

M E M O R A N D U M

DATE: July 25, 2006

TO: The Board of Supervisors

FROM: Jason Purse, Planner

SUBJECT: Renewal of AFD 9-86, Gordon Creek

As required by State Code, the County must review all established Agricultural and Forestal Districts (AFD's) prior to their expiration. During this review, districts must either be continued, modified, or terminated. This report will review AFD-9-86, Gordon Creek which is scheduled to expire in August.

The Gordon Creek AFD consists of approximately 3,343 acres located in and around the Centerville Road/News Road area. The AFD contains parcels which front on the following roads: News Road, John Tyler Highway, Centerville Road, Bush Neck Road, Jolly Pond Road, and Brick Bat Road. Specifically, the AFD is currently comprised of the following:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Sarah Armistead	(35-2)(1-16)	369.000
Sarah Armistead	(36-3)(1-1)	120.46
Rosa Armistead Est.	(30-3)(1-4)	23.000
Warburton, J. G. Est., c/o M. McMurrin	(35-4)(1-1)	394.500
Edward D. Warburton	(35-2)(1-1)	86.643
Allen, David H. & Stephanie M.	(34-2)(1-2)	157.98
Patrick, Matthew C.H. & Theresa L.	(34-2)(1-2A)	25.02
Warburton, J. G. Est., c/o M. McMurrin	(36-3)(1-3)	264.000
Thomas L. Hitchens	(36-1)(1-6)	35.000
W.A. Thompson & Charles Flemming	(36-2)(1-40)	139.96
Claybank Landing, LLC	(43-2)(1-1)	124.100
Richardson Holding LP	(36-4)(1-7)	116.83
Richardson Holding LP	(30-3)(1-3)	33.000
Jane T. Carsewell	(36-1)(1-3)	44.000
Warburton, J. G. Est., c/o M. McMurrin	(36-1)(1-4)	37.620
Powhatan Assoc.	(44-1)(1-1)	387.420
Powhatan Hunt Club, c/o J. Kenneth Timmons	(35-3)(1-1)	241.680
Mary Abbott	(36-2)(1-18)	43.55
Trust Company of Virginia, c/o Gregory Davis	(35-4)(1-9)	57.600
Linda Henderson Gordon	(34-2)(1-1)	35.300
Williamsburg Pottery, Inc.	(44-1)(1-2)	26.000
Nayses Bay Land Co.	(35-1)(1-3)	32.000
Nayses Bay Land Co.	(35-1)(1-6)	11.000
William Kane	(29-4)(1-3)	4.000
William Kane	(30-3)(1-7)	8.000
William Kane	(35-2)(1-7)	131.000
William Kane	(36-1)(1-1)	8.330
William Kane	(36-1)(1-2)	13.000
J.G. Warburton Estate, c/o M. McMurrin	(37-3)(1-4)	165.50
Baxter I. & Anne F. Bell	(43-2)(1-3)	207.951

History

The District was approved on December 1, 1986, for a term of four years. It was subsequently renewed for four-year periods in October 1990, October 1994, September 1998, and August 2002. There have been several additions to the Gordon Creek AFD since 1994. The Kane addition consisting of five parcels totaling 164.3 acres was approved by the Board of Supervisors in February 1995. The Nayses Bay Land Company addition consisting of three parcels totaling 42.5 acres was approved by the Board of Supervisors in December 1995.

During the April 2006 renewal period, the Barrett's Ferry AFD was terminated and the remaining land was transferred to the Gordon Creek AFD. The transfer consisted of one parcel of approximately 210 acres in land, mostly wooded in nature. The Board of Supervisors approved the transfer at their April 11, 2006, meeting, and the parcel became a part of the Gordon Creek District and thus eligible to be renewed during this review.

Forty-Four acres of land was taken out of the Gordon Creek AFD District in May for the purpose of constructing the 8th Williamsburg-James City County Elementary School. Originally, this piece was a part of the 163.880 acre parcel placed in the AFD by the previous owner. The original parcel can be identified as Parcel (36-3)(1-1) on the James City County Real Estate Tax Map.

The District includes all the land on the above-referenced properties with the exception of all land within 25 feet of arterial road rights-of-way. That property has been excluded from the District to allow for possible road and/or drainage improvements.

Analysis

The bulk of the District contains woodland. All of the land within this District is zoned A-1, General Agriculture, and a major portion of the surrounding property is presently zoned A-1 and is forested. Most of the District is designated Rural Lands by the Comprehensive Plan. The Nayses Bay area is designated a Conservation Area by the Comprehensive Plan. The bulk of the District is located outside of the Primary Service Area (PSA) and the area remains relatively rural in nature. A small portion (250 acres) is located inside the PSA, however; infrastructure is currently lacking to support major development on these parcels. The PSA is the area of the County that has been designated for growth. The continuation of AFD property within the PSA is consistent with the Comprehensive Plan as this would serve the public purpose of holding key tracts of land temporarily while development plans can be created, maximizing the beneficial use of the property.

Withdrawals

Three acres from 4213 Centerville Road is being withdrawn. The parcel can be identified as Parcel (36-2)(1-40) on the James City County Real Estate Tax Map.

A 25-acre piece of land will be withdrawn from 2001 Bush Neck Road. This parcel can be further identified as Parcel No. (34-2) on the James City County Real Estate Tax Map No. (1-2).

Additions

A parcel located at 2743 Jolly Pond Road, and further identified at Parcel (35-2)(1-10) on the James City County Real Estate Tax Map, is being added to the District. The parcel is 28.36 acres, and is owned by John Carswell. It is adjacent to existing parcels in the District. The parcel contains both agricultural and forestal land; with agricultural land along the northern and western areas of the parcel and a forestal area to the east of

the parcel. There is also a residence along the frontage of the property.

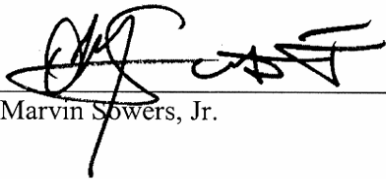
Recommendation:

Staff believes this AFD is consistent with the Comprehensive Plan and recommends renewing the District for a period of four years and three months with no change in the conditions of approval. A four-year and three-month approval would be consistent with prior action and would allow for the re-evaluation of the District for consistency with possible policy changes and Comprehensive Plan revisions. Staff also recommends that the 28.36 acre parcel (35-2)(1-10) be added to this District. On June 27, 2006, the AFD Advisory Committee recommended approval by a vote of 8-0. At the July 10, 2006, meeting the Planning Commission voted 6-0 to recommend approval of the renewal for this District.

After the withdrawals, and the addition, the District will total approximately 3,343.804 acres.

Jason Purse

CONCUR:



O. Marvin Sowers, Jr.

JP/nb

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Attachments

1. Location map
2. Withdraw request letter from David and Stephanie Allen
3. Withdraw request letter from William Thompson
4. Addition request from John Carswell
5. Ordinance