

A REGULAR MEETING OF THE PLANNING COMMISSION WORKING GROUP OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE EIGHTEENTH DAY OF SEPTEMBER, TWO-THOUSAND AND FOURTEEN, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

**1. ROLL CALL**

Working Group Members

Present:

Rich Krapf

Tim O'Connor

Chris Basic

Robin Bledsoe

John Wright, III

Heath Richardson

Elizabeth Friel

Staff Present:

Paul Holt, Planning Director

Tammy Rosario, Principal Planner

José Ribeiro, Senior Planner II

Ellen Cook, Senior Planner, II

Vaughn Poller, Administrator, Housing and Community  
Development

Absent:

George Drummond

Mr. Rich Krapf called the meeting to order at 4:00 p.m.

**2. PUBLIC COMMENT**

Mr. Krapf opened the public comment.

Mr. Jim Ramage, 84 Governor Berkeley Road, addressed the Working Group on the need for affordable housing in the County.

There being no one else wishing to speak, Mr. Krapf closed the public comment.

**3. APPROVAL OF MINUTES**

A. September 4, 2014

Mr. Krapf requested a motion for approval of the September 4, 2014 minutes, noting that Mr. Heath Richardson and Ms. Robin Bledsoe had submitted changes which would be incorporated.

Mr. John Wright moved to approve the minutes as amended. On a voice vote the minutes were approved.

**4. TOPICS FOR REVIEW**

A. Housing

Mr. Krapf welcomed Mr. Vaughn Poller, Administrator of Housing and Community Development.

Mr. José Ribeiro presented a report on the changes to the Housing section text and goals, strategies and actions (GSAs).

Mr. Wright requested clarification on the term “rent burdened,” noting that slightly more than half of the rental households are considered rent burdened.

Mr. Poller responded that a person is considered to be rent burdened if they are spending more than 30% of their adjusted household income per month on their rent. Mr. Poller stated that the same would be true of a homeowner paying a mortgage. Mr. Poller further stated that while many people were in homes or apartments, they are expending a substantial portion of their income for housing.

Mr. Richardson requested that the term “rent burdened” be added to the glossary.

Ms. Bledsoe noted that 65-year-olds are the fastest growing cohort in the County and that by 2020 it will be the main cohort within the community. Ms. Bledsoe stated that nothing substantial had been added to the section text regarding senior housing and noted that it should be addressed in more detail. Ms. Bledsoe inquired whether incentives could be offered for designs which incorporate features that would permit a home to be used to age in place.

Ms. Tammy Rosario stated that in recent zoning ordinance amendments, the density standards in several districts were revised to provide a bonus for superior architectural and design standards including universal design concepts. Ms. Rosario further noted that the accessory apartment regulations have been also recently revised to address senior housing needs.

Ms. Bledsoe inquired whether the universal design guidelines would encompass those features that accommodate the needs of seniors.

Ms. Rosario confirmed.

Ms. Bledsoe noted that one of the recommended actions is to support, through marketing, partnering, or other means, private nonprofit groups who deal with substandard and aging housing stock and inquired how the County is fulfilling this action.

Mr. Poller stated that the County works very closely with Habitat for Humanity (Habitat) and Housing Partnerships Incorporated (HPI). Mr. Poller further stated that Habitat is constructing five of the dwellings for the Neighbors Drive/Forest Heights redevelopment project. Mr. Poller noted that the owners of the five dwellings had worked diligently to be in a position to become home owners and were referred to Habitat by Housing and Community Development. Mr. Poller stated that the County has also contracted with HPI to build homes on four lots. Mr. Poller further stated that HPI was crucial to the County’s Community Development Block Grant application with a pledge to provide \$10,000 in rehabilitation services. Mr. Poller noted that County staff works with both agencies on a daily basis and attends monthly meetings to review

applications for assistance. Mr. Poller stated that if HPI is able to provide the labor but does not have the financial resources, the County partners with them through the Emergency Home Repair Program. Mr. Poller noted that HPI has become the administrator for the Indoor Plumbing Rehabilitation program for this region.

Mr. Wright noted that based on the demographic figures the County will have an higher percentage of seniors than the national average and inquired if there were any studies or programs, even on a national scale, that would help the County address the issue.

Mr. Poller responded that the County had been successful in bringing in 67 senior housing units with the Parker View apartment complex, which was funded through the HUD 202 program. Mr. Poller stated that Bay Aging, the same entity that secured the earlier grant, is interested in partnering with the County on another project. Mr. Poller stated HUD funding is not as readily available now because the process is far more competitive. Mr. Poller stated that attracting a similar project to the County would require an appropriate site with the appropriate zoning and Land Use designation.

Mr. Wright stated that his concern is affordability and that plans should be in place to address the needs of seniors before the facilities are actually needed.

Mr. Ribeiro stated that the recent approval of accessory apartments as a by-right use in most residential districts is a start to addressing those needs. Mr. Ribeiro further stated that various studies have indicated that people want to be able to age in place close to family members as opposed to moving to a retirement facility.

Ms. Bledsoe stated that the County should not rely solely on accessory apartments to provide for the aging population. Ms. Bledsoe further stated that the County needs to be proactive in seeking other options.

Mr. Richardson noted that funds have been set aside for a housing study to be conducted in 2015 and asked what the parameters of the study would be.

Mr. Poller responded that the study will focus on the needs of low income seniors. Mr. Poller stated that both Housing and Community Development and HPI are seeing an increased number of multigenerational families who live in some of the older housing stock and need assistance with major home repairs, and he hopes the study would provide a firmer estimate of the number of households in that category. Mr. Poller noted that in regard to the homeless population, there is a great amount of activity and effort within the community focusing on that issue. Mr. Poller stated that he believes it is best to get the homeless directly into affordable housing, as opposed to a homeless shelter.

Ms. Rosario noted that is important to ensure that the GSAs capture all of the actions the County should be taking. Ms. Rosario summarized the topics that have already been discussed include universal design and accessory apartments, both of which have been the subject of recent Zoning Ordinance revisions, and stated that the topics that have not been addressed include aging in place, barriers to providing housing to special needs populations and diversity of housing types.

Ms. Rosario noted that the APA-VA conference brought to her attention several new housing types that will be coming on the market, and the intention of the action is to consider if they are appropriate to incorporate into James City County's ordinance.

Mr. Krapf asked Ms. Rosario if she is trying to determine if there is a desire to expand the GSAs to specifically identify the initiatives she had mentioned, and noted that he believes this would be a good idea.

Ms. Rosario confirmed.

Mr. Wright and Ms. Bledsoe concurred that there is such a desire.

Mr. Krapf stated that specific elements can sometimes become lost in an overarching GSA.

Mr. Richardson inquired if the funds reserved in 2015 will be used to examine the aging in place population.

Mr. Poller confirmed.

Mr. Wright asked if the County already requires the inclusion of workforce or affordable housing within residential developments. Mr. Wright stated that if it is a requirement, the GSA regarding this issue should be changed to say "require" instead of "promote."

Mr. Ribeiro stated that there is no requirement in the ordinance, but the Housing Opportunities Policy expresses the County's desire that such housing be integrated into development.

Mr. Wright inquired if the Housing Opportunities Policy is optional.

Mr. Ribeiro stated that developers have the option to build affordable or workforce units or contribute money to the Housing fund.

Mr. Wright stated that he would like it to be clear in the Comprehensive Plan that the County is working on the issue, and he believes the wording should be firmer.

Ms. Rosario stated that the distinction lies between an ordinance, which would make it required, versus a policy, which sets an expectation, but developers can still decide whether or not to offer it.

Mr. Krapf inquired what types of standards are intended when considering neighborhood design.

Mr. Ribeiro stated that it would include aspects such as walkability.

Mr. Krapf stated that it is his understanding that the standards would not be specific to different areas.

Mr. Ribeiro confirmed.

Mr. Poller stated two of the County's recent housing projects were built to be energy efficient as well as meet EarthCraft standards. Mr. Poller stated that these standards can be expensive at the onset, but do matter for long-term affordability.

Mr. Krapf noted that GSAs H 1.5 and H 2.7 could be revised to be more direct.

Mr. Poller noted that, in regards to H 2.7, when Housing pursues a Community Development Block Grant they are required to hold two public hearings in order to reach out to the community.

Mr. Richardson stated that he believes the Community Leaders Forums also provide an opportunity to reach the community and could potentially be included in the GSA.

Mr. Krapf stated that he is most concerned with making the language more specific.

Mr. Wright asked why H 3.1.4 was removed, and noted that there are several people in his neighborhood who use second mortgages.

Mr. Ribeiro stated that it was removed it because it has been incorporated into the Housing Opportunities Policies, thus the action has been completed.

Mr. Tim O'Connor inquired what incentives the County has in place to promote green building techniques.

Ms. Ellen Cook stated that there are cash refund and recognition aspects to the policy.

Mr. Krapf asked if there is a density bonus.

