

Index File

PD-43-16

Marlyn Development Corporation

Assessor's Parcel No. 2-19-9 and 2-19-10

Request to amend the York County Zoning Map by reclassifying approximately 6.5 acres of land located approximately 1,100 feet northeast of the intersection of Mooretown Road (Route 603) and Bulifants Boulevard (Route 1442) from Economic Opportunity (EO) to Planned Development Residential (PDR), subject to voluntarily proffered conditions, for the purpose of establishing an independent living senior housing development consisting of a maximum of 130 dwelling units (a maximum density of approximately 20 dwelling units per acre). The property, located at 300-ZZ and 300-Z1 Bulifants Boulevard and further identified as Assessor's Parcel Nos. 2-19-9 and 2-19-10, is designated in the Comprehensive Plan for Economic Opportunity. The Economic Opportunity designation is intended to guide a mix of office, light industrial, commercial, and tourist-related uses to certain portions of the County that have or are planned to have the access and infrastructure necessary to support both capital- and labor-intensive uses.

Attachments:

- Zoning Map
- Narrative
- Community Impact
- Fiscal Impact
- Sketch Plan
- Building Elevation
- Proffer Statement
- Proposed Resolution No. PC16-19

COUNTY OF YORK

MEMORANDUM

DATE: November 2, 2016 (PC Mtg. 11/9/16)
TO: York County Planning Commission
FROM: Earl W. Anderson, AICP, Senior Planner
SUBJECT: Application No. PD-43-16, Marlyn Development Corporation

ISSUE

This application is a request to amend the York County Zoning Map by reclassifying approximately 6.5 acres of land located at 300-ZZ and 300-Z1 Bulifants Boulevard (Route 1442) and further identified as Assessor's Parcel Nos. 2-19-9 and 2-19-10 from Economic Opportunity (EO) to Planned Development Residential (PDR), subject to voluntarily proffered conditions, for the purpose of establishing an independent living senior housing development consisting of a maximum of 130 dwelling units (a maximum density of approximately 20 dwelling units per acre).

DESCRIPTION

- Property Owner: Old Point National Bank of Phoebus
- Location: 300-ZZ and 300-Z1 Bulifants Boulevard (Route 1442)
- Area: Approximately 6.5 acres
- Frontage: Approximately 500 feet on Bulifants Boulevard and approximately 500 feet on Roscoe Crossing
- Utilities: Public water and sewer
- Topography: Relatively flat from Bulifants Boulevard moving to the south where the property terraces down ten feet and levels off
- 2035 Land Use Map Designation: Economic Opportunity
- Zoning Classification: EO – Economic Opportunity
- Existing Development: Office building, parking lot, drive aisles and stormwater controls
- Surrounding Development:
 - North: Michael Commons office complex across Bulifants Boulevard
 - East: Baeplex complex
 - South: York County stormwater management areas and pond

West: Ferguson Enterprises (across Roscoe Crossing)

- Proposed Development: Residential development consisting of a maximum of 130 independent living senior housing dwelling units (a maximum density of approximately 20 dwelling units per acre).

CONSIDERATIONS/CONCLUSIONS

1. The subject 8.9-acre site consists of two parcels is located on the south side of Bulifants Boulevard and east of Roscoe Crossing. The property is zoned EO (Economic Opportunity), consistent with its Economic Opportunity designation in the Comprehensive Plan. The designation states,

“This designation is intended to guide a mix of office, light industrial, commercial, and tourist-related uses to certain portions of the County that have or are planned to have the access and infrastructure necessary to support both capital- and labor-intensive uses. The imposition of open space, landscaping, and buffering requirements that exceed the otherwise acceptable levels may be appropriate in order to foster a superior development character. The employment benefit to the County should be positive and enhance the tax base by increasing the County's fiscal strength. The unique nature of the Economic Opportunity designation excludes uses that may conflict with or detract from the activities proposed.”

The Housing element of the Plan also provides guidance that is relevant to this application. One of the Housing implementation strategies is “Support the development of housing for senior citizens in appropriate locations with convenient access to shopping, services, and – where it is available – transit.” The text of the Plan provides further guidance:

Any housing development designed specifically for seniors requires approval from the Board of Supervisors...allow[ing] for a case-by-case evaluation of senior housing proposals based on their individual merits in terms of location, design, and amenities. Specifically, such housing should be targeted to areas where the residents will have easy access to local shopping and services. The availability of transit – either public transit or private transportation services that are commonly provided to residents of such developments – is also an important consideration since older Americans, particularly those over the age of 70, are less likely to drive.

2. One of the two subject parcels is currently occupied by a two-story office building, and the site work has been completed with parking, landscaping, and stormwater facilities for additional office buildings on the 8.9-acre site. The area occupied by the existing office building is proposed to be subdivided from the 8.9-acre site, leaving 6.5 acres for the senior housing development. The proposed project consists of 130 independent living senior housing apartment units, with 50 one-bedroom and

80 two-bedroom units in a single building. The gross density would be 20 units per acre, which is the maximum allowed by the Zoning Ordinance for senior housing independent living, subject to approval by the Board. The residents would have access to approximately 50,000 square feet of common area within the building, which consists of corridors and common area, in addition to a community room, hair salon, media room, game room, and exercise room. The building is proposed to be three- and four-stories, 50-feet and 60-feet in height respectively, with the higher stories being along the southeastern section where the existing topography drops off. A large courtyard for recreation is proposed between the senior housing building and the existing office building parking lot. The outdoor recreation space would include sitting areas, raised garden beds, a grilling station, a dog park, and sidewalks surrounding the building to provide residents with walking areas.

3. The properties surrounding the parcel are all zoned EO. The northern property across Bulifants Boulevard is occupied by the multi-building Michael Commons office condominium complex. Adjacent and to the east further down Bulifants Boulevard is the Baeplex, martial arts studio. York County owns the parcel to the south, which is a stormwater management area. Lastly, across Roscoe Crossing to the west is the Ferguson Enterprises retail, office, and warehousing complex.
4. The purpose of the Planned Development Residential (PDR) district and provisions is “to encourage innovative and creative design and to facilitate use of the most advantageous construction techniques in the development of land for a variety of compatible land uses.” As stated in Section 24.1-361 of the Zoning Ordinance, development proposals should address the following objectives:
 - Ensure ample provision and efficient use of open space;
 - Promote high standards in the layout, design and construction of development;
 - Promote development of superior projects or communities; and
 - Achieve a mixture of uses and types of uses when appropriate.

The PDR provisions allow senior housing in accordance with the performance standards set forth in Section 24.1-411 of the Zoning Ordinance. In addition to the standards set there, the dimensional standards for PDR projects are set forth in Section 24.1-361(d)(4) of the Zoning Ordinance; however, the standards in both of these sections can be modified by the Board of Supervisors either upwards or downwards at the time of approval. In general, the plan appears to meet the setback requirements and other dimensional standards. However, the applicant is requesting an increase in the allowed height from the required forty-five feet (45') to a maximum height of sixty feet (60') and a reduction in the required 50-foot perimeter buffer as well as a reduction in the 25-foot front, side, and rear yards. The applicants have stated that they wish to provide the highest quality and best use of the land while insuring that open space remains a key feature and insuring the appropriate density without excessive building footprints. Additionally, they state that the parking lot, drive aisles, and landscape yards are already established and allowing the reduced setbacks would prevent them from having to reconfigure the existing infrastructure.

5. The Zoning Ordinance PDR regulations require a minimum of twenty-five percent (25%) to be reserved as common open space, including at least ten percent (10%) of the gross area of the development reserved and developed specifically for recreation areas. The proposed project has 3.16 acres of open space (48.6% of the total land area) and 0.75 acre (11.5% of the total land area) as recreation area. The PDR provisions require certain core recreation facilities to be included within developments to include a swimming pool, tennis courts, playground and picnic facility, multi-purpose field and pedestrian and bicycle facilities. The main recreation area for the development would be located between the existing office complex and the proposed building and the recreational amenities are noted above. The applicant noted that sidewalks around the building would be utilized for additional recreation for the residents; however, none are depicted on the sketch plan. The applicants have stated that because of the nature of the development, they plan to provide the proposed recreational amenities rather than those required under the PDR provision in order to suit the proposed demographics of the resident population. The PDR regulations allow the Board of Supervisors to adjust the recreation facilities as it deems appropriate.

The proposed indoor recreational amenities are consistent with the senior housing performance standards and the proposed square footage is well above the 1,000-square foot minimum set forth in the Zoning Ordinance. The applicant is proposing approximately 50,000 square feet of indoor common space, which includes the corridors and other amenities as noted above.

6. As part of the rezoning application, the applicant has voluntarily proffered the following conditions that would apply to the portion of the property proposed for senior housing:
 - A maximum of 130 age-restricted units will be developed on the property.
 - The community will be developed in substantial accordance with the sketch (master) plan.
 - The homes shall be constructed in accordance with the architectural elevations.
7. The senior housing performance standards require a Type 50 (50-foot) landscaped buffer around the perimeter of the development that must be landscaped with a mix of evergreen trees and shrubs. Supplementary fencing can also be required to ensure an appropriate degree of visual buffering and noise attenuation. The applicants are requesting a reduction in the required buffer to a variety of sizes, ranging from 10-feet to 20-feet in width to accommodate the established parking lots and drive aisles. The applicants have not proposed to add extra landscaping to these areas but instead are proposing to install the required number of landscape plantings throughout the site rather than in the designated buffer areas. Using this method, the applicants would add landscaping to parking areas, the building perimeter, and outside of the required landscape yards.
8. The applicant has proffered certain architectural designs for construction within the development. The submitted architectural drawings show the three-story structure as having a brick veneer, vinyl lap siding, and fiber cement panel siding. Though the

design of the four-story section is not complete, the proposed materials would be used on this façade as well. Units would have options for balconies. The elevations indicate that the building would be designed to take advantage of the topographic relief, incorporating a four-story section (60' in height) on the southern side of the building without altering the roofline.

9. Age-restricted housing tends to generate less traffic than other types of housing. Based on the Institute of Transportation Engineers' (ITE) *Trip Generation* manual (8th edition), a senior apartment complex of this size can be expected to generate approximately 451 vehicle trips per day, including 68 trips in the PM peak-hour. By comparison, if the site were developed as offices in accordance with the previously approved site plan, it would be expected to generate an estimated 845 daily vehicle trips and 141 PM peak-hour trips. The Virginia Department of Transportation (VDOT) has reviewed the application and the traffic information and has indicated that it has no concerns about the proposed change from office to senior housing.
10. The applicant has submitted a fiscal impact analysis of the proposed development. The impact analysis concludes that the proposed residential development would have a positive impact on the County. Revenues from the proposed residential development are projected to be \$113,800 annually and \$391,875 over the stabilization period of 2020, at which all costs and revenues do not change. The costs to the County are projected to be \$71,250 annually and \$164,600 through 2020. The fiscal impact analysis uses a benefit-to-cost ratio to measure the strength of the fiscal impact, where a greater than 1.0-to-1 ratio indicates a positive fiscal impact (i.e., a ratio of 1.5-to-1 equals \$1.50 of revenue to the County for every one dollar spent on County services). The analysis indicates that the proposed development would have a ratio of 1.6-to-1 annually and 2.38-to-1 over stabilization in 2020. The study does note that the units would be restricted to households with an income no higher than the area's median income as determined by HUD; however, no proffers were submitted that would restrict the rental of units to this income group.
11. Because of the demographic profile of the residents, senior housing has particular public service impacts that are not typically associated with residential development. The applicants have noted that a comparable 136-unit facility owned by the applicants in Suffolk generates an average of 10 emergency responses a year. There would be no effect on school enrollment since occupancy of the proposed units would be limited to persons fifty-five (55) or sixty-two (62) or older and no residents under age 19 are permitted. Conversely, the potential effect of senior housing on the County's emergency services is significant. Since older residents are more prone to medical emergencies than the general population, age-restricted housing places disproportionately heavy demands on the County's emergency medical services relative to general market housing. The Department of Fire and Life Safety performed a comparative analysis of various age-restricted and general market apartment complexes in the County, which found that over a three-year period, there were roughly twelve times as many emergency calls per unit from the age-restricted complexes. This is true despite the fact that age-restricted apartments have smaller households, on average, than general market apartments (1.1 vs. 2.1 persons per household). Based on this analysis (albeit based on a very small sample size), a 130-

unit senior apartment complex can potentially be expected to generate as many as 100 emergency calls annually.

12. The property lies within the Watershed Management and Protection Area (WMP) overlay district and a Water Quality Impact Study will need to be submitted. A Natural Resource Inventory has been completed by the applicant and reviewed and approved by Stormwater Division staff in 2004/2005.

RECOMMENDATION

Staff believes the layout of the proposed independent living senior housing development is well-designed and takes into consideration the topography of the site and the existing conditions previously constructed for the office complex. The Comprehensive Plan supports the establishment of senior housing around shopping and other amenities, which this area provides. The submitted proffers and proposed conditions of approval provide the necessary controls to meet the requirements of the PDR and the senior housing performance standards adequately. The site is off the main road (i.e., Mooretown Road) and does not provide good visibility for possible commercial uses that could take advantage of the site. The area has many offices that are sitting empty in Michael Commons or have not been fully developed, as at this location. The proposed independent living senior housing development fits well with the surrounding uses and there are many amenities within close proximity for senior residents. Therefore, based on the considerations and conclusions as noted, staff recommends that the Commission forward this application to the Board of Supervisors with a recommendation of approval through the adoption of proposed Resolution No. PC16-19.

EWA

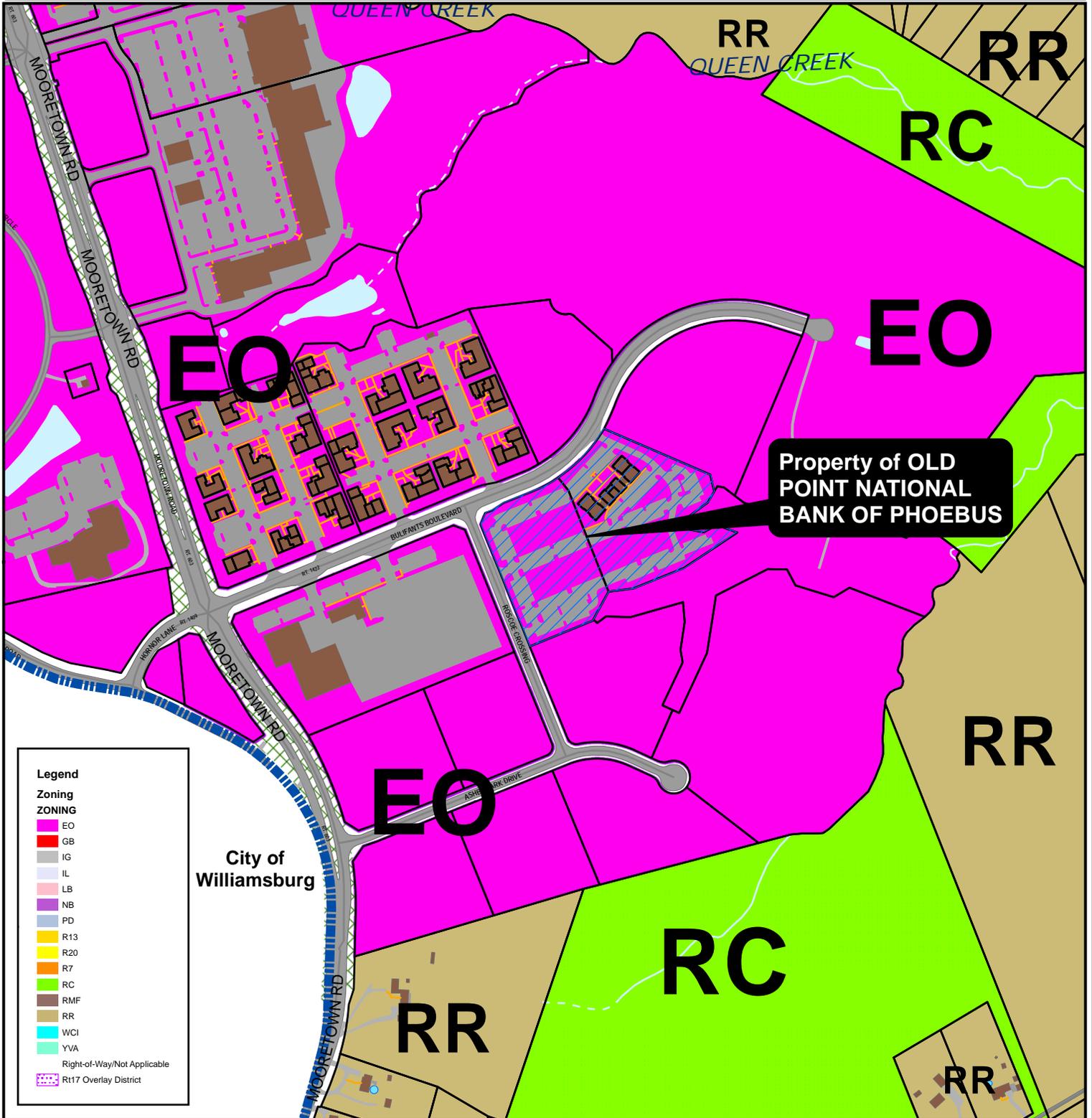
Attachments:

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APPLICANT Marlyn Development Corporation
 Request to rezone from Economic Opportunity to Planned
 Development Residential for independent senior apartments
300 ZZ and 300 Z1 Bulifants Boulevard

ZONING MAP

APPLICATION NUMBER: PD-43-16



Legend	
Zoning	
ZONING	
	EO
	GB
	IG
	IL
	LB
	NB
	PD
	R13
	R20
	R7
	RC
	RMF
	RR
	WCI
	YVA
	Right-of-Way/Not Applicable
	Rt17 Overlay District



Printed on September 26, 2016

SOURCE: YORK COUNTY
 GIS PARCEL DATA and
 ZONING COVERAGE

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

PROJECT NARRATIVE

The subject property located at the Towne Park Center on Bulifants Boulevard and comprises approximately 6.50 acres which represents the remaining undeveloped land area associated with the Towne Park Center. The Mooretown Road and Bulifants corridor has developed to reflect a retail and service oriented activity center. Important to the sustainability and growth of this retail/service corridor is the presence of residents in close proximity to the goods and services offered. The proposed project seeks to address the need for resident consumers in this corridor in a manner that is compatible with and contributes to the character of the surrounding development.

