



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

September 15, 2011

Sarah E. Hall
Blankingship and Keith PC
4020 University Drive, Suite 300
Fairfax, VA 22030

RE: Special Exception Amendment Application SEA 82-V-012-6

Dear Ms. Hall:

At a regular meeting of the Board of Supervisors held on September 13, 2011, the Board clarified its action on July 26, 2011, and approved Special Exception Amendment Application SEA 82-V-012-6 in the name of Inova Health Care Services. The subject property is located at 2501 Parkers Lane on approximately 26.37 acres of land zoned C-3 in the Mount Vernon District [Tax Map 102-1 ((1)) 4 pt]. The Board's action amends Special Exception Application SE 82-V-012 previously approved for expansion of an existing medical care facility and medical office uses and associated modifications of development conditions pursuant to Section 4-304 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions; conditions carried forward unchanged from previous approvals are marked with an asterisk (*):

1. Any plan submitted pursuant to this SEA Application shall be in substantial conformance with the approved SEA Plat entitled "INOVA/ Mount Vernon Hospital Special Exception Amendment Plat SEA 82-V-012-06" prepared by Dewberry and Davis LLC, consisting of 13 sheets, and dated January 18, 2011, as revised through July 1, 2011. Minor modifications to the approved SEA Plat may be permitted pursuant to Sect. 9-004 of the Zoning Ordinance.
2. 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 modification for the installation of utilities and/or trails as determined necessary by the Director of DPWES.
3. A landscape plan shall be submitted as part of the first and all subsequent site plan submissions that is in substantial conformance with the landscaping shown on Sheet 4 of the SEA Plat for the review and approval of the Urban Forest Management Division (UFMD), DPWES.

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4. Tree Preservation: The Applicant shall submit a Tree Preservation plan as part of the first and all subsequent site plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a Certified Arborist or Registered Consulting Arborist, and shall be subject to the review and approval of the UFMD, DPWES.

The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 6 inches in diameter and greater within 25 feet inside and within 10 feet outside the limits of clearing and grading in the areas noted as portions of "C", "B" and a portion of "D" as shown on the Existing Vegetation Map of the SEA plat. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, and those additional areas in which trees can be preserved as a result of final engineering as may be recommended by the UFMD, DPWES.

The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. 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.

Tree Preservation Walk-Through: The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's 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, if any, 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.

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 erosion and sediment control sheets of the site plans, as may be modified by the "Root Pruning" 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 direct supervision of a Certified 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.

Root Pruning: The Applicant shall root prune, 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 submitted site plans. 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 with the supervision of a Certified Arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

5. Site Monitoring: During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant or the Certified Arborist or Registered Consulting Arborist shall be present to monitor the process and ensure that the activities are conducted as per these development conditions and as approved by the UFMD. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist to monitor all construction and demolition work adjacent to any vegetation to be preserved 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 sheets of the Site Plan, and reviewed and approved by the UFMD, DPWES.

6. Tree Planting: Selected existing unhealthy landscape trees in the parking lots between the existing Hospital and Hinson Farm Road that fail to meet PFM requirements for health and do not provide effective tree canopy coverage shall be replaced by the Applicant with appropriate cultivars and species to the greatest extent possible as determined by the UFMD, DPWES.
7. Building Height: The maximum height of the parking structure and ambulatory care centers shall not exceed 75 feet in height.
8. LEED: The Applicant shall include, as part of the site plan submission and building plan submission, for each structure identified on the SEA Plat as an Ambulatory Care Center (“ACC”) a list of specific credits within the most current version of the U.S. Green Building Council’s Leadership in Energy and Environmental Design—New Construction (LEED®-NC) rating system, or other LEED rating system determined to be applicable to the ACC by the U.S. Green Building Council (USGBC), that the Applicant anticipates attaining. A LEED-accredited professional will provide certification statements at both the time of site plan review and the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED Silver certification of the project.

In addition, prior to site plan/subdivision plan approval for the ACC, the Applicant will designate the Chief of the Environment and Development Review Branch of the Department of Planning and Zoning as a team member in the USGBC’s LEED Online system. This team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

Prior to building plan approval for any ACC, the Applicant will submit documentation, to the Environment and Development Review Branch of DPZ, regarding the U.S. Green Building Council’s preliminary review of design-oriented credits in the LEED program. This documentation will demonstrate that the ACC is anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED Silver certification. Prior to release of the bond for each phase of development which includes an ACC, the Applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating the status of attainment of LEED Certification from the U.S. Green Building Council for that ACC.

As an alternative to the actions outlined in the above paragraphs, or if the U.S. Green Building Council review of design-oriented credits indicates that the project is not anticipated to attain a sufficient number of design-related credits to support attainment of LEED Silver certification, the Applicant will execute a

separate agreement and post, for the ACC, a “green building escrow,” in the form of cash or a letter of credit from a financial institution acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$2.00 per gross square foot of the ACC. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of certification, by the U.S. Green Building Council, under the most current version of the LEED-NC rating system or other LEED rating system determined, by the U.S. Green Building Council, to be applicable to the ACC. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that the ACC has attained LEED certification will be sufficient to satisfy this commitment. If the Applicant fails to provide documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification within one year of issuance of the RUP/non-RUP for any ACC, the applicable escrow shall be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

9. Parks: The Applicant shall provide a contribution at the rate of \$0.27 per square foot for each ACC constructed and a contribution of \$0.11 per square foot for the hospital expansions after construction of Bed Tower C and the surgery addition (the first phase of development) to the Fairfax County Board of Supervisors for transfer to the Fairfax County Park Authority to help offset impacts to parks within the service area for Mount Vernon Hospital. All contributions shall be provided prior to issuance of the Non-RUP for the final ACC.

Transportation:

10. The expansion shown on the SEA Plat shall be constructed in at least three (3) phases of development. The first phase shall consist of the construction of Bed Tower C and the surgery addition. Upon site plan approval for the second phase of development, the Applicant shall make a one-time payment towards future traffic assessments as provided in Development Condition 11C. At each phase of development after the first phase, the Applicant shall make to Fairfax County the monetary contributions for transportation improvements as provided in Development Condition 11; construct the applicable turn lanes as provided in Development Condition 12; install the warranted traffic signals as provided in Development Condition 13; and coordinate a meeting to review the traffic impact study dated April 8, 2011 with the Fairfax County Department of Transportation (“FCDOT”), Virginia Department of Transportation (“VDOT”), the Mount Vernon Supervisor, New Gum Springs Civic Association, and other nearby surrounding residential communities, as provided in Development Condition 14.
11. A. The Applicant shall at the time of site plan approval for the second phase of development, and for each phase thereafter, contribute to Fairfax County for transportation improvements a sum derived as follows:

- 1) \$7.50 for each gross square foot of any Ambulatory Care Center ("ACC"), generally as identified on the SEA Plat, being added in that phase; and
- 2) \$2.50 for each gross square foot of an expansion of the Hospital, excluding each ACC, being added in that phase.

B. Contributions shall be used for such appropriate transportation mitigation measures within the geographic area which was the focus of the Applicant's April 8, 2011 traffic impact study, as shall be determined through coordinated community review in accordance with Development Condition 14.

C. At the time of site plan approval of the second phase of development, the Applicant shall make a one-time payment of \$60,000 to Fairfax County to be used for such later traffic assessments as FCDOT may deem necessary or desirable in connection with the review and determination referred to in Development Condition 14.

D. All monetary contributions required by this condition shall be adjusted upward or downward based on the percentage change in the annual rate of inflation as calculated by referring to the Consumer Price Index for all urban consumers (CPI-U), 1982-1984 = 100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics occurring subsequent to the date of application approval and up to the date of payment. In no event shall an adjustment increase exceed the annual rate of inflation as calculated by the CPI-U.

