

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara Byron, Director
Zoning Evaluation Division, OCP

DATE: April 8, 1998

FROM: Barbara J. Lippa, Deputy Director
Planning Commission Office

BJL

SUBJECT: Planning Commission Review of **CP-86-C-121-10, CAREMATRIX OF MASSACHUSETTS, INC.**, Reston Section 95, Block 1, Chancellor Park At Reston, Tax Map 17-3 ((1)) part of parcel 5, Hunter Mill District

On Thursday, April 2, 1998, the Planning Commission voted unanimously (Commissioners Coan, Downer, Harsel and Kelso absent from the meeting) to approve the Conceptual Plan for Carematrix of Massachusetts, Inc. to construct a five-story building containing 168 elderly housing dwelling units within the Reston Town Center, subject to the Notes contained in your memorandum dated March 20, 1998.

A copy of the verbatim excerpts from the Commission's action on this matter is attached. If you need additional information, please contact me at 324-2865.

Attachment: a/s

cc: Robert Dix, Supervisor, Hunter Mill District
John Palatiello, Commissioner, Hunter Mill District
Leslie Johnson, Staff Coordinator, ZED, OCP
April 2, 1998 Date File
Y-1(c) File

Planning Commission Meeting
April 2, 1998
Verbatim Excerpts

CP-86-C-121-10 - CAREMATRIX OF MASSACHUSETTS, INC.

During Commission Matters

Commissioner Palatiello: Distributed on March 25th and 26th are memoranda from Ms. Johnson -- one dated the 26th from Ms. Johnson and one dated the 25th to you, Mr. Chairman, from Ms. Byron, regarding a conceptual plan analysis for CareMatrix of Massachusetts, Incorporated. This is a Reston Town Center concept plan for a parcel at the intersection of Sunset Hills Road and Reston Parkway. It is an application for a residential, elderly unit. This has the recommendation of the -- favorable recommendation of the Planning and Zoning Committee of the Reston Citizens Association. There are notes that have been added to this and revisions with regard to the dedication of right-of-way for a turn lane from Sunset Hills Road onto Reston Parkway and that was the one outstanding issue over the last couple of weeks, and that has been worked out. Ms. Johnson, it is language with regard to a dedication. Am I correct?

Ms. Leslie Johnson: It is a reservation, with dedication upon demand.

Commissioner Palatiello: Okay. Fine. I appreciate that. Mr. Chairman, as I said, this has the approval of the Planning and Zoning Committee. Ms. Johnson has done an outstanding job working on this and the applicant has been most cooperative in working out those details with us. I would MOVE, Mr. Chairman, THAT THE PLANNING COMMISSION APPROVE CONCEPTUAL PLAN 86-C-121-10.

Commissioner Thomas: Second.

Chairman Murphy: Seconded by Mr. Thomas. Is there a discussion of the motion?

Commissioner Alcorn: Mr. Chairman?

Chairman Murphy: Mr. Alcorn.

Commissioner Alcorn: I have a question for staff. Ms. Johnson, in the staff report there's discussion of the tree preservation efforts. And there has been a lot of discussion in the community about tree preservation in areas very close to where this site is. Could you describe what kind of tree preservation efforts the County is obtaining for this site?

Ms. Johnson: The language is similar to what we obtained for the Stratford House. They are going to hire a certified arborist to come in and do a tree preservation plan to identify those trees that are going to be preserved. There aren't that many that they've shown on site; however, we're hopeful -- and also there's language in there about possible transplanting, so we're hopeful that they'll be able to do a little bit more than what's shown on here. But they will hire a certified arborist. They will take certain precautions

to ensure that those trees they're showing will be saved. They've also provided for replacement plantings in the event that they're not going to be.

Commissioner Alcorn: Okay. I remember, with the Stratford House which is due north of this site, that there was a strip along Reston Parkway which was in effect a tree preservation area sort of, a vertical one. Has there been any discussion or effort about trying to preserve a similar vertical area on this site?

