

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

October 23, 2001

7:00 P.M.

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M. ADJOURNMENT

MEMORANDUM

DATE: October 23, 2001

TO: The Board of Supervisors

FROM: Caroline Rhodes, Volunteer Services Coordinator

SUBJECT: International Year of Volunteers - Volunteer Recognition - Dave Gosselin and Dan Smith

2001 has been designated International Year of Volunteers by the United Nations General Assembly. To celebrate, the Office of Volunteer Services is highlighting outstanding volunteers and the County department they work with each month for the next year. This month we are recognizing Parks and Recreation volunteer, Dave Gosselin along with staff Dan Smith.

Over seventeen years ago, Dave Gosselin had a son that played baseball for the Williamsburg Youth League. What began as a volunteer coaching job evolved into serving on the Youth League Board for 17 years - eight of them as President.

Under Dave's leadership, some of the biggest and most positive changes have taken place in the baseball community. He helped to develop the County's Parks and Recreation co-sponsorship policy and the Youth League was the first group to work with the County in a partnership effort. Dave played a key role on the 1994 bond referendum by forming the Friends of Parks and Recreation. He also worked with the County to provide quality baseball facilities at Mid-County Park and the District Park Sports Complex and he was involved in developing an alliance with Babe Ruth/Cal Ripken Baseball to provide a higher quality baseball program for the citizens of James City County.

The number of youth in the program has doubled over the past ten years. Through this program, youth are exposed to positive role models that help shape their future. Dave has been instrumental in making sure all children who want to play baseball can and that no child is turned away. The benefits of the program include learned social and motor skills, sportsmanship, the importance of team unity, mutual respect, and the opportunity to just have fun. Through Dave's guidance, the Williamsburg Youth League has developed a program that not only enhances the abilities of those that want competitive baseball, but at the same time strives to provide baseball for all youth interested in playing the game.

Dave Gosselin has been a driving force in a top notch baseball program that continues to get better.

Caroline Rhodes

CONCUR:

Carol M. Luckam

CMR/adw
volyear1001.mem

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 25TH DAY OF SEPTEMBER, 2001, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, Chairman, Jamestown District
Bruce C. Goodson, Vice Chairman, Roberts District

Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Ronald A. Nervitt, Powhatan District

William C. Porter, Jr., Assistant County Administrator
Frank M. Morton, III, County Attorney

B PLEDGE OF ALLEGIANCE

Ms. Tilly Luzar, a 10th grade student at Lafayette High School, led the Board and citizens in the Pledge of Allegiance.

C. PUBLIC COMMENT

1. Ms. Barbara Darberman, an employee of the Virginia United Methodist Homes, Inc., provided the Board with an overview of the Virginia United Methodist Homes, Inc., marketing strategies to ensure success of WindsorMeade, the necessity of having a “grandfathering” water supply policy for marketing and financing the project, and requested the Board “grandfather” WindsorMeade.

2. Mr. Michael McShea, Managing member of New Town Associates, provided the Board with the projects involved in the development of New Town, and requested the Board “grandfather” New Town when considering the water supply policy, and stated support for the third proposal for the water policy.

3. Mr. Alvin Anderson, attorney and business community representative, stated support for the third proposal of the water supply policy which will send a message to the business community that the County is open for business, and requested the water policy be expressly limited to residential users.

4. Mr. Skip Morris, Chairman of the Williamsburg Community Builders Association, stated support for the Board’s far-sighted support in finding a permanent water supply, and educational efforts for water conservation; read a letter to the Board addressing support for the limitation on irrigation drafted by the Water Conservation Committee; and requested the Board have staff amend County comments to the Army Corp of Engineers regarding the King William Reservoir to note the County has already been forced to restrict water usage and note the limited policy options available due to the limited water supply options.

5. Mr. Jim Icenhour, 101 Shinnecock, voiced concern about the approval of additional developments without the approval of adequate water withdrawal permits or water sources, stated support that those already approved be grandfathered, but not grandfather those that have not yet received approval although in the approval pipeline, and requested the Board consider approval of the third water policy option.

D. PRESENTATION

Mr. McGlennon recognized Mr. Fred Dolan and Ms. Deb Hamlin for their volunteer service with the County's video center. Mr. Dolan was recognized for his hosting of over 200 live call-in shows during the past ten years. Ms. Hamlin was recognized for her commitment to the Fire Department to video in extreme weather conditions and utilizing own video equipment to speed along video productions.

E. HIGHWAY MATTERS

Mr. Jim Brewer, Resident Engineer, provided the Board with an update on the completion of a bikeway along Neck-O-Land Road, near completion of a bikeway along Strawberry Plains Road, and the completion of Monticello Avenue in November.

Mr. McGlennon requested an update on the Route 199 repaving project.

Mr. Brewer stated that the repaving project for Route 199 was scheduled last year and is currently underway.

Mr. McGlennon requested information regarding the apparatus on traffic signal lights.

Mr. Brewer stated that the apparatus are Opticom for emergency vehicles.

Mr. Nervitt inquired if the proposed Monticello Avenue and Centerville Road modifications would be best delayed until after a decision has been made regarding the closure of a portion of Centerville Road.

Mr. Brewer stated that the improvements would not impact or be impacted by the possible closure of a portion of Centerville Road.

Mr. McGlennon requested an update on the Grove Interchange.

Mr. Brewer stated that the interchange will be completed in December.

Mr. Goodson commented on the overlay work on Ron Springs Road and noted that there seems to be improved drainage along the road.

F. CONSENT CALENDAR

Mr. McGlennon inquired if a Board member wished to pull an item from the consent calendar.

Mr. Nervitt requested Item Number 7, Authorization for County administrator to Accept Civil Charges for Violation of the Chesapeake Bay Preservation Ordinance and Erosion and Sediment Control Ordinance, be pulled.

