

COUNTY OF YORK

MEMORANDUM

DATE: April 2, 2014 (PC Mtg. 4/9/14)

TO: York County Planning Commission

FROM: Timothy C. Cross, AICP, Principal Planner

SUBJECT: Application No. UP-845-14, Smith/Packett d/b/a York IL/AL Investors, LLC

ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-306 (Category 6, No. 3) of the Zoning Ordinance, to authorize the establishment of a Senior Housing-Assisted Living Facility with up to 102 units on two parcels of land located at 3500 Victory Boulevard (Route 171) and 543 Hampton Highway (Route 134) and further identified as Assessor's Parcel Nos. 37-60 and 37-57. The properties, located on the north side of Victory Boulevard east of Hampton Highway, have a combined area of 7.9 acres and are zoned LB (Limited Business) and designated Limited Business in the Comprehensive Plan.

DESCRIPTION

- Property Owner: H. R. Ashe (applicant is contract purchaser)
- Location: 3500 Victory Boulevard (Route 171) and 543 Hampton Highway (Route 134)
- Area: 7.9 acres
- Frontage: 1,430 feet on Victory Boulevard and 142 feet on Hampton Highway
- Utilities: Public water and sewer
- Topography: Generally flat
- 2035 Land Use Map Designation: Limited Business
- Zoning Classification: LB – Limited Business
- Existing Development: None
- Surrounding Development:
 - North: Single-family detached homes
 - East: Single-family detached homes

South: Victory Boulevard; single-family detached homes beyond
West: New Life Presbyterian Church; Hampton Highway beyond

- Proposed Development: Senior housing-assisted living facility with up to 102 units

CONSIDERATIONS/CONCLUSIONS

1. The applicant, Smith/Packett, has a contract to purchase the two subject parcels for the purpose of developing an assisted living facility for senior residents. Based in Roanoke, Virginia, Smith/Packett has developed or acquired more than 150 senior health and housing facilities in Virginia, North Carolina, Florida, Arkansas, Ohio, and Pennsylvania since the company's founding in 1982. The proposed assisted living facility would be an approximately 90,000-square foot, two-story building with a total of 102 units, including a 34-unit memory care wing for non-ambulatory residents who require special assistance. The proposed density of 12.9 dwelling units per acre is within the limits for senior housing prescribed by the Zoning Ordinance (maximum allowable density of 20 units per acre). While the original proposal was for a three-story building with up to 120 units, subsequent changes to the design of the facility made by the applicant have reduced both the building height and the number of units.
2. Existing senior housing developments in the County – Colonial Harbor, Heritage Commons, the Verena apartments, and the Villas at Yorktown – are all independent living facilities. In addition, the Board has approved a Special Use Permit (in 2009) for a 300-unit independent and/or assisted living facility on the west side of Route 17 north of the CSX rail spur and another use permit (in 2012) to convert the former George Washington Inn on Merrimac Trail into an assisted living and/or independent living facility with up to 200 units. To date, no assisted living facilities have been built in the County.

The Zoning Ordinance defines an assisted living facility as a building or series of buildings containing residential living facilities for older persons and which provides personal and health care services, 24-hour supervision, and various types of assistance (scheduled and unscheduled) in daily living, and meeting the requirements of the *Code of Virginia*. According to the narrative description submitted by the applicant, the proposed facility will be staffed 24 hours a day by employees working eight-hour shifts, and services will include meals, medication management, rehabilitation services (physical, speech, and occupational), and assistance with other activities such as grooming, bathing, etc. Assisted living facilities in Virginia are licensed by the state Department of Social Services.

3. Located at the intersection of two arterial roads – Victory Boulevard and Hampton Highway – the subject parcels are designated Limited Business in the Comprehensive Plan and zoned LB (Limited Business). In reference to this area, the Comprehensive Plan states,

“Less intensive commercial uses are also envisioned along Route 134 around the Victory Boulevard (Route 171) and Yorktown Road (Route

706) intersections; these areas are designated Limited Business based primarily on their proximity to residential development. With landscaped buffers, the Limited Business designation provides a transitional zone between residential and intensive commercial uses that exist or could be developed in the General Business area in the triangular area between Route 17 and Route 134. Further residential development in these areas is not appropriate because of the high traffic volumes along Routes 171 and 134, particularly at these major intersections.”

This policy guidance dates back to June 19, 1986, when the Board of Supervisors amended the County Land Use Plan to redesignate the two subject parcels and the adjacent parcel to the north, now occupied by New Life Presbyterian Church, from Low Density Residential to Office/Professional/Research, which was a precursor to the Limited Business designation in the current Plan. The Board’s rationale for making this change is set forth in Ordinance No. O86-42, which states “the configuration and size of the undeveloped parcels of land within these areas, and their location adjacent to the Route 134 and Route 171 rights-of-way, makes them difficult to develop, and perhaps unmarketable for residential purposes” and that “the Office/Professional/Research designation will promote development opportunities consistent with the location on a heavily travelled thoroughfare while at the same time providing a measure of control on development intensity in order to protect the adjacent residential areas.” On September 4, 1986, the Board followed up the Land Use Plan amendments by rezoning two of the three parcels from R-33 (Single-family residential) to OPR (Office/Professional/Research); the third parcel – the property located at 543 Hampton Highway that is one of the two parcels now proposed for an assisted living facility – had already been rezoned at the request of the property owner. (Coincidentally, a use permit application to establish an assisted living facility on the Victory Boulevard parcel was submitted in May 1986; such facilities were permitted with a use permit in the R-33 zoning district at the time. The application was withdrawn when the applicant’s purchase contract for the property fell through.)

