



County of Fairfax, Virginia

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

March 4, 2015

RECEIVED
Department of Planning & Zoning

MAR 17 2015

Zoning Evaluation Division

G. Evan Pritchard
Walsh, Colucci, Lubeley and Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

RE: Special Exception Amendment Application SEA 94-D-002-02

Dear Ms. Pritchard:

At a regular meeting of the Board of Supervisors on March 3, 2015, the Board approved Special Exception Amendment Application SEA 94-D-002-02 in the name of Wesley Hamel Lewinsville LLC. The subject property is located at 1609 Great Falls Street, on approximately 8.66 acres of land zoned R-3 in the Dranesville District [Tax Map 30-3 ((1)) 42]. The Board's action amends Special Exception Amendment Application SEA 94-D-002 previously approved for alternate use of public facility to permit elderly housing and modifications to site and development conditions, and a waiver #011348-WPFM-001-01 to permit the location of underground stormwater management facilities in a residential area, pursuant to Sections 3-304 and 9-311 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions. Previously approved conditions or those with minor modifications are marked with an asterisk (*).

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. The existing field area on the southern half of the SEA Property may be used as a staging area and for temporary child care during construction.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled Lewinsville Center, prepared by VIKA, Virginia, LLC and dated August 8, 2014 as revised through January 14, 2015 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.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/theclerk>

4. A copy of the Special Exception shall be posted in a conspicuous place on the property along with the Non-Residential Use Permit (Non-RUP) of the use shall be made available to all Departments of the County of Fairfax during hours of operation of the permitted use.*
5. The maximum combined daily enrollment for the child care centers shall not exceed 210 children. Any child care center onsite shall only operate Monday through Friday.
6. The maximum number of dwelling units in the independent housing program shall be eight-two (82).
7. The maximum number of participants in the adult day care on site at any one time shall be eighty (80). The maximum number of participants on site at any one time in the senior center shall be eighty (80).
8. The architecture of the buildings shall be in general conformance with the elevations provided in the SEA Plat.
9. The County operated Senior Center/Adult Day Care/Child Care Center building shall be designed to meet LEED-Silver certification consistent with Fairfax County sustainable policy for Capital Facilities.
10. The independent living facility shall obtain certification in accordance with the EarthCraft Multi-family Program as demonstrated through documentation provided to DPWES and DPZ prior to the issuance of a RUP.
11. A landscape plan shall be submitted concurrent with submission of the site plan for review and approval by the Urban Forestry Management Division (UFMD). The plan shall provide landscaping in substantial conformance with the quality and quantity of landscaping shown on the special exception amendment plat. All peripheral fencing shall be installed prior to any construction activities on the SEA Property. All transitional screening landscaping, including those areas adjacent to Vistas Land and Evers Drive, shall be installed no later than issuance of the Residential Use Permit (RUP) or Non-Residential Use Permit (Non-RUP) but may be installed earlier if determined feasible.
12. 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 Urban Forest Management Division, 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 12 inches

in diameter and greater within 25 feet within the undisturbed area and 10 feet of the limits of clearing and grading in the disturbed area shown on the SEA plat for the entire site. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SEA plat and those additional areas in which trees can be preserved as a result of final engineering. 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.

13. 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.
14. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as 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 plat, 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.
15. 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" proffer 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.

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

17. 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 per specific development conditions and as approved by the UFMD. In addition, during the installation of the landscaping, a representative of the Applicant shall be present to monitor the installation of all landscaping. 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 and during the installation of all landscaping in order to ensure conformance with all tree preservation and landscaping 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.

