

## APPROVED DEVELOPMENT CONDITIONS

SE 2003-DR-022

April 26, 2004

If it is the intent of the Board of Supervisors to approve SE 2003-DR-022 located at 2030 Westmoreland Street (Tax Map 40-2 ((1)) 26B, 26C) to allow a medical care facility (for assisted living), pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Plat approved with this application, as qualified by these development conditions.
3. A copy of this Special Exception and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception plat **entitled Chesterbrook Assisted Living Facility Special Exception Plat and prepared by Post, Buckley, Schuh, & Jernigan, Inc. which is dated February, 2003 and revised through November 4, 2003** and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. The maximum number of assisted living units permitted on-site shall not exceed 97 units, and the maximum number of residents permitted on-site shall not exceed 109 people.
6. The maximum number of employees permitted on-site shall not exceed 25 per shift. The applicant shall not schedule shift changes which fall within 30 minutes of the beginning or ending of the scheduled school day at the Longfellow Middle School.
7. Parking shall be provided in accordance with the minimum Zoning Ordinance requirement based on the proposed number of employees on

site at any one time and the number of residents of the facility, in the locations shown on the SE Plat.

8. The building height shall not exceed 34 feet, as defined in Article 20 of the Zoning Ordinance. Building materials shall be limited to brick, fiber-cement siding, wood, glass, and typical roofing materials. The proposed building façades shall be in substantial conformance with the character of the illustrations included as Attachment 1 to these conditions, notwithstanding the change in building footprint from that illustrated, with respect to variation in building materials, and articulations in the façade such that it is not a flat, unbroken wall, to convey a residential character. Further, the northern, southern, and western façades shall have a similar number of articulations as the eastern (front) façade. The building shall not include the cupola and roof fence detail depicted in the illustration. The final architectural elevations shall be returned to the Planning Commission and the Dranesville District Supervisors Office for review and comment prior to site plan approval.
9. It shall be demonstrated to DPWES at the time of site plan review that the proposed enhanced extended detention stormwater management facility is able to achieve the detention and water quality capacity as shown in the tabulations on the SE Plat. The pond shall be constructed in substantial conformance with the size and location shown on the SE Plat. If this condition can not be met, a Special Exception Amendment (SEA) shall be required to change what is proposed for on site stormwater management.

In order to restore a natural appearance to the proposed stormwater management dry pond in the western portion of the property, a landscape plan shall be submitted as part of the first submission of the site plan. The plan shall show the restrictive planting easement for the pond, and extensive landscaping in all areas outside of that restrictive planting easement, to the maximum extent feasible in accordance with the planting policies of Fairfax County, as determined by the Urban Forester.

10. The limits of clearing and grading shall be strictly adhered to, as illustrated on the SE Plat. The RPA/EQC shall remain undisturbed except for the stormwater outfall and sanitary sewer lateral. These encroachments shall be the minimum amount necessary as determined by the Urban Forester. Disturbed areas shall be replanted as determined by the Urban Forester.
11. The applicant shall submit a tree preservation plan as part of the first and all subsequent site plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and reviewed and approved by the Urban Forestry Division, and shall include existing vegetation.

The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater, extending 10 feet to either side of the limits of clearing and grading shown on the SE Plat for all areas proposed for preservation. The tree survey shall also include areas of clearing and grading not shown on the SE Plat resulting from engineering requirements, such as off-site clearing and grading for utilities or stormwater outfall. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan, and approved by the Urban Forester.

The applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an Urban Forestry Division representative to determine where minor adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading. Trees that are not likely to survive construction due to their species and/or their proximity to disturbance will also be identified at this time, and the applicant shall be given the option of removing them as part of the clearing operation. Any tree that is designated for removal at the edge of the limits of clearing and grading or within a tree preservation area, shall be removed using a chain saw to avoid damage to surrounding trees. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees.

12. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing consisting of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets for the RPA/EQC as well as the buffer along the southern periphery, as well as other areas identified in the Landscape Plan for tree preservation.

All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fence, except super silt fence, shall be performed under the supervision of a certified arborist. Three days prior to

the commencement of any clearing, grading, or demolition activities, the Urban Forestry Division shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.

