

PLANNING COMMISSION
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of _____, 2013:

<u>Present</u>	<u>Vote</u>
Mark B. Suiter, Chair	Yea
Glenn A. Brazelton	Yea
Todd H. Mathes	Nay
Richard M. Myer, Jr.	Yea

Absent

Melissa S. Magowan, Vice Chair
Timothy D. McCulloch

On motion of Mr. Mathes, which carried 3:1, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL
USE PERMIT TO AUTHORIZE ~~THREE~~ GROUP HOMES AT 208
AND 212 SPRING ROAD ~~AND 101 SYCAMORE LANE~~

WHEREAS, Colonial Community Services, Inc. has submitted Application No. UP-829-13 requesting a Special Use Permit to authorize the establishment of three group homes, each with up to four (4) occupants and staffed by non-resident employees, in three proposed single-family detached dwellings located at 208 and 212 Spring Road (Route 701) and 101 Sycamore Lane (private road) and further identified as Assessor's Parcel Nos. 18B-3-1 (0.97 acre), 18B-3-2 (0.97 acre), and 18B-1-6 (0.37 acre), respectively (GPINs N11d-3269-0353, N11d-3281-0451, N11d-2858-1184); 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; and

WHEREAS, the Commission has determined that various concerns cause it not to support the establishment of a group home on the Sycamore Lane site;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the ___ day of _____, 2013 that Application No. UP-829-13 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval of a Special Use Permit to authorize the establishment of ~~three-two~~ group homes, each with up to four (4) occupants and staffed by non-resident employees, in ~~three-two~~ proposed single-family detached dwellings to be located on property at 208 and 212 Spring Road (Route 701), ~~and 101 Sycamore Lane (private road) and~~ further identified as Assessor's Parcel Nos. 18B-3-1 (0.97 acre), and 18B-3-2 (0.97 acre), ~~and 18B-1-6 (0.37 acre), respectively~~ (GPINs N11d-3269-0353, N11d-3281-0451, ~~N11d-2858-1184~~), subject to the following conditions:

1. This Special Use Permit shall authorize the establishment of ~~three-two~~ group homes, each with up to four (4) occupants and staffed by non-resident employees, in ~~three two~~ proposed single-family detached dwellings located on property at 208 and 212 Spring Road (Route 701) ~~and 101 Sycamore Lane (private road)~~ and further identified as Assessor's Parcel Nos. 18B-3-1 (0.97 acre); and 18B-3-2 (0.97 acre); ~~and 18B-1-6 (0.37 acre), respectively~~ (GPINs N11d-3269-0353, N11d-3281-0451; ~~N11d-2858-1184~~).
2. These facilities shall be operated as group homes for those having an intellectual disability (mental retardation) as defined in Section 37.2-100 of the Code of Virginia and shall comply at all times with all applicable regulations and licensing requirements of the Virginia Department of Behavioral Health and Developmental Services. These facilities shall not be operated as a detention facility operated under the standards of the Department of Juvenile Justice, nursing home, alcoholism or drug treatment center, work release facility for convicts or ex-convicts, or other housing facility serving as an alternative to incarceration or where the residents are under the supervision of a court. Furthermore, the facilities shall not be operated as a "transitional home" as defined in Section 24.1-104 of the Zoning Ordinance.
3. The ~~facilities-residents~~ shall be under 24-hours-a-day care and supervision of at least one and no more than ~~three-six~~ (6) professional staff persons (per group home, at any one time). The ~~facilities~~ may include and offer on-site counseling, education, and training services for residents; however, such services may not be offered at the premises to non-residents.
4. The external appearance and arrangement of such ~~facilities~~ shall retain a form and character that is compatible with the appearance and arrangement of other residential uses in the general area.

5. No signage shall be permitted.
6. All off-street parking and loading in excess of that required for single-family detached dwellings shall be located not less than twenty-five feet (25') from any residential property line and shall be effectively screened from view from adjacent residential properties by a Transitional Buffer Type 25. On-street parking shall be prohibited.
7. The sites shall be developed in general conformance with the sketch plans and floor plans received by the Planning Division on July 2, 2013 and July 9, 2013, except as modified herein. Copies of said sketch plan and floor plans shall remain on file in the office of the Planning Division.
8. The maximum number of residents shall be four (4) in each group home, and no more than ~~three~~ six (36) non-resident employees shall work on any single shift in each home.
9. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit 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 issuance of a Certificate of Occupancy for any group home.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.