Mr. McGlennon pulled Item Number 6, Resolution Condemning Terrorism and Supporting the President of the United States.

Mr. Nervitt made a motion to approve the remaining items on the consent calendar.

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

1. Minutes

- a. September 11, 2001, Regular Meeting
- b. September 12, 2001, Work Session

2. Installation of “Watch for Children” Signs – Greensprings Plantation

RESOLUTION

INSTALLATION OF “WATCH FOR CHILDREN” SIGNS - GREENSPRINGS PLANTATION

WHEREAS, Section 33.1-210.2 of the Code of Virginia provides for the installation and maintenance of signs by the Virginia Department of Transportation, alerting motorists that children may be at play nearby, upon request by a local governing body; and

WHEREAS, Section 33.1-210.2 further requires that the funding for such signs be from the secondary road system maintenance allocation for the County; and

WHEREAS, the residents of Greensprings Plantation have requested that “Watch for Children” signs be installed on Frances Berkeley and Phillip Ludwell as illustrated on the attached drawing titled “Greensprings Plantation ‘Watch for Children Signs’.”

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request that the Virginia Department of Transportation install and maintain two “Watch for Children” signs as requested with funds from the County’s secondary road system maintenance allocation.

3. New Position – Full-Time Permanent Social Worker with Adult Services

RESOLUTION

NEW POSITION - FULL-TIME PERMANENT SOCIAL WORKER WITH ADULT SERVICES

WHEREAS, the elderly population in James City County has been steadily increasing; and

WHEREAS, the demand for Social Services programs related to that population have also been rising in recent years; and

WHEREAS, sufficient funds for this position are already available in the approved budget for the Division of Social Services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorize the elimination of one part-time permanent Social Worker position and one part-time temporary Social Worker position and establishes one full-time permanent Social Worker position to work in the Adult Services Programs.

4. Intersection of Monticello Avenue and Centerville Road

RESOLUTION

INTERSECTION OF MONTICELLO AVENUE AND CENTERVILLE ROAD

WHEREAS, Monticello Avenue is designed as a 45 mph through street; and

WHEREAS, Centerville Road was constructed as the through street at its intersection with Monticello Avenue; and

WHEREAS, modification of this intersection is necessary in order for it to perform safely.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia hereby authorizes the expenditure of up to \$35,000 to modify the intersection of Monticello Avenue and Centerville Road and also authorizes the transfer of \$35,000 from Capital Contingency to the Road Improvements C.I.P. account.

5. Office of Code Compliance – Petty Cash Increase

RESOLUTION

OFFICE OF CODE COMPLIANCE - PETTY CASH INCREASE

WHEREAS, the Board of Supervisors of James City County has been requested to authorize an increase in petty cash of \$50 for the Office of Code Compliance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the Treasurer to increase petty cash from \$50 to \$100 for the Office of Code Compliance.

6. Resolution Condemning Terrorism and Supporting the President of the United States

_____The Board held a brief discussion on the terrorist actions of September 11, 2001.

Mr. Harrison made a motion to adopt the resolution.

Mr. Goodson seconded the motion.

Mr. Nervitt requested the County Attorney read the resolution.

Mr. Morton read the resolution to the Board.

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

RESOLUTION

CONDEMNING TERRORISM AND SUPPORTING THE PRESIDENT

OF THE UNITED STATES

WHEREAS, on Tuesday, September 11, 2001, there was a sudden, brutal attack by terrorists who destroyed four civilian aircraft, crashing two into the towers of the World Trade Center in New York City and a third into the Pentagon in Arlington, Virginia; and

WHEREAS, innocent men, women, and children were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center, and in the Pentagon, rescue workers, law enforcement officers, and bystanders; and

WHEREAS, these terrorist attacks are the deadliest ever launched against the United States and were clearly intended to intimidate our nation and weaken our resolve; and

WHEREAS, it is important that we carry on with the regular activities of our lives as a sign that the American spirit will not be broken and that these attacks failed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby offer its deepest condolences to the families and friends of those injured, missing, and killed.

BE IT FURTHER RESOLVED that the Board of Supervisors does condemn the actions of the terrorists and support the President of the United States as he works to defend our nation and to locate the perpetrators and bring them to justice.

BE IT STILL FURTHER RESOLVED, that the Board of Supervisors encourages all citizens to support the relief efforts and to participate in appropriate programs and activities.

7. Authorization for County Administrator to Accept Civil Charges for Violation of the Chesapeake Bay Preservation Ordinance and Erosion and Sediment Control Ordinance

Mr. Nervitt inquired if the proposal will eliminate the flexibility to have the Board act on the violation and thereby have visibility of the consequences of such violations.

Mr. Horne stated that it is a policy choice of the Board and unless there is a controversy, the County Administrator would handle the settlement. If there is controversy in attempting to settle the violation, the violation would come before the Board for review.

The Board and staff discussed the desire of the Board to have high visibility in violation and consequences.

The Board decided not to take action on the resolution and struck the item from the agenda.

G. PUBLIC HEARINGS

1. & 2. AFD-06-86. Cranston's Pond – Ware Property Withdrawal (deferred from August 14, 2001) & Case No. Z-04-00/MP-01-01. Colonial Heritage at Williamsburg (deferred from August 14, 2001)

Mr. Ben Thompson, Planner, stated that the applicant has requested a deferral of these items until October 9, 2001, and recommends the Board approve the deferral request.

Mr. McGlennon inquired if the Board had any questions.

Mr. McGlennon opened the public hearing.

As no one wished to speak, Mr. McGlennon requested a motion from the Board to continue the cases to October 9, 2001.

