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 8, 2020
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

E. PRESENTATIONS

1. Frances Baker 100th Birthday Proclamation
2. Retirement Presentation - Dwight Brooks
3. Arc of Greater Williamsburg - Recognition of the 30th Anniversary of the Americans with Disabilities Act
4. Clean County Commission FY20 Annual Report
5. Next Generation 9-1-1 Migration

F. PUBLIC COMMENT

G. CONSENT CALENDAR

1. Minutes Adoption
2. Dedication of Columbia Drive
3. Grant Award - Four-for-Life - Return to Localities Fund -$70,863
4. Grant Award- Virginia Fire Programs Fund - $255,286
5. Grant Award - Radiological Emergency Preparedness - $30,000
6. Grant Award - HUD CARES Act Round 2 Administrative Funds - $26,718
7. Contract Award- Dispatch Console Furniture Replacement
8. Confirmation of August 3, 2020 Declaration of a Local Emergency and August 5, 2020 Ending of Local Emergency
9. Grant Award - Coronavirus Aid, Relief, and Economic Security Relief Funds - $6,676,337
10. Grant Award - Coronavirus Aid, Relief, and Economic Security Act Election Funding - $69,748

H. PUBLIC HEARING(S)

1. Readoption of an Ordinance to Ensure the Continuity of Government
2. An Ordinance to Amend and Reordain James City County Code Chapter 16, Section 16-22, Metal Detecting
3. ORD-19-0010. Zoning Ordinance Amendments to Address the Keeping of Bees in Residential Districts
4. ORD-20-0003. Consideration of Amendments to the Zoning Ordinance Regarding Inoperative Motor Vehicles and Oversized Vehicles

5. SUP-20-0008. 7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath
6. SUP-20-0009. 3303 Rochambeau Drive Tourist Home

I. BOARD CONSIDERATION(S)

1. Initiating Resolution to Consider Allowing Beekeeping in Non-residential Zoning Districts

J. BOARD REQUESTS AND DIRECTIVES

K. REPORTS OF THE COUNTY ADMINISTRATOR

L. CLOSED SESSION

1. Consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position of the public body, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia
2. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, pursuant to Section 2.2-3711(A)(5) of the Code of Virginia

M. ADJOURNMENT

1. Adjourn until 4 p.m. on September 22, 2020 for the Work Session

AGENDA ITEM NO. E.1.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Frances Baker 100th Birthday Proclamation

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:31 AM

AGENDA ITEM NO. E.2.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Grace Boone, Director of General Services

SUBJECT: Retirement Presentation - Dwight Brooks

REVIEWERS:

Department	Reviewer	Action	Date
General Services	Boone, Grace	Approved	8/21/2020 - 2:24 PM
Publication Management	Burcham, Nan	Approved	8/21/2020 - 2:26 PM
Legal Review	Kinsman, Adam	Approved	8/21/2020 - 2:37 PM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:17 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:05 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:41 AM

AGENDA ITEM NO. E.3.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Arc of Greater Williamsburg - Recognition of the 30th Anniversary of the Americans with Disabilities Act

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REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	8/21/2020 - 11:00 AM
Publication Management	Daniel, Martha	Approved	8/21/2020 - 11:13 AM
Legal Review	Kinsman, Adam	Approved	8/31/2020 - 12:06 PM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:29 AM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 11:29 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:30 AM

AGENDA ITEM NO. E.4.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Grace Boone, Director of General Services

SUBJECT: Clean County Commission FY20 Annual Report

ATTACHMENTS:

	Description	Type
🗋	Presentation	Presentation

REVIEWERS:

Department	Reviewer	Action	Date
General Services	Boone, Grace	Approved	8/21/2020 - 2:24 PM
Publication Management	Burcham, Nan	Approved	8/21/2020 - 2:24 PM
Legal Review	Kinsman, Adam	Approved	8/21/2020 - 2:37 PM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:08 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:04 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:29 AM

James City Clean County Commission

FY20 Annual Report



Presented to the Board of Supervisors

September 8, 2020

The James City Clean County Commission



Emma Zahren-Newman
Commission Co-Chair
(Jamestown)



Peg Boarman
Commission Co-Chair
(Stonehouse)



Charles Loundermon
Commissioner
(Berkeley)



Marc Meiring
Commissioner
(Berkeley)



Kevin Radcliffe
Commissioner
(Roberts)



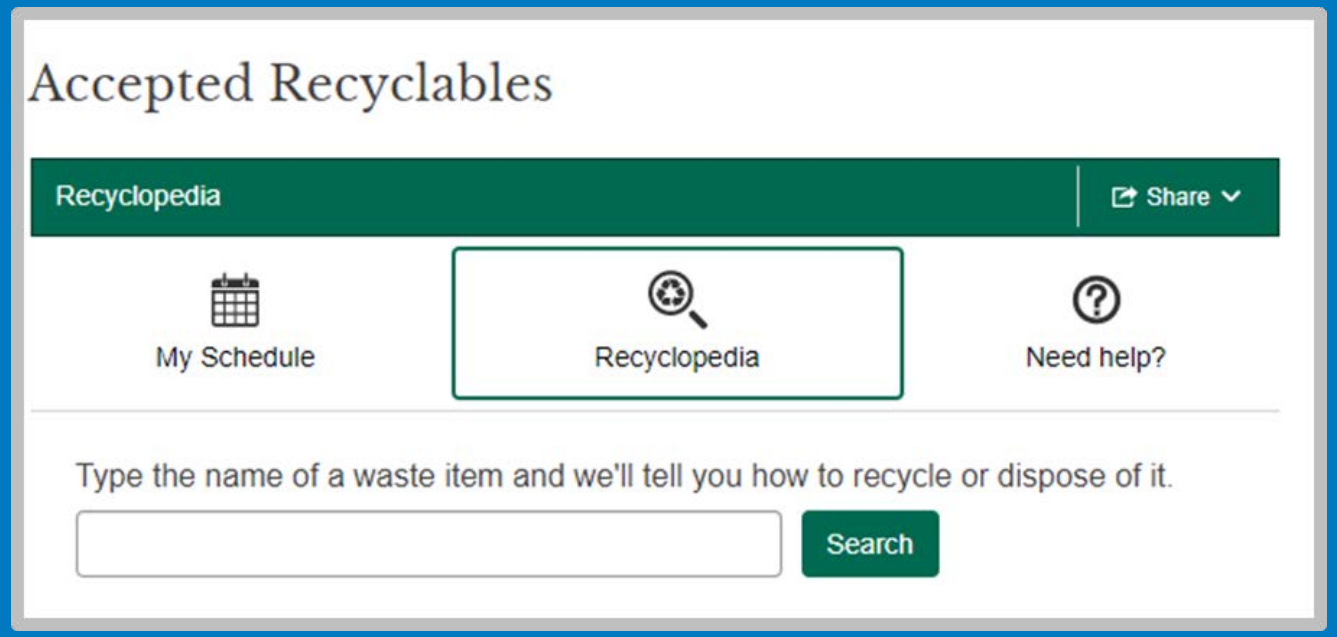
Alexa Provost
Commissioner
(Jamestown)



Tim Winstanley
Commissioner
(Roberts)

September 2020

Recyclopedia



Straw Free Campaign: Keep It Beachy Clean





Quarterly Clean Business Award



2019 3rd Quarter
Winner: Trader Joe's



2020 1st Quarter Winner: Charly's Airport Restaurant



2019 4th Quarter
Winner: First Watch

Fall 2019 Good Neighbor Environment Matching Grants



Adam's Hunt

The Pointe at Jamestown





Windsor Forest

Seasons Trace



Litter Awareness Signs



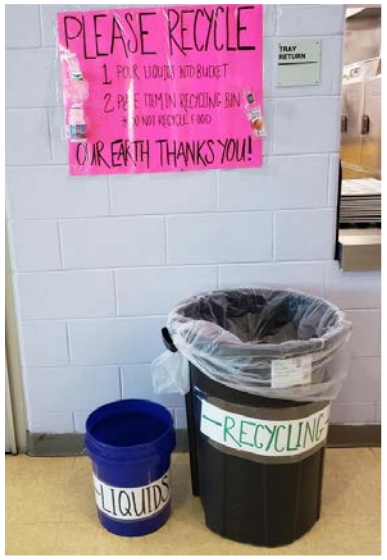
Community Education & Outreach Events













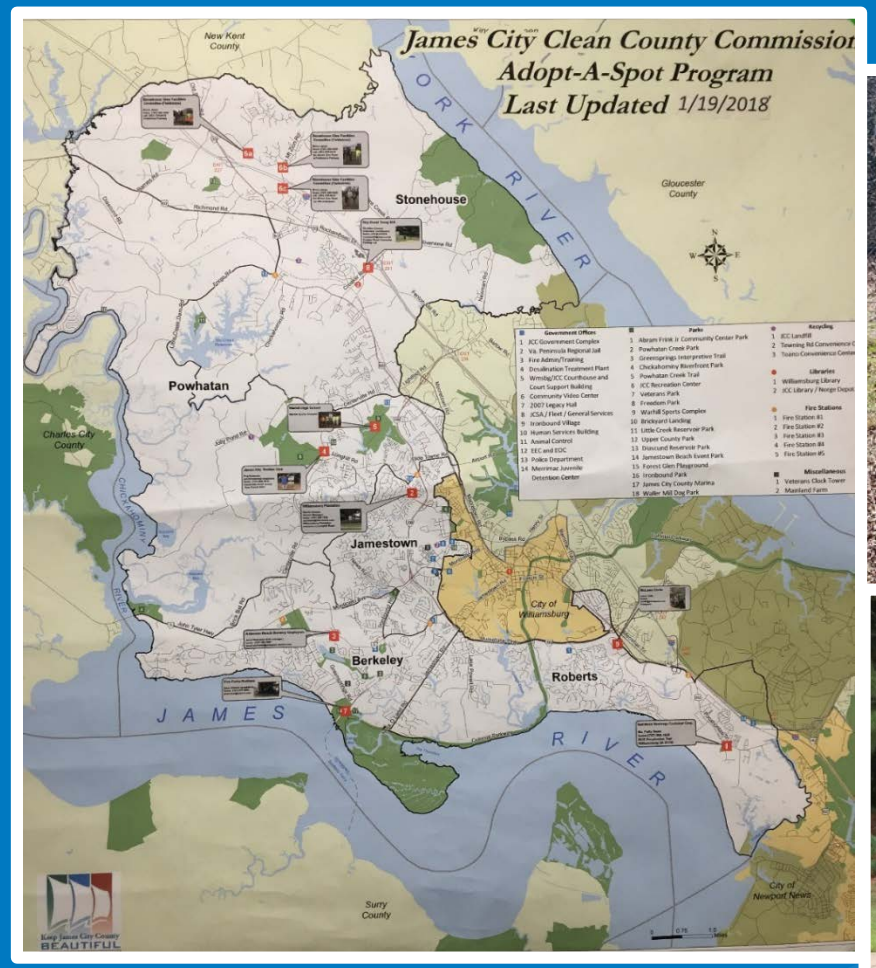


Fall 2019 Litter & Recycling Expo



September 2020

Adopt-A-Spot Program











Keep James City County Beautiful









Keep James City County
BEAUTIFUL
KEEP AMERICA BEAUTIFUL AFFILIATE









James City County VIRGINIA Jamestown 1607

3 CAMPAIGNS…

Lots of opportunity for public participation!



I. Recycling Education

- WJCC Public Schools
- Waste Minimization
- Curbside Recycling Program
- Public Education



II. ZERO Tolerance for Litter

- Annual Litter Index
- Collaboration with VDOT
- Law Enforcement Training
- Construction Site Debris
- Team Up 2 Clean Up Campaign
- Public Education



III. Community Beautification

- Adopt-A-Spot / Landscaped Common Areas
- Roadside Wildflowers

Interested in volunteering?

Call 757-259-5375 or email litter@jamescitycountyva.gov

September 2020

RESULTS OF OUR LABORS…

LITTER CLEANUPS

- 60 litter cleanups
- 422 volunteers
- 1,896 volunteer hours valued at $46,433
- 889 cubic yards of litter collected

COMMUNITY OUTREACH & EDUCATION

- 27 group presentations & displays
- 2,723 in attendance

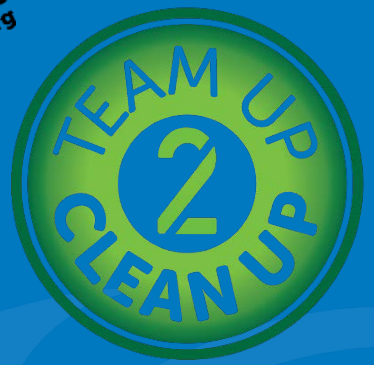












askHRgreen.org

Questions & Answers



AGENDA ITEM NO. E.5.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Next Generation 9-1-1 Migration

ATTACHMENTS:

	Description	Type
	Presentation	Presentation

REVIEWERS:

Department	Reviewer	Action	Date
Fire	Ashe, Ryan	Approved	8/27/2020 - 8:16 AM
Publication Management	Burcham, Nan	Approved	8/27/2020 - 8:17 AM
Legal Review	Kinsman, Adam	Approved	8/31/2020 - 10:33 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:40 AM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 11:40 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:41 AM

Next Generation 9-1-1

September 8, 2020

Emergency Communications

Current 9-1-1 Network

- Nine independent networks in Virginia
- Primarily for voice calls
- Analog, circuit based system

- Challenges
  - Legacy technology – end of life
  - Limited data processing capabilities
  - Increasing use of wireless devices
  - Development of smart communication technology

What is NG 9-1-1?

- Common and dedicated emergency services IP network (ESInet) for 9-1-1
- Allows for all types of emergency calls
- Provides for data transfer including photos, texts, video and location when available
- Enhanced redundancy between centers

Virginia's Migration

- AT&T Contracts – Fairfax County or Virginia Beach
- Migration proposals were developed for each jurisdiction that include information on:
  - AT&T NG 9-1-1 Solution
  - Evaluation of existing system readiness for NG 9-1-1
  - Description of network redundancy and diversity

- Code of Virginia requires migration by July 1, 2023

Funding

- Estimated Deployment Cost - $216,191
  - Virginia 9-1-1 Services Board Funded

- Estimated Monthly Recurring Cost - $11,156
  - Current monthly cost - $2,864
  - Monthly increase - $8,292
  - Virginia 9-1-1 Services Board will fund increase for 24 months after deployment

Next Steps

- Sign Participation Agreement with AT&T
- Finalize migration plan
- Tentatively scheduled for deployment in late 2021

AGENDA ITEM NO. G.1.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Minutes Adoption

ATTACHMENTS:

	Description	Type
🗋	071420 Regular Meeting	Minutes
🗋	072820 Work Session	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 1:03 PM

M I N U T E S
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
July 14, 2020
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

Michael J. Hipple, Vice Chairman, Powhatan District
Ruth M. Larson, Berkeley District
P. Sue Sadler, Stonehouse District - Absent
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 - Mr. Icenhour led the Board and citizens in the Pledge of Allegiance

E. PRESENTATIONS

None.

F. PUBLIC COMMENT

Mr. Icenhour stated there was one audio Public Comment passed along to the Board members that had already been responded to and noted there were no other Public Comments.

G. CONSENT CALENDAR

1. Minutes Adoption

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

The motion for approval of the minutes included the following meetings:

- May 26, 2020, Work Session
- June 9, 2020, Regular Meeting
- June 23, 2020, Work Session

2. Grant Award - Commonwealth Attorney - Virginia Domestic Violence Victim Fund - $73,934

   A motion to Approve was made by Ruth Larson, the motion result was Passed.
   AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
   Ayes: Hipple, Icenhour Jr, Larson, McGlennon
   Absent: Sadler

3. Grant Award - Commonwealth Attorney - Victim Witness Program - $183,260

   A motion to Approve was made by Ruth Larson, the motion result was Passed.
   AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
   Ayes: Hipple, Icenhour Jr, Larson, McGlennon
   Absent: Sadler

4. Grant Award - COVID-19 Urgent Need Program Community Development Block Grant - $348,104

   A motion to Approve was made by Ruth Larson, the motion result was Passed.
   AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
   Ayes: Hipple, Icenhour Jr, Larson, McGlennon
   Absent: Sadler

5. Grant Award - Virginia Homeless Solutions Program COVID-19 Emergency Shelter Operations - $22,183

   A motion to Approve was made by Ruth Larson, the motion result was Passed.
   AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
   Ayes: Hipple, Icenhour Jr, Larson, McGlennon
   Absent: Sadler

6. Grant Award - Housing and Urban Development Coronavirus Aid, Relief, and Economic Security Act Administrative Funds - $22,420

   A motion to Approve was made by Ruth Larson, the motion result was Passed.
   AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
   Ayes: Hipple, Icenhour Jr, Larson, McGlennon
   Absent: Sadler

7. Grant Award - Mainstream Program Housing Vouchers - $49,269

   A motion to Approve was made by Ruth Larson, the motion result was Passed.
   AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
   Ayes: Hipple, Icenhour Jr, Larson, McGlennon
   Absent: Sadler

8. Grant Award - Virginia Department of Housing and Community Development - COVID-19 Virtual Training Support - $2,000

   A motion to Approve was made by Ruth Larson, the motion result was Passed.
   AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
   Ayes: Hipple, Icenhour Jr, Larson, McGlennon
   Absent: Sadler

9. Grant Award - Stormwater Local Assistance Fund Grant - Woodland Farms Phase II Stream Restoration - $132,062

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

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

10. Contract Renewal - Microsoft Enterprise Software Agreement - $678,774

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

11. Contract Award - Request for Proposal 20-14537 - Annual Engineering Services

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

12. Conveyance of Utility Easement to James City Service Authority

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

13. Resolution of Support for Smart Scale Transportation Funding Applications

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

H. PUBLIC HEARING(S)

Mr. Icenhour welcomed Ms. Barbara Null, Planning Commission Representative, who was in the audience.

1. Ordinance to Amend and Reordain Chapter 22, Wetlands

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, Larson, McGlennon
Absent: Sadler

Ms. Liz Parman, Assistant County Attorney, gave an overview of the memorandum and Ordinance included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

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

2. Ordinance to Amend Section 15-41. Additional Assessment for Electronic Summons System

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, Larson, McGlennon
Absent: Sadler

Mr. Kinsman introduced Mr. Andrew Mullin, Extern in the County Attorney's Office.

Mr. Mullin expressed his gratitude for the externship opportunity and gave an overview of the memorandum and Ordinance included in the Agenda Packet.

Mr. McGlennon inquired about the impact on County revenues.

Mr. Mullin replied he did not have an exact number but would get the information to him, noting the purpose of this Ordinance was to make certain the fee was applied equally.

Mr. McGlennon inquired if this was a result of action taken in this year's General Assembly session.

Mr. Mullin replied the state law was from 2014.

Mr. Icenhour opened the Public Hearing.

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

3. Ordinance to Amend Chapter 1, Section 1-2 of the James City County Code

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, Larson, McGlennon
Absent: Sadler

Mr. Kinsman gave an overview of the memorandum and Ordinance included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

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

4. Case No. ORD-20-0003. Consideration of Amendments to the Zoning Ordinance Regarding Inoperative Motor Vehicles and Oversized Vehicles

A motion to Approve the Changes in the Ordinance Chapter 13 was made by John McGlennon, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

A motion to Postpone Chapter 24 was made by Michael Hipple, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

Ms. Christy Parrish, Zoning Administrator, gave an overview of the memorandum and Ordinance included in the Agenda Packet.

Mr. McGlennon expressed his gratitude to Ms. Parrish, Mr. Kinsman, and staff for the work done regarding this complicated issue. He briefly discussed the possibility of deferring this item in an effort to allow consideration of strengthening the proposal. He mentioned perhaps taking action on what has been presented this evening and returning in September with additional clarification.

Ms. Larson echoed her appreciation for the work involved in this issue and briefly spoke of her frustration regarding abandoned inoperative vehicles and property rights as well as antique automobile tag issues.

Discussion ensued regarding this item.

Mr. Icenhour addressed Mr. Kinsman and inquired about either deferring the item or taking action with the material presented this evening and returning before the Board in September with additional changes.

Mr. Kinsman replied the cheapest choice would be to take action this evening on the changes in Chapter 13, and defer any action on the one change in Chapter 24 and to then bring it back before the Board at a later date.

Ms. Larson referenced enforcement and inquired about the frequency of these types of calls.

Ms. Parrish replied that in 2019 there were approximately 50 complaints with 34 violations and explained the process of enforcement actions.

Ms. Larson inquired if the office worked on a complaint basis versus someone riding around looking for abandoned vehicles.

Ms. Parrish replied if a complaint is received on a particular address, surrounding areas are also observed.

Mr. Hipple inquired about the process for property located in wooded areas.

Ms. Parrish explained the regulation process with conditions of less than two acres completely shielded from the street, and briefly discussed various A-1, General Agricultural, zoning scenarios.

Mr. Hipple mentioned abandoned mobile homes residing on wooded properties.

Ms. Parrish replied in the past Building Safety & Permits had gone out to identify if such structures were safe.

Mr. Hipple inquired about property values and possible steps taken if a neighboring yard had a lot of stuff strewn around as well as tall grass or rodents.

General discussion ensued regarding these types of instances as well as neighborhood scenarios dealing with similar issues.

Mr. Icenhour discussed a situation dealing with disabled vehicles in his neighborhood.

Mr. Hipple inquired about a scenario involving an abandoned vehicle in view from the road.

Ms. Null stated this item was considered by the Planning Commission on May 6, 2020, and passed with a recommendation to approve by a vote of 7-0.

Mr. Icenhour opened the Public Hearing.

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

5. Case No. ORD-19-0005. Consideration of Amendments to the Zoning Ordinance to Address Combat Tactical Training Facilities

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

Mr. John Risinger, Planner, gave an overview of the memorandum and Ordinance included in the Agenda Packet. He briefly discussed an imagined scenario where staff received a development proposal regarding a combat tactical training facility.

Ms. Null stated this item was considered by the Planning Commission on June 3, 2020, and passed with a recommendation to approve by a vote of 7-0.

Mr. Icenhour opened the Public Hearing.

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

6. Case No. ORD-19-0007. Consideration of Warehouse, Storage, and Distribution Centers in the Mixed Use Zoning District

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

Mr. Thomas Wysong, Senior Planner, gave an overview of the memorandum and Ordinance included in the Agenda Packet.

Ms. Larson asked for an example of light industrial.

Mr. McGlennon stated it could possibly be signs for businesses or novelty items through a manufacturer process, but not a heavy manufacturing process.

Mr. Wysong confirmed.

Ms. Null stated this item was considered by the Planning Commission on May 6, 2020, and passed with a recommendation to approve by a vote of 7-0.

Mr. Icenhour opened the Public Hearing.

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

7. Case No. ORD-20-0008. Proposed Ordinance and Policy Amendments to Address Code of Virginia Changes Regarding Wireless Communication Facilities

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

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

Mr. Tom Leininger, Planner, gave an overview of the memorandum and Ordinance included in the Agenda Packet.

Mr. Hipple referenced 5G cellular network systems and inquired if the antennas currently on Dominion Energy poles located on Forge Road were part of the 5G network system.

Mr. Leininger was uncertain.

Mr. Hipple briefly discussed possible 5G cellular network systems in the area.

Discussion ensued on this topic.

Mr. Hipple asked Mr. Leininger to check with Fire Chief Ryan Ashe to see if he was aware of the boxes that had been placed on poles along Forge Road and described how they looked. He encouraged Mr. Leininger to ride along Forge Road and see if he could determine what was taking place with the numerous boxes attached on existing poles.

Mr. McGlennon inquired if the intent of the changes was to bring the County into conformance with state law and federal regulations.

Mr. Leininger replied yes.

Mr. McGlennon stated he would unhappily support this item because everyone should have the right to at least expect certain standards of development. He discussed 5G boxes being placed on power poles, when the intent is to try and take down the poles when possible. He explained the reason for approving this item is to be in compliance with federal and state law; however, he feels it is not a good law.

Ms. Null stated this item was considered by the Planning Commission on June 3, 2020, and passed with a recommendation to approve by a vote of 6-1.

Mr. Icenhour inquired about the individual who did not support the item.

Ms. Null could not recall the individual's reasoning for not supporting the item.

Mr. Icenhour opened the Public Hearing.

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

Mr. Hipple discussed that the community is not in control of certain things that have to be approved. He emphasized this was something the Board had to approve but did not necessarily want to approve and stressed the need for companies to work with communities.

8. Case No. SUP-20-0011. 2944 Chickahominy Road Manufactured Home Replacement

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, Larson, McGlennon
Absent: Sadler

Mr. Leininger gave an overview of the staff report and resolution included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

1. Mr. David Wilson, Clayton Homes Applicant, 149 Ransone Street, Hampton, VA, addressed the Board in regard to a manufactured home replacement. Note, Mr. Wilson's dialogue became inaudible.

Mr. Icenhour stated the home would be placed on a cinderblock foundation as opposed to skirts.

Ms. Larson inquired about existing hookups for sewage and other things.

Mr. Wilson's reply was inaudible.

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

9. Case No. HW-20-0001. King of Glory Lutheran Church

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, Larson, McGlennon
Absent: Sadler

Mr. Leininger gave an overview of the staff report and resolution included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

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

10. Case No. SUP-19-0012. Tiki Tree and Landscape

A motion to Deny was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

Mr. Brett Meadows, Planner, gave an overview of the staff report and resolution included in the Agenda Packet. Mr. Meadows stated he was in possession of additional comment letters from the applicant and passed them along to the Board members.

Mr. Hipple inquired about the number of complaints received.

Mr. Meadows noted a complaint was received regarding fencing.

Mr. Hipple inquired about the entrance.

Mr. Meadows discussed the site plan process for the entrance to be on Centerville Road.

Ms. Larson inquired about the Parcel 1 property and the type of landscaping work allowed.

Mr. Meadows replied all customer interaction would be off-site and landscaping would be part of the conditions.

Discussion ensued regarding Parcels 1, 2, and 3 as far as commercial usage property entrances, existing homes, the possibility of a trailer rental, and possible future owners of the parcels.

Mr. Paul Holt, Director of Community Development and Planning, joined the discussion.

Ms. Null stated this item was considered by the Planning Commission on March 4, 2020, and passed with a recommendation to approve by a vote of 5-2. She explained her own reasons for voting against the item, but did not relay any reason for non-support of the item from her fellow Commissioner.

Mr. Icenhour opened the Public Hearing.

1. Mr. Timothy Soderholm, Applicant, 6293 Centerville Road, addressed the Board in regard to Case No. SUP-19-0012. He stated AES Consulting Engineers surveyed the lines. He referenced the entranceway to Parcel 1 and noted that when driving around an existing tree, a portion of a vehicle the width of a tire goes onto Parcel 2. He mentioned he could move the driveway over 10 feet if necessary, and noted an agreement between himself and Mr. Bruce Gilliam. The agreement states if the Special Use Permit (SUP) goes through, he would have the first right to buy Parcel 2 from Mr. Gilliam and obtain the third rental house and gave a brief synopsis regarding each parcel.

Ms. Larson referenced his prior experience and asked why he did not obtain the proper permitting.

Mr. Soderholm discussed being a sole proprietor and his privately owned equipment being used to maintain his 2.5-acre property. He explained that over the first year he was doing a backlog of 10 years' worth of maintenance to the property.

Ms. Larson inquired if any of his business activity was taking place on the property except for the clearing of the property.

Mr. Soderholm noted he did not bring customer's trees home to chip on his own land.

Mr. Hipple referenced the rendered layout plan showing that the entrance to the property is located on Parcel 2 instead of Parcel 1.

Mr. Ryan Stephenson, AES Consulting Engineers, 5248 Olde Towne Road, gave an overview of the documents originated by AES Consulting Engineers included in the Agenda Packet.

Discussion ensued regarding these documents, concerns, and neighboring complaints.

2. Ms. Virginia Leigh Major, Attorney for Mr. Soderholm and Hayden's Place, LLC, P.O. Box 145, Charles City, addressed the Board in regard to Case No. SUP-19-0012. She introduced Mr. Michael Heikes, Attorney for Mr. Soderholm and Tiki Tree and Landscape, in the audience. She read an email of support for SUP-19-0012 from Ms. Diana Filichko-Deville, a local realtor as well as a direct neighbor of Mr. Soderholm.

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

Mr. Icenhour addressed Mr. Holt and inquired about the current zoning for Parcels 1, 2, and 3.

Mr. Holt replied all three parcels are zoned A-1, General Agricultural.

Mr. Icenhour inquired about the zoning for houses located on Settler's Lane and Richmond Road.

Mr. Holt replied he would check and confirm momentarily.

Mr. Icenhour referenced Condition No. 2, Limitations, and inquired if the conditions applied to all three parcels.

Mr. Holt replied the SUP covered all three parcels as well as the Master Plan.

Mr. Icenhour referenced a specific limitation and inquired if it applied to all three parcels.

Mr. Holt replied yes the limitation applied to all three parcels and is defined in the preface to the Conditions.

Mr. Icenhour discussed a scenario for property zoned A-1, General Agricultural, without an SUP as well as with an SUP and inquired about the differences in the two scenarios.

General discussion ensued regarding this scenario.

Mr. Hipple inquired what constitutes the difference between owning a commercial vehicle, such as a dump truck, for business versus owning a commercial vehicle for private use.

Mr. Holt responded if it is used as a primary support of a business, it is a commercial vehicle.

Mr. Hipple inquired how that would be proven.

Mr. Holt replied by providing documentation of where the equipment is stored and noted Mr. Soderholm's equipment could not be stored on this property without an SUP.

Discussion ensued regarding the storing of commercial equipment and the surrounding community.

Mr. Holt revisited the earlier question raised by Mr. McGlennon regarding zoning for houses located on Settler's Lane and stated the entirety of Settler's Lane is all zoned A-1, General Agricultural, until reaching Colonial Heritage on the backside.

Mr. Icenhour noted the uniqueness of this situation to provide an SUP for a business located on property with two rental homes.

Mr. Holt concurred that it was unusual.

Mr. Hipple inquired about the community character of the area.

Mr. Holt replied a number of SUP conditions were put into the staff report to ensure landscaping and a possible retrofit on some of the existing fencing.

Mr. McGlennon asked for a sense of how much commercial activity occurs in this particular area.

Discussion ensued regarding this topic.

Mr. Hipple noted an earlier conversation with Ms. Sadler conveying her concerns regarding this item and stressed "she was not satisfied with where we are at right now and worried about this project definitely being in the proximity of homes and what may happen within the property itself." He further noted those were not her exact words but as close as he could come.

Mr. McGlennon expressed his discomfort with the application and explained the reasons stem from there being so much that seems to be continuing to be moving in motion. He commented that from his perspective there are enough red flags out there to not want to make a decision that will run with this land.

Mr. Icenhour relayed his concern regarding community members who do not have a problem with the issue as well as those who do have concerns. He noted the action the Board takes on this item will be permanent and run with the land; and therefore must be cautiously considered anytime land use cases are involved. He expressed his concerns on the impact this has on what is essentially a residential community, especially with the two rental homes on the property where the business is conducted as well as concern regarding power lines.

I. BOARD CONSIDERATION(S)

1. Contract Award - Chickahominy Riverfront Park Living Shoreline - $1,450,049

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

Mr. Darryl Cook, Assistant Director of Stormwater and Resource Protection, gave an overview of the memorandum and resolution included in the Agenda Packet.

Mr. McGlennon remarked he was pleased to see such significant amounts of funding for James City County and inquired about recreating marshland as well as the time period for finishing the project.

Mr. Cook discussed the current conditions of the marsh areas referencing photos included in the Agenda Packet.

Mr. McGlennon inquired if the matting collected soil runoff in terms of creating the marshy area around the cypress.

Mr. Cook replied soil would be brought in and noted his concern regarding the timeline for completion.

Mr. McGlennon referenced the spawning season and discussion ensued regarding the spawning season and water temperatures, as well as the timeline for completion.

Mr. Hipple noted the amount of erosion that had taken place and discussed the process of engineers setting up breakwaters to allow eroded areas to rebuild.

Ms. Larson commented this section of James City County is beautiful and expressed her appreciation to Mr. Cook for his efforts getting the area some attention. She extended kudos to Mr. Cook for working diligently on the Greensprings Trail regarding the beaver situation.

2. Contract to Purchase Brickyard Landing Park Land

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, Larson, McGlennon
Absent: Sadler

Ms. Carla Brittle, Community Centers Administrator, gave an overview of the memorandum and resolution included in the Agenda Packet.

The Board members expressed their enthusiasm regarding this item.

3. Delay of Consideration of Short-Term Rental Applications

A motion to Approve was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

Mr. Kinsman gave an overview of the memorandum and resolution included in the Agenda Packet.

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon referenced an Ordinance revision allowing for beekeeping in residential neighborhoods and noted the Planning Commission also made a recommendation to consider adding other districts. He suggested bringing the Ordinance revision in September, as well as an Initiating Resolution to consider the extension into the zoning districts recommended for consideration by the Planning Commission.

Ms. Larson briefly discussed a recent school liaison meeting regarding the back to school plan and noted the important role Rec Connect would play regarding children of certain ages who require adult supervision. She mentioned a coordination work group with Mr. Stevens as well as holding a joint meeting specifically regarding school and revenue impacts on both the City of Williamsburg and the County. She referenced an earlier phone conversation with the Governor's staff regarding a possible need for assistance on things such as school reopenings and Personal Protection Equipment (PPE). She reviewed topics discussed at the school liaison meeting held early in the day. She referenced the Community of Faith website www.cofm.info and quoted statistics regarding homelessness and unemployment as well as urged people to learn more about this organization. She mentioned upcoming Tourism Council and finance meetings and asked her fellow Board members if they had anything that needed brought forward for the meeting.

Mr. Hipple noted a Planning District Commission (PDC) briefing early today regarding the community effects of Busch Gardens and Water Country USA not reopening, remarking the discussion would continue at an upcoming meeting on July 16, 2020. He mentioned meeting with the Hampton Roads Transportation Accountability Committee the same day and briefly discussed the process of tolling funds being put back into the roads.

Mr. McGlennon stated the interest was in roads and mass transit.

Mr. Hipple concurred.

Mr. McGlennon stated he agreed to take on the role of the Virginia Transit Association President over the next year.

Mr. Icenhour referenced a virtual Business Council meeting to be held on July 16, 2020, and agreed to be the Business Council Committee Chairman for Military Affairs. He stated that on July 28, 2020, he agreed to go in-person to Forest Heights to the Habitat for Humanity groundbreaking for four homes and invited fellow Board members to attend. He referenced Item No. 13 under the Consent Calendar and stated it contained two major items, with the second one being the terrible bottleneck situation at Mooretown, Airport, and Richmond Roads, noting the Virginia Department of Transportation's genius method of dealing with that traffic system.

Ms. Larson discussed recent case numbers regarding the COVID-19 Pandemic and reminded individuals to wear their masks.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Stevens reminded the public County facilities are open and here to serve, and encouraged individuals to visit https://jamescitycountyva.gov or call 757-253-6728 as some offices are by appointment only. He stated those visiting the County offices should wear masks when interacting with staff and not come to our offices if they are experiencing any COVID-like symptoms, as well as to please social distance when possible. He commented that Chairman Icenhour asked him to provide an update and stated:

"Many of our citizens have noticed that James City County has seen an increase in our daily COVID counts and so we have, as of today, 378 cases with 16 deaths. While the increase that is going on is not totally unexpected, the Governor and the Virginia Department of Health (VDH) officials are interested in slowing or reversing this increase throughout the Commonwealth. At his press conference today, Governor Northam shared his concerns specifically with Hampton Roads region or Tidewater area, about the increasing rate of positivity related to the number of tests. The state has been five or six percent, our region, particularly east of us, is approaching closer to 10%. So there is some concern there."

Mr. Stevens shared that he recently participated in a conference call with our local Department of Health district and other Peninsula Chief Executive Officers. He remarked they all shared the increase in COVID cases, primarily in young adults, and commented it's people who think they are invincible but fortunately their cases do not impact them as bad as some others; but, they still carry the disease and pass it along, noting a focus for better education to our young adults. He stated VDH is recommending mitigation measures to help flow the increase in case counts and most of the mitigation is better enforcement of existing rules. He explained in order to improve our number of cases, the basic message remains the same: wash your hands, practice social distancing, and wear a mask in public. Mr. Stevens reported there are still a large number of individuals who cannot or will not wear a mask in public. He remarked it is difficult and personally does not like wearing a mask, but wears it most of the time and is trying to do better moving forward. He encouraged everyone to wear their masks in public in an effort to slow down this disease. He noted that locally there is adequate PPE for County staff and first responders and as of today our hospitals have plenty of capacity for those who are in need of their services, whatever they may be, and will continue to monitor the situation. In conclusion, Mr. Stevens stated the bottom line is asking everyone to do their part to protect those around them and wear a mask when out in public, follow social distancing, and wash your hands.

Mr. Hipple asked Mr. Stevens to provide an update regarding Cox Communications, Inc., (Cox) commenting that it had been "beaten up" recently, but when credit is due he likes to make note of it.

Mr. Stevens stated there had been some positive conversations with Cox, remarking CARES Act funding will allow payment to Cox to extend cable where students live. He discussed efforts working with the school system determining student locations in need of the services. He explained that for business reasons Cox does not want to share its service area maps, but is willing to have conversations, noting recent positive conversations between Cox and himself, along with the County Attorney and the Director of Information Resources Management participating. He further explained maps had been submitted to Cox and it is working on estimates for short runs of cable to provide internet services and cable access if residents are interested. He stated the intention is to return to the Board in the near future with some areas and costs determined, and to be able to request Cox to proceed. He reported that Cox had stated many of these construction projects could move rather quickly, meaning months, and explained one of the caveats with CARES Act monies is that service would have to be in place by the end of 2020. He exclaimed the hope is to have service in place by the start of the school year in September and asked Mr. Kinsman if he had anything to add to the conversation.

Mr. Kinsman replied no.

Mr. Hipple briefly discussed the importance of students having access to the internet to keep up with their school studies. He referenced the broadband "circle" being put in Virginia Beach and noted the PDC hoped to start on the peninsula in the early fall.

Ms. Larson suggested using social media to encourage young adults to wear their masks in public.

Mr. Stevens replied absolutely, that was a great suggestion.

Ms. Larson expressed kudos to six James City County first responders who participated in a July 4 parade wearing their masks in very hot temperatures. She further expressed kudos to seeing Police Officers out and about wearing their masks as well as staff throughout the County offices.

At approximately 7:22 p.m. the Board took a break.

At approximately 7:28 p.m. the Board reconvened.

L. CLOSED SESSION

Board of Directors:

A motion to Certify the Board spoke about those items indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

A motion to Adjourn the Board of Directors was made by Michael Hipple, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

At approximately 7:28 p.m. Ms. Larson opened the Board of Directors meeting.

At approximately 7:28 p.m. the Board of Directors entered Closed Session.

At approximately 9:03 p.m. the Board of Directors came out of Closed Session.

At approximately 9:03 p.m. Ms. Larson adjourned the Board of Directors meeting.

Board of Supervisors:

A motion to Certify the Board spoke about those items indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

At approximately 7:29 p.m., the Board of Supervisors entered Closed Session.

At approximately 9:03 p.m., the Board of Supervisors re-entered Open Session.

1. Certification of a Closed Session

   A motion to Approve was made by John McGlennon, the motion result was Passed.
   AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
   Ayes: Hipple, Icenhour Jr, Larson, McGlennon
   Absent: Sadler

2. Consideration of a personnel matter, the evaluation of the County Administrator and County Attorney, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

   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, Larson, McGlennon
   Absent: Sadler

3. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

   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, Larson, McGlennon
   Absent: Sadler

4. Clean County Commission Appointments

   A motion to Approve was made by John McGlennon, the motion result was Passed.
   AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
   Ayes: Hipple, Icenhour Jr, Larson, McGlennon
   Absent: Sadler

   The Board recommended the reappointment of Ms. Alexa Provost to a new term appointment that would expire on May 30, 2023.

The Board recommended the appointments of Mr. Kevin Radcliffe, Mr. Glen Carter, Ms. Rachel West, and Mr. Christopher Winstanley to terms that would expire on July 31, 2023.

5. Williamsburg Regional Library Board Appointment

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

The Board recommended a new appointment of Ms. Felicia Highland to a term that would expire on June 30, 2024.

6. Economic Development Authority Appointment

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

The Board recommended the reappointment of Mr. Vincent Campana, III, to a term that would expire on July 31, 2024.

7. Colonial Community Criminal Justice Board Appointment

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

The Board recommended the reappointment of the Honorable Judge Colleen Killilea to a term that would expire on July 31, 2023.

8. Williamsburg Area Arts Commission Appointment

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

The Board recommended the appointment of Mr. Thomas Phillips to a term that would expire on June 30, 2023.

The Board recommended reappointment of Ms. Robin Phillips to a term that would expire on June 30, 2023.

M. ADJOURNMENT

1. Adjourn until 4 p.m. on July 28, 2020, for the Work Session

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, Larson, McGlennon
Absent: Sadler

At approximately 9:07 p.m., Mr. Icenhour adjourned the Board of Supervisors.

M I N U T E S
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
July 28, 2020
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

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

Mr. Icenhour asked for a motion to allow Ms. Sadler to participate in the meeting remotely, due to an illness that prevented her attendance.

A motion to allow Ms. Sadler to participate remotely was made by Ruth Larson, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

Ms. Sadler acknowledged her presence on the call.

Mr. Icenhour asked for a motion to amend the agenda to include the Virginia Department of Transportation Quarterly Update.

A motion to Amend the agenda was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

C. BOARD DISCUSSIONS

1. Virginia Department of Transportation Quarterly Update

Mr. Rossie Carroll, Virginia Department of Transportation (VDOT) Williamsburg Residency Administrator, addressed the Board with an update on VDOT's maintenance projects during the pandemic. He noted VDOT had completed 1,074 of the 1,174 work orders received between February and June 30, 2020. He further noted that was a 91% completion rate. Mr. Carroll noted the remaining 100 projects included drainage, roadway, and vegetation work. He further noted highlights of completed work during the February to June 2020 timeframe, which included sweeping, asphalting, and mowing. Mr. Carroll noted the I-64 Segment III project was currently underway. He further noted the specifics of the project including bridge rehabilitation over the Colonial Parkway and Lakeshead Drive as well as bridge replacement

over Queen's Creek. Mr. Carroll continued his update noting two miles of noise walls would be installed along I-64, the Longhill Road widening project, safety improvements at News and Centerville Roads, the Skiffes Creek project, and the plant mix schedule. He noted upcoming projects included the four-lane widening and pedestrian and bike lanes at Croaker Road in addition to updates on safety projects, land use plan reviews, and permits.

Mr. McGlennon thanked Mr. Carroll. Mr. McGlennon noted cleanup work along Route 199 and the guardrail, street sweeping on Route 60 in the Grove area, and pavement cracking in the Rolling Woods neighborhood. He further noted work needed along Lake Powell Road off Neck-O-Land Road. Mr. McGlennon noted it was a small section of road in dire need of repair and had been for a long time. He further noted the possibility of federal funding and a potential project partnership between the County and VDOT.

Ms. Larson thanked Mr. Carroll for work on the flashing beacons. She noted additional accidents at Route 5 and Greensprings Road and requested a statistical update on Route 5 and Centerville Road.

Ms. Sadler thanked Mr. Carroll. She noted exiting I-64 westbound at Exit 227, shrubs were a visibility issue for vehicles turning left. She further noted another shrubbery and visibility issue near the Williamsburg Indoor Sports Complex and Longhill Road, adding that she was not sure if that area was easement or private property.

Mr. Carroll noted an update on School House Lane, Route 30, and Old Stage Road and a draft final had been received. He further noted that the final should be available in the upcoming weeks.

Mr. Icenhour also thanked Mr. Carroll and noted Mr. Carroll had addressed one of his concerns, the pedestrian crossing at Ironbound Road. Mr. Icenhour noted the southern end of Route 199 and the surface conditions in that loop of the road.

Mr. Carroll noted that section was included in this year's paving schedule.

Mr. Icenhour noted he had received an email from a constituent regarding Powhatan Secondary on the pool side of the road. He further noted speeding and pedestrian safety near the pool on Charterhouse Lane. Mr. Icenhour suggested the possibility of a four-way stop at the intersection. He noted he would forward that email for Mr. Carroll to review possibilities.

2. Contract Award - Cardiac Monitor Replacement

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Fire Chief Ryan Ashe addressed the Board and provided the details of the memorandum and resolution in the Agenda Packet.

Mr. Icenhour asked if the older equipment was traded in as part of the process.

Chief Ashe confirmed that was part of the negotiation process for the new equipment.

Ms. Larson asked if the Coronavirus Aid, Relief, and Economic Security (CARES) Act money could be used for the equipment.

Ms. Sharon Day, Director of Financial and Management Services (FMS), addressed the

Board and noted ongoing discussion on the funding of the equipment purchase. She noted the cardiac monitor replacement was currently funded in the Capital Improvements Program (CIP) budget as a cash purchase. Ms. Day further noted discussion included financing or an alternative source such as CARES money or other COVID funding the County had received. She noted she wanted to reach out in conversation with state and federal partners to determine if the purchase qualified.

Ms. Larson thanked Ms. Day.

Mr. Stevens noted some of the equipment had been allocated over a two-year budget, but due to the Federal Drug Administration change regarding the equipment, all 25 units needed immediate replacement. He further noted the allotment for this year had already been budgeted and thus CARES funding could not be applied. Mr. Stevens noted conversation centered on the remaining units that were in next year's CIP budget and determining options. He credited the vendor and the Fire Department for getting the total number of units in under the anticipated cost.

3. CARES Act Funding Discussion

A motion to Adopt the Emergency Ordinance extension on the convenience fees until December 30, 2020 was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Day noted she and Ms. Rebecca Vinroot, Director of Social Services, would address the Board regarding CARES Act funding.

Ms. Day noted prior to reviewing the CARES Act funding, a projected review of where the County was on June 30, 2020, at the end of its fiscal year was done. She further noted updates would be provided to the Board of Supervisors as most revenue is collected in arrears. Ms. Day noted sales tax was two months behind with the meals and lodging tax one month behind. She further noted those figures in relation to the impact on tourism. Ms. Day noted this season's closure of Busch Gardens and the impact on the lodging tax. She gave a PowerPoint presentation detailing taxes and projected loss. Ms. Day noted the reduction in the meals and lodging tax, but an increase in the sales tax, which was a higher number and created an overall net of earlier projections. She further noted that in April, the projection had been about $7.6 million reduction in revenue. Ms. Day noted the sales tax for education and the School Division's portion of the budget. She further noted positive numbers in several categories including real estate and personal property taxes, but noted a dip in charges for Parks and Recreation services as those are program driven. She noted while the revenue was not there nor were the expenditures so those two factors offset each other. Ms. Day continued her presentation noting a projected surplus of roughly $1.8 million for end of year. She noted savings measures that had been implemented including postponement of CIP projects. She further noted an adjustment in the timeline from 45 to 60 days for year-end posting due to the time extension on both the personal property and real estate taxes. Ms. Day noted there was some latitude in the timeframe, but recommended not pursuing it.

Ms. Larson asked about the maintenance effort that was required by Senate Bill 942 per code and if that effort was funded by the $1 from that revenue source.

Ms. Day noted there were two funding sources. She further noted a transfer of the lodging tax for the tourism fund and the County's 50% allotment from the $2 tax comprised those sources. Ms. Day noted for Fiscal Year (FY) 2020, a shortfall was projected for both the lodging tax and the $2 tax.

Ms. Larson asked the shortfall amount.

Ms. Day noted she would get that information.

Discussion ensued over the impact on FY 2021 with the current season's closing of Busch Gardens and Water Country, tourism contingency fund, and the uncertainty of timelines.

Mr. Hipple noted the impact on FY 2021 and asked about estimates on County-wide losses.

Ms. Day noted new developments were coming in daily. She further noted the programming for the 10% reduction, but added that had not been 'straight across the board' which involved reviewing every revenue differently. Ms. Day noted reviewing the meals and lodging revenue as Governor Northam had placed additional restrictions on Hampton Roads and the impact on restaurants.

Mr. Hipple noted closely monitoring the numbers, but acknowledged the difficulty with revenues in arrears by a month and the impact on decisions for next year's budget.

Ms. Day noted the majority of those taxes were received in the summer months. She further noted that would have a greater impact now as opposed to winter.

Ms. Larson noted the School Division had made a decision on a virtual return to school for the upcoming term. She asked about its decision on personnel who may not be needed for day-to-day operations.

Ms. Day noted she had reached out to her counterpart at the School Division on that point. She further noted she and Ms. Vinroot had an upcoming call to discuss that specific point. Ms. Day noted discussion around any CARES money the School Division may receive, the possibility of a fourth round of a federal package with funding for schools and their virtual needs, and a review of how the School Division ended for FY 2020.

Mr. Hipple asked if the School Division received separate CARES Act funding other than the allocation from the County.

Ms. Day noted $1.7 million had been allocated from the County specifically for laptops during virtual learning. She further noted upcoming discussion with the School Division included any additional funding it may have received for virtual learning. Ms. Day noted questions to be asked included what money had been received, what was in the pipeline, and what it could be used for. She further noted one guideline of the CARES funding was that the money could not be used for the same thing twice. Ms. Day added a new federal guideline required how the money was being used and certification that the money was not being used twice. She noted that applied to the School Division and the County, particularly if the County provided money to the School Division to address possible 'double dipping' of funds.

Mr. Hipple asked that the financial information of any money received in addition to County funding be emailed to the Board.

Ms. Day replied yes, adding that would also require an amendment to the School Division's budget as it was not part of the original budget document.

Mr. Stevens noted a monthly report from Ms. Day for the Board to review as well as updates every other month during work sessions. He further noted tracking and monitoring on a regular basis.

Ms. Day gave an overview of the state's allocation of federal funding through the CARES Act and the County's allotment of that allocation. She noted the County received 50% of the state allocation based on the County's population on June 1, 2020. Ms. Day further noted Governor Northam had indicated the balance of the allocation would take place, but additional requirements were stipulated with this allocation. She noted those requirements included certification regarding adherence to the federal regulations and completion of an online survey on how the money was spent and submission of supporting documentation. Ms. Day noted August 10, 2020, was the requirement deadline with receipt of the remaining allocation due within five days. She further noted the sooner the requirements were submitted, the sooner the funds would be available. Ms. Day noted the Board would receive an update on year-to-date spending today. She further noted she had not received any additional information if the money could be used for any revenue shortfall or if a deadline for its use had been extended past December 30, 2020. Ms. Day noted the United States Treasury Department had submitted guidelines on the usage of the funds. She further noted three criteria for eligibility to use that funding had to be met: 1) expenditures related to the public health emergency with respect to the Coronavirus; 2) cannot be accounted for in the current budget; and 3) expenditures had to be incurred March 1-December 30, 2020. Ms. Day added that currently those funds could not be used for any revenue shortfalls.

Mr. Hipple asked if the second allocation had an extension past the end of December.

Ms. Day noted she had not heard of an extension, but further noted an extension was the desire of localities.

Ms. Larson asked if that was a federal or state decision.

Ms. Day said she did not know.

Mr. Stevens noted federal.

Mr. McGlennon noted the CARES Act required it be done by December 30, 2020. He further noted he had been following Congressional action and packages that would benefit localities. He further noted the House of Representatives' bill addressed funding to assist localities with revenue shortfall and employment levels. Mr. McGlennon noted the Senate's bill did not provide additional funding to localities, but extended the December deadline into 2021 and allowed for up to 25% of CARES Act money coming to localities to be utilized for revenue shortfalls. He noted the timeline for the bills and hopeful signs that would assist localities.

Discussion ensued on the bills, possible extensions, and requirements on the funding.

Ms. Day continued her PowerPoint presentation showing the usage of the CARES Act funds in major categories. She noted actual costs incurred as of June 30, 2020, as well as financial commitments with the School Division receiving the largest amount of $1.7 million for student laptops. Ms. Day further noted funding to Business Relief, Personal Protective Equipment for staff and first responders, payroll/leave requirements of the Family and Medical Leave Act, public health measures, cleaning and hand sanitizers, medical supplies, Information Technology software and equipment, and community assistance. Ms. Day summarized noting receipt of $6.7 million of CARES Act funding with expenditures and commitments totaling $4.6 million for a funding balance of approximately $2 million to be spent from present to December 30, 2020. She further noted a list of consideration for the remaining funds included facility renovations for public and staff safety, broadband improvements, discussion on an employee sick leave bank, potential childcare assistance based on the School Board decision, and increased demand from the community for services from nonprofit groups. Ms. Day noted the recent announcement of Rebuild Virginia, a state initiative to help nonprofit organizations and

businesses.

Ms. Vinroot addressed the Board regarding childcare assistance and support for nonprofit organizations and the increase in demand for services. She noted the School Board's decision for virtual learning and the need for parents to work. Ms. Vinroot further noted the question of where could students go to be safe while having their virtual learning needs met. She noted several organizations and private entities in the County who offered programs. Ms. Vinroot stated that while opportunities for childcare were available, costs could be a concern, particularly for families currently struggling financially. She noted discussion with the Board of Supervisors on the possibility of expanding Parks and Recreation programs to offer those services as well as support for those programs. Ms. Vinroot further noted this could assist lower-income families as well as employees for both the County and the School Division who had not anticipated childcare cost during the fall.

Mr. Hipple noted the cost of paying for schools and the daycares as a double expense. He further noted closing the schools for safety reasons, but then children and young adults would still be sent to the daycares and it meant paying twice for the same thing. He questioned why the children could not congregate at school, but could at a daycare and the increased pressure on the County. Mr. Hipple noted the COVID money as a resource but added cautioned this was 'not free money' and payback would come in some form. He further noted this was a difficult situation in addressing this point.

Ms. Larson noted teachers and their own children. She asked who in the school system was the childcare provided for and how would the prioritization be handled between School, County, and community. Ms. Larson noted there would be a limit on the number of spots available for children. She further noted health concern for the safety of the Rec Connect staff and staffing capacity. She asked if the childcares would be in schools since Rec Connect took place there. Ms. Larson noted quality childcare was difficult prior to COVID. She further noted the pressure on parents, learning expectations, and the plan if students did not return back after nine weeks. She asked about the priorities.

Ms. Vinroot noted these points had been part of the internal discussions and were ongoing. She further noted an upcoming meeting with School employees, County staff, and others, but at present she was not aware of the School Division's expectations for teachers. Ms. Vinroot noted her understanding was some classes would be recorded, some real-time, but she believed the School Division would be accommodating to both students and staff. She further noted flexibility within County departments regarding work, stating these were points for discussion. Ms. Vinroot noted the childcare programs would not replace the educational aspect, but those involved, whether parent or Rec Connect staff, were working to facilitate the learning opportunities 'when you're not a teacher'. She further noted the recent survey in which the majority of parents opted for virtual school, whether for safety issues, telework opportunities for parents, or other factors. Ms. Vinroot noted some daycares had not closed during the current conditions. She further noted some parents will have to send their children to childcare while others will have the option of keeping their children at home. She noted concerns over classroom size as a health factor. Ms. Vinroot further noted a lower cost, safe alternative to avoid having children home alone or older siblings trying to help younger siblings.

Ms. Larson inquired what type of fee structure was being considered.

Mr. McGlennon asked what was the typical enrollment for the Rec Connect program. He noted this would give a better sense of the scale of participation.

Mr. Hipple and Ms. Larson asked if this would grow the program.

Mr. McGlennon noted that was not necessarily so as Rec Connect has been viewed as a

source of childcare for years.

Mr. John Carnifax, Director of Parks and Recreation, addressed the Board. He noted the summer camps, which usually had over 800 registrants, currently only had 200. He further noted weekly attendance had dropped 70% from last summer. Mr. Carnifax asked what were the options as most children would not attend the Before and After program with no school. He noted some private providers and nonprofit organizations were preparing to offer full-day programs with mentors to assist with curriculum. Mr. Carnifax noted at the upcoming meeting there would be discussion on location, expected capacity, and other factors.

Ms. Sadler questioned the use of the school facility if the children would not be there for school during the virtual phase. She noted it did not make sense. Ms. Sadler noted the question of safety even at the private facilities. She further noted discussion at the upcoming meeting that focused on how the schools should decide to pay for the childcare.

Mr. McGlennon inquired about the scale of enrollment. He noted that number could answer some of the questions asked. He further noted classroom size was usually 20-25 children depending on age in school facilities as opposed to potentially six to eight in the childcare programs.

Discussion ensued on the limit of children, adequate Rec Connect staff, and safety issues.

Mr. Carnifax noted currently the Rec Connect program was offered in the schools through the summer with a maximum of 50 children based on the size of the school facilities that were accessible such as cafeterias, gyms, and classrooms. Ms. Larson asked if everyone was kept together. Mr. Carnifax noted social distancing was in place to meet the requirements for childcare. He further noted the department was licensed and was following the guidelines, but that by limiting the number of children attending and capacity allowance, they were able to offer the program. Mr. Carnifax noted he was unsure what the demand would be for the program. He further noted his prediction that numbers would go down as school resumed.

Ms. Larson asked how to prioritize for the limited number of spots in the program between the school, County, and community.

Mr. McGlennon noted Mr. Carnifax was not expecting higher numbers for attendance.

Ms. Larson noted it still involved a prioritization for those spots.

Mr. Carnifax said it was similar to other programs in his department that maxxed out: registration process, start date, and waiting list. He noted then evaluation of Ms. Larson's scenario involving additional people at a particular facility.

Ms. Larson asked if this equated to first-come, first-serve regardless of County, School, or community.

Mr. Carnifax noted that decision had not been made, but was a valid question to consider. He further noted applying the standard operating procedures that other Parks and Recreation programs used.

Ms. Larson noted the unknowns regarding teachers and if their own children would be at home with them pending a decision from the School Division, County employees, as well as community members with financial struggles. She further noted someone not struggling may be able to access a childcare spot and the equity to serve all three facets equally and fairly. Ms. Larson noted her concern regarding an unexpected higher number need.

Mr. Carnifax noted a discount would be applied if applicants qualified based on income. He further noted those in need of the discount could qualify for the CARES funding, while those not in need would pay full price.

Ms. Larson asked if that piece had already been determined.

Mr. Carnifax noted that was the current policy in place.

Ms. Sadler noted aside from the affordability, was the factor of emotional separation from friends a part of the discussion. She further noted if not, it should be considered.

Ms. Vinroot noted that was something to consider, but safety was key. She further noted children being home alone while parents work and a safe location for those children. Ms. Vinroot noted the social aspect was a part of it, as well as the financial assistance to School and County employees who were not anticipating the need for childcare during the day. She further noted that was part of the discussion and the possibility of pre-tax assistance for County employees.

Ms. Day noted that was one point of consideration that had been discussed. She further noted if this was provided as a benefit to County or School employees, it was considered a taxable fringe benefit. Ms. Day noted the first $5,000 was tax free; however, it still had to be reported on the employee's W-2. She further noted a mechanism to track it would need to be in place and also determine fair market value for the service. Ms. Day noted if COVID money was used, would a charge be applied or would it be free because of the use of COVID money or would the COVID money be used for the lower-income families. She further noted subsidizing and various factors that were involved.

Ms. Larson asked if a sliding scale would be used for County employees. She noted self-reporting, and inquired about proper bandwidth for the schools for the work done virtually.

Ms. Vinroot noted those factors would be incorporated into the discussion. She further noted she had spoken with Mr. Patrick Page, Director of Information Resource Management, about the schools and bandwidth. Ms. Vinroot noted applying the Parks and Recreation policy of determining enrollment demands and then assessing the number of sites needed. Ms. Vinroot noted the program setup discussion, community options, financial assistance for individuals, employees, and community members. She further noted the many aspects of the discussion, which she added would not take place until the next day.

Ms. Larson noted she had no problem with a sliding scale for County employees, but added she left that aspect to Ms. Day. She further noted her concern if all of the County's CARES money was used or did the School Division contribute.

Ms. Day noted it was a joint school system so she felt the City of Williamsburg would want to be part of that discussion.

Ms. Vinroot noted her counterpart for the City of Williamsburg Social Services Division would also be participating. She further noted regional discussion on childcare had been happening since day one. Ms. Vinroot noted the number of people with children who had been working all along and the proper message of the importance of support for childcare for those who may have no other option. She further noted that was a challenge but a key component of the discussion.

Mr. Hipple noted some concerns. He further noted the importance of safety. Mr. Hipple noted 52% of the budget supported the School Division. He expressed concern that the students could not go into the schools yet they would return to be involved in the childcare program. He

questioned other options for opening school by district rotation on particular days of the week with virtual learning on the alternate days. Mr. Hipple noted the children without internet connections and the impact to their education.

Ms. Vinroot noted program possibilities with internet capabilities for those in the County who did not have it.

Mr. Hipple noted the no internet impact on students and parents who wanted to enroll their children in programs, but could not because not everyone had a hot spot on their cell phones. He questioned the schools reopening and the implementation of social distancing and safety. Mr. Hipple noted the School Division made have already calculated a safe number of students to be present, but added he was not aware of that information. He further noted a joint meeting between the School Board and the Board of Supervisors should take place. Mr. Hipple noted uncertainty over any additional funding and the need for an increased utilization of the school facilities, staff, and other resources. He further noted the need 'to utilize what you have'.

Ms. Vinroot noted the School Board's decision was made with the best information they had. She further noted federal guidelines and student ratio requirements for education, but added the programs being discussed had different ratios and the number of students could be fewer. Ms. Vinroot noted the additional programs offered equity across the board for people who needed it, whereas schools were open to everyone. She further noted the decision was already made on schools reopening, but offering some program was necessary no matter the school schedule. Ms. Vinroot noted the decision to have the meeting involved the days the School Division would not be open and people still needed to work.

Mr. Hipple noted that was a good point and asked why the School Board had not initiated it.

Ms. Vinroot said that was how it happened. She noted County staff discussion, adding that she had heard the School Division was also having staff discussion on its side. Ms. Vinroot further noted she reached out to the School Division to have a joint conversation on the common points.

