

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

February 10, 2026

5:00 PM

A. CALL TO ORDER

Mr. McGlennon called the meeting to order at approximately 5:12 p.m. following the James City Service Authority (JCSA) Board of Directors Regular Meeting.

B. ROLL CALL

Tracy L. Wainwright, Powhatan District
Barbara E. Null, Stonehouse District
James O. Icenhour, Jr., Jamestown District
Ruth M. Larson, Vice Chair, Berkeley District
John J. McGlennon, Chair, Roberts District

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

Mr. McGlennon invited the student winners of the Historical Commission contest to lead the Board and citizens in the Pledge of Allegiance, following the Moment of Silence.

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

The Historical Commission contest student winners led the Board and citizens in the Pledge of Allegiance.

Mr. McGlennon stated that the applicant had requested a postponement of Public Hearing(s) Item No. 3 Z-23-0004/MP-23-0001. Westwood Park Rezoning. He mentioned for public notification purposes that since the Public Hearing had been advertised the Public Hearing would be opened at this meeting and remain open until the deferral date. Mr. McGlennon advised that any individuals who signed up to speak would be allowed to do so, but only one opportunity to speak during the Public Hearing process was allowed.

E. PRESENTATION

1. Fall 2025 Historical Commission Student Essay Contest Awards

Mr. Mark Jakobowski, Chair of the Historical Commission, addressed the Board highlighting the annual Historical Commission Student Essay Contest. He noted that this presentation focused on fall submissions received and was tailored for students from private, homeschool, and Williamsburg-James City County (WJCC) Public Schools. Mr. Jakobowski began by presenting the third-place award to Mr. Asher Sohani of Jamestown High School. He then

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Board of Supervisors
James City County, VA

recognized the absent second-place winner Ms. Ghulam Fizza from Lafayette High School, and announced the first-place winner Ms. Eleanor Chen from Warhill High School. Mr. Jakobowski stated that he would facilitate the delivery of the certificate and scholarship funds to the second-place winner. He thanked the Board of Supervisors.

F. PUBLIC COMMENT

1. Ms. Donnie McDaniel, Executive Director of Community of Faith Mission (COFM), P.O. Box 6357, addressed the Board noting that the organization administers the emergency shelter program for the Greater Williamsburg area. She noted that due to recent ice and snow storms, COFM adjusted its normal 6 p.m.-7 a.m. operating hours. The facility remained open for approximately three days during the ice storm and for an additional day during the snowstorm. Ms. McDaniel was relieved to announce that the shelter maintained power, keeping all shelter occupants warm and safe during the storms. She noted that, to date, 104 individuals had utilized the emergency shelter, and 39% of those individuals were residents of JCC. Ms. McDaniel detailed the gender and age demographics of the shelter occupants, noting that funding constraints required precise age-range reporting. She welcomed a Board discussion to explore solutions for the limitations affecting most emergency shelter residents. Ms. McDaniel highlighted the Heads Up Program's role in housing and diversion, noting that it had successfully diverted 12 individuals and was currently assisting 21 individuals with housing needs. She reported that COFM had been at its 30-person capacity for two weeks, highlighting a critical funding shortage for sheltering individuals when the facility was full. Ms. McDaniel requested the Board to consider funding solutions for the displaced, as current resources were insufficient.

Mr. McGlennon expressed his gratitude to Ms. McDaniel and COFM for their essential work in assisting the community's less fortunate.

2. Mr. Chris Henderson, 101 Keystone, addressed the Board highlighting the critical, full-capacity emergency shelter operations at Bruton Parish Episcopal Church last week, noting his role in providing necessary snow removal and pretreatment. He emphasized the urgency and significance of the ongoing shelter crisis. Mr. Henderson requested that the Board allocate funds to COFM to increase its capacity and meet the current need. He highlighted a Route 60 hotel for sale, suggesting it could be converted into a permanent emergency shelter for the community. Mr. Henderson extended congratulations to one of Mr. McGlennon's former students, Mr. Jeffrey Ryer, who was elected as the Chairman of the Republican Party of Virginia, and highlighted the significance of having a local resident in that role. He noted his discussion with the County Administrator regarding neighborhood connectivity to main roads, highlighting that limited exit routes posed emergency risks. Mr. Henderson requested future Board consideration on this matter. He noted that Mississippi, Louisiana, and Alabama were achieving remarkable progress in reading and math, with several schools leading the nation. Mr. Henderson suggested that the WJCC School Administration reach out to these successful districts to model their practices.

