

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 9TH DAY OF NOVEMBER, 2004, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Bruce C. **Goodson**, Chairman, Roberts District
Michael J. Brown, Vice Chairman, **Powhatan** District
John J. **McGlennon**, Jamestown District
M. Anderson Bradshaw, Stonehouse District
Jay T. Harrison, Sr., Berkeley District

Sanford B. Wanner, County Administrator
Leo P. Rogers, County Attorney

B. MOMENT OF SILENCE

Mr. **Goodson** requested the Board and citizens observe a moment of silence.

C. PLEDGE OF ALLEGIANCE

Awnya Fraizer, a Senior at Lafayette High School, led the Board and citizens in the Pledge of Allegiance.

D. PUBLIC COMMENT

1. Ms. Tina **Haywood**, 3936 Penzance Place, stated that the Wellington Subdivision residents disagree with the benchmark for the three-tier rate system and requested that all the customers of the James City **Service** Authority be billed at one rate.

2. Ms. Janice Jackson, 140 Bush Springs Road, stated support for the proposed street name change of Colby Road to "Theodore Allen Road."

3. Ms. Phyllis Allen, 5668 **Centerville Road**, stated support for the proposed street name change of Colby Road to "Theodore Allen Road," and for the recognition of Mr. Allen's contribution to the community.

4. Mr. Trent Strong, Sr., 4029 Rochambeau Drive, stated support for the proposed street name change of Colby Road to "Theodore Allen Road."

5. Mr. William Braxton, 3824 **Longhill Road**, representing the Centerville Association, stated support for the proposed street name change of Colby Road to "Theodore Allen Road," and commented on Mr. Allen's contribution to the community.

6. Mr. Jimmy Williams, 5656 **Centerville** Road, stated support for the proposed street name change of Colby Road to "Theodore Allen Road," and commented on Mr. Allen's contribution to the community.

7. Mr. David Smith, 103 Burgundy Road, Director of Marketing and Sales for Oleta Coach Lines, requested a meeting with Williamsburg Area Transport representatives, the County Administrator, a Board member, and a representative of William & Mary to discuss Oleta's **concerns**.

8. Mr. Ed Oyer, 139 Indian Circle, stated concern that an architect would perform a facilities study for the schools and stated appreciation that a road in his neighborhood has been paved.

9. Ms. Phyllis Allen, 5668 **Centerville** Road, read a letter of support from Jacquelyn Brown, Community Activist of The Rock of Salvation Outreach Ministry, for the proposed street name change of Colby Road to "Theodore Allen Road," with comments on Mr. Allen's contribution to the community.

10. Ms. Amy Smith, 116 Colby Road, stated concern that she was just notified about the proposed name change of Colby Road and inquired if other Colby Road residents and property owners were notified of the proposal.

Mr. **Brown** stated that a petition signed by 17 individuals was submitted in support of the name change for Colby Road.

11. Ms. Christine E. **Addotta**, 116 Colby Road, suggested the Board consider another method of recognition be identified for Mr. Allen rather than the renaming of Colby Road.

E. CONSENT CALENDAR

Mr. **Goodson** noted that the *Award of Contract – ~~Mid~~ County Park Trail* has been pulled from the Board's agenda.

Mr. Harrison made a motion to adopt the amended October 26, 2004, Regular Meeting minutes and the Work Session minutes on the Consent Calendar.

On a roll call vote, the vote was: AYE: Bradshaw, Harrison, Brown, **McGlennon**, **Goodson** (5). NAY: (0).

1. Minutes
 - a. October 26, 2004. Work Session
 - b. October 26, 2004. Regular Meeting, as amended

F. PUBLIC HEARING

1. Case No. SUP-24-04. Basketville of Williamsburg

Ms. Ellen Cook, Planner, stated that **Richard Costello** of AES Consulting Engineers has applied on behalf of Basketville of Williamsburg, **Inc.**, for a special use permit to expand the existing retail building by 7,500 square feet on 4.69 acres zoned **B-1**, General Residential, at 7761 Richmond Road and further identified as Parcel No. (1-45) on James City County Real Estate Tax Map No. (12-4).

Staff found the proposed expansion to be compatible with surrounding zoning and development and generally consistent with the Comprehensive Plan; and found the conditions will adequately address any impacts associated with the proposal.

At its meeting on October 4, 2004, the Planning Commission voted 5-0 to approve the project.

Staff recommended adoption of the resolution.

Mr. Goodson opened the Public Hearing.

1. Mr. Richard Costello, AES Consulting Engineers, was available to answer questions from the Board regarding the application.

As no one else wished to speak to this matter, Mr. Goodson closed the Public Hearing.

Mr. Bradshaw made a motion to adopt the resolution.

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

RESOLUTION

CASE NO. SUP-24-04. BASKETVILLE OF WILLIAMSBURG

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

WHEREAS, Mr. Rich Costello has applied on behalf of **Basketville** of Williamsburg for a special use permit to allow the expansion of the existing retail building by 7,500 square feet; and

WHEREAS, the proposed building is shown on the plan prepared by AES Consulting Engineers, dated August 23, 2004, and entitled "Master Plan for a Special Use Permit for **Basketville of Williamsburg, Inc.**"; and

WHEREAS, the property is located on land zoned **B-1**, General Business District, and can be further identified as Parcel No. (1-45), on James City County Real Estate Tax Map No. (12-4); and

WHEREAS, the Planning Commission, following its Public Hearing on October 4, 2004, voted 5-0 to approve this application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. 24-04 as described herein with the following conditions:

1. Prior to final site plan approval, architectural elevations, building materials, and colors shall be submitted to the Planning Director for review and approval. The intent of this condition is to ensure that the existing and proposed structures on the site are uniform and compatible in terms of design, materials, and colors, and are designed for minimal visual impact.

