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WHEREAS, the Council has made the following findings of fact:

1. Environmental Considerations: There are no environmental issues or concerns expected to occur as a result of this Conditional Use approval.
2. Surrounding Use Considerations: The proposed use within approximately 300 feet of a single family residential district has been found to be compatible with surrounding uses.
3. Utilities: The site is located within the Urban Service Area which has existing potable water, sanitary sewer and trash disposal. The water, sanitary, sewer, and drainage systems meet the code requirements. There are adequate public facilities available to serve the subject site.
4. Concurrency Considerations: Wellington Traffic Consultant has determined the proposed modifications meet the Traffic Performance Standards (TPS) of Wellington with no objections to the proposed use modification.
5. Comprehensive Plan Considerations: The proposed Conditional Use is consistent with Wellington’s Comprehensive Plan including but not limited to preserving and protecting the characteristics of the communities in Wellington; neighborhood compatibility policies; Land Use, Transportation and Infrastructure Elements.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON, FLORIDA, THAT:

SECTION 1: The Wellington Elder Care 2 (A.K.A. R & R LLC), Type 2(B) Congregate Living Facility (CLF) Conditional Use, for the real property as described in Exhibit “A” is hereby approved subject to the following conditions:

1. The CLF shall be limited to a maximum of 21 residents. The site/facility shall be in substantial compliance with the site/floor plan as indicated in Exhibit “B.” Site plan changes and conditions imposed by Council shall be submitted to the DRC for final processing. (PLANNING)
2. The owner/operator shall provide one (1) designated single occupancy room for residents requiring short term additional care. The additional single occupancy

91 room may only be used by a resident of the facility requiring additional care or
92 when it's required to transfer another resident of the facility from a double
93 occupancy room to the single occupancy room to provide short term additional
94 care. The short term care room may be used by staff for storage when not
95 occupied by a resident of the facility but at no time shall this site/facility
96 occupancy exceed the maximum of 21 residents. (PLANNING)

97 3. The entire building(s) and lot shall be utilized for the Type 2(B) CLF use only.
98 The facility shall be limited to senior housing for elderly persons 65 years of age
99 or older who are capable of otherwise living independently. Any change in use
100 or occupancy type shall be considered an amendment to the use approval and
101 require review and approval. Conversion from a Type 2B CLF will require
102 compliance with Wellington's Comprehensive Plan and the Land Development
103 Regulations (LDR). (PLANNING)

104 4. The owner/operator shall reduce on-site parking demand by prohibiting the
105 parking of personal vehicles used and/or owned by the CLF resident's on-site,
106 encouraging staff to car-pool and stagger the arrival/departure time of visitors.

107 5. The owner/operator shall obtain all appropriate federal, state and local permits /
108 licenses for the Type 2(B) CLF prior to obtaining a Wellington Local Business
109 Tax Receipt and operating the CLF. A Wellington Local Business Tax Receipt
110 for the Type 2(B) CLF shall be obtained within one year of this Conditional Use
111 approval and renewed annually while the use is in operation. (PLANNING)

112 6. The continuation of this Conditional Use is contingent upon the owner/operator
113 retention of all appropriate federal, state and local permits / licenses and
114 compliance with the Land Development Regulations as it relates to the
115 operation of the Type 2(B) CLF. (PLANNING)

116 7. The owner/operator shall provide an inspection report on the CLF from the
117 Florida Agency for Health Care Administration (AHCA) to the Planning and
118 Zoning Division biennially or when an inspection is completed by the agency.
119 The report shall also be provided with the annual renewal of the Type 2(B) CLF
120 Wellington Local Business Tax. (PLANNING)

121 8. The owner shall record a declaration of restriction as required by the LDR which
122 shall include the above conditions to run with the land. The draft declaration of
123 restriction shall be provided to Wellington's Legal Division prior to recording. A
124 copy of the recorded declaration shall be provided to Wellington Planning and
125 Zoning Division within 30 days of this approval. (PLANNING)

126 9. A Minor Utility Permit will be required prior to any utility/fire line related work.
127 Details relative to the below will be addressed during the Minor Utility Permit
128 application process.

129 a) Backflow preventers will be required on each of the four (4) services prior to
130 occupancy.

147 **PASSED AND ADOPTED** this _____ day of _____, 2017.

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WELLINGTON

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BY: _____

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Anne Gerwig, Mayor

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ATTEST:

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BY: _____

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Chevelle D. Nubin, Village Clerk

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APPROVED AS TO FORM AND

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LEGAL SUFFICIENCY

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BY: _____

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Laurie Cohen, Village Attorney