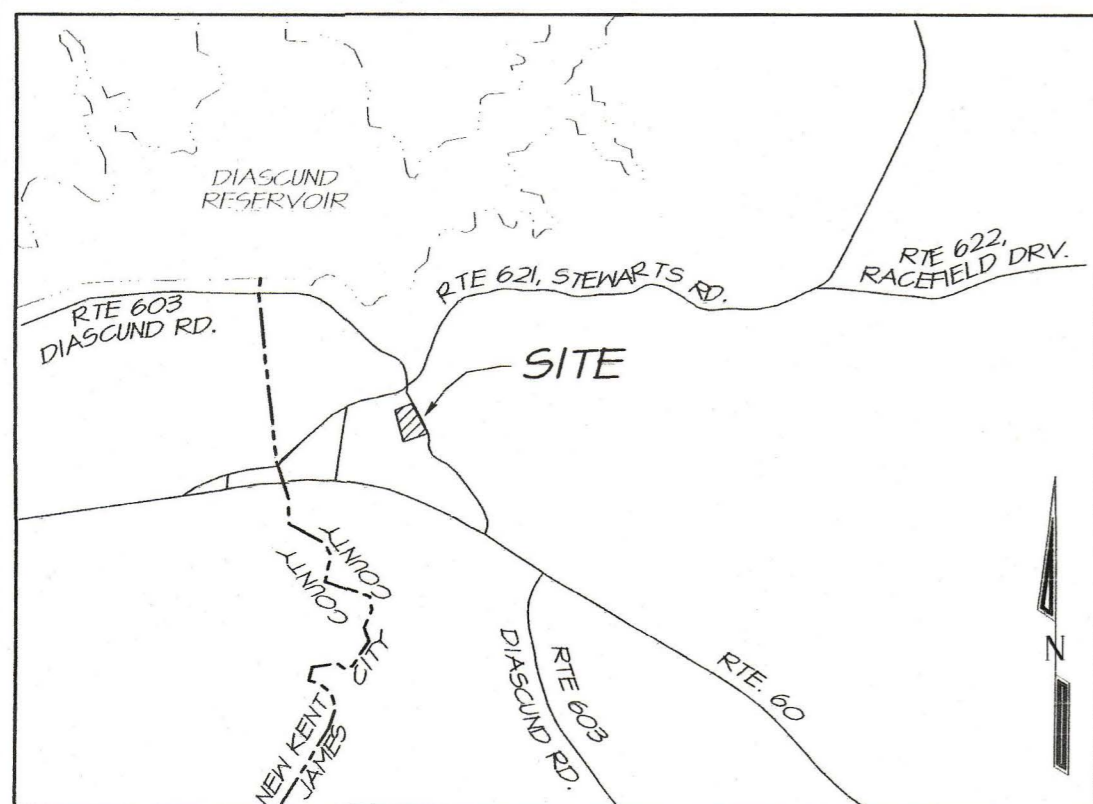
Notary No. 183329

Prepared by and return to:

Name: _____

Address: _____

Telephone: _____



VICINITY MAP SCALE- 1"= 2000'

LINE TABLE, NEW PARCEL A1
R/W LINE

LINE	BEARING	DISTANCE
L1	S11°10'10"E	53.92'
L2	S10°33'56"E	21.85'
L3	S05°44'05"E	23.13'
L4	S03°53'45"E	24.90'
L5	S02°36'09"W	26.56'
L6	S04°26'03"W	24.60'
L7	S13°56'43"W	34.35'

LINE TABLE, INGRESS/EGRESS
EASEMENT

LINE	BEARING	DISTANCE
L1	S51°47'21"W	2.82'
L2	S31°56'20"W	27.04'
L3	S16°34'36"W	125.79'

GENERAL NOTES

PROPERTY IS ZONED A1
BUILDING SET BACK LINES ARE
FRONT = 75' FROM CENTERLINE ROAD
REAR = 35'
SIDE = 15'

BOUNDARY INFORMATION TAKEN FROM PLAT
BY LYNN D. EVANS DB 182 PAGE 68, AND AN
UNRECORDED SURVEY BY DEAN E. RAYNES.
THIS SURVEY HAS BEEN PREPARED WITHOUT
THE BENEFIT OF A FURNISHED TITLE REPORT
AND DOES NOT NECESSARILY INDICATE ALL
ENCUMBRANCES ON THE PROPERTIES SHOWN.
PLAT IS BASED ON A CURRENT FIELD SURVEY.
POINTS FOUND AND LOCATED FOR THERE
RELATIONSHIP TO ONE ANOTHER.

MONUMENTS SHALL BE SET IN ACCORDANCE WITH SECTIONS
19-34 THROUGH 19-36 OF THE COUNTY CODE. SUBSEQUENT
TO COMPLETION OF ALL IMPROVEMENTS, BUT PRIOR TO
FINAL RELEASE OF SURETY FOR A SUBDIVISION OR ANY
PART THEREOF, THE SUBDIVIDER SHALL PROVIDE THE
AGENT A SURVEYORS CERTIFICATE THAT THE MONU-
MENTS AS SHOWN ON THE RECORD PLAT HAVE BEEN
INSTALLED, WERE PROPERLY ALIGNED, AND ARE
UNDAMAGED. THE PROVISIONS OF THE CERTIFICATION
SHALL BE WITHIN SIX MONTHS OF PLAT APPROVAL,
UNLESS OTHERWISE ARRANGED, IN WRITING, WITH
THE AGENT.

IN ACCORDANCE WITH SECTION 19-33 OF THE SUBDIVISION
ORDINANCE, ALL UTILITIES SHALL BE PLACED UNDERGROUND.

ANY UNUSED WELL(S) SHALL BE ABANDONED IN ACCORDANCE
WITH STATE PRIVATE WELL REGULATIONS AND JAMES CITY
COUNTY CODE.

PROPERTY SHOWN IS NOT IN A FLOOD HAZARD ZONE. BY
F.I.R.M. MAP # 51045C001D EFFECTIVE DATE Dec. 16th, 2015.

NEW PARCELS TO BE SERVED BY INDIVIDUAL WELL AND
SEPTIC SYSTEMS. ALL PERMITTING AND REQUIREMENTS
FOR WELLS AND SEPTIC SYSTEMS SHALL BE IN ACCORDANCE
WITH STATE HEALTH DEPARTMENT REGULATIONS.

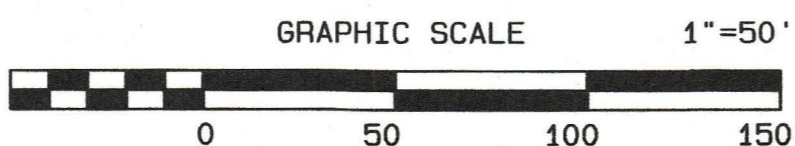
ON-SITE SEWAGE DISPOSAL SYSTEM INFORMATION
AND SOIL INFORMATION SHOULD BE VERIFIED AND
RE-EVALUATED BY HEALTH DEPARTMENT PRIOR
TO ANY NEW CONSTRUCTION.

ON SITE SEWAGE TREATMENT SYSTEMS SHALL BE
PUMPED OUT AT LEAST ONCE EVERY FIVE YEARS
PER SECTION 23-9(b)(6) OF THE JAMES CITY CODE.

NO EXISTING DRAINFIELDS OR WELLS TO BE AFFECTED
BY THIS PLAT.

SOURCE OF TITLE

The property shown on this plat was conveyed by Deed of
Partition from, Betty S. Pattenhill & Phyllis S. McClure to
Phyllis S. McClure by Instrument # 140017914, dated
October 23rd, 2014, and recorded in the Office of the
Clerk of the Circuit Court of the County of James City.



OWNERS CONSENT

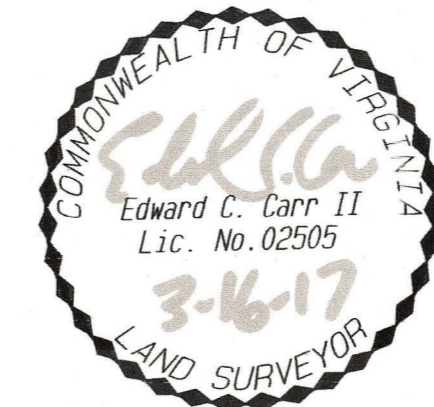
The subdivision of land shown on this plat and known as
"The Subdivision of Phyllis S. McClure"
and is with the free consent and in accordance with the
desire of the undersigned owners, proprietors and/or trustees.

Date _____ Signature _____

Name printed _____

CERTIFICATE OF NOTARIZATION

Commonwealth of Virginia
City/County of _____, a Notary Public in and for the
City/County and State aforesaid, do hereby certify that the
persons whose names are signed to the foregoing writing
have acknowledged the same before me in the City/County
aforesaid.
Given under my hand this _____ day of _____ (Year) .
(Signature)
My commission expires: _____
Notary registration number: _____



CERTIFICATE OF APPROVAL

THIS SUBDIVISION PLAT IS APPROVED BY
THE UNDERSIGNED IN ACCORDANCE WITH EXISTING
COUNTY ORDINANCES AND MAY BE ADMITTED TO RECORD.

SUBDIVISION AGENT OF JAMES CITY COUNTY

DATE _____

VIRGINIA DEPT. OF HEALTH

DATE _____

VIRGINIA DEPT. OF TRANSPORTATION

DATE _____

FAMILY SUBDIVISION OF THE PROPERTY OF

PHYLLIS S. McCLURE

PARCEL ID # 0230100009A
JAMES CITY CASE # _____

PROPERTY SHOWN BEING A
PORTION OF THE PROPERTY
FORMERLY OF
ILA MAE STEWART
PROPERTIES SHOWN ARE LOCATED
IN STONEHOUSE DISTRICT
JAMES CITY COUNTY, VIRGINIA

PARCEL ID # 0230100009A
PROPERTY ADDRESS
9431 DIASCOND RESERVOIR RD.
LANEXA, VA.

PREPARED BY
ANGLE & DISTANCE LAND SURVEYING, INC.
264 RACEFIELD DRIVE, TOANO, VA. 23168
757-561-5334
PLAT DATE 11-1-16

AREA COMPUTATIONS

ORIGINAL PARCEL ID # 0230100009A, AREA= 2.76 AC.
NEW PARCEL A1= 1.33 AC. (57,934.80 Sq.Ft.)
NEW AREA OF ORIGINAL PARCEL= 1.31 AC. (57,063.60 Sq.Ft.)
AREA DEDICATED TO PUBLIC USE BOTH LOTS= 0.12 AC. (5,227.20 Sq.Ft.)
TOTAL AREA SUBDIVIDED = 2.76 ACRES

A.O.S.E. CERTIFICATION STATEMENT

This subdivision is approved for individual onsite sewage systems
in accordance with the provisions of The Code of Virginia and the
Sewage Handling and Disposal Regulations (12 VAC 5-610-10 et seq.,
the "Regulations").

This subdivision was submitted to the Health Department for review
pursuant to Sec. 32.1-163.5 of the Code of Virginia which requires the
Health Department to accept private soil evaluations and designs
from an Onsite Soil Evaluator (OSE) or a Professional Engineer
working in consultation with an AOSE for residential development.
The Department is not required to perform a field check of such
evaluations. This subdivision was certified as being in compliance
with the Board of Health's regulations by: Larry Madison Jr., AOSE#1940001076
This subdivision approval is issued in reliance upon that certification.

Pursuant to Sec. 360 of the Regulations this approval is not an
assurance that Sewage Disposal System Construction Permits will
be issued for any lot in the subdivision unless that lot is specifically
identified as having an approved site for an onsite sewage disposal
system, and unless all conditions and circumstances are present at
the time of application for a permit as are present at the time of this
approval. This subdivision may contain lots that do not have
approved sites for onsite sewage systems.

This subdivision approval is issued in reliance upon the certification
that approved lots are suitable for "traditional systems", however
actual system designs may be different at the time construction
permits are issued.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY
KNOWLEDGE OR BELIEF, THIS PLAT COMPLIES WITH ALL
THE REQUIREMENTS OF THE BOARD OF SUPERVISORS
AND JAMES CITY COUNTY ORDINANCES REGARDING
THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY
AND WITH THE MINIMUM STANDARDS ESTABLISHED BY THE
VIRGINIA BOARD OF ARCHITECTS, ENGINEERS, LAND
SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS.

EDWARD C. CARR II L.S.# 2505 DATE

STATE OF VIRGINIA

COUNTY OF JAMES CITY
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE
COUNTY OF JAMES CITY THE _____ DAY OF _____, 2017
THIS PLAT WAS PRESENTED AND ADMITTED TO RECORD
AS THE LAW DIRECTS IN PLAT BOOK _____, PAGE _____
AND OR INSTRUMENT # _____

TESTE: _____ CLERK

BY: _____

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Ellen Cook, Principal Planner

SUBJECT: ZO-0009-2016, Zoning Ordinance Amendments to the Mixed Use District

ATTACHMENTS:

	Description	Type
▣	Staff Memo	Cover Memo
▣	Attachment 1 Strikethrough Draft Mixed Use Ordinance Language	Ordinance
▣	Attachment 2 Clean-Copy Draft Mixed Use Ordinance Language	Backup Material
▣	Attachment 3 Approved Minutes of the October 5, 2016 Planning Commission	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	8/23/2017 - 8:54 AM
Development Management	Holt, Paul	Approved	8/23/2017 - 8:54 AM
Publication Management	Trautman, Gayle	Approved	8/23/2017 - 8:58 AM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:36 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:06 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:34 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:41 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Ellen Cook, Principal Planner

SUBJECT: Case No. ZO-0009-2016. Zoning Ordinance Amendments to the Mixed Use District

History

Over the past few years, several development scenarios have come to staff's attention where it may be warranted to provide additional flexibility in various sections of the Mixed Use district. Such flexibility could address the following circumstances:

1. Development of mixed use structures (i.e., "vertical mixed use") or mixed use development on parcels or groups of parcels less than five acres total.
2. Mixed use development in an infill or redevelopment context.

Possible changes to the Mixed Use district to address both of these circumstances could help allow the most efficient use of land and provide flexibility in design and land uses as specified in the Mixed Use Comprehensive Plan Land Use Designation Description.

The 2035 Comprehensive Plan lends support to these possible ordinance amendments through goals, strategies and actions in the Land Use section. LU 4.5 states that the County should "promote infill, redevelopment revitalization and rehabilitation within the Primary Service Area (PSA)," and LU 4.5.2 suggests "revisions to the Zoning Ordinance and/or Subdivision Ordinance or the development of guidelines to provide additional flexibility, clear standards or incentives..." LU 4.6 states that the County should also "encourage developments which provide mixed use development, as further defined in the Mixed Use Land Use Designation and Development Standards, within the PSA. Support design flexibility to promote mixing of various types of residential and non-residential uses and structures."

The Policy Committee discussed possible amended language at three meetings in 2016. At its August 11, 2016 meeting, the Policy Committee directed staff to bring forward the draft ordinance to the Planning Commission.

Draft Ordinance

The resulting draft ordinance is included as Attachment Nos. 1 and 2 and accomplishes the following:

- Deletes the text of Section 24-517, thereby allowing mixed use development on parcels less than five acres.
- Revises Section 24-519, clarifying the mix of uses requirement calculation as it applies to mixed use structures ("vertical mixed use") and adding specifications for Mixed Use zoned development in areas designated Neighborhood Commercial or Community Commercial on the Comprehensive Plan such that the development must consist of mixed use structures and contain a minimum percentage of non-residential uses.

- Revises Section 24-520, removing the prohibition on counting landscape area adjacent to buildings toward the required percentage of open space.
- Revises Section 24-523, clarifying the right-of-way and perimeter buffer standards. For the right-of-way, the language is revised to refer to the standards for right-of-way buffers in the Landscape Ordinance. For perimeter buffers, the language has been amended to tailor the perimeter buffer width to the type of adjacent development and to simplify the buffer modification process by having the same process for all Comprehensive Plan designations.

Recommendation

At its October 5, 2016 meeting, the Planning Commission voted to recommend approval of the proposed amendments by a vote of 7-0. Staff recommends that the Board of Supervisors approve the proposed amendments.

EC/gt

ZO-9-16MUAmend-mem

Attachments:

1. Strikethrough Draft Mixed Use Ordinance Language (Section 24-517, Section 24-519, Section 24-520, Section 24-523)
2. Clean-Copy Draft Mixed Use Ordinance Language (Section 24-517, Section 24-519, Section 24-520, Section 24-523)
3. Approved Minutes of the October 5, 2016, 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 V, DISTRICTS; DIVISION 15, MIXED USE, MU BY DELETING AND RESERVING SECTION 24-517, MINIMUM AREA OF DISTRICTS; AND BY AMENDING SECTION 24-519, DENSITY; SECTION 24-520, OPEN SPACE; AND SECTION 24-523, SETBACK AND BUFFER REQUIREMENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article V, Districts; Division 15, Mixed Use, MU; by deleting and reserving Section 24-517, Minimum area of districts; and by amending Section 24-519, Density; Section 24-520, Open space; and Section 24-523, Setback and buffer requirements.

Chapter 24. Zoning

Article V. Districts

Division 15. Mixed Use, MU

Sec. 24-517. ~~Minimum area of districts~~ Reserved.

~~Mixed use districts shall be located on a single parcel of land, or separate but adjacent parcels, which shall total not less than five acres. Mixed use districts may be located on a parcel of less than five acres provided that the purpose of the district is to provide for the development of a mixed use structure or mixed use structures within an area designated mixed use in the Comprehensive Plan.~~

Sec. 24-519. Density.

- (a) The number of dwelling units which may be constructed in any residential or mixed use-residential area designation as indicated on the master plan shall be determined by the number of gross acres at the site and the use proposed. The maximum densities of dwelling units per acre which may be constructed are:

Area Designation	Dwelling Type	Base Gross Density (Dwelling Units Per Acre)	Maximum Gross Density with Density Bonus (see Table under Section 24-519 (c))
A	Single-family structures	3	6
B	Multi-family dwellings containing up to four dwelling units	5	10
C	Multi-family dwellings containing more than four dwelling units	6	12
D	Apartments	9	18

- (b) The density of a proposed development shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent Non-Developable Land	Percent of Gross Acreage added to the Developable Land
0-20 Percent	Use Total Parcel Acreage
21-40 Percent	20
41-70 Percent	15
71-100 Percent	10

Illustration of Gross Acreage Calculation

- (a) If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Since 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.
- (b) If the 50 acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Since 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

- (c) In addition to the base density standards from section 24-519 (a) a density bonus can be achieved with the provision of options as detailed below. In order to achieve the densities listed below, the developer shall make assurances in a master plan or otherwise for the density bonus items.

Bonus Increase from Base Density	Required Density Bonus Points from List Below
Up to the base density	0
Greater than the base density, up to and including 33 percent above the base density	2
Greater than 33 percent above the base density, up to and including 66 percent above the base density	4
Greater than 66 percent above the base density, up to and including 100 percent above the base density	6

	Bonus Item Options	Bonus Points
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy).	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division.	1.5

C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division.	1.5
D.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units.	1
E.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
F.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
G.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size, within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present.	1
H.	Preserving one of the following underlined environmentally-related conservation features. The underlined item must constitute at least 5 percent of the developable area of the site.	1
	1. 100 foot buffers around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer.	
	2. Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer (retain at least 50 percent of these soils on site)	
	3. Conservation area as identified by an approved watershed management plan	
	4. Wildlife habitat corridors that:	
	<ul style="list-style-type: none"> • Protect a corridor at least 100 feet in width from one protected area (on or off the development property) to another protected area, and • Consist of mature forestland 	
I.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements set forth in section 24-35 of this chapter.	1
J.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director.	0.5
K.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site).	0.5
L.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5

- (d) To achieve the intent of a mixed use development, *more than one land use category shall be used and no single use or use category shall exceed 80 percent of the developable land area within a mixed use area, as delineated on the master plan. Where the mixed use development contains one or more mixed use structures (vertical mixed use), the developable land area may be converted to square feet to demonstrate compliance with this requirement.*

Illustration of Vertical Mixed Use Buildings Calculation.

For a vertical mixed use building of 60,000 square feet in size, no one use could exceed 48,000 square feet.

- (e) *For areas designated neighborhood commercial or community commercial on the comprehensive plan, all proposed structures should be mixed use structures (vertical mixed use) and residential floor area should not exceed 50% of the total floor area. Either of these criteria may be modified if specifically shown on a master plan approved by the board of supervisors that exceeds mixed use designation development standards in the comprehensive plan.*

Sec. 24-520. Open space.

Development within the mixed use districts shall provide usable open space area. The amount of open space shall be not less than ten percent of the developable area of the site. Nondevelopable area shall not be counted towards meeting the open space requirement. For the purposes of this article, open space does not include any landscape area in parking lots ~~or adjacent to structures~~. The requirements of this section shall supplement the requirements of the county's Chesapeake Bay Preservation Ordinance, article II, division 4 of this chapter (Landscaping and tree preservation requirements) and other county requirements relating to open space. For the purposes of this article, open space may include, but is not limited to:

- (1) Perpetual easement(s) of no less than 50 feet in width dedicated to James City County or another group approved by the county adjoining any road designated as a Community Character Corridor on the Comprehensive Plan.
- (2) Buffer area(s) of no less than 50 feet around an RMA wetland as measured from the landward edge of the wetland.
- (3) Preservation of any archaeological site, any landmark registered in the Virginia Landmarks Register, the National Register of Historic Places or National Historic Site register.
- (4) Preservation of any developable area onsite that is set aside to meet the county's natural resource policy where preservation of such area is not required by other local, state or federal law.
- (5) Bikeways, bike paths, hiking trails, greenways or other similar amenity, excluding sidewalks.
- (6) Public or private picnic areas, parks, plazas or other gathering areas.
- (7) Public or private community facilities such as swimming pools, tennis courts, and recreation buildings. Golf courses may also be counted as open space for the purpose of meeting the open space requirement to a maximum of 60 percent of the required open space.

Open space area shall be protected by easements, maintenance agreements and/or other assurances satisfactory to the county attorney.

Sec. 24-523. Setback and buffer requirements.

- (a) ~~Location of structures. Structures shall be set back 50 feet or more from any external existing or planned public road right of way, or any internal arterial road right of way, which is 50 feet or greater in width. Where the external existing or planned public road right of way or the internal arterial road right of way is less than 50 feet in width, structures shall be set back 75 feet or more from the centerline of the external existing or planned or internal arterial public road. Landscape area(s) along right(s)-of-way. A landscape area shall be provided along right(s)-of-way in accordance with section 24-98.~~
- (b) ~~Required buffer from mixed use districts. Perimeter buffer. For commercial, industrial, office, residential and mixed uses a buffer of 50 feet shall be maintained from the perimeter of a mixed use district. A perimeter buffer shall be planned and maintained along the perimeter property lines of the development, except for areas adjacent to rights-of-way. The minimum perimeter buffer depth shall be in accordance with the table below. The buffer shall be left in its natural undisturbed state and/or planted with additional or new landscape trees, shrubs and other vegetative cover such that the setback serves to minimize the visual intrusion and other negative impacts of new development or redevelopment on adjacent development. Landscaping guidelines for perimeter buffers shall follow the requirements specified in section 24-96 of this chapter.~~

<i>Mixed Use Master Plan Area Designation</i>	<i>Adjacent Development*</i>	<i>Perimeter Buffer Width (in feet)</i>
<i>Single-family (A)</i>	<i>Residential</i>	<i>15</i>
	<i>Commercial</i>	<i>30</i>
	<i>Industrial</i>	<i>50</i>
<i>Multi-family and Apartments (B,C,D)</i>	<i>Residential</i>	<i>30</i>
	<i>Commercial</i>	<i>30</i>
	<i>Industrial</i>	<i>50</i>
<i>Commercial and Office (E,G), Institutional and Public Uses (I)</i>	<i>Residential</i>	<i>30</i>
	<i>Commercial</i>	<i>0</i>
	<i>Industrial</i>	<i>0</i>
<i>Wholesale and warehouse (F), Light Industrial (H)</i>	<i>Residential</i>	<i>50</i>
	<i>Commercial</i>	<i>0</i>
	<i>Industrial</i>	<i>0</i>
<i>Areas of common open space (J)</i>	<i>Residential</i>	<i>50 if active recreation is present (pool, clubhouse, etc.) or 0 if area is passive open space</i>
	<i>Commercial</i>	
	<i>Industrial</i>	
<i>Structures containing a mixture of uses (M), other structures, facilities or amenities (X)</i>	<i>Residential</i>	<i>30</i>
	<i>Commercial</i>	<i>0</i>
	<i>Industrial</i>	<i>0</i>
<i>Master Plans with Multiple Area Designations within a given land bay or tract</i>	<i>Residential</i>	<i>Max Buffer width for each of the listed uses</i>
	<i>Commercial</i>	<i>Max Buffer width for each of the listed uses</i>
	<i>Industrial</i>	<i>Max Buffer width for each of the listed uses</i>

* Residential=land zoned R-1, R-2, R-3, R-4, R-5, R-8, PUD-R, MU (area designations A, B, C, D), A-1; Commercial=land zoned LB, B-1, RT, EO, PL, MU (area designations E,G, I, M, X), PUD-C; Industrial=land zoned M-1, M-2, MU (area designations F, H).

In instances where a proposed Mixed Use area will form a logical component of an existing development (such as sharing entrances, roads, parking areas, etc.), the perimeter buffer shall be zero adjacent to the existing development, even if all, or components of, the existing development are not zoned Mixed Use.

~~(c) Setback and/or buffer modifications; criteria for determination. Reduction of the width of the setbacks and/or buffers specified in subsections (a) and (b) above may be approved for a mixed use zoning district that is designated mixed use by the Comprehensive Plan upon demonstration that the proposed setback and/or buffer, by substitution of technique or design, will achieve results which clearly satisfy the overall purposes and intent of the setback and/or buffer requirement of this section and the intent of section 24-86 (Landscaping and tree preservation requirements), shall have no additional adverse impact on adjacent properties or public areas, and will not result in detrimental impacts to the orderly development or character of the area, the environment, sound engineering or planning practice, or the goals, objectives, strategies and policies of the Comprehensive Plan. In addition, a request for a setback and/or buffer modification must meet one or more of the following criteria:~~

- ~~(1) The proposed setback and/or buffer is for the purpose of integrating proposed mixed use development with adjacent development;~~
- ~~(2) The proposed setback and/or buffer substantially preserves, enhances, integrates and complements existing trees and topography;~~
- ~~(3) The proposed setback and/or buffer is due to unusual size, topography, shape or location of the property, existing structures or other unusual conditions, excluding the proprietary interests of the developer.~~

~~Reduction of the width of the setbacks and/or buffers may also be approved for a mixed use zoning district that is not designated mixed use by the Comprehensive Plan upon finding that the proposed setback and/or buffer meets one or more of the criteria listed above and both of the following additional criteria:~~

- ~~(1) Properties adjacent to the properties being considered for a reduction in setback and/or buffer must be compatible;~~
- ~~(2) The proposed setback and/or buffer reduction has been evaluated by appropriate county, state or federal agencies and has been found to not adversely impact the public health, safety or welfare.~~

(c) Buffer modifications; criteria for determination. The width of the buffer specified in (b) may be reduced with approval of the planning director. The planning director will consider a buffer reduction only if the reduced buffers do not have additional adverse impact on adjacent properties or public areas when compared to the required buffers, and will not result in detrimental impacts to the orderly development or character of the area, the environment, sound engineering or planning practice, or the goals, objectives, strategies and policies of the comprehensive plan; and if one or more of the following criteria are met:

- (1) The site is designated a community character area on the comprehensive plan land use map, and the proposed buffer will better complement the design standards of the community character area.*
- (2) The adjacent properties have setbacks or buffers that are non-conforming with this section, and the proposed buffer will better complement the established setbacks or buffers of adjacent properties, where such buffers help achieve the goals and objectives of the comprehensive plan.*
- (3) The applicant has offered extraordinary site design which exceeds the development standards of the comprehensive plan.*

(4) The buffer reduction will achieve results which clearly satisfy the overall purposes and intent of section 24-86 (Landscaping and tree preservation requirements).

- (d) Requests for modifications. Requests for modifications pursuant to subsection (c) above shall be filed in writing with the planning director and shall identify the reasons for such requests together with the proposed alternative. The planning director shall approve, deny, or conditionally approve the request and shall include a written statement certifying that one or more of the above criteria are met.
- (e) Appeals. In the event the planning director disapproves the items specified in section 24-523 (d) or recommends conditions or modifications that are unacceptable to the applicant, the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission.
- (f) No minimum lot size or yard requirements. Except for required setbacks and/or buffer specified in (a) and (b) above, there shall be no minimum lot size nor minimum front, side or rear yard requirements for any lot within a Mixed Use Development District, MU, other than as specified in approved final plans.
- (g) Uses prohibited. Setbacks and/or buffers shall not be used for streets or for parking except for entrances and driveways which may penetrate the setback and/or buffer.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

Ch24ArtV-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 V, DISTRICTS; DIVISION 15, MIXED USE, MU BY DELETING AND RESERVING SECTION 24-517, MINIMUM AREA OF DISTRICTS; AND BY AMENDING SECTION 24-519, DENSITY; SECTION 24-520, OPEN SPACE; AND SECTION 24-523, SETBACK AND BUFFER REQUIREMENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article V, Districts; Division 15, Mixed Use, MU; by deleting and reserving Section 24-517, Minimum area of districts; and by amending Section 24-519, Density; Section 24-520, Open space; and Section 24-523, Setback and buffer requirements.

Chapter 24. Zoning

Article V. Districts

Division 15. Mixed Use, MU

Sec. 24-517. Reserved.

Sec. 24-519. Density.

- (a) The number of dwelling units which may be constructed in any residential or mixed use-residential area designation as indicated on the master plan shall be determined by the number of gross acres at the site and the use proposed. The maximum densities of dwelling units per acre which may be constructed are:

Area Designation	Dwelling Type	Base Gross Density (Dwelling Units Per Acre)	Maximum Gross Density with Density Bonus (see Table under Section 24-519 (c))
A	Single-family structures	3	6
B	Multi-family dwellings containing up to four dwelling units	5	10
C	Multi-family dwellings containing more than four dwelling units	6	12
D	Apartments	9	18

- (b) The density of a proposed development shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent Non-Developable Land	Percent of Gross Acreage added to the Developable Land
0-20 Percent	Use Total Parcel Acreage

21-40 Percent	20
41-70 Percent	15
71-100 Percent	10

Illustration of Gross Acreage Calculation

- (a) If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Since 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.
- (b) If the 50 acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Since 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

- (c) In addition to the base density standards from section 24-519 (a) a density bonus can be achieved with the provision of options as detailed below. In order to achieve the densities listed below, the developer shall make assurances in a master plan or otherwise for the density bonus items.

Bonus Increase from Base Density	Required Density Bonus Points from List Below
Up to the base density	0
Greater than the base density, up to and including 33 percent above the base density	2
Greater than 33 percent above the base density, up to and including 66 percent above the base density	4
Greater than 66 percent above the base density, up to and including 100 percent above the base density	6

	Bonus Item Options	Bonus Points
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy).	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division.	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division.	1.5

D.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units.	1
E.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
F.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
G.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size, within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present.	1
H.	Preserving one of the following underlined environmentally-related conservation features. The underlined item must constitute at least 5 percent of the developable area of the site.	1
	1. 100 foot buffers around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer.	
	2. Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer (retain at least 50 percent of these soils on site)	
	3. Conservation area as identified by an approved watershed management plan	
	4. Wildlife habitat corridors that:	
	<ul style="list-style-type: none"> • Protect a corridor at least 100 feet in width from one protected area (on or off the development property) to another protected area, and • Consist of mature forestland 	
I.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements set forth in section 24-35 of this chapter.	1
J.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director.	0.5
K.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site).	0.5
L.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5

- (d) To achieve the intent of a mixed use development, more than one land use category shall be used and no single use or use category shall exceed 80 percent of the developable land area within a mixed use area, as delineated on the master plan. Where the mixed use development contains one or more mixed use structures (vertical mixed use), the developable land area may be converted to square feet to demonstrate compliance with this requirement.

Illustration of Vertical Mixed Use Buildings Calculation.

For a vertical mixed use building of 60,000 square feet in size, no one use could exceed 48,000 square feet.

- (e) For areas designated neighborhood commercial or community commercial on the comprehensive plan, all proposed structures should be mixed use structures (vertical mixed use) and residential floor area should not exceed 50% of the total floor area. Either of these criteria may be modified if specifically shown on a master plan approved by the board of supervisors that exceeds mixed use designation development standards in the comprehensive plan.

Sec. 24-520. Open space.

Development within the mixed use districts shall provide usable open space area. The amount of open space shall be not less than ten percent of the developable area of the site. Nondevelopable area shall not be counted towards meeting the open space requirement. For the purposes of this article, open space does not include any landscape area in parking lots. The requirements of this section shall supplement the requirements of the county's Chesapeake Bay Preservation Ordinance, article II, division 4 of this chapter (Landscaping and tree preservation requirements) and other county requirements relating to open space. For the purposes of this article, open space may include, but is not limited to:

- (1) Perpetual easement(s) of no less than 50 feet in width dedicated to James City County or another group approved by the county adjoining any road designated as a Community Character Corridor on the Comprehensive Plan.
- (2) Buffer area(s) of no less than 50 feet around an RMA wetland as measured from the landward edge of the wetland.
- (3) Preservation of any archaeological site, any landmark registered in the Virginia Landmarks Register, the National Register of Historic Places or National Historic Site register.
- (4) Preservation of any developable area onsite that is set aside to meet the county's natural resource policy where preservation of such area is not required by other local, state or federal law.
- (5) Bikeways, bike paths, hiking trails, greenways or other similar amenity, excluding sidewalks.
- (6) Public or private picnic areas, parks, plazas or other gathering areas.
- (7) Public or private community facilities such as swimming pools, tennis courts, and recreation buildings. Golf courses may also be counted as open space for the purpose of meeting the open space requirement to a maximum of 60 percent of the required open space.

Open space area shall be protected by easements, maintenance agreements and/or other assurances satisfactory to the county attorney.

Sec. 24-523. Setback and buffer requirements.

- (a) Landscape area(s) along right(s)-of-way. A landscape area shall be provided along right(s)-of-way in accordance with section 24-98.
- (b) Perimeter buffer. A perimeter buffer shall be planned and maintained along the perimeter property lines of the development, except for areas adjacent to rights-of-way. The minimum perimeter buffer depth shall be in accordance with the table below. The buffer shall be left in its natural undisturbed state and/or planted with additional or new landscape trees, shrubs and other vegetative cover. Landscaping guidelines for perimeter buffers shall follow the requirements specified in section 24-96 of this chapter.

Mixed Use Master Plan Area Designation	Adjacent Development*	Perimeter Buffer Width (in feet)
Single-family (A)	Residential	15
	Commercial	30
	Industrial	50
Multi-family and Apartments (B,C,D)	Residential	30
	Commercial	30
	Industrial	50
Commercial and Office (E,G), Institutional and Public Uses (I)	Residential	30
	Commercial	0
	Industrial	0
Wholesale and warehouse (F), Light Industrial (H)	Residential	50
	Commercial	0
	Industrial	0
Areas of common open space (J)	Residential	50 if active recreation is present (pool, clubhouse, etc.) or 0 if area is passive open space
	Commercial	
	Industrial	
Structures containing a mixture of uses (M), other structures, facilities or amenities (X)	Residential	30
	Commercial	0
	Industrial	0
Master Plans with Multiple Area Designations within a given land bay or tract	Residential	Max Buffer width for each of the listed uses
	Commercial	Max Buffer width for each of the listed uses
	Industrial	Max Buffer width for each of the listed uses

* Residential=land zoned R-1, R-2, R-3, R-4, R-5, R-8, PUD-R, MU (area designations A, B, C, D), A-1; Commercial=land zoned LB, B-1, RT, EO, PL, MU (area designations E,G, I, M, X), PUD-C; Industrial=land zoned M-1, M-2, MU (area designations F, H).

In instances where a proposed Mixed Use area will form a logical component of an existing development (such as sharing entrances, roads, parking areas, etc.), the perimeter buffer shall be zero adjacent to the existing development, even if all, or components of, the existing development are not zoned Mixed Use.

- (c) Buffer modifications; criteria for determination. The width of the buffer specified in (b) may be reduced with approval of the planning director. The planning director will consider a buffer reduction only if the reduced buffers do not have additional adverse impact on adjacent properties or public areas when compared to the required buffers, and will not result in detrimental impacts to the orderly development or character of the area, the environment, sound engineering or planning practice, or the goals, objectives, strategies, and policies of the comprehensive plan; and if one or more of the following criteria are met:
 - (1) The site is designated a community character area on the comprehensive plan land use map, and the proposed buffer will better complement the design standards of the community character area.
 - (2) The adjacent properties have setbacks or buffers that are non-conforming with this section, and the proposed buffer will better complement the established setbacks or buffers of adjacent properties, where such buffers help achieve the goals and objectives of the comprehensive plan.
 - (3) The applicant has offered extraordinary site design which exceeds the development standards of the comprehensive plan.
 - (4) The buffer reduction will achieve results which clearly satisfy the overall purposes and intent of section 24-86 (landscaping and tree preservation requirements).
- (d) Requests for modifications. Requests for modifications pursuant to subsection (c) above shall be filed in writing with the planning director and shall identify the reasons for such requests together with the proposed alternative. The planning director shall approve, deny, or conditionally approve the request and shall include a written statement certifying that one or more of the above criteria are met.
- (e) Appeals. In the event the planning director disapproves the items specified in section 24-523 (d) or recommends conditions or modifications that are unacceptable to the applicant, the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission.
- (f) No minimum lot size or yard requirements. Except for required setbacks and/or buffer specified in (a) and (b) above, there shall be no minimum lot size nor minimum front, side or rear yard requirements for any lot within a Mixed Use Development District, MU, other than as specified in approved final plans.
- (g) Uses prohibited. Setbacks and/or buffers shall not be used for streets or for parking except for entrances and driveways which may penetrate the setback and/or buffer.

**Approved Minutes of the October 5, 2016
Planning Commission Meeting**

ZO-0009-2016, Zoning Ordinance Amendments to the Mixed Use District

Ms. Ellen Cook, Principal Planner, provided a report to the Commission on the proposed ordinance amendments to the Mixed Use district. Ms. Cook stated that Zoning Ordinance to provide additional flexibility in the Mixed Use District was proposed as part of the Planning Division's 2015-16 work program. Ms. Cook stated that the flexibility was to accommodate circumstances such as development of mixed-use structures, i.e. vertical mixed-use, or mixed use development on parcels less than five acres total and mixed use development in an infill or redevelopment context. Ms. Cook stated that the draft amendments eliminate the restriction on mixed use development on parcels less than five acres, clarifies the mix of uses requirement calculation as it applies to mixed-use structures, adds specifications for Mixed-Use zoned development in areas designated Neighborhood Commercial or Community Commercial, removes the prohibition on counting landscaped area adjacent to buildings toward the open space requirements and clarifies the right-of-way and perimeter buffer standards.

Ms. Cook stated that at its August 11, 2016 meeting, the Policy Committee voted to forward the ordinance amendments to the Planning Commission for consideration. Ms. Cook stated that staff recommends that the Planning Commission recommend approval of the amendments to the Board of Supervisors.

Mr. O'Connor opened the public hearing.

As no one wished to speak, Mr. O'Connor closed the public hearing.

Mr. O'Connor opened the floor to discussion by the commission.

Mr. Wright made a motion to approve ZO-0009-2016.

On a roll call vote, the Planning Commission voted to recommend approval of ZO-0009-2016, Zoning Ordinance Amendments to the Mixed Use District (7-0).

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Savannah Pietrowski, Senior Planner

SUBJECT: SUP-0026-2016, Forest Glen Section 5

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Attachment 1. Resolution	Resolution
▣	Attachment 2. Location Map	Backup Material
▣	Attachment 3. Master Plan	Backup Material
▣	Attachment 4. Approved Minutes of the May 3, 2017 Planning Commission Meeting	Backup Material
▣	Attachment 5. Unapproved Minutes of the June 13, 2017 Board of Supervisors Meeting	Backup Material
▣	Attachment 6. Community Impact Statement	Backup Material
▣	Attachment 7. Forest Glen Playground Aerial Map	Backup Material
▣	Attachment 8. Recreation Facilities Development Guidelines	Backup Material
▣	Attachment 9. Exception Request	Backup Material
▣	Attachment 10. Housing Opportunity Policy Breakdown for Forest Glen	Backup Material
▣	Attachment 11. Forest Glen Associates MOU	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	8/25/2017 - 10:35 AM
Development Management	Holt, Paul	Approved	8/25/2017 - 10:35 AM
Publication Management	Burcham, Nan	Approved	8/25/2017 - 10:42 AM
Legal Review	Kinsman, Adam	Approved	9/5/2017 - 12:45 PM

Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 1:22 PM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 1:56 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 1:58 PM

SPECIAL USE PERMIT 0026-2016. Forest Glen, Section 5

Staff Report for the September 12, 2017, Board of Supervisors Public Hearing

SUMMARY FACTS

Applicants: Elliott York, American Eastern, Inc.

Land Owners: Forest Glen Associates, LLC and James City County

Proposal: A request for a Special Use Permit (SUP) to allow a 45-lot residential cluster development with a gross density of +/- 2.79 dwelling units per acre within the existing Forest Glen neighborhood.

Locations: 310 Walker Drive and 204 Forest Glen Drive

Tax Map/Parcel Nos.: 3110100082 and 3110500093

Project Acreage: +/- 16.113 acres total

Zoning: R-2, General Residential

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

Staff Contact: Savannah Pietrowski, Senior Planner

PUBLIC HEARING DATES

Planning Commission: May 3, 2017, 7:00 p.m.

Board of Supervisors: June 13, 2017, 5:00 p.m. Deferred by applicant

Board of Supervisors: September 12, 2017, 5:00 p.m.

FACTORS FAVORABLE

1. Staff finds the proposal will not negatively impact surrounding zoning and development.
2. With the proposed SUP conditions and proposed density bonuses, the proposal is consistent with the recommendations of the Comprehensive Plan adopted in 2015, "Toward 2035: Leading the Way."
3. The applicant proposes 100% affordable and workforce housing, (40% can be ensured by SUP conditions).
4. The SUP conditions include adherence to a number of adopted policies including Archaeology, Streetscapes, Water Conservation, Design Guidelines and Nutrient Management.
5. The proposal meets the Adequate Public Schools Facilities Test, adopted by the Board of Supervisors on June 23, 1998.

FACTORS UNFAVORABLE

1. Because proffers are not accepted for residential rezonings, many of the typical impacts associated with residential development are not mitigated.

SUMMARY STAFF RECOMMENDATION

Staff recommends approval of the proposed SUP, subject to the conditions listed in the attached Resolution.

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.

Proposed Changes Made Since the June 13, 2017 Deferral

A Memorandum of Understanding between American Eastern and the County has been prepared addressing stormwater issues (Attachment No. 11). No other changes by the applicant are currently proposed.

Minor language changes to SUP Conditions No. 9, 11 and 13 have been made to ensure bonding and timing of the improvements. For the Board's information, staff has provided a new Attachment No. 10 providing an overview summary of the Housing Opportunities Policy price points for 2017.

PLANNING COMMISSION RECOMMENDATION

Upon a motion to recommend approval of the application, a tie vote resulted, 3-3 (Schmidt, O'Connor and Krapf in favor; Haldeman, Wright and Bledsoe opposed; Richardson absent).

Proposed Changes Made Since the Planning Commission Meeting

None.

PROJECT DESCRIPTION

Residential Units:

- Mr. Elliott York of American Eastern, Inc., has submitted an SUP application for a 45-lot residential cluster development on 16.113 acres zoned R-2, General Residential.
- In order to achieve a density greater than one unit per acre, but no greater than four units per acre, a residential cluster SUP is required. This project has a proposed density of 2.79 dwelling units per acre.

- In order to achieve the proposed density, the applicant must adhere to certain provisions in Section 24-549 of the Zoning Ordinance, which identifies options for obtaining density bonus points. The applicant intends to obtain the required density bonus points by committing an additional 20% of all units to the provision of affordable and workforce housing, starting above the 20% threshold required by the County's Housing Opportunities Policy. Staff notes that the applicant has indicated that 100% of the units will be provided at affordable or workforce price points; however, only the above mentioned 40% (18 units) can be bound through SUP conditions.
- The project is located within the existing Forest Glen subdivision, and access to the development will be through Forest Glen Drive.

Parks & Recreation:

- The existing County-owned neighborhood park at 204 Forest Glen Drive ("Forest Glen Playground") is also included as part of this proposal. In lieu of providing all of the facilities typically required by the James City County Recreational Facilities Development Guidelines, adopted by the Board of Supervisors on April 11, 2017, the applicant is requesting an exception from the Board of Supervisors and is proposing an alternative set of provisions.
 - *Requirement:* Park land (0.3 acres minimum).
 - *Applicant Proposal:* To use the existing park area at Forest Glen Playground to satisfy this requirement.
 - *Requirement:* Playground (minimum of five activities).
 - *Applicant Proposal:* To use the existing playground at Forest Glen Playground to satisfy this requirement.

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.

Staff Report for the September 12, 2017, Board of Supervisors Public Hearing

- *Requirement:* Hard surface sport court.
 - *Applicant Proposal:* The applicant is requesting an exception and would not provide this facility.

 - *Requirement:* Graded athletic field.
 - *Applicant Proposal:* The applicant is requesting an exception and would not provide this facility.

 - *Requirement:* Paved multi-use trail.
 - *Applicant Proposal:* This requirement is satisfied by the proposed multi-use path connecting the new residential lots to Forest Glen Park.
- In lieu of providing the sport court and athletic field, the applicant is proposing to provide recreational fitness equipment at Forest Glen Playground.

 - Mr. John Carnifax, Director of Parks & Recreation, has reviewed the applicant's exception request and provides the following comments:

"James City County Parks & Recreation supports expanding the existing Forest Glen Playground/Park to serve the residents of the existing neighborhood as well as those in the proposed development. The expansion of the existing park will better serve the entire community by providing outdoor fitness equipment that can serve teens, adults and seniors. The existing park only has one playground that serves school-age children and was constructed in 2004. The installation of fitness equipment is consistent with our desire to improve health and wellness opportunities for all citizens and to expand services to low-income neighborhoods through partnerships."

We recommend that a minimum of five pieces of commercial grade fitness stations be installed in a single court area. The area should have playground quality surfacing and borders to match the existing playground and the installation of the equipment and surface must comply with all National Public Playground and ADA standards. Parks & Recreation staff need to review and approve the final site design, equipment list and improvements before installation. Any disturbed area on-site must be reseeded and returned to existing or better condition when the installation is complete."

- The Planning Division has also reviewed the applicant's request and concurs with Mr. Carnifax's analysis.

ABILITY TO GUARANTEE THE DEVELOPMENT AS PROPOSED

- As previously noted, SUP applications for cluster developments have historically been accompanied by an application for rezoning. These rezonings have typically included voluntary proffers to help mitigate impacts associated with increasing the permitted density.

- On June 28, 2016, the Board of Supervisors adopted Ordinance No. 31A-304, specifying that the County will only accept proffers associated with non-residential rezonings. Due to this change, this application has been submitted as an SUP only.

- The County, therefore, is faced with assessing the development potential and associated land use impacts of this proposal.

- Please note that many of the impacts can be mitigated through SUP conditions, which are included in the Resolution.

SPECIAL USE PERMIT 0026-2016. Forest Glen, Section 5

Staff Report for the September 12, 2017, Board of Supervisors Public Hearing

- Should the residential cluster SUP expire, the increase in permitted density would no longer apply. The property would remain zoned R-2, General Residential and could be developed by-right with a density of up to one dwelling unit per acre.
- The developer has indicated that 100% of the units will be provided at affordable or workforce housing price points. Because proffers are not accepted for residential rezonings, this cannot be assured. Only 40% of the units at these price points can be assured through SUP conditions because this is what the developer has chosen to provide for the necessary density bonuses per the Zoning Ordinance requirements.

PLANNING AND ZONING HISTORY

- The existing Forest Glen neighborhood was developed in the late 1960s through the early 1970s and consists of 188 single-family dwellings.
- In 1974, the last section of the existing neighborhood (Section 4), was approved and the subdivision plat identified the parcel at 310 Walker Drive as “Future Development.”
- There is no Master Plan, proffers or SUP conditions associated with the existing neighborhood.
- There is no existing Homeowners Association (HOA) for Forest Glen Sections 1-4. While the Zoning Ordinance will require an HOA to be established for Section 5, the existing lots will not be incorporated into this HOA.

SURROUNDING ZONING AND DEVELOPMENT

- North, South and West: Existing Forest Glen subdivision (zoned R-2, General Residential).
- East: Longhill Station subdivision (zoned R-2, General Residential) and vacant land (zoned R-8, Rural Residential and within the Armistead Agricultural and Forestal District).

PUBLIC IMPACTS

Anticipated Impact on Public Facilities and Services:

Streets:

- Existing access to Forest Glen comes from Centerville Road. Centerville Road is currently operating at a Level of Service (LOS) A-C and is anticipated to remain operating at this LOS through 2034.
- A Traffic Impact Study was not required for this development, as the P.M. peak trip generation fell below the 100 trip trigger in the Zoning Ordinance. The Institute of Transportation Engineers projects that the development would generate 45.9 P.M. peak hour trips.

Parks & Recreation:

- As previously noted, the applicant is proposing to supplement facilities at the County-owned Forest Glen Playground in lieu of providing facilities within the new residential area. While the Parks & Recreation Department has been receptive to this, staff notes that this will result in an additional maintenance responsibility for the County.

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 0026-2016. Forest Glen, Section 5

Staff Report for the September 12, 2017, Board of Supervisors Public Hearing

Schools/Fire/Utilities:

Schools:

- As previously discussed in this staff report, proffers are not accepted for residential rezoning applications.
- The proposed 45 lots are anticipated to generate an additional 18 students. As illustrated in Table 1, the 18 students projected from the development would not cause the enrollment levels for J. Blaine Blayton Elementary School, Lois S. Hornsby Middle School or Lafayette High School to exceed effective capacity.

**Table 1: Student Enrollment and School Capacity,
WJCC Schools 2016**

<i>School</i>	<i>Effective Capacity</i>	<i>2016-2017 Enrollment</i>	<i>Projected Students Generated</i>	<i>Enrollment + Projected Students</i>
Blayton Elementary	540	513	± 8	521
Hornsby Middle	952	942	± 4	946
Lafayette High	1,314	1,152	± 6	1,158

Source: WJCC Public School Official Student Enrollment Report, November 2016

Fire:

- The closest fire station in James City County to the property is Fire Station 4, located at 5312 Olde Towne Road, just over 3.3 miles east of this project site. This station, as well as Stations 4 and 5 are within a 10-minute drive of the project site.

Utilities:

- Project receives public water and sewer. The James City Service Authority has reviewed the application and had no objection.
- The proposed SUP conditions include development of water conservation standards.

Fiscal Impact:

- As illustrated in Table 2, the development would result in a \$206,627.44 negative fiscal impact.

Table 2: Projected Fiscal Impact

<i>Total Residential Expenses</i>	<i>Total Residential Revenues</i>	<i>Total Residential Fiscal Impact</i>
\$317,429.44	\$110,802.00	(\$206,627.44)

Environmental:

- The Engineering and Resource Protection Division has reviewed the proposal and had no objections. There is no Resource Protection Area, natural heritage resources or special flood hazard area within the project boundaries.
- The proposed SUP conditions include development of a nutrient management plan.
- Watershed: Powhatan Creek.

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 0026-2016. Forest Glen, Section 5

Staff Report for the September 12, 2017, Board of Supervisors Public Hearing

Cultural/Historic:

- A Phase I Archaeological Study has been included as an SUP condition and will be reviewed before preliminary approval of a subdivision construction plan is granted.

Nearby and Surrounding Properties:

- Staff finds that this proposal is generally consistent with the character of the existing Forest Glen neighborhood.
- A 35-foot perimeter buffer and additional open space areas are included in order to mitigate visual impacts to other adjacent properties.
- This development will not be visible from Centerville Road.

COMPREHENSIVE PLAN

- The properties are designated Low Density Residential (LDR).
- Recommended uses in LDR include single-family and multi-family units, accessory units, cluster housing and recreation areas.
- This application proposes a density of 2.79 dwelling units per acre. Generally, the Comprehensive Plan recommends a gross density of up to one unit per acre in LDR areas. However, a gross density from one to four units per acre is acceptable if certain public benefits are provided, including affordable and workforce housing.
- The Housing and Populations Needs sections, as well as the LDR Development Standards, discuss the need for affordable and workforce housing in James City County. This proposal would help address this need.

- The Land Use section includes a strategy to promote infill, redevelopment, revitalization and rehabilitation within the Primary Service Area.
- The LDR development standards state that the need for public services and facilities generated by a development should be met or mitigated by that development. As described above, many of these impacts can be mitigated through SUP conditions; however, the impact to schools cannot.
- All adjacent properties are also designated LDR.

STAFF RECOMMENDATION

Staff recommends approval of the proposed SUP, subject to the conditions listed in the Resolution.

SP/gt
SUP26-2016FrstGln

Attachments:

1. Resolution
2. Location Map
3. Master Plan
4. Approved Minutes, May 3, 2017, Planning Commission Meeting
5. Draft Minutes of the June 13, 2017 Board of Supervisors Meeting
6. Community Impact Statement
7. Forest Glen Playground Aerial Map
8. Recreational Facilities Development Guidelines
9. Exception Request
10. Housing Opportunities Policy Breakdown
11. Stormwater Memorandum of Understanding

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.

RESOLUTION

CASE NO. SUP-0026-2016. FOREST GLEN SECTION 5

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

WHEREAS, Forest Glen Associates, LLC and James City County (the “Owners”) respectively own two parcels of property located at 310 Walker Drive and 204 Forest Glen Drive, further identified as James City County Real Estate Tax Map Parcel Nos. 3110100082 and 3110500093, respectively (together, the “Property”); and

WHEREAS, on behalf of the Owners, Mr. Elliott York of American Eastern, Inc. (“the Applicant”) has applied for an SUP to allow a 45-lot residential cluster development with a gross density of +/- 2.79 dwelling units per acre, as shown on the exhibit titled “Master Plan for Forest Glen Section 5” prepared by AES Consulting Engineers, dated April 17, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0026-2016; and

WHEREAS, the Applicant has requested an exception from the Board of Supervisors to the James City County Recreation Facilities Development Guidelines, adopted by the Board of Supervisors on April 11, 2017; and

WHEREAS, the Planning Commission, following its public hearing on May 3, 2017, upon a motion to recommend approval of the application, a tie vote resulted, 3-3 (one Commissioner was absent).

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-0026-2016 and the requested exception to the James City County Recreational Facilities Development Guidelines as described herein with the conditions listed below, and does hereby authorize the County Administrator or designee to enter into the Memorandum of Understanding Between James City County and Forest Glen Associates, LLC.

1. Master Plan and Use: This SUP shall be valid for the development of a residential cluster subdivision of up to 45 single-family lots (the “Project”). The Project shall be in accordance with the “Master Plan for Forest Glen Section 5” prepared by AES Consulting Engineers, and dated April 17, 2017 (the “Master Plan”), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance as amended.
2. Affordable and Workforce Housing: In order to achieve a density of more than two, but no more than three, dwelling units per acre, four density bonus points shall be required in accordance with Section 24-549 of the Zoning Ordinance. These bonus points shall be achieved by developing the Project in a manner consistent with the criteria established by the Housing Opportunities Policy adopted by the Board of Supervisors

on November 27, 2012 (the “HOP”); further, by committing an additional twenty percent of all units to the provision of affordable and workforce housing, starting above the threshold required by the HOP (the “Additional Units”). The Additional Units shall also be offered for sale or made available to rent at prices determined to be in accordance with the HOP.

3. Streetscapes: Streetscape improvements shall be provided in accordance with applicable provisions of the County’s Streetscape Guidelines policy. The necessary streetscape improvements shall be shown on the subdivision construction plan and approved by the Director of Planning prior to any subdivision construction plan approval. These improvements shall be installed or bonded prior to the issuance of any Certificate of Occupancy.
4. Water Conservation: Prior to final subdivision construction plan approval, water conservation standards shall be submitted to and approved by the James City Service Authority. The standards shall include, but not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials and warm season turf where appropriate, and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
5. Archaeology: A Phase I Archaeological Study for the property located at 310 Walker Drive shall be submitted to the Director of Planning, or his designee, for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for conclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase II study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, II and III studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. All approved treatment plans shall be incorporated into the subdivision construction plan for the Property and the clearing, grading or construction activities thereon.
6. Buffers: A plan to relocate any existing structures, including recreation facilities, located within the buffers required by Section 24-544 of the Zoning Ordinance shall be included in the subdivision construction plan for the Project. These structures shall be relocated at no expense to the County prior to issuance of a Certificate of Occupancy for any dwelling unit.

7. Design Guidelines: Prior to final subdivision construction plan approval, the Director of Planning shall review and approve architectural elevations for the Project. These elevations shall be generally consistent with the architectural styles depicted in the Community Impact Statement, dated April 17, 2017, submitted with the special use permit application. Final plans and completed buildings shall be consistent with the elevations approved by the Director of Planning.
8. Junk Removal: All junk, as determined by the Zoning Administrator, shall be removed from the Property prior to final subdivision construction plan approval. "Junk" shall mean, but not be limited to, old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel and other old scrap ferrous or nonferrous material. The Zoning Administrator shall verify, in writing, that all junk has been properly removed from the Property.
9. Recreation: Recreational amenities shall be provided consistent with the exception to the James City County Recreational Facilities Guidelines granted by the Board of Supervisors on June 13, 2017, and as shown on the Master Plan. The improvements shall be constructed, or bonded in a manner acceptable to the County Attorney, prior to the issuance of a Building Permit for the first dwelling and, at a minimum, shall include the following:
 - A. Five pieces of recreational fitness equipment at 204 Forest Glen Drive; and
 - B. A paved multi-use trail, a minimum of eight feet in width, connecting the new residential lots to 204 Forest Glen Drive.

These amenities shall be shown on the subdivision construction plan and shall be reviewed and approved by the Director of Planning and the Director of Parks and Recreation for consistency with Board-approved facilities prior to final approval of the subdivision construction plan.
10. Pedestrian Accommodations: There shall be sidewalks installed on at least one side of any new right-of-way to be constructed. A paved multi-use path, a minimum of eight feet in width, shall also be provided along the existing portion of Walker Drive as shown on the Master Plan. This multi-use path shall include a cross-walk connection to James City County Real Estate Tax Map Parcel No. 3110500093. The sidewalk and multi-use path improvements shall be installed or bonded prior issuance of a Certificate of Occupancy for any lot within the Project.
11. Landscape Plan: The proposed stormwater management facilities shall be screened from Walker Drive and the adjacent residences in accordance with Section 24-100 of the Zoning Ordinance. This screening shall include upright evergreen plantings, with credit given for existing plantings. A landscape plan shall be submitted with the subdivision construction plan for review and approval by the Director of Planning or his designee prior to final approval of the subdivision construction plan. These improvements shall be constructed, or bonded in a manner acceptable to the County Attorney, prior to issuance of the first Certificate of Occupancy for the Project.