The OPR zoning district was eliminated and replaced with the current LB district as part of the comprehensive revision of the Zoning Ordinance and Zoning Map that took place in 1994-95 as a follow-up to the adoption of the 1991 Comprehensive Plan. There was a general concern at the time that the County had too many narrowly defined commercial zoning districts that overly limited development opportunities, and these were combined into the fewer, broader commercial districts in place today. The subsequent Comprehensive Plan update in 1999 adjusted the commercial land use designations to reflect the change in zoning classifications.

4. As stated in the Zoning Ordinance, the Limited Business district “is intended to provide opportunities for commercial activities having a relatively low external impact, which can be acceptable in proximity to residential areas. The activities envisioned for this district should be of a type that generally occur only during daylight hours, have relatively low external impacts in terms of noise, light, and activity levels, and can be designed to ensure their compatibility with surrounding

land uses.” The Zoning Ordinance further states that the LB district is an appropriate transitional district between residential and more intensive commercial and industrial districts and notes in that regard that opportunities are provided for consideration by Special Use Permit of certain types of senior housing that may be appropriate on certain properties as transitional uses. In this case, the subject parcels are located at the intersection of two arterial roads and directly abut eight single-family detached homes and a church. Located in the GB-zoned area across Hampton Highway is a 17-lot industrial park with three vacant lots.

Below is a partial list of uses permitted by right in the LB district:

- Neighborhood shopping center (gross leasable area < 10,000 square feet)
- Sit-down restaurant
- Indoor health, exercise, fitness center
- Office, office park, bank
- Tourist home, bed-and-breakfast
- Plant nursery/greenhouse with retail sales
- Pre-school, child care, nursery school
- Emergency care/first aid center or clinic
- Conference center, museum
- Place of worship

5. Both the Zoning Ordinance language relative to the LB district and the specific Comprehensive Plan language for this area stress the importance of compatibility with residential development. Accordingly, it is important that the potential impacts of the proposed facility – visibility, noise, and traffic – on the adjoining residential areas be closely scrutinized. These impacts are discussed below:

- **Screening.** The Zoning Ordinance requirement for a 50-foot perimeter buffer surrounding senior housing developments ensures a landscaped buffer between the facility and the neighboring homes to the rear (Smithville Terrace, Tabb Terrace, and Uppershire), which are zoned RR (Rural Residential), although the half-acre average lot size is more consistent with R20 zoning. Consistent with the Comprehensive Plan guidance for this area, this perimeter buffer, which is fifteen feet (15’) wider than the Zoning Ordinance ordinarily requires between the LB and RR zoning districts, will ensure ample screening of the facility from the homes, although some clearing will be required to accommodate a proposed walking trail in the rear buffer area. According to the sketch plan, the proposed building would be 58 feet from the nearest residential property and approximately 110 feet from the nearest home.
- **Building Height.** The proposed building height further reduces the visibility of the facility from nearby homes. Although the maximum allowable building height in the LB zoning district is 35 feet, the senior housing performance standards allow multi-unit structures to be up to 45 feet in height, notwithstanding the height limitations of the zoning district in which they are

located. Nevertheless, the applicant is proposing only a two-story with a maximum height of 35'-3" and the memory care wing will be only one story in height.

- **Lighting.** Zoning Ordinance standards for site lighting require full cutoff fixtures, and because the site abuts residential property, limit the illumination intensity to a maximum of 0.1 foot-candle at the perimeter property line, which is 80% lower than the normal standard of 0.5 foot-candle.
- **Noise.** Assisted living facilities do not typically generate significant amounts of noise. Some noise would be generated by the occasional deliveries and trash pick-up that would occur and from cars coming and going; however, this would be the case for almost any commercial use in this location. The most significant noise impact, which distinguishes this use from other possible uses of the property, would likely be from emergency vehicles. Because of the design of the site, noise and activity associated with emergency vehicles would be oriented toward the front (i.e., south side) of the site and buffered somewhat by the building itself.
- **Traffic.** The proposed facility would not add any traffic to any of the surrounding subdivision streets – Uppershire Way, Greenland Drive, Anne Circle, Fay Circle, and Tabb Lane – since the facility would not have access to any of these streets, and there are no opportunities for future extensions. (Traffic impacts on Victory Boulevard and Hampton Highway are discussed later in the staff report.)

In summary, staff believes that because of the nature of the use, the design of the project, and the restrictions that will be in place, the proposed facility would have little if any adverse impact on the surrounding residential areas.

6. The Zoning Ordinance performance standards for senior housing include requirements for both indoor and outdoor recreational facilities. For indoor recreation, every senior housing development is required to provide, at a minimum, a common meeting/activity room with a serving kitchen, a lounge/library, and other such spaces as appropriate (e.g., areas for exercise, laundry, beauty parlor, and chapel). For outdoor recreation, the Zoning Ordinance requires a minimum of 200 square feet of common active/passive outdoor recreation area – e.g., walking trails, victory gardens, gazebos, benches, etc. – per dwelling unit.

The applicant proposes to provide various indoor and outdoor amenities, including physical therapy, activity rooms, a commercial kitchen and grand dining room for residents and visitors only, and a pub/lounge area inside the building. Outdoor amenities shown on the sketch plan include walking trails with benches and a gazebo, a memory garden, and outdoor courtyards and multi-use areas with a total combined area of 21,688 square feet, or 213 square feet per unit.

7. Compared to other commercial uses that would be permitted on this site either as a matter of right or with a Special Use Permit, the proposed assisted living facility would not be a significant traffic generator. According to the ITE (Institute of Transportation Engineers) *Trip Generation* manual (9th edition), the proposed facility can be expected to generate approximately 319 vehicle trips per day, including 17 in the AM peak hour and 27 in the PM peak hour. The low peak-hour volumes are partly attributable to the fact that the peak hours for assisted living facilities generally do not correspond with the peak hours for the adjacent street traffic. According to the ITE, the peak hours for assisted living facilities are typically between 6:00 and 7:00 a.m. and between 3:00 and 4:00 p.m. This is consistent with the applicant's employment shift schedule, which provides for major shift changes at 7:00 a.m., 3:00 p.m., and 11:00 p.m.
8. Proposed access to the facility would be via Victory Boulevard. Specifically, the applicant proposes to construct a right-turn in/right-turn out access point on Victory Boulevard approximately 950 feet east of its intersection with Hampton Highway. For vehicles seeking to enter the site from the west, there would be a left turn bay on Victory Boulevard eastbound to allow vehicles to enter the site – without causing backups – while preventing exiting vehicles from turning left onto Victory Boulevard. This will require the developer to extend the three-lane section of westbound Victory Boulevard approximately 250 feet to the east. More importantly, it will require the developer to secure approval of a break in the limited access along Victory Boulevard. Although there is extensive road frontage along this road, access is prohibited since it is a limited access road. A request for a break in the limited access would first have to be endorsed by the Board of Supervisors and would ultimately have to be approved by the Commonwealth Transportation Board, and the applicant plans to make such a request. (A similar request was approved a few years ago for the Victory Boulevard entrance to the Walgreens store at the intersection of Route 17 and Victory Boulevard.)

Because of the way the property is situated, the only alternative to allowing the limited access break would be to allow an entrance to the property on Hampton Highway, as shown on the sketch plan. In 1980 when VDOT purchased land from the property owner to widen Victory Boulevard, it agreed to allow access to Hampton Highway, and the applicant's original sketch plan for the development showed an entrance/exit to the assisted living facility on Hampton Highway. In staff's opinion, a break in the limited access along Victory Boulevard would be far superior to an entrance on Hampton Highway. The property has only 142 feet of frontage on Hampton Highway, and the proximity to the Victory Boulevard intersection makes it impossible to locate an entrance on Hampton Highway that would meet VDOT's minimum driveway spacing requirements. Moreover, such an entrance would have to be a right-turn in/right-turn out, requiring circuitous and potentially dangerous U-turns for some movements. VDOT has reviewed the application and concurs that an entrance on Hampton Highway should be avoided if possible. Staff has proposed a condition of approval prohibiting access to Route 134.

9. Section 24.1-245 of the Zoning Ordinance designates Victory Boulevard as a greenbelt road along which a greenbelt buffer at least 35 feet in width is required to be maintained in an undisturbed natural state. A 30-foot wide HRSD force main easement runs parallel to the Victory Boulevard right-of-way along the front of the property. In such situations, the Zoning Ordinance requires that the greenbelt width be increased by one foot for every foot of easement width in excess of twenty (20) – ten feet (10') in this case, which increases the buffer requirement to 45 feet. This wider greenbelt buffer can be accommodated within the required 50-foot perimeter buffer discussed previously. While additional landscape plantings in the perimeter buffer will need to be outside of the utility easement, this would be true of any development that occurs on the property.

10. As required by the Zoning Ordinance, the applicant has provided an estimate of the fiscal impact of the project. The applicant estimates the value of the facility to be approximately \$18 million at stabilization (which is expected to take place 22 months from the first day of operation), yielding \$135,270 in annual real property tax revenue at the current real estate tax rate. In addition, the application projects \$30,000 in business personal property tax revenue initially, while noting that it will be much lower in subsequent years since personal property value tends to depreciate rapidly over time. There are no direct school enrollment impacts associated with this development since no residents under the age of nineteen would be permitted. The project will place additional demands on the County's emergency services; fortunately, the Tabb Fire Station is located less than a mile down Victory Boulevard at its intersection with Big Bethel Road.

RECOMMENDATION

In staff's opinion, an assisted living facility is entirely consistent with the intent of the Limited Business zoning district. Assisted living facilities by their nature are quite, low-impact uses that are basically residential in character and therefore compatible with residential development. In addition, staff believes the proposed assisted living facility in this location is consistent with the policy guidance for this area set forth in the Comprehensive Plan. As a hybrid commercial-residential use, the facility would provide a transition between existing and potential future commercial uses in the GB zone to the west across Route 134 and the established residential neighborhoods to the north. Moreover, the senior housing performance standards require a 50-foot landscaped buffer between the facility and the adjacent homes rather than the 35-foot buffer that would be required for other uses, and the proposed two-story building height – 35 feet rather than the 45-foot height that the senior housing performance standards allow – further reduce the visibility of the building from the homes. From a land use perspective, staff believes the proposed use is appropriate for this location. From a transportation perspective, the property's unusual shape and other site characteristics pose some challenges. In staff's opinion, the proposed access – with the recommended prohibition of access to Route 134 – plan addresses these challenges and constraints in a manner that ensures adequate access to and from the site while protecting the safety of the traveling public. Therefore, based on the considerations and conclusions as noted, staff recommends that the

York County Planning Commission

April 2, 2014

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Commission forward this application to the Board of Supervisors with a recommendation of approval subject to the conditions set forth in proposed Resolution No. PC14-12.

TCC

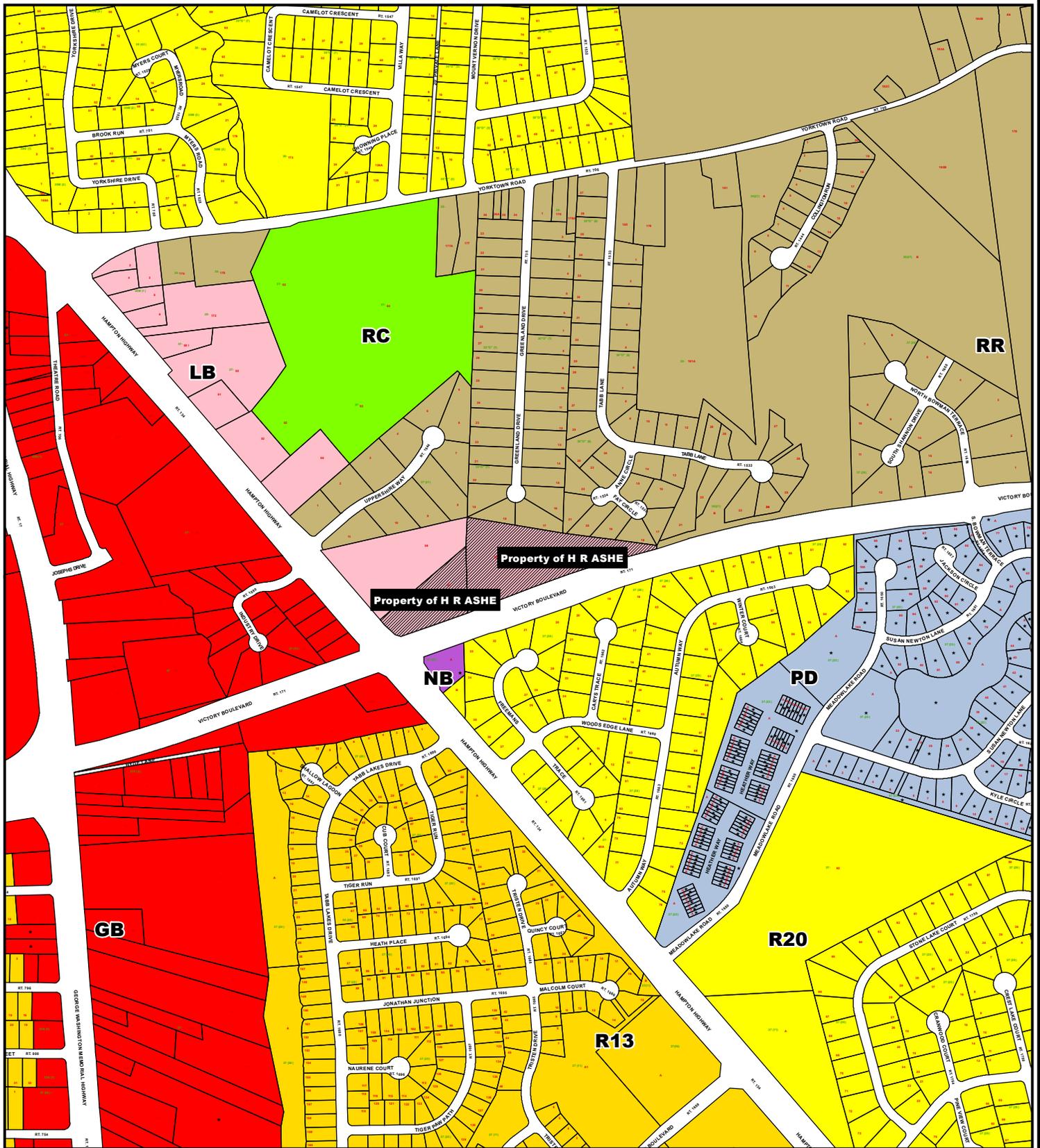
Attachments:

- Zoning Map
- Survey Plat
- Project Narrative
- Sketch Plan
- Building Elevation
- Proposed Resolution No. PC14-12

APPLICANT
Smith/Packett d/b/a York IL/AL Investors, LLC
 Senior Housing-Assisted Living Facility
 T03a-0626-3859, T03a-1138-4079