Mr. Kennedy made the motion to defer the case until October 9, 2001.

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

3. Case No. SUP-15-01. Williamsburg Pottery Factory – Building No. 7 Replacement

Ms. Jill Schmidle, Planner, stated that Richard Costello applied, on behalf of the Williamsburg Pottery Factory, for a Special Use Permit (SUP) to allow construction of a new retail sales building of 6,750 square feet to replace an existing 5,750-square foot structure known as Building No. 7 or the “Haitian Building,” zoned M-1, Limited Business/Industrial, at 6692 Richmond Road, further identified as Parcel No. (1-24) on the James City County Real Estate Tax Map No. (24-3).

The Board and staff discussed alignment of traffic lights on Richmond Road and moving the entrance traffic light to the Pottery, west of its present location.

Mr. McGlennon opened the public hearing.

1. Mr. Richard Costello, applicant, stated that the Pottery entrance traffic light was moved due to safety concerns associated with traffic crossing the train tracks and backing up onto Route 60.

Mr. McGlennon closed the public hearing as no one else wished to speak.

Mr. Harrison made a motion to adopt the resolution.

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

RESOLUTION

CASE NO. SUP-15-01. WILLIAMSBURG POTTERY FACTORY -

BUILDING NO. 7 REPLACEMENT

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. Richard Costello has applied for a special use permit to allow a replacement retail sales building of 6,750 square feet located at 6692 Richmond Road; and

WHEREAS, the property is located on land zoned M-1, Limited Business/Industrial District, and can be further identified as Parcel No. (1-24) on James City County Real Estate Tax Map No. (24-3); and

WHEREAS, the Planning Commission, following its public hearing on September 5, 2001, voted 6-0 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. SUP-15-01 as described herein with the following conditions:

1. If a certificate of occupancy has not been obtained for the project within thirty-six months from the issuance of the special use permit, the permit shall become void.
2. This special use permit shall be limited to the following: The demolition of a 5,750- square foot building known as Building No. 7, or the "Haitian Building," and construction of a 6,750-square foot replacement facility. Development of the site shall be generally in accordance with the Conceptual Plan "Master Plan of Redevelopment - Building No. 7 for Special Use Permit Application - Williamsburg Pottery Factory" prepared by AES Consulting Engineers, dated June 2001.
3. All required landscaping as part of this project (SUP-15-01) and approved Case No. SUP-18-98 or the equivalent as approved by the Director of Planning, shall be installed prior to issuance of a certificate of occupancy for Building No. 7.
4. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

4. Release of Easement on Property Located at 5237 Olde Towne Road

Mr. Greg Dohrman, Assistant County Attorney, stated the County purchased an unimproved parcel adjacent to the Human Services Building. The property is encumbered by an ingress/egress easement that has never been utilized, and requests that the Board authorize the County to join in the release of this easement.

Mr. McGlennon opened the public hearing.

As no one wished to speak, Mr. McGlennon closed the public hearing.

Mr. Goodson made a motion to approve the resolution.

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

RESOLUTION

RELEASE OF EASEMENT ON PROPERTY

LOCATED AT 5237 OLDE TOWNE ROAD

WHEREAS, James City County purchased a parcel of property located at 5237 Olde Towne Road pursuant to a resolution adopted by the Board of Supervisors of James City County, Virginia on July 24, 2001; and

WHEREAS, the property is encumbered by an ingress/egress easement that has never been utilized; and

WHEREAS, the other parties having an interest in the easement desire to extinguish it, and have executed a Release of Easement to accomplish this; and

WHEREAS, extinguishing said easement will increase the utility of the property to James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the County Administrator to execute an appropriate Release to extinguish the ingress/egress easement over and adjacent to the property located at 5237 Olde Towne Road.

H. BOARD CONSIDERATION

1. Water Supply Policy Options – James City Service Authority Central H₂O System

Mr. Porter stated that in accordance with the Board's directive, staff developed three water supply policy options for the Boards' consideration in deliberating current and future rezonings and/or special use permit (SUP) applications until such time as a draft permit is issued by the Virginia Department of Environmental Quality (DEQ) for groundwater withdrawal to support a brackish groundwater treatment facility.

Staff recommended the Board endorse the third water supply policy option regarding any pending applications and option two for any applications filed after this date.

The Board and staff held a discussion regarding the options, concerns for approving additional development without adequate water supply, potential water withdrawal from the Lower Potomac Aquifer, the existing water supply figures, anticipated date of permitting from DEQ, inclusion of projects in the pipeline on water demand figures, impacts of New Kent and York County on the aquifer, consideration of the U. S. Homes build-out impacts, and additional water conservation measures.

Mr. Goodson made a motion to adopt the water supply policy option 3.

Mr. McGlennon made a motion to substitute water supply policy option 2 for Mr. Goodson's motion.

Mr. Harrison went on record stating that this Board is sending a message to the community that the Board is doing nothing and continuing business as usual.

Mr. McGlennon requested a roll call vote on the motion.

On a roll call, the vote was: AYE: Kennedy, Nervitt, McGlennon (3). NAY: Harrison, Goodson (2).

Mr. Harrison made a motion to adopt an odd/even water policy to address irrigation.

Mr. Morton stated that if it be the desire of the Board, an ordinance could be brought back to the Board for consideration.

Mr. McGlennon requested staff to bring forward an ordinance for consideration in conjunction with additional information about the impact of the third tier pricing system.

The Board discussed policing of the policy, submeters, and the build-out of U. S. Homes.

I. PUBLIC COMMENT

1. Mr. Richard Costello, 10020 Sycamore Landing Road, requested staff provide the Board with the number of wells installed for irrigation, and requested staff update the figures reflecting the number of homes already approved and in the development pipeline.

