

**AT A JOINT WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, AND THE PLANNING COMMISSION, HELD ON THE 24TH DAY OF JUNE, 2003, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. ROLL CALL**

Jay T. Harrison, Sr., Chairman, Berkeley District  
Bruce C. Goodson, Vice Chairman, Roberts District  
John J. McGlennon, Jamestown District  
Michael J. Brown, Powhatan District  
James G. Kennedy, Stonehouse District

Sanford B. Wanner, County Administrator  
Frank M. Morton, III, County Attorney

**B. BOARD DISCUSSION**

Mr. McGlennon stated concern that all correspondence concerning the Comprehensive Plan should be made available to the public.

The Board discussed the need to keep any information that is forwarded concerning the Plan public and part of the public record.

**C. PUBLIC COMMENT**

1. Mr. Ray Basley, 4060 South Riverside Drive, stated that the Diascund Road railroad crossing is a good example of why the Comprehensive Plan is important, as the Peninsula works toward high-speed rail service, the County needs to plan for transportation safety to protect rail and road traffic; and requested that the railroad crossings gates be maintained and monitored so they are down only when trains are approaching.

2. Gregory R. Davis, Kaufman & Canoles, representing Spencer Brothers located at Five Forks, requested a change of designation in the Comprehensive Plan from low-density residential to a mixed-use designation.

Mr. Brown stated that he spoke with the applicant and provided information regarding the time frame for submitting the application for a change in designation, what information to include with the application, and when the public comment times would be held for him to speak to the matter; and stated that the applicant did not take advantage of the opportunities to have the Steering Committee review the application's use.

3. Mr. Skip Morris, President of the Peninsula Homes and Buildings Association, commented on the Draft Comprehensive Plan regarding the growth in the County being consistent with rural communities, the Draft appears to eliminate the ability of developers to offer affordable housing in the community; stated concern regarding the Draft's lack of adequate facilities that could be proposed; and stated that the cost of housing will continue to rise in the County.

Mr. McGlennon stated that the County has contributed a significant amount of funds and utilized State and Federal grants to low- and moderate-income housing in the County which the public sector has not provided.

Mr. Morris stated that the availability of lots is decreasing, the costs for lots are increasing, and the costs for housing increases accordingly.

Mr. Poole inquired about the amount of moderate housing the Peninsula Homes and Buildings Association has been able to offer surrounding jurisdictions.

4. Mr. Rich Costello, President of AES Consulting Engineers, stated that the comments from the community is to slow development growth in the County, and provided information regarding the approved developments in the pipeline.

#### **D. ERRATA SHEET VOTE**

Mr. Brown requested sentence number two in Item Number 3 on the errata sheet, be eliminated.

Mr. McGlennon stated that he would be reluctant to have that sentence removed regarding the older population in the community and the demands that demographic population has on the services in the County.

The members of the Board and Planning Commission discussed the recommendation, where in the Comprehensive Plan to address the growing elderly population in the community, and adjusted the errata sheet accordingly.

Mr. Brown requested Item Number 8 be clarified, specifically the statement “monitor or actively assist the hiring, training, or retraining of target populations living in the enterprise zone,” and amend to “monitor and, where appropriate, assist . . .”

Mr. Wanner recommended that based upon input from the community, the phrase should state “actively assist the hiring process, the hiring, and retraining of . . .” and drop the monitoring portion of the statement.

Mr. Kennedy requested that on page 23, sentence number seven, clarify who is being protected and what is being preserved by stating “promote the County’s agricultural and forestal lands and activities, and encourage preservation through . . .” PDR, AFD, and some of those programs there.

The Board and staff discussed the strategy and corresponding action and concurred to restate to “promote the County’s agricultural and forestal lands and activities, and encourage their preservation.”

Mr. McGlennon requested that with Number 11 on page 27, the word “jointly” should be stricken also.

Mr. Brown inquired if Number 16 on the errata sheet referring to page 34, new action Number 11 should be clarified regarding the preschool programs as a private sector business, and that public schools is a mechanism for offering the program.

The Board and Planning Commission members did not recommend a change to the statement.

Mr. McCleary stated that in consultation with staff, the comments and recommendations by Mr. Dick Jones at the June 10 Work Session regarding leaking fuel tanks and homeland security would not be specifically addressed in the Comprehensive Plan.

**E. PRESENTATION OF THE DRAFT 203 COMPREHENSIVE PLAN AS UNANIMOUSLY ADOPTED BY THE STEERING COMMITTEE**

Mr. Joe McCleary, Vice Chair of the Planning Commission, continued the review of the Draft 2003 Comprehensive Plan (Draft) from June 10, with discussions on the following.

1. Community Character

Mr. McCleary provided an overview of the strategy to preserve the community character areas and corridors, as well as the neighborhood appearances and open space initiatives.

2. Housing

Mr. McCleary and members of the Board discussed the context of affordable housing within the development community, how to provide incentives to developers for providing affordable housing, multi-housing developments in the County, and other factors impacting the availability of affordable housing in the County.

The Board, staff, and Commission discussed cash proffers for affordable housing trust funds.