Ms. Cook replied that she does believe there is a density bonus in some of the districts.

Mr. O'Connor stated that referencing the policy would allow readers to become aware of the incentives. Mr. O'Connor asked if H 2.1 could be defined further. Mr. O'Connor also referenced H 3.3, and stated that the County currently requires of neighborhoods items such as green space, recreation areas, and stormwater management, which in turn requires a homeowners' association (HOA). Mr. O'Connor stated that this makes affordable housing less affordable, and the County should consider either accepting the cost of neighborhood stormwater management or not making such stringent recreation area requirements. Mr. O'Connor noted that this issue has come up during the consideration of the Kingsmill cases and on Neighbors Drive where there is a voluntary HOA.

Mr. Poller explained that the Neighbors Drive HOA is a hybrid; new structures will automatically be members and existing residents have the option of participating by deeding their property into the HOA.

Mr. O'Connor stated that the Salvation Army would be locating on Neighbors Drive, making a playground available, and inquired why the County would require a recreation area inside the neighborhood when part of the neighborhood will be using that playground. Mr. O'Connor stated that he thinks the County needs consider changing the way stormwater is managed or else continue creating additional burdens on affordable housing.

Mr. Wright inquired if the County should assess the viability of all of requirements for affordable housing units. Mr. Wright noted that some of the communities cannot afford the requirements and the County could become required to support them.

Mr. O'Connor stated that the money would come from a trust fund using proffers and cash-in-lieu-of payments, noting that Stonehouse is supposed to be providing \$1,000 per lot to a trust fund.

Mr. Krapf stated that it may need to be considered whether some of the policies are counter to each other.

Mr. Poller stated that with respect to Forest Heights, there is a small number of lots that would bear the ongoing maintenance, but the residents were willing to accept the cost as a tradeoff for the County repairing the street. Mr. Poller stated that Housing staff tries very hard to keep costs low, but there is a value to having amenities such as sidewalks. Mr. Poller stated that it does depend on the economic strata of the residents, and he would not seek a neighborhood design that would not be sustainable for that particular segment. Mr. Poller further stated that it could also be useful to find other sources of funding or a methodology to provide and maintain the infrastructure.

Mr. O'Connor asked if this issue is best addressed as a GSA or whether there should be a separate conversation about the Subdivision Ordinance, because that is what drives the requirements.

Ms. Rosario stated that there was previous discussion of this topic during the Zoning Ordinance amendment process, particularly in regards to the R-3 District, and staff did try to make any HOA requirements as minimal as possible. Ms. Rosario noted there have not yet been any cases to test the ordinance, but that does not mean there can't be further discussion.

Mr. Paul Holt stated that it is best to take a hybrid approach because those decisions don't lie solely within the ordinance, noting that factors such as the stormwater facility design and street ownership have a major impact. Mr. Holt stated perhaps the County should also be considering potential hybrid funding sources to account for upfront construction costs as well as ongoing maintenance.

Mr. O'Connor agreed and stated that his goal is the keep affordable housing affordable. Mr. O'Connor also stated that he would like for the Policy Committee to revisit the Housing Opportunities Policy, particularly in regards to redevelopment and infill.

Ms. Bledsoe stated that she agrees the Housing Opportunities Policy needs to be revisited and that there should be more clarity in regards to what the housing fund will be used for.

Mr. Krapf asked Ms. Rosario to recap the items the Working Group has identified for further consideration.

Ms. Rosario stated that she would like to first request clarity from the Working Group regarding whether they would like further consideration on affordable senior housing or senior housing in general.

The Working Group members confirmed that they are interested in senior housing in general.

Mr. Richardson inquired regarding the study by the Senior Services Coalition.

Ms. Rosario stated that they have a ten-year strategic plan that has been adopted.

Mr. Richardson inquired who this was done by.

Ms. Rosario stated that it was by the Senior Services Coalition. Ms. Rosario noted that all localities from the area participated and have various implementation items from the plan.

Mr. Richardson inquired if the Working Group could leverage any recommendations from the study and when the information will be available.

Ms. Rosario stated that it is already available now, and staff can reexamine the material.

Mr. Wright inquired if it only looks at affordable senior housing or senior housing in general.

Ms. Rosario stated that staff will examine the report for both.

Mr. Krapf inquired if a link to the report could be sent to all of the Working Group members.

Ms. Rosario confirmed and inquired if there are any other specifics the Working Group would like to see in that set of GSAs, aside from the Senior Services Coalition items.

Ms. Bledsoe stated that she would prefer to see more specificity and the inclusion of more measurable items because it will help the public understand all of the work done by the County.

Mr. Krapf stated that it will be helpful to add an extra layer of detail to the areas they have discussed.

Mr. Wright stated that the GSAs should provide specific items for staff to act on, such as considering the items Ms. Rosario mentioned from the APA-VA conference. Mr. Wright noted that the public input the County received brought the issue of housing to his attention.

Mr. Richardson asked for confirmation that typical budget request for the housing general fund is between \$100,000 and \$200,000.

Mr. Poller confirmed.

Mr. Richardson stated that the public input showed there is support for housing measures and suggested that the GSA regarding funding be changed to state “seek Board of Supervisors approval for increased public funds” instead of “continue to seek public funds.”

Mr. Krapf inquired if it would be appropriate to draft an action item to refer the Housing Opportunities Policy to the Policy Committee in order to look into all of the items the Working Group has discussed and asked the Working Group members if they would support that suggestion.

Ms. Rosario stated that staff could draft such an action if that is what the Working Group desires.

Mr. Krapf stated that that particular action item would encompass many of the problems identified by the Working Group.

The Working Group agreed.

Ms. Rosario stated that there has also been an amendment to the Zoning Ordinance regarding design guidelines, giving a density bonus for developments who decide to institute binding design guidelines. Ms. Rosario noted that those guidelines would include architectural elements as well.

Mr. Wright inquired if the guidelines include landscaping.

Ms. Rosario stated that they are not addressed in that list.

Mr. Wright stated that landscaping can greatly enhance a community and could be included as a requirement.

Ms. Bledsoe noted that it would also have to be taken care of.

Mr. Krapf stated that there are separate landscaping standards already established, but Ms. Rosario may have been only referring to enhancements for design standards.

Ms. Rosario confirmed.

Mr. Chris Basic stated that he also feels that the County’s proffer policy may need to be reviewed at the same time as the Housing Opportunities Policy, as it would be difficult to request high payments for housing while still requesting large proffer payments as well.

Mr. Holt stated that there is already an off-set built into the existing policy.



Mr. Basic thanked Mr. Holt for the clarification.

Mr. O'Connor asked Mr. Poller if he was the considered the developer for Forest Heights/ Neighbors Drive.

Mr. Poller replied that the Housing office was the developer.

Mr. O'Connor inquired if it is profitable for the County.

Mr. Poller replied that it is not.

Mr. O'Connor inquired if the County should be looking for public-private opportunities in these situations and how it could be kept affordable.

Mr. Poller explained that his office believes that having County staff serve as the developer results in more affordable homes because the County pursues funding for infrastructure and hires local businesses to build the homes and roads, and those costs are not passed on to the public.

Ms. Bledsoe asked if the County would be limited in the funding they could receive if they were not the developer.

Mr. Poller confirmed.

Ms. Bledsoe noted that there is thus a benefit to the County directly serving as the developer.

Mr. Krapf asked Ms. Rosario if she had a clear understand of the Working Group's recommendations.

Ms. Rosario confirmed.

**5. OTHER ITEMS**

Mr. Krapf stated that the next Working Group meeting will take place on Oct. 2 to discuss Land Use and Economic Development, and a new meeting date was added to the schedule for Oct. 16 to discuss Transportation and any carry over Land Use items. Mr. Krapf also stated there will be a joint work session with the Board of Supervisors on Oct. 28 to provide the Board with an update on the Working Group's efforts.

Mr. Wright inquired if the joint work session will be at 4 p.m.

Mr. Krapf confirmed.

Ms. Rosario stated that the Working Group will begin consideration of the Land Use applications after the joint work session.

**6. PUBLIC COMMENT**

Mr. Krapf opened the public comment.

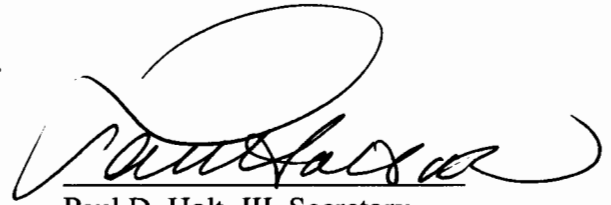
There being no one else wishing to speak, Mr. Krapf closed the public comment.

7. **ADJOURNMENT**

Mr. Basic moved to adjourn until to the next Planning Commission Working Group meeting scheduled for Oct. 2.

The meeting was adjourned at approximately 5:15 p.m.

  
Richard Krapf, Chairman

  
Paul D. Holt, III, Secretary