Mr. Hipple asked if parents were involved.

Ms. Vinroot noted first the type of program needed to be decided, then how to offer, and to whom. She further noted a survey would likely follow, adding a survey of County employees had taken place earlier in the year. Ms. Vinroot noted summer and fall needs were different in part of employment changes for some people.

Mr. Hipple noted utilizing the school facilities and buses on a limited basis. He further noted addressing the needs of County employees in terms of childcare.

Ms. Larson noted the priority of Wi-Fi in homes and getting the word out to people. She further noted Mr. Hipple's point regarding the lack of internet and people's inability to then apply for these programs. Ms. Larson stressed the importance of getting students without internet into programs.

Ms. Vinroot noted broadband discussion was taking place, but she did not have all the details.

Ms. Larson expressed concern regarding the timeline on the availability in time for school reopening. She noted the national issue of how childcare is perceived. Ms. Larson further noted her appreciation of actions being taken, but added issues had arisen from the pandemic situation. She noted assistance to working County employees who had children. Ms. Larson further noted the success of the Rec Connect program over the summer. Ms. Larson noted the

upcoming discussion should include a timeline and a plan if schools continue virtually beyond the initial nine-week period.

Ms. Sadler noted asking the School Division about its use of the CARES money during the discussion. She further noted the impact on County and School employees. Ms. Sadler echoed Mr. Hipple's comment on double-dipping the taxpayers and the School Division's responsibility for funding.

Mr. McGlennon noted there were two issues going on with one focused on schools and the other on childcare. He further noted the need for childcare had been an ongoing issue, but now needed expansion over a broader time period. Mr. McGlennon noted the need for additional options for parents who were working beyond five-six hours. He further noted private facilities used the model of providing care when you need it regardless of the time period. Mr. McGlennon noted there may need to be programs that extended the usual time lengths to accommodate working parents or caregivers. He added that if a child came to school for one or two days that still did not eliminate the need for additional childcare. Mr. McGlennon noted his support for assistance of a childcare program under the CARES Act money. He further noted while not free, he felt it should assist those most stressed financially.

Ms. Larson asked about the age of the children for the program.

Ms. Vinroot noted working parents with children younger than school age already had plans for childcare usually. She further noted this new need that had arisen. Ms. Vinroot added that to Mr. McGlennon's point, the need for childcare has always existed, but the current situation has brought it to the forefront. Ms. Vinroot noted her prior involvement in access improvement to childcare, the childcare subsidy, and quality programs. She further noted these conversations were not new, but these conversations were being expanded due to the current situation.

Mr. McGlennon noted approximately 400-450 people per week had used the Rec Connect program in the past. He further noted the high unemployment rate which could equate to people currently at home who previously had not been and may not have the funds for childcare.

Ms. Vinroot noted with unemployment potentially ending, some people will be returning to work. She further noted with the opportunity to telework, some people would not have the need and that made it hard to quantify.

Ms. Larson noted employer expectations were a factor.

Ms. Vinroot noted that was just the childcare discussion and an additional topic was to be discussed. She further noted it focused on outside entity and community support which included programs with nonprofit organizations. Ms. Vinroot noted those organizations had reached out to assist with the increased demands. She further noted allocating some funds, though the dollar amount was currently unknown, to allow entities to apply for assistance with those funds. Ms. Vinroot noted this procedure would be similar to the regular budget cycle where agencies fill out a form, identify the needs for funding, and then a determination is made on acceptance and funding amount. Ms. Vinroot further noted a series of questions had been developed which included identification of the area of need - emergency food, rent/mortgage assistance, utility assistance, emergency shelter, childcare, other; how have they responded to residents' needs; use of funds; any collaboration with other organizations; other support they have received. She noted funding and certification for the funding as mentioned earlier.

Ms. Larson questioned the type of organization.

Mr. Stevens noted the focus was on nonprofit organizations that were providing a COVID-related response. He further noted the CARES Act was very specific in terms of community businesses and their expenses. Mr. Stevens cited an example of a nonprofit organization such as the Food Bank, which may have increased deliveries due to COVID, but it needed more money. He noted that funding was allowed. Mr. Stevens noted Ms. Day had been in communication on that point. He added nonprofits in general did not qualify per their understanding.

Ms. Larson noted that was disappointing since many nonprofit organizations did great work in the County.

Ms. Day noted initially there was not much guidance available when the CARES Act money became available. She further noted that usually prompted one of two directions: there are not a lot of restrictions so we can use it for what we want or the restrictions are not available yet so we should be more conservative on our spending. Ms. Day noted this had created a lot of inconsistency in the interpretation of what the money could used for in her professional opinion. She further noted if it did not specifically address items for which it could be used, staff took a conservative approach. Ms. Day noted some localities across the state were re-evaluating the use of their allocations. She further noted approximately $225,000 was allocated in the County budget for assistance to nonprofit organizations which provided services to citizens that the County did not provide. Ms. Day noted those nonprofit organizations would probably qualify due to the increase in the demand for their services, whereas others would not based on revenue shortfalls.

Discussion ensued.

Ms. Vinroot noted some agencies that originally had not provided a service had since shifted and transformed to provide a service in response. She further noted those agencies may then qualify as the services related to the demand from COVID. Ms. Vinroot noted there was no set dollar amount, but an assessment of organizations' needs would take place. She added no one knows the timeline.

Ms. Larson asked who made the assessment.

Ms. Vinroot noted Social Services staff reviewed entities serving citizen needs, while other entities reviewed based on their job needs. She further noted an initial, collaborative effort between Social Services and FMS to assess the applications. Ms. Vinroot noted entities who checked the other category could have staff work with them for alternative funding possibilities. She further noted the concept of opening up and seeing what the need is as opposed to restricting it. Ms. Vinroot noted this approach did not imply a promise, but inquired about the need and if the entities met criteria.

Mr. Stevens referenced the 4H childcare program as a possible funding recipient, but that would need review. He noted if the Board wanted assistance to be offered to nonprofit entities, staff would need to research that point. He further noted the Board had allocated funds to local businesses prior to receipt of the CARES Act money and if the Board felt strongly toward helping nonprofits, County General Fund dollars could be used. Mr. Stevens noted it would not include CARES money. He further noted the challenge to decide what groups qualified would still exist. Mr. Stevens noted staff would pursue this point if the Board decided in that direction.

Mr. Icenhour noted the $500,000 which had been set aside to assist businesses currently had over $300,000 in remaining funds.

Mr. Stevens noted the most recent dollar amount had the fund with a $300,000 balance as

$200,000 had been spent as of this week.

Mr. Icenhour inquired about the use of the money and meeting the CARES criteria for funding.

Mr. Stevens noted if the CARES money was to be used then the specific criteria would need to be met. He further noted a separate funding source could be determined, but staff would need to determine if that was processed through the Virginia 30-Day Fund or through the County itself.

Ms. Day noted one criteria staff had reviewed was entities had not raised their fees, but were incurring additional costs around cleaning and such which qualify as an eligible expense. She further noted determining what was driving the cost and the budget. Ms. Day noted the certification process so if funds were not allocated appropriately, those funds would need to be returned.

Mr. Icenhour noted the nonprofit had not been dismissed, but added that the process of adherence to strict guidelines and rules would be in place.

Ms. Day responded absolutely.

Mr. Icenhour noted the $300,000 for funding and possible options.

Ms. Sadler noted she had recently spoken with Mr. Pete Snyder of the Virginia 30-Day Fund regarding a big push to make people aware of the funding. She further noted it would extend until Labor Day. Ms. Sadler stressed the importance of making the business community aware of the funding.

Mr. Icenhour noted as this funding was CARES money then it could carry until the end of the year.

Mr. Stevens noted the CARES money could, but he was not sure about the Virginia 30-Day Fund timeframe. He further noted conversation with the Commissioner of the Revenue to compile a list of community businesses and addresses that might qualify. Mr. Stevens noted the list had been narrowed to approximately 3,700 businesses. He further noted sending a flyer out to those businesses in conjunction with business information coming from the state level. Mr. Stevens noted there was only one action item before the Board from the discussion section, which addressed the Ordinance allowing for an extension of the convenience fee charge until December 30, 2020. He inquired if the Board wanted to entertain that extension as the current one expires August 5, 2020. Mr. Stevens noted it was a CARES Act eligible expenditure which equated to approximately $280,000 between August and December, 2020. He further noted the extension had been well received by residents and staff, particularly the Treasurer's Office.

Mr. McGlennon requested another item be added to the list of possible CARES Act money expenditures. He noted additional support for the upcoming election at the James City County Recreation Center. He further noted additional sites at both the upper and lower ends of the County to assist people voting.

Ms. Larson inquired how the Registrar was doing and if she had received any CARES Act money. She noted a large purchase of personal protective equipment (PPE) had been made.

Ms. Day noted Ms. Dianna Moorman, General Registrar and Director of Elections, had used CARES Act money for the PPE. She further noted discussion with Mr. Page about reprogramming the voting machines for the Recreation Center which would link to all the polling places. Ms. Day noted it would take some money to reprogram the equipment for

compliance. She further noted time was essential and this was a late development, but the Procurement Director was working on this and coordinating with York County under a cooperative clause. Ms. Day noted that would be eligible for CARES funding.

Discussion ensued on election issues.

Mr. Hipple asked about an update on the broadband issue.

Mr. Stevens noted Mr. Kinsman and Mr. Page had been in discussion with Cox Communications (Cox) regarding coverage maps. He further noted contact with the School Division to identify student locations as well as working with Cox to determine how to have internet service in those areas. Mr. Stevens noted Cox had indicated it could provide service in a number of areas. He further noted an update in the next month was the goal. Mr. Stevens noted Cox indicated it could extend cable into those areas within months as well as cost estimates for contract award. He further noted he was hopeful on making progress in that area before September 2020, but certainly in the fall.

4. 2020 Shaping Our Shores Master Plan Update

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Carla Brittle, Community Centers Administrator for Parks and Recreation, addressed the Board with a final update on the Shaping Our Shores Master Plan for its approval. She noted after a year and a half of hard work, staff members were to be commended. Ms. Brittle noted the team consisted of Mr. Alex Holloway and Mr. Alister Perkinson of Parks and Recreation, Mr. Chris Johnson and Ms. Laura Messer from the Office of Economic Development, Mr. Darryl Cook and Mr. Shawn Gordon from the Department of General Services, Mr. Jose Ribeiro from the Planning Department, and Mr. Mike Vergakis from the James City Service Authority. Ms. Brittle provided details on the history of the Shaping Our Shores Master Plan. She noted the updates and improvements as well as increases in park usage, and revenues. Ms. Brittle further noted in reviewing and updating the plan, several things were considered: evaluating current park amenities in meeting community needs; identify unmet needs or challenges to improve existing amenities; and to evaluate maintenance and conditions of park features. She highlighted the recommendations for review as they applied to water restrictions, grant easements, environmental concerns, resource protection areas, zoning, and codes. Ms. Brittle noted events over the update timeline that included public meetings and Planning Commission review for the three parks: James City County Marina, Chickahominy Riverfront Park, and Jamestown Beach Event Park. Ms. Brittle highlighted improvements at each facility, respectively in the PowerPoint presentation. She noted Mr. McGlennon had received a constituent concern over impervious cover at the Marina. She further noted while the map did not provide that level of detail, those stormwater and environmental factors would be strongly considered before beginning any work at that location in particular.

Mr. Hipple asked about the Jamestown-Yorktown Foundation's parking area at the Jamestown Beach Event Park.

Ms. Brittle noted the Foundation currently used the parking area on an as-needed basis during large events.

Mr. Hipple inquired if that would remain the status.

Ms. Brittle confirmed yes.

Mr. Hipple inquired about the County's use of the parking.

Ms. Brittle confirmed the County had used when for large events when the Foundation was not using it and with its approval.

Mr. Hipple noted he was pleased with the fishing pier. He inquired about use of the VDOT area on the edge of the park as another fishing area.

Ms. Brittle said yes as no improvements were slated at that area.

Mr. Hipple inquired about the name Williamsburg, which was on a building at the Chickahominy Riverfront Park.

Ms. Brittle noted the building was part of a partnership lease deal with the College of William & Mary, the County, and the Williamsburg Boat Club. She further noted the need for a second building.

Mr. McGlennon expressed his thanks to all the members of the team. He noted careful consideration to citizen comments as well as transparency on the changes being proposed.

Ms. Larson thanked Ms. Brittle and the team. She inquired on the status of the Ambler House and if it currently had electricity and water.

Mr. Carnifax noted the house did not have electricity, but there was electricity on-site.

Ms. Larson asked for clarification.

Mr. Carnifax noted there was electricity, but the building was not open to the public.

Discussion ensued on several points regarding the Ambler House and its use as an event venue.

Ms. Larson asked about the possibility of the Running Center.

Mr. Carnifax noted recent conversation with the Running Center representatives who were interested as well as some RV/camping site usage. He further noted he had notified both groups they would be responsible for utilities as the County had not been able to incorporate the loop system. Mr. Carnifax noted these may be points to be addressed in the Running Center's original proposal. He further noted the RV/camping group had recognized that factor in its proposal. He noted if the Board adopted this proposal and moved forward, a Request for Proposal would be issued.

Mr. Icenhour noted a resolution for adoption on the Shaping Our Shores Master Plan was before the Board.

Mr. Stevens addressed the Board regarding metal detecting in the County and at Jamestown Beach. He noted metal detecting had been permitted prior to the summer months and would resume in October pending a re-evaluation. Mr. Stevens noted concerns from the Archaeological Society, while the recreational groups had enjoyed the opportunity. He further noted if the Board wanted change, a public hearing and Ordinance amendment would need to be addressed in September 2020. Mr. Stevens noted the recommendation, if the Ordinance was changed, would allow metal detecting with the oversight of the recreation staff, or the Archaeological Committee, or a group of both. He further noted if the Ordinance was changed, it would allow for some metal detecting in a controlled circumstance.

Ms. Larson asked if items had been found during the metal detecting time period.

Mr. Carnifax noted some items and that people had sent him pictures. He further noted those items ranged from loose change to several metal items that posed safety issues. Mr. Carnifax noted the groomer only collected superficial trash when run across the beach, but metal detectors went deeper. He further noted no artifacts or historically significant items had been found. Mr. Carnifax noted the use of metal detecting on man-made beaches and the timelines.

D. BOARD REQUESTS AND DIRECTIVES

Ms. Larson noted she had just completed her first Virginia Association of Counties Supervisor certification class. She thanked her fellow Board members.

Mr. Icenhour noted the Forest Heights groundbreaking ceremony for Habitat for Humanity that occurred earlier in the day. He extended appreciation to the corporate sponsors and Habitat for Humanity for its community involvement. Mr. Icenhour noted Ms. Janet Green, Chief Executive Officer of Habitat for Humanity, had requested assistance in obtaining land to continue assisting families in the community. Mr. Icenhour further noted the rise in coronavirus cases locally and the importance of wearing masks. He noted the upcoming public hearing to declare the James City County Recreation Center as an office of the Registrar for the absentee vote. He further noted a special meeting was necessary and he proposed September 1, 2020, at 5 p.m.

Ms. Larson asked if additional items would be discussed at that time regarding the Registrar.

Mr. Stevens noted he would have the information regarding costs and the possibility of other voting locations for more discussion.

A motion to Amend the calendar for the Board of Supervisors to add a meeting on September 1, 2020, at 5 p.m. was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

E. CLOSED SESSION

None.

F. ADJOURNMENT

1. Adjourn until 5 p.m. on September 1, 2020 for Special Meeting

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 6:36 p.m., Mr. Icenhour adjourned the Board of Supervisors.

AGENDA ITEM NO. G.2.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

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

SUBJECT: Dedication of Columbia Drive

ATTACHMENTS:

	Description	Type
🗋	Memorandum	Cover Memo
🗋	Resolution	Resolution
🗋	AM-4.3	Exhibit
🗋	Map	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Engineering & Resource Protection	Small, Toni	Approved	8/21/2020 - 4:24 PM
Development Management	Holt, Paul	Approved	8/21/2020 - 4:36 PM
Publication Management	Burcham, Nan	Approved	8/21/2020 - 4:38 PM
Legal Review	Kinsman, Adam	Approved	8/31/2020 - 10:32 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:31 AM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 11:39 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:39 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

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

SUBJECT: Dedication of Columbia Drive

Attached is a resolution requesting acceptance for Columbia Drive which is proposed as a public right-of-way into the State Secondary Highway System. The street proposed for acceptance is shown in red on the attached map. The street has been inspected and approved by representatives of the Virginia Department of Transportation (VDOT) as meeting the minimum requirements for secondary roadways.

VDOT's Secondary Street Requirements (SSR), effective January 2005, outline processes on how streets are designed, constructed, and officially accepted for maintenance as part of the Secondary System of State Highways. Upon the satisfactory completion of construction of streets, VDOT advises and coordinates with the local governing body of the street's readiness for acceptance through the use of VDOT's Form AM-4.3. As part of the initial acceptance process, the County Board of Supervisors must request, by resolution, that VDOT accept the street for maintenance as part of the Secondary System of State Highways. Administrative procedures outlined in the SSR/24VAC31-90-10 lists criteria for street acceptance and what information is required on the local resolution. Once the resolution is approved, the signed Form AM-4.3 and the resolution are then returned to VDOT. VDOT then officially notifies the locality of the street's acceptance into the Secondary System of State Highways and the effective date of such action. This notification serves as the start of VDOT maintenance responsibility. As part of the process, the County will hold an appropriate amount of subdivision or public improvement surety for the roadway, as required by local Ordinances, until the acceptance process is complete. Also, within 30 days of the local governing body's request (resolution), VDOT requires a maintenance surety to be posted by the developer to guarantee performance of the street for one year from the date of acceptance.

Staff recommends the adoption of the attached resolution.

TES/nb
ColumbiaDrStDed-mem

Attachments:
1. Resolution
2. AM-4.3
3. Map

R E S O L U T I O N

DEDICATION OF COLUMBIA DRIVE

WHEREAS, the street described on the attached AM-4.3, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of James City County, Virginia; and

WHEREAS, the Residency Administrator for the Virginia Department of Transportation (VDOT) advised the Board that the street meets the requirements established by the Subdivision Street Requirements of VDOT; and

WHEREAS, the County and VDOT entered into an agreement on July 1, 1994, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests VDOT to add the street described in the attached Additions Form AM-4.3 to the Secondary System of State Highways, pursuant to § 33.2-705 of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right-of-way, as described and any necessary easements for cuts, fills, and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Residency Administrator for VDOT.

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

ColumbiaDrStDed-res

In James City County

36963882

by Resolution of the governing body adopted September 08, 2020

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

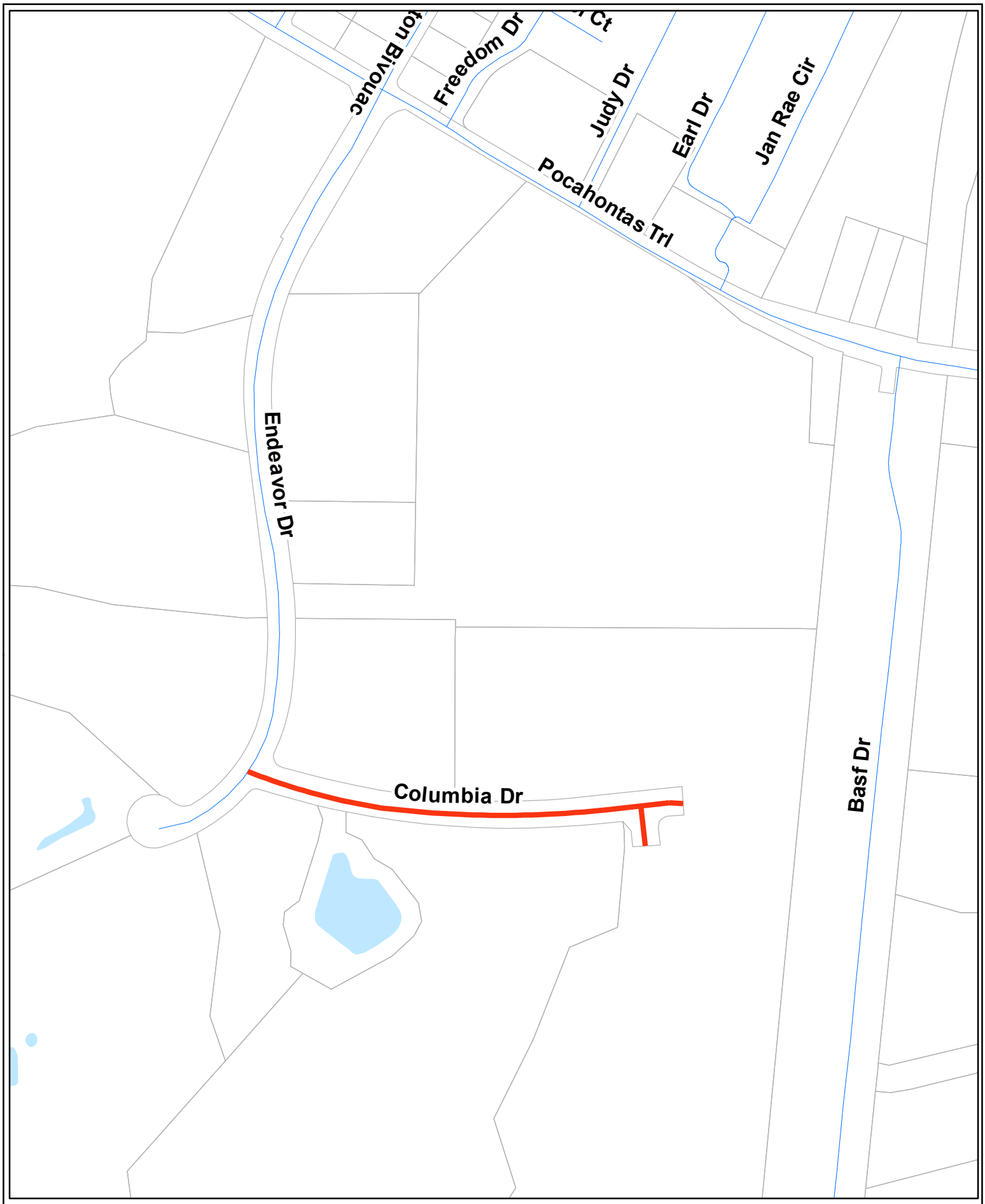
A Copy Testee Signed (County Official):_____

Report of Changes in the Secondary System of State Highways

Project/Subdivision: 047 James River Commerce Center

AdditionAccess Project Industrial §33.2-1509, §33.2-705

Route Number	Street Name	From Termini	To Termini	Length	Number Of Lanes	Recordation Reference	Row Width
1305	Columbia Drive	Route 1304 Endeavor Drive	Turn around	0.24	2	No. 040021285	80



James City County Virginia Jamestown 1607

Dedication of Columbia Drive

AGENDA ITEM NO. G.3.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Grant Award - Four-for-Life - Return to Localities Fund -$70,863

ATTACHMENTS:

	Description	Type
🗋	Memorandum	Cover Memo
🗋	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Fire	Ashe, Ryan	Approved	7/27/2020 - 3:55 PM
Publication Management	Burcham, Nan	Approved	7/27/2020 - 4:12 PM
Legal Review	Kinsman, Adam	Approved	7/27/2020 - 4:13 PM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:12 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:04 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:31 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Grant Award - Four-for-Life - Return to Localities Fund - $70,863

The Office of Emergency Medical Services (EMS) receives funding allocated from the Four-for-Life program annually. This funding is legislated by the Code of Virginia § 46.2-694 which stipulates that an additional $4 per year is charged and collected at the time of vehicle registration and set aside as a special fund to be used only for EMS purposes.

The James City County Fire Department has been awarded $70,863 in Four-for-Life to provide funding for training emergency medical services personnel of a licensed nonprofit emergency medical services agency and for the purchase of necessary equipment and supplies for use in such localities. Historically, this grant has been included in the original budget based on estimated amounts. We have removed it from the budget to eliminate the need for adjustments.

The attached resolution appropriated the additional funds received of $70,863 for Fiscal Year 2021. Staff recommends approval of the attached resolution appropriating funds to the Four-for-Life Fund.

RTA/md
GA-4LifeLocalFY21-mem

Attachment

R E S O L U T I O N

GRANT AWARD - FOUR-FOR-LIFE - RETURN TO LOCALITIES FUND - $70,863

WHEREAS, the Office of Emergency Management Services (EMS) receives funding allocated from the Four-for-Life program annually. This funding is legislated by the Code of Virginia § 46.2-694 which stipulates that an additional $4 per year is charged and collected at the time of vehicle registration and set aside as a special fund to be used only for EMS purposes; and

WHEREAS, the funds are used to purchase emergency medical equipment and provide training.

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

Revenue:

Four-for-Life	$70,863

Expenditure:

Four-for-Life	$70,863

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

GA-4LifeLocalFY21-res

AGENDA ITEM NO. G.4.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Grant Award- Virginia Fire Programs Fund - $255,286

ATTACHMENTS:

	Description	Type
🗋	GA-VAFirePrgmFd-memo	Cover Memo
🗋	GA-VAFirePrgmFd-res	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Fire	Ashe, Ryan	Approved	7/27/2020 - 3:55 PM
Publication Management	Burcham, Nan	Approved	7/27/2020 - 4:13 PM
Legal Review	Kinsman, Adam	Approved	7/27/2020 - 4:14 PM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:13 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:04 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:38 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Grant Award - Virginia Fire Programs Fund - $255,286

The Fire Department receives funding annually from the Virginia Department of Fire Programs Aid to Localities program. These funds are initially collected from the private insurance industry by the State Corporation Commission, and are used to fund the Virginia Department of Fire Programs and are also passed through to localities in the Commonwealth.

The County's Fire Department uses the funds to purchase firefighting equipment and to provide training. Historically, this grant has been included in the original budget based on estimated award amounts. We have removed it from the budget to eliminate the need for adjustments.

The attached resolution appropriates the additional funds received of $255,286. Staff recommends approval of the attached resolution appropriating funds to the Fire Programs Fund.

RTA/md
GA-VAFirePrgmFd-mem

Attachment

R E S O L U T I O N

GRANT AWARD - VIRGINIA FIRE PROGRAMS FUND - $255,286

WHEREAS, the James City County Fire Department receives grant funding annually as part of the Virginia Department of Fire Programs Aid to Localities program; and

WHEREAS, the funds are used to purchase firefighting equipment and provide training.

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

Revenue:

Virginia Department of Fire Programs	$255,286

Expenditure:

Virginia Department of Fire Programs	$255,286

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

GA-VAFirePrgmFd-res

AGENDA ITEM NO. G.5.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

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

ATTACHMENTS:

	Description	Type
🗋	GA-RADEmergPrepFY21-mem	Cover Memo
🗋	GA-RADEmergPrepFY21-res	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Fire	Ashe, Ryan	Approved	7/27/2020 - 3:55 PM
Publication Management	Burcham, Nan	Approved	7/27/2020 - 4:13 PM
Legal Review	Kinsman, Adam	Approved	7/27/2020 - 4:13 PM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:13 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:04 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:38 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

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

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

The James City County (JCC) Fire Department's Emergency Management Division has been awarded $30,000 in radiological emergency preparedness funds from Dominion Energy through VDEM due to the County's proximity to the Surry Power Station nuclear power plant. This funding is part of VDEM's 2020 package.

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

This grant requires no local match.

Staff recommends adoption of the attached resolution to appropriate funds.

RTA/md
GA-RADEmerPrepFY21-mem

Attachment

R E S O L U T I O N

GRANT AWARD - RADIOLOGICAL EMERGENCY PREPAREDNESS - $30,000

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

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

WHEREAS, the grant requires no match.

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

Revenue:

Radiological Emergency Preparedness Funds - VDEM	$30,000

Expenditure:

Radiological Emergency Preparedness Funds - VDEM	$30,000

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

ATTEST:

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

_____
Teresa J. Fellows
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

GA-RADEmerPrepFY21-res

AGENDA ITEM NO. G.6.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Grant Award - HUD CARES Act Round 2 Administrative Funds - $26,718

ATTACHMENTS:

	Description	Type
🗋	Memo - Grant Award - HUD CARES Act Administrative Funds - $26,718	Cover Memo
🗋	Resolution - Grant Award - HUD CARES Act Administrative Funds - $26,718	Resolution
🗋	Contract - Grant Award - HUD CARES Act Administrative Funds - $26,718	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	8/25/2020 - 8:57 AM
Publication Management	Burcham, Nan	Approved	8/25/2020 - 9:00 AM
Legal Review	Kinsman, Adam	Approved	8/31/2020 - 10:33 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:38 AM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 11:39 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:39 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Grant Award - Housing and Urban Development Coronavirus Aid, Relief, and Economic Security Act, Round Two, Administrative Funds - $26,718

The James City County Social Services Housing Unit (Housing) is designated as a Housing and Urban Development Approved Public Housing Agency (PHA) responsible for administering the Housing Choice Voucher (HCV) Program. The HCV Program has been directly administered by James City County through the Office of Housing (and Community Development, prior to July 1, 2016) since 2001. On August 10, 2020, James City County was awarded $26,718 in administrative fee funding under the Coronavirus Aid, Relief, and Economic Security (CARES) Act to be used for administration of the program. The period of availability for expenditure of these funds, and any unspent funds initially awarded under Public and Indian Housing (PIH) Notice 2020-08, has been extended through June 30, 2021.

In accordance with PIH 2020-18: CARES Act - HCV Program Administrative Fees - Second Award, "this supplemental administrative fee funding may be used only for two purposes: 1) any currently eligible HCV (including Mainstream voucher) administrative costs during the period that the program is impacted by coronavirus; and 2) new coronavirus-related activities, including activities to support or maintain the health and safety of assisted individuals and families, and costs related to the retention and support of participating owners. Currently eligible HCV administrative costs under: 1) include necessary upgrades to information technology or computer systems to enhance telework capacities and overtime pay for PHA staff to carry out HCV Program responsibilities." In this new PIH 2020-18, new eligible COVID-19 activities have been defined including: sourcing and purchasing personal protective equipment for PHA staff and for residents visiting the PHA offices; costs for the technological needs of program participants with school-aged children being homeschooled as a result of the pandemic that are not and will not be provided through federal, state, or local governments.

Housing proposes to use the funding to maintain the health and safety of assisted individuals and families; to provide safety equipment for the PHA building, staff and clients, and for technological needs of program participants with school-aged children, and for staff salary and fringes.

Staff recommends that the Board of Supervisors adopt the attached resolution to authorize acceptance of these administrative funds and the use of these funds to continue providing health and safety improvements and client services related to the COVID-19 crisis.

RV/nb
GA-HUDCARES-Rd2-mem

Attachments:
1. Resolution
2. Notice of Award

R E S O L U T I O N

GRANT AWARD - HOUSING AND URBAN DEVELOPMENT CORONAVIRUS AID,

RELIEF, AND ECONOMIC SECURITY ACT, ROUND TWO,

ADMINISTRATIVE FUNDS - $26,718

WHEREAS, the James City County Social Services Housing Unit (Housing) is designated as a Housing and Urban Development (HUD) Approved Public Housing Agency responsible for administering the Housing Choice Voucher (HCV) Program; and

WHEREAS, the County has been awarded $26,718 in additional administrative fee funding under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Round Two, for administration of the program through June 30, 2021; and

WHEREAS, the funding will be used to maintain the health and safety of assisted individuals and families; to provide safety equipment for the building, staff and clients; to provide staff salary and fringes.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts this administrative funding award from HUD and authorizes the following budget appropriation to the Housing and Neighborhood Development Fund:

Revenue:

Federal - HUD CARES Act Funding	$26,718

Expenditure:

HUD HCV Program Administration	$26,718

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

ATTEST:

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

_____
Teresa J. Fellows
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

GA-HUDCARES-Rd2-res

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Financial Management Center
2380 McGee Street, Suite 400
Kansas City, MO 64108-2605

OFFICE OF PUBLIC AND INDIAN HOUSING

August 18, 2020

VA041
JAMES CITY COUNTY HSG & COMMUNITY DEVELOPEMENT
5320 PALMER LANE, SUITE 1A
WILLIAMSBURG, VA 23188-3188

Dear Executive Director:

SUBJECT: CY 2020 Housing Choice Vouchers – CARES Act Administrative Fees, Mainstream Administrative Fees

Your agency was notified in a letter date August 10, 2020 that it has been awarded administrative fee funding under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). This letter and enclosed table provide the specific details of the funding awarded and information concerning the disbursement of these funds. Funds have been obligated and scheduled for disbursement in August 2020.

These funds must be administered in accordance with the CARES Act requirements. Information about these requirements is provided in PIH Notice 2020-08.

Enclosed is your Notice to Amend the Consolidated Annual Contributions Contract (CACC) with revised funding exhibits reflecting the change(s) described above. The amendment notice and revised funding exhibits should be filed with your most recent CACC. No execution by HUD or your PHA is required.

Public housing agencies receiving an increment in excess of $100,000 in Budget Authority (BA) are required to submit Form HUD-50071, Certification of Payments to Influence Federal Transactions, and if applicable, Form SF-LLL, Disclosure of Lobbying Activities. If this letter notifies you of a renewal in excess of $100,000, and your PHA has not submitted the Form(s) HUD-50071 (and SF-LLL where applicable) for your current fiscal year; the documents must be submitted to your local field office and Financial Analyst at the Financial Management Center (FMC) within 30 days of the date of this letter. These forms are located on the Internet at the following addresses:

Form HUD-50071
https://www.hud.gov/sites/documents/50071.PDF

Form SF-LLL
https://www.hudexchange.info/resources/documents/HUD-Form-Sflll.pdf

Please contact your Financial Analyst at the FMC if you have any questions.

Sincerely

June E. Burnes

Digitally signed by June E. Burnes
DN: CN = June E. Burnes, C = US
O = Financial Management Center.
OU = Division Director.
Reason: I am approving this document

Division Director

Enclosure(s)
Memo Reference: 20-132

Increment Number Table

U. S. Department of Housing and Urban Development
Office of Public and Indian Housing

Housing Choice Voucher Program | Section 8

August 18, 2020

Funding Increment Number	Effective Date	Term (Months)	BA Assigned
VA041AF0133	8/1/2020	1	$26,718

Consolidated
Annual Contributions Contract

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

Housing Choice Voucher Program | Section 8

HUD NOTICE TO HOUSING AGENCY AMENDING

CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT

Housing Agency: **VA041**
JAMES CITY COUNTY HSG & COMMUNITY DEVELOPEMENT

In accordance with Paragraph 2.c. of the Consolidated Annual Contributions Contract between HUD and the HA, you are notified that the funding exhibits of the Consolidated Annual Contributions Contract is hereby revised to add a new funding increment as provided in the attached revised funding exhibit. (This notice adds one or more funding increments listed on the attached funding exhibit.)

The revised funding exhibit is attached to this HUD notice. This revised funding exhibit replaces and revises the prior funding exhibit.

In accordance with Paragraph 2.d. of the Consolidated Annual Contributions Contract, this HUD notice and the attached funding exhibit constitutes an amendment to the Consolidated Annual Contributions Contract.

United States of America | Secretary of Housing and Urban Development
Authorized Representative | Date of Document:

Robert H. Boepple, Director
Financial Management Center | 8/18/2020

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
PIH SECTION 8 - FUNDING EXHIBIT
PROGRAM-BASED
ACC NUMBER: VA041

FIELD OFFICE: **3FPH**

VA041
JAMES CITY COUNTY HSG & COMMUNITY DEVELOPMENT
5320 PALMER LANE, SUITE 1A

WILLIAMSBURG, VA 23188

HA FISCAL YEAR-END: **06/30** PROGRAM TYPE: VOUCHER PROGRAM/5 YEAR MAINSTREAM

FUNDING INCREMENT NUMBER	FIRST DAY OF TERM	LAST DAY OF TERM	CONTRACT TERM	BUDGET AUTHORITY	UNITS
VA041AFR118	8/1/2018	8/31/2018	1	1,833	N/A
VA041AF0118	8/1/2018	9/30/2018	2	15,554	N/A
VA041VO0109	8/1/2018	9/30/2018	2	171,552	154
VA041AF0119	10/1/2018	10/31/2018	1	7,777	N/A
VA041VO0110	10/1/2018	10/31/2018	1	81,635	154
VA041AFR218	11/1/2018	11/30/2018	1	6,465	N/A
VA041AF0120	11/1/2018	12/31/2018	2	17,700	N/A
VA041VO0112	11/1/2018	12/31/2018	2	163,272	154
VA041AF0121	1/1/2019	2/28/2019	2	17,700	N/A
VA041AFR318	2/1/2019	2/28/2019	1	1,220	N/A
VA041VO0113	1/1/2019	2/28/2019	2	173,860	154
VA041VO0114	3/1/2019	3/31/2019	1	86,930	154
VA041AF0122	3/1/2019	4/30/2019	2	17,660	N/A
VA041VO0115	4/1/2019	4/30/2019	1	86,930	154
VA041AF0123	5/1/2019	5/31/2019	1	8,830	N/A
VA041VO0106	6/1/2018	5/31/2019	12	29,164	5
VA041VO0118	5/1/2019	5/31/2019	1	86,930	154
VA041AFR418	7/1/2019	7/31/2019	1	1,437	N/A
VA041AF0124	6/1/2019	9/30/2019	4	35,604	N/A
VA041VO0119	6/1/2019	9/30/2019	4	352,435	154
VA041AF0125	10/1/2019	10/31/2019	1	8,901	N/A
VA041VO0111	11/1/2018	10/31/2019	12	29,724	5
VA041VO0120	10/1/2019	10/31/2019	1	87,454	154
VA041AF0126	11/1/2019	12/31/2019	2	17,964	N/A
VA041AFR319	12/1/2019	12/31/2019	1	485	N/A
VA041VO0116	6/1/2019	12/31/2019	7	1	5
VA041VO0117	11/1/2019	12/31/2019	2	1	5
VA041VO0121	11/1/2019	12/31/2019	2	174,904	154
VA041AF0127	1/1/2020	2/29/2020	2	17,964	N/A

FUNDING INCREMENT NUMBER	FIRST DAY OF TERM	LAST DAY OF TERM	CONTRACT TERM	BUDGET AUTHORITY	UNITS
VA041VO0122	1/1/2020	2/29/2020	2	136,002	154
VA041VO0123	2/1/2020	2/29/2020	1	45,334	N/A
VA041AF0128	3/1/2020	3/31/2020	1	9,013	N/A
VA041VO0124	3/1/2020	3/31/2020	1	92,100	154
VA041AFR419	4/1/2020	4/30/2020	1	4,017	N/A
VA041AF0129	4/1/2020	5/31/2020	2	18,026	N/A
VA041AF0132	5/1/2020	5/31/2020	1	22,420	N/A
VA041VO0127	4/1/2020	5/31/2020	2	184,504	154
VA041AFR120	7/1/2020	7/31/2020	1	1,062	N/A
VA041AF0133	8/1/2020	8/31/2020	1	26,718	N/A
VA041AF0130	6/1/2020	9/30/2020	4	37,007	N/A
VA041VO0128	6/1/2020	9/30/2020	4	370,138	154
VA041AF0131	10/1/2020	10/31/2020	1	9,252	N/A
VA041VO0129	10/1/2020	10/31/2020	1	92,009	154
VA041VO0125	1/1/2020	12/31/2020	12	1	5
VA041VO0126	1/1/2020	12/31/2020	12	1	5
VA041DV0001	4/1/2020	3/31/2021	12	147,996	20
VA041DV0002	8/1/2020	7/31/2021	12	49,269	6

AGENDA ITEM NO. G.7.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Contract Award- Dispatch Console Furniture Replacement

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ATTACHMENTS:

	Description	Type
🗋	Memo	Cover Memo
🗋	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Fire	Ashe, Ryan	Approved	8/27/2020 - 8:29 AM
Publication Management	Burcham, Nan	Approved	8/27/2020 - 8:35 AM
Legal Review	Kinsman, Adam	Approved	8/31/2020 - 10:32 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:31 AM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 11:39 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:40 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Contract Award - Dispatch Console Furniture Replacement - $195,441

The current equipment configuration at the Emergency Communications Center (ECC) requires that staff be in close contact with each other for extended periods. Maintaining proper social distancing becomes more challenging when accommodating trainees during their introductory period and when activated as the backup Dispatch Center to the York-Poquoson-Williamsburg 911 Center. ECC personnel also currently share computer, radio, and telephone equipment with members on opposite shifts. Although ECC and General Services staff have been diligent at regular cleaning and disinfection of shared surfaces, staff recommends a more permanent solution.

Fire Department, Emergency Communications, and Purchasing staff have worked with Xybix Systems, Inc., to specify and design new console furniture and a revised layout for the ECC. The new proposed furniture design increases social distancing between shift members and includes removable acrylic dividers between each position. The new design would also increase the total number of available consoles and more effectively accommodate trainers and trainees working together safely. Technological enhancements over the current design would also allow ECC staff to use their own keyboards and other peripheral devices, thus eliminating the need for device sharing and constant disinfection.

Xybix Systems, Inc., offers cooperative purchasing programs through the Houston-Galveston Area Council contract system. Fire has utilized this cooperative purchasing contract mechanism for previous capital purchases including fire apparatus and replacement medic units. The Purchasing Director has determined that this contract mechanism meets all applicable state and local procurement and purchasing regulations. Staff believes that this project also meets all applicable criteria to qualify for use of the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds.

Staff recommends adoption of the attached resolution, which authorizes the County Administrator to execute a contract with Xybix Systems, Inc., using CARES Act funds, for replacement of Emergency Communications Center console furniture in the amount of $195,441.

RTA/md
CA-DispCnsoleRepl-mem

Attachment

R E S O L U T I O N

CONTRACT AWARD - DISPATCH CONSOLE FURNITURE REPLACEMENT - $195,441

WHEREAS, funds are available through the Coronavirus Aid, Relief, and Economic Security (CARES) Act to assist localities in responding to and mitigating the effects of the COVID-19 Pandemic; and

WHEREAS, upgrades to the Emergency Communications Center are necessary to ensure staff safety and security; and

WHEREAS, Xybix Systems, Inc., has offered a contract price of $195,441 for the replacement and installation of new dispatch console furniture; and

WHEREAS, cooperative procurement action is authorized by Chapter 1, Section 5, of the James City County Purchasing Policy and the Virginia Public Procurement Act, and the Houston-Galveston Area Council has negotiated fair and reasonable contract pricing; and

WHEREAS, the Fire Department, Purchasing, Finance, and County Administration have deemed that the purchase meets all applicable requirements for the use of CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract with Xybix Systems, Inc., for the purchase and installation of new dispatch console furniture in the amount of $195,441 using funds provided through the CARES Act.

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

CA-DispCnsoleRepl-res

AGENDA ITEM NO. G.8.

ITEM SUMMARY

DATE:	9/8/2020
TO:	The Board of Supervisors
FROM:	Adam R. Kinsman, County Attorney
SUBJECT:	Confirmation of August 3, 2020 Declaration of a Local Emergency and August 5, 2020 Ending of Local Emergency

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ATTACHMENTS:

	Description	Type
🗋	Memo	Cover Memo
🗋	Reso	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	8/20/2020 - 8:23 AM
Publication Management	Daniel, Martha	Approved	8/20/2020 - 8:26 AM
Legal Review	Kinsman, Adam	Approved	8/20/2020 - 8:27 AM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:09 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:04 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:29 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Confirmation of August 3, 2020 Declaration of a Local Emergency and August 5, 2020 Ending of Local Emergency

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On August 3, 2020, the County's Director of Emergency Management, Scott A. Stevens (the "Director"), declared a Local Emergency (the "Declaration") due to the imminent threat of wind, rain, flooding, tree falls, and power outages associated with tropical storm Isaias, creating conditions of extreme peril to the lives, safety, and property of the residents of James City County.

The Director's Declaration was necessary to permit the full powers of the government to deal effectively with this condition of peril. When the threats and effects of Isaias passed, the Director ended the Declaration at 8:00 a.m. on August 5, 2020.

The Code of Virginia requires the Board to take appropriate action to confirm the Declaration. A resolution to confirm the Declaration and its subsequent ending is attached.

ARK/md
LocEmerg-Isaias-mem

Attachment

R E S O L U T I O N

CONFIRMATION OF DECLARATION OF A LOCAL EMERGENCY AND

AFFIRMATION OF ENDING OF LOCAL EMERGENCY

WHEREAS, the Director of Emergency Management of James City County (the "Director") declared a Local Emergency on August 3, 2020, due to the imminent threat of wind, rain, flooding, tree falls, and power outages from tropical storm Isaias; and

WHEREAS, Section 44-146.21 of the Code of Virginia, 1950, as amended (the "Virginia Code") requires that the Board of Supervisors confirm the Director's declaration at its next regularly-scheduled meeting; and

WHEREAS, the Director ended the Declaration of a Local Emergency on August 5, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the August 3, 2020, Declaration of Local Emergency is hereby confirmed and the August 5, 2020, ending of the Declaration of a Local Emergency is hereby affirmed.

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

LocEmerg-Isaias-res

AGENDA ITEM NO. G.9.

ITEM SUMMARY

DATE:	9/8/2020
TO:	The Board of Supervisors
FROM:	Sharon Day, Director of Financial and Management Services
SUBJECT:	Grant Award - Coronavirus Aid, Relief, and Economic Security Relief Funds - $6,676,337

ATTACHMENTS:

	Description	Type
🗋	Memorandum	Cover Memo
🗋	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:05 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Sharon B. Day, Director of Financial and Management Services

SUBJECT: Grant Award - Coronavirus Aid, Relief, and Economic Security Relief Funds - $6,676,337

The CARES Act established the Coronavirus Relief Fund (CRF) to assist local governments in response to Coronavirus Disease 2019 (COVID-19). In June, the County received the first half (50%) of the local government allocations of the relief funds.

The County will now receive its second and final locality-based allocation of $6,676,337. The same conditions apply to second allocation. These funds may be used for qualifying expenses of local governments. The CARES Act provides that payments from the CRF may only be used to cover costs that:

- Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);

- Were not accounted for in the budget most recently approved as of March 27, 2020, (the date of enactment of the CARES Act) for the State or government; and

- Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

The federal guidelines continue to state that the funding should not be used to make up for revenue shortfalls nor be used for ongoing services and/or base operations. Any funds that are not expended or that will not be expended on necessary expenditures on or before December 30, 2020 must be returned by December 30, 2020. Further, CRF funds expended in any manner that does not adhere to official federal guidance shall be returned within 30 days of a finding that the expenditure is disallowed.

It is recommended that the Board of Supervisors adopt the attached resolution to authorize acceptance of these emergency funds and appropriate the use of these funds in the administration and operation of the County during the COVID crisis.

SBD/nb
FMS-CARES-mem

Attachment

R E S O L U T I O N

GRANT AWARD - CORONAVIRUS AID, RELIEF, AND

ECONOMIC SECURITY RELIEF FUNDS - $6,676,337

WHEREAS, James City County is a locality in the Commonwealth of Virginia; and

WHEREAS, the County has been provided a second and final distribution of the locality-based allocation from the federal Coronavirus Relief Fund (CRF) through the CARES Act; and

WHEREAS, the County agrees to abide by the stipulations as presented in the previously signed CERTIFICATION for RECEIPT of CORONAVIRUS RELIEF FUND PAYMENTS by JAMES CITY COUNTY (attached).

WHEREAS, no local match is required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes acceptance of this funding and the budget appropriation of $6,676,337 to Special Projects/Grants Fund as shown below and further authorizes the County Administrator to execute the documents necessary to accept and implement the grant.

Revenue:

Federal - CARES COVID-19 Relief Funds	$6,676,337

Expenditure:

CARES COVID-19 Relief Funds	$6,676,337

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

FMS-CARES-res

AGENDA ITEM NO. G.10.

ITEM SUMMARY

DATE:	9/8/2020
TO:	The Board of Supervisors
FROM:	Dianna Moorman, General Registrar
SUBJECT:	Grant Award - Coronavirus Aid, Relief, and Economic Security Act Election Funding - $69,748

ATTACHMENTS:

	Description	Type
🗋	Memorandum	Cover Memo
🗋	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/8/2020 - 11:36 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Dianna S. Moorman, General Registrar

SUBJECT: Grant Award - Coronavirus Aid, Relief, and Economic Security Act Election Funding - $69,748

The Virginia Department of Elections has granted Coronavirus Aid, Relief, and Economic Security (CARES) Act funding to local voter registration offices specifically to prevent, prepare for, and respond to the Coronavirus Disease 2019 (COVID-19) for the 2020 federal election cycle. The County's Voter Registration and Elections Office has been awarded $69,748 for its allocation of this funding.

The Department of Elections restricted the use of this CARES Act election funding to a number of expenses related to COVID-19 for the November 2020 federal elections only. These funds may be used toward any expenditures related to the protection of the health and safety of poll workers, staff, and voters during the federal election as well as those resulting from anticipated increased demand for absentee ballots by mail costs (e.g., printing ballots, printing envelopes, postage, etc.), equipment, and temporary staff. Local voter registration offices may also utilize the funding for voter outreach to include mailings and public service announcements. Funds cannot be utilized for items that would be needed regardless of the COVID-19 pandemic.

The County has certified that the amount awarded would only be used for allowable expenses for the 2020 federal election cycle and that any funding not used for eligible expenses would be paid back to the Department of Elections with interest. In addition, the County agreed to maintain all records related to these expenses for a period of four years. All funds must be encumbered by November 30, 2020, and paid out by December 31, 2020.

It is recommended that the Board of Supervisors adopt the attached resolution to authorize acceptance of these CARES Act election funds and appropriate the use of these funds for eligible expenses for the 2020 federal election cycle.

DSM/md
GA-CARESElect2020-mem

Attachment

R E S O L U T I O N

GRANT AWARD - CORONAVIRUS AID, RELIEF, AND

ECONOMIC SECURITY ACT ELECTION FUNDING - $69,748

WHEREAS, James City County's Voter Registration and Elections Office will oversee election operations in the County during the 2020 federal election cycle; and

WHEREAS, the County has been awarded a distribution of Coronavirus Aid, Relief, and Economic Security (CARES) Act funding from the Virginia Department of Elections to prevent, prepare for, and respond to the Coronavirus Disease 2019 for the 2020 federal election cycle; and

WHEREAS, the County agrees to abide by the stipulations provided by the Department of Elections regarding the allowable uses of these funds and the necessary recordkeeping; and

WHEREAS, no local match is required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes acceptance of this CARES Act election funding and the budget appropriation of $69,748 to Special Projects/Grants Fund as shown below.

Revenue:

Federal - CARES Act Election Funds	$69,748

Expenditure:

CARES Act Election Funds	$69,748

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

GA-CARESElect2020-res

AGENDA ITEM NO. H.1.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Readoption of an Ordinance to Ensure the Continuity of Government

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ATTACHMENTS:

	Description	Type
🗋	Cover Memo	Cover Memo
🗋	Ordinance	Ordinance
🗋	Ordinance (final)	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	8/21/2020 - 2:37 PM
Publication Management	Daniel, Martha	Approved	8/21/2020 - 2:45 PM
Legal Review	Kinsman, Adam	Approved	8/31/2020 - 10:32 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:40 AM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 11:41 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:41 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Readoption of Continuity of Government Ordinance

At the April 14, 2020 meeting of the Board of Supervisors (the "Board"), the Board readopted its Continuity of Government Ordinance as permitted by section 15.2-1413 of the Code of Virginia, 1950, as amended (the "Virginia Code"). This Ordinance is only effective for six (6) months and therefore expires on October 14, 2020. The effects of the COVID-19 pandemic continue and the States of Emergency declared by the Governor and the Board remain in place. Accordingly, it is necessary to readopt the Continuity of Government Ordinance, effective October 14, 2020 so that it will remain effective until April 24, 2021 unless it is repealed by the Board before that date.

I recommend readoption of the Ordinance adopted by the Board on April 14, 2020, effective October 14, 2020.

ARK/nb
ReadoptGovContin-mem

Attachment

READOPTED

ORDINANCE NO. _____

AN ORDINANCE TO ENSURE THE CONTINUITY OF GOVERNMENT

WHEREAS, on January 31, 2020, the Secretary of Health and Human Resources declared a public health emergency in response to the spread of novel coronavirus, or COVID-19 (the "virus"); and

WHEREAS, on March 12, 2020, the Governor of the Commonwealth of Virginia declared a State of Emergency in the Commonwealth of Virginia in response to the spread of the virus; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency, beginning March 1, 2020, in response to the spread of the virus; and

WHEREAS, at 11:30 a.m. on March 13, 2020, the James City County Director of Emergency Management declared a local State of Emergency (the "declaration") in James City County (the "County") due to the outbreak of the virus in the County and the resulting danger to the public's health, safety, and welfare due to the transmission and contraction of the virus; and

WHEREAS, on March 17, 2020, the Board of Supervisors of James City County (the "Board") convened in a special meeting, confirmed the declaration, and further found the emergency to be a "disaster" and amended the declaration accordingly; and

WHEREAS, subsequent to the March 17, 2020 special meeting, there have been additional confirmations of County citizens having contracted the virus and the Virginia State Health Commissioner has determined that the County is an "outbreak" area in the Commonwealth; and

WHEREAS, on April 14, 2020, the Board found that emergency measures are necessary to mitigate the ongoing emergency and disaster that is occurring in the County and to protect the health, safety, and welfare of the citizens and, in response, adopted a continuity of government ordinance pursuant to section 15.2-1413 of the Code of Virginia, 1950, as amended (the "Virginia Code") and Section 3.6 of the Charter of James City County (the "Continuity Ordinance"); and

WHEREAS, pursuant to section 15.2-1413 of the Virginia Code, the Continuity Ordinance may only be in place for six (6) months at a time; consequently, the Continuity Ordinance must be repealed or readopted prior to October 14, 2020; and

WHEREAS, the effects of the disaster have not been abated and the national, state, and local states of emergency remain in place and the Board desires to continue to ensure the continuity of government pursuant to section 15.2-1413 of the Virginia Code and Section 3.6 of the Charter of James City County.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that the following rules, laws, actions, and regulations are effective at 12:00 A.M. on October 14, 2020, and shall remain so until this Ordinance is repealed by the Board or until six (6) months from October 14, 2020, whichever comes first; further, normal governmental activity shall resume subsequent to repeal or expiration of this Ordinance.

BE IT FURTHER ORDAINED that the James City Service Authority - a public body created by resolution of the Board of Supervisors dated June 30, 1969, and whose Board of Directors is the Board of Supervisors, is a critical component of the County's government and may hold meetings as authorized under Part D of this Ordinance to carry on the functions of the Authority, which are essential during this emergency and disaster.

BE IT FURTHER ORDAINED that the Economic Development Authority of James City County, Virginia, which is a public body created by Ordinance No. 55 adopted by the Board of Supervisors on September 8, 1969 - is a critical component of the County's government and may hold meetings as authorized under Part D of this Ordinance to carry on the functions of the Authority, which are essential during this emergency and disaster.

PART A. - GENERAL PROVISIONS

Sec. A-1. Declaration of policy.

Because of the rapid spread of the novel coronavirus, COVID-19 (the "virus") in James City County and the designation of the County as an "outbreak area," the Board of Supervisors of James City County (the "Board") desires to ensure the continuation of effective, legally constituted leadership, authority, and responsibility in the governance of the County during this disaster, to ensure the continuation of essential government functions and responsibilities, and to facilitate the early resumption of functions temporarily suspended. The Board has found and declared it necessary to: (1) provide for additional officers who can exercise the powers and discharge the duties of the key executive, administrative, and legislative offices of the County in the event that the incumbents thereof are unable to perform the duties and functions of their offices during the disaster; (2) limit, modify, or suspend certain non-essential government functions; (3) temporarily suspend certain policies and regulations; and (4) limit or prohibit certain public interaction at County meetings, in County offices, and with County employees.

Sec. A-2. Definitions.

(a) Board means the Board of Supervisors of James City County.

(b) County Administrator means the County Administrator of James City County or his successor, Deputy, or emergency interim successor

(c) County Charter means the Charter of the County of James City.

(d) County Code means the Code of the County of James City, as amended.

(e) Disaster means the effects caused by or related to the spread of the novel coronavirus, COVID-19, including but not limited to the injury or threat of injury to the public health, safety, and welfare and related damage, hardship, suffering, or loss of life.

(f) Deputy means a person who is presently authorized by the Virginia Code, County Code, or County Charter to exercise all of the powers and discharge all of the duties of an office in the event that the office is vacant or at such times as it lacks administration due to the death, absence, or inability of the incumbent.

(g) Emergency interim successor means a person designated pursuant to this chapter for temporary succession to the powers and duties, but not the office, of an officer in the event that such officer or a duly authorized deputy is unavailable to exercise the powers and discharge the duties of the office.

(h) Incumbent means the person who is entitled to exercise the powers and discharge the duties, and who is the holder, of an office by virtue of employment or appointment thereto as provided in the Virginia Constitution, Virginia Code, County Charter, and/or the ordinances of the County.

(i) Manual means the James City County *Personnel Policies and Procedures Manual*, as amended.

(j) Unavailable means either:

a. That a vacancy exists in an office and there is no duly authorized deputy to exercise all the powers and discharge all the duties of the office; or

b. That the incumbent (including any duly authorized deputy exercising the powers and discharging the duties of an office because of a vacancy) and his duly authorized deputy, and all of them if more than one, are absent from the County or unable, for physical, mental, or legal reason, to exercise the powers and discharge the duties of the office.

(k) Virginia Code means the Code of Virginia, 1950, as amended.

PART B. - EMERGENCY INTERIM SUCCESSORS

Sec. B-1. Applicability.

The provisions of this Part shall apply, and authorization to designate emergency interim successors is granted, only to the following (collectively, the "Departments"):

(a) All department heads and deputy department heads;

(b) The Clerk of the Board of Supervisors;

(c) The Director of Emergency Management;

(d) Fire Marshal;

(e) Animal Control Officer; and

(f) The Zoning Administrator.

Sec. B-2. Designation.

The incumbent of each Department shall designate in writing two or more emergency interim successors to the office and specify their rank in order of succession after any duly authorized deputy. The name, address, and rank in order of succession of each duly authorized deputy and each emergency interim successor shall be filed with the Director of Emergency Management within five (5) days of adoption of this ordinance, and all changes in the duly authorized deputies or in the designation or order of succession of emergency interim successor shall be filed with the Director of Emergency Management within two (2) days of such change. Designations of emergency interim successors and changes therein and in the order of succession thereof shall become effective when filed with the Director of Emergency Management.

Sec. B-3. Qualifications.

No person shall be designated or serve as an emergency interim successor unless they are qualified to hold the office to which they are designated an emergency interim successor, but no provision of the County Code or of any ordinance prohibiting an officer or employee of the County from holding another office shall be applicable to an emergency interim successor. At the time of their designation, an emergency interim successor shall do such things, if any, as are required to qualify them to exercise the powers and discharge the duties of the office as to which they have been designated an emergency interim successor; provided, that the designation of an emergency interim successor for an office subject to confirmation by the Board shall be considered to have been appointed by adoption of this ordinance and shall not require further approval of the Board to be effective.

Sec. B-4. Assumption of powers and duties of office.

If, in the event that the incumbent of a Department becomes unavailable and any deputy is unavailable, the emergency interim successor to that office who is highest in rank in order of succession and who is not unavailable shall, except for the power to appoint emergency interim successors, exercise the powers and discharge the duties of the office. An emergency interim successor shall exercise the powers and discharge the duties of the office only until such time as the incumbent or deputy or an emergency interim successor higher in rank in order of succession becomes available to exercise the powers and discharge the duties of the office or until, where an actual vacancy exists, a successor is appointed.

Sec. B-5. Restrictions on persons to be designated.

No person shall be designated as an emergency interim successor for two offices at the same time. No person who is a duly authorized deputy shall be designated as an emergency interim successor for any office.

Sec. B-6. Termination of authority.

Notwithstanding any other provision of this ordinance, the County Administrator may at any time terminate the authority of any one or more, or all, emergency interim successors to exercise the powers and discharge the duties of office as herein provided. The Board of Supervisors may at any time terminate the authority of any emergency interim successor to the County Administrator.

PART C. - SUSPENSION OF ADOPTED POLICIES

Sec. C-1. Suspension of Certain Chapters, Sections of the Manual.

1. The following sections in Chapter 2, Employment, of the Manual are suspended in their entirety:

    a. Section 2.5, to allow the County to hire employees as needed without delay.

    b. Section 2.8, to allow the County to promote, transfer, reinstate, and other needed job changes without delay.

    c. Section 2.13, prior to initiating a reduction in workforce.

    d. Section 2.14, to eliminate certain requirements prior to reducing Limited Term or Other positions.

2. The following sections in Chapter 4, Compensation Plan, of the Manual are suspended in their entirety:

    a. Section 4.7, to allow greater flexibility in setting wages for new, reinstated, and rehired employees.

    b. Section 4.14(G), to suspend pay discrepancy complaint process timelines.

3. The following sections in Chapter 5, Employee Benefits, of the Manual are suspended in their entirety:

    a. Section 5.4, to allow the County to publish new leave guidance and categories as Federal/State Legislation emerges.

    b. Sections 5.6(C)(1) and (D) to allow Employee Assistance Counseling benefits to be extended to all staff and temporarily suspends the requirement to assist employees to access at least one fitness center.

    c. Section 5.10 to allow the County to temporarily suspend new requests for Employer Assisted Home Ownership program.

4. The following section in Chapter 10, Diversity and Equal Opportunity, of the Manual is suspended in its entirety:

    a. Section 10.10, to allow the County flexibility in timelines for resolving discrimination and harassment claims.

5. The following general changes are hereby made to Chapters 7, Standards of Conduct, and 8, Grievance Procedure, of the Manual:

    a. Each and every deadline shall be multiplied by a factor of three (3). For example, a five (5) workday deadline shall be automatically changed to a fifteen (15) day deadline.

Sec. C-2. Suspension of Expedited Review Procedures.

All expedited review procedures provided by any County rule, regulation, and the County Code are hereby suspended.

Sec. C-3. Suspension of Inconsistent Policies.