G. CONSENT CALENDAR

None.

H. PUBLIC HEARING(S)

Mr. McGlennon indicated that Mr. Jack Haldeman was the Planning Commission representative for the meeting.

1. SUP-25-0012. 6015 Richmond Rd. Forest Heights Senior Independent Living Facility

A motion to Approve was made by James Icenhour, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

Ms. Allison Jackura, Senior Planner, addressed the Board noting that Mr. Doug Harbin of Wayne Harbin Builder, Inc., had applied for a Special Use Permit (SUP) to allow for a 50-unit senior independent living facility located at 6015 Richmond Road. She cited the specifics of the SUP application included in the Agenda Packet. Ms. Jackura explained that the SUP was specifically limited to the front of the property as shown outlined in red in the PowerPoint presentation. She noted that the rear of the property was already under construction for approved, proffered townhome units. Ms. Jackura advised that the SUP previously approved for this development expired because construction did not commence within the required 36-month period; therefore, this was a request to reapprove the same proposal. She noted that staff recommended approval of the application and welcomed any questions the Board might have.

Mr. Haldeman addressed the Board noting that at its January 7, 2026, Planning Commission, meeting, the Commission unanimously recommended approval of the application. He reaffirmed that the project was identical to the 2019 approved proposal. Mr. Haldeman noted that one speaker expressed support for the proposal but raised specific concerns about the lack of buffering between their property and the new project. He acknowledged inquiries regarding the project's commencement delay, attributing it to the COVID-19 pandemic and various complicating factors. Mr. Haldeman noted questions about the affordable unit rents, stating that such details were premature until financing was finalized. He stated that one Planning Commissioner requested that the proposed park and playground be open to the Forest Heights neighborhood. Mr. Haldeman highlighted the positive reception to incorporating a Williamsburg Area Transit Authority (WATA) bus stop into the project. He emphasized the project's importance in meeting an urgent demand in the County and welcomed any questions the Board might have.

Mr. McGlennon opened the Public Hearing.

1. Mr. Chase Grogg, Applicant, Landtech Resources, Inc., addressed the Board. He stated that he was representing Wayne Harbin Builder, Inc., regarding the proposed reapproval of the SUP. He noted his involvement with the project since 2017 and his close collaboration with Mr. Harbin. Mr. Grogg expressed encouragement regarding the process of the townhomes. He pointed out that the senior living facility was part of the 2019 rezoning plan and that the Harbin family was working with Bay Aging to develop it. Mr. Grogg reported that construction on the first townhome was underway, with the model unit expected to be finished in three to four months. He attributed significant development delays to pandemic-related challenges and confirmed that all 50 proposed units were designated as 100% affordable under the County's Housing Opportunity Program. Mr. Grogg acknowledged the presence of Mr. Alan Walker, Assistant Director of Multifamily Housing Development for Bay Aging, noting that Mr. Walker would speak further on these efforts later in the meeting. Mr. Grogg stated that projected preliminary rates were \$800-\$1,200 for one-bedroom and \$1,000-\$1,500 for two-bedroom units, with the range designed to accommodate varying income levels. He then discussed the Master Plan, noting that revisions were made to reflect the final layout of the townhomes under construction and the senior living facility. Mr. Grogg noted that because the property lies within the Powhatan Creek watershed, it must meet special stormwater requirements. The tentative site plan involved stormwater management via two on-site bioretention basins, which would pipe into the originally planned Best Management Practice (BMP) under Forest Heights Road. He stated that maintenance of that BMP would be shared by the two homeowners associations. Additionally, the northern portion of the site would drain to the bioretention facility that had already been constructed as part of the townhome development. Mr. Grogg stated that the playground and park were restricted to the residents of the townhome and senior living developments. Regarding WATA bus stop access, he noted two existing bus stops on Route 60 near Forest Heights Road. Although the bus stops currently lacked shelters, County staff confirmed shelters were included in the five-year construction schedule. Mr. Grogg discussed the projected maximum costs associated with the townhomes. He recommended the Board

approve the application.

Mr. McGlennon thanked Mr. Grogg and highlighted the crucial need to preserve affordable housing for the future.

