

Meeting Notes
York 2040 Committee

Wednesday, April 5, 2023 – 5:00 p.m.

Senior Center of York

5314 George Washington Memorial Highway, Yorktown, Virginia

Members Present: Michael King, Mark Bellamy, Gregory “Skip” Brooks, Chad Green, Leigh Houghland, Rick Moberg, Sheila Myers, Eugene Seiter, Cowles “Buddy” Spencer

Staff Present: Susan Kassel, Director of Planning and Development Services; Timothy Cross, AICP, Deputy Director of Planning and Development Services; Earl Anderson, AICP, Senior Planner; Cathy Tartabini, Planning Assistant; Jeanne M. Sgroi, Management Analyst; Gail Whittaker, Public Information Officer; Richard E. Hill, Deputy County Attorney

Members Absent: Rich Myer, Jacob Rizzio

Others Present: Douglas Holroyd, Ron Struble

Call to Order

Chairman King called the meeting to order at approximately 5:00 p.m.

Opening Remarks

Chairman King welcomed everyone and stated that the purpose of the meeting was to discuss the draft updated Comprehensive Plan, copies of which were distributed to the Committee members in March.

Approval of Meeting Notes

On motion of Ms. Myers, the meeting notes for March 1, 2023, were approved unanimously.

Committee Discussion of Draft Updated Comprehensive Plan

Chairman King stated that all the members would have an opportunity to make comments and suggestions on the draft document as well as ask questions. In addition, he encouraged members to email any additional comments they might have to Mr. Cross.

At Chairman King’s request, Mr. Cross offered some introductory comments, stating that the agenda package includes a four-page summary documenting all the changes that have been made to the various draft chapters of the Plan since the Committee’s initial review. In addition, he stated that staff has added an Introduction section and glossaries of acronyms and terms and that staff continues to go through the document to correct the typographical and other errors that were previously missed, some of which, he noted, were identified by members of the Committee. Mr. Cross stated that there is one substantive change to the 2040 Land Use map that he wanted to propose. Specifically, he referred to the Yorktown-Lackey sub-area map on page 32 of the Land Use element, where staff had proposed redesignating from Low Density Residential to Conservation an approximately 45-acre tract of land on the south side of Crawford Road that has been acquired by the American Battlefield Trust for preservation purposes since the 2013 Comp Plan was adopted. He explained that in making that change to the map, staff inadvertently had also changed the designation of eight relatively small residential parcels that are adjacent to this land but are not owned by the Trust and are occupied by single-family detached homes. He recommended that those eight parcels retain their original Low Density Residential as shown on the 2035 Land Use Map. The Committee voted unanimously to approve the recommendation.

Chairman King stated that he would like to use the Summary of Revisions, which was included in the agenda package, as a guide for the Committee's discussion of the draft Plan. He suggested that the Committee consider one chapter at a time. There were no comments on the Introduction or Citizen Input chapters. With regard to the Demographic Profile and Projections chapter, Mr. Cross explained that more current data has been released since it was first reviewed by the Committee, so all of the tables and charts had to be updated. He added that as Mr. Bellamy had suggested previously, staff added the population ranking for the Virginia Beach-Norfolk-Newport News metropolitan area as well as the number of Peninsula residents who serve in the military. Mr. Cross added that for each change listed in the Summary of Revisions, staff attributed it to the Committee member who suggested it and that changes originated by staff or in response to a citizen comment are identified as such.

Regarding the Broadband element, Chairman King asked Mr. Houghland about the availability of low-orbit satellite internet service. Mr. Houghland responded that property he owns in the mountains has this service and that it works well. Chairman King asked what kind of equipment is required. Mr. Houghland responded that he had to mount a small rectangular dish and that a router is also required, similar to regular internet service.