The project proposes a 130 unit single-building, independent living senior apartment community. The proposed massing and architectural character of the building is consistent with that reflected on the adjacent parcel and in Michael Commons. The project is consistent with the Comprehensive Plan's economic opportunity designation based upon (1) the acknowledgment in the County's zoning ordinance that independent senior apartments with internal entrances is a use which may be permitted in the EO zone, and (2) the economic support provided to the existing retail and services businesses in the area from the residents of the project.

The project will generate a negligible amount of vehicle trips (approximately 37 in the weekday peak hour) and, due to the age-restricted nature of the project, there will be no impact on the County's school system. Finally, it is important to note that site is served by public water and sewer.

RECEIVED
York County

OCT 25 2016

Planning Division

Community Impact Assessment

For

Towne Park Center

An Independent Living Senior Housing Community

Prepared For

Marlyn Development Corporation

308 35th Street, Suite 101

Virginia Beach, Virginia 23451

(757) 437-1677

June 29, 2016

Revised: August 31, 2016

AES Project Number W10444-00

Prepared by:



CONSULTING ENGINEERS

TABLE OF CONTENTS

I.	INTRODUCTION.....	3
II.	THE PROJECT TEAM	5
III.	EXISTING CONDITIONS	5
IV.	PROJECT DESCRIPTION	5
V.	PLANNING CONSIDERATIONS.....	7
	A. Land Use.....	7
	B. Environmental.....	7
	C. Zoning Strategy	7
	D. Parks and Recreation	8
VI.	ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES	8
	A. Public Water Facilities.....	8
	B. Sewer Facilities.....	9
	C. Fire Protection and Emergency Services	9
	D. Solid Waste	10
	E. Utility Service Providers.....	10
	F. Schools.....	10
VII.	ANALYSIS OF ENVIRONMENTAL IMPACTS.....	10
	A. Preliminary Wetland Determination.....	10
	B. Resource Protection Areas.....	10
	C. Soils.....	10
VIII.	ANALYSIS OF STORM WATER MANAGEMENT.....	11
IX.	FISCAL IMPACT STUDY.....	11
X.	CONCLUSIONS.....	11
	LIST OF TABLES	
	Table 1 – Projected Wastewater Flows	9
	LIST OF EXHIBITS	
	Exhibit 1 - Vicinity Map.....	6
	APPENDICES	
	Appendix A – Proposed Boundary Plat Exhibit	

I. INTRODUCTION

Marlyn Development Corporation proposes to amend the Zoning Map of York County, Virginia to create a Planned Development Residential District (PD-R) on approximately 8.9± acres presently zoned for Economic Opportunity (EO). The proposed PD-R would consist of a Senior Housing building that would provide a maximum of 130 residential units on approximately 6.5 acres.

The property is located in the Bruton Magisterial District on the east side of Mooretown Road, east of the Ferguson building and south of Michael Commons Office Park. A vicinity map is included on Page 6. The current zoning of the property is EO, Economic Opportunity. The property is currently owned by Old Point National Bank of Phoebus. The purpose of this Community Impact Assessment is to summarize and organize the planning efforts of the project team into a cohesive package for Staff review, addressing the pertinent planning issues, the requirements of the Planned Development zoning district, performance standards, and the cultural, fiscal, and physical impacts of the proposed development to the County.

Marlyn Development Corporation and Senior Housing

Marlyn Development Corporation (MDC) was founded in 1983. Since its inception, MDC has completed over 8,000 new housing units and 1,700 renovated units. Our construction experience includes for-sale homes, townhomes and condominiums as well as new and renovated apartment complexes. These and projects currently under construction have provided MDC with over \$560,115,165 of construction expertise, demonstrating our longevity in an often rapidly changing real estate environment. In recent years, MDC has focused its development efforts on senior independent living apartment communities, realizing that this is a growing and underserved segment of the population.

MDC has won both statewide and national recognition for a number of projects. Eastwyck Village Apartments, an MDC-built property in Virginia Beach, won Dominion Virginia Power Company's EFI Award for energy efficient construction. Two of MDC's projects, Arbor Lake Apartments and Summerland Heights were national finalists in Builder Magazine's construction design competition. In 2001, South Beach, an MDC-built high-end apartment complex of 212 units located only blocks from the oceanfront was named "Outstanding Residential Development" by the City of Virginia Beach Planning Commission. In 2003, Shorewood Cove, an MDC-developed and built tax credit property, won the Tidewater Multifamily Housing Council's Award, in cooperation with Tidewater Builder's Association, for excellence in Senior Housing. In 2004, the Peninsula Builders Association awarded Bailey Park, an MDC-developed community in Hampton, Virginia the "Best Community for 50 to 100 homes". The following year our adult senior project in Hampton, Sinclair Commons, won the "Senior Community of the Year".

That same year another adult senior project in Virginia Beach, Lynnhaven Cove, won the “Exceptional Residential Development” from the City of Virginia Beach. Chester Village Senior Apartments, in Chester, Virginia, won The Community of the Year award in years 2007 and 2010. Additionally in 2010, Forrest Landing Apartments, a multifamily community, was certified as an Earth Craft Multifamily Project. And finally, in 2012, MDC was recognized by the Professional Builders Housing Giants for advancing in the rankings of professional builders from 210 to 134.

Whether serving as joint venture partner or general contractor, MDC strives to meet both budget and time expectations. MDC’s commitment to customer satisfaction combined with our expertise in value engineering has led to a number of long-standing business partnerships and a highly regarded reputation in the construction community.

Our thirty years of construction experience, a solid understanding of federal, state and local programs, plus a collaborative team approach to construction management helps the Owner or Developer achieve its goals while building projects that are both cost efficient and attractive. Our commitment to owner satisfaction enabled MDC to be named to the Professional Builder magazine “PB Giants” list of the Top 400 Builders in the country on several occasions. As either Developer/Owner or General Contractor, MDC’s philosophy remains constant: building quality builds a solid investment.

From the conceptual phase of each project, including negotiations with financial institutions or joint-venture partners, MDC maintains a hands-on approach throughout all stages of the development process. Whether developing luxury, market-rate or affordable apartments, we are committed to creating long-term investments that have the potential to achieve maximum value for everyone involved. MDC works with state and local governments and both tax credit or tax-exempt bond programs to help combine various forms of debt and equity financing. Our expertise helps the Owner/Developer build market-quality communities at the most economical cost.

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II. THE PROJECT TEAM

The organizations that participated in the preparation of the information provided with this rezoning submission are as follows:

- Developer - Marlyn Development Corporation
- Civil Engineering - AES Consulting Engineers
- Land Planning - AES Consulting Engineers
- Architect - Cox, Kliewer & Company, P.C.
- Attorney - Kaufman & Canoles, P.C.
- Fiscal - Ted Figura Consulting

Key components of this Community Impact Assessment are:

- Existing Conditions
- Project Description
- Planning Considerations
- Analysis of Impacts to Public Facilities and Services
- Analysis of Environmental Impacts
- Analysis of Storm Water Management
- Fiscal Impacts
- Conclusions

III. EXISTING CONDITIONS

This site was previously developed and there are numerous existing features on site. There is one existing condominium building totaling approximately 23,000 S.F. There are also existing drive aisles, parking spaces, storm sewer pipes and structures, waterlines, sanitary sewer (gravity and force main) and a private grinder pump station. The site is in a fully cleared and stabilized condition prior to the proposed senior housing development.

For the site location, please refer to Figure 1, Vicinity Map on Page 6.

IV. PROJECT DESCRIPTION

Marlyn Development Corporation proposes to establish a Planned Development Residential District on the property to allow for the creation of a Senior Housing building with residential units totaling a maximum of 130 units. The proposed units will be a mix of 1 and 2 bedrooms and the building will be a maximum of 4 stories tall. The site was previously developed and contains existing drive aisles, ample parking (beyond the 1.25 spaces/unit that Marlyn utilizes), utilities and stormwater management. Elevations accompanying this application illustrate the character of the building proposed for the project. The design intent is to promote architecture that unifies the look of the existing and nearby buildings and provides a lively landscaped streetscape and generous open space.

Figure 1



Map copyright © Kappa Map Group LLC, (800) 829-6277. Used with permission – Permitted Use Number 21004223

Approximate Scale 1"=2000'

VICINITY MAP
For
Towne Park Center
An Independent Living Senior Housing Community
Williamsburg, Virginia

V. PLANNING CONSIDERATIONS

A. Land Use

The Comprehensive Plan designates the entire parcel in question as EO, Economic Opportunity. Initial discussions with York County Planning Staff have indicated that the proposed Senior Housing on the remainder of the parcel would be an appropriate neighbor to the existing commercial features that surround Towne Park Center. The additional 130 residents in this area of York County will help surrounding businesses thrive and continue to promote economic growth.

B. Environmental

Watershed protection surrounding the Waller Mill Reservoir is vital to how the development is considered on this property. Impervious cover will be limited to the greatest extent possible and drainage associated with this property will be treated by the existing stormwater management facility prior to being ultimately discharged into the Waller Mill Reservoir. A Water Quality Impact Study (WQIS) will be provided during the site plan stage that will detail the measures utilized to protect the Reservoir.

C. Zoning Strategy

Since Senior Housing is only an allowed use with an SUP within the EO District, a rezoning is being sought to create a Planned Development Residential District (PD-R) for a portion of the property. The PD-R District is an appropriate designation for this proposal because the purpose of the PD-R District is “to encourage a more efficient use of land and public services by allowing a more flexible means of development than is otherwise possible under typical lot by lot or cluster zoning restrictions. Further, this district provides the opportunities for the development, which reduces land consumption, reduces the amount of land devoted to streets and other impervious surfaces. It also will provide increased amounts of open space and recreational amenities, as well as encourages creativity and innovation in design, all of which could serve to enhance the quality of life and to reduce the tax burden on the citizens of the County. The Planned Development District provides both design and use flexibility.” The conclusions that follow in this report will summarize how this proposal meets the criteria and purpose of the Planned Development District.

While the Zoning Ordinance establishes performance standards that provide for the compatibility of senior housing with commercial development, multi-family and single-family development within the comprehensive plan, surrounding land uses and general public welfare; the Planned Development District allows the Board to modify up or down, the dimensional design requirements and density outlined in Division 6 of the Ordinance at its discretion based on the merits of the project and its compatibility with surrounding land uses. Marlyn Development Corporation is looking to the Board for flexibility in these design requirements to allow the highest quality and best use of the land and to help insure that open space remains a key feature in this proposed

development. Specifically, to insure appropriate density without excessive footprints and to allow greater flexibility in design Marlyn Development Corporation requests a waiver of height restrictions to permit apartment building heights at the ridgeline not to exceed 60 feet (four stories at a portion of the building and three stories for the remainder). The other exceptions to the senior housing performance standards that are being sought include flexibility in perimeter buffers to allow for parking within the 50-foot perimeter buffer as well as a reduction in the 25-foot front/side/rear yards due to the configuration of the existing parking lot and drive aisles on site from the previous owner.

D. Parks and Recreation

Marylyn Development Corporation proposes to provide recreational amenities designed to meet the needs of the active adult client base and satisfy ordinance standards for Senior Housing. Proposed amenities include:

Senior Apartments – (Interior) entry lobby, community room, hair salon, media room, game room and exercise room. Exterior amenities will include sitting areas, dog park, grilling area and raised gardens.

The site will also have ample open space and perimeter buffers provided on the property.

VI. ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES

A. Public Water Facilities

Public water shall be provided by the Newport News Waterworks (NNWW) system. The water mains and fire hydrants have already been installed for this property per previous development. The existing looped system will provide the necessary domestic demand for the proposed age-restricted building. Due to the location of the proposed building, a portion of the existing water main will need to be capped and removed/abandoned such that there is no water main located under the building footprint. In order to provide the required looped system, additional water main will be provided between the two existing fire hydrant locations at the southern portion of the property (see Sheet 3 of the Master Plan). Based on the height of the building, we assume that a fire pump will be required to meet the required fire flow demands above the first floor.

A more detailed water analysis will be conducted prior to or with the final site plan. NNWW will then update their water model in order to examine volume and pressures throughout the immediate water system area.

B. Sewer Facilities

Sanitary sewer service is provided to the site by an existing on-site gravity sewer collection system that will convey wastewater flows to an existing on-site private grinder pump sewage station that was previously designed to handle the proposed flows generated by this project. This grinder pump conveys the wastewater through a 3-inch force main that ties into a 4-inch force main running along Bulifants Boulevard. One existing sanitary sewer manhole and a portion of sewer main will need to be slightly relocated in order to avoid the proposed building footprint (see Sheet 3 of the Master Plan).

All system components shall be designed to HRSD standards. Please find below “Table 1” which shows the anticipated sewage flows for the project.

Table 1 – Projected Wastewater Flows from Towne Park Center

Type of Development	No. of Units	Flow (GPD/Unit)	Average Daily Flow (GPD)	Duration (hrs)	Avg. Flow (GPM)	Peak Flow (GPM)
RESIDENTIAL						
Apartments	130	225	29,250	24	20.3	50.8
NON-RESIDENTIAL						
Existing Office	23,123 sf	0.1	2,312	12	3.2	9.6
TOTAL			31,562		23.5	60.4

C. Fire Protection and Emergency Services

There are currently six (6) fire stations providing fire protection and Emergency Medical Services (EMS) services to York County with support from James City County and the City of Williamsburg. Four (4) stations are located within a reasonable distance to the project site from the three Jurisdictions. Two of the four stations are located in York County, one in James City County, and one in the City of Williamsburg. The project site falls within the “Skimino” Station 5, 2000 Newman Road, fire protection district, which is approximately 2.3 miles North East of the subject property.

Response time to the site is within appropriate limits if an emergency event occurs which requires additional fire and life safety support. The mutual aid agreement between these municipalities affords the future residents of the project more than adequate response to potential emergencies.

D. Solid Waste

The proposed development on the subject property will generate solid wastes that will require collection and disposal to promote a safe and healthy environment. Reputable, private contractors, hired by the Homeowners Association will handle the collection of solid waste. Both trash and recyclable material will be removed from this site to a solid waste transfer station.

E. Utility Service Providers

Virginia Natural Gas, Dominion Virginia Power, Cox Communications, and Verizon Communications provide, respectively, natural gas, electricity, cable TV service, and telephone service to this area. The current policy of these utility service providers is to extend service to the development at no cost to the developer when positive revenue is identified; plus, with new land development, these utility service providers are required to place all new utility service underground.

F. Schools

Because the proposed land use is senior housing and no school age children will be permitted to reside in the community, there will be no direct impacts on the local school system.

