

**The County of Spotsylvania
Department of Planning**



**Board of Supervisors Staff Report
January 8, 2019**

Special Use #SUP18-0007
(Lee Hill Voting District)

Staff Recommendation: Denial.

Board of Supervisors: October 9, 2018- Public Hearing
October 23, 2018- Applicant requested deferral to January 8, 2019

Planning Commission: The Planning Commission recommended approval with conditions by a 5-2 vote on 9-5-18 adding a condition that the applicant obtain a secondary gated emergency access point prior to site plan approval, this is discussed further within this report.

I. Overview

Applicant:	Lee Garrison on behalf of B-Farms Development, LLC.
Request:	Special Use Permit authorization to allow a 125 bed, 3 story Assisted Living Facility (ALF) in a Residential 2 (R-2) zoning district.
Tax Map Parcels:	25-A-14C
Location:	The property is located at the end of River Meadows Way, approximately 220 feet NW of the intersection of River Meadows Way and Terra Springs Drive. The property is approximately 10 acres in size and is not currently addressed.
Zoning Overlay:	The site is located within Airport Protection Overlay District; no negative impacts should result from this application on the neighboring airport. Although not a Zoning Overlay, the property also lies within a Dam Failure Inundation Area. No impacts are expected from this, as the structure is proposed on a ridge of the subject property at a height which places the lowest level of the structure higher than the maximum water levels should a major dam failure occur.
Future Land Use Designation:	Mixed Use
Historic Resources:	The applicant has provided a Phase 1A Cultural Resources Study which examined historical records and during which a pedestrian survey was conducted. Historical records indicate that the property is not the site of Franklin's Crossing and that gravel and

soil mining which had occurred on the subject property significantly reduce any likelihood of finding artifacts through subsurface tests. It was concluded that although the project is located within the boundaries of the Fredericksburg II Battlefield Area, and Franklin's Crossing of the Rappahannock did occur within the general area, the subject property is not expected to yield any archeological resources associated with the Franklin's Crossing engagement. Noting significant prior disturbance and unlikely probabilities to find artifacts on site, the applicant's consultant concluded that no additional archaeological work was recommended. Staff has no objection to this conclusion based on the Phase 1A Study provided.

Date Application Deemed Complete: The application was deemed complete on May 22, 2018.

Community Meeting A community meeting was held on May 10, 2018. It was attended by approximately 12 citizens. Concerns were focused largely on the property's sole point of access through the River Meadows neighborhood. A previous community meeting was held by the applicant for a proposed rezoning to Planned Development Housing-4 to allow 32 townhomes. Concerns were noted during that meeting regarding traffic (the townhomes were estimated to generate 186 Vehicles a Day) and impacts resulting from new families within the townhomes on public infrastructure. Following the community meeting for the rezoning request, which was held on April 19, 2018, the applicant stopped that application, and subsequently proposed the present Special Use Permit request in an effort to reduce impacts.

Figure 1: Zoning Map:

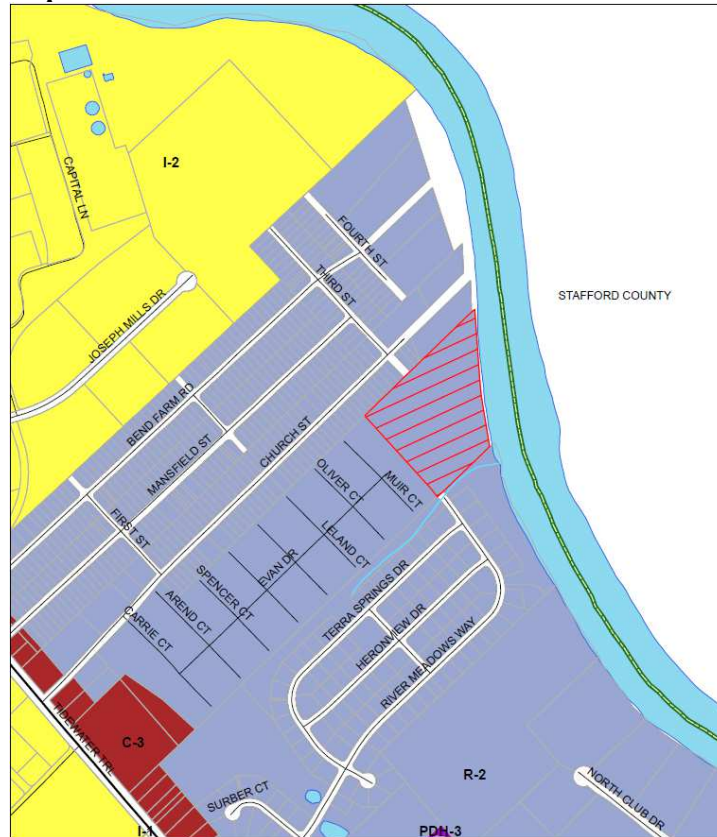


Figure 2: Aerial Map (2017)