Chairman King asked for comments on the Economic Development element. Mr. Cross noted that this element, like the Demographic Profile and Projections chapter, contains a lot of data, so most of the tables and charts needed to be updated. In addition, he stated that some of the text had to be updated to reflect recent events, such as the shutdown of the power plant and the effort to build a sports facility on the site of the Colonial Williamsburg Visitors Center. Mr. Houghland asked if it would make sense to mention Princess Cruise Lines' plans to bring 3,000-passenger cruise ships that will dock in Yorktown as part of a history-themed cruise. He stated that bus service to Williamsburg and Jamestown would be offered to passengers who want to visit those sites. Mr. Brooks expressed concern about Yorktown's ability to handle so many people and the effect large numbers of buses would have on the Colonial Parkway. Mr. Green responded that he felt the operation can be controlled and that about a third of the passengers will stay on board the ships. He added that this would take place only during the week and that he thinks it is manageable and can be a very positive thing for the County and the area. Mr. Brooks commented that the logistics of such an endeavor will require significant advance planning. Mr. Green responded that next year will be a trial period, with the ships docking at the Riverwalk pier, and that state funds are being sought for the construction of a cruise terminal at the Watermen's Museum. He added that he is not in favor of spending County funds on such a facility and that he doesn't think it will be built without the state's financial support. Lastly, he stated that there is plenty of capacity in Yorktown and that Princess Cruises has a lot of experience with these kinds of operations. Mr. Bellamy added that there are a lot of details to be worked out and that they are planning for four or five days next year as a test period. Mr. Brooks reiterated that adding significant bus traffic to the Colonial Parkway on a regular basis will damage the road. Mr. Bellamy responded that the superintendent of the Colonial National Historical Park is in support of this venture. Mr. Green stated that he understands Mr. Brooks' concerns and that the test period will be an opportunity to evaluate the feasibility of this plan. Chairman King stated that he conferred with Mr. Cross and that they had decided that the best way to address the issue is to add some language about this effort to the Tourism section of the Economic Development element.

In reference to the Environment element, Mr. Cross stated that there is a typographical error on page 34 even though the Summary of Revisions indicates that it has been corrected. He stated that it will be fixed. In addition, he stated that shortly after the Committee reviewed the Environment element, he learned of some additional grant funding opportunities for coastal resiliency, so he added references to those in the revised document. Mr. Spencer stressed the need for environmental regulations to seek a balance between the environment, property rights, and economic interests. Mr. King responded that there is a statement to that effect in the draft Environment element.

Mr. Cross noted a few changes to the Historic Resources element made by Amy Parker, who retired in January. He added that she also suggested removing the list of architectural properties at the end of the document. Mr. Spencer noted that there are several misspellings of the Sheilds House in the Historic Resources element. Mr. Cross responded that they will be corrected.

There were no comments on the Housing element. Mr. Cross noted that this is another data-heavy element and that almost all of the charts and tables needed to be updated.

Chairman King asked Mr. Anderson if he had any comments to make regarding the Public Facilities element. Mr. Anderson responded that all of the Committee's previous comments have been incorporated. He added that in response to a comment from Mr. Myer, additional language has been included in the Tourism section of the element regarding events and activities in Yorktown.

Chairman King asked Mr. Cross if he had any comments on the Transportation element. Mr. Cross responded that some of the information has been updated and that at the suggestion of Mr. Rizzio, he added language about the effect of the COVID-19 pandemic on commuting, noting that more people worked from home both during and after the pandemic. In addition, he stated that since the element was first presented to the Committee, the County has received grant funding for several projects, so those have been referenced in the revised element.

Regarding the Land Use element, Mr. Cross stated that some wording changes suggested by Mr. Myer have been incorporated and in response to a concern raised by Mr. Spencer, a reference to the maximum build-out population representing a "worst case scenario" has been removed. He added that the paragraphs describing the Industrial and Public/Semi-Public land use categories have been reordered to match the table, which was also pointed out to him by Mr. Myer. He said this caused him to realize that he had neglected to include descriptions of the Mixed Use and Right-of-Way categories, so those will be included in the next iteration of the document. Mr. Cross stated that in response to citizen comments from Mr. Struble and/or Mr. Holroyd, he reworded the sub-area description for Penniman South to make it clear that high-density apartments would not necessarily have to be part of any mixed-use development at The Marquis. In addition, he stated that in response to a comment from Mr. Rizzio, he reworded Implementation Strategy 1.2 regarding the 80,000-resident maximum build-out population. Mr. Cross further stated that in Implementation Strategy 1.3, he provided some additional detail as to what an area plan for Lightfoot would entail, and that in Strategy 2.1, he removed the reference to taking a "fresh look" at the County's landscaping ordinance, as suggested by Ms. Myers.