12. Nutrient Management Plan: A Nutrient Management Plan for the Project shall be submitted to the Director of the Engineering and Resource Protection Division for review and approval prior to the issuance of a Certificate of Occupancy for any dwelling unit.
13. Commencement of Construction: If construction has not commenced on the Project within 36 months from issuance of this SUP, the SUP shall become void. Construction shall be defined as the first placement of permanent construction of a dwelling unit on a site, such as pouring of the slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation. Construction does not include land preparation, such as clearing, grading or filling.
14. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

SUP26-2016FrstGln-res

JCC-SUP-0026-2016, Forest Glen Section 5



MASTER PLAN

LAND USE SUMMARY TABLE

	AC.	%
AREA OF RESIDENTIAL LOTS	6.309	39.2%
AREA OF RIGHT-OF-WAY	2.800	17.4%
AREA RESERVED FOR BMP's (MAX. 20% OF REQUIRED OPEN SPACE)	0.835	5.1%
AREA RESERVED FOR UTILITY EASEMENTS	0.364	2.3%
AREA WITHIN 35' PERIMETER BUFFER	3.306	20.5%
AREA OF ELIGIBLE OPEN SPACE	2.499	15.5%
TOTAL SUP APPLICATION AREA	16.113	100%

EXISTING ZONE	R2
PROPOSED ZONE	R2 CLUSTER
NUMBER OF LOTS	45
AVERAGE LOT SIZE	6,106 SF = 0.140 AC
GROSS DENSITY	2.79 LOTS/ACRE*

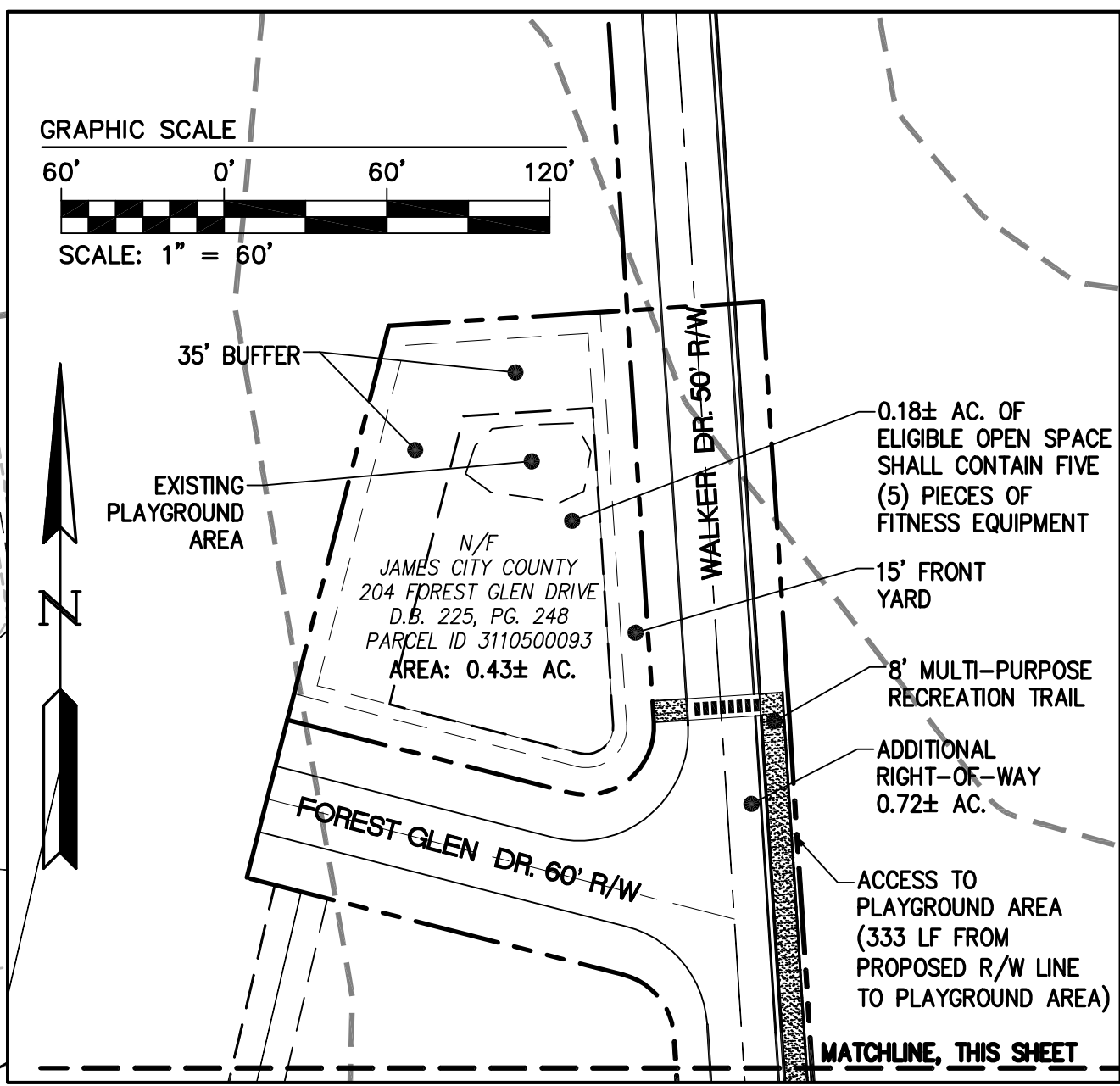
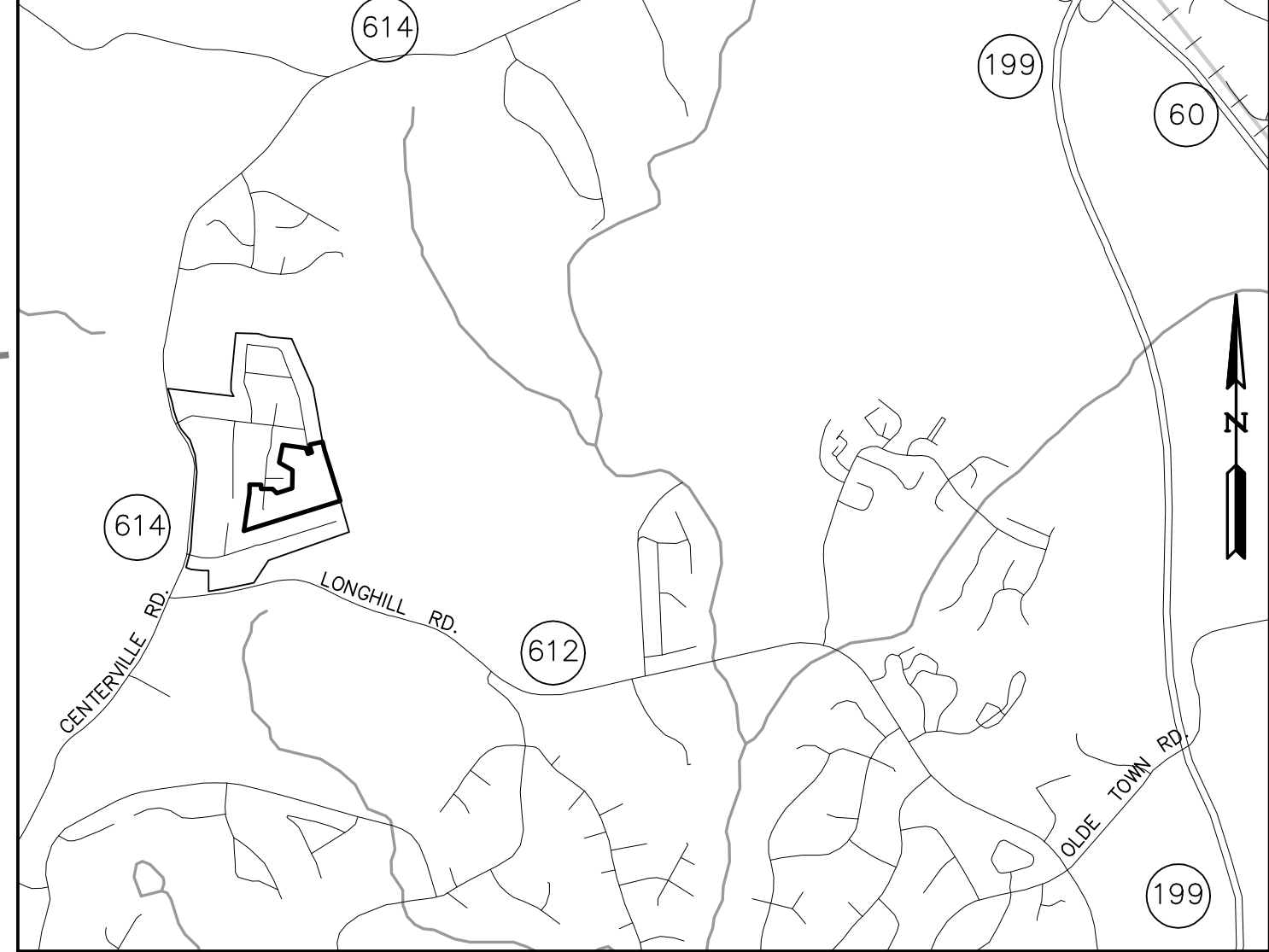
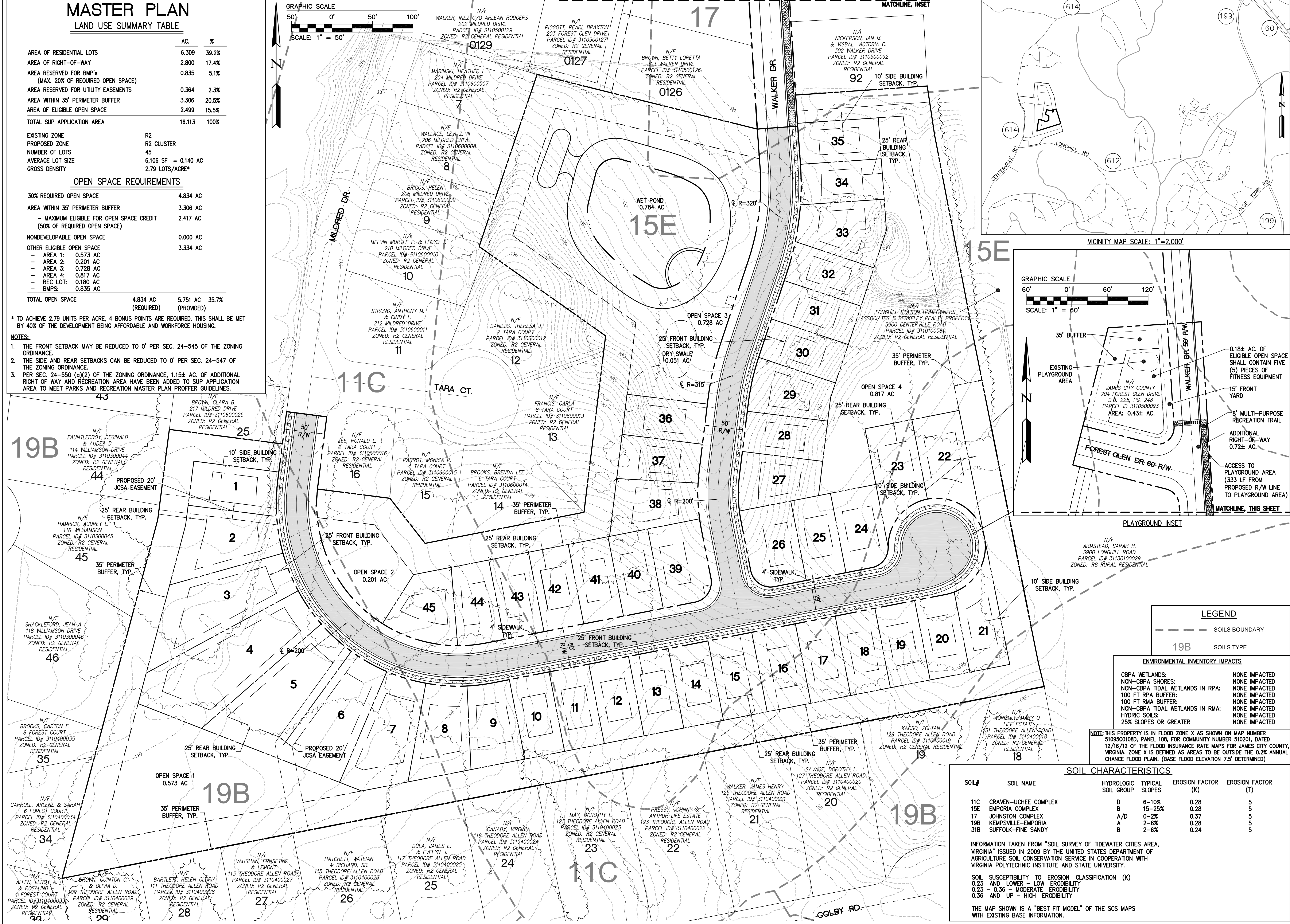
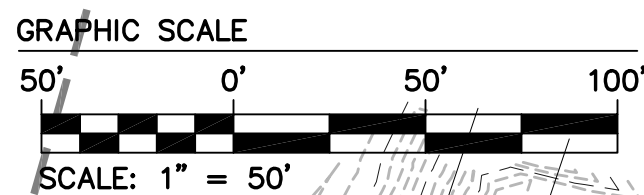
OPEN SPACE REQUIREMENTS

30% REQUIRED OPEN SPACE	4.834 AC
AREA WITHIN 35' PERIMETER BUFFER	3.306 AC
- MAXIMUM ELIGIBLE FOR OPEN SPACE CREDIT (50% OF REQUIRED OPEN SPACE)	2.417 AC
NONDEVELOPABLE OPEN SPACE	0.000 AC
OTHER ELIGIBLE OPEN SPACE	3.334 AC
- AREA 1: 0.573 AC	
- AREA 2: 0.201 AC	
- AREA 3: 0.728 AC	
- AREA 4: 0.817 AC	
- REC LOT: 0.180 AC	
- BMPs: 0.835 AC	
TOTAL OPEN SPACE	4.834 AC (REQUIRED) 5.751 AC (PROVIDED) 35.7%

* TO ACHIEVE 2.79 UNITS PER ACRE, 4 BONUS POINTS ARE REQUIRED. THIS SHALL BE MET BY 40% OF THE DEVELOPMENT BEING AFFORDABLE AND WORKFORCE HOUSING.

NOTES:

1. THE FRONT SETBACK MAY BE REDUCED TO 0' PER SEC. 24-545 OF THE ZONING ORDINANCE.
2. THE SIDE AND REAR SETBACKS CAN BE REDUCED TO 0' PER SEC. 24-547 OF THE ZONING ORDINANCE.
3. PER SEC. 24-550 (a)(2) OF THE ZONING ORDINANCE, 1.15± AC. OF ADDITIONAL RIGHT OF WAY AND RECREATION AREA HAVE BEEN ADDED TO SUP APPLICATION AREA TO MEET PARKS AND RECREATION MASTER PLAN PROFFER GUIDELINES.



LEGEND

--- SOILS BOUNDARY
19B SOILS TYPE

ENVIRONMENTAL INVENTORY IMPACTS

CBPA WETLANDS:	NONE IMPACTED
NON-CBPA SHORES:	NONE IMPACTED
NON-CBPA TIDAL WETLANDS IN RPA:	NONE IMPACTED
100 FT RPA BUFFER:	NONE IMPACTED
100 FT RMA BUFFER:	NONE IMPACTED
NON-CBPA TIDAL WETLANDS IN RMA:	NONE IMPACTED
HYDRIC SOILS:	NONE IMPACTED
25% SLOPES OR GREATER	NONE IMPACTED

NOTE: THIS PROPERTY IS IN FLOOD ZONE X AS SHOWN ON MAP NUMBER 5109500108, PANEL 108, FOR COMMUNITY NUMBER 510201, DATED 12/16/12 OF THE FLOOD INSURANCE RATE MAPS FOR JAMES CITY COUNTY, VIRGINIA. ZONE X IS DEFINED AS AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN. (BASE FLOOD ELEVATION 7.5' DETERMINED)

SOIL CHARACTERISTICS

SOIL#	SOIL NAME	HYDROLOGIC SOIL GROUP	TYPICAL SLOPES	EROSION FACTOR (K)	EROSION FACTOR (T)
11C	GRAVEN-UCHEE COMPLEX	D	6-10%	0.28	5
15E	EMPORIA COMPLEX	B	15-25%	0.28	5
17	JOHNSTON COMPLEX	A/D	0-2%	0.37	5
19B	KEMPVILLE-EMPORIA	A	2-6%	0.28	5
31B	SUFFOLK-FINE SANDY	B	2-6%	0.24	5

INFORMATION TAKEN FROM "SOIL SURVEY OF TIDEWATER CITIES AREA, VIRGINIA" ISSUED IN 2009 BY THE UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE IN COOPERATION WITH VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY.

SOIL SUSCEPTIBILITY TO EROSION CLASSIFICATION (K)
0.23 AND LOWER - LOW ERODIBILITY
0.23 - 0.36 - MODERATE ERODIBILITY
0.36 AND UP - HIGH ERODIBILITY

THE MAP SHOWN IS A "BEST FIT MODEL" OF THE SCS MAPS WITH EXISTING BASE INFORMATION.

Rev.	Date	Description

5248 Old Towne Road, Suite 108
Hampton Roads, VA 23666
Phone: (757) 253-9046
Fax: (757) 220-8894
www.abesva.com

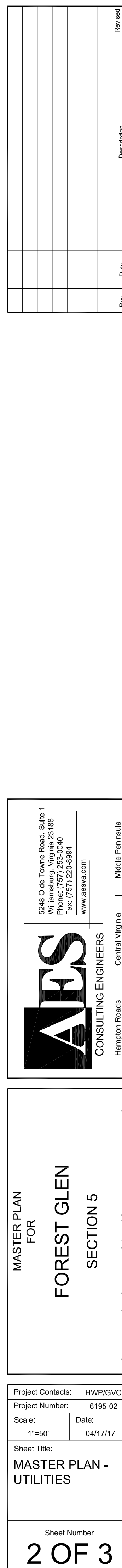
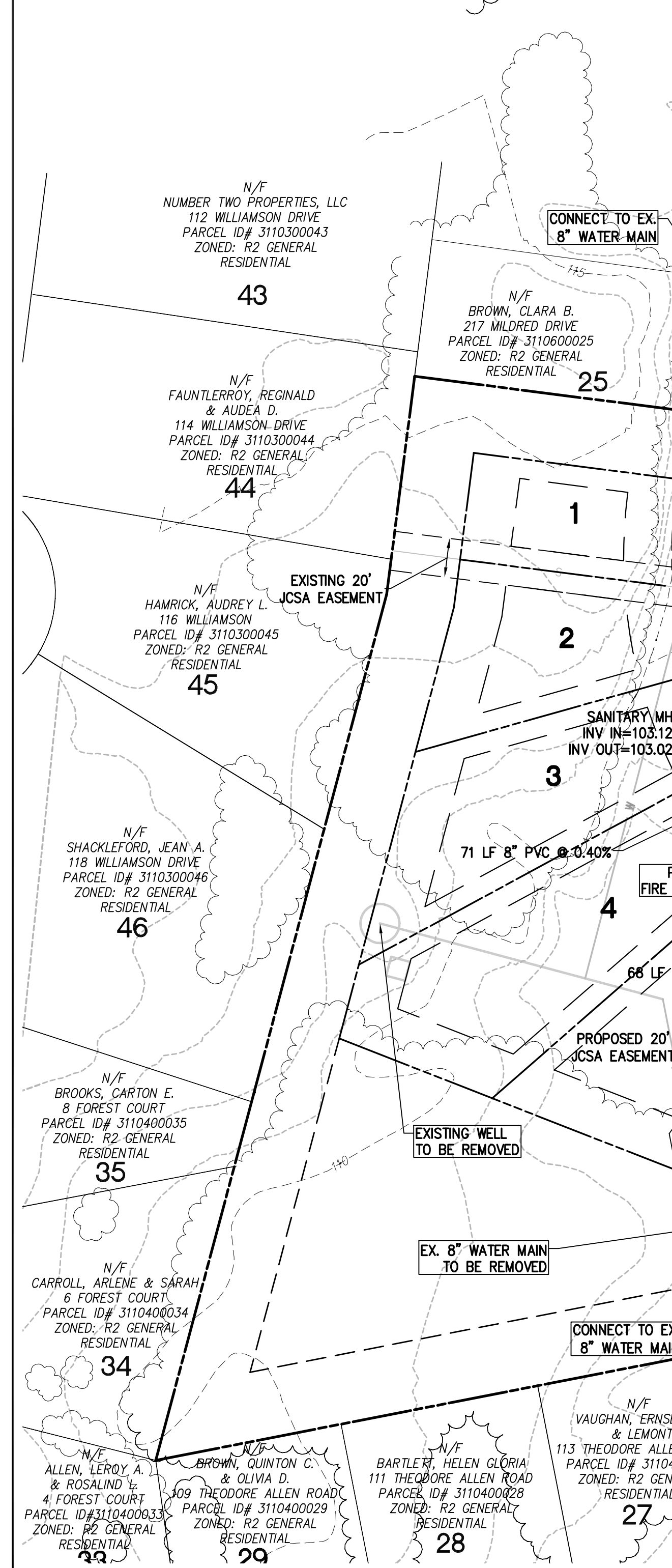
ABES
CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula

MASTER PLAN FOR
FOREST GLEN
SECTION 5

POWATIAN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts: HWP
Project Number: 6195-02
Scale: 1"=50' Date: 04/17/2017
Sheet Title: MASTER PLAN - SITE LAYOUT
Sheet Number: 1 OF 3

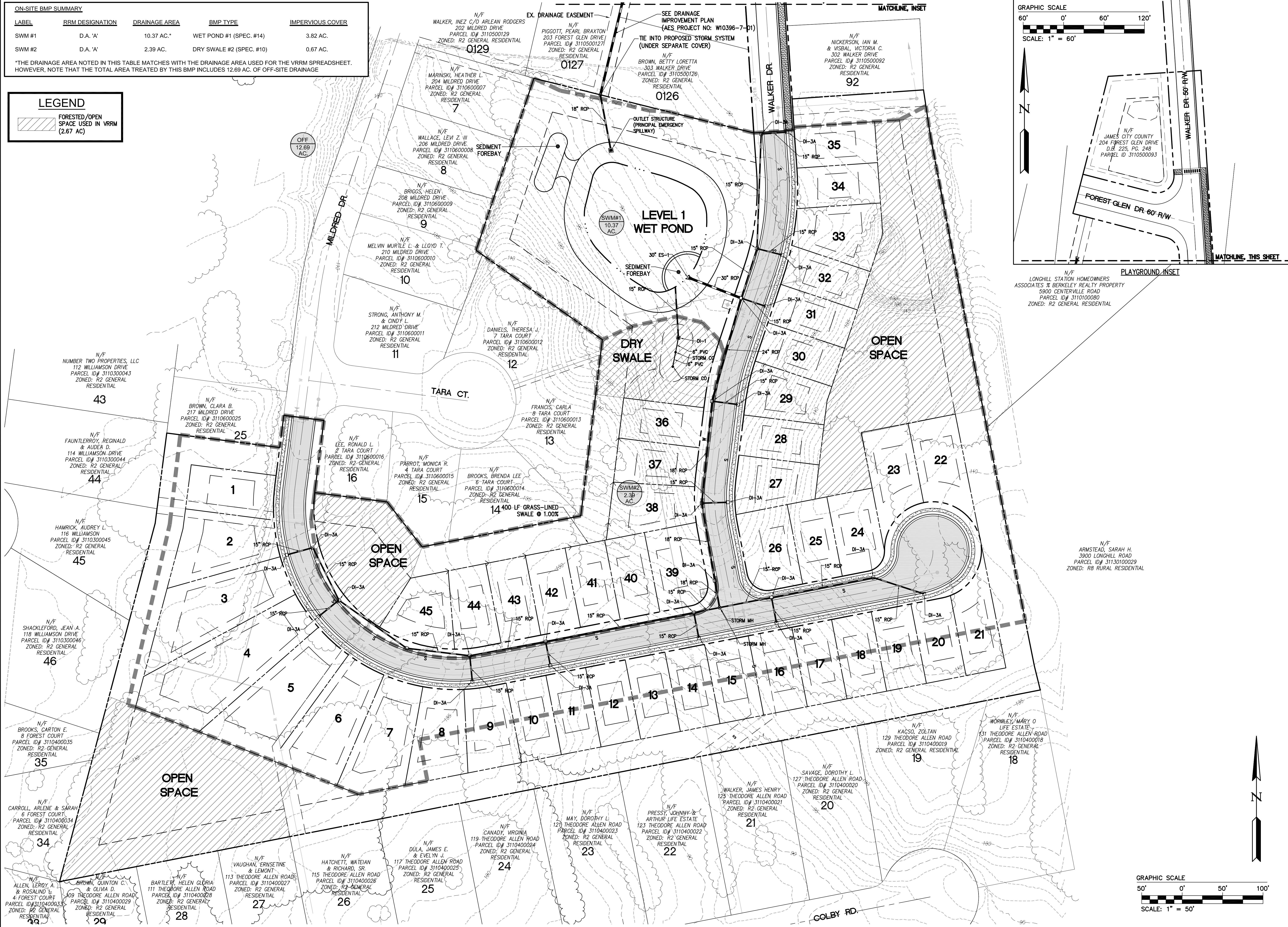


ON-SITE BMP SUMMARY				
LABEL	RRM DESIGNATION	DRAINAGE AREA	BMP TYPE	IMPERVIOUS COVER
SWM #1	D.A. 'A'	10.37 AC.*	WET POND #1 (SPEC. #14)	3.82 AC.
SWM #2	D.A. 'A'	2.39 AC.	DRY SWALE #2 (SPEC. #10)	0.67 AC.

*THE DRAINAGE AREA NOTED IN THIS TABLE MATCHES WITH THE DRAINAGE AREA USED FOR THE VRRM SPREADSHEET. HOWEVER, NOTE THAT THE TOTAL AREA TREATED BY THIS BMP INCLUDES 12.69 AC. OF OFF-SITE DRAINAGE

LEGEND

FORESTED/OPEN SPACE USED IN VRRM (2.67 AC)



GRAPHIC SCALE
60' 0' 60' 120'
SCALE: 1" = 60'

WALKER DR. 60' R/W

FOREST GLEN DR. 60' R/W

PLAYGROUND INSET

N/F LONGHILL STATION HOMEOWNERS ASSOCIATES % BERKELEY REALTY PROPERTY
5900 CENTERVILLE ROAD
PARCEL ID# 3110100080
ZONED: R2 GENERAL RESIDENTIAL

5248 Old Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: 757-220-9600
Fax: 757-220-9604
www.adsva.com

ADS
CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula

MASTER PLAN FOR
FOREST GLEN
SECTION 5

POWATOWN DISTRICT | JAMES CITY COUNTY | VIRGINIA

Project Contacts: HWP/GVC
Project Number: 6195-02
Scale: 1"=50' Date: 04/17/17
Sheet Title:
MASTER PLAN - DRAINAGE
Sheet Number
3 OF 3

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
May 3, 2017
7:00 PM

A. CALL TO ORDER

Mr. Rich Krapf called the meeting to order at 7:00 p.m.

B. ROLL CALL

Planning Commissioners

Present:

Rich Krapf
Tim O'Connor
Robin Bledsoe
John Wright
Danny Schmidt
Jack Haldeman

Absent:

Heath Richardson

Staff Present:

Paul Holt, Director of Community Development and Planning
Maxwell Hlavin, Assistant County Attorney
Savannah Pietrowski, Planner II

C. PUBLIC COMMENT

Mr. Krapf opened Public Comment.

As no one wished to speak, Mr. Krapf closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Danny Schmidt stated that the Development Review Committee (DRC) met on Wednesday, April 19 to consider C-0014-2017, 6515 Richmond Road Lidl Grocery Store Conceptual Plan.

Mr. Schmidt stated that Mr. Jeremy Yee of Kimley-Horn submitted a Conceptual Plan to the DRC relating to the proposed construction of a 35,962-square-foot grocery store on two parcels of land at 6515 and 6495 Richmond Road. Mr. Schmidt noted that Smith Memorial Baptist Church resides on one of these properties. Mr. Schmidt stated that the two parcels are zoned B-1. Grocery stores are permitted in B-1, but a Special

Use Permit (SUP) is required for a store over 10,000 square feet.

Mr. Schmidt stated that the Committee had questions regarding traffic and a proposed traffic light for the store. Mr. Schmidt stated the Committee felt that a formal traffic study would be beneficial to understanding the store's effect on this section of Richmond Road. Mr. Schmidt stated that the Committee discussed concerns about the impact on nearby communities. Mr. Schmidt stated that the applicant had explored options for moving the building away from the neighboring subdivision, but that such a move would put the number of spaces well under the 180 spaces required under the County's parking minimum. Mr. Schmidt noted that the applicant has stipulated that the loading dock would be screened with a buffer and a densely vegetated area would still be present between the store and the subdivision. Mr. Schmidt stated that the Committee members also suggested a wider buffer between Richmond Road and the parking lot as this section of Richmond Road is designated a Community Character Corridor. Mr. Schmidt stated that the applicant will provide additional elevations for the project and will meet with the Committee in May to obtain feedback on the elevations and revisions to the Conceptual Plan.

E. CONSENT AGENDA

1. Minutes Adoption - April 5, 2017 Regular Meeting
2. Stonehouse Tract 3 - Parcel C

Mr. Wright made a motion to approve the Consent Agenda.

On a voice vote, the Commission voted to approve the Consent Agenda (6-0).

F. PUBLIC HEARINGS

1. Z-0001-2017, SUP-0001-2017, MP-0001-2017. Williamsburg Landing, Marclay Road

Mr. Paul Holt, Director of Community Development and Planning, stated that the applicant has requested indefinite deferral of the application. Mr. Holt further stated that staff concurs with the request and recommends that the Planning Commission defer the application indefinitely. Mr. Holt further stated that such an action would effectively withdraw the application from the Public Hearing schedule. Mr. Holt stated that the Commission should vote on the deferral and close the Public Hearing. Mr. Holt stated that when the applicant is ready to move forward, the case would be re-advertised and adjacent property owner notifications would be made again. Mr. Krapf closed the Public Hearing.

On a voice vote, the Commission voted to approve indefinite deferral of the application.

