

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**WORK SESSION**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**February 26, 2019**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

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

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

**ADOPTED**

**APR 09 2019**

Board of Supervisors  
James City County, VA

**C. BOARD DISCUSSIONS**

1. Case Nos. Rezoning-18-0004/Height Limitation Waiver-18-0002. Oakland Pointe

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

Mr. McGlennon referenced the last Board of Supervisors meeting and noted information was provided by the developer stating his company had been involved in a number of projects that were at the scale or larger than the proposed development. He commented that looking at the company website he could not find evidence of that statement and inquired if an explanation could be provided.

Mr. Kevin Connelly, Connelly Development, LLC, approached the Board and stated at the last meeting when the question was asked, he did not realize the Board was referencing items on the Connelly Development website. He further stated properties on the website were smaller in size and noted the website was not as up-to-date as preferred. He commented most of the properties on the website were the construction and development side and those properties were developed in North Carolina and South Carolina. He further commented each state had different plan requirements with different scoring criteria; therefore, those referenced had been smaller developments. He noted in Virginia they had built for other developers and those development sizes were significantly larger, with four out of six being well over 100 units in each development.

Mr. McGlennon inquired if those were through the tax credit program.

Mr. Connelly replied absolutely.

Mr. McGlennon stated the website appeared to be referring to both the projects Connelly

Development constructed and were responsible for operating.

Mr. Connelly replied yes. He stated the website needed to be updated and noted a lot of properties built were not on the website.

General discussion ensued regarding this topic.

Mr. McGlennon stated in reviewing the projects which had been approved by the Virginia Housing Agency, it appeared points bear little relationship to the size proposed. He further stated they were told the number of units was integral to the approval of the project for tax credits. He inquired how that could be squared with the actual performance of the Housing Authority in terms of allocating those credits.

Mr. Connelly replied that was perhaps more difficult to explain in a brief work session. He noted he had given the Board a low-income housing tax credit manual and highlighted the sections that related to scoring. He briefly discussed this synopsis.

Mr. McGlennon stated the relationship appeared more complex because a number of the projects received over 600 points and were significantly smaller. He further stated either the total number of units was essential for the approval or it was not.

Mr. Connelly replied it was essential for this project but every project was different. He stated they had done the best job possible with the tools provided to present to the Board a well-balanced project.

Mr. McGlennon stated the Board was also trying to deal with the tools in front of it, which were very limited in scope, and tried to determine the relationship between project size and competitiveness for the tax credits. He thanked Mr. Connelly for the information and hoped he appreciated the spirit in which those questions were being addressed.

Mr. Connelly replied yes he did. He stated it was easy to talk about the units in an abstract way and noted this project was designed to address a very stated and important goal for the County, which was to address the deficit of affordable quality in affordable housing. He commented each unit represented a family who could be served by this project.

Mr. McGlennon replied that was true and the Board's responsibility was to try to address that problem as well as possible and understand the implications of that decision on others in the community who may be affected.

Mr. Icenhour inquired to Mr. Kinsman regarding a document received that listed the existing tax credit properties.

Mr. Kinsman asked if it was the list from the Virginia Department of Housing.

Mr. Icenhour replied that was correct and asked what timeframe it covered.

Mr. Kinsman replied that he pulled it from the Virginia Department of Housing website.

Mr. Timothy Trant, Kaufman & Canoles P.C., replied he believed it represented all of the projects currently under the tax credit program in Virginia.

Mr. Icenhour noted there were 1,254 properties on the list and 75% of them were 119 units or smaller. He stated he understood the intricacies of the scoring system might be beyond comprehension in the short time period; however, looking at the existence of the program it was obvious smaller places competed fairly well.

Mr. Kinsman stated the earliest date was 1990.

Mr. Icenhour expressed his thanks and stated the information was helpful. He asked if there were any other questions and looked to the Board for discussion.

Ms. Sadler expressed her thanks to everyone who participated in the process of this application. She stated school numbers were a huge concern. She referenced a list of Oakland Pointe projections, Village at Candle Station, Station at Norge, and the proposed Walnut Grove. She discussed the number of currently enrolled and projected students for the schools. She quoted a citizen comment, "James City County needed to be more proactive rather than reactive." She expressed hope that someday there would be a full public facility master plan which would gauge what was being done long-term, rather than reacting to each development that arose. She felt the timing of this project was a huge problem due to the amount of current school enrollments.

