

PLANNING COMMISSION  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2020:

Present

Vote

Michael S. King, Chair  
Glen D. Titus, Vice Chair  
Montgoussaint E. Jons  
Donald H. Phillips  
Robert T. Criner  
Robert W. Peterman  
Bruce R. Sturk

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO REZONE APPROXIMATELY 7.5 ACRES LOCATED AT 1915 POCAHONTAS TRAIL (ROUTE 60) FROM GENERAL BUSINESS TO PLANNED DEVELOPMENT RESIDENTIAL

WHEREAS, Marlyn Development Corporation has submitted Application No. PD-52-20, which is a request to amend the York County Zoning Map by reclassifying approximately 7.5 acres of land located at 1915 Pocahontas Trail and further identified as a portion of Assessor’s Parcel Nos. 15-9-38 and 15-9-39 (GPINs G12b-4433-3390 and G12b-4695-3050) from General Business (GB) to Planned Development Residential (PDR) for the purpose of developing an independent living senior housing development consisting of a maximum of 150 apartment units; and

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

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the \_\_\_ day of \_\_\_\_\_, 2020, that Application No. PD-52-20 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 approximately 7.5 acres of land located at 1915 Pocahontas Trail and further identified as a portion of Assessor's Parcel Nos. 15-9-38 and 15-9-39 (GPINs G12b-4433-3390 and G12b-4695-3050) from General Business (GB) to Planned Development Residential (PDR) for the purpose of developing an independent living senior housing development consisting of a maximum of 150 apartment units, subject to the following conditions:

1. General Layout, Design, and Density

- a) The development shall be designed and constructed in accordance with the provisions of 24.1-361, Planned Development Residential district and 24.1-411, Standards for Senior Housing (Housing for Older Persons), except as modified herein.
- b) A site plan, prepared in accordance with the provisions of Article V of the Zoning Ordinance, shall be submitted to and approved by the Division of Development Services prior to the commencement of any land clearing or construction activities on the site. Except as modified herein, said site plan shall be in substantial conformance with the overall development master plan titled "Master Plan for 1915 Pocahontas Trail," prepared by AES Consulting Engineers, dated December 2, 2019 and revised February 3, 2020, supplemented by the Project Narrative, Community Impact Assessment, Fiscal Impact Study, Rendered Concept Elevations of Proposed building (prepared by Cox, Kliewer & Company, P.C. on January 22, 2020), and the "Proffered Conditions, 1915 Pocahontas Trail, Williamsburg, VA" statement, copies of which shall be kept on file in the office of the York County Planning Division.
- c) The maximum number of residential units shall be 150.
- e)d) Twenty-percent (20%) of the units shall be income-restricted to 50% of the Area Median Income established by the U.S. Housing and Urban Development Department.
- e)e) Maximum building height shall not exceed a mean elevation of fifty feet (50'), which is defined as the halfway point between the ridgeline and the edge of the roof.
- e)f) Architectural design of all buildings shall be in substantial conformance with the Rendered Concept Elevations of Proposed building submitted by the applicant, copies of which shall be kept on file in the office of the York County Planning Division.
- f)g) The perimeter landscape buffer shall be as depicted on the submitted master plan referenced above, except as modified below:

- i) Landscaping of the buffer along Pocahontas Trail and along the western property line between the proposed 7,500-square foot commercial building and the PDR zoning shall meet the LCU (landscape credit unit) requirements for a Type 50 Transitional Buffer.
- ii) Landscaping of the buffers along the northern and eastern property lines shall meet the LCU requirements for a Type 25 Transitional Buffer.

g)h) \_\_\_\_\_ The normally required 25-foot building perimeter landscape yards shall be reduced as depicted on the master plan referenced above.

## 2. Open Space and Recreation

- a) A minimum of 3.4 acres of common open space and 0.86 acre of recreation space shall be provided as depicted on the overall development master plan and in accordance with the provisions set forth in Section 24.1-361 of the Zoning Ordinance.
- b) Core recreational facilities shall consist of, at a minimum, the facilities as described in the application documents, to include, but not be limited to sitting areas, dog park, grilling area, raised gardens, sidewalks surrounding the building and a multi-use path along the property frontage or such other facilities as deemed appropriate by the Zoning Administrator. Said facilities shall be available to all residents of the development and their guests.
- c) A minimum of 25,000 square feet of interior building space shall be required for recreation space to include: common areas, community room, hair salon, media room, game room, and exercise room or such other facilities as deemed appropriate by the Zoning Administrator.

## 3. Fire and Life Safety

- a) The independent living facility shall have adequate radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication system of York County.
- b) Elevators be sized to accommodate an ambulance stretcher in accordance with VCC 3002.4.
- c) Aerial apparatus access roads shall have a minimum width of twenty-six feet (26'), and shall be located within a minimum of fifteen feet (15') and a maximum of thirty feet (30') from the structure.

d) At least one employee shall be on call twenty-four (24) hours per day, seven (7) days per week and at least one employee will be ~~a full-time resident~~present at the

property to provide a twenty-four (24) hours per day, seven (7) days per week management presence at the facility. An emergency pull-cord system shall be installed in each unit to be monitored twenty-four (24) hours per day, seven (7) days per week by a third-party monitoring company (or other similar emergency notification and monitoring system or technology as approved by the Zoning Administrator).

e) The facility shall be equipped with standby power sufficient to support fire suppression, emergency lighting, and one elevator.

f) The facility will be equipped with Automatic External Defibrillation devices (or other comparable devices as approved by the Zoning Administrator).

#### 4. Proffered Conditions

The reclassification shall be subject to the conditions listed in the proffer statement titled “Proffered Conditions, 1915 Pocahontas Trail, Williamsburg, VA” dated February 11, 2020 and signed by Lauren K. Pugliese, Second Vice President of Ameritas Life Insurance Corp. and Brian L. Staub, Executive Vice President of Marlyn Development Corporation.

BE IT FURTHER RESOLVED that in accordance with Section 24.1-114(e)(1) of the York County Zoning Ordinance, a certified copy of the ordinance authorizing the rezoning, together with a duly signed copy of the proffer statement, shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval.