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December 9, 2004

**VIA U.S. MAIL DELIVERY AND FACSIMILE (757) 890-4000**

Mr. J. Mark Carter
Assistant County Administrator
Zoning Administrator
120 Alexander Hamilton Blvd.
P. O. Box 532
Yorktown, VA 23690-0532

***Re: Request for Amendment to Senior Housing Ordinance/ Commons Way Senior Housing***

Dear Mr. Carter:

We represent Osprey Property Company, which applied for and was granted a Special Use Permit in February 2004, authorizing the establishment of a 100 unit senior housing facility on approximately 5 and a half acres on Commons Way in York County ("Commons Way Senior Housing"). Plans for this project are underway, and Osprey continues to be excited about beginning the build-out of this facility. As you and Corbin Anderson of Osprey have discussed over the past several months, the height limit of 45 feet set by the Senior Housing Ordinance is an impediment to the appearance and potential of this project. On behalf of our client, we are seeking your assistance to obtain an amendment to increase the height limit of the Senior Housing Ordinance from 45 feet to 55 feet for the reasons outlined below.

First, let me review the details of the project. The 100 unit development is designed to provide reasonably priced housing with amenities that will serve the needs of active and independent adults aged 62 years and older, the fastest-growing segment of the population. The project is strategically located in close proximity to the services that seniors need and enjoy. The physical four story structure is designed to have a colonial look and feel in keeping with the surrounding community. Commons Way Senior Housing is an ideal size and arranged in a way that fosters the sense of a close-knit community.

To achieve the most efficient and most aesthetically pleasing design, Osprey is requesting an amendment to the Senior Housing Ordinance to increase the 45 feet height limit to accommodate a pitched roof instead of a flat roof with parapet. Although the existing regulation limits senior housing building height to 45 feet, the regulations permit, with your approval, an additional amount



M cc 12/13/04

of up to 8 feet for parapet walls or similar structures. Taken together, without the ordinance amendment, the total structure could be 53 feet high (45 feet plus 8 feet of parapet). Osprey is seeking an amendment to allow a maximum height of 55 feet – the practical effect of which will be to increase the overall height by only two feet. You will recall that this property lies within the General Business district. If this were a commercial property it would have a height limit of 50 feet, and an additional 8 feet would be available, with your permission, for a total height of 58 feet. Ed Winks prepared a helpful diagram to illustrate the various rooflines, a copy of which is enclosed for your reference.

The current zoning requirements permit Osprey to build a four story building, and Osprey has asked us to emphasize that it plans to build a four story building regardless of whether the requested amendment is passed. Osprey views this facility as embodying the smart growth concept that is guiding thoughtful residential development. The design incorporates four floors of living units, following the "build up not out" philosophy. This structure accommodates the needs of seniors by limiting long horizontal walkways, and instead providing access to common spaces and amenities in a more compact, accessible space. Further, by building up, open space is maximized and impervious ground surface is minimized.

If limited to 45 feet, the building will make use of a flat roof and, with your approval, a parapet or similar structure (for a total of 53 feet in height). This design is not optimal. As you know, flat roofs require more maintenance reserves and related costs and can create additional long-term issues such as leaks and mold. In addition, the pitched roof design is generally considered safer than a flat roof design, in that fire fighters have more difficulty locating the source of a fire in a building with a flat roof than with a pitched roof. A parapet does not remedy the existence of the flat roof beneath. With only two more feet in total, Osprey can produce a pitched-roof building that minimizes those potential issues, is more aesthetically attractive and is more in keeping with the colonial, residential atmosphere of the surrounding community. A pitched roof will help give the facility a more residential and less commercial appearance-something seniors look for in a home.

An aesthetically attractive facility in a beautiful setting will be a benefit to the residents and to the adjacent communities. An attractive facility should lease up more quickly and stay fully leased, and therefore provide revenue to the County more quickly. (The Community Impact Statement addressed this point, estimating the total annual revenue to the County at build-out as $197,900.) The quicker the facility leases up, the quicker funds will become available for senior services.

Although the requested amendment, if passed, will certainly benefit Osprey's facility, it will also enhance the County's ability to attract other senior housing developers in the future. In Osprey's experience, developers of senior housing desire land that is accessible to services, and, as such, tends to be more costly per acre. The optimal project size – large enough to feel like a

community but small enough not to be overwhelming – is approximately 100 units, and, to achieve a financially viable facility, senior housing developers will look for the option of building a four story facility with an attractive residential exterior.

