

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 10, 2019
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Mason Fitzgerald, a 5th grade student at Stonehouse Elementary and a resident of the Stonehouse District

E. PRESENTATIONS

1. 2019 VACo Achievement Award - Keep James City County Beautiful - Wildflower Beautification Project
2. Home Repair Blitz
3. Clean County Commission Annual Report
4. Fall Prevention Awareness Week 2019 Designation

F. PUBLIC COMMENT

G. CONSENT CALENDAR

1. Minutes Adoption
2. Fall Prevention Awareness Week 2019 Designation - Resolution Adoption
3. Award of Security Contract to Top Guard Security - \$44,939
4. Grant Award - Department of Motor Vehicles - Alcohol Enforcement - \$20,000
5. Grant Award - Department of Motor Vehicles - Occupant Protection - \$5,840
6. Grant Award - Department of Motor Vehicles - Speed Enforcement - \$20,000
7. Appropriation of \$15,693 - Comprehensive Community Corrections Act Grant, Department of Criminal Justice Services
8. Budget Appropriation that will Allow James City County to Participate in the Virginia Department of Housing and Community Development's Acquire, Renovate, and Sell Program
9. Budget Appropriation that will Allow James City County to Participate in the Virginia Department of Health's Virginia Environmental Endowment Septic System Repair Cost Share Program
10. Contract Award - James City County Library Children's Area Renovations Project - \$310,000 and Additional Appropriation - \$97,000
11. Clarification of Resolution to Amend Easement on 2511 and 2611 Forge Road

H. PUBLIC HEARING(S)

1. SUP-19-0015. 4440 Ironbound Road Tourist Home
2. SUP-19-0014. 6096 Centerville Road Tourist Home

I. BOARD CONSIDERATION(S)

1. Residential Impacts
2. Z-19-0007/MP-18-0004 Forest Heights Proffer and Master Plan Amendments

J. BOARD REQUESTS AND DIRECTIVES

K. REPORTS OF THE COUNTY ADMINISTRATOR

L. CLOSED SESSION

1. Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia.
2. Consideration of the appointment and performance of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, specifically:
3. Social Services Advisory Board Appointment
4. Stormwater Program Advisory Committee Appointment
5. Economic Development Authority Appointment
6. Consideration of a personnel matter, evaluation of the County Administrator, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

M. ADJOURNMENT

1. Adjourn until 4 pm on September 24, 2019 for the Work Session

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Mason Fitzgerald, a 5th grade student at Stonehouse Elementary and a resident of the Stonehouse District

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 12:55 PM

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Grace Boone, Director of General Services

SUBJECT: 2019 VACo Achievement Award - Keep James City County Beautiful - Wildflower Beautification Project

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 12:53 PM

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Home Repair Blitz

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/9/2019 - 1:11 PM

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Peg Boarman, Chair of Clean County Commission

SUBJECT: Clean County Commission Annual Report

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 12:54 PM

ITEM SUMMARY

DATE: 9/10/2019

TO: Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services, and Ryan Ashe, Fire Chief

SUBJECT: Fall Prevention Awareness Week 2019 Designation

ATTACHMENTS:

	Description	Type
▣	Memo - Fall Prevention Awareness Week 2019	Cover Memo
▣	Resolution - Fall Prevention Awareness Week 2019	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	8/22/2019 - 12:06 PM
Publication Management	Daniel, Martha	Approved	8/22/2019 - 12:09 PM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:06 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:20 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:11 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:37 PM

MEMORANDUM

DATE: September 10, 2019

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services
Ryan Ashe, Fire Chief

SUBJECT: Designating Fall Prevention Awareness Week 2019

In 2018, James City County designated the third week of September as Fall Prevention Awareness Week, after the passage of Senate Joint Resolution No. 47 and House Joint Resolution No. 81 by the Virginia General Assembly.

This designation is a critical step to bring awareness to this important issue as falls are the leading cause of unintentional fatal and nonfatal injuries and hospitalizations among Virginians age 65 and older. Fear of falling can significantly affect an individual's independence and quality of life.

Here in James City County, residents age 65 and older comprised approximately 25.3% of the population in 2018 (up from 24.7% in 2017). In 2018-2019, the James City County Fire Department responded to 3,494 calls of mobility emergencies, which is 15.2% of the total number of Fire/Emergency Medical Service calls. Mobility emergencies can be falls with injury or for lift assistance only. These statistics are comparable to 2017-2018, which had 3,524 calls of mobility emergencies (15.7% of the total number of Fire/Emergency Medical Service calls).

Working jointly, the Fire Department and Social Services, along with the Police Department, have engaged in a multidisciplinary strategy, known as the CONECT (Community Outreach Network Educate Care Thrive) Program, to respond to the needs of senior residents in the community who have experienced a mobility emergency or who are in need of assistance beyond the scope of services that the Fire and Police Departments can provide.

Since the program became formalized in March 2018, over 300 referrals have been made; 71% of those referred were previously unknown to Social Services. The goal of the program is for these Departments to work hand-in-hand to meet the needs of senior residents in order to reduce the risk of injury due to falls, so residents can maintain safety in their places of residence and enjoy a high quality of life.

To further bring awareness to this important issue, staff respectfully requests that the Board designates the third full week in September 2019 as Fall Prevention Awareness Week in James City County.

RV/RA/md
FallPrevWk19-mem

Attachment:

1. Resolution

RESOLUTION

DESIGNATING FALL PREVENTION AWARENESS WEEK 2019

WHEREAS, the Virginia General Assembly passed both a Senate Joint Resolution No. 47 and a House Joint Resolution No. 81 designating the third full week of September 2019 as Fall Prevention Awareness Week in Virginia; and

WHEREAS, in James City County, residents age 65 years and older comprised approximately 25.3% of the population in 2018; and

WHEREAS in 2018, the James City County Fire Department responded to 3,494 calls of mobility emergencies, which is 15.2% of the total number of Fire/Emergency Medical Service calls; and

WHEREAS, the James City County Fire Department, Social Services, and the Police Department are working jointly through the CONECT (Community Outreach Network Educate Care Thrive) Program to raise public awareness and engage with residents at risk of injury due to falls so that residents can maintain safety and a high quality of life.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby designates the third full week in September 2019 as Fall Prevention Awareness Week in James City County.

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

FallPrevWk19-res

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Minutes Adoption

ATTACHMENTS:

	Description	Type
	081319 BOS Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 12:57 PM

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

A. CALL TO ORDER

B. ROLL CALL

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

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

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Williamsburg Youth Baseball League (WYBL) 2019 Babe Ruth 7U All-Star Team, led the Board and citizens in the Pledge of Allegiance

Mr. Icenhour noted Supervisor Sadler would make the introductions for the WYBL All-Star Team.

Ms. Sadler stated "that would be Grandma tonight." She noted the Pledge Leaders for the evening consisted of the members of the WYBL 2019 Babe Ruth 7U All-Star Team. She introduced Coach Ricky May and welcomed him to the podium for the team and coach introductions.

Coach May thanked the Board for the invitation and announced the following team members:

Bryce Jennings (#8)
Jose Perez (#9)
Graham Stevens (#5)
James Trogon (#18)
Connor Schultz (#6)
Brayden Murdock (#10)
Preston Henry (#7)
Jackson May (#21)
Jimmy Kokolis (#4)
Derbin Bourne (#25)

Coach May noted several players were not in attendance. He introduced Assistant Coach Pete Kokolis.

Ms. Sadler thanked the players and noted each one would receive a certificate with their name

and number as well as James City County pins. She noted their record highlights included the first ever State of Virginia 7U All-Star Tournament title with zero losses during the competition in Glen Allen, Virginia. Ms. Sadler also noted she was the proud grandma of No. 6, Connor Schultz.

E. PRESENTATIONS

1. Historical Commission Annual Update

Mr. Icenhour introduced Mr. Stephen Phillips, Historical Commission Chair.

Mr. Phillips highlighted the mission of the James City County Historical Commission, its membership roster, and he recognized Ms. Tori Haynes, staff liaison to the Commission. Mr. Phillips gave a PowerPoint presentation documenting the Commission's Essay Contest and its winners, the Norge Depot Association work, funding for the Toano sign repair, and assistance with the Toano Commercial Historic District and its recognition on the National Register of Historical Places. He noted ongoing projects included work on the Ambler House (the James City County property at Jamestown Event Park), a study on the Ewell Hall house for remediation, community interaction on the July 4 weekend at the Tomb of the Unknown Patriot, and the ongoing initiative of the Log Cabin Beach marker project. Mr. Phillips presented upcoming events and projects for 2019-2020 also included: County tourist publications including a revised paper map and a Google maps project, Elizabeth Bland Grave Marker at the Church on the Main, Stonehouse Archaeology Study, and the 75th anniversary of the end of World War II and local veteran recognition. Mr. Phillips provided information for contacting the Historical Commission in his presentation and welcomed anyone interested to volunteer.

As there were no questions, the Board thanked Mr. Phillips.

2. Jamestown High School Envirothon Team Recognition

Mr. Icenhour noted Jamestown High School science teacher, Mr. Charles Dubay, started the Envirothon program in 1997 when the school opened. Mr. Icenhour further noted the legacy of the school's program. He stated this year the team had participated in both regional and state competitions where it placed first place overall in both events. Mr. Icenhour further noted the team's recent participation in the international-national Envirothon competition in Raleigh, North Carolina, where it placed first overall. Mr. Icenhour stated James City County's culture honors and supports citizens who make significant efforts to improve the community. He commended the students for their contributions by tackling real world environmental problems, researching ways to address them, and finding solutions. Mr. Icenhour introduced the team members in attendance: Ms. Audrey Root, Ms. Lisa Small, and Mr. Joseph Kang. He noted Ms. Anna Song and Ms. Rachel Smith were not in attendance. He also invited the coaches to the podium. Mr. Icenhour presented the team members and coaches with certificates and County pins.

Mr. Icenhour noted a second presentation was forthcoming. He introduced the Honorable Michael Mullin, Virginia House of Delegates representative, to the podium for the presentation.

Delegate Mullin addressed the group and noted the opportunity to highlight James City County and its schools. He commented on the impressive work the group had done in the Envirothon as an example. He noted the impressive level of international competition from Canada and China, as well as within the United States, with the team's achievement. Delegate Mullin noted the Virginia General Assembly prepared a resolution commending the team for their work and

achievement. He presented the coaches and the team with the resolution on behalf of the General Assembly.

Coach Dubay thanked everyone for the team's commendation. He noted that in China, the Jamestown High School team was an example of how to solve problems and "do the environmental thing." Coach Dubay further noted the Chinese team was reviewing the Jamestown High School team's model as a way to improve and proceed. He stated the win was a team effort and credited the members with learning to work together as a team in addition to their time and dedication. Coach Dubay also thanked fellow coaches, Ms. Rebecca Elton and Ms. Amanda Mullane, for their expert problem-based learning approach. He noted the team followed this model, worked well together as a team, and solved a problem on an international level in six hours. Coach Dubay thanked the numerous community supporters: Colonial Soil and Water Conservation District - Ms. Sheila Jaruseski and Mr. Jim Wallace; Virginia Soil and Water Conservation District - Ms. Bonnie Mahl; Dominion Energy; and Smithfield Foods. He also thanked Mr. Howard Townsend, Principal of Jamestown High School, Coaches Dana Hogan and Kerry Polantz, as well as parents, and Mr. Scott Thomas and Ms. Kristen Owen from the Virginia Department of Conservation and Recreation. He also expressed thanks to the Trailblazer Club of Ford's Colony for providing judges at simulated practices. Coach Dubay also thanked Mr. Brad Thomas, Chief Ranger of York River State Park; Ms. Sarah Cochrane, Manager of Waller Mill Park, Mr. Michael Van Odenhoff, Mr. Brent Hall, Ms. Stephanie DeNicola, and many others. He commended the community, teachers, and the students.

Mr. McGlennon noted he and Ms. Larson had joined Delegate Mullin at a recent dinner to honor the team. He expressed his appreciation to everyone involved and the opportunity to meet the team, parents, and coaches. Mr. McGlennon noted how proud James City County was of the team and its accomplishments and looked forward to great things in the future. He further noted the presence of Mr. Bob Lund, an elected representative on the Colonial Soil and Water Conservation District and a strong supporter of Envirothon.

F. PUBLIC COMMENT

1. Ms. Peg Boarman, 17 Settlers Lane, addressed the Board regarding trash and the three R's. She noted trash was an ongoing problem. She stressed everyone doing the right thing and not illegally dumping trash. Ms. Boarman noted vigilant citizens watching for illegal dumping and identifying those individuals or groups. She further noted the hot topic of recycling in the County and assured everyone that calls and comments were reviewed as the County "worked through the glitches". Ms. Boarman asked for patience as change was always difficult. She noted a volunteer subcommittee, under the Clean County Commission, that was also working on the recycling changes. She stressed the necessity of recycling and the involvement of everyone "one way or another". Ms. Boarman noted the tool "recyclopedias" on the County website and encouraged everyone to use it and become educated on recycling. She added the Clean County Commission would host the Clean Business Forum Breakfast on August 21 at Kingsmill. Ms. Boarman noted this was a quarterly event and the recipient of the award at this meeting was Trader Joe's. She highlighted Trader Joe's recycling initiative and encouraged others to learn about it and come to the breakfast. Ms. Boarman also noted the Clean County Commission's partnership with the Williamsburg-James City County school system regarding recycling within their campuses. Ms. Boarman stated the Commission had gotten involved with Lois Hornsby Middle School and encouraged other schools to partner with the Commission. She gave a shout-out to Ms. Karen Downing and Ms. Debra Tucker as well as volunteers. She noted some competitions would take place at the school to promote the recycling program. Ms. Boarman further noted short- and long-term volunteers were needed and welcomed anyone interested to contact her at PBoarman@cox.net.