12. As part of the second phase of development, the Applicant shall restripe Parkers Lane to provide a southbound right turn lane at Hinson Farm Road. At such time as the entrance into the Hospital from Parkers Lane is rebuilt in accordance with the phasing shown on Sheet 13 of the SEA Plat, it shall provide for two egress lanes - - a left turn lane and a right/through lane - - and Parkers Lane shall be restriped to provide a southbound right turn lane at the rebuilt Hospital entrance. At such time as the northern entrance into the Hospital from Holland Road is relocated in accordance with the phasing shown on Sheet 13 of the SEA Plat, signage shall be installed at the relocated entrance to restrict ingress and egress to emergency vehicles and buses only.
13. Concurrent with site plan submission for each phase of development following the first phase, the Applicant shall submit to DPWES for VDOT and FCDOT review, a traffic signal warrant analysis for each of the following intersections, including all pertinent traffic count data, if at that time a traffic signal does not exist: Parkers Lane and the main entrance into Inova Mount Vernon Hospital ("the Hospital"), and Hinson Farm Road and Parkers Lane. The Applicant shall design and install a signal, including pedestrian countdown heads at each intersection where the Manual of Uniform Traffic Control Devices warrants are

met and the signal is otherwise approved by VDOT. At such time as the Applicant shall install a signal at the Parkers Lane entrance into the Hospital, it shall analyze the timing of the existing signal at Sherwood Hall Lane and Parkers Lane, and, with VDOT approval, adjust the signal timing as necessary. In the event that traffic signals have not been installed at both of the above referenced locations by the earlier of (a) the completion of the last phase of development, or (b) that date which is fifteen (15) years after the granting of this Special Exception Amendment, the Applicant shall contribute to Fairfax County for transportation improvements to be made in the Mount Vernon District in close proximity to the Hospital the sum of \$ 250,000 for each signal which has not been installed.

All monetary contributions required by this condition shall be adjusted upward or downward based on the percentage change in the annual rate of inflation as calculated by referring to the Consumer Price Index for all urban consumers (CPI-U), 1982-1984 = 100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics occurring subsequent to the date of application approval and up to the date of payment. In no event shall an adjustment increase exceed the annual rate of inflation as calculated by the CPI-U.

14. Prior to site plan approval for each phase of development after the first phase, the Applicant shall coordinate a meeting with the Fairfax County Department of Transportation, Virginia Department of Transportation, the Mount Vernon District Supervisor, New Gum Springs Civic Association, and other nearby surrounding residential communities to review the traffic impact study dated April 8, 2011 which was accepted by VDOT as well as the monetary contribution which will be made in accordance with Development Condition 11; the turn lanes which will be constructed in accordance with Development Condition 12; the results of the traffic signal warrant analysis conducted by the Applicant in accordance with Development Condition 13; and the results of such traffic assessments as FCDOT may commission using the \$60,000 contribution made by the Applicant in accordance with Development Condition 11(C). On the basis of every review of these items, the Mount Vernon District Supervisor, in consultation with New Gum Springs Civic Association, FCDOT, VDOT, and other nearby surrounding residential communities shall determine what appropriate, or alternate, transportation mitigation measures the Applicant's monetary contribution should be directed to within the geographic area which was the focus of the Applicant's April 8, 2011 traffic impact study in accordance with condition 11(B).

15. Transportation Demand Management:

- A. Prior to the issuance of the first Non-RUP for the first phase of the development, the Applicant shall formulate a transportation demand management program (the "TDM Program") to encourage and facilitate the ability of

employees of INOVA Mount Vernon Hospital (“Hospital”) to travel to work by means other than single occupancy vehicle (“SOV”).

- 1) Employee Mode Split Goal: Mass transit, ridesharing and other transportation strategies for the employees of the application property shall be utilized to achieve a minimum 15 % mode split for Hospital employee trips (“Employee Mode Split Goal”) to and from the Applicant Property during weekday peak hours, following full occupancy of the first development phase of the application property. For purposes of this TDM Program, “full occupancy” shall be deemed to be the time upon which Non-RUPS have been issued for 80 % or more of the total floor area within the development phase buildings.
- 2) Peak Hours Defined: For purposes of this TDM Program, the relevant weekday “Peak Hours” shall be that 60-minute period during which the highest weekday volume of mainline trips occurs between 6:00 to 9:00 AM and 4:00 to 7:00 PM, as determined by mechanical and/or manual traffic counts conducted at two select locations along Parkers Lane between Sherwood Hall Lane and Hinson Farm Road as approved in consultation with the FCDOT. To determine the Peak Hour, such counts shall be collected beginning on a Monday at 2400 hours and continuing to the following Thursday at 2400 hours at a time of year that reflects typical travel demand conditions (e.g. September to May, not during holiday week or when area public schools are not in session). The relevant Peak Hours shall be defined in conjunction with any employee trip counts (as defined below) as required pursuant to this TDM Program. The methodology for determining the peak hours may be modified subject to approval of FCDOT.
- 3) TDM Program Elements: The TDM Program shall implement the elements listed below, which may be adjusted from time to time as approved by FCDOT, without requiring a Special Exception Amendment:
 - (a) At such time as a bus transfer station is established by others in proximity to the Hospital, the Applicant shall provide a shuttle service between the hospital campus and such bus transfer station. This obligation shall cease at such time as additional bus service route(s) are provided to the Applicant Property, and agreed to by FCDOT;
 - (b) Provide a TDM Program Manager (“PM”) to oversee all TDM elements and act as the liaison between the Applicant and FCDOT. The PM may be employed directly by the Applicant or be a contractor to Applicant. The PM position may be part of other duties assigned to the individual;
 - (c) Participate in the Fairfax County Ride Share Program, including registering with the Guaranteed Ride Home (“GRH”) program