The following are suspended to the extent they are inconsistent with this ordinance and its authorizations:

(a) Policies adopted by the Board or its subordinate committees, commission, or boards;

(b) James City County Administrative Regulations.

Sec. C-4. Tolling of all Time Limits in the Event of an Order or Declaration that Requires the Complete or Partial Closure of County Offices.

Upon a declaration that residents of the County are ordered to stay at home or are otherwise prevented from coming to any County office, all deadlines, wherever found, including but not limited to the Virginia Code, the County Code, County Ordinances, the Manual, or otherwise, shall be tolled during such time.

PART D. - LIMITATION ON PERSON-TO-PERSON CONTACT

Sec. D-1. Public Buildings, Facilities, and Real Property.

The County Administrator is empowered and directed to restrict public from entering or congregating around County-owned buildings, facilities, and real property in the least restrictive manner as reasonably necessary to ensure the health, safety, and welfare of the public and County staff.

Sec. D-2. Public Meetings.

Any regularly scheduled, special, or emergency meeting of the Board of Supervisors or any subordinate board, committee, or commission, or the School Board, may be held by solely electronic or telephonic means without a quorum of members physically present. Any such meeting of the Board of Supervisors or any subordinate board, committee, or commission shall follow the following criteria:

(a) All meetings shall have a live audio or video broadcast accessible through the County website, a public access channel, or a dial-in audio number.

(b) The agenda for any meeting held under this ordinance shall:

(1) affirmatively state that the meeting shall be held remotely pursuant to this ordinance;

(2) identify a person responsible for receiving public comment (the "Deputy Clerk"); and

(3) contain a notice of the opportunities for public access and participation.

(c) Previously-scheduled Regular Meetings:

(1) Agendas and the associated materials shall be posted on the County website at least seven (7) days in advance of the meeting.

(2) Public Comment: Citizens may provide written comments (including e-mail) to the Deputy Clerk. If available, citizens may provide audio comments to a dedicated voicemail as may be indicated on the agenda. Normal rules of order shall apply to all comments and any comments found to be out of order or obscene shall not be included in the record of the meeting.

(3) Public Hearings: Any non-emergency public hearing items may be postponed until a date certain unless inconsistent with other statutory requirements. If an item requires statutory notice and hearing, including under Virginia Code § 15.2-2204, the following procedures shall apply:

i. The notice shall specify the time and place of hearing and the means by which persons affected may appear and present their views.

ii. The hearing shall occur not less than five days nor more than 21 days after the second advertisement appears in such newspaper.

iii. Applicant shall be given the opportunity to provide an electronic presentation to the public body of up to fifteen (15) minutes.

iv. Interaction between the applicant and public body will occur via an interactive video or audio chat.

v. Following the applicant's presentation, if any, to the public body, affected citizens shall be allowed to provide written comments, or audio comments of up to five (5) minutes.

(d) Special Meetings:

(1) Notice of special meetings and the agendas and associated materials shall be posted on the County website within a reasonable time of being made available to the public body by the Deputy Clerk.

(2) Public Comment: Citizens may provide written comments (including email) to the Deputy Clerk related to any agenda item. Citizens may provide audio comments to a dedicated voicemail as indicated on the agenda. Normal rules of order shall apply to all comments and any comments found to be unrelated to agenda items, out of order, or obscene shall not be included in the record of the meeting.

(e) Emergency Meetings:

(1) Agendas and the associated materials shall be posted on the County website within a reasonable time of being made available to the public body by the Deputy Clerk.

(2) Opportunities for public access and participation during any emergency meeting shall be given using the best available method under the circumstances.

(3) The nature of the emergency shall be reflected in the minutes of the meeting.

(4) All actions taken at an emergency meeting shall be ratified at a later regular or special meeting.

(f) The fact that the meeting was held by electronic communication means, the type of electronic communication means by which the meeting was held, and the opportunities for public access and participation shall be reflected in the minutes of the meeting.

Any item on an agenda for a regularly scheduled, special, or emergency meeting held hereunder may be continued until a later time or date for the purposes of reviewing and considering input provided by the public.

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

ReadoptGovContin-ord

READOPTED

ORDINANCE NO. _____

AN ORDINANCE TO ENSURE THE CONTINUITY OF GOVERNMENT

WHEREAS, on January 31, 2020, the Secretary of Health and Human Resources declared a public health emergency in response to the spread of novel coronavirus, or COVID-19 (the "virus"); and

WHEREAS, on March 12, 2020, the Governor of the Commonwealth of Virginia declared a State of Emergency in the Commonwealth of Virginia in response to the spread of the virus; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency, beginning March 1, 2020, in response to the spread of the virus; and

WHEREAS, at 11:30 a.m. on March 13, 2020, the James City County Director of Emergency Management declared a local State of Emergency (the "declaration") in James City County (the "County") due to the outbreak of the virus in the County and the resulting danger to the public's health, safety, and welfare due to the transmission and contraction of the virus; and

WHEREAS, on March 17, 2020, the Board of Supervisors of James City County (the "Board") convened in a special meeting, confirmed the declaration, and further found the emergency to be a "disaster" and amended the declaration accordingly; and

WHEREAS, subsequent to the March 17, 2020 special meeting, there have been additional confirmations of County citizens having contracted the virus and the Virginia State Health Commissioner has determined that the County is an "outbreak" area in the Commonwealth; and

WHEREAS, on April 14, 2020, the Board found that emergency measures are necessary to mitigate the ongoing emergency and disaster that is occurring in the County and to protect the health, safety, and welfare of the citizens and, in response, adopted a continuity of government ordinance pursuant to section 15.2-1413 of the Code of Virginia, 1950, as amended (the "Virginia Code") and Section 3.6 of the Charter of James City County (the "Continuity Ordinance"); and

WHEREAS, pursuant to section 15.2-1413 of the Virginia Code, the Continuity Ordinance may only be in place for six (6) months at a time; consequently, the Continuity Ordinance must be repealed or readopted prior to October 14, 2020; and

WHEREAS, the effects of the disaster have not been abated and the national, state, and local states of emergency remain in place and the Board desires to continue to ensure the continuity of government pursuant to section 15.2-1413 of the Virginia Code and Section 3.6 of the Charter of James City County.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that the following rules, laws, actions, and regulations are effective at 12:00 A.M. on October 14, 2020, and shall remain so until this Ordinance is repealed by the Board or until six (6) months from October 14, 2020, whichever comes first; further, normal governmental activity shall resume subsequent to repeal or expiration of this Ordinance.

BE IT FURTHER ORDAINED that the James City Service Authority - a public body created by resolution of the Board of Supervisors dated June 30, 1969, and whose Board of Directors is the Board of Supervisors, is a critical component of the County's government and may hold meetings as authorized under Part D of this Ordinance to carry on the functions of the Authority, which are essential during this emergency and disaster.

BE IT FURTHER ORDAINED that the Economic Development Authority of James City County, Virginia, which is a public body created by Ordinance No. 55 adopted by the Board of Supervisors on September 8, 1969 - is a critical component of the County's government and may hold meetings as authorized under Part D of this Ordinance to carry on the functions of the Authority, which are essential during this emergency and disaster.

PART A. - GENERAL PROVISIONS

Sec. A-1. Declaration of policy.

Because of the rapid spread of the novel coronavirus, COVID-19 (the "virus") in James City County and the designation of the County as an "outbreak area," the Board of Supervisors of James City County (the "Board") desires to ensure the continuation of effective, legally constituted leadership, authority, and responsibility in the governance of the County during this disaster, to ensure the continuation of essential government functions and responsibilities, and to facilitate the early resumption of functions temporarily suspended. The Board has found and declared it necessary to: (1) provide for additional officers who can exercise the powers and discharge the duties of the key executive, administrative, and legislative offices of the County in the event that the incumbents thereof are unable to perform the duties and functions of their offices during the disaster; (2) limit, modify, or suspend certain non-essential government functions; (3) temporarily suspend certain policies and regulations; and (4) limit or prohibit certain public interaction at County meetings, in County offices, and with County employees.

Sec. A-2. Definitions.

(a) Board means the Board of Supervisors of James City County.

(b) County Administrator means the County Administrator of James City County or his successor, Deputy, or emergency interim successor

(c) County Charter means the Charter of the County of James City.

(d) County Code means the Code of the County of James City, as amended.

(e) Disaster means the effects caused by or related to the spread of the novel coronavirus, COVID-19, including but not limited to the injury or threat of injury to the public health, safety, and welfare and related damage, hardship, suffering, or loss of life.

(f) Deputy means a person who is presently authorized by the Virginia Code, County Code, or County Charter to exercise all of the powers and discharge all of the duties of an office in the event that the office is vacant or at such times as it lacks administration due to the death, absence, or inability of the incumbent.

(g) Emergency interim successor means a person designated pursuant to this chapter for temporary succession to the powers and duties, but not the office, of an officer in the event that such officer or a duly authorized deputy is unavailable to exercise the powers and discharge the duties of the office.

(h) Incumbent means the person who is entitled to exercise the powers and discharge the duties, and who is the holder, of an office by virtue of employment or appointment thereto as provided in the Virginia Constitution, Virginia Code, County Charter, and/or the ordinances of the County.

(i) Manual means the James City County *Personnel Policies and Procedures Manual*, as amended.

(j) Unavailable means either:

a. That a vacancy exists in an office and there is no duly authorized deputy to exercise all the powers and discharge all the duties of the office; or

b. That the incumbent (including any duly authorized deputy exercising the powers and discharging the duties of an office because of a vacancy) and his duly authorized deputy, and all of them if more than one, are absent from the County or unable, for physical, mental, or legal reason, to exercise the powers and discharge the duties of the office.

(k) Virginia Code means the Code of Virginia, 1950, as amended.

PART B. - EMERGENCY INTERIM SUCCESSORS

Sec. B-1. Applicability.

The provisions of this Part shall apply, and authorization to designate emergency interim successors is granted, only to the following (collectively, the "Departments"):

(a) All department heads and deputy department heads;

(b) The Clerk of the Board of Supervisors;

(c) The Director of Emergency Management;

(d) Fire Marshal;

(e) Animal Control Officer; and

(f) The Zoning Administrator.

Sec. B-2. Designation.

The incumbent of each Department shall designate in writing two or more emergency interim successors to the office and specify their rank in order of succession after any duly authorized deputy. The name, address, and rank in order of succession of each duly authorized deputy and each emergency interim successor shall be filed with the Director of Emergency Management within five (5) days of adoption of this ordinance, and all changes in the duly authorized deputies or in the designation or order of succession of emergency interim successor shall be filed with the Director of Emergency Management within two (2) days of such change. Designations of emergency interim successors and changes therein and in the order of succession thereof shall become effective when filed with the Director of Emergency Management.

Sec. B-3. Qualifications.

No person shall be designated or serve as an emergency interim successor unless they are qualified to hold the office to which they are designated an emergency interim successor, but no provision of the County Code or of any ordinance prohibiting an officer or employee of the County from holding another office shall be applicable to an emergency interim successor. At the time of their designation, an emergency interim successor shall do such things, if any, as are required to qualify them to exercise the powers and discharge the duties of the office as to which they have been designated an emergency interim successor; provided, that the designation of an emergency interim successor for an office subject to confirmation by the Board shall be considered to have been appointed by adoption of this ordinance and shall not require further approval of the Board to be effective.

Sec. B-4. Assumption of powers and duties of office.

If, in the event that the incumbent of a Department becomes unavailable and any deputy is unavailable, the emergency interim successor to that office who is highest in rank in order of succession and who is not unavailable shall, except for the power to appoint emergency interim successors, exercise the powers and discharge the duties of the office. An emergency interim successor shall exercise the powers and discharge the duties of the office only until such time as the incumbent or deputy or an emergency interim successor higher in rank in order of succession becomes available to exercise the powers and discharge the duties of the office or until, where an actual vacancy exists, a successor is appointed.

Sec. B-5. Restrictions on persons to be designated.

No person shall be designated as an emergency interim successor for two offices at the same time. No person who is a duly authorized deputy shall be designated as an emergency interim successor for any office.

Sec. B-6. Termination of authority.

Notwithstanding any other provision of this ordinance, the County Administrator may at any time terminate the authority of any one or more, or all, emergency interim successors to exercise the powers and discharge the duties of office as herein provided. The Board of Supervisors may at any time terminate the authority of any emergency interim successor to the County Administrator.

PART C. - SUSPENSION OF ADOPTED POLICIES

Sec. C-1. Suspension of Certain Chapters, Sections of the Manual.

1. The following sections in Chapter 2, Employment, of the Manual are suspended in their entirety:

    a. Section 2.5, to allow the County to hire employees as needed without delay.

    b. Section 2.8, to allow the County to promote, transfer, reinstate, and other needed job changes without delay.

    c. Section 2.13, prior to initiating a reduction in workforce.

    d. Section 2.14, to eliminate certain requirements prior to reducing Limited Term or Other positions.

2. The following sections in Chapter 4, Compensation Plan, of the Manual are suspended in their entirety:

    a. Section 4.7, to allow greater flexibility in setting wages for new, reinstated, and rehired employees.

    b. Section 4.14(G), to suspend pay discrepancy complaint process timelines.

3. The following sections in Chapter 5, Employee Benefits, of the Manual are suspended in their entirety:

    a. Section 5.4, to allow the County to publish new leave guidance and categories as Federal/State Legislation emerges.

    b. Sections 5.6(C)(1) and (D) to allow Employee Assistance Counseling benefits to be extended to all staff and temporarily suspends the requirement to assist employees to access at least one fitness center.

    c. Section 5.10 to allow the County to temporarily suspend new requests for Employer Assisted Home Ownership program.

4. The following section in Chapter 10, Diversity and Equal Opportunity, of the Manual is suspended in its entirety:

    a. Section 10.10, to allow the County flexibility in timelines for resolving discrimination and harassment claims.

5. The following general changes are hereby made to Chapters 7, Standards of Conduct, and 8, Grievance Procedure, of the Manual:

    a. Each and every deadline shall be multiplied by a factor of three (3). For example, a five (5) workday deadline shall be automatically changed to a fifteen (15) day deadline.

Sec. C-2. Suspension of Expedited Review Procedures.

All expedited review procedures provided by any County rule, regulation, and the County Code are hereby suspended.

Sec. C-3. Suspension of Inconsistent Policies.

The following are suspended to the extent they are inconsistent with this ordinance and its authorizations:

(a) Policies adopted by the Board or its subordinate committees, commission, or boards;

(b) James City County Administrative Regulations.

Sec. C-4. Tolling of all Time Limits in the Event of an Order or Declaration that Requires the Complete or Partial Closure of County Offices.

Upon a declaration that residents of the County are ordered to stay at home or are otherwise prevented from coming to any County office, all deadlines, wherever found, including but not limited to the Virginia Code, the County Code, County Ordinances, the Manual, or otherwise, shall be tolled during such time.

PART D. - LIMITATION ON PERSON-TO-PERSON CONTACT

Sec. D-1. Public Buildings, Facilities, and Real Property.

The County Administrator is empowered and directed to restrict public from entering or congregating around County-owned buildings, facilities, and real property in the least restrictive manner as reasonably necessary to ensure the health, safety, and welfare of the public and County staff.

Sec. D-2. Public Meetings.

Any regularly scheduled, special, or emergency meeting of the Board of Supervisors or any subordinate board, committee, or commission, or the School Board, may be held by solely electronic or telephonic means without a quorum of members physically present. Any such meeting of the Board of Supervisors or any subordinate board, committee, or commission shall follow the following criteria:

(a) All meetings shall have a live audio or video broadcast accessible through the County website, a public access channel, or a dial-in audio number.

(b) The agenda for any meeting held under this ordinance shall:

(1) affirmatively state that the meeting shall be held remotely pursuant to this ordinance;

(2) identify a person responsible for receiving public comment (the "Deputy Clerk"); and

(3) contain a notice of the opportunities for public access and participation.

(c) Previously-scheduled Regular Meetings:

(1) Agendas and the associated materials shall be posted on the County website at least seven (7) days in advance of the meeting.

(2) Public Comment: Citizens may provide written comments (including e-mail) to the Deputy Clerk. If available, citizens may provide audio comments to a dedicated voicemail as may be indicated on the agenda. Normal rules of order shall apply to all comments and any comments found to be out of order or obscene shall not be included in the record of the meeting.

(3) Public Hearings: Any non-emergency public hearing items may be postponed until a date certain unless inconsistent with other statutory requirements. If an item requires statutory notice and hearing, including under Virginia Code § 15.2-2204, the following procedures shall apply:

i. The notice shall specify the time and place of hearing and the means by which persons affected may appear and present their views.

ii. The hearing shall occur not less than five days nor more than 21 days after the second advertisement appears in such newspaper.

iii. Applicant shall be given the opportunity to provide an electronic presentation to the public body of up to fifteen (15) minutes.

iv. Interaction between the applicant and public body will occur via an interactive video or audio chat.

v. Following the applicant's presentation, if any, to the public body, affected citizens shall be allowed to provide written comments, or audio comments of up to five (5) minutes.

(d) Special Meetings:

(1) Notice of special meetings and the agendas and associated materials shall be posted on the County website within a reasonable time of being made available to the public body by the Deputy Clerk.

(2) Public Comment: Citizens may provide written comments (including email) to the Deputy Clerk related to any agenda item. Citizens may provide audio comments to a dedicated voicemail as indicated on the agenda. Normal rules of order shall apply to all comments and any comments found to be unrelated to agenda items, out of order, or obscene shall not be included in the record of the meeting.

(e) Emergency Meetings:

(1) Agendas and the associated materials shall be posted on the County website within a reasonable time of being made available to the public body by the Deputy Clerk.

(2) Opportunities for public access and participation during any emergency meeting shall be given using the best available method under the circumstances.

(3) The nature of the emergency shall be reflected in the minutes of the meeting.

(4) All actions taken at an emergency meeting shall be ratified at a later regular or special meeting.

(f) The fact that the meeting was held by electronic communication means, the type of electronic communication means by which the meeting was held, and the opportunities for public access and participation shall be reflected in the minutes of the meeting.

Any item on an agenda for a regularly scheduled, special, or emergency meeting held hereunder may be continued until a later time or date for the purposes of reviewing and considering input provided by the public.

ReadoptGovContin-ord-final

AGENDA ITEM NO. H.2.

ITEM SUMMARY

DATE: 8/7/2020

TO: The Board of Supervisors

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

SUBJECT: Ordinance to Amend and Reordain Chapter 16, Metal Detecting

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ATTACHMENTS:

	Description	Type
🗋	Amend Ch16 Sec16-22 MetalD-ordinance	Cover Memo
🗋	Amend Ch16 Sec16-22 MetalD-ordinance final	Ordinance
🗋	Amend Ch16 Sec16-22 MetalD-ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Parks & Recreation	Brittle, Carla	Approved	8/27/2020 - 4:01 PM
Publication Management	Daniel, Martha	Approved	8/27/2020 - 4:05 PM
Legal Review	Kinsman, Adam	Approved	8/31/2020 - 12:07 PM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:27 AM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 11:29 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:30 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

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

SUBJECT: Ordinance to Amend and Reordain Chapter 16, Public Parks and Recreation Facilities, Article II, Regulations Governing Public Parks and Recreation Facilities, Section 16-22, Metal Detectors

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On January 14, 2020, the Board of Supervisors approved an amendment to Section 16-22 of the James City County Code of Ordinances to permit metal detecting in areas designated by the Director of Parks and Recreation. Parks & Recreation staff established guidelines to permit metal detecting on the sandy, man-made beach portion of Jamestown Beach Event Park between October and April.

Subsequently, County staff received feedback from the archaeological and historical community in regards to the negative impact metal detecting could have on historic resources in the area. In response to the input from citizens, a community meeting on metal detecting was held on February 6, 2020. Thirty-three participants attended the meeting and shared their views on metal detecting and guidelines proposed by Parks & Recreation staff. While there was some support for allowing metal detecting to locate safety hazards or lost objects, the majority of participants were not in favor of allowing public metal detecting activities in County parks.

As a result, staff propose to amend the Ordinance to allow approved metal detecting activities only under the direct supervision of James City County staff or a qualified Archaeologist as defined in the James City County Archaeological policy. Examples of approved activities would include searching for safety hazards in playground surfacing or on the sandy, man-made beach portion of Jamestown Beach Event Park, searching for lost items of value, or as part of an approved archeological survey.

Staff recommends approval of the attached resolution to Amend and Reordain Chapter 16, Public Parks and Recreation Facilities, Article II, Regulations Governing Public Parks and Recreation Facilities, Section 16-22, Metal Detectors.

JHC/md
Ch16S22MetalDet-mem

Attachments

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 16, PUBLIC PARKS AND RECREATION FACILITIES, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, REGULATIONS GOVERNING PUBLIC PARKS AND RECREATION FACILITIES, SECTION 16-22, METAL DETECTORS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 16, Public Parks and Recreation Facilities, is hereby amended and reordained by amending Article II, Regulations Governing Public Parks and Recreation Facilities, Section 16-22, Metal detectors.

Chapter 16. Public Parks and Recreation Facilities

Article II. Regulations Governing Public Parks and Recreation Facilities

Sec. 16-22. Metal detectors.

No person shall use any type of electronic metal detecting device in any recreational facility, except-when approval is granted by the director and only under the direct supervision of county staff or a qualified archaeologist.

Ch16S22MetalDet-ord-final

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 16, PUBLIC PARKS AND RECREATION FACILITIES, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, REGULATIONS GOVERNING PUBLIC PARKS AND RECREATION FACILITIES, SECTION 16-22, METAL DETECTORS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 16, Public Parks and Recreation Facilities, is hereby amended and reordained by amending Article II, Regulations Governing Public Parks and Recreation Facilities, Section 16-22, Metal detectors.

Chapter 16. Public Parks and Recreation Facilities

Article II. Regulations Governing Public Parks and Recreation Facilities

Sec. 16-22. Metal detectors.

No person shall use any type of electronic metal detecting device in any recreational facility, except ~~*in areas designated by the Director*~~ *when approval is granted by the director and only under the direct supervision of county staff or a qualified archaeologist.*

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

Ch16S22MetalDet-ord

AGENDA ITEM NO. H.3.

ITEM SUMMARY

DATE:	9/8/2020
TO:	The Board of Supervisors
FROM:	Terry Costello, Deputy Zoning Administrator/Senior Planner
SUBJECT:	ORD-19-0010. Zoning Ordinance Amendments to Address the Keeping of Bees in Residential Districts

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ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Ordinance, strikethrough version	Ordinance
🗋	Ordinance, final version	Ordinance
🗋	Initiating Resolution	Resolution
🗋	Approved minutes of the July 1, 2020 Planning Commission meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	8/21/2020 - 11:11 AM
Development Management	Holt, Paul	Approved	8/21/2020 - 11:11 AM
Publication Management	Daniel, Martha	Approved	8/21/2020 - 11:16 AM
Legal Review	Kinsman, Adam	Approved	8/21/2020 - 11:17 AM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:14 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:05 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:40 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Terry Costello, Deputy Zoning Administrator/Senior Planner

SUBJECT: ORD-19-0010. Zoning Ordinance Amendments to Address the Keeping of Bees in Residential Districts

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Introduction

At its October 8, 2019 meeting, the Board of Supervisors adopted an Initiating Resolution to address beekeeping in Residential and Agricultural Districts. The keeping of bees is already currently permitted in Agricultural Districts (A-1, General Agricultural District, R-6, Low Density Residential, and R-8, Rural Residential District) under the General Agricultural use. Therefore, staff proceeded with researching beekeeping as a use in Residential Districts.

Pollinators contribute substantially to the economy. According to the Presidential Memorandum titled, "Creating a Federal Strategy to Promote the Health of Honey Bees and other Pollinators" dated June 20, 2014, honey bee pollination adds more than $15 billion in value to agricultural crops each year in the United States. There are also a number of valuable non-food products produced by the honey bee, such as beeswax used in cleaning and beauty supplies. Over the past few decades, there has been a significant loss of pollinators, which include honey bees.

At the state level, there have been several initiatives to support beekeeping in the Commonwealth. On March 30, 2012, the Virginia General Assembly created the Beehive Grant Program to assist individuals who desire to keep bees. On August 31, 2016, the Virginia Department of Agriculture and Consumer Services adopted Best Management Practices (BMPs) for the Operation of Apiaries in Order to Limit Operator Liability. These BMPs are voluntary, except that those seeking certain liability protections provided for under State Code must comply with the BMPs.

Overview

Staff conducted research on how other localities handle the keeping of bees in residential areas. In general, all localities surveyed allowed beekeeping as accessory to residential uses. Some localities do not address beekeeping in their Ordinances; due to the inclusive nature of their Ordinances, this allows the use to occur.

Staff presented Phase I materials at the January 9, 2020, meeting of the Policy Committee. Staff presented two options should the Policy Committee wish to move forward with allowing beekeeping in residential zoned districts. One option was to encourage all beekeepers to voluntarily follow the Virginia Department of Agriculture and Consumer Services BMPs that were adopted by the State of Virginia, and the other was for staff to develop performance standards in the Special Regulations section of the Zoning Ordinance. At this meeting, the Policy Committee directed staff to develop performance standards based on the BMPs of the State of Virginia and regulations in Albemarle County's Zoning Ordinance.

Staff presented performance standards at the March 12, 2020, meeting of the Policy Committee. These standards included distances from property lines, rights-of-way, dwellings, and structures. The Committee also discussed barriers, limits on the number of hives, water sources, and notifications to adjacent property owners. It was also decided there should be no restrictions as far as beekeeping being an accessory use or

primary use. The Policy Committee directed staff to prepare a draft Ordinance based on the agreed upon performance standards.

During the discussion at the March meeting, the Policy Committee also discussed beekeeping in Commercial Districts. However, after consulting with the County Attorney's Office, the Initiating Resolution directed staff to review beekeeping in Residential and Agricultural Districts only. In order to add Commercial Districts to the discussion, it would be necessary to amend the Initiating Resolution. Since Mixed Use has the potential for both commercial and residential uses on a property, it was not included in the analysis. The Policy Committee made a recommendation to the Planning Commission to review beekeeping as a use in Commercial Districts.

Staff presented the draft Ordinance at the May 14, 2020, meeting of the Policy Committee. After further discussion, the requirement of notifying adjacent property owners was deleted from the draft Ordinance due to the regulation being unenforceable. The Policy Committee recommended approval of the Ordinance to the Planning Commission.

Staff presented the proposed Ordinance at the July 1, 2020, meeting of the Planning Commission. The Planning Commission recommended approval of the Ordinance to the Board of Supervisors by a vote of 7-0.

Proposed changes since the July 1, 2020, Planning Commission meeting: none.

Recommendation

Staff recommends that the Board of Supervisors approve the attached Ordinance.

TC/md
ORD19-10Beekp-RD-mem

Attachments:
1. Ordinance, strikethrough version
2. Ordinance, clean version
3. Initiating Resolution
4. Approved Minutes of the July 1, 2020, Planning Commission Meeting

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION 1, IN GENERAL, BY ADDING NEW SECTION 24-47.1, STANDARDS FOR BEEKEEPING; AND BY AMENDING ARTICLE V, DISTRICTS, BY AMENDING DIVISION 3, LIMITED RESIDENTIAL DISTRICT, R-1, SECTION 24-232, USE LIST; DIVISION 4, GENERAL RESIDENTIAL DISTRICT, R-2, SECTION 24-252, USE LIST; DIVISION 4.1, RESIDENTIAL REDEVELOPMENT DISTRICT, R-3, SECTION 24-273.2, USE LIST; DIVISION 5, RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4, SECTION 24-281, USE LIST; DIVISION 6, MULTIFAMILY RESIDENTIAL DISTRICT, R-5, SECTION 24-305, USE LIST; AND DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICTS, PUD, SECTION 24-493, USE LIST.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, Division 1, In General, by adding new Section 24-47.1, Standards for beekeeping, and by amending Article V, Districts, by amending Division 3, Limited Residential District, R-1, Section 24-232, Use list; Division 4, General Residential District, R-2, Section 24-252, Use list; Division 4.1, Residential Redevelopment District, R-3, Section 24-273.2, Use list; Division 5, Residential Planned Community District, R-4, Section 24-281, Use list; Division 6, Multifamily Residential District, R-5, Section 24-305, Use list; and Division 14, Planned Unit Development Districts, PUD, Section 24-493, Use list.

Chapter 24. Zoning

Article II. Special Regulations

Division 1. In General

Sec. 24-47.1. Standards for beekeeping.

Beekeeping on residentially zoned property shall comply with the following requirements:

(a) Hives shall be at least ten (10) feet away from public rights-of-way and the boundary lines of properties not owned or controlled by the person maintaining the hive.

(b) Hives shall be at least fifty (50) feet away from any dwelling or structure located on property not under the same ownership or control as that of the person maintaining the hive.

(c) A barrier shall be required if a hive is located between ten (10) and thirty (30) feet from a public right-of-way or boundary line of a property not owned or controlled by the person maintaining the hive. The barrier shall consist of fencing, vegetation, or both, and must (i) be no less than six (6) feet in height as measured from finished grade; (ii) be of sufficient density

to establish bee flyways six (6) feet or higher; (iii) be located between the hive and public right-of-way or property boundary line; and (iv) extend no less than ten (10) feet in length on either side of the hive.

(d) Hives shall be located within the rear yard of the lot and shall be orientated with the entrance facing internal to the property.

(e) There shall be an on-site water source located within fifty (50) feet of the hive, or less than half (½) the distance to the nearest unnatural source of water, whichever is closest.

(f) If the property on which the hive is located is less than one (1) acre, the person maintaining the hive shall have no more than six (6) colonies. If the property is one acre or more, the number of colonies shall not be limited.

Article V. Districts

Division 3. Limited Residential District, R-1

Sec. 24-232. Use list.

In the limited residential district, R-1, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	*Beekeeping in accordance with section 24-47.1*	*P*	

Division 4. General Residential District, R-2

Sec. 24-252. Use list.

In the general residential district, R-2, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	*Beekeeping in accordance with section 24-47.1*	*P*	

Division 4.1. Residential Redevelopment District, R-3

Sec. 24-273.2. Use list.

In the residential redevelopment district, R-3, structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	*Beekeeping in accordance with section 24-47.1*	*P*	

Division 5. Residential Planned Community District, R-4

Sec. 24-281. Use list.

In the residential planned community district, R-4, structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	*Beekeeping in accordance with section 24-47.1*	*P*	

Division 6. Multifamily Residential District, R-5

Sec. 24-305. Use list.

In the multifamily residential district, R-5, structures to be erected or land to be used shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	*Beekeeping in accordance with section 24-47.1*	*P*	

Division 14. Planned Unit Development Districts, PUD

Sec. 24-493. Use list.

(a) In the planned unit development district, residential (PUD-R), all structures to be erected or land to be used shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	*Beekeeping in accordance with section 24-47.1*	*P*	

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

ORD19-10Beekp-RD-ord

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION 1, IN GENERAL, BY ADDING NEW SECTION 24-47.1, STANDARDS FOR BEEKEEPING; AND BY AMENDING ARTICLE V, DISTRICTS, BY AMENDING DIVISION 3, LIMITED RESIDENTIAL DISTRICT, R-1, SECTION 24-232, USE LIST; DIVISION 4, GENERAL RESIDENTIAL DISTRICT, R-2, SECTION 24-252, USE LIST; DIVISION 4.1, RESIDENTIAL REDEVELOPMENT DISTRICT, R-3, SECTION 24-273.2, USE LIST; DIVISION 5, RESIDENTIAL PLANNED COMMUNITY DISTRICT, R-4, SECTION 24-281, USE LIST; DIVISION 6, MULTIFAMILY RESIDENTIAL DISTRICT, R-5, SECTION 24-305, USE LIST; AND DIVISION 14, PLANNED UNIT DEVELOPMENT DISTRICTS, PUD, SECTION 24-493, USE LIST.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, Division 1, In General, by adding new Section 24-47.1, Standards for beekeeping, and by amending Article V, Districts, by amending Division 3, Limited Residential District, R-1, Section 24-232, Use list; Division 4, General Residential District, R-2, Section 24-252, Use list; Division 4.1, Residential Redevelopment District, R-3, Section 24-273.2, Use list; Division 5, Residential Planned Community District, R-4, Section 24-281, Use list; Division 6, Multifamily Residential District, R-5, Section 24-305, Use list; and Division 14, Planned Unit Development Districts, PUD, Section 24-493, Use list.

Chapter 24. Zoning

Article II. Special Regulations

Division 1. In General

Sec. 24-47.1. Standards for beekeeping.

Beekeeping on residentially zoned property shall comply with the following requirements:

(a) Hives shall be at least ten (10) feet away from public rights-of-way and the boundary lines of properties not owned or controlled by the person maintaining the hive.

(b) Hives shall be at least fifty (50) feet away from any dwelling or structure located on property not under the same ownership or control as that of the person maintaining the hive.

(c) A barrier shall be required if a hive is located between ten (10) and thirty (30) feet from a public right-of-way or boundary line of a property not owned or controlled by the person maintaining the hive. The barrier shall consist of fencing, vegetation, or both, and must (i) be no less than six (6) feet in height as measured from finished grade; (ii) be of sufficient density to establish bee flyways six (6) feet or higher; (iii) be located between the hive and public right-of-way or

property boundary line; and (iv) extend no less than ten (10) feet in length on either side of the hive.

(d) Hives shall be located within the rear yard of the lot and shall be orientated with the entrance facing internal to the property.

(e) There shall be an on-site water source located within fifty (50) feet of the hive, or less than half (½) the distance to the nearest unnatural source of water, whichever is closest.

(f) If the property on which the hive is located is less than one (1) acre, the person maintaining the hive shall have no more than six (6) colonies. If the property is one acre or more, the number of colonies shall not be limited.

Article V. Districts

Division 3. Limited Residential District, R-1

Sec. 24-232. Use list.

In the limited residential district, R-1, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Beekeeping in accordance with section 24-47.1	P	

Division 4. General Residential District, R-2

Sec. 24-252. Use list.

In the general residential district, R-2, structures to be erected or land to be used, shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Beekeeping in accordance with section 24-47.1	P	

Division 4.1. Residential Redevelopment District, R-3

Sec. 24-273.2. Use list.

In the residential redevelopment district, R-3, structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Beekeeping in accordance with section 24-47.1	P	

Division 5. Residential Planned Community District, R-4

Sec. 24-281. Use list.

In the residential planned community district, R-4, structures to be erected or land to be used shall be for one or more of the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Beekeeping in accordance with section 24-47.1	P	

Division 6. Multifamily Residential District, R-5

Sec. 24-305. Use list.

In the multifamily residential district, R-5, structures to be erected or land to be used shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Beekeeping in accordance with section 24-47.1	P	

Division 14. Planned Unit Development Districts, PUD

Sec. 24-493. Use list.

(a) In the planned unit development district, residential (PUD-R), all structures to be erected or land to be used shall be for the following uses:

Use Category	Use List	Permitted Uses	Specially Permitted Uses
Residential Uses	Beekeeping in accordance with section 24-47.1	P	

RESOLUTION

INITIATION OF AMENDMENTS TO THE ZONING ORDINANCE TO CONSIDER

THE KEEPING OF BEES IN RESIDENTIAL AND AGRICULTURAL ZONING DISTRICTS

WHEREAS, Virginia Code § 15.2-2286 and County Code § 24-13 permit the Board of Supervisors of James City County, Virginia (the "Board") to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent; and

WHEREAS, amendments to the Zoning Ordinance may be prudent to address the keeping of bees in residential and agricultural zoning districts; and

WHEREAS, the Board is of the opinion that the pubic necessity, convenience, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of Chapter 24, Zoning of the James City County Code in order to consider the keeping of bees in residential and agricultural zoning districts, and directs staff to prepare such amendments for consideration by the Planning Commission and the Board of Supervisors. The Planning Commission shall hold at least one public hearing on the consideration of amendment of said Ordinance and shall forward its recommendation thereon to the Board of Supervisors in accordance with the law.

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

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
HIPPLE	✓		
LARSON	✓		
SADLER	✓		
MCGLENNON	✓		
ICENHOUR	✓		

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2019.

Beekeeping-res

Approved Minutes of the July 1, 2020
Planning Commission Regular Meeting

ORD-19-0010. Zoning Ordinance Amendments to Address the Keeping of Bees in Residential Neighborhoods

Mr. Krapf stated that Mr. Michael Garvin, president of the local beekeepers association, was also in attendance.

Ms. Terry Costello, Deputy Zoning Administrator, stated that at its October 8, 2019 meeting, the Board of Supervisors adopted an Initiating Resolution to address beekeeping in residential and agricultural districts. Ms. Costello stated that the keeping of bees is already currently permitted in agricultural districts under the General Agricultural use. Ms. Costello stated that staff proceeded with researching beekeeping as a use in residential districts.

Ms. Costello staff conducted research on how other localities handle the keeping of bees in residential areas. Ms. Costello stated that in general, all localities surveyed allowed beekeeping as accessory to residential uses. Ms. Costello stated that some localities do not address beekeeping in their Ordinances and due to the inclusive nature of their Ordinances, this allows the use to occur.

Ms. Costello stated that at this meeting, the Policy Committee directed staff to develop performance standards based on the Best Management Practices of the State of Virginia and regulations in Albemarle County's Zoning Ordinance.

Ms. Costello stated that during the discussion at the March 12, 2020 meeting, the Policy Committee also discussed beekeeping in commercial districts; however, after consulting with the County Attorney's office, the Initiating Resolution directed staff to review beekeeping in residential and agricultural districts only. Ms. Costello stated that in order to add commercial districts to the discussion it would be necessary to amend the Initiating Resolution. Ms. Costello stated that the Mixed Use District has the potential to be both residential and commercial and was not included in this analysis. Ms. Costello stated that the Policy Committee voted to recommended approval of the Ordinance to the Planning Commission.

Ms. Costello stated that staff recommends that the Planning Commission recommend approval of the attached Ordinance to the Board of Supervisors. Ms. Costello stated that staff also recommends that the Planning Commission make a recommendation to the Board of Supervisors to review beekeeping as a use in Commercial Districts.

Mr. Krapf opened the Public Hearing.

Mr. Michael Garvin, President of The Williamsburg Area Beekeepers Association, addressed the Commission in support of the Ordinance Amendments.

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

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

Mr. Haldeman stated that he hoped there would be a recommendation to the Board of Supervisors to initiate consideration of beekeeping in all zoning districts.

Mr. Haldeman made a motion to recommend approval of the Ordinance amendment and to recommend that the Board of Supervisors initiate consideration of beekeeping in commercially zoned areas.

Ms. Leverenz inquired if the Board has the authority to extend beekeeping to all zoning districts without further review.

Mr. Holt stated that it was not part of the advertised Public Hearing.

Mr. Polster stated that he also supports beekeeping in commercially zoned areas. Mr. Polster noted that this is already allowed in the City of Williamsburg and that many urban areas use have beehives on the roofs of businesses. Mr. Polster further noted that Policy Committee discussion brought forward that beekeeping is already allowed on parcels zoned Public Lands.

On a roll call vote the Commission voted to recommend approval of ORD-19-0010. Zoning Ordinance Amendments to Address the Keeping of Bees in Residential Neighborhoods and to recommend that the Board of Supervisors initiate consideration of beekeeping in commercially zoned areas. (7-0)

AGENDA ITEM NO. H.4.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Christy H. Parrish, Zoning Administrator

SUBJECT: ORD-20-0003. Consideration of Amendments to the Zoning Ordinance Regarding Inoperative Motor Vehicles and Oversized Vehicles

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ATTACHMENTS:

	Description	Type
🗋	Memorandum	Cover Memo
🗋	Chapter 24, Section 24-37 Draft Ordinance Amendment (strikethrough)	Ordinance
🗋	Chapter 24, Section 24-37 Draft Ordinance Amendment (clean copy)	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Zoning Enforcement	Parrish, Christy	Approved	8/20/2020 - 10:54 AM
Development Management	Holt, Paul	Approved	8/21/2020 - 8:59 AM
Publication Management	Daniel, Martha	Approved	8/21/2020 - 9:02 AM
Legal Review	Kinsman, Adam	Approved	8/21/2020 - 9:48 AM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:16 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:05 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:40 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Christy H. Parrish, Zoning Administrator

SUBJECT: Case No. ORD-20-0003. Consideration of Amendments to the Zoning Ordinance Regarding Inoperative Motor Vehicles and Oversized Vehicles

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At its July 14, 2020 meeting, the Board of Supervisors deferred consideration of amendments to the Zoning Ordinance regarding inoperative motor vehicles and the parking of oversized vehicles. The purpose of this deferral was to further amend the proposed language to reduce the number of inoperative vehicles that could be located outside of a fully enclosed building or structure if shielded or screened from view by covers.

Sections 15.2-904 and 15.2-905 of the Code of Virginia grants the authority to localities to limit the number of inoperative vehicles screened from view by covers. Upon discussions with the County Attorney's Office, the language has been amended to read that *"No such inoperative vehicle may be shielded or screened from view by covers when kept outside of a fully enclosed building or structure."* Staff believes that the incorporation of these additional changes will enhance the visual character of the community, reduce the number of inoperative vehicles, and better address citizen concerns and complaints.

The following are the updated substantive changes proposed to address inoperative vehicles and the parking of oversized vehicles in areas zoned for residential.

Summary of Changes:

Inoperative vehicles

- Separated the inoperative motor vehicle definition into two subsections and added properties zoned for agricultural less than two acres.
- Redefined language for inoperative motor vehicles to mean any motor vehicle which is not in operating condition or does not display valid license plates **or** does not display any inspection decal that is valid for more than 60 days for properties less than two acres in size and zoned for agricultural, residential, or commercial purposes.
- Limited the number of inoperable vehicles that may be kept outside of a fully enclosed building or structure if shielded or screened from view by covers to zero.
- Added definition of "shielded or screened from view" to mirror State Code.
- Clarified that the civil penalty applies only to inoperative motor vehicles located on properties zoned for residential or commercial purposes.

Parking of oversized vehicles in areas zoned for residential

- Rename and incorporate regulations into Section 24-37.
- Identifies certain oversized vehicle types that are being regulated.
- List exceptions to common and expected parking of oversized vehicles in residential areas.

RECOMMENDATION

Staff recommends the Board of Supervisors adopt the attached Ordinance revisions.

CHP/md
ORD20-3-ZO-InopMtrVeh-mem

Attachments:
1. Chapter 24, Section 24-37 Draft Ordinance Amendment (strikethrough)
2. Chapter 24, Section 24-37 Draft Ordinance Amendment (clean copy)

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING OF THE CODE OF JAMES CITY COUNTY BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION 1, IN GENERAL BY RENAMING AND AMENDING SECTION 24-37, KEEPING OF INOPERATIVE VEHICLES IN RESIDENTIAL OR COMMERCIAL DISTRICTS WITH NEW NAME KEEPING OF INOPERATIVE VEHICLES AND CERTAIN OVERSIZED VEHICLES IN AGRICULTURAL, RESIDENTIAL, OR COMMERCIAL DISTRICTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, Division 1, In General, Section 24-37, Keeping of inoperative vehicles in residential or commercial districts.

Chapter 24. Zoning

Article II. Special Regulations

Division I. In General

Sec. 24-37. Keeping of inoperative vehicles ~~in residential or commercial districts~~ *and certain oversized vehicles in agricultural, residential, or commercial districts.*

~~(a) It shall be unlawful for any person, firm or corporation to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned for residential or commercial purposes any motor vehicle, trailer or semitrailer, as such is defined in section 46.2-100 of the Code of Virginia, which is inoperative; provided, however, no more than one such inoperative vehicle may be kept outside of a fully enclosed building or structure if shielded or screened from view by covers. An inoperative motor vehicle shall mean any motor vehicle which is not in operating condition or which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine or other essential parts required for the operation of the vehicle or on which there are displayed neither valid license plates nor a valid inspection decal. The provisions of this act shall not apply to a licensed business which on June 26, 1970, is regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.~~

~~(b) The owners of property zoned for residential or commercial purposes shall, at such time as the county or its agent may prescribe, remove therefrom any such inoperative motor vehicles, trailers or semitrailers that are not kept within a fully enclosed building or structure. If, after reasonable notice, the owner of the premises has failed to remove such vehicles, the county, through its own agent or employees, may remove them. The county, through its own agent or employees, may dispose of such motor vehicles, trailers or semitrailers after giving additional notice to the owner of the vehicle.~~

~~(c) The cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the county as taxes and levies are collected. Every cost authorized by this section with which the owner of the premises shall have been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs have been made to the county.~~

(a) Keeping of inoperative vehicles in certain zoning areas.

i. On any property zoned for residential or commercial purposes, it shall be unlawful for any person, firm or corporation to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, any motor vehicle, trailer or semitrailer, as such is defined in section 46.2-100 of the Code of Virginia, which is inoperative. No such inoperative vehicle may be shielded or screened from view by covers when kept outside of a fully enclosed building or structure.

For the purposes of this subsection (a)(i), an "inoperative motor vehicle" shall mean any motor vehicle: which is not in operating condition; or which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine or other essential parts required for the operation of the vehicle; or on which there are displayed neither valid license plates nor a valid inspection decal. The provisions of this act shall not apply to a licensed business which on June 26, 1970, is regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.

Any person who fails to comply with this subsection shall be subject to penalties set forth in section 24-22 of this chapter.

ii. On any property two acres in area or less and zoned for agricultural, residential or commercial purposes, it shall be unlawful for any person, firm or corporation to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, any motor vehicle, trailer or semitrailer, as such is defined in section 46.2-100 of the Code of Virginia, which is inoperative. No such inoperative vehicle may be shielded or screened from view by covers when kept outside of a fully enclosed building or structure.

For the purposes of this subsection (a)(ii), an "inoperative motor vehicle" shall mean any motor vehicle: which is not in operating condition; or does not display valid license plates; or does not display any inspection decal that is valid; or does display an inspection decal that has been expired for more than 60 days. This provision of this act shall not apply to a licensed business that is regularly engaged in business as automobile dealer, salvage dealer or scrap processor.

iii. As used in this section, notwithstanding any other provision of law, general or special, "shielded or screened from view" means not visible by someone standing at ground level from outside of the property on which the subject vehicle is located.

iv. The owners of property zoned for agricultural, residential or commercial purposes shall, at such time as the county or its agent may prescribe, remove therefrom any such inoperative motor vehicles, trailers, or semitrailers that are not kept within a fully enclosed building or structure. If, after reasonable notice, the owner of the premises has failed to remove such vehicles, the county, through its own agent or employees, may remove them. The county, through its own agent or employees, may dispose of such motor vehicles, trailers, or semitrailers after giving additional notice to the owner of the vehicle.

The cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the county as taxes and levies are collected. Every cost authorized by this section with which the owner of the premises shall have been assessed shall

constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs have been made to the county.

(b) Keeping certain oversized vehicles in residential areas.

i. On any property zoned for residential purposes, except on a farm, it shall be unlawful for any person, firm or corporation to keep any solid waste collection vehicle, tractor truck or tractor truck/semitrailer or tractor truck/trailer combination, dump truck, concrete mixer truck, or any heavy construction equipment.

ii. Exceptions. The provisions of this subsection shall not apply to any vehicle when it is associated with any approved permitted or specially permitted use in that particular zoning district or when taking on or discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location.

iii. These provisions shall not supersede or nullify any other restrictive covenants or other ordinance or article of the Code of the County of James City when dealing with the keeping of certain oversized vehicles.

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

ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

ORD20-3-ZO-InopMtrVeh-ord

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING OF THE CODE OF JAMES CITY COUNTY BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION 1, IN GENERAL BY RENAMING AND AMENDING SECTION 24-37, KEEPING OF INOPERATIVE VEHICLES IN RESIDENTIAL OR COMMERCIAL DISTRICTS WITH NEW NAME KEEPING OF INOPERATIVE VEHICLES AND CERTAIN OVERSIZED VEHICLES IN AGRICULTURAL, RESIDENTIAL, OR COMMERCIAL DISTRICTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, Division 1, In General, Section 24-37, Keeping of inoperative vehicles in residential or commercial districts.

Chapter 24. Zoning

Article II. Special Regulations

Division I. In General

Sec. 24-37. Keeping of inoperative vehicles and certain oversized vehicles in agricultural, residential, or commercial districts.

(a) Keeping of inoperative vehicles in certain zoning areas.

i. On any property zoned for residential or commercial purposes, it shall be unlawful for any person, firm or corporation to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, any motor vehicle, trailer or semitrailer, as such is defined in section 46.2-100 of the Code of Virginia, which is inoperative. No such inoperative vehicle may be shielded or screened from view by covers when kept outside of a fully enclosed building or structure.

For the purposes of this subsection (a)(i), an "inoperative motor vehicle" shall mean any motor vehicle: which is not in operating condition; or which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine or other essential parts required for the operation of the vehicle; or on which there are displayed neither valid license plates nor a valid inspection decal. The provisions of this act shall not apply to a licensed business which on June 26, 1970, is regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.

Any person who fails to comply with this subsection shall be subject to penalties set forth in section 24-22 of this chapter.

ii. On any property two acres in area or less and zoned for agricultural, residential or commercial purposes, it shall be unlawful for any person, firm or corporation to keep, except within a fully

enclosed building or structure or otherwise shielded or screened from view, any motor vehicle, trailer or semitrailer, as such is defined in section 46.2-100 of the Code of Virginia, which is inoperative. No such inoperative vehicle may be shielded or screened from view by covers when kept outside of a fully enclosed building or structure.

For the purposes of this subsection (a)(ii), an "inoperative motor vehicle" shall mean any motor vehicle: which is not in operating condition; or does not display valid license plates; or does not display any inspection decal that is valid; or does display an inspection decal that has been expired for more than 60 days. This provision of this act shall not apply to a licensed business that is regularly engaged in business as automobile dealer, salvage dealer or scrap processor.

iii. As used in this section, notwithstanding any other provision of law, general or special, "shielded or screened from view" means not visible by someone standing at ground level from outside of the property on which the subject vehicle is located.

iv. The owners of property zoned for agricultural, residential or commercial purposes shall, at such time as the county or its agent may prescribe, remove therefrom any such inoperative motor vehicles, trailers, or semitrailers that are not kept within a fully enclosed building or structure. If, after reasonable notice, the owner of the premises has failed to remove such vehicles, the county, through its own agent or employees, may remove them. The county, through its own agent or employees, may dispose of such motor vehicles, trailers, or semitrailers after giving additional notice to the owner of the vehicle.

The cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the county as taxes and levies are collected. Every cost authorized by this section with which the owner of the premises shall have been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs have been made to the county.

(b) Keeping certain oversized vehicles in residential areas.

i. On any property zoned for residential purposes, except on a farm, it shall be unlawful for any person, firm or corporation to keep any solid waste collection vehicle, tractor truck or tractor truck/semitrailer or tractor truck/trailer combination, dump truck, concrete mixer truck, or any heavy construction equipment.

ii. Exceptions. The provisions of this subsection shall not apply to any vehicle when it is associated with any approved permitted or specially permitted use in that particular zoning district or when taking on or discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location.

iii. These provisions shall not supersede or nullify any other restrictive covenants or other ordinance or article of the Code of the County of James City when dealing with the keeping of certain oversized vehicles.

AGENDA ITEM NO. H.5.

ITEM SUMMARY

DATE:	9/8/2020
TO:	The Board of Supervisors
FROM:	Terry Costello, Deputy Zoning Administrator/Senior Planner
SUBJECT:	SUP-20-0008. 7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath

ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Resolution	Resolution
🗋	Location Map	Exhibit
🗋	Master Plan Exhibit	Exhibit
🗋	Community Impact Study and Elevations	Backup Material
🗋	Traffic Study	Backup Material
🗋	Traffic Concept Plan	Backup Material
🗋	SUP-0016-2016. 7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath SUP Conditions	Backup Material
🗋	Unapproved Minutes from the August 5, 2020 Planning Commission Meeting	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	8/21/2020 - 11:37 AM
Development Management	Holt, Paul	Approved	8/21/2020 - 11:37 AM
Publication Management	Daniel, Martha	Approved	8/21/2020 - 11:54 AM
Legal Review	Kinsman, Adam	Approved	8/21/2020 - 2:38 PM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:18 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:05 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 12:38 PM

SUMMARY FACTS

Applicant:	Mr. Mark Richardson, Timmons Group
Land Owner:	Quarterpath Williamsburg, LLC
Proposal:	To amend Special Use Permit (SUP) conditions associated with the construction of a +/- 2,940-square-foot convenience store with gas pumps and a +/- 4,000-square-foot drive-through restaurant. This request will also amend, supersede, and replace previously approved SUP-0016-2016.
Locations:	7327 and 7337 Pocahontas Trail
Tax Map/Parcel Nos.:	5020100030 and 5020100075A
Project Acreage:	+/- 1.964 and +/- 1.93 acres, respectively
Zoning:	B-1, General Business
Comprehensive Plan:	Mixed Use
Primary Service Area:	Inside
Staff Contact:	Terry Costello, Deputy Zoning Administrator/Senior Planner

PUBLIC HEARING DATES

Planning Commission:	August 5, 2020, 6:00 p.m.
Board of Supervisors:	September 8, 2020, 5:00 p.m.

FACTORS FAVORABLE

1. The SUP for this proposal was previously approved and the convenience store is now open and operating. This current application, if approved, will give an extension for the commencement of construction for the drive-through restaurant.

2. With the proposed conditions, staff continues to find the proposal compatible with surrounding zoning and development.

3. With the proposed conditions, staff continues to find the proposal consistent with the recommendations of the 2035 Comprehensive Plan.

4. Impacts: See Impact Analysis on Pages 3-4.

FACTORS UNFAVORABLE

With the attached SUP conditions, staff finds no unfavorable factors.

1. Impacts: See Impact Analysis on Pages 3-4.

SUMMARY STAFF RECOMMENDATION

Approval, subject to the proposed conditions.

PLANNING COMMISSION RECOMMENDATIONS

At its August 5, 2020 meeting, the Planning Commission recommended approval of this application by a vote of 5-0. (Leverenz, O'Connor absent)

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

None.

PROJECT DESCRIPTION

- The 7-Eleven convenience store with gas pumps and drive-through restaurant originally received approval on October 10, 2017. Condition No. 22 of Attachment No. 7 required construction of the drive-through restaurant to begin within 36 months. This deadline will not be met; therefore, the request is to replace, amend, and supersede this SUP.

- There is a condition with SUP-0016-2016 (Attachment No. 7, Condition No. 22) that states, "Construction on the Restaurant shall commence within 36 months from the date of approval of this SUP. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection." The Board of Supervisors approved this SUP on October 10, 2017. The applicant is requesting an extension of 36 months to secure a business for the drive-through restaurant.

- An SUP is required for convenience stores with gas pumps in B-1. Drive-through restaurants are a permitted use in B-1. However, the traffic generation of the site exceeds 100 peak hour trips; therefore, a commercial SUP per Sec. 24-11 of the Zoning Ordinance is required.

PLANNING AND ZONING HISTORY

During the legislative process for SUP-0016-2016, the applicant requested an SUP to construct a +/- 2,940-square-foot convenience store with gas pumps and a +/- 4,000-square-foot drive-through restaurant. The proposal included 18 parking spaces to serve the convenience store and 42 parking spaces for the restaurant. A site plan was submitted in 2018 for the convenience store with gas pumps and construction was completed in 2019.

SURROUNDING ZONING AND DEVELOPMENT

- Properties on either side of this parcel are zoned B-1, General Business, while property across the street is zoned R-2, General Residential. The property to the rear is in the City of Williamsburg and is zoned ED Conditional, Economic Development with Conditions.

- The subject property is partially developed and partially undeveloped. It fronts onto Pocahontas Trail and Battery Boulevard, which is maintained by the City of Williamsburg.

COMPREHENSIVE PLAN

- The property is designated Mixed Use on the 2035 Comprehensive Plan Land Use Map. The Mixed Use area in the Comprehensive Plan called Routes 60/143/199 Interchanges describes principle uses that include commercial and office development with moderate density residential as a secondary use.

- The Comprehensive Plan states that future development should be integrated with and complement the design guidelines and layout of development planned in the City of Williamsburg including uses, architecture, landscaping, historic resources, and pedestrian amenities; many of which have been addressed in the SUP conditions.

- A Community Impact Statement was submitted as part of the application for SUP-0016-2016, showing the intended materials and colors for the development. Should this SUP be approved, staff is proposing the same conditions that were a part of SUP-0016-2016 to ensure that further architectural detailing for the buildings and gas canopy are addressed at the site plan stage and into the future.

Impacts/Potentially Unfavorable Conditions	Status *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
Watersheds, Streams, and Reservoirs	Mitigated	- Stormwater and Resource Protection (SRP) requested SUP conditions related to stormwater management and a spill prevention, control, and countermeasures plan. (Attachment No. 1, Condition Nos. 5 and 6) - The stormwater master plan and spill prevention plan received approval from SRP and the City of Williamsburg. - There is a Resource Protection Area at the rear of the property. The Chesapeake Bay Board approved a limited amount of disturbance in this area during the development of the convenience store and approved mitigation measures were implemented.
Nearby and Surrounding Properties	Mitigated	- The properties are surrounded by business zoning. The residentially zoned properties are further away across the railroad and Merrimac Trail. - Many of the potential impacts are being mitigated through SUP conditions such as lighting, noise, screening of site features, and architectural review.
Community Character	Mitigated	- The project will need to demonstrate full compliance with the Zoning Ordinance at the site plan stage.
Cultural/Historic	Mitigated	- A Phase I Archaeological Study is required for both properties. (Condition No. 3) A study was reviewed and approved before land disturbance of the 7-Eleven convenience store. The drive-through restaurant property will still need to provide a Phase I study to comply with this condition.
Public Transportation: Vehicular	Mitigated	- A traffic study was completed for this proposal, which recommends the installation of only one entrance/exit off Pocahontas Trail until a traffic light is warranted. At the time it is warranted, the existing entrance will become an entrance only and an additional egress only point can be built. - A landscaped median along the center of Pocahontas Trail will also be installed or guaranteed before the first Certificate of Occupancy. Prior to the Certificate of Occupancy for the convenience store and gas station in 2019, a bond was put in place to guarantee these improvements. - Conditions are proposed for the completion of these improvements. (Condition No. 9)

Impacts/Potentially Unfavorable Conditions	Status *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
Public Transportation: Bicycle/Pedestrian	Mitigated	- A sidewalk along the frontage of Pocahontas Trail is required as well as a bike lane along Pocahontas Trail. A bicycle lane and sidewalk has been installed as part of the 7-Eleven development across the frontage of both properties. - Internal pedestrian accommodations between the two properties will need to be provided as shown on the Master Plan as stated in Condition No. 7.
Public Safety	No Mitigation Required	- Fire Station 2 on Pocahontas Trail serves this area of the County, approximate 2.4 miles from the project.
Public Schools	No Mitigation Required	- N/A since no residential dwelling units are proposed.
Public Parks and Recreation	No Mitigation Required	- N/A since no residential dwelling units are proposed.
Public Libraries and Cultural Centers	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.
Groundwater and Drinking Water Resources	No Mitigation Required	- Site is served by Newport News Waterworks for water and James City Service Authority for sewer.

PROPOSED SUP CONDITIONS

- The full text of proposed conditions is provided as Attachment No. 1.

STAFF RECOMMENDATION

With the attached conditions, staff continues to find that the proposal is compatible with surrounding zoning and development and consistent with the 2035 Comprehensive Plan.

Staff recommends approval, subject to the attached conditions.

TC/md
SUP20-8-7ElevQtrpth

Attachments:
1. Resolution
2. Location Map
3. Master Plan Exhibit
4. Community Impact Study and Elevations
5. Traffic Study
6. Traffic Concept Plan
7. SUP-0016-2016, 7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath SUP Conditions
8. Unapproved Minutes from the August 5, 2020 Planning Commission Meeting

R E S O L U T I O N

CASE NO. SUP-20-0008. CONVENIENCE STORE WITH GAS PUMPS

AND DRIVE-THROUGH RESTAURANT AT QUARTERPATH

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

WHEREAS, on October 10, 2017, the Board of Supervisors approved SUP-0016-2016, which permitted a convenience store with gas pumps (the "Convenience Store") and a drive-through restaurant (the "Restaurant") on multiple properties, subject to certain conditions; and

WHEREAS, subsequently, the properties subject to SUP-0016-2016 were subdivided allowing the Convenience Store and the Restaurant to be located on separate parcels; and

WHEREAS, the Convenience Store has been constructed, and certain conditions satisfied; and

WHEREAS, Quarterpath Williamsburg, LLC (the "Owner") owns the subdivided properties located at 7327 Pocahontas Trail, further identified as James City County Real Estate Tax Map Parcel No. 5020100030 ("Parcel B") and 7337 Pocahontas Trail, further identified as James City County Real Estate Tax Map Parcel No. 5020100075A ("Parcel A") ; and

WHEREAS, on behalf of the Owner, Mr. Mark Richardson of Timmons Group has applied for an SUP extension to allow the Convenience Store on Parcel B and the Restaurant on Parcel A, as shown on the exhibit titled "7-11 Convenience Store with Gas and Drive-Thru Restaurant Conceptual Master Plan" prepared by Timmons Group, dated August 25, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-20-0008; and

WHEREAS, the Planning Commission, following its public hearing on August 5, 2020, recommended approval of this application by a vote of 5-0.

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-20-0008 as described herein with the following conditions:

1. *Master Plan:* This Special Use Permit ("SUP") shall apply to those certain properties located at 7327 Pocahontas Trail, further identified as James City County Real Estate Tax Map Parcel No. 5020100030 ("Parcel B"), and 7337 Pocahontas Trail, further identified as James City County Real Estate Tax Map Parcel No. 5020100075A ("Parcel A") (Parcel A and Parcel B referred to together as the "Properties"). The SUP shall be valid for a convenience store of up to 2,940 square feet that sells and dispenses fuel on Parcel A, and a drive-through fast food restaurant of up to 4,000 square feet on Parcel B. All final development plans for the Properties shall be consistent with the Master Plan entitled, "7-11 Convenience Store with Gas and Drive-Thru Restaurant Conceptual Master Plan" prepared by Timmons Group, dated August 25, 2017 (the "Master Plan") as determined by the Director of Planning with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. *Gas Pumps:* There shall be no more than six fueling islands on Parcel A as shown on the Master Plan.