Mr. Horne stated that the development pipeline figures are up-to-date and were updated utilizing the same methodology used to obtain the previous figures; and offered the building community the opportunity to work with the County during the Comprehensive Plan Update to develop a new methodology.

2. Mr. Ed Oyer, 139 Indian Circle, provided an update on the house trailers located on the fence line at the mobile home park.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Porter reminded the Board of the topics to be discussed at its work session to be held on September 26 at 4 p.m., and of the joint work session with the Planning Commission on October 2 at 7 p.m.

K. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon stated that on September 23 he had the opportunity to welcome the Business Women International at its convention, and it was inspiring to see the women choose to get on with their business and that they felt it important and was a tribute to those who lost their lives on September 11.

At 8:46 p.m., Mr. McGlennon recessed the Board to September 26 at 4 p.m.

William C. Porter, Jr.
Deputy Clerk to the Board

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 26TH DAY OF SEPTEMBER, 2001, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, Chairman, Jamestown District
Bruce C. Godson, Vice Chairman, Roberts District

Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Ronald A. Nervitt, Powhatan District

William C. Porter, Jr., Assistant County Administrator
Frank M. Morton, III, County Attorney

B. PRESENTATION

1. Hampton Roads Transit – Light Rail

Mr. Porter introduced Mr. Michael Townes, Executive Director of the Hampton Roads Transit, and Mr. Ross Kearney, Manager of Community Relations for Hampton Roads Transit who gave an overview of the development status of the light rail service through the peninsula corridor.

The Board, Mr. Townes, and Mr. Kearney discussed alternative alignments for the rail, higher speed rail service to the peninsula, and project development timetable.

C. BOARD DISCUSSIONS

1. Green Spring Unit of Colonial National Historical Park, Closure of Centerville Road

Mr. O. Marvin Sowers, Jr., Planning Director, provided the Board with an introduction to the Green Spring development proposal, and staff concerns with the closure of Centerville Road including affect on emergency response times.

Mr. Alec Gould, National Park Service, Mr. Cliff Williams, President of Friends of Green Spring, Inc., and Mr. Karl Tantberry, Traffic Consultant, provided the Board with an overview of the national significance of the site, the planning process for the site, as well as traffic impacts and alternative traffic proposals for Centerville Road.

Mr. Williams presented to the Board the background and efforts taken by the residents to create a national treasure in the form of the Green Spring Plantation, thanked the Board for a matching grant, and requested the Board partnership with the National Park Service in giving recognition in the value of this site.

Ms. Loretta Hannon, Board of Directors, Friends of Green Spring, Inc., gave the Board an overview of the educational influences and benefits of the proposed Green Spring Plantation.

Mr. Williams requested the Board assist the Friends of Green Spring, Inc., in their efforts to have Green Spring Plantation open by 2007.

Discussion was held regarding some of the issues surrounding the proposed Green Spring Plantation including Centerville Road concerns, inquired what citizen input has been requested and planned, further research along Centerville Road for other archaeological sites, status of requesting financial support from the Federal Government.

Mr. McGlennon recessed the Board for a break at 5:35 p.m.

Mr. McGlennon reconvened the Board at 5:40 p.m.

2. Youth Services Update

Mr. Anthony Conyers, Jr., Manager of Community Services, presented the Board with an overview of the staff's efforts to address service needs of youth in the community, goals established to meet the service needs, proposed actions to make services more accessible to the youth, and evaluation factors to determine staff's progress.

The Board and staff discussed methods to limit free access of youth to the James River Community Center to County residents by using ID cards.

D. BOARD REQUESTS AND DIRECTIVES

Mr. Nervitt requested staff investigate Exxon's intent to do archaeological research on the Longhill Road/Centerville Road site or if it would be appropriate for another organization to step in and perform the research.

Mr. Nervitt requested the Board send a letter signed by the Chairman congratulating Dr. Carol Beers on being appointed as Superintendent of Williamsburg/James City County Public Schools.

Mr. Kennedy requested a Work Session with the Police, Fire, and hospital to review operational readiness for biological and chemical situations in James City County.

Mr. Porter recommended the Board recess until October 2, 2001, at 7 p.m. for a Joint Work Session with the Planning Commission.

Mr. Harrison made a motion to recess.

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

Mr. McGlennon recessed the Board at 6:15 p.m.

William C. Porter, Jr.
Deputy Clerk to the Board

AT A JOINT MEETING OF THE JAMES CITY COUNTY BOARD OF SUPERVISORS AND THE PLANNING COMMISSION, HELD ON THE 2ND DAY OF OCTOBER, 2001, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, Chairman, Jamestown District
Bruce C. Goodson, Vice Chairman, Roberts District

Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Ronald A. Nervitt, Powhatan District, Absent

Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

Mr. McGlennon called the meeting to order.

B. PRESENTATION

1. July 1, 2000 – June 30, 2001, Planning Commission Annual Report

Mr. Garrett, Chairman of the Planning Commission, provided the Board with an overview of the Planning Commission Annual Report and highlighted the Development Review Report, number of special use permits, rezonings, Capital Improvements Projects (CIP), and financial figures of the commercial and Industrial developments.

The Board of Supervisors requested the Planning Commission make a presentation on the Planning Commission priorities during the Board's consideration of the CIP in the budget process.

Mr. O. Marvin Sowers, Jr., Director of Planning, provided the Board with an update on the citizen survey on the Comprehensive Plan and timeline on the review of the Comprehensive Plan for possible revisions.

C. DISCUSSION

1. Cash Proffers

Mr. Wanner provided the Board with a background on the previous discussions and considerations of cash proffers.

