

## **SPECIAL USE PERMIT – NARRATIVE**

Applicant/Owner: B-Farms Development, LLC  
1109 Charles Street, Fredericksburg, VA 22401

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Project Name: “Franklin’s Crossing at River Meadows”

Property: Spotsylvania County Tax Parcel 25-A-14C, consisting of approximately 10.0 acres (the “Property”)

GDP: Generalized Development Plan, entitled “Franklin’s Crossing Assisted Living”, prepared by Garrison Consulting Co., Inc., dated April 26, 2018, as last revised June 18, 2018, attached hereto as Exhibit A (“GDP”)

Current Zoning: Residential 2 (“R-2”)

Request: Special Use Permit to allow a 125-bed assisted living facility

Date: June 19, 2018

File No.: SUP18-0007

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### **1. Project Overview**

This application made by the Applicant/Owner is a request for a special use permit (“SUP”) to construct an assisted living facility pursuant to section 23-6.7.3(2) of the County of Spotsylvania (“County”) Zoning Ordinance (“Ordinance”) on Tax Parcel 25-A-14C (the Property). The Property is currently zoned R-2 and a rezoning is not required for this application, but a special use permit (“SUP”) application is required. Section 23-6.7.1 of the Ordinance states that the purpose of the R-2 zoning district is “to provide for low-medium density, single-family detached residential uses in a suburban setting.”

The purpose of the proposed SUP is to allow the development of a 125 bed assisted living facility, as shown on the GDP. Assisted living facilities are allowed in R-2 zoning districts with a SUP. As a general description of the project, we have enclosed herewith and marked as Exhibit B an illustrative rendering entitled “Franklin’s Crossing Assisted Living Rendering” dated May 2018, which depicts the proposed general architectural design, features and materials for the Project (the “Rendering”).

As described in more detail below under Section 3 of this narrative, the Applicant/Owner's proposal conforms to the policies established by the County's Comprehensive Plan adopted November 14, 2013, last updated May 22, 2018 (the "Comp Plan"). First, the proposed use meets the County's goal of providing safe and affordable housing for people of all ages while maximizing the use of existing infrastructure and public facilities. Second, the proposed use conforms to the County's general policy of encouraging consideration of disabled and elderly citizens in the design and implementation of both new development and redevelopment. Finally, the proposal will result in minimal impacts on public facilities and services, schools, and parks. In addition, because of the size of the project, a County traffic impact analysis nor Virginia Department of Transportation ("VDOT") transportation study are warranted. Thus, it is assumed the project will not degrade the level of services at key, nearby intersections.

Also, additional assisted living care is an important need for the County, especially in regard to keeping families together in the immediate community. We believe the proposed use is the highest and best use for this site, in accordance with the intent and purpose of the underlying zoning district and the County's Comp Plan.

## **2. Project Location**

The Property consists of one (1) parcel, totaling approximately ten (10) acres of land, situated in the Lee Hill magisterial and voting districts. The Property is located at the end of River Meadows Way, off of Tidewater Trail, in the Airport Protection Overlay District. The Property is bordered on the north by vacant land and a residential subdivision known as "Tidewater Village". To the West of the Property is a mobile home park known as "River Heights". To the South of the project is a residential subdivision known as "River Meadows" and to the East is the Rappahannock River.

Adjacent properties consist of mostly older residential neighborhoods, including single family detached homes, mobile homes and vacant land. The Applicant/Owner's proposal is compatible with existing uses in the area, and will provide diverse housing in accordance with the County's future land use goals, while maintaining the area's character.

### *2.1 Site Access*

Primary access to the Project Site will be provided via River Meadows Way. All site access locations and driveway entrances will be coordinated with Spotsylvania County and the Virginia Department of Transportation. Please refer to the GDP for a depiction of site access location.