3. *Archaeological Study:* A Phase I historic and archaeological study for the Properties shall be submitted to the Director of Planning, or his designee, for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, II and III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation,* as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's *Professional Qualification Standards.* All approved treatment plans shall be incorporated into the plan of development for the Properties and the clearing, grading or construction activities thereon.

4. *Phasing of Improvements Between the Different Principal Uses:* Prior to the issuance of any site plan approvals for Parcel B, all shared improvements for the Properties (including but not limited to all entrance improvements to/from Pocahontas Trail and Battery Boulevard, shared parking, shared stormwater management features and internal circulation improvements) shall be constructed and completed.

5. *Spill Prevention, Control and Countermeasures (SPCC) Plan:* Parcel A shall have a SPCC Plan for the Convenience Store. Prior to the issuance of a Land Disturbing Permit, an SPCC Plan shall be reviewed and approved by the Director of Stormwater and Resource Protection.

6. *Stormwater Management:* Unless otherwise approved by the Director of Stormwater and Resource Protection, development of the Properties shall comply with the City of Williamsburg-approved *Stormwater Management Master Plan* (revised January 28, 2013) and *Best Management Practices Land Bay Design Guidelines* (January 7, 2013) reports for Quarterpath at Williamsburg.

7. *Internal Pedestrian Accommodations:* The owner(s) of Parcel A and Parcel B shall provide internal pedestrian connections for the Properties to include, but not be limited to, wherever sidewalks enter the parking area or cross any entrance to the Properties or drive-through lane, and shall provide safe connections to and from the Williamsburg Area Transit Authority (WATA) bus stop. The connections shall be clearly delineated by use of a different color of pavement, brick pavers, or some other method determined to be acceptable by the Director of Planning.

8. *Pedestrian and Bicycle Accommodations*: In accordance with the Regional Bikeway Map, a bike lane shall be provided along the Properties' Pocahontas Trail frontage. In accordance with the adopted Pedestrian Accommodations Master Plan, a sidewalk shall be provided along the Properties' Pocahontas Trail frontage. In lieu of a sidewalk, a multi-use trail may be installed to be consistent with other multi-use trails

that may be a part of the larger Quarterpath at Williamsburg master plan; however, if a multi-use trail is installed, a bike lane must still be provided. Pedestrian and bike accommodations shall be installed or bonded prior to the issuance of a Certificate of Occupancy for any building on the Properties.

9. *Traffic Improvements:* Until a traffic signal is operational at the intersection of Pocahontas Trail and Battery Boulevard (the "Intersection"), access to the Properties shall be limited to one ingress/egress entrance on Pocahontas Trail and one ingress/egress entrance on Battery Boulevard, as more specifically shown on the Master Plan. "Operational" is defined as electrified and controlling the movement of traffic at the Intersection. At such time that a traffic signal at the Intersection is operational, a second egress-only exit may be constructed on Pocahontas Trail, as more specifically shown on the Master Plan. Prior to the first Certificate of Occupancy for the Properties, a raised landscape median on Pocahontas Trail across the Pocahontas Trail frontage of the Properties as shown on the Master Plan shall be constructed or guaranteed in a manner acceptable to the County Attorney. The design of the raised landscape median shall be shown on the initial site plan. If the traffic signal is not warranted at the Intersection within ten years from approval of this SUP, the raised landscape median referenced above shall not be required.

10. *Architectural Review:* Prior to issuance of a Building Permit for each structure on the Properties shown on the Master Plan, the Director of Planning, or designee, shall review and approve the final building elevations and architectural design for such structure. Exterior building materials and colors for all structures shall be generally consistent with the drawing entitled "Riverside Doctors' Hospital Williamsburg Exterior Mock-up 03-09-2012" as contained within the Community Impact Statement. A determination of substantial architectural consistency shall be made by the Director of Planning or designee prior to site plan approval. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the Development Review Committee, which shall forward a recommendation to the Planning Commission. Samples of such building materials and colors shall be approved by the Director of Planning prior to final site plan approval.

11. *Architectural Review - Gas Pump Canopy:* The architecture of the gas pump canopy (the "Canopy"), including any columns, shall match the design and exterior building materials of the structure on Parcel A. The Canopy shall have a maximum height of 15 feet measured from the finished grade to the underside of the Canopy, and shall not exceed a total height of 16.5 feet from the finished grade. No more than two signs shall be allowed on the Canopy. The Canopy shall not include gas pricing signs.

12. *Screening of Site Features:* All dumpsters and ground-mounted HVAC and mechanical units on the Properties shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal, or cementitious panels in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan for the adjacent building and shall be reviewed and approved by the Director of Planning for consistency with this condition.

13. *Outside Display, Sale or Storage:* Unless otherwise stated in this condition, no outside display, sale, or storage of merchandise shall be permitted on the Properties. As used for this condition, the term "merchandise" shall include but not be limited to ice, soda, candy, and/or snack machines. Parcel A may have one outside vending machine and one outside ice chest, both of which shall be situated against the exterior wall of the Convenience Store that faces Parcel B and shall be screened from adjacent rights-of-way with building materials similar in type and color with the site architecture in order to minimize visual impacts. Final screening design shall be approved by the Director of Planning.

14. *Intercom and Speaker Noise:* All intercom and other speaker systems on the Properties shall operate in such a manner that they shall not be audible from adjacent properties.

15. *Lighting:* There shall be no light trespass, defined as light intensity measured at 0.1 foot candle or higher extending beyond the boundaries of the Properties or into the public right-of-way unless lighting the pedestrian accommodations. All lights, including any lighting on the Canopy, shall have recessed fixtures with no bulb, lens, or globe extending below the casing. Light poles in the parking lot shall not exceed 20 feet in height as measured from finished grade. The lighting for the Properties shall be reviewed and approved by the Director of Planning prior to final site plan approval.

16. *WATA Facilities:* Any change or relocation of existing WATA facilities shall be subject to approval by the Director of Planning prior to final site plan approval.

17. *Signage:* All building face signage on the Properties shall be externally illuminated or use back-lit or channeled lettered lighting as defined in Section 24-67 of the Zoning Ordinance. For any back-lit or channeled lettered signs the sign shall meet the criteria listed in Section 24-72 of the Zoning Ordinance, or successor section. In addition to any building face signage as permitted by the Zoning Ordinance, Parcel A and Parcel B may each have one exterior freestanding sign which shall be externally illuminated monument-style signs not to exceed 8 feet in height. The base of the freestanding signs shall be brick or shall use materials similar in type and color with the site architecture as determined by the Director of Planning or designee.

18. *Sustainable Design Initiatives:*

    a. Sustainable design initiatives shall be implemented during development of both the Convenience Store and the Restaurant as shown on the Master Plan to achieve the equivalent of 36 points from the Leadership in Energy and Environmental Design (LEED) for New Construction and Major Renovations (based on 2017 guidelines) (the "Credits") for each use. Prerequisite items in the LEED 2017 guidelines shall not be required to be completed in addition to the Credits. In addition, documentation of the building energy performance shall be provided by a mechanical engineer to the Director of Planning before the Certificate of Occupancy for the initial building to demonstrate an improvement in efficiency of the building's thermal envelope, mechanical systems, and electrical systems over code-required baseline performance.

    b. The strategies to achieve the Credits will be incorporated into the construction documents either as part of the design or as requirements for the contractor to substantiate during the course of construction. Compliance with the Credits requirements will be validated in a straightforward way through things like, but not limited to, review of contractor submittals, submission of design calculations and letters certifying that requirements have been met. This validation will be overseen by a LEED-accredited professional and approved by the Director of Planning or designee. The Credits related to the design of the Convenience Store or the Restaurant shall be approved prior to issuance of the final site plan approval, and the Credits related to the construction of the Convenience Store or the Restaurant shall be approved prior to issuance a Certificate of Occupancy for either use.

19. *Commencement for Drive-Through Restaurant:* Construction on the Restaurant shall commence within 36 months from the date of approval of this SUP or the permit for the Restaurant on Parcel B will automatically be void. Construction is defined as obtaining building permits and an approved footing inspection and/or foundation inspection.

20. *Specific Violations*: Any violation of a condition specific to Parcel A or Parcel B shall not constitute a violation of this SUP for the other parcel. Any violation of a condition specific to the Properties shall be a violation of the SUP for both Parcel A and Parcel B.

21. *Severance Clause:* This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

BE IT FURTHER RESOLVED that SUP-20-0008 shall amend, replace, and supersede SUP-0016-2016, and SUP-0016-2016 shall no longer have any force or effect.

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

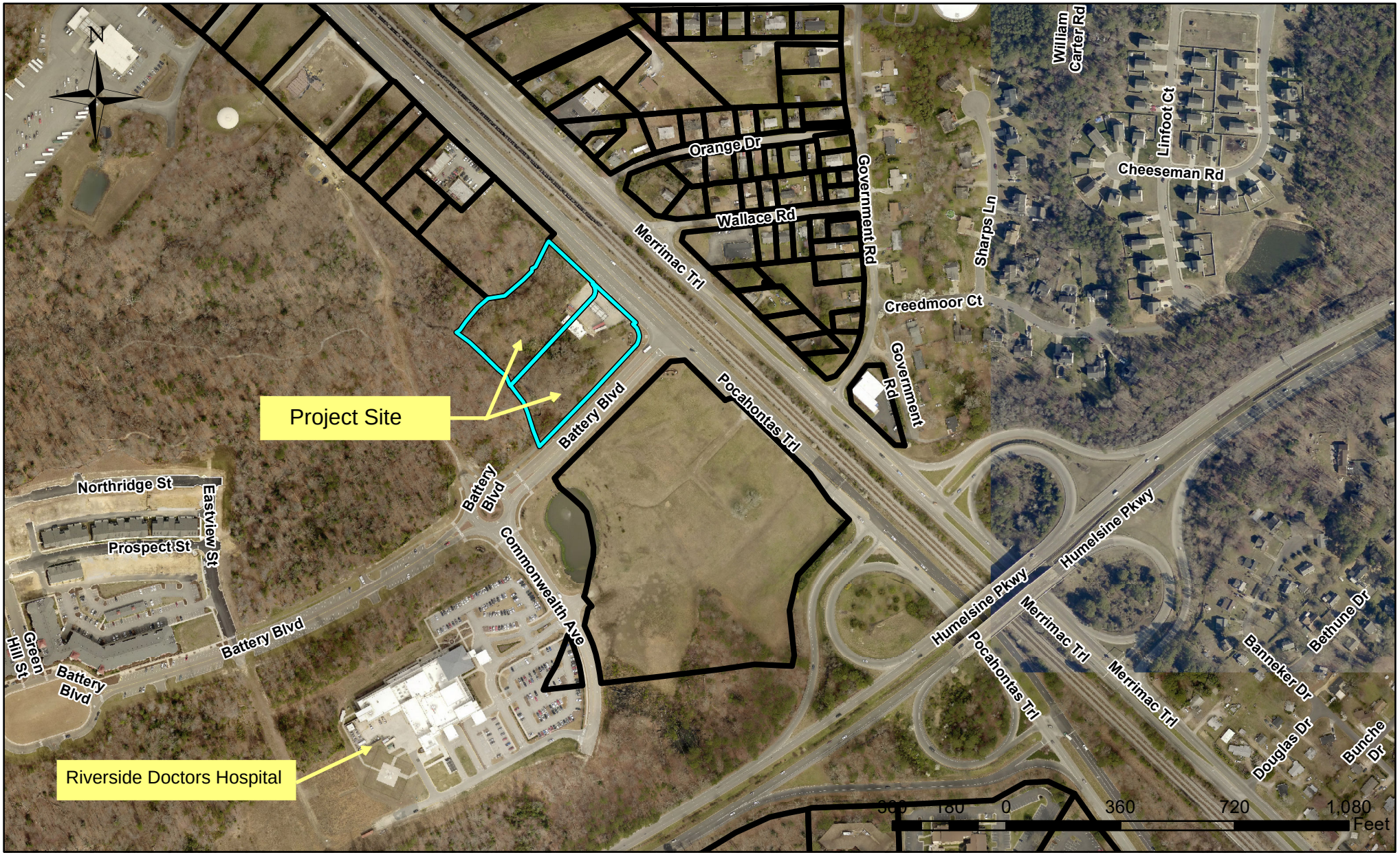
ATTEST:

_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

SUP-20-0008
7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath

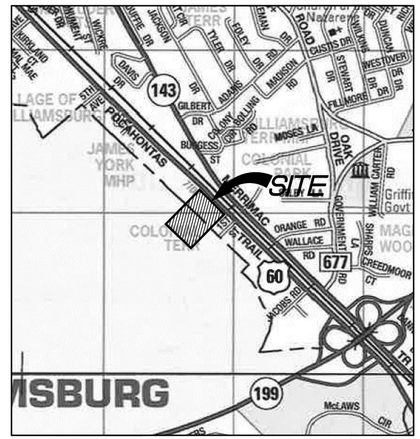




NOTE:
PHASE II 'EXIT ONLY' IMPLEMENTED WITH ADDITION OF TRAFFIC SIGNAL. SEE TRAFFIC STUDY

NOTE:
PHASE II 'RAISED LANDSCAPE MEDIAN' IMPLEMENTED WITH ADDITION OF TRAFFIC SIGNAL. SEE TRAFFIC STUDY

NOTE:
PHASE II '24 FT WIDE ENTRY ONLY' IMPLEMENTED WITH ADDITION OF TRAFFIC SIGNAL. SEE TRAFFIC STUDY



VICINITY MAP

SCALE: 1" = 1000'

SITE INFORMATION

SITE ZONED: B-1

RESTAURANT: 85,980.13 SF / 1.97 ACRES
7-ELEVEN: 78,828.13 SF / 1.80 ACRES

TOTAL SITE: 164,808.26 SF / 3.77 ACRES

FLOOR AREA RATIO:
GROSS FLOOR AREA / BUILDABLE LAND AREA
RESTAURANT: 4,000 SF / 52,284.41 SF = 0.08 FAR
7-11: 2,940 SF / 52,671.72 = 0.06 FAR

IMPERVIOUS AREA:
RESTAURANT:
EXISTING: 7,813 SF
PROPOSED: 29,210 SF / 0.67 ACRES (34% IMPERVIOUS)

7-ELEVEN:
EXISTING: 14,304 SF
PROPOSED: 35,247 SF / 0.80 ACRES (45% IMPERVIOUS)

TOTAL EXIST. IMPERVIOUS: 22,117 SF / 0.5 ACRES
TOTAL IMPERVIOUS: 64,457 SF / 1.48 ACRES

REQUIRED PARKING:
RESTAURANT: 4,000 SF (1 SPACE / 4 SEATS)
PARKING REQUIRED: (130 seats / 4) 33 spaces
PARKING PROVIDED: 40 spaces
ACCESSIBLE SPACES REQUIRED: 2 spaces
ACCESSIBLE SPACES PROVIDED: 2 spaces

7-ELEVEN BUILDING: 2,940 SF (1 SPACE / 200 SF)
PARKING REQUIRED: (2,940 / 200) 15 spaces
PARKING PROVIDED: 17 spaces
ACCESSIBLE SPACES REQUIRED: 1 space
ACCESSIBLE SPACES PROVIDED: 1 space

TOTAL PARKING REQUIRED: 48 spaces
TOTAL PARKING PROVIDED: 57 spaces
(MAX 120%: 48 x 1.2 = 57.6 SPACES)

QUARTERPATH AT WILLIAMSBURG

7-11 CONVENIENCE STORE WITH GAS AND DRIVE-THRU RESTAURANT
CONCEPTUAL MASTER PLAN - August 25, 2017

SCALE 1" = 30'
0 30' 60'

TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS. WWW.TIMMONS.COM

COMMUNITY IMPACT STUDY

Quarterpath, Williamsburg

Pocahontas Trail and Battery Boulevard

James City County, Virginia

August 24th, 2017

JCC SUP-0016-2016

TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH OURS.

OVERVIEW

Southland Corporation currently owns and operates a store at 7337 Pocahontas Trail (Parcel ID 5020100030A). They desire to replace their existing store and are proposing a boundary line adjustment with Quarterpath of Williamsburg. Quarterpath of Williamsburg owns 7327 Pocahontas Trail (Parcel ID 5020100030), 7341 Pocahontas Trail (Parcel ID 5020700004B) and 3000 Battery Boulevard (Parcel ID 5020100075A). The future configuration of parcels will contain a new 7-Eleven and a drive thru restaurant. All parcels are currently zoned B-1 General Business and total 3.9 acres. The B1 designation requires a Special Use Permit when a drive thru restaurant will generate more than 100 peak hour trips and when a convenience store sells and dispenses fuel in accordance with Section 24-38.

The comprehensive plan identifies the properties as mixed use. The parcels size, shape, and environmental constraints preclude a mixed use development. The overall Quarterpath development is mixed use.



TRAFFIC IMPACT ANALYSIS

Ingress/egress is currently provided to the existing 7-Eleven by two curb cuts on Pocahontas Trail. The proposed condition will include one curb cut to a joint access for the 7-Eleven and restaurant site. Both parcels will maintain internal circulation with a shared access to Battery Boulevard. A traffic study was conducted by DRW Consultants, LLC. (Submitted separately)

WATER AND SEWER IMPACTS

The project site lies within the JCSA Primary Service Area (PSA). Water to the site is provided by means of a 16" waterline in Pocahontas Trail owned and operated by Newport News Waterworks. Wastewater is collected via a gravity sewer line in Pocahontas Trail owned and operated by JCSA. This site will utilize less than 15,500 gallons average daily flow, therefore an impact study was not conducted.

ENVIRONMENTAL CONSTRAINTS

An environmental constraints analysis was conducted by Stantec dated February 26th, 2016. (See appendix) The project site lies within the College Creek Watershed. The FEMA flood zone designation is X. Storm drainage currently travels first by sheet flow then via channel flow to Tutter's Neck Pond. Tutter's Neck Pond is the regional stormwater management facility for Quarterpath of Williamsburg.

PUBLIC FACILITIES

It is not anticipated that this project will increase the need for public facilities.

HISTORICAL AND ARCHAEOLOGICAL

This site is not identified as highly-sensitive on the James City County Archeological assessment. There are no known historical or archaeological elements at this site.

ENVIROMENTAL INVENTORY

An environmental inventory has been provided in the appendix.

FISCAL IMPACT ANALYSIS

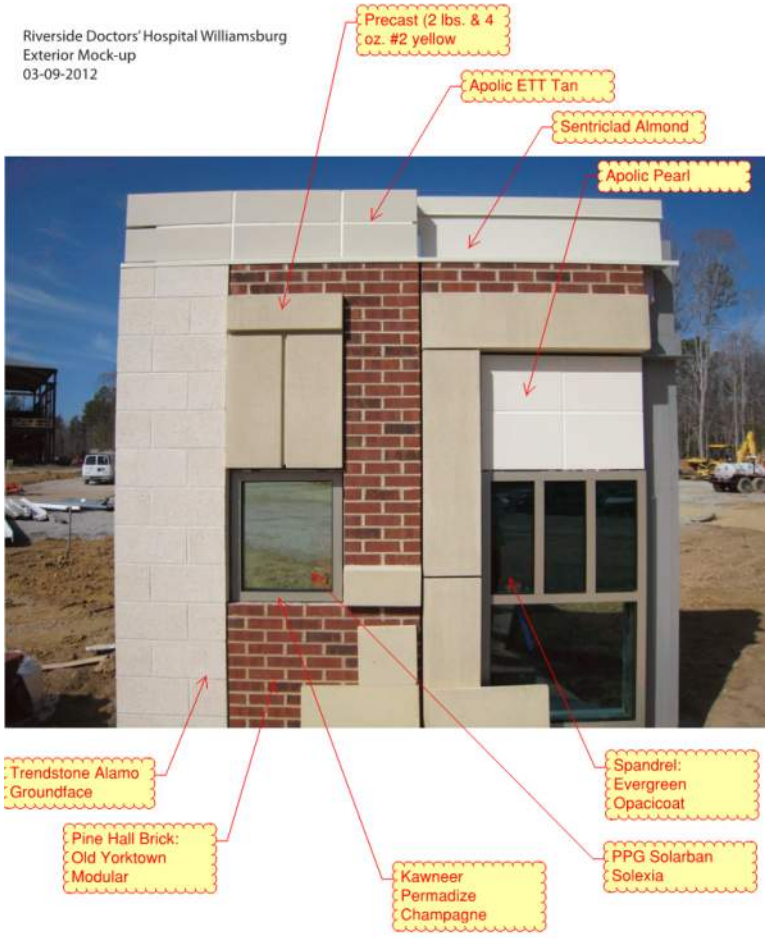
Not applicable.

PARKS AND RECREATION

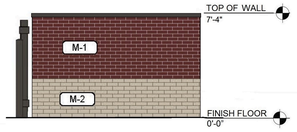
Not applicable.

7-Eleven
Colors and Materials

A prototypical building will be used for the 7-Eleven. A color rendering of the materials has been provided in the appendix. The fast food restaurant has yet to be identified, but materials will be consistent with the Riverside Hospital building.







7 ELEVATION - DUMPSTER ENCLOSURE
3/16" = 1'-0"



BDF NA35 WINDOW FILM
BLACK - MEDIUM



LAWRENCEVILLE BRICK
BURNT CHIMNEY



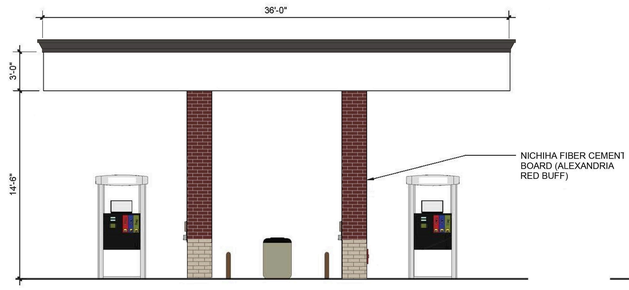
GENERAL SHALE
BRICK - GRAYSTONE VELOUR

EXTERIOR MATERIALS SCHEDULE		
NO.	MATERIAL	MANUF.-COLOR
MR - 1	MEMBRANE ROOFING	DUROLAST - WHITE
M-1	LAWRENCEVILLE BRICK	BURNT CHIMNEY
M-2	GENERAL SHALE BRICK	GRAYSTONE VELOUR
P-3	EXTERIOR HM DOORS, FRAMES, TRASH ENCLOSURE GATE, GRAVEL GUARDS, AND LIGHT POLES.	SHERWIN WILLIAMS - SEAL SKIN SW 7675
P-6	EXTERIOR BOLLARDS WALL PACKS, PARAPET CAP, ELECTRICAL SWITCHGEAR	MATCH STOREFRONT FINISH
S-1	ALUMINUM STOREFRONT GLAZING	KAWNEER - 451T VG
C-1	PREFINISHED ALUMINUM CANOPY	MAPES LUMISHADE CANOPY - DARK BRONZE W/ REAR GUTTER CONNECTIONS ON FRONT CANOPY OR APPROVED EQUAL

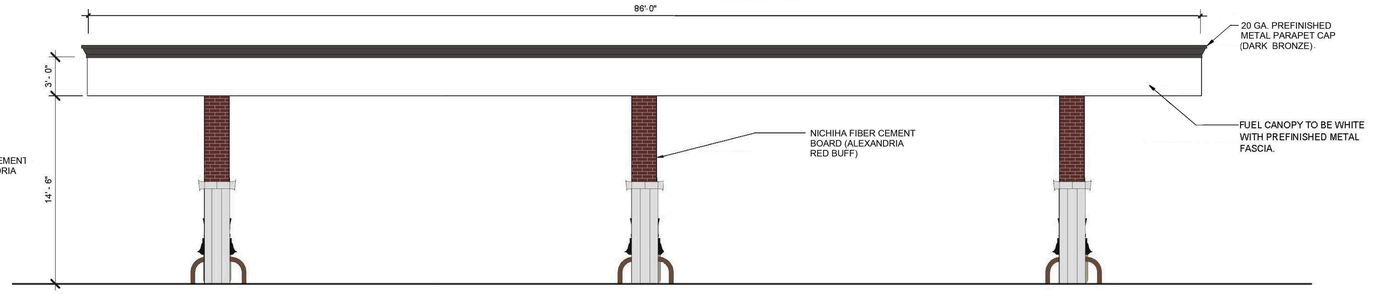
7-Eleven Sustainability Measures

7-Eleven is committed to protecting the environment and controlling energy consumption for all its stores. Below is a listing of items and measures currently being utilized in construction of new stores.

- LED Lighting - 7-Eleven incorporates LED lighting on both interior and exterior of its buildings.
- Single Ply White Roof – Incorporates white roofs into the design which is highly reflective and provides many energy saving qualities.
- Energy Management Controls – uses computer aided controls to monitor, control, and optimize the performance of its mechanical and electrical systems.
- High Efficiency HVAC Systems – High efficiency HVAC systems minimize on off cycling. Variable speed motors to insure consistent air flow.
- Low Flow Plumbing Fixtures – low flow sink faucets and toilets use less water per minute than older, traditional models.



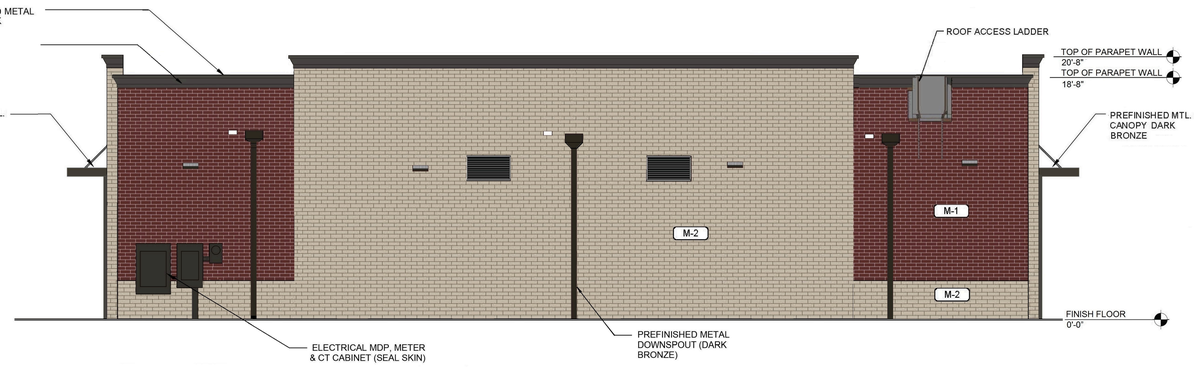
6 CANOPY ELEVATION - SHORT
3/16" = 1'-0"



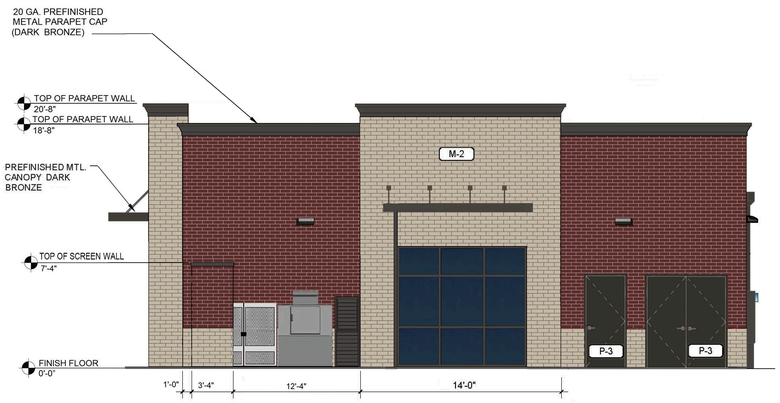
5 CANOPY ELEVATION - LONG
3/16" = 1'-0"



4 ELEVATION - FACING BATTERY BLVD.
3/16" = 1'-0"

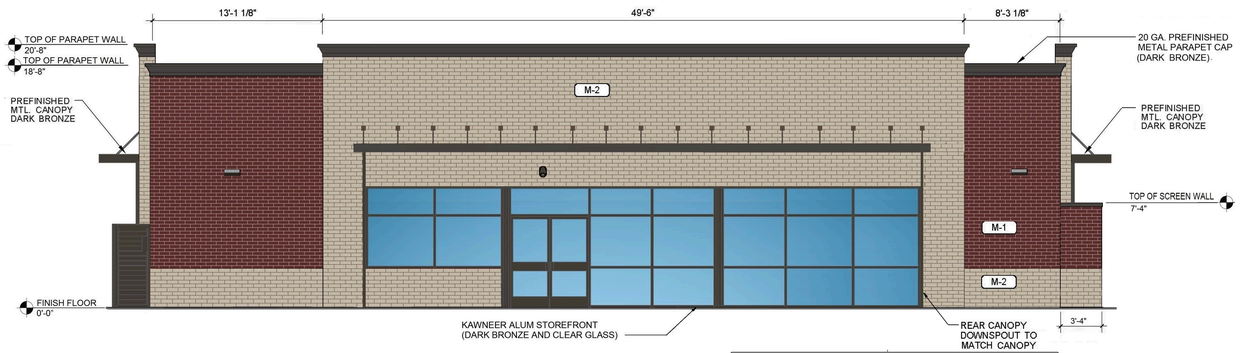


3 ELEVATION - REAR
3/16" = 1'-0"



2 ELEVATION RIGHT SIDE
3/16" = 1'-0"

TRANSPARENCY AREA REQUIREMENT TABLE:	
REQ'D:	PROVIDED:
60% OF TOTAL LENTH OF FACADE MEASURED FROM 2'-0" A.F.F TO 8'-0" A.F.F.: (49'-11" x 6'-0") x 0.60 = 179.7 SQFT REQ'D	(15'-0" x 6'-0") + (15'-0" x 6'-0") = 180 SQFT PROVIDED



1 ELEVATION - FACING POCAHONTAS TRAIL
3/16" = 1'-0"

TRANSPARENCY AREA REQUIREMENT TABLE:	
REQ'D:	PROVIDED:
60% OF TOTAL LENTH OF FACADE MEASURED FROM 2'-0" A.F.F TO 8'-0" A.F.F.: (71'-0" x 6'-0") x 0.60 = 255.6 SQFT REQ'D	(42'-10" x 6'-0") = 257 SQFT PROVIDED

ARCHITECT:
Intrépide design
4101 HUNTINGTON DRIVE #6305
ROGERS, AR 72758 PHONE: 479.721.4814

Seal:

FOR REVIEW/REFERENCE ONLY
NOT FOR CONSTRUCTION

Consultants:

MEP ENGINEER:

STRUCTURAL ENGINEER:

CIVIL ENGINEER:

FIRE PROTECTION ENGINEER:

LANDSCAPE ARCHITECT:

Submissions:

DATE:	PHASE

7-ELEVEN STORE
7337 POCAHONTAS TRAIL
WILLIAMSBURG, VA 23185
VERTICAL CONSTRUCTION
1211 SOUTH WHITE CHAPEL
SOUTHLAKE, TX 76092

Client Site/Store #:

Drawing Size	Project #:
24 x 36	
Drawn By:	Checked By:

Title:

EXTERIOR ELEVATIONS

Sheet Number:

RB-E

Date:

7-Eleven
LEED Checklist

LEED v4 for BD+C: New Construction and Major Renovation

Project Checklist

Project Name:
Date:

Y	?	N			
			Credit	Integrative Process	1

0	0	0	Location and Transportation		16
			Credit	LEED for Neighborhood Development Location	16
			Credit	Sensitive Land Protection	1
			Credit	High Priority Site	2
			Credit	Surrounding Density and Diverse Uses	5
			Credit	Access to Quality Transit	5
✓			Credit	Bicycle Facilities	1
			Credit	Reduced Parking Footprint	1
			Credit	Green Vehicles	1

0	0	0	Sustainable Sites		10
Y			Prereq	Construction Activity Pollution Prevention	Required
			Credit	Site Assessment	1
			Credit	Site Development - Protect or Restore Habitat	2
✓			Credit	Open Space	1
✓			Credit	Rainwater Management	3
			Credit	Heat Island Reduction	2
			Credit	Light Pollution Reduction	1

0	0	0	Water Efficiency		11
Y			Prereq	Outdoor Water Use Reduction	Required
Y			Prereq	Indoor Water Use Reduction	Required
Y			Prereq	Building-Level Water Metering	Required
			Credit	Outdoor Water Use Reduction	2
✓			Credit	Indoor Water Use Reduction Low flow plumbing fixtures	6
			Credit	Cooling Tower Water Use	2
			Credit	Water Metering	1

0	0	0	Energy and Atmosphere		33
Y			Prereq	Fundamental Commissioning and Verification	Required
Y			Prereq	Minimum Energy Performance	Required
Y			Prereq	Building-Level Energy Metering	Required
Y			Prereq	Fundamental Refrigerant Management	Required
			Credit	Enhanced Commissioning	6
✓			Credit	Optimize Energy Performance EMS system	18
			Credit	Advanced Energy Metering	1
			Credit	Demand Response	2
			Credit	Renewable Energy Production	3
			Credit	Enhanced Refrigerant Management	1
			Credit	Green Power and Carbon Offsets	2

0	0	0	Materials and Resources		13
Y			Prereq	Storage and Collection of Recyclables	Required
Y			Prereq	Construction and Demolition Waste Management Planning	Required
			Credit	Building Life-Cycle Impact Reduction	5
			Credit	Building Product Disclosure and Optimization - Environmental Product Declarations	2
			Credit	Building Product Disclosure and Optimization - Sourcing of Raw Materials	2
			Credit	Building Product Disclosure and Optimization - Material Ingredients	2
✓			Credit	Construction and Demolition Waste Management Demo contractor recycles 90-100% of waste	2

0	0	0	Indoor Environmental Quality		16
Y			Prereq	Minimum Indoor Air Quality Performance	Required
Y			Prereq	Environmental Tobacco Smoke Control	Required
			Credit	Enhanced Indoor Air Quality Strategies	2
			Credit	Low-Emitting Materials	3
			Credit	Construction Indoor Air Quality Management Plan	1
			Credit	Indoor Air Quality Assessment	2
			Credit	Thermal Comfort	1
✓			Credit	Interior Lighting LED light fixtures	2
✓			Credit	Daylight Skylights	3
			Credit	Quality Views	1
			Credit	Acoustic Performance	1

0	0	0	Innovation		6
			Credit	Innovation	5
			Credit	LEED Accredited Professional	1

0	0	0	Regional Priority		4
			Credit	Regional Priority: Specific Credit	1
			Credit	Regional Priority: Specific Credit	1
			Credit	Regional Priority: Specific Credit	1
			Credit	Regional Priority: Specific Credit	1

0	0	0	TOTALS	Possible Points:	110

Certified: 40 to 49 points, **Silver:** 50 to 59 points, **Gold:** 60 to 79 points, **Platinum:** 80 to 110

Environmental Constraints Analysis

Stantec Consulting Services Inc.
5209 Center Street, Williamsburg Virginia 23188-2680

February 26, 2016
File: 203400690

Attention: Ms. Molly Trant
Riverside Health System
Fountain Plaza One
701 Town Center Drive, Suite 1000
Newport News Virginia 23606-4286

Dear Ms. Trant:

Reference: **Letter of Findings – Environmental Constraints Analysis**
Quarterpath 7-11 Parcel, James City County, Virginia
Latitude: 37°15'14.60"N Longitude: 76°40'01.47"W

This report presents the results of an environmental constraints analysis conducted by Stantec Consulting Services, Inc. (Stantec) on the above-referenced project. The approximate 4.46-acre site is located within the Tutters Neck Pond drainage basin in James City County, Virginia (Figure 1). The site is situated southwest of Route 60, northwest of Battery Boulevard, and can be accessed via Battery Boulevard (Figure 2). The purpose of the study was to determine on-site environmental constraints by conducting a detailed delineation of wetlands and other waters of the U.S. (WOUS), a resource protection area (RPA) determination, and a threatened and endangered species habitat assessment. Site visits were conducted on February 22nd and 23rd, 2016. The following describes Stantec's findings.

Delineation of Waters of the U.S.

Off-site Evaluation

Prior to conducting fieldwork, Stantec consulted the U.S. Geological Survey (USGS) 7.5-minute Topographical Quadrangle Map for Williamsburg, Virginia (1984), the National Wetlands Inventory Interactive Mapper (NWI), administered by the U.S. Fish and Wildlife Service (USFWS), and the Web Soil Survey, administered by the Natural Resources Conservation Service (NRCS). The USGS quad map shows a partially forested study area with moderately sloping terrain. An unmanned intermittent stream channel is depicted along the southwestern project limits generally flowing to the northwest. The NWI map (Appendix B) depicts forested wetlands within the northwestern portion of the property. Additionally, the soil survey indicates that the site is underlain primarily by Slagle fine sandy loam, Craven-Uchee complex, Emporia complex, and Johnston complex. Johnston is classified as hydric, Slagle and Emporia as predominantly non-hydric, and Craven-Uchee as non-hydric by NRCS in James City County, Virginia.

Reference: Quarterpath 7-11 Parcel

On-site Evaluation

The WOUS delineation was conducted using the Routine Determination Method as outlined in the 1987 *Corps of Engineers Wetland Delineation Manual* and methods described in the 2010 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain (Version 2.0).* Wetland flags were placed in the field by Stantec and sequentially numbered to provide an on-site record of the delineation. Jurisdictional features identified by Stantec include forested wetlands and non-vegetated stream channels. Wetland vegetation is typified by green ash (*Fraxinus pennsylvanica*), loblolly pine (*Pinus taeda*), sycamore (*Platanus occidentalis*), ironwood (*Carpinus caroliniana*), netted-chain fern (*Woodwardia areolata*), Nepalese browntop (*Microstegium vimineum*), and greenbrier (*Smilax rotundifolia*). Soils within the wetlands are typically very dark brown to grayish brown (10YR 2/2 to 2.5Y 5/2 in Munsell color notation), with redoximorphic features, a color and condition indicative of hydric soils. Indicators of hydrology include saturation within the upper 12 inches of the soil surface, water stained leaves, and oxidized rhizospheres on living roots. The attached Environmental Constraints Analysis Map (Figure 3) shows the GPS located limits of the WOUS. These limits have not been confirmed by the U.S. Army Corps of Engineers (Corps), and should be considered preliminary.

Resource Protection Area Determination

Methodology

Following the delineation of WOUS within the project boundaries, Stantec performed an RPA determination on the Quarterpath 7-11 Parcel. Pursuant to Section 23-8 of the Chesapeake Bay Preservation Ordinance of the James City County Code, site-specific field evaluations shall be used to determine the boundaries of RPA buffers. According to Section 23-10(2) the RPA buffer is defined as, "a 100-foot buffer area located adjacent to and landward of tidal wetlands, tidal shores, and non-tidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow (i.e., RPA wetlands), and along both sides of any water body with perennial flow." Therefore, Stantec applied the Perennial Stream Field Protocol developed by James City County (JCC), also known as the "JCC Method", to three reaches within the study limits in order to clarify the limits of RPA within the Quarterpath 7-11 Parcel project limits.

The JCC Method uses primary and secondary field indicators of hydrological, physical, and biological parameters to identify the break between perennial and intermittent stream channels and has also been tested and approved to identify breaks between intermittent and ephemeral streams in the Coastal Plain of Virginia. A point value of 18 is generally used as a threshold above which a stream is considered to retain attributes of a perennial system.

Reference: Quarterpath 7-11 Parcel

A point value of 10 is generally accepted as the threshold above which a system is considered to retain attributes of an intermittent stream. For streams scoring between 10 and 18 points, the JCC Method assigns the perennial flow threshold of 14 points with a range of +/- 2 points. Therefore, streams scoring 14 points or higher are generally assumed to be perennial and those below will be classified as intermittent. However, the threshold range recognizes that when the score is within 2 points of the threshold value, it is possible that the determination may not be made strictly on the threshold value. As such, a stream may be determined to be perennial with a score of 12 or intermittent with a score of 16 if a preponderance of the evidence and professional judgment indicate that is the appropriate determination.

In addition, pursuant to 9 VAC 10-20-10 et seq. and Section 23-10(2) of the James City County Code, non-tidal wetlands are considered RPA resources when such features are "…connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow." Stantec conducted ground reconnaissance along these features identified within the study limits and within 100-feet of the project limits to determine the extent to which wetland areas within the study limits are truly contiguous (i.e. not separated by upland berms or levees) and surficially connected to the conveyance features within the study limits or other known RPA features.

Field data collection was completed on February 22 and 23, 2016. According to the JCC Method, "It is necessary to discern stormwater inflow resulting from precipitation within the past 48 hours from groundwater inputs. [Therefore] flow observations should be taken at least 48 hours after the last rainfall." Weather data obtained from National Climatic Data Center station Williamsburg 0.9 NNW, VA US indicates 0.14" of rainfall was recorded in the 48 hours preceding fieldwork conducted on February 22, 2016. While the precipitation occurred within 48 hours within the site visit, it is not likely to have led to erroneous perennial stream scores because of the presence or absence of other indicators supporting the final determination. Reaches are defined based on geomorphology, hydrology, biology, or other arbitrary points (i.e. property lines) and data are collected along the entire designated reach length, and scores for physical and biological parameters are assigned.

Results

Based on the application of the JCC Method and conditions observed in the field, RPA resources and the associated RPA buffers identified within the Quarterpath 7-11 Parcel project area are consistent with the previous RPA determination conducted which was subsequently verified by James City County in August, 2007. Reaches 1 and 2 are perennial conveyances. The reaches are characterized by mostly moderate to strong indicators of geomorphology and hydrology. Conversely, Reach 3 is a non-perennial conveyance. The

reach is characterized by mostly weak to moderate geomorphology and a lack of biological indicators associated with a perennial system. The location of the evaluated reaches and resulting RPA buffers are depicted on the attached Environmental Constraints Analysis Map.

Threatened and Endangered Species Habitat Review

Off-site Review

Prior to conducting fieldwork, a database search was conducted for the property on February 19, 2016 using the Information, Planning and Conservation System (IPaC) which is maintained by the U.S. Fish and Wildlife Service (FWS) and the Virginia Fish and Wildlife Information Service (VaFWIS) administered by the Virginia Department of Game and Inland Fisheries (VDGIF). The results of these on-line searches showed the federally threatened small whorled pogonia (*Isotria medeoloides*) and federally threatened northern long-eared bat *(Myotis septentrionalis*; NLEB*)* as potentially being within the project vicinity. However, further review of the VDGIF NLEB map does not depict any known occupied maternity roosts or known hibernaculum sites within the vicinity of the project area. It should be noted Stantec also reference the Center for Conservation Biology Eagle Nest data to determine the likely presence of a bald eagle (*Haliaeetus leucocophalus*) nest within the project area. No nests were reported. The following sections present a brief species description, the methodology utilized, and survey results.

Species Descriptions / Habitat Factors

Small Whorled Pogonia – SWP is a self-pollinating perennial orchid (Family: Orchidaceae), four to twelve inches in height, with a characteristic whorl of five to seven leaves at the summit of a singular, hollow, pale green stem with one or two pale yellowish-green irregular flowers (Mehrhoff 1983, Gleason and Cronquist 1991, Vitt and Campbell 1997). Morphologically similar species include large whorled pogonia (*Isotria verticillata*) and Indian cucumber (*Medeola virginiana*), the former distinguished from SWP by a reddish-purple stem and the latter by a wiry stem with cotton-like hairs (Ware 1991).

SWP occupies a very specific habitat type within its range. In particular, the species seems to require the following conditions: mature, mixed hardwood, upland forests; generally open understory conditions with minimal aggressive ground level species; generally level to moderately sloping land within shallow upland draws often of northerly or easterly exposure; scattered ground-level sunlight; and, acidic, sandy loam soils (Ware 1991, Gleason and Cronquist 1991, Weakley 2006). In addition, many professionals have noted a prevalence of decaying logs and a well-developed detritus layer on the forest floor. These attributes tend to

be present with the species when found, although the exact mechanisms associated with each affinity are not understood (Ware 1991).

Certain indicator species, among others, may also be helpful in identifying SWP habitat, such as large whorled pogonia, strawberry bush (*Euonymus americanus*), tick trefoil (*Desmodium* spp.), and wintergreen (*Chimaphila maculata*). These species may be considered associates, and often occur near documented SWP colonies. It should be noted that the absence of one or even several of the above-referenced habitat criteria does not necessarily preclude the species from occurring on a particular site. A habitat determination should therefore be based upon the experience of a qualified professional.

Northern Long-eared Bat – NLEB is a medium-sized bat 3 to 3.7 inches in length but with a wingspan of 9 to 10 inches. As its name suggests, this bat is distinguished by its long ears, particularly as compared to other bats in its genus, Myotis, which are actually bats noted for their small ears (Myotis means mouse-eared). The northern long-eared bat is found across much of the eastern and north central United States and all Canadian provinces from the Atlantic coast west to the southern Northwest Territories and eastern British Columbia. The species' range includes 37 states. White-nose syndrome, a fungal disease known to affect bats, is currently the predominant threat to this bat, especially throughout the Northeast where the species has declined by up to 99 percent from pre-white-nose syndrome levels at many hibernation sites. Although the disease has not yet spread throughout the northern long-eared bat's entire range (white-nose syndrome is currently found in at least 25 of 37 states where the northern long-eared bat occurs), it continues to spread. Experts expect that where it spreads, it will have the same impact as seen in the Northeast.

Methodology

Following the review of the off-site reference materials, a habitat assessment was conducted on the Quarterpath 7-11 Parcel. Habitat survey methods typically included general reconnaissance within the study area using the nesting, breeding, and/or known habitat requirements for each of the above-mentioned target species to determine the location and extent of potential habitat.

It should be noted that the normal SWP vegetative cycle is late spring to mid-summer. Therefore, the FWS will only accept detailed survey data collected within a certain season (May 25-July 15 in James City County). Outside of this time frame, qualified survey contacts may conduct habitat surveys using the guidelines listed above to determine whether a particular site contains potential habitat for the species. Therefore, this habitat survey for the small whorled pogonia (SWP) was conducted by Scott Kupiec of Stantec, who is recognized as a SWP survey contact by the FWS. The purpose for this type of survey is to identify portions

of the site that may require in-season detailed surveys for the species and to estimate the likelihood of SWP occurrence.

In addition, for the purposes of the NLEB, all forested portions were evaluated specifically for tree species with diameter at breast height (DBH) greater than 3 inches. Typically, semi-mature to mature forest communities with open to somewhat open understory are considered to provide appropriate habitat for NLEB.

Results

No suitable SWP habitat was found within the Quarterpath 7-11 Parcel project area. The majority of the project area consists of developed land or immature forest communities. The immature forest communities lack a stratified canopy, thick duff, and associates correlated with suitable SWP habitat, and contain significant historic disturbance associated with mound and debris fields. Furthermore, these areas contain dense understory and herbaceous layers. Also, non-tidal wetlands and streams identified during the wetland delineation are present within the project area, and these features are considered to provide unsuitable habitat conditions for SWP due to persistent inundation or seasonally high water tables. It should be noted a small portion of the site along the southwestern project limits falls within a more mature mixed-hardwood community. However, this part of the project area occurs along a steep slope with little or no duff and is unsuitable habitat for SWP.

Based on the evaluation of the forested areas within the study limits, NLEB habitat is likely present. However, review of the VDGIF NLEB habitat map does not depict any known occupied maternity roosts or known hibernaculum sites within the vicinity of the project area.

Conclusion

Stantec conducted an environmental constraints analysis on the Quarterpath 7-11 Parcel project including a delineation of WOUS, RPA determination, and threatened and endangered species habitat assessment. Based on a detailed delineation of WOUS, wetlands and non-vegetated stream channels are present within the Quarterpath 7-11 Parcel project area. Stantec recommends these findings be submitted to the Army Corps of Engineers to obtain a confirmation prior to any land disturbing activities.

Following the delineation of WOUS, three on-site reaches were scored using the JCC Method to determine perennial breaks and the resultant RPA buffer. Based on Stantec's findings Reaches 1 and 2 are perennial streams and should be included as RPA resources along with the associated connected and contiguous wetlands. Reach 3 is a non-perennial conveyance. However, it should be noted flowing water was observed in Reach 3 during the time of the study. While it is Stantec's opinion that this stream is non-perennial and should not

be included as an RPA resource based on moderate to weak scores for geomorphology and an absence of biology associated with a perennial system, Stantec recommends the stream be rescored during a drier time of the year to verify these findings, and the results confirmed by James City County.

Finally, a threatened and endangered database review indicated the potential presence of SWP and NLEB potentially occurring within the project boundaries. Based on habitat review, no suitable habitat for SWP is present. However, potential habitat for NLEB is present. As such, time of year restrictions may be requested prior to any tree clearing, should it be required. Furthermore, if it is determined that state or federal permits are required for the project, formal consultation with USFWS may be recommended.

Please let me know if you have any questions regarding this correspondence.

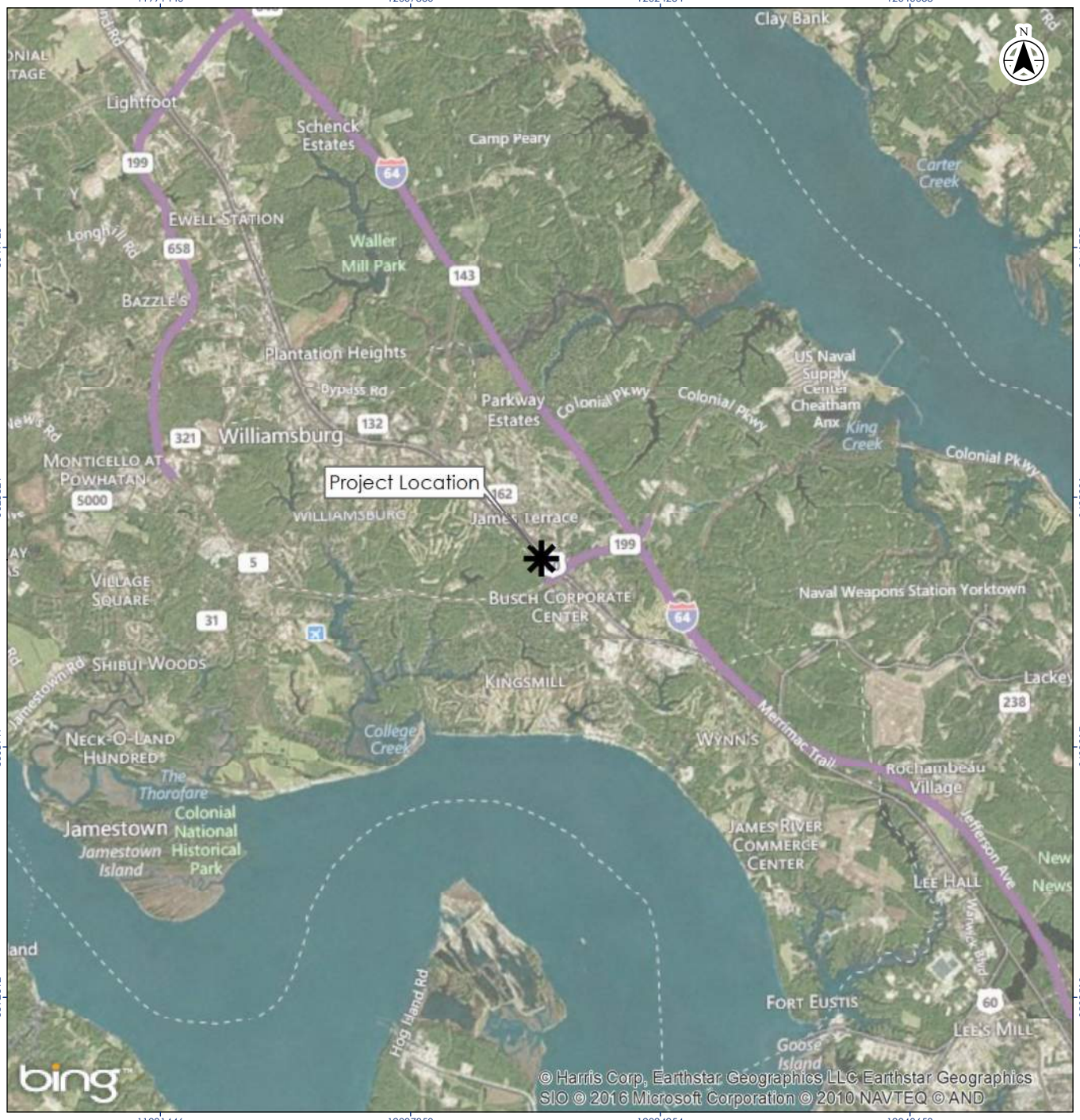
Regards,

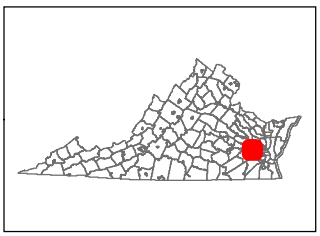
Stantec Consulting Services

Scott Kupiec, PWD
Senior Ecologist
Phone: (757) 220-6869
Fax: (757) 229-4507
scott.kupiec@stantec.com

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Stantec

Project Location
James City County, VA

203400690
Prepared by EAS on 2016-02-24
Technical Review by TPS on 2016-02-24
Independent Review by CSK on 2016-02-24

Client/Project

Quaterpath 7-11 Parcel

Submitted: 2016-02-26

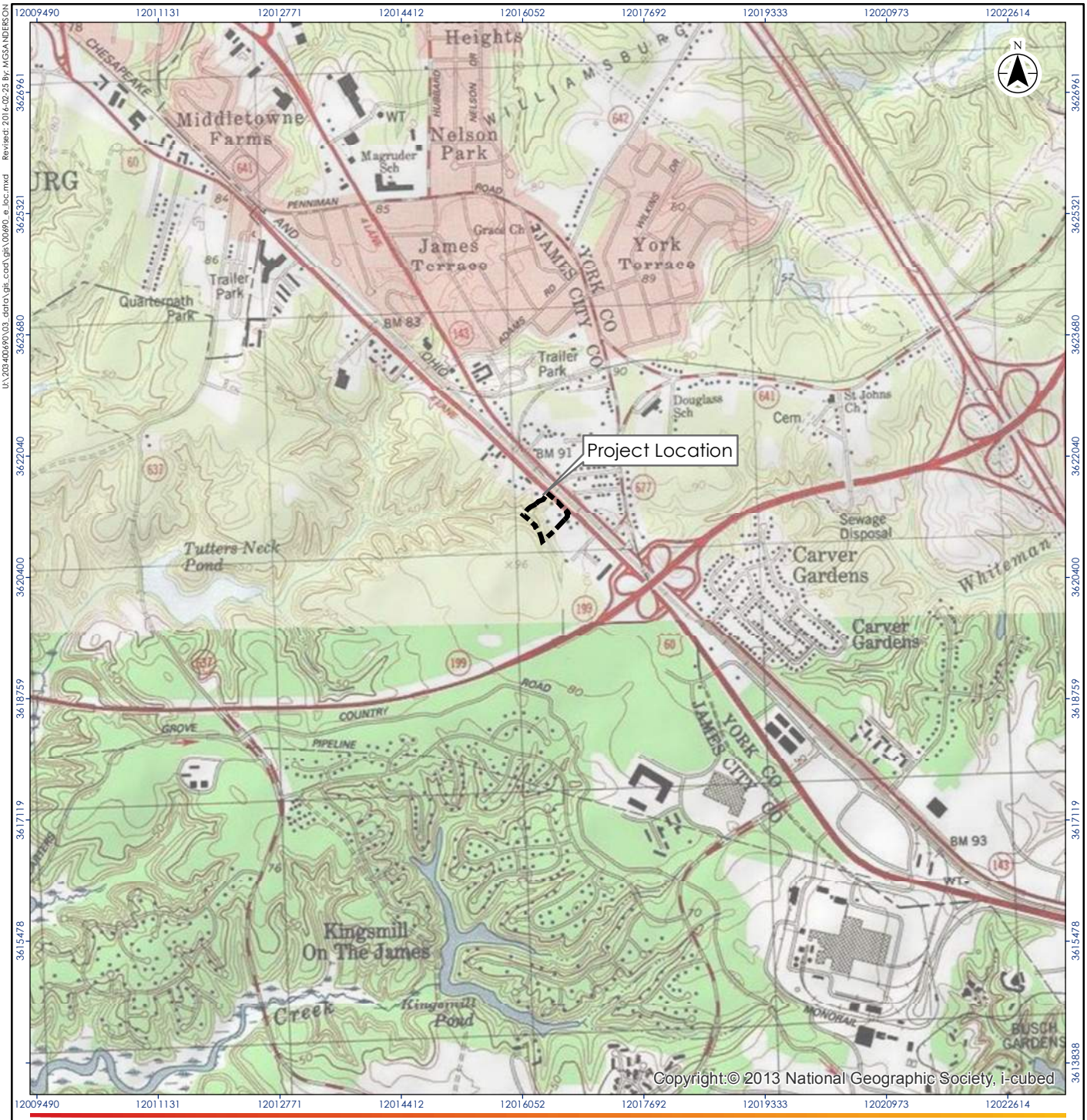
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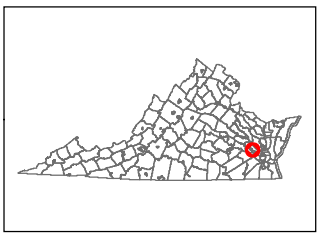
Title
Project Vicinity Map

Notes
1. Coordinate System: NAD 1983 StatePlane Virginia South FIPS 4502 Feet
2. Project limits created from James City County GIS Parcels, 2016
3. Orthoimagery © Bing Maps
4. Microsoft product screen shot(s) reprinted with permission from Microsoft Corporation

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Latitude: 37°15'14.60" N

Longitude: 76°40'01.47" W

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Stantec

Project Location
James City County, VA

203400690
Prepared by MGS on 2016-02-24
Technical Review by TPS on 2016-02-24
Independent Review by CSK on 2016-02-24

Client/Project

Quaterpath 7-11 Parcel

Submitted: 2016-02-26

Figure No.