ZONING MAP

APPLICATION NUMBER: UP-845-14



★ = Conditional Zoning
 0 350 700 1,400 Feet



SOURCE: YORK COUNTY GIS PARCEL DATA and ZONING COVERAGE

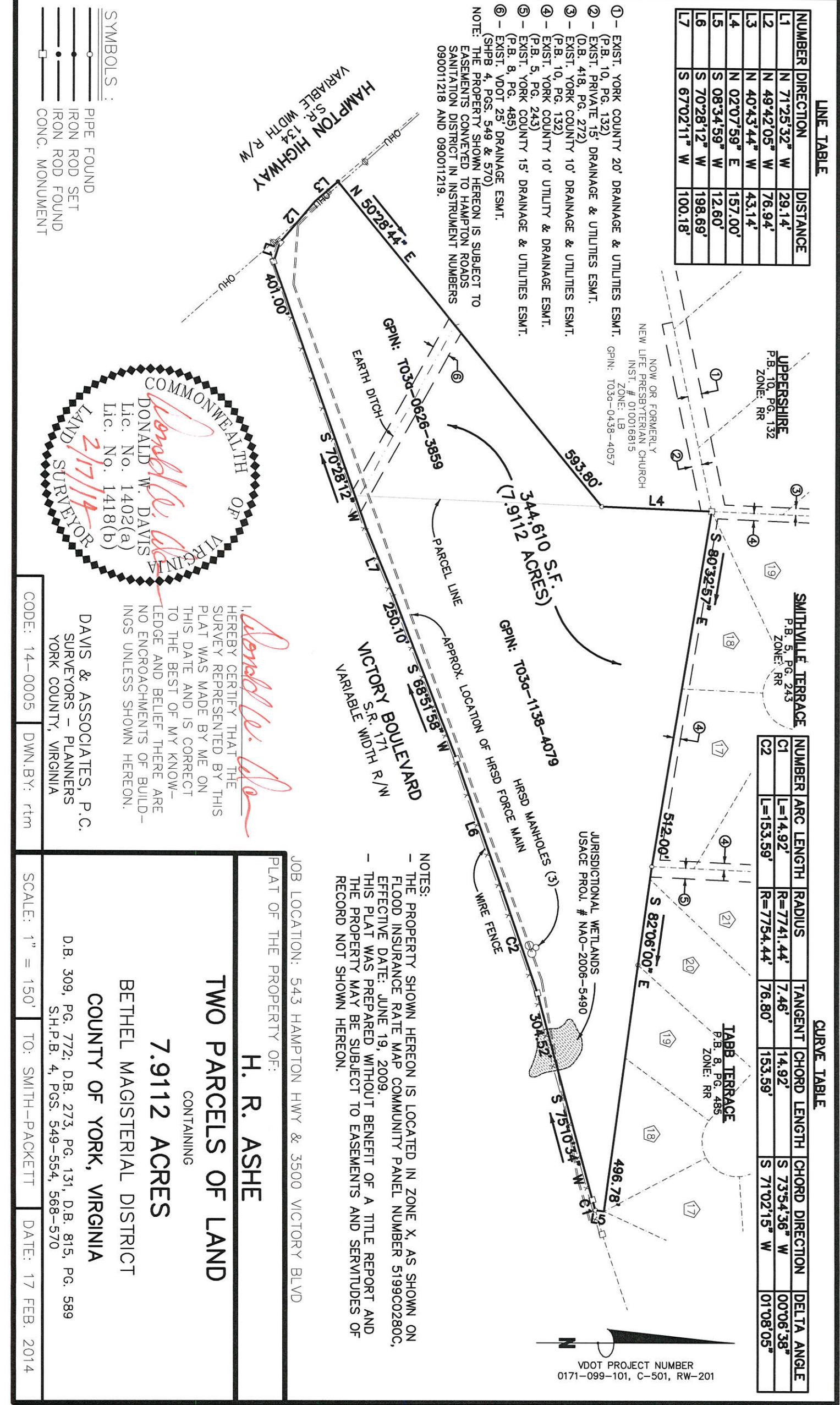
THIS IS NOT A LEGAL PLAT. This map should be used for information purposes only. It is not suitable for detailed site planning.

Printed on March 05, 2014

NUMBER	DIRECTION	DISTANCE
L1	N 71°25'32" W	29.14'
L2	N 49°42'05" W	76.94'
L3	N 40°43'44" W	43.14'
L4	N 02°07'59" E	157.00'
L5	S 08°34'59" W	12.60'
L6	S 70°28'12" W	198.69'
L7	S 67°02'11" W	100.18'

NUMBER	ARC LENGTH	RADIUS	TANGENT	CHORD LENGTH	CHORD DIRECTION	DELTA ANGLE
C1	L=14.92'	R=7741.44'	7.46'	14.92'	S 73°54'36" W	00°06'38"
C2	L=153.59'	R=7754.44'	76.80'	153.59'	S 71°02'15" W	01°08'05"

- ① - EXIST. YORK COUNTY 20' DRAINAGE & UTILITIES ESMT. (P.B. 10, PG. 132)
 - ② - EXIST. PRIVATE 15' DRAINAGE & UTILITIES ESMT. (D.B. 418, PG. 272)
 - ③ - EXIST. YORK COUNTY 10' DRAINAGE & UTILITIES ESMT. (P.B. 10, PG. 132)
 - ④ - EXIST. YORK COUNTY 10' UTILITY & DRAINAGE ESMT. (P.B. 5, PG. 243)
 - ⑤ - EXIST. YORK COUNTY 15' DRAINAGE & UTILITIES ESMT. (P.B. 8, PG. 485)
 - ⑥ - EXIST. VDOT 25' DRAINAGE ESMT. (SHPB 4, PGS. 549 & 570)
- NOTE: THE PROPERTY SHOWN HEREON IS SUBJECT TO EASEMENTS CONVEYED TO HAMPTON ROADS SANITATION DISTRICT IN INSTRUMENT NUMBERS 090011218 AND 090011219.



I, *Donald W. Davis*
 HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE BY ME ON THIS DATE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO ENCROACHMENTS OF BUILDINGS UNLESS SHOWN HEREON.

DAVIS & ASSOCIATES, P.C.
 SURVEYORS - PLANNERS
 YORK COUNTY, VIRGINIA

NOTES:
 - THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE X, AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 5199C0280C, EFFECTIVE DATE: JUNE 19, 2009.
 - THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND THE PROPERTY MAY BE SUBJECT TO EASEMENTS AND SERVITUDES OF RECORD NOT SHOWN HEREON.