- offered in connection with the Metropolitan Washington Council of Governments;
- (d) Display in the Hospital's three lobbies transportation-related information for employees, volunteers, patients, and visitors;
 - (e) Distribute an employee benefits package to all new Hospital employees, including site-specific transit related information referencing the nearest Metro station and bus routes, a Metro "SmarTrip" card with a one-time initial benefit of \$ 50.00 per card, and encouraging all Hospital employees to use Metrorail, bus service, carpool/ vanpool, bicycling, and/or walking;
 - (f) Distribute an employee benefits package including site-specific transit related information referencing the nearest Metro station and bus routes and a Metro "SmarTrip" card with a one-time initial benefit of \$ 50.00 per card to existing Hospital employees upon request;
 - (g) Maintain varied Hospital shifts to allow for some work trips to occur outside of the typical AM and PM peak hours associated with Sherwood Hall Lane and Parkers Lane, encourage telecommuting and flextime for administrative employees as appropriate, and encourage the provision of health care services through remote technology;
 - (h) Provide reserved spaces for carpoolers and vanpoolers located proximate to Hospital entrances;
 - (i) Allow public buses to traverse the Applicant Property on a route agreed to by the Applicant;
 - (j) Provide (i) bicycle racks for a minimum of 20 bicycles in outdoors locations convenient to the main building entrances and the emergency entrance in the first phase of development, and (ii) bicycle racks for a minimum of 25 bicycles in the parking garage when it is constructed;
 - (k) Make on-site showers and changing areas available to Hospital employees;
 - (l) Provide information to new Hospital employees about housing opportunities within the area;
 - (m) Provide reserved parking spaces for two (2) taxis; and
 - (n) Provide a valet parking service as necessary during the construction phases of the campus.
- 4) Employee Surveys: Between September and November beginning with the year following issuance of the first Non-RUP exclusive of shell and core for the first phase of development, the PM shall conduct an annual survey of Hospital employees (the "Employee Survey") designed to evaluate the effectiveness of the TDM measures in meeting the applicable Employee Mode Split Goal and to evaluate the need for changes, if any, to the TDM measures then in place. The PM shall coordinate the draft Employee Survey materials and the methodology for validating survey results with

FCDOT at least thirty (30) days prior to each Employee Survey. The PM shall submit as part of each County Report (defined below) an analysis of the Employee Surveys to FCDOT. Such analysis shall include at a minimum:

- (a) A description of the TDM measures in effect for the survey period and a description of how such measures have been implemented;
 - (b) The number of people surveyed and the number of people who responded;
 - (c) The results of the surveys taken during the survey period;
 - (d) The number of Hospital employees participating in the TDM Programs, displayed by category and mode of use;
 - (e) An evaluation of the effectiveness of the TDM Program elements in place, including their effectiveness in achieving the Employee Mode Split Goal, and, if necessary, proposed modifications; and
 - (f) A description of the uses constructed and occupied on the Applicant Property at the time the survey was conducted.