2. Mr. Alan Walker, Assistant Director of Multifamily Housing Development for Bay Aging, 5306 Old Virginia Street, Urbana, VA, addressed the Board providing a brief overview of the nonprofit organization and its offerings. He highlighted Parker View Senior Apartments, a senior living community established in 2009 through a collaboration between Bay Aging, JCC, and the Peninsula Agency on Aging, Inc. Mr. Walker pointed out that Bay Aging maintained ownership and management of the facility. Mr. Walker noted that Forest Heights continued that tradition as a three-story, 50-unit affordable housing community for seniors aged 55 and older, with incomes at or below 60% of the Area Median Income (AMI). He highlighted the significant barrier that rising market-rate housing posed for seniors relying on fixed incomes or part-time work. Forest Heights was specifically designed to bridge the affordability gap and help seniors remain in their community. Mr. Walker elaborated on the application in further detail.

3. Mr. Doug Harbin, Wayne Harbin Builder, Inc., addressed the Board. He highlighted his firm's long-standing history as a custom home builder in JCC. Mr. Harbin outlined the project's history and pandemic-related challenges, noting the organization proceeded once prices began to stabilize. Mr. Harbin reported that the first model court was being framed and townhome infrastructure was 90% complete. Consequently, he requested the Board reapprove the SUP application.

4. Mr. Chris Henderson, 101 Keystone, addressed the Board in support of this application. He emphasized the project's immense value and necessity, urging the Board to financially support Bay Aging if needed. He thanked the Board for its time.

Mr. McGlennon closed the Public Hearing as there were no additional speakers.

Mr. Icenhour expressed his support for the application.

Mr. McGlennon commended Mr. Harbin and his firm for their work, highlighting their partnership with the County's Neighborhood Development Division to execute scattered-site renovations and reconstructions. He further praised the company's commitment to providing housing options across various income levels.

Before resuming the Agenda, Mr. McGlennon noted that Mr. Jakobowski would present the Historical Commission Essay second-place award to Ms. Ghulam Fizza from Lafayette High School.

2. Z-26-0006/MP-25-0004. Proffer and Master Plan Amendment for Ford's Colony Master Plan (Ford's Village)

A motion to Postpone until the Board's May 12, 2026, Regular Meeting, was made by Ruth Larson, the motion result was Passed.

AYES: 3 NAYS: 2 ABSTAIN: 0 ABSENT: 0

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

Ms. Morgan Risinger, Senior Planner, addressed the Board noting that Mr. Graham Corson of AES Consulting Engineers, and Mr. Vernon Geddy of Geddy & Franck, LLP, had applied on behalf of Ford's Village, LLC, to amend the Proffers and Master Plan for the Ford's Village development located at 3889 News Road. She cited the specifics of the SUP application included in the Agenda Packet. Ms. Risinger stated that the Ford's Village Master Plan and Proffers were previously amended in 2022 which allowed a total of 470 independent units and

assisted living, memory care, and skilled nursing units; specifically, 270 independent living units were shown in the Continuing Care Retirement Community (CCRC) A, B, and C land area and 75 independent living apartments and 125 assisted living, memory care, and skilled nursing units were shown in the CCRC-D land area. She explained that the current application request aimed to amend Proffer No. 3 and the Master Plan to permit a maximum of 160 independent living units and a minimum of 40 assisted living/memory care rooms in the CCRC-D area. Ms. Risinger clarified that the CCRC-D area would maintain a limit of 200 independent living and assisted living, memory care, and skilled nursing rooms, and the property would continue to have no more than 470 units and/or rooms. She noted that the application proposed modifying the recreational amenities and Proffer No. 13 for CCRC-D. Specifically, it made beauty salons, barber shops, and libraries optional, removed the requirement for courtyards, and excluded physician's offices, home health, and pharmacy services from the optional amenities list. Ms. Risinger stated that the application proposed amending Proffer No. 17 to increase the number of building permits allowed in CCRC areas A, B, and C to 100 before construction commenced in CCRC-D, up from the current limit of 50. She clarified that although cash contribution rates in Proffer No. 5 were unchanged, the increased projected proportion of independent living units would raise the total cash contribution. Ms. Risinger indicated that the revisions were expected to sustain a positive overall financial impact. Ms. Risinger noted that regarding traffic impacts, the Traffic Impact Analysis submitted with the initial version of the 2022 application accounted for a total of 516 units and rooms. Ms. Risinger further noted that as shown in Attachment No. 6, the applicant's traffic engineer presented a comparison between the estimated trips with 516 units and the estimated trips for a scenario with 470 units comprised of 75 independent living apartments and 125 assisted living/memory care/skilled nursing rooms, which the comparison showed a decrease of 8 AM peak hour trips and 20 PM peak hour trips. Ms. Risinger explained that per the Institute of Transportation Engineers 11th Edition *Trip Generation Manual*, assisted living/memory care/skilled nursing rooms were estimated to generate more trips compared to the independent living apartments meaning that a unit mixture which included more independent living units would be expected to have less trips generated. Ms. Risinger reported that staff anticipated the project to benefit the community without increasing school enrollment or traffic volume, while also providing adequate amenities. Ms. Risinger highlighted that the proposal did not align with the Comprehensive Plan's recommendation regarding 20% affordability for the 0%-80% AMI range. Ms. Risinger stated that at its November 5, 2025, meeting, the Planning Commission recommended approval of the application by a vote of 5-1. She stated that overall staff found that the application was generally consistent with the Zoning Ordinance, applicable policies, and the Comprehensive Plan. Ms. Risinger indicated that staff supported approval of the application, contingent on the proposed proffers. Concluding her remarks, she invited questions from the Board and noted that the applicant was also available.

Mr. McGlennon asked if the Board had any questions for staff.

Mr. Icenhour asked for the total annual financial impact.

Ms. Risinger confirmed the annual amount was \$1,887,000.

Mr. Haldeman informed the Board that this was the third public hearing for the item, noting the Planning Commission recommended approval with a 5-1 vote. He added that of the three public comments received (two speakers and one letter), two supported the application and one opposed it. Mr. Haldeman pointed out that while the project lacked designed affordable housing, two assisted living beds were set aside for Medicaid-qualified individuals. The Planning Commission discussed the inclusion of new Special Stormwater Criteria in the property's site plan. Additionally, Planning Commissioners questioned the reduction in proposed assisted living/skilled nursing rooms from 125 to 40, clarifying that this lower number was a flexible proffer meant to accommodate potential market shifts. Mr. Haldeman reported that while a Commissioner was impressed with the proffer regarding contributions for News Road and Cold Springs Swamp flooding, concerns were raised regarding the broader traffic impact on News Road and Monticello Avenue. Another Commissioner questioned the

suitability of such a large project on a narrow, two-lane road and expressed concerns about increased congestion on Monticello Avenue. Mr. Haldeman concluded his remarks and welcomed any questions the Board might have.

Mr. McGlennon opened the Public Hearing.

1. Mr. Vernon Geddy, 1177 Jamestown Road, addressed the Board noting that he was in attendance on behalf of the applicant. He provided a brief overview of Frye Properties, Inc., and its work in the PowerPoint presentation. Mr. Geddy outlined the project's development schedule and revisions. He emphasized that Frye Properties, Inc., was dedicated to creating a walkable, vibrant 55+ community. The project aimed to support the County's aging population by promoting wellness and independence through diverse, affordable housing options. Mr. Geddy pointed out that the Master Plan relied on traditional town planning, featuring narrow streets, alley-loaded garages, and plenty of parks and walking paths. Mr. Geddy stated that Frye Properties, Inc., aimed to build a high-quality community at Ford's Village. He highlighted that the project would offer superior design, comprehensive amenities, and shared services designed to enhance the long-term living experience for all residents. Mr. Geddy detailed the community's amenities, which featured a clubhouse with gathering spaces, a fitness center, pool, pickleball courts, and trails, alongside senior-specific perks like dining, transportation, a spa, and organized social activities. He clarified that the application was resubmitted following Retirement Unlimited, Inc.'s exit in December 2024, which was necessitated by post-pandemic market and financial conditions. Mr. Geddy explained that the approved proffer's strict unit mix was no longer viable for today's market. After eight months of outreach to over 40 operators and brokers, it was determined that greater flexibility between independent and assisted living was required, particularly given current financing conditions. He outlined the requirement for Master Plan and Proffer amendments to align with the revised proposal. Mr. Geddy also addressed raising the building permit limit from 50 to 100 prior to pouring the senior living foundation. He noted that this change would help attract more high-quality local builders, accelerate the development of a sense of place in Ford's Village, and supported local tradespeople. Mr. Geddy announced that Pembroke Realty Group was selected as the preferred owner and operator, providing a brief overview of its credentials. He turned the presentation over to the Pembroke Realty Group President.