JOB LOCATION: 543 HAMPTON HWY & 3500 VICTORY BLVD

PLAT OF THE PROPERTY OF:

H. R. ASHE
TWO PARCELS OF LAND
 CONTAINING
7.9112 ACRES
 BETHEL MAGISTERIAL DISTRICT
 COUNTY OF YORK, VIRGINIA

D.B. 309, PG. 772; D.B. 273, PG. 131, D.B. 815, PG. 589
 S.H.P.B. 4, PGS. 549-554, 568-570

CODE: 14-0005 DWN.BY: rtm

SCALE: 1" = 150' TO: SMITH-PACKETT DATE: 17 FEB. 2014

VDOT PROJECT NUMBER
 0171-099-101, C-501, RW-201

March 31, 2014

Tim Cross
York County Planning Division
224 Ballard Street
Yorktown, VA 23690

RE: York County Assisted Living Community Impact
A new 102 unit Assisted Living Facility with a
dedicated Memory Care wing in York County, VA

Mr. Cross,

Smith/Packett has been one of the most well respected healthcare firms in the United States for the last 34 years (<http://www.smithpacket.com/>). Our CEO, James R. Smith, has served on the Virginia Medicaid Board, Board of Visitors for Virginia Tech, and most recently as the chairman for the Virginia Tech Medical School. Our passion for seniors has driven us to continue to be the best in class via design, service, and innovative programs. It is this goal which has led us to acquire the Chamberlin in Hampton. The Chamberlin is managed by our operating company, Harmony Senior Services (<http://www.harmonyseniorservices.com/>). We started Harmony to create a company that would serve our seniors in an inviting and hospitable setting. Harmony's mission is to "Put our passion for life to work creating and managing thriving communities where seniors can enjoy *the comforts of home, the care of professionals and the energy of life.*" Both Smith/Packett and Harmony Senior Services would welcome the opportunity to become part of the York County community. Harmony Senior Services currently operates six communities in Virginia.

An assisted living resident, by definition of the Commonwealth, requires a need for assistance with activities of daily living to qualify for residency. Based on the general acuity levels often seen in assisted living residents, they would require assistance with the following:

- Meals in our dining room
- Medication Management
- Rehab services (physical, speech and occupational)
- Activities such as grooming, bathing, etc.

Under the assisted living license, we will also offer memory care, which is defined by the Commonwealth as non-ambulatory residents. Non-ambulatory residents need assistance with evacuating the building in the case of an emergency. This will make up 34 of the total 102 planned units.

The total project cost for the facility will be between \$15 million - \$16 million, and the facility will employ approximately 69 Full Time Equivalent employees at stabilization, all from the surrounding community. Based on a real estate tax rate of \$0.7515 per \$100 in assessed value, the combined parcels, totaling approximately 8 acres, would currently generate \$8,416.80 in real

estate taxes annually (parcels assessed at \$665,000 and \$455,000, respectively). At completion of construction, the real estate value is projected to be \$15,000,000, generating \$112,725 in real estate taxes annually. At stabilization, the projected real estate tax revenue to York County rises to \$135,270 (based on a projected stabilized value of \$18,000,000). The projected time to reach stabilization is 22 months from the first day of operations. York County will collect an additional \$30,000 in business personal property taxes based on the projected value of personal property at the start of operations (before depreciation).

This project will generate revenues of \$59,505 in one-time water and sewer fees (based on the current rate schedule for a 3" meter). Additionally, the facility will generate \$1,864.34 in monthly water service revenue (102 units @ 120 gpd, + service fee). An additional \$25,000 in revenues to York County is expected to be generated through building permit and site plan review fees. This facility will not house any children and therefore will not place any additional demand on the York County School System.

Our buildings are designed to have a residential feel, as these Facilities truly are home to the residents who occupy them. The Facility will have approximately 102 total units and will be approximately 90,000 square feet. Common amenities include:

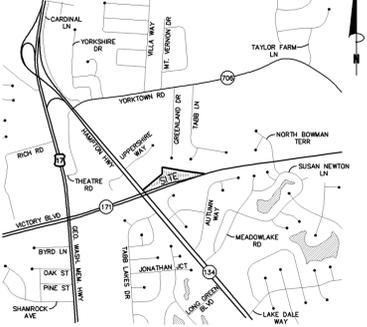
- Physical Therapy
- Activity Rooms
- Commercial Kitchen and Grand Dining Room for residents and visitors only
- "Pub" and Lounge area for residents only

As part of the operational regulation, the Commonwealth requires criminal background checks and drug testing for all employees. This ensures the ability to offer a safe, secure, and homelike environment for our residents and neighbors. The employment shifts for the facility are designed to offer 24 hour coverage while not overlapping with peak AM and PM travel times. The shifts will be as follows:

- 7:00 am - 3:00 pm
- 3:00 pm - 11:00 pm
- 11:00 pm - 7:00 am

The peak staffing shift will be 7:00 am - 3:00 pm with each subsequent shift having fewer employees. Some of the administrative and managerial staff will work from roughly 8:00 am to 5:00 pm.

Please reach out to Justin Newman with any questions or concerns by phone at 540-774-7762 or by e-mail at jnewman@smithpacket.com.