2

Title

Project Location Map

Notes

1. Coordinate System: NAD 1983 StatePlane Virginia South FIPS 4502 Feet
2. Project limits created from James City County GIS Parcels, 2016
3. Topographic Map © USGS 7.5 Minute Series Topographic Map

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Site Data	
Project Area	4.46 Acres ±
Palustrine Forested Wetlands (PFO)	0.16 Acres ±
Upper Perennial Stream Channels (R3)	0.05 Acres ± (503 L.F. ±)
Intermittent Stream Channels (R4)	0.03 Acres ± (215 L.F. ±)

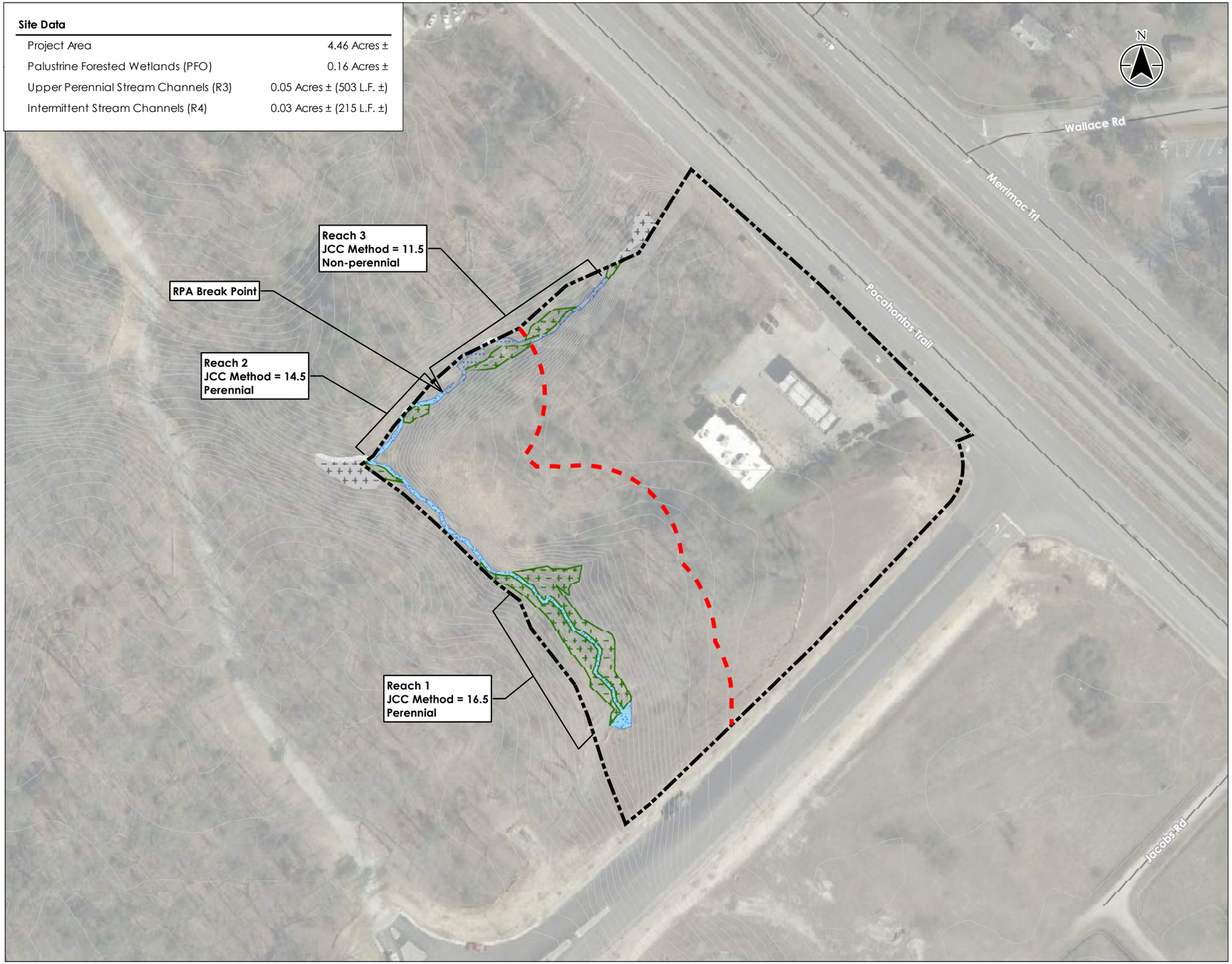


Figure No.
3

Title
Environmental Constraints Map

Submitted: 2016-02-26

Client/Project

Quaterpath 7-11 Parcel

Project Location

James City County, Virginia

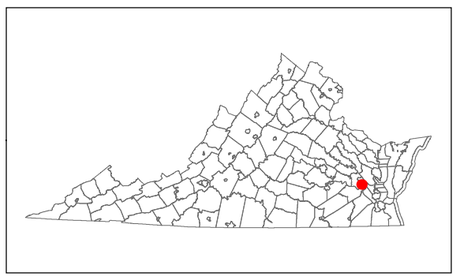
203400690
Prepared by MGS on 2016-02-18
Technical Review by TPS on 2016-02-24
Independent Review by CSK on 2016-02-24

0 100 200 Feet

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Legend

- RPA Buffer Limits
- Approximate Palustrine Forested Wetland Limits (PFO)
- Approximate Upper Perennial Stream Channel Limits (R3)
- Approximate Intermittent Stream Channel Limits (R4)
- Offsite-Approximate Palustrine Forested Wetland Limits (PFO)
- Offsite-Approximate Upper Perennial Stream Channel Limits (R3)
- Offsite-Approximate Intermittent Stream Channel Limits (R4)
- Project Limits
- 2-Foot Contour



Notes

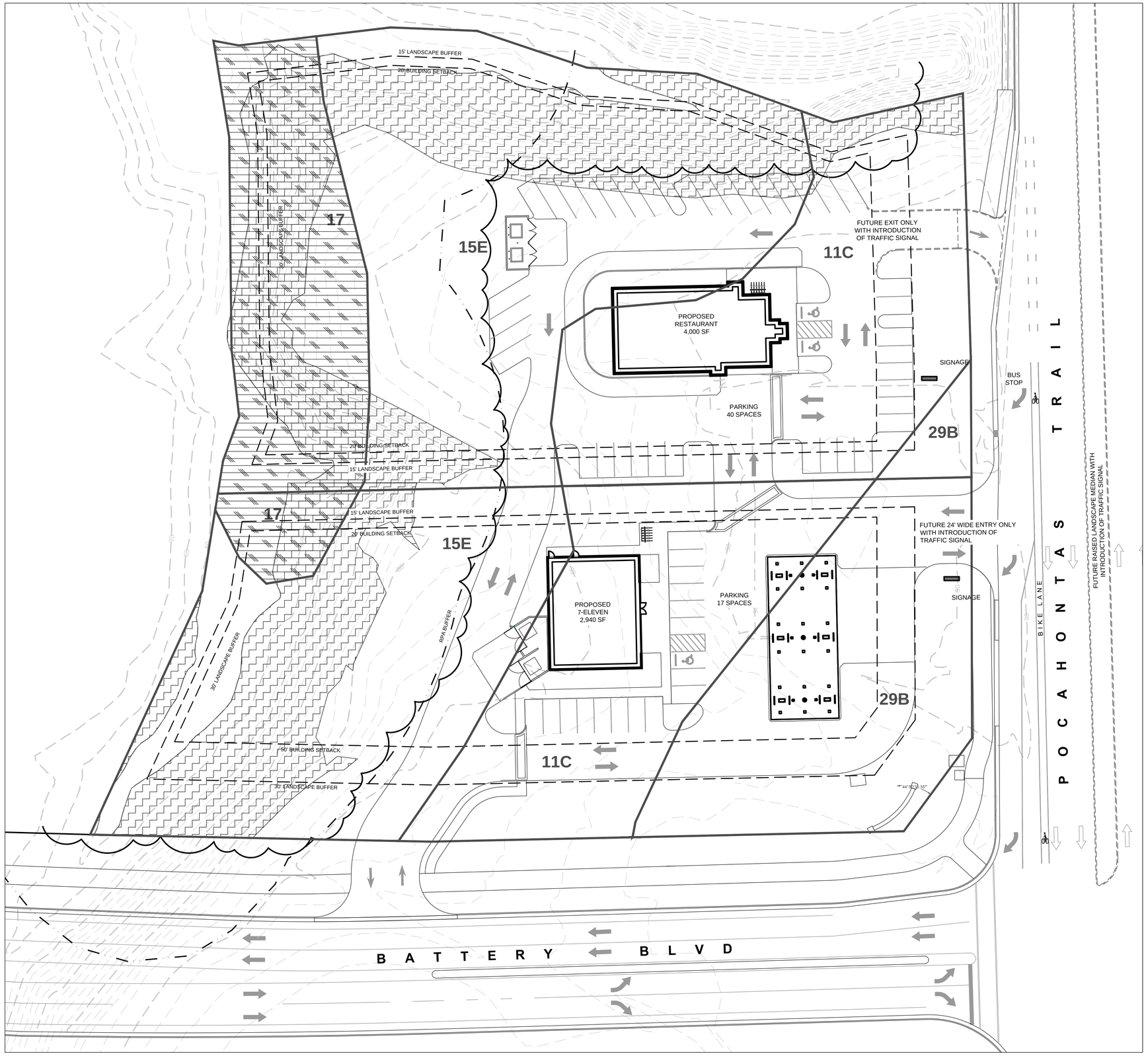
1. Coordinate System: NAD 1983 StatePlane Virginia South FIPS 4502 Feet
2. The limits of waters of the U.S., including wetlands, shown on this map have been field located by means of sub-meter GPS technology and are for planning purposes only.
3. Project limits created from James City County GIS Parcels, 2016
4. Topography provided by James City County GIS 2013
5. Orthoimagery © VGIN 2013

Stantec

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Environmental Inventory



NOTES

PROJECT DESCRIPTION
THIS PROJECT PROVIDES FOR THE INSTALLATION OF A 7-11 AT THE CORNER OF BATTERY BOULEVARD AND POCAHONTAS TRAIL AND THE ADJACENT PROPERTY. THE PROJECT WILL ALSO INCLUDE THE PARTIAL DEMOLITION OF THE EXISTING IMPERVIOUS SURFACE WITHIN THE SITE LIMITS. THE TOTAL PROJECT AREA IS APPROXIMATELY 3.8 ACRES.

EXISTING CONDITIONS
THE EASTERN PORTION OF THE SITE IS CURRENTLY IMPERVIOUS SURFACE FROM AN EXISTING GAS STATION. THE REMAINDER OF THE SITE IS GRASSED AREA THAT DRAINS TO FOREST AREA TO THE WEST AND NORTH. ELEVATIONS ON SITE VARY BETWEEN 58'-90'. STORMWATER RUNOFF CURRENTLY FLOWS ACROSS THE SITE AND INTO THE SURROUNDING FORESTED AREA.

STORMWATER MANAGEMENT
STORMWATER MANAGEMENT IS INCLUDED IN THE QUARTERPATH MASTERPLAN.

SOILS DESCRIPTION
SEE THIS SHEET.

CRITICAL AREAS
- THIS PROJECT WILL NOT IMPACT EXISTING WETLANDS OR THE SURROUNDING 100' RPA BUFFER.
- SOILS THAT ARE CLASSIFIED AS HYDRIC WILL NOT BE AFFECTED.
- THIS PROJECT WILL NOT IMPACT SLOPES EXCEEDING.

EROSION AND SEDIMENT CONTROL MEASURES
TO PREVENT SEDIMENT FROM LEAVING THE SITE AND ENTERING THE SURROUNDING FORESTS, MEASURES SUCH AS SILT FENCE, CHECK DAMS, A CONSTRUCTION ENTRANCE, AND TEMPORARY SEEDING WILL BE IMPLEMENTED. INSTALLATION AND MAINTENANCE OF TEMPORARY MEASURES WILL CONFORM TO THE GUIDELINES PUBLISHED IN THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK.

PERMANENT SEEDING
PERMANENT SEEDING, LANDSCAPING, AND TURF WILL BE USED TO STABILIZE THE SITE AFTER CONSTRUCTION IS COMPLETE.

TEMPORARY OFFSET AREAS
THERE ARE NO ADDITIONAL OFF-SITE LAND DISTURBANCES PROPOSED WITH THIS PROJECT.

ENVIRONMENTAL INVENTORY IMPACTS

TIDAL WETLANDS:	NONE ON SITE
TIDAL SHORES:	NONE ON SITE
NON-TIDAL WETLANDS:	NONE ON SITE
100-FT RPA BUFFER:	NONE ON SITE
HYDRIC SOILS:	NONE ON SITE
25% SLOPES OR GREATER:	NONE ON SITE

LEGEND

HYDRIC SOILS

DENOTES 25% OR GREATER SLOPES

25% SLOPE IMPACTS

HYDRIC SOIL IMPACTS

ON-SITE SOILS TABULATION

SOIL NO.	SOIL NAME	HYDROLOGICAL GROUP	TYPICAL SLOPES	EROSION FACTOR (K)	EROSION FACTOR (T)
11C	CRAVEN-UCHEE COMPLEX	C	6 - 10%	0.28	5
15E	EMPORIA COMPLEX	B	15 - 25%	0.28	5
17	JOHNSTON COMPLEX	A/D	-	0.37	5
29B	SLAGLE FINE SANDY LOAM	C	2 - 6%	0.24	5

PROGRESS PRINT
AUG 24, 2017
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REVISION DESCRIPTION	DATE

DATE: 8/21/2017
DRAWN BY: D.DUNCAN
DESIGNED BY: M.RICHARDSON
CHECKED BY: M.RICHARDSON
SCALE: 1" = 25'

TIMMONS GROUP

7-11 AT QUARTERPATH

JAMES CITY COUNTY, VIRGINIA

ENVIRONMENTAL INVENTORY

JOB NO. -

SHEET NO. INV

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Traffic Analysis For 7-Eleven/Restaurant SUP And AMR Exception

JAMES CITY COUNTY, VIRGINIA

For:

Quarterpath At Williamsburg

By:
DRW Consultants, LLC
Midlothian, VA

March 13, 2017

August 17, 2017 Edited Version

Traffic Analysis For 7-Eleven/Restaurant SUP And AMR Exception

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For:

Quarterpath At Williamsburg

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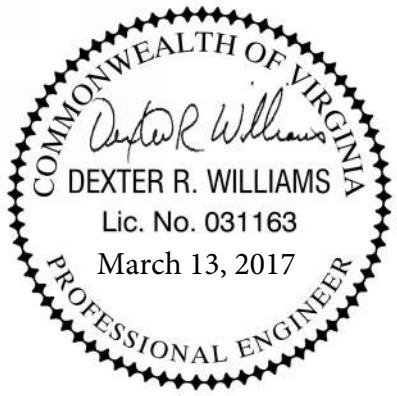


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REPORT
TEXT

INTRODUCTION AND SCOPE

Quarterpath At Williamsburg (QAW) has filed a Special Use Permit (SUP) for redevelopment of the northwest corner of Rt. 60 Pocahontas Trail and Battery Boulevard. (Note: In this report Rt. 60 is north/south orientation; Battery Boulevard is east/west orientation). The upper section of Exhibit 1 shows the site location in the VDOT Hampton Roads District. The lower section of Exhibit 1 shows the area around the site in James City County.

The SUP area consists of three undeveloped parcels of land owned by QAW and a fourth parcel of land with an existing 7-Eleven (7-11) convenience store with gas (2,560 sq. ft. store with 6 vehicle fueling positions). The existing 7-Eleven and SUP property development property boundary is shown on Exhibit 2a. The existing 7-11 has two entrances on Rt. 60. The south entrance is located 149 feet from Battery Boulevard. The north entrance is located 89 feet from the south entrance (all measurements centerline to centerline).

The proposed SUP is shown on Exhibit 2b. Redevelopment of the site includes the following:

1. 2,940 sq. ft. 7-11 convenience store with 12 vehicle fueling positions.
2. 4,000 sq. ft. fast food with drive through
3. Rt. 60 entrance located 229 feet from Battery Boulevard (centerline to centerline).
4. A 70 foot full with right turn lane with 79 foot taper at the Rt. 60 entrance.
5. Battery Boulevard entrance located 306 feet from Rt. 60 (corner clearance curb to curb).
6. Construction of a shared use path across the property frontage
7. A sidewalk connection between the shared use path and the existing sidewalk north of the property.

This traffic study has been prepared to document existing and future traffic conditions with the SUP approval. The following existing intersections were identified for traffic counts and analysis as follows:

1. Rt. 60 Pocahontas Trail/Battery Boulevard
2. Rt. 60 Pocahontas Trail/South Entrance
3. Rt. 60 Pocahontas Trail/North Entrance

All three intersections are stop sign controlled on the eastbound approaches. It should be noted that the eastern boundary of Rt. 60 Pocahontas Trail is a railroad so that there is no access on the east side of Rt. 60 Pocahontas Trail in the vicinity of this property.

The workscope includes AM and PM peak hour traffic analysis at the existing three

intersections cited above and at the Battery Boulevard/Battery Entrance for the following scenarios:

- Existing traffic
- 2024 without the SUP
- 2024 with the SUP

ACCESS MANAGEMENT REGULATION (AMR) SPACING CRITERIA AND SITE ACCESS

Rt. 60 Pocahontas Trail is a Principal Arterial in VDOT's functional classification system. Pocahontas Trail is a divided median (flush median with northbound left turn lane) highway posted 45 mph. The existing South and North Entrances are full access: left turns permitted in and out. The AMR Minimum Spacing for full access is 565 feet from any other entrance on a principal arterial 35 to 45 mph (minimum spacing criteria are measured from centerline to centerline).

Exhibit 2a shows an aerial view of the existing 7-Eleven site on Pocahontas Trail. There are two full access entrances with entrance spacings of 149 feet (Battery Boulevard to South Entrance) and 89 feet (South Entrance to North Entrance). These entrance spacings are 26% and 16% of required 565 foot spacing (see Exhibit 2a).

Exhibit 2b shows the proposed SUP development plan prepared by The Blakeway Corporation. The single Rt. 60 entrance is located approximately where the existing North Entrance is located. Rt. 60 entrance spacing of 229 feet is 40% of required 565 foot spacing. The proposed entrance will require an exception to Access Management Regulation spacing standards. The Rt. 60 entrance includes a 70 foot full width right turn lane and a 79 foot taper.

Exhibit 2c shows Phase 2 Access for the site when the intersection of Rt. 60/Battery Boulevard is signalized. The Phase 1 full access intersection is converted to right turn in only. A right turn out entrance is added at the northern end of the site.

Exhibit 2d also shows the application of VDOT's Figure 4-3 Elements Of The Functional Area Of Intersection on southbound Pocahontas Trail at Battery Boulevard (in green) as follows:

- L1: perception-reaction time (PRT): 2.5 sec. X 66 feet per second (fps). (Note: Speed Limit 45 mph = 66 fps).
- L2: lateral movement and deceleration: 1.8 meter/sec^2 = 5.9 fps^2 per AASHTO Green Book 9.7.2. 66 fps deceleration to 30.3 fps calculated in L3.
- L3: to stop. 2.0 meter/sec^2 = 6.56 fps^2. 30.3 fps to stop in 70 feet available.
- L4: Storage: 100 feet per App. F Fig. 3-1.

Battery Boulevard is four lane road posted 30 mph. It has a divided median approximately 260 feet long beginning at Rt. 60. Battery Boulevard is not identified on VDOT Functional Classification Maps. By default, it is a local street under VDOT AMR criteria. As shown on Exhibit 2b, the Battery Boulevard entrance has 306 feet of corner clearance from Pocahontas Trail. This is in excess of the AMR minimum of 225 feet. Even as a collector street, 360 feet centerline to centerline spacing meets AMR full access entrance spacing of 225 feet for 30 mph streets. The proposed entrance is outside of the divided median.

EXISTING TRAFFIC CONDITIONS

Intersection turning movement traffic counts were conducted at the three Rt. 60 Pocahontas Trail intersections by Peggy Malone & Assc. from 7 to 9 AM and from 4 to 6 PM on Wednesday, October 12, 2016. These counts are tabulated on the Appendix Exhibit A, B and C series. Counts without balance are shown on Appendix Exhibit D.

Exhibit 3 shows 2016 AM and PM peak hour traffic (counts with balance) on the study area road network diagram.

Synchro 9 has been used to calculate intersection levels of service. Synchro coding for turn lane dimensions on Pocahontas Trail is explained as follows:

1. Battery Boulevard
    a. Northbound left turn lane coded continuous because of long, unimpeded center lane approach
    b. Eastbound lanes coded continuous because of two lane approach
    c. Southbound right turn coded continuous back to South Entrance.
2. South Entrance
    a. Northbound left turn lane coded 50 foot left turn storage with 25 foot taper
    b. Eastbound coded single lane
    c. Southbound right turn coded three through/right turn shared. The southbound right turn lane at Battery Boulevard extends back to North Entrance.
3. North Entrance
    a. Northbound left turn lane coded 25 foot left turn storage with 15 foot taper
    b. Eastbound coded single lane
    c. Southbound right turn coded three 10 foot storage length with 170 taper to reflect actual taper on southbound approach. The southbound right turn lane at Battery Boulevard extends back to North Entrance.

The following reports are included in the technical appendix:

1. For unsignalized intersections, HCM 2010 reports are used for LOS results and HCM2010 queuing results. See Appendix Exhibits J1 and J2 for the AM and PM peak hours, respectively.
2. SimTraffic Queuing & Blocking results are shown in Appendix Exhibits K1 and K2 series for the AM and PM peak hours, respectively.

The following table shows existing peak hour intersection levels of service and queuing results at Rt. 60 Pocahontas Trail/Battery Boulevard:

TABLE 1-1 Rt. 60 Pocahontas Trail/Battery Boulevard									
Traffic LOS And Seconds Delay By Lane Group					95th Percentile Queues By Lane Group				
	AM		PM		Storage	HCS 2010		SimTraffic Q&B	
Overall	A	1.5	A	1.4	Length	AM	PM	AM	PM
NBL	A	8.0	A	8.5		3	5	31	37
SBT								6	7
EBL	B	13.2	C	20.2		5	10	36	53
EBR	A	9.4	B	10.2		5	5	44	39

There is LOS C or better on the Battery Boulevard eastbound approach with queues of 53 feet or less. On the northbound left turn, there is LOS A with queues of 37 feet or less. SimTraffic is showing southbound through queue of 7 feet or less.

The following table shows existing peak hour intersection levels of service and queuing results at Pocahontas Trail/South Entrance:

TABLE 1-2 Rt. 60 Pocahontas Trail/South Entrance									
Traffic LOS And Seconds Delay By Lane Group					95th Percentile Queues By Lane Group				
	AM		PM		Storage	HCS 2010		SimTraffic Q&B	
Overall	A	1.3	A	0.7	Length	AM	PM	AM	PM
NBL	A	9.2	B	10.4	50	3	3	25	29
NBT								6	13
SBT/R								4	8
EBL/R	B	10.4	B	11.9		5	8	50	40

There is LOS B on the South Entrance eastbound approach with queues of 50 feet or less. On the northbound left turn, there is LOS A/B with queues of 29 feet or less. SimTraffic is showing northbound through queue of 13 feet or less and southbound through/right queue of 8 feet or less.

The following table shows existing peak hour intersection levels of service and queuing results at Pocahontas Trail/North Entrance:

TABLE 1-3 Rt. 60 Pocahontas Trail/North Entrance									
Traffic LOS And Seconds Delay By Lane Group					95th Percentile Queues By Lane Group				
	AM		PM		Storage	HCS 2010		SimTraffic Q&B	
Overall	A	0.6	A	0.6	Length	AM	PM	AM	PM
NBL	A	7.9	A	8.4	25	0	3	21	31
NBT								25	35
SBR									4
EBL/R	B	10.1	B	11.6		3	5	46	41

There is LOS B on the North Entrance eastbound approach with queues of 46 feet or less. On the northbound left turn, there is LOS A with queues of 31 feet or less. SimTraffic is showing northbound through queue of 35 feet or less and southbound right queue of 4 feet or less.

2024 BACKGROUND TRAFFIC

There are two components of the 2024 background traffic forecast: 1) growth rate applied to existing traffic counts, and 2) site traffic forecast for approved but unbuilt condominiums and townhouses in QAW.

Exhibit 4a shows VDOT daily traffic counts (2011 through 2015) and linear regression analysis trend for Rt. 60 Pocahontas Trail from Williamsburg corporate limits to Rt. 199. Rt. 60 Pocahontas Trail shows a slightly increasing trend: 1.10 growth factor (10% growth) over the next eight years.

Exhibit 4b shows statewide vehicle miles travelled since 1975. Current rates of overall traffic growth are negligible. All statewide traffic peaked in 2007-08 with no net increase since.

A 1.10 growth factor is applied to 2016 counts at Rt. 60 Pocahontas Trail/Battery Boulevard to produce the growth factor component of 2024 background traffic for the SUP development (2018 completion plus six years).

For the townhouse and condominium units in QAW, there are 115 townhouses and 42 condominiums with site plan approval that were not yet occupied at the time of the counts. Table 5 on Exhibit 6 shows trip generation for the townhouse/condominiums using Trip Generation Manual, 9th Edition (TGM9), published by the Institute of Transportation Engineers (ITE). Townhouses and condominiums are grouped as one land use in TGM9. TGM9 and VDOT protocols recommend using the equation values for trip generation.

QAW currently has two points of access via Battery Boulevard: 1) Rt. 60 Pocahontas Trail on the east included in this study, and 2) Quarterpath Road and Rt. 199 on the west. QAW developers have advised that traffic to Quarterpath Road/Rt. 199 is at least half of traffic distribution. 35% of condominium/townhouse is assigned to Quarterpath Road/Rt. 199 on the west in Table 6 on Exhibit 6. 65% of condominium/townhouse traffic is assigned to Rt. 60 Pocahontas Trail with the north/south split based on existing traffic count splits.

This 2024 background traffic forecast is shown on Exhibit 5 and includes the 1.10 growth factor and 65% condominium/townhouse assignments at Rt. 60 Pocahontas Trail/Battery Boulevard. Traffic increases on Rt. 60 Pocahontas Trail are balanced through the South and North Entrances.

For 2024 background traffic analysis reports, see Technical Appendix as follows:

1. For unsignalized intersections, HCM 2010 reports are used for LOS results and HCM2010 queuing results. See Appendix Exhibits J3 and J4 for the AM and PM peak hours, respectively.
2. SimTraffic Queuing & Blocking results are shown in Appendix Exhibits K3 and K4 series for the AM and PM peak hours, respectively.

The following table shows existing peak hour intersection levels of service and queuing

results at Rt. 60 Pocahontas Trail/Battery Boulevard:

TABLE 2-1 Rt. 60 Pocahontas Trail/Battery Boulevard									
Traffic LOS And Seconds Delay By Lane Group					95th Percentile Queues By Lane Group				
	AM		PM		Storage	HCS 2010		SimTraffic Q&B	
Overall	A	2.0	A	1.8	Length	AM	PM	AM	PM
NBL	A	8.1	A	8.7		3	8	36	44
SBT								4	5
EBL	B	14.5	C	24.8		8	15	44	66
EBR	A	9.7	B	10.5		8	8	48	43

There is LOS C or better on the Battery Boulevard eastbound approach with queues of 66 feet or less. On the northbound left turn, there is LOS A with queues of 44 feet or less. SimTraffic is showing southbound through queue of 5 feet or less.

The following table shows existing peak hour intersection levels of service and queuing results at Pocahontas Trail/South Entrance:

TABLE 2-2 Rt. 60 Pocahontas Trail/South Entrance									
Traffic LOS And Seconds Delay By Lane Group					95th Percentile Queues By Lane Group				
	AM		PM		Storage	HCS 2010		SimTraffic Q&B	
Overall	A	1.2	A	0.6	Length	AM	PM	AM	PM
NBL	A	9.3	B	10.7	50	3	3	32	24
NBT								8	10
SBT/R									9
EBL/R	B	10.6	B	12.1		8	8	50	44

There is LOS B on the South Entrance eastbound approach with queues of 50 feet or less. On the northbound left turn, there is LOS A/B with queues of 32 feet or less. SimTraffic is showing northbound through queue of 10 feet or less and southbound through/right queue of 9 feet or less.

The following table shows existing peak hour intersection levels of service and queuing results at Rt. 60 Pocahontas Trail/North Entrance:

TABLE 2-3 Rt. 60 Pocahontas Trail/North Entrance									
Traffic LOS And Seconds Delay By Lane Group					95th Percentile Queues By Lane Group				
	AM		PM		Storage	HCS 2010		SimTraffic Q&B	
Overall	A	0.6	A	0.5	Length	AM	PM	AM	PM
NBL	A	7.9	A	8.5	25	0	3	19	33
NBT								25	36
SBR									
EBL/R	B	10.4	B	12.0		3	5	44	40

There is LOS B on the North Entrance eastbound approach with queues of 44 feet or less. On the northbound left turn, there is LOS A with queues of 33 feet or less. SimTraffic is showing northbound through queue of 36 feet or less.

SITE TRIP GENERATION, DISTRIBUTION AND ASSIGNMENT

Table 1 on Exhibit 6 shows trip generation values for the proposed 7-11 and fast food sites using Trip Generation Manual, 9th Edition (TGM9), published by the Institute of Transportation Engineers (ITE). Fast food trip generation is based on square footage and 7-11 peak hour trip generation is based on vehicle fueling positions (higher value than trip generation based on square footage of building).

Trip distribution is calculated separately for the two sites in Tables 2 and 3 on Exhibit 6. The trips are distributed based on the directional distribution of existing 7-11 traffic (see Appendix Exhibit D1).

Site trip assignment for the 7-11 is shown on Appendix Exhibit D4.

Site trip assignment for the fast food restaurant is shown on Appendix Exhibit D5.

Total site traffic assignment is shown on Exhibit 7.

2024 TOTAL TRAFFIC WITH SITE

Exhibit 8 shows 2024 AM and PM total peak hour traffic with development of the 7-11 and fast food restaurant.

Turn lane warrants for the site's two entrances are shown on the Appendix Exhibit F series as follows:

- Appendix Exhibit F1: Right Turn Lane Warrants, Southbound Pocahontas Trail
  - Battery Boulevard: Right turn taper is warranted at Battery Boulevard. There is a full width right turn lane at Battery Boulevard extending back to the Rt. 60 entrance
  - Rt. 60 Entrance: Right turn taper is warranted. A 70 foot full width right turn lane with 79 foot taper will be included with the entrance.
- Appendix Exhibit F2: Right Turn Lane Warrants, Northbound Battery Boulevard at Battery Entrance: Right turn lane radius only; no right turn lanes or taper warranted.
- Appendix Exhibit F3: Left Turn Lane Warrants, Southbound Battery Boulevard at Battery Entrance: No left turn lane warranted.

Synchro 9 has been used to calculate intersection levels of service. Synchro coding for new turn lane dimensions at the Rt. 60 entrance is explained as follows:

a. Northbound left turn lane coded 100 foot left turn storage with 50 foot taper
b. Eastbound coded single lane
c. Southbound right turn coded 70 foot storage length with 79 foot taper

For 2024 background traffic analysis reports, see Technical Appendix as follows:

1. For unsignalized intersections, HCM 2010 reports are used for LOS results and HCM2010 queuing results. See Appendix Exhibits J5 and J6 for the AM and PM peak hours, respectively.
2. SimTraffic Queuing & Blocking results are shown in Appendix Exhibits K5 and K6 series for the AM and PM peak hours, respectively.

The following table shows existing peak hour intersection levels of service and queuing results at Rt. 60 Pocahontas Trail/Battery Boulevard:

TABLE 3-1 Rt. 60 Pocahontas Trail/Battery Boulevard

Traffic LOS And Seconds Delay By Lane Group					95th Percentile Queues By Lane Group				
	AM		PM		Storage	HCS 2010		SimTraffic Q&B	
Overall	A	2.5	A	2.2	Length	AM	PM	AM	PM
NBL	A	8.2	A	9.0		5	10	46	54
SBT/R								6	8
EBL	C	16.6	D	29.9		8	18	41	55
EBR	B	10.2	B	11.0		15	13	73	56

There is LOS D or better on the Battery Boulevard eastbound approach with queues of 73 feet or less. On the northbound left turn, there is LOS A with queues of 54 feet or less. SimTraffic is showing southbound through queue of 3 feet or less.

The following table shows existing peak hour intersection levels of service and queuing

results at Pocahontas Trail/Rt. 60 entrance:

TABLE 3-2 Rt. 60 Pocahontas Trail/Rt. 60 Entrance									
Traffic LOS And Seconds Delay By Lane Group					95th Percentile Queues By Lane Group				
	AM		PM		Storage	HCS 2010		SimTraffic Q&B	
Overall	A	2.8	A	2.6	Length	AM	PM	AM	PM
NBL	A	8.0	A	8.8	100	8	8	48	51
SBR								6	6
EBL/R	B	13.3	C	19.3		23	40	89	90

There is LOS A/B on the Rt. 60 entrance eastbound approach with queues of 90 feet or less. On the northbound left turn, there is LOS A with queues of 51 feet or less. SimTraffic is showing southbound right queue of 6 feet.

The following table shows existing peak hour intersection levels of service and queuing results at Battery Boulevard/Battery Entrance:

TABLE 3-3 Battery Boulevard/Battery Entrance									
Traffic LOS And Seconds Delay By Lane Group					95th Percentile Queues By Lane Group				
	AM		PM		Storage	HCS 2010		SimTraffic Q&B	
Overall	A	2.5	A	1.9	Length	AM	PM	AM	PM
EBL/T	A	7.4	A	7.6		0	0	8	6
SBL/R	A	9.8	A	9.9		8	5	53	47

There is LOS A on the Battery Entrance southbound approach with queues of 53 feet or less. On the eastbound left turn, there is LOS A with queues of 8 feet or less.

Exhibit 8a shows the higher of AM and PM peak hour queues plotted on the intersection spacing diagram.

James City County has a Traffic Impact Analysis Submittal Requirements Policy that includes the following:

Improvements necessary to achieve an overall Level of Service "C" on adjacent roadways/signalized intersections. The Planning Director may approve movements in certain lane groups of LOS "D" in urban environments.

All intersection tables include an overall intersection level of service (LOS). All intersections for all scenarios show overall LOS A. HCM2010 gives intersection delay in seconds, and the resulting LOS A for all intersections is based on the HCM2010 unsignalized intersection delay and LOS definitions.

Regarding the LOS D for the eastbound left turn lane group at Pocahontas Trail/Battery Boulevard for 2024, minor street left turns and through movements typically have the lowest LOS of any movement at unsignalized or signalized intersections. As traffic grows at this unsignalized intersection, this left turn is at the bottom of the right of way order and will experience the greatest effect/lowering of LOS.

When the traffic volumes and delays reach a certain level, signalization will be warranted.

What will probably be an LOS F in the future for the stop sign controlled approach will be improved with signalization, and LOS will decrease for other movements. Even with signalization, LOS D is routinely the best that can be accommodated for minor street left turns.

SUMMARY AND CONCLUSIONS

All intersection movements at Rt. 60 Pocahontas Trail/Battery Boulevard have LOS D or better with the development. All turning movements at the Rt. 60 Pocahontas Trail entrance have LOS C or better. Left turn queues on northbound Rt. 60 at the Rt. 60 Entrance are well within available storage distance. Right turn lane full width and taper requirements are also met between intersections.

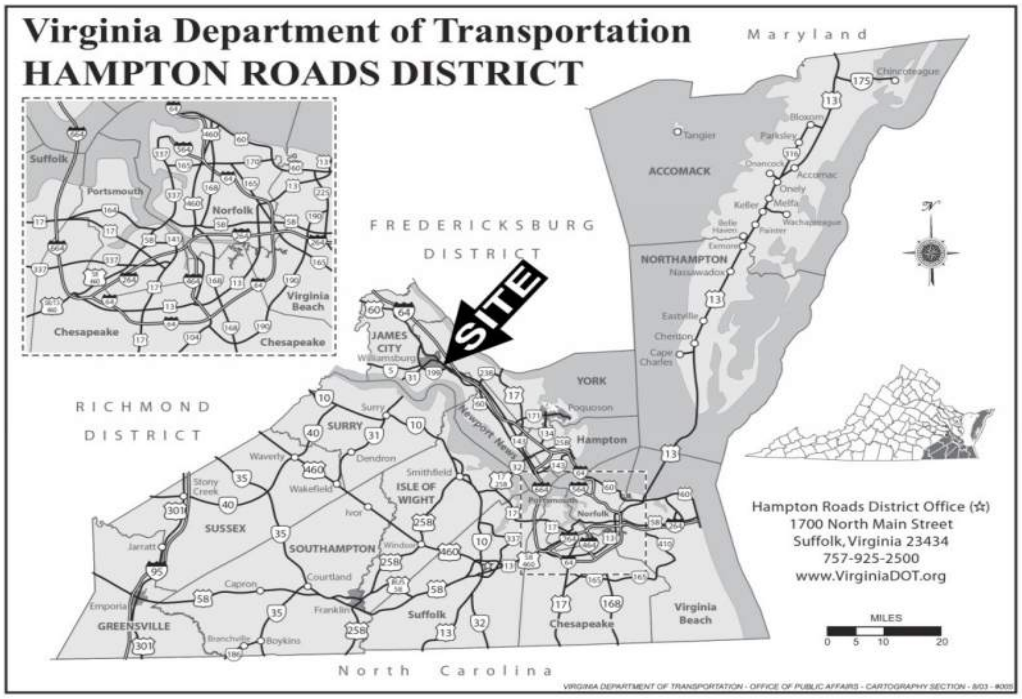
Rt. 60 Pocahontas Trail has relatively unusual traffic conditions: VDOT counts show daily traffic in the 8,000 vpd range which can be accommodated by a two lane road, but Rt. 60 is a four lane road with flush median and access only on one side of the road. Overall, traffic demand on Pocahontas Trail is more in keeping with a collector or local street than a principal arterial.

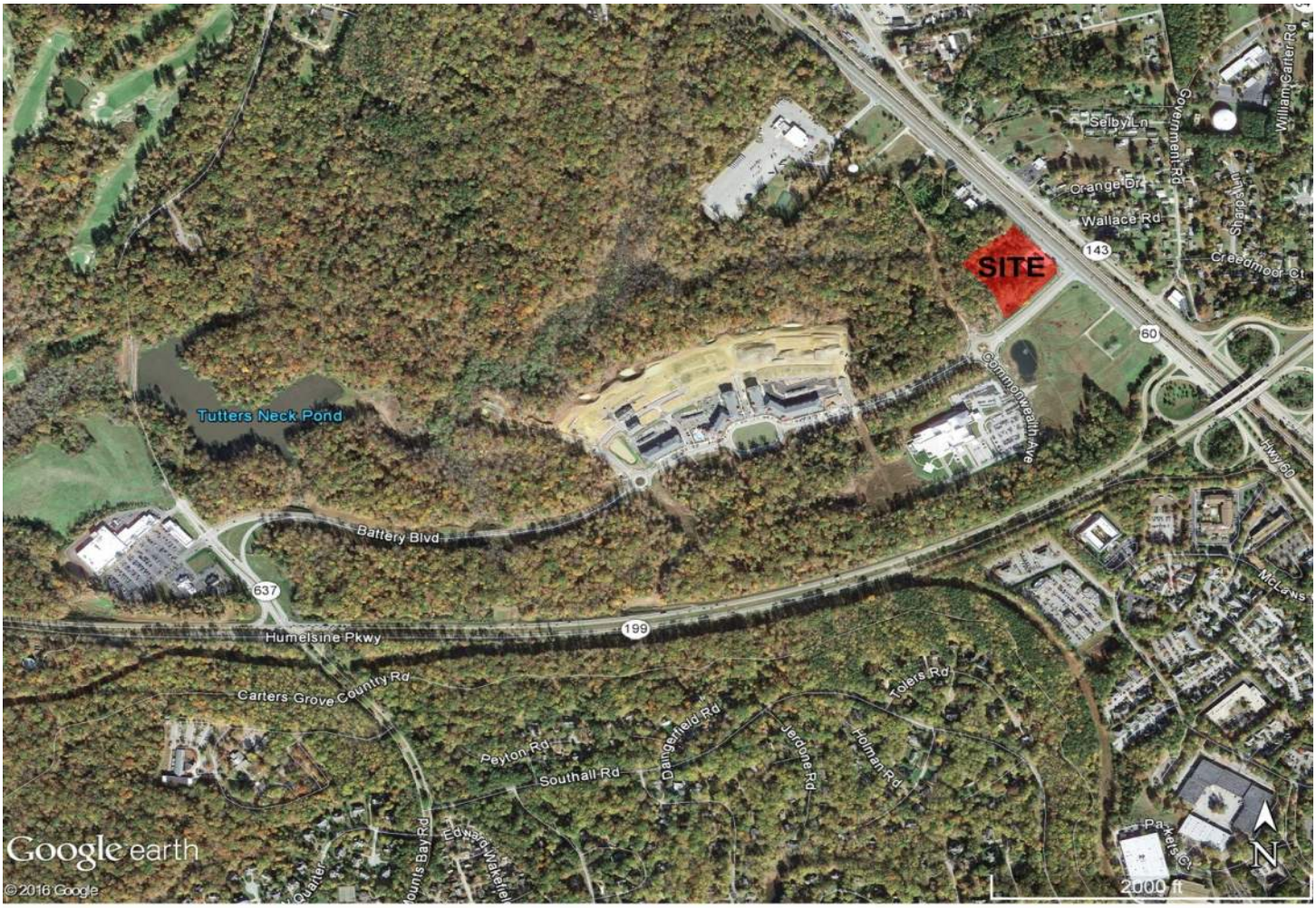
With the proposed SUP entrance location on Pocahontas Trail, left turns on Pocahontas Trail fit will within storage space which is not the case with all existing conditions. There is no lower than LOS C for any movement at the entrances with the relatively light traffic on Pocahontas Trail. The proposed entrances provide adequate accommodations for forecast traffic.

SUP proffers for this development will include the following:

1. Site plan approval to include construction of the single Rt. 60 entrance with the right turn lane and taper, shared use path and sidewalk shown on Exhibit 2b.
2. Reconstruction of Rt. 60 access to the right turn in entrance and right turn out entrance configuration on Exhibit 2c at such time that the Rt. 60/Battery Boulevard entrance is signalized.

REPORT
EXHIBITS

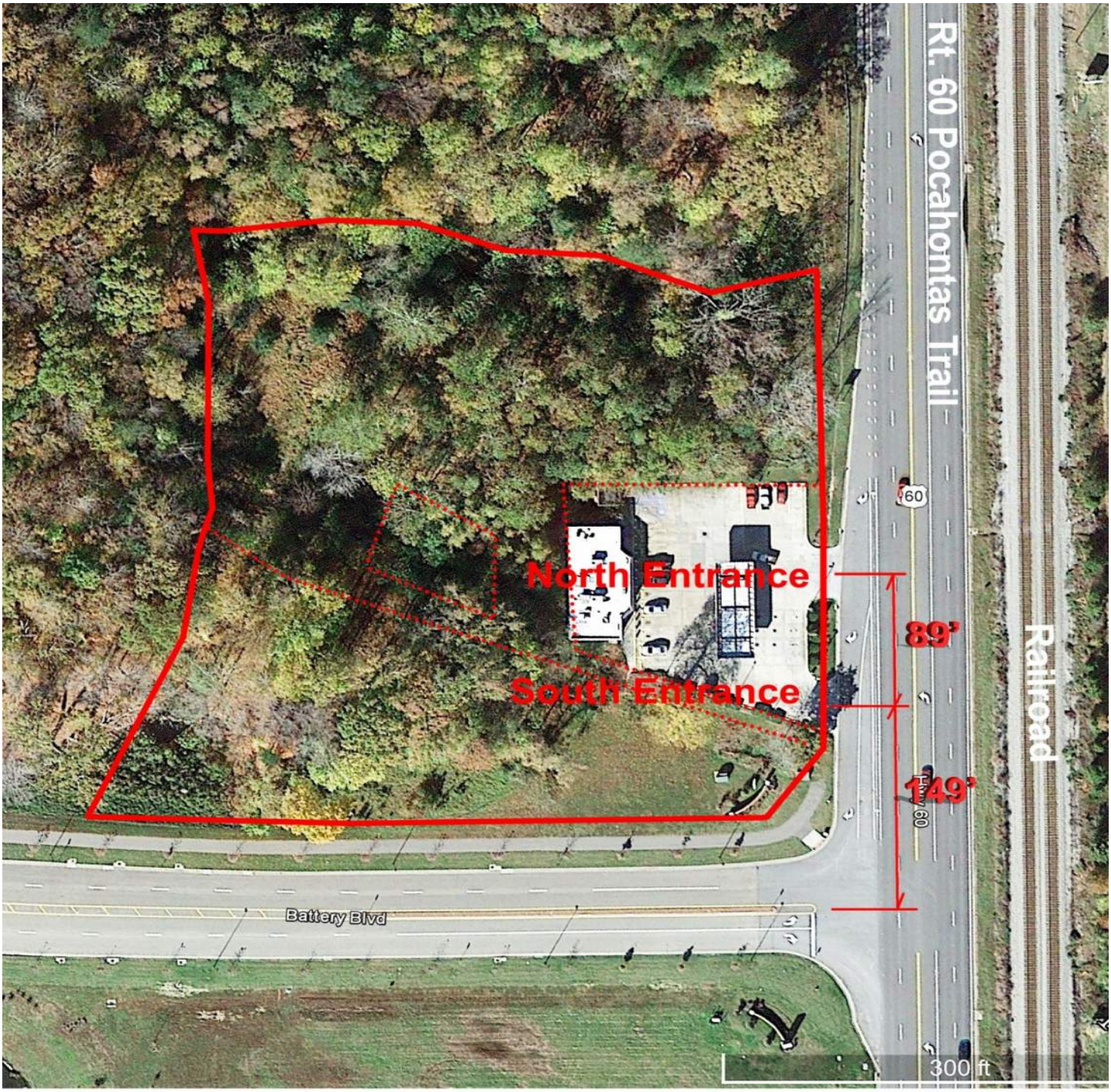




7-ELEVEN AT QUARTERPATH
SITE REGIONAL AND AREA MAPS

DRW Consultants, LLC
804-794-7312

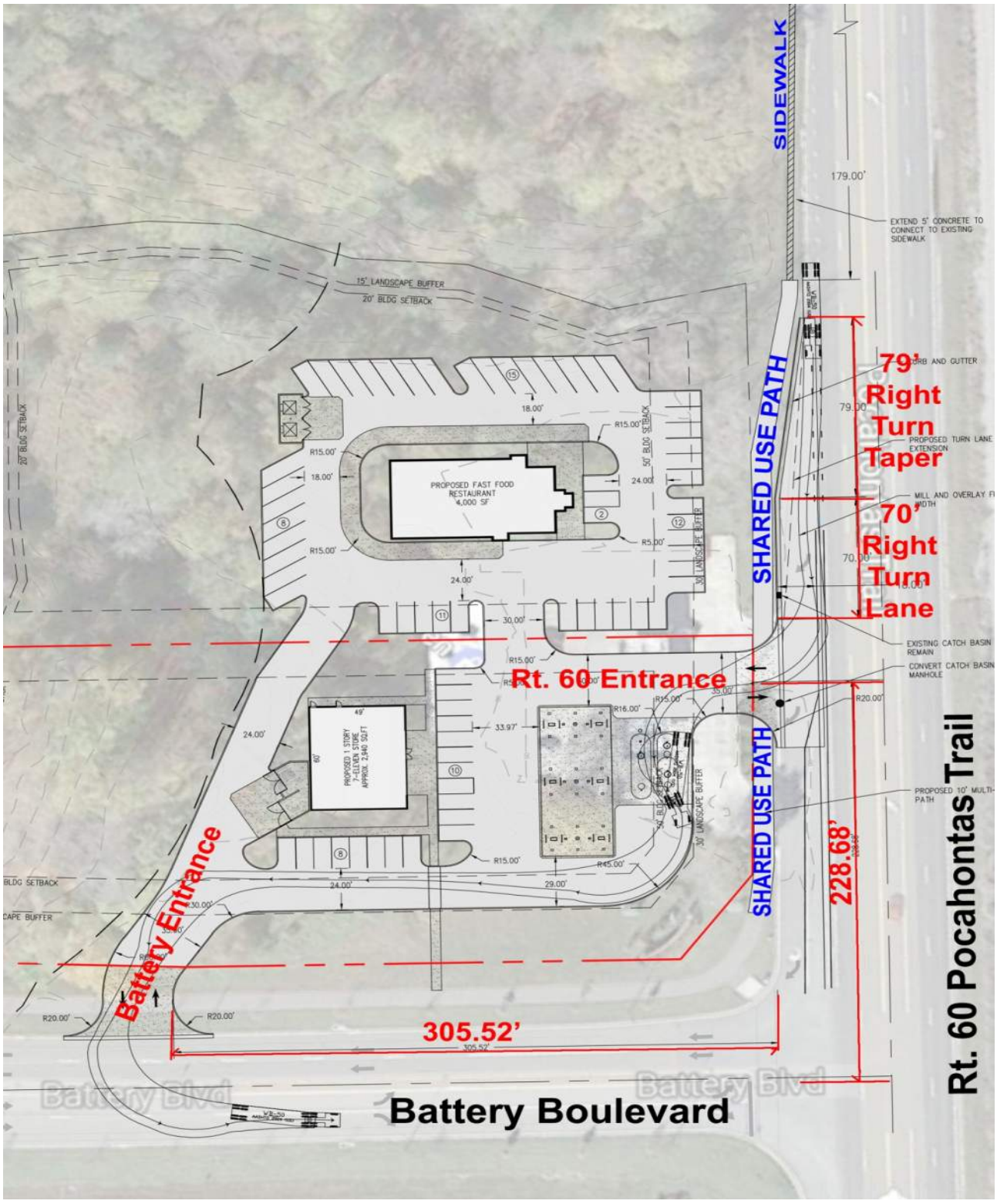
Exhibit 1



EXISTING 7-11 AND
SUP DEVELOPMENT PROPERTY BOUNDARY

DRW Consultants, LLC
804-794-7312

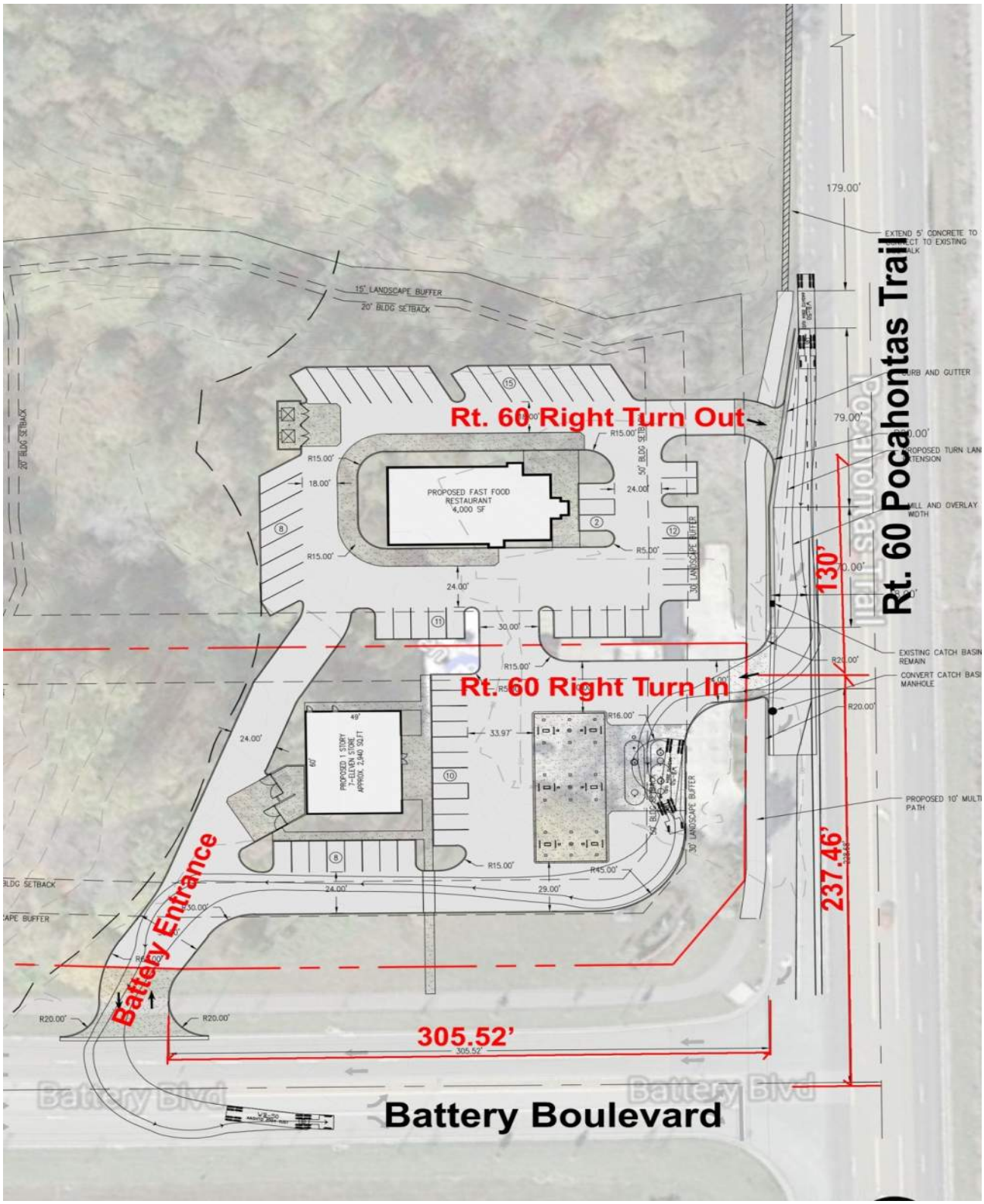
Exhibit 2a



PROPOSED SUP DEVELOPMENT PLAN
PHASE 1 ACCESS
BY BLAKEWAY CORPORATION

DRW Consultants, LLC
804-794-7312

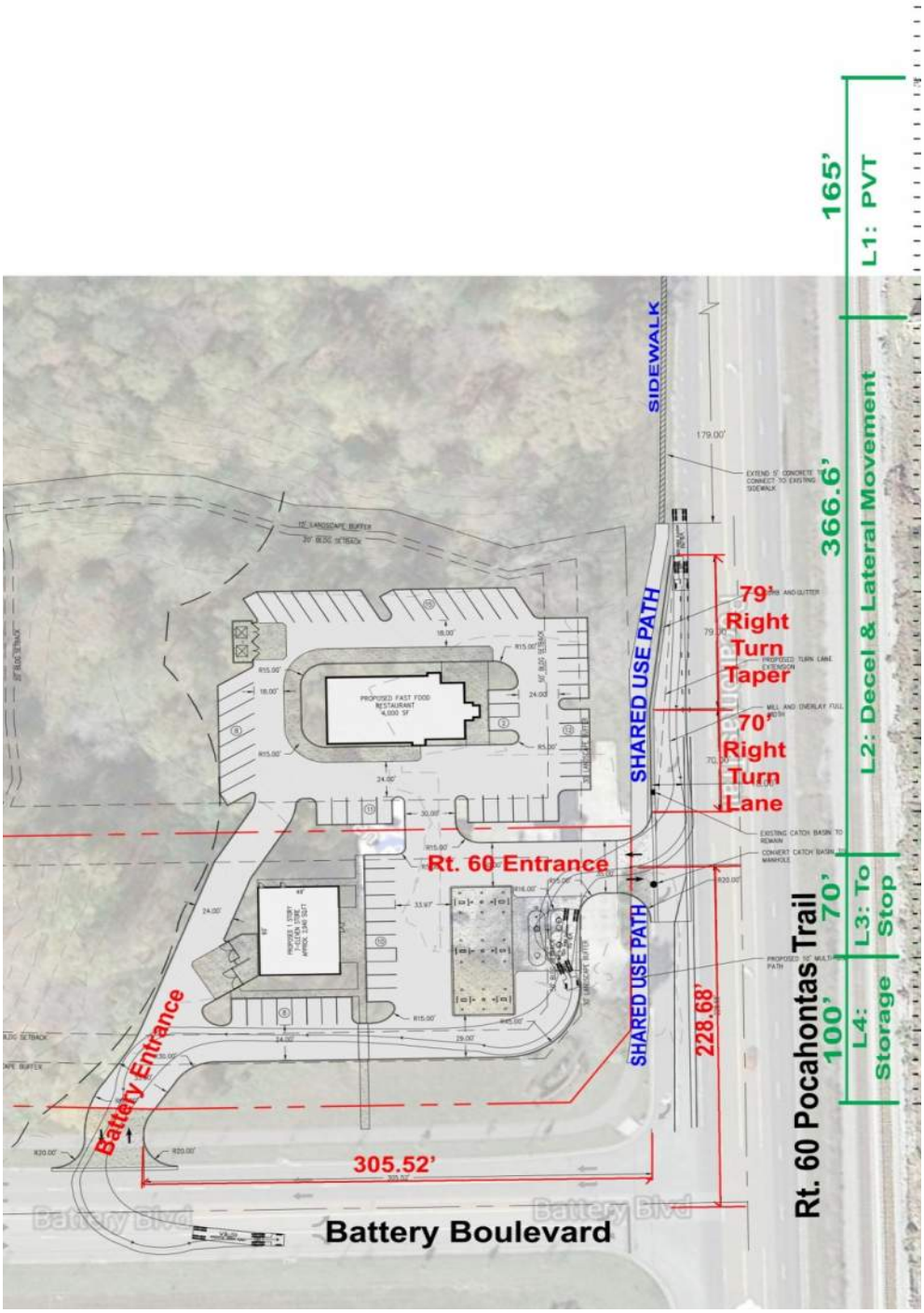
Exhibit 2b



PROPOSED DEVELOPMENT
RT. 60 ENTRANCE CHANGES TO RIGHT TURN IN
AND RIGHT TURN OUT
AND CORNER CLEARANCE ON BATTERY BOULEVARD

DRW Consultants, LLC
804-794-7312

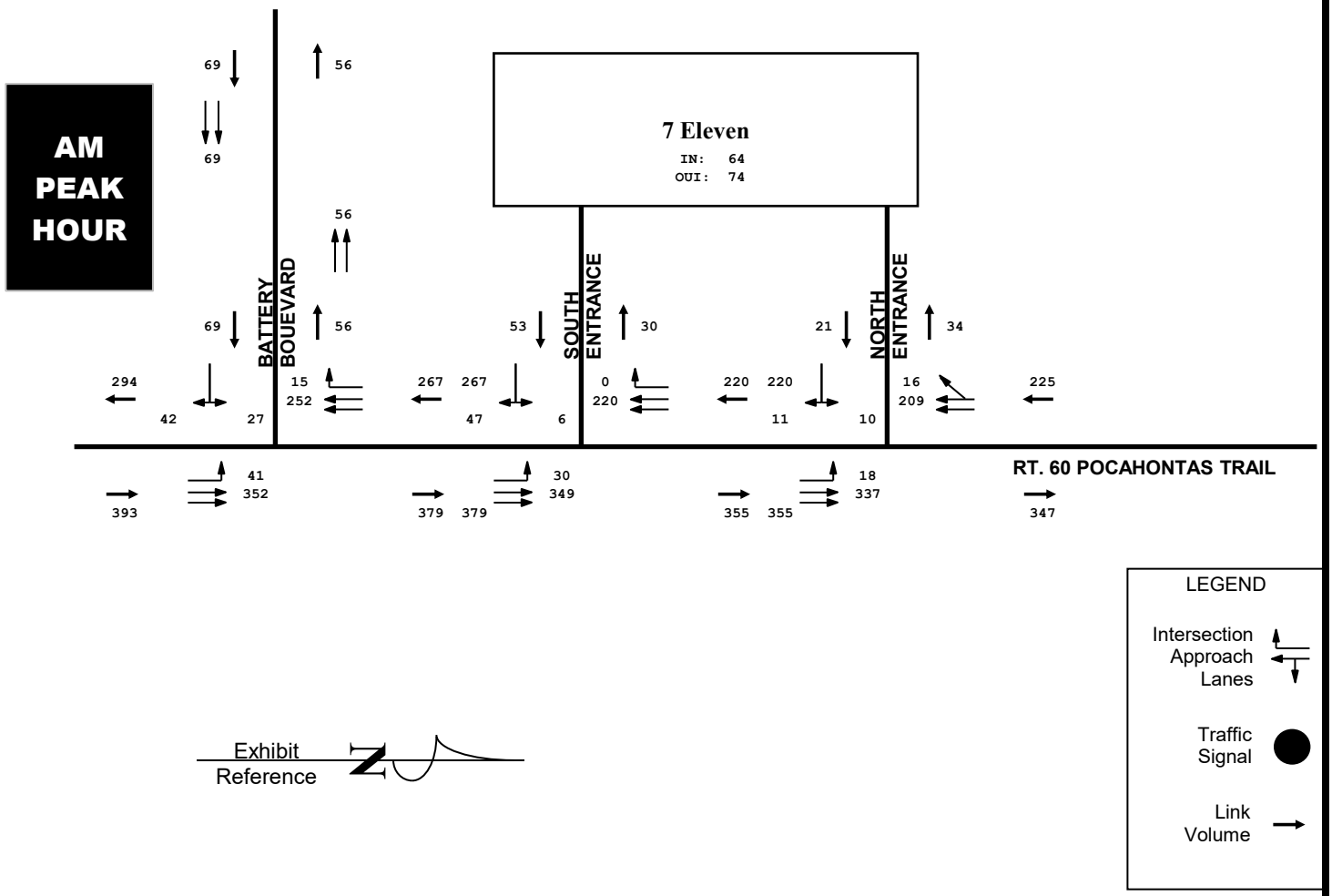
Exhibit 2c

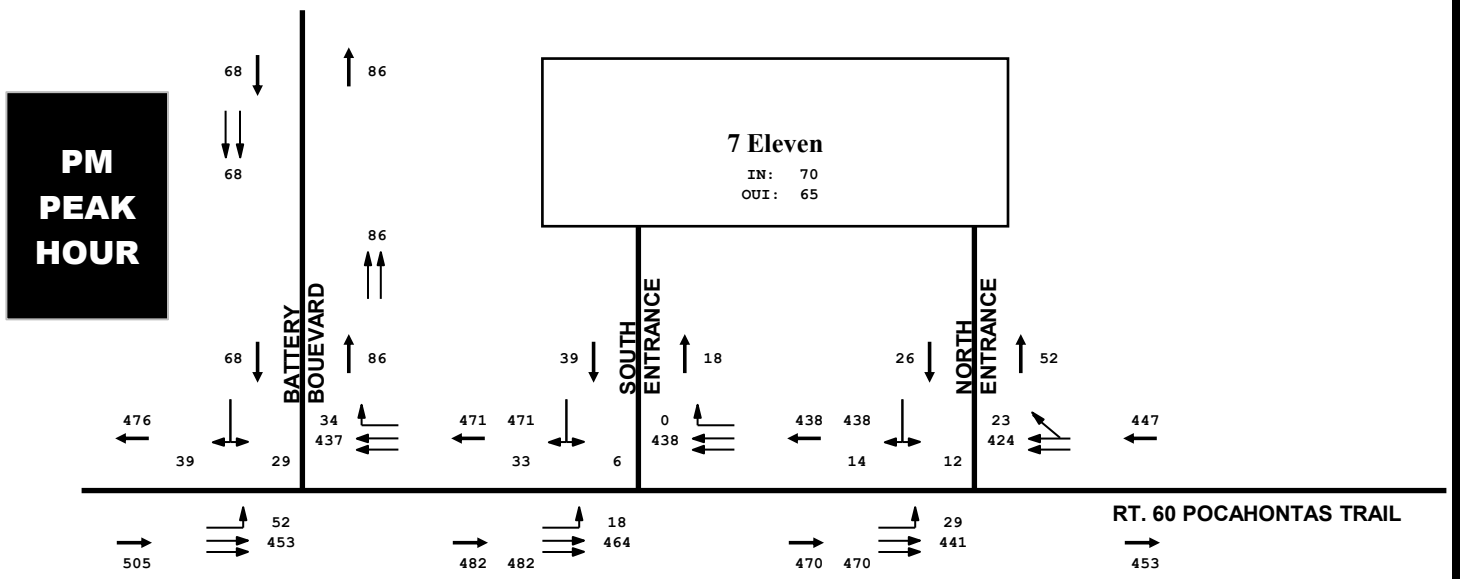


PROPOSED DEVELOPMENT
VDOT FIG. 4-3 FUNCTIONAL AREA OF INTERSECTION

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804-794-7312

Exhibit 2d





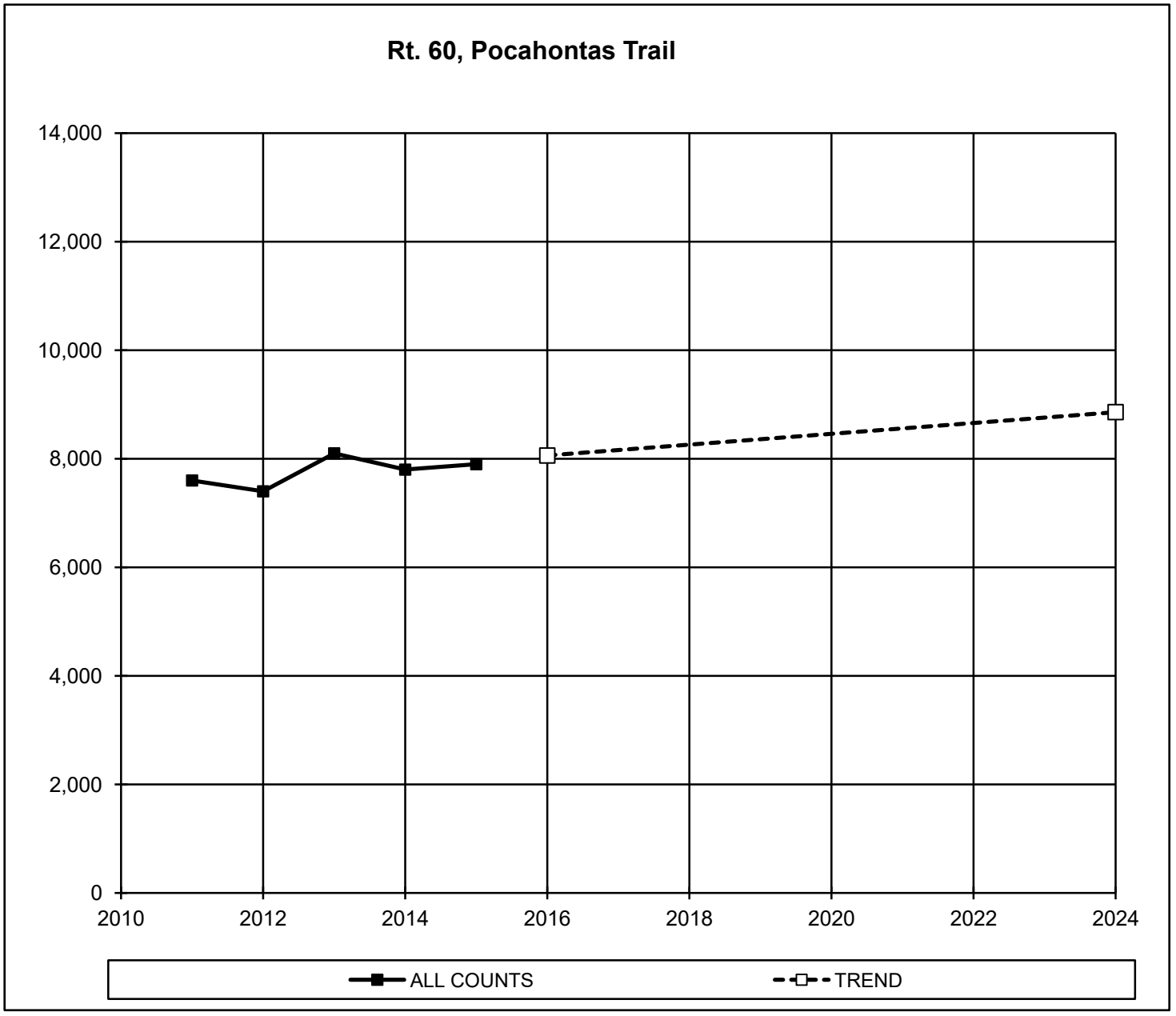
PEAK HOUR COUNTS WITH BALANCE

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804-794-7312

Exhibit 3

Street: Rt. 60 Pocahontas Trail
From: ECL Williamsburg
To: Rt. 199
Source: VDOT AADT