3. Land Use Section

Mr. McCleary stated that development trends have eliminated the availability of prime real estate, stated that custom builders are being slowly squeezed out of the market, and provided an overview of the development potential within the Primary Service Area.

The Board, staff, and Commission discussed retail development, reference of report recommendations not endorsed by the Commission or Board, and initiatives for rural lands.

4. Land Use Designation Change Applications and Discussion

Mr. McCleary provided an overview of the efforts taken for public outreach and input into the revision of the Plan; the timelines for applications and discussion; and provided an overview of the numbers of applications received and the votes taken for the cases.

Mr. McCleary requested a detailed overview of the Land Use (LU) Applications: LU-05-03 & LU-09-03, Spray King Carwash, Inc./Johnson; LU-04-03, BASF Corporation; LU-22-03, Hankins Land Trust; LU-10-03 & LU-11-03, Spencer Brothers Builders, Inc.; and LU-18-03 & LU-19-03, Gordon Creek Corp./Gray Associates.

Mr. McCleary inquired if any member wished to add other Land Use Applications should be discussed.

Mr. Harrison requested Monticello Marketplace be added to the discussion.

a. Monticello Marketplace

Mr. McCleary stated that the application is to bring into line what actually is on the ground, what has been developed, and remove any anomalies.

Mr. Harrison inquired if the recommendation is first for commercial or for community residential, in consideration for the resident's concern about the gas station on the corner.

Mr. John T. P. Horne stated that the development has been completely built-out as non-residential and that there is no additional opportunity for residential development.

Mr. Brown and staff discussed that most of the residential conversations focused on the property to the east, currently zoned residential, and the recommendation was to make that a Community Commercial and moderate density residential as a good transition between the surrounding land development.

b. Spray King Carwash, Inc./Johnson, LU-05-03 & LU-09-03.

Mr. McCleary stated that the applicant requested rezoning of 1.76 acres, zoned low-density residential, to community commercial. The Committee recommends denial of that application but recommends rezoning to Neighborhood Commercial due to the size of the parcel.

c. Pocahontas Trail

Mr. McCleary stated that for Land Use Recommendation Number 2a, Pocahontas Trail, the Committee recommends the approval of new Neighborhood Commercial from M-1, Low-Density Residential.

d. BASF Corporation, LU-04-03

Mr. McCleary stated that the applicant requested re-designation of the land from General Industry to Mixed Use, specifically to build a timeshare. The Office of Economic Development and the Industrial Development Authority strongly recommended against the change as did the consultant.

e. Green Mount Associates, LU-22-03

Mr. McCleary stated that the applicant requested re-designation of the land from Industrial to Mixed Use; and this is the only area that the Committee did not follow the recommendation of the Industrial Development Authority. The Committee recommends designating property north of Route 60 as Mixed Use.

f. Spencer Brothers Builders, Inc., LU-10-03 & LU-11-03

Mr. McCleary stated that the Committee recommended denial of the application to change the land use from Low Density Residential to Mixed Use due to the creek on the site, drainage, wetlands concerns, and lack of a Master Plan for the site.

The Board and Committee discussed the lack of Master Plan for the site after ten years of attempting to compromise with the applicant and the uncertainty of the revitalization of the surrounding land.

g. Gordon Creek Corp./Gray Associates, LU-18-03 & LU-19-03

Mr. McCleary stated that the Committee recommended denial of the expansion of the Primary Service Area as well as denial of the land use change from Rural Lands to Low Density Residential.

**F. OTHER BUSINESS**

1. Mr. Harrison stated that a Planning Commission Public Hearing and recommendation of the draft 2003 Comprehensive Plan would be held at 7 p.m. on July 14.

Mr. Harrison stated that on August 12 at 7 p.m., the Board of Supervisors will hold a Public Hearing and made a decision on the draft 2003 Comprehensive Plan.

**G. COLONIAL SERVICES BOARD – NEW BUILDING REPORT**

Mr. Wanner stated that the Board had stated concern regarding the Fund Balance of the Colonial Services Board, and that the leadership of the Colonial Services Board (CSB) would provide an overview of the new building program the CSB is building with the funds from its Fund Balance.

Mr. Harris Daniels, Executive Director, stated that a plan has been in the works for the past five years to build a new building and that in the last year the plan has come together and the bids will be opened shortly. The facility will be constructed near existing CSB buildings to house the Mental Health and Substance Abuse Outpatient services, the case management services, pharmacy, medication clinic, and crisis center.

Mr. Daniels stated that the existing buildings will house support services and administrative staff, and the additional building will permit CSB to handle the expected increased number of mental health and substance abuse individuals.

Mr. Daniels stated that operating boards do not have Capital Budgets and that the General Assembly permitted boards to keep fund balances that the CSB will apply to the new building without increasing the cost to the Operating Budget.

The Board and Mr. Daniels discussed the anticipated cost for the building and application of rented space funds to the Operating Budget.

Mr. Wanner stated that Mr. Daniels and his staff are working on a regional effort for revenue maximization.

Mr. Daniels invited the Board to visit the Colonial Services Board to see their services.

**H. RECESS**

At 6:17 p.m., Mr. Harrison and the Board broke for supper until 7 p.m.

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Sanford B. Wanner  
Clerk to the Board