FAIRFAX COUNTY
VIRGINIA

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January 28, 2000

Elizabeth D. Baker, LandUse Coordinator
Walsh, Colucci, Stackhouse, Emrich and Lubeley
2200 Clarendon Boulevard
Thirteenth Floor
Arlington, Virginia 22201-3359

RE: Special Exception
Number SE 98-H-060

Dear Ms. Baker:

At a regular meeting of the Board of Supervisors held on January 10, 2000, the Board approved Special Exception Number SE 98-H-060 in the name of Chesapeake Healthcare Corporation, located at Tax Map 11-2 ((1)) Pt. 34 for a medical care facility pursuant to Section 3-104 of the Fairfax County Zoning Ordinance, 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. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by DPW&ES. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "Special Exception Plat Chesapeake Healthcare Reston," prepared by Paciulli, Simmons and Associates, LTD. and dated May 27, 1999, revised to October 21, 1999, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. Right-of-way along the Route 7 frontage of the site as shown on the Special Exception Plat, shall be dedicated and conveyed in fee simple to the Board of Supervisors. Such dedication shall occur at the time of the first site plan approval for the property or upon demand by VDOT, whichever occurs first. In addition, at the time of site plan approval, the applicant shall escrow funds, as determined by DPWES, for the future widening of Route 7 along the site's Route 7 frontage.

5. Right-of-way along the Reston Avenue frontage of the property to 35 feet from centerline, as shown on the Special Exception Plat, shall be dedicated and conveyed to the Board of Supervisors in fee simple. Such dedication shall occur at the time of the first site plan approval for the property or upon demand by VDOT, whichever occurs first. Frontage improvements, including curb, gutter and sidewalks shall be constructed along the Reston Avenue site frontage to consist of 26 feet of pavement from centerline to face of curb. The applicant shall ensure that the proposed sidewalk connects with the sidewalk shown on the fire station property to the north.

6. The medical care facility shall be accessed via a private street connection from Reston Avenue as shown on the Special Exception Plat. Prior to final site plan approval for the medical care facility, an easement for this off-site vehicular connection shall be recorded in a form approved by the County Attorney. This connection shall be constructed to PFM standards for Category 1 public streets prior to the issuance of a Non-RUP for the medical care facility.

7. The medical care facility shall be limited to a maximum of 64 residents.

8. So that the proposed medical care facility is designed and constructed to be architecturally compatible with the surrounding residential development, it shall be constructed utilizing building materials such as face brick, architectural precast stone, wood/vinyl siding or other building material which is residential in character.

9. Outdoor lighting fixtures used to illuminate the parking area and walkways shall not exceed 12 feet in height, shall be of low intensity design and shall utilize full cut off fixtures which shall focus directly on the subject property.

10. A tree preservation plan shall be submitted to the Urban Forestry Branch of DPWES for review as part of the first submission of the site plan. No plans shall be approved or grading activities conducted on site until the tree preservation plan is approved.

The tree preservation plan shall include the tree inventory and report prepared by Edward P. Milhous, ASCA, ISA Certified Arborist, dated August 24, 1999 and if not already covered in the tree inventory report prepared by Edward Milhous, shall also include a tree condition analysis, prepared by an arborist certified by the International Society of Arboriculture, for all trees 12" caliper and greater located within 20 feet of either side of the proposed limits of clearing and grading. The condition analysis shall be conducted using the method described in the Guide for Plant Appraisal, eighth edition, published by the International Society of Arboriculture. The tree preservation plan shall also include recommendations for pre-construction treatment of trees shown to be preserved. All trees shown to be preserved on the tree preservation plan shall be protected by chain link fencing, a minimum of four feet in height, placed at the limits of clearing and grading to preclude intrusion into the tree save areas. The fencing shall be installed prior to any work being conducted on the site, and shall be made clearly visible to all construction personnel.

In the event that trees designated in tree save areas do not survive due to construction impact from the proposed facility, as determined by the Urban Forester, these trees shall be replaced at a ratio of not more than the quantity of two trees measuring 2 to 2.5 inch caliper for every 12 inches of trunk diameter lost, as determined by the Urban Forester.

11. A landscape plan shall be submitted for review and approval by the Urban Forester concurrent with site plan submission. The landscape plan shall provide for landscaping consistent in quality and quantity with that shown on the Special Exception Plat and the following:

- Supplemental landscaping to include evergreen trees and understory plantings combined with the existing vegetation to be provided within the transitional screening yards identified on the Special Exception Plat along the western and southern property boundaries to achieve a screening area equivalent to transitional screening 2.

- Planting of evergreen trees along the outside of the eastern and southern sides of the courtyard fence, as determined necessary by the Urban Forester, to screen the courtyard fence from adjacent residential development. Provision of this supplemental planting shall not result in the removal of existing vegetation to be preserved as noted on the Special Exception Plat. In addition, shrubs shall be planted along the portion of the fence located within the gas pipeline easement subject to approval by Colonial Gas Pipeline.

- Building foundation plantings.

12. The applicant shall participate in the Virginia Department of Social Services Auxiliary Grant Program in accordance with the parameters set forth in the in the Memorandum to the Board of Supervisors from the Health Care Advisory Board dated September 16, 1999, which is attached as an Exhibit to these conditions.

13. For units within a highway noise impact zone of 65-70 dBA Ldn (within 589 feet from centerline of Route 7), in order to reduce the maximum interior noise to a level of approximately 45 dBA Ldn the following measures shall be employed:

    - Exterior walls shall have a laboratory Sound Transmission Class (STC) rating of at least 39.

    - Doors and windows shall have a laboratory STC rating of at least 28. If windows constitute more than 20 percent of any façade, they should have the same laboratory STC as walls.

    - Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

14. Stormwater Management/BMP facilities shall be provided as determined by DPWES.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

- **Waived the service drive requirement along the Route Seven frontage of the site.**

- **Modified the requirement to provide a minimum 100-foot building setback from adjacent R-1 zoned land located to the north and south pursuant to Section 9-308 of the Zoning Ordinance.**

- **Waived the requirement to accommodate all service vehicles at the side or rear entrance, as set forth in Paragraph 3 of Section 9-308 of the Zoning Ordinance.**

- **Modified the transitional screening and barrier requirements along all property lines in favor of the planting, tree save, and barriers that are shown on the Special Exception Plat and noted in the development conditions**

If you have questions regarding the expiration of this Special Exception or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,

Nancy Vehrs

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns
Attachment