Mr. McGlennon stated everyone understood there was a need to provide a wider range of housing choices at affordable price points. He expressed his support and discussed a variety of methods for finding those means. He further stated he liked the concept of this project and it was in the Primary Service Area, but there were still things which made him pause. He remarked those items included the disproportionate impact this particular project would have on schools and the amount of traffic generated by this particular scale of development. He further remarked that could have a negative consequence for citizens trying to utilize the Oakland Drive access to the project or to Richmond Road. He expressed concern regarding the lack of recreational facilities and commented this would produce a significant number of middle and high school age young people and noted there was no amenity to provide for recreation. He stated the height of the project was out of scale of local community surroundings. He further stated neighbors may have come to some conclusion this project served a good purpose, but a significant number had indicated the scale of the project was still too great to feel a level of comfort. He commented no project was going to solve the problem and this project did relatively little for what might be described as the "homeless population of James City County." He noted this project had limited impact on those who earned a minimum wage salary; however, there were others who would benefit from this program. He further commented a more manageable scale sets a better example and there were more opportunities to move ahead and asked his Board colleagues to consider the possibility there were more modest scales of development that would be appropriate for this particular parcel.

Ms. Larson inquired what Mr. McGlennon was proposing.

Mr. McGlennon replied projects the applicant dealt with and projects that appeared to be able to achieve success in the grant or tax credit program had generally been in the \$70,000-\$85,000 range. He considered a figure around 80 units would allow for providing additional inventory and be of a scale that would reduce the impact on adjacent areas. He clarified these numbers were just his suggestions.

Mr. Hipple referenced the comment from Mr. McGlennon regarding the project had little impact on the homeless population, the workforce, or people who could afford to live in James City County. He stated that if it was made smaller, even less would be received, which seemed to be going backward. He suggested looking at more density in an effort to help more people, not to take away more to help less people.

General discussion ensued regarding this topic.

Mr. Hipple stated this project had been looked at by the Board several different ways, considering if it would take care of the homeless or the workforce and concluded it would not.

He further stated it was not going to totally take care of anything; however, he felt this was a start and not a completion. He noted that most, if not all, Board members had previously sat on the Workforce Housing Development Task Force and remarked these were things needed for the community and this project could be a start. He discussed the frequently used comment "Not in my backyard" did not represent James City County as this was a County that loved each other. He further stated he heard the comment "How far can we take it down" and "Was the project going to make money." He discussed this was the private sector area of expertise and he did not help any developer to make money. He discussed projects were coming before the Board, which had been asked for, and now the response was "No, never mind." He stated he had heard "proactive" and noted it was a good word to use when not getting your way on something. He discussed the Board was very proactive on trying to move things forward and noted the Strategic Plan, the Workforce Housing Development, and looking out for neighbors who may need a handout. He referenced a Bert Geddy project in Toano approximately 40 years ago and remarked it served a need in the Toano area and was a good project. He stated the Oakland Pointe project was needed in James City County and would like to see another similar project in a different part of the County in an effort to fill those needs. He briefly discussed various types of homes and emphasized this project reflected the look, build, and structure for James City County.

Mr. Icenhour stated this project was needed in the community; however, it came with a cost to taxpayers and made wrestling with this decision difficult. He further stated looking at the big picture there currently were approximately 32,000 houses in James City County and school enrollments were approximately over 10,000 students. He noted there were approximately 15,000 additional homes that could be built by-right without any legislative action by the Board. He commented there was no idea when or if these homes would be built; however, it would add approximately an additional 5,000 students to the school system. He further stated the Board needed to look at something longer term in the future. He remarked regarding figures which determined 450 children in the community and school system who were technically homeless and commented that should not be allowed to continue. He briefly discussed the need to look at affordable housing purchases or rentals in the community and the need to look long term. He emphasized starting with a comprehensive plan, how to designate property, and looking closely at rental housing.

General discussion ensued.

Mr. McGlennon asked for a short recess.

At approximately 4:35 p.m., the Board went into a five-minute recess and reconvened at approximately 4:43 p.m.

Mr. Icenhour asked Mr. Trant if he had anything additional to add to the conversation.