VII. ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Preliminary Wetland Determination

There are no wetlands located on the property.

B. Resource Protection Areas

There are no Resource Protection Area (RPA) buffers or Watershed Management Protection buffers located on the property, as delineated on the York County GIS website.

C. Soils

The Soil Survey of James City and York Counties and the City of Williamsburg, Virginia (USDA 1985) show several soil types within the property boundary. This property is predominantly situated on well-drained soils of Craven-Uchee, Emporia Complex, Emporia, and Slagle soil types.

VIII. ANALYSIS OF STORM WATER MANAGEMENT

This project is located in the York County Watershed Management and Protection Area Overlay District as well as the Waller Mill Watershed. Stormwater management (quantity and quality) for the site shall be met through the use of the existing BMP. The existing facility has been designed to handle the flows associated with this project and we will ensure that all on-site storm water is discharged to the BMP. The BMP will also provide both flow attenuation and pollutant removal for the project.

Similar to the utility layout, a portion of the existing storm system will need to be removed/abandoned in order to avoid the footprint of the proposed building. The existing storm sewer system that runs down the middle of the property and conveys offsite drainage to the BMP will be rerouted to existing forebay 'B' (instead of existing forebay 'A') as shown on Sheet 4 of the Master Plan.

IX. FISCAL IMPACT STUDY

A fiscal impacts analysis has been prepared by Ted Figura Consulting and is included with this report.

X. CONCLUSIONS

Towne Park Center meets the intent of the Planned Development Residential District with assurances for the provision of ample open space and its efficient use. The 130 age restricted residential units proposed will not burden area schools and of equal importance, Towne Park Center helps fill a regional need by providing active adults with the opportunity to downsize homes while continuing to live in the local area. Marlyn Development Corporation's experience with senior housing assures the County of high standards of layout, design and construction.

There are adequate public utilities with capacity to serve this project and the majority of the required infrastructure for this project is already in place. Fire and life safety issues have also been addressed with this application.

Finally, the careful planning of this project with regard to open space, buffers, existing features and limits on impervious surfaces assures the County that the Waller Mill Reservoir will be protected.

Marlyn Development Corporation proposes to amend the Zoning Map of York County, Virginia to create a Planned Development Residential District (PD-R) on approximately 8.9± acres presently zoned for Economic Opportunity (EO). The proposed PD-R would consist of a Senior Housing building that would provide a maximum of 130 residential units on approximately 6.5 acres.



Bulifants Senior Independent Living Apartments

Fiscal Impact Study

York County, Virginia

Prepared by

Ted Figura Consulting

for

Marlyn Development Corporation

Virginia Beach, Virginia

August 3, 2016

Revised per County comments, October 21, 2016

Table of Contents

Executive Summary.....	3
Background.....	4
Methodology.....	5
Fiscal Impact: Bulifants Senior Independent Living Apartments.....	7
 Appendix – Methodology	
Approach.....	A-1
Parameters and Assumptions.....	A-3
By-right Assumptions.....	A-3
Revenue Calculations.....	A-4
Real estate property taxes... ..	A-5
Personal property (car) taxes.....	A-7
User fees and other miscellaneous revenue.....	A-8
Additional revenues generated by households.....	A-10
Other revenues.....	A-13
Cost Calculations.....	A-13
 Tables	
Table 1 – Bulifants Senior Independent Living Apartments: Projected Revenues	8
Table 2 – Bulifants Senior Independent Living Apartments: Projected Costs.....	9
Table 3 – Bulifants Senior Independent Living Apartments: Projected Cash Flow through Stabilization Year.....	9
Table 4 – Bulifants Senior Independent Living Apartments, Fiscal Impact Measures, General and Enterprise Funds.....	10
Table A-1 – York County Variable, Non-Direct Tax Revenues from Households	A-10
Table A-2 – York County Non-School Expenditures per Household, Fiscal Year 2017 Adopted Annual Budget.....	A-20

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Bulifants Senior Independent Living Apartments: Fiscal Impact Analysis

Executive Summary

The applicant, Marlyn Development Corporation, is seeking a rezoning of 6.5 acres along Bulifants Boulevard in the Bruton District from Economic Opportunity (EO) to Planned Development Residential (PDR) zoning to permit the development of a three and four story 130-unit, age and income-restricted apartment building (“Bulifants Senior Independent Living Apartments”). The apartments will be marketed to and occupied by active senior adults.

As proposed, this development is projected to have a positive fiscal impact on both the general fund and the enterprise fund of York County (“the County”) over an initial five-year analysis period and in its stabilization year. Because the apartments will be age restricted, there is no fiscal impact from students entering the York County public school system.

As noted above, the Bulifants Senior Independent Living Apartments will be occupied by active seniors. Age may be restricted at 55 years and older or 62 years and older (62 years and older was assumed in calculating the fiscal impact). Residents will also be restricted to households with a household income no higher than the area median income (AMI) determined by HUD. Sixty-one (50) 1-bedroom units and 80 2-bedroom units are proposed. Rents are expected to range from \$710 to \$850 per month initially. Based on these rents and HUD income limits, the average income for Bulifants Senior Independent Living Apartment dwellers was estimated to be \$31,550 annually, with household incomes not to exceed \$33,840, subject to changes in the AMI.

The table below summarizes the fiscal impact measures for the proposed development.

Bulifants Senior Independent Living Apartments Fiscal Impact Measures, Combined General and Enterprise Funds	
Stabilization Period	
Annual Revenues	\$113,800
Annual Costs	\$ 71,250
Cash Flow	\$ 42,550
Benefit-to-Cost Ratio	1.6-to-1

Cumulative Measures	
Total Revenues	\$391,875
Total Costs	\$164,600
Cumulative Cash Flow	\$227,275
Benefit-to-Cost Ratio	2.38-to-1

Figures rounded to the nearest \$25

A more detailed analysis follows.

Background

Marlyn Development Corporation has proposed an age and income-restricted apartment development designed for low-moderate income active senior adults. The J-shaped, three and four story building is planned to contain 50 1-bedroom units and 80 2-bedroom units. A community room and fitness center is planned to be located on the first floor behind the leasing office. The apartments will also house arts & crafts and game rooms, a beauty salon, a business center, media room and indoor mail boxes. Garden plots are planned for the grounds and the entrance to the building will be monitored. The developer plans to provide van transportation, as well as planned activities and events. Apartments will be equipped with energy star appliances, a washer and dryer, a walk-in-shower, grab bars, and a balcony or patio. All services, including salon services, will be included in the rent, as will water, sewer and basic cable costs.

The Bulifants Senior Independent Living Apartments or “the development,” will be located on a 6.5 acre site located at the Towne Park Center development on Bulifants Boulevard in York County (the “site”). Towne Park Center is a part of International Center in the Bruton District near Mooretown Road. Town Park Center is currently in receivership, with one mostly vacant office building that was developed in the mid-2000s. The site is comprised of Parcel 002-19-9 and a portion of Parcel 002-19-10, which would be combined by the developer/applicant. The applicant wishes to rezone these parcels from the existing Economic Opportunity (EO) zoning to Planned Development Residential (PDR) in order to construct the development.

The 1-bedroom units at the Bulifants Senior Independent Living Apartments would have one full bath and lease initially for about \$710 per month. The 2-bedroom units would contain 1 ½ baths and lease initially for about \$850 per month. The fiscal impact analysis was conducted assuming an age restriction of 62 years and older, although the possibility exists that the development may permit households of 55 years and older. The development is designed for active adults who can live independently.

Residence will also be restricted to households with a household income no higher than the area median income (AMI) determined by HUD. Based on these rents and HUD income limits, the average income for Bulifants Senior Independent Living Apartment dwellers was estimated to be \$31,550 annually, with household incomes not to exceed \$33,840, subject to changes in the AMI. This compares to a 2015 average income of \$102,875 for York County. Thus, by providing affordable housing opportunities for the County’s low-moderate income elderly population, the proposed development will enhance income diversity within the County.

Construction of the Bulifants Senior Independent Living Apartments is expected to begin early in the second quarter of 2017 and be completed by mid-2018. Occupancy will occur at the start of fiscal year 2019, with a 3% vacancy rate assumed. Fiscal year 2020 will be the development’s stabilization year, the year beyond which all costs and revenues do not change.

These parameters are best estimates of the scope of the proposed development made by the applicant at this point in time. The specifics of the proposed development are subject to change based upon final determinations of site constraints and/or market conditions. Descriptions of the proposed development contained herein are not guarantees by the applicant that the proposed development will be constructed exactly as described above. However, the basic elements of the proposed development are those outlined above. Any change in the fiscal impact of the proposed development on the County due to minor changes in the scope of the proposed development are expected to be in the magnitude of projected revenues and costs and are expected to be in practically the same proportion of revenues to costs as estimated in the fiscal impact analysis report.

Methodology

The fiscal impact of the Bulifants Senior Independent Living Apartments on York County was calculated using the methodology described below. Fiscal impact is defined as the difference between all revenues to the County generated by the development and all costs to the County attributable to the development. Revenues and costs are described in further detail below. The fiscal impact of a by-right development was not calculated because development of the site in office use under its current zoning is highly improbable, given current and foreseeable market conditions.

The fiscal impact was calculated over a five-year period. This period was chosen for convenience since the development's stabilization year occurs in the fourth year of the analysis period. The stabilization year is the year following the completion of all phases of a project (the year beyond which the fiscal cash flow from the development does not change).

All fiscal impacts are presented in constant 2017 dollars, (i.e., inflation is not applied to either revenues or costs throughout the analysis period). A constant in 2017 dollars was chosen because the analysis is substantially based on the revenue, cost and tax rate assumptions contained in the *York County FY 2017 Adopted Annual Budget*.

The constant dollar approach means that no assumptions are made about rates of increase in real estate assessments in the County. Also, no assumptions are made about increasing tax revenues from sales, meals or business license taxes based upon retail price increases. Neither are assumptions made about future increases in the unit costs of government. The practical implication of this approach is that any future systemic imbalances between rising revenues and rising costs are assumed to be adjusted through changes in the County's tax rate, either upward or downward.

A marginal revenue/marginal cost approach was used to calculate expected revenues and costs to the County attributable to the development. This is opposed to an average revenue/average cost approach, in which estimates of a project's revenues and costs are based upon a jurisdiction's per-capita revenues and costs. The marginal revenue/marginal cost methodology counts only variable costs and revenues and, thus, does not count fixed costs and revenues that would be spent or received by the County whether additional development occurs or not. It counts only revenues and costs attributable to an increase in the number of households from the development being analyzed.

It is, thus, a more accurate estimate of future revenues and costs resulting from a development than is the average revenue/average cost approach. The average revenue/average cost approach actually calculates a project's "fair share" of public costs, rather than the incremental impact of a project on a locality's fiscal position. A more detailed description of the methodology used in this analysis is presented in the Appendix.

Revenues estimated for the Bulifants Senior Independent Living Apartments fall into three categories: one-time direct revenues, recurring direct revenues and additional tax revenues generated by households. The methodology does not use multipliers to calculate revenues that could be generated through a project's secondary impacts, as such multipliers are considered to be unreliable for small geographic areas. The methodology does not include revenues generated from spending by construction workers at the Bulifants Senior Independent Living Apartments, as such spending cannot reliably be said to occur within the County.

One-time direct revenues are revenues to the County derived from the construction of the Bulifants Senior Independent Living Apartments. They include all plan review fees, building permit and associated fees (electrical, mechanical and plumbing), other development fees, including water and sewer connection fees. They would include the value, at cost, of any off-site improvements constructed by the developer and donated to and benefitting the County, though no such improvements are anticipated as necessary by the developer. No cash proffers are assumed for the Bulifants Senior Independent Living Apartments as part of the fiscal impact analysis.

Recurring direct revenues consist of real estate property taxes, personal property taxes (car tax), car rental tax, motor vehicle registration fee, business personal property tax paid by the apartment owner, sewer collection fee, and other fees paid by households to the County (including the County's utility consumption tax). These are taxes and fees paid directly to the County by households and/or property owners. Taxes currently paid on the assessed value of the site's land were deducted from real estate property tax calculations. Taxes and fees were calculated based upon estimates of the assessed property values, the County's per-household user fees or other methodologies explained in the Appendix.

Additional tax revenues generated by households are estimates of taxes paid by York County businesses due to purchases made by Bulifants Senior Independent Living Apartments residents. These include the local option sales tax, meals tax, cigarette tax, and the business license fees paid by businesses on gross receipts from these sales. The methodology for estimating net new sales is presented in the Appendix.

Purchases by Bulifants Senior Independent Living Apartments residents are estimated based upon spending patterns according to household estimated income. Expenditures per household were also adjusted for spending patterns by age and, where appropriate, by tenure. Spending patterns are derived from the most recent U.S. Bureau of Labor Statistics Consumer Expenditure Survey. An adjustment was made for purchases made outside the County. The methodology for estimating these revenues is presented in the Appendix.

No generated taxes were estimated for construction workers or employees of businesses located in York County, as these employees were assumed either to be already living and spending in York County or living outside the County and, thus, spending most of their income outside the County.

Costs were divided into three categories: variable operating costs of government per household and per business, general government capital costs (if any) and public utilities costs. However, no capital costs or costs to the County's enterprise fund are anticipated. Cost data and assumptions were derived from the *York County FY 2017 Adopted Annual Budget*.

Per household and per business costs were calculated for various budget line items. State and federal revenues supporting various budget line items were deducted to leave only the County's operating cost. Certain government functions, such as public assistance and public health services, that would not serve the Bulifants Senior Independent Living Apartments population were not included in the calculations (such services are provided to low and very-low income households and Bulifants Senior Independent Living Apartment residents are expected to be above those income levels). Chief executive, legislative and administrative functions, which would be performed regardless of population size, were not included in the calculations. A percentage of certain administrative support services, to the extent that they support operations which would be provided independent of population size, were not included in the calculations. The methodology for estimating the cost of government is presented in more detail in the Appendix.

Three measures of fiscal impact were used—cash flow, cumulative cash flow and the benefit-to-cost ratio. Cash flow shows the annual surplus or deficit of revenues less costs for a sample of ramp up years through the stabilization year. Because revenues and costs are reported in constant dollars, there is no change in the projected cash flow after the stabilization year.

Cumulative cash flow is the sum of annual cash flows over the analysis period. Another way of explaining cumulative cash flow is that it is derived by subtracting total costs to the County attributable to a project from total revenues to the County derived from a project over the analysis period, leaving the County's total net revenue from a project.

Finally, the benefit-to-cost ratio is the ratio of total project revenues to the County and total project costs to the County. A benefit-to-cost ratio greater than 1.0-to-1 signals a net fiscal benefit. The magnitude of the benefit-to-cost ratio signals the strength of the fiscal impact on the County. For instance, a benefit-to-cost ratio of 1.5-to-1 indicates that for every additional dollar of spending a project costs the County, the County is expected to receive \$1.50 in additional revenue.

Fiscal Impact of the Bulifants Senior Independent Living Apartments

Marlyn Development Corporation is seeking a rezoning of the site to Planned Development Residential (PDR). This zoning would permit the development described above. The derivation of the revenues and costs attributed to the Bulifants Senior Independent Living Apartments are described in the Methodology section, above, and in the Appendix. The revenues projected for the Bulifants Senior Independent Living Apartments are listed in the Table 1 on the following page. Costs generated by the Bulifants Senior Independent Living Apartments are displayed in Table 2, located on page 9. Both revenues and costs are shown for the stabilization year and the total for the five-year analysis period (FY 2017-FY2021).

Table 1		
Bulifants Senior Independent Living Apartments		
Projected Revenues		
Revenue Type	Annual Revenues, Stabilization Year	Five-Year Total
Current Real Estate Tax	\$ (8,525)	\$(42,575)
Real Estate Property Tax, Land	\$ 5,050	\$ 32,200
Real Estate Property Tax, Improvements	\$ 38,225	\$114,625
Personal Property (Car) Tax, Motor Vehicle Registration Fee, Car Rental Tax	\$ 12,825	\$ 29,625
Communication Sales Tax, Utility Consumption Tax, and other fees	\$ 7,875	\$ 18,250
Business Personal Property Tax	\$ 600	\$ 1,500
<i>Subtotal Direct Taxes</i>	<i>\$ 56,050</i>	<i>\$153,625</i>
Additional Revenues Derived from Households	\$ 18,450	\$ 42,600
<i>General Fund Annual Revenues</i>	<i>\$ 74,500</i>	<i>\$196,225</i>
Sewer Collection Fee	\$ 39,300	\$ 90,800
<i>Enterprise Fund Annual Revenues</i>	<i>\$ 39,300</i>	<i>\$ 90,800</i>
Subtotal Annual Revenues	\$113,800	\$287,025
Building Permit and Review Fees		\$ 70,850
Development Review Fees		\$ 4,525
Certificate of Occupancy Fees		\$ 75
<i>General Fund One-time Revenues</i>		<i>\$ 75,450</i>
Sewer Development Fees		\$15,150
Water Development Fees		\$14,250
<i>Enterprise Fund One-time Revenues</i>		<i>\$29,400</i>
Subtotal One-time Revenues		\$104,850
Total Revenues		\$391,875
<i>General Fund Revenues</i>		<i>\$271,675</i>
<i>Enterprise Fund Revenues</i>		<i>\$120,200</i>

Figures rounded to the nearest \$25.

