

At a continued meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center, 26022 Administrative Center Drive, Courtland, Virginia on June 30, 2008 at 8:30 AM.

SUPERVISORS PRESENT

Dallas O. Jones, Chairman (Drewryville)
Walter L. Young, Jr., Vice-Chairman (Franklin)
Walter D. Brown, III (Newsoms)
Carl J. Faison (Boykins-Branchville)
Anita T. Felts (Jerusalem)
Ronald M. West (Berlin-Ivor)

SUPERVISORS ABSENT

Moses Wyche (Capron)

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)
Susan H. Wright, Administrative Secretary

Chairman Jones called the meeting of the Southampton County Board of Supervisors back to order. (*Note: The regular session of June 23, 2008, was recessed until today.*)

After the *Pledge of Allegiance*, Supervisor Faison gave the invocation.

Chairman Jones announced that the purpose of this meeting was for the Board to take action on the following application, which was the subject of several public hearings, the most recent being June 23, 2008:

COMP 2008:01 Application filed by Hampton Roads Development LLC, owner, requesting a change to the Comprehensive Plan of approximately 26.4 acres for the purpose of amending the future land use map, Courtland Planning Area Map 8-2b, from its future designation as Single Family Residential to a revised designation of Commercial and to request a change to the Comprehensive Plan of approximately 87.3 acres for the purpose of amending the future land use map, Courtland Planning Area map 8-2b, from its future designation as Single Family Residential to a revised designation of Multi-Family Residential. The subject areas are portions of Tax Parcels 77-38 and 77-43 and are located on the east and west sides of Delaware Road (Rt. 687), north of Camp Parkway (Rt. 58 Business). The purpose of the application is to amend the Comprehensive Plan in order that future rezoning applications for the Villages of Southampton, a mixed-use master planned subdivision, will remain consistent with the future land use maps of the Comprehensive Plan.

Mr. Jay Randolph, Assistant County Administrator and Secretary of the Planning Commission, advised that the Planning Commission held a public hearing on the above referenced application at its February 14, 2008 meeting and voted 5-1 to recommend denial. The Board of Supervisors opened, and very shortly thereafter, closed a public hearing on the application at its March 24, 2008 meeting, resolving to send the application back to the Planning Commission, as the applicant had amended the application from what was considered by the Planning Commission. The Planning Commission then held a public hearing on the application, as amended, at its April 10, 2008 meeting and voted 5-3 to recommend denial. The Board of Supervisors held a public hearing on the application at its May 27, 2008 meeting and resolved to table the application for 6 months. At its June 23, 2008 meeting, the Board of Supervisors, upon concluding its closed session, continued the meeting until this morning for the express purpose of acting upon the application, as the County Attorney had advised that it was incumbent upon the Board of Supervisors to act on the application prior to July 9 in order to be in compliance with the state statute.

Mr. Randolph advised that with regards to this application, there had been a lot of discussion as to what the Comprehensive Plan was or wasn't. The Comprehensive Plan was a set of plans that dealt with a lot of projections such as housing, population, land use, and the economy. He stated that 2/3 of the (entire) subject property was zoned Residential R-1 back in 1968. It was zoned that

way because of its close proximity to a major thoroughfare and to the City of Franklin. The remaining 1/3 of the property was zoned Agricultural A-1 for whatever reason. During the last update of the Comprehensive Plan, it made since to designate the remaining 1/3 as Residential R-1. The applicant was requesting a change to that designation to allow for commercial development and age-restricted housing. Commercial development could enhance the tax base, and age-restricted housing could be a positive thing as the population got older. However, the Comprehensive Plan was developed by the Planning Commission, Board of Supervisors, and the citizens. To make a major change to the Plan at this time would be premature. The Plan must be reviewed and updated every 5 years – another update was due in 2012. There were also other updates and plans in the works including the Parks and Recreation Plan, Stormwater Management Ordinance, and updates to the Subdivision Ordinance.

Mr. Randolph stated that it was nothing wrong with considering an amendment to the Comprehensive Plan. For example, a new Route 460 was forthcoming and would affect the Comprehensive Plan. But they were not amending the Plan for that now – they would consider it at the next update in 2012. If they wished to change the Comprehensive Plan, they should have significant reasons for doing so. He noted that adapting to change was difficult when it came too fast.