Mr. Ramsey Smith, President of Pembroke Realty Group, addressed the Board. He showcased various local projects via a PowerPoint presentation, expressing strong confidence in the model's financial viability. Mr. Smith described the organization as a high-quality provider of independent, assisted, and memory care living tailored for middle-income Americans, notably without a large entrance fee. Furthermore, he highlighted the management expertise of partner Greenbrier Senior Living and emphasized a commitment to resident well-being through robust amenities and flexible unit options. Mr. Smith passed the presentation over to the Greenbrier Senior Living President.

Mr. Michael Mays, President of Greenbrier Senior Living, addressed the Board noting that the organization was a full-service management company. He stated that the organization operated 37 communities totaling approximately 3,400 units, with a portfolio mix of 50% independent living and 40% assisted living/memory care. Mr. Mays emphasized a "people-first" approach combined with strong financial stewardship. Furthermore, Mr. Mays highlighted a commitment to resident well-being through robust lifestyle programming and tailored dining services, while noting the company's proven success in developing and operating new communities.

Mr. Icenhour asked for the average monthly costs of independent and assisted living units.

Mr. Mays explained that pricing varied by unit type, size, and occupancy. He cited Aviva, a comparable community, where independent living started at approximately \$4,500-\$5,000+ monthly, with assisted living costing an additional \$2,000+ per month.

Mr. McGlennon asked if the Board had any other questions.

The Board declined.

Mr. Geddy noted that the landscape had fundamentally changed since 2019 due to the COVID-19 pandemic, high inflation, rising construction costs, and tighter financing. He mentioned that despite efforts to move forward with the original plan, evolving requirements for senior living necessitated greater flexibility in unit types. Mr. Geddy stated that the mission remained focused on providing a comprehensive, all-inclusive senior living community to serve the County's aging population. He highlighted that traffic and density levels were unchanged, the site was cleared, and a top-tier local developer was prepared to proceed pending approval.

Ms. Null inquired about a buy-in for these units.

Mr. Geddy stated there was a minor community fee.

Ms. Null inquired about the approximate cost.

Mr. Geddy indicated a range of \$7,500-\$10,000.

2. Mr. Doug Harbin, 3705 Strawberry Plains Road, Suite D, addressed the Board. He mentioned only learning about Frye Properties, Inc., a few years ago when this project emerged, noting that Frye Properties, Inc., had approached Wayne Harbin Builder, Inc. to potentially collaborate. Mr. Harbin praised the architecture, character, and attention to detail in the Frye Properties, Inc., project he visited at East Beach. Mr. Harbin stated that the revisions rendered the proposal more suitable and less invasive, while also addressing a crucial community need. He encouraged the Board to approve the Master Plan and Proffer amendments.

3. Mr. Chris Henderson, 101 Keystone, addressed the Board in support of the application. Mr. Henderson endorsed the project and Frye Properties, Inc., track record, emphasizing the community's urgent need for it. While inquiring about the inclusion of skilled nursing beds, he ultimately expressed support for the proposal and the use of local custom builders. Mr. McGlennon closed the Public Hearing as there were no additional speakers.

Mr. Icenhour noted that, to his knowledge, multifamily townhome prices were priced at approximately \$550,000 and single-family dwellings were approximately \$750,000, and asked for confirmation whether these figures still aligned with current market projections.

Mr. Jeff Wermers, President of Frye Properties, Inc., informed the Board that pricing varied by unit type, noting that the 600-square-foot Bungalow was priced below the mentioned range.

Ms. Larson requested details regarding the unit count and inquired about the potential impact on project continuation if that quota was not met.

Mr. Geddy noted that construction of the senior living facility must start (footers poured) before the 100th building permit could be issued, though there were no restrictions at 75 units.

Ms. Larson raised concerns regarding the failure to meet the unit count and the lack of follow-through on the senior living facility.

Mr. Wermers stated that the project's success did not depend on whether there were 50 or 99 units. Instead, he emphasized securing builders for the guild to ensure they had a reliable inventory of lots. He noted that if the project was successful, builders would have the opportunity to purchase and build additional units.

Ms. Wainwright noted the 40-unit minimum and asked if all 200 units were convertible to

assisted living or memory care to support aging in place.

Mr. Mays outlined a continuum of care including independent living, assisted living, and memory care, noting that the latter two shared the same regulatory guidelines. He highlighted the flexibility of the community, stating that independent living units could be converted to assisted living if necessary, and that outside home care partners could provide services to residents in independent living. Finally, he emphasized that transitions between care levels were based on resident preference rather than rigid, restrictive policies.

Mr. McGlennon inquired about the availability of skilled nursing services.