Mr. Trant replied yes. He stated they had made a good faith effort to try and squeeze the economics of the project to find the lowest density that would achieve a financially feasible project which could also compete and score highly enough to be awarded the tax credit. He further stated efforts put forth to try and strike the best balance of what the Board was seeking and briefly discussed the \$119,000 units compared to less feasible model units considered. He referenced rehab and new construction project costs, parcel sizes and cost, projects with other efficiencies, and entitled projects not requiring the rezoning process. He briefly discussed various costs imposed on a rezoning project.

Mr. Connelly expressed his appreciation to the Board for its struggle with this item. He stated each development was unique. He discussed the process of considering the dynamics of a project in order to see if it was a deal that would work and score enough to win. He stated this was the only development he ever had with this much improvement in infrastructure that

was requested. He discussed traffic, sight distance, turn lanes, and property acreage with this project. He further stated as a business professional who developed over 40 of these and built thousands of units, this was what it would take to get it awarded. He briefly discussed similar issues regarding affordability within other municipalities, existing resident wants, traffic concerns, and a population need that was huge.

Mr. McGlennon requested clarification on the number of units.

Mr. Hipple replied 119 units.

At approximately 4:53 p.m., the Board went into recess to relocate from the Board Room into the Work Session Room and reconvened at approximately 4:58 p.m.

2. Hampton Roads Planning District Commission (HRPDC) Demographics Presentation

Mr. Greg Grootendorst, Chief Economist at HRPDC, gave an overview of the following 2019 Regional Economic Forecast slide headings:

- U.S. Gross Domestic Product
- U.S. Non-Farm Civilian Employment
- U.S. Unemployment Rate
- S&P 500 Stock Market Index
- Employment Decline and Recovery
- Hampton Roads Gross Product
- Annualized Growth in Gross Product
- Hampton Roads Employment Change
- Non-Farm Civilian Employment (Jobs) in Hampton Roads
- Unemployment Rates
- Labor Force in Hampton Roads
- Unemployed in Hampton Roads
- Hampton Roads Labor Force
- Income in Hampton Roads Compared to the United States
- Median Family Incomes
- Annualized Real Defense Outlays
- Military Personnel in Hampton Roads and the U.S.
- Military Personnel and Income as a Share of the Hampton Roads Economy
- Defense Contracts in Hampton Roads
- CBO Projected Defense Outlays, Statutory Budget Caps
- General Cargo in Hampton Roads
- Tourism Expenditures in Hampton Roads
- Hampton Roads Retail Sales
- FHFA Home Price Index Growth in Hampton Roads, Virginia, and the U.S.
- Hampton Roads Housing Market Settled Sales
- Average "Sold" Market Time
- Housing Permits in Hampton Roads
- Zillow Foreclosure for MSAs
- Hampton Roads Population
- Hampton Roads Population Histogram
- Comparative Population Growth Rates
- James City County Population Histogram
- The Year Ahead
- U.S. Civilian Employment
- Forecast of U.S. Gross Domestic Product
- Federal Budget Deficits

## HRPDC Forecast for 2019

The Board expressed its gratitude to Regional Economic Forecast for coming every year to present its information.

Ms. Larson inquired about receiving a copy of the presentation.

Mr. Grootendorst replied absolutely.

### 3. Preparation for Review of the County's 2015 Adopted Comprehensive Plan, Toward 2035: Leading the Way

Ms. Tammy Rosario, Principal Planner, gave an overview of a memorandum included in the Agenda Packet and relayed information regarding the history of the survey and the role it played in this effort.

Ms. Rosario asked Dr. Thomas Guterbock, Director, and Dr. Kate Wood, Senior Project Director, Weldon Cooper Center for Public Service Center for Survey Research, to walk the Board through the proposed survey.

Dr. Guterbock commended the Board on providing a survey to its citizens and gave an overview of a slide presentation included in the Agenda Packet. He stated throughout his career he was involved in approximately 600 paid survey projects for the Center as well as others that were never funded. Drs. Guterbock and Wood gave an overview of such topics as:

- Scope of Work for James City County
- Survey Method
- Survey Method: Why Mail
- Survey Method: Why Online Option
- Timeline

Mr. Hipple stated that perhaps a question similar to "What district in James City County do you live in" could be included in an effort to know if a district would need its representative to go out and motivate its citizens to complete the survey.