Supervisor Faison asked how would amending the Comprehensive Plan for the subject project affect the work of the Planning Commission? Mr. Randolph replied that it would affect the update to the Subdivision Ordinance. There was no zoning or ordinances in place right now to govern mixed-used projects, or “newer urbanization areas”. Commercial and residential development located close together could cause potential problems. For example, a home close to a Chinese restaurant may be bothered by odor resulting from the waste/garbage.

Supervisor Brown asked, wasn't the Comprehensive Plan a living document? And hadn't it been changed to accommodate a commercial development? Mr. Randolph replied yes, it was a living document and could be amended. Mr. Randolph replied that yes, the Comprehensive Plan was amended in December to allow for a 12-acre commercial site in the Edgehill area. Supervisor Brown asked, didn't that Comprehensive Plan amendment bring about the potential for 950 homes? Mr. Randolph replied that the developer's plan was to eventually build 950 homes.

Mr. Randolph pointed out that with the subject project, the Villages of Southampton, the commercial part would not be developed until the majority of the houses were built.

Supervisor West asked how many houses could be built on the subject property as it was currently zoned? Mr. Randolph replied about 475.

Supervisor Brown confirmed with Mr. Randolph that they were just considering an amendment to the Comprehensive Plan this morning, and not a rezoning – with a rezoning would come caveats.

Mr. Randolph advised that the developer donated the site for Riverdale Elementary, which was worth about \$1 million.

Supervisor Brown confirmed with Mr. Michael Johnson, County Administrator, that the site donation worth \$1 million would have had a potential effect of 5-6¢ on the tax rate.

Supervisor Brown asked Mr. Randolph if he thought the population in Southampton County in the next 15-30 years would be at least 20,000 people and that the growth rate would be 5%? Mr. Randolph replied that the population today was about 18,000 and was expected to grow by about 8,000 people in the next 25 years. Supervisor Brown stated that if you figured 2.4 people per household, you would be looking at 3,000+ more homes in the County. The County would be mandated to have a mixed-use urban development area. They needed to be proactive instead of reactive. *(Note: In 2007, the General Assembly enacted legislation requiring all localities with a growth rate of 15%, or a growth rate of 5% and a total population of at least 20,000 to designate at least one Urban Development Area in their Comprehensive Plan by 2011).*

Mr. Randolph advised that it would take time to move forward. They needed to get staff in place, etc. to appropriately address new growth.

Supervisor Brown stated that in looking at this application, he was considering the following:

- How do they keep taxes down?
- How do they keep farm land in tact?
- How do they pay for a new Courtland Wastewater Treatment Plant?
- Will they be mandated to designate an Urban Development Area?
- This was a Comprehensive Plan amendment, and not a rezoning

Supervisor Brown stated that there had been a lot of discussion in the past of not wanting to change the Comprehensive Plan. However, the Board already changed the Plan for a commercial development in the Edgehill area, and that developer was not giving the County anything. The development would likely cost the County more money in services. He personally voted against that Comprehensive Plan amendment for those reasons. But he was willing to vote for this particular amendment. They needed to protect the citizens from being taxed to death. The commercial aspect of this development would help to keep real estate taxes down. They needed to be proactive and set precedence for other developers coming into this County.

Supervisor Faison stated that the Comprehensive Plan was a great document, but it was a living document. They could not put all developers in one bag. This particular developer donated land for the school, and was willing to partner with the County.

Vice-Chairman Young advised that he was not in favor of changing the Comprehensive Plan. Supervisor Felts agreed.

Supervisor West asked, why were they in a hurry to make this change? They had a 25-year window. The County would not reap any harvest from anything until the project was built-out. He was not in favor of changing the Comprehensive Plan.

Supervisor Brown stated that they needed to be careful about saying that they did not want to change the Comprehensive Plan, because they had already done that.

Chairman Jones advised that the housing market was down. He was a brick layer, and work was slow. Maybe Mr. Fiscella, the developer, could come back at a later date. Let the County put the sewer in first.

Vice-Chairman Young moved, seconded by Supervisors Felts and West, to deny the Comprehensive Plan amendment request. Chairman Jones, Vice-Chairman Young, and Supervisors Felts and West voted in favor of the motion. Supervisors Brown and Faison voted in opposition to the motion. The vote was 4-2 in favor of the motion, thus the motion passed.

There being no further business, the meeting was recessed at 8:55 AM.

Dallas O. Jones, Chairman

Michael W. Johnson, Clerk

June 30, 2008

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