

DRAFT APPROVAL

At a meeting of the Spotsylvania County Board of Supervisors held on January 8, 2019 on a motion by _____, seconded by _____ and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2018-

**Approve with Conditions
Special Use Permit SUP18-0007**

B-Farms Development, LLC (Franklin's Crossing Assisted Living Facility)

WHEREAS, B-Farms Development, LLC (Franklin's Crossing Assisted Living Facility) requests special use permit approval to allow an Assisted Living Facility ("ALF") on a Residential-2 (R-2) zoned property. The property is located northwest of 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. The property is located inside of the Primary Development Boundary. The property is identified for Mixed Use development on the Future Land Use Map of the Comprehensive Plan. Tax parcel 25-A-14C. Lee Hill Voting District; and

WHEREAS, staff has reviewed the subject application and recommends denial as stated in the staff report and the executive summary; and

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on September 5, 2018, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission recommended approval with conditions with a vote of 5-2; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on October 9, 2018, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Board of Supervisors postponed the vote on the subject case to allow additional time for the applicant to resolve citizen concerns on October 9, 2018, to October 23, 2018; and

WHEREAS, the Spotsylvania County Board of Supervisors postponed the vote on the subject case to allow additional time for the applicant to resolve citizen concerns on October 23, 2018, to January 8, 2019; and

WHEREAS, the Spotsylvania County Board of Supervisors considered the Special Use Permit request in accordance with Sec. 23-4.5.7, Standards of Review, and finds that the application with the recommended conditions satisfies the following standards:

1. That the proposed use is in accord with the comprehensive plan and other official plans adopted by the county;
2. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located;
3. That the proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
4. That the proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
5. That the proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood;
6. That the proposed use is appropriately located with respect to transportation facilities, water supply, wastewater treatment, fire and police protection, waste disposal, and similar facilities;
7. That the proposed use will not cause undue traffic congestion or create a traffic hazard; and
8. That the proposed use will have no unduly adverse impact on environmental or natural resources.

WHEREAS, general welfare and good zoning practice are served by approval of the Special Use Permit application;

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby approve SUP18-0007 B-Farms Development, LLC (Franklin's Crossing Assisted Living Facility) with the conditions listed below:

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.

BE IT FINALLY RESOLVED that the Spotsylvania County Board of Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable Spotsylvania County Ordinances, rules, regulations, or adopted standards. To the extent anything in this Special Use Permit is less restrictive than the County's Ordinances, or its rules, regulations, or adopted standards, the lessened restriction shall be void and the County's Ordinances, or its rules, regulations, or adopted standards shall control and be applicable to the rezoning.

(SEAL)

A COPY TESTE:

Aimee Mann

Deputy Clerk to the Board of Supervisors

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____