### *2.2 Environmental Characteristics*

The project's design will minimize the impact to the natural topography and mature vegetation located on the Property. There are no streams and only a small amount of Resource Protection Area (RPA) and wetlands are on the site. The proposed development has been designed to avoid disturbance to the RPA and wetlands on the Property. The Applicant/Owner will perform all applicable studies for endangered species as is typically necessary for state and federal permitting for the project and will include any permitting requirements of a site survey for

natural resource impacts and mitigations if necessary for all areas to be disturbed by the development footprint. All potentially impacted areas will be surveyed for threatened or endangered species and any impacts mitigated. The Property is bordered on the east by the Rappahannock River and a river overlook trail will be provided.

### *2.3 Cultural and Historic Resources*

Based on a review of the Comp Plan and information from the Virginia Department of Historic Resources and the United States Department of the Interior, the Property does not have any cultural resources, including civil war era works or cemeteries. Additionally, the Property is not located in the County's Historic Overlay District. A Phase IA archaeological study has been performed along the riverfront portion of the site to determine the existence and location of any cultural features. The study, entitled "Phase IA Archaeological Survey of the Franklin's Crossing Development Site in Spotsylvania County, Virginia" prepared by Dovetail Cultural Resource Group, dated February, 2018, and attached hereto as Exhibit C, did not identify any resources meeting the age criteria for listing on the NRHP within the project footprint. While the project is located within the boundaries of the Fredericksburg II Battlefield, it is not located within the core area, nor the current or potential boundaries of this resource. In addition, the area has been previously mined for sand and gravel deposits and any resources that may have been located on the Property, are no longer existent to the site. As such, no additional documentation or further investigation of this resource area was recommended by our consultant.

## **3. Planning and Zoning**

### *3.1 Zoning District and Ordinance*

The Property is currently zoned Residential (R-2). Surrounding parcels are also zoned R-2. The Property currently has access to water and sewer. Thus, by-right the Property could yield ten (10) single family detached dwelling units. All buffers, landscaping, and setbacks will be as generally provided on the GDP and will conform to the applicable Zoning Ordinance requirements.

### *3.2 Comprehensive Plan*

The County's Comp Plan's Future Land Use Map classifies the Property as part of the "Mixed Land Use" designation. The Mixed Land Use category is intended to provide for a variety of land uses in a compact, walkable community with a more dense development pattern. The Mixed Land Use category encompasses a variety of uses, including higher density residential development. The intensity of the development within the mixed-use category varies and includes smaller projects that are or will be integrated into a larger mixed use area. Further, the Comp Plan encourages a diverse housing mix, including a variety of housing types and sizes that meet the needs of citizens throughout all stages of life and income levels.

The proposed project furthers multiple objectives of the Comp Plan, including achieving residential/commercial tax rate goals, creating local jobs, supporting a diverse housing inventory,

and retaining and expanding existing business operations. Specifically, the project addresses the following Guiding Principles and Policies of the Comp Plan:

A. Spotsylvania County is a “business friendly” community and local job creation is a priority.

B. Spotsylvania County is fiscally sustainable.

1. Achieve a 70/30 mix of residential to commercial/industrial development...

c. Diversify the non-residential tax base by encouraging a wide variety of businesses to locate in the County.

4. Preserve significant natural, historic, and cultural resources of the County...

C. Spotsylvania County is a family friendly community.

1. The County should support a diverse housing inventory, providing a mix of units that can accommodate housing needs for all stages of life. This would involve a range of housing from affordable units for young families ... to larger homes, and active adult and assisted care facilities.

Accordingly, the project is in line with the County’s tax revenue goals as it will generate additional local jobs and tax revenues. Projects that generate new jobs and positive tax revenues—as compared to County costs—are encouraged under the Comp Plan, and further assist the County in meeting its 70% residential to 30% commercial mix tax revenue goals. The project’s proposed use as an assisted care facility furthers the County’s goal of supporting a diverse housing inventory that accommodates housing needs for County residents at all stages of life.

Specifically, the proposed assisted living facility meets the following Mixed Land Use policies:

1. Mixed land use developments should display characteristics that provide a unique sense of place (examples could include: design guidelines, architectural features, or common color palette, among others).

