PROPOSED DEVELOPMENT CONDITIONS

SE 00-H-023

December 27, 2000

If it is the intent of the Board of Supervisors to approve SE 00-H-023, located at Tax Map 17-1 ((1)) 3H, 3S, and 15B and 17-1 ((19)) B, C5, C6, 100, 201, 206-210, 301, 303, 308, 310, 311, 314, 400, 406, 409, 410, 411A, and 412A (1850 Town Center Parkway), previously approved (under SE 84-C-092 and amendments) for medical care facility and helistop, medical office and related uses pursuant to Sect. 4-304 and Sect. 6-304 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supercede any previous conditions on the property. (Those conditions carried forward from previous approvals are indicated by an asterix (*)).

*1. The Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.

*2. The Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the 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 the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in conformance with the approved Special Exception Plat entitled "Reston Hospital" prepared by William H. Gordon Associates, Inc. and dated December 1999, as revised through December 20, 2000, (the "Plat") 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.

*4. Irrespective of notes on the Plat, prior to approval of a Non-Residential Use Permit (Non-RUP) for any proposed additions, a right turn-lane shall be provided into the site from southbound Town Center Parkway onto Town Center Drive, generally as illustrated on Sheet 7 of the Plat.

The necessary right-of-way along Town Center Parkway shall be acquired to construct the right-turn lane. If the right-of-way is unavailable, the applicant may request that Fairfax County acquire the necessary right-of-way through its powers of eminent domain, at the applicant's expense. The applicant's request will not be considered until it is forwarded, in writing, to the Director of Property Management accompanied by:

a. Plan and profiles showing the necessary right-of-way property;

b. An independent appraisal, by an appraiser who is not employed by the county, of the value of the land taken and damages, if any, to the residue of the affected property;

c. A sixty (60) year title search certificate of the right-of-way property to be acquired; and

d. A Letter of Credit in an amount equal to the appraised value of the property to be acquired and all damages to the residue, which can be drawn upon by Fairfax County. It is also understood that in the event the owner of the right-of-way property to be acquired is awarded more than the appraised value of the property and of the damages to the residue in a condemnation suit, the amount of the award shall be paid to Fairfax County by the applicant within five (5) days of said award. It is further understood that all other costs incurred by Fairfax County in acquiring the right-of-way shall be paid to Fairfax County by the applicant upon demand.

If a determination is made by Fairfax County not to condemn, funds equivalent to the cost of the right turn lane shall be escrowed with DPWES. This amount shall be determined by DPWES, in consultation with the Department of Transportation (DOT), and shall include all costs related to the construction of the right turn lane, including utility relocation, design cost, and right-of-way acquisition.

5. Prior to site plan approval for any proposed improvements, a pro-rata share contribution shall be provided for a signal at the intersection of New Dominion Parkway and the Fairfax County Parkway, in an amount determined by DPWES.

*6. The existing helistop may be used for medical and governmental purposes and to transport patients to and from the hospital, subject to State and Federal agency approvals. No helicopters shall land on the site between the hours of 7:00 PM to 7:00 AM, except for emergency medical purposes. The helistop pad shall continue to be enclosed with fencing as determined necessary by the Federal Aviation Administration.

*7. Landscaping shall be provided as shown on the Plat, subject to approval by the Urban Forestry Branch.

8. At the time of completion of that portion of the Fairfax County Parkway directly adjacent to the property, the temporary construction easements shall be landscaped with plantings to include trees and shrubs as approved by the Urban Forester, subject to approval of all utility companies and/or VDOT owning impacted easements or rights.

9. Prior to site plan submission, permission shall be requested from VEPCO, the Colonial Gas Company and the Fairfax Water Authority to plant within the existing easements on Parcel 3H. At the time of site plan review, it shall be demonstrated to DPWES that such permission was requested. If approval is granted by the affected utility companies, a landscape plan shall be reviewed and approved by the Urban Forester.

Such Landscape Plan shall provide for parking lot landscaping and landscaping along the perimeter boundaries of Parcel 3. If permission for landscaping is not granted by the utility companies, landscaping in an amount which is equivalent to a minimum of ten (10) percent of the easement area shall be provided elsewhere on the property. The location and type of such landscaping shall be subject to the review and approval of the Urban Forester, subject to the approval of the affected utilities and VDOT.

*10. The proposed building additions to the main hospital and the proposed medical office building shall be architecturally compatible with, and shall utilize similar building materials as, the existing hospital and medical office building as determined by the Reston Association Design Review Board.

11. Any additional on-site signage shall be in accordance with Article 12, Signs, of the Zoning Ordinance.

12. Stormwater Management shall be provided as shown on the Plat, subject to the approval of DPWES. The stormwater management pond shown on Parcel 3H shall be constructed with Best Management Practices, consistent with the Public Facilities Manual, subject to the approval of DPWES. The design of said pond shall, if determined to be practical by DPWES and the Urban Forester, incorporate existing trees or additional landscaping.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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 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.