18. Demolition of Existing Structures. The demolition of all existing features and structures within areas protected by tree preservation areas shown on the SEA plat shall be done by hand without heavy equipment and 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 UFMD, DPWES.
19. Stormwater Management shall be provided as shown on the Special Exception Amendment Plat, with modifications as may be permitted by DPWES at the time of site plan review, and as described in these conditions. The primary Best Management Practices (BMP) treatment facilities are shown as an extended release dry pond with perimeter vegetation and underground detention; however, additional BMP, including but not limited to, a stormfilter, enhanced pond, permeable pavers, infiltration, bioretention, and/or cisterns shall be evaluated for use in treating stormwater runoff. These alternative practices shall be provided as determined feasible by the Department of Public Works and Environmental Services' (DPWES) Stormwater Planning and Land Development Services, and pending funding by DPWES Stormwater Planning.
20. In order to reduce maximum interior noise to a level of approximately 35 dBA Ldn, the units within the independent living facility shall be constructed with the following acoustical measures:
 - 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 26. If glazing constitutes more than 20% of any façade, they shall have the same laboratory STC ratings as wells.
 - c. Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.*
21. Prior to the issuance of any Residential Use or Non-Residential Use Permits on the site, frontage improvements along Great Falls Street shall be constructed as depicted on the SEA Plat, subject to approval of the Virginia Department of Transportation (VDOT), including the proposed 10-foot wide shared use trail.*
22. No construction activities, other than the installation of utilities as generally depicted on the SEA Plat, shall occur on Evers Drive. No contractor vehicles or equipment, including contractor's personal vehicles, may be parked on Evers Drive.
23. At the time of Site Plan approval, the applicant shall provide a parking tabulation

which demonstrates that all uses on site independently satisfy the Zoning Ordinance requirements for their use. As a condition of site plan approval, the applicant shall provide a parking management plan for parking onsite, which should detail the conditions for the administration of the parking facilities on the property, as well as coordination of pick-up and drop-off times and large events. .

A copy of this plan, including a point of contact for each user, shall be filed with the Zoning Administrator and the District Supervisor for informational purposes and updated as necessary.

24. Although proposed frontage improvements (curb and gutter) along the west side of Great Falls Street are shown on the SEA Plat, these improvements shall not be provided.
25. In order to prohibit inbound left turns, the proposed raised island within the northern entrance shall be redesigned with a larger concrete area to the satisfaction of the Virginia Department of Transportation (VDOT) and the Fairfax County Department of Transportation (FCDOT). The lane widths shall also be 16 feet wide.
26. If a bus stop is provided on the frontage of the site, it shall be coordinated with the Fairfax County Department of Transportation (FCDOT) and the UFMD for placement and landscaping.
27. Signage shall comply with Article 12 of the Zoning Ordinance and shall be consistent with one another in terms of materials, style and color. If lighted, signs shall be internally lit and/or lighted from the top downward. *
28. All outdoor lighting, including security, pedestrian and/or other incidental lighting shall be in accordance with the Performance Standards for outdoor lighting contained in Part 9 of Article 14 of the Zoning Ordinance .*
29. All outdoor dumpster(s) on site shall be enclosed with a board-on-board fence, masonry or comparable material. Trash pick-up shall not occur on Saturday or Sunday, and shall not occur before 10:00 a.m. and after 7:00 p.m. Monday through Friday.*
30. The hours of construction shall comply with those in Chapter 108 of the Code of Fairfax County, with the exception that there shall be no construction on Sundays and Federal Holidays.*
31. All facilities associated with the Independent Living Facility shall be for the use of the Independent Living Facility's residents, employees and their guests. The athletic field is not a facility associated with the Independent Living Facility, and shall not be restricted to use by residents, employees and their guests.

32. In accordance with Par. 6 of Section 9-306 of the Zoning Ordinance, 100% of all dwelling units shall be affordable as specified in the Deed of Lease which is subject to the Federal Low Income Housing Tax Credit provisions.
33. The facility tenancy shall be administered in accordance with Sect. 9-306 or the Deed of Lease with regard to affordability, operation, resident care providers, and health care providers. In the event of a conflict, the Deed of Lease shall control.
34. Area for a playground shall be provided for public use in the general area as depicted on the SEA Plat or otherwise near the rectangle field.

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 Amendment shall not be valid until this has been accomplished.

The approval of this special exception does not interfere with abrogate or amend any easements, 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 exception amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction 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.