- 5) County Report: The PM shall report to FCDOT on the TDM measures (the "County Report") no later than January 31st of each calendar year following completion of the Employee Survey. The County Report shall include (a) a description of the annual TDM strategic efforts, including, as applicable, sample marketing materials; (b) a financial statement that includes the budget for the TDM measures and an accounting of TDM revenues and expenditures for the preceding period; (c) an analysis of the Employee Survey for the preceding period, (d) discussion of any changes to the TDM measures for the upcoming year; and (e) the budget for TDM implementation for the upcoming year.

- 6) Adjustments to Calendar and Due Dates. Upon mutual agreement between FCDOT and the PM, the due dates for the Employee Survey and/or delivery of the County Report may be extended by up to sixty (60) days.
 - (a) Meetings with FCDOT: The PM shall meet with FCDOT every three years, as applicable, or as mutually agreed, to discuss the results of the Employee Survey, the County Report and the TDM measures.
 - (b) Trip Counts: If the Employee Survey reveals either: (a) an Employee Mode Split that is two (2) or more percentage points lower than the Employee Mode Split Goal; or (b) a survey response rate that is less than 20%, then the PM shall conduct an Employee Trip Count to further evaluate the effectiveness of the TDM Program. Such Employee Trip Counts shall be measured on three (3) days over a maximum two week period (but not including a week containing a county/state/federal holiday or when area public schools are not in session) during the weekday Peak Hours

between 6:00 and 9:00 AM and 4:00 and 7:00 PM). At least thirty (30) days prior to conducting the Employee Trip Counts, the PM shall meet with FCDOT to review and reach agreement on the dates and methodology for the Employee Trip Counts and the analyses to be done after the Employee Trip Counts are complete. The Employee Trip Counts shall include traffic counts at employee parking areas, employee vehicle occupancy counts, shuttle bus passenger counts, if any, on-site Metro and Fairfax Connector bus boarding and alighting counts, and pedestrian and bicycle counts. The Employee Trip Counts shall be conducted so that only trips generated by Hospital employees on the Applicant Property shall be accounted for (i.e. visitor and cut-through trips, etc., shall be excluded).

- (c) Evaluation/Revisions to TDM Measures. In the event Employee Surveys and/or Trip Counts reveal that the Employee Mode Split Goal is met for two consecutive years, then the Applicant shall continue to administer the TDM measures in accordance with this Development Condition and shall conduct Employee Surveys and submit County Reports every three years thereafter. In the event Employee Survey and Trip Counts reveal that the Employee Mode Split Goal is not met, then the PM shall convene a meeting with FCDOT within thirty (30) days of the completion of the Employee Survey and Trip Count to review the results of the Employee Surveys and Trip Count and the TDM measures then in place and to develop modifications to the TDM measures and/or additional TDM measures that may be implemented.
- (d) The PM shall submit any such revisions to the TDM Program to FCDOT within thirty (30) days following this meeting and request in writing FCDOT's review and concurrence. If no written response is provided by FCDOT within sixty (60) days after submission, the PM's revisions shall be deemed approved. Following approval of the revisions, the PM shall implement those TDM provisions as developed in consultation with FCDOT.
- (e) Penalties: In the event Employee Surveys and/or Trip Counts conducted following full occupancy of the second phase of development constructed on the Applicant Property reveal that the Employee Mode Split Goal is not met for two consecutive years, then the Applicant shall contribute such funds to the TDM Program to be used to achieve the Employee Mode Split Goal according to the following schedule:
 - i) \$350 for each one-tenth (1/10) of a percentage point less than the Employee Mode Split Goal (but greater than or equal to a 12.5% mode split. For example a mode split of 13.8% would result in a contribution of \$4,200. $(15.0 - 13.8 \times 10 \times \$350)$; plus

- ii) \$500 for each one-tenth (1/10) of a percentage point less than a 12.5% mode split but greater than or equal to a 10% mode split. For example a mode split of 11.5% would result in a contribution of \$13,750. $[(15.0 - 12.5 \times 10 \times \$350) + (12.5 - 11.5 \times 10 \times \$500)]$; plus
- iii) \$750 for each one-tenth (1/10) of a percentage point less than a 10% mode split. For example a mode split of 7.5% would result in a contribution of \$40,000. $[(15.0 - 12.5 \times 10 \times \$350) + (12.5 - 10.0 \times 10 \times \$500) + (10.0 - 7.5 \times 10 \times \$750)]$.