Mr. Mays stated that skilled nursing services would not be offered, noting that many residents bypass that level of care and move directly to hospice.

Mr. Geddy indicated that Virginia was reducing its skilled nursing services.

Discussion ensued.

Mr. Icenhour noted his consistent opposition to this proposal, having voted against it in 2008 and 2022, and intending to do so again. He recounted the 2008 history, explaining that the Board previously rejected placing the Westport subdivision inside the Primary Service Area (PSA). Consequently, it was developed by-right on three-acre lots without compatible zoning for the Master Plan, though it joined the Ford's Colony Homeowners Association (HOA). Mr. Icenhour contrasted this with the Ford's Village proposal, which he argued was an artificial attempt to gain higher density than the Comprehensive Plan allowed by utilizing the existing Master Plan, despite being contrary to the low-density zoning designated for that property. He mentioned that he recalled this proposal initially calling for 700+ units. Mr. Icenhour asked County staff how many units could be on the property while keeping the density at or below two units per acre in Ford's Colony, and was told the answer was 1,226 units. He argued that the proposal sought to exploit the system to surpass the Comprehensive Plan density limits, which was a primary reason to vote against the proposal. Turning to the 2022 amendment, he commended the applicant for implementing significant improvements, including a reduction in both the number and scale of the proposed buildings. Mr. Icenhour emphasized that while the County was well-supplied with luxury residences, there was a critical shortage of affordable housing. Ultimately, he noted that the inclusion of the assisted living facility was the project's primary advantage. Mr. Icenhour noted that the current proposal was nearly identical to the one he opposed four years ago, now reduced to 40 units with flexible swapping capabilities and no penalties for changes. While acknowledging the developer's market-driven advantages, he questioned the community benefit and urged the Board to carefully scrutinize the written proffers. Finally, he expressed concern that approving the amendment could allow the applicant to abandon the senior living facility, leaving the Board back at square one. He elaborated on his point in greater detail. Mr. Icenhour highlighted that Subwatershed 209 already exceeded the 25% threshold in its current state and detailed the significant adverse effects the proposed development would cause. He expressed apprehension regarding traffic impacts, referencing current daily trip volumes in that area. Mr. Icenhour indicated his opposition to the application.

Ms. Null raised concerns regarding the safety implications of only having one entrance to the development.

Mr. McGlennon stated that he would not support the application, noting it was less desirable than the 2022 version he previously opposed. Key concerns included the absence of affordable housing and the fact that prior proffers had become optional.

Ms. Wainwright inquired about the removal of the stream restoration proffer.

Ms. Risinger noted that the Stormwater and Resource Protection Division reviewed the stream

restoration proffer and determined that erosion concerns would be managed throughout the development process, including the Master Stormwater Plan, site plan, and inspections.

Mr. Geddy stated that the project featured an approved, fully engineered Master Stormwater Plan that adhered to current environmental regulations and project proffers. He added that the development was designed with two entrances.

Ms. Wainwright asked if the entrance was guaranteed without the Virginia Department of Transportation (VDOT) approval.

Mr. Icenhour noted that the proffer stated that the second property entrance, located as shown on the Master Plan, would be gated and restricted to emergency access only. Full access would not be permitted unless a new traffic plan was submitted to, and approved by, VDOT and the County.

Mr. Paul Holt, Director of Community Development, addressed the Board noting that he lacked an update on that component and required a review of the VDOT-approved construction plans.

Mr. McGlennon asked the Board to indicate how it wished to proceed with the item, whether by approving, denying, or deferring it.

Ms. Larson requested that the item be postponed until the Board's May 12, 2026, Regular Meeting.

3. Z-23-0004/MP-23-0001. Westwood Park Rezoning

Mr. McGlennon indicated that there would not be a presentation on this item this evening. He mentioned for public notification purposes that since the Public Hearing had been advertised the Public Hearing would be opened at this meeting and remain open until the deferral date. Mr. McGlennon advised that any individuals who signed up to speak would be allowed to do so, but only one opportunity to speak during the Public Hearing process was allowed.

Mr. McGlennon opened the Public Hearing and indicated that it would remain open until the Board's April 14, 2026, Regular Meeting.