II. Analysis

The subject application is for a Special Use Permit to allow a 53,375 sq.ft. three-story Assisted Living Facility (ALF) in a Residential-2 (R-2) zoning district. The facility is proposed on a 10-acre parcel owned by B-Farms Development, LLC. The facility will have 125 beds. An operator has not been selected and the applicant wishes to preserve the right for potential operators to accommodate memory care patients which commonly accompany facilities of this type. The facility will be staffed by nursing and certified nursing assistants 24/7 to assist residents with activities of daily living and to reduce need for emergency medical service trips.

Initially the sole access to the property was via a River Meadows Way, which is a 50' wide, public right-of-way with dual sidewalks and which functions as the spine of the River Meadows neighborhood. River Meadows Way intersects with Tidewater Trail/Route 17 a little over half of a mile to the southwest of the subject property at the entrance of the neighborhood. Vehicles accessing the subject property would pass an estimated 53 single family homes while passing through the neighborhood. Additional households may be affected by the use of lights and sirens. It is estimated that River Meadows Way currently moves approximately 1,100 Vehicles per Day (VPD) and the applicant's proposal would add an additional estimated 333 VPD (a 30% increase). If the property were developed by-right with its present zoning of R-2, a maximum of 10 single family detached units could be constructed, generating an estimated 100 VPD. River Meadows Way is functioning with an AM Level of Service of A and PM Level of Service B. Tidewater Trail is estimated to move approximately 17,200 VPD, and is functioning at a Level of Service A during both time periods per County Traffic Engineering. However, the left turn movement out of River Meadows has a failing Level of Service due to the volume of traffic on Tidewater Trail and the non-signalized intersection. One crash occurred on River Meadows Way from 2012-2017 involving a minor in poor weather causing reduced visibility; no injuries were reported. It was not anticipated that the proposed use will cause any reductions in Levels of Service to either of these roadways and a signal at this intersection is not warranted nor proposed.

Since October 9, 2018 the applicant met with the citizens of River Meadows on two separate occasions and considered a revision of the project for development of a townhouse community instead of the assisted living facility. The applicant has since provided staff an updated General Development Plan (GDP) and narrative (both updated within this packet) which continue the assisted living facility application, but which now routes emergency vehicles, deliveries, employees, and guest trips through the neighboring mobile home park of River Heights instead of River Meadows. Staff notes that the GDP identifies the existing entry point connecting to River Meadows with a new label identifying it as emergency only.

The applicant's new access route entails a vehicle turning from Tidewater Trail to Church Street (approximately 0.3 miles further north of River Meadows Way) then entering into the River Heights Mobile Home Park via Carrie Court. The mobile home park consists of approximately 190 mobile homes and is bisected by Evan Drive, a private road which connects Carrie Court to the applicant's proposed connection at the end of the neighborhood. The applicant has proposed to provide pavement markings for sidewalks and parallel parking spaces to both Evan Drive and Carrie Court, as well as stop signs at each intersection of these roads with their side streets. The applicant has proposed to replace existing speed bumps along the route with textured pedestrian crosswalks, and also to trim up trees along the route for better visibility. The owner of the River Heights has provided a letter of support, although staff notes that the residents of the mobile home park may not be aware of the proposed project since they would not have received public hearing notifications as renters.

The Planning Department credits the applicant in their effort to relocate and improve the access and notes that the new access even provides the potential to reach a traffic light at the intersection of Mansfield Street and Tidewater Trail should a driver choose to wind through the Sylvania Heights neighborhood. However, staff finds the proposal does not solve the root of the case's deficiency, which remains the proposed location of the facility. The applicant's proposal to reroute the majority of traffic from the route through River Meadows to the route through River Heights does not address the concerns that resulted in the recommendation, but rather shifts the negative impacts from one neighborhood to another.

Fire and Rescue Station 11 is located approximately 5 miles from the property, although presently under capacity, a number of approved projects within the County are within this Station's service area including Alexander's Crossing and New Post, two of the County's larger mixed use projects. This is the nearest station to the proposed facility. Response times from this station to the proposed facility are estimated to be approximately 8 minutes. Station 4 is the next closest station, with an estimated travel time of just under 11 minutes. Assisted Living Facilities have a higher demand for 911 related services – this facility is estimated to generate 239 annual incidents, based on an average of incident calls from comparable facilities within the County and FREM incident counts. An incident is a call for emergency services through the 911 system. Some of these incidents will involve more than one vehicle responding to the facility. Incident responders may use lights or sirens. It is also likely that incident responders will respond traveling above the posted 25 mph speed limit. Vehicles are regularly parked on both sides of the River Meadows Way which restricts traffic flow, impedes visibility, and further increases risk to residents and emergency responders. Staff has proposed Condition #4 in an effort to reduce the impacts of this facility on FREM services, and neighbors who might be exposed to those trips.