2. SUP-0026-2016. Forest Glen Section 5

Ayes: Krapf, O'Connor, Schmidt
Nays: Bledsoe, Haldeman, Wright III
Absent: Richardson

Ms. Savannah Pietrowski, Planner II, stated that Mr. Elliott York of American Eastern Incorporated has applied for an SUP to allow a residential cluster within the existing

Forest Glen neighborhood. Ms. Pietrowski stated that the development would consist of 45 single-family lots with a gross density of approximately 2.79 units per acre.

Ms. Pietrowski stated that in order to achieve a density greater than one unit per acre, a residential cluster SUP is necessary. Ms. Pietrowski stated that for this proposal, the applicant intends to obtain the necessary density bonus points by committing 40% of all units to the provisions of affordable and workforce housing.

Ms. Pietrowski stated that the existing County-owned neighborhood park, known as Forest Glen Playground, is also included as a part of this SUP application. Ms. Pietrowski stated that the applicant is proposing to supplement the existing facilities at Forest Glen Playground in lieu of providing the full set of items typically required by the James City County Recreational Facilities Development Guidelines and has requested an exception from the Board of Supervisors. Ms. Pietrowski further stated that he applicant has been in discussion with Mr. John Carnifax, Director of Parks & Recreation, and the Parks & Recreation Department is in support of their proposal.

Ms. Pietrowski stated that historically, residential cluster SUP applications have been accompanied by an application for rezoning and typically included voluntary proffers to mitigate impacts associated with increasing the permitted density. Ms. Pietrowski stated that as the County no longer accepts proffers associated with residential rezonings, this application has been submitted as an SUP only. Ms. Pietrowski stated that while most of the impacts associated with the proposal can be mitigated through the proposed SUP conditions, there are some fiscal impacts which cannot be mitigated.

Ms. Pietrowski stated that the properties are designated Low Density Residential on the Comprehensive Plan Land Use Map and are located inside the Primary Service Area (PSA). Ms. Pietrowski stated that recommended uses for this designation include single-family and multi-family units, cluster housing and recreation areas. Ms. Pietrowski further stated that the Comprehensive Plan recommends a density of up to one unit per acre in Low Density Residential areas; however, higher densities are acceptable if certain public benefits are provided, such as affordable and workforce housing. Ms. Pietrowski stated that this proposal also addresses recommendations within the Comprehensive Plan to address the need for affordable and workforce housing and to promote infill within the PSA.

Ms. Pietrowski stated that staff finds the proposal to be compatible with surrounding zoning and development and consistent with the Comprehensive Plan. Ms. Pietrowski further stated that staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the conditions listed in the staff report.

Mr. Krapf recognized the presence of Mr. John Carnifax, Director of Parks & Recreation, who was on hand to address any questions related to the playground.

Mr. Krapf opened the floor for questions from the Commission.

Ms. Robin Bledsoe inquired if the data for fiscal impact was based on the 40% affordable housing units or 100% affordable housing units.

Ms. Pietrowski stated that the data was based on the 40%.

Mr. Jack Haldeman inquired if the net negative fiscal impact is \$209,000.

Ms. Pietrowski stated that it was approximately \$206,000.

Mr. Haldeman inquired if that was a total figure or a per year deficit.

Ms. Pietrowski stated that it was per year.

Mr. Schmidt inquired if the by-right development would be one unit per acre.

Ms. Pietrowski confirmed.

Mr. Wright inquired whether the affordable housing price restriction would apply to future sales of the property.

Mr. Holt stated that the affordable housing restriction applied only to the initial sale and that future sales of the property would be at market rate.

Mr. Haldeman asked about the fiscal deficit if the entire project were affordable housing.

Ms. Pietrowski stated that staff had not done that comparison.

Mr. Haldeman inquired if the fiscal impact was for school only.

Ms. Pietrowski stated that the fiscal impact does include other services. Ms. Pietrowski stated that fiscal impact is calculated after tax revenues have been accounted for.

Mr. Holt clarified that the County uses a standard template to assess fiscal impact and that the per-unit value is an average of the anticipated sales price. Mr. Holt stated that the fiscal impact could vary depending on actual sales.

Ms. Bledsoe inquired about how the impact on the schools was calculated.

Ms. Pietrowski stated that the school impact is based on the entire number of units.

Mr. Krapf called for disclosures from the Commission.

Mr. Krapf stated that he had spoken with the applicant.

Mr. Tim O'Connor stated that he had spoken with Mr. Howard Price of AES.

Mr. Wright stated that he did not speak with anyone; however, he did visit the site.

Ms. Bledsoe stated that she visited the site.

Mr. Haldeman stated that he visited the site.

Mr. Schmidt stated that he viewed the site using online mapping technology.

Mr. Krapf opened the Public Hearing.

Mr. Elliott York, Assistant Manager, Forest Glen Associates, LLC, made a presentation to the Commission on the proposed project. Mr. York stated that Forest Glen Associates is excited to have the opportunity to provide affordable housing units in James City County. Mr. York stated that in addition to the benefit of affordable housing, the project proposes a regional stormwater facility that will also serve a number of the existing lots. Mr. York further noted that as part of the proposal, improvements will be made to the existing James City County playground.

Mr. York stated that a Community Meeting was held on December 9, 2016. Mr. York stated that the meeting was very positive with good feedback from the community.

Mr. York requested that the Commission consider the benefits of the project and recommend approval of the project.

Mr. Haldeman inquired about the zoning of the adjacent undeveloped parcel.

Mr. York stated that he believed it was also R-2.

Mr. Haldeman inquired if there was a connection from Forest Glen to the Warhill Sports Complex.

Mr. York stated that the parcels between Forest Glen and the Warhill Sports Complex were owned by two separate entities.

Mr. Schmidt inquired about the nearest bus stop.

Mr. Holt stated that staff would look into the bus stop location and provide that information to the Commission.

Ms. Bledsoe inquired if the Homeowners Association would be responsible for maintaining the stormwater facility.

Mr. York stated that discussions are being held with the Stormwater Division regarding maintenance.

Ms. Bledsoe inquired about the cost of maintaining the additional playground equipment.

Mr. York stated that he does not have that figure.

Ms. Bledsoe inquired when the playground equipment would be installed.

Mr. York stated that the County has not stipulated when the playground equipment must be installed. Mr. York noted that it would likely be installed after the start of construction. Mr. York noted that playgrounds are an amenity that sells homes.

Ms. Bledsoe inquired about the number of homes that would be offered at the affordable housing price.

Mr. York stated that based on the surrounding community, it is likely that all the homes would sell at price points that fall within the affordable housing guidelines.

Mr. Krapf inquired about stipulations in the SUP condition for installation of the recreational equipment.

Mr. Holt stated that there is no timeframe given in the SUP condition; however, there is a requirement for the amenities to be shown on the subdivision construction plans. Mr. Holt further stated that the amenities would be bonded to ensure completion.

Mr. Wright inquired how long the construction period would be to construct all the homes.

Mr. York stated that once the SUP and construction plan are approved, site development would be complete within 18 months.

Ms. Bledsoe inquired if the intent is to use a local builder.

Mr. York stated that they have not decided on a builder. Mr. York stated that Forest Glen Associates does much of the work in-house including building.

Mr. Schmidt inquired how many homes in the existing community would benefit from the regional stormwater facility.

Mr. York stated that the stormwater facility would handle drainage for 30 acres, which would cover the 15 acres of the proposed development and 15 acres of the existing development.

Mr. Holt clarified that while the retention pond would be large enough to handle the drainage, additional engineering would be required to allow conveyance of the water to this facility.

Ms. Bledsoe inquired about water supply for the project.

Mr. York stated that the project would connect to public water and sewer and that the existing well has been abandoned.

Mr. Holt stated that, following up on the question about zoning of the adjacent parcel, it is zoned R-8, Rural Residential, which would require a minimum lot size of three acres. Mr. Holt further stated that because the adjacent property is large, there is no direct connection with the Warhill Sports Complex.

Ms. Dianna Anderson, 327 Merrimac Trail, County Resident, addressed the Commission in favor of affordable housing and suggested that the Commission consider asking the developer to provide senior housing units.

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

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

Mr. Wright stated that his greatest concern is the fiscal deficit. Mr. Wright inquired if the Board of Supervisors has indicated how the County should mitigate fiscal impacts.

Mr. Holt stated that the James City Service Authority already has connection fees. Mr. Holt further stated that under the enabling state legislation, there is no provision to

collect cash proffers and that the County is no longer able to accept proffers for residential development.

Mr. Krapf stated that he has concerns about the fiscal deficit; however, the project has several positive factors including providing workforce housing consistent with the goals of the Comprehensive Plan, providing additional recreation equipment and the potential to create a regional stormwater facility. Mr. Krapf stated that he is inclined to support the application.

Mr. Haldeman noted that the Comprehensive Plan and Housing Opportunities Policy encourages workforce housing to be spread throughout the County; however, in this instance it is creating a concentrated area of workforce housing.

Mr. O'Connor stated that in many of the developments that incorporate affordable housing, there is a distinct divide between the affordable housing and the market rate homes. Mr. O'Connor stated that when you have like neighborhoods together, it creates a better sense of community.

Mr. Holt noted that the Housing Opportunities Policy was designed to create a range of housing options for those whose income qualifies them for affordable housing. Mr. Holt stated that this application is somewhat unique as it is infill development and is located in an area where the existing housing price points are similar as opposed to a new community where the majority of homes might not be in the affordable housing price point. Mr. Holt stated that the Housing Opportunities Policy was designed to apply to the entire County but it does not take into account unique situations such as infill development or providing affordable housing to obtain a density bonus.

Mr. Wright stated that he appreciated the benefits of the project; however, he is concerned about the fiscal deficit. Mr. Wright stated that it is necessary for the County to develop methods to mitigate the financial impacts. Mr. Wright stated that he cannot support the project.

Mr. Schmidt stated that the fiscal shortfall is a great concern. Mr. Schmidt further stated that he sees benefits from the project.

Ms. Bledsoe stated that her main hesitation about the project is that the proposed price point is still higher than what most of the workforce could afford. Ms. Bledsoe stated that she would like to see the applicant work with agencies that provide assistance with loans and grants. Ms. Bledsoe further stated that she has concerns over the stormwater facility maintenance which may be an additional cost to the County.

Mr. O'Connor stated that the developer has made a good effort to work with the framework of the County's ordinances and policies. Mr. O'Connor further stated that the Stormwater Division is already addressing this area due to flooding and that the regional stormwater facility will provide a way to treat the water. Mr. O'Connor stated that he would support the application.

Mr. O'Connor made a motion to recommend approval of the application.

On a roll call vote, the James City County Planning Commission voted on a motion to recommend approval of the above-referenced application, resulting in a tie vote (3-3).

Ms. Bledsoe commented that before the application is reviewed by the Board of Supervisors, it would be helpful to have more information about the stormwater facility.

Mr. Holt stated that a stormwater facility would be required for the development under any circumstances and that discussions are ongoing regarding the creation of a regional facility.

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for consideration.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - May 2017

Mr. Holt stated that the Virginia Department of Transportation (VDOT) will hold a Design Public Hearing for the proposed improvements for the I-64 Widening, Segment 3. Mr. Holt noted that this is the portion between the two Route 199 exits. Mr. Holt stated that the work would include repair of four existing bridges, three major culverts and replacement of the two bridges over Queens Creek. Mr. Holt further stated that the widening will occur within the median, which should limit the amount of right-of-way and impacts to existing interchanges. Mr. Holt stated that the hearing will be held on May 18 at 4 p.m. at Bruton High School. Mr. Holt stated that comments will be accepted by VDOT until May 28.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Krapf noted that Mr. O'Connor has the Board of Supervisors coverage for May.

Ms. Bledsoe noted that on May 11 she, Mr. Haldeman and Mr. Holt will make a presentation to the Leadership Historic Triangle class of 2017.

Ms. Bledsoe inquired if data could be provided on the number of affordable housing units available. Ms. Bledsoe stated that the County should compare this data to know data about housing burdened residents to ensure that the County addresses having sufficient stock of affordable housing.

Mr. Holt noted that this effort, in support of the Strategic Plan, would be upcoming with the creation of a Housing Task Force as part of the FY18 Work Plan.

J. ADJOURNMENT

Mr. Wright made a motion to adjourn.

The meeting was adjourned at approximately 8:06 p.m.

Unapproved Minutes from June 13, 2017 Board of Supervisors Meeting

2. SUP-0026-2016, Forest Glen Section 5

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Ms. Savannah Pietrowski, Planner II, addressed the Board, stating that a video presentation has been prepared by staff that gives an overview of the case and materials included in the agenda packet.

Mr. Rich Krapf, Planning Commission Representative, reviewed the concerns raised by the Planning Commission, including the net negative fiscal impact and the regional BMP.

There was also some concern that the price point of the homes proposed might be too high to meet the need of workforce housing. There are some flooding and erosion issues currently being experienced by the existing Forest Glen neighborhood, so there was some concern about adding more homes to the neighborhood.

Ms. Larson noted that she met with the applicant, Mr. Elliot York, last week to discuss the project.

Ms. Sadler and Mr. McGlennon also noted that they had individually met with the applicant to discuss the project.

As there were no other questions for staff, Mr. Onizuk opened the Public Hearing.

1. Mr. Elliot York, Applicant, 103 Spring Trace Lane, addressed the Board generally discussing the highlights of the project, including the intention that these homes fall within the workforce and affordable housing guidelines. He also noted the very large stormwater pond that is indicated on the conceptual map. The proposed BMP will treat approximately 15 acres of the existing development as well as the proposed development. He stated that a community meeting was held in December, and the proposal was generally met with approval from the residents of the existing neighborhood.

Ms. Sadler asked about the improvements to the playground.

Mr. York stated that the proposal includes a minimum of five adult playground fitness equipment, which will also include a border and mulch that is certified to today's standards, as well as a walking trail that will connect the new section to the existing playground.

2. Reverend Rob Whitehead, 3991 Longhill Road, addressed the Board as the pastor of New Zion Baptist Church on Centerville Road. He spoke in favor of the proposal and the need for workforce housing.

As there were no other speakers, Mr. Onizuk closed the Public Hearing.

Mr. Hipple addressed the case as the representative of the district where this proposed development would occur. He stated that he has spoken to many residents, some who expressed some concern and many that were in favor of the project. There is concern about speeding around the playground, which is already an issue, but would only become worse with the new development. Mr. Hipple expressed concern about the BMP, and there is not a cost indicated yet. He is concerned that the County may have to cover half the cost of this BMP in order to make it work and then take it over once the neighborhood is developed. He would like to know what those costs are going to be. He also expressed concern over the

net negative fiscal impact of the development. He does not want to see the existing taxpayers take on the burden of a new neighborhood that will not hold its own. He also stated that he believes the price point is too high. True workforce housing is around the \$180,000 to \$200,000 range, in his opinion.

Mr. Hipple stated that he would not feel comfortable taking action tonight unless he had some idea of the costs of the BMP and some of the other questions and concerns answered.

Mr. McGlennon stated that he can see the advantages of this proposal; however, they are weighed against some very real costs and he is not sure the neighborhood would be stable. He would like to see what benefit there would be from the regional BMP and a more diverse price point to help support the neighborhood. He stated that he would advise the applicant to pull back the proposal and consider the comments and concerns raised here tonight.

Ms. Larson noted that WJCC school teachers would barely make the income necessary for a home at this price point. She stated that she felt it was a large amount of homes on a small amount of land.

Ms. Sadler asked if the proposal would be compatible with the surrounding area.

Staff answered yes.

Ms. Sadler asked Reverend Whitehead if there was general support and approval for the proposal.

Reverend Whitehead stated yes, but he believes it needs to be tweaked just a bit and perhaps address some of the concerns.

Mr. Onizuk stated that the Planning Commission had concerns over the fiscal impact and he has reviewed those numbers. He asked if the fiscal impact was just the impact on schools or if it included all public services.

Ms. Pietrowski stated that the fiscal impact statement includes all public services.

Mr. Onizuk stated that he sees every day the lack of affordable housing product in the area at that price point. He stated that he shares the concerns of his fellow board members. He sees some opportunities, but he is not sure he is very enthusiastic about this proposal.

Mr. York, the applicant, stated that he would be willing to request a deferral for three months to try and address some of these concerns.

Mr. Onizuk stated that a three-month deferral would be until the September 12 meeting.

The applicant thanked the Board for their consideration and comments.

Mr. Onizuk asked if a motion to postpone was necessary.

Mr. Kinsman stated yes.

Community Impact Statement

For

Forest Glen Section V

Prepared For

***Forest Glen Associates, LLC
632 Hampton Highway
Yorktown, Virginia 23693
757-867-8800***

Original: December 08, 2016

Revised: April 17, 2017

AES Project Number 6195-02

County Number: SUP-0026-2016

Prepared by:



5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
(757) 253-0040
Fax (757) 220-8994

TABLE OF CONTENTS

I.	INTRODUCTION.....	3
II.	THE PROJECT TEAM	4
III.	EXISTING CONDITIONS	5
IV.	PROJECT DESCRIPTION	5
V.	PLANNING CONSIDERATIONS	7
	A. Land Use.....	7
	B. Environmental.....	7
	C. Historic and Archaeological.....	7
	D. Parks and Recreation	7
VI.	ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES	7
	A. Public Water Facilities.....	7
	B. Fire Protection and Emergency Services	8
	C. Solid Waste	8
	D. Utility Service Providers.....	8
	E. Schools.....	8
VII.	ANALYSIS OF ENVIRONMENTAL IMPACTS.....	10
	A. Wetlands & Resource Protection Areas	10
	B. Plant Species.....	10
	C. Soils.....	10
VIII.	ANALYSIS OF STORMWATER MANAGEMENT	10
	A. Water Quality.....	10
	B. Water Quantity.....	11
	C. Special Stormwater Criteria	11
	D. Storm Sewer System	12
IX.	ANALYSIS OF IMPACTS TO TRAFFIC	12
X.	FISCAL IMPACT STUDY.....	12
XI.	CONCLUSIONS.....	13
LIST OF EXHIBITS		
	Exhibit 1 - Vicinity Map.....	6
	Exhibit 2 - Special Stormwater Criteria Map	12
APPENDIX		

I. INTRODUCTION

Forest Glen Associates, LLC is applying for a Special Use Permit for a property located in the Powhatan Magisterial District on the eastern side of Centerville Road and is located in a currently undeveloped portion of the Forest Glen neighborhood. The existing zoning for the property is R-2 and this SUP request is to allow a cluster development to be constructed.

The purpose of this Community Impact Statement is to summarize and organize the planning efforts of the project team into a cohesive package for Staff review, addressing the pertinent planning issues, the requirements of a cluster development, cultural, fiscal, and physical impacts of the proposed development to the County.

Description of Forest Glen Associates, LLC

Forest Glen Associates, LLC is a land holding company owned and operated by H.R. Ashe. Mr. Ashe has owned and operated a local construction company based in Yorktown, VA since 1975. Since that time, Mr. Ashe has completed over 247 commercial projects, developed over 2,300 lots, developed and constructed a 96-unit multi-family complex, and constructed over 1,800 homes.

II. THE PROJECT TEAM

The organizations that participated in the preparation of the information provided with this rezoning submission are as follows:

- Developer - Forest Glen Associates, LLC
- Civil Engineering - AES Consulting Engineers
- Land Planning - AES Consulting Engineers
- Fiscal - Ted Figura Consulting

Key Components of this Community Impact Statement are:

- Existing Conditions
- Project Description
- Planning Considerations
- Analysis of Impacts to Public Facilities and Services
- Analysis of Environmental Impacts
- Analysis of Storm Water Management
- Traffic Impact Analysis
- Fiscal Impact Study
- Conclusions

III. EXISTING CONDITIONS

Site Location - See Figure 1, Vicinity Map, page 6

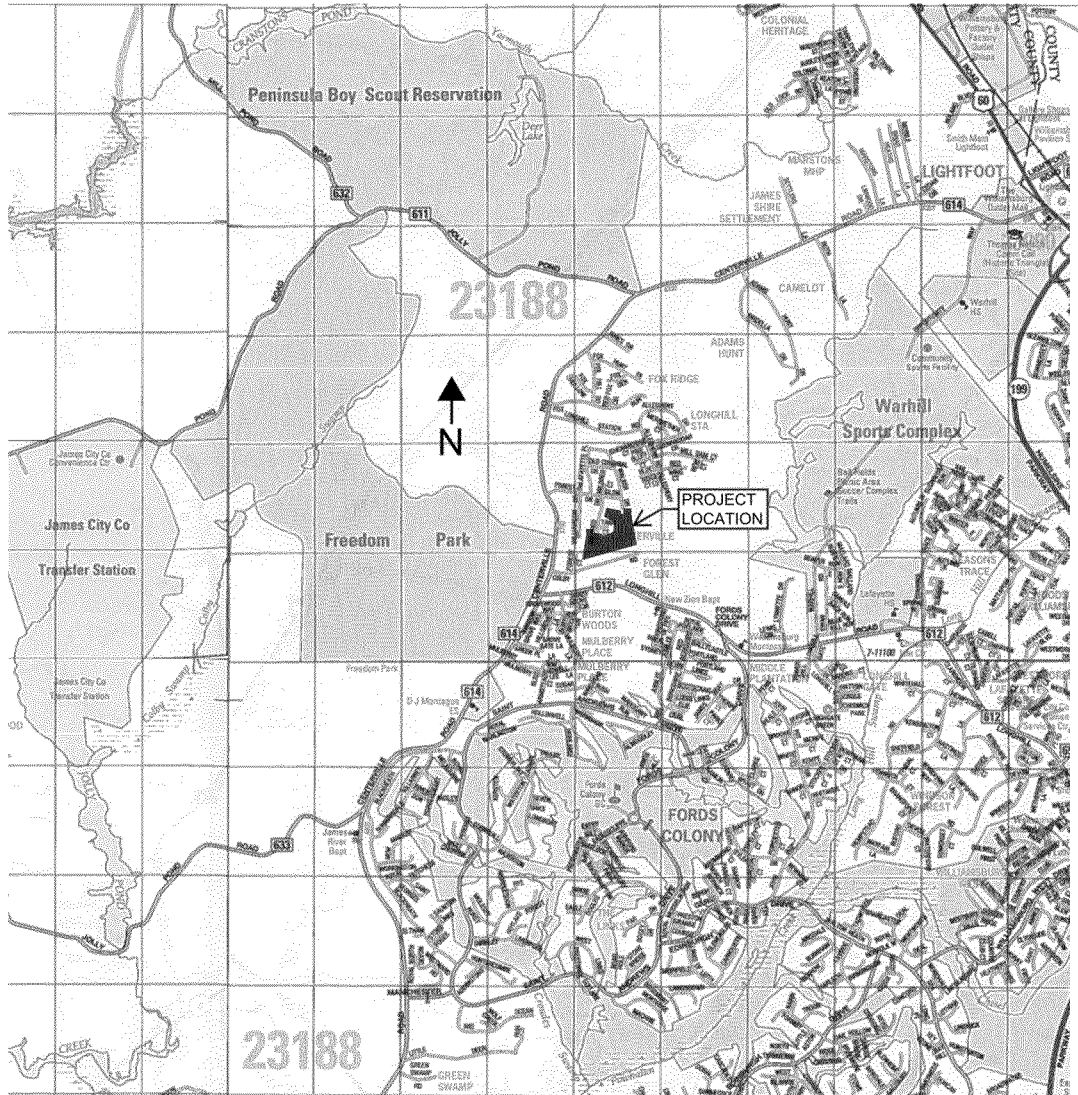
Master Plan – Site Layout (1 of 3), contains detailed information on preliminary wetlands, buffers, soils, and slopes. A pre-development site analysis revealed the following results:

<i>RPA Wetland areas:</i>	0.000	acres
<i>Non-RPA Wetland areas:</i>	0.000	acres
<i>Areas of 25% or greater slopes</i>	0.000	acres
<i>Total Non-Developable Area</i>	0.000	acres
<i>Net Developable Area</i>	16.113	acres

IV. PROJECT DESCRIPTION

Forest Glen Associates, LLC proposes to establish a cluster development on the property to allow lots of an average size of 0.140 AC to be constructed. This project will consist of 100% affordable and workforce housing and will serve a greater need for affordable housing throughout James City County. The concept, as depicted on Master Plan – Site Layout (1 of 3), shows the proposed layout of the site. The roads serving the development will be public.

Figure 1



Map copyright© Kappa Map Group LLC, (800) 829-6277. Used with permission – Permitted Use
Number 21004223

APPROXIMATE SCALE 1"=2000'

VICINITY MAP
for
Forest Glen, Section V
James City County, Virginia

V. PLANNING CONSIDERATIONS

A. Land Use & Density

The entire 16.113± acre parcel is currently zoned as R-2, General Residential District. The Comprehensive Plan designates this parcel as Low Density Residential. The site is currently bounded by a single family residential neighborhood (Forest Glen). Initial discussions with James City County Planning Staff have indicated that the proposed cluster development with affordable and workforce housing would be an appropriate neighbor to the existing single family residential communities and a good economic fit for this particular site.

The proposed site has a gross density of 2.79 lots per acre, which requires 4 bonus points to be achieved. In order to reach this number, affordable and workforce housing will be provided which achieves the required 4 bonus points.

B. Environmental

There are no environmental concerns associated with this project.

C. Historic & Archeological

As a condition of the SUP, a Phase 1 Archeological study must be completed, submitted and approved by the county prior to issuance of a Land Disturbing permit.

D. Parks and Recreation

Forest Glen Associates, LLC proposes to work with the County to make improvements and modifications deemed appropriate to the existing County owned and maintained playground area in the existing Forest Glen neighborhood. This will include an access trail/sidewalk and additional designated playground area containing various fitness apparatuses. The existing playground is located at 204 Forest Glen Drive, which is approximately 333 feet away from one of the two main entrances into the proposed development.

VI. ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES

A. Public Water & Sewer Facilities

The proposed development will generate 13,200 GPD (average project daily flow). As this flow is less than 30,000 GPD, a water and sewer study is not required for the SUP. Additionally, since this flow is less than 40,000 GPD, an HRSD flow acceptance letter is not required.

Water service shall be provided by looping the system and connecting to existing JCSA water mains located on either side of the property. An additional connection will be made while abandoning the existing well that exists on site. Hydrants will be provided to meet JCSA minimum standards and as otherwise directed by the Fire Marshall. A detailed water model will also be provided for approval during the development plan stage.

Sanitary sewer service is provided to the site by a proposed on site gravity sewer collection system which will convey wastewater flows to an existing JCSA gravity sewer system. The receiving pump station is JCSA Station #5-9.

All system components shall be designed to JCSA standards for acceptance into the JCSA water and gravity sewer system. Please refer to the Master Plan – Utilities (2 of 3) for the preliminary layout of the on-site water and sanitary sewer system.

B. Fire Protection and Emergency Services

There are currently five (5) fire stations providing fire protection and Emergency Medical Services (EMS) services to James City. Three (3) stations are located within a reasonable distance to the project site. These are Fire Stations 3, 4 and 5. The closest fire station to the subject site within James City County is Fire Station 4, located at 5312 Olde Towne Road, just over 3.3 miles east of this project site. However, all three of these stations are within a 10 minute drive of the project site. Response time to the site is within appropriate limits if an emergency event occurs which requires additional fire and life safety support. The proximity of the site to these three fire stations affords the future residents of the project more than adequate response to potential emergencies.

C. Solid Waste

The proposed development on the subject property will generate solid wastes that will require collection and disposal to promote a safe and healthy environment. Curb side solid waste collection services will be provided where trash and recycle material can be deposited into the appropriate vehicle for transport to a solid waste transfer station.

D. Utility Service Providers

Virginia Natural Gas, Dominion Virginia Power, Cox Communications, and Verizon Communications provide, respectively, natural gas, electricity, cable TV service, and telephone service to this area. The current policy of these utility service providers is to extend service to the development at no cost to the developer when positive revenue is identified; plus, with new land development, these utility service providers are required to place all new utility service underground.

E. Schools

The proposed development will generate 17.6 students K-12. This figure is based on the proposal to build 44 single family detached homes at a student generation rate of 0.4 per household. This calculation is provided as part of the Fiscal Impact Analysis.

The calculated number of K-5 students generated from the proposed development is 7.7, grade level 6-8 is 4 students, and grade level 9-12 is 5.8 students. The multiplier used for each grade level is based on the pro rata share of students currently enrolled in each grade level as reported in the 2016-2017 enrollment report published by James City County. A copy of the calculation is provided below and the report used is provided in the appendix.

Williamsburg-James City County Public Schools Historical Enrollment

Grade	2016-2017	Percentage	Students Generated
K-5 Total	5,028	44%	7.7
6-8 Total	2,628	23%	4.0
9-12 Total	3,775	33%	5.8
K-12 Total	11,431	100%	17.6

Source: Williamsburg-James City County Public Schools, 9/30/16 Count

Total Students Generated by Development

17.6

The proposed development is zoned for students to attend Blayton Elementary, Hornsby Middle, and Lafayette High school. All of these schools are currently operating below capacity. Adding these additional students will not bring the enrollment levels at or above capacity. The below table illustrates the current enrollment numbers, capacity, and new enrollments with the calculated additions. Each figure was pulled directly from the Williamsburg James City County Public Schools website (<https://wjccschools.org/departments/finance/enrollment-reports/>) and each report used is provided below in the appendix.

School	2016-2017		Addition	Projected Enrollment	Difference in
	Enrollment	Capacity			Capacity vs. Projected
Blayton Elementary	513	540	8	521	19
Hornsby Middle	942	952	4	946	6
Lafayette High	1152	1314	6	1158	156

VII. ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Wetlands, Resource Protection Areas

There are no wetlands or Resource Protection Areas located on-site.

B. Endangered Species

An endangered species report is not required.

C. Soils

The USDA Web Soil Survey shows several soil types within the property boundary. This property is predominantly situated on low to moderately drained soils of Craven-Uchee Complex, Emporia Complex, Johnston Complex, Kempsville Emporia and Suffolk-Fine Sandy soil types. Soils mapping can be seen on Master Plan – Site Layout (1 of 3).