Subtracting projected costs from revenues yields a positive overall cash flow (or revenues net of costs) for the development. In the stabilization year, the County is expected to receive more than \$113,500 annually in new revenue from the development of the Bulifants Senior Independent Living Apartments while incurring only \$71,250 in new annual costs.

Table 2		
Bulifants Senior Independent Living Apartments		
Projected Costs		
Projected Operating Costs	Annual Costs, Stabilization Year	Five-Year Total
General Government Service Operating Costs	\$71,250	\$164,600
General Government Service Capital Costs		\$ 0
Education Operating Costs	\$ 0	\$ 0
Education Capital Costs		\$ 0
Total General Fund Costs	\$71,250	\$164,600
Enterprise Fund Costs	\$ 0	\$ 0
Total Operating Costs	\$71,250	\$164,600

Figures rounded to the nearest \$25.

Annual cash flow from the Bulifants Senior Independent Living Apartments is shown in Table 3 below. Cash flow is shown for the general fund and the County's enterprise fund separately. In the stabilization year, the County is expected to see net new revenues (revenues less costs) of more than \$42,000 annually. Of this revenue surplus, \$3,250 is projected to enter the County's general fund and \$39,300 is projected to be earned by the County's enterprise fund. This fund, though separate for accounting purposes, ultimately impacts the County's general fund. Surpluses are either transferred into the general fund or the funds would be used to enable a faster repayment of debt service, which would result in larger surpluses transferred to the general fund in the future.

Table 3				
Bulifants Senior Independent Living Apartments				
Projected Cash Flow through Stabilization Year				
	FY 2017	FY 2018	FY 2019	Stabilization Year FY 2020
General Fund Revenues*	\$31,600	\$43,775	\$47,200	\$ 74,500
Enterprise Fund Revenues	\$29,400	\$ 0	\$12,175	\$ 39,300
Total Revenues	\$61,000	\$43,775	\$59,375	\$113,800
General Fund Costs	\$ 25	\$ 25	\$22,075	\$ 71,250
Enterprise Fund Costs	\$ 0	\$ 0	\$ 0	\$ 0
Total Costs	\$ 25	\$ 25	\$22,075	\$ 71,250
General Fund Cash Flow	\$31,575	\$43,750	\$25,125	\$ 3,250
Enterprise Fund Cash Flow	\$29,400	\$ 0	\$12,175	\$ 39,300
Total Cash Flow	\$60,975	\$43,750	\$37,300	\$ 42,550

Figures rounded to the nearest \$25.

*The "cost" of taxes currently collected on the site is subtracted from General Fund revenues

Table 4, below, shows the fiscal impact measures for the Bulifants Senior Independent Living Apartments. These are positive with benefit-to-cost ratios in the stabilization year of 1.6-to-1 for the combined funds, meaning that the County is expected to receive almost \$1.60 in revenue for every dollar of cost attributed to the development. Over a five year period, the County can expect to receive more than \$227,000 in net new revenue from the development and earn \$2.38 for each \$1.00 invested in costs. The higher benefit-to-cost ratios for the five year period are due to the presence of one-time revenues. While fiscal impact measures for the general fund are smaller, they are still expected to be positive. The County’s enterprise fund will receive significant surplus revenues due to the development of the Bulifants Senior Independent Living Apartments and these revenues ultimately translate into less financial pressure on public enterprise customers and the County’s general fund.

Table 4		
Bulifants Senior Independent Living Apartments Fiscal Impact Measures, General and Enterprise Funds		
	Stabilization Year	Five-Year Total
General Fund		
Cumulative Cash Flow	N/A	\$107,075
Benefit-to-Cost Ratio	1.05-to-1	1.65-to-1
Total All Funds		
Cumulative Cash Flow	N/A	\$227,275
Benefit-to-Cost Ratio	1.6-to-1	2.38 to-1

Bulifants Senior Independent Living Apartments

Appendix

Methodology

Approach

This study examines the revenues to be received by York County generated by the proposed Bulifants Senior Independent Living apartments to be developed on Bulifants Boulevard in the Bruton District of the County and all costs to the County attributable to that development.

Only variable revenues and costs are counted in the impact study. This means that, rather than applying per capita/employee or per household/business total revenue and total County per capita/employee or per household/business expenditures to the Bulifants Senior Independent Living Apartments, only those incremental revenues and costs that the County will actually receive or incur due to the increase in households and the additional retail development are counted as having an impact. Fixed costs that do not rise as population or households increase incrementally are not counted as having a cost impact.

Revenues include one-time direct revenues, annual direct revenues from the project and tax revenues generated by households. One-time direct revenues are revenues to the County derived from the construction of the Bulifants Senior Independent Living Apartments. They include all building permit and associated fees (electrical, mechanical, plumbing, water, sewer and natural gas), various development fees and certificate of occupancy fees. There are no public improvements that will be constructed or paid for by the applicant for the benefit of the County.

Annual direct revenues include: real estate property taxes, personal property taxes and user fees (the local portion of the communication sales tax, miscellaneous fees and fines, and the County's utility consumption tax calculated per household), as well as business personal property taxes paid on equipment owned by the apartments. Additional tax revenues generated by residents at the Bulifants Senior Independent Living Apartments are estimates of taxes paid by York County businesses due to purchases made by households occupying the Bulifants Senior Independent Living Apartments.

Costs include operating costs of government per household and certain capital costs incurred by general government (if any). Cost data and assumptions were derived from the *York County Fiscal Year 2017 Adopted Annual Budget*. The methodology for performing these calculations is explained in the "Cost Calculation" section, below.

Additionally, a separate analysis was performed to include variable costs and revenues incurred and received by the County's enterprise funds. While the Bulifants Senior Independent Living Apartments will be served by Newport News Waterworks, the County's water utility enterprise fund will receive a system facility fee from the developer, as will its sewer utility enterprise fund. No costs or revenues were attributable to solid waste fund and no costs were attributable to the sewer or water utility fund.

While enterprise funds are designed to be self-sustaining fiscal entities, net (surplus) revenues received by these funds constitute a “profit” generated by the fund. This profit can be used to reduce customer user charges or to retire debt more quickly, or the surplus revenue may be transferred to the County’s general fund as revenue to that fund. In any case, incremental costs and revenues to the County’s enterprise funds generate a fiscal impact, though not necessarily to the County’s general fund.

In the enterprise fund analysis, sewer and water system facility fees were included as one-time revenues. Sewer service user fees were included as annual direct revenues. Costs and revenues for solid waste management costs were not included as the development will be served by a private waste hauler. Sewer billing costs were included as a variable cost. There will be no new sewer lines extended and, thus, no new sewer maintenance cost for the County.

All impacts are presented in constant 2017 dollars. Inflation is not applied to either revenues or costs throughout the analysis period. The constant dollar approach also means that no assumptions are made about the rate of real estate assessment increases in the County. No assumptions are made about future increases in business tax revenues based upon price increases. Neither are assumptions made about future increases in the unit costs or revenues of government. The practical implication of this approach is that any systemic future imbalances between rising (or falling) revenues and rising costs will be adjusted through changes in the County’s tax rate, either upward or downward.

The fiscal impact is calculated through the stabilization year (the year in which all costs and revenues have been realized). The stabilization year for the proposed development is expected to be FY 2020. Because revenues and costs are reported in constant dollars, there is no significant change in the projected cash flow after the stabilization year. However, for convenience, the analysis period was extended through FY 2021, creating a five-year analysis period.

Throughout, revenue and cost data are estimated on a per-household basis. The projected number of households in the County in 2017 (25,304) was estimated by multiplying the number of households reported in the 1-year 2015 U.S. Census American Community Survey (ACS) by the estimated rate of household increase. The estimated rate of household increase (2.6% over a 2 year period) was calculated as the percentage household increase from 2013 to 2015 derived from the ACS.

The calculation of per-household costs for services delivered to both households and businesses (see under “Cost Calculations,” below, for a description of this methodology) entails an estimate of the number of businesses located in the County. The number of business establishments in the County (1,534) was derived from the Virginia Employment Commission’s Quarterly Census of Employment and Wages (3rd quarter 2015). No increase in the number of businesses was projected for 2015-2017. The business firm, rather than a per-employee measure, was deemed to be a more appropriate unit to measure the delivery of most County services to the business community.

Parameters and Assumptions

The applicant is proposing the construction of approximately 130 residential apartment units to be constructed on parcels 002-19-09 and 002-19-10, which will be combined into one parcel. The development will be a senior independent living community with residency age restricted (probably 62 years and older) and income restricted with the maximum income to be 60% of HUD-designated Area Median Income (AMI). The development is expected to fill a need for affordable rental apartments for active adults providing a wide range of community amenities. Of the 130 apartment units, 50 are planned at this time to be 1 bedroom with 1 bath and 80 are planned to be 2 bedroom with 1 ½ baths, subject to adjustment as development plans are finalized.

Construction would begin about six months after rezoning approval. For analysis purposes, a construction start date of April 2017 was assumed. The construction period is expected to last 14 months and the development is assumed to open in July 2018. The project will be constructed as a single 168,000 square foot 3-4 story building with elevators. Rents for the 1 and 2-bedroom units are expected to initially be \$710 and \$850 per month, respectively. A 3% vacancy rate was assumed based on the developer's expectations. The apartments are expected to be fully leased within six months of opening. Thus, the project's stabilization year (the year beyond which costs and revenues do not change) was determined to be FY 2020. Therefore, a five-year analysis period (FY 2017-FY 2021) was used.

These parameters are best estimates of the scope of the proposed development made by the applicant at this point in time. The specifics of the proposed development are subject to change based upon final determinations of site constraints and/or market conditions. Descriptions of the proposed development contained herein are not guarantees by the applicant that the proposed development will be constructed exactly as described above. However, the basic elements of the proposed development are those outlined above. Any change in the fiscal impact of the proposed development on the County due to minor changes in the scope of the proposed development are expected to be in the magnitude of projected revenues and costs and are expected to be in practically the same proportion of revenues to costs as estimated in the fiscal impact analysis report.

By-Right Assumptions

The proposed development is located in the Towne Park Center development, a privately owned small business park that is a part of the larger International Center development located in the northern part of the County (Bruton District"), near Lightfoot. The site is zoned EO (Economic Opportunity), which permits a variety of uses including: manufacturing and other industrial uses, office development, retail development, hospitality and other tourism related uses including tourist attractions, and mixed-use development. However, the site has been programmed for small office cluster development and one office cluster has already been developed.

Three lots and five office condominiums in the existing buildings are currently for sale. Only one office condominium in the existing building is occupied. Development of this property commenced in 2005 and in 2009 Towne Bank of Phoebus, the financing institution, foreclosed on the property. The inactivity that the property has experienced for the past decade demonstrates the economic and market challenges of developing this property further in its by-right use. A by-right development of the site is, therefore, deemed highly unlikely to occur in the foreseeable future. For this reason, no fiscal impact for an alternative by-right development was calculated and the net fiscal impact of the proposed development is equal to its primary fiscal impact.

Revenue Calculations

Revenues estimated for the Bulifants Senior Independent Living Apartments fall into three categories: one-time direct revenues, direct revenues and additional tax revenues generated by residents of the Bulifants Senior Independent Living Apartments. The methodology does not use multipliers to calculate revenues that could be generated through the project's secondary impacts, as such multipliers are considered to be unreliable for small geographic areas. The methodology does not include revenues generated from spending by construction workers as this cannot reliably be said to occur within the County.

As noted above, one-time direct revenues are revenues to the County derived from the construction of the Bulifants Senior Independent Living Apartments. They include all building permit and associated fees (electrical, mechanical and sprinkler system, plumbing, water, sewer and natural gas), various development fees and certificate of occupancy fees. Also, as noted above, the enterprise fund alternative analysis includes sewer and water connection fees. A single certificate of occupancy permit was assumed.

Building permit fees were calculated using the fee schedule from the County's website. For the purpose of calculating plumbing permits, each 1-bedroom apartment unit was assumed to have 1 bath and each 2-bedroom unit was assumed to have 1 ½ baths, with each unit assumed to have a sink, dishwasher, washing machine and water heater. The leasing office was assumed to contain a unisex half bath and a set of men's and women's restrooms was assumed to serve the community area, with each restroom containing 5 plumbing fixtures.

For the purposes of calculating electrical permits, each apartment unit was assumed to have a 150 amp service with the common/office area having three 400 amp electrical services, all single phase. The apartment building is assumed to be sprinklered. The cost of each sprinkler system was estimated to be \$2.00 per square foot, based on a recent cost estimate for another retail development within the region. Each apartment unit is assumed to be served by natural gas with 1 outlet per unit. One elevator was assumed.

A water/sewer permit was assumed to be required for the apartment building. Sewer and water meter connection fees, which are paid to the County's sewer and water utility enterprise funds, respectively, are the system facility charges stated in the County Code. The water system facility fee was deemed applicable to the development because the County had extended water lines to the site. The apartments were assumed to have at least a 1 1/2" meter (possibly 2", though 1 1/2" was used to estimate fees).

Sign permit fees were as stated in the County Code. One monument sign between 51 and 100 square feet was assumed for the development. Based on the applicant's concept plan, no street signs were assumed.

Plumbing, electrical and mechanical permits were assumed to be paid prior to rough in and the sign permit prior to construction completion (FY 2018). All other permits were assumed to be paid in FY 2017.

Development fees included site plan, site improvement and site inspection fees; erosion and sediment control fees; the VSMP fee; and certificate of occupancy fees. It is assumed that the applicant will submit all plans in the County's approved digital format and that review fees will, thus, be waived. Fees used were as stated in County's Code (Sec. 7.1-8). Development fees were calculated on data pertaining to the proposed development provided by the applicant.

Annual direct revenues include: real estate property taxes, personal property taxes, user fees (the local portion of the communication sales tax, miscellaneous fees and fines, and the County's utility consumption tax per household) and business personal property taxes levied on equipment owned by the project's owner (estimated at \$60,000 by the developer). These taxes are paid directly to the County by households and the owner of the Bulifants Senior Independent Living Apartments. They are calculated based upon estimates of the assessed property values, per household personal property taxes adjusted for income status, an estimate of business equipment cost provided by the developer, stated rates and per-household revenues calculated from data in the *FY 2017 Adopted Annual Budget*. The County's sewer fee was included as revenue to the County's enterprise fund separately in the impact analysis. A solid waste fee was not calculated because the apartments will be served by a private waste hauler.

Real estate property taxes

York County's real estate assessment of the Bulifants Senior Independent Living Apartments was estimated by applying a rental income-based approach derived from a correlation of per-unit assessments to average rent in a sample of similar multi-family developments located in York County. This yielded a formula which calculates the real estate assessment of improvements per \$25 of average monthly apartment rent. This formula was developed and has been tested on an extensive data set of apartments in Newport News and was found to be highly accurate in its predictive capability. The model has also been found to be accurate in predicting apartment assessments in other Hampton Roads communities using smaller data sets of comparable apartments.

Originally, five senior and/or income restricted apartment complexes located in York County and Newport News were examined: Forrest Pines Senior Apartments (developed by Marlyn Development) and Silver Hill at Arboretum in Newport News and Rivermeade Apartments (age restricted), Yorktown Square I and II, and Woods at Yorktown. All had rents ranging from \$623 to \$750 for 1 bedroom apartments (for complexes offering one-bedroom apartments) and from \$689 to \$890 for 2 bedroom units. After examining the results of the analysis, it was determined that Newport News assessments per unit and per \$25 of rent were significantly higher than those for York County, suggesting that York County underassesses apartment buildings in this rent range compared to the City of Newport News. Therefore, only the three York County comparables were used to derive the assessment formula used in this fiscal impact analysis.