The Board, Planning Commission, and staff discussed the consideration of the adoption of a cash proffer policy by the Board of Supervisors, impacts of a cash proffer policy on affordable housing in the community, implications of an impact fee on the costs of housing, and the need for consideration for the local, small developers and builders that cannot compete with large builders in dealing with up-front costs.

2. Water Policy Options – JCSA Central Water System

Mr. McGlennon provided an overview of the water supply policy options presented for the Boards' consideration, and the option endorsed by the Board.

The Board, Planning Commission, and staff discussed issues surrounding developmental impacts on the water supply, the Department of Environmental Quality (DEQ) reports in comparison to the staff's reports on water availability, the per-gallon costs of various household types, the amount of brine discharge anticipated with the desalinization plant, impacts on developments of the time to obtain a DEQ permit, concerns with the withdrawal from the Middle and Lower Potomac Aquifers, and concerns surrounding permitting additional development without an accurate water supply indicator.

The Planning Commission requested information on the groundwater withdrawal system, and the figures associated with the available and anticipated water supplies.

The Board, Planning Commission, and staff discussed working towards making a decision regarding future development approvals that would be contingent upon adequate water availability.

D. BOARD REQUESTS AND DIRECTIVES

Mr. Kennedy requested the County Administrator contact the local offices of governor candidates for the removal of campaign signs from medians and VDOT right-of-ways.

Mr. McGlennon requested staff contact VDOT to inquire about what replantings will be done to replace the removed shrubs in efforts to protect birds.

Mr. Kennedy made a motion to adjourn until Tuesday, October 9, 2001, at 7:00 p.m.

On a roll call, the vote was: AYE: Harrison, Kennedy, Goodson, McGlennon (4). NAY: (0). ABSENT: Nervitt.

The Board adjourned at 8:25 p.m

Sanford B. Wanner
Clerk to the Board

MEMORANDUM

DATE: October 23, 2001
TO: The Board of Supervisors
FROM: Darryl E. Cook, Environmental Director
SUBJECT: Dedication of Streets in The Pointe at Jamestown, Sections 1A, 1B, and 1C

Attached is a resolution requesting acceptance of certain streets in The Pointe at Jamestown, Sections 1A, 1B, and 1C, into the State Secondary Highway System. These streets have been inspected and approved by representatives of the Virginia Department of Transportation as meeting the minimum requirements for secondary roadways.

Staff recommends adoption of the attached resolution.

Darryl E. Cook

DEC/gs
ptjamestown.mem

Attachments

RESOLUTION

DEDICATION OF STREETS IN THE POINTE AT JAMESTOWN,

SECTIONS 1A, 1B, AND 1C

WHEREAS, the streets described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of October, 2001.

MEMORANDUM

DATE: October 23, 2001

TO: The Board of Supervisors

FROM: Darryl E. Cook, Environmental Director
Leo P. Rogers, Deputy County Attorney

SUBJECT: Chesapeake Bay Preservation Ordinance Violation - Civil Charge

Attached is a resolution for consideration by the Board of Supervisors involving a violation of the Chesapeake Bay Preservation Ordinance. The case involves unauthorized removal of vegetation from the Resource Protection Area (RPA). The property owner involved removed vegetation from both their own property and adjacent land owned by the Governor's Land Foundation.

In accordance with provisions of the Ordinance, replanting of vegetation and a civil charge are proposed to remedy the RPA violation. The property owner has entered into a Chesapeake Bay Restoration Agreement with the County, submitted landscape plans, and planted vegetation as provided for in the approved landscape plan to restore the impacted areas on their own property. They have also reached agreement with Governor's Land Foundation and the County to restore the Foundation's property.

The attached resolution presents the specific details of the violation and a recommended civil charge. Under the provisions of the Ordinance, the Board may accept a civil charge of up to \$10,000 as offered by the property owner. Staff and the property owners agreed to the recommended civil charge of \$1,500 based on the Chesapeake Bay Preservation Ordinance Civil Penalty Procedures Policy adopted by the Board in August 1999. The Policy considers the water quality impact and the degree of noncompliance involved in the case. The water quality impact was considered moderate, and the property owners were very cooperative in working with staff to restore the impacted areas.

Staff recommends the Board adopt the attached resolution establishing a civil charge for the RPA violation presented.

Darryl E. Cook

Leo P. Rogers

DEC/gs
chesbayvio3mem

Attachment

RESOLUTION

CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATION - CIVIL CHARGE

- WHEREAS, Frank A. Thomas, III, Trustee of the Hack Family Qualified Personal Residence Trust is the owner of a 1.126 ± acre parcel of land, commonly known as 3004 Kitchum's Close, designated as Parcel No. (7-0015) on James City County Real Estate Tax Map No. (44-2) (the "Property"), and Edriene G. Hack and other family members reside on the Property; and
- WHEREAS, Governor's Land Foundation is the owner of a certain 1.951 ± acre parcel of land located in the Governor's Land Subdivision, and designated as Parcel No. (07-0-001B) on James City County Real Estate Tax Map No. (44-2), also identified as Major Open Space No. 23; and
- WHEREAS, on or about January 4, 2001, contractors working for Mrs. Hack removed vegetation from approximately 2,000-square feet of area in the Resource Protection Area on the Property and Major Open Space No. 23; and
- WHEREAS, Mrs. Hack agreed to a Restoration Plan to replant 10 trees, and 24 shrubs, on the Property in order to remedy the clearing violation under the County's Chesapeake Bay Preservation Ordinance and Mrs. Hack has completed the restoration of the Resource Protection Area on the Property; and
- WHEREAS, Mrs. Hack has reached agreement with Governor's Land Foundation and the County to restore the impacts to Major Open Space No. 23; and
- WHEREAS, Mrs. Hack has agreed to pay \$1,500 to the County as a civil charge under the County's Chesapeake Bay Preservation Ordinance; and
- WHEREAS, the James City County Board of Supervisors is willing to accept the restoration of the impacted areas and the civil charge in full settlement of the Chesapeake Bay Preservation Ordinance violation, in accordance with Sections 23-10 and 23-18 of the Code of the County of James City.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the \$1,500 civil charge from Edriene G. Hack as full settlement of the Chesapeake Bay Preservation Ordinance Violation.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of
October, 2001.