13. A landscape plan shall be submitted as part of the first and all subsequent submissions of the site plan and shall be coordinated with and approved by the Urban Forester. This plan shall be in substantial conformance with the landscape concepts plan as to quantity and quality of plantings, and in general conformance with the location of plantings as shown on the SE Plat.
14. Supplemental evergreen and/or other appropriate shade tolerant plantings shall be provided in two locations to buffer the facility from the residential properties to the south, and in an additional buffer location to the north of the building. Some locations are depicted on the SE Plat and Attachment 1 to these conditions; however, they shall be installed as follows:

**Buffer A**, located on the northern side of the 75' tree save area and closest to the building, shall include trees a minimum of 6-7 feet in height at the time of planting. The applicant shall alternate the location of the plantings in a staggered method to provide dimension and a dense buffer screen. This buffer shall continue around the western side of the building (outside of the RPA/EQC), until reaching the proposed grass paver access road for the maintenance of the stormwater pond. Decorative landscape such as shrubs or flowers shall be planted along the building, if determined appropriate by the Urban Forester.

**Buffer B**, located on the southern side of the 75' tree save area and closest to the southern property line, shall include trees a minimum of 6-7 feet in height at the time of planting and shall be located as generally shown on the SE plat. The exact type, number, and location of the proposed trees shall be determined by the Urban Forester at the time of site plan consistent with this development condition. Alternatively, because of topography and to maximize screening for the residential neighbors, Buffer B plantings may be located off-site on the adjacent residential properties. The exact type, number, and location of the proposed trees for this alternative shall be determined by the Urban Forester in coordination with the individual adjacent property owners. Buffer B plantings shall be installed prior to the issuance of a grading permit. Any off-site plantings shall be maintained by the respective property owners and shall be replaced if not viable prior to the issuance of the non-RUP. Any on-site plantings shall be maintained by the applicant and shall be replaced if they do not remain viable, as determined by the Urban Forester, within the first 3 years of planting. Either alternative for

location of plantings for Buffer B shall be determined and coordinated with the neighbors and the Urban Forester prior to the Planning Commission review of the site plan as required by Development Condition 25. In addition, the applicant, Urban Forester, and the neighbors shall also coordinate the Buffer B determination in conjunction with the determination of the six foot high solid wooden fence as required by Development Condition 29.

