

**REZONING-2-01/Master Plan 2-01/Design Guidelines. Virginia United Methodist Homes, Inc.
Staff Report for October 23, 2001, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

Planning Commission:	Building C Board Room; County Government Complex July 2, 2001, 6:00 p.m. (PC deferred) August 6, 2001, 7:00 p.m. (applicant deferred) September 5, 2001, 7:00 p.m. (approved)
Board of Supervisors:	October 9, 2001, 7:00 p.m. (deferred) October 23, 2001, 7:00 p.m.

SUMMARY FACTS

Applicant:	Mr. Alvin Anderson
Land Owner:	C. C. Casey Limited Company
Proposed Use:	Continuing care retirement community (300 dwelling units and 119 continuing care beds)
Location:	4692, 4694, 4740, 4710, 4704, and 4700 Old News Road and 144 Jester’s Lane; Berkeley District
Tax Maps and Parcel Nos.:	(1-34), (1-7), (1-2), (1-5), (1-6), (1-8), and (2-18) on Tax Map (38-3); (1-8) on Tax Map (38-1)
Primary Service Area:	Inside
Parcel Size:	111 acres
Existing Zoning:	R-8, Rural Residential District
Comprehensive Plan:	Mixed Use
Surrounding Zoning:	North: R-4, Residential Planned Community (Ford’s Colony) East: R-8, Rural Residential (undeveloped portion of New Town) South: R-8 (undeveloped portion of New Town) West: R-8 (Jester’s Lane); R-4 (Monticello Marketplace)
Staff Contact:	Jill E. Schmidle - Phone: 253-6685

STAFF RECOMMENDATION:

The Board deferred this case at its October 9, 2001, meeting to allow additional time to review the materials presented and to receive clarification on the issue of transferring density between Ford’s Colony and New Town. Staff continues to find the proposal consistent with surrounding zoning and land use, consistent with the Comprehensive Plan, and consistent with the intent of the New Town Master Plan, Design Guidelines and proffers. On September 5, 2001, the Planning Commission voted 6-0 to approve

the project. Staff recommends the Board of Supervisors approve the rezoning, master plan, and design guidelines; and accept the voluntary proffers.

Project Update

The Board requested clarification on the issue of density transfers between Ford's Colony and New Town. Dwelling units cannot be transferred administratively from one zoning classification (for instance R-4, Residential Planned Community for Ford's Colony) to another (R-8 or MU for New Town) unless approved by the Board of Supervisors as part of a Master Plan Amendment or rezoning. However, within an approved Master Plan, density transfers within sections of the same zoning classification can occur administratively. In order for any dwelling units to be transferred from Ford's Colony to New Town, a specific request must be made and approved by the Board of Supervisors after consideration by the Planning Commission. The submitted proffers and master plan for WindsorMeade do not contain any density transfers from Ford's Colony. No part of the 94 dwelling units that went to Ford's Colony from New Town as part of the 1998 Ford's Colony rezoning can be transferred back to New Town unless formally requested by both property owners and approved by the Board. Such request has not been made as part of the WindsorMeade proposal. All dwelling units for WindsorMeade are to be taken out of the total number of dwelling units approved as part of New Town.

RECOMMENDATION:

Staff continues to find the proposal consistent with surrounding zoning and land use, consistent with the Comprehensive Plan, and consistent with the intent of the New Town Master Plan, Design Guidelines and proffers. On September 5, 2001, the Planning Commission voted 6-0 to approve the project. Staff recommends the Board of Supervisors approve the rezoning, master plan, and design guidelines; and accept the voluntary proffers.

Jill E. Schmidle

CONCUR:

O. Marvin Sowers, Jr.

JES/tlc
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Attachments:

1. Site location map
2. Proffers
3. Resolution