chesbayvio3.res

MEMORANDUM

DATE: October 23, 2001
TO: The Board of Supervisors
FROM: Judith N. Knudson, Executive Director, WAMAC
SUBJECT: WAMAC Staffing Proposal

The Williamsburg Area Medical Assistance Corporation (WAMAC) has recently completed a reengineering process begun in March 2001. The Reengineering Team, consisting of staff from WAMAC, studied the way patients are seen at the clinic including waiting time and time spent with providers. The Team proposed a new method of seeing patients that included elimination of the front desk. That proposal was accepted by staff and is being implemented at the clinic.

As a result of this months-long process, the staffing needs of WAMAC have changed. There will be no change in staff costs under this reengineering plan. The WAMAC Board of Directors has approved the proposed staffing plan. (Copy of resolution attached.)

The attached Staffing Plan outlines the current and proposed staffing plans. In the proposed staffing plan all "temporary" positions are eliminated or absorbed into either full-time or part-time positions. An additional .60 of a full-time equivalent is added to part-time positions and two full-time equivalents are added to full-time positions. The overall full-time equivalent positions are reduced by .70, or 1,456 hours/year.

Staff recommends adoption of the attached resolution to authorize the Staffing Plan for WAMAC effective November 1, 2001.

Judith K. Knudson

CONCUR:

Anthony Conyers, Jr.

JKK/adw
wamac.mem

Attachments

RESOLUTION

WAMAC STAFFING PLAN

WHEREAS, Williamsburg Area Medical Assistance Corporation (WAMAC) has completed a reengineering process; and

WHEREAS, staffing needs have been changed due to this reengineering.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the attached Staffing Plan for WAMAC, effective November 1, 2001.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of October, 2001.

wamac.res

M E M O R A N D U M

DATE: October 23, 2001

TO: The Board of Supervisors

FROM: Anthony Conyers, Jr., Manager of Community Services

SUBJECT: Strategic Plan for Children and Youth

At the Board's September 26 work session, staff presented a draft of a Strategic Plan for Children and Youth. The vision of this Plan is:

All children and youth in our community will be valued as an asset, and as such, will be given every opportunity to grow up healthy, safe, and prepared for a positive future.

The Plan outlines goals and objectives for the next five years, and places emphasis on evaluation of youth programs. Staff is now seeking the Board's formal adoption of the Strategic Plan for Children and Youth.

If the Board adopts the Plan, there are a number of actions that staff plans to take before the end of this fiscal year. These actions include:

- ! Conduct a needs survey (yearly)
- ! Eliminate fees for children and youth at the James River Community Center
- ! Develop a plan whereby youth who volunteer their time to work in County programs will have fees for programs offset
- ! Improve significantly our public information efforts. This will include expanded use of cable television, the internet (especially the Youth Advisory Council's homepage), increased presence of staff going on-site to promote programs, and increasing publicity at sites that youth frequent such as schools, libraries, parks, theaters, and churches
- ! Provide access to the children of eligible County employees in the County's school age programs
- ! Work with the Schools to develop complimentary programs designed to improve test scores on the President's Physical Fitness Tests
- ! Work with hospital personnel to design programs that reduce the incidence of significant health problems such as Type I diabetes and asthma
- ! Provide tutorial programs on-site in County sponsored programs
- ! Expand community clubs and enrichment programs that develop positive life skills and career opportunities
- ! Provide discounts for County services to parents who agree to assist with programs, such as coaching athletic leagues
- ! Make available pregnancy prevention education materials in appropriate programs serving youth
- ! Design services to include parents in the learning process

There are also initiatives staff plan to propose in the upcoming FY 03-04 biennial budget. In general, these initiatives include actions that increase levels of service to youth where the Plan identifies gaps, and actions that improve access to existing programs. Staff also plans to make services to "at-risk" youth a priority when evaluating funding requests from outside agencies during the upcoming budget process.

Strategic Plan for Children and Youth

October 23, 2001

Page 2

Staff recommends the Board adopt the Strategic Plan for Children and Youth.

Anthony Conyers, Jr.

AC/adw
youthplan.mem

Attachment

RESOLUTION

STRATEGIC PLAN FOR CHILDREN AND YOUTH

WHEREAS, youth services are a priority of James City County; and

WHEREAS, staff has developed a Strategic Plan for Children and Youth; and

WHEREAS, the Plan was compiled after substantial research and public input; and

WHEREAS, the Plan outlines actions to be taken during the next five years to improve the quality of life for youth in James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the 2001 Strategic Plan for Children and Youth.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of October, 2001.

youthplan.res

MEMORANDUM

DATE: October 23, 2001
TO: The Board of Supervisors
FROM: William C. Porter, Jr., Assistant County Administrator
SUBJECT: Resolution of Appreciation - Joy Archer

Joy Archer was appointed to the first County Parks and Recreation Advisory Commission and served for 12 years. She was a founding member of the Board of Directors of the Historic Triangle Land Conservancy, which became the Williamsburg Land Conservancy.

Staff recommends adoption of the attached Resolution of Appreciation to Joy Archer for her tireless efforts to preserve and protect wildlife in James City County and enrich the quality of life of the citizens of James City County.

William C. Porter, Jr.