The facility, as well as the site improvements, are all proposed to be completed in one phase. Additional improvements include parking, storm water management facilities, landscaping, a vinyl privacy fence, a gazebo, a small patio, and a private path leading to the river with a small seating area. Pursuant to a Comprehensive Plan goal, the applicant has proposed to include either decorative landscaping around or a fountain within the proposed storm water management facility to increase aesthetics.

The facility is proposed to be buffered using a Transitional Screen 2 to the NW and SE. The northeastern property line is presently screened with existing mature woods. Staff has recommended a condition to supplement the screening in this area with an additional hedge row. The hedge row is proposed due to underlying utilities in this area preventing the installation of trees.

STANDARDS OF REVIEW FOR SPECIAL USE APPROVAL	
STANDARD	STAFF COMMENT
1. Proposed use is in accord with the comprehensive plan and other official plans adopted by the county.	The proposed assisted living facility is generally consistent with the Comprehensive Plan as detailed within Appendix A.
2. Proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area.	The proposal is generally consistent with the surrounding uses and development which primarily include single family homes and a mobile home park. The screening proposed should adequately buffer the facility.
3. Proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.	The proposed facility should not hinder neighboring development nor impair values of neighboring land uses.

<p>4. Proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood.</p>	<p>An estimated 239 calls for emergency service, or “incidents”, are expected from the proposed ALF annually. Each incident may be responded to by more than one emergency vehicle. Emergency responders attempting to reach the facility will now traverse through the neighborhood via Church Street (public ROW), Carrie Court (private road), and Evan Drive (private road). Carrie Court and Evan Drive are located within the River Heights Mobile Home Park neighborhood which contains approximately 190 households. Emergency responders will likely exceed any posted speed limit to or from the facility and could be called at any time of day or night, during peak traffic hours, during school pick-up or drop-off times, etc. It is foreseeable that the urgency of emergency responders driving to and from the facility will conflict with otherwise predictable traffic speeds and household behavior patterns common to an established neighborhood. Therefore, a safety risk is created upon the residents of River Heights if the proposed use is approved. Staff acknowledges the that the proposed route presents some improvements; the former route had 47 residential driveways intersecting with the route, and the present route only has one. However, residents within River Heights park on the street in unmarked parallel parking spaces. The applicant has proposed to paint off those parking spaces, and a pedestrian path over the existing asphalt. Staff notes that the proposed parallel parking spaces are .5 feet short of the minimum width for permitted parallel parking spaces although this could reasonably be accommodated through a reduction of .5 feet from the proposed 5- foot wide marked sidewalk. The concern about the shifting of access was previously noted in staff’s consideration of this topic; although a different path has been proposed, the impacts are shifted from the neighborhood of River Meadows to River Heights.</p>
<p>5. Proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood.</p>	<p>Apart from safety concerns noted above, and potential traffic hazards noted below, impacts of the proposed Special Use to public welfare are confined to unpredictable light and siren use from emergency responders. Property and improvements within the neighborhood are unlikely to be impacted by the proposal.</p>

<p>6. Proposed use is appropriately located with respect to transportation facilities, water supply, wastewater treatment, fire and police protection, waste disposal, and similar facilities.</p>	<p>The location of the proposed use is at the back end of an existing and established neighborhood with one primary point of access via the neighborhood of River Heights. An estimated 239 incidents are expected from the proposed ALF annually and every incident may be responded to by more than one emergency responder. Emergency responders will likely be dispatched first from the nearest station, Fire and Rescue Station 5, which has an estimated drive time to the proposed facility of 8 minutes. The next closest station is Fire and Rescue Station 4, with a travel time just under 11 minutes. Responders traveling the approximate 1-mile round trip to the back of the River Heights neighborhood may be slowed by children playing, parked cars reducing travel width or visibility, other vehicular movements deriving from any of 190+- existing households, etc. When seconds matter as they do for County residents living in such a facility as proposed, requiring an emergency responder to travel to and from a facility through a neighborhood street exemplifies an inappropriate location for a proposed use.</p>
<p>7. Proposed use will not cause undue traffic congestion or create a traffic hazard.</p>	<p>An estimated 239 calls for emergency service, or “incidents”, are expected from the proposed ALF annually. Each incident may be responded to by more than one emergency vehicle. Emergency responders attempting to reach the facility will traverse the River Heights neighborhood via Church Street, Carrie Court, and Evan Drive. The River Heights neighborhood consists of approximately 190. Vehicles driven by emergency responders, whether public or private, will likely exceed posted speed limits through the neighborhood. The proposed use introduces potentially hazardous scenarios due to its location and access. One example would include a scenario which will predictably, and frequently occur: an emergency responder could find their path to the facility restricted or constrained by parked vehicles, turning vehicles from any one of seven intersections, children playing, etc. which is a hazard to the residents given the increased speed and size of emergency response vehicles. If speed is safely reduced, that equates to lost time in reaching the</p>