VIII. ANALYSIS OF STORMWATER MANAGEMENT

A. Water Quality

The Virginia Runoff Reduction Method as set forth by the Virginia Department of Environmental Quality (DEQ) governs the water quality requirements for both new and re-development projects. As this proposed project would be constructed on currently wooded area, this classifies the site as a “New Development” project. Following the procedures for a new development, the required pollutant load reduction can be calculated to ensure the proposed development does not have a negative impact on downstream waterways. This reduction is measured in total phosphorus; a chemical that DEQ has determined that drives all other pollutants levels. Essentially, if phosphorus is reduced, so are all the other pollutants.

The VRRM spreadsheet has been included in the Appendix detailing the site soil data, required pollutant removal, and Best Management Practices (BMPs) provided to achieve improved water quality. For this proposed site, 7.29 lbs./year of phosphorus load reduction is required. A treatment chain of a Level 2 Dry Swale (DEQ SPEC #10) and Level 1 Wet Pond (DEQ SPEC #14) that treats 13.77 acres of the proposed development, including 4.34 acres of impervious area has been utilized to help achieve this requirement. Using this treatment train of BMPs, 7.37 lbs./year of phosphorus load reduction will be achieved. This load reduction exceeds the requirement by 0.07 lbs./year. Additionally, this dry swale and wet pond will need to meet the specifications as set forth by DEQ, including but not limited to providing adequate treatment volume.

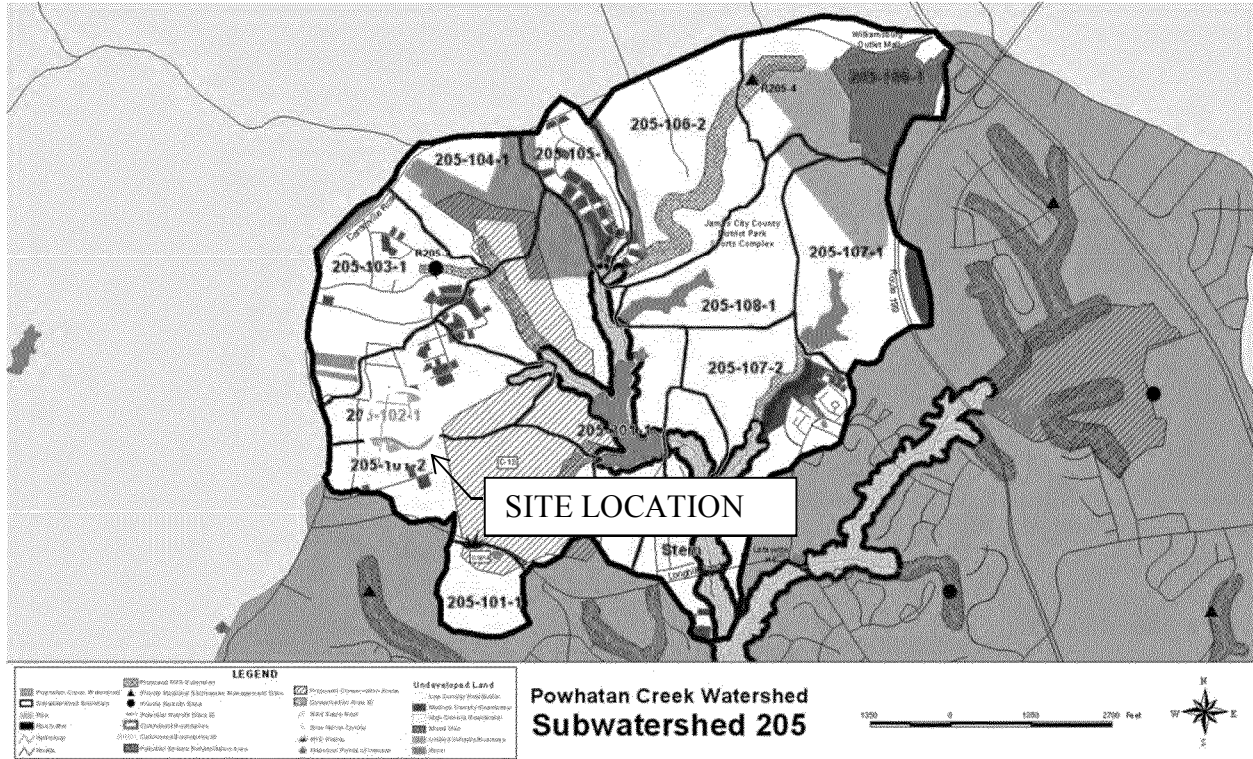
B. *Water Quantity*

Water quantity control is required to ensure that the post construction stormwater runoff is controlled to a point that is either at or below the existing condition in terms of flow rates. This quantity of stormwater can be reduced by storing the increased stormwater runoff for a period of time before releasing it back into the downstream waterway. The wet pond as previously used for water quality control can also be used to store the stormwater to reduce the flow. The Runoff Reduction Method can be used in combination with the SCS Method to calculate the required volume for the pond. Appropriate measures will be taken to ensure that the 1, 2, 10, and 100 year storms are properly contained within the pond and discharge the stormwater over time with appropriate flows to maintain or better the existing condition.

C. *Special Stormwater Criteria*

Forest Glen Section V is located in Sub watershed 205, an area considered to be sensitive by the Powhatan Creek Watershed Management Plan as shown below in Figure 2. This plan was put in place to help prevent any degradation of the ecosystem and waterways downstream of Powhatan Creek. The plan also describes this area as a high quality headwater stream in the watershed and has excellent stream habitat scores, expansive floodplain wetlands, and contiguous forests. It is assumed that over time this area will shift from “sensitive” to “impacted” due to a high development demand. In most cases, the plan requires that Special Stormwater Criteria be used in order to help prevent this shift and keep the current waterway in the same high quality state that it is today.

Figure 2



D. Storm Sewer System

The proposed storm sewer system shall be comprised mainly of curb inlets and reinforced concrete pipe that are placed throughout the site at critical locations. This system shall be used to convey the stormwater runoff into the proposed BMP for treatment. See Master Plan – Drainage (3 of 3) for the approximate sizing and location of this storm system. During final design, calculations will be provided to either confirm the sizes shown or resize the pipe sizes and inlets as appropriate.

IX. ANALYSIS OF IMPACTS TO TRAFFIC

A traffic study is not required for this application due to low trip generation; however, information from VDOT and the Hampton Roads TPO indicate that Centerville Road shall maintain a level of service between A-C. Our proposed site only generates a total of 419 vehicles per day with a peak of 45 vehicles per day.

X. FISCAL IMPACT STUDY

A Fiscal Impact Analysis has been prepared by Ted Figura Consulting and is included in this submittal to the County for review. This analysis will include a study of the impact to the WJCC school system.

XI. CONCLUSIONS

Forest Glen Section V represents an appropriate use of land on this site in James City County. This proposed project helps to fill a growing regional need of affordable housing in James City County and is a good fit for the existing Forest Glen subdivision.

This proposed community meets the intent of the Comprehensive Plan with assurances for the provision of ample open space and its efficient use. The project team's experience in construction assures the county of high standards of design, layout and construction. Forest Glen Section V will provide a model for the development of affordable housing in James City County.

The proposed development will not have a significant impact of the adjacent roadways or school system. The Fiscal Analysis concludes a net negative fiscal impact to the County, at build out, of approximately \$ 209,426.22 per year. However, this development addresses the county long term need of affordable housing.

There are adequate public utilities with capacity to serve this project. The site is capable of being served by public sewer and water. Fire and life safety issues have been addressed with this application.

Finally, the careful planning of this project with regard to open space, buffers, carefully planned stormwater management systems and limits on impervious surfaces assures the County that the sensitive sub watershed No. 205 of the Powhatan Creek Watershed will be protected. Due to site constraints, the only feasible BMP for water quality and quantity control is a Wet Pond Level 1 in a treatment train with another water quality BMP.

APPENDIX

VRRM Summary - BMP Pollutant Removal Calculation
Powhatan Creek Watershed Master Plan – Sub watershed 205
Fiscal Impact Study
Adequate Public Schools Facility Test

DEQ Virginia Runoff Reduction Method New Development Compliance Spreadsheet - Version 3.0

BMP Design Specifications List: 2013 Draft Stds & Specs

Site Summary

Total Rainfall = 43 inches

Site Land Cover Summary

	A soils	B Soils	C Soils	D Soils	Totals	% of Total
Forest/Open (acres)	0.50	1.75	0.00	0.50	2.75	16
Managed Turf (acres)	2.17	5.00	0.00	3.17	10.34	59
Impervious Cover (acres)	0.80	2.17	0.00	1.35	4.32	25
					17.41	100

Site TV and Land Cover Nutrient Loads

Site RV	0.36
Treatment Volume (ft ³)	22,903
TP Load (lb/yr)	14.39
TN Load (lb/yr)	102.95

Total TP Load Reduction Required (lb/yr)	7.25
--	------

Site Compliance Summary

Total Runoff Volume Reduction (ft ³)	1,939
Total TP Load Reduction Achieved (lb/yr)	7.26
Total TN Load Reduction Achieved (lb/yr)	35.35
Remaining Post Development TP Load (lb/yr)	7.13
Remaining TP Load Reduction (lb/yr) Required	0.00

**No further TP load reduction required

Drainage Area Summary

	D.A. A	D.A. B	D.A. C	D.A. D	D.A. E	Total
Forest/Open (acres)	1.75	0.00	0.00	0.00	0.00	1.75
Managed Turf (acres)	7.70	0.00	0.00	0.00	0.00	7.70
Impervious Cover (acres)	4.32	0.00	0.00	0.00	0.00	4.32
Total Area (acres)	13.77	0.00	0.00	0.00	0.00	13.77

Drainage Area Compliance Summary

	D.A. A	D.A. B	D.A. C	D.A. D	D.A. E	Total
TP Load Reduced (lb/yr)	7.26	0.00	0.00	0.00	0.00	7.26
TN Load Reduced (lb/yr)	35.35	0.00	0.00	0.00	0.00	35.35

Drainage Area A Summary

Land Cover Summary

	A Soils	B Soils	C Soils	D Soils	Total	% of Total
Forest/Open (acres)	0.00	1.75	0.00	0.00	1.75	13
Managed Turf (acres)	0.80	5.10	0.00	1.80	7.70	56
Impervious Cover (acres)	0.70	2.92	0.00	0.70	4.32	31
					13.77	

BMP Selections

Practice	Managed Turf Credit Area (acres)	Impervious Cover Credit Area (acres)	BMP Treatment Volume (ft ³)	TP Load from Upstream Practices (lbs)	Untreated TP Load to Practice (lbs)	TP Removed (lb/yr)	TP Remaining (lb/yr)	Downstream Treatment to be Employed
5.b. Dry Swale #2 (Spec #10)	1.32	0.65	3,230.96	0.00	2.03	1.54	0.49	13.a. Wet Pond #1
13.a. Wet Pond #1 (Spec #14)	6.38	3.67	18,730.64	0.49	10.94	5.72	5.72	

Total Impervious Cover Treated (acres)	4.32
Total Turf Area Treated (acres)	7.70
Total TP Load Reduction Achieved in D.A. (lb/yr)	7.26
Total TN Load Reduction Achieved in D.A. (lb/yr)	35.35

Runoff Volume and CN Calculations

	1-year storm	2-year storm	10-year storm
Target Rainfall Event (in)	0.00	0.00	0.00

Drainage Areas	RV & CN	Drainage Area A	Drainage Area B	Drainage Area C	Drainage Area D	Drainage Area E
CN	73	0	0	0	0	0
RR (ft ²)	1,939	0	0	0	0	0
1-year return period	RV w/o RR (ws-in)	0.00	0.00	0.00	0.00	0.00
	RV w RR (ws-in)	0.00	0.00	0.00	0.00	0.00
	CN adjusted	100	0	0	0	0
2-year return period	RV w/o RR (ws-in)	0.00	0.00	0.00	0.00	0.00
	RV w RR (ws-in)	0.00	0.00	0.00	0.00	0.00
	CN adjusted	100	0	0	0	0
10-year return period	RV w/o RR (ws-in)	0.00	0.00	0.00	0.00	0.00
	RV w RR (ws-in)	0.00	0.00	0.00	0.00	0.00
	CN adjusted	100	0	0	0	0

Powhatan Creek Watershed Management Report

Subwatershed No. 205

OVERALL PROGNOSIS:

Currently, this subwatershed has the highest quality of any subwatershed in the Powhatan Creek watershed, and is classified as **SENSITIVE**. The streams are rated as having the best stream habitat in the watershed and a small wetland contains two RTE species. Subwatershed 205 also has the greatest growth potential of any subwatershed, as more than 50% of its area remains developable under current zoning. The Center recommends that this subwatershed Given its modest RPA protection (less than 4% of total area), and projected impervious cover (11%), this subwatershed is projected to shift into the **IMPACTED** category without effective watershed management.

See Figure

Drainage Area: 2.53 sq. miles (1,619.2 acres)

Land Use in Subwatershed 205

	<i>Percentage</i>	<i>Subwatershed Category</i>
2000 Impervious Cover	6.4 %	Sensitive
Future impervious cover (with buildout)	13.3 %	Impacted
Target Watershed Classification		Sensitive

Developable area: 867 acres or 54% of subwatershed area

Priority Conservation Areas in 205

Table 205-1. Priority Conservation Areas in Subwatershed 205			
<i>Conservation Area</i>	<i>Description</i>	<i>Conservation Area Ranking</i>	<i>Acquisition Ranking</i>
C-12/14	<i>Small pocket wetland with rare species -- the drainage is currently under development</i>	<i>3 of 21</i>	<i>--</i>
C-13	<i>Excellent quality streams and a small tract of mature hardwood contiguous forest</i>	<i>11 of 21</i>	<i>15 of 17</i>

Presence of RTE species: Confirmed populations of New Jersey Rush and historically Torreys Peat Moss (VA Natural Heritage).

Wetland areas: One exceptional wetland (about 0.5 to 0.7 acres in size) is the home to the RTE plant population. This wetland and its contributing drainage is a prime candidate for immediate land conservation, better site design and innovative stormwater practices. Adjacent development has the potential to adversely influence this important wetland.

Powhatan Creek Watershed Management Report

In addition, the lower portions of this subwatershed contain the upper reaches of Longhill Branch Swamp, which is one of the largest wetland complexes in the entire watershed.

Stream Conditions in 205

Table 205-2. General Stream Condition in Subwatershed 205		
Stream Quality	Description	Rank
<i>Excellent</i>	<i>Highest Quality streams in the watershed</i>	<i>1 of 11</i>

Habitat assessment: Stream assessment scores indicate streams in this subwatershed have the best habitat scores within the entire Powhatan Creek watershed. Typical characteristics include an intact forested stream valley, stable streambanks, good to excellent in-stream habitat and little or no evidence of channel instability.

Stormwater Management in 205

Subwatershed 205 has been divided into 13 catchments. The streams within subwatershed 205 received the highest rating in the stream assessment and are recommended Stream Protection Areas. Also, the subwatershed is considered the best candidate for preservation in the watershed. The major stormwater management strategy involves using on-site stormwater management per the recommended Special Stormwater Criteria, in conjunction with cluster or open space design, to limit disturbance to recommended conservation areas and stream valleys.

Table 205-3. Priority Stormwater Retrofit Areas			
Retrofits	Type of Retrofit and Rank		Benefit
	Regional Ponds for Future Development	Stormwater Retrofit	
205-2		3 of 17	<i>Retrofit of existing dry pond to provide channel protection and possibly water quality treatment..</i>
205-4	4 of 9	--	<i>Potential regional facility to manage runoff from future development as well as from the existing rural residential development.</i>

Powhatan Creek Watershed Management Report

Other Observations in Subwatershed 205

Evidence of poor logging practices within and near the stream valley, which generates erosion and fragments remaining forests.

Recommendations for Subwatershed 205

Land Conservation

- Acquisition/easement of C-13 parcel
- Continued agricultural zoning adjacent to C-13
- Possible down zone of limited industry/commercial area not draining to regional pond
- Impervious cover cap for the subwatershed

Stormwater Management

- Special Stormwater Criteria for sites not draining to a regional facility (see catchment 205-106-1)
- Special Stormwater Criteria for site draining to a the small pocket wetland (see conservation areas C-12/14)



Please make sure to use the accompanying Excel Spreadsheet to calculate the numbers below.

FISCAL IMPACT WORKSHEET AND ASSUMPTIONS

Please complete all *applicable* sections. Please use the provided spreadsheet to perform calculations. If space provided is insufficient, please feel free to include additional pages. If you have any questions please contact the Planning Office at 757-253-6685 or planning@jamescitycountyva.gov

- 1a) PROPOSAL NAME: _____
- 1b) Does this project propose residential units? Yes ☐ No ☐ (if no, skip Sec. 2)
- 1c) Does this project include commercial or industrial uses? Yes ☐ No ☐ (If no, skip Sec. 3)

Fiscal Impact Worksheet Section 2: Residential Developments

- 2a) TOTAL NEW DWELLING UNITS. Please indicate the total number of each type of proposed dwelling unit. Then, *add* the total number of new dwelling units.

Single-Family Detached		Apartment	
Townhome/Condominium/Single-Family		Manufactured Home	
Total Dwelling Units			

Are any units affordable? Yes ☐ No ☐ (If yes, how many?) _____

Residential Expenses – School Expenses

- 2b) TOTAL NEW STUDENTS GENERATED. *Multiply* the number of each type of proposed unit from (2a) its corresponding Student Generation Rate below. Then, *add* the total number of students generated by the proposal.

Unit Type	Number of Proposed Units (from 2a)	Student Generation Rate	Students Generated
Single-Family Detached		0.40	
Townhome/Condo/Attached		0.17	
Apartment		0.31	
Manufactured Home		0.46	
Total			

- 2c) **TOTAL SCHOOL EXPENSES.** *Multiply* the total number of students generated from (2b) by the Per-Student Total Expenses below.

Total Students Generated	Per-Student Operating Expenses	Per-Student Capital Expenses	Per-Student Total Expenses	Total School Expenses
	\$5920.16	\$2176.06	\$8096.22	\$

Residential Expenses - Non-School Expenses

- 2d) **TOTAL POPULATION GENERATED.** *Multiply* the number of proposed units from (2a) and multiply by the Average Household Size number below.

Total Units Proposed	Average Household Size	Total Population Generated
	2.45	

- 2e) **TOTAL NON-SCHOOL EXPENSES.** *Multiply* the population generated from (2d) by the Per-Capita Non-School Expenses below.

Total Population Generated	Per-Capita Non-School Expenses	Total Non-School Expenses
	\$640.98	\$

- 2f) **TOTAL RESIDENTIAL EXPENSES.** *Add* school expenses from (2c) and non-school expenses (2e) to determine total residential expenses.

Total School Expenses	Non-School Expenses	Total Residential Expenses
\$	\$	\$

Residential Revenues

- 2g) **TOTAL REAL ESTATE EXPECTED MARKET VALUE.** Write the number of each type of units proposed from (2a). Then *determine the average* expected market value for each type of unit. Then, *multiply* the number of unit proposed by their average expected market value. Finally, *add* the total expected market value of the proposed units.

Unit Type:	Number of Units:	Average Expected Market Value:	Total Expected Market Value:
Single-Family Detached		\$	\$
Townhome/Condo/Multi-family		\$	\$
Total:		N/A	\$

- 2h) **TOTAL REAL ESTATE TAXES PAID.** *Multiply* the total market value from (2g) by the real estate tax rate below.

Total Market Value	Real Estate Tax Rate	Total Real Estate Taxes Paid
\$.0084	\$

- 2i) TOTAL PERSONAL PROPERTY TAXES PAID. *Multiply* the total real estate taxes paid (2h) by the property tax average below.

Real Estate Tax Paid	Personal Property Tax Average	Personal Property Taxes Paid
\$	0.15	\$

- 2j) TOTAL SALES & MEALS TAXES PAID. *Multiply* the total real estate taxes paid (2h) by the sales and meals tax average below:

Real Estate Tax Paid	Sales and Meals Tax Average	Total Sales & Meals Taxes Paid
\$.09	\$

- 2k) TOTAL CONSERVATION EASEMENT TAXES PAID. If the proposal contains a conservation easement, *multiply* the size of the proposed conservation easement by the conservation easement assessment rate.

Proposed Conservation Easement Size	Assessment Rate	Conservation Easement Taxes Paid
	\$2000/acre (prorated)	\$

- 2l) TOTAL HOA TAXES PAID. If the HOA will own any property that will be rented to non- HOA members, *multiply* the expected assessed value of those rentable facilities by the real estate tax rate below.

HOA Property Type	Total Assessed Value	Real Estate Tax Rate	Total HOA Taxes Paid
		.0084	\$

- 2m) TOTAL RESIDENTIAL REVENUES. *Add* all residential taxes paid to the County from (2h) through (2l).

Total Residential Revenues	\$
----------------------------	----

- 2n) RESIDENTIAL FISCAL IMPACT. Subtract total residential revenues (2m) from total residential expenses (2f).

Total Residential	Total Residential Revenues	Total Residential Fiscal Impact
		\$

Fiscal Impact Analysis Worksheet Section 3: Commercial and Industrial Developments

Commercial and Industrial Expenses

- 3a) TOTAL NEW BUSINESSES. How many new businesses are proposed? _____
(Include all businesses that will rent or lease space at the location as part of the proposal, including probable tenants of an office park or strip mall).

- 3b) TOTAL COMMERCIAL EXPENSES. *Multiply* the total business real estate expected assessment value from (3c) below by the Commercial Expenses Rate below.

Total Expected Assessment Value	Commercial Expense Rate	Total Commercial Expenses
\$1	0.0045	\$

Commercial & Industrial Revenues

- 3c) TOTAL REAL ESTATE EXPECTED ASSESSMENT VALUE. *Estimate* the expected real estate assessment value, at buildout, of all proposed commercial element properties below.

Proposed Business Properties (by use and location)	Expected Assessment Value
Total:	\$

- 3d) TOTAL REAL ESTATE TAXES PAID. *Multiply* the total expected market property value from (3c) by the real estate tax rate below.

Expected Market Value	Real Estate Tax Rate	Real Estate Taxes Paid
	.0084	\$

- 3e) TOTAL BUSINESS PERSONAL PROPERTY TAXES PAID. *Multiply* the total business capitalization for each proposed commercial element by the business personal property tax rate below. Then *add* the total personal property taxes paid.

Proposed Business Name	Total Business Capitalization	Personal Property Tax Rate	Total Business Property Taxes Paid
		0.01	
		0.01	
		0.01	
Total:		N/A	\$

- 3f) TOTAL BUSINESS MACHINERY AND TOOLS TAXES PAID. If any manufacturing is proposed, *multiply* the total business capitalization for each proposed manufacturing element by the business machinery and tools tax rate below. Then, *add* the machinery and tools tax paid.

Proposed Business Name	Total Business Capitalization	Machinery and Tools Tax Rate	Total Business Property Taxes Paid
		0.01	
		0.01	
Total:		N/A	\$

- 3g) **TOTAL SALES TAXES PAID.** *Estimate* the applicable total gross retail sales, prepared meals sales, and hotel/motel room sales for proposal's commercial elements below. Then, *multiply* the projected commercial gross sales by the applicable sales tax rates. Then, *add* the total sales taxes paid.

Tax Type	Projected Gross Sales	Sales Tax Rates	Sales Taxes Paid
Retail Sales		0.01 of Gross Retail Sales	
Prepared Meals		0.04 of Prepared Sales	
Hotel, Motel		0.02 of Gross Sales*	
Total:	N/A	N/A	\$

*Actual Occupancy Tax is 5% of Gross Sales; however, 60% of those funds are targeted to tourism.

- 3h) **TOTAL BUSINESS LICENSES FEES PAID.** Estimate each business element's total gross sales. Multiply each business element's projected gross sales by the Annual Business License rate to determine annual business licenses fee paid.

Proposed Business Name(s)	Business Type* (see exhibit sheet)	Projected Total Gross Sales	Business License Rate	Annual Business License Fees Paid
	Professional Services		0.0058	
	Retail Services		0.0020	
	Contractors		0.0016	
	Wholesalers		0.0005	
	Exempt*		No fee due	
	Other Services		0.0036	
	Total	N/A	N/A	\$

- 3i) **TOTAL COMMERCIAL AND INDUSTRIAL REVENUES.** *Add* the total taxes and fees paid by all of the business elements from (3d) through (3h).

Total Commercial and Industrial Revenues	\$
---	-----------

- 3j) **COMMERCIAL FISCAL IMPACT.** *Subtract* total commercial and industrial revenues (3i) from total commercial and industrial expenses (3b).

Total Commercial	Total Commercial Revenues	Total Commercial Fiscal Impact
		\$

- 3k) **TOTAL PROPOSED FISCAL IMPACT.** *Add* residential fiscal impacts (2n) and commercial fiscal impacts (3j).

Residential Fiscal Impact	Commercial Fiscal Impact	Total Proposed Fiscal Impact
		\$

Fiscal Impact Analysis Worksheet Section 4: Current Land Use

Current Residential Use (If there are no existing residential units, skip to (4g)).

- 4a) TOTAL CURRENT DWELLING UNITS. Please indicate the total number of each type of existing dwelling unit. Then, *add* the total number of existing dwelling units.

Single-Family Detached		Apartment	
Townhome/Condominium/Single-Family Attached		Manufactured Home	
Total Dwelling Units			

Residential Expenses - School Expenses

- 4b) TOTAL CURRENT STUDENTS. *Multiply* the number of existing units from (4a) by its corresponding Student Generation Rate below. Then, *add* the total number of existing students.

Unit Type	Number of Existing Units	Student Generation Rate	Existing Students
Single-Family Detached		0.40	
Townhome/Condo/Attached		0.17	
Apartment		0.31	
Manufactured Home		0.46	
Total		N/A	

- 4c) TOTAL CURRENT SCHOOL EXPENSES. *Multiply* the total number of current students from (4b) by the per-student school cost below.

Number of Existing Students	Per-Student School Cost	Current School Expenses
	\$8096.22	\$

Residential Expenses - Non-School Expenses

- 4d) TOTAL CURRENT POPULATION. *Multiply* the total number of existing units from (4a) by average household size below.

Total Existing Units	Average Household Size	Total Current Population
	2.45	\$

- 4e) TOTAL CURRENT NON-SCHOOL EXPENSES. *Multiply* the current population from (4d) by per-capita non-school expenses below.

Total Current Population	Per-Capita Non-School Expenses	Current Non-School Expenses
	\$640.98	\$

- 4f) TOTAL RESIDENTIAL EXPENSES. *Add* school expenses from (4c) and non-school expenses from (4e).

School Expenses	Non-School Expenses	Residential Expenses
\$	\$	\$

Residential Revenues

- 4g) TOTAL CURRENT ASSESSMENT VALUE. *Search* for each residential property included in the proposal on the Parcel Viewer at <http://property.jccegov.com/parcelviewer/Search.aspx>. *Indicate* each property's total assessment value below. Then, *add* total assessment values.

Property Address and Description	Assessment Value
	\$
	\$
	\$
Total:	\$

- 4h) TOTAL CURRENT REAL ESTATE TAXES PAID. *Multiply* the total assessment value from (4g) by the real estate tax rate below.

Total Assessment Value	Real Estate Tax Rate	Real Estate Taxes Paid
	.0084	\$

- 4i) TOTAL CURRENT PERSONAL PROPERTY TAXES PAID. *Multiply* total real estate taxes paid from (4h) by the personal property tax average below.

Real Estate Tax Paid	Personal Property Tax Average	Personal Property Paid
	0.15	\$

- 4j) TOTAL CURRENT SALES AND MEALS TAXES PAID. *Multiply* the total real estate taxes paid from (4h) by the sales and meals tax average below.

Real Estate Tax Paid	Sales and Meals Tax Average	Average Excise Tax Paid
	.09	\$

- 4k) TOTAL CURRENT RESIDENTIAL REVENUES. *Add* all current residential taxes paid to the County from (4h) through (4j).

Total Current Residential Revenues	\$
---	----

- 4l) CURRENT RESIDENTIAL FISCAL IMPACT. *Subtract* total residential revenues (4k) from total residential expenses (4f).

Total Residential	Total Residential Revenues	Total Residential Fiscal Impact
		\$

- 4m) FINAL RESIDENTIAL FISCAL IMPACT. *Subtract* current residential fiscal impact from (4l) from proposed residential fiscal impact from (2n).

Proposed Residential Impact	Current Residential Impact	Final Residential Fiscal Impact
		\$

Current Commercial Use

Current Commercial Expenses (if there are no current businesses or commercial properties, skip to (5k).

- 5a) TOTAL CURRENT BUSINESSES. How many businesses exist on the proposal properties?
 _____ (Include all businesses that rent or lease space at the location).
- 5b) TOTAL CURRENT COMMERCIAL EXPENSES. *Multiply* the current number of businesses operating on the proposal properties by the per-business expense rate below.

Total Expected Assessment Value	Commercial Expense Rate	Total Commercial Expenses
	0.0045	\$

Current Commercial Revenues

- 5c) TOTAL CURRENT ASSESSMENT VALUE. *Search* for each commercial property included in the proposal on the Parcel Viewer at <http://property.jccegov.com/parcelviewer/Search.aspx>. *Indicate* each property's total assessment value below. Then, *add* total assessment values.

Addresses	Assessment Value	Real Estate Tax Rate	Real Estate Tax Paid
		.0084	
		.0084	
Total:			\$

- 5d) TOTAL CURRENT BUSINESS PERSONAL PROPERTY TAXES PAID. *Multiply* the total business capitalization for each current commercial element by the business personal property tax rate below. Then *add* the total personal property taxes paid.

Current Business	Total Business	Personal Property Tax Rate	Business Property Taxes Paid
		0.01	
		0.01	
		0.01	
Total:		N/A	\$

- 5e) TOTAL CURRENT MACHINERY AND TOOLS TAX PAID. If any manufacturing exists, *multiply* the total capitalization for manufacturing equipment by the business machinery and tools tax rate below.