Ms. Johnson: With the Stratford House development plan, it actually provided for a park of some sort. And in this case there is no such designation, so minimally they probably would have to provide 25 feet of buffer and it doesn't say that it has to be existing vegetation. Part of the problem here is that they are going to be doing improvements to Reston Parkway which is going to take out some of the vegetation along Reston Parkway because they are widening it. So they have provided for about five or six large trees to be preserved. They are showing retaining walls in order to help preserve those trees because the grade will slope up from Reston Parkway. I know that, with Stratford House, they have gone beyond -- during the course of the site plan approval -- they've gone beyond what was shown on their development plan in trying to do transplanting and preserving what's out there and we're hopeful that that same type of situation will happen here.

Commissioner Alcorn: Okay. Just a clarification. In terms of them hiring an arborist and doing an inventory of the site, will that only apply to the few trees that are designated as tree save on the development plan? Is there any chance that additional trees that aren't currently identified as tree save candidates be saved as a result of the arborist's review?

Ms. Johnson: Condition #9 talks about preservation of those trees they've identified. They're going to have a certified arborist take a look at those. Again, there's no requirement, but we have referenced that and advised them of what's been happening on Stratford House and hopefully there can be some continuation of that, but there's nothing in the condition or the notes to require them to do that.

Commissioner Alcorn: Okay. Thank you.

Commissioner Palatiello: Mr. Chairman?

Chairman Murphy: Mr. Palatiello.

Commissioner Palatiello: Ms. Johnson, two questions. One on the issues raised by Mr. Alcorn. My recollection is that the existing development plan on the Stratford House, that predated the one we recently did, required a linear park across its frontage on Reston Parkway and the intent was to mirror the linear park that's in front of the Hyatt Hotel and the one block of stores immediately to the north of the Hyatt. Am I correct?

Ms. Johnson: That's correct.

Commissioner Palatiello: And on the overall development plan for this property there is not a continuation of that linear park? The linear park is confined to that two block area?

Ms. Johnson: That's correct. It's actually labeled on the development plan as a park. In this case what they show on the plan is a buffer strip. Typically it's 20 to 25 feet. It's not real defined. It can be landscaped. It can be existing vegetation. It can be a combination.

Commissioner Palatiello: On that point, there is an approved Reston Town Center landscape plan and this application must conform to that as well?

Ms. Johnson: That's correct.

Commissioner Palatiello: Okay. With regard to the issue of the reservation and dedication upon demand of a right turn lane, do you recall off hand what the configuration is between the improvement being made as part of the Oracle development and this particular reservation? What is planned now for westbound Sunset Hills Road at the intersection of Reston Parkway? Do you recall?

Ms. Johnson: Three through lanes and two left turn lanes. And what Oracle is constructing now is the two left turn lanes. And this lane that they're building now is kind of a dual through and right turn lane. And what we're looking for in the future is an exclusive right turn lane when the other side of Sunset Hills on the other side of Reston Parkway develops because the Comp Plan calls for three through lanes along Sunset Hills Road.

Commissioner Palatiello: One of the reasons why this application is desirable -- or one of the advantages of this particular application and use is that it is a low traffic generator. My recollection is, when we did the Oracle application, originally there was supposed to be a median break on Sunset Hills at the entrance of this particular site and that was closed.

Ms. Johnson: That's correct. It was shifted further down to Old Reston Avenue and that's where the entrance to Oracle is at that already signalized intersection. And so it was determined, with the Oracle development, that there was not going to be another median break between Reston Parkway and Old Reston Avenue and this site would be limited to right in, right out on Sunset Hills. And the other was that they would be able to get a right in, right out off of Reston Parkway.

Commissioner Palatiello: Right. Even today, on westbound Sunset Hills Road, notwithstanding the fact that there is construction going on, there is a tendency at AM, PM and noon time for traffic to back up at that intersection. Can you tell me what type of situation would trigger the note here for the demand on the part of VDOT for the actual dedication and how would we handle the actual construction of that right turn lane?