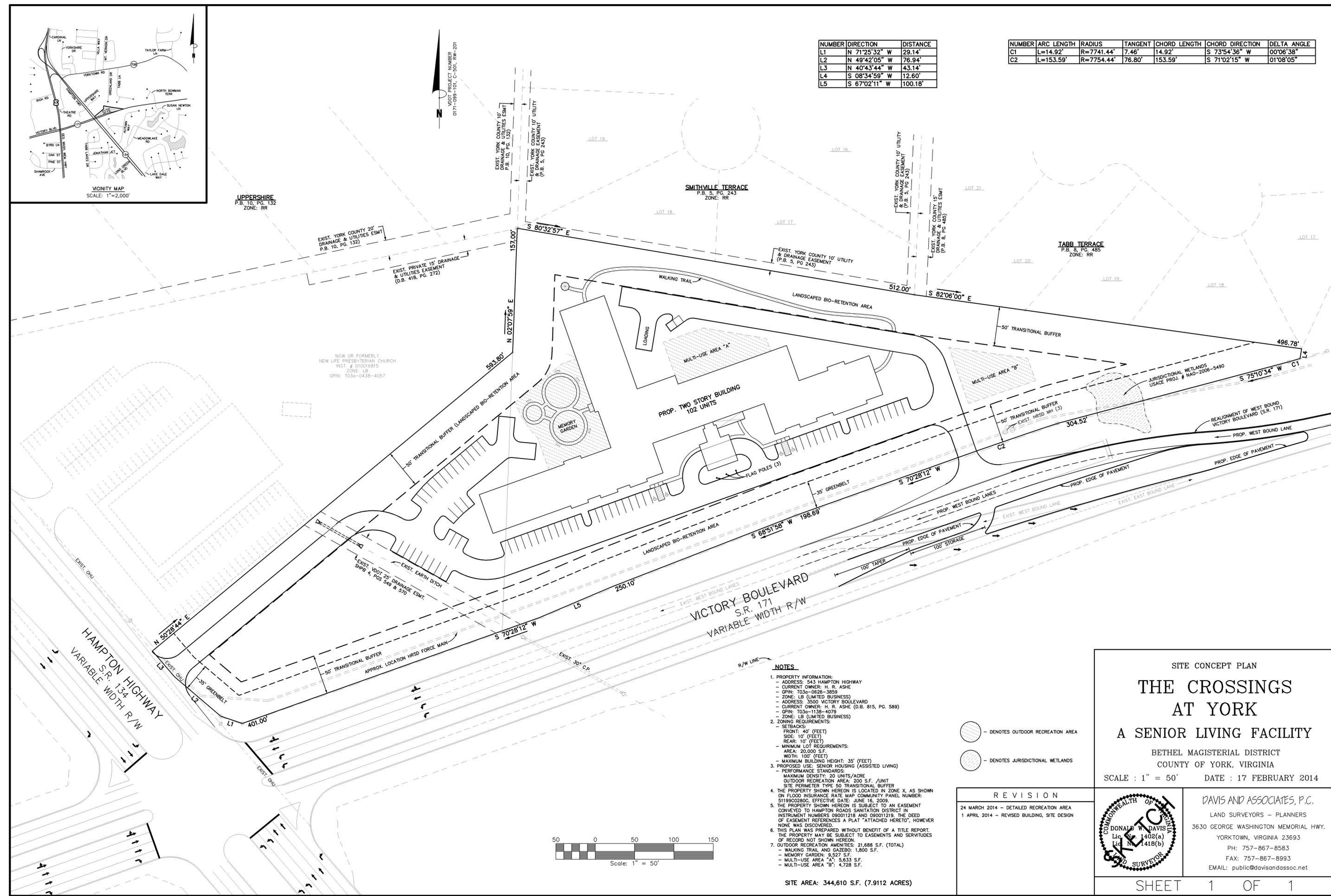
VICINITY MAP
SCALE: 1"=2,000'

UPPERSHIRE
P.B. 10, PG. 132
ZONE: RR

NOW OR FORMERLY
NEW LIFE PRESBYTERIAN CHURCH
INST. # 010016815
ZONE: LB
GPN: T03a-0438-4057

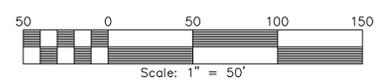
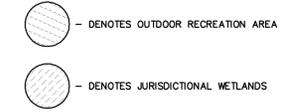
NUMBER	DIRECTION	DISTANCE
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NOTES

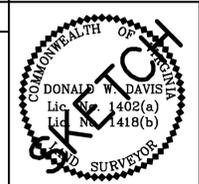
- PROPERTY INFORMATION:
 - ADDRESS: 543 HAMPTON HIGHWAY
 - CURRENT OWNER: H. R. ASHE
 - GPN: T03a-0626-3859
 - ZONE: LB (LIMITED BUSINESS)
 - ADDRESS: 5500 VICTORY BOULEVARD
 - CURRENT OWNER: H. R. ASHE (D.B. 815, PG. 589)
 - GPN: T03a-1138-4079
 - ZONE: LB (LIMITED BUSINESS)
- ZONING REQUIREMENTS:
 - SETBACKS:
 - FRONT: 40' (FEET)
 - SIDE: 10' (FEET)
 - REAR: 10' (FEET)
 - MINIMUM LOT REQUIREMENTS:
 - AREA: 20,000 S.F.
 - WIDTH: 100' (FEET)
 - MAXIMUM BUILDING HEIGHT: 35' (FEET)
- PROPOSED USE: SENIOR HOUSING (ASSISTED LIVING)
 - PERFORMANCE STANDARDS:
 - MAXIMUM DENSITY: 20 UNITS/ACRE
 - OUTDOOR RECREATION AREA: 200 S.F./UNIT
 - SITE PERIMETER TYPE 50 TRANSITIONAL BUFFER
- THE PROPERTY SHOWN HEREON IS SUBJECT TO AN EASEMENT CONVEYED TO HAMPTON ROADS SANITATION DISTRICT IN INSTRUMENT NUMBERS 090011218 AND 090011219. THE DEED OF EASEMENT REFERENCES A PLAT "ATTACHED HERETO", HOWEVER NONE WAS DISCOVERED.
- THIS PLAN WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT. THE PROPERTY MAY BE SUBJECT TO EASEMENTS AND SERVITUDES OF RECORD NOT SHOWN HEREON.
- OUTDOOR RECREATION AMENITIES: 21,688 S.F. (TOTAL)
 - WALKING TRAIL AND GAZEBOS: 1,800 S.F.
 - MEMORY GARDEN: 9,527 S.F.
 - MULTI-USE AREA "A": 5,633 S.F.
 - MULTI-USE AREA "B": 4,728 S.F.