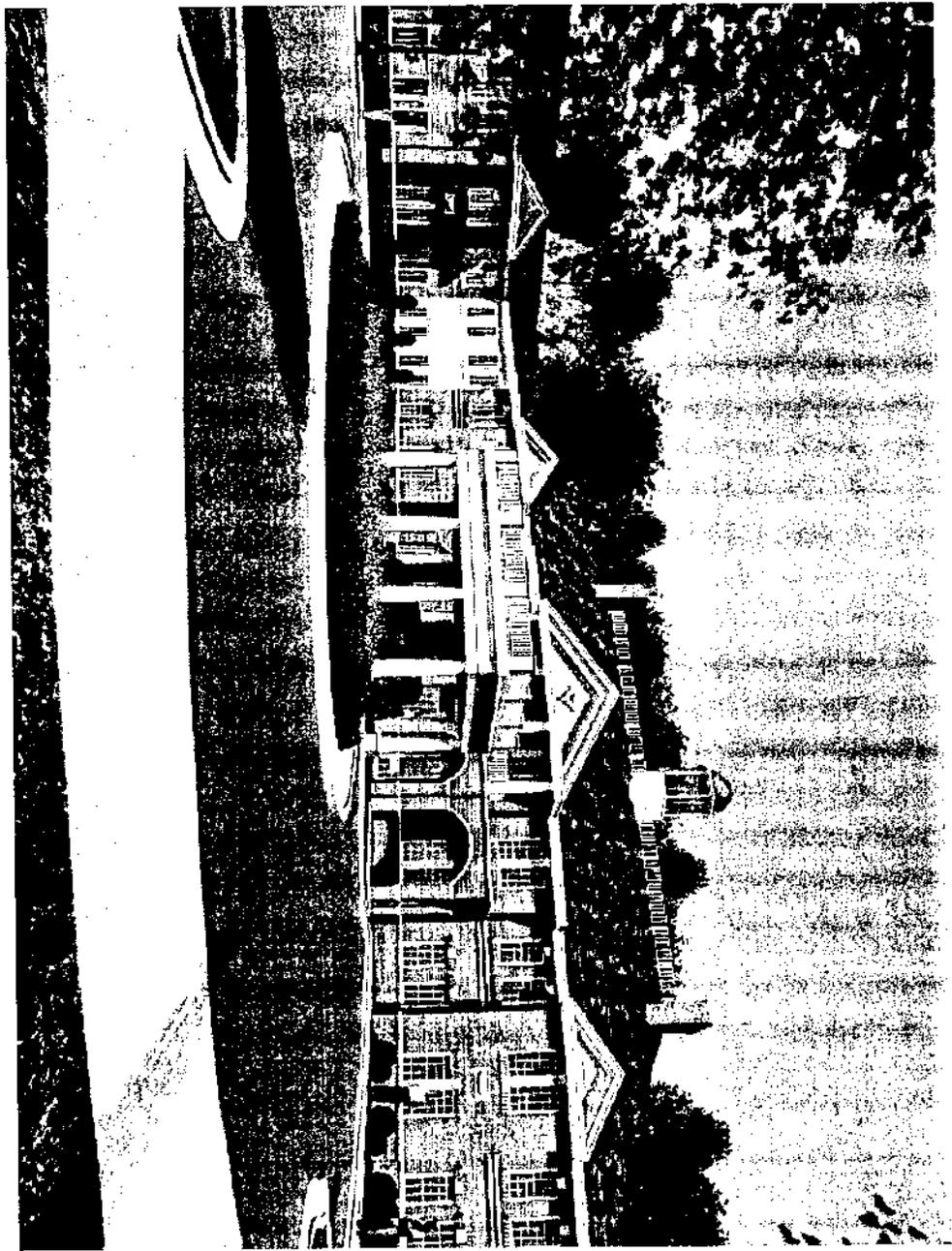
**Buffer C**, located on the northern side of the building, west of the school access connection, shall include trees a minimum of 6 feet in height. The exact type, number, and location of plantings shall be determined by the Urban Forester, and may include additional plantings beyond those shown if determined appropriate. Decorative landscape such as shrubs or flowers shall be planted along the building, if determined appropriate by the Urban Forester.

15. Prior to issuance of a building permit for the medical care facility, a Phase I Archaeology Survey shall be conducted on the southeastern portion of the property by the applicant if determined necessary by the Fairfax County Park Authority, and the results shall be provided to the Fairfax County Park Authority.
16. The entrance drive to the assisted living facility shall be aligned with the intersection of Hopewood Drive and Westmoreland Street.
17. The location of the proposed school connection to the entrance drive of the assisted living facility shall be in substantial conformance with that illustrated on the SE Plat, subject to final engineering at the time of site plan approval. The applicant shall at a minimum construct the portion of this connection on the application property, unless otherwise agreed to in a separate agreement between the applicant and the Fairfax County Public Schools. A public access easement shall be granted over the access drive for use by exiting school traffic. Additional issues such as final construction design, timing of implementation, easements, hours of operation of the access, possible gate restrictions, and maintenance issues including snow removal shall also be addressed in this separate agreement. The use of the access drive for the assisted living facility by school traffic shall be limited to one-way circulation exiting the school and traveling eastward to Westmoreland Street. This school traffic shall be limited to automobiles and passenger vehicles, and shall not include trucks or buses from the school. If safety or traffic-related concerns arise as a result of the use of this access drive by school traffic, the applicant, the Fairfax County Public Schools, the Dranesville District Supervisors Office, and the Fairfax County Police Safety Division shall coordinate to resolve these issues.