*The project will consist of a 125-bed assisted living facility, which is permitted with an SUP under Code section 23-6.7.3(2) and will be designed as a private community, with gated private access, river frontage, and amenities. A nature trail will lead from the Property to a river overlook area with benches.*

2. Appropriate transitions in scale of building and/or buffering should be provided from mixed land use developments to adjoining existing developments.

*The project will consist of a 125-bed assisted living facility whose height will conform to the applicable County zoning ordinance requirements. The project will also include significant set-backs, landscape buffering, and board-on-board fencing in the areas shown on the GDP.*

3. Vehicular and pedestrian connections should be made to adjoining developments at appropriate locations, including at existing interparcel access points.

*The Project will provide vehicular and pedestrian connections with existing River Meadows development, all as shown on the GDP.*

5. The County should support public open space and pedestrian accommodations integrated throughout the development.

*Project will provide onsite active and passive recreational amenities, all as shown on the GDP.*

9. The County should support a diverse housing mix with a range of housing sizes and types that meet the needs of citizens throughout all stages of life and income levels.

*The project contributes to a diverse housing mix in an area ripe for redevelopment by providing housing for the elderly and disabled, as encouraged by the Comp Plan.*

11. Quality open spaces should be integrated into developments and may include passive and active areas, pavilions, walking paths, gardens, forested areas, and lakes, among other features.

*The project will include over 50% open space and scenic views along the Rappahannock River.*

The Applicant/Owner's proposal to develop an assisted living facility is in line with the Comp Plan. Thus, we believe the Comp Plan's future land use policies support the proposed use of a 125-bed assisted living facility at this location.

The Comp Plan's Future Land Use Map establishes a Primary Development Boundary (the "PDB"). The Comp Plan states that public water and sewer will be provided to properties within the PDB, and denser development will also be permitted in such locations, including higher density housing. The Property is located within the PDB, supporting the proposed use and density, as well as the Property's utilization of public utilities.

From a transportation perspective, the Project will not negatively impact the surrounding area: Roads constructed within the project will be private and included a gated entrance and the expected daily trips will not degrade the level of services at applicable intersections.

### *3.3 Community Meeting*

As part of the Special Use Permit Application process, Applicant/Owner attended a Pre-Application meeting with Spotsylvania County Staff on April 19, 2018. Additionally, Applicant/Owner and its representatives hosted a Community Meeting for the Project on May 10, 2018 at the Fredericksburg Agricultural Fairgrounds to introduce and discuss the project with

surrounding property owners. We addressed several questions from members of our community. Exhibit D attached hereto provides a list of attendees.

#### **4. Construction**

Applicant/Owner anticipates close collaboration with Spotsylvania County during the permitting process to identify and manage environmental conditions and design criteria specific to the Project. Through the permitting process, Applicant/Owner will implement all required mitigation measures and Best Management Practices (BMPs) as determined by Spotsylvania County and regulatory agencies.

Construction is anticipated to begin within 24 months of any SUP approval.

##### *4.1 Site Preparation*

The Property is currently undeveloped, but has been subject to previous land disturbance, including sand and gravel mining operations. Construction of the Project would begin with initial clearing and grading (if required). Access to the Project Site would be improved to appropriate construction standards. Road corridors would be surveyed, cleared, and graded to bring equipment, materials, and workers to the areas under construction. Buried electrical lines, and the locations of other facilities may be flagged and staked to guide construction activities. BMPs for stormwater and erosion control would be installed during the site preparation phase and prior to significant grading activities.

##### *4.2 Construction Workforce*

Our goal is to retain local on-site workforce, which will consist of various skilled trades, supervisory personnel, support personnel, and construction management personnel. Construction will generally occur during daylight hours, Monday through Friday. Construction activities will be limited to Monday through Saturday, 7:00 a.m. to 7:00 p.m., versus the current allowance of 6:00 a.m. to 10:00 p.m.