Ms. Johnson: Again, I think it would probably, in all likelihood, be requested at the time

that the property to the west, on the northwest quadrant of Reston Parkway, develops. That is also planned for up to a .7 FAR for office or other commercial development. And at that time we would be asking for a third lane along Sunset Hills as part of their frontage improvements. And we would want that lane that's currently being constructed in front of CareMatrix property, rather than it just being a combination lane, to be a through lane. And then we'd pull for the dedication of the right turn lane. It's conceivable that that applicant or whoever developed that property may build it and may be the ones to request the dedication, through the County, to have that lane built, if it serves their development.

Commissioner Palatiello: Okay. Thank you.

Chairman Murphy: Further discussion?

Commissioner Alcorn: I think there is a --

Chairman Murphy: We're on verbatim, gentlemen. I just want to caution you that we're really going long on this. Mr. Alcorn.

Commissioner Alcorn: I have a question to follow up on Mr. Palatiello's comment concerning the right turn lane. So they're dedicating property for this right turn lane, but not constructing?

Ms. Johnson: They're reserving it and will dedicate it upon demand. So when Fairfax County requests the dedication, they will do it, but they are not dedicating it at this point. When they go in for a site plan, it will not be dedicated. It will be shown as a reservation. And we've pushed the parking back further and taken the landscaping out of that strip so there won't be any problem with that when they go in to take it. It's 12 feet that they're basically reserving.

Commissioner Alcorn: Okay, until that additional turn lane is constructed, will the lanes on Sunset Hills on the east side of Reston Parkway still not match up with the lanes on the west side? Currently you have to kind of jog over a little bit.

Commissioner Palatiello: Mr. Chairman -- those will line up as a result of the BDM and Oracle --

Ms. Johnson: Right. Yes.

Commissioner Alcorn: They will?

Commissioner Palatiello: Those improvements are under construction as we speak.

Commissioner Alcorn: Okay. It's not clear from this, but if that's the case, okay. Thank you.

Chairman Murphy: Further discussion of the motion, he asked apprehensively. All those in favor of the motion to approve CP-86-C-121-10, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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Commissioner Palatiello: Mr. Chairman, I just wanted to -- my motion on the just approved conceptual plan is, of course, subject to the Notes contained in the memorandum dated March 20, 1998.

Chairman Murphy: Without objection, that will be added to the verbatim.

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(The motion carried unanimously with Commissioners Coan, Downer, Harsel and Kelso absent from the meeting.)

GLW

RESTON TOWN CENTER CONCEPT PLAN -
SECTION 95, BLOCK 1
Chancellor Park At Reston
March 20, 1998

GENERAL

1. The parcel subject to this Town Center Concept Plan is known as Reston, Section 95, Block 1.
2. The property which is the subject of this application shall be developed in accordance with this Town Center Concept Plan (the "Plan"); subject, however, to these notes and provided that minor modifications may be permitted when necessitated by sound engineering and/or which may become necessary as part of final site engineering, as determined by the Department of Environmental Management ("DEM").
3. The Tax Map reference for the parcel is 17-3 ((1)), part of Parcel 5. CareMatrix of Massachusetts, Inc., its successors or assigns (the "Applicant"), shall utilize the proposed building for housing for the elderly.
4. The gross floor area for the proposed building shall not exceed 181,000 square feet and the FAR shall not exceed .70. The foot print area for the proposed building shall not exceed 36,553 square feet. The proposed building shall contain no more than 168 dwelling units.
5. The maximum building height shall not exceed: (1) 50 feet (to mid pt. of roof) on the Reston Parkway side; and (2) 64 ft. (to mid pt. of roof) on the other sides of the building.
6. The application property consists of approximately 5.36 acres.