18. Prior to issuance of a Non-RUP for the assisted living facility, the entrance drive realignment located primarily on adjacent Parcel 26A shall be constructed, and a painted crosswalk and stop sign shall be provided at both site entrances on Parcel 26A where pedestrians will be crossing the entrance drives. In addition, a trail shall be constructed across the Westmoreland Street frontage including Parcel 26A.
19. All outdoor lighting shall conform to the standards set forth in Part. 9 of Article 14 of the Zoning Ordinance, and shall include the use of full cut-off fixtures. Freestanding outdoor lighting fixtures shall not exceed a height of 12 feet. Any outdoor lighting fixtures that are not shielded by the building from the residential properties to the south shall include a house shield on the portion facing south to decrease the visibility of this lighting from those properties.
20. All signs shall be in conformance with Article 12 of the Zoning Ordinance, and shall be consistent with one another in terms of materials, style, and colors. No pole-mounted signs shall be permitted.
21. The applicant shall make a best effort to achieve a yearly average of a minimum of 50% of the units for very low-income residents, as defined by the Federal Department of Housing and Urban Development (HUD), pursuant to income levels established for the Washington DC Metropolitan Statistical Area, (hereinafter, very low-income residents), consistent with its fiduciary responsibilities. Within the units occupied by very low-income residents, a minimum of five (5) of these very low-income units shall be occupied by residents who are eligible for and receive Virginia Department of Social Services Auxiliary Grants, consistent with the Health Care Advisory Board recommendation. In order to fulfill this commitment and consistent with its mission, the applicant shall seek Section 8 or similar rental assistance for at least 25 residents in its first year of operation. Further, the applicant shall apply for Section 8 project-based vouchers for at least 50% of the total number of units as regularly as necessary, and shall make every effort to include other units discounted for very low-income residents and HUD-defined low-income residents who cannot afford to pay the market rate. This obligation shall extend for a minimum of thirty (30) years or longer if required as a condition for the use of federal, state or local funding. These efforts shall not be required to continue in the event of an involuntary conveyance (such as a foreclosure or a sale out of bankruptcy). The applicant shall provide annual written documentation to the Director of the Fairfax County Department of Housing and Community Development of its efforts to achieve these low-income housing goals.
22. Trash dumpsters shall be placed in the location shown on the SE Plat to the rear of the building, and shall be screened with wooden or masonry

enclosures with gates, and shall be closed and secured when not in use. Trash pick-up or other deliveries shall not occur before 7:00 am on weekdays or before 9:00 am on Saturdays. Trash pick-up or other deliveries shall not be permitted on Sundays.