2. Mr. Ron Feigenbaum, 3500 Hunters Ridge, addressed the Board as the representative of the Powhatan Crossing Homeowners Association (HOA). He noted several Board of Directors and members were also in attendance. Mr. Feigenbaum noted the HOA had presented information to Mr. Kinsman and Mr. Stevens previously. He stated there was a problem as the HOA was unable to enforce its bylaws which indicated specific boats, etc. cannot be parked in driveways. Mr. Feigenbaum noted when the HOA contacted the residents to remove these items, the residents then moved those items to the street, where there was no HOA jurisdiction and said "it's not their problem". He said residents noted there were no parking restrictions on the streets in James City County, particularly in that specific neighborhood. He also noted non-residents had begun parking vehicles on the street and some of these vehicles were large trailers. Mr. Feigenbaum stated the HOA had legal fees regarding court trials and screening for the vehicle owners and then just prior to the court date, the residents moved the vehicles to the street. He stated "without the help of James City County, I imagine us and any other number of HOAs have the same situation with our hands tied". He noted a County Ordinance, under Chapter 13, Section 36, existed that granted the County Administrator the authority to do restrictive parking on streets in James City County. Mr. Feigenbaum also referenced Administrative Regulation No. 51, that gave homeowner associations the ability to apply to the County for restrictive parking if the Board of Supervisors sign off on it. He noted the Board had signed off on the restriction and the HOA was willing to pay for the signage that accompanied it. He also noted that upon sign-off, the application was sent to Police Chief Brad Rineheimer. Mr. Feigenbaum stated Chief Rineheimer reviewed the documents, drove through the Powhatan Crossing neighborhood, and stated it was not a traffic safety issue, which was a police concern. Mr. Feigenbaum noted a part of it was a traffic safety issue if the equipment or trailers blocked a driver's view of potential risk to children and such. He stated the County mandate to have homeowner associations when developments were built, but the lack of support to enforce the homeowner associations bylaws created a "catch 22". Mr. Feigenbaum asked for support and noted the County would face a similar situation when restrictive parking caused people to move vehicles from their properties to the street. He asked the HOA packet be approved and if not, why not approved.

Mr. Icenhour reminded all speakers of the time constraints during Public Comment.

3. Ms. Margaret Steele, 3504 Hunters Ridge, addressed the Board and expressed her appreciation of the County and the work involved to maintain the County. She stated she felt the restrictive parking should be county-wide and the safety issue it posed. Ms. Steele said there were options for work vehicles at homes with side yards. She supported the restriction for all the County neighborhoods and to maintain the safety and appearance of the County.

4. Ms. Karen Rollins, 4481 Powhatan Crossing, addressed the Board noting the restrictions in the Powhatan Crossing neighborhood. She further noted that had been a consideration in purchasing in the specific development. She added that there were restrictions on trailers and recreational vehicles and noted the bylaws stated these must be garaged or if too large then screened or moved behind the home. Ms. Rollins noted her view of the community park was blocked by a recreational vehicle upon entering/exiting the neighborhood. She also noted additional trailers in the area, which impacted her property value and safety when walking her dogs. Ms. Rollins stated "I want my neighborhood to be attractive and now we can't enforce these (restrictions)". She asked the Board for help.

5. Ms. Marie Ellender, 4477 Powhatan Crossing, addressed the Board regarding neighborhood covenants. She noted she wanted to sell her home, but the realtor noted the trailers and recreational vehicles on the streets were a deterrent. Ms. Ellender expressed the "catch 22" of the situation and questioned how many more trailers or vehicles would be parked on the street. She noted "This was not what I bought into. I thought the covenants covered it, but it doesn't". She added that due to the trailers, etc. on the streets, there was

restrictive passage for vehicles driving down the street and she had waited for cars to pass on occasions due to the lack of space.

G. CONSENT CALENDAR

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

1. Minutes Adoption - June 25, 2019 Work Session and July 9, 2019 Regular Meeting
2. Authorization to Purchase Eight Police Vehicles - \$180,048
3. Grant Award - Commonwealth Attorney - Victim's Witness Grant Program - \$183,260
4. Initiating Resolution - Combat Ranges
5. Initiating Resolution - Warehouse, Storage, and Distribution Centers in the Mixed Use District
6. Highway Naming of Route 614, Centerville Road, in James City County, from Route 5000 to Route 613, News Road, as the Earl M. "Buddy" Heisler Memorial Highway

H. PUBLIC HEARING(S)

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

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. Icenhour noted Ms. Julia Leverenz of the Planning Commission was in attendance as its representative.

Mr. Paul Holt, Director of Community Development and Planning, addressed the Board referencing a 2018 application under review by the Development Review Committee (DRC) and the Planning Commission in which the applicant requested a waiver on the requirements of the Zoning Ordinance in Section 24-200, Public Utilities, as it applied to a temporary office trailer. He noted this particular Section required utility lines be placed underground. He further noted at a subsequent meeting of the Policy Committee, a Committee member asked staff for a potential amendment to the Ordinance to make future waiver requests, which allowed for overhead utility lines, easier for applicants who were proposing temporary office trailers. Mr. Holt stated based on that request, a proposed Ordinance amendment was drafted and was included in the Agenda Packet. He noted staff did not generally recommend creating an exception for all structures and further noted the language of the Ordinance was applicable to structures used as temporary offices, usually at construction sites. Mr. Holt stated staff noted this was the only section of the Zoning Ordinance that defined and permitted temporary structures, and set forth time limitations for the removal of such structures. He continued by

stating that no other section of the Zoning Ordinance allowed staff to attach a time limit to the placement/construction of structures that were otherwise allowed by-right. Mr. Holt noted the Policy Committee, at its May 9, 2019 meeting, approved this item with a 3-0 vote. He further noted the Planning Commission, at its June 5, 2019 meeting, also approved this item with a 6-0 vote.

Mr. Icenhour asked how long a temporary structure could exist with the overhead utility lines.

Mr. Holt replied one year.

Mr. Icenhour inquired if an extension could be requested.

Mr. Holt noted the Zoning Administrator had the ability to extend that out based on certain criteria, but generally not beyond a year.

Mr. Icenhour asked if so, would the applicant need to seek permission for an extension.

Mr. Holt said yes and noted the waiver was not a “blanket waiver”.

Ms. Leverenz noted as this amendment had been reviewed by the Planning Commission and the DRC and with staff’s input to the language, the Planning Commission recommended approval.

Mr. Icenhour opened the Public Hearing.

As there were no speakers, Mr. Icenhour closed the Public Hearing.

2. Case No. SUP-19-0011. 5026 River Drive Tourist Home

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. Icenhour welcomed Mr. Jose Ribeiro, Senior Planner, to the meeting.

Mr. Ribeiro noted Ms. Anne McCann, had applied for a Special Use Permit (SUP) to allow for the operation of a tourist home. He further noted the SUP would allow for a short-term rental of a three-bedroom residential home with no changes to size or footprint. He continued with the details of the property. Mr. Ribeiro noted staff recommended the approval of the SUP, subject to the following conditions: limitation on number of rooms rented, number of total occupants at any one time, parking, and signage. He further noted the Planning Commission voted 5-1 to recommend approval on the application at its July 3, 2019 meeting. Mr. Ribeiro also stated the Commissioners had questions/concerns at that meeting regarding the standards used to inspect a “tourist home” and if the manufactured home subject to this SUP application had a Department of Housing and Urban Development seal or tag. He identified staff’s responses to those questions/concerns as Attachment No. 5 in the Agenda Packet.

Ms. Leverenz noted the Planning Commission had a lot of discussion on this SUP. She further noted someone had said the GPS had shown one approach to this address was on non-paved road and requested the applicant supply prospective renters with the safest route to the address. Ms. Leverenz said the Commission had concerns about the trailer which was built in 1985 and its condition in addition to the County’s responsibility to ensuring the condition of

such properties was good. She noted staff had addressed most of the questions/concerns and that the Planning Commission recommended approval.

Mr. Icenhour opened the Public Hearing.

As there were no speakers, Mr. Icenhour closed the Public Hearing.

Mr. McGlennon asked staff for clarification that with this SUP approval the residence would not turn into a tourist home, but rather be allowed for that use above and beyond its residential use and to go back and forth as such in its use.

Mr. Ribeiro said yes.

I. BOARD CONSIDERATION(S)

1. Residential Impacts and Goals for Workforce Housing

Mr. Icenhour noted the Board decided to pull Item No. 1 for additional work to be done by staff.

2. Initiation of Rezoning Within the Forest Heights Road Area

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. Holt addressed the Board referencing a 2011 rezoning decision by the Board within the Forest Heights Road area in which various parcels were changed from R-2, General Residential to MU, Mixed Use. He noted at the Board's June 11 and July 9, 2019 meetings, a Master Plan Amendment for the existing Forest Height neighborhood had been reviewed by the Board. Mr. Holt further noted this request included new residential units and a proposed mini-storage development on property currently owned by the Salvation Army. During the Board deliberation, several questions were asked regarding if the Mixed Use Zoning District, which required a non-residential land use, was still the appropriate zoning for the property and particularly as the Salvation Army was no longer proposing its facilities. Mr. Holt added that an Initiating Resolution was in the Agenda Packet. He noted the resolution was for the Board's consideration that would begin the process of rezoning all of the MU zoned parcels to R-3, Residential Redevelopment District. He further noted this change would allow for compatibility with surrounding developed areas. Mr. Holt stated that unlike the MU, the R-3 District did not require a non-residential use. He noted that if the resolution was adopted, staff would begin the process of notifying the affected property owners and scheduling a public hearing with the Planning Commission.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Hipple noted the Presidential visit to the County for the 400th anniversary of the First Representative Legislative Assembly in the Western Hemisphere, held in Jamestown and his attendance at the event. He further noted attendance at various transportation meetings which included Hampton Roads Transportation Accountability Commission (HRTAC), Hampton Roads Transportation Planning Organization (HRTPO), Hampton Roads Planning District Commission (HRPDC), Hampton Roads Military & Federal Facilities Alliance (HRMFFA). Mr. Hipple commented "there is always a lot going on with transportation" and he thanked Mr.

Holt for continually researching funding for County transportation. He agreed that trash in the County was an ongoing problem and asked the citizens not to throw trash but also to report anyone seen dumping trash. Mr. Hipple stressed keeping the County clean.

Ms. Sadler noted she had also attended the 400th anniversary celebration at Jamestown. She added that “it is a very proud moment when we can be a part of a community that has such an influence on our country being the birthplace of our nation.” Ms. Sadler noted how proud she was to be there as a representative of James City County. She further noted she had attended National Night Out and visited many of the neighborhoods in her district. She thanked First Responders and all those involved with National Night Out and the opportunity to showcase the people who protect the residents of the County.

Mr. McGlennon noted his attendance at the Envirothon dinner and the commemoration at Jamestown Island. He further noted he was asked to donate an item to the time capsule placed in the church by Jamestown Rediscovery. Mr. McGlennon stated he was pleased to donate County Fire and Police challenge coins to the capsule. He added that “sometime in the future they will be recognized once again for the great work that they are doing today for us.”

Mr. Icenhour addressed Ms. Boarman saying “you have had an effect.” He referenced a recent conversation with his wife at a traffic light when they witnessed a man flicking a cigarette out of his car. He noted his wife almost got out of the car to address the situation, but the light changed. He further noted he had attended the Mayors and Chairs meeting where leaders in surrounding localities share information. He also attended Ironbound Day, an annual event that involved the Ironbound Village community. Mr. Icenhour participated in National Night Out at two areas in his district. He also extended his compliments to Chief Rineheimer and the Police force for the fantastic job on that event. He also encouraged his fellow Board members to promote the event with more neighborhood participation in their respective districts. Mr. Icenhour noted his attendance at the Kiwanis Club of Colonial Capital meeting. He passed on his kudos to Mr. Jason Purse, Assistant County Administrator, for the “James City County Today” presentation information he had compiled for Board members to use when talking about the County with different groups. Mr. Icenhour noted he used it at the meeting and it was well received. He added his attendance at the Kingsmill Resort for a continuing education event for the New York Bar Association. Mr. Icenhour noted the group was very pleased with the locality.

Mr. Hipple added there would a “home blitz” in the Forest Glen neighborhood on September 7. He noted 12 homes would have exterior repairs done and he would send notice on the event to the Board.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Stevens addressed the Board highlighting several items of interest which included the August 30 Jamestown Jams concert and encouraged people to come out. He noted the Fall 2019 Good Neighbor Grant application that was currently available for neighborhood environmental and beautification projects. He further noted applications were available online and provided additional information on the program. Mr. Stevens stated the Community Fair, sponsored by Social Services Department, would take place on August 17, 10 a.m.-2 p.m., at its office on 5249 Olde Towne Road. He noted the event showcased the department’s various programs.

L. CLOSED SESSION

Mr. Icenhour noted in lieu of the Closed Session, the Board had agreed to discuss the

appointments in Open Session.

1. Appointments - Historical Commission

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. McGlennon made the motion to appoint the following individuals, all with term expiration on June 30, 2021, to the Historical Commission:

- Mr. Russell Henke
- Ms. Kathleen Mullins
- Mr. Eric Reed

2. Appointments - Clean County Commission

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. McGlennon made the motion to appoint the following individuals, all with term expiration on July 31, 2022, to the Clean County Commission:

- Ms. Peg Boarman - Stonehouse District
- Mr. Charles Loundermon - Berkeley District
- Mr. Tim Winstanley - Roberts District

3. Appointments - Community Action Agency

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. McGlennon made the motion to appoint the following individuals, all with term expiration on Sept. 25, 2022, to the Community Action Agency:

- Ms. Charvella West
- Ms. Karen Ford

M. ADJOURNMENT

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

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

At approximately 6:10 p.m., Mr. Icenhour adjourned the Board of Supervisors.

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Fall Prevention Awareness Week 2019 Designation - Resolution Adoption

ATTACHMENTS:

	Description	Type
☐	Resolution	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:30 PM

RESOLUTION

DESIGNATING FALL PREVENTION AWARENESS WEEK 2019

WHEREAS, the Virginia General Assembly passed both a Senate Joint Resolution No. 47 and a House Joint Resolution No. 81 designating the third full week of September 2019 as Fall Prevention Awareness Week in Virginia; and

WHEREAS, in James City County, residents age 65 years and older comprised approximately 25.3% of the population in 2018; and

WHEREAS in 2018, the James City County Fire Department responded to 3,494 calls of mobility emergencies, which is 15.2% of the total number of Fire/Emergency Medical Service calls; and

WHEREAS, the James City County Fire Department, Social Services, and the Police Department are working jointly through the CONECT (Community Outreach Network Educate Care Thrive) Program to raise public awareness and engage with residents at risk of injury due to falls so that residents can maintain safety and a high quality of life.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby designates the third full week in September 2019 as Fall Prevention Awareness Week in James City County.