	destination, whether the facility or a hospital, and providing likely valuable medical treatment.
8. Proposed use will have no unduly adverse impact on environmental or natural resources.	No impacts to environmental or natural resources are expected. However, current Department of Conservation and Recreation predictive models indicate a potential onsite habitat of two endangered species, the Dwarf Wedgemussel and the Sensitive Joint Vetch. The applicant's narrative notes that evaluation will occur and pursuant to Federal and Commonwealth requirements. A condition has been crafted to require this evaluation prior to site plan approval.

III. Key Findings

In Favor:

- The proposal would provide additional housing for aging residents of the County who require assistance in their everyday lives, pursuant to Comprehensive Plan goals. These residents also have negligible impacts on most of the County's public infrastructure, including roads, schools, and parks.
- The facility would generate jobs and improve the County's non-residential tax base.
- The facility is interconnected via sidewalks pursuant to Mixed Use FLU goals.
- Over 50% of the site would remain open, providing green space for ALF residents, and the retention of mature trees.
- The applicant has proposed to conduct a traffic calming study which may allow for traffic calming measures to be installed, if warranted.

Against:

- The proposal does not meet all eight criteria necessary to recommend approval. Facilities such as this generate regular calls for emergency services, estimated at 239 annually; of these ambulances, respecting above all else the life of their transported patient, will engage their sirens and lights as needed, but more importantly they routinely exceed the speed limit. The primary means of access to the proposed facility shall be along Church Street, Carrie Court and Evan Drive.
- The existing neighborhood of River Heights is fully built out, and the proposed use would unexpectedly and negatively impact residents within that neighborhood. There is no recommended condition that could fully mitigate the introduction of this use on the neighborhood, but a condition has been drafted in an effort to assist in this.
- The proposal to relocate access from traveling through the River Meadows neighborhood to the newly proposed access through the River Heights neighborhood shifts the impacts from one neighborhood to another.

IV. Recommendation and Conditions

Based on staff's analysis and findings against noted above, staff recommends denial. Should the Commission desire to recommend approval, staff recommends that approval be accompanied with the following conditions:

1. The facility shall be built in conformance with the GDP prepared by Garrison Consulting Co., Inc. dated April 26, 2018 and last revised December 5, 2018; and the primary access to the site shall be along Church Street, Carrie Court and Evan Drive.
2. The design shall be in general conformance with the illustrative rendering entitled "Franklin's Crossing Assisted Living Rendering" dated May 2018.
3. Prior to site plan approval the applicant shall submit a Preliminary Assessment of Threatened and Endangered Species to the County for review and coordinate mitigation actions, if any, as recommended by the assessment.
4. The landowner or operator shall contract with a private transportation or ambulance service for routine, non-emergency transportation services.
5. The landowner or operator shall schedule shift changes of employees outside of the hours of 6AM-9AM and 3PM-6PM to reduce traffic impacts.
6. The landowner or operator shall install a double-staggered hedge row along the southeastern ("SE") property line between the sidewalk, which lies north of the cul-de-sac, and the preserved trees lying further north. The shrubs shall be a minimum of 4-feet high at the time of installation and shall be placed no more than 5 feet from each other as measured from the center of the planting.
7. The landowner or operator shall maintain a Transitional Screen 2 along the SE property line, except for the shrub row to be installed as described above.
8. The landowner or operator shall install on-site signage to remind employees and visitors to drive slowly, be quiet, and be aware of children.
9. The proposed 6-foot high white vinyl privacy fence must include a finished side facing to the exterior of the property.
10. A secondary emergency access point shall be on River Meadows Way and shall be gated, which gate shall remain closed unless needed for emergency purposes.
11. The landowner or operator shall develop an emergency management and communications plan with County Fire, Rescue, and Emergency Management prior to Certificate of Occupancy.
12. The landowner or operator shall have a trained emergency medical physician onsite 24 hours a day, 7 days a week.
13. The facility will not provide memory care services.

Staff's original recommended condition #10 has been removed due to the route through River Meadows being for emergency access only. That condition formerly read:

"Prior to site plan approval the applicant shall conduct a traffic calming analysis of River Meadows Way at the applicant's expense. The analysis shall be conducted in accordance with County and VDOT requirements and shall include the additional trips generated from the proposed ALF. If traffic calming measures are warranted by the analysis, the applicant shall submit a plan to install the recommended traffic calming improvements to the County and VDOT for approval and the applicant shall install the recommended measures within 180 days from the County and VDOT's approval of the applicant's installation plans."