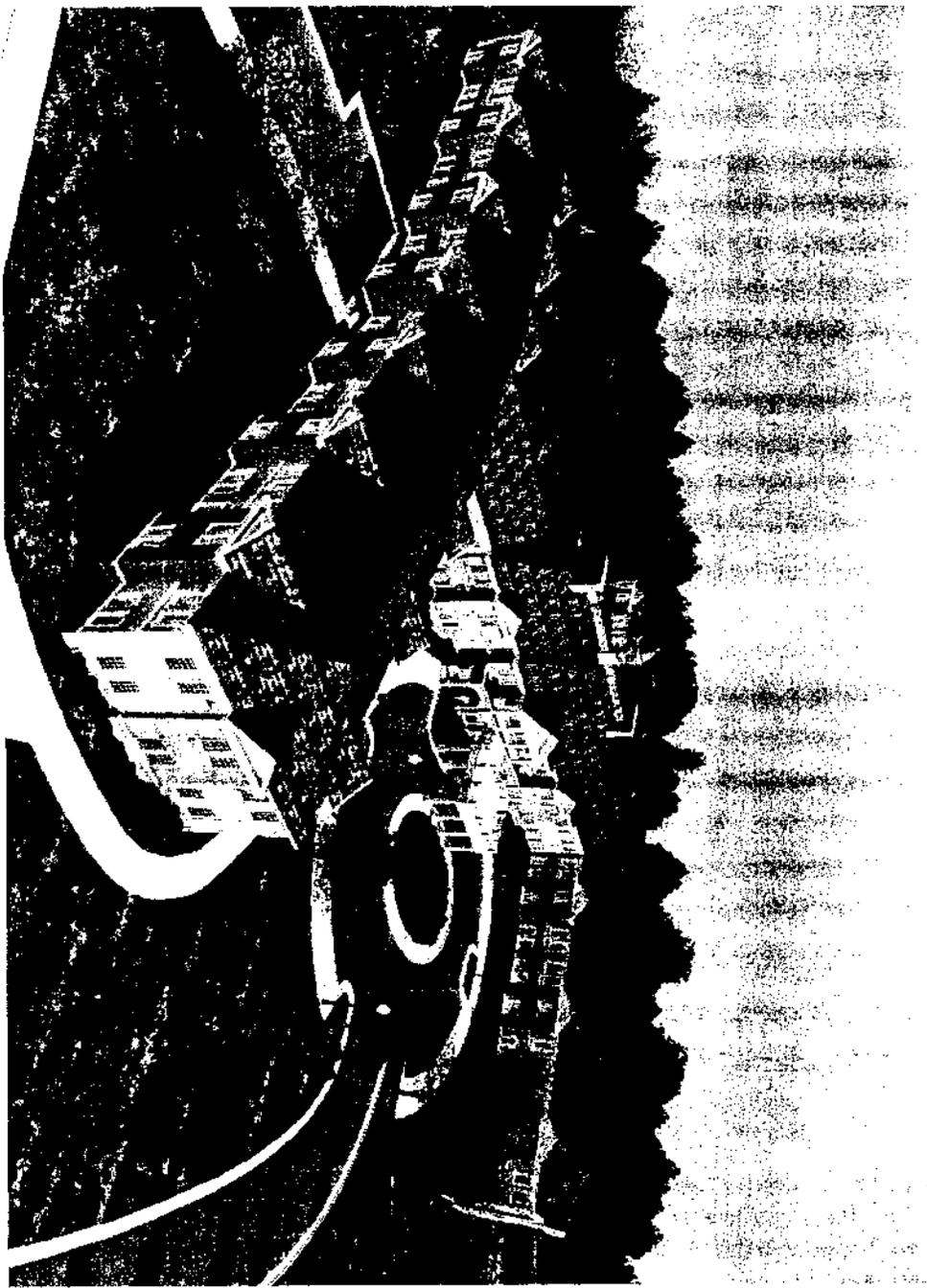
23. Construction hours shall be limited to between 7:00 am and 7:00 pm Monday through Friday, and 8:00 am to 6:00 pm Saturdays. Construction shall not be permitted on Sundays or Federal Holidays.
24. Roof mechanical equipment shall be located inside the roof so as not to be visible from adjacent properties.
25. Site Plans and Landscape Plans for the proposed assisted living facility shall be returned to the Planning Commission and to the Dranesville District Supervisor for review and comment prior to site plan approval.
26. The proposed assisted living facility shall designate a representative at the facility who can be reached via telephone and/or pager in the event that there are problems or complaints from adjacent communities regarding noise or other issues. The name and number for this contact person shall be provided to the Dranesville District Supervisor's office.
27. To ensure that the development conditions are implemented and that there is an ongoing forum for discussions, the applicant and the appropriate Chesterbrook Residences staff shall meet with a communications committee, comprised of a representative of the Kirby Court Homeowners Association, the Westmoreland Square Homeowners Association, the L'Ambiance Homeowners association, and two additional representatives from area homeowner's organizations, as well as a staff representative from the Dranesville Supervisor's office, two times a year. Additional meetings may be convened upon request, at the discretion of the Dranesville District Supervisor's Office. Records of those meetings shall be kept and made available for the public to review.
28. No telecommunications monopoles shall be located on the property. Any telecommunications equipment located on the assisted living building shall only be permitted if it directly serves the facility, and shall be flush-mounted.
29. Prior to the issuance of a non-RUP for the assisted living facility, the applicant shall construct a six foot high solid wooden fence along the southern property line of Parcel 26C, to be located to the inside of the outermost row of planted evergreen trees in Buffer B, as determined by the Urban Forester. This development condition will not be valid, however, if a written statement agreeing to waive the construction of said barrier from the owners of properties at Tax Map Numbers 40-2 ((7)) 9A,



# CHESTERBROOK ASSISTED LIVING

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# CHESTERBROOK ASSISTED LIVING

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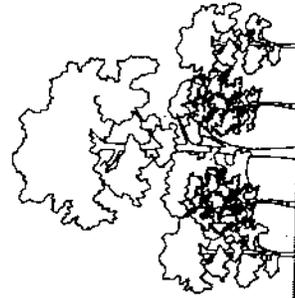
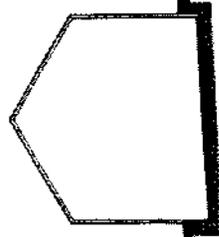
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PROPERTY LINE

BUFFER B

BUFFER A

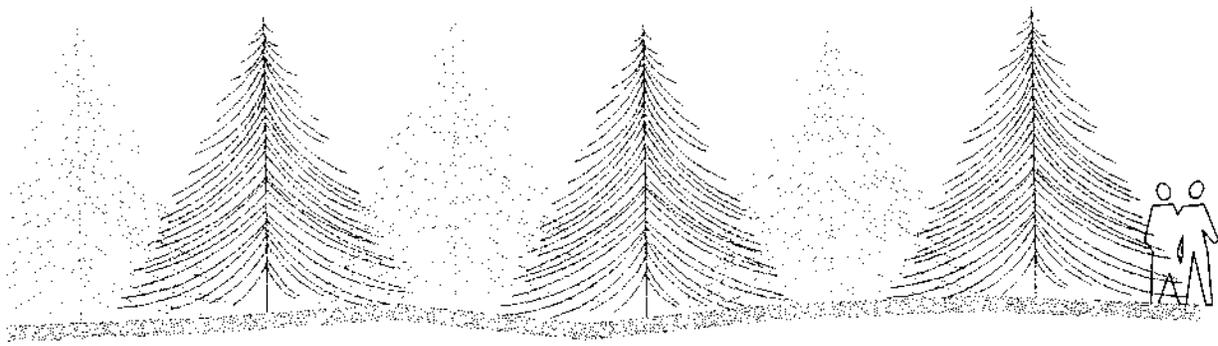
RESIDENTIAL



3/8" - 8"

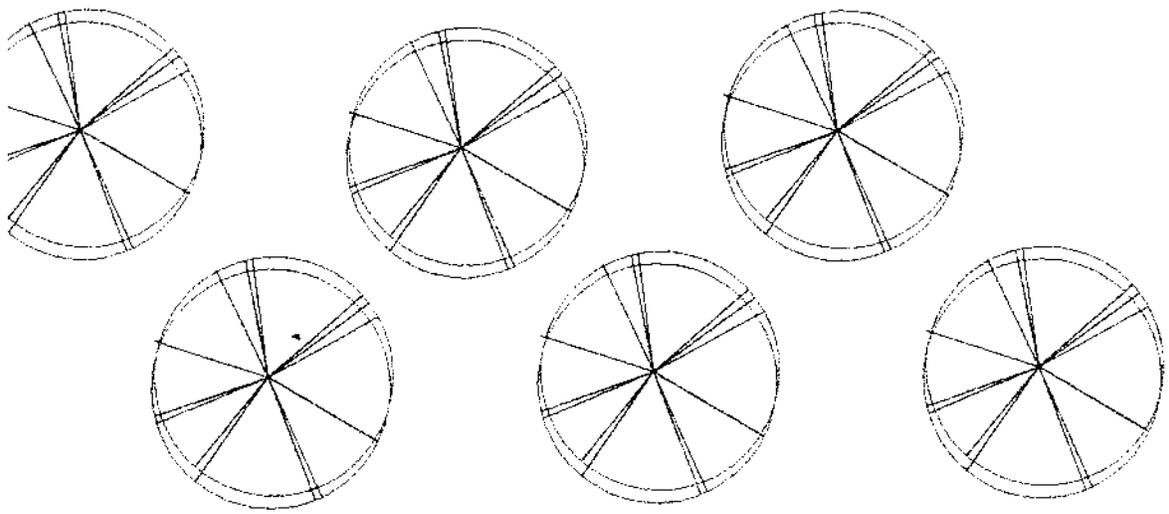
102'-0" +/-

120'-0" +/-



ELEVATION

1 \_\_\_\_\_  
1:10



PLAN

2 \_\_\_\_\_  
1:10

CHESTERBROOK\_ASSISTED\_LIVING\_FACILITY  
LANDSCAPE\_BUFFER

DATE 04/14/2004  
SPECIAL EXCEPTION

SCALE: 1:20

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