



APPLICATION FILED: June 22, 2009
PLANNING COMMISSION: January 21, 2010
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

January 7, 2010

STAFF REPORT ADDENDUM

**SPECIAL EXCEPTION APPLICATION SEA 87-D-025
WAIVER #6713-WPFM-001-1**

DRANESVILLE DISTRICT

APPLICANT: Vinson Hall Corporation

ZONING: R-2

PARCEL(S): 31-3 ((1)) 77A and 83

ACREAGE: 17.18 acres

DENSITY: 19 du/ac

FAR: 0.83

OPEN SPACE: 40%

PLAN MAP: Public Facilities, Governmental and Institutional

SE CATEGORY: Category 3: Independent Living Facility

PROPOSAL: To amend SE 87-D-025 previously approved for an independent living facility with a maximum of 276 units, to permit building additions and site modifications.

STAFF RECOMMENDATIONS:

Staff recommends the approval of SEA 87-D-025, subject to the draft development conditions contained in Attachment 1.

St. Clair Williams

Staff recommends that PFM Section 6-0303.8 be waived to permit the use of an underground detention facility in a residential area subject to the development conditions entitled Waiver #6713-WPFM-001-1 conditions, dated September 24, 2009, and contained in Attachment 4.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception Amendment

SEA 87-D-025

Applicant:

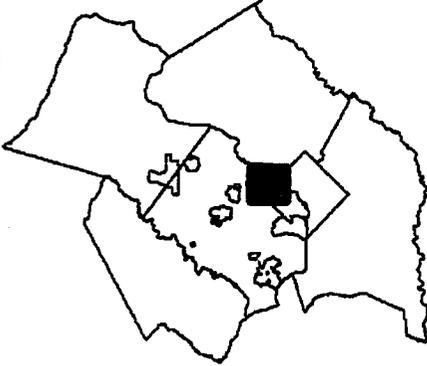
VINSON HALL CORPORATION

Accepted:

06/22/2009

Proposed:

AMEND SE 87-D-025 PREVIOUSLY APPROVED FOR INDEPENDENT LIVING FACILITY TO PERMIT BUILDING ADDITIONS AND SITE MODIFICATIONS



Area:

17.18 AC OF LAND; DISTRICT - DRANESVILLE

Zoning Dist Sect: 03-0204

Art 9 Group and Use: 3-4

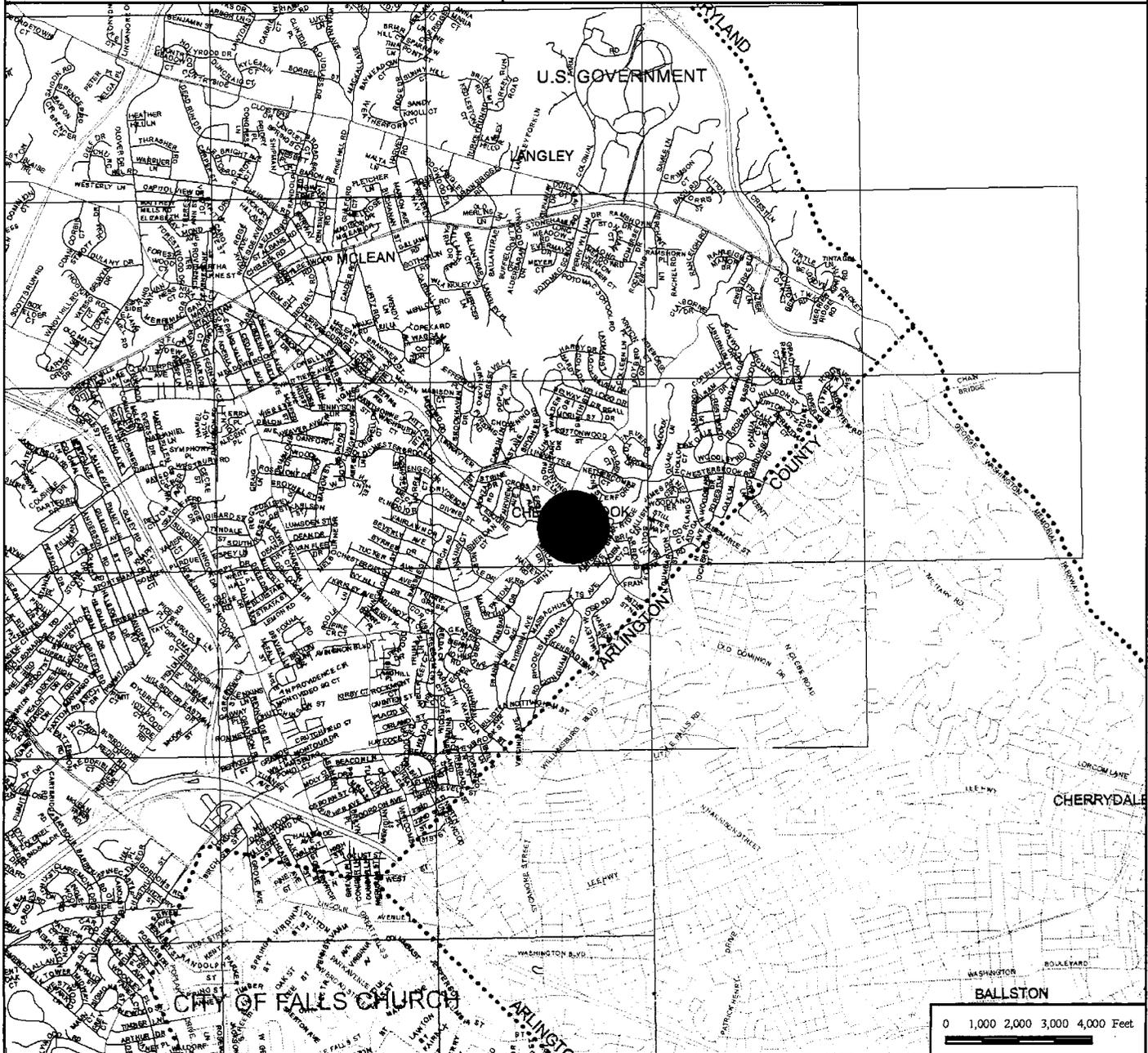
Located: 6251 OLD DOMINION DRIVE

Zoning: R-2

Plan Area: 2,

Overlay Dist:

Map Ref Num: 031-3- /01/ /0077A /01/ /0083



Special Exception Amendment

SEA 87-D-025

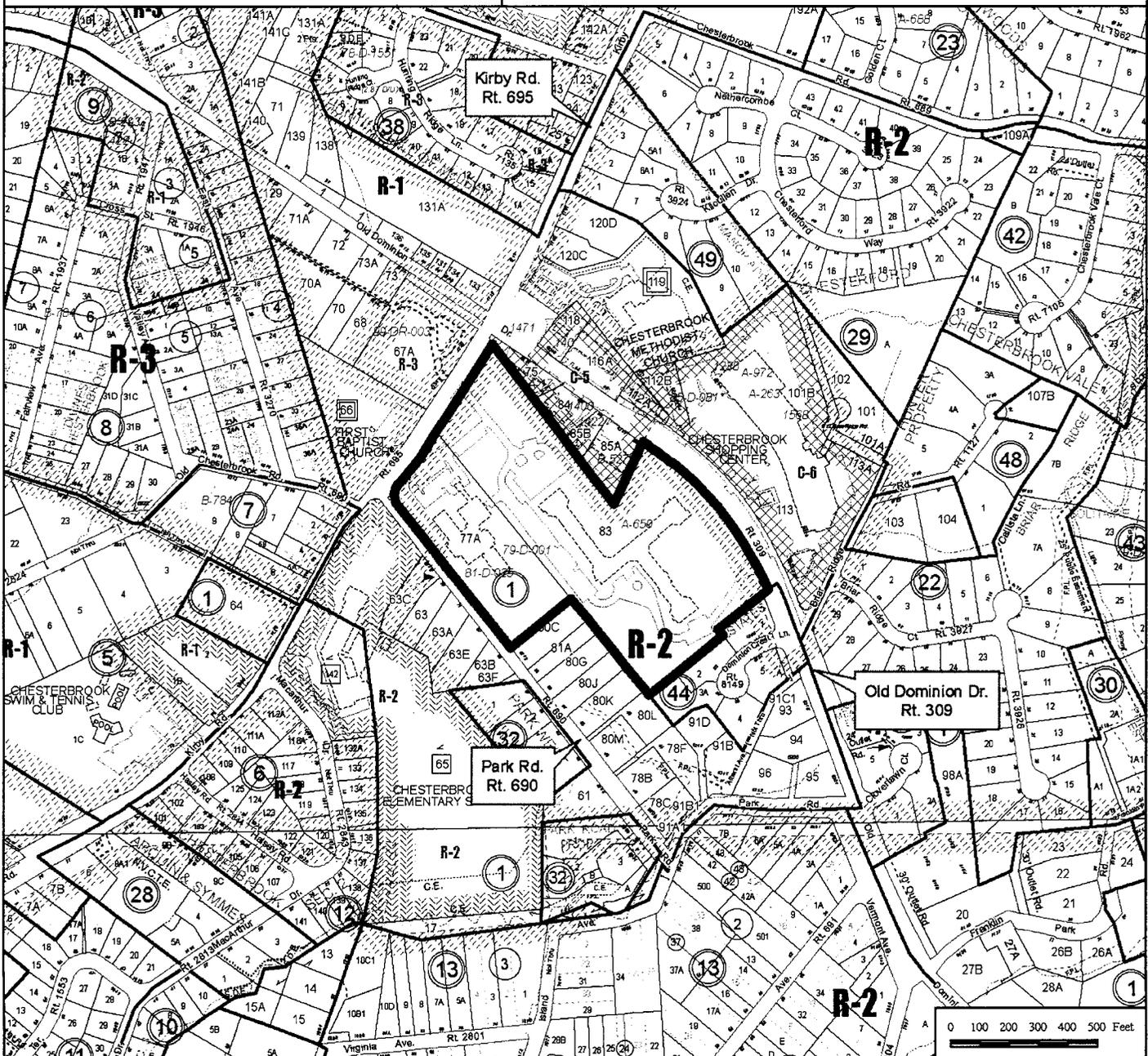
Applicant:
Accepted:
Proposed:

VINSON HALL CORPORATION
06/22/2009
AMEND SE 87-D-025 PREVIOUSLY APPROVED
FOR INDEPENDENT LIVING FACILITY TO
PERMIT BUILDING ADDITIONS AND SITE MODIFICATIONS



Area: 17.18 AC OF LAND; DISTRICT - DRANESVILLE

Zoning Dist Sect: 03-0204
Art 9 Group and Use: 3-4
Located: 6251 OLD DOMINION DRIVE
Zoning: R-2
Plan Area: 2,
Overlay Dist:
Map Ref Num: 031-3- /01/ /0077A /01/ /0083



ADEQUATE OUTFALL NARRATIVE:

THERE ARE TWO DIFFERENT OUTFALLS AFFECTED BY THE DISTURBED AREA OF THIS PROJECT AND ONE OUTFALL THAT IS NOT AFFECTED BY THE PROPOSED DEVELOPMENT.

OUTFALL #1 DRAINS TO THE EAST. AN EXISTING STORM SEWER SYSTEM CARRIES APPROXIMATELY 7.82 ACRES OF THE SITE DRAINAGE ACROSS OLD DOWNHILL DRIVE. THIS AREA IS CONTAINED WITHIN A LARGER DRAINAGE AREA OF APPROXIMATELY 43.63 ACRES WHICH EVENTUALLY DISCHARGES INTO PINEY RUN AT ANALYSIS POINT #1 WHERE THE TOTAL DRAINAGE AREA IS APPROXIMATELY 1.40 ACRES. AS PER FPM SECTION 6-023.2C, ADEQUACY CALCULATIONS MUST BE CARRIED TO POINT THAT IS AT LEAST 150 DOWNSTREAM OF A POINT WHERE THE DRAINAGE AREA IS 500 ACRES OR GREATER.