For these comparables, the average rent was \$713. The average assessment per \$25 of rent was \$1,094.50 (the average assessment per unit was \$31,225). At \$791 per month, the average rent for the Bulifants Senior Independent Living Apartments will be somewhat higher than the average for the three York County comparables. Assessments per \$25 of rent tend to increase as average rent increases and, based on a regression model for a full data set, it was calculated that the assessment per square foot to be applied to the Bulifants Senior Independent Living Apartments would increase about 2% to \$1,116.39 per \$25 of rent due to the higher average rents compared to the comparables. A 10% premium was also added for new construction.

This formula was then applied using Bulifants Senior Independent Living Apartment rents. With an average monthly rent of \$791.10, the assessed value of the Bulifants Senior Independent Living Apartment improvements was calculated as \$5,634,700, or \$38,860 per unit. The per-unit assessment includes the distributed assessment for amenities.

Since the formula referenced above calculates improvement assessments only, land assessment for the Bulifants Senior Independent Living Apartments was calculated separately. The Woods at Yorktown is located on a 25 acre site, much of which is wooded. The land assessment for this property (\$48,708 per acre) was considered unusually low. Therefore, the per acre land assessments for the remaining two properties (which are located adjacent to each other) was averaged, yielding about \$103,400 per acre. This was used to estimate the land assessment for the Bulifants Senior Independent Living Apartments, yielding an assessed value for land of about \$672,600 rounding to the nearest \$100. Land at its existing assessed value was converted to the new assessment upon completion of the apartments. This is a reduction from the current assessed land value of \$1,133,900 and the difference was counted as negative revenue for the fiscal impact analysis.

Personal property (car) taxes

Personal property taxes were calculated per Bulifants Senior Independent Living Apartment household and adjusted for differences in automobile expenditures based on income relative to the County's general population and on age, as well as tenure. The base car tax per vehicle was calculated by calculating the County's total car tax revenue (PPRTA received from the Commonwealth estimated by the County in its *Fiscal Year 2017 Adopted Annual Budget* divided by the percentage [52.5% in 2016, the latest year available] of car tax relief obtained from the County's Commissioner of the Revenue) divided by the number of vehicles in the County, as reported in the U.S. Census Bureau American Community Survey (ACS).

The County's average car tax paid per vehicle (\$313.04) was adjusted by multiplying this average by a factor calculated by dividing the expected automobile purchase expenditure for each residential product's (rent level) income by the expected automobile purchase expenditure for the County's average household income. Automobile expenditures per household for various income levels and age groups were derived from the most recent (2015 Mid-Year) U.S. Bureau of Labor Statistics Consumer Expenditure Survey (CES).

Estimated expenditures by income level were also adjusted for age differences in purchase patterns. Adjustments for age were made by dividing the average expenditure for households over age 65 by the average expenditure for all households in the income group of the average income of age-over-65 households. This income and age-adjusted estimate of car tax per vehicle was then multiplied by the estimated number of vehicles owned by residents of the Bulifants Senior Independent Living Apartments (for each rent level). The number of vehicles owned by households at each rent level was adjusted for differences in vehicle ownership by income using the same methodology used to adjust the average car tax per vehicle. The number of vehicles owned per household was then adjusted for ownership patterns of households age 65 and older using the same methodology described above. The number of vehicles owned per household was then adjusted for differences in ownership patterns of renters by dividing the average number of vehicles owned per renter household in York County by the number of vehicles owned per all households in York County. This result was then multiplied by the number of Bulifants households at each rent level.

These calculations can be represented by the formula below and on the following page:

$$PPT = \sum PPT/V_{BU} \times V/HH_{BU} \times HH_{OBU}$$

Where, PPT = Total personal property tax paid by Bulifants Senior Independent Living Apartment residents

PPT/V_{BU} = Personal property tax per vehicle for each unit type at Bulifants Senior Independent Living Apartments

V/HH_{BU} = Vehicles per household for each unit type at Bulifants Senior Independent Living Apartments and

HH_{OBU} = the number of occupied households for each unit type at Bulifants Senior Independent Living Apartments

$$PPT/V_{BU} = PPT/V_Y \times (VPNO_{IBU}/VPNO_{IY} \times (VPNO_{A65}/VPNO_{US}))$$

Where, PPT/V_Y = Average personal property tax per vehicle for all York County Households

$VPNO_{IBU}$ = Vehicle purchase net outlay for each type of Bulifants Senior Independent Living Apartments unit income level and

$VPNO_{IY}$ = Vehicle purchase net outlay for households at mean income for York County

$VPNO_{A65}$ = Vehicle purchase net outlay for households age 65 years and older

$VPNO_{US}$ = Vehicle purchase net outlay for households all ages at the income level equal to the average income of households age 65 years and older

and

$$V/HH_{BU} = \{ \{ V/HH_{IBU} \times [(VHH_R/ V/HH_Y) \times (VHH_Y/VHH_{ISCEY}) \times V/HH_{65}/V/HH_{US}] \}$$

Where, V/HH_{IBU} = Vehicles per household for each type of Bulifants Senior Independent Living Apartments unit income level

VHH_R = Vehicles per household for renter households in York County

VHH_Y = the average number of vehicles per household in York County

VHH_{ISCEY} = the average number of vehicles per household calculated using the CES data for York County's mean income

V/HH_{65} = vehicles per household for households 65 years and older

V/HH_{US} = vehicles per household for all ages at the income level equal to the average income of households age 65 years and older

User fees and other miscellaneous revenue

Certain user fees (the local portion of the communications sales tax remanded by the Commonwealth, the utility consumption tax, dog license fees, civil and a small portion of criminal fines, concealed weapons permit fees, plus the civil portion and a percentage of the criminal portion of the Clerk of Court excess charge) were based on revenues reported in the *Proposed Annual Budget* and calculated per household. It was assumed that The Bulifants Senior Independent Living Apartments target population will not be involved in the criminal justice system (as criminals) to any great extent. Thus, revenue from criminal fines and the portion of the Clerk of Court excess charge assigned to criminal activity was reduced by 97% for the Bulifants Senior Independent Living Apartments. This was based on data from the *Blackwell Encyclopedia of Sociology*.

The data stated that 80% of all crimes are committed by persons under age 40 and less than 1% of all crimes are committed by persons over 65, with victimization rates following similar (though not precisely the same) trends. Since the population at the Bulifants Senior Independent Living Apartments will be over 62, the percentage of this population associated with criminal activity would be closer to 1%. Taking a straight line projection approach, the incidence of involvement with criminal activity would increase by 0.75% for each year under 65.

Thus, taking the conservative approach of taking the highest predicted incidence of criminal activity involvement, the age group at the Bulifants Senior Independent Living Apartments would be involved in crimes handled by the York County criminal justice system only 3% of the time compared to the general population. Thus, variable revenues and costs associated with crime were reduced by 97% for this population. This percentage was adjusted to 75% for sheriff activity, however, in recognition that traffic offenses would not be as subject to reduction based on age and some patrol activity would take place at the Bulifants Senior Independent Living Apartments.

Civil fines were distinguished from criminal fines based upon the percentage of cases handled by the Clerk of Court and Commonwealth's Attorney as reported in the *York County Fiscal Year 2017 Adopted Annual Budget*. The percentage of civil cases was calculated as 67.49% of all cases. Thus, the amount of all court fines attributed to the Bulifants Senior Independent Living Apartments was calculated as 67.49% of fines plus 3% of the remainder (or 70.49% combined).

The per-household revenue to be received in FY 2017 from the Commonwealth as the local share of the communication sales tax was calculated. A portion of the remittance by the Commonwealth was assumed to be attributable to tax collections from businesses and, for the purpose of calculating the distribution between households and businesses, telecommunications bills of businesses were assumed to be five times the average residential household bill. (The methodology for distributing revenues between households and businesses is the same as for distributing costs and is explained below under "Cost Calculation"). The utility consumption tax was calculated on a per household basis.

Recreation and admissions fees, senior activity fee, charges for parks and recreation instruction classes, library fines and library copier charges were also based on revenues reported in the *Adopted Annual Budget*.

An adjustment was made for smaller household sizes for renters in the target age group when revenue is a factor of persons rather than households. This is reflected in the revenue per household calculations. This was done for clerk of court excess fees, concealed weapons fees, court and other fines, instructional classes, library copiers and recreation/admissions fees. The revenue per household for senior activity fees was adjusted to apply only to the number of households headed by persons 55 and older.

For the enterprise fund impact analysis, bi-monthly sewer fees that are received by the County as part of enterprise funds were calculated at rates stated in the County's Code.

Table A-1, on the following page, details the County's variable revenues, other than those derived from the direct levy of taxes on the development, revenues applied to the reduction of County costs (see the discussion below under "Cost Calculations") and revenues derived from spending by Bulifants Senior Independent Living Apartments households. It also shows revenues per Bulifants Senior Independent Living Apartments household.

Table A-1		
York County Non-Direct Revenues from Households		
Item	Revenue	Revenue per Household
Clerk of Court Excess Fee	\$ 76,175	\$ 1.75
Communication Sales from State	\$1,275,000	\$38.67
Concealed Weapon Fees	\$ 10,000	\$ 0.24
Court and other Fines	\$ 55,575	\$ 1.27
Dog License Fees	\$ 45,000	\$ 1.78
Instruction Classes	\$ 45,000	\$ 1.09
Library Copier Fees	\$ 14,000	\$ 0.34
Recreation/Admission Fees	\$ 212,000	\$ 5.15
Senior Activity Fees	\$ 16,000	\$ 2.32
Utility Consumption Tax	\$ 250,000	\$ 9.32
Total	\$1,998,750	\$61.93

Rounded to the nearest \$50

Additional revenues generated by households

Tax revenues generated by households are estimates of taxes paid by York County businesses due to purchases made by Bulifants Senior Independent Living Apartments residents. Purchases by Bulifants Senior Independent Living Apartments residents are estimated based upon their projected spending patterns. These spending patterns were estimated using CES data. Spending per household was obtained by income level and age of head of household (for hardware items, by tenure instead of age).

Household incomes were estimated for Bulifants Senior Independent Living Apartment residents based upon average monthly rents. Incomes were estimated using CES data on expenditures for rent and the percentage of renters in each income grouping. Expenditures for rent in the CES data are pro-rated by the percentage of renters in each income grouping so it is a question of working the calculations backward to derive the average expenditure for rent in each grouping. The average rent expenditure was then divided by the average household income in each income grouping to derive the percentage of income spent on rent.

Proposed rents at the Bulifants Senior Independent Living Apartments were then annualized and divided by the calculated average percentage of income spent on rent to obtain the estimated annual household income for each apartment unit type. It was calculated that Bulifants Senior Independent Living 1-bedroom apartment dwellers would be willing to spend 30% of pre-tax income on rent, while 2-bedroom apartment dwellers would pay 23.83% of pre-tax income on rent. This resulted in calculations of average incomes of \$28,400 for 1-bedroom apartment dwellers and \$42,800 for 2-bedroom apartment dwellers. However, since the maximum two-person household income limit for the Bulifants Senior Independent Living Apartments will be 60% of the Area Median Income for a two-person household, or \$33,840, this household income was used to estimate expenditures of 2-bedroom apartment dwellers.

Spending estimates per household were then adjusted to subtract spending that is predicted to occur outside York County so that only taxes associated with household spending that are new to the County are counted in the fiscal impact analysis. Normally, spending retained in a locality by its residents is assumed to be the inverse of retail leakage.

However, due to spending by tourists and the influx of shoppers from James City County and Williamsburg to big-box stores located in York County, the standard model for calculating leakage of retail spending does not work for the County. Building material, general merchandise and food and beverage establishments are particularly vulnerable to overestimation of spending in York by County residents. Also, grocery spending, as well, as spending at restaurants, is likely to spill over into neighboring jurisdictions as shoppers seek convenience and variety when making their shopping decisions.

Complicating the analysis is the fact Bulifants Senior Independent Living Apartments households will be located minutes from the County's border with James City County and several retail centers located in James City County including Lightfoot Marketplace, Williamsburg Premium Outlets and Williamsburg Pottery. Residents at the Bulifants Senior Independent Living Apartments will be much more likely to shop at these retail destinations than the typical York County resident.

Therefore, rather than a retail leakage model, a retail shopping gradient model was used to estimate the retention of Bulifants Senior Independent Living Apartment residents' retail spending in York County. The gradient model was calibrated to be sensitive to shopping decisions likely to be made by shoppers of the age and income level that will be found at the Bulifants Senior Independent Living Apartments.

The gradient model, briefly described, plots retail locations and their distances from the subject development. All other things held equal, it is assumed that shoppers are less likely to patronize competing retail outlets the farther the distance from their residence. Distance is measured in driving time and the propensity to shop at a given location is calculated as the reciprocal of the distance in minutes, with 1 minute given a weight of 1, 2 minutes a weight of 0.5, 3 minutes a weight of 0.33 and so on. Only the closest same store location is mapped and stores at which residents are unlikely to shop are either excluded or given a lower weight. Distance weighted scores are disaggregated by locality and summed for the host locality and all other localities. The sum of the host locality score divided by the sum of all distance weighted scores is the best estimate of the percentage of spending retained in the host locality.

Gradient models were developed for grocery spending, food away from home, non-food convenience goods, and shopping goods. Residents of the Bulifants Senior Independent Living Apartments were assumed to be less mobile (willing to travel) than most York County residents. The mapping of grocery stores was limited to an 8 minute drive time (with Trader Joe's being the exception) and mapping of neighborhood markets and gas station convenience stores (included in grocery spending) was limited to a 5 minute drive time. Markets were weighted 75% and convenience stores were weighted at 50%, as were higher end grocers. Stores with a substantial grocery section (such as Wal-Mart and Dollar General) were included.

For food away from home, fast food, QSR/casual dining, buffet and family style restaurant establishments were plotted within a seven minute drive time. Similarly, non-food convenience shopping locations were plotted within a seven minute drive time. Shopping goods locations were plotted over a radius that included the farthest retail node or mall with a unique store likely to be patronized by Bulifants Senior Independent Living Apartments residents, but not greater than 30 minutes.

Eight grocery stores or food outlets were identified within the Bulifants Senior Independent Living Apartments shopping area. One—Wal-Mart—is located in York County but was the closest store to the apartments. The other seven are located in James City County and include: Food Lion (near the Premier Outlets), Farm Fresh, Harris Teeter, Trader Joe's, Miller's Neighborhood Market, the Seven-Eleven in Lightfoot, and Dollar General. All James City County stores are located within the Richmond Road corridor in Lightfoot or Norge. Harris Teeter and Trader Joe's were given a weight of 0.5 (multiplied by the distance weight) due to a lower likelihood that households with low-moderate incomes would shop at those stores. Dollar General, Miller's Neighborhood Market and Seven-Eleven were given weights of 0.75 due to their more limited selections. Wal-Mart was given a weight of 1.5, reflecting the price-attractiveness of this store for low-moderate income households. The distance weighting methodology yielded an estimate of 42.92% of spending on food at home, ABC and tobacco expenditures remaining in the County.

The restaurants plotted are located in the Williamsburg Marketcenter, Cedar Valley Shopping Center, along East Rochambeau Road and along Richmond Road. The eleven closest restaurants are all located in York County, with a twelfth York County restaurant located at the edge of the drive time radius. Ten restaurants are located in James City County and five are located in Williamsburg. The distance weighting methodology yielded an estimated 76.55% of food and beverage spending away from home by Bulifants Senior Independent Living Apartments households remaining in the County.

For convenience goods shopping, five stores were identified within a seven minute driving time—Dollar Tree and Wal-Mart in York County and Dollar General, Seven-Eleven and Rite Aid in James City County. Wal-Mart was again given an additional weight of 1.5 due to its pricing and variety. The distance weighting methodology yielded an estimated 62.32% of convenience shopping by Bulifants Senior Independent Living Apartments households remaining in the County.

Four retail centers were identified as destinations for shopping goods purchases—Williamsburg Marketcenter (Ross Dress for Less), Wal-Mart, Williamsburg Premium Outlets and the Marquis Center (Kohls, Best Buy, Target, Dick's Sporting Goods). Three of these locations are located in York County. In addition to the distance weight, each location was weighted for selection and price-attractiveness. Ross Dress for Less was given a weight (multiplied by the distance weight) of 1.5. Wal-Mart was given a weight of 3. Williamsburg Premium Outlets was given a weight of 2 and the Marquis Center was given a weight of 4 (one for each store). Patrick Henry Mall was assigned a 5% market capture factor, primarily to factor in Christmas and special occasion shopping.