V. Update Following Planning Commission

During the Planning Commission meeting the applicant's representative questioned why staff did not object to three other Special Use Standards of Review. Staff considered the question and concurs that while staff focused on the location of the facility in Standard 6, the Standards 4 and 7 contribute towards the determination that the proposal's location is inappropriate (Standard 6). This report has been amended to include expanded analysis of the Special Use Standards of Review. The Planning Commission did not have the benefit of this analysis when they voted. Should the Board wish the

Planning Commission to consider the additional Standards the Board may refer the case back to the Planning Commission for reconsideration.

Five citizens spoke in opposition to the case during the Planning Commission meeting, one of which noted that the path to the subject facility along River Meadows Way narrows, and along with parking on the sides of the street, can constrict traffic flow to one lane. The Commission expressed interest in learning more about the parking within the neighborhood of River Meadows. The River Meadows neighborhood was developed in the early 2000's. River Meadows Way is platted at 60' wide until that road intersects with Terra Springs Drive, after which it narrows to 52', then it narrows slightly further to 50' wide shortly after the Way bends NW, towards the applicant's property.

According to VDOT' 1996 Subdivision Street Requirements, Table 1 – Geometric Design Guide for Subdivision Streets Functionally Classified as Local, the minimum pavement width to accommodate on street parking is 36' but that width can be reduced to 30 feet per 24 VAC 30-90-130.D.3.g if requested by the governing body and provided the request be accompanied by a "commitment to require the provision of sufficient off-street parking to accommodate normal demand for vehicular parking space." Within this same document at 24 VAC 30-90-150.A is the text "Unless otherwise indicated, these widths [referring to the previously referenced Table 1] assume lawful on street parking will normally be allowed."

Based on the information available the subdivision was created without a restriction to prohibit on-street parking. Typically, a request to prohibit on-street parking is initiated by a Home Owners' Association (HOA) and a vote is taken by the HOA of home owners within the neighborhood. If approved, "No Parking" signs can be installed along the roadways within the neighborhood. This is typically done voluntarily by a HOA if a parking problem develops over time. Staff is not aware of any instance that the County has retroactively required that "No Parking" signs be installed in an existing neighborhood.

Lastly, the Planning Commission's recommended Condition 11, which requires that the applicant pursue obtaining a secondary gated emergency access, would help a responder access the site in the event that passage through River Meadows Way was impossible, and provides value in that respect. However firstly, it does not require another access, only pursuit of obtaining an access. Additionally, if that access was obtained, the new access would at best expose another neighborhood to the impacts of this land use at its proposed location. Most importantly however this condition has been addressed by the application by obtaining a secondary emergency access.

Spotsylvania County Government

Appendix A

Comprehensive Plan Analysis

COMPREHENSIVE PLAN ANALYSIS

The Spotsylvania County Comprehensive Plan presents a long range land use vision for the County. The Comprehensive Plan sets forth principles, goals, policies, and implementation techniques that will guide the development activity within the County and promote, preserve, and protect the health, safety, and general welfare of its citizens. Specifically, the Plan provides data and analysis on land use, transportation, housing, natural and historic resources, and public facilities and utilities. The purpose of this document is not to regulate, but rather guide land use, transportation, and infrastructure decisions. This guidance seeks to ensure continued economic and community vitality while ensuring necessary policies and infrastructure are in place to provide for the continuation of quality services to Spotsylvania's residents and businesses.

The proposal is located within the Primary Development Boundary; area within which public water and sewer utilities will be provided. Lands within the limits of the Primary Development Boundary are intended to develop with higher residential densities and more intensive non-residential uses than outside of the boundary. By maintaining a Primary Development Boundary, the County encourages the most efficient use of the land while preserving the rural character and agricultural viability of those portions of the County outside the boundary. The proposal is consistent with the intent of the Primary Development Boundary.

The proposal, envisioned to be located at Tax Map # 25-A-14C has a Mixed Use land use designation. As per the Comprehensive Plan the mixed land use designation encompasses a variety of uses, including traditional neighborhoods; higher density residential; non-traditional residential; commercial uses; light industrial; educational facilities; recreation facilities, and compatible public and other civic facilities. The proposed assisted living facility is consistent with the mixed use land use designation.

A special use permit is required to establish the assisted living facility proposed upon existing Residential 2 (R-2 zoned) acreage. It is good to note considering Spotsylvania County Code Sect. 23-4.5.1, special use permit required uses are generally compatible with other land uses permitted in a zoning district but which because of their unique characteristics or potential impacts on the surrounding neighborhood and the county as a whole, require individual consideration of their design, configuration, and/or operation at the particular location proposed.