OUTFALL #2 DRAINS TO THE WEST. APPROXIMATELY 5.00 ACRES OF THE SITE'S DRAINAGE IS CONTAINED WITHIN A LARGER DRAINAGE AREA OF APPROXIMATELY 25.39 ACRES THAT IS CARRIED THROUGH A PORTION OF THE RESIDENTIAL SUBDIVISION LOCATED SOUTHWEST OF THE SITE. AT ANALYSIS POINT #2, THE OUTFALL REACH IS JOINED BY ANOTHER DRAINAGE AREA OF APPROXIMATELY 1.03 ACRES. AS PER FPM SECTION 6-023.2A, ADEQUACY CALCULATIONS MUST BE CARRIED TO A POINT 150 DOWNSTREAM OF A POINT WHERE THE RECEIVING CHANNEL IS JOINED BY ANOTHER THAT HAS A DRAINAGE AREA THAT IS AT LEAST 50% OF THE SIZE OF THE FIRST DRAINAGE AREA AT THE POINT OF CONFLUENCE.

OUTFALL #3 DRAINS TO THE SOUTHWEST. APPROXIMATELY 3.56 ACRES OF THE SITE'S DRAINAGE AREA IS CARRIED THROUGH A STORM SEWER SYSTEM ALONG OLD DOWNHILL DRIVE TO ANALYSIS POINT #3. THIS PORTION OF THE SITE IS NOT BEING AFFECTED WITH THE PROPOSED DEVELOPMENT AND IS CONTAINED WITHIN A LARGER DRAINAGE AREA OF APPROXIMATELY 5.70 ACRES. AT ANALYSIS POINT #3, THE OUTFALL REACH IS JOINED BY ANOTHER DRAINAGE AREA OF APPROXIMATELY 1.39 ACRES. AS PER FPM SECTION 6-023.2A, ADEQUACY CALCULATIONS MUST BE CARRIED TO A POINT 150 DOWNSTREAM OF A POINT WHERE THE RECEIVING CHANNEL IS JOINED BY ANOTHER THAT HAS A DRAINAGE AREA THAT IS AT LEAST 50% OF THE SIZE OF THE FIRST DRAINAGE AREA AT THE POINT OF CONFLUENCE.

DETAILED CALCULATIONS OF THE OUTFALL DRAINAGE SYSTEMS AND ANALYSIS POINTS SHALL BE PROVIDED WITH FINAL ENGINEERING IN ACCORDANCE WITH THE ABOVE MENTIONED FPM REQUIREMENTS. THE EXACT POINT OF ANALYSIS WILL BE DETERMINE AT THE TIME OF FINAL DESIGN AND ALL OPEN AND CLOSED SYSTEMS WITHIN THE OUTFALL REACHES SHALL BE ANALYZED FOR ADEQUACY. FURTHERMORE, CROSS SECTIONS SHALL BE PROVIDED AT 50' INTERVALS FOR 150' DOWNSTREAM OF THE POINT OF CONFLUENCE TO VERIFY THE ADEQUACY OF THE OUTFALL.

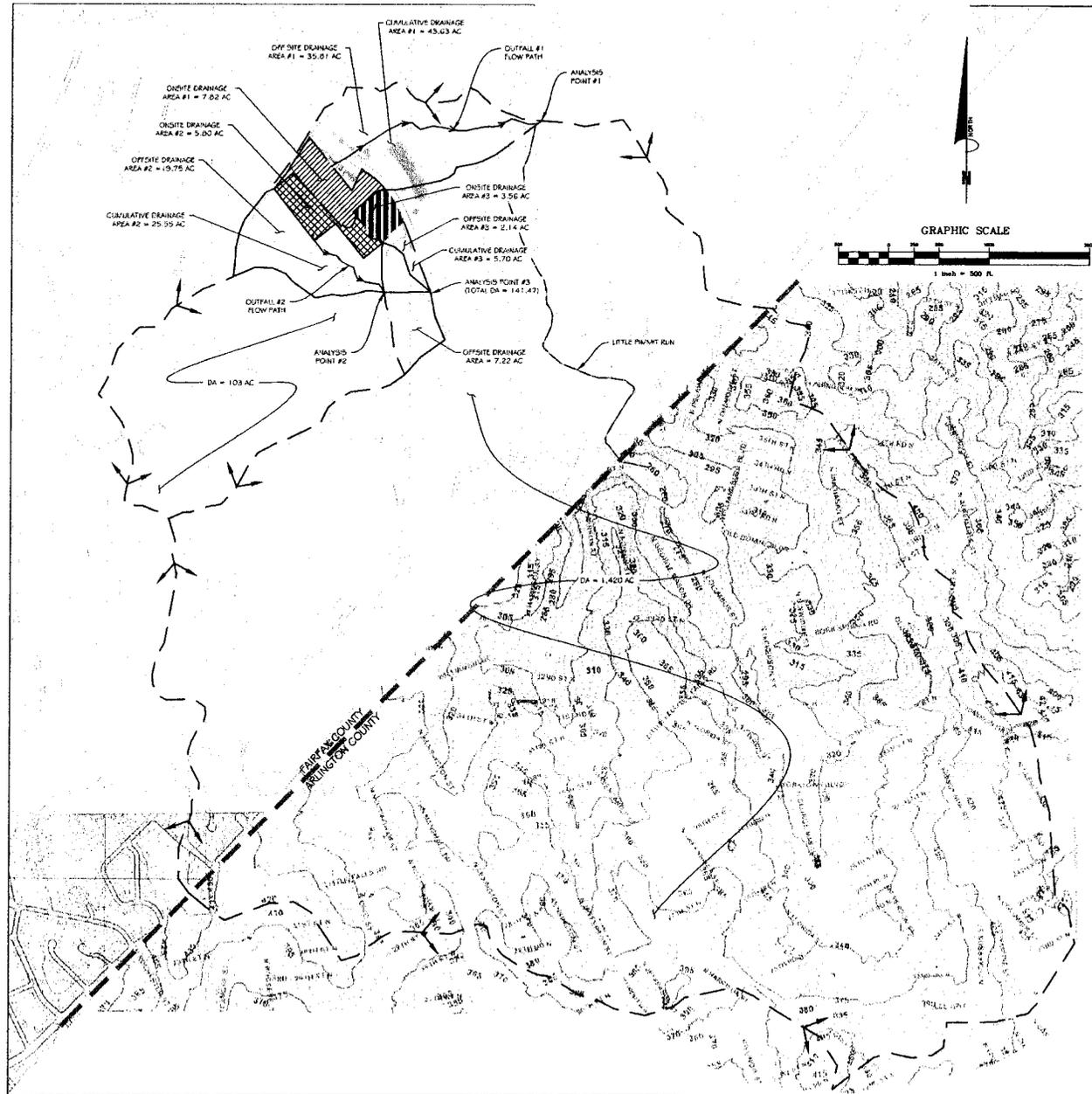
MINIMUM STORM WATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

THE FOLLOWING INFORMATION IS REQUIRED TO BE SHOWN OR PROVIDED IN ALL ZONING APPLICATIONS OR A WAIVER REQUEST OF THE SUPERVISOR REQUIREMENT WITH JUSTIFICATION SHALL BE ATTACHED.

THIS INFORMATION IS REQUIRED UNDER THE FOLLOWING ZONING ORDINANCE PARAGRAPHS:
 SPECIAL PERMITS (6-011, 214, 21)
 CLUSTER SUBDIVISION (6-015, 104, 10)
 DEVELOPMENT PLANS (16-302, 214, 10)
 SPECIAL EXCEPTIONS (9-011, 214, 21)
 COMMERCIAL REZONATION DISTRICTS (9-022, 2A (2)(M)(4))
 PFC PLAN (16-302, 16, 10)
 AMENDMENTS (16-202, 10, 10)

1. PLAN IS AT A MINIMUM SCALE OF 1"=50' UNLESS IT IS DEPICTED ON ONE SHEET WITH A MINIMUM SCALE OF 1"=100'.
2. A GRAPHIC DEPICTING THE STORMWATER MANAGEMENT FACILITIES AND UNITS OF CLEANING AND GRADING ACCORDING TO THE STORMWATER MANAGEMENT FACILITIES; STORM DRAINAGE PIPE SYSTEMS AND OUTLET PROTECTION, POND SPILLWAYS, ACCESS ROADS, SITE OUTFALLS, ENERGY DISSIPATION DEVICES, AND STREAM STABILIZATION MEASURES AS SHOWN ON SHEET 2.
3. PROVIDE:

FACILITY NAME	ON-SITE AREA	OFF-SITE AREA	DRAINAGE	FOOTPRINT	STORAGE	IF POND, DAM
TYPE & NO.	SERVED (AC)	SERVED (AC)	SERVED (AC)	AREA (SQ)	VOLUME (CU)	HEIGHT (FT)
OFF SITE	3.87	NA	3.87	2,13,000	290,000	25.0
VALVE	1.40	NA	1.40	500	23,500	NA
4. ONSITE DRAINAGE CHANNELS, OUTFALLS AND PIPE SYSTEMS ARE SHOWN ON SHEET 3.
5. MAINTENANCE ACCESSES (ROADS TO STORMWATER MANAGEMENT FACILITIES) ARE SHOWN ON SHEET 3.
6. LANDSCAPING AND TREE PRESERVATION SHOWN IN AND NEAR THE STORMWATER MANAGEMENT FACILITY IS SHOWN ON SHEET 2.
7. A "STORMWATER MANAGEMENT NARRATIVE" WHICH CONTAINS A DESCRIPTION OF HOW DETENTION AND BEST MANAGEMENT PRACTICES REQUIREMENTS WILL BE MET IS PROVIDED ON SHEET 4.
8. A DESCRIPTION OF THE EXISTING CONDITIONS OF EACH MAINTENANCE SITE OUTFALL EXTENDED DOWNSTREAM FROM THE SITE TO A POINT WHICH IS AT LEAST 100 FEET THE SITE AREA OR WHICH HAS A DRAINAGE AREA OF AT LEAST ONE SQUARE MILE (640 ACRES) IS PROVIDED ON SHEET 5.
9. A DESCRIPTION OF HOW THE OUTFALL REQUIREMENTS, INCLUDING CONTRIBUTING DRAINAGE AREAS OF THE PUBLIC FACILITIES MANUAL WILL BE SATISFIED IS PROVIDED ON SHEET 5.
10. TOPOGRAPHY WITH MAINTAINED CONTIGUOUS INTERVALS OF TWO FEET AND A NOTE AS TO WHETHER IT IS AN AIR SURVEY OR FIELD RUN IS PROVIDED; SEE SHEET 1 FOR NOTES AND SHEET 2 FOR EXISTING TOPOGRAPHY.
11. A SUBMISSION WAIVER IS REGISTERED FOR.
12. STORMWATER MANAGEMENT IS NOT REQUIRED BECAUSE NA.