WCP/tlc
archer.mem

Attachment

RESOLUTION OF APPRECIATION

JOY ARCHER

WHEREAS, Joy Archer was a founding member of the Board of Directors of the Historic Triangle Land Conservancy, later to become the Williamsburg Land Conservancy; and

WHEREAS, Ms. Archer has been an active member of the Williamsburg Bird Club for more than 20 years and has worked tirelessly to identify areas for the protection and preservation of wildlife; and

WHEREAS, she was appointed to the first County Parks and Recreation Advisory Commission, serving for 12 years and working to acquire and promote both active and passive park lands.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby honors and thanks Joy Archer for her tireless efforts to preserve and protect wildlife in James City County and enrich the quality of life for all County citizens through her active promotion of both active and passive park lands.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of October, 2001.

archer.res

**SPECIAL USE PERMIT-12-01. Annette Haden Manufactured Home
Staff Report for October 23, 2001, Board of Supervisors Consideration (deferred from July 24, 2001)**

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

PUBLIC HEARINGS

Board of Supervisors: Building C Board Room; County Government Complex
June 26, 2001, 7:00 p.m. (deferred)
July 24, 2001, 7:00 p.m. (deferred)
October 23, 2001, 7:00 p.m.

SUMMARY FACTS

Applicant/Land Owner: Ms. Annette Marie Haden

Proposed Use: Manufactured Home

Location: 110 Hazelwood Avenue

Tax Map and Parcel No.: (12-2)(04-0-0007)

Primary Service Area: Inside

Parcel Size: .5 acres

Existing Zoning: R-1, Limited Residential

Comprehensive Plan: Low-Density Residential

Surrounding Zoning: All adjacent properties are zoned R-1, Limited Residential

Staff Contact: John Rogerson - Phone: 253-6685

STAFF RECOMMENDATION:

This case was deferred from the July 24, 2001, Board of Supervisors meeting to allow the applicant time to correct County Code Violations. There are currently no County Code Violations on the property, and staff recommends the Board of Supervisors approve this application.

History

The applicant requested permission to replace the existing manufactured home which is twenty-four feet wide and fifty-three feet long, and has four bedrooms and one and a half bathrooms. It was placed on the parcel in accordance with CUP-54-72.

Miscellaneous

There is no homeowner's association for Temple Hall Estates but there are valid covenants. Therefore, any homeowner can file an action for an alleged violation of the covenants. Staff is not aware of any action on the other manufactured homes in Temple Hall Estates.

The covenants have been reviewed by the Deputy County Attorney, Mr. Leo Rogers. Mr. Rogers has stated that, given the language in the covenants, it is unclear whether a new manufactured home would violate the covenants. This is a decision to be made, if at all, by a Court.

Given this information, staff intends to focus on the land use issues involved with the proposal.

Description of Project

The proposed manufactured home is a new Oakwood 2000 model which is twenty-eight feet wide by seventy-six feet long. It is a four-bedroom model with two bathrooms. The existing manufactured home is nonconforming because it is located in a residential zoning district within the primary service area.

Surrounding Zoning

Adjacent properties are zoned R-1, Limited Residential. The immediate area is surrounded with single-family dwellings.

Surrounding Area

There are four manufactured homes within 2,000 feet. The nearest manufactured home is approximately 450 feet from the site.

Access

The parcel fronts on Hazelwood Avenue, which is a dirt road approximately 400 feet long. There are only two properties which use this road for access.

Public Utilities

The manufactured home is located within the Primary Service Area, but will be served by the existing well and septic system. The Health Department will approve or require upgrades to existing system prior to issuance of a Building Permit.

Screening

The parcel is slightly wooded, however, staff recommends that the applicant plant five screening plants two-feet tall and three-feet apart along the front of the new manufactured home. Plant type and location shall be approved by the Planning Director.

Recommendation

The proposed manufactured home, with the conditions noted below, would meet the administrative guidelines for the placement of new manufactured homes. While this application represents a continuation of a nonconforming use with respect to placement of manufactured homes in the R-1, Limited Residential Zoning District, it does provide an improvement in living conditions for the applicant. Staff recommends the Board of Supervisors approve this Special Use Permit application. If the Board chooses to approve the request, staff recommends the following conditions:

1. This permit shall be valid only for the 2000 Oakwood Model double-wide unit described on the Special Use Permit application. If the manufactured home is removed, this permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised within one year from the date of approval, it shall become void.
2. The manufactured home shall meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards. The manufactured home shall have a visible foundation of skirting in place within 30 days of placement. The tongue and axle of the manufactured home shall be removed if not covered by the skirting.
3. The existing mobile home shall be removed from the site prior to the placement of the new manufactured home.
4. The applicant shall plant five screening plants two-feet tall and three-feet apart along the front of the new manufactured home within 60 days of receiving the final Certificate of Occupancy. Plant type and location shall be approved by the Planning Director.
5. This Special Use Permit is not severable; invalidation of any word, phrase, clause, sentence, or paragraph, shall invalidate the remainder.

John C. Rogerson

CONCUR:

O. Marvin Sowers, Jr.

JCR/tlc
sup1201-3.wpd

Attachments:

1. Map
2. Photographs
3. Resolution

RESOLUTION

CASE NO. SUP-12-01. ANNETTE HADEN MANUFACTURED HOME

WHEREAS, all requirements for the consideration of an application for a special use permit for the placement of a manufactured home have been met.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, grants a special use permit for the replacement of a manufactured home on property owned and developed by the applicant as described below.