After conducting an analysis of applicable Comprehensive Plan Goals, staff has identified application strengths, deficiencies, and policy concerns worthy of consideration as outlined in the Comprehensive Plan policy analysis below:

Introduction and Vision:

Guiding Principles and Policies A. Spotsylvania County is a “business friendly” community and local job creation is a priority. Guiding Principles A.1. Encourage business investment in the County and promote the relocation of federal and state agencies to the County, providing more opportunities for Spotsylvania County residents to work in the County. Proposal is consistent with the County's “business friendly” and jobs principles and policies.

Guiding Principles and Policies B. Spotsylvania County is fiscally sustainable. Guiding Principles B.1. Achieve a 70/30 mix of residential to commercial/ industrial development (based

on assessed value), and the annual growth of the industrial and commercial tax base at a rate greater than 2%. Proposal is consistent with commercial tax base growth goals and expected to be revenue positive.

Guiding Principles and Policies B.2. Development projects seeking increased residential density and/or non-residential intensity should address impacts that are specifically attributable to the proposed development; B.3. Development projects seeking increased residential density and/or non-residential intensity should address its impacts on the infrastructure of the County. Proposal has been designed to mitigate expected project impacts upon the surrounding community and infrastructure. Due to existing development around the project periphery, access to the site was formerly limited to only River Meadows Way where a road stub exists presently. Traffic generation from the project is not significant enough to warrant a traffic impact analysis or VDOT 527 analysis as noted in the project narrative. Respecting there will still be traffic generated to and from the site along River Meadows Way, the applicant has heard concerns about existing issues impacting River Meadows Way and potential issues surrounding any additional vehicle trips along the road and has subsequently redirected traffic flows into the River Heights neighborhood located to the southwest, which generally re-locates potential impacts.

Guiding Principles and Policies B.3.a. The County should support alternative onsite transportation alternatives and recreational options such as transit, pedestrian and bicycle facilities that are able to, or will, connect to neighboring properties. Proposed is a gated access assisted living facility. The applicant proposes passive recreational amenities about the site such as walking paths and a river overlook. Sidewalk infrastructure has been depicted linking parking areas to the assisted living facilities, along internal roads with connections to River Meadows Way sidewalk infrastructure. However, no sidewalks are proposed connecting into the new primary access through River Heights. Proposal partially complements pedestrian connectivity goals.

Guiding Principles and Policies B.4. Preserve significant natural, historic, and cultural resources of the County to ensure the continued allure of the County as a tourism destination. Sensitive Rappahannock River shoreline areas, steep slopes, natural vegetation helping to provide stability to shoreline buffs, and small wetlands and RPA onsite will all be avoided as part of this development proposal. The Virginia Department of Conservation and Recreation Natural Heritage Data Explorer predictive models have identified this area as potentially suitable habitat for Sensitive Joint Vetch and the Dwarf Wedgemussel. The project narrative commits the project to conducting an endangered species impacts assessment consistent with federal and state requirements at a later date. The narrative assures any impact identified will then be mitigated. Without upfront knowledge of potential impacts related to the project and its development footprint, staff recommends this commitment be formalized as a condition of approval.

There are considerations for potential historical and cultural resources onsite. As per the Department of Historic Resources V-CRIS system the project is located within both DHR 111-5296 – Battle of Fredericksburg II and DHR 111-5295. Site is also in fairly close proximity to historic Franklin's Crossing site, site of multiple Civil war crossings of the Rappahannock River. Cognizant of potential impacts the applicant commissioned a Phase 1A Archaeological Survey of the site. As noted in the project narrative, *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... Staff is agreeable with the assessment and expects no impacts to the preservation of significant natural, historic, and cultural resources onsite.

Guiding Principles and Policies C. Spotsylvania County is a family friendly community. Guiding Principles and Policies C.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 just entering the housing market in the form of condominiums, townhouses, and small single family homes to larger homes, and active adult and assisted care facilities. The proposal is consistent with countywide housing diversification goals as specified in the Comprehensive Plan. The proposal is also family friendly offering additional assisted living units within the community for residents to stay within the County in times of assisted care need and near family.

Guiding Principles and Policies E.1. Protect environmental quality by promoting a comprehensive approach to air and water quality management. Examples of approaches to accomplish this could include: green space and tree preservation, stream restoration, and low impact development (LID). Guiding Principles and Policies E.2. The County should support integration of required onsite drainage and stormwater features as an amenity or landscape feature that is incorporated into the overall design of the site. Project not expected to degrade environmental quality in the area. As noted earlier in the review, Sensitive Rappahannock River shoreline areas, steep slopes, natural vegetation helping to provide stability to shoreline buffs, and small wetlands and RPA onsite will all be avoided as part of this development proposal. Considering sensitive environmental features and interest in creating a park-like setting, extensive open space will remain onsite. The project GDP is considerate of landscaping goals and recognizes the potential for the BMP area as depicted on the GDP to serve as an aesthetic feature for the project. The GDP identifies additional landscaping and/or installation of a decorative fountain as part of the BMP area.

Land Use:

Future Land Use Map Designation: The proposed assisted living facility is consistent with the mixed use land use designation. Additionally, as a proposal requiring a special use within the Residential 2 (R-2) zoning district, it is good to note considering Spotsylvania County Code Sect. 23-4.5.1, special use permit required uses are generally compatible with other land uses permitted in a zoning district but which because of their unique characteristics or potential impacts on the surrounding neighborhood and the county as a whole, require individual consideration of their design, configuration, and/or operation at the particular location proposed. Staff therefore considers the use generally appropriate within the zoning district considering potential impacts and satisfactory mitigations to those impacts.

Land Use Policies Applicable to All Land Uses #6. Encourage consideration of disabled and elderly citizens in the design and implementation of both new development and redevelopment. The project proposal is for an assisted living facility specifically targeted for the care and wellness of elderly and disabled persons within the community. The proposal is complementary to this goal.

Land Use Policies Applicable to All Land Uses #8. Redevelopment and investment in existing developed areas should be encouraged provided that the development does not adversely

impact adjoining properties. The proposed 3 story 125 bed assisted living facility located along the Rappahannock River is located within an existing developed area surrounded by well-established single family detached development and residential mobile home park uses. The generalized development plan locates the facility in a park like setting with approximately 50% open space and extensive tree preservation along the river corridor where steep slopes, river bank protection, flood zone is located. The 3 story assisted living facility is setback 219' from the nearest residential property line to the west, 200' from the mobile home park adjacent to the south, and roughly 190' from the limits of the River Meadows subdivision. The use complements the intent of the mixed use land use district and on balance staff believes the project is well located to minimize aesthetic impacts upon the surroundings considering size and scale of the proposed structure. The applicant has provided architectural renderings noting specific building materials to provide the community a sense of what to expect architecturally from the project.

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 use complements the intent of the mixed use land use district and on balance staff believes the project is well located to minimize aesthetic impacts upon the surroundings considering size and scale of the proposed structure. The applicant has provided architectural renderings noting specific building materials to provide the community a sense of what to expect architecturally from the project.

Mixed Land Use Policies 2. Appropriate transitions in scale of building and/ or buffering should be provided from mixed land use developments to adjoining existing developments. The proposed 3 story 125 bed assisted living facility located along the Rappahannock River is located within an existing developed area surrounded by well-established single family detached development and residential mobile home park uses. The generalized development plan locates the facility in a park like setting with approximately 50% open space and extensive tree preservation along the river corridor where steep slopes, river bank protection, flood zone is located. The 3 story assisted living facility is setback 219' from the nearest residential property line to the west, 200' from the mobile home park adjacent to the south, and roughly 190' from the limits of the River Meadows subdivision. Extensive tree preservation is expected onsite to further buffer the proposed use from more "fine grain" residential single family detached and mobile home developments.

Mixed Land Use Policies 3. Vehicular and pedestrian connections should be made to adjoining developments at appropriate locations, including at existing interparcel access points. Due to existing development around the project periphery, access to the site is limited to only Carrie Court and Evan Road, a pair of private roads which bisect the River Heights neighborhood. A secondary emergency access is proposed to River Heights. Traffic generation from the project is not significant enough to warrant a traffic impact analysis or VDOT 527 analysis as noted in the project narrative. The applicant has proposed some improvements to improve access through Carrie Court and Evan Road.

The applicant proposes passive recreational amenities about the site such as walking paths and a river overlook. Sidewalk infrastructure has been depicted linking parking areas to the assisted living facilities, along internal roads with connections to River Meadows Way sidewalk infrastructure. Proposal complements pedestrian connectivity goals.

Mixed Land Use Policies 4. A grid pattern of connected streets should be supported by the County. Cul-de-sacs should be discouraged and only employed in rare instances. Site access was originally proposed via River Meadows Way. The applicant has since revised their access proposal to reduce impacts on that neighborhood and now proposes to route traffic through the existing River Heights Mobile Home Park. A potential secondary point of access that would have been more favorable for a more interconnected road network and traffic distribution was abandoned and turned over to private ownership within the Tidewater Village Subdivision (former Rappahannock Ave) during the 1980s.