SMITH ENGINEERING

OUTFALL ANALYSIS
 VINSON HALL
 SPECIAL EXCEPTION AMENDMENT
 CHARLESTON DISTRICT FAYETTE COUNTY, VIRGINIA
 CO. # 24-03-008



SMITH ENGINEERING
 PROJECT: 009-01
 BLAKE A. SMITH
 703-666-6004
 blake@smitheng.com
 14801 BOOLE DRIVE
 SUITE 101
 CHARLESTON, VA 20315

DATE	PLAN STATUS
5/22/09	ISSUED TO ATTORNEY
5/24/09	1ST SUBMISSION
8/18/09	ISSUED TO A TOWNEY
9/17/09	2ND SUBMISSION
9/24/09	SUBMISSION TO COUNTY
10/22/09	SUBMISSION TO COUNTY
12/17/09	PRESENT TO SUPERVISOR FORD
12/22/09	SUBMIT TO COUNTY

SCALE: 1" = 500'
 DATE: MAY 22, 2009
 SHEET 3 OF 9

Tree #	Species	Common Name	Scientific Denial	DBH	Condition	Comments
1	acn	red maple	Acer rubrum	46	40	extensive decay in stem above hollow, large lead broken out
2	oak	white oak	Quercus alba	66	30	broad crown, good open grown form, full leaf out, tree operation visible, Jameson Quadrilateral Phase, parking lot visible
3	oak	yellow oak	Quercus phellos	26	70	parking lot visible
4	oak	yellow oak	Quercus phellos	28	65	
5	oak	yellow oak	Quercus phellos	36	85	
6	oak	yellow oak	Quercus phellos	43	85	
7	oak	pin oak	Quercus prinus	46	85	prominent location, broad rounded crown, open grown, short and stout, exposed buttress roots and root plate, Jameson Quadrilateral Phase
8	oak	pin oak	Quercus prinus	36	75	full, single stem, some advanced in upper canopy
9	oak	pin oak	Quercus prinus	36	75	
10	acn	red maple	Acer rubrum	36	60	decid, large old wounds
11	acn	red maple	Acer rubrum	40	55	decid, large old wounds
12	nu	hairy poplar	Liquidambar styraciflua	31	50	single stem, forest grown, lightning damage
13	oak	black oak	Quercus velutina	32	40	extensive deadback in upper scullies
14	oak	white oak	Quercus alba	30	70	single stem, forest grown
15	oak	hatteras red oak	Quercus nigra	35	70	some deadback
16	oak	white oak	Quercus alba	38	90	broad crown, somewhat advanced
17	oak	white oak	Quercus alba	50	75	
18	oak	hatteras red oak	Quercus nigra	36	70	some deadback
19	oak	white oak	Quercus alba	30	75	one sided
20	oak	yellow oak	Quercus phellos	32	75	some deadback, open grown, broad crown
21	oak	white oak	Quercus alba	44	90	full, single stem, somewhat, forest grown character
22	oak	white oak	Quercus alba	34	85	full, single stem, somewhat, forest grown character
23	oak	black oak	Quercus velutina	30	75	edge of slope, some deadback
24	oak	white oak	Quercus alba	30	75	along property line at top of steep slope above entrance, top of large oak
25	oak	white oak	Quercus alba	33	75	along property line at top of steep slope above entrance, top of large oak
26	oak	pin oak	Quercus prinus	30	75	
27	oak	pin oak	Quercus prinus	30	65	deadback, deadback
28	nu	hairy poplar	Liquidambar styraciflua	35	45	single stem, large wound, decid, forest grown now standing alone
29	oak	pin oak	Quercus prinus	34	50	deadback, deadback
30	oak	pin oak	Quercus prinus	39	70	parking lot potential
31	oak	black locust	Rapanea persea	31	60	in grove of large locusts

Existing Vegetation Map

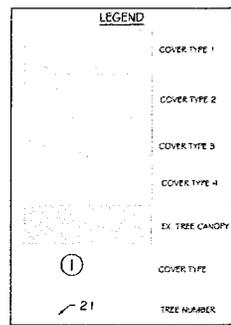
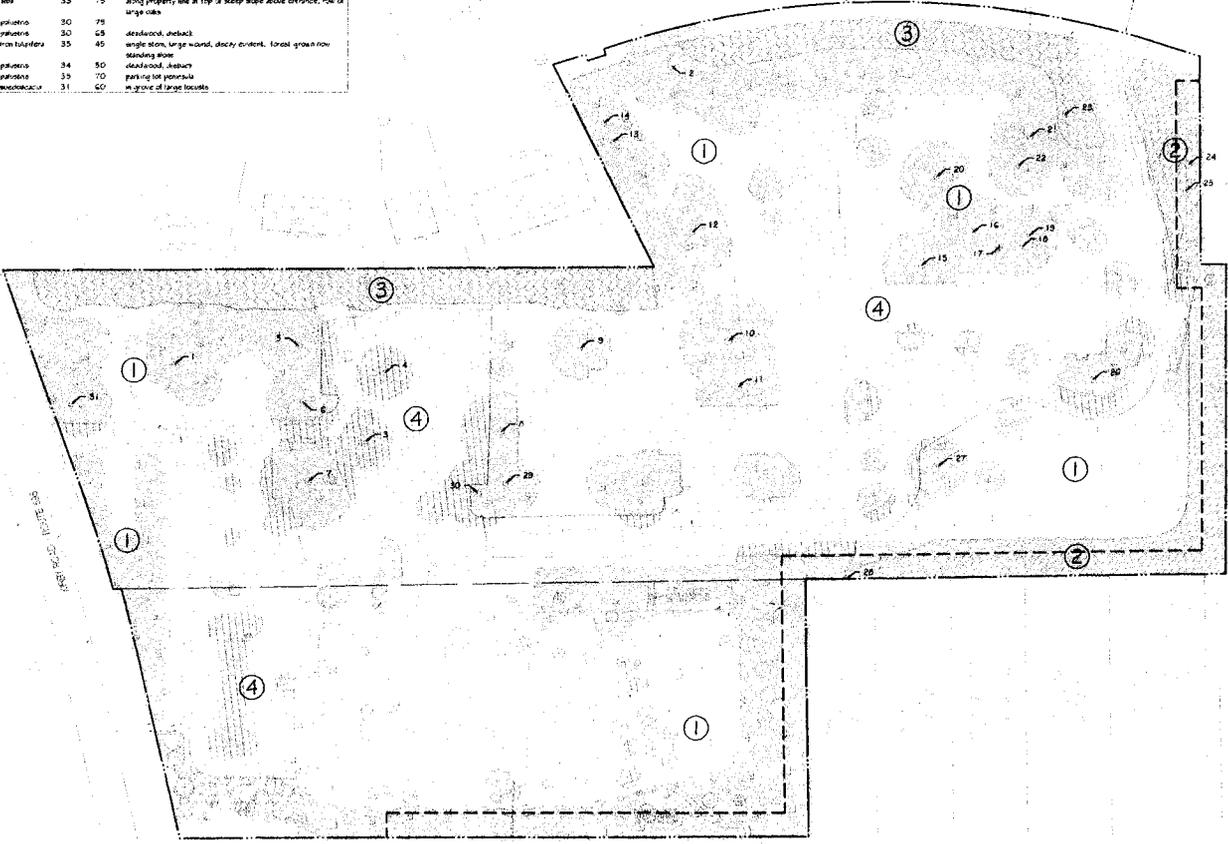
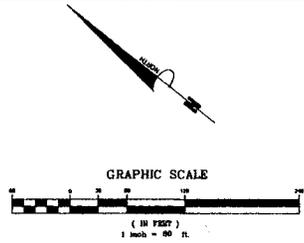
Species Composites

Cover Type	Successional Stage	Acres	Condition	Comments
① Developed	NA	423.41	DF	good
② Upland hardwood	poor	24.74	DF	poor
③ Upland hardwood	poor	20.29	DF	fair
④ Developed Line	NA	271.21	DF	NA
		TOTAL	749.36	AC

Total Existing Tree Canopy: 340,259 SQ FT (7.81 AC) 45% of Site

Summary Table

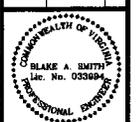
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		TOTAL	749.36	AC



ENVIRONMENTAL INFORMATION PROVIDED BY:
 DANIEL W. DUNN, ISA CERTIFIED ARBORIST #MA-0712
 GEOTECHNICAL, INC. MAY, 2009

SMITH ENGINEERING

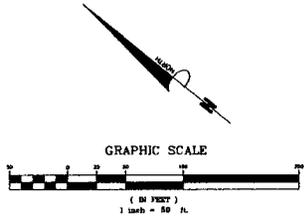
EXISTING VEGETATION MAP
 VINSON HALL
 SPECIAL EXCEPTION AMENDMENT
 DANIELLE DISTRICT PAMPAL COUNTY, VIRGINIA CO # 884-0008



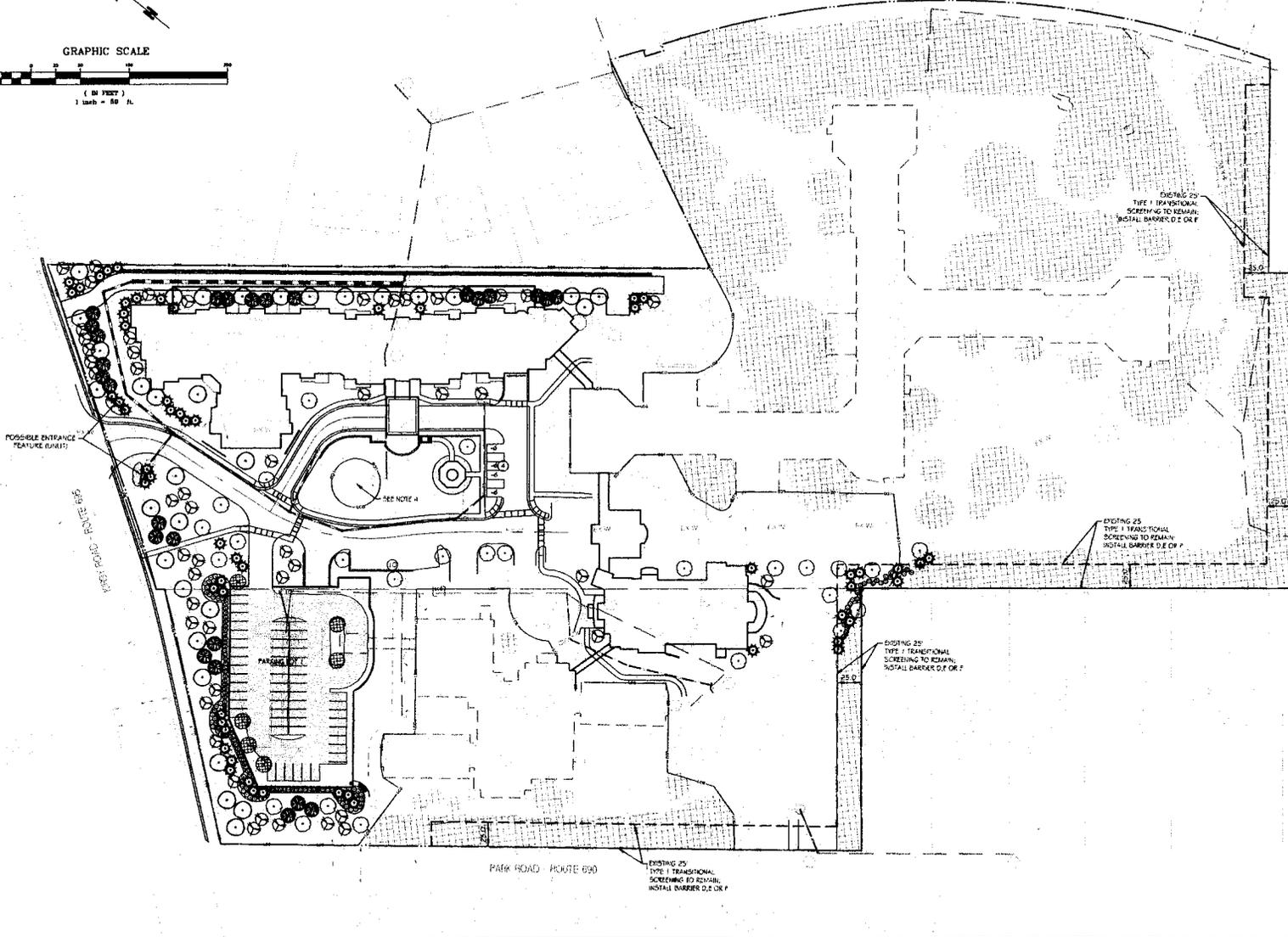
SMITH ENGINEERING
 PROJECT: 009-01
 BLAKE A. SMITH
 1491 BOGLE DRIVE
 SUITE 101
 CHANTILLY, VA 20151

PLAN STATUS	DATE
ISSUED TO ATTORNEY	3/22/09
1ST SUBMISSION	5/27/09
ISSUED TO ATTORNEY	8/18/09
2ND SUBMISSION	9/17/09
SUBMISSION TO COUNTY	9/24/09
SUBMISSION TO COUNTY	10/22/09
PRESENT TO SUPERVISOR POST	12/17/09
SUBMIT TO COUNTY	12/22/09

SCALE: 1" = 50'
 DATE: MAY 22, 2009
 SHEET: 6 OF 8



OLD DOMINION DRIVE - ROUTE 549



NOTES:

1. LANDSCAPING SHOWN IS CONCEPTUAL AND PRESENTED ONLY TO ILLUSTRATE CHARACTER AND QUALITY OF DESIGN. TREE BANK AREA, PLANT LOCATIONS, SPECIES AND QUANTITIES MAY BE ADJUSTED WITH FINAL DESIGN AND ENGINEERING.
2. SITE CANOPY COVERAGE PROVIDED AT TIME OF SITE PLAN WILL MEET MANASSAS REQUIREMENTS IN PTM.
3. UTILITY LAYOUT SHOWN ON THIS SHEET IS SUBJECT TO CHANGE WITH FINAL ENGINEERING.
4. SEE SHEET 9 FOR ENTRY CORRIDORS ALTERNATE DESIGN IF THE 48" TREE IS UNABLE TO BE PRESERVED

