Excerpts
Planning Commission Minutes
June 14, 2006

Application No. PD-17-06, Fourth Centrum of Virginia, Inc: Request to amend the York County Zoning Map, pursuant to Section 24.1-362 of the York County Zoning Ordinance, by reclassifying from EO (Economic Opportunity) to PD (Planned Development), subject to voluntarily proffered conditions, approximately 70 acres of a 133-acre parcel located at 4300 Mooretown Road approximately 2030' west of the intersection of Mooretown Road (Route 603) and Waller Mill Road (Route 713). The property is further identified as a portion of Assessor's Parcel No. 5-52. The proposed development would consist of a 63-acre senior housing development with up to 459 age-restricted housing units and a 7-acre commercial center. Housing units would be a mix of single-family detached homes, duplexes, condominium apartments, and rental apartments. Proffered conditions address architectural design, exclusion of certain commercial uses, and dedication of a fire station site. The Comprehensive Plan designates this area Economic Opportunity along Mooretown Road and Conservation to the rear.

Timothy C. Cross, AICP, Principal Planner, presented the staff report from the memorandum dated Jun 6, 2003, in which the staff recommended approval by adopting revised Resolution PC06-13(R). He further noted the staff preference for either Alternative A or B to provide more visibility into interior areas and more curb appeal from Mooretown Road.

Mr. Hamilton asked about the necessity for a traffic signal on Mooretown Road at the proposed development, and **Mr. Cross** indicated that no signal is planned. He said two entrances from Mooretown Road are proposed by the applicant, one for the commercial area and the other leading to the residential areas. The Zoning Ordinance does not support that traffic configuration, so the applicant would have to demonstrate the need for an additional entrance while preserving the carrying capacity of Mooretown Road.

Mr. Staton questioned that a development producing 4,000 trips per day would not warrant a traffic light at the entrance and he asked how such determinations are made. **Mr. Cross** explained that such decisions are based on a signal warrant study, where the number of vehicles on both streets is plotted on a graph to determine whether a signal would be required at the intersection.

Mr. Davis inquired about the maximum width of the property, and **Mr. Cross** said it is 1,420 feet wide at Mooretown Road, but is narrower to the rear, in the portion that the City of Williamsburg plans to retain.

Mr. Abel asked if there are any four-story buildings in the County because he thought there was a three-story limit throughout the County. **Mr. Cross** responded that the height limit for EO-zoned property is 75 feet. He added that the Days Inn Motels on Lightfoot Road and Route 199 are four stories tall, as is the new Sentara Hospital under construction. Mr. Cross added that limitations on impervious surface in proximity to the Waller Mill Reservoir helped drive the plans for building vertically, resulting in a smaller footprint.

Mr. Cross referred some questions about rental of the apartments to the developer or his agent.

Chair Ptasznik opened the public hearing.

Vernon Geddy, Esq., 1177 Jamestown Road, Williamsburg, represented the applicant. (Applicant's slide presentation is attached to the Minutes of Record.) Mr. Geddy said the applicant, Fourth Centrum of Virginia, LLC, has developed over 200 projects with over 12,000 residential units and 100+ senior housing units. They create high-quality developments for senior independent living with a mix of housing types, extensive recreational amenities and a small commercial center. The proposal is for a mix of age-restricted single-family detached homes, duplexes, condominiums and apartments. The proposal would have low impact on the area, he said; intense commercial development is unlikely. It is located between two existing timeshare resorts and senior housing is an excellent use of the land the property, being a low-traffic generator compared to commercial or non-age-restricted uses. Mr. Geddy said it would meet the need for senior housing in the market while producing a positive fiscal impact to the County.

Mr. Geddy said the voluntarily proffered fire station site is just over one acre but it is designed to accommodate a three-bay station.

Mr. Geddy said the applicant agrees with most of the staff report but, unlike staff, recommends that Alternative C be permitted because it allows clustering of same-type units and would have a lower traffic impact on the single-family detached units. He asked for a recommendation of approval of Alternatives A, B, and C.

In response to **Ms. Conner**, **Mr. Geddy** said the development is expected to provide a positive fiscal impact of $450,000 annually.

Mr. Hamilton inquired what level of on-site security the development would provide.

Mr. Chuck Bradbury, Fourth Centrum of Virginia, Inc., stated the apartment building would have 24-hour on-site management; a homeowners' association would maintain the remainder of the development and would determine the level of security or patrol it would provide.

Mr. Ptasznik asked about the ownership of the units. **Mr. Bradbury** said First Centrum would own all of the rentals for an indefinite period and all other units would be sold to individuals.