Mixed Land Use Policies 5. The County should support public open space and pedestrian accommodations integrated throughout the development. Proposed is a gated access assisted living facility. Public open spaces are not necessarily appropriate for this particular use. The applicant proposes passive recreational amenities about the site such as walking paths and a river overlook. Sidewalk infrastructure has been depicted linking parking areas to the assisted living facilities, along internal roads with connections to River Meadows Way sidewalk infrastructure. Proposal complements pedestrian connectivity goals.

Mixed Land Use Policies 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. Proposal complements goals to provide a mix of units in 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.

Mixed Land Use Policies 11. Quality open spaces should be integrated into development and may include passive and active areas, pavilions, walking paths, gardens, forested areas, and lakes, among other features. The applicant proposes passive recreational amenities about the site such as walking paths and a river overlook. Sidewalk infrastructure has been depicted linking parking areas to the assisted living facilities, along internal roads with connections to River Meadows Way sidewalk infrastructure. Proposal complements pedestrian connectivity goals. The generalized development plan locates the facility in a park like setting with approximately 50% open space and extensive tree preservation along the river corridor where steep slopes, river bank protection, flood zone is located. The project GDP is considerate of landscaping goals and recognizes the potential for the BMP area as depicted on the GDP to serve as an aesthetic feature for the project. The GDP identifies additional landscaping and/or installation of a decorative fountain as part of the BMP area.

Transportation:

Transportation Policy #1.1., Achieve no less than a “D” Peak Hour Level of Service on 90% of County secondary roads within the Primary Development Boundary as shown in the Thoroughfare Plan. In the Primary Settlement District, levels of service are lower to encourage development and redevelopment to densities and intensities that maximize use of the existing infrastructure. Transportation Policy #2. Ensure that new development does not degrade Levels of Service and mitigates its impact on the transportation network. The project would not generate enough traffic to warrant a larger Traffic Impact Analysis (TIA) or VDOT 527 Analysis. No level of service downgrade is expected to occur resulting for this project. The applicant has updated the proposed access path to be through the existing neighborhood of River Heights via Carrie Court and Evan Drive, Levels of Service are unknown on these two private road segments.

Transportation Policy #2.5. The County should support alternative onsite transportation alternatives and recreational options such as transit, pedestrian and bicycle facilities that are able to, or will, connect to neighboring properties. Transportation Policy #3. Promote alternative modes of transportation and multi-modal facilities to more effectively address demands on the transportation network. The applicant proposes passive recreational amenities about the site such as walking paths and a river overlook. Sidewalk infrastructure has been depicted linking parking areas to the assisted living facilities, along internal roads with connections to River Meadows Way sidewalk infrastructure. Proposal complements pedestrian connectivity goals.

Historic Resources:

Historic Resources Policy #1. Encourage and promote the voluntary protection and preservation of scenic, historic, cultural, architectural, and archaeological resources. Historic Resources Policy #1.2. Support the preservation of resources with local, state, or national significance. Historic Resources Policy #2. The County should support projects that consider and mitigate the impact of development projects on historic and cultural resources during the rezoning, special use, and capital project planning process. Historic Resources Policy #2.1. Development applications and staff reports should identify historic and cultural resources in proximity to proposed rezoning, special use, or capital project, and evaluate the impacts of the project on the resources in question. Historic Resources Policy #2.3. The County should support the preservation of scenic and historic lands as a component of the rezoning actions through placing these resources in easements or dedicated open space. There are considerations for potential historical and cultural resources onsite. As per the Department of Historic Resources V-CRIS system the project is located within both DHR 111-5296 – Battle of Fredericksburg II and DHR 111-5295. Site is also in fairly close proximity to historic Franklin's Crossing site, site of multiple Civil war crossings of the Rappahannock River. Cognizant of potential impacts the applicant commissioned a Phase 1A Archaeological Survey of the site. As noted in the project narrative, *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...* Staff is agreeable with the assessment and expects no impacts to the preservation of significant natural, historic, and cultural resources onsite.

Natural Resources:

Natural Resources Policy #1.3. Encourage land development practices, which minimize impervious cover to promote groundwater recharge, and/or tree preservation. Natural Resources Policy #1.10. Locate land uses where their tolerance is compatible with existing or proposed noise levels and/or reduce impacts through vegetative buffering or building design. The project is not expected to degrade environmental quality in the area. Open space and tree preservation onsite are extensive. Proposed land uses not atypical considering the land use vision, surrounding and envisioned land uses. Overall this project is not expected to be a significant generator of noise impacting the surroundings. Extensive open space areas, setbacks, tree preservation are expected to buffer and reduce any potential noise generated from the site. Given the nature of the use however, staff is concerned an increased incidence of emergency calls may result in an increased

incidence of ambulatory access to the site via Carrie Court and Evan Drive with sirens on. This poses a potential risk of increased neighborhood disturbance any time of day.