DEVELOPMENT CONDITIONS

SEA 80-P-078-15

July 6, 2009

If it is the intent of the Board of Supervisors to approve SEA 80-P-078-15 on Tax Maps 49-3 ((1) 136C, and 136C1, and 59-2 ((1)) 1A pt., 1B, 1C, 1D, 1E previously approved for a Medical Care Facility and related uses to permit an increase in building height from 90 feet up to a maximum of 165 feet, an increase in total number of beds in the medical care facility, an increase in land area and other building additions and site modifications pursuant to Sect. 9-607 and 4-304 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previously approved conditions as they pertain to this site.

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

2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception amendment 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. Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved Special Exception Amendment (SEA) Plat entitled "INOVA Fairfax Hospital Campus Generalized Development Plan/ Special Exception Amendment Plat RZ 2008-PR-009/ SEA 80-P-078-15", prepared by Dewberry and Davis LLC dated February 12, 2008, as revised through June 10, 2009. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

4. A copy of this Special Exception Amendment and the Non Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use

5. The height of the Women's Hospital & Patient Tower (WHPT) building shall not exceed a maximum height of 165 feet as shown on the GDP/ SEA Plat.

6. A nonresidential use permit shall not be issued for the WHPT building unless parking and loading is provided in accordance with Article 11 of the Zoning Ordinance as determined by DPWES, including any reductions or modifications that may be approved.

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

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty-six (36) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the buildings in the proposed development options. 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.