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

FallPrevWk19-res

ITEM SUMMARY

DATE: 9/9/2019

TO: Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Award of Security Contract to Top Guard Security - \$44,939

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	8/20/2019 - 8:04 PM
Publication Management	Daniel, Martha	Approved	8/21/2019 - 8:10 AM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:07 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:21 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:12 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:37 PM

M E M O R A N D U M

DATE: September 10, 2019

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Social Services Director

SUBJECT: Contract Award - New Vendor for Security Contract - \$44,939

A new security firm has been selected to provide security services at the Human Services Center.

The purpose of this memorandum is to recommend acceptance and approval of the new vendor, Top Guard Security, Inc.

Four proposals were received for consideration and evaluated by a committee led by Purchasing. The submittals were evaluated based on four criteria: demonstrated expertise, experience, qualifications and business references; qualifications of firm and specific proposed staffing providing those services; overall quality and completeness of proposal; and cost.

The committee determined that Top Guard Security, Inc. made the best proposal and recommends a contract be awarded to Top Guard Security, Inc. The major factors supporting this recommendation are as follows:

1. Top Guard Security, Inc. is fully qualified and best suited to provide the services detailed in the Request for Proposals.
2. Top Guard Security, Inc. provided more detail in its example of a transition plan and keeping the position filled.
3. Pricing is considered fair and reasonable.

For these reasons, the Top Guard Security, Inc. proposal was determined in the committee's opinion, to have made the best proposal on qualifications at a fair and reasonable price to James City County. As such, James City County intends to award this contract to Top Guard Security, Inc.

Staff recommends approval of the attached resolution to approve Top Guard Security, Inc. as the Human Services Center's new vendor.

RV/md
CA-TopGuardSec-mem

Attachment

RESOLUTION

CONTRACT AWARD - NEW VENDOR FOR SECURITY CONTRACT - \$44,939

- WHEREAS, James City County has negotiated a new contract for security services for the Human Services Center; and
- WHEREAS, certain federal/state funds which traditionally have been allocated by the Virginia Department of Social Services will continue to be used to reimburse a portion of expenses throughout the life of the contract; and
- WHEREAS, the State Department of Social Services has provided sufficient federal/state funding in the Fiscal Year (FY) 2020 allocation to reimburse \$19,595 for the contract services; and
- WHEREAS, sufficient local funds totaling \$25,343 are already available in the FY20 budget for security services; and
- WHEREAS, the total life of the five-year contract would be approximately \$224,695 and Social Services will continue to request funding to match the state allocation.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes that the Human Services Center's contract services be provided by Top Guard Security, Inc. in the amount of \$44,939.

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

CA-TopGuardSec-res

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Alcohol Enforcement - \$20,000

ATTACHMENTS:

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	8/21/2019 - 2:07 PM
Police	Rinehimer, Bradley	Approved	8/21/2019 - 2:07 PM
Publication Management	Daniel, Martha	Approved	8/21/2019 - 2:15 PM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:06 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:20 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:11 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:37 PM

MEMORANDUM

DATE: September 10, 2019

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Alcohol Enforcement - \$20,000

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 \$20,000. The funds are to be used toward alcohol 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-DMV-AlEnfmt-mem

Attachment

RESOLUTION

GRANT AWARD - DEPARTMENT OF MOTOR VEHICLES -

ALCOHOL ENFORCEMENT - \$20,000

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 \$20,000; and

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

Fiscal Year 2020 DMV - Alcohol Enforcement	<u>\$20,000</u>
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Expenditure:

Fiscal Year 2020 DMV - Alcohol Enforcement	<u>\$20,000</u>
--	-----------------

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

GA-DMV-AlEnfmt-res

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Occupant Protection - \$5,840

ATTACHMENTS:

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	8/21/2019 - 2:08 PM
Police	Rinehimer, Bradley	Approved	8/21/2019 - 2:08 PM
Publication Management	Daniel, Martha	Approved	8/21/2019 - 2:16 PM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:07 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:21 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:11 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:38 PM

MEMORANDUM

DATE: September 10, 2019

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Occupant Protection - \$5,840

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 \$5,840. 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-DMV-OcpntP-mem

Attachment

RESOLUTION

GRANT AWARD - DEPARTMENT OF MOTOR VEHICLES -

OCCUPANT PROTECTION - \$5,840

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 \$5,840; 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:

Fiscal Year 2020 DMV - Occupant Protection	<u>\$5,840</u>
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Expenditure:

Fiscal Year 2020 DMV - Occupant Protection	<u>\$5,840</u>
--	----------------

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

GA-DMV-OcpntP-res

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Speed Enforcement - \$20,000

ATTACHMENTS:

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	8/21/2019 - 2:08 PM
Police	Rinehimer, Bradley	Approved	8/21/2019 - 2:08 PM
Publication Management	Daniel, Martha	Approved	8/21/2019 - 2:17 PM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:07 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:21 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:11 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:38 PM

MEMORANDUM

DATE: September 10, 2019

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Department of Motor Vehicles - Speed Enforcement - \$20,000

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 \$20,000. 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-DMV-SpeedEnf-mem

Attachment

RESOLUTION

GRANT AWARD - DEPARTMENT OF MOTOR VEHICLES -

SPEED ENFORCEMENT - \$20,000

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 \$20,000; 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:

Fiscal Year 2020 DMV - Speed Enforcement	<u>\$20,000</u>
--	-----------------

Expenditure:

Fiscal Year 2020 DMV - Speed Enforcement	<u>\$20,000</u>
--	-----------------

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

GA-DMV-SpeedEnf-res

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Appropriation of \$15,693 - Comprehensive Community Corrections Act Grant,
Department of Criminal Justice Services

ATTACHMENTS:

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	8/23/2019 - 5:52 PM
Police	Rinehimer, Bradley	Approved	8/23/2019 - 5:52 PM
Publication Management	Burcham, Nan	Approved	8/26/2019 - 7:39 AM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:06 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:19 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:10 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 12:37 PM

MEMORANDUM

DATE: September 10, 2019

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Appropriation of \$15,693 - Comprehensive Community Corrections Act Grant,
Department of Criminal Justice Services

On June 4, 2019, Colonial Community Corrections (CCC) was awarded the Comprehensive Community Corrections Act (CCCA) grant in the amount of \$727,761, the amount appropriated by James City County in the Fiscal Year 2020 budget.

On August 1, 2019, the Department of Criminal Justice Services increased the original grant reward in the amount of \$15,693 to account for the 3% raise given to full-time state funded employees of CCCA (Comprehensive Community Corrections Act) and PSA (Pretrial Services Act).

It is hereby requested the Board of Supervisors now appropriate the \$15,693 for use by CCC in funding personnel costs.

BJR/nb
CCCA-Approp-mem

Attachment

RESOLUTION

GRANT AWARD - COLONIAL COMMUNITY CORRECTIONS,

DEPARTMENT OF CRIMINAL JUSTICE SERVICES - \$15,693

WHEREAS, Colonial Community Corrections, for Fiscal Year 2020, was originally awarded by the Department of Criminal Justice Services (DCJS) \$727,761 in General Funds for Comprehensive Community Corrections Act (CCCA)/Pretrial Services Act (PSA) Grant No. 20-X6342CC20 and this amount was appropriated by James City County; and

WHEREAS, on August 1, 2019, the Department of Criminal Justice Services increased the grant award (No. 20-X6342CC20) by \$15,693, for personnel expenses to account for the 3% raise for full-time state funded local employees of CCCA and PSA.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County, Virginia, hereby authorizes the appropriation of an additional \$15,693 for DCJS Grant No. 20-X6342CC19.

Revenue:

Commonwealth of Virginia	<u>\$15,693</u>
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Expenditure:

Personnel	<u>\$15,693</u>
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James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

GA-CCCA-res

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

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

SUBJECT: Budget Appropriation that will Allow James City County to Participate in the Virginia Department of Housing and Community Development's Acquire, Renovate, and Sell Program

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	8/26/2019 - 2:08 PM
Publication Management	Daniel, Martha	Approved	8/26/2019 - 2:11 PM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 4:47 PM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:20 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:10 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 12:39 PM

MEMORANDUM

DATE: September 10, 2019

TO: The Board of Supervisors

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

SUBJECT: Budget Appropriation that will Allow James City County to Participate in the Virginia Department of Housing and Community Development's Acquire, Renovate, and Sell Program

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.

An Operational Initiative that is a part of this goal includes developing strategies to address the findings of the County's Housing Conditions Study. The Virginia Department of Housing and Community Development (DHCD) created the Acquire, Renovate, Sell (ARS) program in 2018 after 10 years of operating the federally funded Neighborhood Stabilization Program. The ARS program is a state funded effort with the purpose to transform previously undervalued homes, such as those identified in the Housing Conditions Study, into community assets and create new homeownership opportunities for low- and moderate-income (LMI) first-time homebuyers.

DHCD has partnered with the Virginia Housing Development Authority (VHDA), which has set aside \$5 million from mortgage repayments, to fund this program. Under the program, locally-based organizations that meet eligibility criteria may acquire, renovate, and resell undervalued properties to first-time homebuyers. All activities funded through ARS will benefit individuals and families with incomes at or below VHDA income limits.

ARS funds will provide a maximum of \$45,000 per home for housing rehabilitation. Under this program, staff anticipates acquiring two severely blighted properties, demolishing the blighted structures, and constructing new homes. Eligible properties could include homes that have been foreclosed upon or are abandoned or vacant. The ARS program requires the improved lots then be sold at fair market value to individuals or families who make no more than 80% of area median income. Upon sale of the property, the DHCD funds would be returned to the state, but the County may retain the proceeds for further use. Should a first-time homebuyer elect to obtain a VHDA first mortgage, the program will also provide a down payment subsidy.

The Social Service's Housing Unit staff will manage the projects and staff will also provide the necessary housing counseling to first-time homebuyers. Staff has experience working with LMI households who live or work in the County and with local builders to provide qualified first-time homebuyers with affordable homes. This funding will have the dual benefit of making more affordable units available to LMI households who live or work in the County while simultaneously removing blighted and underperforming properties as identified by the 2016 Housing Conditions study from the local housing stock.

Budget Appropriation of Existing Funds that will Allow James City County to Participate in the Virginia Department of Housing and Community Development's Acquire, Renovate, and Sell Program
September 10, 2019
Page 2

Staff recommends approval of the attached resolution which would appropriate the funds from the current budget and would authorize the County Administrator to enter into an Agreement with the Virginia Department of Health to implement this initiative.

RV/PDH/nb
ARS-2019-mem

Attachment:

1. Resolution

RESOLUTION

BUDGET APPROPRIATION THAT WILL ALLOW JAMES CITY

COUNTY TO PARTICIPATE IN THE VIRGINIA DEPARTMENT OF HOUSING AND

COMMUNITY DEVELOPMENT'S ACQUIRE, RENOVATE, AND SELL PROGRAM

WHEREAS, the Adopted 2035 Strategic Plan includes Goal No. 5: Exceptional Public Services and has as one of its Operational Initiatives to develop strategies to address the findings of the James City County Housing Conditions Study; and

WHEREAS, financial assistance is available from the Virginia Department of Housing and Community Development (DHCD) to eligible localities to assist in renovating properties that are undervalued or blighted in their communities; and

WHEREAS, an undervalued property is defined as a property that is below market value to include but not be limited to properties that are foreclosed, abandoned, vacant, or distressed, or that have undergone estate sale, divorce sale, years of deferred maintenance, tax sale, or are investor-owned economically-challenged properties; and

WHEREAS, the goal of this program is to transform previously undervalued properties into community assets and create new homeownership opportunities for low- and moderate-income (LMI) first-time homebuyers, thus stabilizing a street, neighborhood, community, and family; and

WHEREAS, sufficient funds are available in the Housing and Neighborhood Development Fund to provide local funds to acquire underperforming properties and renovate them for sale to qualified LMI first-time homebuyers.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes acceptance of such grant funds and further authorizes the County Administrator to execute those agreements and documents necessary to participate in and implement the program.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes an additional appropriation to the Housing and Neighborhood Development Fund for fiscal year ending June 30, 2020, for the purposes described above:

Revenue:

Virginia DHCD \$ 90,000

Fund Balance:

Housing Development Fund 100,000

Neighbors Drive Leverage 150,000

Forest Heights Program Income 23,000

Neighbors Drive Program Income 27,000

Total \$390,000

Expenditures:

Acquire, Renovate, Sell - Virginia DHCD Grant \$ 90,000

Acquire, Renovate, Sell - Local Share 300,000

Total \$390,000

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

ARS-2019-res

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

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

SUBJECT: Budget Appropriation that will Allow James City County to Participate in the Virginia Department of Health's Virginia Environmental Endowment Septic System Repair Cost Share Program

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	8/26/2019 - 2:08 PM
Publication Management	Daniel, Martha	Approved	8/26/2019 - 2:10 PM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 4:47 PM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:20 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:10 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 12:38 PM

MEMORANDUM

DATE: September 10, 2019

TO: The Board of Supervisors

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

SUBJECT: Budget Appropriation that will Allow James City County to Participate in the Virginia Department of Health's Virginia Environmental Endowment Septic System Repair Cost Share Program

The Virginia Department of Health (VDH) recently created the James River Septic System Cost-Share Program with funding from the Smithfield Foundation and the Virginia Environmental Endowment (the "VEE Grant"). The purpose of the grant funding from the state is to provide homeowners with failing septic systems a financial incentive to upgrade to an advanced septic treatment system, also known as an Alternative Onsite Sewage System (AOSS) or connect to public sewer. The VDH has allocated a total of \$500,000 for this program.

If a homeowner is eligible, the VDH can provide funding of 100% up to \$18,000 for design services, construction costs, and equipment needed to install a regulatory compliant AOSS, including 50% nitrogen reduction. VDH will base cost-share amounts on total household income level. The grant period runs through December 31, 2021, and initial funding is targeted to households located within two specific watersheds in James City County, two specific watersheds in Isle of Wight County, and one specific watershed in Surry County.

For James City County, the two targeted areas include the Yarmouth Creek and Morris Creek watersheds (James City County refers to the portion of the Morris Creek Watershed lying in the County as the Gordon Creek Watershed).

The 2016 Gordon Creek and the 2016 Yarmouth Creek watershed reports note that the Virginia Department of Environmental Quality listed both watersheds as impaired waters. The 2011 Gordon Creek Watershed Management Plan, Goal 3, was to "promote active stewardship among residents...", including as Priority 12, the directive to "Educate people about watershed awareness including chemical disposal, pet waste, [and] on-site waste disposal systems..." The Comprehensive Plan, *Toward 2035: Leading the Way* established the Goals, Strategies, and Actions (GSA) that included *ENV 1.8 - Continue to work with the ... Virginia Department of Health to identify existing or potential sources of surface and groundwater pollution and take action to prevent or control the sources. Continue to enforce all existing regulations to protect all water resources and adopt additional protective measures as necessary.* In addition, GSA ENV 1.10 required that water resources should be protected from on-site sewage disposal systems.

There are approximately 328 owner-occupied houses in these two James City County watersheds that have septic systems. Approximately 104 of these are located inside the Primary Service Area and may be eligible to connect to public sewer (the remainder would need to install an AOSS). It may not be financially feasible to design and install an AOSS within the \$18,000 reimbursement cap. However, within the reimbursement cap, it may be feasible to disconnect these homes from the failing septic system and connect them to James City Service Authority (JCSA) sewer.

To assist homeowners with being able to take advantage of this program, the attached resolution, if approved, would appropriate \$100,000 of existing funds in the County's Affordable Housing Incentive

Budget Appropriation of Existing Funds That Will Allow James City County to Participate in the Virginia Department of Health's Virginia Environmental Endowment (VEE) Septic System Repair Cost Share Program

September 10, 2019

Page 2

Fund. As proposed, the funds would be used to fund the design and construction of work needed to disconnect eligible homes from the failing septic system and connect them to JCSA sewer. The County would then be reimbursed from the VEE Septic Grant for these costs. In this way, the requested appropriation would be available to use again in the future.

Staff recommends approval of the attached resolution which would appropriate the funds from the current budget and would authorize the County Administrator to enter into an Agreement with the Virginia Department of Health to implement this initiative.

RV/PDH/md
VEESepticProg-mem

Attachment:

1. Resolution

RESOLUTION

BUDGET APPROPRIATION THAT WILL ALLOW

JAMES CITY COUNTY TO PARTICIPATE IN THE VIRGINIA DEPARTMENT OF HEALTH'S

VIRGINIA ENVIRONMENTAL ENDOWMENT SEPTIC SYSTEM

REPAIR COST SHARE PROGRAM

WHEREAS, financial assistance is available from the Virginia Department of Health's James River Septic System Repair Cost Share Program (VEE Septic Grant) that can be used by eligible homeowners with failing septic systems in the Yarmouth Creek and Gordon Creek watersheds to connect to public sewer or install a regulatory compliant Alternative Onsite Septic System (AOSS); and

WHEREAS, James City County has adopted watershed management plans for Yarmouth Creek and Gordon Creek that seek to improve and maintain water quality; and

WHEREAS, otherwise eligible low- and moderate-income households may not have the resources to connect to public sewer or install an AOSS without assistance from such programs and without assistance from the County; and

WHEREAS, the Board of Supervisors has previously authorized establishment of the Housing Rehabilitation Revolving Loan Program; and

WHEREAS, sufficient funds are available in the County's Affordable Housing Incentive Fund to provide \$100,000, not previously appropriated, to make funds available to assist homeowners in connecting to public sewer or installing a regulatory compliant AOSS; and

WHEREAS, the VEE Septic Grant allows for a reimbursement of these costs of 100% up to \$18,000 for design services, construction costs, and equipment needed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes acceptance of such grant funds and further authorizes the County Administrator to execute those agreements and documents necessary to participate in and implement the VEE Septic Grant.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the additional appropriation to the Housing and Neighborhood Development Fund for fiscal year ending June 30, 2020, for the purposes described above:

Revenue:

Virginia Department of Health \$100,000

Expenditure:

Housing Rehabilitation Revolving Loan Fund \$100,000

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

VEESepticProg-res

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Betsy Fowler, Director of the Williamsburg Regional Library

SUBJECT: Contract Award - James City County Library Children's Area Renovations Project - \$310,000 and Additional Appropriation - \$97,000

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/4/2019 - 10:26 AM

MEMORANDUM

DATE: September 10, 2019

TO: The Board of Supervisors

FROM: Betsy Fowler, Director of the Williamsburg Regional Library

SUBJECT: Contract Award - James City County Library Children's Area Renovations Project - \$310,000 and Additional Appropriation - \$97,000

The James City County Library Children's Area Renovations Project, located at 7770 Croaker Road, will renovate the 23-year-old Children's Area to provide new carpet, paint, improved electrical and light fixtures, as well as add a glass wall to separate the area and provide soundproofing and enhance security.

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

<u>Firm</u>	<u>Amount</u>
Virtexco Corporation	\$310,000
Caspian Construction, LLC	\$338,000
Henderson Incorporated	\$350,697
Heartland Construction	\$360,000
Homeland Contracting	\$369,000
David A. Nice Builders, Inc.	\$396,000
TDSC	\$409,997

Virtexco Corporation 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 will be funded through Capital Improvement budgets approved in Fiscal Year (FY) 2018, FY 19 and a supplemental appropriation in FY 20 of \$97,000. The supplemental appropriation of \$97,000 is funded by a \$71,000 contribution from the Friends of the Williamsburg Regional Library (WRL) Foundation and \$26,000 from the WRL's fund balance.

Staff recommends the approval of the attached resolution authorizing the contract award to Virtexco Corporation and the supplemental appropriation in the Capital Projects Fund of \$97,000.

BF/md
CA-LibryChldArea-mem

Attachments:

1. Resolution
2. Renovation Floor Plan Layout

RESOLUTION

CONTRACT AWARD - JAMES CITY COUNTY LIBRARY CHILDREN'S AREA

RENOVATIONS PROJECT - \$310,000 AND ADDITIONAL APPROPRIATION - \$97,000

WHEREAS, the James City County General Services Department received competitive bids for the James City County Library Children's Area Renovations Project; and

WHEREAS, seven bids were considered for award and Virtexco Corporation was the lowest qualified, responsive, and responsible bidder; and

WHEREAS, previously authorized Capital Improvements Program budget funds of \$213,000 are available to fund this project; and

WHEREAS, a supplemental appropriation of \$97,000 is needed; and

WHEREAS, the Williamsburg Regional Library (WRL) has received contributions from the Friends of the WRL Foundation of \$71,000 and has \$26,000 available from its fund balance to use toward the project, for a total of \$97,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$310,000 to Virtexco Corporation, and authorizes the supplemental appropriation in the Capital Project Fund of \$97,000, for the James City County Library Children's Area Renovations Project.

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

CA-LibryChldArea-res

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Clarification of Resolution to Amend Easement on 2511 and 2611 Forge Road

ATTACHMENTS:

	Description	Type
☐	memo	Cover Memo
☐	reso	Resolution
☐	incorrect plat	Backup Material
☐	correct plat	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	8/26/2019 - 4:50 PM
Publication Management	Burcham, Nan	Approved	8/26/2019 - 4:55 PM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 5:02 PM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:20 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:10 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:37 PM

MEMORANDUM

DATE: September 10, 2019

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Clarification to Easement Amendment on 2511 and 2611 Forge Road

On June 11, 2019, the Board of Supervisors approved an amendment to an existing easement on 2511 and 2611 Forge Road (the "Property"). The resolution approving the amendment permitted the County Administrator to authorize up to six residences to be built upon the Property, based upon the proposed site plan that was submitted with the application. Following the Board's meeting, the applicant determined that the wrong proposed site plan was included and the Board's resolution should have instead referenced a revised site plan showing seven residences on the Property. The applicant's application and presentation to the Board on June 11 did, in fact, reference 10 total residences (seven on the Property and three on the parcel located at 2822 Forge Road).

Staff has no objection to this clarification and recommends that the Board adopt the attached resolution to clarify that seven residences may be established on the Property.

ARK/md
ClarifForgeRdEasmt-mem

Attachment:

1. Resolution

RESOLUTION

CLARIFICATION TO EASEMENT AMENDMENT ON 2511 AND 2611 FORGE ROAD

WHEREAS, on June 11, 2019, the Board of Supervisors of James City County, Virginia (the "Board"), adopted a resolution accepting an offer to, *inter alia*, amend a conservation easement on property located at 2511 and 2611 Forge Road (together, the "Property"); and

WHEREAS, the resolution incorrectly limits to six the number of residences on the Property; and

WHEREAS, the Board desires to amend the resolution to correct the limitation from six to seven.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby amend its resolution adopted on June 11, 2019, to permit the establishment of seven residences on the Property and does hereby authorize the County Administrator to sign those documents necessary to effect such amendment.

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

ClarifForgeRdEasmt-res





DATE: MAY 20, 2019
SCALE: 1"=200'
SHEET 1 of 1

LAND BAY 1-OPTION 4 CONCEPTUAL RENDERING
PARCELS 2511, 2611 AND 2822 FORGE ROAD
JAMES CITY COUNTY, VIRGINIA
(AES PROJECT #: W10372-00 - AES PROJECT CONTACT: -PAUL TSCHIDERER, P.E.)



5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 253-0040
Fax: (757) 220-8994
www.aesva.com
Hampton Roads | Central Virginia | Middle Peninsula

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Tori Haynes, Planner

SUBJECT: SUP-19-0015. 4440 Ironbound Road Tourist Home

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. Applicant Letter	Backup Material
☐	Attachment 5. Unapproved Minutes of the August 7, 2019 Planning Commission meeting	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	8/23/2019 - 12:31 PM
Development Management	Holt, Paul	Approved	8/23/2019 - 12:39 PM
Publication Management	Burcham, Nan	Approved	8/23/2019 - 1:16 PM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:08 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:22 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:13 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:39 PM

SPECIAL USE PERMIT-19-0015. 4440 Ironbound Road Tourist Home**Staff Report for the September 10, 2019, Board of Supervisors Public Hearing****SUMMARY FACTS**

Applicant: Ms. Charlene Chamberlayne

Land Owner(s): Charlene Chamberlayne, Hampden Chamberlayne, and Christian Chamberlayne

Proposal: To allow for the short-term rental of an entire two-bedroom residential home as a tourist home. The owners will live off-site.

Location: 4440 Ironbound Road

Tax Map/Parcel No.: 3910100049

Project Acreage: ± 0.21 acres

Zoning: R-2, General Residential

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

Staff Contact: Tori Haynes, Planner

PUBLIC HEARING DATES

Planning Commission: August 7, 2019, 6:00 p.m.

Board of Supervisors: September 10, 2019, 5:00 p.m.

FACTORS FAVORABLE

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

2. With the proposed conditions, the proposal is consistent with the recommendations of the Comprehensive Plan.
3. Adequate off-street parking is provided.
4. The applicant has acknowledged that, should this application be approved, she will obtain the proper licensing and inspections through the County and will be subject to appropriate use-based taxes.
5. Impacts: See Impact Analysis Pages 3 and 4.

FACTORS UNFAVORABLE

1. Impacts: See Impact Analysis Pages 3 and 4.

SUMMARY STAFF RECOMMENDATION

Approval, subject to the proposed conditions.

PLANNING COMMISSION RECOMMENDATION

At its August 7, 2019 meeting, the Planning Commission recommended approval of this Special Use Permit (SUP) by a vote of 6-0.

CHANGES SINCE PLANNING COMMISSION

None.

PROJECT DESCRIPTION

- This proposal is to allow for the short-term rental of an existing two-bedroom home as a tourist home. This SUP, if granted, would allow short-term rentals throughout the year; however, per the applicant, the property will only be offered for short-term rentals

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

SPECIAL USE PERMIT-19-0015. 4440 Ironbound Road Tourist Home

Staff Report for the September 10, 2019, Board of Supervisors Public Hearing

during the summer months (June to mid-August), as the house is leased to the College of William & Mary students during the academic year. No changes to the footprint of the home are proposed.

- The Zoning Ordinance defines a tourist home as “a dwelling where lodging or lodging and meals are provided for compensation for up to five rooms which are open to transients.” The proposed conditions limit the number of bedrooms available for rent to two, as there are two bedrooms in the existing home. Should a future expansion add another bedroom, an SUP amendment would be required.

SURROUNDING ZONING AND DEVELOPMENT

North: R-2, General Residential

East: MU, Mixed Use

South: MU, Mixed Use; R-2, General Residential

West: PL, Public Lands; M-1, Limited Business/Industrial

The subject property is a corner lot fronting on Ironbound Road with driveway access on Magazine Road. It is located between the Ironbound Village and Ironbound Square subdivisions. Single-family dwellings are located to the north and southeast. Across Ironbound Road to the west are the Virginia Department of Transportation (VDOT) offices and New Town Automotive.

COMPREHENSIVE PLAN

The property is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map, as are all adjacent properties to the east of Ironbound Road. Appropriate primary uses recommended by the Comprehensive Plan include single-family homes, multifamily

units, accessory units, and cluster housing. Limited commercial uses may also be considered appropriate should the proposal meet the following standards:

- Complements the residential character of the area. Staff finds the proposal consistent with the residential character of the area, as no exterior changes to the home or property are proposed.
- Have traffic, noise, lighting, and other impacts similar to surrounding residential uses. Staff finds that impacts will be similar to nearby residential uses. Traffic is anticipated to be typical of a residential home, the subject property must adhere to the County’s Noise Ordinance, and the proposed SUP conditions will restrict commercial signage and exterior lighting. Future expansions of the use would require an SUP amendment.
- Generally be located on collector or arterial roads at intersections. The segment of Ironbound Road on which the subject property is located is classified by VDOT as a minor arterial road.
- Provide adequate screening and buffering to protect the character of nearby residential areas. The subject parcel does not currently contain mature vegetation or fencing; however, as existing landscaping on the property is typical of a single-family residence, staff finds that the residential character of the area will not be visually impacted negatively by this proposal.

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

SPECIAL USE PERMIT-19-0015. 4440 Ironbound Road Tourist Home**Staff Report for the September 10, 2019, Board of Supervisors Public Hearing****IMPACT ANALYSIS**

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none">- The proposal is not anticipated to generate traffic exceeding a typical residential use.- The subject property is located on a minor arterial road, as recommended in the Comprehensive Plan for commercial uses in areas designated Low Density Residential.- No changes anticipated to Level of Service on Ironbound Road.
<u>Public Transportation: Pedestrian/Bicycle</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none">- Pedestrian/bicycle accommodations are currently provided in this location in the form of an eight-foot multiuse path.
<u>Public Safety</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none">- Subject property is located within a six-minute radius of Fire Stations 3 and 4.- The proposal does not generate impacts that require mitigation to the County's emergency services or facilities.
<u>Public Schools</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none">- The proposal will not generate school children.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none">- The proposal does not generate impacts that require mitigation to the County's parks and recreation services or facilities.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none">- The proposal does not generate impacts that require mitigation to public libraries or cultural centers.
<u>Groundwater and Drinking Water Resources</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none">- The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.
<u>Watersheds, Streams, and Reservoirs</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none">- The Stormwater and Resource Protection Division has reviewed this application and had no objections. No new impervious surface is proposed as part of this SUP request. Should exterior site improvements be made in the future, such as a deck expansion or paved parking area, those improvements would be subject to additional environmental review at that time.

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

SPECIAL USE PERMIT-19-0015. 4440 Ironbound Road Tourist Home**Staff Report for the September 10, 2019, Board of Supervisors Public Hearing**

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	- The subject property has been previously disturbed and has no known cultural resources on site.
<u>Nearby and Surrounding Properties</u>	<u>No Mitigation Required</u>	- The subject property is located near both residential and commercial uses. - Traffic is anticipated to be typical of a residential home, the subject property must adhere to the County's Noise Ordinance, and the proposed SUP conditions will restrict commercial signage and exterior lighting. Future expansions of the use would require an SUP amendment.
<u>Community Character</u>	<u>No Mitigation Required</u>	- This segment of Ironbound Road is an Urban/Suburban Community Character Corridor (CCC). - Existing façade and landscaping maintain the property's residential character, and parking is not located directly on the CCC as recommended by the Comprehensive Plan.

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 SPECIAL USE PERMIT CONDITIONS

Proposed conditions are provided as Attachment No. 1.

STAFF RECOMMENDATION

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

TH/nb
SUP19-15-4440IrnbdRoad

Attachments:

1. Resolution
2. Location Map
3. Master Plan
4. Applicant Letter
5. Unapproved Minutes of the August 7, 2019, Planning Commission Meeting

RESOLUTION

CASE NO. SUP-19-0015. 4440 IRONBOUND ROAD

TOURIST HOME

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

WHEREAS, Ms. Charlene Chamberlayne has applied for an SUP to allow for the rental of up to two bedrooms in her home located at 4440 Ironbound Road, consisting of approximately 0.21 acres, and further identified as James City County Real Estate Tax Map Parcel No. 3910100049; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-19-0015; and

WHEREAS, the Planning Commission, following its public hearing on August 7, 2019, recommended approval of the application by a vote of 6-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-19-0015 as described herein with the following conditions:

1. *Master Plan*: This SUP shall permit a tourist home on property located at 4440 Ironbound Road and further identified as James City County Real Estate Tax Map Parcel No. 3910100049 (the "Property"). The use and layout of the Property shall be generally as shown on the document entitled "SUP-19-0015, 4440 Ironbound Road Tourist Home" and date stamped July 12, 2019 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended. This condition does not restrict improvements typical of a residential property as determined by the Director of Planning.
2. *Commencement*: An updated Certificate of Occupancy and evidence of a business license shall be provided to the Director of Planning within 12 months from the issuance of this SUP or this SUP shall become void.
3. *Number of Rental Rooms Occupants*: There shall be no more than two bedrooms available for rent to visitors and no more than six rental occupants total at any one time.
4. *Contracts per Rental Period*: There shall not be simultaneous rentals of the Property under separate contracts.
5. *Signage*: No signage related to the rental of rooms shall be permitted on the Property.

6. *Parking*: Off-site parking for the tourist home shall be prohibited. No oversized commercial vehicles associated with rental occupants of the tourist home such as, but not limited to, buses and commercial trucks and trailers, shall be allowed to park on the Property.
7. *Lighting*: No exterior lighting shall be permitted on the Property, other than lighting typically used at a single-family residence.
8. *Severability*: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

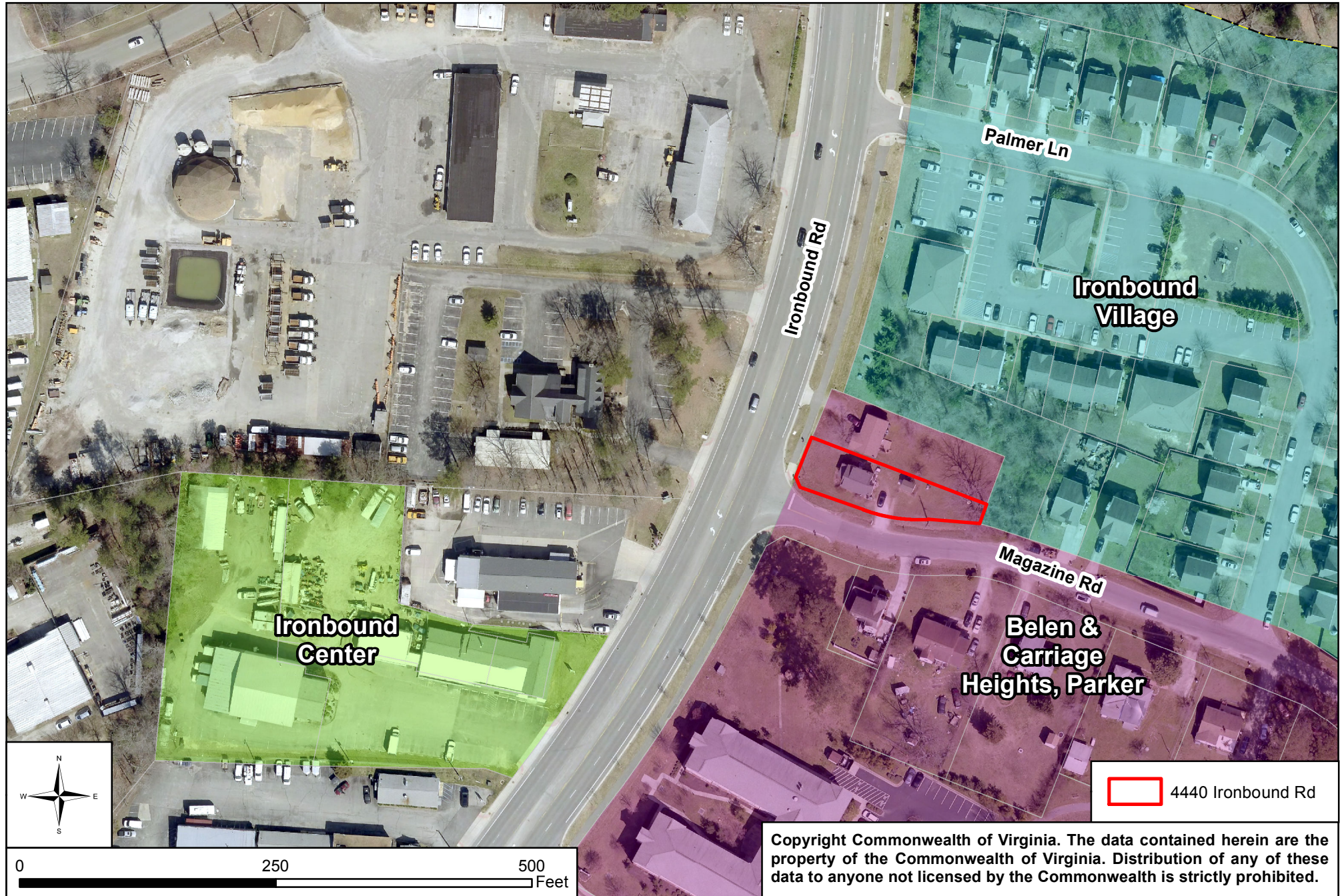
	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

SUP19-15-4440IrnbdRd-res

JCC SUP-19-0015

4440 Ironbound Rd. Tourist Home



SUP-19-0015, 4440 Ironbound Road Tourist Home

Property Information

PIN 3910100049
4440 Ironbound Road
CHAMBERLAYNE, CHARLENE &
CHAMBERLAYNE, HAMPDEN &
CHAMBERLAYNE, CHRISTIAN
Zoning: R-2, General Residential
Comp. Plan: Low Density Residential
Acres: ±0.21

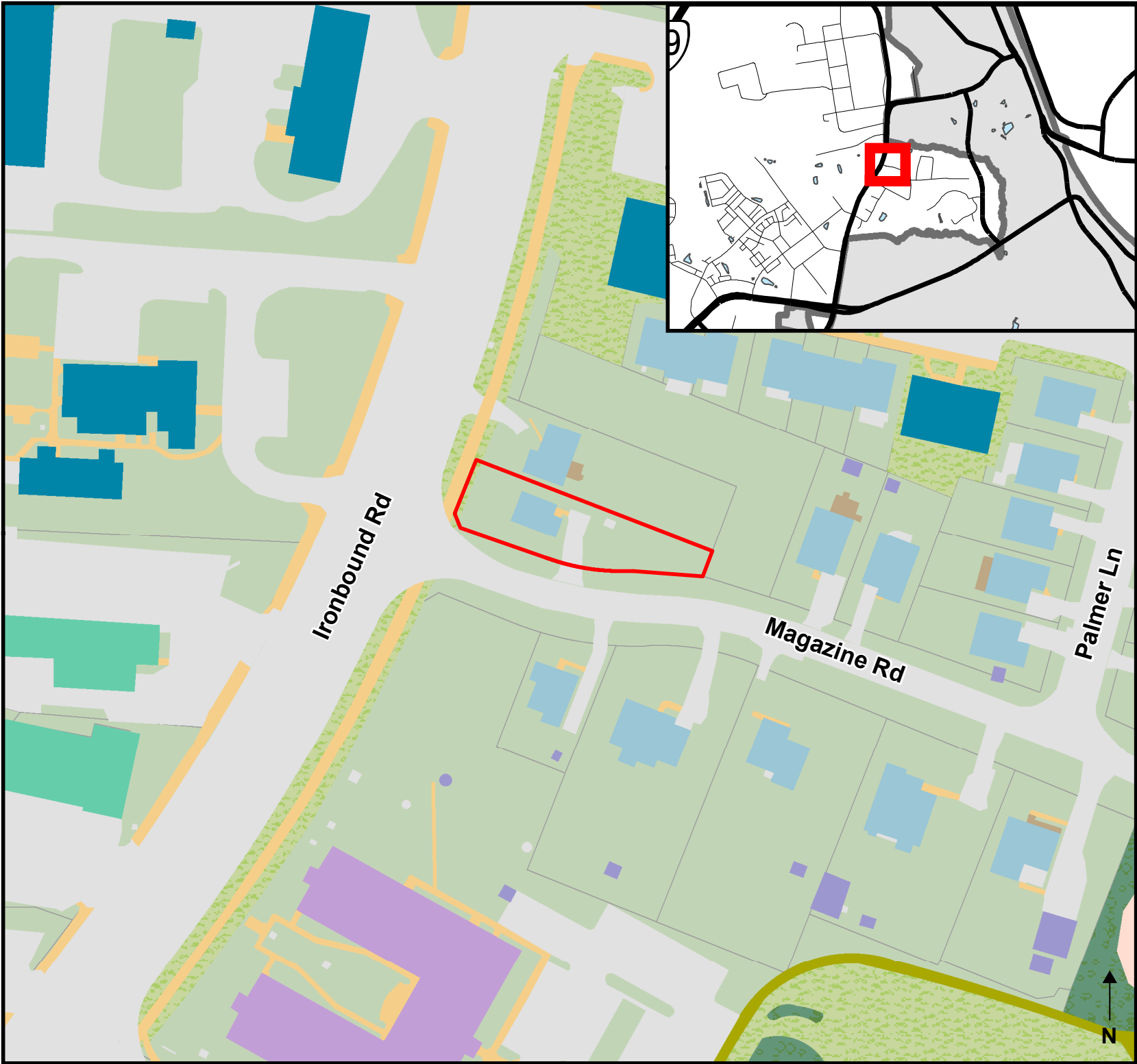
General Notes

1. Site is served by public water and sewer.
2. Property is located in Zone X per FIRM 51095C0136D dated 12/16/15.
3. The property does not contain Resource Protection Area.
5. A minimum of two (2) off-street parking spaces shall be provided.