TOTAL TREE PRESERVATION AREA = 47,162.004 SF (14.10 AC)

- PROP TREE DESIGNATED FOR INTERIOR PARKING LOT LANDSCAPING
- AREA TO BE COUNTED FOR INTERIOR PARKING LOT LANDSCAPING

SMITH ENGINEERING

LANDSCAPING PLAN
VINSON HALL
SPECIAL EXCEPTION AMENDMENT
 DANVILLE DISTRICT PAMPAN COUNTY, VIRGINIA

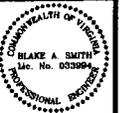


SMITH ENGINEERING
 PROJECT: 009-01
 BLAKE A. SMITH
 700-864-6004
 bla@smithengineering.com
 14001 BOULE DRIVE
 SUITE 101
 CHANTRELL, VA 20151

PLAN STATUS	
5/22/09	ISSUED TO ARCHITECT
5/26/09	1ST SUBMISSION
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9/17/09	2ND SUBMISSION
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10/22/09	SUBMISSION TO COUNTY
12/17/09	PRESENT TO SUPERVISOR POSIT
12/22/09	SUBMIT TO COUNTY

SCALE: 1" = 50'
 DATE: MAY 22, 2009
 SHEET 7 OF 9

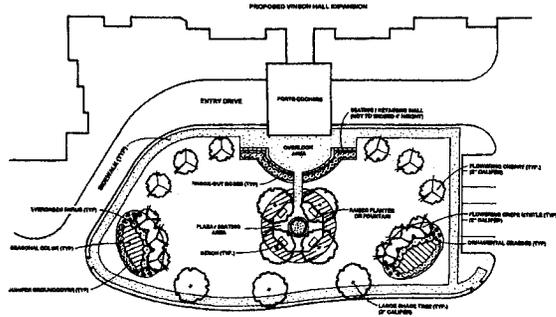
PROJECT: Vinson Hall, 8000 Old Dominion Drive, Danville, VA 20151
 DRAWING: 009-01-01 - Landscape Plan - 12/22/09



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 PROJECT: 009-01
 BLAKE A. SMITH
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 14901 BOULE DRIVE
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 CHANTILLY, VA 20151

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10/22/09	SUBMISSION TO COUNTY
12/17/09	PRESENT TO SUPERVISOR FOCUS
12/22/09	SUBMIT TO COUNTY

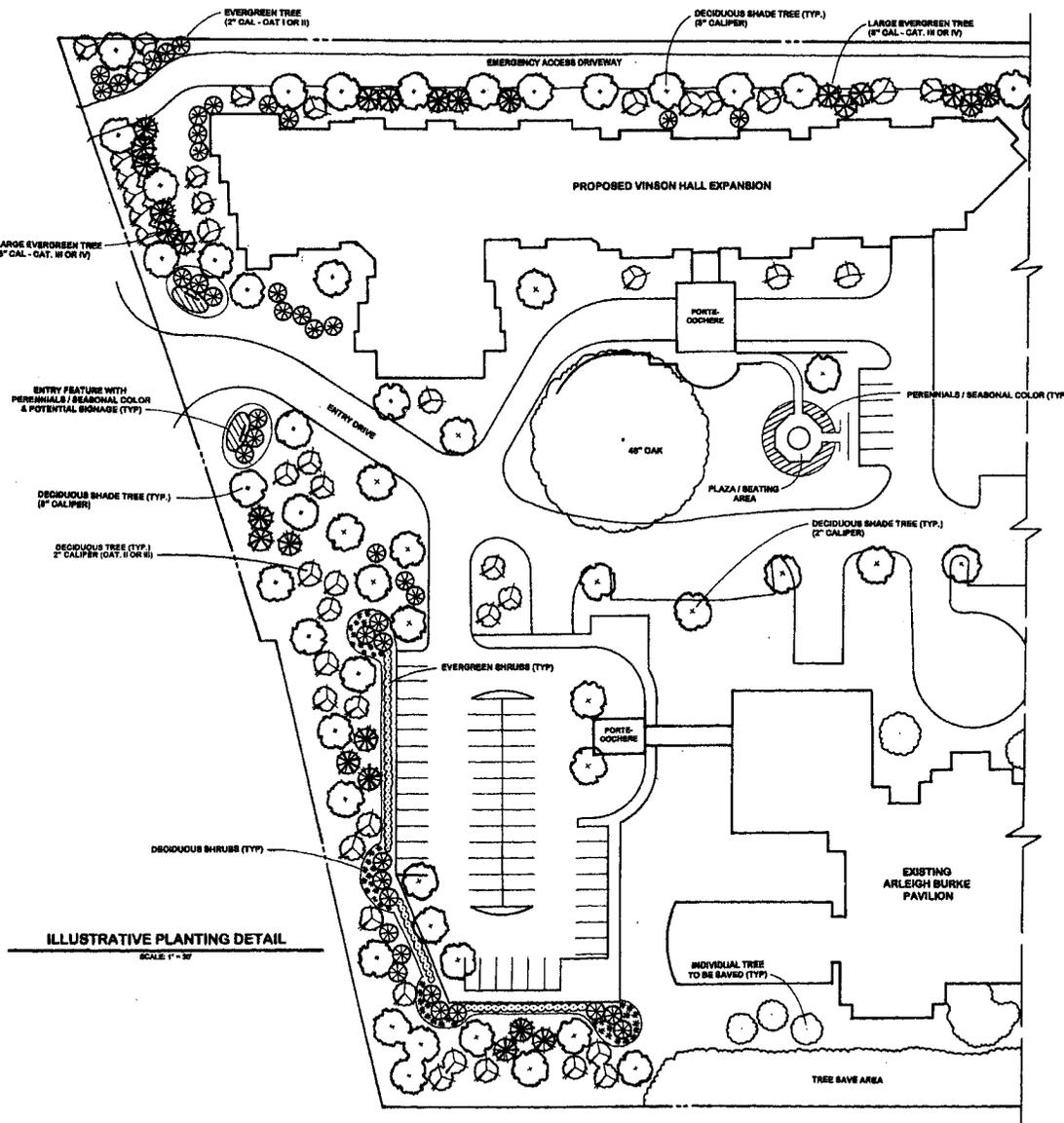
SCALE: 1" = 30'
 DATE: MAY 22, 2009
 SHEET 8 OF 9



ENTRY COMMONS ALTERNATIVE DETAIL
 SCALE: 1" = 30'

ILLUSTRATIVE LANDSCAPE PLAN NOTES:

- THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY. A FINAL LANDSCAPE PLAN WILL BE PREPARED AND INCLUDED IN THE FINAL SITE PLAN.
- THIS IS A CONCEPTUAL PLAN ONLY. THE DESIGNER OF THE FINAL SITE PLAN AND THE INSTALLATION CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASPECTS OF THE FINAL DESIGN INCLUDING BUT NOT LIMITED TO:
 - CONFIRMING PLANT AVAILABILITY OR REPLACEMENT WITH A SIMILAR SPECIES AS APPROVED BY FAYETTE COUNTY.
 - CONFIRMATION OF ALL UTILITIES. ALL PLANTING SHALL BE ADAPTED AS NECESSARY TO MAINTAIN MINIMUM REQUIRED SEPARATION FROM ALL UTILITY EASEMENTS AS REQUIRED BY THE UTILITY COMPANY AND FAYETTE COUNTY.
 - CONFIRMATION AND AVOIDANCE OF ANY AND ALL DESIGN CONFLICTS. ADJUSTMENT OF THE LAYOUT TO MATCH FINAL ENGINEERING AND UTILITY FEATURES, INCLUDING THE LOCATION OF DRY UTILITY, STORM LINES, WATERSHED, HYDRAULIC, AND SANITARY SEWER LINES SHALL BE PERMITTED WITH APPROVAL BY FAYETTE COUNTY.
- THE DEFINITION EDGEB OF ALL MULCHED LANDSCAPE BEDS ARE SHOWN ON THE DETAILS. THESE BEDS SHALL BE BERMED ("RAISED") A MINIMUM OF 1" AND SHALL INCLUDE DOUBLE BARRIERS HARDWOOD MULCH.
- ALL SEASONAL COLOR PLANTING BEDS SHALL INCLUDE SEASONAL, PANTRY OR OTHER SEASONAL FLOWERING PLANTS IN MIN. SIZE 4" POTS SPACED A MAX. OF 12" O.C.
- ALL PERENNIAL FLOWER BED AREAS SHALL INCLUDE NO LESS THAN ONE PLANT SPACED A MAX. OF 24" O.C. IN A MIN. SIZE ONE GALLON CONTAINER. SPECIES SHALL BE CHOSEN FOR HANDMAINTENANCE AND A "COMMERCIAL" TYPE MAINTENANCE TOLERANCE. FAVORABLE SPECIES INCLUDE: CORNIFLORA, GRASSES, LIRIOPE, COCK FLOWERS, SEDUM, DAIVILLI, HOSTA, AETNAE, CORNUS, RUDIBECKIA, VERONICA AND OTHERS. ACCENT SHRUBS MAY BE INCLUDED IN LIEU OF PERENNIALS TO SUPPLEMENT THE DESIGN.



ILLUSTRATIVE PLANTING DETAIL
 SCALE: 1" = 30'

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P:\2024\1_Vinson Hall\Engineering\Special_Excavation\Drawings\000_07-09_Landscaping\000_1221.dwg

