

**SPECIAL USE PERMIT-28-05. New Dawn Assisted Living Facility  
Staff Report for the November 8, 2005, 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**

**Building F Board Room; County Government Complex**

Planning Commission:

October, 3, 2005, 7 p.m.

Board of Supervisors:

November 8, 2005, 7 p.m.

**SUMMARY FACTS**

Applicant:

Mr. Brian May, Dewberry & Davis

Land Owner:

Erin C. Ibele, Health Care REIT, Inc.

Proposal:

To construct three 10,000-square-foot assisted living units

Location:

1807 Jamestown Road

Tax Map/Parcel Nos.:

(47-3) (1-70A)

Parcel Size:

6.1 acres

Existing Zoning:

R-8, Rural Residential, and LB, Limited Business

Comprehensive Plan:

Neighborhood Commercial

Primary Service Area:

Inside

**STAFF RECOMMENDATION**

Staff believes the proposed assisted living facility is a complementary use to the surrounding community, and is consistent with the Comprehensive Plan. Based on this information, staff recommends that the James City County Board of Supervisors approve this application with the attached conditions.

Staff Contact:

Joel Almquist

Phone: 253-6685

**PLANNING COMMISSION RECOMMENDATION**

On October 3, 2005, the Planning Commission voted 6-0 to approve this application.

**Proposed Changes Made Since Planning Commission Meeting**

The wording to Special Use Permit (SUP) Condition No. 1 "Master Plan" was changed to read: "This Special Use Permit shall be valid for an assisted living facility no larger than 30,000 square feet and accessory uses thereto." The condition had previously read "shall be valid for thirty-six months," this was a typographical error that staff caught the day of the Planning Commission and was unable to change prior to the Public Hearing.

## **PROJECT DESCRIPTION**

Brian May, on behalf of New Dawn Assisted Living Corporation, is proposing to amend SUP-7-99 to allow the construction of an assisted living facility no larger than 30,000 square feet with a design that will consist of three buildings with approximately 9,500 square feet each. Most patients are in varying stages of Alzheimer's and will be provided with 24-hour nursing care in a gated community that includes walking trails and flower and/or vegetable gardens.

A SUP was approved in 1998 (SUP-8-98) for a skilled nursing facility no greater than 50,000 square feet and an office development no greater than 20,000 square feet (the skilled nursing facility has been built and is operating). An SUP amendment (SUP-7-99) and rezoning (Z-3-99) were approved in 1999. The amendment allowed 22,000 square feet of assisted living facility in lieu of the 20,000 square foot office development. At that time a subdivision was approved which created two lots from the one original lot.

The proposed SUP amendment covers only the portions of SUP-7-99 that apply to Parcel No.1-70A where the assisted living facility is to be located. The new conditions for SUP-28-05 will be for the Master Plan titled "New Dawn Assisted Living Facility" and is a combination of the previous applicable conditions with the new conditions requested by staff. All of the conditions of SUP-7-99 will still apply to the existing skilled nursing facility.

## **PUBLIC IMPACTS**

### **Environmental**

**Watershed:** Powhatan Creek

**Environmental Staff Comment:** The Environmental Division has no major issues associated with this SUP application.

### **Public Utilities**

The site is served by public water and sewer. Water conservation measures are proposed and reflected with the attached conditions.

**JCSA Staff Comment:** Staff has noted minor changes that can be addressed during the site plan development stage.

### **Transportation**

**Proposed Traffic:** The applicant's traffic consultant evaluated ITE trip generation information for the proposed land use and determined that the proposed assisted living facility will generate approximately 26 peak hour trips and 210 daily trips. This number is below the 100 peak hour trips threshold for requiring a traffic impact study.

**2005 Traffic Counts:** Approximately 7,072 vehicles per day in this area of Jamestown Road.

**2026 Volume Projected:** 10,000 vehicles per day in this area on Jamestown Road.

**Road Improvements:** No road improvements are warranted.

**VDOT Comments:** VDOT concurs with the trip generation and distribution as presented by the applicant's consultant and believes that this proposal will not adversely impact the existing roadway network. VDOT also concluded that no road improvements are necessary neither for this project nor to accommodate traffic from both this project and the existing on-site use.

## **COMPREHENSIVE PLAN**

### **Land Use Map Designation**

The 2003 James City County Comprehensive Plan Land Use Map designates this property as Low Density Residential. Acceptable land uses within this designation include single-family homes, duplexes, cluster housing, recreation areas, schools, churches, community-oriented public facilities, and very limited commercial establishments. Non-residential uses should not alter, but rather, complement the residential character of the low-density residential area in which they are located and should have traffic, noise, lighting and other impacts similar to surrounding or planned residential uses.

**Other Considerations**

**Development Standards:** Prior to final site plan approval, the Planning Director shall review and approve the final architectural design of the building.

**Community Character:** The parcel is located on Jamestown Road within a Community Character Corridor. The portion of the parcel that fronts on Jamestown Road is held in a County open space easement to preserve the rural and natural character of the Jamestown Road Corridor.

**Staff Comments:** The applicant has proposed landscape buffers, open space easements, enhanced landscaping and improved lighting to reduce the impact of their business on the surrounding community. Preservation of the front of the parcel in an open space easement was a significant public benefit of SUP-8-98. Staff believes that some vegetative restoration is needed and has provided a condition to address this. Staff also believes that the proposed assisted living facility will not have a negative effect on the surrounding residential areas and with the SUP conditions is consistent with the Comprehensive Plan.

A comparative analysis of the traffic generated, amount of impervious surface and open space shows that the additional 8,000 square feet will not have a significant impact on the surrounding community:

- **Peak Hour Trips Generated:**
  - 22,000 sq./ft. = 17 peak hour trips
  - 30,000 sq./ft. = 26 peak hour trips
- **Impervious Surface:**
  - 22,000 sq./ft. building and parking = 43,700 square feet or 16 percent
  - 30,000 sq./ft. building and parking = 45,206 square feet or 17 percent
- **Percentage of Open Space:**
  - 22,000 sq./ft. = 84 percent
  - 30,000 sq./ft. = 83 percent

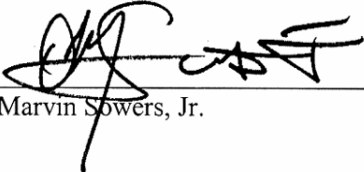
**RECOMMENDATION**

Staff believes the proposed assisted living facility is a complimentary use to the surrounding businesses, and believes that this use meets the intent of the Low Density Residential Land Use designation of the Comprehensive Plan for acceptable non-residential uses. Based on this information, staff recommends that the James City County Board of Supervisors approve this application with the conditions in the attached resolution.

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Joel Almquist

CONCUR:



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O. Marvin Sowers, Jr.

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**ATTACHMENTS:**

1. Minutes from the October 3, 2005, Planning Commission
2. Location Map
3. Architectural Elevations
4. Master Plan (under separate cover)
5. Resolution