#### **5. Public Facilities**

##### *5.1 Fire and Rescue*

The proposal will have minimal impact on the County's fire and rescue facilities. In this regard, the assisted living facility will include:

- Professional assisted living personnel (including onsite nurses and certified nursing assistants) onsite 24 hours a day, 7 days a week, who will assist all residents with activities of daily living including dispensing medication, dressing, bathing, and eating. This assistance and supervision will prevent falls, improper administration of medication, and provide monitoring that will eliminate many of the trips typically made by fire and rescue personnel;

- A nurse call system with pull stations at every bed and bath, as well as at all common areas;
- A fire sprinkle facility in accordance with Virginia building code requirements;
- An interactive system to prevent resident elopement risks while providing safe means of egress in an emergency situation; and
- Design in accordance with an I-2 standard, which includes fire sprinkler systems in both the living areas and the attic that allow residents to be evacuated under supervision in case of emergencies.

Fire and Rescue Station 11, located approximately 4.9 miles south of the Property, will provide the assisted living facility with necessary emergency services. Consolidating individuals who are in need of assisted living care into one facility is efficient because it reduces the number of calls made to rescue personnel from diverse locations within the community. The proposed roads and building setbacks will allow for adequate travel space within the project for emergency access to the improvements.

## 5.2 *Schools*

The project will have no impact on schools.

## 5.3 *Parks and Open Space*

Of the Property's ten acres, a significant portion of the Property will be maintained as open space. The open space will provide scenic buffering along many of the property lines and will be used for natural areas, active and passive recreational amenities and stormwater facilities. A walking trail and river overlook will also be incorporated into the Property.

The project will have no impact on park facilities.

## 5.4 *Water & Sewer*

The assisted living facility will be serviced by a private pump station, connecting to either the existing 8" gravity sewer line along Church Street or the 8" gravity sewer line along River Meadows Way. The assisted living facility will connect to the existing 8" water line located along River Meadows Way, with another possible connection to the 6" water line along Church Street.

## 5.5 *Transportation*

The Property abuts River Meadows Way, which is a two (2) lane public road classified as a local road. Access to the Property will be provided from River Meadows Way. Roads constructed within the project will be private and include a gated entrance. Applicant/Owner will provide a turnaround easement onsite for the extension of River Meadows Way and construction of a cul-de-sac.

The project will generate 333 VPD of overall trips on a daily basis, including 18 VPH during a.m. peak hours and 28 VPH during p.m. peak hours. It should be noted that peak hours for an assisted living facility are different than normal peak hours associated with residential development. The project will generate significantly less vehicle trips than the surrounding, more dense developments. Neither a full County traffic impact analysis nor VDOT 527 analysis is required for this project as it is projected to cause minimal impacts based on VDOT traffic generating models.

Pursuant to the Community meeting held on May 10, 2018, there were several comments made from the residents within River Meadows regarding the possibility of traffic calming measures to reduce the impact of additional traffic through their neighborhood. In this regard, the Applicant agrees, prior to final site plan approval, to perform a traffic calming analysis for review by the County and VDOT. Pursuant to said analysis, the Applicant agrees, if warranted, to provide recommended traffic calming measures as approved by the County and VDOT.

## **6. Housing**

One of the County's objectives under the Comp Plan is to support a diverse housing inventory by providing a mix of units that can accommodate housing needs for all stages of life. This includes condominiums, townhouses, and single-family homes, as well as assisted care facilities. There appears to be a need for additional assisted care housing facilities in the County as our community ages in place. This Project does not adversely impact the housing market in this area and provides the highest and best use for the Property.

Impacts on existing residences in the vicinity of the Property will be mitigated through appropriate buffering. The open space areas will provide scenic buffering along many of the property lines. A six foot (6') privacy fence will also be provided along the western property line, as depicted on the GDP.



**EXHIBIT A**

Generalized Development Plan

**EXHIBIT B**

Rendering

**EXHIBIT C**

Phase IA

**EXHIBIT D**

List of community meeting attendees

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