Applicant: Annette Marie Haden

Real Estate Tax Map ID: (12-2)

Parcel No.: (04-00-007)

Address: 110 Hazelwood Avenue

District: Stonehouse

Zoning: R-1, Limited Residential

- Conditions:
1. This permit shall be valid only for the 2000 Oakwood Series double-wide unit applied for. If the manufactured home is removed, this permit shall be void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised, it shall become void one year from the date of approval.
 2. The manufactured home shall meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards. The manufactured home shall have a visible foundation of skirting in place within 30 days of placement. The tongue and axle of the manufactured home shall be removed if not covered by skirting.
 3. The existing mobile home shall be removed from the site prior to the placement of the new manufactured home.

4. The applicant shall plant five screening plants two-feet tall and three-feet apart along the front of the new manufactured home within 60 days of receiving the final Certificate of Occupancy. Plant type and location shall be approved by the Planning Director.
5. This Special Use Permit is not severable; invalidation of any work, phrase, clause, sentence, or paragraph shall invalidate the remainder.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of October, 2001.

sup1201-3.res

**REZONING-2-01/Master Plan 2-01/Design Guidelines. Virginia United Methodist Homes, Inc.
Staff Report for October 23, 2001, Board of Supervisors Public Hearing**

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

PUBLIC HEARINGS

Planning Commission:	Building C Board Room; County Government Complex July 2, 2001, 6:00 p.m. (PC deferred) August 6, 2001, 7:00 p.m. (applicant deferred) September 5, 2001, 7:00 p.m. (approved)
Board of Supervisors:	October 9, 2001, 7:00 p.m. (deferred) October 23, 2001, 7:00 p.m.

SUMMARY FACTS

Applicant:	Mr. Alvin Anderson
Land Owner:	C. C. Casey Limited Company
Proposed Use:	Continuing care retirement community (300 dwelling units and 119 continuing care beds)
Location:	4692, 4694, 4740, 4710, 4704, and 4700 Old News Road and 144 Jester's Lane; Berkeley District
Tax Maps and Parcel Nos.:	(1-34), (1-7), (1-2), (1-5), (1-6), (1-8), and (2-18) on Tax Map (38-3); (1-8) on Tax Map (38-1)
Primary Service Area:	Inside
Parcel Size:	111 acres
Existing Zoning:	R-8, Rural Residential District
Comprehensive Plan:	Mixed Use
Surrounding Zoning:	North: R-4, Residential Planned Community (Ford's Colony) East: R-8, Rural Residential (undeveloped portion of New Town) South: R-8 (undeveloped portion of New Town) West: R-8 (Jester's Lane); R-4 (Monticello Marketplace)
Staff Contact:	Jill E. Schmidle - Phone: 253-6685

STAFF RECOMMENDATION:

The Board deferred this case at its October 9, 2001, meeting to allow additional time to review the materials presented and to receive clarification on the issue of transferring density between Ford's Colony and New Town. Staff continues to find the proposal consistent with surrounding zoning and land use, consistent with the Comprehensive Plan, and consistent with the intent of the New Town Master Plan, Design Guidelines and proffers. On September 5, 2001, the Planning Commission voted 6-0 to approve

the project. Staff recommends the Board of Supervisors approve the rezoning, master plan, and design guidelines; and accept the voluntary proffers.

Project Update

The Board requested clarification on the issue of density transfers between Ford's Colony and New Town. Dwelling units cannot be transferred administratively from one zoning classification (for instance R-4, Residential Planned Community for Ford's Colony) to another (R-8 or MU for New Town) unless approved by the Board of Supervisors as part of a Master Plan Amendment or rezoning. However, within an approved Master Plan, density transfers within sections of the same zoning classification can occur administratively. In order for any dwelling units to be transferred from Ford's Colony to New Town, a specific request must be made and approved by the Board of Supervisors after consideration by the Planning Commission. The submitted proffers and master plan for WindsorMeade do not contain any density transfers from Ford's Colony. No part of the 94 dwelling units that went to Ford's Colony from New Town as part of the 1998 Ford's Colony rezoning can be transferred back to New Town unless formally requested by both property owners and approved by the Board. Such request has not been made as part of the WindsorMeade proposal. All dwelling units for WindsorMeade are to be taken out of the total number of dwelling units approved as part of New Town.

RECOMMENDATION:

Staff continues to find the proposal consistent with surrounding zoning and land use, consistent with the Comprehensive Plan, and consistent with the intent of the New Town Master Plan, Design Guidelines and proffers. On September 5, 2001, the Planning Commission voted 6-0 to approve the project. Staff recommends the Board of Supervisors approve the rezoning, master plan, and design guidelines; and accept the voluntary proffers.

Jill E. Schmidle

CONCUR:

O. Marvin Sowers, Jr.

JES/tlc
z201oct23.wpd

Attachments:

1. Site location map
2. Proffers
3. Resolution

RESOLUTION

CASE NO. Z-2-01/MP-2-01/DESIGN GUIDELINES.

VIRGINIA UNITED METHODIST HOMES, INC.

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia, and Section 24-15 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on Zoning Case No. Z-2-01/MP-2-01/Design Guidelines for rezoning approximately 9 acres from R-8, Rural Residential, and approximately 102 acres from R-8 with proffers to MU, Mixed Use, with proffers; and

WHEREAS, the Planning Commission of James City County, following its public hearing on September 5, 2001, recommended approval of Case No. Z-2-01/MP-2-01/Design Guidelines, by a vote of 6 to 0; and

WHEREAS, the property is located at 4692, 4694, 4740, 4710, 4704, and 4700 Old News Road and 144 Jester's Lane and further identified as Parcel Nos. (1-34), (1-7), (1-2), (1-5), (1-6), (1-8) and (2-18) on James City County Real Estate Tax Map No. (38-3) and Parcel No. (1-8) on James City County Real Estate Tax Map No. (38-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. Z-2-01/MP-2-01/Design Guidelines and accept the voluntary proffers.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of October, 2001.

z201oct23.res