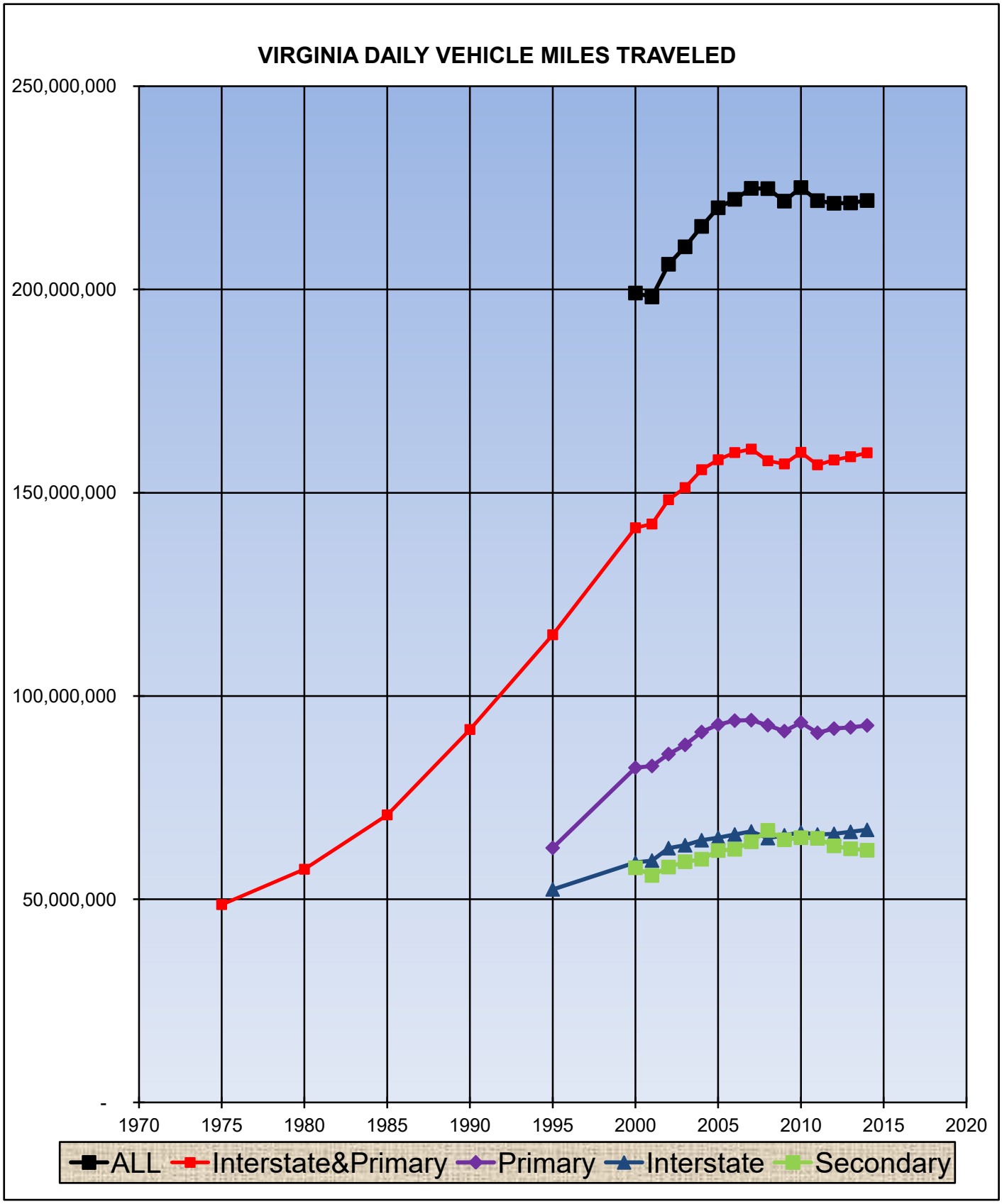
COUNTS		
Year	QA	1st
2011	G	7,600
2012	G	7,400
2013	G	8,100
2014	G	7,800
2015	G	7,900
TREND		
2016	8,060	Δ16
2024	8,860	1.10



RT. 60, POCAHONTAS TRAIL
ECL WILLIAMSBURG TO RT. 199
DAILY TRAFFIC COUNTS AND TRENDS

DRW Consultants, LLC
804-794-7312

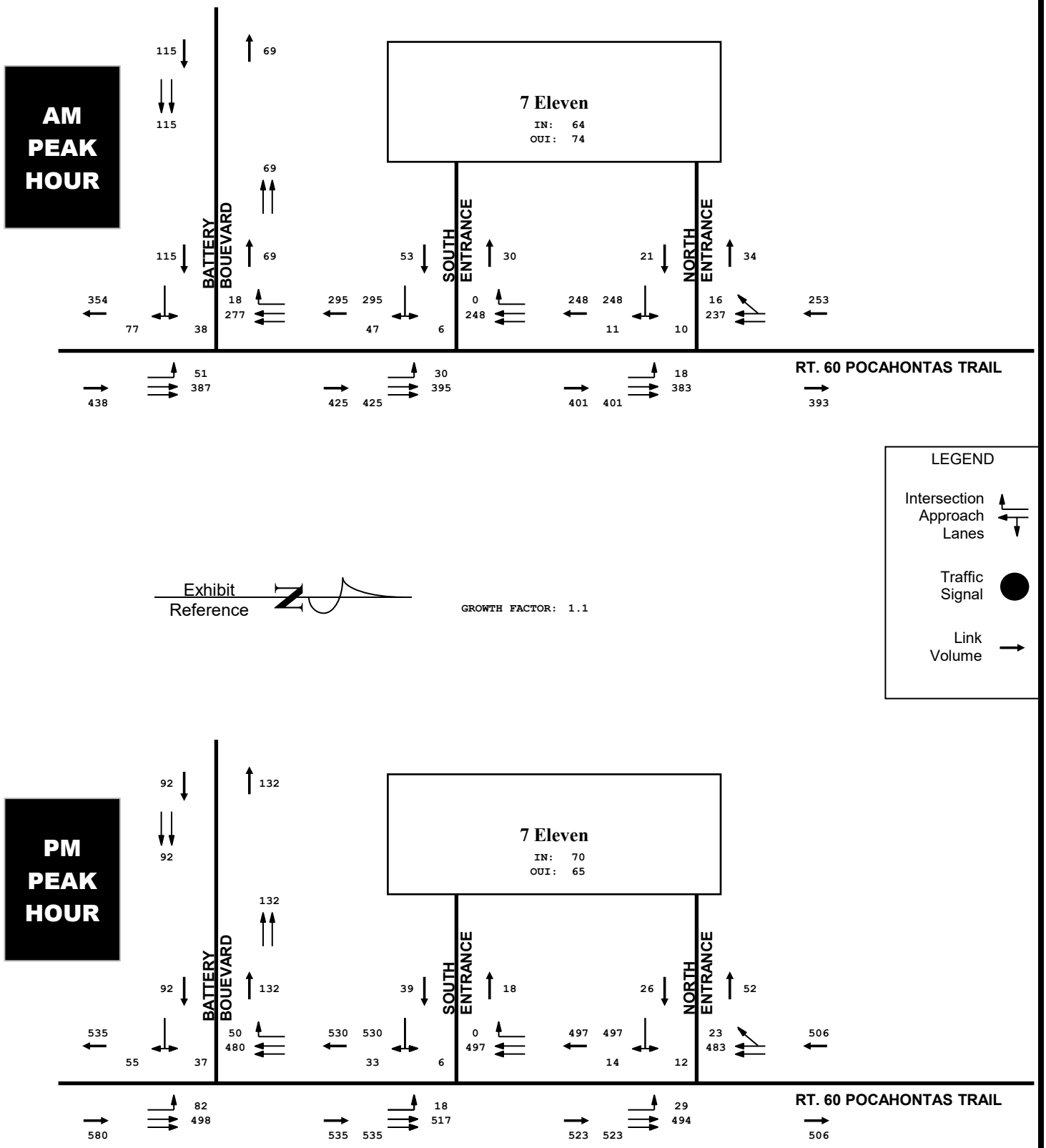
Exhibit 4a



VIRGINIA DAILY VEHICLE MILES TRAVELED
VDOT WEBSITE

DRW Consultants, LLC
804-794-7312

Exhibit 4b



2024 PEAK HOUR BACKGROUND TRAFFIC
(WITH CONDO/TOWNHOUSE)

DRW Consultants, LLC
804-794-7312

Exhibit 5

		LAND USE	SQ.FT., OTHER UNITS	WEEKDAY TRIP GENERATION						
				AM PEAK HOUR			PM PEAK HOUR			
VALUE	LAND USE	CODE		Enter	Exit	Total	Enter	Exit	Total	DAILY
Table 1: Site Trip Generation - Various Values										
rate-adj. st.	FF w/Dr. Thru	934	4,000 sq. ft.	93	89	182	68	63	131	1984
rate-adj. st.	Con. Mkt. W/Gas	853	12 v.f.p.	100	99	199	114	115	229	6511
rate-adj. st.	Con. Mkt. W/Gas	853	2,940 sq. ft.	60	60	120	75	75	150	2486

Table 2: Fast Food Selected Trip Generation & Trip Distribution

rate-adj. st.	FF w/Dr. Thru	934		93	89	182	68	63	131	
		AM Peak Hour					PM Peak Hour			
		Entering Traffic		Exiting Traffic			Entering Traffic		Exiting Traffic	
	Direction	% Dist.	Trips	% Dist.	Trips		% Dist.	Trips	% Dist.	Trips
	Rt. 60 North	25%	23	22%	20		33%	22	28%	18
	Batt. Blvd. West	6%	6	5%	4		4%	3	6%	4
	Rt. 60 South	69%	64	73%	65		63%	43	66%	41
		100%	93	100%	89		100%	68	100%	63

Table 3: 7-Eleven Selected Trip Generation & Trip Distribution

				100	99	199	114	115	229	
		AM Peak Hour					PM Peak Hour			
		Entering Traffic		Exiting Traffic			Entering Traffic		Exiting Traffic	
	Direction	% Dist.	Trips	% Dist.	Trips		% Dist.	Trips	% Dist.	Trips
	Rt. 60 North	25%	25	22%	22		33%	38	28%	32
	Batt. Blvd. West	6%	6	5%	5		4%	5	6%	7
	Rt. 60 South	69%	69	73%	72		63%	71	66%	76
		100%	100	100%	99		100%	114	100%	115

Table 4: Existing 7-Eleven Trip Generation And Site Traffic Counts

rate-adj. st.	Con. Mkt. W/Gas	853	6 v.f.p.	50	49	99	57	57	114	3256
rate-adj. st.	Con. Mkt. W/Gas	853	2,600 sq. ft.	53	53	106	66	66	132	2199
Site Traffic Counts				64	74	138	70	65	135	

Table 5: Condominium/Townhouse Trip Generation

eq.-adj. st.	Condo/Townhouse	230	157 units	13	61	74	58	29	87	952

Table 6: Condo/Townhouse Trip Distribution

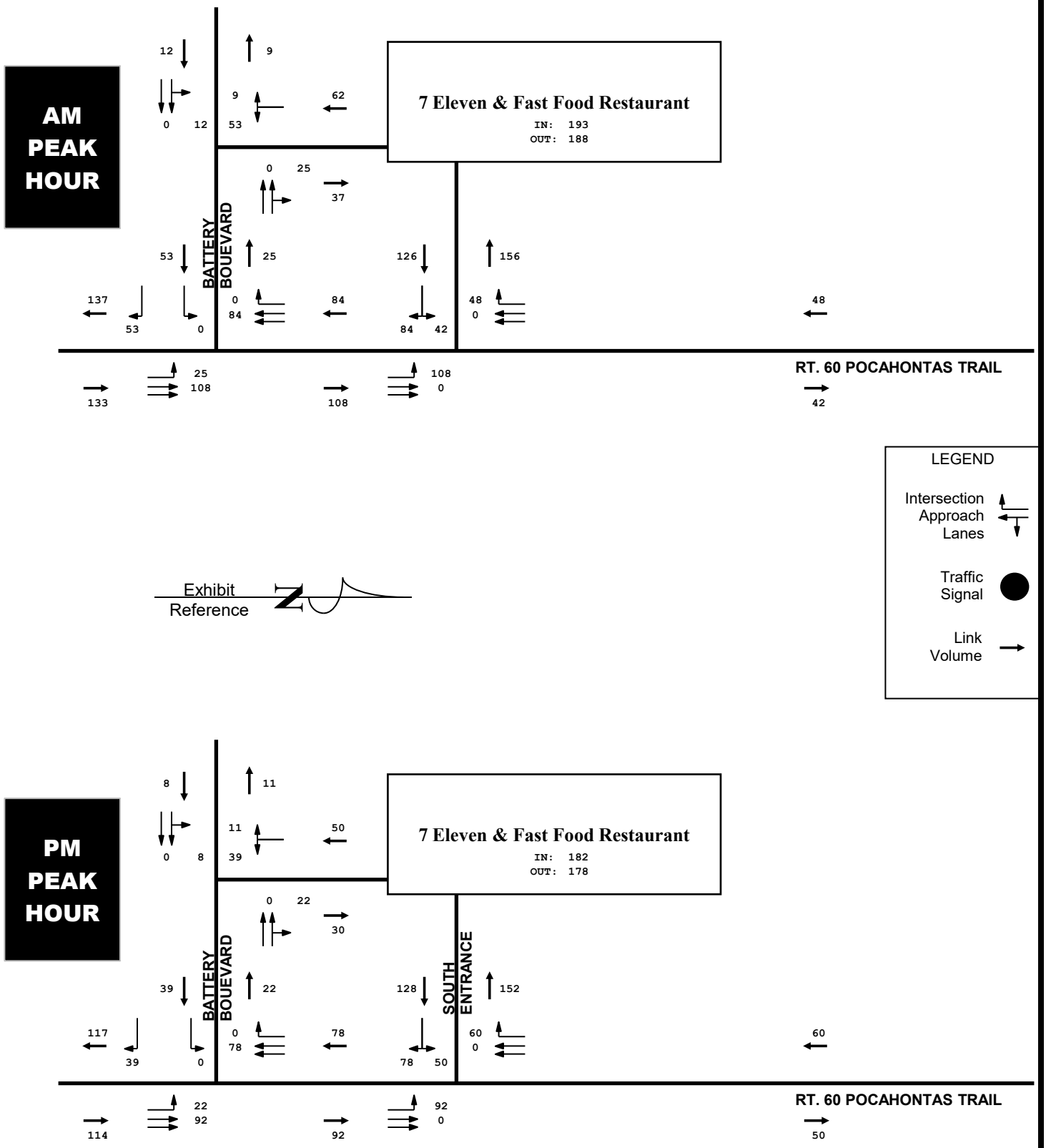
				13	61	74	58	29	87	
		AM Peak Hour					PM Peak Hour			
		Entering Traffic		Exiting Traffic			Entering Traffic		Exiting Traffic	
	Direction	% Dist.	Trips	% Dist.	Trips		% Dist.	Trips	% Dist.	Trips
	Rt. 60 North	17%	2	15%	9		22%	13	19%	6
	Batt. Blvd. West (to Qpath Road)	35%	5	35%	21		35%	20	35%	10
	Rt. 60 South	48%	6	50%	31		43%	25	46%	13
		100%	13	100%	61		100%	58	100%	29

Trip generation rates from Trip Generation Manual, 9th Edition (TGM9) by the Institute of Transportation Engineers (ITE)

TRIP GENERATION AND DISTRIBUTION
7 ELEVEN AT QUARTERPATH
AND CONDOMINIUM/TOWNHOUSE

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804-794-7312

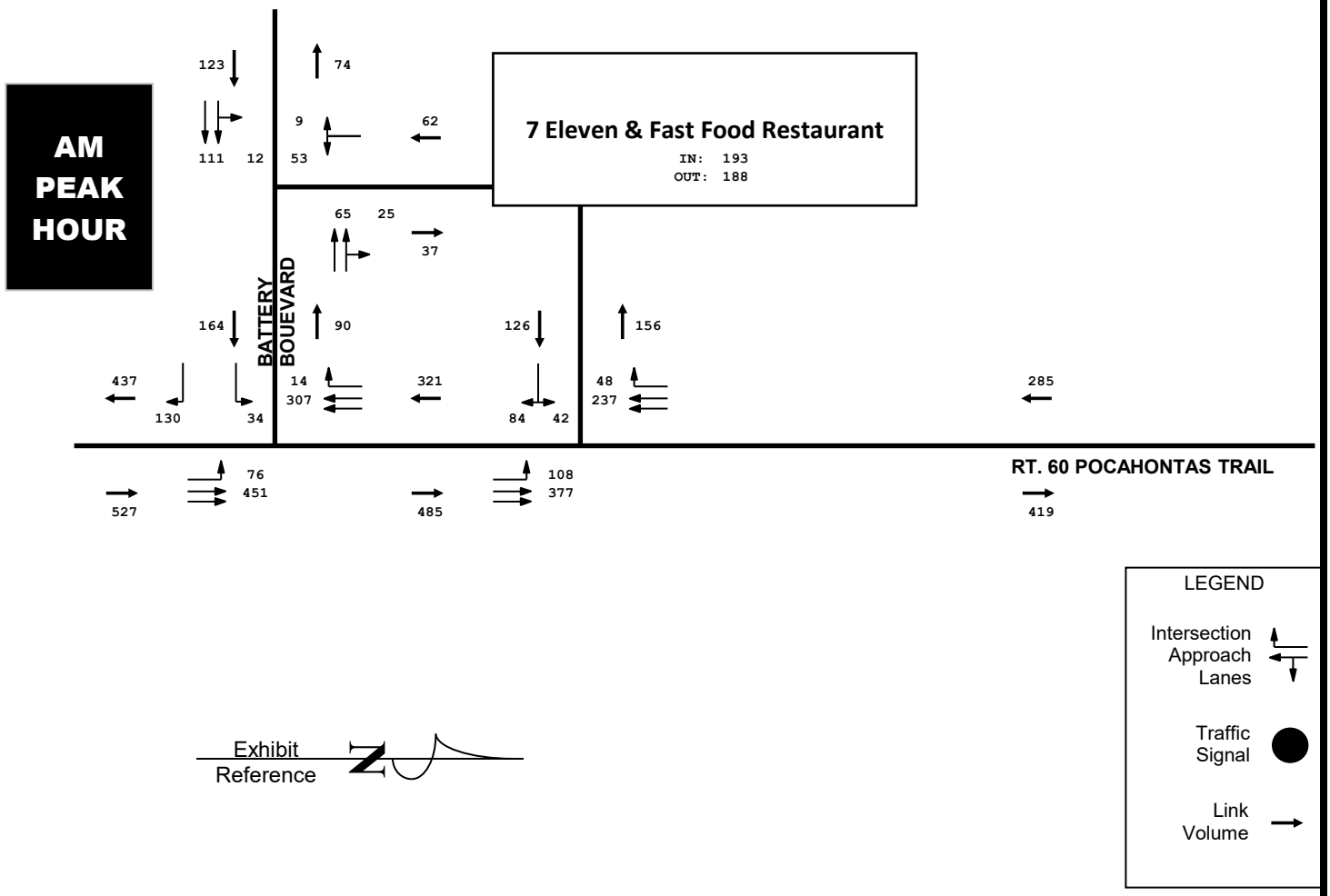
Exhibit 6

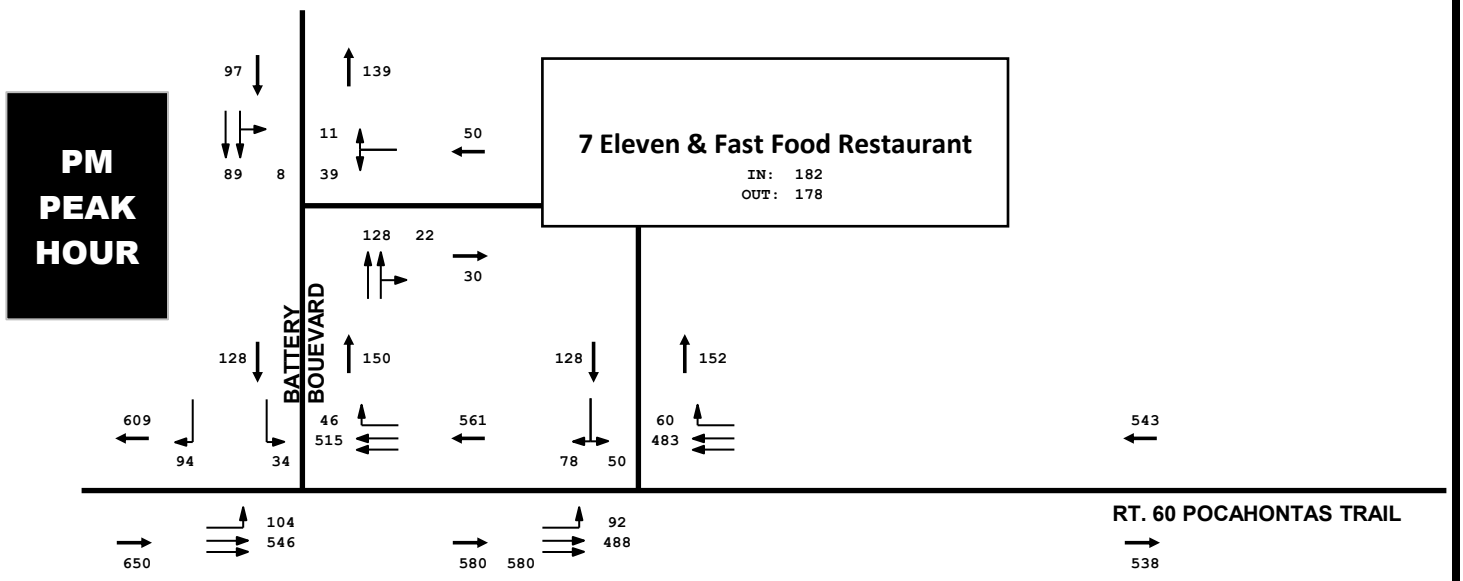


PEAK HOUR TRIP ASSIGNMENT
PROPOSED 7 ELEVEN & FAST FOOD RESTAURANT

DRW Consultants, LLC
804-794-7312

Exhibit 7

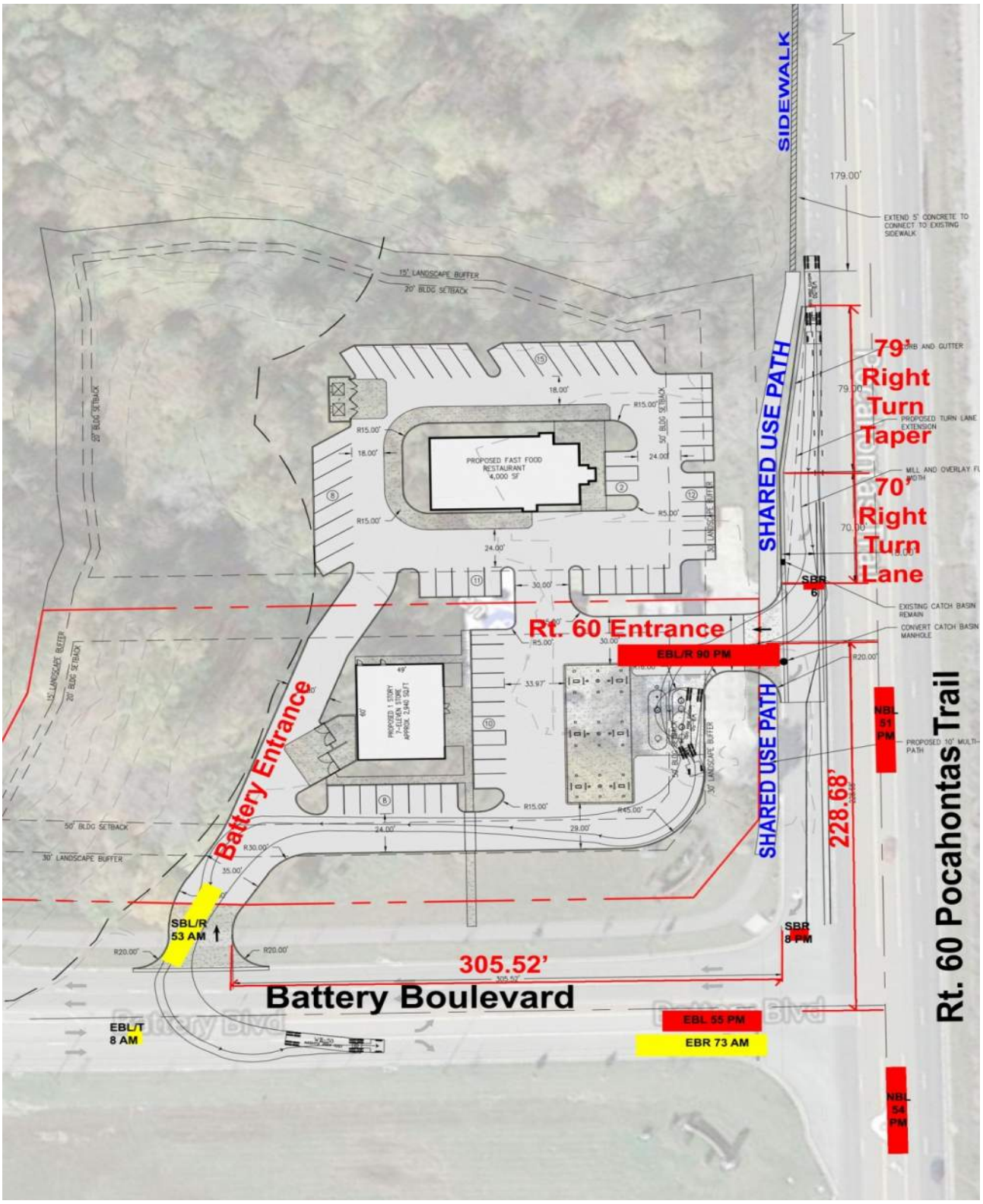




2024 PEAK HOUR TOTAL TRAFFIC

DRW Consultants, LLC
804-794-7312

Exhibit 8



2024 TOTAL TRAFFIC
95% PERCENTILE QUEUES
HIGHEST OF AM/PM PEAK HOURS

DRW Consultants, LLC
804-794-7312

Exhibit 8a

APPENDIX
EXHIBITS

APPENDIX TABLE OF CONTENTS

APPENDIX EXHIBITS	Number
2016 Tabulated Total Traffic Counts: ..... AM PM	
Rt. 60 Pocahontas Trail/Battery Boulevard	A1 A2
Rt. 60/7-11 South Entrance.....	B1 B2
Rt. 60/7-11 North Entrance.....	C1 C2
Peak Hour Counts Without Balance	D D
Traffic Count And Traffic Forecast Components	
2016 7-11 Peak Hour Traffic Only	D1
2024 Background Only Without Existing 7-11 Peak Hour Traffic	D2
Condominium/Townhouse Trip Assignment.....	D3
Proposed 7-11 Trip Assignment	D4
Proposed Fast Food	D5
Turn Lane Warrants - 2024 Total Traffic	
Right Turn Lane Warrants, Pocahontas Trail, All Three Intersections.....	F1
Right Turn Lane Warrants, Battery Boulevard/Battery Entrance	F2
Left Turn Lane Warrant, Battery Boulevard/Battery Entrance.....	F3
HCM 2010 Unsignalized Intersection LOS ..... AM PM	
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Rt. 60/7-11 South Entrance.....	Page 2
Rt. 60/7-11 North Entrance.....	Page 3
2024 Background.....	J3 J4
Rt. 60 Pocahontas Trail/Battery Boulevard	Page 1
Rt. 60/7-11 South Entrance.....	Page 2
Rt. 60/7-11 North Entrance.....	Page 3
2024 With Site	J5 J6
Rt. 60 Pocahontas Trail/Battery Boulevard	Page 1
Rt. 60/7-11 South Entrance.....	Page 2
Rt. 60/7-11 North Entrance.....	Page 3
Battery Boulevard/Battery Entrance.....	Page 4
SimTraffic Queuing & Blocking Report..... AM PM	
Existing.....	K1 K2
2024 Background.....	K3 K4
2024 With Site.....	K5 K6

AM PEAK HOUR Date: Wed, 10/12/16

COUNTS CONDUCTED BY PEGGY MALONE & ASSC.

LOCATION: Rt. 60 Pocahontas Trail/Battery Boulevard

15 MINUTE INTERVAL COUNTS

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
7:00 to 7:15	3		19				11	60		0	48	3	144
7:15 to 7:30	5		8				12	72		0	68	3	168
7:30 to 7:45	2		9				13	69		0	58	2	153
7:45 to 8:00	9		6				13	95		0	61	5	189
8:00 to 8:15	4		18				10	88		0	58	5	183
8:15 to 8:30	7		9				11	82		0	74	2	185
8:30 to 8:45	7		9				7	87		1	55	3	169
8:45 to 9:00	3		12				11	94		0	54	6	180

HOUR INTERVAL

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
7:00 to 8:00	19	0	42	0	0	0	49	296	0	0	235	13	654
7:15 to 8:15	20	0	41	0	0	0	48	324	0	0	245	15	693
7:30 to 8:30	22	0	42	0	0	0	47	334	0	0	251	14	710
7:45 to 8:45	27	0	42	0	0	0	41	352	0	1	248	15	726
8:00 to 9:00	21	0	48	0	0	0	39	351	0	1	241	16	717

PEAK HOUR TURNING MOVEMENT VOLUMES

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
7:45 to 8:45	27	0	42	0	0	0	41	352	0	1	248	15	726
Truck%	0		13				8	3		0	5	6	

PEAK HOUR FACTOR BY APPROACH

	EB	WB	NB	SB	Total
7:00 to 7:15	22	0	71	51	144
7:15 to 7:30	13	0	84	71	168
7:30 to 7:45	11	0	82	60	153
7:45 to 8:00	15	0	108	66	189
8:00 to 8:15	22	0	98	63	183
8:15 to 8:30	16	0	93	76	185
8:30 to 8:45	16	0	94	59	169
8:45 to 9:00	15	0	105	60	180
PHF	0.78	#####	0.91	0.87	0.96

Exhibit A1

PM PEAK HOUR Date: Wed, 10/12/16

COUNTS CONDUCTED BY PEGGY MALONE & ASSC.

LOCATION: Rt. 60 Pocahontas Trail/Battery Boulevard

15 MINUTE INTERVAL COUNTS

	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
4:00 to 4:15	8		16				12	83		1	104	8	232
4:15 to 4:30	4		16				5	85		0	98	9	217
4:30 to 4:45	9		18				11	86		0	82	5	211
4:45 to 5:00	10		12				9	97		0	97	10	235
5:00 to 5:15	6		12				20	118		0	101	5	262
5:15 to 5:30	10		3				12	128		0	132	7	292
5:30 to 5:45	3		12				11	106		0	107	12	251
5:45 to 6:00	6		16				14	83		0	108	7	234

HOUR INTERVAL

	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
4:00 to 5:00	31	0	62	0	0	0	37	351	0	1	381	32	895
4:15 to 5:15	29	0	58	0	0	0	45	386	0	0	378	29	925
4:30 to 5:30	35	0	45	0	0	0	52	429	0	0	412	27	1000
4:45 to 5:45	29	0	39	0	0	0	52	449	0	0	437	34	1040
5:00 to 6:00	25	0	43	0	0	0	57	435	0	0	448	31	1039

PEAK HOUR TURNING MOVEMENT VOLUMES

	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
4:45 to 5:45	29	0	39	0	0	0	52	449	0	0	437	34	1040
Truck %	7		8				0	2		0	2	9	

PEAK HOUR FACTOR BY APPROACH

	EB	WB	NB	SB	Total
4:00 to 4:15	24	0	95	113	232
4:15 to 4:30	20	0	90	107	217
4:30 to 4:45	27	0	97	87	211
4:45 to 5:00	22	0	106	107	235
5:00 to 5:15	18	0	138	106	262
5:15 to 5:30	13	0	140	139	292
5:30 to 5:45	15	0	117	119	251
5:45 to 6:00	22	0	97	115	234
PHF	0.77	#####	0.89	0.85	0.89

Exhibit A2

AM PEAK HOUR Date: Wed, 10/12/16

COUNTS CONDUCTED BY PEGGY MALONE & ASSC.

LOCATION: Rt. 60 Pocahontas Trail/7-11 South Entrance

15 MINUTE INTERVAL COUNTS

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
7:00 to 7:15	0		9				5	63			40	0	117
7:15 to 7:30	1		11				4	77			59	0	152
7:30 to 7:45	3		10				5	68			51	0	137
7:45 to 8:00	3		13				7	92			53	0	168
8:00 to 8:15	0		12				12	75			50	0	149
8:15 to 8:30	3		17				2	85			59	0	166
8:30 to 8:45	0		5				9	85			54	0	153
8:45 to 9:00	1		10				2	95			49	2	159

HOUR INTERVAL

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
7:00 to 8:00	7	0	43	0	0	0	21	300	0	0	203	0	574
7:15 to 8:15	7	0	46	0	0	0	28	312	0	0	213	0	606
7:30 to 8:30	9	0	52	0	0	0	26	320	0	0	213	0	620
7:45 to 8:45	6	0	47	0	0	0	30	337	0	0	216	0	636
8:00 to 9:00	4	0	44	0	0	0	25	340	0	0	212	2	627

PEAK HOUR TURNING MOVEMENT VOLUMES

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
7:45 to 8:45	6	0	47	0	0	0	30	337	0	0	216	0	636
Truck%	17		4				3	3			8	0	

PEAK HOUR FACTOR BY APPROACH

	EB	WB	NB	SB	Total
7:00 to 7:15	9	0	68	40	117
7:15 to 7:30	12	0	81	59	152
7:30 to 7:45	13	0	73	51	137
7:45 to 8:00	16	0	99	53	168
8:00 to 8:15	12	0	87	50	149
8:15 to 8:30	20	0	87	59	166
8:30 to 8:45	5	0	94	54	153
8:45 to 9:00	11	0	97	51	159
PHF	0.66	#####	0.93	0.92	0.95

Exhibit B1

PM PEAK HOUR Date: Wed, 10/12/16

COUNTS CONDUCTED BY PEGGY MALONE & ASSC.

LOCATION: Rt. 60 Pocahontas Trail/7-11 South Entrance

15 MINUTE INTERVAL COUNTS

	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
4:00 to 4:15	0		12				4	89			100	0	205
4:15 to 4:30	1		13				3	87			97	0	201
4:30 to 4:45	0		12				8	88			73	0	181
4:45 to 5:00	0		8				2	104			99	0	213
5:00 to 5:15	4		9				6	123			101	0	243
5:15 to 5:30	1		12				5	130			123	0	271
5:30 to 5:45	1		4				5	104			112	0	226
5:45 to 6:00	3		6				2	84			110	2	207

HOUR INTERVAL

	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
4:00 to 5:00	1	0	45	0	0	0	17	368	0	0	369	0	800
4:15 to 5:15	5	0	42	0	0	0	19	402	0	0	370	0	838
4:30 to 5:30	5	0	41	0	0	0	21	445	0	0	396	0	908
4:45 to 5:45	6	0	33	0	0	0	18	461	0	0	435	0	953
5:00 to 6:00	9	0	31	0	0	0	18	441	0	0	446	2	947

PEAK HOUR TURNING MOVEMENT VOLUMES

	EB	EB	EB	WB	WB	WB	NB	NB	NB	SB	SB	SB	
TIME	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total
4:45 to 5:45	6	0	33	0	0	0	18	461	0	0	435	0	953
Truck %	0		0				0	2			2	0	

PEAK HOUR FACTOR BY APPROACH

	EB	WB	NB	SB	Total
4:00 to 4:15	12	0	93	100	205
4:15 to 4:30	14	0	90	97	201
4:30 to 4:45	12	0	96	73	181
4:45 to 5:00	8	0	106	99	213
5:00 to 5:15	13	0	129	101	243
5:15 to 5:30	13	0	135	123	271
5:30 to 5:45	5	0	109	112	226
5:45 to 6:00	9	0	86	112	207
PHF	0.75	#####	0.89	0.88	0.88

Exhibit B2

AM PEAK HOUR Date: Wed, 10/12/16

COUNTS CONDUCTED BY PEGGY MALONE & ASSC.

LOCATION: Rt. 60 Pocahontas Trail/7-11 North Entrance

15 MINUTE INTERVAL COUNTS

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
7:00 to 7:15	5		1				6	57			38	5	112
7:15 to 7:30	4		2				11	66			58	5	146
7:30 to 7:45	3		0				7	61			51	6	128
7:45 to 8:00	3		2				7	90			53	4	159
8:00 to 8:15	1		3				4	74			47	4	133
8:15 to 8:30	2		4				5	85			58	6	160
8:30 to 8:45	4		2				2	84			51	2	145
8:45 to 9:00	4		1				4	93			50	6	158

HOUR INTERVAL

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
7:00 to 8:00	15	0	5	0	0	0	31	274	0	0	200	20	545
7:15 to 8:15	11	0	7	0	0	0	29	291	0	0	209	19	566
7:30 to 8:30	9	0	9	0	0	0	23	310	0	0	209	20	580
7:45 to 8:45	10	0	11	0	0	0	18	333	0	0	209	16	597
8:00 to 9:00	11	0	10	0	0	0	15	336	0	0	206	18	596

PEAK HOUR TURNING MOVEMENT VOLUMES

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
7:45 to 8:45	10	0	11	0	0	0	18	333	0	0	209	16	597
Truck%	0		18				11	3			8	6	

PEAK HOUR FACTOR BY APPROACH

	EB	WB	NB	SB	Total
7:00 to 7:15	6	0	63	43	112
7:15 to 7:30	6	0	77	63	146
7:30 to 7:45	3	0	68	57	128
7:45 to 8:00	5	0	97	57	159
8:00 to 8:15	4	0	78	51	133
8:15 to 8:30	6	0	90	64	160
8:30 to 8:45	6	0	86	53	145
8:45 to 9:00	5	0	97	56	158
PHF	0.88	#####	0.90	0.88	0.93

Exhibit C1

PM PEAK HOUR Date: Wed, 10/12/16

COUNTS CONDUCTED BY PEGGY MALONE & ASSC.

LOCATION: Rt. 60 Pocahontas Trail/7-11 North Entrance

15 MINUTE INTERVAL COUNTS

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
4:00 to 4:15	4		0				6	84			100	5	199
4:15 to 4:30	1		2				8	80			95	6	192
4:30 to 4:45	3		2				4	84			72	7	172
4:45 to 5:00	4		2				10	96			98	5	215
5:00 to 5:15	3		3				6	119			95	8	234
5:15 to 5:30	2		4				7	127			120	3	263
5:30 to 5:45	3		5				6	99			107	7	227
5:45 to 6:00	4		2				5	83			110	3	207

HOUR INTERVAL

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
4:00 to 5:00	12	0	6	0	0	0	28	344	0	0	365	23	778
4:15 to 5:15	11	0	9	0	0	0	28	379	0	0	360	26	813
4:30 to 5:30	12	0	11	0	0	0	27	426	0	0	385	23	884
4:45 to 5:45	12	0	14	0	0	0	29	441	0	0	420	23	939
5:00 to 6:00	12	0	14	0	0	0	24	428	0	0	432	21	931

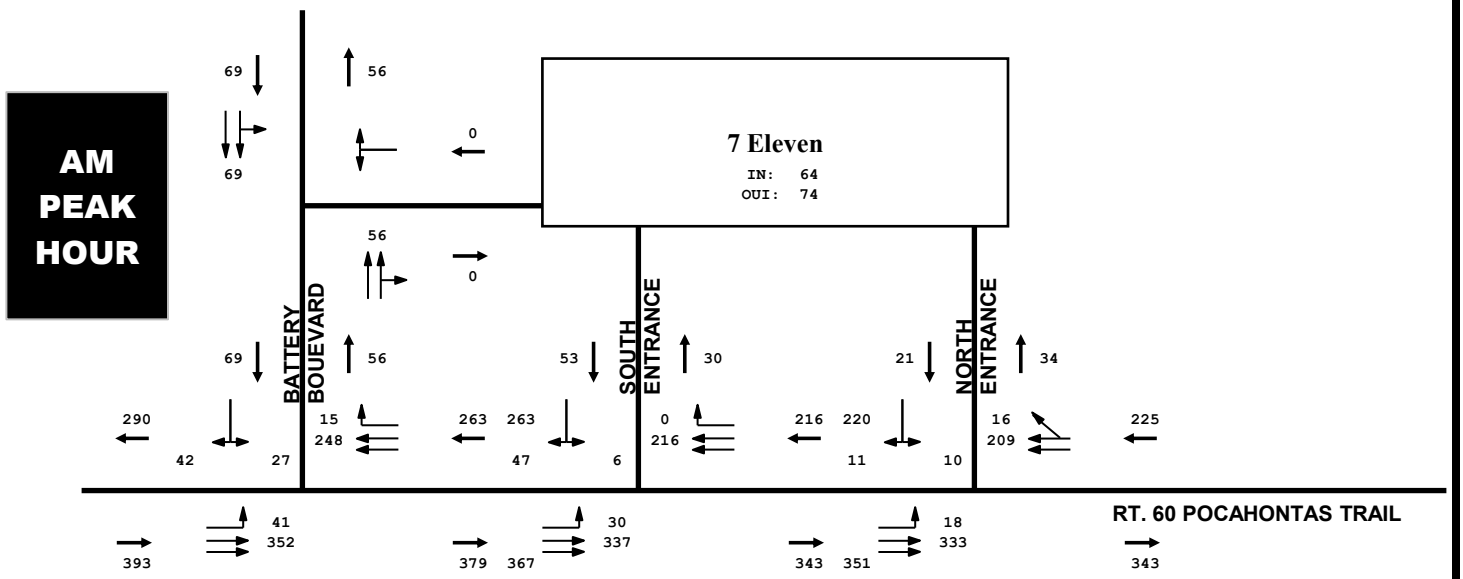
PEAK HOUR TURNING MOVEMENT VOLUMES

TIME	EB Left	EB Thru	EB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	SB Left	SB Thru	SB Right	Total
4:45 to 5:45	12	0	14	0	0	0	29	441	0	0	420	23	939
Truck %	0		0				0	3			2	0	

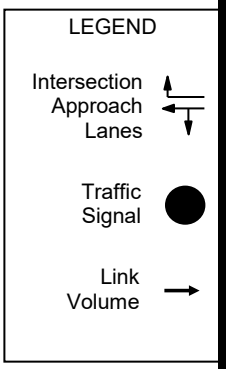
PEAK HOUR FACTOR BY APPROACH

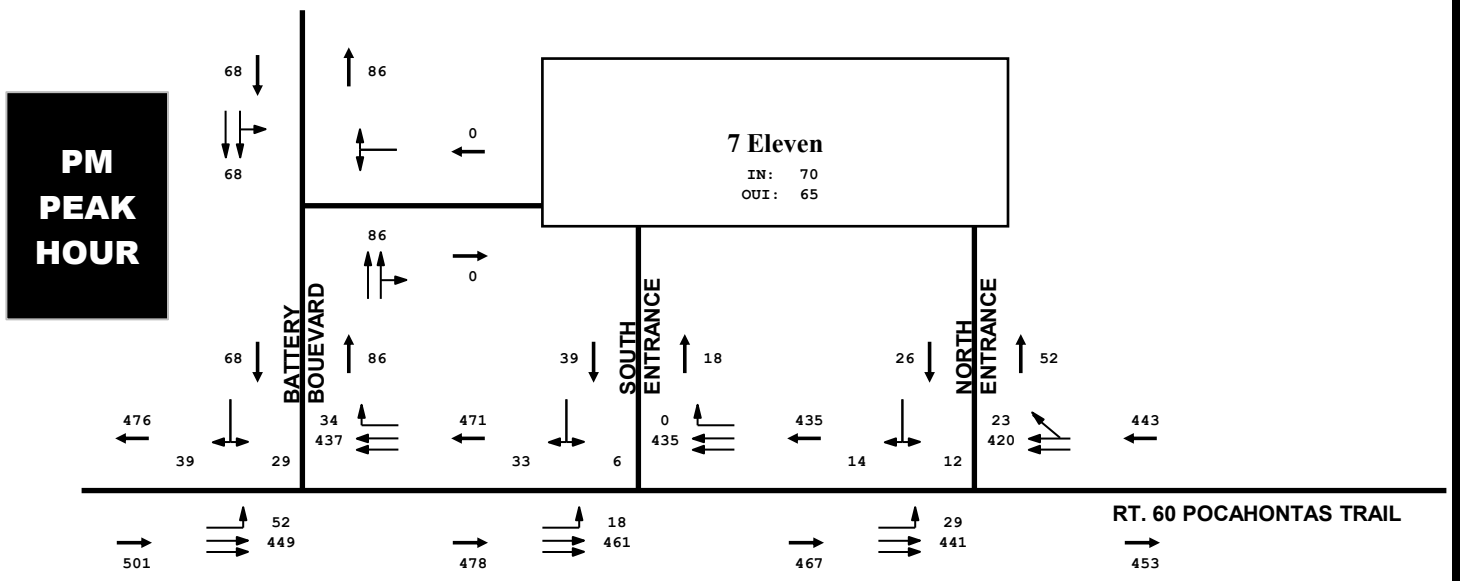
	EB	WB	NB	SB	Total
4:00 to 4:15	4	0	90	105	199
4:15 to 4:30	3	0	88	101	192
4:30 to 4:45	5	0	88	79	172
4:45 to 5:00	6	0	106	103	215
5:00 to 5:15	6	0	125	103	234
5:15 to 5:30	6	0	134	123	263
5:30 to 5:45	8	0	105	114	227
5:45 to 6:00	6	0	88	113	207
PHF	0.81	#####	0.88	0.90	0.89

Exhibit C2





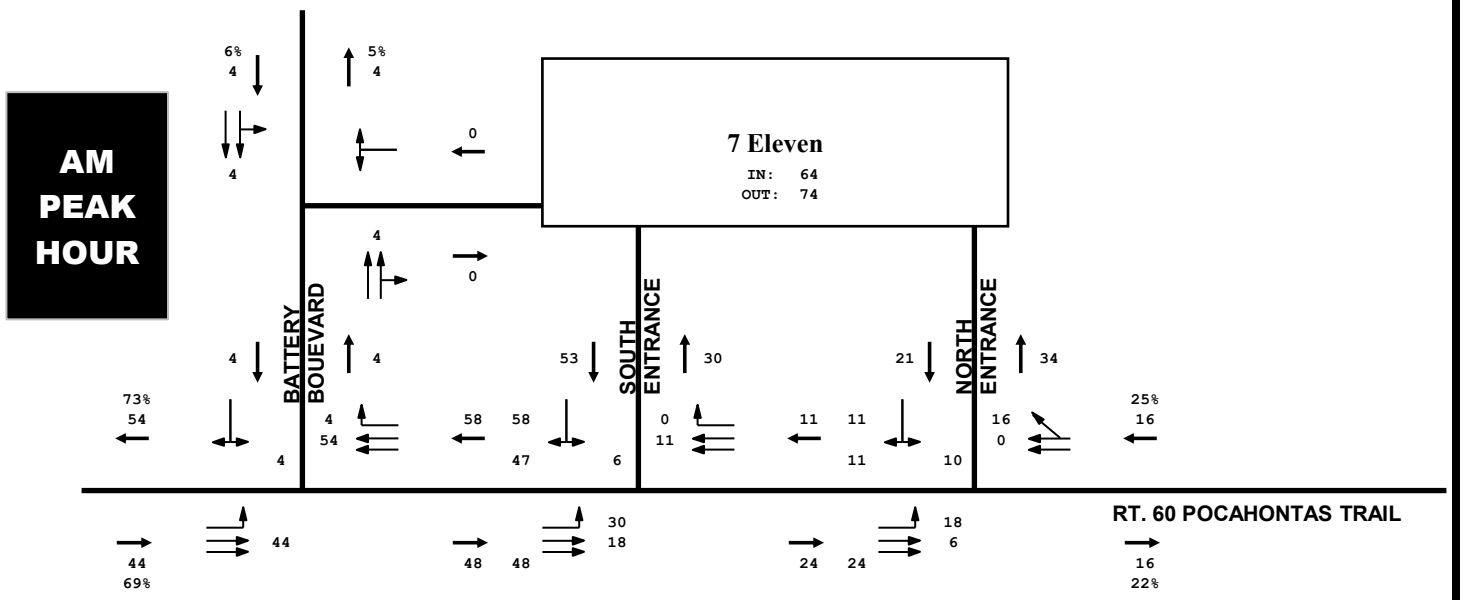




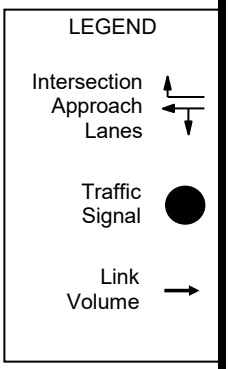
PEAK HOUR COUNTS WITHOUT BALANCE

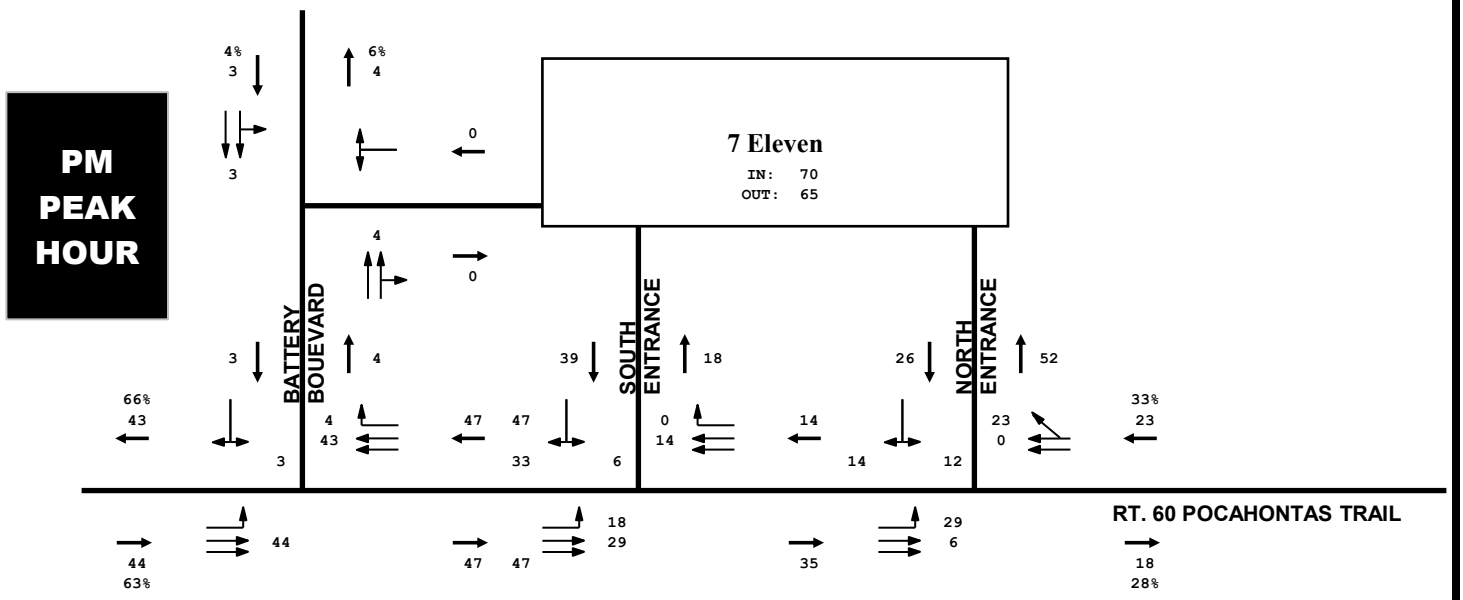
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Exhibit D