SITE AREA: 344,610 S.F. (7.9112 ACRES)

SITE CONCEPT PLAN
THE CROSSINGS AT YORK
A SENIOR LIVING FACILITY
BETHEL MAGISTERIAL DISTRICT
COUNTY OF YORK, VIRGINIA
SCALE : 1" = 50' DATE : 17 FEBRUARY 2014

REVISION
24 MARCH 2014 - DETAILED RECREATION AREA
1 APRIL 2014 - REVISED BUILDING, SITE DESIGN



DAVIS AND ASSOCIATES, P.C.
LAND SURVEYORS - PLANNERS
3630 GEORGE WASHINGTON MEMORIAL HWY.
YORKTOWN, VIRGINIA 23693
PH: 757-867-8583
FAX: 757-867-8993
EMAIL: public@davisandassoc.net

SHEET 1 OF 1



THE CROSSINGS AT YORKTOWN
ASSISTED LIVING COMMUNITY

GAYLEN HOWARD LAING ARCHITECT

ARCHITECTURE INTERIOR DESIGN PLANNING

1300 WEST RANDOL MILL ROAD SUITE 100, ARLINGTON, TEXAS 76012 817/801-7200



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 _____, 2014:

Present

Vote

Mark B. Suiter, Chair
 Melissa S. Magowan, Vice Chair
 Montgoussaint E. Jons
 Glenn A. Brazelton
 Timothy D. McCulloch
 Todd H. Mathes
 Richard M. Myer, Jr.

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION FOR A SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A SENIOR HOUSING-ASSISTED LIVING FACILITY IN THE NORTHEASTERN QUADRANT OF THE INTERSECTION OF VICTORY BOULEVARD AND HAMPTON HIGHWAY

WHEREAS, Smith/Packett, d/b/a York IL/AL Investors, LLC, has submitted Application No. UP-845-14 to request a Special Use Permit, pursuant to Section 24.1-306 (Category 6, No. 3) of the Zoning Ordinance, to authorize the establishment of a Senior Housing-Assisted Living Facility with up to 102 units on two parcels of land located at 3500 Victory Boulevard (Route 171) and 543 Hampton Highway (Route 134) and further identified as Assessor’s Parcel Nos. 37-60 and 37-57 (GPINs T03a-1138-4079 and T03a-0626-3859); 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 _____, 2014, that Application No. UP-845-14 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval for a Special Use Permit, pursuant to Section 24.1-306 (Category 6, No. 3) of the Zoning Ordinance, to authorize the establishment of a Senior Housing-Assisted Living Facility on two parcels of land located at 3500 Victory Boulevard (Route 171) and 543 Hampton Highway (Route 134) and further identified as Assessor's Parcel Nos. 37-60 and 37-57 (GPINs T03a-1138-4079 and T03a-0626-3859) subject to the following conditions:

1. This Special Use Permit shall authorize the establishment of a Senior Housing-Assisted Living Facility on two parcels of land located at 3500 Victory Boulevard (Route 171) and 543 Hampton Highway (Route 134) and further identified as Assessor's Parcel Nos. 37-60 and 37-57 (GPINs T03a-1138-4079 and T03a-0626-3859).
2. A site plan prepared in accordance with the provisions of Article V of the York County 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 development activities on the site. Said site plan shall be in substantial conformance with the sketch plan titled "Site Concept Plan: The Crossings at York – A Senior Living Facility," prepared by Davis and Associates, P.C., dated February 17, 2014, and revised March 24, 2014 and April 1, 2014, except as modified herein.
3. Construction and operation of the assisted living facility shall be in accordance with the provisions set forth in Section 24.1-411 of the York County Zoning Ordinance, *Standards for Senior Housing (Housing for Older Persons)*.
4. Access to and from the development shall be via Victory Boulevard (Route 171), subject to the approval of the Commonwealth Transportation Board (CTB), and direct access to the property via Hampton Highway (Route 134) shall not be permitted. In the event that the CTB does not permit access to Victory Boulevard, this use permit shall be null and void.
5. In conjunction with the submittal of a site plan for the project, the developer shall submit a revised traffic impact analysis that includes an evaluation of the turn lane requirements for the Victory Boulevard entrance/exit.
6. The maximum number of dwelling units shall not exceed 102.
7. The height of the building shall be limited to a maximum of two stories and 36 feet, measured to the ridgeline.

8. Pursuant to Section 24.1-411(g) of the Zoning Ordinance, a minimum of 200 square feet of common active/passive outdoor recreation area per dwelling unit shall be provided.
9. In accordance with Section 24.1-115(b)(6) 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 application for a building permit.

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.