The Board also modified:

- Transitional screening requirements along the periphery of the site in favor of that shown on the SEA plat.
- Barrier requirements along the periphery of the site in favor of those shown on the SEA plat.
- Standard 1 of Section 9-306 of the Zoning Ordinance to permit residents 55 years of age or older in the proposed independent living facility.

- Standard 10 of Section 9-306 of the Zoning Ordinance to permit the front yard setback along Great Falls Street for that depicted on the SEA plat.
- Standard 15(B) of Section 9-306 of the Zoning Ordinance in favor of the deed of lease, which is subject to federal low income housing tax credit provisions.

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor John Foust, Dranesville District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Michael Davis, Section Chief, Transportation, Planning Division
Donald Stephens, Department of Transportation
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



COUNTY OF FAIRFAX
Department of Planning and Zoning
Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
 www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SEA 94-D-002-02
 (Staff will assign)

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 Department of Planning & Zoning

AUG 08 2014

Zoning Evaluation Division

APPLICATION FOR A SPECIAL EXCEPTION

(PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME Wesley Hamel Lewinsville LLC
	MAILING ADDRESS 5515 Cherokee Avenue, Suite 200 Alexandria, VA 22312
	PHONE HOME () WORK (703) 642-3830
	PHONE MOBILE ()
PROPERTY INFORMATION	PROPERTY ADDRESS 1609 Great Falls Street McLean, VA 22101
	TAX MAP NO. 30-3 ((1)) 42 SIZE (ACRES/SQ FT) 8.66 acres/377,130 sq. ft.
	ZONING DISTRICT R-3 MAGISTERIAL DISTRICT Dranesville
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION 9-311
	PROPOSED USE Alternate Use of Public Facilities
AGENT/CONTACT INFORMATION	NAME G. Evan Pritchard
	MAILING ADDRESS Walsh, Colucci, Lubeley & Walsh, PC 2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201 (gepritchard@thelandlawyers.com)
	PHONE HOME () WORK (703) 528-4700
	PHONE MOBILE ()
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>G. Evan Pritchard, Esquire/Agent</p> <p>TYPE/PRINT NAME OF APPLICANT/AGENT SIGNATURE OF APPLICANT/AGENT</p>	

DO NOT WRITE IN THIS SPACE

Deborah Lesho

SEA 2014-0411

Date Application accepted: August 28, 2014 Application Fee Paid: \$ 16,375.00

SEA 94-D -002-02

Zoning Application Closeout Summary Report

Printed: 3/9/2015

General Information

APPLICANT: WESLEY HAMEL LEWINSVILLE LLC
 DECISION DATE: 03/03/2015
 CRD: NO
 HEARING BODY: BOS
 SUPERVISOR DISTRICT:
 ACTION: APPROVE
 STAFF COORD: SUZANNE WRIGHT

DECISION SUMMARY:

ON MARCH 3, 2015, THE BOARD UNANIMOUSLY APPROVED SEA 94-D-002-02 ON A MOTION BY SUPERVISOR FOUST, SUBJECT TO DEVELOPMENT CONDITIONS DATED FEBRUARY 6, 2015.

Zoning Information

Existing Zoning		Proposed Zoning		Approved Zoning	
<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>
				R- 3	8.66 ACRES

Tax Map Numbers

030-3- /01/ /0042-

Approved Land Uses

Zoning District: R- 3

<u>LAND USE</u>	APPROVED RESIDENTIAL DEVELOPMENT			APPROVED NON-RESIDENTIAL DEVELOPMENT		
	<u>DWELLING</u> UNITS	<u>LAND AREA</u>	<u>NO. OF</u> ADU'S	<u>GFA</u>	<u>LAND AREA</u>	<u>FAR</u>
ALT/PUB/FA				32,000 SQ FEET	128,009.00 SQ FEET	0.24
INDLIVFAC	82	128,009.00 ACRES				
TOTAL	82	128,009.00 ACRES				
TOTAL				32,000 SQ FEET	2.94 ACRES	0.24