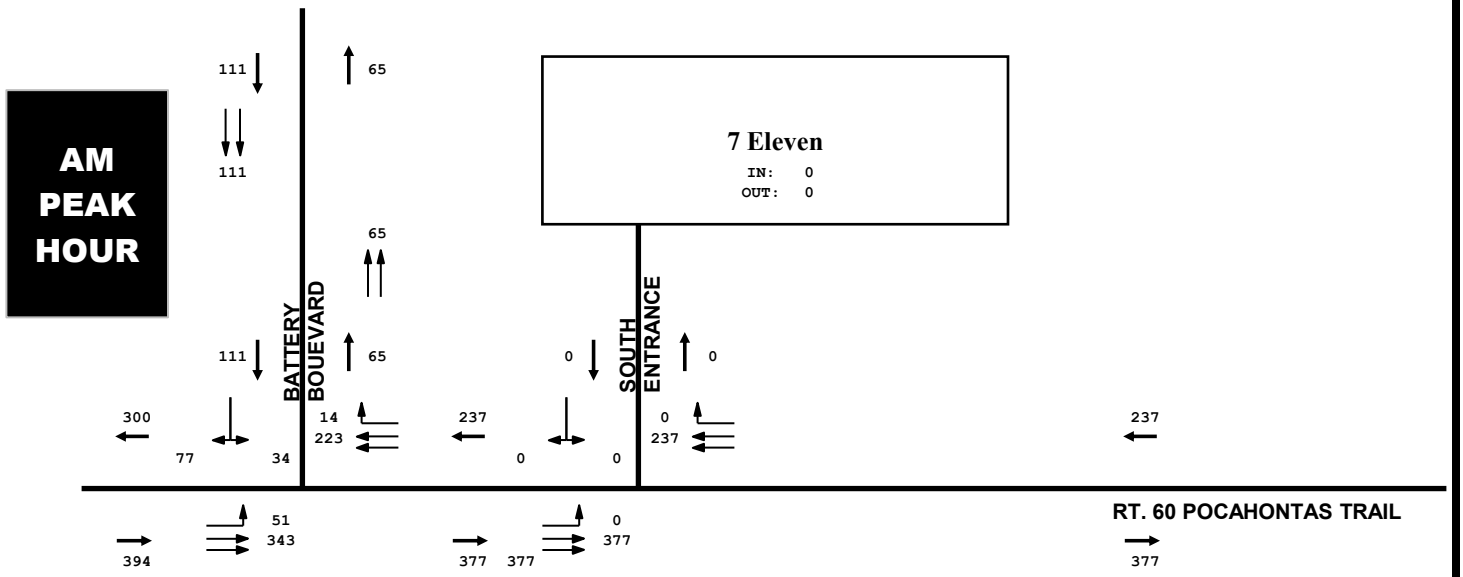




PEAK HOUR COUNTS 7 ELEVEN TRAFFIC ONLY

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Exhibit D1



LEGEND

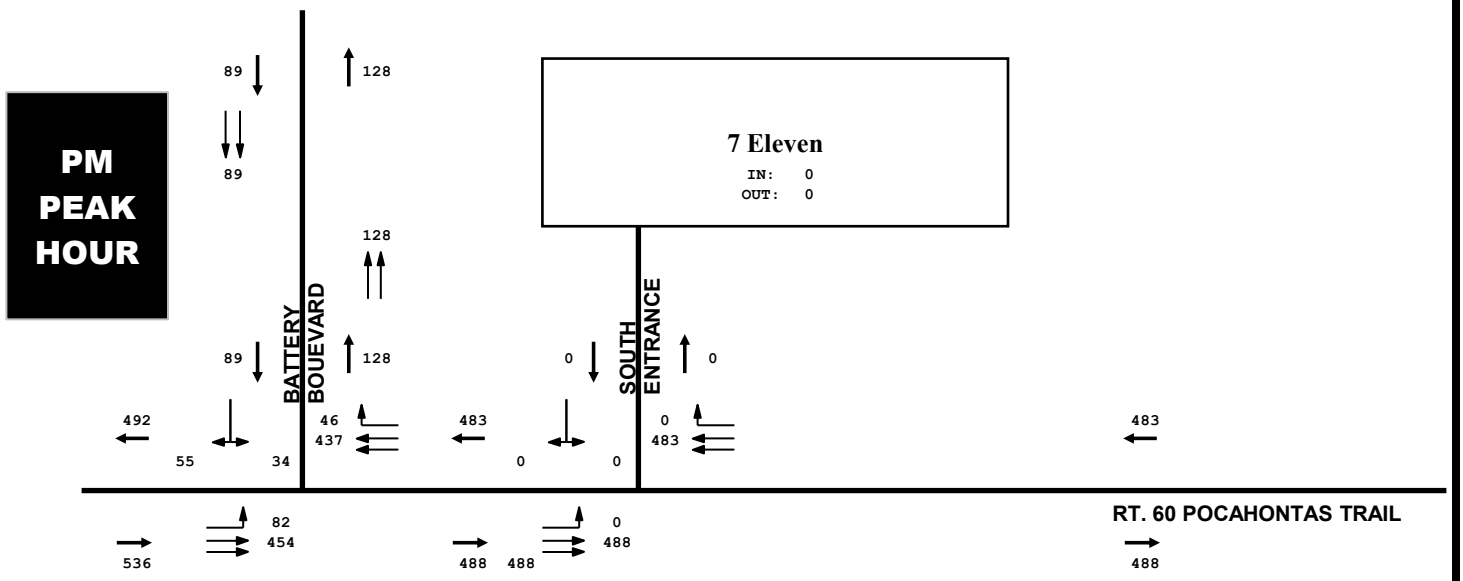
Intersection Approach Lanes

Traffic Signal

Link Volume

Exhibit Reference

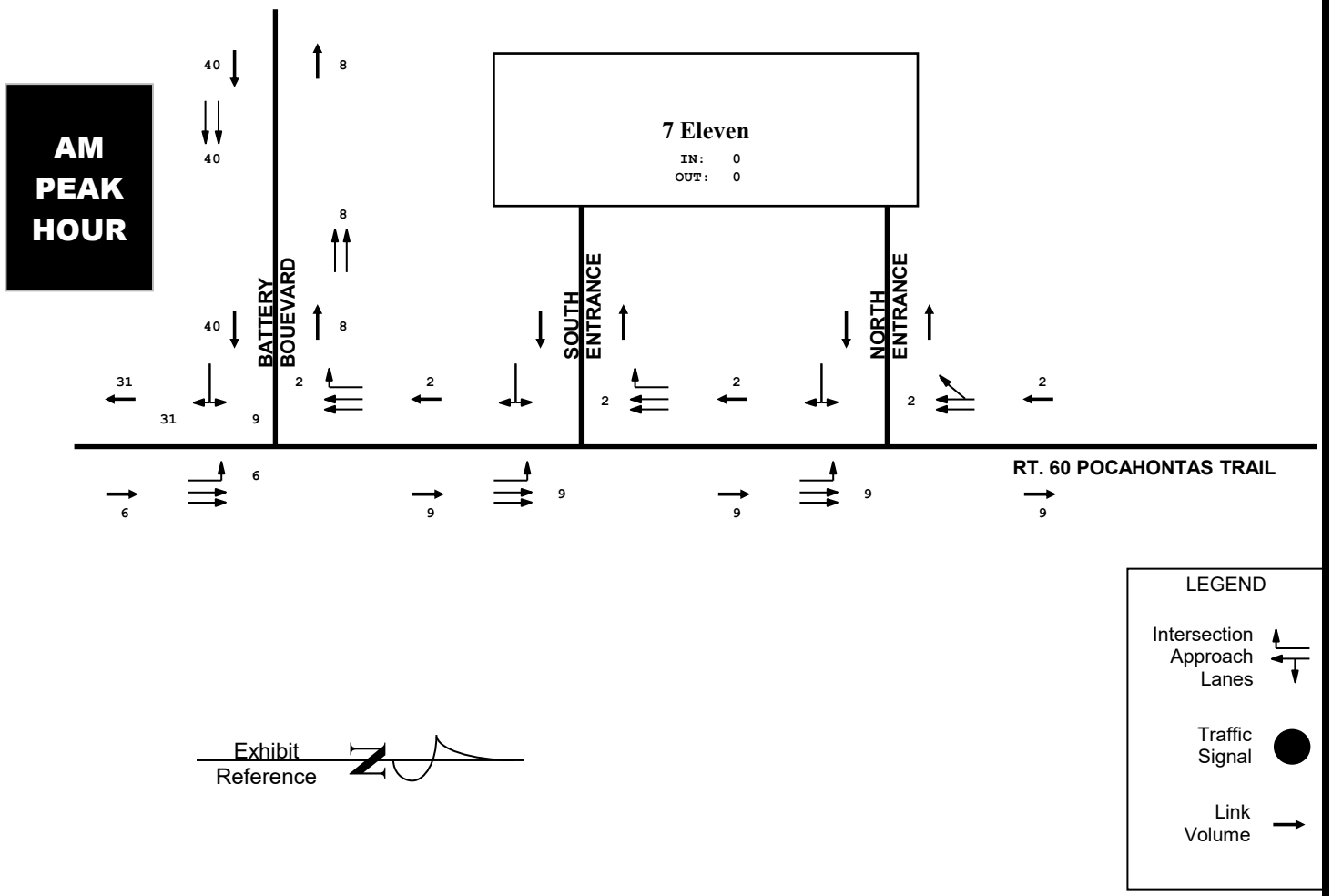
GROWTH FACTOR: 1.1

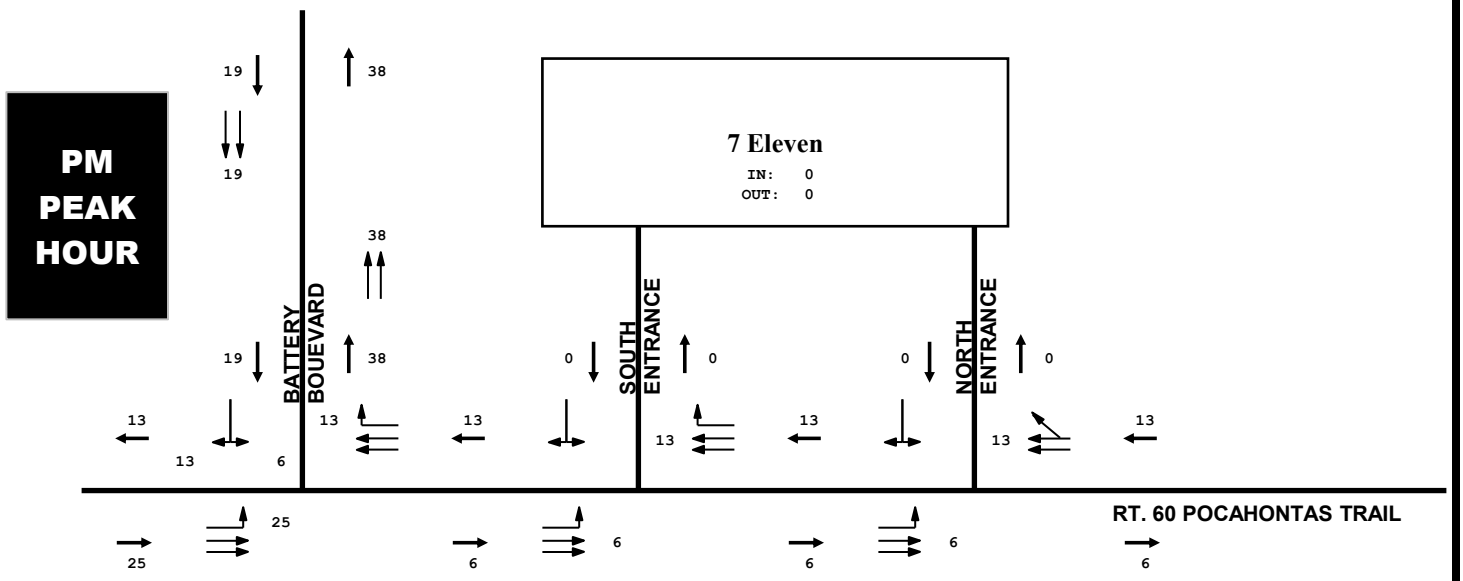


2024 PEAK HOUR BACKGROUND TRAFFIC
WITHOUT EXISTING 7 ELEVEN

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Exhibit D2





CONDOMINIUM /TOWNHOUSE TRIP ASSIGNMENT

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Exhibit D3

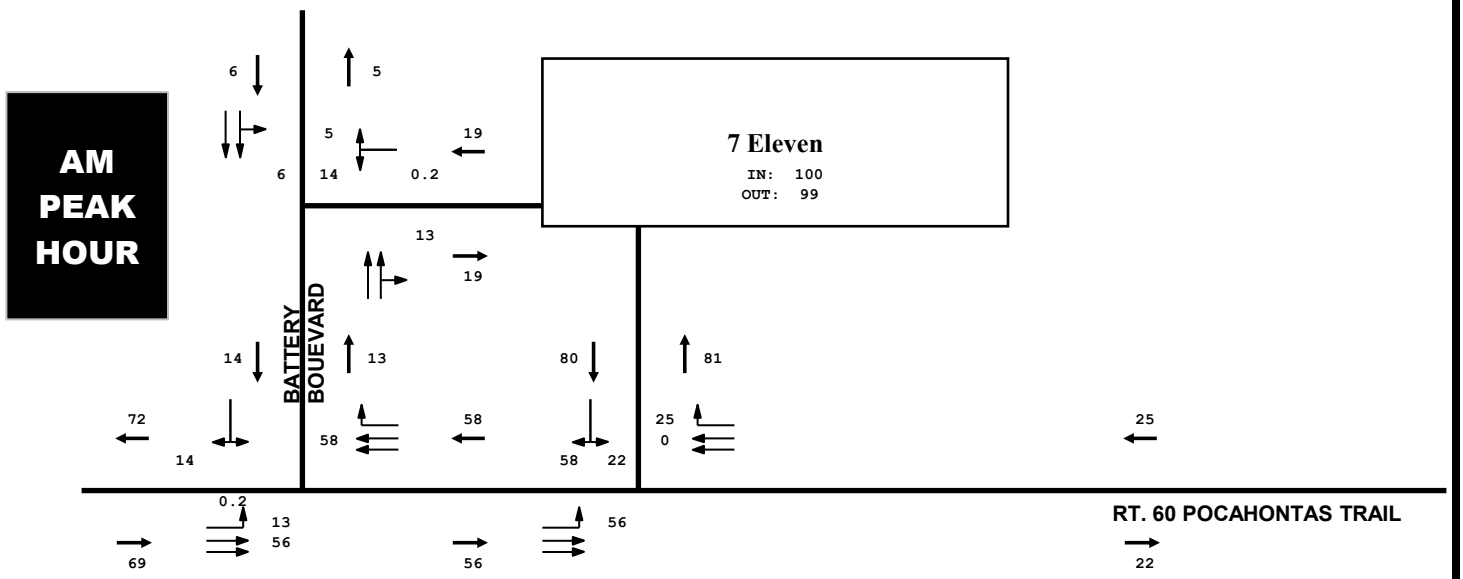
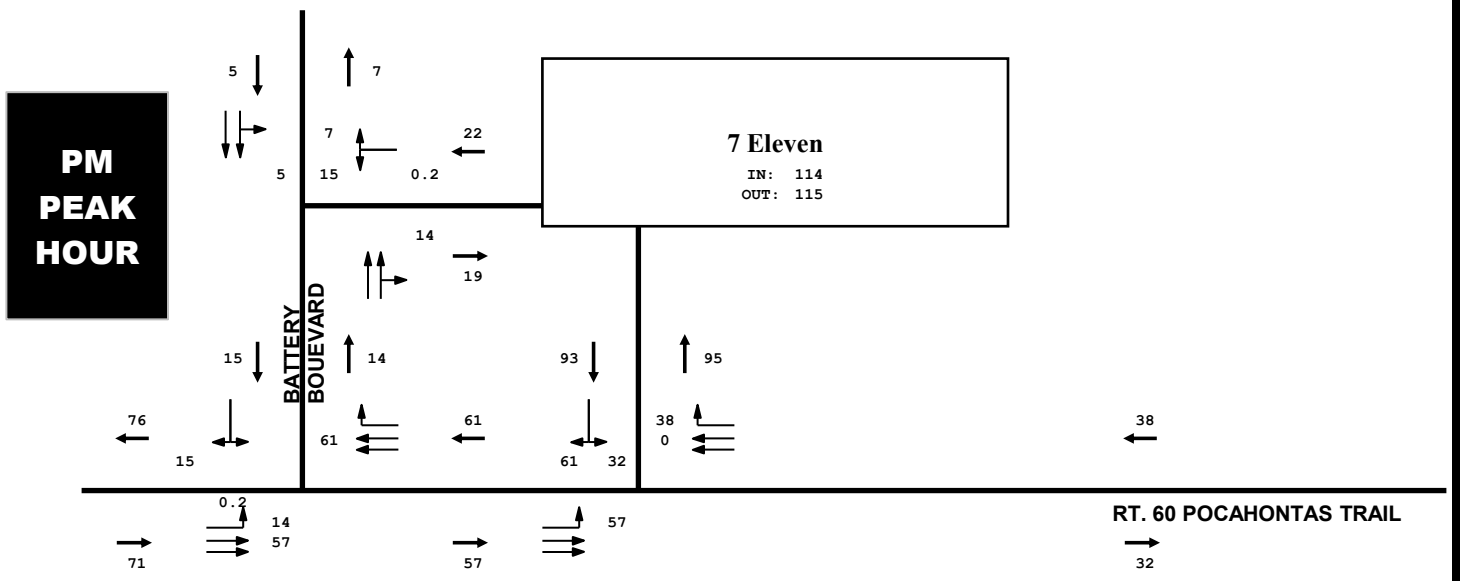




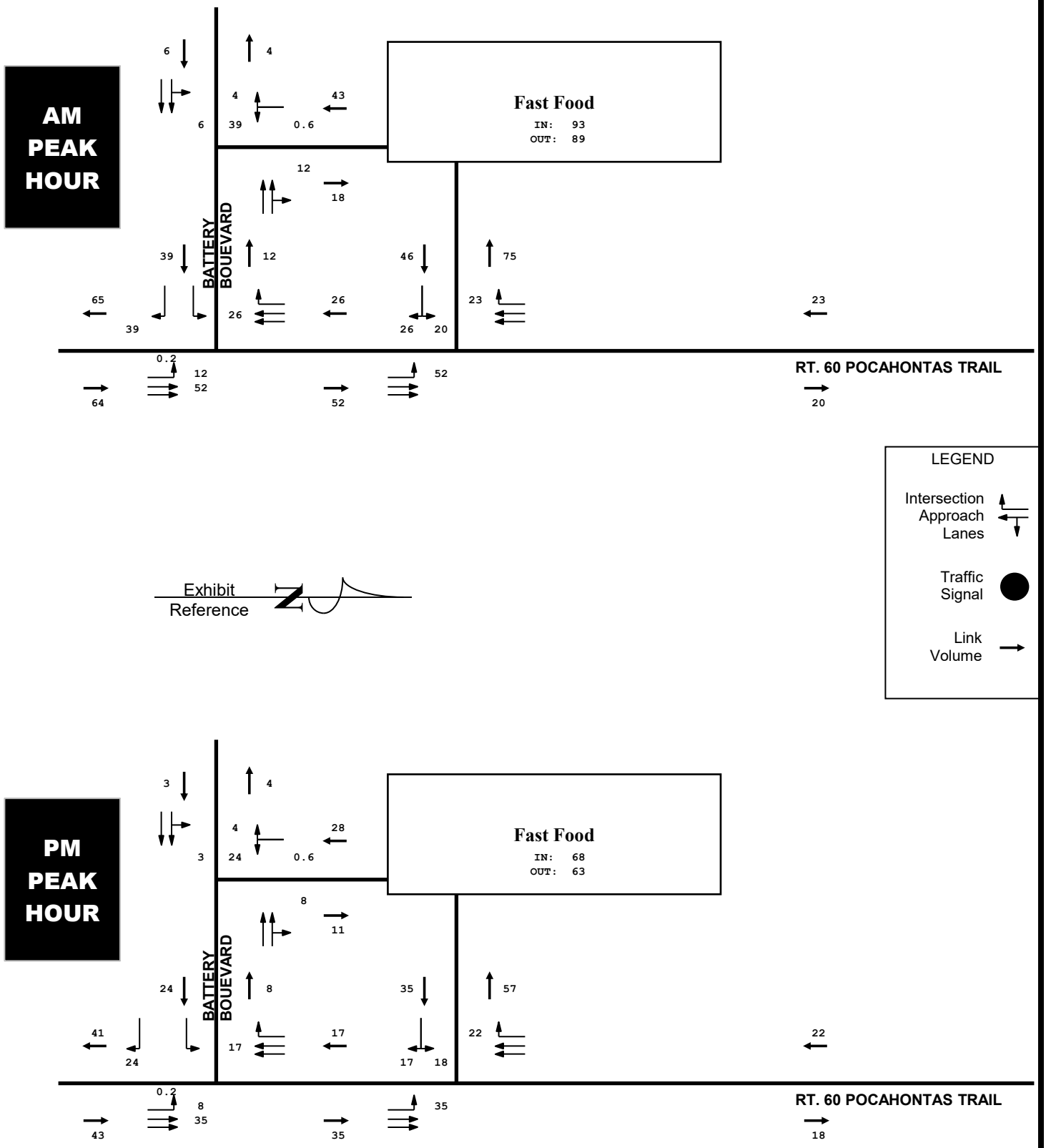
Exhibit Reference



PEAK HOUR TRIP ASSIGNMENT
PROPOSED 7 ELEVEN

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Exhibit D4

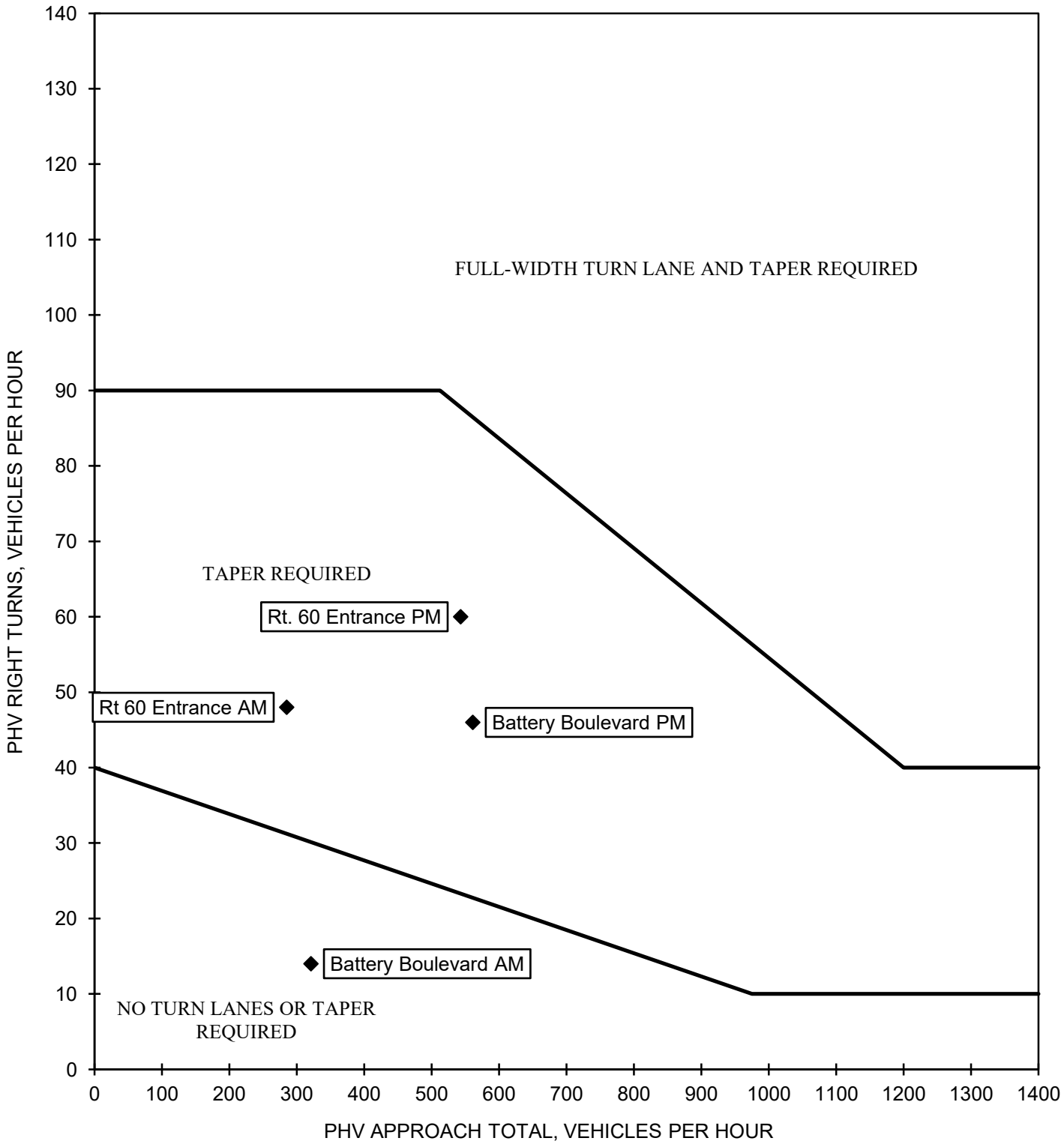


PEAK HOUR TRIP ASSIGNMENT
PROPOSED FAST FOOD

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Exhibit D5

Guidelines for Right Turn Treatments 4 - Lane Highway



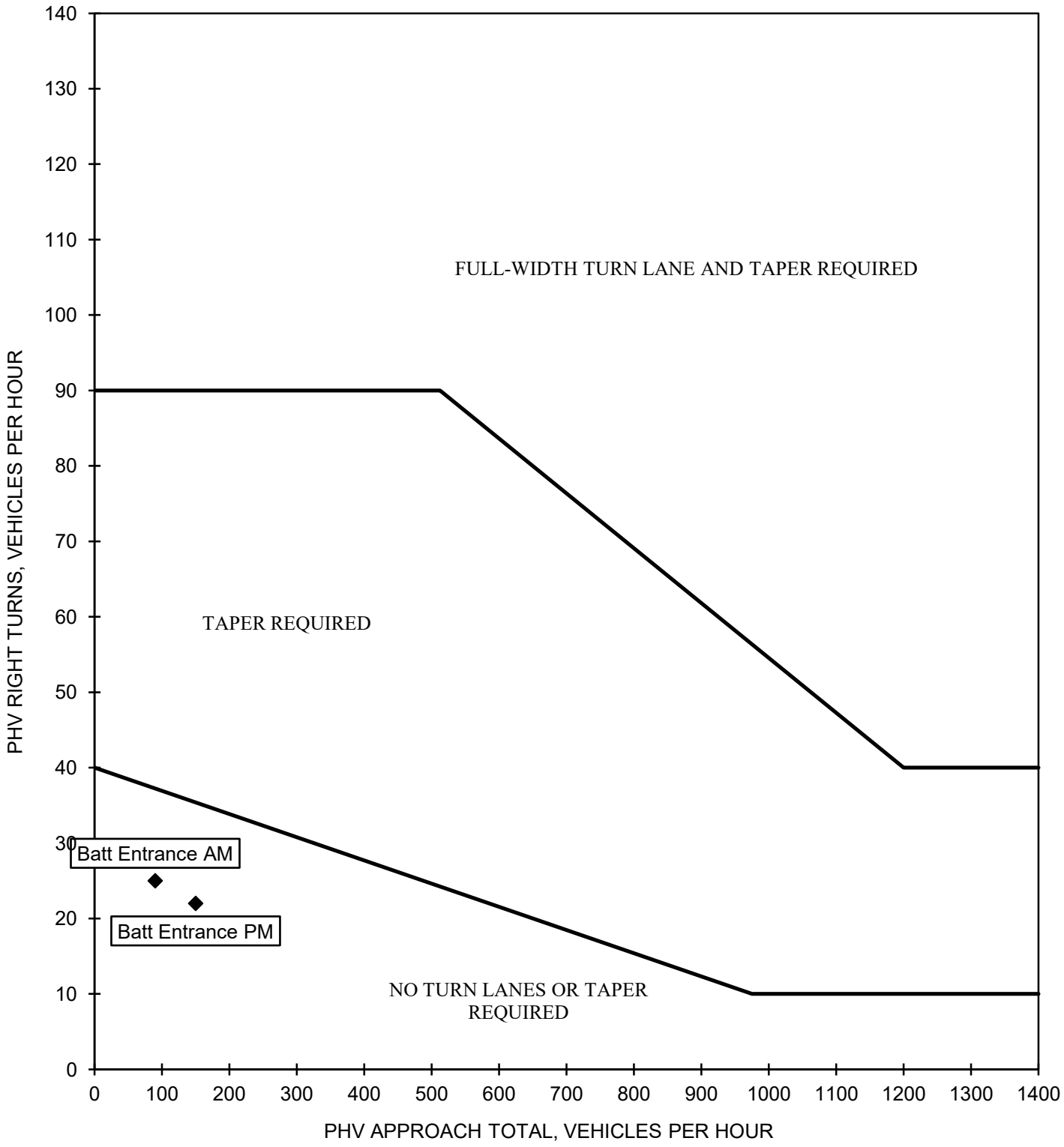
Source: VDOT Road Design Manual, Appendix F, Figure 3-27

VDOT RIGHT TURN LANE WARRANT
FOUR LANE ROAD
SOUTHBOUND POCAHONTAS TRAIL
2024 TOTAL TRAFFIC

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Exhibit F1

Guidelines for Right Turn Treatments 4 - Lane Highway



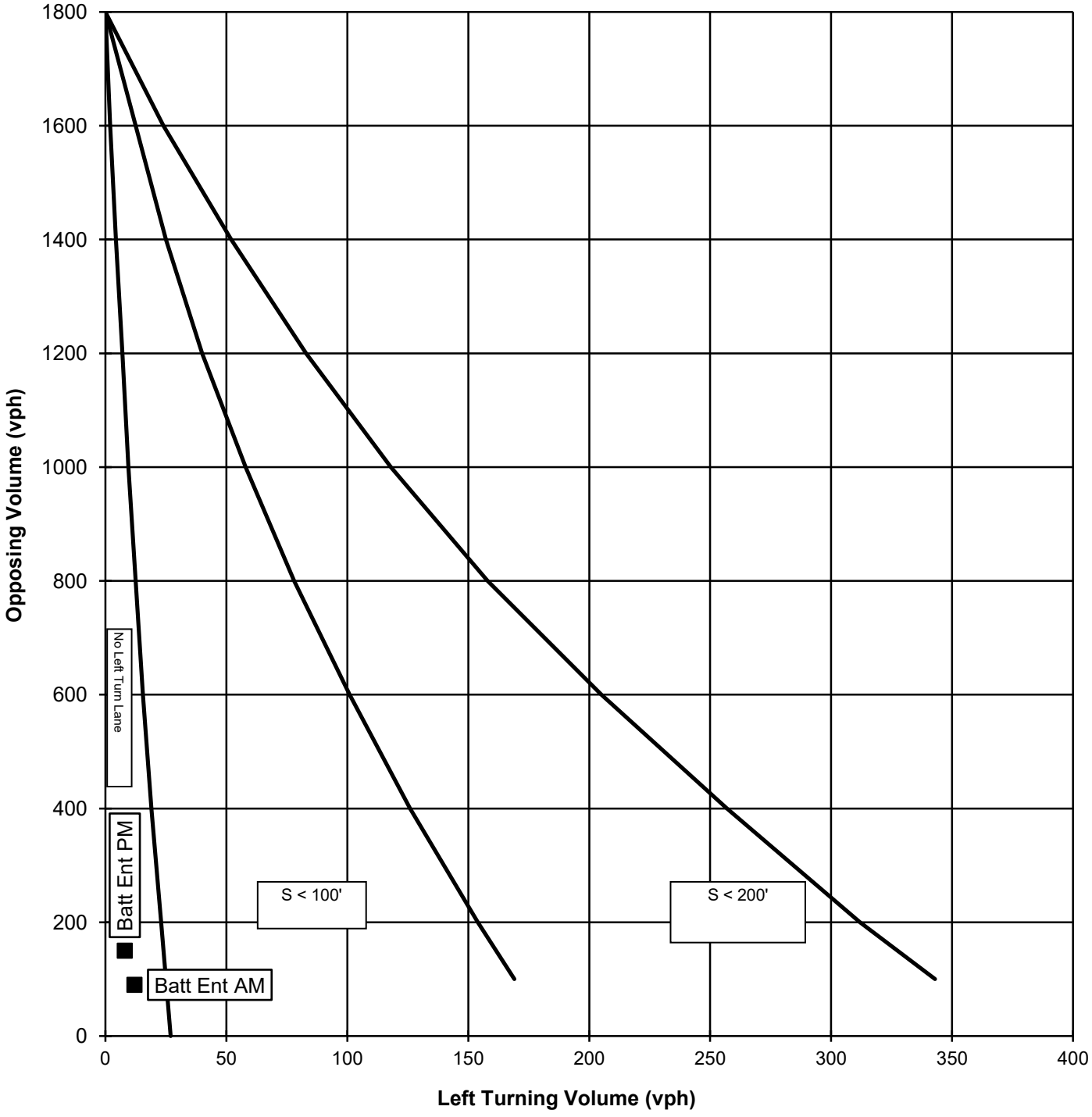
Source: VDOT Road Design Manual, Appendix F, Figure 3-27

VDOT RIGHT TURN LANE WARRANT
FOUR LANE ROAD
BATTERY BOULEVARD ENTRANCE
2024 TOTAL TRAFFIC

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Exhibit F2

LEFT TURN LANE WARRANT
FOUR LANE HIGHWAY
UNDIVIDED
S = Left Turn Storage



Source: VDOT Road Design Manual, Appendix C, derived from Highway Research Record Number 211

VDOT LEFT TURN LANE WARRANT
FOUR LANE UNDIVIDED
BATTERY BOULEVARD ENTRANCE

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Exhibit F3

Intersection	
Int Delay, s/veh	1.5

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	27	42	41	352	252	15
Future Vol, veh/h	27	42	41	352	252	15
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	0	13	8	3	5	6
Mvmt Flow	28	44	43	367	263	16

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	532	131	263	0	-	0
Stage 1	263	-	-	-	-	-
Stage 2	269	-	-	-	-	-
Critical Hdwy	6.8	7.16	4.26	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.43	2.28	-	-	-
Pot Cap-1 Maneuver	482	860	1256	-	-	-
Stage 1	763	-	-	-	-	-
Stage 2	758	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	465	860	1256	-	-	-
Mov Cap-2 Maneuver	465	-	-	-	-	-
Stage 1	763	-	-	-	-	-
Stage 2	732	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.9	0.8	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1256	-	465	860	-	-
HCM Lane V/C Ratio	0.034	-	0.06	0.051	-	-
HCM Control Delay (s)	8	-	13.2	9.4	-	-
HCM Lane LOS	A	-	B	A	-	-
HCM 95th %tile Q(veh)	0.1	-	0.2	0.2	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	6	47	30	349	220	0
Future Vol, veh/h	6	47	30	349	220	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	50	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	17	4	3	3	8	0
Mvmt Flow	6	49	32	367	232	0

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	479	116	232	0	-	0
Stage 1	232	-	-	-	-	-
Stage 2	247	-	-	-	-	-
Critical Hdwy	6.59	7.18	5.36	-	-	-
Critical Hdwy Stg 1	6.94	-	-	-	-	-
Critical Hdwy Stg 2	6.14	-	-	-	-	-
Follow-up Hdwy	3.82	3.94	3.13	-	-	-
Pot Cap-1 Maneuver	500	772	899	-	-	-
Stage 1	680	-	-	-	-	-
Stage 2	703	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	482	772	899	-	-	-
Mov Cap-2 Maneuver	482	-	-	-	-	-
Stage 1	680	-	-	-	-	-
Stage 2	678	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.4	0.7	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	899	-	723	-	-
HCM Lane V/C Ratio	0.035	-	0.077	-	-
HCM Control Delay (s)	9.2	-	10.4	-	-
HCM Lane LOS	A	-	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.2	-	-

Intersection	
Int Delay, s/veh	0.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	10	11	18	337	209	16
Future Vol, veh/h	10	11	18	337	209	16
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	25	-	-	10
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	0	18	11	3	8	6
Mvmt Flow	11	12	19	362	225	17

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	445	112	225	0	-	0
Stage 1	225	-	-	-	-	-
Stage 2	220	-	-	-	-	-
Critical Hdwy	7.5	7.26	4.32	-	-	-
Critical Hdwy Stg 1	6.5	-	-	-	-	-
Critical Hdwy Stg 2	6.5	-	-	-	-	-
Follow-up Hdwy	3.5	3.48	2.31	-	-	-
Pot Cap-1 Maneuver	501	871	1278	-	-	-
Stage 1	763	-	-	-	-	-
Stage 2	768	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	495	871	1278	-	-	-
Mov Cap-2 Maneuver	570	-	-	-	-	-
Stage 1	752	-	-	-	-	-
Stage 2	757	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.3	0.4	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1278	-	696	-	-
HCM Lane V/C Ratio	0.015	-	0.032	-	-
HCM Control Delay (s)	7.9	-	10.3	-	-
HCM Lane LOS	A	-	B	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

Intersection	
Int Delay, s/veh	1.4

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	29	39	52	453	437	34
Future Vol, veh/h	29	39	52	453	437	34
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	7	8	0	2	2	9
Mvmt Flow	33	44	58	509	491	38

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	862	246	491	0	-	0
Stage 1	491	-	-	-	-	-
Stage 2	371	-	-	-	-	-
Critical Hdwy	6.94	7.06	4.1	-	-	-
Critical Hdwy Stg 1	5.94	-	-	-	-	-
Critical Hdwy Stg 2	5.94	-	-	-	-	-
Follow-up Hdwy	3.57	3.38	2.2	-	-	-
Pot Cap-1 Maneuver	285	736	1083	-	-	-
Stage 1	567	-	-	-	-	-
Stage 2	653	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	270	736	1083	-	-	-
Mov Cap-2 Maneuver	270	-	-	-	-	-
Stage 1	567	-	-	-	-	-
Stage 2	618	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	14.5	0.9	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1083	-	270	736	-	-
HCM Lane V/C Ratio	0.054	-	0.121	0.06	-	-
HCM Control Delay (s)	8.5	-	20.2	10.2	-	-
HCM Lane LOS	A	-	C	B	-	-
HCM 95th %tile Q(veh)	0.2	-	0.4	0.2	-	-

Intersection	
Int Delay, s/veh	0.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	6	33	18	464	438	0
Future Vol, veh/h	6	33	18	464	438	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	50	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	88	88	88	88	88	88
Heavy Vehicles, %	0	0	0	2	2	0
Mvmt Flow	7	38	20	527	498	0

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	803	249	498	0	-	0
Stage 1	498	-	-	-	-	-
Stage 2	305	-	-	-	-	-
Critical Hdwy	6.25	7.1	5.3	-	-	-
Critical Hdwy Stg 1	6.6	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.65	3.9	3.1	-	-	-
Pot Cap-1 Maneuver	358	644	686	-	-	-
Stage 1	504	-	-	-	-	-
Stage 2	701	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	348	644	686	-	-	-
Mov Cap-2 Maneuver	348	-	-	-	-	-
Stage 1	504	-	-	-	-	-
Stage 2	681	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	11.9	0.4	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	686	-	569	-	-
HCM Lane V/C Ratio	0.03	-	0.078	-	-
HCM Control Delay (s)	10.4	-	11.9	-	-
HCM Lane LOS	B	-	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.3	-	-

Intersection	
Int Delay, s/veh	0.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	12	14	29	441	424	23
Future Vol, veh/h	12	14	29	441	424	23
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	25	-	-	10
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	0	0	0	3	2	0
Mvmt Flow	13	16	33	496	476	26

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	789	238	476	0	-	0
Stage 1	476	-	-	-	-	-
Stage 2	313	-	-	-	-	-
Critical Hdwy	6.8	6.9	4.1	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-	-
Pot Cap-1 Maneuver	332	769	1097	-	-	-
Stage 1	597	-	-	-	-	-
Stage 2	721	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	322	769	1097	-	-	-
Mov Cap-2 Maneuver	439	-	-	-	-	-
Stage 1	597	-	-	-	-	-
Stage 2	699	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	11.6	0.5	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1097	-	571	-	-
HCM Lane V/C Ratio	0.03	-	0.051	-	-
HCM Control Delay (s)	8.4	-	11.6	-	-
HCM Lane LOS	A	-	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.2	-	-

Intersection	
Int Delay, s/veh	2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	38	77	51	387	277	18
Future Vol, veh/h	38	77	51	387	277	18
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	0	13	8	3	5	6
Mvmt Flow	40	80	53	403	289	19

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	597	144	289	0	-	0
Stage 1	289	-	-	-	-	-
Stage 2	308	-	-	-	-	-
Critical Hdwy	6.8	7.16	4.26	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.43	2.28	-	-	-
Pot Cap-1 Maneuver	439	843	1227	-	-	-
Stage 1	741	-	-	-	-	-
Stage 2	725	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	420	843	1227	-	-	-
Mov Cap-2 Maneuver	420	-	-	-	-	-
Stage 1	741	-	-	-	-	-
Stage 2	694	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	11.3	0.9	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1227	-	420	843	-	-
HCM Lane V/C Ratio	0.043	-	0.094	0.095	-	-
HCM Control Delay (s)	8.1	-	14.5	9.7	-	-
HCM Lane LOS	A	-	B	A	-	-
HCM 95th %tile Q(veh)	0.1	-	0.3	0.3	-	-

Intersection	
Int Delay, s/veh	1.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	6	47	30	395	248	0
Future Vol, veh/h	6	47	30	395	248	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	50	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	17	4	3	3	8	0
Mvmt Flow	6	49	32	416	261	0

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	532	131	261	0	-	0
Stage 1	261	-	-	-	-	-
Stage 2	271	-	-	-	-	-
Critical Hdwy	6.59	7.18	5.36	-	-	-
Critical Hdwy Stg 1	6.94	-	-	-	-	-
Critical Hdwy Stg 2	6.14	-	-	-	-	-
Follow-up Hdwy	3.82	3.94	3.13	-	-	-
Pot Cap-1 Maneuver	466	755	872	-	-	-
Stage 1	652	-	-	-	-	-
Stage 2	683	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	449	755	872	-	-	-
Mov Cap-2 Maneuver	449	-	-	-	-	-
Stage 1	652	-	-	-	-	-
Stage 2	658	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.6	0.7	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	872	-	701	-	-
HCM Lane V/C Ratio	0.036	-	0.08	-	-
HCM Control Delay (s)	9.3	-	10.6	-	-
HCM Lane LOS	A	-	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.3	-	-

Intersection	
Int Delay, s/veh	0.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	10	11	18	383	237	16
Future Vol, veh/h	10	11	18	383	237	16
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	25	-	-	10
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	0	18	11	3	8	6
Mvmt Flow	11	12	19	412	255	17

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	500	127	255	0	-	0
Stage 1	255	-	-	-	-	-
Stage 2	245	-	-	-	-	-
Critical Hdwy	6.8	7.26	4.32	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.48	2.31	-	-	-
Pot Cap-1 Maneuver	505	851	1244	-	-	-
Stage 1	770	-	-	-	-	-
Stage 2	779	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	497	851	1244	-	-	-
Mov Cap-2 Maneuver	578	-	-	-	-	-
Stage 1	770	-	-	-	-	-
Stage 2	767	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.4	0.4	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1244	-	695	-	-
HCM Lane V/C Ratio	0.016	-	0.032	-	-
HCM Control Delay (s)	7.9	-	10.4	-	-
HCM Lane LOS	A	-	B	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

Intersection	
Int Delay, s/veh	1.8

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	37	55	82	498	480	50
Future Vol, veh/h	37	55	82	498	480	50
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	7	8	0	2	2	9
Mvmt Flow	40	60	89	541	522	54

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	971	261	522	0	-	0
Stage 1	522	-	-	-	-	-
Stage 2	449	-	-	-	-	-
Critical Hdwy	6.94	7.06	4.1	-	-	-
Critical Hdwy Stg 1	5.94	-	-	-	-	-
Critical Hdwy Stg 2	5.94	-	-	-	-	-
Follow-up Hdwy	3.57	3.38	2.2	-	-	-
Pot Cap-1 Maneuver	242	720	1055	-	-	-
Stage 1	546	-	-	-	-	-
Stage 2	596	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	222	720	1055	-	-	-
Mov Cap-2 Maneuver	222	-	-	-	-	-
Stage 1	546	-	-	-	-	-
Stage 2	546	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	16.3	1.2	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1055	-	222	720	-	-
HCM Lane V/C Ratio	0.084	-	0.181	0.083	-	-
HCM Control Delay (s)	8.7	-	24.8	10.5	-	-
HCM Lane LOS	A	-	C	B	-	-
HCM 95th %tile Q(veh)	0.3	-	0.6	0.3	-	-

Intersection	
Int Delay, s/veh	0.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	6	33	18	517	497	0
Future Vol, veh/h	6	33	18	517	497	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	50	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	0	0	0	2	2	0
Mvmt Flow	7	36	20	562	540	0

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	860	270	540	0	-	0
Stage 1	540	-	-	-	-	-
Stage 2	320	-	-	-	-	-
Critical Hdwy	6.25	7.1	5.3	-	-	-
Critical Hdwy Stg 1	6.6	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.65	3.9	3.1	-	-	-
Pot Cap-1 Maneuver	332	625	656	-	-	-
Stage 1	476	-	-	-	-	-
Stage 2	690	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	322	625	656	-	-	-
Mov Cap-2 Maneuver	322	-	-	-	-	-
Stage 1	476	-	-	-	-	-
Stage 2	669	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.1	0.4	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	656	-	546	-	-
HCM Lane V/C Ratio	0.03	-	0.078	-	-
HCM Control Delay (s)	10.7	-	12.1	-	-
HCM Lane LOS	B	-	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.3	-	-

Intersection	
Int Delay, s/veh	0.5

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	12	14	29	494	483	23
Future Vol, veh/h	12	14	29	494	483	23
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	25	-	-	10
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	0	0	0	3	2	0
Mvmt Flow	13	15	32	537	525	25

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	857	263	525	0	-	0
Stage 1	525	-	-	-	-	-
Stage 2	332	-	-	-	-	-
Critical Hdwy	6.8	6.9	4.1	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-	-
Pot Cap-1 Maneuver	300	742	1052	-	-	-
Stage 1	564	-	-	-	-	-
Stage 2	705	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	291	742	1052	-	-	-
Mov Cap-2 Maneuver	413	-	-	-	-	-
Stage 1	564	-	-	-	-	-
Stage 2	684	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12	0.5	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1052	-	543	-	-
HCM Lane V/C Ratio	0.03	-	0.052	-	-
HCM Control Delay (s)	8.5	-	12	-	-
HCM Lane LOS	A	-	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.2	-	-

Intersection	
Int Delay, s/veh	2.5

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	34	130	76	451	307	14
Future Vol, veh/h	34	130	76	451	307	14
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	0	13	8	3	5	6
Mvmt Flow	35	135	79	470	320	15

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	713	160	320	0	-	0
Stage 1	320	-	-	-	-	-
Stage 2	393	-	-	-	-	-
Critical Hdwy	6.8	7.16	4.26	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.43	2.28	-	-	-
Pot Cap-1 Maneuver	371	823	1194	-	-	-
Stage 1	715	-	-	-	-	-
Stage 2	657	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	346	823	1194	-	-	-
Mov Cap-2 Maneuver	346	-	-	-	-	-
Stage 1	715	-	-	-	-	-
Stage 2	614	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	11.5	1.2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1194	-	346	823	-	-
HCM Lane V/C Ratio	0.066	-	0.102	0.165	-	-
HCM Control Delay (s)	8.2	-	16.6	10.2	-	-
HCM Lane LOS	A	-	C	B	-	-
HCM 95th %tile Q(veh)	0.2	-	0.3	0.6	-	-

Intersection	
Int Delay, s/veh	2.8

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	42	84	108	377	237	48
Future Vol, veh/h	42	84	108	377	237	48
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	100	-	-	70
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	17	4	3	3	8	0
Mvmt Flow	44	88	114	397	249	51

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	675	125	249	0	-	0
Stage 1	249	-	-	-	-	-
Stage 2	426	-	-	-	-	-
Critical Hdwy	7.14	6.98	4.16	-	-	-
Critical Hdwy Stg 1	6.14	-	-	-	-	-
Critical Hdwy Stg 2	6.14	-	-	-	-	-
Follow-up Hdwy	3.67	3.34	2.23	-	-	-
Pot Cap-1 Maneuver	356	896	1306	-	-	-
Stage 1	726	-	-	-	-	-
Stage 2	585	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	325	896	1306	-	-	-
Mov Cap-2 Maneuver	325	-	-	-	-	-
Stage 1	726	-	-	-	-	-
Stage 2	534	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	13.3	1.8	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1306	-	565	-	-
HCM Lane V/C Ratio	0.087	-	0.235	-	-
HCM Control Delay (s)	8	-	13.3	-	-
HCM Lane LOS	A	-	B	-	-
HCM 95th %tile Q(veh)	0.3	-	0.9	-	-

Intersection	
Int Delay, s/veh	2.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	12	111	65	25	53	9
Future Vol, veh/h	12	111	65	25	53	9
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	13	121	71	27	58	10

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	98	0	-	0	170	49
Stage 1	-	-	-	-	84	-
Stage 2	-	-	-	-	86	-
Critical Hdwy	4.14	-	-	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	2.22	-	-	-	3.52	3.32
Pot Cap-1 Maneuver	1493	-	-	-	804	1009
Stage 1	-	-	-	-	930	-
Stage 2	-	-	-	-	927	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1493	-	-	-	797	1009
Mov Cap-2 Maneuver	-	-	-	-	797	-
Stage 1	-	-	-	-	930	-
Stage 2	-	-	-	-	919	-

Approach	EB	WB	SB
HCM Control Delay, s	0.7	0	9.8
HCM LOS			A

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1493	-	-	-	822
HCM Lane V/C Ratio	0.009	-	-	-	0.082
HCM Control Delay (s)	7.4	0	-	-	9.8
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0.3

Intersection	
Int Delay, s/veh	2.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	34	94	104	546	515	46
Future Vol, veh/h	34	94	104	546	515	46
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	7	8	0	2	2	9
Mvmt Flow	37	102	113	593	560	50

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1083	280	560	0	-	0
Stage 1	560	-	-	-	-	-
Stage 2	523	-	-	-	-	-
Critical Hdwy	6.94	7.06	4.1	-	-	-
Critical Hdwy Stg 1	5.94	-	-	-	-	-
Critical Hdwy Stg 2	5.94	-	-	-	-	-
Follow-up Hdwy	3.57	3.38	2.2	-	-	-
Pot Cap-1 Maneuver	204	699	1021	-	-	-
Stage 1	522	-	-	-	-	-
Stage 2	545	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	181	699	1021	-	-	-
Mov Cap-2 Maneuver	181	-	-	-	-	-
Stage 1	522	-	-	-	-	-
Stage 2	485	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	16	1.4	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1021	-	181	699	-	-
HCM Lane V/C Ratio	0.111	-	0.204	0.146	-	-
HCM Control Delay (s)	9	-	29.9	11	-	-
HCM Lane LOS	A	-	D	B	-	-
HCM 95th %tile Q(veh)	0.4	-	0.7	0.5	-	-

Intersection	
Int Delay, s/veh	2.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	50	78	92	488	483	60
Future Vol, veh/h	50	78	92	488	483	60
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	100	-	-	70
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	0	0	0	2	2	0
Mvmt Flow	54	85	100	530	525	65

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	990	263	525	0	-	0
Stage 1	525	-	-	-	-	-
Stage 2	465	-	-	-	-	-
Critical Hdwy	6.8	6.9	4.1	-	-	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-	-
Pot Cap-1 Maneuver	247	742	1052	-	-	-
Stage 1	564	-	-	-	-	-
Stage 2	604	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	224	742	1052	-	-	-
Mov Cap-2 Maneuver	224	-	-	-	-	-
Stage 1	564	-	-	-	-	-
Stage 2	547	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	19.3	1.4	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1052	-	390	-	-
HCM Lane V/C Ratio	0.095	-	0.357	-	-
HCM Control Delay (s)	8.8	-	19.3	-	-
HCM Lane LOS	A	-	C	-	-
HCM 95th %tile Q(veh)	0.3	-	1.6	-	-

Intersection	
Int Delay, s/veh	1.9

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	8	89	128	22	39	11
Future Vol, veh/h	8	89	128	22	39	11
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	9	97	139	24	42	12

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	163	0	-	0	217	82
Stage 1	-	-	-	-	151	-
Stage 2	-	-	-	-	66	-
Critical Hdwy	4.14	-	-	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	2.22	-	-	-	3.52	3.32
Pot Cap-1 Maneuver	1413	-	-	-	752	961
Stage 1	-	-	-	-	861	-
Stage 2	-	-	-	-	949	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1413	-	-	-	747	961
Mov Cap-2 Maneuver	-	-	-	-	747	-
Stage 1	-	-	-	-	861	-
Stage 2	-	-	-	-	942	-

Approach	EB	WB	SB
HCM Control Delay, s	0.6	0	9.9
HCM LOS			A

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1413	-	-	-	785
HCM Lane V/C Ratio	0.006	-	-	-	0.069
HCM Control Delay (s)	7.6	0	-	-	9.9
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Intersection: 1: Pocahontas Trail/Pocahontas Tr & Battery Boulevard

Movement	EB	EB	NB	SB
Directions Served	L	R	L	T
Maximum Queue (ft)	41	58	45	12
Average Queue (ft)	16	19	8	0
95th Queue (ft)	36	44	31	6
Link Distance (ft)	1120	1120	706	100
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & South Ent

Movement	EB	NB	NB	SB	SB
Directions Served	LR	L	T	T	TR
Maximum Queue (ft)	67	30	12	6	6
Average Queue (ft)	25	6	0	0	0
95th Queue (ft)	50	25	6	4	4
Link Distance (ft)	299		100	38	38
Upstream Blk Time (%)				0	0
Queuing Penalty (veh)				0	0
Storage Bay Dist (ft)		50			
Storage Blk Time (%)		0			
Queuing Penalty (veh)		0			

Intersection: 3: Pocahontas Tr & North Ent

Movement	EB	NB	NB
Directions Served	LR	L	T
Maximum Queue (ft)	59	34	45
Average Queue (ft)	17	4	4
95th Queue (ft)	46	21	25
Link Distance (ft)	317		38
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)		25	
Storage Blk Time (%)		0	0
Queuing Penalty (veh)		1	0

Network Summary

Network wide Queuing Penalty: 1

Intersection: 1: Pocahontas Trail/Pocahontas Tr & Battery Boulevard

Movement	EB	EB	NB	SB
Directions Served	L	R	L	T
Maximum Queue (ft)	76	53	43	10
Average Queue (ft)	20	16	13	0
95th Queue (ft)	53	39	37	7
Link Distance (ft)	1120	1120	706	100
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & South Ent

Movement	EB	NB	NB	SB	SB
Directions Served	LR	L	T	T	TR
Maximum Queue (ft)	44	31	29	13	10
Average Queue (ft)	19	8	1	1	1
95th Queue (ft)	40	29	13	8	8
Link Distance (ft)	299		100	38	38
Upstream Blk Time (%)				0	0
Queuing Penalty (veh)				0	0
Storage Bay Dist (ft)		50			
Storage Blk Time (%)		0	0		
Queuing Penalty (veh)		0	0		

Intersection: 3: Pocahontas Tr & North Ent

Movement	EB	NB	NB	SB
Directions Served	LR	L	T	R
Maximum Queue (ft)	45	31	41	9
Average Queue (ft)	17	9	9	0
95th Queue (ft)	41	31	35	4
Link Distance (ft)	317		38	
Upstream Blk Time (%)		0	0	
Queuing Penalty (veh)		0	0	
Storage Bay Dist (ft)		25		10
Storage Blk Time (%)		1	0	0
Queuing Penalty (veh)		2	0	0

Network Summary

Network wide Queuing Penalty: 3

Intersection: 1: Pocahontas Trail/Pocahontas Tr & Battery Boulevard

Movement	EB	EB	NB	SB
Directions Served	L	R	L	T
Maximum Queue (ft)	48	57	45	6
Average Queue (ft)	20	26	12	0
95th Queue (ft)	44	48	36	4
Link Distance (ft)	1120	1120	706	100
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & South Ent

Movement	EB	NB	NB
Directions Served	LR	L	T
Maximum Queue (ft)	68	46	16
Average Queue (ft)	26	8	1
95th Queue (ft)	50	32	8
Link Distance (ft)	299		100
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		50	
Storage Blk Time (%)		0	
Queuing Penalty (veh)		0	

Intersection: 3: Pocahontas Tr & North Ent

Movement	EB	NB	NB
Directions Served	LR	L	T
Maximum Queue (ft)	57	32	41
Average Queue (ft)	17	3	4
95th Queue (ft)	44	19	25
Link Distance (ft)	317		38
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)		25	
Storage Blk Time (%)		0	0
Queuing Penalty (veh)		1	0

Network Summary

Network wide Queuing Penalty: 1

Intersection: 1: Pocahontas Trail/Pocahontas Tr & Battery Boulevard

Movement	EB	EB	NB	SB
Directions Served	L	R	L	T
Maximum Queue (ft)	102	52	40	7
Average Queue (ft)	28	22	21	0
95th Queue (ft)	66	43	44	5
Link Distance (ft)	1120	1120	706	100
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & South Ent

Movement	EB	NB	NB	SB	SB
Directions Served	LR	L	T	T	TR
Maximum Queue (ft)	47	30	12	20	6
Average Queue (ft)	20	5	1	1	0
95th Queue (ft)	44	24	10	9	4
Link Distance (ft)	299		100	38	38
Upstream Blk Time (%)				0	0
Queuing Penalty (veh)				0	0
Storage Bay Dist (ft)		50			
Storage Blk Time (%)		0	0		
Queuing Penalty (veh)		0	0		

Intersection: 3: Pocahontas Tr & North Ent

Movement	EB	NB	NB
Directions Served	LR	L	T
Maximum Queue (ft)	45	31	38
Average Queue (ft)	18	10	9
95th Queue (ft)	40	33	36
Link Distance (ft)	317		38
Upstream Blk Time (%)		1	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)		25	
Storage Blk Time (%)		1	0
Queuing Penalty (veh)		3	0

Network Summary

Network wide Queuing Penalty: 4

Intersection: 1: Pocahontas Trail/Pocahontas Tr & Battery Boulevard

Movement	EB	EB	NB	SB
Directions Served	L	R	L	T
Maximum Queue (ft)	50	89	51	12
Average Queue (ft)	17	37	18	0
95th Queue (ft)	41	73	46	6
Link Distance (ft)	265	265	705	164
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & Rt 60 Entrance

Movement	EB	NB	SB
Directions Served	LR	L	R
Maximum Queue (ft)	121	57	13
Average Queue (ft)	48	19	1
95th Queue (ft)	89	48	6
Link Distance (ft)	225		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		100	70
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Battery Boulevard & Battery Entrance

Movement	EB	SB
Directions Served	LT	LR
Maximum Queue (ft)	12	70
Average Queue (ft)	1	28
95th Queue (ft)	8	53
Link Distance (ft)	150	173
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 0

Intersection: 1: Pocahontas Trail/Pocahontas Tr & Battery Boulevard

Movement	EB	EB	NB	SB
Directions Served	L	R	L	R
Maximum Queue (ft)	68	71	65	14
Average Queue (ft)	22	30	28	0
95th Queue (ft)	55	56	54	8
Link Distance (ft)	265	265	705	159
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 2: Pocahontas Tr & Rt. 60 Entrance

Movement	EB	NB	SB
Directions Served	LR	L	R
Maximum Queue (ft)	119	67	13
Average Queue (ft)	49	24	0
95th Queue (ft)	90	51	6
Link Distance (ft)	226		
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		100	70
Storage Blk Time (%)			
Queuing Penalty (veh)			

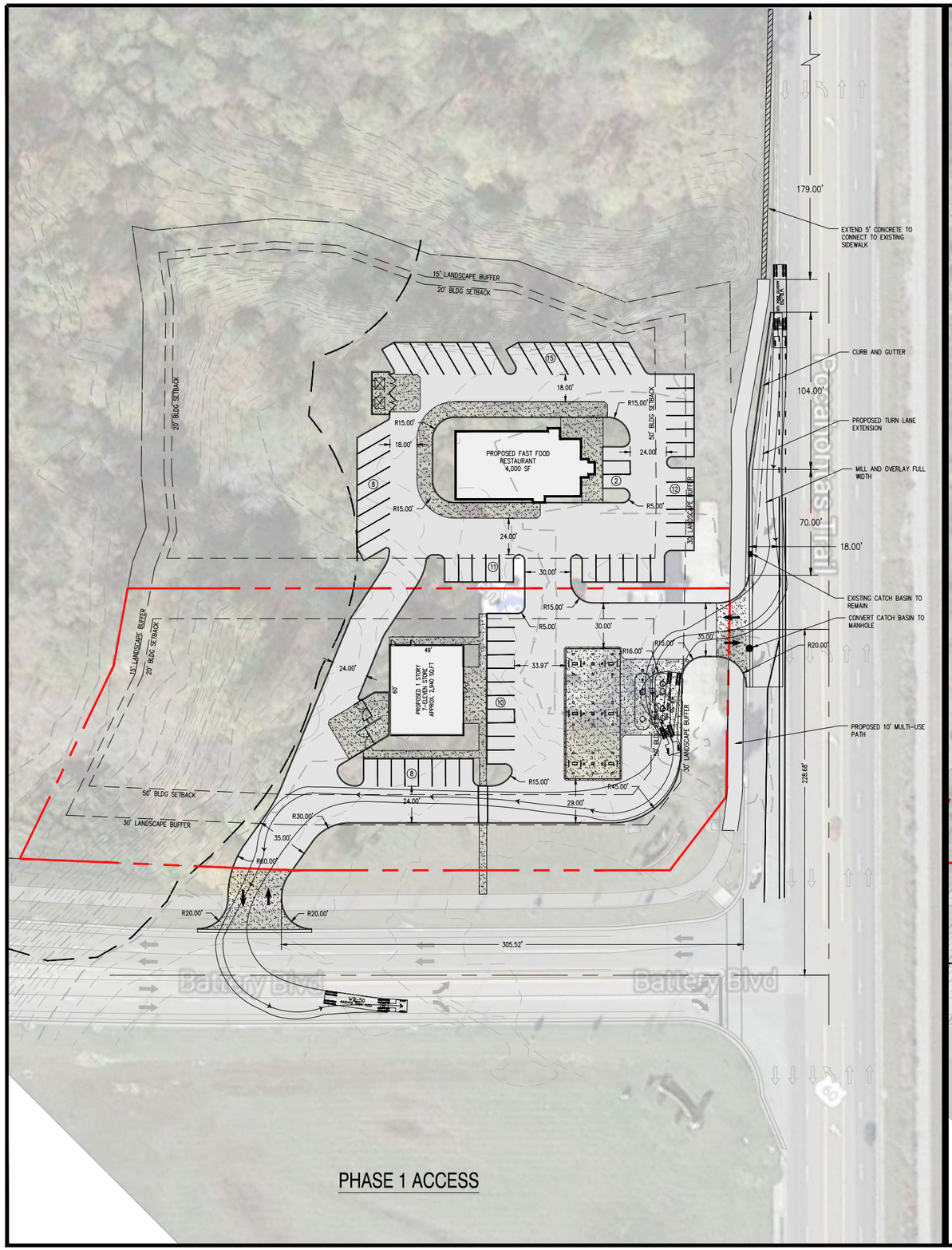
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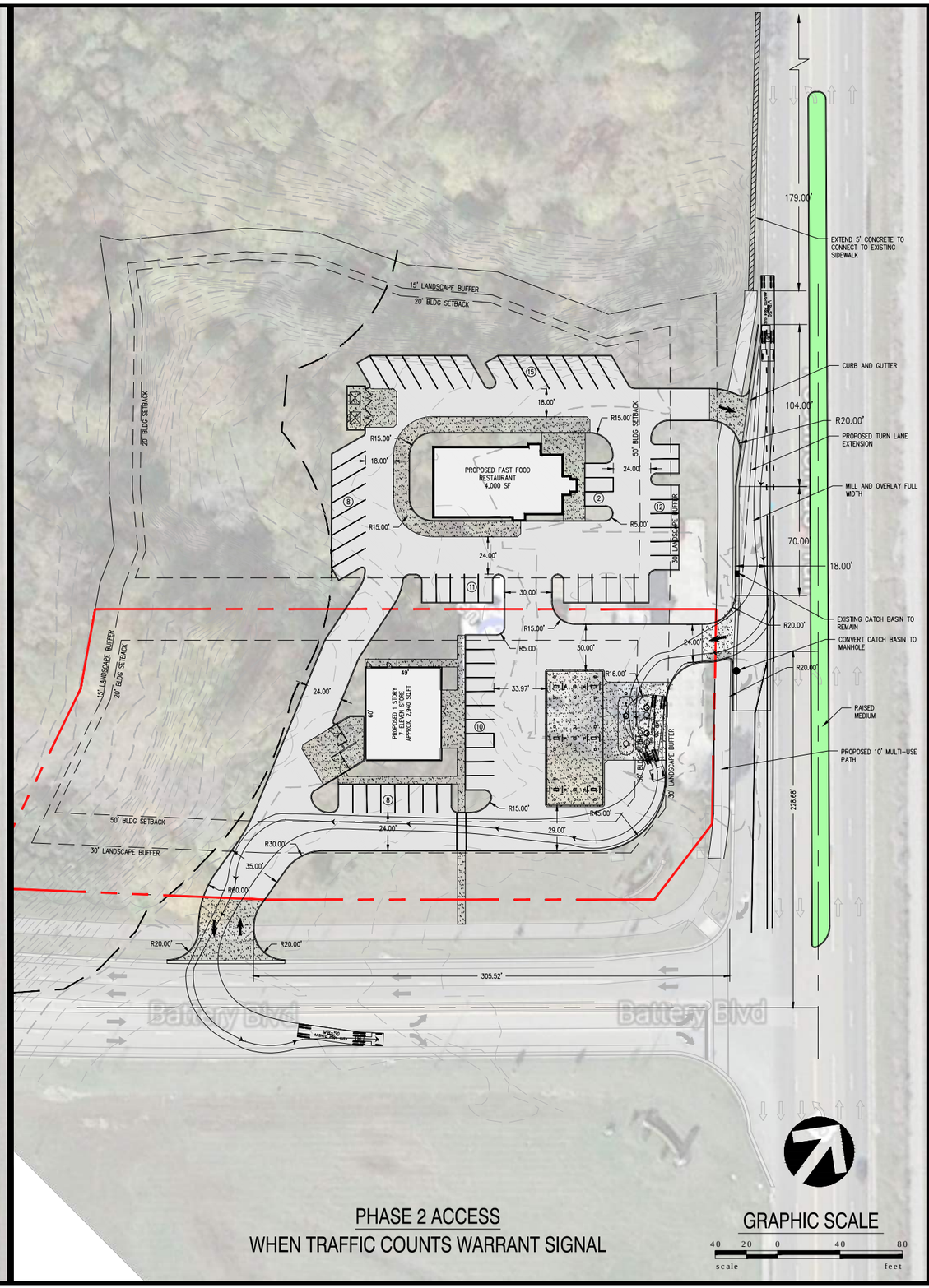
Movement	EB	SB
Directions Served	LT	LR
Maximum Queue (ft)	12	50
Average Queue (ft)	0	27
95th Queue (ft)	6	47
Link Distance (ft)	150	173
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 0

POCAHONTAS TRL.