Mr. Abel wanted to know what type of commercial uses the developer anticipated. **Mr. Bradbury** responded the architect and land planners are recommending a small strip shopping center with stores and services catering to people living in the community.

Mr. Abel asked if occupants might be expected to move to different types of dwellings within the development as they age. **Mr. Bradbury** said that is typically the progression in these types of developments, although younger residents who tend to stay in those units for longer periods often occupy patio homes.

Mr. Abel asked, in regard to Alternative C, if the applicant had analyzed traffic as to whether the condos and rental properties near the front entrance, at Mooretown Road, would generate more traffic than the units behind them. **Mr. Bradbury** said the condominiums; if placed one at the rear and one at the back, would generate more traffic than if they were together as proposed in Alternative C. They are proposed to be together for that reason. There was more conversation about the anticipated traffic generated by single-family dwellings as compared to condominiums. The total number and types of units proposed, Mr. Bradbury explained, was 216 condominiums, 152 rental apartments, and 9 single-family and duplex units.

Chair Ptasznik closed the public hearing.

Mr. Ptasznik asked Mr. Cross to elaborate on reasons the staff does not recommend Alternative C. **Mr. Cross** said Alternative C was not recommended because the placement of all the three- and four-story buildings toward the front of the property would not, in staff's opinion, provide for an aesthetically appealing view from Mooretown Road. He reiterated the Commission's entitlement to recommend whatever proposal it desires, including Alternative C.

Mr. Cross, elaborating on the earlier discussion about a stoplight at the Mooretown Road entrance to the proposed development, said that while no signal is planned, additional information would need to be submitted with the formal site plans to justify the second entrance and that it would have to address both entrances and the possible need for signalization. The County would consider different options and could determine that a signal is needed, depending on what the traffic impact analysis indicates and what VDOT requires.

Mr. Ptasznik said he preferred Alternative C. He referred to discussions during the senior housing study committee whose recommendations ultimately led to the senior housing amendment to the Zoning Ordinance, and whose deliberations had indicated that senior citizens prefer to shop near home. He also cautioned against the County approving an excess of senior housing.

Ms. Conner also supported Alternative C but acknowledged the staff consideration is important from an aesthetic standpoint. She believed the setback from Mooretown Road was substantial, that it made good use of the property, and was compatible with the Comprehensive Plan's vision to create appropriate senior housing.

Mr. Hamilton agreed but believed there may be some traffic issues and consideration should be given to installing a traffic signal.

Mr. Davis thought the proposed use was good for that location.

Mr. Hamilton moved adoption of Resolution PC06-12(R-2), revised to include Alternative C as a permitted layout.

On motion of Mr. Hamilton, which carried 6:0 (Mr. Barba absent), the following resolution was adopted:

Resolution No. PC06-12(R-2)

A RESOLUTION TO RECOMMEND APPROVAL OF A 70.7-ACRE PLANNED DEVELOPMENT AT 4300 MOORETOWN ROAD CONSISTING OF A 63-ACRE SENIOR HOUSING-INDEPENDENT LIVING DEVELOPMENT AND A 7.7-ACRE COMMERCIAL CENTER

WHEREAS, Fourth Centrum of Virginia, Inc. has submitted Application No. PD-17-06, which seeks to amend the York County Zoning Map by reclassifying from EO (Economic Opportunity) to PD (Planned Development) approximately 70.7 acres of a 133-acre parcel for the purpose of establishing a 63-acre independent living senior housing development with a 7.7-acre commercial center on property located at 4300 Mooretown Road approximately 2,030' west of the intersection of Mooretown Road (Route 603) and Waller Mill Road (Route 713) and further identified as Assessor's Parcel No. 5-52 (GPIN# D16c-1780-1578); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 14th day of June, 2006, that Application No. PD-17-06 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to amend the York County Zoning Map by reclassifying from EO (Economic Opportunity) to PD (Planned Development) approximately 70.7 acres of a 133-acre parcel located at 4300 Mooretown Road approximately 2,030' west of the intersection of Mooretown Road (Route 603) and Waller Mill Road (Route 713) and further identified as Assessor's Parcel No. 5-52 (GPIN#D16c-1780-1578) subject to the following conditions:

1 Age Restriction

The residential component of this Planned Development shall be developed and operated as age-restricted senior housing in accordance with the definition of Senior Housing-Independent Living Facility set forth in Section 24.1-104 of the York County Zoning Ordinance.