Chairman King commended the staff for its efforts to document all the comments that were brought up during the Committee's review and to incorporate the input received from the Committee. He noted that the updated Comprehensive Plan will help guide the County for at least the next five years until the next Plan update begins. He asked if any of the members had any more comments to make or felt that their comments were not heard, and he noted that nothing is final until the Plan is adopted by the Board of Supervisors. Mr. Cross stated that he wanted to follow up on a comment made by Mr. Holroyd at the March meeting. He stated that Mr. Holroyd had questioned the accuracy of Figure 4 in the Environment element showing no change in the Peninsula's groundwater supply between 2020 and 2040. He stated that he double-checked the source document for that chart, which is the Hampton Roads Planning District Commission's *2021 Updates to the Water Supply Plan*, and confirmed the accuracy of the data in the chart.

Citizen Comments

Chairman King opened the floor for citizen comments.

Douglas Holroyd stated that he went back through all the meeting notes and compiled all the citizen comments and emailed Mr. Cross a list of those that he felt had not been adequately addressed, some of

which, he said, were addressed tonight. He said there are still six or seven that he believes need to be reviewed to make sure they either are answered or don't need to be answered. He said he included the feedback from the public forums, and he opined that a little more work might be needed to ensure that it is effectively captured in the Plan. Mr. Holroyd stated that he would like a response from either Mr. Cross or Chairman King confirming that the comments have been reviewed and incorporated as necessary.

Ron Struble stated that last week he sent an email to Mr. Cross and asked him to share it with Chairman King in reference to communities, such as Springfield Road and Barlow Road, where residents were previously dispossessed of their property. He said he heard no discussion of this at tonight's meeting, and he asked if the topic is off the table. He explained that his concern has to do with small communities that were formed by residents who were displaced from their property on what are now Camp Peary and the Naval Weapons Station by the federal government and re-settled in nearby areas. He stated that these minority communities are under significant pressure from development and need to be recognized and protected. Ms. Kassel asked Mr. Struble to explain specifically what he is requesting. Mr. Struble responded that he wants recognition in either the Housing or Land Use element that development is encroaching on these communities. Ms. Myers asked Mr. Struble what the next step would be. Chairman King stated that he doesn't understand how this concern fits into a comprehensive plan. Mr. Struble responded that he feels these communities should be recognized so that when a rezoning is proposed nearby, the need to protect them will be considered. Mr. Green and Chairman King suggested that perhaps they can be identified in the Historic Resources element. Mr. Spencer stated that he disagrees with the idea, stating that some of these communities might be historic resources but others might not, and he asked if the proposal is intended to prevent developers from developing anywhere near these communities. Chairman King responded that he believes the intent is not to prevent development around them but rather to recognize the unique history of these communities in the Comprehensive Plan. Mr. Brooks asked if these communities have been recognized by the Commonwealth of Virginia as historic resources, and Mr. Hill noted that there is already some discussion of dispossessed communities in the Historic Resources element. Mr. Brooks stated that there needs to be some formal recognition of any designated historic resource in order for it to be protected, and that requires a significant amount of research and work. Mr. Struble said he does not oppose development that is allowed under the current zoning and that the development pressure is generated by high-density rezonings. He stated that when a rezoning is proposed in one of these areas, protection of that community should be as a consideration. Chairman King stated that he had conferred with Mr. Cross and that they felt it might be best to mention these communities in the various sub-area descriptions in the Land Use element. There was no objection among the Committee members.