The distance gradient model calculated that 85.84% of shopping goods purchases by Bulifants Senior Independent Living Apartments residents would take place in York County, after subtracting the 5% of spending in Newport News. Additionally, 100% of home goods and repair shopping was assumed to occur in York County, since both York County's Home Depot and Lowes are located within a two minute drive of the Bulifants Senior Independent Living Apartments. Seventy percent (70%) of total retail spending was assumed to be for convenience goods with 30% for shopping goods. Thus, excluding hardware store expenditures, 69.38% (the blended rate) of non-food retail spending by Bulifants Senior Independent Living Apartment residents was assumed to occur in York County. Accordingly, 42.9% of taxes derived from grocery spending, 76.55% of taxes derived from meals spending, 100% of taxes derived from home goods and repair spending and 69.38% of taxes derived from other retail spending were assumed to be received by York County (with the remainder received by other surrounding localities).

No movie theaters are located in York County and no admissions tax is levied by the County.

Other Revenues

No solid waste revenues were calculated for the Bulifants Senior Independent Living Apartments as apartments are served by private waste haulers who pay tipping fees outside York County. Sewer maintenance fees were calculated according to rates supplied by the York County Utilities Department.

Cost Calculations

Costs were variable operating costs of government per household. No capital costs were assumed as adequate infrastructure is presumed to exist or will be installed by the developer and the single building development will not increase the volume of police patrols or create the need for a new fire station or fire equipment. Cost data and assumptions were derived from the *York County Fiscal Year 2017 Adopted Annual Budget*.

Per household variable costs were calculated for various budget line items. State revenues supporting various budget line items were deducted to leave only the County's operating cost. Certain government functions, such as social services, that would not serve the Bulifants Senior Independent Living Apartments population were not included in the calculations.

Since sewer and water already exist to the site and the development is presumed to be served by an existing private sewer pump station, at this point, the Bulifants Senior Independent Living Apartments will not result in any increased maintenance of the County's sewer system. Therefore, County sewer maintenance variable costs are not counted as a fiscal impact.

The Bulifants Senior Independent Living Apartments will be served by existing stormwater infrastructure. Therefore, variable costs associated with stormwater maintenance were not included as costs to the County attributable to the Bulifants Senior Independent Living Apartments.

Chief executive and legislative functions, as well as certain special purpose functions, which would be performed regardless of population size, were not included in the calculations. With regard to administrative support services, only that percentage proportional to the variable cost share of all costs was included in the calculations.

When calculating the variable per household cost of public services, some public services are consumed by households only and some public services are consumed by households and businesses (i.e., recreational services would be assigned completely to households, since businesses do not directly consume these services). For those public services that serve businesses and households, the costs generated by businesses and the costs generated by households must be distinguished.

Per household and per business variable operating costs were determined in the following manner. Business establishments and households were considered to be equal from the standpoint of generating public service costs, when both households and business establishments consumed those services.

A percentage of each service shared by households and businesses was allocated to households or businesses according to the following formula:

$$\begin{aligned} \% \text{ allocated to households} &= \# \text{ households} / [\# \text{ households} + \# \text{ businesses}] \\ \% \text{ allocated to business} &= \# \text{ businesses} / [\# \text{ households} + \# \text{ businesses}] \end{aligned}$$

Per household costs were then determined according to the following formula:

$$\begin{aligned} \text{Expenditure per household} &= \\ &[\text{Expenditure}] \times [\% \text{ allocated to households}] / \# \text{ of households} \end{aligned}$$

Per business costs were determined according to the following formula:

$$\begin{aligned} \text{Expenditure per business} &= \\ &[\text{Expenditure}] \times [\% \text{ allocated to business}] / \# \text{ of businesses} \end{aligned}$$

Governmental functions with variable costs that serve both households and businesses were:

- adult civil justice (Clerk of Circuit Court, General District Court and Sheriff), since civil suits are engaged in by businesses as well as persons
- Commissioner of the Revenue and Treasurer (both businesses and households are taxed)
- E-911 Operations, and the Emergency Services component of Fire & Rescue (response events occur at businesses and households)
- Fiscal Accounting, Human Resources and Purchasing (which support all County governmental functions) and
- Sheriff protective services.

Government functions for which the Bulifants Senior Independent Living Apartments population would generate no significant demands but would otherwise generate variable costs were then excluded. These included:

- Children and Family Services Fund
- Community Services Special Programs
- Health Services
- Housing Rental Assistance
- Housing Rehabilitation
- Human Services
- Public Schools, including Sheriff School Resource Officer
- Water and Sewer Extension and
- Youth recreation programs.

While Bulifants Senior Independent Living Apartment residents will have low-to-moderate incomes, they are not expected to be very-low-income households served by Community Services, Human Services or Housing Rental Assistance, nor are their incomes expected to be low enough to qualify for Medicaid and use County Public Health Services. Similarly, programs directed at children and youth will not serve Bulifants Senior Independent Living Apartment residents.

Government functions that would be performed regardless of population size were excluded. These functions are listed below and on the following page:

- the chief executive and legislative functions of the County
- Budget and Financing
- Capital Outlay
- Central Administrative Services
- Central Insurance
- Colonial Behavioral Health Contribution
- the Colonial Group Home Commission
- Community Development Authority Fund

- Community Services Administration
- Comptroller (Financial Administration)
- Computer Support
- County Attorney
- Debt Service
- Economic Development
- Emergency Management
- Environmental/Development Regulation (Building Regulation, BOZA, Compliance, Wetlands)
- Fire & Rescue Administration, Technical Services & Special Operations, Prevention and Community Safety
- General Services (including Building Maintenance)
- Housing Administration
- Human Services Payments to Outside Agencies
- Law Library
- Litter Control
- Mosquito Control
- Non-departmental
- Planning
- Public Information and Community Services
- Public Transportation
- Regional Radio Project Fund
- Sheriff General Operations
- Stormwater Engineering
- Tourism
- Video Services
- Yorktown Capital Improvements
- Yorktown Operations

Various adjustments were made to expenditure line items to arrive at the County's variable cost of providing public services. First, fixed costs were removed from budget line items. This included costs for senior and middle management personnel (essentially department heads and assistant department heads), as well as some specialized positions filled by only one employee. Since budget detail is no longer available in publicly available versions of the County's *Adopted Budget*, personnel costs for these positions were estimated at between 1.5 and 2 times the average personnel cost for the subject department. The multiple was determined based on department size and reasonableness of the estimate, realizing that such estimates are approximate.

Certain other expenses which had been detailed line items in past County budgets were estimated using current budget categories. "Other expenses" was assumed to contain such variable costs as printing and postage and was counted fully as a variable cost, as was the "materials and supplies" category. "Contractual services" and "capital outlay" were assumed to contain fixed cost expenses. The "internal services" category within departmental budgets was not counted as these charges were calculated separately (see below).

For the Electoral Board, only Registrar personnel and as-needed Electoral Board personnel were included. (This information was obtained from a prior year budget and pro-rated for change in the personnel cost category.) Other expenses and materials and supplies costs were averaged over a four-year period to account for fluctuations due to election cycles. For Parks and Recreation, 50% of variable costs were assigned to park and facility maintenance, which must be performed regardless of variations in use and, thus, were excluded as a fixed cost. For Animal Control, the entire cost of the County's participation in the Peninsula Regional Animal Shelter, which was assumed to be calculated on a usage basis, was included.

Revenues from the Commonwealth and certain other sources were deducted to leave only the County's locally funded operating costs. This procedure was applied to the following line items:

- Clerk of Circuit Court
- Commissioner of the Revenue
- Commonwealth Attorney
- E-911
- General Registrar/Election Board
- Sheriff and
- Treasurer.

Additionally, grants and program income were deducted, including reimbursement for Commonwealth Attorney charges; court appointed attorney fees; EMS service fees; Four-for-life and Commonwealth fire protection grants; library grant and e-rate funds; parks and recreation fees and program income; Poquoson and Williamsburg contributions to E-911, state and federal e-911 grants, and E-911 other recovered costs; Sheriff's fees, administration fees and special fees, and Williamsburg public safety contributions; domestic violence program grant; and the victim-witness program state grant.

When revenues were deducted from costs, the reduction in cost was distributed among fixed and variable costs. Only that portion of revenues defraying costs assigned to variable costs was actually deducted from costs. The formula for distributing revenues and calculating costs is displayed below:

$$NVC = VC - (R*(VC/TC))$$

Where NVC = Net Variable Costs (variable costs after revenue is deducted)

VC = Variable Costs (prior to revenue deduction)

R = Revenue

TC = Total Cost (variable and fixed costs)

Adjustments were made to reflect lower demand for certain services based on smaller household sizes of the older renter population. This was done by multiplying the County's variable cost per household by the ratio of the average household size for renter households with the household head over 65 years of age in York County (Bulifants Senior Independent Living households) to the average household size for all households in York County. The average household size for Bulifants Senior Independent Living households was calculated by adding the number of one-person renter households with the household head over 65 years of age to the number of two or more-person renter households the household head over 65 years of age multiplied times two (assuming there are no children) and dividing this by the total number of households with the household head over 65 years of age in York County. All data was derived from the ACS.

Line items whose per household costs were adjusted for lower demand due to smaller household sizes are listed below:

- Adult criminal justice functions
- Domestic Violence Program
- Electoral Board
- Emergency Communications/E-911
- Fire & Rescue EMS
- Library
- Parks & Recreation

With respect to the electoral board, the denominator was the number of adults per household (all households) in York County. This was calculated with the same methodology used to calculate the Bulifants Senior Independent Living household size (but for all households). With respect to the domestic court and domestic violence program, the nominator was the percentage of Bulifant Senior Independent Living households with two adults present and the denominator was the percentage of all York County households with two adults present.

The variable costs of certain court and criminal justice functions were adjusted to take into account the rarity with which Bulifants Senior Independent Living Apartments residents could be expected to be "on the wrong side of the law" with respect to these functions. It was assumed that The Bulifants Senior Independent Living Apartments target population will not be involved in the criminal justice system (as criminals) to any great extent. The variable cost of activities associated with preventing, apprehending, prosecuting or punishing criminal activity was reduced by 97% for the Bulifants Senior Independent Living Apartments. This was based on data from the *Blackwell Encyclopedia of Sociology*.

Variable costs for public safety, judicial and corrections were accordingly adjusted. Where a function includes both civil and criminal components, these were distinguished and the criminal activity reduction was applied to those costs associated with criminal activity. The percentage of civil actions handled by the Clerk of Court (63.82%) was applied to retain those Clerk of Court variable costs associated with civil actions and 97% of the remaining cost (associated with criminal actions) was deducted.

The same formula was applied to variable General District Court costs, with 83.23% of that that court's cases being civil cases. Circuit Court expenses were excluded as this court handles primarily criminal cases. For Juvenile and Domestic Court variable costs, only the percentage of variable costs associated with domestic misdemeanors (21.13%) were counted. Commonwealth Attorney variable costs were reduced by 97% using the same rationale. The Sheriff's department activities were divided into two components—law enforcement and civil operations/court security. Because law enforcement includes traffic enforcement (for which Bulifants Senior Independent Living Apartments residents will be subject), 25% (rather than only 3%) of variable costs were counted for this component. Twenty-five percent (25%) of variable costs for the latter component were assumed to be for providing court security (a fixed cost) and were deducted. Costs for Adult and Juvenile Corrections were excluded since the Bulifants Senior Independent Living Apartments are not expected to increase York County's average daily population at the Regional Jail.

Certain administrative support functions, shown in the *Adopted Budget* as an internal cost line item but also in the Internal Service Funds budget, are substantially fixed costs (since they must be provided) but have a variable cost component (since they serve County functions that incur variable costs from household growth). This variable cost component was calculated to be 43.72% of the costs for these support functions, with this percentage applied to the internal services functions' variable costs only. The variable cost percentage was calculated dividing variable cost personnel costs by all personnel costs in the County General Fund budget. These administrative support functions are: Central Administrative Services, Fiscal Accounting, Fleet Services, Health Insurance, Human Resources, Insurance, Purchasing, and Workers Compensation.

Table A-2 on the following page details the County's variable cost expenditures per household. Additionally, variable costs associated with the County's Real Estate Assessor were calculated on a per-parcel basis as \$15.93 per assessed parcel.

**Table A-2
York County Non-School Expenditures per Household
Fiscal Year 2017 Adopted Annual Budget**

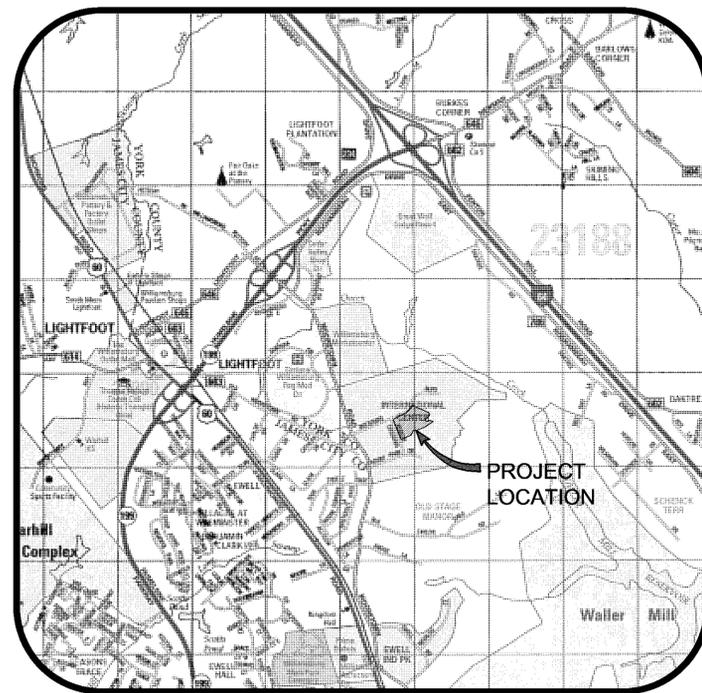
Item	Variable Cost Expenditure	Expenditure per Bulifants Senior Independent Living Apartments Household	Notes
Animal Control	\$ 200,500	\$ 7.92	
Central Administrative Services	\$ 44,325	\$ 1.65	43.72% variable cost
Clerk of Circuit Court	\$ 223,250	\$ 4.29	Excludes costs paid by Commonwealth; based on civil cases and 3% of criminal cases
Commissioner of the Revenue	\$ 799,325	\$ 29.78	Excludes costs paid by Commonwealth.
Commonwealth Attorney	\$ 387,825	\$ 0.22	Excludes costs paid by Commonwealth; based on civil cases and 35% of criminal cases
Domestic Violence Program	\$ 20,075	\$ 0.38	Reduced to account for % of 2-person elderly households
Electoral Board	\$ 238,025	\$ 7.40	Excludes General Registrar costs paid by Commonwealth; adjusted for household size.
Emergency Communications/911	\$ 1,914,500	\$ 36.76	Excludes costs paid by Commonwealth. Adjusted for household size
Fire and Rescue	\$ 4,024,500	\$ 81.95	Excludes costs paid by EMS reimbursement. 50% deduction for fixed cost of fire protection.
Fiscal Accounting	\$ 234,575	\$ 8.74	Adjusted for household size.
Fleet Services	\$ 2,993,425	\$111.54	43.72% variable cost
General District Court	\$ 24,075	\$ 0.46	43.72% variable cost
Health Insurance	\$ 3,937,325	\$146.71	No personnel costs; based on civil cases and 3% of criminal cases
Human Resources	\$ 238,350	\$ 8.88	43.72% variable cost
Insurance	\$ 187,850	\$ 7.00	43.72% variable cost
Juvenile & Domestic Relations Court	\$ 1,250	\$ 0.02	No personnel costs. Domestic cases only.
Library	\$ 1,672,225	\$ 32.10	Adjusted for household size.
Parks & Recreation Operations	\$ 650,650	\$ 13.25	Excludes administration. 50% reduction for parks.
Purchasing	\$ 134,900	\$ 5.03	43.72% variable cost
Sheriff	\$ 1,772,750	\$ 34.04	Excludes costs paid by Commonwealth; based on civil cases and 3% of criminal cases.
Treasurer	\$ 550,600	\$ 20.51	Adjusted for household size.
Victim-Witness Program	\$ 126,450	\$ 2.57	Excludes costs paid by Commonwealth
Workers Compensation	\$ 111,875	\$ 4.17	Excludes costs paid by state grant.
Total	\$20,488,625	\$565.37	Adjusted for household size.