2. The plan of development shall be generally consistent with the "Master Plan For A Special Use Permit For **Basketville** of Williamsburg, Inc." prepared by **AES** Consulting Engineers, dated August 23,2004, and revised September 24,2004, as **determined** by the Planning Director.
3. A 20-foot buffer shall be provided along the rear property line, and 50-foot buffer shall be provided along the Bush Springs Road Property line from the rear property line to the existing asphalt entrance road. The buffer shall be undisturbed, unless otherwise approved by the Planning Director or his designee, except for any additional landscaping in accordance with the landscaping requirements of the Zoning Ordinance. A landscape plan depicting the buffer and any additional landscapingshall be approved by the Planning Director or his designee prior to final site plan approval.
4. The owner shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority (JCSA) and subsequently for enforcing these standards. The standards shall address such water conservation measures as limitations on the installation and use of approved landscaping design and materials to promote water conservation and minimize the use of public water resources. The water conservation standards shall be approved by JCSA prior to final site plan approval.
5. All dumpsters shall be screened by landscaping and fencing in a location approved by the Planning Director or his designee prior to final site plan approval.
6. All exterior lighting on the property shall be recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire fixture and light source such that all light will be directed downward and the light source is not visible from the side. Modifications to this requirement may be approved by the Planning Director if it is determined that the modifications do not have any adverse impact on the Property or surrounding property.
7. Construction on this project shall commence within thirty-six (36) months from the date of approval of this special use permit or this permit shall be void. Construction shall be defined as obtaining building permits and an approvedfooting inspection **and/or** foundation inspection.
8. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

G. BOARD CONSIDERATION

1. Street Name Change: Colby Road (Route 1505) to "Theodore Allen Road"

Mr. Trey Davis, Planner, presented a resolution changing the street name of Colby Road (Route 1505) to "Theodore Allen Road" in honor of Mr. Allen's dedication to, and good works in, the community; and recommended approval of the resolution.

Mr. Harrison inquired what is the standard notification time frame of street name changes.

Mr. Davis stated that there is no legal notification time frame, that 10 days is a standard notification time-frame, and notifications were sent to all property owners on Colby Road according to that notification standard.

Mr. Goodson inquired how long the United States Postal Service (USPS) will continue to deliver mail addressed to "Colby Road."

Mr. Davis stated the USPS will deliver for approximately 5 to 6 months.

Mr. McGlennon inquired how many properties are located on Colby Road

Mr. Davis stated that there are approximately 30 parcels.

Members of the Board voiced appreciation for Mr. Theodore Allen's contributions to the community.

Mr. Brown made a motion to adopt the resolution.

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

RESOLUTION

STREET NAME CHANGE: COLBY ROAD (ROUTE 1505) TO

THEODORE ALLEN ROAD

WHEREAS, Section 19-54(B) of the James City County Subdivision Ordinance provides for street names to be changed upon approval by the Board of Supervisors; and

WHEREAS, the proposed street name change has been discussed with the Fire Department, Planning Division, Police Department, Williamsburg Post Office, and Real Estate Assessment and these agencies have found it acceptable; and

WHEREAS, the Centerville Community Association has requested that the Board of Supervisors change the name of Colby Road to "Theodore Allen Road" to honor the memory of Mr. Allen's dedication to, and good works in, the community; and

WHEREAS, Theodore Allen left a legacy of caring, compassion, hard work, and unity in the citizens of the community and brought about positive transformation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve renaming the street, Colby Road to "Theodore Allen Road."

H. PUBLIC COMMENT - None

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner stated that Federal, State, and local governmental offices will be closed on November 11 for Veteran's Day.

Mr. Wanner recommended that at the conclusion of the meeting, the Board adjourn to **4 p.m.** on November **23,2004**.

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon stated that the County Administrator has extended two invitations to Oleta and Howard Smith, Sr., to meet with **Oleta Coach** Lines representatives and the College has indicated willingness to meet as well.

Mr. **Goodson** stated that he would be available to meet with representatives and Oleta Coach Lines.

Mr. Bradshaw commented on the Citizens Fire Academy graduation and invited citizens to participate in the Citizen Fire and Police Academies.

Mr. McGlennon commented on the construction along the Route 199 corridor and stated that the Jamestown Road and Route 199 intersection road work is anticipated to be a relatively short-term process.

Mr. Harrison stated that he has received a letter from Greensprings Community Association regarding **ongoing** Homeowners Association concerns and he is reviewing those concerns with the County Administrator for input.

K. ADJOURNMENT

Mr. Brown made a made a motion to adjourn.

On a roll call vote, the vote was: AYE: Bradshaw, Harrison, Brown, McGlennon, **Goodson** (5). NAY: (0).

At 7:37 p.m., Mr. **Goodson** adjourned the Board until 4 p.m. on November **23,2004**.

Sanford B. Wanner
Clerk to the Board