This penalty provision shall remain in effect for so long as development condition requires the Survey and Reporting Requirements to be met; provided, however, that there shall be a cap of \$60,000 on the aggregate of all contributions required to be paid hereunder. Any contribution payments made pursuant to this Development Condition shall be utilized as follows: by the Applicant to provide additional TDM measures/incentives on the Applicant Property as developed with and approved by FCDOT.

- 7) Enforcement: If the PM fails to timely submit the County Report for the Applicant Property to FCDOT as required by this Development Condition, or as the requirement may be extended, the County may thereafter issue the Applicant a notice stating that the Applicant has violated the terms of this Development Condition and providing the PM sixty (60) days within which to cure such violation. If after such sixty (60) day period the Applicant has not submitted the delinquent County Report, then the Applicant shall be subject to a penalty of \$100 per day payable to Fairfax County to be used for transit or transportation related improvements in the vicinity of the Applicant Property until such time as the report is submitted to FCDOT.
16. **Bicycle Facilities.** In the first phase of development the Applicant shall provide outdoor bicycle racks on the Applicant Property that provide spaces for a minimum of 20 bicycles. Outdoor bicycle racks shall be located to provide convenient access to the main Hospital and emergency entrances. When the parking garage is constructed, the Applicant shall provide in it bicycle racks for a minimum of 25 bicycles. The final location of the bike racks shall be subject to review by FCDOT. The Applicant shall also make shower and changing facilities available for employees of the Hospital and demonstrate that the same shall be available prior to issuance of the first Non-RUP for the first phase.
17. The Applicant shall prepare a sign plan for designating locations for "share the road" signs for areas on the Applicant Property where bicycles will share the road with other vehicles, subject to VDOT approval if necessary. This sign plan will also designate locations for signs to be located on the Applicant Property directing bicyclists to bicycle parking. Subject to necessary approvals, if any, the Applicant shall install such signs before completion of the first development phase.

18. The Applicant shall support sponsorship for bike to work day, and provide the availability of a conference room to sponsor classes relating to bike safety.
19. The main on-site travelway will be reconfigured and constructed as demonstrated on the SEA Plat along with the construction of the first phase of the parking structure.
20. At such time as the first phase of the parking structure is constructed in accordance with the phasing shown on Sheet 13 of the SEA-Plat, the Applicant shall construct an on-site bus pull out area adjacent to the new parking structure on the north side of the campus. The Applicant shall also provide a minimum of two bus shelters along with two bus bays. The Applicant shall provide electric power to these bus shelters and to a transit kiosk that may be provided by Fairfax County.
21. When the Hospital's main travelway is realigned, the Applicant may propose that buses enter the Hospital campus at Parkers Lanes and depart at the realigned entrance at Holland Road. The buses would then turn left on Holland and proceed to the Mental Health facility and the neighborhood and return to Parker's Lane via Hinson Farm Road. The change in bus circulation as mentioned would have to be in agreement with FDOT's Fairfax Connector service. The Applicant shall give 45 days written notice to FCDOT before the proposed change in the subject bus circulation commences.
22. Upon approval of the discontinuance of State Route 7485 the Applicant shall enter into an agreement with FCDOT granting a travel easement for the Fairfax Connector and/or WMATA to provide service bus along the main internal travelway of the hospital campus.
23. The Applicant shall provide bus shelter pads at the existing bus stop locations on the Applicant Property along Holland Road and Hinson Farm Road. When these bus stops are relocated to the opposite sides of Holland Road and Hinson Farm Road, the Applicant shall construct pads for them, if the pads can be placed within the existing VDOT right-of-way. The Applicant shall be responsible for obtaining the permits necessary to construct these bus shelter pads.
24. At such time as the entrance into the Hospital from Parkers Lane is rebuilt, Applicant shall meet with Fairfax Connector and/or WMATA to discuss an increase in bus service to the Hospital and the immediately surrounding area.
25. Stormwater Management: Given that the development lies within the Little Hunting Creek Watershed, with the Site Plan for the first phase of development, the Applicant shall include a Best Management Practices ("BMP") master plan ("BMP Master Plan") which addresses the complete expansion shown on the SEA Plat. The BMP Master Plan shall provide that (i) the 4.14 acres on which the

assisted living facility and the existing extended-detention dry pond are located will have a phosphorous removal rate of no less than 40%, and (ii) the remainder of the Applicant Property (26.37 acres – 4.14 acres = 22.23 acres) shall achieve a phosphorous removal rate which is at least 125% the removal rate calculated using the Public Facilities Manual's requirements. Achievement of this rate shall be accomplished through methods which may include but not be limited to the use of sand filters, green roofs, and low impact development techniques such as reforestation areas which are feasible given the high water table under the Applicant Property.