Osprey believes this facility can serve as a model for what top quality senior housing can be, given cooperation among the County, the community and the developer. Osprey is making this request so that it can create a senior housing development that is the best it can be—one that is an asset to seniors and to the community. On behalf of Osprey, we ask that you support this amendment and take the necessary steps to move it forward for adoption by the Board of Supervisors.

Sincerely,

Elizabeth L. White

ELW/adm

cc: Corbin Anderson, Vice President
Rebecca Knowles, Esq.

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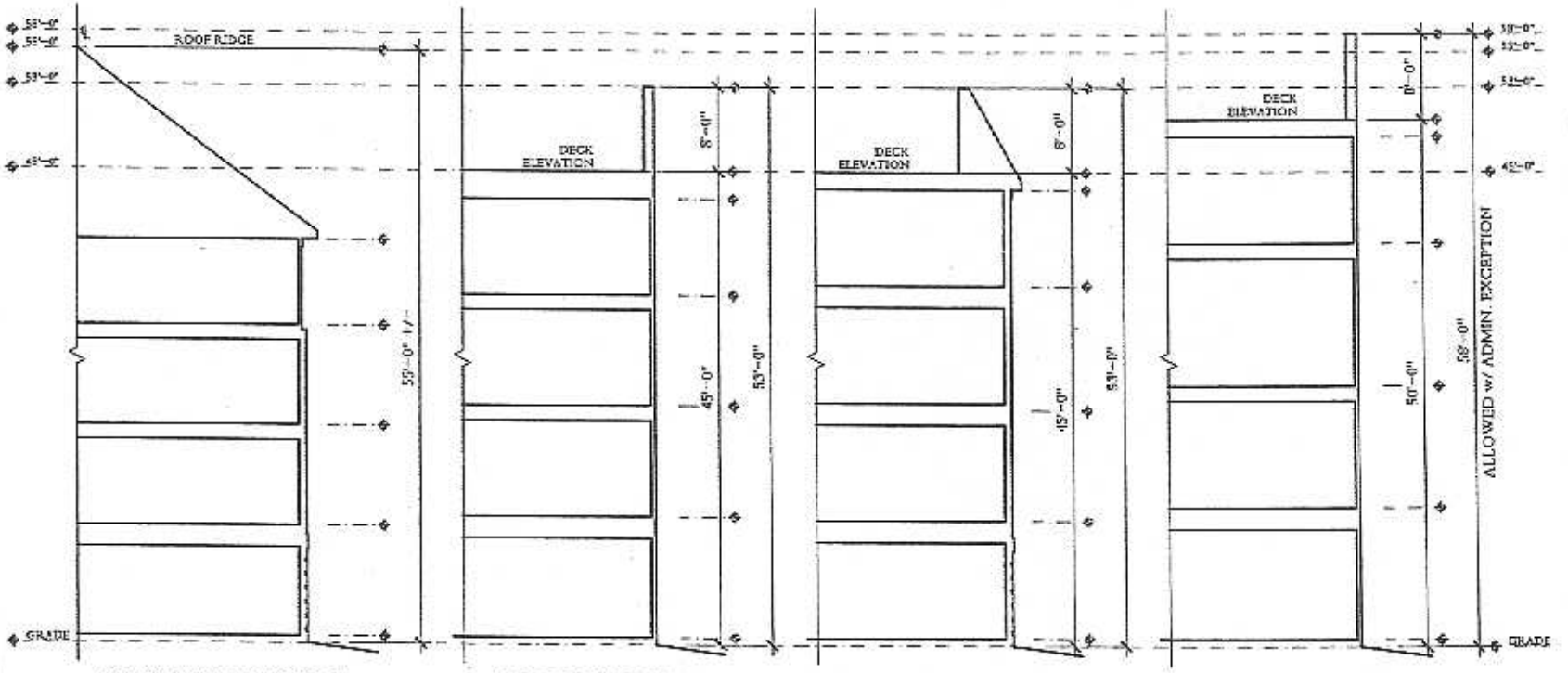


REQUESTED ROOF AMENDMENT

A

SENIOR HOUSING ALLOWED BY CURRENT ZONING

B

SENIOR HOUSING PARAPIT w/ MANSARD OPTION

C

OFFICE ALLOWED BY CURRENT ZONING ON THIS SITE

D

# HERITAGE COMMONS SENIOR HOUSING COMMUNITY

YORK COUNTY, VIRGINIA

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