PLANNING DIVISION

Jul 12 2019

RECEIVED



Not To Scale

Adjacent Properties

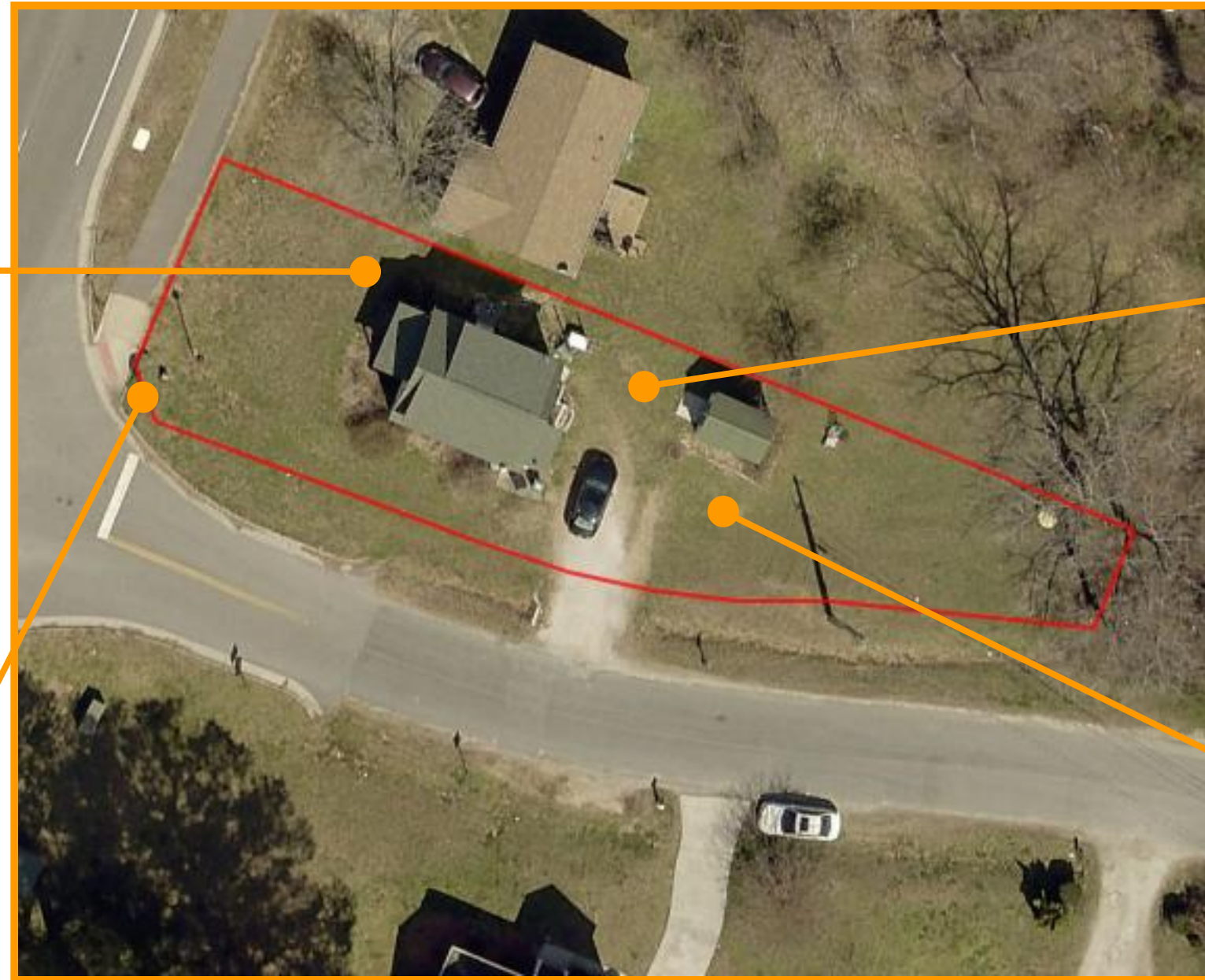
3910100048 David L Hertzler 4442 Ironbound Rd Williamsburg, VA 23188 R-2, General Residential	3910100004 VDOT 4451 Ironbound Rd Williamsburg, VA 23188 PL, Public Lands
3911400001A James City County 106 Magazine Rd Williamsburg, VA 23188 MU, Mixed Use	3911600002 Bay Aging Apartments 100 Carriage Rd Williamsburg, VA 23188 MU, Mixed Use
3910100006 JRJ Real Estate Ventrues 4407 Ironbound Rd Williamsburg, VA 23188 M1, Limited Bus/Industrial	3911600004 Cindy Febrez 103 Magazine Rd Williamsburg, VA 23188 MU, Mixed Use
3910100060 Forbes & Fenner 105 Magazine Rd Williamsburg, VA 23188 R2, General Residential	

Sheet Index

1. Cover Page
2. Site Photos

JCC SUP-19-0015

4440 Ironbound Rd. Tourist Home



July 2, 2019

RE: Special Use Permit Request #19-0015

Request: Permission to use property as short-term rental for 10 weeks during the months of June, July, and August each summer

Property Address: 4440 Ironbound Road, Williamsburg VA 23188

Dear James City County Review Board,

Thank you for considering our Special Use Permit Request #19-0015 for the property we own at 4440 Ironbound Road, Williamsburg, VA 23188. I would like to apologize for using the property as a short-term rental during the summer of 2018 (June through mid-August) and this current summer (June through mid-August). I was unaware that I needed to follow a different process for the summer months rental than I do for the academic school semesters (mid-August through May). Upon discovering my error two weeks ago, I have contacted both the local and state treasurers' offices and paid all taxes and penalties, connected with the short-term rental use of the property, and applied for this permit.

We rented out our property in Norfolk to college students at ODU from 1993 through 2011. In 2011 we sold that property and used the proceeds to purchase a home, 4440 Ironbound Road, for our 18 year-old son who was at that time a Freshman at W&M. He renovated the house and lived in it as owner/occupied for 4 years. He graduated in May of 2015 and immediately matriculated on his Doctorate Degree in California at Stanford. In June of 2015 we rented the property to his friends, students at W&M, on a 9-month lease and placed it in service as a rental property, filing taxes on the Federal Schedule E. Some of them stayed over the summer and the second bedroom was rented out at \$150/week to other college students who arrived in Williamsburg for 6 to 12 week long summer internships. Last summer, in May of 2018, one of the two college students renting the house graduated and accepted a job out of state. The remaining student accepted a summer internship in New York City and returned to the property in mid-August 2018 for her senior year of college. Faced with an empty, furnished house for 10 weeks, with the tenant returning after that time, we decided to try our hand at short-term renting through Airbnb.

In order to upgrade the property for Airbnb hosting, we replaced the 8 year-old central AC and Heat unit (\$7,000), replaced and upgraded the water heater (\$3,000), and landscaped the outside of the house (1,000). We purchased the house for \$60,000 in 2011. Initial renovations, including adding an exterior storage shed, gravel driveway, garden, putting electricity underground & upgrading it, adding a washer & dryer onsite, and ensuring property safety measures including hardwired smoke detectors and carbon monoxide detectors totaled about \$15,000. We then raised the roof, refinishing the attic into two "bedrooms", replaced the supporting beams of the living room ceiling, repaired the front porch, and repaired the back steps at a cost of about \$25,000. This spring, 2019, we replaced the downstairs interior flooring in 2 rooms, upgrading it from linoleum to wood, and installed a dishwasher (\$2,000). Thus, since 2011, we have significantly improved the house and property and have invested over \$113,000 in it.

The house is rented on a 9 month lease (August 20th, 2019 through May 20th 2020) to two William & Mary seniors at \$1,500/month (\$750 each). The house is fully furnished and we pay all taxes, utilities, internet, and services (including contracted yearly inspections of the AC/Heat Unit & pest inspections). Our monthly expenses, as landlords, including the above, maintenance, the mortgage, insurance, and taxes runs about \$1,400/month. We are essentially breaking even or losing money on this property. Our initial plan was that our other 3 children would also attend W&M and live in the house. Unfortunately, children #2 and 3, while accepted to the college,

attended elsewhere (the W&M tuition payments were too high for us). Our fourth, and youngest child, is a rising high school junior. It is our hope that he will be accepted at William and Mary and that we will be able to afford the tuition in August of 2021. Ideally, he would then live in the house for 4 years while attending college. Meanwhile, we would like to continue renting the house to the college students.

I am unwilling to place the college students on a 12-month lease. I believe to do so would place an undue financial burden on them (the bulk of them are going out of state for summer internships or overseas for a summer or semester abroad studies). It is becoming increasingly common for college students to pay "double rent" during the summer months. Their first rent is to their college location to hold their rental for their return in the fall (which sits empty in their absence) and the second is to their internship location. Instead of forcing the students to pay for the summer (while they are gone), I would like to rent the property from June to mid-August each summer as a short-term rental. I would prefer to rent through Airbnb for the summer weeks for the summer of 2019, 2020, and 2021. Hopefully, our son will be living there starting August 2021 and it would revert to being year-round, owner occupied, college rental. We make about twice the amount on Airbnb for the summer compared to the summer rate for a student. We have invested 100% of the profit from the property into paying for it and improving it for the past 8 years and intend to continue to do so. Our future plans for property improvements include a paved driveway, a ground level deck/patio out back, and a partially fenced yard. Down the road, we envision requesting permission to close in the front porch and possibly add a second bathroom above it. Due to setbacks (we are a corner lot), we are unable to expand the house beyond its existing footprint.

The neighbors refer to the house and its tenants as "The WilliamAndMarians". They have been very friendly and supportive of us. Our neighbors on Ironbound Road are a rental house occupied by a senior citizen on the left and a retirement home on the right. Our neighbor directly across Ironbound Road is VDOT and a Firestone. We are located between Newtown Shopping Center and The Baseball Complex for W&M (Dillard area). When my son lived there, he rode his bike to the college campus. Most of our student renters have cars. We rent to two or three students at a time and our gravel driveway can easily accept 4 vehicles.

Our summer Airbnb tenants have rated us very highly (please visit the Airbnb website to read their reviews). Most of them have chosen our house (rented for a minimum of 3 nights at \$98/night) because they are families with 3 children. We provide a house with toys, games, arts & crafts, full kitchen & laundry, separate sleeping room for kids, outdoor grill, and age appropriate movies. I do not believe we are competing with the hotels for the same clientele. These families exceed the hotel limit of 4 people per room. Starting July 1, 2019 (yesterday) Airbnb will be collecting the state taxes for the rental for the historic triangle. We are, of course, still responsible for the local and occupancy taxes. These families spend a considerable amount of money on local attractions, including the Historic Triangle and Busch Gardens. I think renting to them is a win-win-win situation: they have an affordable option for visiting the region, the regional businesses are patronized by them, and we earn some rental income, which we use to improve the property. In addition to vacationing families, we have also rented to several families that were moving to the area but arrived prior to their house being ready for them to live in. Our house was a welcoming and pleasant introduction for them to the area.

Thank you for considering our request.

Charlene Chamberlayne

(757) 281-8107

**Unapproved Minutes of the August 7, 2019
Planning Commission Regular Meeting**

SUP-19-0015. 4440 Ironbound Road Tourist Home

Mr. José Ribeiro, Senior Planner, stated that Ms. Charlene Chamberlayne has applied for a Special Use Permit (SUP) to allow for the short-term rental of an entire two-bedroom home located at 4440 Ironbound Road. Mr. Ribeiro stated that this use is considered a Tourist Home because the owner will live offsite during the time of rentals. Mr. Ribeiro stated that the property is zoned R-2, General Residential, is designated Low Density Residential in the Comprehensive Plan, and is located inside the Primary Service Area.

Mr. Ribeiro stated that this SUP would allow short-term rentals throughout the year; however, the property will primarily be offered for short-term rentals during the summer months, as the house is leased to William & Mary students during the academic year. Mr. Ribeiro stated that no changes to the footprint of the home are proposed.

Mr. Ribeiro stated that staff considers the home's location, parking provisions, and appearance to be favorable factors in the evaluation of this application. Mr. Ribeiro stated that the property has an existing driveway and parking area sufficient to accommodate guests. Mr. Ribeiro stated that staff is recommending conditions which are intended to mitigate the impacts of the use and preserve the residential character of the home. Mr. Ribeiro stated that such conditions include restrictions on commercial signage and lighting, and any future expansions of the use would require an SUP amendment.

Mr. Ribeiro stated that staff finds the proposal to be compatible with the 2035 Comprehensive Plan, Zoning Ordinance, and surrounding development, and recommends that the Planning Commission recommend approval of this application, subject to the conditions included in the agenda packet.

Ms. Julia Leverenz inquired if there were any concerns from adjacent property owners.

Mr. Ribeiro stated that there were no comments from neighbors.

Mr. Haldeman opened the Public Hearing.

Ms. Charlene Chamberlayne, 4915 Gosnold Avenue, Norfolk, Virginia, Applicant, addressed the Commission in support of the application.

Mr. Haldeman closed the Public Hearing.

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

Mr. Danny Schmidt expressed appreciation for both applicants abiding by the Zoning Ordinance and working through the SUP process.

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

On a roll call vote, the Commission voted to recommend approval of SUP-19-0015. 4440 Ironbound Road Tourist Home. (6-0)

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Jose Ribeiro, Senior Planner II

SUBJECT: SUP-19-0014. 6096 Centerville Road Tourist Home

ATTACHMENTS:

	Description	Type
▣	Staff report	Staff Report
▣	Attachment No.1. Resolution	Resolution
▣	Attachment No. 2. Location Map	Exhibit
▣	Attachment No. 3. Master Plan	Exhibit
▣	Attachment No. 4. Picture and Layout of Detached Accessory Structure	Exhibit
▣	Attachment No. 5. Applicant Letter	Exhibit
▣	Attachment No. 6. Unapproved August 7, 2019 Planning Commission Minutes	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	8/23/2019 - 12:39 PM
Development Management	Holt, Paul	Approved	8/23/2019 - 12:39 PM
Publication Management	Burcham, Nan	Approved	8/23/2019 - 1:16 PM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:08 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:22 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:12 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:39 PM

SPECIAL USE PERMIT-19-0014. 6096 Centerville Road Tourist Home**Staff Report for the September 10, 2019, Board of Supervisors Public Hearing**

SUMMARY FACTS

Applicant: Mr. Antwyne Anderson, Jr.

Land Owners: Mr. Antwyne Anderson, Jr. and Mrs. Tara Anderson

Proposal: To allow for the short-term rental of a one-bedroom detached accessory apartment as a tourist home. The owners will reside separately on a house located on the same property at 6096 Centerville Road.

Location: 6096 Centerville Road

Tax Map/Parcel No.: 3110100027

Project Acreage: +/- 4.52 acres

Zoning: A-1, General Agricultural

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside
(PSA)

Staff Contact: Jose Ribeiro, Senior Planner

PUBLIC HEARING DATES

Planning Commission: August 7, 2019, 6:00 p.m.

Board of Supervisors: September 10, 2019, 5:00 p.m.

FACTORS FAVORABLE

1. Staff finds the proposal consistent with the 2015 Comprehensive Plan, *Toward 2035: Leading the Way*.
2. Staff finds the proposal will not negatively impact surrounding zoning and development.
3. Impacts: Please see Impact Analysis on Pages 3-4.

FACTORS UNFAVORABLE

1. Impacts: Please see Impact Analysis on Page 3-4.

SUMMARY STAFF RECOMMENDATION

Staff recommends that the Board of Supervisors approve this application subject to the attached Special Use Permit (SUP) conditions.

PLANNING COMMISSION RECOMMENDATION

At its August 7, 2019 meeting, the Planning Commission recommended approval of this SUP by a vote of 6-0.

CHANGES SINCE PLANNING COMMISSION

None.