Rounded to the nearest \$25

MASTER PLAN FOR Towne Parke Center

An Independent Living Senior Housing Community

BRUTON MAGISTERIAL DISTRICT YORK COUNTY VIRGINIA



VICINITY MAP (APROX. SCALE 1"=2000')

INDEX OF SHEETS:

SHEET NO.	SHEET DESCRIPTION
1	COVER SHEET
2	MASTER CONCEPTUAL PLAN
3	MASTER UTILITY PLAN
4	MASTER STORMWATER PLAN

ORIGINAL SUBMITTAL DATE: AUGUST 25, 2016

PREPARED FOR

Marlyn Development Corporation

308 35th Street, Suite 101
Virginia Beach, VIRGINIA 23451

Rev.	Date	Description	Revised By

5248 One Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 222-8940
Fax: (757) 222-8941
www.marlyn.com

Hampton Roads | Central Virginia | Middle Peninsula

TOWNE PARK CENTER
AN INDEPENDENT LIVING SENIOR HOUSING COMMUNITY
for
MARLYN DEVELOPMENT CORPORATION

BRUTON DISTRICT YORK COUNTY VIRGINIA

Project Contacts: TRS / HWP
Project Number: W10444-00
Scale: AS NOTED Date: 8-25-16
Sheet Title: COVER SHEET
Sheet Number: 1

N/F
 COUNTY OF YORK
 T.M. 02-19-00-000A
 INSTR. #050001945
 GPIN #C18b-2019-4991
 ZONED: E0

N/F
 MIND BODY INTEGRATIVE WELLNESS CENTER, LLC
 T.M. 02-19-00-024
 INSTR. #140021090
 GPIN #C19c-2486-0632
 ZONED: E0

EXISTING
 BMP
 (FOREBAY 'A')

EXISTING
 BMP
 (FOREBAY 'B')

PROPOSED BUILDING

PROPOSED SENIOR
 HOUSING PARCEL
 ZONING:PD-R
 283,220 SF
 6.50 AC.

EXISTING OFFICE
 PARCEL
 ZONING: E0
 105,606 SF
 2.42 AC.

EXISTING
 BUILDING
 14,961 SF.

BULIFANT'S BOULEVARD
 80' R/W
 INSTR. #050002172

ROSCOE CROSSING
 60' R/W
 INSTR. #050025774

BUILDING WILL STAY
 WITHIN THE SAME
 GENERAL FOOTPRINT,
 HOWEVER ENTRANCES
 AND PARKING (SO LONG
 AS IT MAINTAINS A 1.25
 RATIO) MAY BE
 RECONFIGURED.

10 SPACES

EXISTING PARKING LOT AND
 DRIVE AISLE (TYPICAL)

137 SPACES

DEMOLISH/REMOVE EXISTING
 PARKING SPACES

EXISTING PARKING LOT AND
 DRIVE AISLE (TYPICAL)

28 SPACES

DEMOLISH/REMOVE EXISTING
 PARKING SPACES AND DRIVE AISLE

EXISTING LOT LINE
 (TO BE EXTINGUISHED)

50.0'
 BUILDING
 SETBACK

50'
 BUILDING
 SETBACK
 (TYP.)

20' FRONT
 LANDSCAPE
 SETBACK

EXISTING PARKING LOT AND
 DRIVE AISLE (TYPICAL)

39 SPACES

PROPOSED
 LOT LINE

stair

first floor
 club
 exercise

first floor
 club
 room

first floor
 office

util

PROPOSED
 LOT LINE

17.5'
 TRANSITIONAL
 BUFFER

DEMOLISH/REMOVE EXISTING
 PARKING SPACES

EXISTING PARKING LOT AND
 DRIVE AISLE (TYPICAL)

68 SPACES

10' SIDE LANDSCAPE
 SETBACK

50' BUILDING
 SETBACK (TYP.)

43 SPACES

20' FRONT LANDSCAPE
 SETBACK

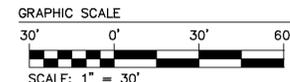
SITE TABULATIONS:

- SITE AREA:	6.50 AC
- EXISTING ZONING:	E0
- PROPOSED ZONING:	PD-R
- MAX UNITS:	130 UNITS
- NET DEVELOPABLE AREA:	6.50 AC
- DENSITY:	20.0 UNITS/AC

PARKING CALCULATIONS:

EXISTING OFFICE PARCEL	
- PARKING REQUIRED:	43 SPACES
- PARKING PROVIDED:	82 SPACES
PROPOSED SENIOR HOUSING PARCEL	
- PARKING REQUIRED:	152 SPACES
- PARKING PROVIDED:	243 SPACES

* MARLYN DEVELOPMENT HAS HISTORICALLY
 UTILIZED 1.25 PARKING SPACES PER UNIT.



Rev.	Date	Description	Revised By

614 Moonfield Park Drive
 Richmond, Virginia 23238
 Phone: (804) 332-9640
 Fax: (804) 332-9640
 www.avs.com

AVS
 CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula

TOWNE PARK CENTER
 AN INDEPENDENT LIVING SENIOR HOUSING COMMUNITY
 for
 MARLYN DEVELOPMENT CORPORATION

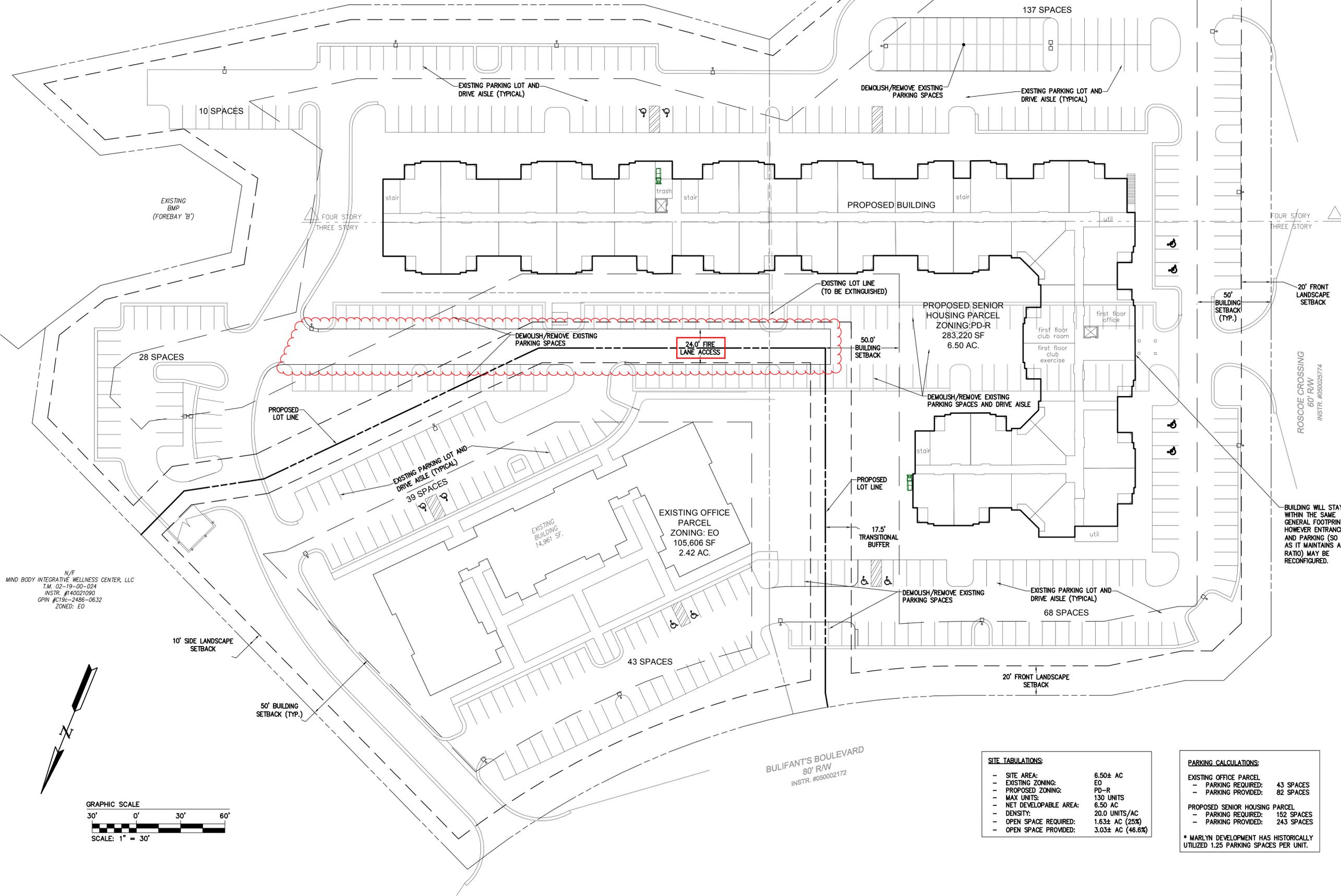
REGION: DISTRICT YORK COUNTY VIRGINIA

Project Contacts: TRS / HWP
 Project Number: W10444-00
 Scale: 1"=30'
 Date: 8-25-16
 Sheet Title:
MASTER CONCEPTUAL PLAN
 Sheet Number
2

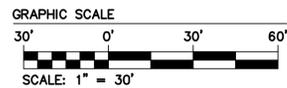
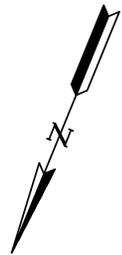
N/F
 COUNTY OF YORK
 T.M. 02-19-00-000A
 INSTR. #05001945
 GPIN #C18-2819-4991
 ZONED: EO

EXISTING
 BMP
 (FOREBAY 'A')

EXISTING
 BMP
 (FOREBAY 'B')



N/F
 MIND BODY INTEGRATIVE WELLNESS CENTER, LLC
 T.M. 02-19-00-024
 INSTR. #140021090
 GPIN #C19C-2486-0632
 ZONED: EO



SITE TABULATIONS:	
- SITE AREA:	6.50± AC
- EXISTING ZONING:	EO
- PROPOSED ZONING:	PD-R
- MAX UNITS:	130 UNITS
- NET DEVELOPABLE AREA:	6.50 AC
- DENSITY:	20.0 UNITS/AC
- OPEN SPACE REQUIRED:	1.63± AC (25%)
- OPEN SPACE PROVIDED:	3.03± AC (46.6%)

PARKING CALCULATIONS:	
EXISTING OFFICE PARCEL	
- PARKING REQUIRED:	43 SPACES
- PARKING PROVIDED:	82 SPACES
PROPOSED SENIOR HOUSING PARCEL	
- PARKING REQUIRED:	152 SPACES
- PARKING PROVIDED:	243 SPACES
* MARLYN DEVELOPMENT HAS HISTORICALLY UTILIZED 1.25 PARKING SPACES PER UNIT.	

Rev.	Date	Description	Revised By

614 Moorfield Pike, Suite
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 Fax: (804) 330-9840
 www.ahs.com

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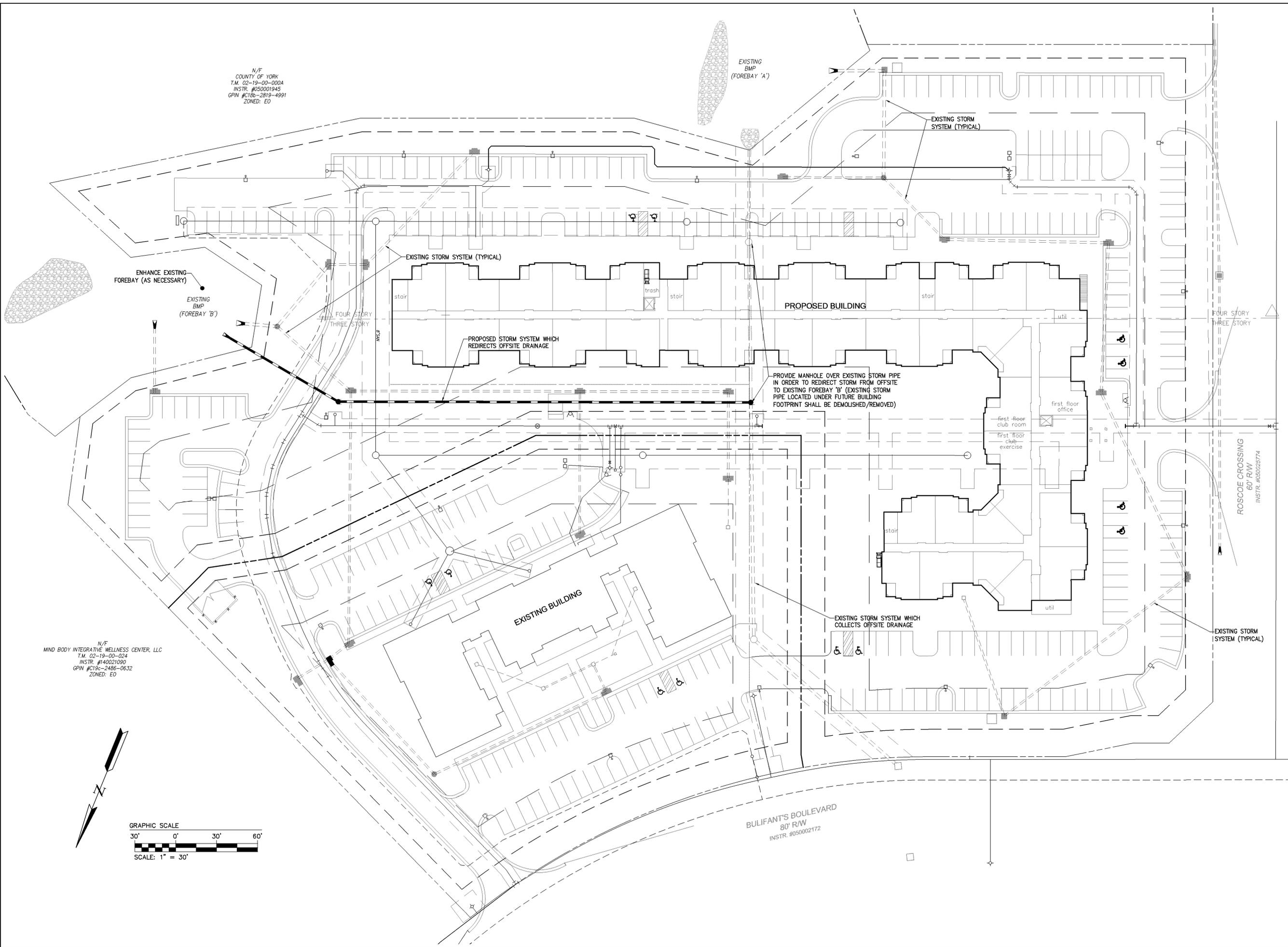
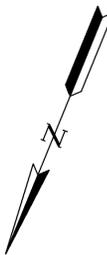
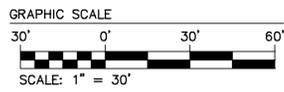
TOWNE PARK CENTER
 AN INDEPENDENT LIVING SENIOR HOUSING COMMUNITY
 for
 MARLYN DEVELOPMENT CORPORATION

BRUNN DISTRICT YORK COUNTY VIRGINIA

Project Contacts: TRS / HWP
 Project Number: W10444-00
 Scale: 1"=30' Date: 8-25-16
 Sheet Title:
MASTER CONCEPTUAL PLAN

N/F
 COUNTY OF YORK
 T.M. 02-19-00-000A
 INSTR. #050001945
 GPIN #C186-2819-4991
 ZONED: EO

N/F
 MIND BODY INTEGRATIVE WELLNESS CENTER, LLC
 T.M. 02-19-00-024
 INSTR. #140021090
 GPIN #C19-2486-0632
 ZONED: EO



Rev.	Date	Description	Revised By

614 Moonfield Park Drive
 Richmond, Virginia 23236
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 Fax: (804) 332-9641
 www.aesva.com

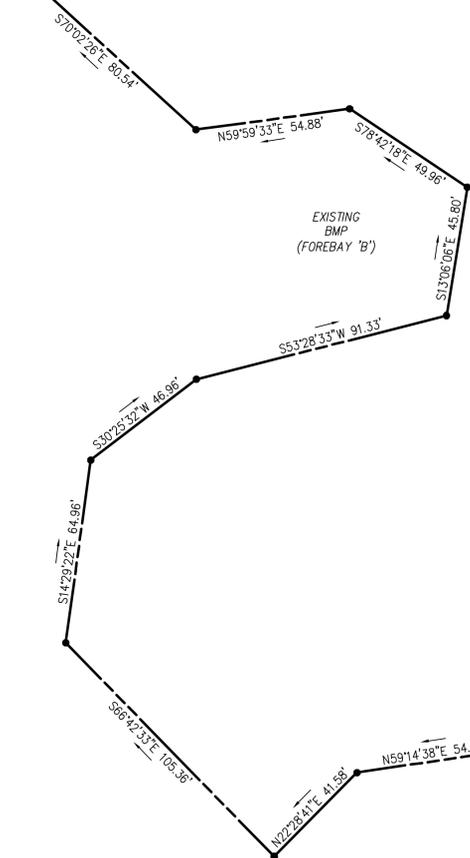
CONSULTING ENGINEERS
 Hampton Roads | Central Virginia | Middle Peninsula

TOWNE PARK CENTER
 AN INDEPENDENT LIVING SENIOR HOUSING COMMUNITY
 for
 MARLYN DEVELOPMENT CORPORATION

BRUTON DISTRICT YORK COUNTY VIRGINIA

Project Contacts: TRS / HWP
 Project Number: W10444-00
 Scale: 1"=30' Date: 8-25-16
 Sheet Title: MASTER STORMWATER PLAN
 Sheet Number: 4

N/F
 COUNTY OF YORK
 T.M. 02-19-00-000A
 INSTR. #050001945
 GPIN #C18b-2819-4991
 ZONED: EO



EXISTING
 BMP
 (FOREBAY 'B')

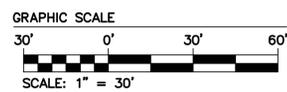
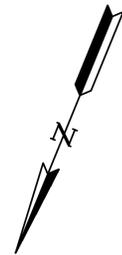
EXISTING LOT LINE
 (TO BE EXTINGUISHED)

EXISTING
 BMP
 (FOREBAY 'A')

PROPOSED SENIOR HOUSING PARCEL
 283,220 SF
 6.50 AC.