Other Business

Mr. Spencer commented that there is a national trend of organized groups forming to oppose development that would provide diverse housing opportunities for young people. He said local leaders need to consider what is in the long-term best interest of the community rather than trying to appease opponents of development. Specifically, Mr. Spencer cited the "preserve Fenton Mill" group, which he said was well-organized and able to prevent a rezoning that he felt would have helped address the County's housing needs. Chairman King responded that there is a structured process that provides an opportunity for citizens to participate and that it was the Planning Commission and Board of Supervisors that made the decision to deny the rezoning application, not the citizens' group. He said that process worked the way it was supposed to work. Mr. Spencer responded that in a political process, decisions are not always made that are in the best interests of the community. Chairman King said that is the way American democracy functions and that if people are not satisfied, they can vote their elected leaders out of office. Mr. Spencer responded that he expects to see changes made to federal law if localities fail to provide adequate housing opportunities for the citizens. Mr. Green responded that two of Mr. Spencer's development projects have come before the Board of Supervisors for approval since he has been on the Board, one of which – the Tranquility project in the Springfield Road area – he said is a great project that

he supported, despite concerns expressed by the Navy. He stated that the other project, Fenton Mill, is one he voted against and was also recommended for denial by both the Planning Commission and the County Administrator, and he said things might have worked out differently if there had been more negotiation regarding the development. Mr. Spencer opined that the Skimino area was a good location for a higher density project and that if citizens can stop a project like that, they can stop any project.

Ms. Myers noted that the Committee appears to be wrapping up its work, and she stated that she feels the Committee is a good example of how things should work, with everyone having a fair opportunity to express their opinions openly and be listened to. She stated that she understands the draft Plan will likely be revised as it goes through the approval process but she is proud of it. She commended Chairman King and the staff and added that it has been a pleasure for her to serve on the Committee. Chairman King thanked Ms. Myers for her comments and stated that he has learned something from each member of the Committee and that there was a concerted effort to make sure everyone was heard even though there may not have been unanimous agreement on every issue.

Mr. Cross noted that Mr. Holroyd had made reference to citizen comments that are not reflected in the draft Plan. He stated that in many if not most of those cases, that is because staff did not get direction from the Committee to pursue those ideas. He explained that the way the process is supposed to work is for the Committee to collect information from the various subject matter experts both inside and outside the County as well as input from the citizens, digest all of that information, and provide guidance as to what should or should not be in the Plan. He stated that some of the citizen input has been incorporated into the draft Plan and, in some cases, was already incorporated in earlier draft chapters. As an example, he noted that one of the major citizen concerns had to do with the Mixed Use overlay designation, and the Committee agreed to recommend deleting that designation from the Plan even before the draft Land Use element was prepared. Mr. Holroyd acknowledged that although there are roughly nine comments that he still feels should be considered, there are probably forty or fifty others that have been addressed. Mr. Cross explained that not every citizen comment is automatically reflected in the Plan and that it is the Committee's job to make those decisions. Chairman King stressed that the process is not over yet and that there will be public hearings on the Plan in the months ahead that might necessitate additional changes. Mr. Brooks noted that the makeup of the Board of Supervisors may change next year since this is an election year, and he asked if the Plan will be adopted before then. Mr. Cross responded that the goal is to complete this process by the end of this year. Mr. Green added that he will be voting on the Plan. In addition, he stated that every member of the Committee has done an excellent job and that he recently told the County Administrator that this is a group that has done good work and that even after the Comp Plan process is over, he would like to keep the group together to serve as an ad hoc committee to address planning or other issues that come up in the future. He said he hoped all the Committee members would be willing to be available for such assignments, and he added that Chairman King has done a great job as Chairman. Chairman King thanked Mr. Green for his comments and his regular attendance at the meetings, and he thanked the other Committee members and staff for helping to make his job as Chairman easier.

Mr. Cross stated that he wanted to have some discussion regarding the next steps in the process. He stated that staff will need to make some revisions to the document before it goes forward to the Planning Commission. He suggested that the staff email the revised pages to the Committee members and ask if there are any comments or concerns. In essence, he explained, the requested action would be for the Committee to approve the draft Plan pending a few additional changes. Chairman King added that he did not think it was necessary for the Committee to hold another meeting just to review a few minor revisions. By consensus, the Committee members agreed with the recommended approach

Adjournment

The meeting was adjourned at 6:18 p.m.