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REV	DATE	DESCRIPTION
1	7/11/17	ADDED RAISED MEDIAN IN PHASE 1

DATE ISSUED 03-13-17
DRAWN BY GF
REVIEWED BY SMB
DESIGNED BY GF

LOCATION: POCAHONTAS TRL. AND BATTERY BLVD.
SHEET TITLE: CONCEPT PLAN
SITE ID:
SITE ADDRESS: 7337 POCAHONTAS TRIAL WILLIAMSBURG, VA

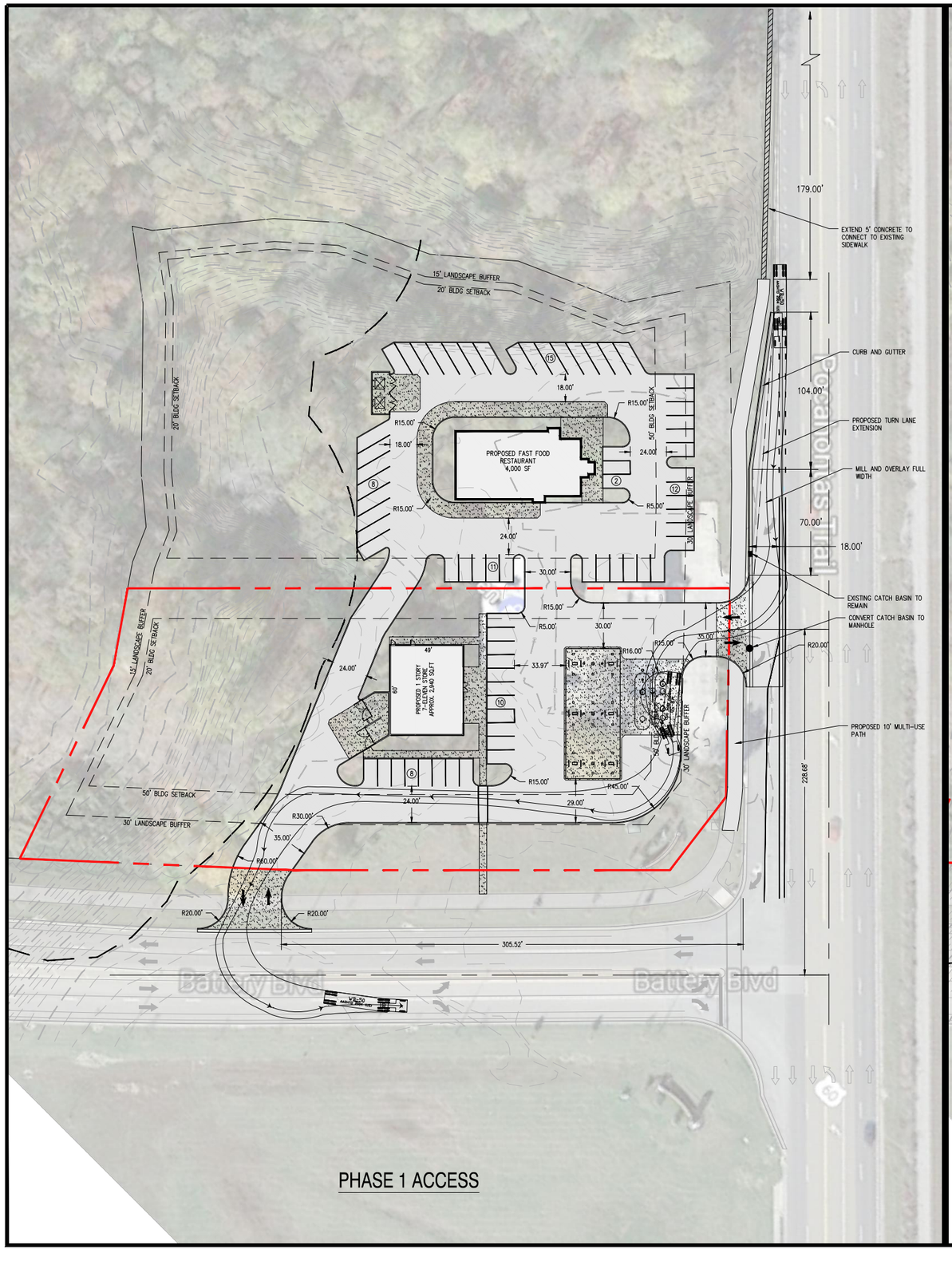
SHEET NO. G
CONCEPT PLAN

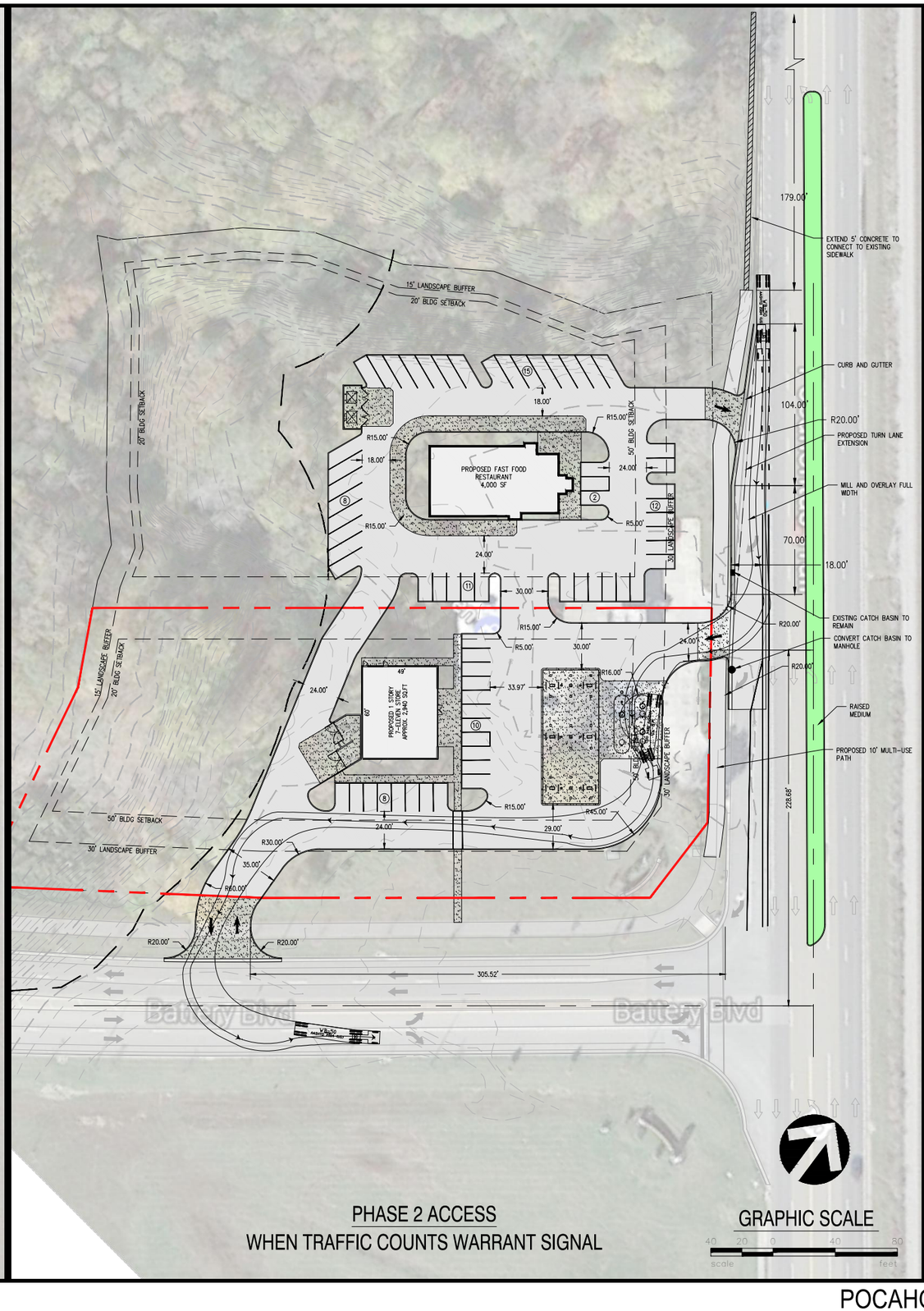
POCAHONTAS TRL.

FILE NAME: C:\Users\gfronke\appdata\local\temp\AcPublish_15688\Quotetpath – Concept G.dwg LAYOUT NAME: Layout1 PLOTTED: Thursday, July 13, 2017 – 11:58am

POCAHONTAS TRL.

POCAHONTAS TRL.





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SHEET TITLE: CONCEPT PLAN
SITE ID:
SITE ADDRESS: 7337 POCAHONTAS TRIAL WILLIAMSBURG, VA

SHEET NO. G
CONCEPT PLAN

POCAHONTAS TRL.

FILE NAME: C:\Users\gfronke\appdata\local\temp\AcPublish_15888\Quarterpath – Concept G.dwg LAYOUT NAME: Layout1 PLOTTED: Thursday, July 13, 2017 – 11:58am

POCAHONTAS TRL.

RESOLUTION

CASE NO. SUP-0016-2016. 7-ELEVEN CONVENIENCE STORE WITH GAS PUMPS

AND DRIVE-THROUGH RESTAURANT AT QUARTERPATH

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

WHEREAS, Southland Corporation and Quarterpath Williamsburg, LLC (the "Owners") own property located at 7327, 7337, 7341 Pocahontas Trail and 3000 Battery Boulevard, further identified as James City County Real Estate Tax Map Parcel Nos. 5020100030, 5020100030A, 5020700004B and 5020100075A, respectively (together, the "Property"); and

WHEREAS, on behalf of the Owners, Mr. Mark Richardson of Timmons Group (the "Applicant") has applied for an SUP to allow a convenience store with gas pumps and a drive-through restaurant, as shown on the exhibit titled "7-11 Convenience Store with Gas and Drive-Thru Restaurant Conceptual Master Plan" prepared by Timmons Group, dated August 25, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0016-2016; and

WHEREAS, the Planning Commission, following its public hearing on September 6, 2017, recommended approval of the application by a vote of 7-0.

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-0016-2016 as described herein with the following conditions:

1. *Master Plan:* This Special Use Permit ("SUP") shall apply to that certain properties located at 3000 Battery Boulevard and 7327, 7337 and 7341 Pocahontas Trail, which are further identified as James City County Real Estate Tax Map Parcel Nos. 5020100075A, 5020100030, 5020100030A, and 5020700004B, respectively (the "Property"). The SUP shall be valid for a convenience store of up to 2,940 square feet that sells and dispenses fuel (the "Convenience Store"), and a drive-through fast food restaurant of up to 4,000 square feet (the "Restaurant"). All final development plans shall be consistent with the Master Plan entitled, "7-11 Convenience Store with Gas and Drive-Thru Restaurant Conceptual Master Plan" prepared by Timmons Group, dated August 25, 2017 (the "Master Plan") as determined by the Director of Planning with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. *Gas Pumps:* There shall be no more than six fueling islands on the Property as shown on the Master Plan.

3. *Archaeological Study:* A Phase I historic and archaeological study for the Property shall be submitted to the Director of Planning, or his designee, for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, II and III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation,* as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's *Professional Qualification Standards.* All approved treatment plans shall be incorporated into the plan of development for the Property and the clearing, grading or construction activities thereon.

4. *Phasing of Improvements Between the Different Principal Uses:* Prior to the issuance of any site plan approvals for the Restaurant, all shared improvements (including but not limited to all entrance improvements to/from Pocahontas Trail and Battery Boulevard, shared parking, shared stormwater management features and internal circulation improvements) shall be constructed and completed. Should development of the Restaurant precede development of the Convenience Store, the Director of Planning may approve an alternative phasing plan to ensure compliance and consistency with the Master Plan.

5. *Phasing of the Convenience Store and Gas Pumps:* Redevelopment of the gas pump canopy (the "Canopy") and gas pumps in a manner consistent with the Master Plan and these conditions shall occur prior to the issuance of any Certificate of Occupancy for the Convenience Store. The intent of this condition is to ensure that the existing gas pumps and existing canopy are not left in their existing location and condition.

6. *Existing Fueling Islands:* Prior to the issuance of a Certificate of Occupancy for the Convenience Store, all unused gasoline and diesel pumps, canopies and underground fuel tanks shall be removed from the Property.

7. *Spill Prevention, Control and Countermeasures (SPCC) Plan:* Prior to the issuance of a Land Disturbing Permit, an SPCC Plan shall be reviewed and approved by the Director of Stormwater and Resource Protection.

8. *Stormwater Management:* Unless otherwise approved by the Director of Stormwater and Resource Protection, development of the Property shall comply with the City of Williamsburg-approved *Stormwater Management Master Plan* (revised January 28, 2013) and *Best Management Practices Land Bay Design Guidelines* (January 7, 2013) reports for Quarterpath at Williamsburg.

9. *Internal Pedestrian Accommodations:* The owner of each property shall provide internal pedestrian connections to include, but not limited to, wherever sidewalk enters the parking area or crosses any entrance to the Property or drive-through lane and shall provide safe connections from the existing Williamsburg Area Transit Authority (WATA) bus stop. The connections shall be clearly delineated by use of a different color of pavement, brick pavers or some other method determined to be acceptable by the Director of Planning.

10. *Pedestrian and Bicycle Accommodations*: In accordance with the Regional Bikeway Map, a bike lane shall be provided along the Property's Pocahontas Trail frontage. In accordance with the adopted Pedestrian Accommodations Master Plan, a sidewalk shall be provided along the Property's Pocahontas Trail frontage. In lieu of a sidewalk, the Owners shall have the option of installing a multi-use trail to be consistent with other multi-use trails that may be a part of the larger Quarterpath at Williamsburg master plan; however, should the Owners elect to install a multi-use trail, a bike lane must still be provided. Pedestrian and bike accommodations shall be installed or bonded prior to the issuance of a Certificate of Occupancy for any building on the Property.

11. *Traffic Improvements:* Until a traffic signal is operational at the intersection of Pocahontas Trail and Battery Boulevard (the "Intersection"), access to the Property shall be limited to one ingress/egress entrance on Pocahontas Trail and one ingress/ egress entrance on Battery Boulevard, as more specifically shown on the Master Plan. "Operational" is defined as electrified and controlling the movement of traffic at the Intersection. At such time that a traffic signal at the Intersection is operational, a second egress-only exit may be constructed on Pocahontas Trail, as more specifically shown on the Master Plan. Prior to the first Certificate of Occupancy for the Property, a raised landscape median on Pocahontas Trail across the Pocahontas Trail frontage of the Property as shown on the Master Plan shall be constructed or guaranteed by the owners of the Property in a manner acceptable to the County Attorney. The design of the raised landscape median shall be shown on the initial site plan. If the traffic light is not warranted within ten years from approval of this SUP, the raised landscape median referenced above shall not be required.

12. *Architectural Review:* Prior to issuance of a Building Permit for each structure shown on the Master Plan (specifically including the Canopy), the Director of Planning, or his designee, shall review and approve the final building elevations and architectural design for such structure. Exterior building materials and colors for all structures shall be generally consistent with the drawing entitled "Riverside Doctors' Hospital Williamsburg Exterior Mock-up 03-09-2012" as contained within the Community Impact Statement. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission. Samples of such building materials and colors shall be approved by the Director of Planning prior to final site plan approval.

13. *Architectural Review – Gas Pump Canopy:* The architecture of the Canopy, including any columns, shall match the design and exterior building materials of the Convenience Store. The Canopy shall have a maximum height of 15 feet measured from the finished grade to the underside of the Canopy. No more than two signs shall be allowed on the Canopy. The Canopy shall not include gas pricing signs.

14. *Screening of Site Features:* All dumpsters and ground-mounted HVAC and mechanical units shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan for the adjacent building and shall be reviewed and approved by the Director of Planning for consistency with this condition.

15. *Outside Display, Sale or Storage:* Unless otherwise stated in this condition, no outside display, sale or storage of merchandise shall be permitted at the Property. As used for this condition, the term "merchandise" shall include but not be limited to ice, soda, candy and/or snack machines. For the Convenience Store, only one outside vending machine and one outside ice chest shall be permitted and, if used, shall be situated against the exterior wall that faces the Restaurant and both shall be screened with building materials similar in type and color with the site architecture to minimize visual impacts from adjacent road rights-of-way. Final screening design shall be approved by the Director of Planning.

16. *Intercom and Speaker Noise:* All intercom and other speaker systems on the Property shall operate in such a manner that they shall not be audible from adjacent properties.

17. *Lighting:* There shall be no light trespass, defined as light intensity measured at 0.1 foot candle or higher extending beyond the boundaries of the Property or into the public right-of-way unless lighting the pedestrian accommodations. All lights, including any lighting on the Canopy, shall have recessed fixtures with no bulb, lens or globe extending below the casing or the Canopy ceiling. Light poles in the parking lot shall not exceed 20 feet in height. The lighting for the Property, to include the Canopy lighting, shall be reviewed and approved by the Director of Planning prior to final site plan approval.

18. *WATA Facilities:* Any change or relocation of existing WATA facilities shall be subject to approval by the Director of Planning prior to final site plan approval.

19. *Signage:* All building face signage shall be externally illuminated or use back-lit or channeled lettered lighting as defined in Section 24-67 of the Zoning Ordinance. For any back-lit or channeled lettered signs the sign shall meet the criteria listed in Section 24-72 of the Zoning Ordinance, or successor section. In addition to any building face signage as permitted by the Zoning Ordinance, the Convenience Store and the Restaurant may each have one exterior freestanding sign. Freestanding signs shall be externally illuminated monument style signs not to exceed 8 feet in height and the base of the signs shall be brick or shall use materials similar in type and color with the site architecture.

20. *Sustainable Design Initiatives:*

    a. Sustainable design initiatives shall be implemented during development of the Property as shown on the Master Plan to achieve the equivalent of 36 points from the Leadership in Energy and Environmental Design (LEED) for New Construction and Major Renovations (based on 2017 guidelines) (the "Credits"). Prerequisite items in the LEED 2017 guidelines shall not be required to be completed in addition to the Credits. In addition, documentation of the building energy performance shall be provided by a mechanical engineer to the Director of

Planning before the Certificate of Occupancy for the initial building to demonstrate an improvement in efficiency of the building's thermal envelope, mechanical systems and electrical systems over code-required baseline performance.

b. The strategies to achieve the Credits will be incorporated into the construction documents either as part of the design or as requirements for the contractor to substantiate during the course of construction. Compliance with the Credit requirements will be validated in a straightforward way through things like, but not limited to, review of contractor submittals, submission of design calculations and letters certifying that requirements have been met. This validation will be overseen by a LEED-accredited professional and approved by the Director of Planning or his designee with Credits related to the design of the project approved prior to issuance of the final site plan approval, and Credits related to the construction of the project approved prior to issuance any Certificate of Occupancy.

21. *Commencement for Convenience Store and Gas Pumps*: Construction on the Convenience Store and the Canopy shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.

22. *Commencement for Drive-Through Restaurant:* Construction on the Restaurant shall commence within 36 months from the date of approval of this SUP. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.

23. *Severance Clause:* This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

BE IT FURTHER RESOLVED that SUP-0016-2016 shall amend, replace and supersede SUP-21-1991, and SUP-21-1991 shall no longer have any force or effect.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	✓		
SADLER	Absent		
HIPPLE	✓		
LARSON	✓		
ONIZUK	✓		

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of October, 2017.

SUP-16-16PocTr7-11-res

Unapproved Minutes of the August 5, 2020
Planning Commission Regular Meeting

SUP-20-0008. 7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath

Ms. Terry Costello, Deputy Zoning Administrator, stated that Mr. Mark Richardson of the Timmons Group has applied for a Special Use Permit (SUP) to amend, supersede and replace SUP-0016-2016. Ms. Costello stated that this SUP allows for the construction of an approximately 2,940 square foot 7-Eleven Convenience Store which sells and dispenses fuel and an approximately 4,000 square foot fast food restaurant with a drive through. Ms. Costello further stated that the parcels are located at 7327 and 7337 Pocahontas Trail. Ms. Costello noted that the parcels are zoned B-1, General Business and are designated Mixed Use by the 2035 Comprehensive Plan. Ms. Costello stated that the development currently on the site is the 7-Eleven and gas station.

Ms. Costello stated that a convenience store which sells and dispenses fuel is a specially permitted use in the B-1 Zoning District and a drive-through restaurant that generates over 100 peak-hour trips requires a Commercial SUP. Ms. Costello stated that the master plan and building sizes have not changed compared to the previously approved SUP and therefore the traffic study is still valid with the recommended improvements being incorporated into the SUP Conditions presented with this application.

Ms. Costello stated that staff finds the proposal to be compatible with surrounding development and consistent with the 2035 Comprehensive Plan and Zoning Ordinance. Ms. Costello further stated that staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions.

Mr. Krapf called for disclosures from the Commission.

There were no disclosures.

Mr. Krapf opened the Public Hearing.

Mr. Mark Richardson, Timmons Group, Applicant, stated that he was available to answer any questions the Commission might have.

Mr. Krapf inquired why the restaurant portion has not moved forward.

Mr. Richardson stated that the right tenant has not yet expressed interest in the property.

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

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

Mr. Haldeman made a motion to recommend approval of the application.

On a roll call vote the Commission voted to recommend approval of SUP-20-0008. 7-Eleven Convenience Store with Gas Pumps and Drive-Through Restaurant at Quarterpath. (5-0)

AGENDA ITEM NO. H.6.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Brett Meadows, Planner

SUBJECT: SUP-20-0009. 3303 Rochambeau Drive Tourist Home

ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Resolution	Resolution
🗋	Location Map	Backup Material
🗋	Master Plan	Backup Material
🗋	Project Narrative	Backup Material
🗋	July 1, 2020 Planning Commission Minutes	Backup Material
🗋	Citizen Comments	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	8/21/2020 - 9:05 AM
Publication Management	Burcham, Nan	Approved	8/21/2020 - 9:08 AM
Legal Review	Kinsman, Adam	Approved	8/21/2020 - 9:31 AM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:19 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:05 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 12:38 PM

SUMMARY FACTS

Applicant:	Ms. Ivy Brothers
Land Owner(s):	Ms. Ivy Brothers
Proposal:	To allow for the short-term rental of a four-bedroom home as a tourist home. The owner will live on-site during guest stays and between guests.
Location:	3303 Rochambeau Drive
Tax Map/Parcel No.:	1220100015
Project Acreage:	± 2.25 acres
Zoning:	A-1, General Agriculture
Comprehensive Plan:	Low Density Residential
Primary Service Area:	Inside
Staff Contact:	Brett A. Meadows, Planner

PUBLIC HEARING DATES

Planning Commission:	July 1, 2020, 6:00 p.m.
Board of Supervisors:	September 8, 2020, 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 generally consistent with the recommendations of the Comprehensive Plan.
3. 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.
4. Impacts: See Impact Analysis on Page 3.

FACTORS UNFAVORABLE

1. Impacts: See Impact Analysis on Page 3.

SUMMARY STAFF RECOMMENDATION

Approval, with the proposed conditions (See Attachment No. 1).

PLANNING COMMISSION RECOMMENDATION

At the July 1, 2020 Planning Commission meeting, a motion to recommend approval passed with a vote of 4-3.

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

The applicant has updated the narrative to state that she will continue to live on-site during guest stays. Also since the Planning Commission meeting, several letters of support have been received and are included under Attachment No. 6.

PROJECT DESCRIPTION

- This proposal is to allow for the short-term rental for part of a four-bedroom home as a tourist home. Ms. Brothers has stated that she is planning to hire a company to handle booking,

advertising, cleaning, and maintenance to the property. The owner will be present during the rental, and the owner will live on the property between guest stays.

- The property currently consists of a single-family home with a detached garage and a detached storage building. The owner is proposing to rent four bedrooms of the house on a short-term basis. This Special Use Permit (SUP), if granted, would allow for short-term rentals throughout the year. No changes to the size or 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 four, as there are four bedrooms in the existing home. Should a future expansion add another bedroom, an SUP amendment would be required.

SURROUNDING ZONING AND DEVELOPMENT

The subject property is located to the east of property zoned B-1, General Business. The subject parcel is surrounded on its south and east borders by property zoned R-2, General Residential, owned by Rauch Development Company, Inc. that is part of the White Hall subdivision. To the north of the subject property, across Rochambeau Drive, is another parcel owned by Rauch Development Company, Inc. and is part of the White Hall subdivision.

Direct access to the subject parcel is provided via a driveway on to Rochambeau Drive, which is classified by the Virginia Department of Transportation (VDOT) as a Major Collector.

COMPREHENSIVE PLAN

The property is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map, as are all immediately surrounding parcels. 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. This property is located on, and takes access from, Rochambeau Drive. This segment of Rochambeau Drive is classified by VDOT as a Major Collector.

- Provide adequate screening and buffering to protect the character of nearby residential areas. Staff finds that existing vegetation provides adequate screening from adjacent properties. Additionally, staff notes that this use inherently retains the same visual character as nearby residences.

Impacts/Potentially Unfavorable Conditions	Status *(No Mitigation Required/ Mitigated/Not Fully Mitigated)*	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
Public Transportation: Vehicular	No Mitigation Required	- The proposal is not anticipated to generate traffic exceeding a typical residential use. - The subject property is located on a major collector road, as designated by VDOT, and no changes are anticipated on the level of service on Rochambeau Drive.
Public Transportation: Pedestrian/Bicycle	No Mitigation Required	- Pedestrian/bicycle accommodations are not proposed.
Public Safety	No Mitigation Required	- Subject property is located within a five-minute radius of Fire Station 1. The proposal does not generate impacts that require mitigation to the County's emergency services or facilities.
Public Schools	No Mitigation Required	- The proposal will not generate schoolchildren.
Public Parks and Recreation	No Mitigation Required	- The proposal does not generate impacts that require mitigation to the County's parks and recreation services or facilities.
Public Libraries and Cultural Centers	No Mitigation Required	- The proposal does not generate impacts that require mitigation to public libraries or cultural centers.
Groundwater and Drinking Water Resources	No Mitigation Required	- The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.
Watersheds, Streams, and Reservoirs	No Mitigation Required	- The Stormwater and Resource Protection Division offered no objections and proposed no conditions after reviewing this proposal. Should the use of the property result in the addition of any impervious surfaces, a stormwater management plan must be prepared and submitted for review and approval.
Cultural/Historic	No Mitigation Required	- The subject property has been previously disturbed and has no known cultural resources on-site.
Nearby and Surrounding Properties	Mitigated	-The subject property is located near current residential uses and adjacent to zoned 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.
Community Character	No Mitigation Required	-This segment of Rochambeau Drive is in neither a Community Character Corridor nor a Community Character Area. -The existing façade and parking area maintains the property's residential character.

PROPOSED SUP CONDITIONS

Proposed conditions are provided as Attachment No. 1.

STAFF RECOMMENDATION

Overall, staff finds the proposal to be compatible with surrounding development and generally consistent with the recommendations of the adopted Comprehensive Plan. Staff recommends approval, subject to the proposed conditions.

BAM/nb
SUP20-09-3303RochambDr

Attachments:
1. Resolution
2. Location Map
3. Master Plan
4. Project Narrative
5. Minutes: Planning Commission Meeting, July 1, 2020
6. Citizen Comment Letters

R E S O L U T I O N

CASE NO. SUP-20-0009. 3303 ROCHAMBEAU DRIVE

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. Ivy Brothers owns property consisting of approximately 2.25 acres zoned A-1, General Agriculture, located at 3303 Rochambeau Drive, further identified as James City County Real Estate Tax Map Parcel No. 1220100015 (the "Property"); and

WHEREAS, the owner has applied for an SUP to allow for the short-term rental of a four-bedroom home as a tourist home on the Property; and

WHEREAS, the Planning Commission, following its public hearing on July 1, 2020, recommended approval of the application by a vote of 4-3; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-20-0009; 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-20-0009 as described herein with the following conditions:

1. *Master Plan.* This SUP shall permit a tourist home use on property located at 3303 Rochambeau Drive further identified as James City County Real Estate Tax Map Parcel No. 1220100015 (the "Property"). The use and layout of the Property shall be generally as shown on the document entitled "SUP-20-0009, 3303 Rochambeau Drive Tourist Home" (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 automatically be void.

3. *Number of rental rooms and occupants.* There shall be no more than four bedrooms available for rent to visitors, and no more than seven 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. *Parking*. Off-site parking for this tourist home shall be prohibited. No oversized commercial vehicles associated with 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, as determined by the Director of Planning.

8. *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:

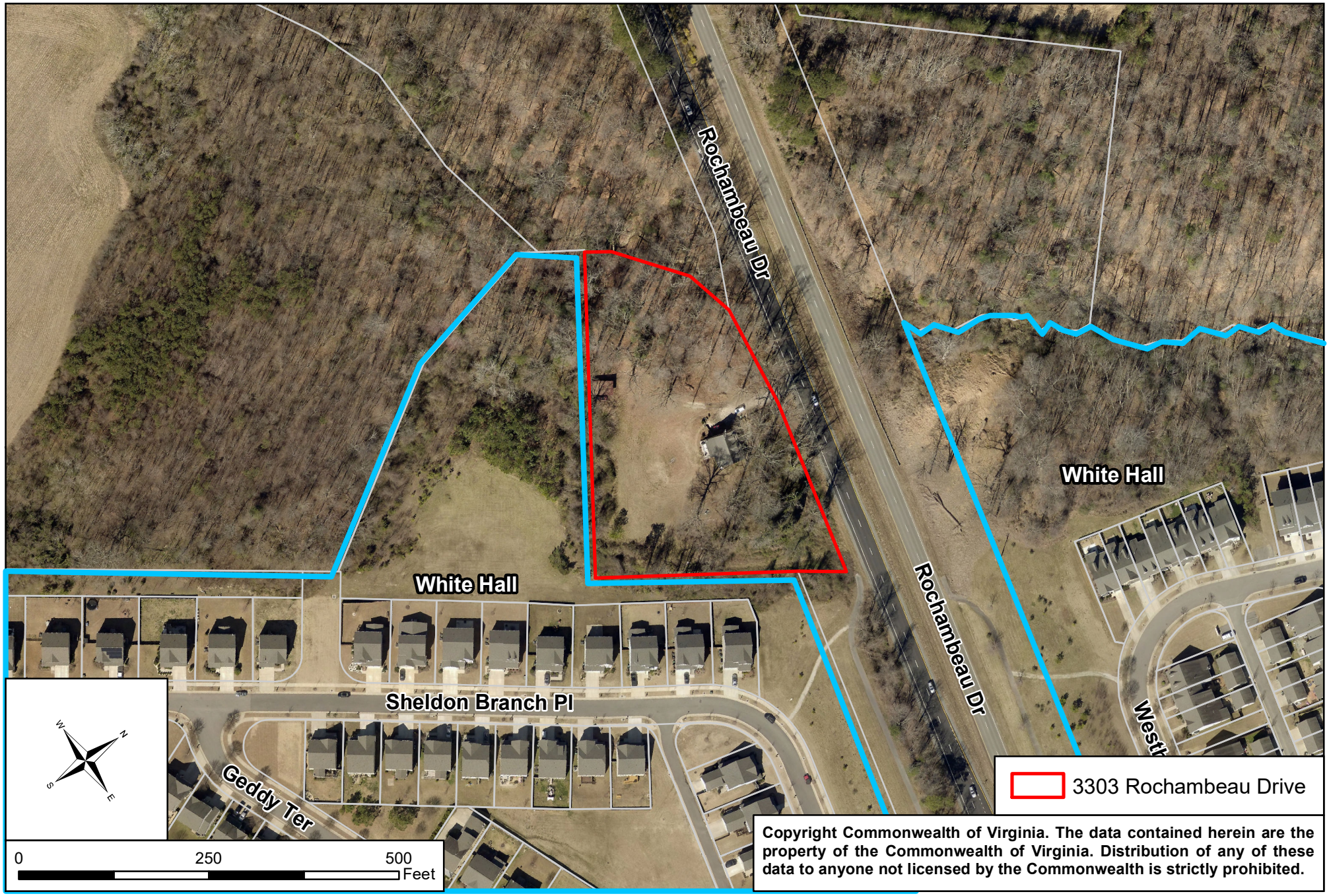
_____
Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

SUP20-09-3303RochmbDr-res

JCC SUP-20-0009
3303 Rochambeau Drive Tourist Home



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James City County, Virginia

Legend

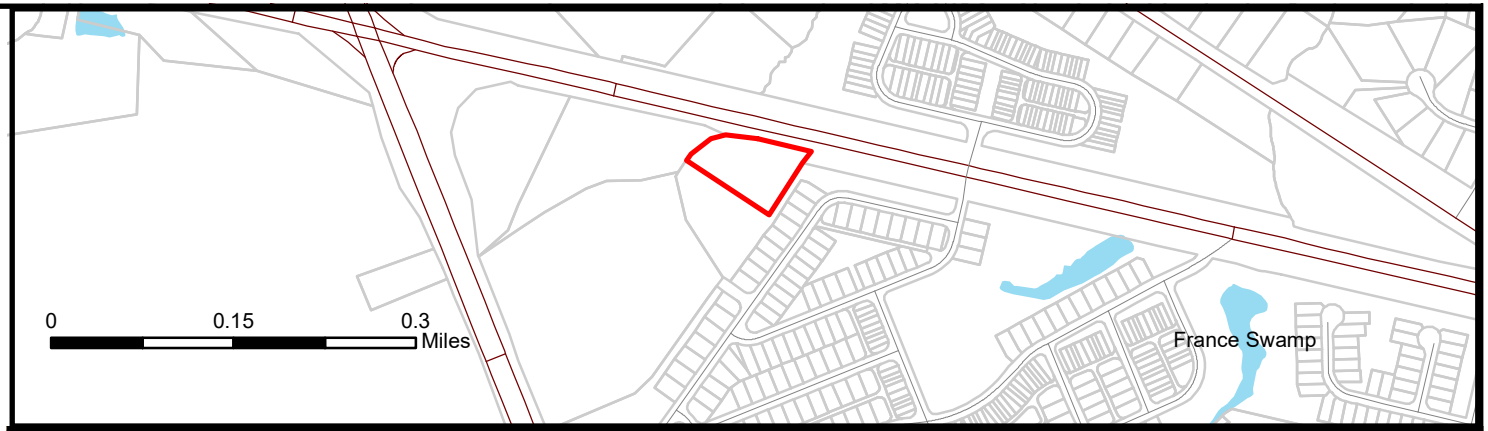
Parcels
3303 Rochambeau Dr.

SUP-20-0009

Application for a 4-bedroom, 2.5-bathroom tourist home.

Address: 3303 Rochambeau Dr.
PIN: 1220100015
Owner: Brothers, David & Ivy
Legal Acreage: 2.25
Zoning: A1, General Agricultural

Comp Plan: Low Density Residential
PSA: inside; private water/sewer





Title: SUP-20-0009. 3303 Rochambeau Dr. Tourist Home Master Plan

DISCLAIMER:This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records,information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.

4/24/20
Narrative for Airbnb

I want to turn my 4 bedroom 2.5 bath home into a "Tourist Home."
The house is a Cape Cod with sq ft 1965. It was built in the early 1950's on 2.25 acres. However, about 1 acre is wooded and don't expect the guest to want to use it. That is why on my application I only wrote down 1.5 acres.
I plan to rent the full house for short stays of 3 to 7 days. The home will not be rented longer than 1 month to any person/s. The purpose of the home is for short term rentals only. When it is not rented I will be staying in the home. When it is rented the whole house will be used by the guests.

My husband and I started updating the home before his death on March 18. There is a building permit in the front window issued for the work currently being done on the home. We have added new floors in the living room, kitchen, bedroom, new kitchen cabinets and counters tops. A half bath was also added under the permit.
The home will be managed by "Belong Here" a professional group, located in Lynchburg. They will handle all the bookings and advertising. Cleaning will be done by a local cleaning service. Maintenance and lawn will also be done by a local handy-man.
I will be in an easy to reach location if there is a need or an emergency. During the guest stay.
The graveled driveway will comfortably hold 12 parked cars.

M I N U T E S
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
July 1, 2020
6:00 PM

A. CALL TO ORDER

Mr. Rich Krapf called the meeting to order at 6:00 p.m.

1. The meeting will be held electronically pursuant to the Continuity of Government Ordinance adopted by the Board of Supervisors on April 14, 2020 and will be aired live on the County's government public access channel, JCC TV 48, via Live Stream on the County website: https://jamescitycountyva.gov/220/Live-Stream, and via the County's YouTube channel: https://www.youtube.com/user/jamescitycounty. Citizen comments may be submitted via US Mail to the Planning Commission Secretary, PO Box 8784, Williamsburg, VA 23187, via electronic mail to community.development@jamescitycountyva.gov, or by leaving a message at 757-253-6750. Citizens may attend and participate in the electronic meeting via Zoom at https://zoom.us/j/96036607381or dial any of the following numbers for listen-only audio of the meeting: 929-205-6099, 312-626-6799, 301-715-8592, 346-248-7799, 669-900-6833, or 253-215-8782 using Webinar ID: 960 3660 7381. Any public comment received through the above means will be shared at the meeting. Citizens using the link above who would like to speak during public comment and any public hearing will also be able to speak during those times.

2. Zoom Meeting Instructions

B. ROLL CALL

Planning Commissioners Present:
Jack Haldeman
Rich Krapf
Tim O'Connor
Frank Polster
Julia Leverenz
Rob Rose
Barbara Null

Staff Present:
Paul Holt, Director of Community Development and Planning
Max Hlavin, Deputy County Attorney
Terry Costello, Deputy Zoning Administrator
Brett Meadows, Planner

1. Virtual Meeting Resolution

A motion to Approve was made by Jack Haldeman, the motion result was Passed.
AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Haldeman, Krapf, Leverenz, Null, O'Connor, Polster, Rose

Mr. Krapf provided a summary of the resolution allowing the Planning Commission to hold the virtual meeting.

Mr. Jack Haldeman made a motion to approve the resolution.

On a roll call vote, the Commission voted to approve the resolution. (7-0)

C. PUBLIC COMMENT

Mr. Krapf opened Public Comment.

As no one wished to speak, Mr. Krapf closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Haldeman stated that the Development Review Committee (DRC) met on June 17, 2020. Mr. Haldeman further stated that the meeting was held electronically, pursuant to the Board of Supervisors Continuity of Government Ordinance.

Mr. Haldeman stated that the Committee reviewed SP-20-0015. Virginia Health Services, Colonial Heritage. Mr. Haldeman noted that there were concerns over the roof pitch on the single-story sections which is not consistent with the design guidelines. Mr. Haldeman noted that the steeper pitch serves to hide rooftop equipment. Mr. Haldeman stated that the Committee found the pitch of the roof to be acceptable since it served to improve the appearance of the buildings.

Mr. Haldeman stated that the Committee requested that the applicant and staff work to add windows or other architectural treatments to some of the vertical towers.

Mr. Haldeman stated that the DRC voted unanimously to recommend preliminary approval of the Site Plan subject to addressing all outstanding agency comments and receiving final approval one year from the date of issuance and approval of the elevations with adjustments.

Mr. Haldeman stated that the DRC also reviewed C-20-0054. 164 & 168 Bush Springs Rd - Overhead Utility Waiver. Mr. Haldeman stated that PW Development was seeking a waiver from Section 24-200(c) of the Zoning Ordinance which requires new utility connections to be placed underground. Mr. Haldeman stated that the applicant has requested the easement because they were unable to acquire a necessary easement on the adjacent property. Mr. Haldeman stated that the Committee found the plans for the overhead utility line acceptable and voted unanimously to recommend approval of the waiver.

Mr. Krapf inquired if there were any question or discussion from the Commission.

Mr. Haldeman stated that a thought just occurred to him about whether Dominion Energy (Dominion) could use eminent domain to acquire the easement.

Mr. Krapf stated that he thought that the DRC had touched on the possibility of eminent domain. Mr. Krapf stated that for a line to cross over the adjacent property, it would be necessary to have the adjacent property owner's permission.

Ms. Leverenz stated that her recollection was that the applicant had obtained an agreement for the overhead line; however, the adjacent property owner was unwilling to agree to the underground line.

Mr. Haldeman stated that he wanted to understand whether Dominion could obtain the underground easement by eminent domain.

Mr. Frank Polster suggested pulling the items from the Consent Agenda for further discussion.

Mr. Polster stated that the Policy Committee did not meet in June, therefore, there is nothing to report.

E. CONSENT AGENDA

1. Minutes of the June 3, 2020 Regular Meeting

2. Development Review Committee Action Item: C-20-0054. 164 & 168 Bush Springs Rd - Overhead Utility Waiver

3. Development Review Committee Action Item: SP-20-0015. Virginia Health Services, Colonial Heritage

Mr. Polster stated that he would like to pull both C-20-0054 and SP-20-0015 for discussion.

Ms. Leverenz made a motion to approve the Minutes of the June 3, 2020 Regular Meeting.

On a voice vote, the Commission voted to approve the Minutes of the June 3, 2020 Regular Meeting. (7-0)

Mr. Krapf stated that DRC Action Item: C-20-0054. 164 & 168 Bush Springs Rd - Overhead Utility Waiver has been pulled for discussion.

Mr. Polster requested that Mr. Hlavin address the question of whether Dominion has any standing to exercise eminent domain.

Mr. Max Hlavin, Deputy County Attorney, stated that Dominion does have the power of eminent domain, but only when the land is needed for public use. Mr. Hlavin stated that eminent domain would not apply in this situation.

Mr. Haldeman made a motion to approve the DRC action item.

On a voice vote, the Commission voted to approve C-20-0054. 164 & 168 Bush Springs Rd - Overhead Utility Waiver. (7-0)

Mr. Krapf stated that the next item pulled for discussion is DRC Action Item: SP-20-0015. Virginia Health Services, Colonial Heritage.

Mr. Polster stated that he would defer to Ms. Barbara Null regarding a question she posed to Mr. Holt.

Ms. Barbara Null stated that residents of Colonial Heritage have posed questions about the timing to close off Magnolia Lane at Colonial Heritage Boulevard, and why it is necessary for the project to have construction access to Colonial Heritage Boulevard.

Mr. Holt stated that he did not have those answers at this time, but would follow up with the development team and provide the information as soon as possible.

Mr. Krapf stated that the questions seemed to be administrative and would not preclude a

vote on the item.

Mr. Haldeman made a motion to approve the DRC action item.

On a voice vote the Commission voted to approve DRC Action Item: SP-20-0015. Virginia Health Services, Colonial Heritage. (7-0)

F. PUBLIC HEARINGS

1. SUP-20-0009. 3303 Rochambeau Drive Tourist Home

A motion to Approve was made by Jack Haldeman, the motion result was Passed.
AYES: 4 NAYS: 3 ABSTAIN: 0 ABSENT: 0
Ayes: Haldeman, Krapf, Null, Rose
Nays: Leverenz, O'Connor, Polster

Mr. Brett Meadows, Planner, stated that Ms. Ivy Brothers has applied for a Special Use Permit (SUP) to allow to allow for the short-term rental of an entire four-bedroom home as a tourist home at 3303 Rochambeau Drive. Mr. Meadows stated that the property is zoned A-1, General Agriculture, is designated Low Density Residential on the Comprehensive Plan Land Use Map, and is located inside the Primary Service Area (PSA).

Mr. Meadows stated that Ms. Brothers is the property owner and will live off-site during guest stays and live on-site between guests. Mr. Meadows stated that short-term rental tenants will use an existing parking area located on the property. Mr. Meadows further stated that no changes to the home's footprint are proposed. Mr. Meadows stated that staff considered the home's residential character, location along a major collector road, parking provisions, and screening all to be favorable factors in the evaluation of this application.

Mr. Meadows 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. Meadows stated that such conditions include limitations on the number of rooms rented and total number of rental occupants per stay.

Mr. Meadows stated that staff finds the proposal to be compatible with the Comprehensive Plan, Zoning Ordinance, and surrounding development, and recommends that the Planning Commission recommend approval of this application, subject to the proposed conditions. Mr. Krapf called for disclosures from the Commission. There were no disclosures. Mr. Krapf opened the Public Hearing.

Ms. Ivy Brothers, 3303 Rochambeau Drive, Applicant, stated that she believes the use of the property as a short-term rental will be a benefit to the Toano area. Ms. Brothers thanked the Commission for reviewing the application.

As no one else wished to speak, Mr. Krapf closed the Public hearing.

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

Mr. Krapf stated that he did drive by the site and that this appears to be exactly the type of location that lends itself to this type of use. Mr. Krapf stated that he intends to support the application.

Ms. Leverenz inquired if the adjacent property owners had been notified of the application.

Ms. Leverenz further inquired if there had been any comments from the neighbors.

Mr. Krapf stated that he did see the public hearing sign on the property.

Mr. Holt verified that the required adjacent property owner notifications had been sent.

Mr. Meadows stated that he did not receive any comments.

Ms. Leverenz stated that she has ongoing concerns about approving a Tourist Home SUP because the SUP runs with the land in perpetuity. Ms. Leverenz further stated that one of the Comprehensive Plan Update action items is to evaluate whether there should be a sunset clause on these SUPs.

Mr. Polster stated that he shares the concern on this application in particular. Mr. Polster further stated that the 2045 modeling indicates that this area will be developed and without a sunset clause, the Tourist Home will end up in the middle of numerous subdivisions. Mr. Polster stated that he strenuously objects to the SUP being granted in perpetuity. Mr. Polster further stated that if there were a possibility of adding a clause that the SUP be valid for the period of ownership, he would support the application; however, without the sunset clause, he would not support the application.

Mr. Krapf stated that he feels constrained by existing Ordinances which do not permit imposing a sunset clause on an SUP. Mr. Krapf stated that it is disingenuous to allow an applicant to move through the SUP process under the current guidelines and have the application denied because the Commission does not feel that the Ordinance has sufficient restrictions. Mr. Krapf further stated that he would favor a sunset clause, but believes he must vote on the application based on the existing guidelines. Mr. Krapf noted that when he represented the Commission at the Board of Supervisors meeting in June, he stressed to the Board that this was a sticking point with the Planning Commission when reviewing short-term rental SUP applications.

Mr. Tim O'Connor stated that he recognizes that current code language does not allow the County to impose a sunset clause on SUP applications. Mr. O'Connor further stated that this application meets many of the established criteria for short-term rentals; however, he remains concerned about the effect of short-term rentals on the number of homes that are not owner occupied*, stock of affordable housing, and the hotel industry. Mr. O'Connor stated that he does not intend to support the application.

* Ms. Brothers sent a message to the Commission via the chat function that she intends to reside in the home and is currently living there.

Mr. Rob Rose stated that the Commission voices similar concerns each time a short-term rental application is discussed. Mr. Rose stated that although he understands the concerns, he feels obligated to evaluate the application with the existing criteria. Mr. Rose stated that he feels that this application meets many of the current requirements.

Ms. Null stated that her understanding that if an application meets all the criteria, the Commission has no choice but to approve it.

Mr. O'Connor stated that he uses the Comprehensive Plan as a guiding document for review of applications. Mr. O'Connor further stated that short-term rentals are not consistent with the Comprehensive Plan Goals of creating jobs with benefits, and supporting the hospitality industry. Mr. O'Connor stated that he believes that short-term rentals must be addressed in the Comprehensive Plan.

Mr. Krapf noted that one could argue that short-term rentals meet the goal of supporting the tourism industry by providing a more affordable option for out of area families. Mr. Krapf further stated that this is a difficult decision point for both the Commission and the Board. Mr. Krapf stated that the issue needs to be addressed in the Comprehensive Plan Update so that there is a level playing field for every applicant.

Mr. Polster stated that when you look at the four items listed in the staff report as supporting the Comprehensive Plan, Tourist Homes are not referenced; they apply to residential areas and character. Mr. Polster further stated that the Comprehensive Plan serves as guidance for the future, so if the decision is made to approve the application, it is saying that it is appropriate for this use to exist in perpetuity in an area that will ultimately surround it with small subdivisions. Mr. Polster stated that this is why he is not supporting the application.

Mr. Haldeman stated that he finds validity in each of the arguments. Mr. Haldeman stated, however, that he does not find this property to meet the criteria set forth for affordable housing. Mr. Haldeman stated that, in response to the concern that the short-term rental will end up in the middle of multiple housing developments, the 2045 Comprehensive Plan review will also update the Land Use Map which may provide different guidance regarding the use of the land. Mr. Haldeman stated that there is no question that the concerns need to be addressed; however, this particular case meets all of the current criteria. Mr. Haldeman stated that he will support the application.

Mr. O'Connor noted that from his observations, many people in that area walk, ride bikes, or ride scooters to work and that the proximity of the home to the Stonehouse Commerce Park does meet that part of the affordable housing criteria.

Mr. Haldeman made a motion to recommend approval of the application.

On a roll call vote, the Commission voted to recommend approval of SUP-20-0009. 3303 Rochambeau Drive Tourist Home. (4-3)

2. ORD-19-0010. Zoning Ordinance Amendments to Address the Keeping of Bees in Residential Neighborhoods

A motion to Approve was made by Jack Haldeman, the motion result was Passed.
AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Haldeman, Krapf, Leverenz, Null, O'Connor, Polster, Rose

Mr. Krapf stated that Mr. Michael Garvin, president of the local beekeepers association, was also in attendance.

Ms. Terry Costello, Deputy Zoning Administrator, stated that at its October 8, 2019 meeting, the Board of Supervisors adopted an Initiating Resolution to address beekeeping in residential and agricultural districts. Ms. Costello stated that the keeping of bees is already currently permitted in agricultural districts under the General Agricultural use. Ms. Costello stated that staff proceeded with researching beekeeping as a use in residential districts.

Ms. Costello staff conducted research on how other localities handle the keeping of bees in residential areas. Ms. Costello stated that in general, all localities surveyed allowed beekeeping as accessory to residential uses. Ms. Costello stated that some localities do not address beekeeping in their Ordinances and due to the inclusive nature of their Ordinances, this allows the use to occur.

From: ibrothersinterpreting@gmail.com
Sent: Friday, July 24, 2020 10:37 PM
To: • jccboard@jamescitycountyva.gov
Cc: Brett Meadows
Subject: [External] FW: Letter
Attachments: Ivy Letter.docx

Follow Up Flag: Follow up
Flag Status: Completed

From: Samantha Fink
Sent: Wednesday, July 22, 2020 12:48 PM
To: ibrothersinterpreting@gmail.com
Subject: Letter

Thanks,
Sam ☺

Mitchell HOMES
www.MitchellHomesInc.com

Samantha Fink
Office Manager

sfink@mitchellhomesinc.com
Phone | Fax | Text 757-903-0341

663 Turnberry Boulevard, Suite E
Newport News, VA 23602

Click Here to View Our Digital Plan Book
To connect with us, simply click the icon below.

Samantha Fink
169 Sand Hill Rd.
Williamsburg, VA 23188
July 22, 2020

Ivy Brothers
3303 Rochambeau Dr.
Williamsburg, VA 23188

To Whom This May Concern:

It is with great pleasure that I recommend Ivy Brothers to run an AirBnb from her home. I have known her for almost 3 years.

Ivy and I first met through church and became friends immediately! She has an amazing personality and gets along with everyone. She has a lot of respect from fellow church members from all across the world and does interpretive signing as her main job. She has always displayed a high degree of integrity, responsibility, and ambition. She does a lot of volunteer work with several different groups and even does mission trips overseas.

Ivy and her husband worked together often on “fixer upper” homes.

She has a very good knowledge of how to fix things and run a business.

Her good judgment and mature outlook ensure a logical and practical approach to her endeavors.

I also believe that the location of her AirBnB is perfect for someone that wants to be in a nice quiet country type of setting with privacy but yet close to amenities (shopping, dining and entertainment)

Whether it’s for a week getaway or a few days away from the city life I believe that anyone that would stay at her AirBnB would be truly blessed.

I am happy to give her my wholehearted endorsement.

Sincerely,

Samantha Fink
Office Manager
Mitchell Homes
Newport News, VA

From: ibrothersinterpreting@gmail.com
Sent: Friday, July 24, 2020 11:07 PM
To: JCC Board
Cc: Brett Meadows
Subject: [External] FW: Reference Case # SUP-20-0009, 3303 Rochambeau Dr, Tourist Home

Follow Up Flag: Follow up
Flag Status: Completed

Please see letter below

From: William Joyce Hall
Sent: Friday, July 24, 2020 8:31 AM
To: jccboard@jamescitycountyva.gov
Cc: Ivy Brothers
Subject: Reference Case # SUP-20-0009, 3303 Rochambeau Dr, Tourist Home

Reference Case # SUP-20-0009, 3303 Rochambeau Dr, Tourist Home

To Whom it May Concern,

We are emailing to give a character reference for Ivy Brothers. We have known Ivy for the past two years and consider her to be a responsible person to manage a Tourist Home.

Ivy and her late husband purchased the property at 3303 Rochambeau Dr just with the intention that this would be their home through retirement.

Ivy is self employed as an interpreter for the deaf. It is our understanding she has managed her business as an interpreter for many years. Ivy has a heart for people and we believe she would make her Tourist Home welcoming not only to her guests but also for her neighbors.

We live in the White Hall development that is adjacent to Ivy's property. We see no reason why this would negatively impact White Hall. There is a good amount of land that separates the two properties.

Sincerely,

Joyce & William Hall
jdhall.wahall@gmail.com
8408 Wescott Dr
Toano, VA 23168

Elizabeth Becker

9909 Tupelo Tree Ct• Toano, VA 23168
Phone: 757-784-8158 • E-Mail: beckerbrigade@gmail.com

July 25, 2020

James City County
Board of Supervisor
101 Mounts Bay Road
Building D
Williamsburg, VA 23185

Re: SUP-20-0009 Tourist Home

Dear Board of Supervisors:

I am writing in support of Ivy Brothers application to use her property as a Tourist Home. Tourist homes are very important to my family. As a mother of 3 children, it is often difficult when we travel because most hotels are designed 4 people. We love visiting new places and have grown to love vacationing in vacation homes because they provide us with more room to relax in between outings, room for the kids to run around, and separate bedrooms, so everyone can get a good nights rest before another day of sight seeing. For these same reasons, as a military family, we found that using a "Tourist Home" during our transfer to a new area while finding permanent housing helped make the transition smoother for our family.

The home that Ivy Brothers has requested to use for this purpose is perfect because it is conveniently located for visitors to access all that the historic triangle has to offer both for vacationers and military transfers. The home is well equipped, situated on a multi-acre lot, and not near other homes. It is the perfect home and location for a Tourist Home in James City County.

Ivy Brothers would be an excellent "landlord" for this type of use. She is a woman of integrity, who values others above herself. I have personally witnessed her love and selfless care for those in our community, who are struggling. I have no doubt that she would be a very responsible Tourist Home landlord and represent our community well.

The military brought my family to James City County 16 years ago and we fell in love with the area and never left. I tell all my friends around the country that it is the best place on earth to live with easy access to mountains, ocean, rivers, amusement parks, history, four seasons etc. I would love for Ivy Brothers to be able to host visitors in her home, so they can experience all that we have to offer.

Sincerely,

Elizabeth Becker

Elizabeth Becker

From: Beth Klapper
Sent: Tuesday, July 28, 2020 8:45 AM
To: Brett Meadows
Cc: Paul Holt
Subject: FW: [External] SUP - 20-0009 ; 3303 Rochambeau Dr; Tourist Home

From: Phillip Murdock [mailto:philm@lifepointechristian.net]
Sent: Monday, July 27, 2020 2:22 PM
To: JCC Board <JCCBoard@jamescitycountyva.gov>; Community Development <community.development@jamescitycountyva.gov>
Subject: [External] SUP - 20-0009 ; 3303 Rochambeau Dr; Tourist Home

Good Afternoon,

My name is Phillip Murdock and I am the Lead Minister at the LifePointe Christian Church in Toano, located at 8251 Richmond Rd. I am writing to you to share with you my support for Ivy Brothers and her desire to use her property at 3303 Rochambeau Rd as an Airbnb location.

I personally have known Ivy for more than 20 years and know her as nothing other than a person of high character and integrity. I know that over the past several months, she has been following every guideline and recommendation to prepare her home to be used in this capacity. The home and the property are both beautiful and in an ideal location for an Airbnb. The lot, though located near a neighborhood, is not actually in a neighborhood and is private. I feel certain that Ivy will make sure that this home continues to meet local standards for guests while also respecting her neighbors.

As one who has personally used Airbnb when traveling, I believe that for many, Airbnb offers a cost-saving solution for individuals who desire to have more space than a standard hotel room for their stay. My wife and I travel with two children and find a home to rent while away, far superior to a hotel room. As James City County seeks to continue to seek to bring tourism and business into our area, I see responsible Airbnb ownership as a natural partner in that pursuit.

Thank you very much for your time. I hope that you will find favor with Mrs. Brothers and approve her application. If you have any further questions, please feel free to contact me.

Phillip Murdock

--
Phillip Murdock
Lead Minister
LifePointe Christian Church - Toano, VA



www.lpcconline.net
757.741.1022 - office
757.645.1021 - fax
757.645.8017 - mobile

From: Ivy Brothers <ibrothersinterpreting@gmail.com>
Sent: Tuesday, July 28, 2020 7:53 PM
To: Brett Meadows
Subject: [External] Fwd: Reference Case # SUP-20-0009, 3303 Rochambeau Dr, Tourist Home

One more letter.
Thank you,
Ivy

Sent from my iPhone

Begin forwarded message:

> **From:** Beverly Donker <bevdonker@gmail.com>
> **Date:** July 28, 2020 at 7:38:46 PM EDT
> **To:** jccboard@jamescitycountyva.gov
> **Cc:** ibrothersinterpreting@gmail.com
> **Subject: Reference Case # SUP-20-0009, 3303 Rochambeau Dr, Tourist Home**
>
> Reference Case # SUP-20-0009, 3303 Rochambeau Dr, Tourist Home
>
> To the board and its members,
>
> We are writing to you as both friends and neighbors of Ivy Brothers. We want to let you know of our support for Ivy and her endeavor, as well as the prospect of getting those outside of our area aware of western James City County. Ivy is a woman of integrity and will have that as the cornerstone to every aspect of this venture. We have come to know Ivy over the past few years and see her as an asset to our community. Ivy is a smart, caring person who we would trust to oversee any business in which we had an interest. We moved here because we came to know and love the area and would not stand behind or endorse any situation we felt would negatively affect our community.
>
> As former visitors to the area, we see this as an opportunity to widen the focus of visitors beyond the immediate Williamsburg area, which is not common knowledge to those coming here for a week or two. We also do not see this as detrimental to hotels, timeshares and restaurants so prominent here as this location would not offer many of the same amenities as those businesses do, but would add an option to attract more of those looking for another option. People come here for varying reasons; this would be a viable option for those that may need to stay locally for an extended time.

As residents of Weatherly at Whitehall we welcome the improvements and attention given the property and see this as a positive step in the growth and development of western James City County.

Regards,

John& Beverly Donker
3100 Weathers Blvd.
Toano, VA 23168

Reference Case # SUP-20-0009, 3303 Rochambeau Dr, Tourist Home

To Whom it May Concern,

I have known Ivy Brothers since August of 2008. She was teaching sign language at Mid-Atlantic Christian University at the time. She has been teaching sign language, and operating her own interpreting business for a number of years.

Ivy and her late husband bought this property originally to live in, and commute from. I have seen first hand the process of the house being restored. It is in excellent condition. I believe it is in a great location, just a couple miles from two interstate exits.

Situated on just three acres, I think this would be a great place to vacation at. The land space is a good buffer between the neighbors. Ivy would be a great hostess, and a reflection of exemplary tourism in the Historic Triangle.

Ryan Dent
Student Minister
LifePointe Christian Church
ryan@lifepointechristian.net
8251 Richmond Road
Toano, Va 23168

Opportunity Lynchburg

July 22, 2020

To whom it may concern,

On behalf of the City of Lynchburg's Office of Economic Development & Tourism, I am writing a letter of support for Belong Here, a short-term rental hosting business that is located in the City of Lynchburg.

Recently, Amy Corbett, owner of Belong Here, participated in a city sponsored entrepreneur training cohort called CO.STARTERS. Throughout the 10-week long cohort, I was personally able to work with Amy and her business Belong Here. Belong Here has three years of experience working around the Lynchburg region with over 25 listings. Belong Here has greatly participated in the revitalization of Lynchburg, and has provided countless visitors with unique and personalized stays through their short-term rental services.

In my experience working with Belong Here, I can validate that they are a professional business who provides top notch services to visitors and the property owners whom they contact with.

Sincerely,

Emelyn Gwynn

Lynchburg Experience Manager, Lynchburg Office of Economic Development & Tourism

AGENDA ITEM NO. I.1.

ITEM SUMMARY

DATE:	9/8/2020
TO:	The Board of Supervisors
FROM:	Adam R. Kinsman, County Attorney
SUBJECT:	Initiating Resolution to Consider Allowing Beekeeping in Non-residential Zoning Districts

ATTACHMENTS:

	Description	Type
🗋	Memo	Cover Memo
🗋	Reso	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	8/20/2020 - 8:23 AM
Publication Management	Daniel, Martha	Approved	8/20/2020 - 8:25 AM
Legal Review	Kinsman, Adam	Approved	8/20/2020 - 8:26 AM
Board Secretary	Fellows, Teresa	Approved	8/27/2020 - 2:13 PM
Board Secretary	Purse, Jason	Approved	9/1/2020 - 9:05 AM
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 11:39 AM

M E M O R A N D U M

DATE: September 8, 2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Initiation of Amendment to the Zoning Ordinance to Consider the Keeping of Bees in Non-Residential Zoning Districts

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Pursuant to a recent request by the Board of Supervisors, I have prepared the attached resolution initiating staff review of the Zoning Ordinance to allow beekeeping as a permissible use in certain non-residential districts.

I recommend the Board approve the attached resolution.

ARK/md
IntAmd-Bees-NonRD-mem

Attachment

R E S O L U T I O N

INITIATION OF AMENDMENTS TO THE ZONING ORDINANCE TO CONSIDER

THE KEEPING OF BEES IN NON-RESIDENTIAL ZONING DISTRICTS

WHEREAS, Virginia Code § 15.2-2286 and County Code § 24-13 permit the Board of Supervisors of James City County, Virginia (the "Board") to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent; and

WHEREAS, amendments to the Zoning Ordinance may be prudent to address the keeping of bees in non-residential zoning districts; and

WHEREAS, the Board is of the opinion that the public necessity, convenience, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of Chapter 24, Zoning of the James City County Code in order to consider the keeping of bees in non-residential zoning districts, and directs staff to prepare such amendments for consideration by the Planning Commission and the Board of Supervisors. The Planning Commission shall hold at least one public hearing on the consideration of amendment of said Ordinance and shall forward its recommendation thereon to the Board of Supervisors in accordance with the law.

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

ATTEST:

_____
Teresa Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
SADLER	____	____	____
MCGLENNON	____	____	____
LARSON	____	____	____
HIPPLE	____	____	____
ICENHOUR	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2020.

IntAmd-Bees-NonRD-res

AGENDA ITEM NO. L.1.

ITEM SUMMARY

DATE:	9/8/2020
TO:	The Board of Supervisors
FROM:	Adam R. Kinsman, County Attorney
SUBJECT:	Consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position 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	9/1/2020 - 2:26 PM

AGENDA ITEM NO. L.2.

ITEM SUMMARY

DATE:	9/8/2020
TO:	The Board of Supervisors
FROM:	Adam R. Kinsman, County Attorney
SUBJECT:	Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, pursuant to Section 2.2-3711(A)(5) of the Code of Virginia

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 2:27 PM

AGENDA ITEM NO. M.1.

ITEM SUMMARY

DATE: 9/8/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Adjourn until 4 p.m. on September 22, 2020 for the Work Session

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REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	9/1/2020 - 1:10 PM