PROJECT DESCRIPTION

- This proposal is to allow for the short-term rental of a one-bedroom detached accessory apartment as a tourist home. On January 8, 2019, the Board of Supervisors approved an SUP

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

SPECIAL USE PERMIT-19-0014. 6096 Centerville Road Tourist Home

Staff Report for the September 10, 2019, Board of Supervisors Public Hearing

request (SUP-18-0026) to allow the construction of the detached accessory apartment at 6096 Centerville Road. At that time, the applicant indicated that the purpose of the apartment would be to provide a place for his grandmother to reside close by. The applicant has since then indicated that his grandmother would be moving in at a later time and that he would like the flexibility to use the detached apartment as a tourist home until his grandmother moves in (see Attachment No. 5 for a narrative provided by the applicant).

- The Zoning Ordinance defines a tourist home as “a dwelling where lodging or lodging and meals are provided for compensation for up to five rooms which are open to transients.”
- The ± 748-square-foot accessory structure consists of a one-bedroom apartment and one kitchen/sitting room with an attached garage. This SUP request includes no changes to the size or footprint of the detached apartment. Should a future expansion add another bedroom, an SUP amendment would be required.
- The applicant has proposed a maximum occupancy of four people in the one-bedroom detached apartment. The Virginia Department of Health has issued a construction permit for a residential four-bedroom system with a maximum capacity of eight people for the entire property (which includes the main house and the detached accessory apartment). According to the applicant, four people currently reside in the three-bedroom house (Mr. and Mrs. Anderson and their two children); therefore, they are requesting the flexibility to allow a maximum occupancy of up to four people in the detached apartment (SUP Condition No. 3).
- Vehicular ingress and egress for the entire property will be via Jones Drive (SUP Condition No. 6). The proposed paved

driveway and attached garage will exceed the minimum parking requirement of one car.

PLANNING AND ZONING HISTORY

- Case No. S-0054-2004. 6096 Centerville Road Subdivision
- Case No. S-0069-2006. Bernard Bishop Boundary Line Adjustment
- Case No. S-0039-2011. Bishop Centerville Road Boundary Line Extinguishment
- Case No. S-0055-2013. Bishop Centerville Road Boundary Line Adjustment
- Case No. SUP-18-0026. 6096 Centerville Road Detached Accessory Apartment (Approved by the Board of Supervisors on January 8, 2019)

SURROUNDING ZONING AND DEVELOPMENT

- Located on Centerville Road.
- Surrounding zoning designations include:
 - a. A-1, General Agricultural, to the north, south, and east; R-2, General Residential across Centerville Road to the west, primarily residential parcels.

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SPECIAL USE PERMIT-19-0014. 6096 Centerville Road Tourist Home**Staff Report for the September 10, 2019, Board of Supervisors Public Hearing**

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	No Mitigation Required	<ul style="list-style-type: none">- The proposal is not anticipated to generate traffic exceeding a typical residential use.- The subject property is located on a minor arterial road, as recommended in the Comprehensive Plan for commercial uses in areas designated Low Density Residential.- No changes anticipated to Level of Service on Centerville Road.
<u>Public Transportation: Pedestrian/Bicycle</u>	No Mitigation Required	<ul style="list-style-type: none">- Pedestrian/bicycle accommodations are currently provided in this location in the form of a sidewalk and a bike lane on Centerville Road.
<u>Public Safety</u>	No Mitigation Required	<ul style="list-style-type: none">- Subject property is served by Fire Station 4 on Olde Towne Road.- The proposal does not generate impacts that require mitigation to the County's emergency services or facilities.
<u>Public Schools</u>	No Mitigation Required	<ul style="list-style-type: none">- The proposal will not generate school children.
<u>Public Parks and Recreation</u>	No Mitigation Required	<ul style="list-style-type: none">- The proposal does not generate impacts that require mitigation to the County's parks and recreation services or facilities.
<u>Public Libraries and Cultural Centers</u>	No Mitigation Required	<ul style="list-style-type: none">- The proposal does not generate impacts that require mitigation to public libraries or cultural centers.
<u>Groundwater and Drinking Water Resources</u>	No Mitigation Required	<ul style="list-style-type: none">- The proposal does not generate impacts that require mitigation to groundwater or drinking water resources. A Water Conservation Agreement has been previously reviewed and approved by the James City Service Authority for the entire property. The Health Department has reviewed and approved the proposed septic system for the entire property to four bedrooms or a maximum occupancy of eight people.

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

SPECIAL USE PERMIT-19-0014. 6096 Centerville Road Tourist Home**Staff Report for the September 10, 2019, Board of Supervisors Public Hearing**

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Watersheds, Streams and Reservoirs</u>	No Mitigation Required	- The Stormwater and Resource Protection Division has reviewed this application and had no objections. No new impervious surface is proposed as part of this SUP request. Should exterior site improvements be made in the future, such as a deck expansion or paved parking area, those improvements would be subject to additional environmental review at that time.
<u>Cultural/Historic</u>	No Mitigation Required	- The subject property has been previously disturbed and has no known cultural resources on site.
<u>Nearby and Surrounding Properties</u>	No Mitigation Required	- The subject property is located near other residential uses. - Traffic is anticipated to be typical of a residential home, the subject property must adhere to the County's Noise Ordinance, and the proposed SUP conditions will restrict commercial signage and exterior lighting. Future expansions of the use would require an SUP amendment.
<u>Community Character</u>	No Mitigation Required	- This segment of Centerville Road is a wooded Community Character Corridor (CCC). - Existing façade and vegetation maintain the property's residential character, and parking is not located directly on the CCC as recommended by the Comprehensive Plan.

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

SPECIAL USE PERMIT-19-0014. 6096 Centerville Road Tourist Home

Staff Report for the September 10, 2019, Board of Supervisors Public Hearing

COMPREHENSIVE PLAN

The property is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map, as are all adjacent properties to the north, south, east, and west consisting of mostly residential properties.

Appropriate primary uses recommended by the Comprehensive Plan include single-family homes, multifamily units, accessory units, and cluster housing. Limited commercial uses may also be considered appropriate should the proposal meet the following standards:

- Complements the residential character of the area. Staff finds the proposal consistent with the residential character of the area. Attachment No. 4 shows pictures of the accessory apartment to be compatible with surrounding residential structures.
- Have traffic, noise, lighting, and other impacts similar to surrounding residential uses. Staff finds that impacts will be similar to nearby residential uses. Traffic is anticipated to be typical of a residential home, the subject property must adhere to the County's Noise Ordinance, and the proposed SUP conditions will restrict commercial signage and exterior lighting. Future expansions of the use would require an SUP amendment.
- Generally be located on collector or arterial roads at intersections. Centerville Road (Route 614) is classified by the Virginia Department of Transportation as a minor arterial road. Access to and from the property is through a private gravel road located on a 50-foot private easement which connects to Centerville Road.
- Provide adequate screening and buffering to protect the character of nearby residential areas. There are existing mature vegetation on the north and east side of the property which would screen the

detached accessory apartment from adjacent properties. Staff finds that the character of nearby residential areas will not be negatively affected.

STAFF RECOMMENDATION

Staff finds the proposal to be compatible with surrounding development and consistent with the adopted Comprehensive Plan and Zoning Ordinance. Staff recommends that the Board of Supervisors approve this application subject to the attached Special Use Permit (SUP) conditions.

JR/md

SUP19-14-6096Ctrl

Attachments:

1. Resolution
2. Location Map
3. Master Plan
4. Picture and Layout of Detached Accessory Structure
5. Applicant Letter
6. Unapproved August 7, 2019 Planning Commission Minutes

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-19-0014. 6096 CENTERVILLE ROAD TOURIST HOME

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

WHEREAS, Mr. Antwyne Anderson, Jr. has applied for an SUP to allow for the operation of a tourist home located on property consisting of approximately 4.52 acres zoned A-1, General Agricultural, located at 6096 Centerville Road, further identified as James City County Real Estate Tax Map Parcel No. 3110100027 (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on August 7, 2019, recommended approval of Case No. SUP-19-0014 by a vote of 6-0; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-19-0014; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-19-0014 as described herein with the following conditions:

1. Master Plan: This SUP shall permit a tourist home on property located at 6096 Centerville Road and further identified as James City County Real Estate Tax Map Parcel No. 3110100027 (the "Property"). The use and layout of the Property shall be generally as shown on the document entitled "SUP-19-0014, 6096 Centerville Road Tourist Home" and date stamped July 03, 2019 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended. This condition does not restrict improvements typical of a residential property as determined by the Director of Planning.
2. Commencement: An updated Certificate of Occupancy and evidence of a business license shall be provided to the Director of Planning within 12 months from the issuance of the SUP or this SUP shall automatically become void.
3. Number of rental rooms and occupants: There shall be no more than one bedroom available for rent to visitors and no more than four rental occupants total at any one time.
4. Contracts per rental period: There shall not be simultaneous rentals of the Property under separate contracts.
5. Signage: No signage related to the tourist home shall be permitted on the Property.

6. Access: No new ingress/egress points shall be created to Centerville Road. All ingress and egress to the Property shall be via the private right-of-way shown as Jones Drive on the Master Plan.
7. Parking: Off-site parking for the tourist home shall be prohibited. No oversized commercial vehicles associated with rental occupants of the tourist home, such as, but not limited to, buses, commercial trucks, and trailers, shall be allowed to park on the Property.
8. Lighting: No exterior lighting shall be permitted on the Property, other than lighting typically used at a single-family residence.
9. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

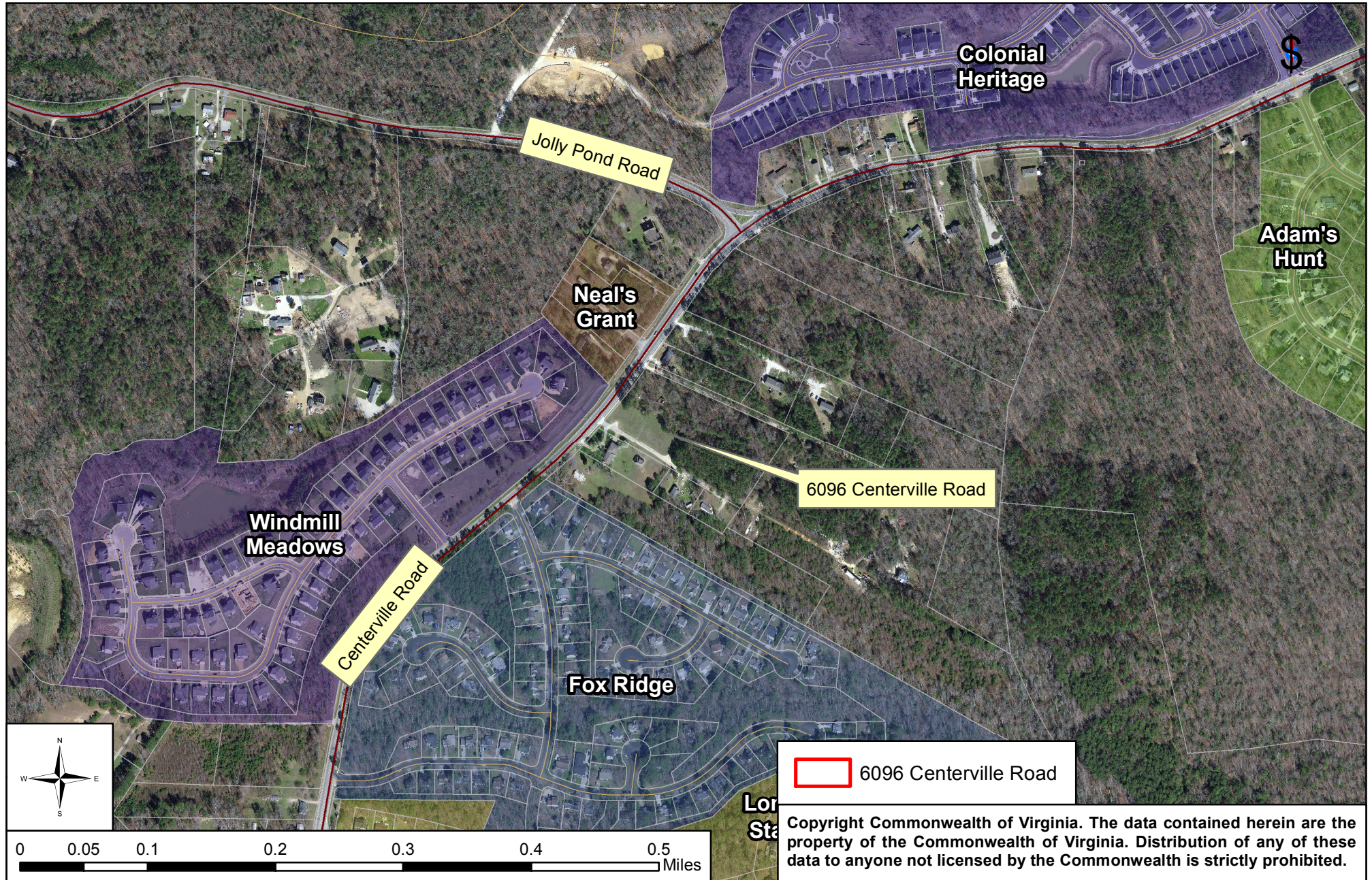
Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