4. Short-Term Rental Compliance Review for Certain Special Use Permits

Ms. Christy Parrish, Zoning Administrator, addressed the Board. She indicated that the Board had approved Special Use Permits (SUPs) for six short-term rentals and confirmed the specific properties involved. Ms. Parrish stated that the Board adopted a condition for each application requiring a compliance review at the February 2026 public hearing, which would be held at no cost to the property owners. As required, each property owner or their agent requested a continuance of their SUP prior to November 28, 2025, and confirmed that the property remained in compliance with all conditions. Ms. Parrish indicated that staff had reviewed each property, with comprehensive details included in the memorandum in the Agenda Packet. As of today, 2884 Chickahominy Road and 2868 Lake Powell Road were still out of compliance, per the Commissioner of the Revenue, but the owners had been contacted. Ms. Parrish explained that after the public hearing, the Board would either initiate proceedings to revoke the SUP (based on safety, welfare, or violation of conditions) or establish a new date for a compliance review. She pointed out that updated Virginia law allowed local jurisdictions to add sunset clauses to short-term rental SUPs, a change occurring after the original approvals. Ms. Parrish concluded her remarks and welcomed any questions the Board might have.

Ms. Larson thanked Ms. Parrish for the report. She noted written correspondence from a property owner stating they had not received any coupon books.

Ms. Parrish stated that the process would go through the Commissioner of the Revenue's Office, though she admitted limited familiarity with the procedure. She noted confusion regarding whether Airbnb handled the tax payments or if the property owners were responsible for submitting coupon books and taxes.

Ms. Larson requested a follow-up report in one year. While she did not intend to revoke the SUP, she expressed concerns regarding the two noncompliant properties and requested further investigation into those issues.

Ms. Parrish suggested staff contact the property owners to allow them to rectify the issue before the next resolution was adopted, giving them a few weeks to comply.

Mr. Icenhour indicated that there was a lack of information but to him it appeared like nothing had been paid.

Ms. Parrish confirmed this was her understanding but noted she could not speak for the Commissioner of the Revenue. While she acknowledged the business license was received, she noted a lapse in sending the monthly filing coupon books. Ms. Parrish assured she would address this communication gap to ensure compliance.

Ms. Null asked if the Board should defer the public hearing for approximately 30 days.

Ms. Parrish suggested a deferral of the public hearing and recommended that staff bring back the resolutions for the Board's consideration and by that time she would have a report whether or not those two properties had rectified all their issues with the Commissioner of the Revenue's Office.

Mr. Icenhour asked if there would be individual resolutions for each property.

Ms. Parrish replied yes.

Discussion ensued.

Mr. McGlennon opened the Public Hearing and would remain open until the Board's March 10, 2026, Regular Meeting.

1. Ms. Heather Wiant, 4711 Rochambeau Drive, addressed the Board. Ms. Wiant expressed her desire to continue operating short-term rentals, noting that she enjoyed the experience as a property owner. She noted that she was present to answer any questions.

2. Ms. Jill Russett chose to speak at the deferral date.

3. Ms. Dena Waltrip, 2884 Lake Powell Road, addressed the Board requesting continued support of the SUP issued to her in 2023. Ms. Waltrip requested a renewal of her SUP, noting that while she had limited rentals in 2024, her home was not rented at all in 2025 due to a major surgery. She stated that she returned to work at JCSA after 10 months, where she had been employed for over 25 years. Additionally, Ms. Waltrip highlighted that she had been in compliance with all rules and regulations for the past three years and had received no complaints or concerns. She thanked the Board for its time.

4. Ms. Emily Martel, 2886 Lake Powell Road, addressed the Board. She thanked the Board for approving her short-term rental in 2023. Ms. Martel mentioned her full compliance and noted that she would continue to do so with whatever comes forth this evening. She noted she was present requesting renewal of her SUP. She expressed her desire to make a statement on the coupon books.

Mr. McGlennon provided permission.

Ms. Martel highlighted that the coupon books were confusing and difficult to use, specifically noting that the required in-person or mail-in process was not user-friendly. She stated that there was a 5% local tax, 7% state tax, and a \$2 per-room fee, Airbnb already deducts these taxes and fees for property owners. Consequently, she indicated that filling out these coupons for the rental period and number of occupants results in a zero balance, as the taxes were already handled.

Mr. McGlennon proposed a meeting between short-term rental operators and the Commissioner of the Revenue to gather crucial feedback for improving process efficiency.

I. BOARD CONSIDERATION(S)

None.