Dr. Wood replied that had been done with a few previous Boards; however, be aware that complications could result if one district was a little less happy than another district.

Dr. Guterbock stated presently sampling was done by current addresses which allowed for geo coordinates and therefore supervisory districts would be known. He briefly discussed district sizes.

General discussion ensued regarding this item.

Mr. Hipple suggested including a question on the survey regarding if the participant was born in James City County. He explained this would allow a measurement to reflect the number of people born and remaining in the County or if that number was dwindling down.

Dr. Wood stated citizens had to be at least 18 years old or older to participate in the survey.

Ms. Larson stated she felt the survey was not very realistic and mentioned questions asked if the resident wanted various amenities, but did not inquire if they were willing to pay higher taxes to obtain such conveniences. She referenced a question concerning schools and noted there was no question that asked if the resident supported more schools for more students.

She mentioned important questions regarding purchasing property development rights being asked; however, there would be costs involved. She noted these costs would be passed along to citizens and felt a question was needed which asked if they were willing to pay for those costs.

General discussion ensued regarding this topic.

Mr. Paul Holt, Director of Community Development, discussed strategies involved regarding other series of public engagement pieces designed to be a bridge between the Comprehensive Plan, which was a 20-year vision, and operating budget. He noted the Strategic Plan regarded things the Board should be looking to find within the next five years. He briefly discussed this synopsis.

Ms. Larson inquired about the time period between another survey being released and did not feel that realistically the same response would be possible.

Mr. Stevens referenced the survey and discussed that an effort had been made to limit the number of questions. He stated there was talk about another survey coming out within six months that would try to have broader-based questions and address more to what Ms. Larson was referring. He noted some households might not necessarily be surveyed and any returned data may be helpful when finalizing questions in future surveys.

Mr. McGlennon inquired about the sample size.

Dr. Guterbock replied the mailing was approximately 3,000.

General discussion ensued regarding this item.

Mr. McGlennon referenced individual districts regarding solid waste and recycling services. He inquired if those questions would be on either survey.

Mr. Stevens replied he felt they would be on the Strategic Plan Survey, which got more into recreation, property development, and services provided.

General discussion ensued.

Mr. Hipple stated a similar type of survey would be helpful for schools in conjunction with surveys the County was utilizing.

Dr. Guterbock suggested future surveys whereby the citizen judged which two pairs of things listed were more important. He stated the computer rotated questions allowing everyone to look at approximately 15 pairs of items. He further stated with many respondents the result would be a clear rank order priority in the community.

Mr. Holt briefly discussed the possibility of an opportunity to swap out question B7 that reads "How important do you think it is for the County to create more career and technical education opportunities for youths that would prepare them for the workforce rather than just for college?" which would open a slot for another question for schools.

General discussion ensued regarding this possibility.

Ms. Sadler stated she wanted to make certain people understood what they were being asked to respond to in the survey.

Dr. Wood emphasized this was a draft of the survey; however, it was not formatted the way it

would be when sent out. She noted this was the point in the process where it was made certain that instructions were clear and further noted color and shading would be included in the format. She briefly discussed details regarding the B1 and B2 grids in the survey.

General discussion ensued regarding this issue.

Mr. Hipple inquired about the 3,000 surveys to be sent out and asked if they could be divided geographically into each district. He referenced diversity within communities and commented citizens from rural and urban areas commonly held different viewpoints.

Dr. Guterbock stated if that were an important goal a larger survey would be needed. He further stated a more robust statistical analysis of area-by-area would require a bigger end than what was being provided. He noted this survey was budgeted within the perimeters of previous surveys.

General discussion ensued regarding this topic.

Mr. Icenhour expressed his appreciation for the summary comparison to previous surveys and noted trend lines on surveys were very important. He briefly discussed important issues encountered while working on the Comprehensive Plan. He mentioned a possible question be included that would ask, "How satisfied are you that your elected officials are listening to you on this?".

General discussion ensued regarding inclusion of this type of question and things that were out of the Board's control.

Mr. Hipple briefly discussed his desire to have the districts equally covered, even if it required sending out more surveys.