LANDSCAPING

7. The Applicant shall provide landscaping on the application property (the "Site") as shown on Sheet 3 of this Plan. The exact location of the provided plants and trees may be modified as necessary for the installation of utilities, Virginia Department of Transportation ("VDOT") requirements, and Fairfax County ("County") requirements, in coordination with DEM but shall, at a minimum, provide the quality and quantity of plantings depicted on the Town Center Concept Plan (subject to any reduction resulting from the future construction by the Commonwealth of Virginia/Fairfax County of an additional westbound lane on Sunset Hills Road in the reservation area shown on the Plan, as discussed in the transportation notes below).
8. A landscape plan generally consistent with the quality and quantity of landscaping reflected on Sheet 3 of this Plan shall be submitted for review and approval by the Urban Forestry Branch of DEM at the time of site plan approval. The Applicant will work in good faith with the Urban Forester to identify and transplant (if reasonably possible) certain trees on the Site (or nearby sites) to the locations of the supplemental landscaping reflected on Sheet 3 of this Plan. Such transplantings shall be in lieu of (not in addition to) the supplemental landscaping reflected on Sheet 3 of this Plan. Such transplantings shall be generally consistent with the quality, quantity, and cost of the supplemental landscaping reflected on Sheet 3 of this Plan.

9. The landscape plan noted in Paragraph 8 above shall provide for the preservation of the specific quality trees identified for preservation on Sheet 3 of this Plan. In an effort to maximize tree preservation efforts, the Applicant shall hire a certified arborist (the "Certified Arborist") to perform a pre-construction evaluation of the condition of the trees designated for preservation on Sheet 3 of this Plan. The Applicant, in consultation with the Certified Arborist, shall prepare and implement a tree preservation action plan to include recommended activities both before, during, and after construction which will improve the condition of these trees and their potential for survival. This action plan shall be submitted for review and approval by the Urban Forester prior to any land disturbing activities on the Site.

In the event it is determined by the Certified Arborist, in consultation with the Urban Forestry Branch, that any of the trees designated to be preserved on Sheet 3 of this Plan cannot be preserved due to poor health, a safety hazard, VDOT/County requirements, installation of utilities, or as a result of final engineering, a replanting plan that includes comparable landscaped areas shall be developed and implemented, as proposed by the Applicant and approved by the Urban Forester. One nursery grown tree with a minimum caliper of 4.5" (measured at a point 12" above ground level) will be planted for each tree (designated to be preserved on Sheet 3 of this Plan) that cannot be preserved.

10. All supplemental landscaping located within or contiguous to VDOT rights-of-way shall be provided subject to VDOT approval. If VDOT does not permit the noted plantings within or contiguous to its rights-of-way, the Applicant shall relocate the trees within the Site, subject to review and approval by DEM.

PEDESTRIAN CIRCULATION

11. The external and internal pedestrian circulation system (including sidewalks, crosswalks, trails, and paths) shall be provided as generally shown on Sheets 2 and 3 of this Plan.

TRANSPORTATION

12. All of the roads and road improvements shown on this Plan for northbound Reston Parkway and westbound Sunset Hills Road (the "Overall Improvements") shall be completed prior to the issuance of a Residential or Non-Residential Use Permit for the Site. The Reston Parkway-Sunset Hills Road Intersection improvement plan (CO. NO. 7871-PI-01) and the Sunset Hills Road improvement plan (CO. NO. 5468-PI-06-1) provide for all of the Overall Improvements.
13. The Applicant shall reserve the area shown on the Plan along the southern frontage of the Site for an additional westbound 350' right turn lane on Sunset Hills Road (the "Additional Lane"), as shown on the Plan. This reserved area shall be dedicated and conveyed to the Fairfax County Board of Supervisors in fee simple, at no cost to the County, within sixty (60) days from demand by VDOT or the County. Concurrently, the Applicant shall convey to the County, at no cost to the County, all easements reasonably necessary for construction of the Additional Lane. The Applicant reserves density credit in accordance with Section 2-308 of the Zoning Ordinance of Fairfax County as it may apply to all dedications described herein or as may be reasonably required by the County or VDOT at site plan approval.