EXISTING OFFICE
 PARCEL
 105,606 SF
 2.42 AC.

N/F
 MIND BODY INTEGRATIVE WELLNESS CENTER, LLC
 T.M. 02-19-00-024
 INSTR. #140021090
 GPIN #D19c-2486-0632
 ZONED: EO



ROSCOE CROSSING
 60' R/W
 INSTR. #050025774

BULIFANT'S BOULEVARD
 80' R/W
 INSTR. #050002172

Rev.	Date	Description	Revised By

5248 Old Town Road, Suite 1
 Williamsburg, Virginia 23188
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 Fax: (757) 220-8994
 www.aesva.com

Hampton Roads | Central Virginia | Middle Peninsula

TOWN PARK CENTER
 YORK COUNTY, VIRGINIA

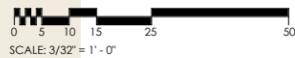
Project Contacts: TRS/HWP
 Project Number: W10444
 Scale: 1"=30'
 Date: 6/24/16
 Sheet Title:
**PROPOSED
 BOUNDARY PLAT
 EXHIBIT**
 Sheet Number
1 OF 1



FIBER CEMENT PANEL SIDING
BRICK VENEER
PREMIUM VINYL LAP SIDING TYP.

SENIOR LIVING APARTMENTS - ENTRANCE ELEVATION

PRELIMINARY ELEVATION



NEW DEVELOPMENT

YORK COUNTY SENIOR HOUSING

MARLYN DEVELOPMENT

BULFANT'S BLVD. AND ROSCOE CROSSING
YORK COUNTY, VIRGINIA

JULY 25, 2016



SENIOR LIVING APARTMENTS - SIDE ELEVATION

THE EXACT PLACEMENT AND PROPORTION OF THE MATERIAL TYPES SHOWN HEREON MAY BE MODIFIED IN CONNECTION WITH FINAL DESIGN. THE LOCATION OF UNIT TYPES WITHIN THE BUILDING AND THE CORRESPONDING PLACEMENT OF WINDOWS, BALCONIES, AND THE PROPORTION OF PROTRUDING BUILDING FACES MAY BE MODIFIED IN CONNECTION WITH FINAL DESIGN.

PRELIMINARY ELEVATION



NEW DEVELOPMENT
YORK COUNTY SENIOR HOUSING
MARLYN DEVELOPMENT

OCTOBER 25, 2016

BULIFANTS BLVD. AND ROSCOE CROSSING
YORK COUNTY, VIRGINIA

TOWNE PARK CENTER PROFFERED CONDITIONS

THESE PROFFERS are made this _____ day of October, 2016 by and among **OLD POINT NATIONAL BANK OF PHOEBUS** ("Old Point") (to be indexed as grantor), **MARLYN DEVELOPMENT CORPORATION**, a Virginia corporation ("Marlyn") (to be indexed as grantor), and the **COUNTY OF YORK, VIRGINIA**, a political subdivision of the commonwealth of Virginia ("County") (to be indexed as grantee).

RECITALS

R-1. Old Point is the owner of certain real property (the "Property") located within the territorial confines of the County being a portion of that property located at 300ZZ and 300Z1 Bulifants Boulevard, Williamsburg, Virginia 23188, GPINs C19c-1938-0016 and C19c-2281-0202, Tax Parcel #s 002-19-9 and 002-19-10, more particularly described on **Exhibit A** attached hereto and made part hereof

R-2. Marlyn is the contract purchaser of the Property.

R-3. Old Point and Marlyn have filed an application (the "Application") requesting that the zoning of the Property be changed from EO – Economic Opportunity to PDR – Planned Development Residential with proffers as described in Section 24.1-361 of the County's zoning ordinance in effect on the date hereof (the "Zoning Ordinance") in order to permit the construction of a senior housing independent living multi-unit community with internal entrances. A conceptual plan of development (the "Master Plan") entitled "TOWNE PARK CENTER, An Independent Living Senior Housing Community for Marlyn Development Corporation" dated October 25, 2016, prepared by AES Consulting Engineers, has been submitted to the County Planning Division for review by the County in connection with the Application. The Master Plan is on file with the Office of the County Planning Division.

R-4. The provisions of the Zoning Ordinance may be deemed inadequate for protecting and enhancing orderly development of the Property. Accordingly, Old Point and Marlyn, in furtherance of the Application, desire to proffer certain conditions which are limited solely to those set forth herein in addition to the regulations provided for by the Zoning Ordinance for the protection of the community and enhancement of the development of the Property, in accordance with the provisions of Section 15.2-2296, et seq. of the Code of Virginia (1950), as amended (the "Virginia Code") and the County Zoning Ordinance.

R-5. The County constitutes a high-growth locality as defined by Section 15.2-2298 of the Virginia Code.

NOW, THEREFORE, for and in consideration of the approval by the County of the Application and pursuant to Section 15.2-2296, et seq., of the Virginia Code and the County Zoning Ordinance, Old Point and Marlyn (collectively, the "Applicant") hereby agree that if the Application is approved and the Board of Supervisors of the County rezones the Property from EO – Economic Opportunity to PDR – Planned Development Residential with proffers, then any subsequent development of the Property shall be in conformance with the following proffers:

RECEIVED
York County

OCT 25 2016

Planning Division

PROFFERS:

1. Plan of Development. The Property shall be developed generally in accordance with the Master Plan. The Master Plan is a conceptual plan for proposed development on the Property and provides only for the general location of buildings, proposed streets, parking, public water access, drainage facilities, landscaping, areas of open space, and buffer areas. Any deviations from the Master Plan shall be allowed only in accordance with the provisions of the Zoning Ordinance.

2. Residential Units. There shall be no more than 130 dwelling units constructed on the Property.

3. Design. The homes on the Property shall be constructed generally in accordance with the architectural elevations entitled "New Development, York County Senior Housing", dated July 25, 2016, prepared by Cox, Kliewer & Company, P.C. (the "Elevations"), a copy of which Elevations are on file in the Office of the County Planning Division. The Elevations may be modified from time to time provided that such modifications do not alter the basic character and intent of the Elevations and provided that such amendments are approved by the Director of Planning for consistency with the terms of this proffer.

4. Age Restriction. Occupancy of the dwelling units developed upon the Property shall be age restricted to either persons fifty-five (55) or sixty-two (62) years of age or older (the "Qualifying Age") in accordance with the following parameters:

(a) It is the intent of the parties that Residential Units shall be occupied by persons of the Qualifying Age or older and that no Residential Unit shall be occupied by a person under the age of eighteen (18). In some instances, persons under the Qualifying Age but over the age of eighteen (18) shall be entitled to occupy Residential Units, subject, at all times, to the laws and regulations governing Qualifying Age restricted housing as more particularly set forth and described in subparagraph (b) below.

(b) Each Residential Unit shall be constructed and operated in compliance with applicable federal and state laws and regulations regarding housing intended for occupancy by persons of Qualify Age or older, including but not limited to: the Fair Housing Act, 42 U.S.C. §3601 *et seq.* and the exemption therefrom provided by 42 U.S.C. §3607(b)(2)(C) regarding discrimination based on familial status; the Housing for Older Persons Act of 1995, 46 U.S.C. §3601 *et seq.*; the Virginia Fair Housing Law Va. Code §36-96.1 *et seq.*; any regulations adopted pursuant to the foregoing; any judicial decisions arising thereunder; any exemptions and/or qualifications thereunder; and any amendments to the foregoing as now or may hereafter exist.

5. Successors and Assigns. These Proffers shall run with the title to the Property and shall be binding on the parties hereto and their respective successors and assigns; provided, however once a party ceases to own any portion of the Property, such party shall have no continuing liability hereunder.

6. Severability. In the event that any clause, sentence, paragraph, subparagraph, section or subsection of these Proffers shall be judged by any court of competent jurisdiction to be invalid or unenforceable for any reason, including a declaration that it is contrary to the Constitution of the Commonwealth of Virginia or the United States, or if the application thereof to any owner of any portion of the Property or to any government agency is held invalid, such judgment or holding shall be confined in its operation to the clause, sentence, paragraph, subparagraph, section, subsection or provision hereof, or the specific application thereof directly

involved in the controversy in which the judgment or holding shall have been rendered or made, and shall not in any way affect the validity of any other clause, sentence, paragraph, subparagraph, section, subsection or provision hereof.

7. Headings. All paragraph and subparagraph headings of the Proffers herein are for convenience only and are not part of these Proffers.

8. Conflicts. In the event that there is any conflict between these Proffers and the Zoning Ordinance, the conflict shall be resolved by the County's Zoning Administrator subject to the appeal process to the Board of Zoning Appeals and the Courts as otherwise provided by law.

9. Void if Application not Approved. In the event that the Application is not approved by the County or is overturned by subsequent judicial determination, these Proffers and the Master Plan shall be null and void.

10. Incorporation of Recitals. The Recitals set forth above shall be included and read as part of these Proffers and are incorporated herein by reference.

[SIGNATURES LOCATED ON FOLLOWING PAGES]

[SIGNATURE PAGE TO SMITH PROPERTY PROFFERS]

WITNESS the following signatures, thereunto duly authorized:

OWNER:

OLD POINT NATIONAL BANK OF PHOEBUS

By: _____

Print Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by
_____ as _____ of Old Point National Bank of
Phoebus.

NOTARY PUBLIC

My commission expires: _____
Registration No.: _____

[SIGNATURE PAGE TO SMITH PROPERTY PROFFERS]

APPLICANT:

MARLYN DEVELOPMENT CORPORATION, a Virginia corporation

By: _____

Print Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by _____ as _____ of Marlyn Development Corporation, a Virginia corporation.

NOTARY PUBLIC

My commission expires: _____
Registration No.: _____

EXHIBIT A

Phase I Submitted Land, as shown and set forth on the Plat and Plans of Phase 1 entitled "TOWNE PARK CORPORATE CENTER OFFICE CLUSTER, A CONDOMINIUM" made by LandTech Resources, Inc., dated November 12, 2008, attached hereto as Exhibit C and made a part hereof, and more particularly described as:

Beginning at a point, being the front right corner of the property described hereon and the front left corner of parcel 9, thence following the eastern right of way line of Bulifants Boulevard with a curve turning to the left having a chord bearing of N 42°32'48" E, a chord distance of 244.36', a radius of 540.00', and an arc length of 246.49' to a point, thence following the boundary line between parcel 10 and the property owned by Wlur, LLC S 66°25'21" E a distance of 421.81' to a point, thence S 14°12'10" E a distance of 65.40' to a point, thence leaving the boundary line of Wlur, LLC and following the boundary line of the property owned by Bulifants, LP S 30° 42'44" W a distance of 45.72' to a point, thence S 53° 45'45" W a distance of 92.35' to a point, thence S 12°48'54" E a distance of 45.80' to a point, thence S 78° 25'06" E a distance of 49.96' to a point, thence N 60°16'45" E a distance of 54.88' to a point, thence S 69°45'14" E a distance of 80.54' to a point, thence S 56°14'58" W a distance of 132.79' to a point thence S 56°11'26" W a distance of 100.36' to a point, thence S 67°58'32" W a distance of 21.95' to a point, thence departing the boundary line of Bulifants, LP through Parcel 10 N 22°01'28" W a distance of 194.46' to a point, thence S 67°59'09" W a distance of 263.12' to a point on the property line between Parcel 10 and Parcel 9, thence following the boundary line of Parcel 9 N 22°00'51" W a distance of 226.73' to a point, thence N. 37°32'55" W a distance of 59.70' to a point, being the point of beginning, containing 3.8235 acres, and lying in the Bruton District of York County Virginia.

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 _____, 2016:

Present

Vote

Glenn A. Brazelton, Chair
Montgoussaint E. Jons, Vice Chair
Donald H. Phillips
Michael S. King
Richard M. Myer, Jr.
Melissa S. Magowan
Robert W. Peterman

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

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO REZONE APPROXIMATELY 6.5 ACRES LOCATED AT 300-ZZ AND 300-Z1 BULIFANTS BOULEVARD (ROUTE 1442) FROM ECONOMIC OPPORTUNITY TO PLANNED DEVELOPMENT RESIDENTIAL

WHEREAS, Marlyn Development Corporation has submitted Application No. PD-43-16, which is a request to amend the York County Zoning Map by reclassifying approximately 6.5 acres of land located at 300-ZZ and 300-Z1 Bulifants Boulevard and further identified as Assessor’s Parcel Nos. 2-19-9 and 2-19-10 (GPIN C19c-1938-0016 and C19c-2281-0202), from Economic Opportunity (EO) to Planned Development Residential (PDR) for the purpose of developing an independent living senior housing development consisting of a maximum of 130 units (a maximum density of approximately 20 dwelling units per acre); 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 _____, 2016, that Application No. PD-43-16 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 6.5 acres of land located at 300-ZZ and 300-Z1 Bulifants Boulevard and further identified as Assessor's Parcel Nos. 2-19-9 and 2-19-10 (GPIN C19c-1938-0016 and C19c-2281-0202), from Economic Opportunity (EO) to Planned Development Residential (PDR) for the purpose of developing an independent living senior housing development consisting of a maximum of 130 units (a maximum density of approximately 20 dwelling units per acre), 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 "Towne Park Center," prepared by AES Consulting Engineers, dated 8-25-16 (revised on 10-25-16), supplemented by the Project Narrative, Community Impact Assessment, Fiscal Impact Study, Elevation of Proposed building (prepared by Cox, Kliewer & Company, P.C. on July 25, 2016 and October 25, 2016), and the "Towne Park Center Proffered Conditions" 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 130.
- d) Maximum building height shall not exceed sixty feet (60') for the portion of the building facing south and fifty feet (50') for the remainder of the building.
- e) Architectural design of all buildings shall be in substantial conformance with the Elevation 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) Landscape front, rear, and side yards shall be as in the original site plan titled, "International Center, Phase II, Towne Park Corporate Center" approved on January 18, 2016, except as modified below:
 - i) Landscape credits shall meet that of a Type 50 Transitional Buffer in all landscape yards as shown on the overall development master plan.

- ii) Landscape credits may be transferred to other locations on the site to reduce that required in the landscape yards, as needed due to the approved landscape yard size.

2. Open Space and Recreation

- a) A minimum of 3.16 acres of common open space and 0.75 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. Said facilities shall be available to all residents of the development and their guests and shall be completed and available to residents.
- c) A minimum of 50,000 square feet of interior building space shall be required for recreation space and can include: corridors and other common areas, but must include a community room, hair salon, media room, game room, and exercise room.

3. Proffered Conditions

The reclassification shall be subject to the conditions listed in the proffer statement titled "Towne Park Center Proffered Conditions" dated June 29, 2016 and signed by Old Point National Bank of Phoebus and Marlyn Development Corporation.

BE IT STILL FURTHER RESOLVED that in accordance with Section 24.1-114(e)(1) of the York County Zoning Ordinance, a certified copy of the ordinance approving this applicatoin, 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.