Mr. McGlennon expressed his concern regarding putting too much connection between the survey and individuals on the Board.

General discussion ensued regarding determination of individuals residing in either urban or rural areas within the community and incorporating that information into the survey.

Mr. McGlennon inquired if HRPDC did this for other Virginia localities.

Dr. Guterbock replied that it had previously; however, it became too expensive and therefore counties moved away from citizen satisfaction surveys and moved toward more citizen engagement surveys and Comprehensive Plans. He gave a brief syllabus of counties that it had worked with in the past.

Dr. Wood stated the downturn in local government businesses paralleled with the recession and crunch in tax dollars and commented things are easing up a little. She briefly discussed tax money being a bit looser and less expensive competitors some localities chose which did not produce the information sought.

General discussion ensued regarding this matter.

Ms. Rosario briefly discussed that in 2007 a national survey was done. She noted some of the same issues were discussed and conclusions made that money was not well spent. She further noted the Community Participation Team found it hard to extract data to help with the County Comprehensive Plan.

The Board expressed its thanks to everyone who participated in the discussion.



Ms. Rosario gave an overview of a PowerPoint presentation included in the Agenda Packet regarding the Review of James City County's Adopted 2015 Comprehensive Plan.

Mr. Icenhour inquired about steps in the Comprehensive Plan regarding periodic updates for tweaking things.

Ms. Rosario replied there were anticipated check-ins with the Board of Supervisors at milestone points in the process. She stated Mr. Stevens would make them aware of particular interests from the Board and likewise they would ask for a work session if they needed to have a connection point with the Board.

General discussion ensued regarding resources, advancing the effort to incorporate policies into Ordinances, learning from best practices what next levels would need to be reached in order to preserve the community character, and pulling from goals the Board had as part of the Adopted Strategic Plan.

At approximately 6:28 p.m., the Board went into recess and reconvened at approximately 6:33 p.m.

4. Acceptance of Property Donation at 4620 Opportunity Way

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

Mr. Stevens stated Mr. Bill Porter, former Interim County Administrator, had started a conversation with Thomas Nelson Community College approximately one year ago, regarding the location of Fire Station 6 and the opportunity to obtain approximately 20 acres of land located behind the Law Enforcement Center on Opportunity Way. He discussed that the College of William & Mary was inclined to donate the property back to the County and based on its recommendation, the State Board was willing to grant the land back to the County. He further stated they requested a resolution that stated the Board would like to have the land back and noted Mr. Kinsman had prepared such a resolution for the Board to consider.

**D. BOARD REQUESTS AND DIRECTIVES**

Ms. Larson inquired about staff researching possible developments and the potential projections regarding the amount of additional children who might be brought into the schools.

Mr. Stevens replied staff would research the methodology in regards to the school system, make certain information was as accurate as possible even though they were projections and then regroup with the Board of Supervisors.

Mr. Icenhour referenced enrollment projections for the school and questioned if it had taken into account what had already been approved. He stated the Board was looking at isolation in a particular community. He further stated on the average a particular type of home generated a certain number of children and noted the schools were looking more at long-term enrollment.

Ms. Larson mentioned turnover in older neighborhoods.

**E. CLOSED SESSION**

1. Consideration of a personnel matter, the appointment of individuals to regional boards and/or commissions pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia and pertaining to the Eastern Virginia Industrial Facility Authority

A motion to Appoint Individuals to Boards and Commissions 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

The Board did not go into Closed Session, but chose to remain in Open Session.

Mr. Icenhour asked Ms. Sadler if she was willing to be the representative for Eastern Virginia Regional Industrial Facility Authority, which met approximately every six months.

Ms. Larson nominated Ms. Sadler and Ms. Robin Bledsoe, Chair of the Economic Development Authority.

Mr. Icenhour questioned if Ms. Larson would be willing to be an alternate.

Ms. Larson confirmed.

#### **F. ADJOURNMENT**

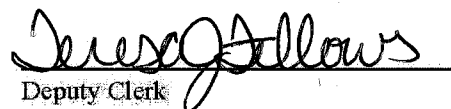
1. Adjourn until 5 p.m., on March 12, 2019, for the Regular Meeting

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 6:39 p.m., Mr. Icenhour adjourned the Board of Supervisors.

  
Deputy Clerk