



APPROVED DEVELOPMENT CONDITIONS

SEA 98-D-023

May 24, 2001

If it is the intent of the Board of Supervisors to amend SEA 98-D-023 located at Tax Map # 29-1 ((20)) A, previously approved for housing for the elderly, to allow building and site modifications pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions incorporate and supersede all previous development conditions. Previously approved or slightly modified conditions are marked with an asterisk (*).

- *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 "Spring Hill Road Property Special Exception Amendment" and prepared by BC Consultants which is dated November 2000 and revised through March 21, 2001** 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. Peripheral landscape along the northern and western peripheries shall be installed prior to the issuance of a non-RUP for the Housing for the Elderly structure. If weather does not permit the installation of certain vegetation at that time, as determined by the Urban Forester, then that landscaping shall be installed as soon as weather permits.
- *6. Final approval for the location, height, and materials to be used in the construction of the noise wall along the Dulles Access and Toll Road shall be obtained by the applicant from the Virginia Department of Transportation (VDOT)

prior to site plan approval. This wall shall be installed prior to the issuance of a non-RUP for the structure.

- *7. The façade of the Housing for the Elderly structure shall be in substantial conformance with the illustration on Sheet 5 of the SEA Plat. Similar materials, architectural details, color, and façade treatments shall be used on all sides of the structure as determined by the Director, DPWES.

The maximum building height shall not exceed fifty (50) feet.

- *8. The applicant shall provide a minimum of six (6) affordable Dwelling Units (ADUs) within the Housing for the Elderly structure. Documentation, to the satisfaction of the Director, Housing and Community Development, shall be provided by the applicant prior to site plan approval, which demonstrates that the facility meets the shelter rent formula for the Affordable Dwelling Units.
- *9. The tree preservation plan shall be implemented, as approved by the Urban Forester, for the purposes of maximizing the preservation of trees throughout the site. This plan shall be implemented prior to any grading activities. Tree save areas shall be flagged in the field with orange fencing, a minimum of four (4) feet high or equivalent, and shall be installed and maintained. Tree save fencing on-site shall remain in place during all phases of construction, and shall be made clearly visible to all construction personnel. Adjustments may be made to the location of this fencing as necessary, as determined by the Urban Forester.
- *10. The trail along Spring Hill Road shall be constructed in accordance with the SEA Plat and as approved by the Director, DPWES.
- *11. The facility shall conform with the provisions of Article 14, Performance Standards.
- *12. The facility shall provide housing and general care only for those persons who are sixty-two (62) years of age or over and couples where either the husband or wife is sixty-two (62) years of age or over.
- *13. Except as qualified by Development Condition #17 below, any general nursing facilities on-site shall be accessory to the primary use and shall be for the utilization of the residents only.
- *14. A dining room, exercise room and laundry room shall be provided for the use of the residents, employees, and invited guests only. In addition, adequate shuttle service shall be provided by the applicant, to the residents, in order to permit regular access to shopping, entertainment, alternative transportation and medical appointments. There shall be no use of the site's facilities by the general public.

15. Irrespective of that shown on the SEA Plat, the landscaped area along Spring Hill Road shall be planted to the maximum extent possible, as determined by the Urban Forester.
16. All exterior lighting other than security lighting shall be fully shielded and directed downward to prevent glare and light spillover onto the surrounding residential properties. Outdoor building-mounted security lighting shall also be shielded and directed inward to prevent glare.
17. All of the proposed units shall be designed to comply with the definition of "dwelling unit", as contained in Article 20 of the Fairfax County Zoning Ordinance. As an option, as an accessory use, a maximum of 26 of the 88 unit total may not be developed as dwelling units (without kitchen facilities). Any such accessory use may be open to the general public for the first three years after the issuance of the first residential or non-residential use permit, whichever is deemed appropriate, for the housing for the elderly facility. Thereafter, occupancy of such accessory care units shall be limited solely to the residents of the housing for the elderly facility.

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 Sect. 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.