- a. The Applicant will not be responsible for any costs (construction, relocation of utilities/poles, or other) associated with the construction of the Additional Lane.
- b. The Applicant shall be allowed to continue its use of the Site after the construction of the Additional Lane even though the Additional Lane will reduce the setback of the building and reduce the landscaping shown on the Plan.
- c. The Applicant shall not be responsible for replacing the landscaping reduced by the construction of the Additional Lane.

LAND USES

14. The Applicant shall utilize the proposed building for housing for the elderly. The Applicant reserves the right to place on the Site any accessory and/or ancillary uses permitted by the Fairfax County Zoning Ordinance (the "Zoning Ordinance"); such uses shall be limited to those that serve the Site and are permitted by the Zoning Ordinance.

SITE DESIGN

15. The architectural details and the primary building materials for the proposed building shall be compatible with those utilized on the buildings in the surrounding area and are subject to final review and approval by the Reston Town Center Design Review Board ("DRB"). Landscaping, signage, and lighting also are subject to final review and approval by the DRB.
16. Parking lot and building lighting shall be provided in accordance with Article 14 of the Zoning Ordinance, and shall be directed inward and/or downward to avoid glare onto adjacent properties.
17. The Applicant intends to pursue a separate Comprehensive Sign Plan for the Site pursuant to Article 12 of the Zoning Ordinance. Notwithstanding what is shown on this Plan, in the event that the Applicant does not pursue a Comprehensive Sign Plan or fails to obtain the necessary approvals for such Comprehensive Sign Plan, the Applicant shall provide signage in accordance with the standard signage requirements of Article 12 of the Zoning Ordinance.
18. The proposed development will use public water and sewer.
19. The site data shown hereon is subject to change with final architectural and engineering drawings.

TOWN CENTER CONCEPT PLAN AMENDMENTS

20. By securing approval of this Town Center Concept Plan, the Applicant is not limiting or waiving any of its rights pursuant to the approved Town Center proffers. Specifically, the Applicant reserves the right to subsequently pursue Development Plan or Proffer Amendments, Town Center Concept Plan Amendment(s), Special Exception(s) or Special Permit(s) (on the whole or any portion of the site) to revise uses, increase heights and density, and to pursue any and all

modifications as permitted by the Town Center Development Plan, the proffers, or the Fairfax County Zoning Ordinance.

21. Any portion of the Site may be the subject of a Town Center Concept Plan Amendment application without joinder and/or consent of the owners of any other land areas, provided that such Amendment does not affect the other land areas. Previously approved proffered conditions or development conditions applicable to a particular portion of the Site which are not the subject of such an Amendment shall otherwise remain in full force and effect.

AMENITIES

22. The overlook terrace, crafts courtyard, and park benches shall be provided as generally shown on Sheets 2-4 of this Plan.
23. Van service will be provided to the individuals living in the proposed building for local off-site appointments, shopping trips, and the like.

INTERIOR NOISE MITIGATION

24. For any units within 360 feet of the centerline of Reston Parkway, a maximum interior noise level of 45 dBA Ldn shall be achieved. Such standard will be met by employing the following:
 - a. Exterior walls shall have a laboratory sound transmission class ("STC") rating of at least 39.
 - b. Doors and windows shall have a laboratory STC rating of at least 28. If windows constitute more than 20% of any facade, they shall have the same laboratory STC rating as walls.
 - c. Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
25. As an alternative to the above, the Applicant, at its sole discretion, may pursue other methods of mitigating Reston Parkway noise if it can be demonstrated, through an independent noise study for review and approval by DEM, that these methods will be effective in reducing interior noise levels to 45 dBA Ldn or less, or that noise impacts will be such that interior noise mitigation measures will not be needed.