2 General Layout, Design, and Density

a) A site plan, prepared in accordance with the provisions of Article V of the Zoning Ordinance, shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance prior to the commencement of any land

clearing or construction activities on the site. Said site plan shall be in substantial conformance with the conceptual plans titled "Master Plan for The Reserve at Williamsburg, Alternatives A or B" prepared by AES Consulting Engineers, dated February 28, 2006, and revised May 12, 2006, except as modified herein. Substantial deviation, as determined by the Zoning Administrator, from the general design and layout as depicted on the "Non-Binding Illustrative Plan" or amended herein shall require resubmission and approval in accordance with all applicable provisions as established by the York County Zoning Ordinance. Limited deviations from the "Non-Binding Illustrative Plan" as depicted on plans titled "Master Plan, Alternative A" and "Master Plan, Alternative B," both prepared by AES Consulting Engineers, dated February 28, 2006, and revised May 12, 2006 shall be permitted.

b) Architectural design of all residential structures, including the clubhouse, shall be in substantial conformance with the building elevations submitted by the applicant and titled "Architectural Renderings: The Reserve at Williamsburg," dated May 12, 2006, copies of which shall be kept on file in the York County Planning Division.

c) The layout and design of the residential development shall be in conformance with the performance standards for senior housing set forth in Section 24.1-411 of the York County Zoning Ordinance, except as modified herein.

d) The commercial center shall be developed in accordance with the standards for nonresidential uses within the PD district set forth in Section 24.1-361(h) of the Zoning Ordinance.

e) The maximum number of residential units shall be 459.

f) The maximum building height shall be sixty feet (60') for rental apartment buildings and 72 feet for condominium apartment buildings.

g) The minimum building separation for single-family detached and duplex units shall be fifteen feet (15'), provided, however, that where two adjacent structures are separated by less then twenty feet (20'), the following conditions shall be met:

    1. Structures shall be constructed with an approved NFPA 13R Sprinkler System, or

    2. All adjacent facing walls shall be constructed with an approved fire-resistive exterior finish (or other approved alternatives) and said fire-resistive construction shall include associated projections (cornices, eaves, overhangs, fireplaces, etc). Furthermore, in order to accommodate design features, the required fire-resistive section of the structure is allowed to have unprotected openings provided they do not exceed 10% of the entire adjacent facing wall.

h) In areas designated for single-family detached homes and/or duplexes, the minimum distance between any principal building and any public or private street right-of-way shall be twenty feet (20').

i) Freestanding signage for the residential portion of the project shall be limited to a single monument-type community identification sign along Mooretown Road measuring no greater than 32 square feet in area and six feet (6') in height. Signage for the commercial parcel shall be in accordance with the provisions for LB-Limited Business districts, as established in Section 24.1-703 of the Zoning Ordinance.

j) For any rental apartment building, a minimum of one (1) off-street parking space per residential unit shall be required and no additional spaces shall be required for visitor parking provided that, pursuant to Section 24.1-604(b) of the Zoning Ordinance, an area equal to one-half of the difference between the number of parking spaces provided and the number that would otherwise be required in accordance with the requirements set forth in the Zoning Ordinance shall be reserved for a period of five (5) years following the issuance of a Certificate of Occupancy for such building and shall be maintained as landscaped open space during that time.

3 Streets and Circulation

a) In order to provide for safe, convenient, and continuous pedestrian circulation throughout the development, a four-foot (4') wide sidewalk shall be constructed on at least one side of all private residential streets within the development and shall include pedestrian connections to off-road walkways and walking trails and to the commercial center.

b) Street lighting shall be provided at each street intersection and at other such locations determined by the subdivision agent to maximize vehicle and pedestrian safety. The design of the street lighting shall be consistent with the design and character of the development.

c) The developer shall install a 200-foot left-turn lane with a 200-foot taper and appropriate transitions on southbound Mooretown Road at the main road, as well as northbound right turn tapers on Mooretown Road at both the main road and the right-turn in/right-turn out driveway (150' tapers), if such additional driveway is determined to be acceptable in accordance with Zoning Ordinance requirements. The right-turn in/right-turn out driveway shall be constructed with an appropriate channelizing island.

d) The main entrance shall include one dedicated left-turn lane and one dedicated right-turn lane for egress.

e) The spacing from the edge of Mooretown Road to the first internal access point shall be 200 feet or greater, unless otherwise approved by the Virginia Department of Transportation.

f) Pursuant to Section 24.1-255(b) of the Zoning Ordinance, the developer shall provide a transit bus shelter and pullout, the design and location of which shall be subject to the approval of the Williamsburg Area Transport.

g) Pursuant to Section 24.1-252(b)(2) of the Zoning Ordinance, the right-turn in/right-turn out entrance to the commercial center depicted on the referenced plan shall be permitted only if the

need for and safety of such is substantiated by a traffic impact analysis prepared in accordance with Section 24.1-251(b) of the Zoning Ordinance.

4 Utilities and Drainage

a) Public sanitary sewer service shall serve this development, the design of which shall be subject to approval by the County Administrator or his designated agent in consultation with the Department of Environmental and Development Services and in accordance with all applicable regulations and specifications. The applicant shall grant to the County all easements deemed necessary by the County for the maintenance of such sewer lines.

b) A public water supply and fire protection system shall serve the development, the design of which shall be subject to approval by the County Administrator or his designated agent in consultation with the Department of Environmental and Development Services and the Department of Fire and Life Safety in accordance with all applicable regulations and specifications. The applicant shall grant to the County or the City of Williamsburg all easements deemed necessary by the County for maintenance of such water lines.

c) The development shall be served by a stormwater collection and management system, the design of which shall be approved by the County Administrator or his designated agent in consultation with VDOT and in accordance with applicable regulations and specifications. Any easements deemed necessary by the County for maintenance of the stormwater system shall be dedicated to the County; however, the County shall bear no responsibility for such maintenance.

d) The property owners' association(s) shall own and be responsible for the perpetual maintenance of all stormwater retention facilities serving the Planned Development.

5 Open Space and Recreation

a) The location and arrangement of open space shall be generally as depicted on the plan titled "Master Plan for The Reserve at Williamsburg," prepared by AES Consulting Engineers, dated February 28, 2006, and revised May 12, 2006.

b) A minimum of 200 square feet of common active/passive outdoor recreation area per dwelling unit shall be provided. Said area(s) shall include, at a minimum, the following facilities and amenities:

- Swimming pool (indoor or outdoor)
- Covered pavilion
- Barbecue/picnic area
- Walking trails
- Fountains (2)
- Benches (10)
- Trellises (3)
- Yard game areas

- Gazebos (2)

c) Indoor recreational amenities shall consist of, at a minimum, a combined total of 8,250 square feet of indoor recreation space, including 2,775 square feet in the rental apartments and 2,475 square feet in the condominium apartments and a 3,000-square foot clubhouse/recreation center, each with an exercise room, multi-purpose community room, bistro-style (non-commercial) kitchen, fireplace, and other amenities as set forth in written materials supplied by the applicant and dated May 12, 2006.

d) All common and public improvements within the development shall be subject to the standards governing timing, performance agreements, and surety requirements set forth in Sections 24.1-362(b)(3) and (4) of the Zoning Ordinance.

e) The location and manner of development for the recreation area shall be fully disclosed in plain language to all home purchasers in this development prior to closing.

f) All common open space and recreational facilities shall be protected and perpetual maintenance guaranteed by appropriate covenants as required in the York County Zoning Ordinance and submitted with development plans for the project.

6 Fire and Life Safety

a) In conjunction with the site plan submittals for this project, the developer shall submit a detailed description of the proposed features of the project and building design related to protection and safety of the residents, as well as operational procedures to ensure and facilitate the safety of the residents in the event of fire or other emergencies.

b) All rental and condominium apartment units shall be equipped with an approved (NFPA 13) fire suppression system throughout (including attic areas), underground vault(s), PIV(s), and FDC(s).

7 Historic Resources

As set forth in the written correspondence to the Planning Division from the Virginia Department of Historic Resources (VDHR) dated May 25, 2006 and in accordance with VDHR requirements, archeological excavation shall be performed in the area between the two sites identified as IF-R4 and IF-R5 on the map titled “Cultural Resources Survey Base Map” prepared by AES Consulting Engineers and dated February 21, 2006. Prior to the commencement of any land disturbing or development activity in the vicinity, the findings shall be submitted to the Zoning Administrator, who shall determine if additional studies and/or preservation of resources is required prior to construction.

8 Proffered Conditions

The reclassification shall be subject to the conditions voluntarily proffered by the property owners in the proffer statement titled “Conditions Voluntarily Proffered for the Reclassification of Property Identified as a Portion of Tax Parcel 05-00-00-052, GPIN D16c-1780-1578,” signed by

Jackson C. Tuttle, Williamsburg City Manager, and dated May 25, 2006, except as modified herein.

9 Restrictive Covenants
Prior to final plan approval, the applicant shall submit restrictive covenants for review by the County Attorney for their consistency with the requirements of Section 24.1-497 of the Zoning Ordinance.

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