J. BOARD REQUESTS AND DIRECTIVES

Ms. Wainwright reported a decrease in busyness, though training remained consistent. She stated she met with the final two County departments, Information Resources Management and Fire, the latter of which included a comprehensive two-hour meeting with Fire Chief Ryan Ashe and a tour of Fire Station 3. Additionally, she highlighted the Board's productive participation in Local Government Day at the Virginia General Assembly and the opportunity to meet local representatives.

Ms. Null noted that she attended the Virginia Association of Counties (VACo) event and Local Government Day at the Virginia General Assembly.

Mr. Icenhour noted that he attended The Hound's Tale ribbon-cutting ceremony on January 30, highlighting its move into the former Baker's Crust location. Describing it as an interesting venue, he encouraged the public to visit the new spot.

Ms. Null confirmed that she also attended the event.

Mr. Icenhour reported speaking to about 50-60 of The Mews HOA residents on February 2 regarding the Cardinal Ridge proposal, noting high attendance, a streaming option, and significant constituent concerns. He added that he spoke to the Kiwanis Club of Colonial Capital on February 4.

Ms. Larson reported that she, Ms. Wainwright, and Mr. Stevens attended a School Liaison meeting, where a budget update was received in addition to attending the WJCC Schools Joint meeting. She noted that a presentation regarding the Ambler House would be provided at the Board's next meeting. Ms. Larson advised that she and Mr. McGlennon had a meeting with Mr. Kevin Lembke, Park President of Busch Gardens & Water Country. She noted that she was in Richmond last Wednesday for the VACo Board meeting, Legislative Day, and the Chairpersons' Institute. Ms. Larson expressed concern about upcoming legislation and anticipated a meeting in Richmond this Friday to collaborate on local impact decisions. She also raised concerns about the new congressional map and its potential impacts, turning to Mr. McGlennon for clarification.

Mr. McGlennon replied that the map remained tentative pending final signature and approval.

Ms. Larson emphasized that the public must educate themselves and use available resources, noting that staying engaged was vital given current federal-level actions.

Mr. McGlennon noted that Ms. Larson raised excellent points. He stated that redistricting had

often diluted the County's local voice. Mr. McGlennon highlighted that the County was not the dominant population in its own state senate district and that the House of Delegates delegation splits the County, with a population equivalent to only one seat. He emphasized that the local Board must pay closer attention to these influential political decisions, whether made by citizen commissions or legislative action. He praised the Board's engagement at Local Government Day and thanked Senator J.D. Diggs and Delegate Jessica Anderson for sponsoring legislation granting JCC and York County the authority to levy an admissions tax. Pending the Governor's signature, this action ensured fair treatment for the two jurisdictions, which were previously the only ones in the state without this right. Mr. McGlennon mentioned his attendance at both a VACo presentation and a Coalition of High Growth Communities meeting, where he engaged in active discussions on land use matters. He noted the productive collaboration at a recent, informative WJCC Schools Joint meeting he attended.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens announced the reopening of the JCC Recreation Center pool on February 2, thanking patrons for their patience during the slightly delayed project. He highlighted the updated, more functional space and positive initial feedback. Mr. Stevens advised that a ribbon-cutting ceremony was scheduled for Friday, February 20 at 12:30 p.m. Mr. Stevens announced the launch of the JCC Fix It app, a new tool available for mobile devices and desktop designed for residents and visitors to report non-emergency community issues, such as litter, park maintenance, and uneven sidewalks. He noted that the app enabled users to track the progress of their reports, provide real-time updates from County departments as issues were assessed and resolved, and was available for download now.

Mr. McGlennon noted that the Board would take a five-minute recess before entering into Closed Session.

At approximately 7:30 p.m., the Board recessed for a short break.

At approximately 7:36 p.m., the Board reconvened.

L. CLOSED SESSION

A motion to Enter a Closed Session was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

At approximately 7:37 p.m., the Board entered Closed Session.

At approximately 7:59 p.m., the Board re-entered Open Session.

A motion to Certify the Board only spoke about those items indicated that it would speak about in Closed Session was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

1. Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Section 2.2-3711 (A)(3) of the Code of Virginia and pertaining to 111 Grove Heights Ave, Williamsburg, VA
2. Certification of Closed Session

M. ADJOURNMENT

1. Adjourn until 1 pm on February 12, 2026 for the Board Retreat

A motion to Adjourn was made by Barbara Null, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Icenhour Jr, Larson, McGlennon, Null, Wainwright

At approximately 8 p.m., Mr. McGlennon adjourned the Board of Supervisors.

Teresa J. Saeed

Deputy Clerk