DEVELOPMENT CONDITIONS

SE 2013-PR-004

September 18, 2013

If it is the intent of the Board of Supervisors to approve SE 2013-PR-004 on Tax Map 49-3 ((39)) 3 for a Medical Care Facility on the subject property pursuant to Sect. 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:

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 amendment plat approved with the application, as qualified by these development conditions.

3. This Special Exception 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 (SE) Plat entitled "Inova Comprehensive Cancer and Research Institute Special Exception Plat SE 2013-PR-004, prepared by Dewberry and Davis LLC and Wilmont Sanz dated March 28, 2013, as revised through September 12, 2013. 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 outdoor seating area located on the northwest corner of the building shall comply with the Permitted Extensions into Minimum Required Yards in Section 2-412 of the Zoning Ordinance.

6. All landscaping, freestanding signs and outdoor seating areas shall be located so as not to restrict sight distance for drivers entering or exiting travel intersections, aisles or driveways.

7. The retaining wall located along the northeast portion of the subject property shall not exceed 8 feet in height and shall be finished with the appearance of stone and/or brick materials facing Route 50 (Arlington Boulevard).

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.