Current Business	Total Business Capitalization	Personal Property Tax Rate	Machinery and Tools Tax Paid
		0.01	\$

- 5f) TOTAL CURRENT SALES TAXES PAID. *Estimate* the applicable total gross retail sales, prepared meals sales, and hotel/motel sales for existing commercial elements below. Then, *multiply* the projected commercial gross sales by the applicable sales tax rates. Then, *add* the total sales taxes paid.

Activity	Projected Gross Sales	Tax Rate	Sales Taxes Paid
Retail Sales		0.01 of Gross Retail Sales	
Prepared Meals		0.04 of Prepared Sales	
Hotel, Motel		0.02 of Gross Sales*	
Total:	N/A	N/A	\$

*Actual Occupancy Tax is 5% of Gross Sales; however, 60% of those funds are targeted to tourism.

- 5g) TOTAL CURRENT BUSINESS LICENSES FEES PAID. *Estimate* each current business element's total gross sales. Then, *multiply* each business element's projected gross sales by the Annual Business License rate to determine annual business licenses fee paid. Then, *add* the total business license fees paid.

Business Type	Gross Sales	Business License Rate	Annual Business License Fees Paid
Professional Services		\$0.0058	
Retail Sales		\$0.0020	
Contractors		\$0.0016	
Wholesalers		\$0.0005	
Manufacturers		No tax	
Other Services		\$0.0036	
Total:	N/A	N/A	\$

- 5h) TOTAL CURRENT COMMERCIAL REVENUES. *Add* all current commercial revenues paid by existing businesses from (5c) through (5g).

Total Current Commercial Revenues	\$
-----------------------------------	----

- 5i) CURRENT COMMERCIAL FISCAL IMPACT. *Subtract* total commercial revenues (5h) from total residential expenses (5b).

Total Commercial Expenses	Total Commercial Revenues	Total Commercial Fiscal Impact
		\$

- 5j) FINAL COMMERCIAL FISCAL IMPACT. *Subtract* current commercial fiscal impact from (5i) from proposed commercial fiscal impact from (3j).

Proposed Commercial Impact	Current Commercial Impact	Final Commercial Fiscal Impact
		\$

- 5k) FINAL FISCAL IMPACT. *Subtract* the final commercial fiscal impact from (5i) from final residential fiscal impact from (4m).

Final Residential Impact	Final Commercial Impact	Final Fiscal Impact
		\$

Fiscal Impact Worksheet Section 6: Phasing

Residential Phasing

- 6a) *Copy and paste* the residential phasing template from the accompanying Excel sheet to the page below.

Commercial Phasing

- 6b) *Copy and paste* the commercial phasing template from the accompanying Excel sheet to the page below.

Final Phasing Projections

- 6c) *Copy and paste* the final phasing projection from the accompanying Excel sheet to the page below.

Fiscal Impact Worksheet Section 7: Employment

- 7a) *Copy and paste* the employment projections from the accompanying Excel sheet to the page below.

DEFINITIONS AND ASSUMPTIONS

Apartment – A building used, or intended to be used as the residence of three or more families living independently of each other. Tenants have no equity in the dwelling.

Assessment Value – Assessment value is assumed to be within 1% of market value. Market value drives assessment value.

Buildout – All data and assumptions reflect the fiscal impact of the proposal at buildout.

Commercial Expense Rate – The commercial expense rate uses the proportional valuation method (see below) to determine individual business expenses. Under that method businesses are collectively responsible for contributing 15% of the non-school budget (\$10,391,694).

Dividing this portion of the budget by the total commercial real estate in the County (\$2,060,690,000) gives a commercial expense rate of 0.0045. This rate assumes that the costs of providing County services to a business are directly correlated with that business's property assessment. This assumes more valuable properties have generally more intense uses incurring greater County expenses.

Condominium – A building, or group of buildings, in which units are owned individually and the structure, common areas and common facilities are owned by all the owners on a proportional, undivided basis.

Contractor – Any person, firm or corporation accepting or offering to accept orders or contracts for doing any work on or in any building or structure, any paving, curbing or other work on sidewalks, streets, alleys or highways, any excavation of earth, rock or other materials, any construction of sewers and any installation of interior building components.

Direct Impact – The worksheet only calculates direct financial impacts on the County budget. The worksheet is only one of many development management tools and as such, does not make a determination whether any type of development “should” happen based solely on that proposal's fiscal impact. The tool is not designed to measure non-budget impacts, such as increased traffic or non-budget benefits, such as forwarding the goals of the Comprehensive Plan. Costs incurred by other entities, such as other localities or the state, remain uncouned.

Dwelling – Any structure which is designed for use for residential purposes, except hotels, motels, boardinghouses, lodging houses and tourist cabins.

Exempt – Certain types of business activities or products are exempted from annual County business licenses. These include manufacturers, insurance agencies, apartment complexes and gasoline sales.

Fees & Licenses – All fees collected by the County, including business and professional licenses, planning fees, building permit fees, stormwater fees, environmental inspection fees, septic tank fees, dog licenses and motor vehicle licenses, are deducted from the per-capita and per-business budgetary costs of each department that collects them.

Fiscal Impact Analysis – The County has created a set of standardized data and assumptions to streamline both the creation and review of fiscal impact studies. The County had no itemized list of questions for fiscal impact study creators to answer, resulting in portions of fiscal impact studies with no bearing on the County's budgetary bottom line. The guesswork is removed from the creation of these documents. The data used by fiscal impact study authors also came from myriad sources, often within the County, which were difficult to verify. The fiscal impact worksheet allows consistency across multiple fiscal impact studies.

Fiscal Impact Worksheet – The worksheet helps the applicant present relevant data to the County, using data verified by the County. The worksheet provides consistency across all fiscal impact analyses.

Non-School Expenses – Non-school expenses include all FY10 non-school budget spending. Non-school expenses are calculated using the Proportional Variation method. Using the Proportional Variation method, residents and businesses are assumed to be responsible for differing percentages of the County's non-school spending.

Manufacturing – Assembly of components, pieces, or subassemblies, or the process of converting raw, unfinished materials into different products, substances or purposes.

Market Value – Market value is assumed to be within 1% of assessment value. Market value drives assessment value.

Manufactured Home – A manufactured home is a structure not meeting the specifications or requirements or a manufactured home, designed for transportation after fabrication. The only manufactured homes counted in the Student Generation figure are those in designated manufactured home parks. Manufactured homes on individual lots are indistinguishable from single-family detached dwellings for the purposes of the worksheet.

Phasing – All residential developments are assumed to have an absorption rate of 20% per annum. All commercial development are assumed to have an absorption rate of 20% per annum. The date stamp Year 1 in the phasing template represents 365 days after the Board of Supervisors approval.

Professional Services – Work performed by an independent contractor within the scope of the practice of accounting, actuarial services, architecture, land surveying, landscape architecture,

law, dentistry, medicine, optometry, pharmacy or professional engineering. Professional services shall also include the services of an economist procured by the State Corporation Commission.

Proportional Valuation Impact – Proportional valuation impact assumes that a proposed residential or commercial project's fiscal impact is proportional to the percentage of the total tax base that is either residential or commercial.

James City's proportional valuation is calculated using the County's Real Estate Mapping GIS program. The program calculated an aggregate property assessment value of \$13,763,228,800 for the entire County. The program calculated an aggregate commercial and industrial assessment value of \$2,060,690,000. Dividing the commercial value by the total value shows that commercial and industrial properties compose 15% of the total property tax base and are responsible for 15% of County non-school expenses. This results in residential development being responsible for Schools impacts and 85% of non-school County operations. The proportional valuation method does not factor other assorted residential and commercial taxes, fees and licenses into account. As 15% of the tax base, businesses contribute 15% for all County non-school expenses. As 85% of the tax base, residents contribute 85% for all County non-school expenses.

Furthermore, individual business expenses to the County are calculated using the proportional valuation impact method. (See Commercial Expense Rate)

Per-Business Expense Rate – The per-business expense rate assumes that the County incurs non-school expenses equal to 0.04% of the commercial real estate assessment of any given business.

Per Capita Evaluation Method – This worksheet uses the Per Capita Evaluation method to assign per-capita and per-business costs to non-school expenses. This method assumes that current per-capita and per-business expenditures and service levels are consistent with future per-capita and per-business expenditures and service levels.

Per Capita – Per capita calculations divide each department's spending, minus fees and state contributions, by the current County population. This number excludes institutional residents in detention at correctional facilities and mental institutions. Total population is determined from James City County Planning Division figures.

JCC Population 2010	Dwelling Units 2010
66048*	30221**

*US Census 2010 Population Count

**JCC Codes Compliance Division Housing Unit Count + Apartment Count

Per Student – Per student calculations divide County contributions to WJCC Schools, minus state educational contributions, by the total number of K-12 students living in James City and also

attending WJCC Schools. Total students are determined from Williamsburg-James City County Schools 2009-2010 School Year enrollment reports.

Per Business – Per business calculations divide each departments spending, minus fees and state contributions, by the total number of County businesses. Total businesses are determined by the number of business licenses issued.

Total Number of JCC Businesses				5400*
Percentage	of	Property	Tax	15%**
Assessments				*James City County Commissioner of the Revenue

**Commercial impacts are calculated on a proportional variation process

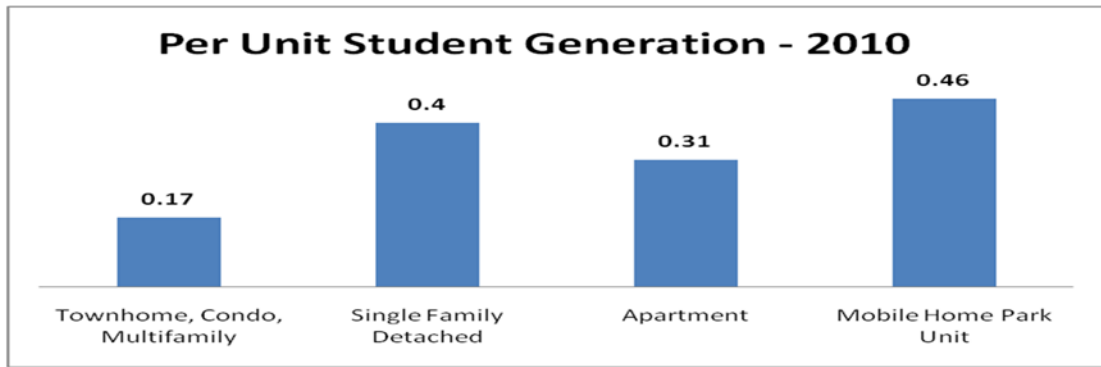
Proffer – Proffers paid for schools can only be applied toward the capital expense portion of per-student school expenses. (See Board of Supervisors' Proffer Policy.)

Retail Services – Display and sale of merchandise at retail or the rendering of personal services, such as food, drugs, clothing, furniture, hardware, appliances, barber and beauty, antiques, and household uses and other uses.

Single-Family Detached Dwelling – A detached structure arranged or designed to be occupied by one family, the structure only having one dwelling unit.

State Contributions – The state contributes both targeted and unspecified funds to the James City County budget. Funds for specific departments were subtracted from the budget totals of those departments. Unspecified state fund amounts were compiled, then evenly subtracted (7.75% of each department total) across all non-school departments.

Student Generation Rate – The student generation rate the number of students produced by an individual dwelling unit per year. Different domestic units produce students at different rates. Using WJCC enrollment figures, an address was found for WJCC students residing in James City County. Using the James City County Real Estate Division's Property Information map on the James City County website, the number of students from each subdivision was determined. Using the Real Estate Division's Real Estate Parcel Count, the number of improved lots in each neighborhood was determined. Total students from each neighborhood were divided by the total number of units from that neighborhood to determine the average number of students per housing unit. The student generation numbers for 256 subdivisions were determined this way, along with the same method for counting students from apartments and manufactured home parks.



Townhome –In a structure containing three or more dwelling units, a dwelling unit for single-family occupancy, not more than three stories in height, attached by one or more vertical party walls extending to the roof sheathing without passageway openings to one or more additional such dwelling units, each of which is served by an individual exterior entrance or entrances.

Fiscal Impact Analysis Worksheet - Current Land Use

This Excel file will assist you in calculating the fiscal impact of current land usage. Please skip irrelevant questions. Use the numbers in this program to fill in the identical section on the worksheet.

Please enter the information requested in the relevant yellow highlighted cells

4a) How many dwelling units exist on-site? What types?

Single Family Detached	0
Townhome/Condominium/Multifamily	0
Apartment	0
Mobile Home Park Unit	0
Total	0

Residential Expenses - School Expenses

4b) How many students exist?

	Student Generation Rate	Students Generated
Single Family Detached	0.4	0
Townhome/Condominium/Multifamily	0.17	0
Apartment	0.31	0
Mobile Home Park Unit	0.46	0
Total		0

4c) What are the current school expenses?

Total Students	0
Per Student School Cost	\$ 8,096.22
Total School Fiscal Impact	\$ -

Residential Expenses - Non-School Expenses

4d) What is the current population?

Total Units	0
-------------	---

Average Household Size	2.45
Total Population Generated	0

4e) What are the current non-school expenses?

Total Population Generated	0
Per-Capita Non School Expenses	640.98
Total Non-School Expenses	\$ -

4f) What are the total current residential expenses?

Total School Expenses	0
Total Non-School Expenses	0
Total Residential Expenses	\$ -

Residential Revenues

4g) What are the current assessed values of residential properties?

Property Address

310 Walker Drive

Total Current Assessed Residential Property Value

Assessment Value (Land and Improvements)

\$ 268,700.00

\$ 268,700.00

4h) What are the current real estate taxes paid?

Total Current Assessed Residential Property Value	\$ 268,700.00
Real Estate Tax Rate	0.0084
Total Real Estate Tax Revenue	\$ 2,257.08

4i) What are the current personal property taxes paid?

Total Real Estate Tax Revenue	\$	2,257.08
Personal Property Tax Revenue (as % of real estate taxes paid)		0.15
Total Personal Property Tax Revenue	\$	338.56

4j) What is the total sales and meals tax revenue?

Total Real Estate Tax Revenue	\$	2,257.08
Sales and Meals Tax Revenue (as % of real estate taxes paid)		0.09
Total Personal Property Tax Revenue	\$	203.14

4k) What is the total residential tax revenue? \$ 2,798.78

4l) What is the current residential fiscal impact? \$ 2,798.78

4m) What is the final residential impact? \$ (209,426.22)

Current Commercial Expenses

5a) How many businesses exist on site? (Include all businesses that rent or lease space)

Total Number of Current Businesses	0
---	---

5b) What are the commercial per-business expenses?

Total Commercial Real Estate Taxes Paid	\$	-
Per-Business Commercial Expense Rate		0.005
Total Commercial Expenses	\$	-

Current Commercial Revenues

5c) What are the current commercial real estate taxes paid for each proposal property?

	Business Properties	Assessment Value
1		

2	
3	
4	
5	
6	

Total Commercial Real Estate Assessment Value
Real Estate Tax Rate
Total Commercial Real Estate Taxes Paid

--	--

\$ -
0.0084
\$ -

5d) What is the business personal property tax revenue?

	Business Name(s)	Initial Capital Investment
1		\$ -
2		\$ -
3		\$ -
4		\$ -
5		\$ -
6		\$ -

Total Business Personal Property Taxes Paid

\$ -
\$ -
\$ -
\$ -
\$ -
\$ -
\$ -

5e) What is the business tools tax paid on manufacturing equipment (for manufacturers only)?

	Business Name(s)	Initial Capital Investment
1		
2		\$ -
3		\$ -
4		\$ -
5		\$ -
6		\$ -

Total Business Personal Property Taxes Paid

\$ -
\$ -
\$ -
\$ -
\$ -
\$ -
\$ -

5f) What are other current sales-based taxes paid? (if any)

	Business Name(s)	Estimated Retail Sales	Estimated Prepared Meals Sales	Estimated Hotel/Motel/Condo Room Sales		
1		0	\$ -	\$ -	\$	-
2		0	\$ -	\$ -	\$	-
3		\$ -	\$ -	\$ -	\$	-
4		\$ -	\$ -	\$ -	\$	-
5		\$ -	\$ -	\$ -	\$	-
6		\$ -	\$ -	\$ -	\$	-
	Total	\$ -	\$ -	\$ -	\$	-
	Total Business Sales Tax Revenue				\$	-

5g) What are the current annual business license fees paid?

	Current Business Name(s)	Business Type	Estimated Sales	License Fee Rate		
1		Contractors		#N/A	#N/A	
2		Retail Sales	\$ -		\$	-
3		Retail Sales	\$ -		\$	-
4		Retail Sales	\$ -	#N/A	#N/A	
5		Other Services	\$ -	#N/A	#N/A	
6		Manufacturers	\$ -	#N/A	#N/A	
	Total Business License Revenue				#N/A	

5h) What are the total current commercial revenues? #N/A

5i) What is the current commercial fiscal impact? #N/A

5j) What is the final commercial fiscal impact? #N/A

5k) What is the final fiscal impact? #N/A

Please return to the previous worksheet. Click the "Proposed" worksheet tab below.

Williamsburg-James City County Public Schools

The following table illustrates the Division's enrollment history by school from 2007-08 through 2016-17. During that time, two new schools opened and one school was taken offline.

**Williamsburg-James City County Public Schools
Historical Enrollment by School**

School	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Baker Elementary	540	550	551	480	509	500	500	524	536	528
Byrd Elementary	468	471	510	467	461	447	432	429	482	487
Montague Elementary	625	609	581	453	431	423	443	445	438	461
Norge Elementary	602	601	592	517	535	561	572	578	610	591
Whaley Elementary	429	446	456	427	471	472	532	521	512	489
James River Elementary	453	459	466	466	493	550	512	503	492	502
Stonehouse Elementary	738	762	831	676	647	665	720	719	714	727
Matoaka Elementary	589	670	688	715	732	711	745	723	721	730
Blayton Elementary				420	433	449	447	470	474	513
Berkeley Middle	825	804	848	886	936	942	902	908	880	860
Toano Middle	825	839	859	678	705	693	733	756	803	826
Hornsby Middle				890	919	917	911	903	936	942
James Blair Middle	677	640	643							
Lafayette High	1,266	1,099	1,114	1,108	1,077	1,098	1,158	1,160	1,209	1,152
Jamestown High	1,347	1,261	1,232	1,217	1,186	1,211	1,263	1,313	1,308	1,328
Warhill High	753	1,037	1,132	1,149	1,136	1,109	1,128	1,164	1,188	1,295
Total	10,137	10,248	10,503	10,549	10,671	10,748	10,998	11,116	11,303	11,431

Source: Williamsburg-James City County Public Schools, 9/30/16 Count

Williamsburg-James City County Public Schools

HISTORICAL ENROLLMENT

Over the past ten years, student enrollment in the Williamsburg-James City County Public Schools has increased by 1,294 students in grades K–12. Total enrollment for the 2016-17 school year is 11,431, an increase of 128 students (or 1.1%) from the previous school year.

The following table and graphs illustrate the Division's enrollment history from 2007-08 through 2016-17.

Williamsburg-James City County Public Schools
Historical Enrollment

Grade	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
K	689	702	732	682	797	770	778	751	760	813
1	732	712	734	755	747	796	831	809	810	792
2	736	762	750	774	771	786	828	851	832	808
3	802	776	802	778	793	795	804	839	865	860
4	736	829	801	811	795	816	821	824	871	868
5	749	787	856	821	809	815	841	838	841	887
K - 5 Total	4,444	4,568	4,675	4,621	4,712	4,778	4,903	4,912	4,979	5,028
6	717	749	787	862	845	821	853	852	887	879
7	775	748	783	814	880	826	839	860	859	886
8	835	786	780	778	835	905	854	855	873	863
6 - 8 Total	2,327	2,283	2,350	2,454	2,560	2,552	2,546	2,567	2,619	2,628
9	898	956	940	889	850	923	1,021	980	953	1,008
10	887	901	940	904	871	851	908	986	976	965
11	793	785	848	853	833	828	806	875	939	918
12	788	755	750	828	845	816	814	796	837	884
9 - 12 Total	3,366	3,397	3,478	3,474	3,399	3,418	3,549	3,637	3,705	3,775
K - 12 Total	10,137	10,248	10,503	10,549	10,671	10,748	10,998	11,116	11,303	11,431

Source: Williamsburg-James City County Public Schools, 9/30/16 Count

WJCC Public Schools: 2011-2012 Fall Membership (K-12)

Cost Center/School	9-30-2011		Change from		%	K-12		% of Free & Reduced Lunch
	9-30-2010 Official	9-30-2011 Projected 1}	9-30-2011 Official	2010 to 2011 Official		Capacity 2}	Difference in Capacity vs. Actual	
21-Baker	480	493	509	29	6.04%	550	(41)	29.86%
22-Byrd	467	483	461	(6)	-1.28%	500	(39)	42.52%
23-Montague	453	463	431	(22)	-4.86%	590	(159)	37.82%
24-Norge	517	534	535	18	3.48%	695	(160)	36.07%
25-Whaley	427	441	471	44	10.30%	490	(19)	41.83%
26-James River	466	478	493	27	5.79%	580	(87)	61.66%
27-Stonehouse	676	692	647	(29)	-4.29%	765	(118)	28.59%
28-Matoaka	715	733	732	17	2.38%	760	(28)	19.13%
29-Blayton	420	431	433	13		540	(107)	31.18%
Subtotal: Elementary	4,621	4,748	4,712	91	1.97%	5,470	(758)	35.34%
31-Berkeley	886	920	936	50	5.64%	829	107	46.26%
33-Toano	678	703	705	27	3.98%	790	(85)	25.39%
34-Hornsby	890	925	919	29	3.26%	952	(33)	19.59%
Subtotal: Middle	2,454	2,548	2,560	106	4.32%	2,571	(11)	30.94%
36-Lafayette	1,108	1,090	1,077	(31)	-2.80%	1,314	(237)	28.69%
38-Jamestown	1,217	1,193	1,186	(31)	-2.55%	1,208	(22)	17.54%
39-Warhill	1,149	1,126	1,136	(13)	-1.13%	1,441	(305)	27.64%
Subtotal: High School	3,474	3,409	3,399	(75)	-2.16%	3,963	(564)	24.45%
Division Total	10,549	10,705	10,671	122	1.16%	12,004	(1,333)	30.81%

Grade Level:	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
	682	755	774	778	811	821	862	814	778	889	904	853	828	10,549
	779	711	797	807	804	850	825	893	830	897	870	821	821	10,705
	797	747	771	793	795	809	845	880	835	850	871	833	845	10,671
	115	(8)	(3)	15	(16)	(12)	(17)	66	57	(39)	(33)	(20)	17	122
	16.86%	-1.06%	-0.39%	1.93%	-1.97%	-1.46%	-1.97%	8.11%	7.33%	-4.39%	-3.65%	-2.34%	2.05%	1.16%

1} Source:
DeJong Healy Enrollment Report dated
October 2010

2} Middle school capacity totals were
revised in November 2011 based on
RRMM study.

3} Source: Child Nutrition Services
(excluding Pre-K)

















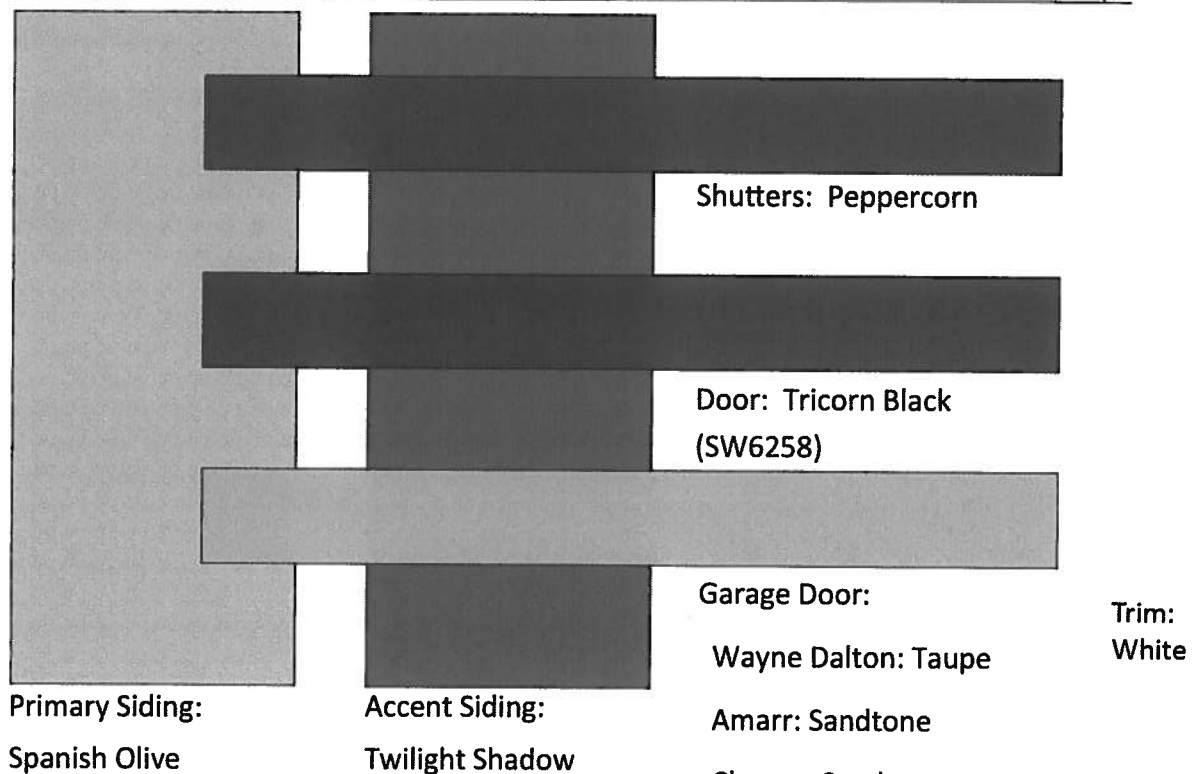
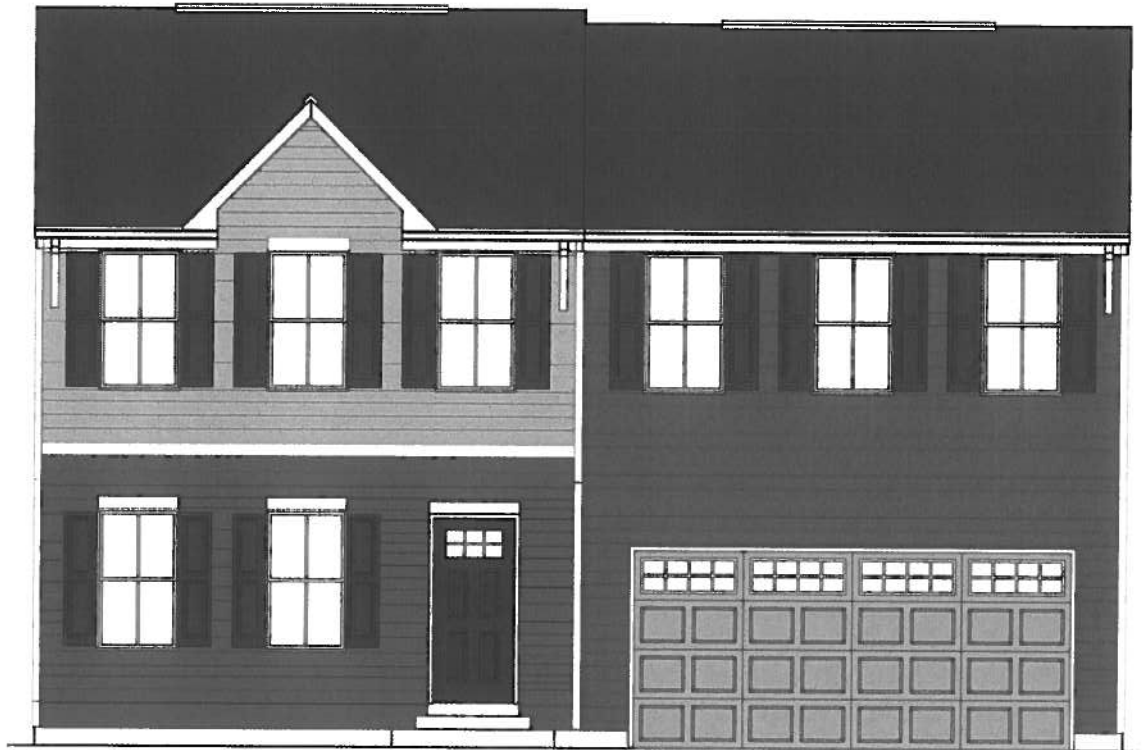
Color Scheme Selection Book



Color Scheme Selections

Color Scheme SUJ

Profile for this scheme: D4.5 DL

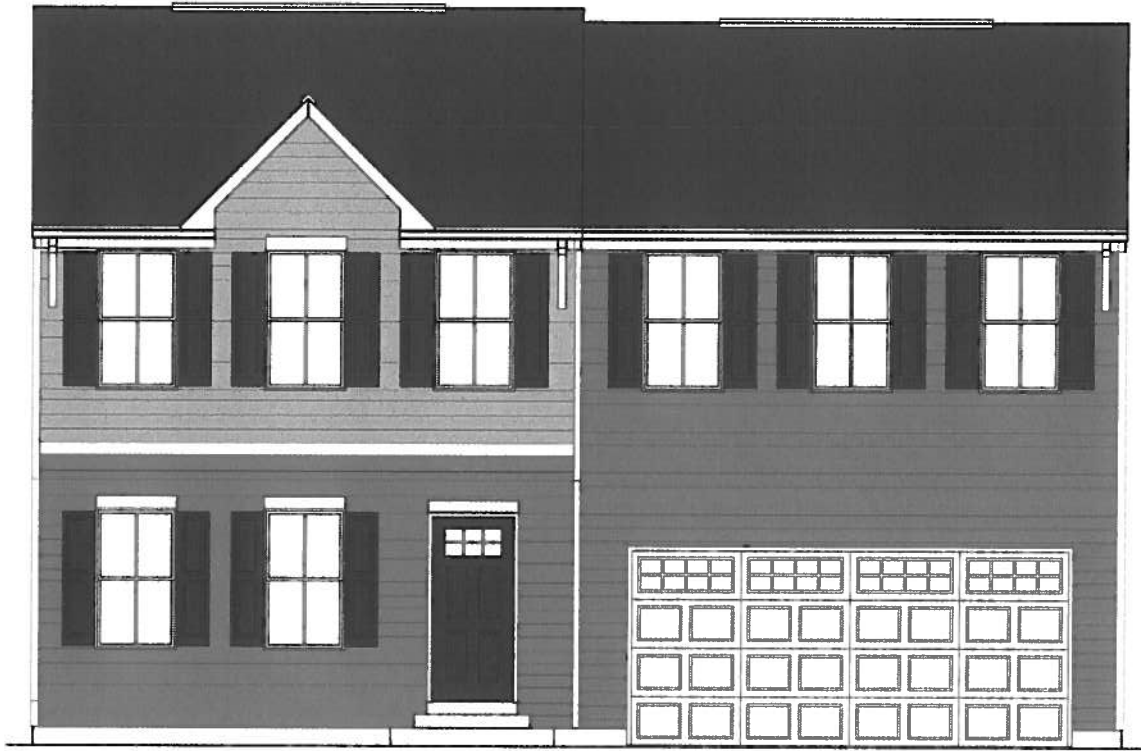


The colors displayed here are as close to the actual colors as possible. However, they are still only approximations. Before making your final selection, use the accompanying material samples for accurate color depictions. Standard roof colors as determined by region.

Color Scheme Selections

Color Scheme SUK

Profile for this scheme: D4.5 DL



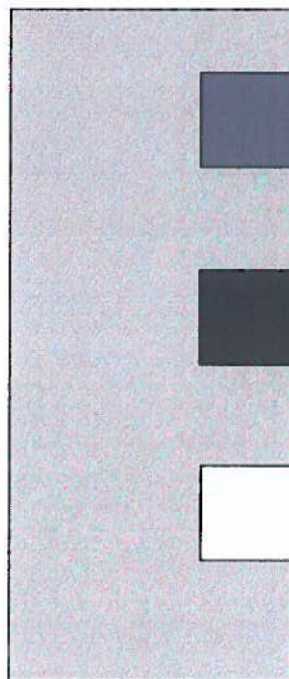
		Shutters: Black	
		Door: Tricorn Black (SW6258)	
		Garage Door:	
		Wayne Dalton: White	
		Amarr: White	
		Clopay: White	
		Trim: White	
Primary Siding:	Accent Siding:		
Flint	Wedgewood		

The colors displayed here are as close to the actual colors as possible. However, they are still only approximations. Before making your final selection, use the accompanying material samples for accurate color depictions. Standard roof colors as determined by region.

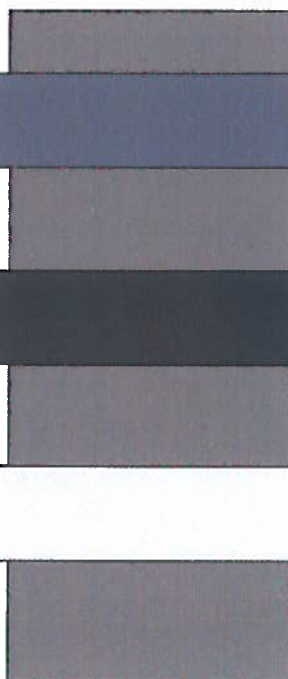
Color Scheme Selections

Color Scheme SUL

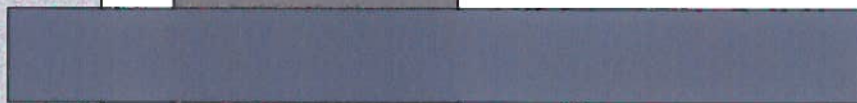
Profile for this scheme: D4.5 DL



Primary Siding:
Georgian Gray



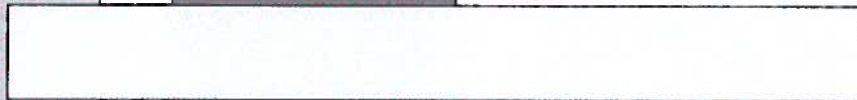
Accent Siding:
Pewter



Shutters: Blue



Door: Tricorn Black
(SW6258)



Garage Door:

Wayne Dalton: White

Amarr: White

Clopay: White

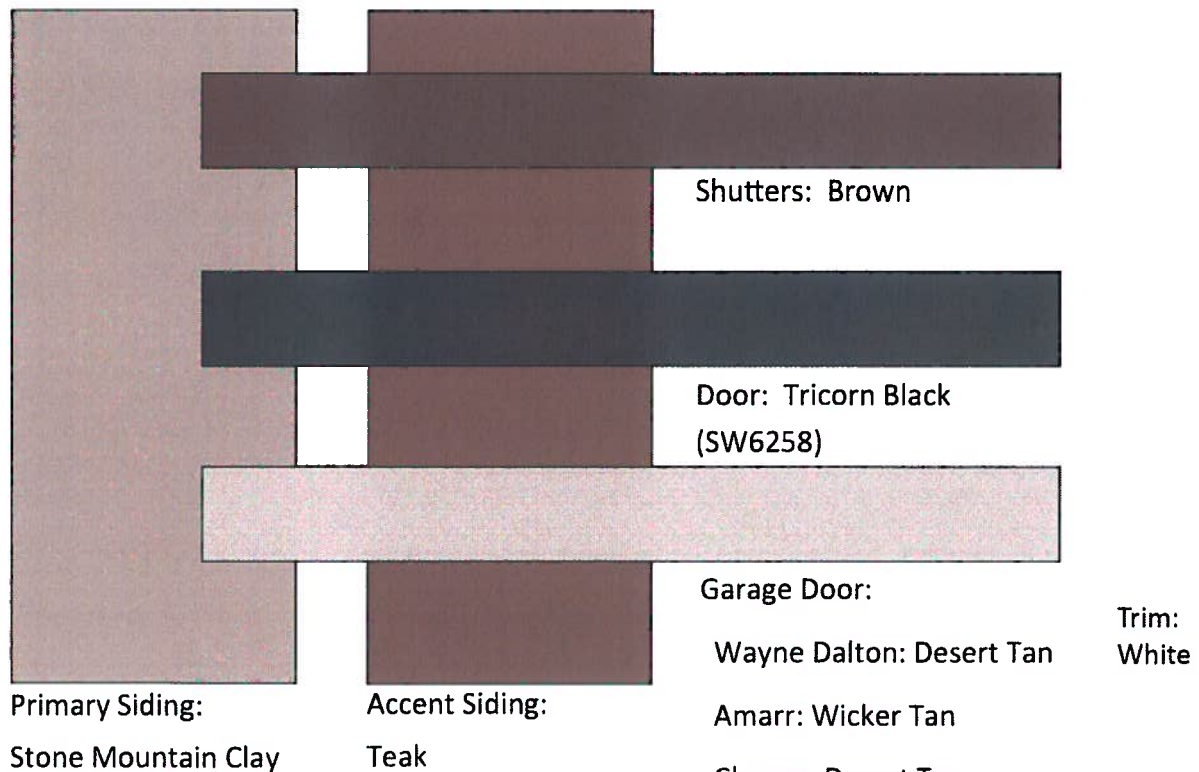
Trim:
White

The colors displayed here are as close to the actual colors as possible. However, they are still only approximations. Before making your final selection, use the accompanying material samples for accurate color depictions. Standard roof colors as determined by region.

Color Scheme Selections

Color Scheme SUM

Profile for this scheme: D4.5 DL

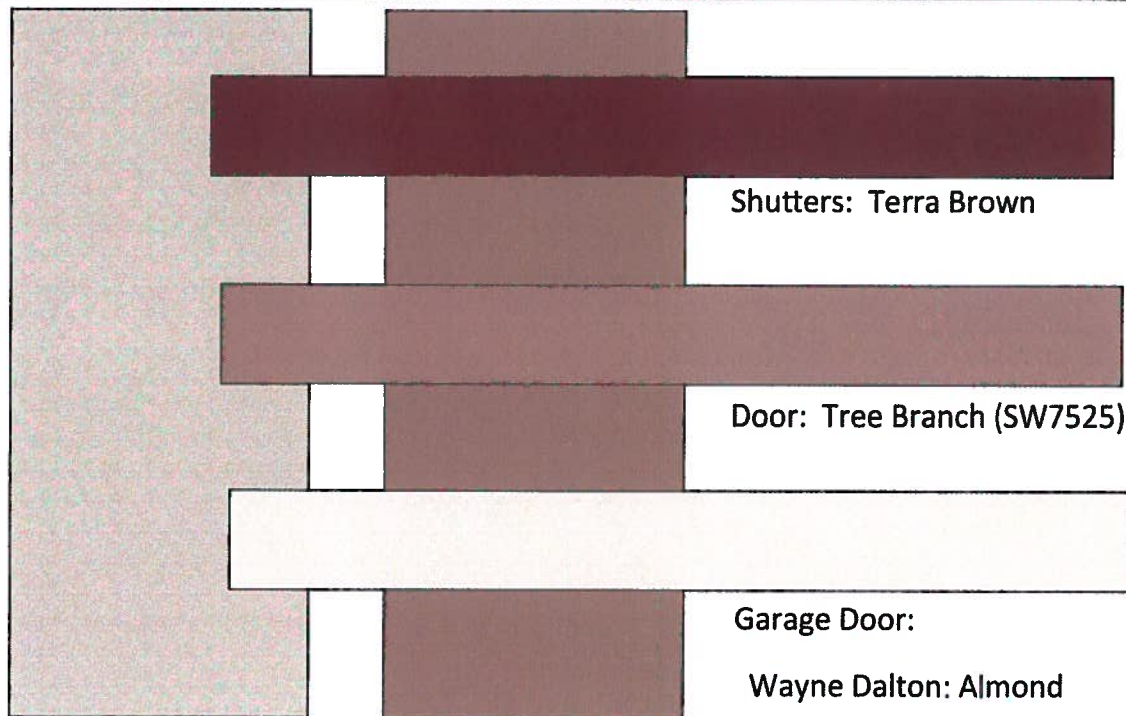


The colors displayed here are as close to the actual colors as possible. However, they are still only approximations. Before making your final selection, use the accompanying material samples for accurate color depictions. Standard roof colors as determined by region.

Color Scheme Selections

Color Scheme SUN

Profile for this scheme: D5



Primary Siding:
Sandy Tan

Accent Siding:
Briarwood

Shutters: Terra Brown

Door: Tree Branch (SW7525)

Garage Door:
Wayne Dalton: Almond
Amarr: Almond
Clopay: Almond

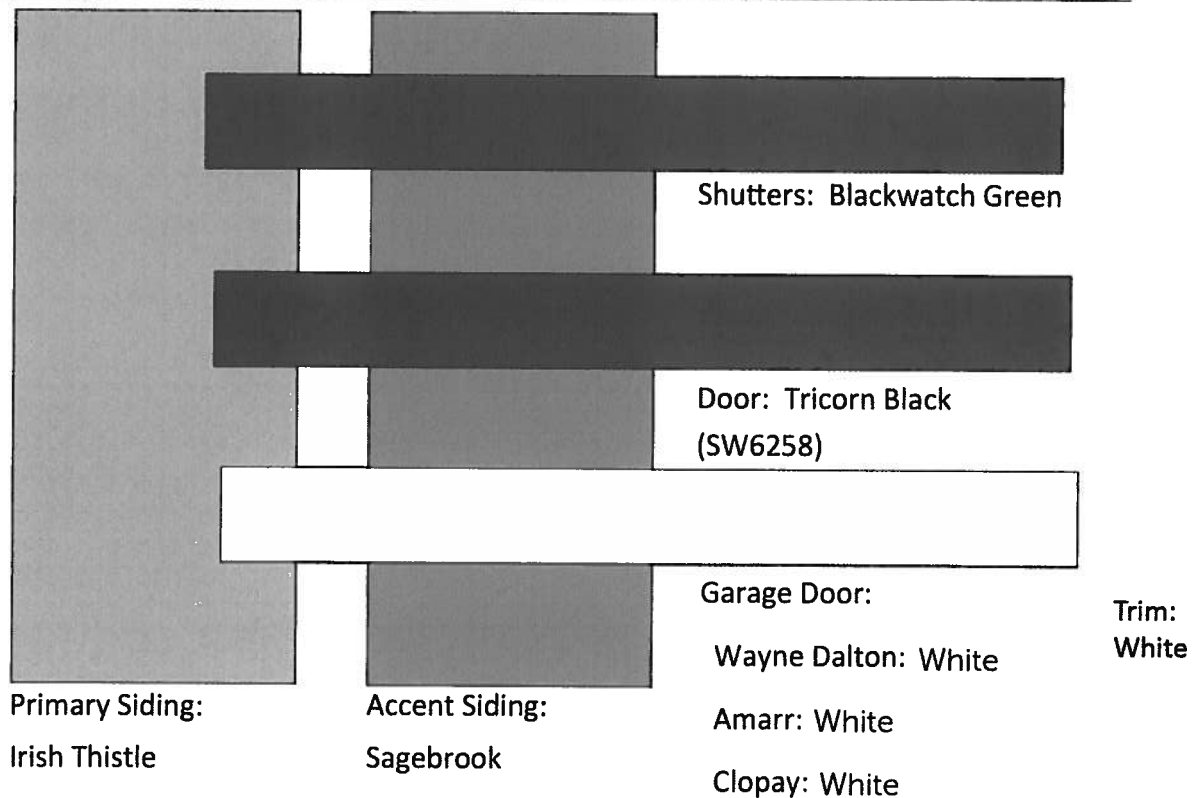
Trim:
White

The colors displayed here are as close to the actual colors as possible. However, they are still only approximations. Before making your final selection, use the accompanying material samples for accurate color depictions. Standard roof colors as determined by region.

Color Scheme Selections

Color Scheme SUO

Profile for this scheme: D5

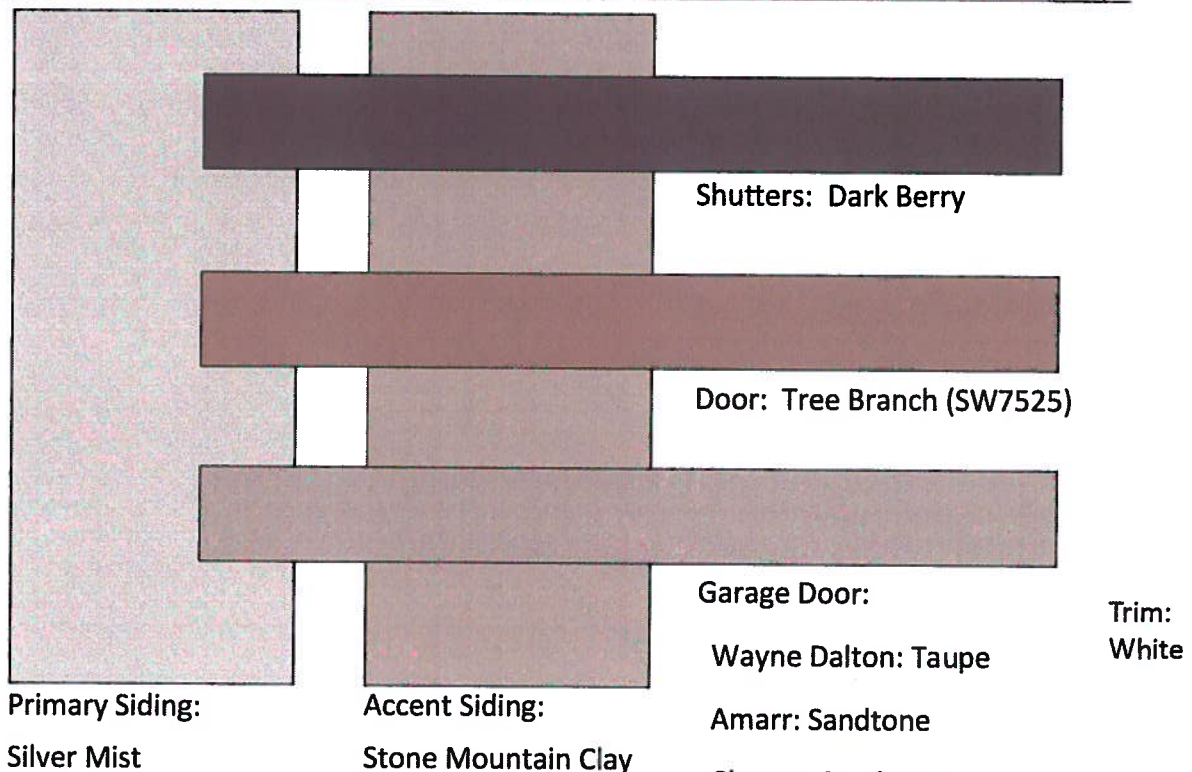


The colors displayed here are as close to the actual colors as possible. However, they are still only approximations. Before making your final selection, use the accompanying material samples for accurate color depictions. Standard roof colors as determined by region.

Color Scheme Selections

Color Scheme SUP

Profile for this scheme: D5

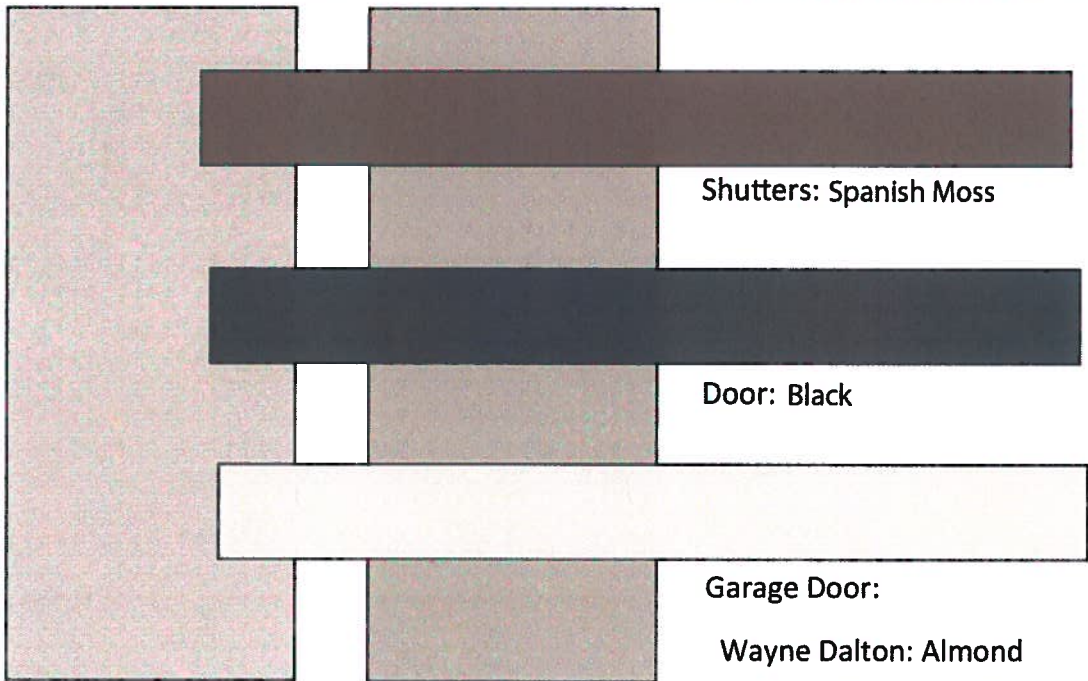


The colors displayed here are as close to the actual colors as possible. However, they are still only approximations. Before making your final selection, use the accompanying material samples for accurate color depictions. Standard roof colors as determined by region.

Color Scheme Selections

Color Scheme SUR

Profile for this scheme: D5



Primary Siding:
Natural Almond

Accent Siding:
Spanish Olive

Shutters: Spanish Moss

Door: Black

Garage Door:

Wayne Dalton: Almond

Amarr: Almond

Clopay: Almond

Trim:
White

The colors displayed here are as close to the actual colors as possible. However, they are still only approximations. Before making your final selection, use the accompanying material samples for accurate color depictions. Standard roof colors as determined by region.

Existing and Proposed Recreation Facilities

Forest Glen Playground, 204 Forest Glen Drive



APPENDIX F – DEVELOPMENT GUIDELINES

James City County Recreational Facility Development Guidelines

Introduction

Mini parks/neighborhood parks and recreational amenities provide opportunities for physical activity, improved health, improved community interactions, and personal enjoyment to residents. Neighborhoods are residential subdivisions with or without other associated land uses in the subdivision. The number of housing units and their type are used to evaluate how these guidelines apply and standards are based on the 2009 Parks and Recreation Master Plan or other appropriate and professionally recognized guidelines or standards. The requirements for parks will be reviewed and applied for all phases of a development together or to the total of contiguous parcels subdivided by the same developer. These guidelines are divided into three sections: I. recommended facilities, II. recommended development guidelines, and III. design specifications. All three sections should be referenced in development of any master plan.

I. Recommended Facilities

Recreational programming for neighborhood recreation area shall include facilities in each of the following major categories:

- Playground with 5 activities minimum or, in age-restricted communities, an age-appropriate alternative facility (for example: lawn bowling, community gardening, bocce area, picnic shelters and grills, horseshoe pit, or wildlife observation platform)
- Sport court or competitive pool
- Graded athletic field
- Paved multiuse trails located either within the recreation area or providing connections from residences to recreation areas or adjacent trails and developments

The Director of Planning or his designee can modify pool design standards if necessary, provided that the overall design gives equivalent benefit to the desired population as a 25 meter competitive pool. See Exhibit 1 at the end of this document for an example arrangement to meet these Guidelines.

Other types of activities may be included in addition to but not in lieu of the above listed major category activities, unless otherwise approved by the Board of Supervisors. Upon application for an exception, and after receiving a report from the Director of Planning and the Director of Parks & Recreation, the Board of Supervisors may approve alternate facilities upon finding that proposed facilities are appropriate for the anticipated resident population. Activities selected for a neighborhood park should be appropriate to the anticipated resident population with age appropriate activity programming for the space. For more information, see design specifications in section III of this document.

II. Recommended Development Guidelines

A. Recommended Guidelines for Single Family Detached Developments (2.58 persons/unit)⁷⁸

Single family detached units average 2.58 persons per unit and therefore 388 units would house approximately 1000 persons.

Park land

Pocket Parks / Neighborhood Parks = 1.5 acres/1000 population. Pocket Parks / Neighborhood Parks are required for all developments.

Analysis: 1.5 acres/1000 pop. = 1.5 acres/388 units = 0.0039 acres per unit

Recommended Guidelines:	1-77 units	1 park (minimum 0.3 acres)
	78 or more units	0.0039 acres/unit

Biking/Jogging Trails

Analysis: Hard surface multiuse 0.4 miles/1000 pop. = 0.4 miles/388 units = 0.001 miles/unit
Soft surface gravel 0.4 miles/1000 pop. = 0.4 miles/388 units = 0.001 miles/unit
0.001 miles/unit x 5280 FT/mile = 5.28 LF/unit

Playgrounds

Analysis: 1 playground/2500 pop. = 1 playground/969 units = 0.001 playground/unit

Recommended Guidelines:	1-969 units	1 playground OR alternative age-appropriate activity
	970-1938 units	2 playgrounds
	1939 or more units	3 playgrounds

Courts or Pool

Analysis: Basketball 1 court/2500 pop. = 0.40 court/1000 = 1 court/969 units = 0.001 court/unit
Tennis 1 court/5000 pop. = 0.20 court/1000 = 1 court/1938 units = 0.0005 court/unit

Recommended Guidelines:	Basketball- 1-969 units	1 basketball court
	970-1938 units	2 basketball courts
	1939 or more units	3 basketball courts
	Tennis- 1-1938 units	1 tennis court
	1939 or more units	2 tennis courts

⁷⁸ Methodology for determination of average household size located in Appendix

Fields, Multiuse rectangular/soccer

Analysis: $1 \text{ field}/4000 = 0.25 \text{ field}/1000 = 1 \text{ field}/1550 \text{ units} = 0.00065 \text{ fields/unit}$

Recommended Guidelines:	1-1550 units	1 field
	1551 or more units	2 fields

B. Recommended Guidelines for Single Family Attached and Multifamily Developments (1.52 persons/unit)⁷⁹

Townhouse and multi-family units average 1.52 persons per unit and therefore 658 units would house approximately 1000 persons.

Park land

Pocket Parks / Neighborhood Parks = 1.5 acres/1000 population. Pocket Parks / Neighborhood Parks are required for all developments. Due to the higher density of townhouses and multi-family developments there is a greater need for pocket parks / neighborhood parks as shared open space.

Analysis: $1.5 \text{ acres}/1000 \text{ pop.} = 1.5 \text{ acres}/658 \text{ units} = 0.0023 \text{ acres per unit}$

Recommended Guidelines:	1-130 units	1 park (minimum 0.3 acres)
	131 or more units	0.0023 acres/unit

Biking/Jogging Trails

Analysis: Hard surface multiuse $0.4 \text{ miles}/1000 \text{ pop.} = 0.4 \text{ miles}/658 \text{ units} = 0.00061 \text{ miles/unit}$
Soft surface gravel $0.4 \text{ miles}/1000 \text{ pop.} = 0.4 \text{ miles}/658 \text{ units} = 0.00061 \text{ miles/unit}$
 $0.00061 \text{ miles/unit} \times 5280 \text{ FT/mile} = 3.21 \text{ LF/unit}$

Playgrounds

Analysis: $1 \text{ playground}/2500 \text{ pop.} = 1 \text{ playground}/1645 \text{ units} = 0.00061 \text{ playground/unit}$

Recommended Guidelines:	1-1645 units	1 playground OR alternative age-appropriate activity
	1646-3290 units	2 playgrounds
	3291 or more units	3 playgrounds

⁷⁹ Methodology for determination of average household size located in Appendix

Courts or Pool

Analysis: Basketball 1 court/2500 pop. = 0.40 court/1000 = 1 court/1645 units = 0.00061 court/unit
Tennis 1 court/5000 pop. = 0.20 court/1000 = 1 court/3290 units = 0.00030 court/unit

Recommended Guidelines: Basketball-1-1645 units	1 basketball court
1646-3290 units	2 basketball courts
3291 or more units	3 basketball courts
Tennis- 1-3290 units	1 tennis court
3291 or more units	2 tennis courts

Multi-use Fields (rectangular/soccer)

Analysis: 1 field/4000 = 0.25 field/1000 = 1 field/2632 units = 0.00038 fields/unit

Recommended Guidelines:	1-2632 units	1 field
	2633 or more units	2 fields

III. Design Specifications

In general, facilities should be built according to James City County standards as set forth in the 2002 JCC Greenways Master Plan, or other appropriate and professionally recognized standards or guidelines for technical information on size, details, and orientation, and in compliance with all applicable local, state, and national codes and regulations.

Mini Park / Neighborhood Park

Minimum mini park / neighborhood park size is 13,068 SF or 0.3 acres of relatively level, non-flood plain land outside the RPA, minimum 70% groomed space and the balance may be in existing natural tree cover. Goals for retaining existing trees are to reduce wind speeds in recreational space, provide shade and shelter for visitors and especially parents supervising children, reduce local air temperature, provide space for unprogrammed play, and improve environmental stewardship. The land should be centrally located within the neighborhood or development with no less than 0.25 acres in a single contiguous piece of land not less than 60 feet in width. In larger developments, dispersion of neighborhood park areas and amenities should be considered to ensure adequate access to all residents. Neighborhood parks should be within a half mile of the residents they are intended to serve.

Groomed space is to have the majority of the ground cover in grass cover appropriate to this region and may include trees, shrubs, or perennial planting beds with mulch cover. Neighborhood parks are to be maintained and owned by the developer or by the Homeowner's Association and should be open to all residents of the development or to the public. The area included as recreational space may not include streets, medians or parking islands, landscape buffers (exception may be granted by the Director of Planning or his designee for location of trails only), or built improvements such as pools or pool houses.

Water Access

Blueways are an important recreational goal for James City County. Whenever a development site or parcel has frontage on a river or creek capable of floating a canoe or larger craft year round, then the recreational space offered should provide community access to that water with parking where practical as determined by the Director of the Environmental Division.

Playgrounds

Playgrounds should include a minimum of 2,500 SF including the fall zone and safety space as required by all applicable local, state, and national regulations and codes. Possible activities include swings, slides, climbing nets, climbers (rock, balance step, etc.), overhead events (monkey bars, rings, zip, etc.), suspension bridges, ramps, and others. Activities to be age appropriate for the neighborhood population.

Sport Courts and Pools

Sport courts should be tennis, basketball, or paved multi-purpose courts with court markings painted in compliance with the Virginia High School League dimensions or other appropriate and professionally recognized standards or guidelines as well as the goals or other court equipment necessary for play. Pools should be a minimum length of 25 meters, or an alternative design appropriate for the neighborhood population as approved by the Director of Planning or his designee.

Multi-Use Fields

Multi-use fields with dimensions compatible with middle school soccer should be grass, and they would include a backstop for softball/baseball use, goals for soccer, lacrosse to facilitate use by the widest range of sport players. Refer to Virginia High School League design standards for technical information on size, details, equipment such as goals, and orientation. Fields are to be maintained by the developer or HOA in safe playable condition with grass cover for safe play and for resistance to erosion. Any fencing, goals, or other equipment shall also be kept in safe playable condition.

Trails

Trails will be considered to meet the recommended guidelines where:

- 1) The trail is a planned route or provides connections with a planned route in the 2002 JCC Greenway Master Plan, or
- 2) Connectivity to existing trails, sidewalk systems, or adjacent neighborhoods is made with a length of new hard surface trail or internally looped hard-surface trail not less than 0.3 miles which is located outside of sensitive environmental areas, as determined by the Director of Engineering & Resource Protection.

Greenway Master Plan Trails:

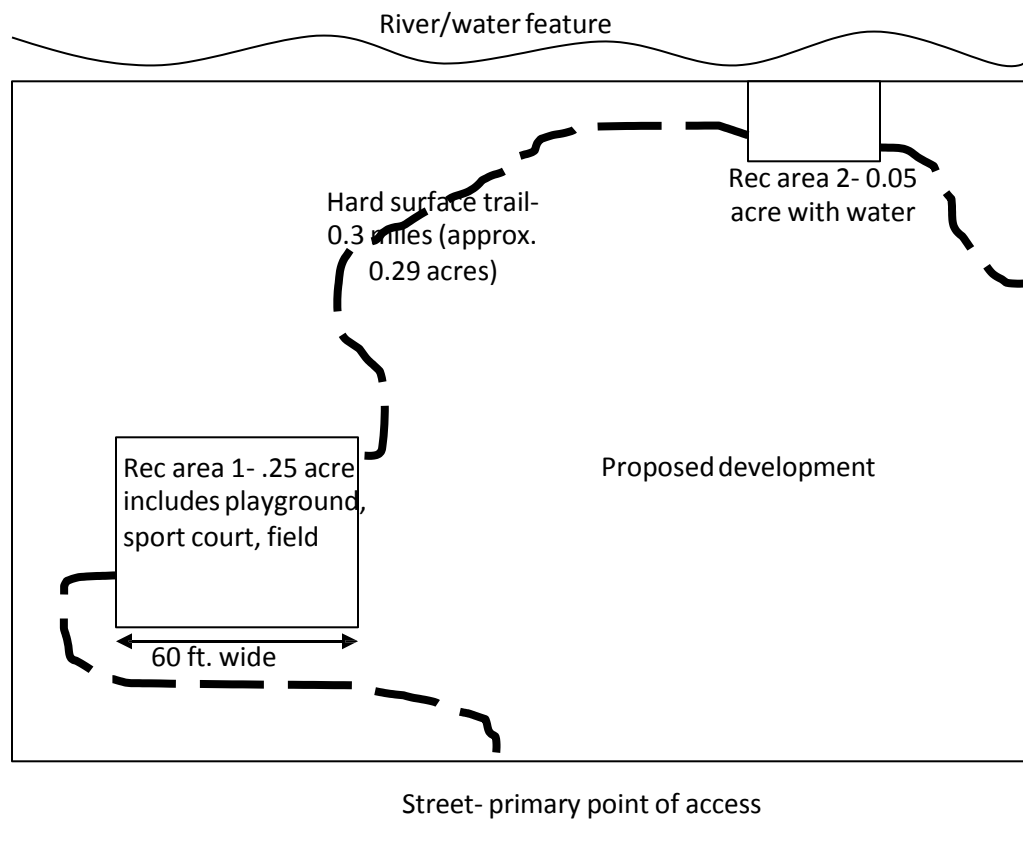
Provision of trails that complete or connect to trails included in the Greenway Master Plan shall be the priority. Primary trails with the potential to connect to schools and/or parks in the 2002 JCC Greenway Master Plan are to be 10 feet wide and paved. Easements for trails should be a minimum of 20 feet wide to allow for designing alignments with minimal environmental impacts, optimal slopes for accessibility, and vegetated shoulders. Trails should be located outside the RPA and RPA buffers wherever possible or use perpendicular crossings when necessary. Any trails within the RPA should have a minimum 20 foot easement outside delineated wetlands, wherever possible, to allow for the

greater environmental restrictions in the design and final alignment is subject to approval by the Director of Engineering & Resource Protection. Refer to 2002 Greenway Master Plan for surface standards consistent with the level of traffic and modes of travel. Trail easements shall be clearly labeled on plans stating width and indicated with dashed lines at the limits of easement. Trail easements are to be dedicated and recorded to James City County.

Private Trails:

Biking or multi-use trails within a development are to be asphalt (preferred) or concrete of a minimum of 8 feet width or wider. Mulch trails are not acceptable due to short maintenance life cycle and erosion risk. Trails that are internal to a neighborhood or subdivision are to be maintained by the developer or HOA. Trails to be constructed shall be clearly labeled on the master plan and development plans with a cross section of the construction specifications (including surface material) and indicated with solid lines at edges. Trails should be located outside the RPA and RPA buffers wherever possible or use perpendicular crossings when necessary. Final alignment and design is subject to the approval of the Director of Engineering & Resource Protection.

Exhibit 1: Example arrangement to meet Guidelines



Appendix: Methodology for determining household size for the purposes of the James City County Recreational Facility Development Guidelines⁸⁰

1. Determining the number of certain types of housing units:

H30. UNITS IN STRUCTURE [11] - Universe: Housing units
Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data

NOTE: Data based on a sample except in P3, P4, H3, and H4. For information on confidentiality protection, sampling error, nonsampling error, definitions, and count corrections see <http://factfinder.census.gov/home/en/datanotes/expsf3.htm>.

	James City County, Virginia
Total:	20,772
1, detached	13,899
1, attached	2,536
2	238
3 or 4	520
5 to 9	784
10 to 19	694
20 to 49	166
50 or more	512
Mobile home	1,413
Boat, RV, van, etc.	10

U.S. Census Bureau
Census 2000

- **15,322 single family detached housing units** (includes 1, detached, mobile home, and boat, RV, van, etc... categories⁸¹)
- **5,450 single family attached/multifamily units.**

2. Determining the number of people in each type of housing unit:

H33. TOTAL POPULATION IN OCCUPIED HOUSING UNITS BY TENURE BY UNITS IN STRUCTURE [23] - Universe: Population in occupied housing units
Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data

NOTE: Data based on a sample except in P3, P4, H3, and H4. For information on confidentiality protection, sampling error, nonsampling error, definitions, and count corrections see <http://factfinder.census.gov/home/en/datanotes/expsf3.htm>.

	James City County, Virginia
Total population in occupied housing units:	46,857
Owner occupied:	38,201
1, detached	32,899
1, attached	2,384
2	100
3 or 4	111

⁸⁰ All data taken from the 2000 Decennial Census, American FactFinder, Summary File 3 (SF 3)- Sample Data http://factfinder.census.gov/home/saff/main.html?_lang=en

⁸¹ Unit types were assigned to categories based on James City County Real Estate Assessment classifications.

	James City County, Virginia
5 to 9	87
10 to 19	107
20 to 49	16
50 or more	37
Mobile home	2,460
Boat, RV, van, etc.	0
Renter occupied:	8,656
1, detached	2,637
1, attached	1,020
2	300
3 or 4	752
5 to 9	1,240
10 to 19	1,236
20 to 49	303
50 or more	590
Mobile home	543
Boat, RV, van, etc.	35

U.S. Census Bureau
Census 2000

Total population in housing units...

- Single family detached (includes 1, detached, mobile home, and boat, RV, van, etc categories): 35,359 owners in SFD + 3,215 renters in SFD = **38,574 people**
- Single family attached/multi-family (includes all other categories): 2,842 owners in SFA/MF + 5,441 renters in SFA/MF = **8,283 people**

3. Adjusting the numbers based on revision of overall population data provided in the 2000 Census...

- James City County challenged the overall population figure provided by the Census and had it changed from 46,857 to 48,102 people, but the breakdowns of the data do not reflect the change.
- Based on percentages, 76.28% of County residents live in single family detached homes, so:

48,102 (revised Census population) – 46,857 (original Census population) = 1,245 people

1,245 x 0.7628 = 949.68 (so 950 additional residents live in single family detached for a total of **39,524 people**)

1,245 – 950 = 295 additional residents live in single family attached/multi-family for a total of **8,578 people**

Average SFD household size = 39,524 (# people in SFD) / 15,322 (# SFD) = **2.58** people/unit

Average SFA/MF household size = 8,283 (# people in SFA/MF) / 5,450 (# SFA/MF) = **1.52** people/unit



5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone (757) 253-0040
Fax (757) 220-8994
aesva.com

April 14, 2017

Mr. Paul Holt
Planning Director
James City County
101-A Mounts Bay Road
P.O. Box 8784
Williamsburg, Virginia 23187

PLANNING DIVISION

**RE: Forest Glen Section 5
Parks and Recreation Exception Request
County Plan SUP-0026-2016
AES Project Number: W06195-02**

APR 17 2017

RECEIVED

Dear Mr. Holt:

AES Consulting Engineers on behalf of Forest Glen Associates, LLC is requesting an exception to the James City County Recreational Facility Development Guidelines for the subject project. Pursuant to the recent adoption of the Master Plan for Parks and Recreation (April 11, 2017), an exception is allowed by the Board of Supervisors through recommendations from the Director of Planning and the Director of Parks and Recreation.

Our SUP proposal shall meet the guideline standards as listed for the park area, bike/jogging trail and playground area; however, the areas of exception are the location of the facilities along with the hard court surface and the field.

Our proposal shall enhance the existing recreation lot, which is not on our proposed developed site, but is located approximately 300 feet away and is already operated and maintained by the county. It is also centrally located to the entire Forest Glen development. Discussions with planning staff, DRC and the Director of Parks and Recreation have been favorable to this as a better location as opposed to adding a second facility nearby.

The hard court surface requirement is an issue of bad memories for the development as they previously had a basketball court that became a hangout for drinking, smoking and partying that created a disturbance to the neighbors. This also led to additional cleanup efforts by the county. Consequently, the court was removed to appease the citizens in the neighborhood as well as the county.

The field requirement appears to be more a question of timing. Our new development will occupy the last available area and accounts for a rather small percentage of the entire neighborhood that has been around for many years. The opportunity for large use would have been years ago. This requirement would also place an unfair burden on a community designed for affordable/workforce housing and this would become another maintenance nightmare for the HOA.

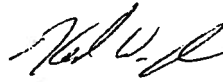
Mr. Paul Holt
April 14, 2017

AES Project Number: W06195-02
Page 2 of 2

We appreciate the time spent by the various review agencies in the review and guidance for this project. If anyone has any questions in reference to this project please do not hesitate to call me at my office at 757-253-0040.

Sincerely,

AES Consulting Engineers



Howard W. Price
Principal
howard.price@aesva.com

Housing Opportunity Policy Breakdown for Forest Glen Section 5

Per the proposed Special Use Permit condition, forty percent of development must meet the Housing Opportunities Policy (HOP) guidelines.

45 lots are being proposed therefore 18 units (40%) must meet the HOP guidelines as shown in the table below:

% Area Median Income (AMI)	Unit Breakdown	Unit Cost Range*
30-60% of AMI	8	\$116,214-\$188,125
60-80% of AMI	6	\$188,126 - \$228,648
80-120% of AMI	4	\$228,649- \$358,605
	18 units total (40% of 45 units)	*The numbers above must reflect the final sales price of the units, numbers are subject to adjust based on an annual evaluation of AMI.

Housing Opportunities Policy Document: <http://jamescitycountyva.gov/DocumentCenter/View/531>

Housing Opportunities Guidance Document: <http://jamescitycountyva.gov/DocumentCenter/View/532>

**MEMORANDUM OF UNDERSTANDING
BETWEEN
JAMES CITY COUNTY
AND
FOREST GLEN ASSOCIATES, LLC**

This Memorandum of Understanding (“MOU”) made and entered into this _____ day of _____, 2017 between James City County, a political subdivision of the Commonwealth of Virginia (the “County”), and Forest Glen Associates, LLC (“Owner”), a Virginia limited liability company whose principal business address is 632 Hampton Highway, Yorktown, Virginia 23693.

WHEREAS, Owner owns property consisting of approximately 15.86 acres located at 310 Walker Drive, Williamsburg, Virginia 23188, further identified as JCC Real Estate Tax Map No. 3110100082 (the “Property”); and

WHEREAS, Owner has applied to the County for a special use permit to allow a 45-lot residential cluster development with a gross density of +/- 2.79 dwelling units per acre on the Property (the “Development”); and

WHEREAS, Owner has proposed to construct a stormwater treatment facility as shown on Exhibit A, which is attached hereto (the “Stormwater Facility”), that will treat, in addition to the Property, approximately thirteen (13) acres of the existing Forest Glen subdivision (the “Neighborhood”); and

WHEREAS, if approved by the James City County Board of Supervisors (the “Board”), the Development will result in a residential subdivision with a homeowner’s association formed by the Owner (the “Association”); and

WHEREAS, the County believes that the Stormwater Facility will benefit the Neighborhood and the citizens of James City County and is willing to contribute to a portion of the maintenance and repair of the Stormwater Facility.

IN CONSIDERATION OF THE MUTUAL BENEFITS received by each party, the parties hereto mutually agree as follows:

1. Owner

The Owner or its agents shall, at no cost to the County, construct the Stormwater Facility on the Property sufficient to treat approximately twenty-three (23) acres, at least twelve and one-half (12.5) of which shall drain from the Neighborhood. The Stormwater Facility shall be constructed in accordance with the County’s Virginia Stormwater Management Program (James City County Code Ch. 8, Art. II) and all applicable state regulations.

The Owner shall form the Association and enter into a shared maintenance agreement with the County. Upon completion and approval of the Stormwater Facility, the Owner intends to convey the Stormwater Facility and associated real property to the Association. The Association’s

organizing documents shall set forth a maintenance and capital reserve fund specifically for the Stormwater Facility (the "Fund"), which shall be initially funded by an amount set aside at closing for each of the dwelling units in the Development. The initial total capital contribution for all of the dwelling units in the Development shall be at least Twenty Thousand Dollars (\$20,000.00). The Fund shall be maintained at appropriate levels by the Association from fees collected from properties in the Development. Such fees shall result in a minimum annual contribution to the Fund of Four Thousand Dollars (\$4,000.00), at least Two Thousand Dollars (\$2,000) of which shall be reserved for long-term capital improvements to the Stormwater Facility. The Owner, or the Association, shall be responsible for one half of the maintenance and repair required for the Stormwater Facility.

The Owner, or the Association, shall own the Stormwater Facility and the underlying property and shall provide the County with an easement to access the Stormwater Facility for inspection, maintenance, and repair. Such easement shall be provided at no cost to the County.

2. County

The County will contribute resources to one half of the maintenance and repair required for the Stormwater Facility. The method and manner of the maintenance and repair shall be at the County's sole discretion.

Nothing in this MOU shall be construed to obligate the County to accept ownership of the Stormwater Facility or any portion of the Property, or any responsibility to repair or maintain any other stormwater facility in the Neighborhood.

Prior to the County having any obligations under this MOU, the following must occur: (1) the Stormwater Facility shall be complete as evidenced by acceptance by the County of record drawings for the Stormwater Facility; (2) the Association shall be formed; (3) the Fund shall be established; and (4) the County, Owner, and Association shall enter into an agreement for the shared maintenance and repair of the Stormwater Facility.

The County shall be entitled to utilize any pollutant reduction credits available for treating previously untreated area in the area served by the Stormwater Facility.

3. Termination

This MOU may be terminated by either party upon thirty (30) days written notice to the other. This MOU shall automatically terminate upon the occurrence of any of the following: (1) the Board denies the special use permit application for the Project; (2) a shared maintenance agreement is executed as contemplated herein.

4. Complete Understanding

This MOU contains the complete understanding of the parties, notwithstanding any previously written or oral understandings between the parties on the same subject.

5. Notices

Any notice or communication required by this MOU shall be in writing and shall be deemed to have been delivered and given for all purposes, whether or not the same is actually received, if sent by registered or certified mail, postage and charges prepaid, and addressed to the parties at the following addresses:

TO THE OWNER:

TO THE COUNTY:
County Administrator
101-D Mounts Bay Road
P.O. Box 8784
Williamsburg, VA 23185

COPY TO:
County Attorney
101-D Mounts Bay Road
P.O. Box 8784
Williamsburg, VA 23185

6. Amendments

No amendment, modification or waiver of this MOU, or any part hereof, shall be valid or effective unless in writing and signed by both parties, and no waiver of any breach or condition of this MOU shall be deemed to be a waiver of any other condition or subsequent breach whether of a like or different nature.

7. Severability

Each provision of this MOU is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this MOU.

8. Insurance and Liability

Each party shall be responsible for the actions of its employees, agents and assigns. The parties shall maintain property/casualty insurance coverage as each sees fit.

9. No Partnership

Nothing in this MOU shall be construed to create a partnership or joint venture between the parties. Neither the Development nor the Stormwater Facility are (1) a “qualifying project” under the Public-Private Education Facilities and Infrastructure Act of 2002 (Va. Code § 56-575.1 et seq.); or (2) a “qualifying transportation facility” under the Public-Private Transportation Act of 1995 (Va. Code § 33.2-1800 et seq.).

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed in their respective names by their proper officials and under their official seals this _____ day of _____, 2017.

FOREST GLEN ASSOCIATES, LLC

JAMES CITY COUNTY

By:
Its:

Bryan Hill
County Administrator

Approved as to Form

County Attorney

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Tammy Mayer Rosario, Principal Planner & Darryl Cook, Asst Director,
Stormwater/Resource Protection

SUBJECT: Virginia Department of Transportation Revenue Sharing Program - Fiscal Years
2019 - 2020

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo
▣	Att 1 - Resolution for Grove Roadway Improvements	Resolution
▣	Att 2 - Resolution for Richmond Road Construction Improvements	Resolution
▣	Att 3 - Grove Project Area Map	Exhibit
▣	Att 4 - Richmond Road Project Area Map	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	8/25/2017 - 3:24 PM
Development Management	Holt, Paul	Approved	8/25/2017 - 3:25 PM
Publication Management	Burcham, Nan	Approved	8/25/2017 - 3:31 PM
Legal Review	Kinsman, Adam	Approved	8/28/2017 - 8:34 AM
Board Secretary	Fellows, Teresa	Approved	8/28/2017 - 9:06 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:35 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:40 PM

MEMORANDUM

DATE: September 12, 2017

TO: The Board of Supervisors

FROM: Tammy Mayer Rosario, Principal Planner
Darryl Cook, Assistant Director of Stormwater and Resource Protection

SUBJECT: Virginia Department of Transportation Revenue Sharing Program - Fiscal Years 2019 - 2020

The Virginia Department of Transportation (VDOT) has invited localities to participate in the FY 2019 and 2020 Revenue Sharing Program, which provides localities an additional funding option to construct, reconstruct, improve or maintain the highway system. Following a number of revisions made by the Commonwealth Transportation Board (CTB) in July, the program matches local dollars on a one-to-one basis up to \$5 million per locality per fiscal year with a \$10 million limitation per project. As a competitive program, VDOT prioritizes eligible projects into the following categories:

Priority 1	Construction projects that have previously received Revenue Sharing funding
Priority 2	Construction projects that meet a transportation need identified in the Statewide Transportation Plan or projects that will be accelerated in a locality's Capital Plan
Priority 3	Projects that address deficient pavement resurfacing and bridge rehabilitation
Priority 4	All other eligible projects that do not meet the above priority criteria

The County has historically used revenue sharing to provide funding for small projects or immediately needed improvements or to supplement existing funding on projects. This year staff is recommending two projects for the Board's consideration: 1) Grove Roadway Improvements; and 2) Richmond Road Construction of Pedestrian and Bicycle Accommodations, Safety Improvements and Storm Drain System Improvements. Both incorporate stormwater improvements which are currently approved in the County's Capital Improvements Program (CIP), but which can be accomplished earlier and with cost savings for the County if VDOT revenue sharing funds are approved by the CTB.

Grove Roadway Improvements

The first project, Grove Roadway Improvements, proposes to widen the existing travel lane(s) to the minimum standard for sections of Howard Drive, Jackson Street, Railroad Street, Whiting Avenue and Magruder Avenue within Grove (see Attachment No. 3). The existing roads are of sub-standard width and have historical flooding issues, both of which affect the safety of drivers and pedestrians. Using the results of the Grove Drainage Study as its basis, the project addresses deficient pavement width through the reconstruction of new asphalt pavement and base, and alleviates roadway drainage issues by re-establishing ditch grades and adding cross-pipes to connect ditches that do not have an existing outfall or are very poorly drained. The project will also repair deficiencies such as collapsed or damaged pipes and/or pipes plugged and clogged with debris and other incidental work as part of the overall project. Since the project is currently in the County's CIP and would be accelerated by receipt of revenue sharing funds, this application would be considered a "Priority 2" project under VDOT criteria.

The total cost of the proposed improvements including preliminary engineering, right-of-way and construction is estimated at \$1,173,700. Since preliminary engineering (PE) and right-of-way (RW) for the Grove Area Roadway Improvements Project are being procured by James City County in advance, VDOT revenue sharing will be requested only for the construction phase, estimated to be a total of \$1,090,000, with \$545,000 requested from VDOT. The County's proposed contribution of \$545,000 is already programmed in the County's FY 18-22 CIP. Revenue sharing funds will be requested in FY 2019 as a first preference, then in FY 2020 as a second preference.

Richmond Road Construction of Pedestrian and Bicycle Accommodations, Safety Improvements and Storm Drain System Improvements

The second project, Richmond Road Construction of Pedestrian and Bicycle Accommodations, Safety Improvements and Storm Drain System Improvements, proposes a variety of improvements along a 0.5-mile section of Richmond Road from Forge Road to the entrance of Toano Middle School where stormwater improvements have been identified and programmed (see Attachment No. 4). Using the Toano Drainage Study as its basis, the project provides for construction of a new storm drain system to address numerous drainage complaints from community residents and business owners. The storm drain will provide safety improvements by eliminating existing hydroplaning hazards in this area of Richmond Road and by addressing standing water behind the sidewalk on the south side of Richmond Road in several locations.

Consistent with the Board of Supervisors adopted Toano Community Character Area Design Guidelines and Streetscape Plan, the Pedestrian Accommodations Master Plan and the Regional Bikeways Plan as a basis, the project also includes missing sidewalks, missing side street crosswalks, crosswalk upgrades for Americans with Disabilities Act compliance and the addition of a bike lane in each direction to connect residential communities on the north and south sides of Richmond Road, as well as dozens of commercial businesses along the corridor.

Additional safety improvements include grass medians, and if found to be warranted during the design phase, a mid-block crosswalk with rapid flashing beacons across Richmond Road near Toano Drive, where pedestrian crossings are heaviest. The grass medians restrict turning movements, thereby improving traffic safety by removing the hazardous left turns from several business entrances across multiple lanes of traffic in both directions, and one raised median helps reinforce a right-turn only exit from Magnolia Place, a retail development at the Chickahominy Road intersection.

The Richmond Road Construction of Pedestrian and Bicycle Accommodations, Safety Improvements and Storm Drain System Improvements would represent a subsequent phase of implementation of the Toano Drainage Study recommendations. A separate first phase of drainage improvements, the Toano West project, recently received Virginia Department of Environmental Quality funding for a 50% cost share through the Stormwater Local Assistance Fund and will improve downstream water quality by providing regional stormwater management treatment through regional facilities. The Toano West project is under design and construction is planned to be begin in late 2018 or early 2019.

Since the Richmond Road Construction project both meets a need in the Statewide Transportation Plan and is currently in the County's CIP and would be accelerated by receipt of revenue sharing funds, this application would be considered a "Priority 2" project under VDOT criteria.

The total cost of the proposed improvements including preliminary engineering, right-of-way and construction is estimated at \$1,665,594. Since PE and RW for the Richmond Road Construction Project are being procured by James City County in advance, VDOT revenue sharing will be requested only for the construction phase, estimated to be a total of \$1,478,234, with \$739,117 requested from VDOT. The County's proposed

contribution is \$739,117, which is already programmed in the County's FY 18-22 CIP. Revenue sharing funds will be requested in FY 2019 as a first preference, then in FY 2020 as a second preference.

Staff recommends the adoption of the attached resolutions which will authorize the County to participate in the FY 2019-2020 Revenue Sharing Program.

TMR/DC/nb
VDOT-RevSharFY19-20-mem

Attachments:

1. Resolution for Grove Roadway Improvements
2. Resolution for Richmond Road Construction Improvements
3. Grove Project Area Map
4. Richmond Road Project Area Map

RESOLUTION

VIRGINIA DEPARTMENT OF TRANSPORTATION REVENUE SHARING PROGRAM -

FISCAL YEARS 2019-2020. GROVE ROADWAY IMPROVEMENTS

WHEREAS, the Board of Supervisors of James City County desires to submit an application requesting up to \$545,000 of Revenue Sharing Funds through the Virginia Department of Transportation (VDOT) Fiscal Years 2019-2020 Revenue Sharing Program; and

WHEREAS, the County will allocate up to \$545,000 to match Revenue Sharing Program funds as part of the FY 2019 or FY 2020 budget, consistent with the year of the award; and

WHEREAS, the combined County and state revenue sharing funding totaling \$1,090,000 is requested to fund the Grove Roadway Improvements.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby supports this application for an allocation of \$545,000 through the VDOT Revenue Sharing Program, approves a County contribution up to \$545,000 toward this project, and hereby authorizes the County Administrator or his designee to sign the necessary applications, agreements and other documentation necessary to administer this revenue sharing project.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MC GLENNON	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

VDOT-RevSharFY19-20-res1

RESOLUTION

VIRGINIA DEPARTMENT OF TRANSPORTATION REVENUE SHARING PROGRAM -

FISCAL YEARS 2019-2020. RICHMOND ROAD CONSTRUCTION IMPROVEMENTS

- WHEREAS, the Board of Supervisors of James City County desires to submit an application requesting up to \$739,117 of Revenue Sharing Funds through the Virginia Department of Transportation (VDOT) Fiscal Years 2019-2020 Revenue Sharing Program; and
- WHEREAS, the County will allocate up to \$739,117 to match Revenue Sharing Program funds as part of the FY 2019 or FY 2020 budget, consistent with the year of the award; and
- WHEREAS, the combined County and state revenue sharing funding totaling \$1,478,234 is requested to fund the Richmond Road Construction of Pedestrian and Bicycle Accommodations, Safety Improvements and Storm Drain System Improvements.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby supports this application for an allocation of \$739,117 through the VDOT Revenue Sharing Program, approves a County contribution up to \$739,117 toward this project and hereby authorizes the County Administrator or his designee to sign the necessary applications, agreements and other documentation necessary to administer this revenue sharing project.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of September, 2017.

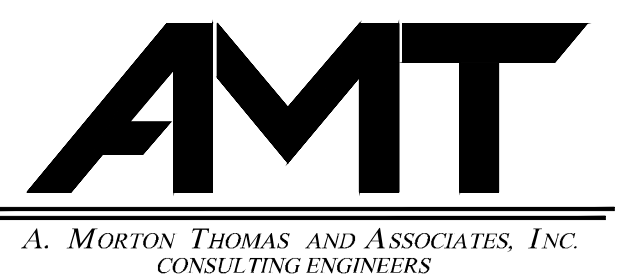
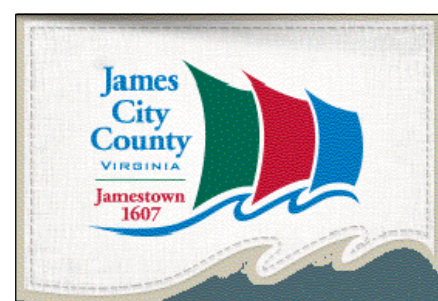
Concept Plan - Grove Roadways Improvements





RICHMOND ROAD (RT 60) NEW CONSTRUCTION OF PEDESTRIAN AND BICYCLE ACCOMMODATIONS, SAFETY IMPROVEMENTS, AND STORM DRAIN SYSTEM

JAMES CITY COUNTY, VIRGINIA
CONCEPT PLAN



ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia - Chesapeake Bay Board and Wetlands Board

ATTACHMENTS:

Description Type

REVIEWERS:

Department	Reviewer	Action	Date
Engineering & Resource Protection	Cook, Darryl	Approved	8/18/2017 - 8:53 AM
Development Management	Holt, Paul	Approved	8/18/2017 - 9:00 AM
Publication Management	Trautman, Gayle	Approved	8/18/2017 - 9:06 AM
Legal Review	Kinsman, Adam	Approved	8/18/2017 - 9:07 AM
Board Secretary	Fellows, Teresa	Approved	8/18/2017 - 9:31 AM
Board Secretary	Purse, Jason	Approved	9/5/2017 - 12:33 PM
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 12:39 PM

ITEM SUMMARY

DATE: 8/23/2017

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Williamsburg/James City County Community Action Agency Board Reappointments

The following appointments to the Williamsburg/James City County Community Action Agency Board are due for expiration as of September 25, 2017: Ms. Diane Finney, Lt. Jeff Hicklin, Ms. Amanda Wheeler, Dr. Cathy Richardson, and Mr. John R. Smith.

There are currently two other citizen applicants for the WJCC Community Action Agency Board: Ms. Teresa Christin and Mr. Stephen Hodges. Both Mr. Hodges and Ms. Christin have expressed indicated that they want to be appointed to the WJCC Community Action Agency Board.

With the resignation of Mr. John R. Smith there is one vacancy and two applicants. There are several considerations:

- (1) The Board of Supervisors reappoints Ms. Finney, Lt. Hicklin, Dr. Richardson, and Ms. Wheeler and choose one of the applicants;
- (2) The Board of Supervisors reappoints Ms. Finney, Lt. Hicklin, Dr. Richardson, and Ms. Wheeler and staff recommend one of the applicants;
- (3) Reappoint Ms. Finney, Lt. Hicklin, Dr. Richardson and The Board of Supervisors appoints Mr. Hodges and Ms. Christin.

The appointment and reappoints are for five year terms with an expiration date of September 25, 2022.

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	9/5/2017 - 12:49 PM
Community Services	Vinroot, Rebecca	Approved	9/5/2017 - 12:49 PM
Publication Management	Trautman, Gayle	Approved	9/5/2017 - 12:52 PM
Legal Review	Kinsman, Adam	Approved	9/5/2017 - 3:06 PM

Board Secretary
Board Secretary
Board Secretary

Fellows, Teresa
Purse, Jason
Fellows, Teresa

Approved
Approved
Approved

9/5/2017 - 3:07 PM
9/5/2017 - 3:41 PM
9/5/2017 - 4:34 PM

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Clean County Commission Reappointment

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 2:49 PM

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Williamsburg Regional Library Board Appointment

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 3:01 PM

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Economic Development Authority Appointment

ATTACHMENTS:

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

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/5/2017 - 3:01 PM

ITEM SUMMARY

DATE: 9/12/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Adjourn until 4 pm on September 26, 2017 for the Work Session

REVIEWERS:

Department	Reviewer	Action	Date
Economic Development Authority	Fellows, Teresa	Approved	9/1/2017 - 3:01 PM