Approved Waivers/Modifications

MODIFY ADDITIONAL STANDARD 10 OF SECT. 9-306
 WAIVE PFM STANDARD FOR UNDERGROUND SWM FACILITY
 MODIFY ADDITIONAL STANDARD 1 OF SECT. 9-306
 MODIFY BARRIER REQUIREMENT
 MODIFY ADDITIONAL STANDARD 15 OF SECT. 9-306
 MODIFY TRANSITIONAL SCREENING REQUIREMENT

Approved Development Conditions

DEVELOPMENT CONDITION STATEMENT DATE: 02-06-2015

<u>DEVELOPMENT CONDITION</u>	<u>DUE</u>	<u>TRIG #</u>	<u>TRIG EVENT</u>	<u>CONTRIB</u>	<u>EXPIR DTE</u>
COORDINATE STORMWATER MANAGEMENT	01-01-0001	0	SITE PLAN	0	01-01-0001
DENSITY / DWELLING UNITS PER ACRE (DU/AC)	01-01-0001	0	N/A	0	01-01-0001
APPROVED FOR LOCATION/STRUCTURE/USES ETC ON PLAT	01-01-0001	0	N/A	0	01-01-0001
NOISE ATTENUATION (STUDY / WALL)	01-01-0001	0	N/A	0	01-01-0001
BUS STOP / SHELTER / MAINTENANCE	01-01-0001	0	N/A	0	01-01-0001
EXISTING STRUCTURES (DEMOLISH / REPLACE)	01-01-0001	0	N/A	0	01-01-0001
ARCHITECTURE / GREEN BUILDING / LEEDS	01-01-0001	0	RUP	0	01-01-0001
TREE PRESERVATION / SURVEY	01-01-0001	0	SITE PLAN	0	01-01-0001
LIMITS OF CLEARING AND GRADING	01-01-0001	0	N/A	0	01-01-0001
AMENITY FEATURE - SWM	01-01-0001	0	SITE PLAN	0	01-01-0001
DUMPSTER SCREENING / LOCATION	01-01-0001	0	N/A	0	01-01-0001
TREE SAVE FENCING	01-01-0001	0	N/A	0	01-01-0001
FRONTAGE IMPROVEMENTS	01-01-0001	0	N/A	0	01-01-0001
ENTRANCE IMPROVEMENTS	01-01-0001	0	N/A	0	01-01-0001
CONSTRUCTION VEHICLE RESTRICTIONS	01-01-0001	0	N/A	0	01-01-0001
ALTERNATIVE SWM MEASURES	01-01-0001	0	SITE PLAN	0	01-01-0001
OTHER - GENERAL	01-01-0001	0	N/A	0	01-01-0001
COPY SHALL BE POSTED	01-01-0001	0	N/A	0	01-01-0001
URBAN FORESTRY REVIEW	01-01-0001	0	N/A	0	01-01-0001
PARKING TABULATION REQUIRED	01-01-0001	0	SITE PLAN	0	01-01-0001
SIGNAGE	01-01-0001	0	N/A	0	01-01-0001
OUTDOOR PLAY AREA	01-01-0001	0	N/A	0	01-01-0001
ARCHITECTURE BUILDING MATERIALS / COLORS	01-01-0001	0	N/A	0	01-01-0001
OTHER - HOUSING	01-01-0001	0	N/A	0	01-01-0001
AFFORDABLE DWELLING UNITS	01-01-0001	0	N/A	0	01-01-0001
SUBJECT TO SITE PLANS / SUBDIVISION PLATS	01-01-0001	0	N/A	0	01-01-0001
LANDSCAPE PLAN REQUIRED	01-01-0001	0	SITE PLAN	0	01-01-0001
OTHER - LAND USE	01-01-0001	0	N/A	0	01-01-0001
ENROLLMENT LIMITATIONS	01-01-0001	0	N/A	0	01-01-0001
LIGHTING/GLARE	01-01-0001	0	N/A	0	01-01-0001