SUP19-14-6096Ctrl-res

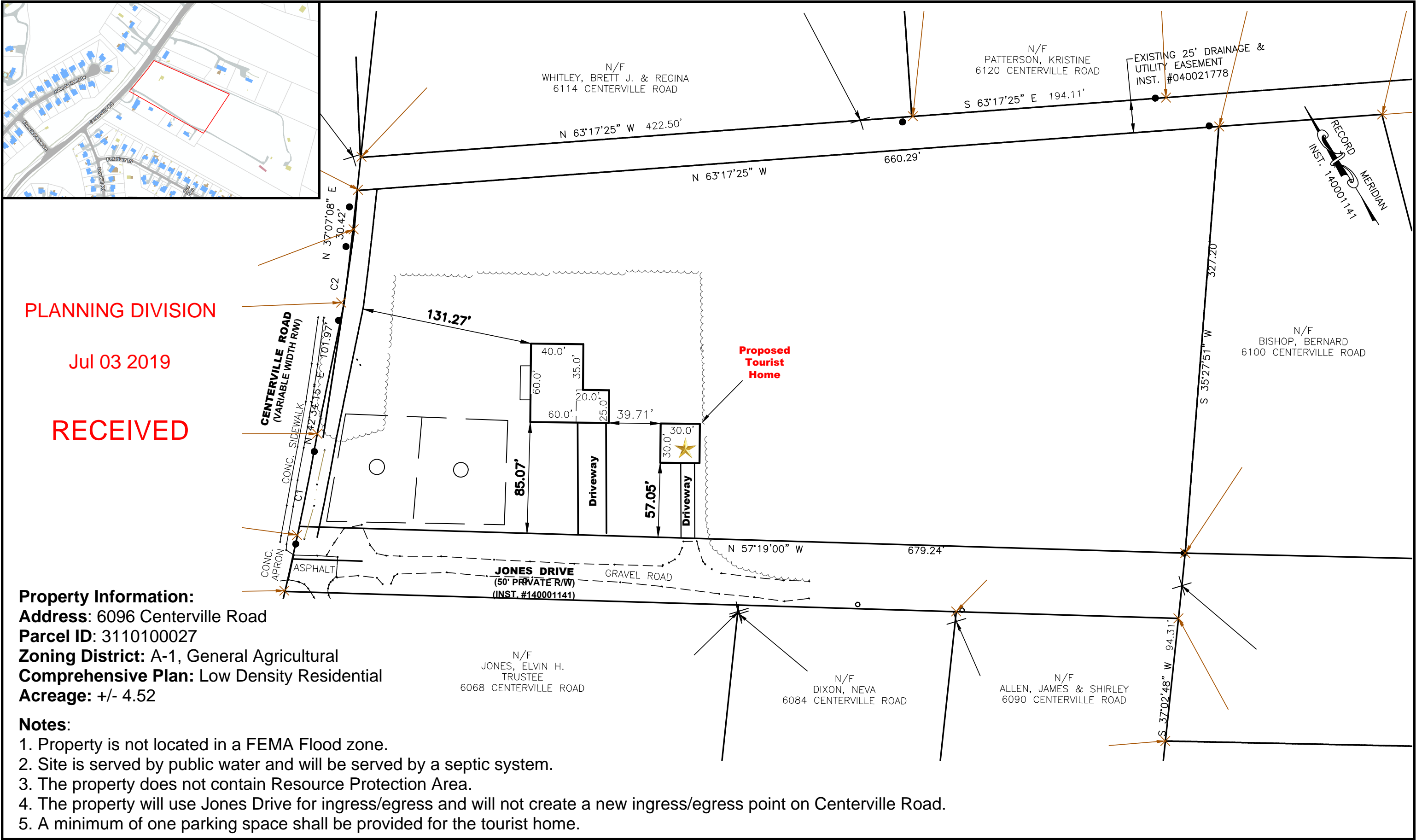
JCC-SUP-19-0014

6096 Centerville Road

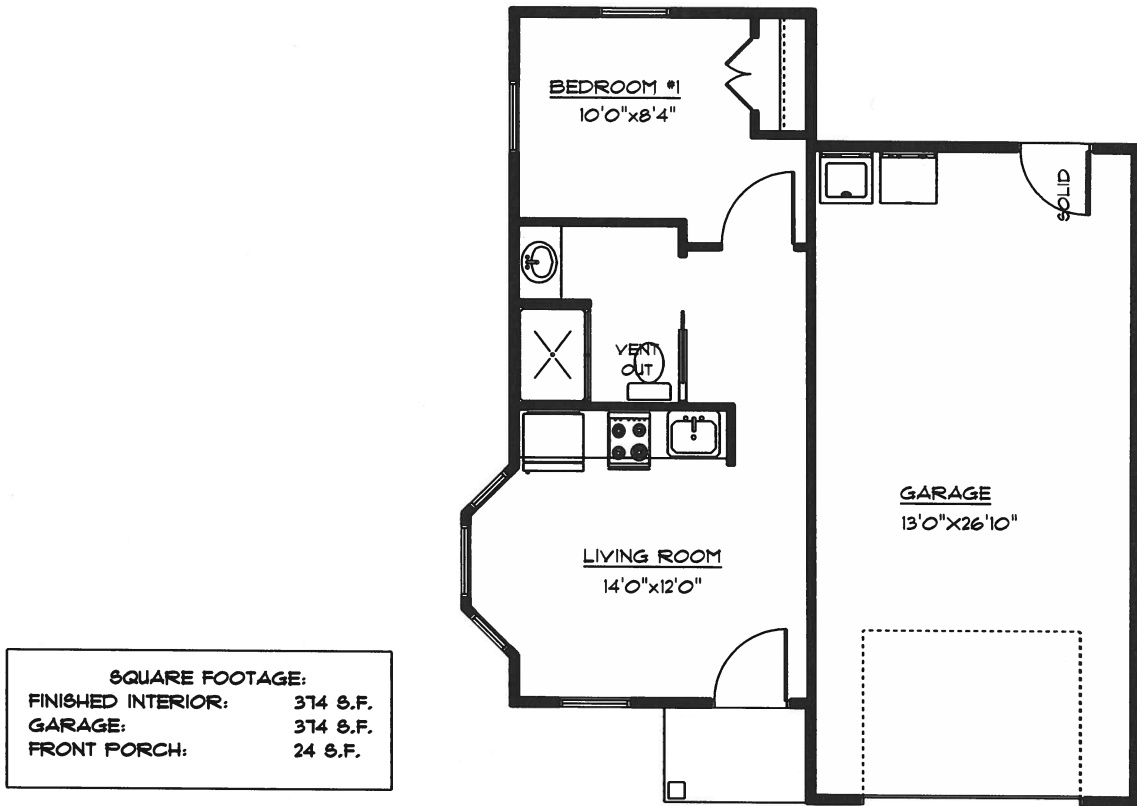
Tourist Home



SUP-19-0014, 6096 Centerville Road Tourist Home







FLOOR PLAN



FRONT ELEVATION

Board of Supervisors,

I would like to request a Special Use Permit (SUP) to utilize my detached accessory apartment as a tourist home.

My wife Tara Anderson and I would like to have the flexibility to conduct short-term rentals until it needs to be available for our grandmother's use. She currently is still independent in her own home in Michigan and we cannot predict when that may change. Along with renting it, we also plan to let our oldest son utilize it when he is home from college. When we are not using it to host friends and family, we would like to have the ability to make money while hosting tourists. We will be utilizing the main house on our property as our primary residence.

I appreciate your time reviewing this request for a Special Use Permit and I am extremely hopeful that you will grant it. I look forward to the feedback.

Thanks,

Antwyne Anderson Jr.

**Unapproved Minutes of the August 7, 2019
Planning Commission Regular Meeting**

SUP-19-0014. 6096 Centerville Road Tourist Home

Mr. José Ribeiro, Senior Planner II, stated that Mr. Antwyne Anderson Jr. has applied for a Special Use Permit (SUP) to allow for the operation of a short-term rental of a one-bedroom detached accessory apartment at 6096 Centerville Road. Mr. Ribeiro stated that the property is located inside the Primary Service Area, zoned A-1, General Agricultural and is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map.

Mr. Ribeiro stated that on January 8, 2019, the Board of Supervisors approved an SUP request to allow the construction of the detached accessory apartment on the property. Mr. Ribeiro stated that at that time, the applicant indicated that the purpose of the apartment would be to provide a place for his grandmother to reside. Mr. Ribeiro stated that the applicant has since then indicated that their grandmother would be moving in at a later time and that the applicant would like the flexibility to use the detached apartment as a tourist home until grandmother moves in. Mr. Ribeiro stated that both the detached accessory apartment and the main residence have been built.

Mr. Ribeiro stated that staff considers the home's location, parking provisions, and appearance to be favorable factors in the evaluation of this application. Mr. Ribeiro stated that the existing driveway and attached garage will exceed the minimum parking requirement. Mr. Ribeiro stated that staff is recommending conditions which are intended to mitigate the impacts of the use and preserve the residential character of the home. Mr. Ribeiro stated that such conditions include restrictions on commercial signage and lighting, and any future expansions of the use would require an SUP amendment.

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

Ms. Julia Leverenz inquired if the garage and accessory apartment have been built.

Mr. Ribeiro confirmed.

Ms. Leverenz inquired if the garage would be available to the guests.

Mr. Ribeiro confirmed.

Mr. Tim O'Connor inquired if it was standard practice to consider the tourist home use separately from the accessory apartment.

Mr. Holt stated that each use requires an individual SUP and that, timing notwithstanding, the two applications would be processed concurrently.

Mr. Danny Schmidt inquired if any adjacent property owners had expressed concerns.

Mr. Ribeiro stated that staff did not receive any comments from neighbors.

Mr. Haldeman called for disclosures from the Commission.

There were no disclosures.

Mr. Haldeman opened the Public Hearing.

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

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

Mr. Rich Krapf made a motion to recommend approval of the application.

On a roll call vote, the Commission voted to approve SUP-19-0014. 6096 Centerville Road Tourist Home. (6-0)

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

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

SUBJECT: Residential Impacts

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	8/22/2019 - 10:17 AM
Publication Management	Daniel, Martha	Approved	8/22/2019 - 10:22 AM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:09 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:21 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:11 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:38 PM

MEMORANDUM

DATE: September 10, 2019

TO: The Board of Supervisors

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

SUBJECT: Residential Impacts

As discussed during the July 23 work session, prior to the completion of the Comprehensive Plan update and the referenced fiscal impact studies and updates, the Board may wish to identify the current impacts of residential dwellings on public facilities and resources.

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

If adopted, the information and data from this work effort can be used as baseline material and in support of the Comprehensive Plan update and ensuing models.

PDH/nb
ResImpGlsWH-mem

Attachments:

1. Resolution Regarding Impacts to Public Facilities and Resources Related to Residential Dwelling Units

RESOLUTION

IMPACTS TO PUBLIC FACILITIES AND RESOURCES RELATED TO

RESIDENTIAL DWELLING UNITS

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

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

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

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

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

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

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

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2019.

ResImp-res

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Thomas Wysong, Senior Planner

SUBJECT: Z-19-0007/MP-18-0004 Forest Heights Proffer and Master Plan Amendments

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	Attachment No. 1. Deferral Request	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	8/23/2019 - 2:46 PM
Development Management	Holt, Paul	Approved	8/23/2019 - 2:47 PM
Publication Management	Daniel, Martha	Approved	8/23/2019 - 3:09 PM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:09 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:22 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:13 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:39 PM

REZONING-19-0007/MASTER PLAN-18-0004. Forest Heights Proffer and Master Plan Amendments

Staff Report for the September 10, 2019, Board of Supervisors Public Hearing**SUMMARY FACTS**

Applicant: Mr. Doug Harbin of Wayne Harbin Builder, Inc.

Land Owner: The Salvation Army, c/o Captain Greg Shannon

Proposal: To amend the previously adopted proffers and Master Plan for Forest Heights (Z-0001-2011) to allow for the addition of up to 46 townhomes, a mini-storage facility, and a residential dwelling unit for a caretaker.

Location: 6015 Richmond Road

Tax Map/Parcel No.: 3220100081

Project Acreage: ± 11.42 acres

Current Zoning: MU, Mixed Use with proffers

Comprehensive Plan: Low Density Residential (LDR)

Primary Service Area: Inside

Staff Contact: Thomas Wysong, Senior Planner

PUBLIC HEARING DATES

Planning Commission: May 1, 2019, 6:00 p.m.

Board of Supervisors: June 11, 2019, 5:00 p.m. (deferred)
July 9, 2019, 5:00 p.m. (deferred)
September 10, 2019, 5:00 p.m.

SUMMARY STAFF RECOMMENDATION

The applicant has requested that this proposal be deferred for four months while the option of an R-3 District is pursued and investigated further. Staff concurs with the request and recommends the Board of Supervisors postpone consideration of this application to the January 2020 Board meeting.

TW/nb
RZ19-07-MP18-04ForestH

Attachment:

1. Letter from the Applicant Requesting Deferral of Rezoning Application

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.

From: Vernon Geddy <vgeddy@ghfhlaw.com>
Sent: Tuesday, August 20, 2019 4:39 PM
To: Thomas Wysong
Cc: Ellen Cook; doug@harbinbuilder.com
Subject: Forest Heights - MP-18-0004 Z-19-0007

Thomas,

I am writing on behalf of the applicant to request that further consideration of the referenced applications by the Board of Supervisors be deferred until January 2020 while the Board initiated rezoning of the Forest Heights development to R-3 is underway. If the R-3 rezoning is abandoned we would reserve the right to request that the applications be placed back on the Board's agenda. Thanks, Vernon

Vernon M. Geddy, III
Geddy, Harris, Franck & Hickman, LLP
1177 Jamestown Road
Williamsburg, Virginia 23185
757-220-6500
vgeddy@ghfhlaw.com

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Scott A. Stevens, County Administrator

SUBJECT: Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia.

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/10/2019 - 12:46 PM

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Consideration of the appointment and performance of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, specifically:

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:36 PM

ITEM SUMMARY

DATE: 9/10/2019

TO: Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Social Services Board Appointment

ATTACHMENTS:

Description	Type
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REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	8/20/2019 - 8:05 PM
Publication Management	Daniel, Martha	Approved	8/21/2019 - 8:11 AM
Legal Review	Kinsman, Adam	Approved	8/26/2019 - 10:07 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:21 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:12 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:39 PM

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Toni E. Small, Director of Stormwater and Resource Protection

SUBJECT: Stormwater Program Advisory Committee Appointment

ATTACHMENTS:

Description Type

REVIEWERS:

Department	Reviewer	Action	Date
Engineering & Resource Protection	Small, Toni	Approved	8/28/2019 - 8:13 AM
Development Management	Holt, Paul	Approved	8/28/2019 - 8:15 AM
Publication Management	Burcham, Nan	Approved	8/28/2019 - 8:19 AM
Legal Review	Kinsman, Adam	Approved	8/28/2019 - 9:14 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 10:21 AM
Board Secretary	Purse, Jason	Approved	9/3/2019 - 11:12 AM
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:39 PM

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Economic Development Authority Appointment

ATTACHMENTS:

Description	Type
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REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:00 PM

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Consideration of a personnel matter, evaluation of the County Administrator, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:35 PM

ITEM SUMMARY

DATE: 9/10/2019

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Adjourn until 4 pm on September 24, 2019 for the Work Session

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/3/2019 - 1:27 PM