TABLE 12.12 10-Year Tree Canopy Calculation Worksheet

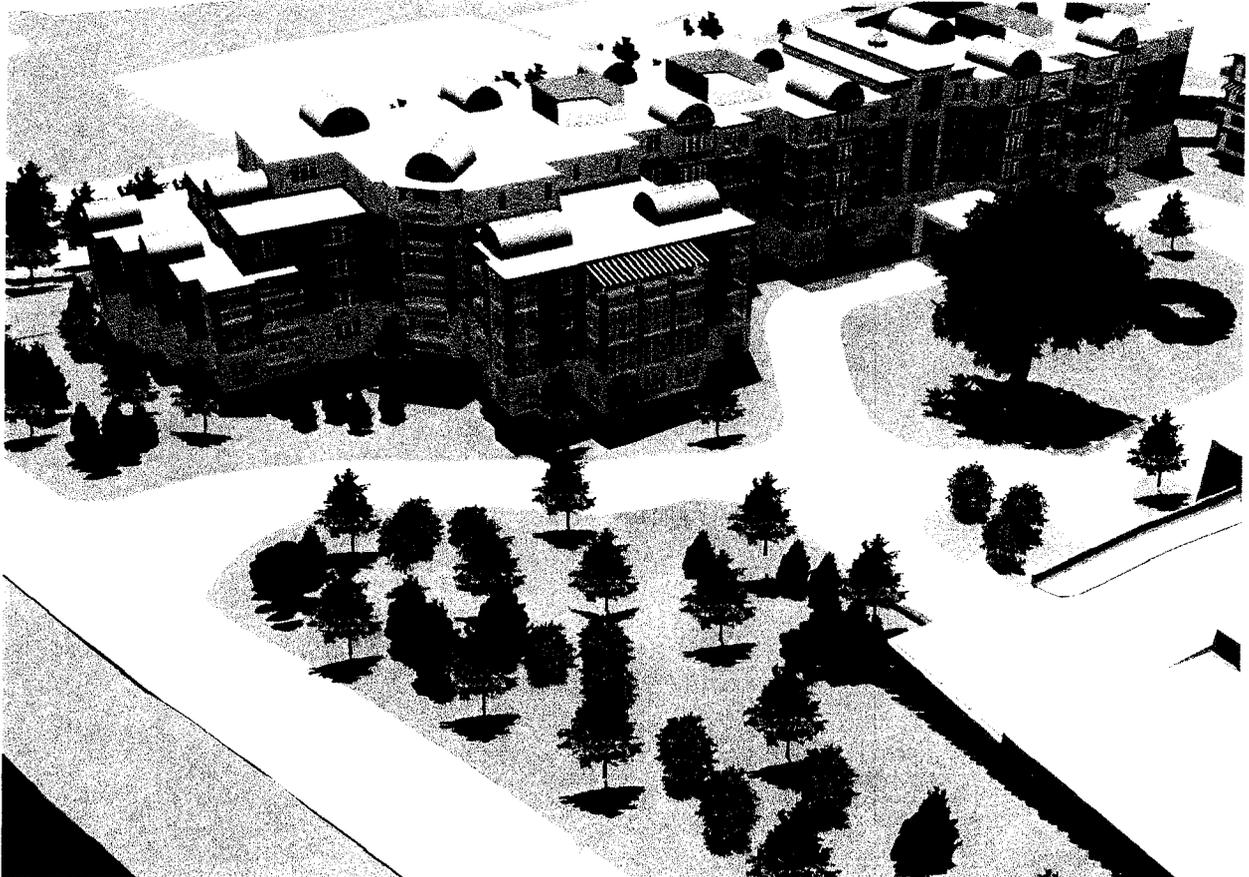
A. TREE PRESERVATION TARGET AND STATEMENT			Acres	Sq. Ft.
TABLE 12.3 Tree Preservation Target Calculations and Statement				
A	TOTAL SITE AREA		17.18	748,363
B	PRE-DEVELOPMENT AREA OF EXISTING TREE CANOPY		7.81	340,283
C	PERCENTAGE OF GROSS SITE AREA COVERED BY EXISTING TREE CANOPY	45%		
D	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED FOR THIS PROJECT	30%	5.15	224,508
E	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIREMENT THAT SHOULD BE MET THROUGH TREE PRESERVATION	45%	2.34	100,067
F	MIN. PROPOSED PERCENTAGE OF CANOPY REQUIREMENT THAT WILL BE MET THROUGH TREE PRESERVATION	61%	4.18	182,081
G	HAS THE TREE PRESERVATION TARGET MINIMUM BEEN MET?	YES		
H	IF NO FOR LINE F, THEN A REQUEST TO DEVIATE FROM THE TREE PRESERVATION TARGET SHALL BE PROVIDED ON THE PLAN THAT STATES ONE OR MORE OF THE JUSTIFICATIONS LISTED IN 12-602.3.A.10.03 WITH A NARRATIVE THAT PROVIDES A SITE-SPECIFIC EXPLANATION OF WHY THE TREE PRESERVATION TARGET CANNOT BE MET. PROVIDE SHEET NUMBER WHERE DEVIATION REQUEST IS LOCATED.	N/A		
I	IF STEP G REQUIRES A NARRATIVE, IT SHALL BE PREPARED IN ACCORDANCE WITH 12-602.4	N/A		
J	PLACE THIS INFORMATION PRIOR TO THE 10-YEAR TREE CANOPY CALCULATIONS AS PER INSTRUCTIONS IN TABLE 12.12			
B. TREE CANOPY REQUIREMENT				
B1	IDENTIFY GROSS SITE AREA		17.18	748,363
B2	SUBTRACT AREA DEDICATED TO PARKS, ROAD FRONTAGE, AND		0.00	0
B3	SUBTRACT AREA OF EXEMPTIONS		0.00	0
B4	ADJUSTED GROSS SITE AREA (B1-B2)		17.18	748,363
B5	IDENTIFY SITE ZONING AND OR USE	R-2; INDEPENDENT LIVING		
B6	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED	30%		
B7	AREA OF 10-YEAR TREE CANOPY REQUIRED		5.15	224,508
B8	MODIFICATION OF 10-YEAR TREE CANOPY REQUIREMENTS REQUESTED?	NO		
B9	IF B8 IS YES, THEN LIST PLAN SHEET WHERE MODIFICATION IS LOCATED	N/A		
C. TREE PRESERVATION				
C1	TREE PRESERVATION TARGET AREA		5.23	227,401
C2	TOTAL CANOPY AREA MEETING STANDARDS OF 12-602.3.C.1		5.23	227,401
C3	TOTAL CANOPY AREA PROVIDED BY UNIQUE OR VALUABLE FOREST OR WOODLAND COMMUNITIES		0.00	0
C4	TOTAL OF CANOPY AREA PROVIDED BY "HERITAGE," "MEMORIAL," "SPECIMEN" OR "STREET" TREES		0.00	0
C5	CANOPY AREA OF TREES WITHIN RESOURCES PROTECTION AREAS AND 100-YEAR FLOODPLAINS		0.00	0
C6	CANOPY AREA OF TREES WITHIN RESOURCES PROTECTION AREAS AND 100-YEAR FLOODPLAINS		0.00	0
C7	TOTAL OF C1, C3, C4, C5, C6, AND C7		5.23	227,401
*UPON FINAL DESIGN, LESS TREES MAY BE PRESERVED AT THE DISCRETION OF THE OWNER, AS LONG AS THE TREE PRESERVATION TARGET AREA IS MET.				
D. TREE PLANTING				
D1	**AREA OF CANOPY TO BE MET THROUGH TREE PLANTING		0.08	29,625
D2	AREA OF CANOPY PLANTED FOR AIR QUALITY BENEFITS		0.00	0
D3	D2 X 1.5		0.00	0
D4	AREA OF CANOPY PLANTED FOR ENERGY CONSERVATION		0.00	0
D5	D4 X 1.5		0.00	0
D6	AREA OF CANOPY PLANTED FOR WATER QUALITY BENEFITS		0.00	0
D7	D6 X 1.25		0.00	0
D8	AREA OF CANOPY PLANTED FOR WILDLIFE BENEFITS		0.00	0
D9	D8 X 1.5		0.00	0
D10	AREA OF CANOPY PROVIDED BY NATIVE TREES		0.00	0
D11	D10 X 1.5		0.00	0
D12	AREA OF CANOPY PROVIDED BY IMPROVED CULTIVARS AND VARIETIES		0.00	0
D13	D12 X 2.0		0.00	0
D14	AREA OF CANOPY PROVIDED THROUGH TREE SEEDLING		0.00	0
D15	D14 X 3.0		0.00	0
D16	AREA OF CANOPY PROVIDED THROUGH NATIVE SHRUBS OR WOODY SEED BED		0.00	0
D17	D16 X 3.0		0.00	0
D18	PERCENTAGE OF D14 REPRESENTED BY D16 (MAX 33%)		0.00	0
D19	AREA OF CANOPY PROVIDED THROUGH THE PLANTING OF ALL OTHER TYPES OF TREES ON THE PRESERVATION OF ADDITIONAL TREES EXISTING ON-SITE**		0.68	29,625
D20	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PLANTING (D1-D19)		0.68	29,625
D21	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PLANTING (D1-D20)		0.68	29,625
D22	IS AN OFFSITE PLANTING RELIEF REQUESTED?	NO		
D23	IF YES, TREE BANK OR TREE PLANT	NO		
D24	CANOPY AREA REQUESTED TO BE PROVIDED THROUGH OFFSITE BANKING OR TREE PLANT		0	0
D25	AMOUNT TO BE DEPOSITED INTO THE TREE PRESERVATION AND PLANTING FUND		\$0.00	
*UPON FINAL DESIGN, EXACT QUANTITIES OF TREES TO BE PRESERVED AND TREES TO BE PLANTED SHALL BE MADE AT THE DISCRETION OF THE OWNER WHILE ADHERING TO THE LATEST PFM LANDSCAPING AND TREE PRESERVATION REQUIREMENTS				
E. TOTAL OF 10-YEAR TREE CANOPY PROVIDED				
E1	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PRESERVATION (C8)		5.23	227,401
E2	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PLANTING (D21)		0.08	29,625
E3	TOTAL OF CANOPY AREA PROVIDED THROUGH OFFSITE REQUIREMENT (D24)		0	0
E4	TOTAL OF 10-YEAR TREE CANOPY PROVIDED (E1 + E2 + E3) MUST MEET OR EXCEED B7		5.31	257,026

MINIMUM PLANT SCHEDULE*						
KEY	QTY.	BOTANICAL NAME	COMMON NAME	STOCK SIZE (HEIGHT / CALIPER)	STOCK TYPE	REMARKS
○	32	DECIDUOUS SHADE TREE (CAT. IV)	TBD	3.0-5.5" CALIPER	BBB	250
○	32	DECIDUOUS SHADE TREE (CAT. IV)	TBD	2.0" CALIPER	BBB	700
○	50	DECIDUOUS TREE (CAT. II OR III)	TBD	2.0" CALIPER	BBB	125 (AVERAGE)
○	26	EVERGREEN TREE (CAT. III OR IV)	TBD	3.0" CALIPER (9-10' HT)	BBB	175 (MINIMUM)
○	50	EVERGREEN TREE (CAT. I OR II)	TBD	2.0" CALIPER (8' HT)	BBB	75 (AVERAGE)
○	81	EVERGREEN SHRUB	TBD	18"-24" HT	Container or BBB	
○	40	DECIDUOUS SHRUB	TBD	18" HT	Container or BBB	
○	TBD	PERENNIALS/ANNUALS	TBD	TBD	Container	

TOTAL 10-YEAR CANOPY PROVIDED BY PLANTING: 29,625
 *THE PLANT SCHEDULE PROVIDED IS A REPRESENTATION OF THE MINIMUM AMOUNT OF TREES WHICH SHALL BE PROVIDED THROUGH TREE PLANTING. UPON FINAL DESIGN, AN EXACT DETERMINATION OF HOW MANY AND OF WHAT TYPE OF TREES TO BE PLANTED SHALL BE MADE BASED ON THE TREE CANOPY REQUIREMENTS OF THE PFM.

INTERIOR PARKING LOT LANDSCAPING CALCULATIONS	
PARKING LOT 2	
AREA TO BE COUNTED	23,790
INT. LANDSCAPING REQUIRED (2%)	1,190 SF
TOTAL SHADE TREE COVER PROVIDED:	
6 TREES AT 200 SF (10 YEAR CANOPY) =	1,200 SF
TOTAL PROVIDED	1,200 SF

ARCHITECTURAL ILLUSTRATIVE (NOT TO SCALE)



NOTE: ARCHITECTURAL ILLUSTRATIVE SHEET IS CONCEPTUAL AND PRESENTED ONLY TO ILLUSTRATE CHARACTER AND QUALITY OF BUILDING DESIGN.

SMITH ENGINEERING

LANDSCAPING CALCULATIONS AND ARCHITECTURAL ILLUSTRATIVE SKETCH
 VINSON HALL
 SPECIAL EXCEPTION AMENDMENT
 CHARLES CITY COUNTY, VIRGINIA
 CO. # SEA 17-028

COMMONWEALTH OF VIRGINIA
 PROFESSIONAL SEAL
 BLAKE A. SMITH
 Lic. No. 033964

SMITH ENGINEERING
 PROJECT: 009-01
 BLAKE A SMITH
 703-896-8204
 blake@smithengineering.com

14801 BOOLE DRIVE
 SUITE 101
 CHANTILLY, VA 20151

PLAN STATUS	
5/22/07	ISSUED TO ATTORNEY
5/26/07	1ST SUBMISSION
8/18/07	ISSUED TO ATTORNEY
9/17/07	2ND SUBMISSION
9/24/07	SUBMISSION TO COUNTY
10/22/07	SUBMISSION TO COUNTY
12/17/07	PREPARE FOR SUPERVISOR COURT
12/21/07	SUBMIT TO COUNTY

SCALE: N/A
 DATE: MAY 22, 2007
 SHEET 3 OF 7

BACKGROUND

The applicant, Vinson Hall Corporation, requests to amend Special Exception SE 87-D-025 to permit building additions and site modifications to an existing independent living facility. The existing Vinson Hall independent living facility building (343,920 SF), which contains 179 residential units and Arleigh Burke Pavilion assisted living facility (56,384 SF) would remain on the site.

A waiver of the 50-foot maximum building height limit was approved with SE 87-D-025 to permit the existing independent living facility building on the site to be a maximum of 65 feet in height. This application also requests this waiver for the existing 65-foot tall existing building and for the proposed new independent living facility building, which would be a maximum of 56 feet in height. Access to the site would continue to be provided from the existing access points along Old Dominion Drive and Kirby Road. The SEA Plat also depicts a new emergency/fire access lane, accessed from Kirby Road near the northwestern boundary of the site. A total of 40% open space is proposed consisting mainly of deciduous and evergreen trees.

On November 5, 2009, the Staff Report for SEA 87-D-025 was published. In this report, staff concluded that the proposal was in harmony with the Comprehensive Plan guidelines for the proposed use, and in conformance with all of the applicable Zoning Ordinance standards.

Following the publication of the staff report, the applicant submitted an amended SEA Plat revised through December 22, 2009. This addendum discusses the revisions that were made to the SEA Plat and development conditions. A reduction of the SE Plat is included at the front of this addendum. A copy of the revised development conditions is contained in Attachment 1 of this addendum.

ANALYSIS

The applicants submitted a revised SEA Plat as revised through December 22, 2009, with the following revisions:

- The size of the proposed new independent living facility building has been reduced from 180,176 SF to 169,500 SF.
- The overall proposed gross floor area for the site has been reduced from 634,206 GSF to 623,530 GSF, and the resulting floor area ratio (FAR) has been reduced from 0.85 to 0.83.
- The proposed parking garage under the new independent living facility building is now shown to be a two-level garage instead of the one level garage previously proposed. This parking garage will be completely underground.

- The maximum number of parking spaces proposed for the site has been increased from 351 spaces to 358 spaces; however, the parking area between west of the existing independent living facility has been redesigned to depict four handicap parking spaces instead of the 35 parking spaces shown on the previous SEA Plat.
- A courtyard area is now shown to the east of the existing 48" oak tree that is to be saved, and a maximum 10-foot high retaining wall is shown along both sides of the drive aisle which leads to the proposed underground parking garage under the new independent living facility building.
- The proposed landscaping plan and tree canopy calculations worksheet have been revised to increase the amount of proposed tree preservation on the site from 201,100 SF (4.62 acres) to 227,601 (5.23 acres) and to increase the total 10-year tree canopy proposed from 231,150 SF (5.31 acres) to 257,226 SF (5.91 acres). A Landscape Detail Sheet (Sheet 8) has been added to SEA Plat, which provides an illustrative planting detail and an *entry commons* alternative detail for the proposed open space area south of the new independent living facility building.
- A revised architectural illustrative has been provided to reflect changes made to the design of the proposed new independent living facility building.

DISCUSSION

The revisions made to the proposed size and configuration of the new independent living facility, the overall gross floor area of the site and the design of the proposed parking for the site have been made to reduce any impacts the proposed development would have on the surrounding neighborhood. Specifically, the applicant made these changes to ensure that Vinson Hall site is appropriately buffered from the abutting single-family residences and that the proposed changes to the site do not impact the character of the neighborhood. The revisions made to the proposed landscaping for the site have been reviewed by the Urban Forest Management Division (UFMD), DPWES staff, who has determined that all comments and recommendations previously provided regarding this application have been addressed. Staff continues to recommend approval of the application. The proposed development conditions associated with this application have been amended with the changes to the conditions highlighted in bold print.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff believes that the revised SEA Plat is in harmony with the Comprehensive Plan guidelines for the proposed use, and in conformance with all of the applicable Zoning Ordinance standards.

Recommendations

Staff recommends the approval of SEA 87-D-025, subject to the draft development conditions contained in Attachment 1.

Staff recommends that PFM Section 6-0303.8 be waived to permit the use of an underground detention facility in a residential area subject to the development conditions entitled Waiver #6713-WPFM-001-1 conditions, dated September 24, 2009, and contained in Attachment 4.

The approval of this application does not interfere with, abrogate, or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

ATTACHMENTS

1. Draft Development Conditions
2. Affidavit
3. Urban Forest Management Division Analysis
4. Waiver #6713-WPFM-001-1 for the location of underground facilities in a residential area

PROPOSED DEVELOPMENT CONDITIONS

SEA 87-D-025

January 6, 2010

If it is the intent of the Board of Supervisors to approve SEA 87-D-025 in the name of the Vinson Hall Corporation, located at Tax Map No. 31-3 ((1)) 77A and 83 to amend SE 87-D-025 previously approved for an independent living facility with a maximum of 276 units, to permit building additions and site modifications pursuant to Sect. 9-301(4) of the Zoning Ordinance, then staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Previously approved conditions (from SE 87-D-025) are marked with an asterisk (*). New conditions and changes to previous conditions are underlined.

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 the application, as qualified by these development conditions.*
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by DPWES. Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Plat entitled "Vinson Hall Special Exception Amendment" prepared by Smith Engineering., and dated May 22, 2009, revised through December 22, 2009 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. No more than 276 independent living facility units and 49 assisted living facility units shall be located on the application site.
5. The Arleigh Burke Pavilion shall be architecturally compatible with the surrounding single-family detached residential community and be no more than 40 feet in height.*
6. The new independent living facility building constructed on the site shall be no more than 56 feet in height.
7. The parking garage in the southwestern portion of the site, adjacent to Kirby Road shall be constructed with no more than one level at grade. If an additional level of parking is provided, the additional level shall be below grade as viewed from Kirby and Park Roads, as depicted on the attached exhibit.
8. A public access easement shall be provided by the applicant for the on-site internal trail that parallels Park Road.*

9. A six-foot (6') wide concrete sidewalk shall be constructed on Parcel 31-3 ((1)) 77A along the entire Kirby Road frontage of the site, to PFM standards and provide a connection between the existing sidewalk located on Parcel 31-3 ((1)) 83. This sidewalk connection shall be aligned with the existing sidewalk located on the County School property on the south side of Park Road. A curb cut and crosswalk across Park Road shall be provided. Internal, on-site trails shall connect to the Kirby Road sidewalk. The six-foot (6') wide concrete sidewalk along the Kirby Road frontage of the site shall be maintained by the applicant.*
10. Adequate sight distance shall be demonstrated for all access points to the site, as determined by the Virginia Department of Transportation (VDOT) at the time of site plan review. Minor modifications to the access points as determined by VDOT to demonstrate adequate sight distance may be provided.
11. Prior to site plan approval, turn lane warrants for the existing entrances shall be provided for the review and approval of VDOT.
12. The entrances to the site along Kirby Road and Old Dominion Drive shall be designed in accordance with VDOT *Minimum Standards of Entrances to State Highways*, as determined by VDOT.
13. Individual units in the independent living facility shall be occupied only by individuals 62 years of age or older or couples where the husband or wife is 62 years of age or older and or persons with handicaps, as defined in the Federal Fair Housing Act Amendments of 1988. These restrictions shall be incorporated into the association documents that will govern this property.
14. Each independent living unit shall meet the definition of a dwelling unit per the Zoning Ordinance and shall include a kitchen. The buildings shall be constructed in accordance with Americans with Disabilities Act (ADA) and Federal Housing Act (FHA) requirements for housing for seniors. All public areas and public doorways shall be wheelchair accessible. All resident units shall be FHA adaptable and have doorways wide enough for wheelchairs, low profile thresholds, an emergency call system, large print unit identification system, non-glare lighting and structural blocking within the unit bathrooms to accommodate ready conversion to an adaptable unit. The initial purchaser shall have the option to include accessible features within the unit such as lever hardware, railings, grab bars, accessible kitchen and bathroom features.
15. For all new buildings constructed on the site, all appliances, fixtures, systems, and building components used in the project, as applicable, shall be ENERGY STAR® qualified: vending machines; clothes washers; dishwashers; refrigerators/freezers; ventilation fans (including kitchen and bathroom fans); light fixtures; exit signs; programmable thermostats; windows and doors and skylights. Prior to issuance of the Residential Use Permit (RUP), certification of compliance with this commitment shall be submitted to the Department of Planning and Zoning, Environment and

Development Review Branch. Records of compliance shall be maintained for review and inspection by County Staff.

16. Despite that which is shown on the SEA Plat, all signs shall be in conformance with the provisions of Article 12 of the Zoning Ordinance.
17. Stormwater Management (SWM) and Best Management Practices (BMP) Facilities in accordance with the Public Facilities Manual (PFM) shall be provided in substantial conformance with the SEA Plat, unless waived by DPWES. If the SWM/BMP facilities approved by DPWES are not in substantial conformance with SEA Plat, a Special Exception Amendment shall be required.
18. Adequate Outfall shall be demonstrated in accordance with the Public Facilities Manual (PFM) as determined by DPWES at the time of site plan review.
19. Prior to the issuance of residential use permits for 75% of the new market rate independent living facility units, fifteen percent (15%) affordable dwelling units (ADUs) shall be provided on site, based on the total number of new market rate independent living facility units. These ADUs shall be administered in accordance with the applicable provisions of Part 8 of Article 2 of the Zoning Ordinance.
20. A landscape plan shall be submitted as part of the first and all subsequent submissions of the site plan for the review and approval of the Urban Forest Management Division (UFMD), DPWES. This plan shall be in substantial conformance with the landscape concept plan as to quantity and quality of plantings, and in substantial conformance with the location of plantings as shown on sheet 7 of the SEA Plat and these development conditions. Plantings provided on the site shall be **comprised of at least 60% native species, as determined by UFMD. All non-native species proposed shall be approved by UFMD.**
21. A tree preservation plan shall be submitted as part of the first and subsequent site submissions as follows.

A. Tree Preservation: A Tree Preservation Plan and Narrative shall be submitted as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 8 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading. The tree preservation plan shall

provide for the preservation of those areas shown for tree preservation **within 25 feet to either side** of the limits of clearing and grading shown on the SEA Plat. The tree preservation plan and narrative shall include all items specified in PFM 12-0506 and 12-0508. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

B. Tree Preservation Walk-Through. A certified arborist **or registered consulting arborist** shall be retained, and the limits of clearing and grading **shall be marked with a continuous line of flagging** prior to the walk-through meeting. During the tree-preservation walk-through meeting, the certified arborist **or registered consulting arborist** shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. 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 adjacent trees and associated understory vegetation and soil conditions.

C. Limits of Clearing and Grading. The limits of clearing and grading shall be in **substantial conformance with the limits of clearing and grading** shown on the SEA Plat, subject to allowances specified in these **development** conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SEA, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

D. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" development condition below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist **or registered consulting arborist**, and accomplished in a manner that does not harm existing vegetation that is to be

preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

E. Tree Appraisal: A professional **certified** arborist with experience in plant appraisal shall be retained, to determine the replacement value of all trees 8 inches in diameter or greater located on the Application Property within twenty-five (25) feet of the limits of clearing and grading that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

At the time of the respective site plan approvals, a cash bond or a letter of credit payable to the County of Fairfax shall be posted to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. **The 48-inch oak tree discussed within this development condition shall be not be bonded but shall be subject to the requirements set forth within this condition.** The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Application Property **should any trees within twenty-five (25) feet of the limits of clearing and grading that are shown to be saved** die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFMD. Upon release of the bond for the improvements on the Application Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this **development condition** shall be returned/released to the Applicant.

In the event that the 48-inch oak tree located near the main entrance to the proposed independent living facility building is determined to be dying by UFMD due to authorized construction activities, the entrance area shall be planted in substantial conformance with the detail shown on Sheet 8 of the SEA plat. If the 48-inch oak is determined to be dying by UFMD due to unauthorized construction activities, the entrance area shall be landscaped in substantial conformance with the detail shown on Sheet 8 of the SEA Plat and also provide additional trees either in that area or elsewhere on the property to achieve the canopy equal to the canopy of the 48-inch oak tree.

F. Root Pruning. The roots shall be pruned, as needed to comply with the tree preservation requirements of these **development conditions**. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted under the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

G. Demolition of Existing Structures. The demolition of all existing features and structures within areas protected by the limits of clearing and grading shown on the SEA shall be done by hand without heavy equipment **unless approved otherwise by UFMD, DPWES, and shall be** conducted in a manner that does not impact individual trees and/or groups of trees that are to be preserved as reviewed and approved by the UFMD, DPWES. **Any work in tree preservation areas, including the removal of existing structures and improvements that require the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump grinders, etc. or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by UMFD, DPWES.**

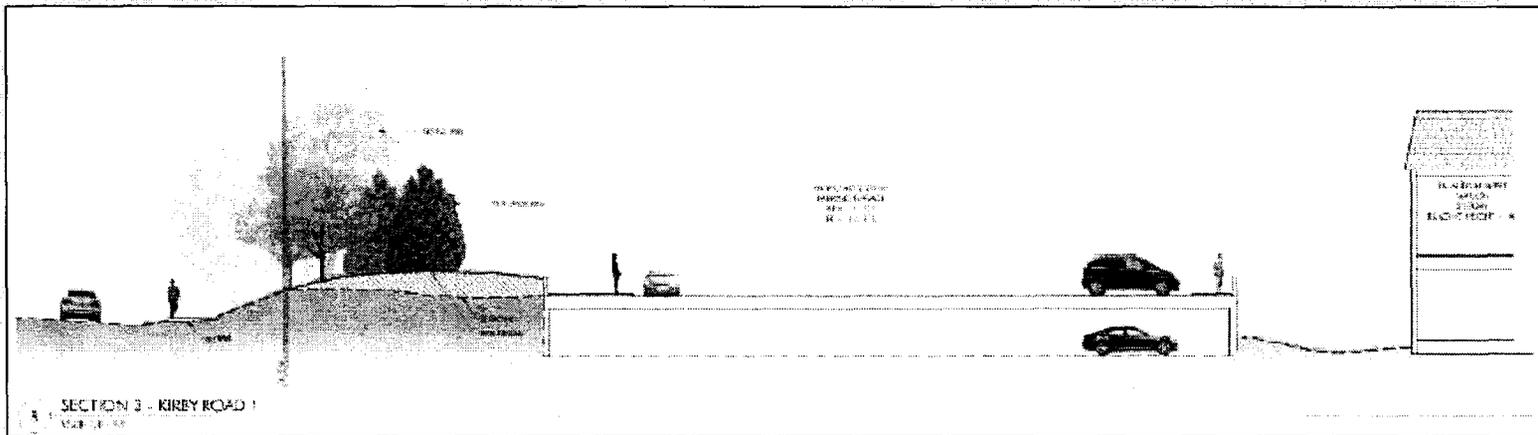
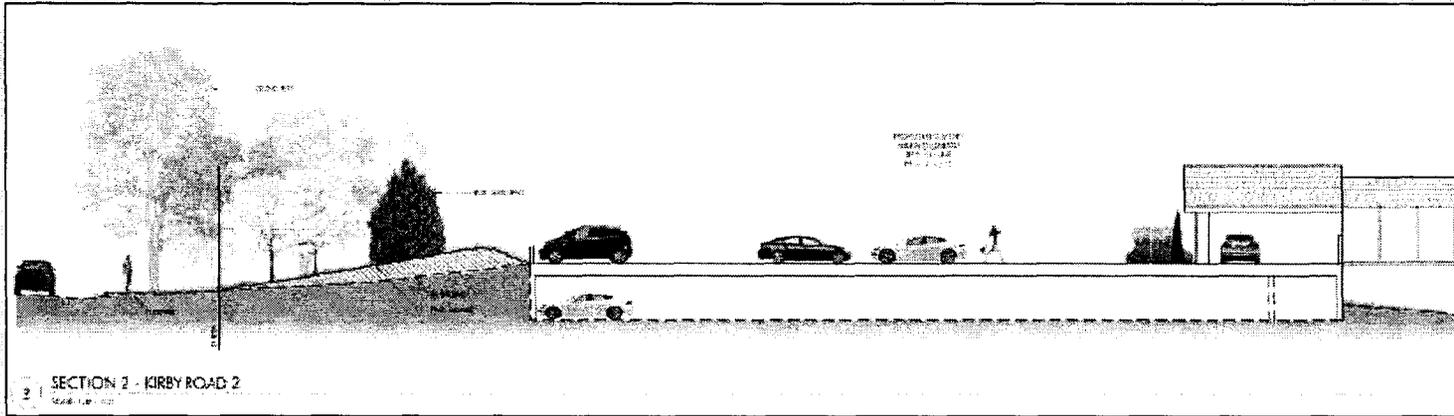
H. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as **stated in these development conditions** and as approved by the UFMD. The services of a certified arborist or registered consulting arborist shall be retained to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation **development conditions**, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, 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 responsible for obtaining the Non-

Residential Use Permit through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exceptions shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction of the improvements shown on the SEA Plat 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.





County of Fairfax, Virginia

MEMORANDUM

January 4, 2010

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Craig Herwig, Urban Forester III *CH*
Forest Conservation Branch, DPWES

SUBJECT: Vinson Hall, SEA 87-D-025

RE: Request for assistance dated December 17, 2009

This review is based on the revised Special Exception Amendment, SEA 87-D-025 stamped "Received, Department of Planning and Zoning, December 21, 2009". A site visit conducted on July 29, 2009.

All comments and recommendations from the previous memo dated August 29, 2009 have been addressed in this revised submission of Special Exception Amendment, SEA 87-D-025.

Please feel free to contact me at 703-324-1770 if you have any further questions or concerns about this review.

CSH/
UFMID #: 146685

cc: RA File
DPZ File

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes



SPECIAL EXCEPTION AFFIDAVIT

DATE: DEC 16 2009
 (enter date affidavit is notarized)

I, Lori R. Greenlief, Land Use Planner, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 105157d

in Application No.(s): SEA 87-D-025
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Vinson Hall Corporation Agent: William F. Burgwald RADM Kathleen L. Martin, USN (Ret.) RADM William P. Houley, USN (Ret.) (former)	6251 Old Dominion Drive McLean, VA 22101	Applicant/Title Owner of Tax Map No. 31-3 ((1)) 77A, 83
Smith Engineering Agent: Blake A. Smith	14901 Bogle Drive, Suite 101 Chantilly, VA 20151	Engineer/Agent
SFCS Inc. Agent: Drew H. Kepley	305 S. Jefferson Street Roanoke, VA 24011-2003	Architect/Agent
PARKER RODRIGUEZ, INC. Agent: James E. Parker Trini M. Rodriguez Suzanne E. Foster	101 North Union Street, Suite 320 Alexandria, VA 22314	Landscape Architect/Agent (former)

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

DATE: DEC 16 2009
(enter date affidavit is notarized)

105157d

for Application No. (s): SEA 87-D-025
(enter County-assigned application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. Joanna C. Frizzell David R. Gill Jonathan P. Rak Gregory A. Riegle Mark M. Viani Kenneth W. Wire Lisa M. Chiblow Lori R. Greenlief Sheri L. Hoy	1750 Tysons Boulevard, Suite 1800 McLean, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent
Planning & Development Services, Inc. Agent: Paul R. Jeannin, Jr.	10012 Island Fog Court Bristow, VA 20136	Landscape Architect/Agent

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: DEC 16 2009
(enter date affidavit is notarized)

105157d

for Application No. (s): SEA 87-D-025
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)

Vinson Hall Corporation
6251 Old Dominion Drive
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

Virginia non-stock corporation

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.*

Special Exception Attachment to Par. 1(b)

DATE: DEC 16 2009
(enter date affidavit is notarized)

105157d

for Application No. (s): SEA 87-D-025
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
PARKER RODRIGUEZ, INC. (former)
101 North Union Street, Suite 320
Alexandria, VA 22314

- DESCRIPTION OF CORPORATION:** (check one statement)
- There are 10 or less shareholders, and all of the shareholders are listed below.
 - There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 - There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
James E. Parker
Trini M. Rodriguez

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Planning & Development Services, Inc.
10012 Island Fog Court
Bristow, VA 20136

- DESCRIPTION OF CORPORATION:** (check one statement)
- There are 10 or less shareholders, and all of the shareholders are listed below.
 - There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 - There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Paul R. Jeannin, Jr.

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: DEC 16 2009
(enter date affidavit is notarized)

105157d

for Application No. (s): SEA 87-D-025
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Smith Engineering
14901 Bogle Drive, Suite 101
Chantilly, VA 20151

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Blake A. Smith, sole owner

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

SFCS Inc.
305 S. Jefferson Street
Roanoke, VA 24011-2003

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Manjit S. Toor	Tye (nmi) Campbell	Kerry D. Buck
Vernon L. Feather	Allen W. Hale	Drew H. Kopley
David P. McGill	Timothy J. Mueller	M. Scott Rasner

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DEC 16 2009

DATE: _____
(enter date affidavit is notarized)

1051572

for Application No. (s): SEA 87-D-025
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)
McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Equity Partners of McGuireWoods LLP

- | | | |
|-------------------------|-----------------------|-----------------------|
| Alphonso, Gordon R. | Beil, Marshall H. | Buchan, Jonathan E. |
| Anderson, Arthur E., II | Belcher, Dennis I. | Busch, Stephen D. |
| Anderson, Mark E. | Bell, Craig D. | Cabaniss, Thomas E. |
| Andre-Dumont, Hubert | Beresford, Richard A. | Cacheris, Kimberly Q. |
| Bagley, Terrence M. | Bilik, R. Eric | Cairns, Scott S. |
| Barger, Brian D. | Blank, Jonathan T. | Capwell, Jeffrey R. |
| Barnum, John W. | Boland, J. William | Cason, Alan C. |
| Barr, John S. | Brenner, Irving M. | Chaffin, Rebecca S. |
| Becker, Scott L. | Brooks, Edwin E. | Cobb, John H. |
| Becket, Thomas L. | Brown, Thomas C., Jr. | Cogbill, John V., III |

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.*

Special Exception Attachment to Par. 1(c)

DATE: DEC 16 2009
(enter date affidavit is notarized)

105157d

for Application No. (s): SEA 87-D-025
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Covington, Peter J.
Cramer, Robert W.
Cromwell, Richard J.
Culbertson, Craig R.
Cullen, Richard (nmi)
de Cannart d'Hamale, Emmanuel
De Ridder, Patrick A.
Dickerman, Dorothea W.
DiMattia, Michael J.
Dooley, Kathleen H.
Dorman, Keith A.
Downing, Scott P.
Edwards, Elizabeth F.
Ey, Douglas W., Jr.
Feller, Howard (nmi)
Fennebresque, John C.
Foley, Douglas M.
Fox, Charles D., IV
France, Bonnie M.
Freedlander, Mark E.
Fuhr, Joy C.
Getchell, E. Duncan, Jr.
Gibson, Donald J., Jr.
Glassman, Margaret M.
Glickson, Scott L.
Gold, Stephen (nmi)
Goldstein, Philip (nmi)

Grant, Richard S.
Greenberg, Richard T.
Grieb, John T.
Harmon, Jonathan P.
Harmon, T. Craig
Harmon, Yvette (nmi)
Hartsell, David L.
Hayden, Patrick L.
Hayes, Dion W.
Heberton, George H.
Horne, Patrick T.
Hosmer, Patricia F.
Hutson, Benne Cole
Isaf, Fred T.
Jackson, J. Brian
Jarashow, Richard L.
Johnston, Barbara Christie
Kanazawa, Sidney (nmi)
Katsantonis, Joanne (nmi)
Keenan, Mark L.
Kennedy, Wade M.
King, Donald E.
King, Sally Doubet
Kittrell, Steven D.
Kratz, Timothy H.
Krueger, Kurt J.
Kutrow, Bradley R.

La Fratta, Mark J.
Lias-Booker, Ava E.
Lieberman, Richard E.
Little, Nancy R.
Long, William M.
Manning, Amy B.
Marianes, William B.
Marks, Robert G.
Marshall, Gary S.
Marshall, Harrison L., Jr.
Marsico, Leonard J.
Martin, Cecil E., III
Martin, George Keith
Martinez, Peter W.
Mason, Richard J.
Mathews, Eugene E., III
Mayberry, William C.
McCallum, Steven C.
McDonald, John G.
McElligott, James P.
McElroy, Robert G.
McFarland, Robert W.
McIntyre, Charles Wm.
McLean, J. Dickson
McRill, Emery B.
Muckenfuss, Robert A.
Muir, Arthur B.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

Special Exception Attachment to Par. 1(c)

DATE: DEC 16 2009
(enter date affidavit is notarized)

105157&

for Application No. (s): SEA 87-D-025
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Murphy, Sean F.
Nesbit, Christopher S.
Nunn, Daniel B., Jr.
O'Grady, Clive R. G.
O'Grady, John B.
O'Hare, James P.
Oakey, David N.
Oostdyk, Scott C.
Padgett, John D.
Pankey, David H.
Parker, Brian K.
Phears, H.W.
Plotkin, Robert S.
Potts, William F., Jr.
Pryor, Robert H.
Pusateri, David P.
Rak, Jonathan P.
Rakison, Robert B.
Reid, Joseph K., III
Richardson, David L.
Riegler, Gregory A.
Rifken, Lawrence E.
Riley, James B., Jr.
Riopelle, Brian C.

Roberts, Manley W.
Robinson, Stephen W.
Rogers, Marvin L.
Rohman, Thomas P.
Rosen, Gregg M.
Rust, Dana L.
Satterwhite, Rodney A.
Scheurer, P. Christian
Schewel, Michael J.
Schill, Gilbert E., Jr.
Schmidt, Gordon W.
Sellers, Jane Whitt
Shelley, Patrick M.
Simmons, L. D., II
Simmons, Robert W.
Skinner, Halcyon E.
Slone, Daniel K.
Spahn, Thomas E.
Spitz, Joel H.
Stallings, Thomas J.
Steen, Bruce M.
Stein, Marta A.
Stone, Jacquelyn E.
Swan, David I.

Tackley, Michael O.
Tarry, Samuel L., Jr.
Thornhill, James A.
Tirone, Joseph G.
Van der Mersch, Xavier G.
Vaughn, Scott P.
Vick, Howard C., Jr.
Viola, Richard W.
Wade, H. Landis, Jr.
Walker, John Tracy, IV
Walsh, James H.
Watts, Stephen H., II
Werlin, Leslie M.
Westwood, Scott E.
Whelpley, David B., Jr.
White, H. Ramsey, III
White, Walter H., Jr.
Williams, Steven R.
Wilson, Ernest G.
Wilson, James M.
Wren, Elizabeth G.
Young, Kevin J.
Younger, W. Carter

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

Special Exception Attachment to Par. 1(c)

DATE: DEC 16 2009
(enter date affidavit is notarized)

105157a

for Application No. (s): SEA 87-D-025
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuire Woods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

(Former Equity Partner List)

- | | |
|---------------------------|----------------------|
| Anderson, Corby C. | Milton, Christine R. |
| Beane, John C. | Pilkington, Kathy L. |
| Carter, Joseph C., III | Russell, Deborah M. |
| Cutchins, Clifford A., IV | Samson, Gary D. |
| Evans, David E. | Samuels, Lawrence R. |
| Freye, Gloria L. | Sipprelle, Keith A. |
| Germaise, Susan L. | Smith, Stuart (nmi) |
| Gordon, Alan B. | Suzumoto, Mark K. |
| Grandis, Leslie A. | Van Etten, David B. |
| Iselin, Benjamin B. | Walker, Howard W. |
| Jeffcoat, Brenton D. | Williamson, Mark D. |
| McGoogan, E. Graham, Jr. | Wood, R. Craig |
| Middlebrooks, James. G. | |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: DEC 16 2009
(enter date affidavit is notarized)

105157a

for Application No. (s): SEA 87-D-025
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: DEC 16 2009
(enter date affidavit is notarized)

105157d

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

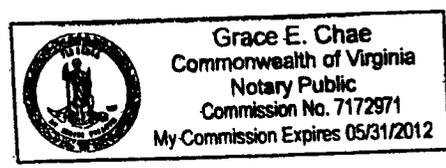
(check one) Applicant Applicant's Authorized Agent

Lori R. Greenlief, Land Use Planner
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 16th day of December, 2009, in the State/Comm. of Virginia, County/City of Fairfax.

Grace E. Chae
Notary Public

My commission expires: 5/31/2012





County of Fairfax, Virginia

MEMORANDUM

DATE: September 24, 2009

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Stormwater & Geotechnical Section, Environmental & Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Vinson Hall, SFA 87-D-025, Special Exception Amendment Plat dated August 18, 2009, Tax Map #31-3-01-0083 and #31-3-01-0077A, Dranesville District

REFERENCE: Waiver #6713-WPFM-001-1 for the Location of Underground Facilities in a Residential Area

We have reviewed the referenced submission for consistency with Section 6-0303.8 of the Public Facilities Manual (PFM) which restricts use of underground stormwater management facilities located in a residential development (Attachment B). The Board of Supervisors (Board) may grant a waiver after taking into consideration possible impacts on public safety, the environment, and the burden placed on prospective property owners for maintenance. Underground stormwater management facilities located in residential developments allowed by the Board:

- shall be privately maintained;
- shall be disclosed as part of the chain of title to all future owners responsible for maintenance of the facilities;
- shall not be located in a County storm drainage easement; and,
- shall have a private maintenance agreement, in a form acceptable to the Director of the Department of Public Works and Environmental Services (DPWES), executed before the construction plan is approved.

The owner of Vinson Hall has requested a Special Exception Amendment to allow the expansion of the existing facilities to include approximately 100 new independent living apartments, offices, a common area for residents, and structured parking. Additional stormwater detention will be required to mitigate the proposed increase in impervious area. The site's existing dry pond will be expanded, however, further detention would be required to meet the Public Facilities Manual requirements. The property owner feels that the underground storage will be easier to maintain than a second pond especially given the relatively small volume which needs to be detained. Also, there is insufficient area on the site



to construct a second pond. Finally, the property owner feels that an underground facility would be a safer option for its elderly residents.

ANALYSIS

An analysis of the possible impacts on public safety, the environment, and the burden placed on the owners for maintenance is as follows.

Impacts on Public Safety – The underground facility is proposed to be located within the site on a paved access road at the rear of a proposed residential building. The apartments on the property will be age-restricted; any children on the property would be visitors.

If it is the intent of the Board to approve the waiver request, the property owner shall provide liability insurance in an amount acceptable to Fairfax County as a waiver condition. A typical liability insurance amount is \$1,000,000 against claims associated with underground facilities. The private maintenance agreement shall also hold Fairfax County harmless from any liability associated with the facilities. In addition, locking manholes and doors must be provided at each access point.

Impacts on the Environment – The surrounding areas are developed and the underground facility would outfall into an existing piped storm drainage system. The underground storage would be below an access road. Staff does not believe that there will be any adverse impact on the environment from the underground facilities.

Burden Placed on Property Owner for Maintenance and Future Replacement –

Underground storage facilities are normally required to be off-line. With an off-line design, should a facility become clogged, the storm drain system could continue to operate. When in-line facilities become clogged, the storm drain system's operations would cease. The storm drain system would back up and could overflow. Flooding may be possible depending on the intensity and duration of the storm event.

A minimum height of 72 inches for underground stormwater structures is generally required to facilitate maintenance (PFM 6-1306.3H). Accessibility to the underground facilities is a concern in that sufficient head room is necessary for maintenance purposes. In the recent past, the height of underground facilities has been modified as low as 60 inches. Since the current plat shows a 42-inch height and the waiver request shows a height as low as 36 inches, maintenance of this facility would be difficult. The modification of interior height would not be approved.

A retaining wall, as high as 15 feet in height, is less than 10 feet from the underground facility. This wall is proposed for the area between the access road and adjacent properties. The wall will complicate replacement of the underground facility when it becomes necessary.

If it is the intent of the Board to approve the waiver request, the property owner must execute a maintenance agreement prior to site plan approval. Staff recommends the property owner be required to establish a financial plan for the operation, inspection, and maintenance of the underground facilities. The property owner should be required to establish a fund for the annual maintenance. Staff recommends that the property owner provide an initial deposit in an escrow account in an amount equal to the estimated costs for the first 20 years of maintenance of the facility. The engineer has provided \$3,000 as an estimate of the annual maintenance cost for the facility; staff finds this estimate reasonable. Before site plan

approval, \$60,000 should be placed into escrow to fund 20 years of maintenance. About \$600 per new apartment would be escrowed. These monies would not be available to the owner until bond release.

The property owner should also be required, as a waiver condition, to address future replacement of the underground facilities as part of its private maintenance agreement with the County. In order to maximize the useful life of the underground facility, the property owner must be required to construct the underground facilities with reinforced concrete products only. A replacement cost fund, based on an estimated 50-year lifespan for concrete products, should be established. The replacement reserve fund must be separate from the annual maintenance fund to ensure the monies are available at the time replacement is necessary and have not been previously spent on maintenance activities. The engineer has estimated the construction cost of this facility to be \$29,600; staff finds this estimate reasonable. The owner would be expected to contribute about \$6/year per each new apartment to a fund the facility's replacement.

Staff further recommends that the minimum height of the underground facility be no less than 72 inches in height.

RECOMMENDATION

DPWES recommends that the Board approve the waiver to locate underground facilities in Vinson Hall, a residential area. If it is the intent of the Board to approve the waiver, DPWES recommends the approval be subject to Waiver #6713-WPFM-001-1 Conditions, Vinson Hall, dated September 24, 2009, as contained in Attachment A.

If you have any questions, or need further assistance, please contact me at 4-1720.

ATTACHED DOCUMENTS:

Attachment A – Waiver #6713-WPFM-001-1 Conditions, Vinson Hall, dated September 24, 2009

Attachment B – PFM Section 6-0303.8

cc: Robert A. Stalzer, Deputy County Executive
Jimmie D. Jenkins, Director, DPWES
James Patteson, Director, Land Development Services, DPWES
Steve Aitcheson, Director, Maintenance and Stormwater Management Division, DPWES
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Zoning Application File (6713-ZONA-001)
Waiver File

Waiver #6713-WPFM-001-1 Conditions

Vinson Hall
Special Exception Amendment Application #SEA 87-D-025
September 24, 2009

1. The underground facility shall be constructed in accordance with the development plan and these conditions as determined by the Director of the Department of Public Works and Environmental Services (DPWES).
2. To provide greater accessibility for maintenance purposes, the underground facility shall have a minimum diameter of 72 inches.
3. The underground facility shall be constructed of reinforced concrete products only and incorporate safety features, such as including locking manholes and doors, as determined by DPWES at the time of construction plan submission.
4. The underground facility shall be privately maintained and shall not be located in a County storm drain easement.
5. A private maintenance agreement, as reviewed and approved by the Fairfax County Attorney's Office, shall be executed and recorded in the Land Records of the County. The private maintenance agreement shall be executed prior to final plan approval.

The private maintenance agreement shall address:

- County inspection and all other issues as may be necessary to insure that the facility is maintained by the property owner in good working condition acceptable to the County so as to control stormwater generated from the redevelopment of the site and to minimize the possibility of clogging events.
 - A condition that the property owner and its successors or assigns shall not petition the County to assume maintenance of or to replace the underground facility.
 - Establishment of a reserve fund for future replacement of the underground facility.
 - Establishment of procedures to follow to facilitate inspection by the County, i.e. advance notice procedure, whom to contact, who has the access keys, etc.
 - A condition that the property owner provide and continuously maintain liability insurance. The typical liability insurance amount is at least \$1,000,000 against claims associated with underground facility.
 - A statement that Fairfax County shall be held harmless from any liability associated with the facility.
6. Operation, inspection, and maintenance procedures associated with the underground facility shall be incorporated into the site construction plan and private maintenance agreement which insure safe operation, inspection, and maintenance of the facility.

7. A financial plan for the property owner to finance regular maintenance and full life-cycle replacement costs shall be established prior to site plan approval. A separate line item in the annual budget for operation, inspection, and maintenance shall be established. A reserve fund for future replacement of the underground facility shall also be established to receive annual deposits based on the initial construction costs and an estimated 50-year lifespan for concrete products.

8. Prior to final construction plan approval, the property owner shall escrow sufficient funds which will cover a 20-year maintenance cycle of the underground facility. These monies shall not be made available to owner until after final bond release.

Fairfax County Government
Public Facilities Manual
Chapter 6 – Storm Drainage

§6-0303.8 (24-88-PFM, 83-04-PFM) Underground detention facilities may not be used in residential developments, including rental townhouses, condominiums and apartments, unless specifically waived by the Board of Supervisors (Board) in conjunction with the approval of a rezoning, proffered condition amendment, special exception, or special exception amendment. In addition, after receiving input from the Director regarding a request by the property owner(s) to use underground detention in a residential development, the Board may grant a waiver if an application for rezoning, proffered condition amendment, special exception, and special exception amendment was approved prior to, June 8, 2004, and if an underground detention facility was a feature shown on an approved proffered development plan or on an approved special exception plat. Any decision by the Board to grant a waiver shall take into consideration possible impacts on public safety, the environment, and the burden placed on prospective owners for maintenance of the facilities. Any property owner(s) seeking a waiver shall provide for adequate funding for maintenance of the facilities where deemed appropriate by the Board. Underground detention facilities approved for use in residential developments by the Board shall be privately maintained, shall be disclosed as part of the chain of title to all future homeowners (e.g. individual members of a homeowners or condominium association) responsible for maintenance of the facilities, shall not be located in a County storm drainage easement, and a private maintenance agreement in a form acceptable to the Director must be executed before the construction plan is approved. Underground detention facilities may be used in commercial and industrial developments where private maintenance agreements are executed and the facilities are not located in a County storm drainage easement.