With the Site Plan for each phase of development, the Applicant shall demonstrate that (i) the BMP's for the subject phase of development are consistent with the BMP Master Plan, and (ii) the Site Plan for that phase of development achieves the phosphorous removal rate referred to above for that Site Plan area.

26. With the Site Plan for the first phase of development, the Applicant shall include a Stormwater Management ("SWM") Master Plan ("SWM Master Plan") which addresses the complete expansion shown on the SEA Plat. The SWM Master Plan shall provide detention of stormwater to reduce the peak rate of the one-year two-hour storm by a minimum of 10% below existing conditions for the 22.23-acre portion of the site (26.37 acres – 4.14 acres = 22.23 acres).
With the Site Plan for each phase of development, the Applicant shall demonstrate that (i) SWM features for the subject phase of development are consistent with the SWM Master Plan, and (ii) the Site Plan for that phase of development achieves the SWM peak rate detention referred to above for that Site Plan area.
27. The Applicant shall remove curbs, and provide and maintain depressed landscape areas that encourage vegetative uptake of surface runoff in those areas identified as Possible BMP Demo Areas in existing parking lots on Sheet 3 of the SEA Plat.
28. In the first phase of development, the Applicant shall install supplemental wetlands plantings in the existing dry pond to improve water quality as determined by the UFM, DPWES.
29. Lighting: All parking garage accent lighting shall be in conformance with outdoor lighting standards of Article 14 of the Zoning Ordinance. Accent lighting shall provide for full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the object intended to be illuminated. No outdoor area shall be lighted beyond the operating hours of the hospital visiting hours, except for necessary security and emergency access.
30. The north side of the second phase of the parking structure shall have on each level parapet walls which are six (6) feet high.

31. With the first phase of development, the Applicant shall replace any dead or dying trees in that area between Holland Road and the three (3) parking lots to the east of Holland Road with native trees with a caliper of at least two and one-half (2-1/2) inches. At such time as the main travel way on the Applicant Property is realigned, the Applicant shall install the four (4) foot high wood fence shown on the SEA Plat and install supplemental native trees with a caliper of at least two and one half (2-1/2) inches in that area between Holland Road and the three (3) parking lots to the east of Holland Road
- 32.* The helistop shall be used solely for medical and governmental purposes.
- 33.* The assisted living facility shall be limited to a maximum of 112 residents.
34. The Applicant's employees, visitors, contractors, vendors, suppliers and all other personnel shall not park on Holland Road. A dedicated telephone contact number for Inova Mount Vernon Hospital shall be established and provided to the Mount Vernon District Supervisor's office to report concerns such as off-site parking and smoking. The dedicated telephone contact number shall be provided by the Applicant prior to the issuance of the first Non-Residential Use Permit for the first phase of Inova Mount Vernon Hospital and updated as necessary. Monitoring of the telephone contact line shall be performed on a daily basis and all calls shall be responded to within one business day.
- 35.* Changes to the Applicant Property which require approval of a Special Exception Amendment or Special Permit may be applied for without joinder and/or consent of the Fire Station/Government Center and/or the Mental Health Center.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the 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 responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

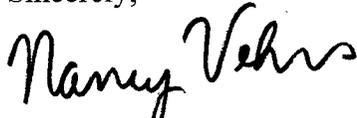
Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, Bed Tower C or the surgery addition associated with Phase I has been established or construction of either of these improvements as 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 Amendment. 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.

The Board also modified the:

- Transitional screening and barrier requirement along the southern and western perimeter of the site to that shown on the SEA plat
- Loading space requirement to that shown on the SEA plat

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/ph

Cc: Chairman Sharon Bulova
Supervisor Gerry Hyland, Mount Vernon District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation