



# County of Fairfax, Virginia

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APRIL 29, 2015

## STAFF REPORT

REZONING RZ 2014-SP-015/SPECIAL EXCEPTION SE 2014-SP-060

### SPRINGFIELD DISTRICT

**APPLICANT:** Sunrise Development, Inc.

**PRESENT ZONING:** R-1 (Residential, 1 dwelling unit per acre)

**REQUESTED ZONING:** R-3 (Residential, 3 dwelling units per acre)

**PARCEL:** 78-3 ((1)) 4

**ACREAGE:** 4.96 acres

**FAR/DENSITY:** 0.25 FAR

**PLAN MAP:** Residential, 1-2 dwelling units per acre with an option for 2-3 dwelling units per acre or a medical care facility

**SE CATEGORY:** Medical Care Facility (Category 3)

**PROPOSAL:** To rezone property from the R-1 District to the R-3 District and special exception approval to permit a medical care facility

### STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2014-SP-015 and the Generalized Development Plan, subject to the execution of proffered conditions consistent with those set forth in Appendix 1 of the staff report.

Staff recommends approval of SE 2014-SP-060, subject to the proposed development conditions contained in Appendix 2 of the staff report.

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Mary Ann Tsai, AICP

Staff recommends approval of the following waivers and modifications:

- Modification of Par. 5 of Sect. 9-308 of the Zoning Ordinance to permit a medical care facility to be located 28 feet from the northern property line and 75 feet from the eastern property line in lieu of the required 100-foot setback.
- Modification of Par. 6 of Sect. 9-308 of the Zoning Ordinance to permit a medical care facility to be located on a lot containing 4.96 acres of land in lieu of the required 5 acres.
- Modification of Sects. 13-303 and 13-304 of the Zoning Ordinance on the transitional screening and barrier requirements along all boundaries of the property to that shown on the Generalized Development Plan/Special Exception Plat.

It should be noted that it is not the intent of staff to recommend that the Board of Supervisors, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Rezoning Application

**RZ 2014-SP-015**

Applicant: SUNRISE DEVELOPMENT, INC.  
Accepted: 08/22/2014  
Proposed: MEDICAL CARE FACILITY  
Area: 4.95 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect: Located: EAST SIDE OF BURKE LAKE ROAD SOUTH OF ITS INTERSECTION WITH SHIPLETT BOULEVARD

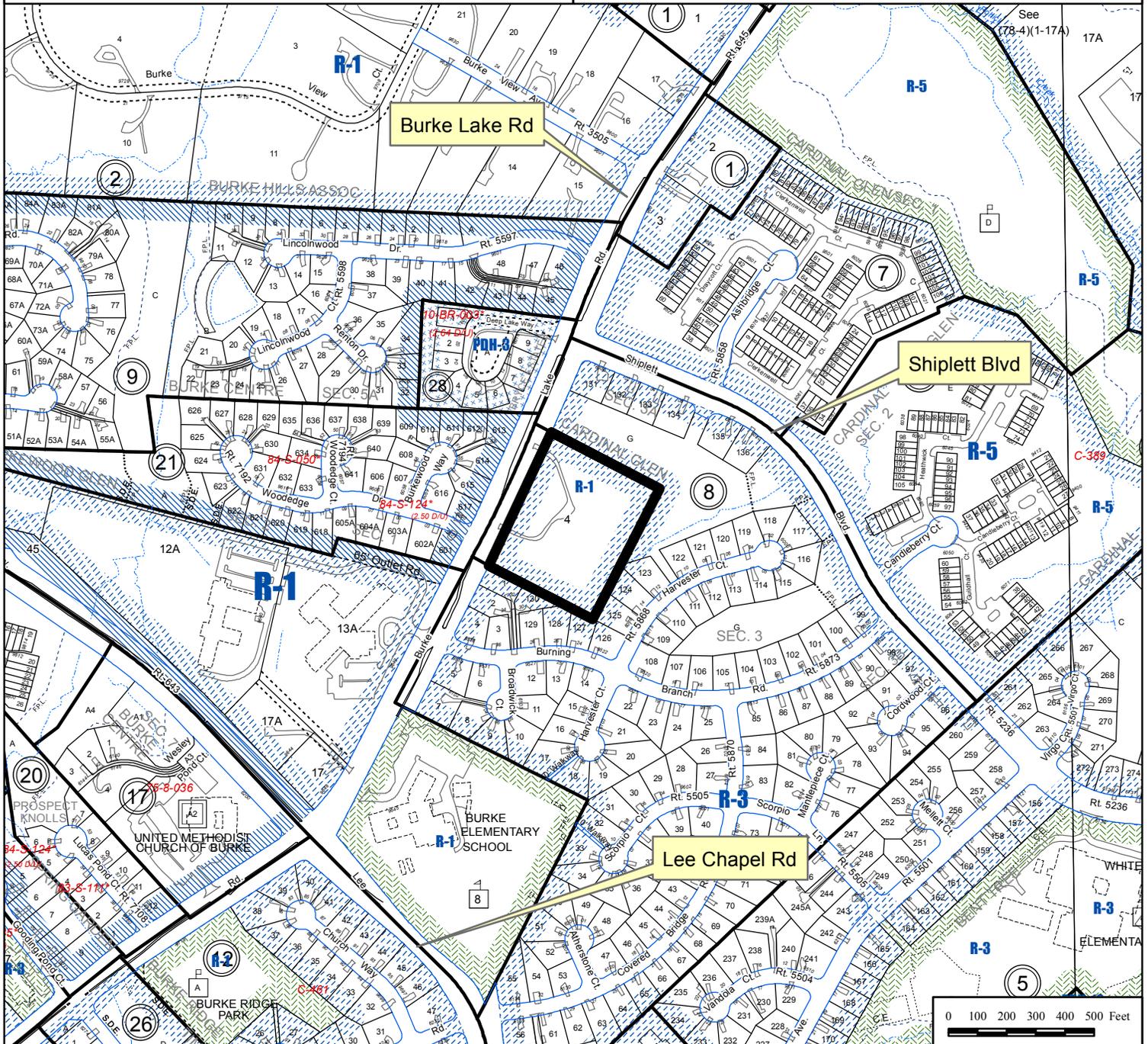
Zoning: FROM R- 1 TO R- 3  
Overlay Dist: Map Ref Num: 078-3- /01/ /0004

# Special Exception

**SE 2014-SP-060**

Applicant: SUNRISE DEVELOPMENT, INC.  
Accepted: 08/22/2014  
Proposed: MEDICAL CARE FACILITY  
Area: 4.95 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect: 03-0304  
Located: 9617 BURKE LAKE ROAD, BURKE, VA 22015  
Zoning: R- 3  
Plan Area: 3,  
Overlay Dist: Map Ref Num: 078-3- /01/ /0004



# SILAS BURKE PROPERTY

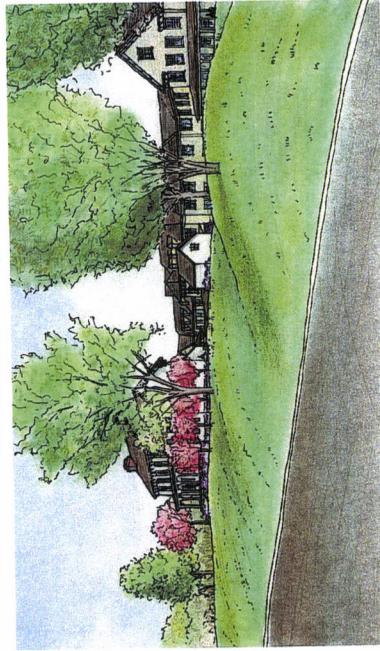
9617 BURKE LAKE ROAD

## GENERALIZED DEVELOPMENT PLAN SPECIAL EXCEPTION PLAT

RZ 2014-SP-015  
SE 2014-SP-060

SPRINGFIELD DISTRICT  
FAIRFAX COUNTY, VIRGINIA

JULY 18, 2014  
REVISED AUGUST 20, 2014  
REVISED OCTOBER 30, 2014  
REVISED DECEMBER 19, 2014  
REVISED MARCH 6, 2015  
REVISED MARCH 18, 2015  
REVISED APRIL 23, 2015



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VICINITY MAP  
SCALE: 1" = 200'

#### APPLICANT/CONTRACT OWNER

SUNRISE DEVELOPMENT, INC.  
7902 WESTPARK DRIVE  
McLEAN, VIRGINIA 22102  
ATTN: JERRY LIANG  
(703) 744-8673

#### ATTORNEY

WALSH, COLUCCI, LUBELEY, & WALSH, PC  
2200 CLARENDON BOULEVARD, 15TH FLOOR  
ARLINGTON, VIRGINIA 22201  
ATTN: SARA MARISKA  
(703) 528-4700

#### ARCHITECT

RLFS ARCHITECTS  
250 VALLEY BROOK DRIVE  
LANCASTER, PENNSYLVANIA 17601  
ATTN: CHARLES R. HEATH AIA, LEED AP,  
(717) 560-9501

#### ENGINEER

VIKA VIRGINIA LLC  
880 GREENSBORO DRIVE, SUITE 200  
TYSONS, VIRGINIA 22102  
ATTN: JOHN AMATITTI P.E.  
(703) 442-7800

#### LANDSCAPE ARCHITECT

LSG LANDSCAPE ARCHITECTURE  
199 GALLOWS ROAD, SUITE 100  
VIENNA, VIRGINIA 22182  
ATTN: MARK GRONET  
(703) 821-2045

#### TRANSPORTATION

WELLS + ASSOCIATES, INC.  
1420 SPRING HILL ROAD, SUITE 600  
TYSONS, VIRGINIA 22102  
ATTN: ROBIN ANTONUCCI  
(703) 971-6600

#### OWNER

SUZANNE W. FOWLER  
9617 BURKE LAKE ROAD  
BURKE, VIRGINIA 22085



VIRGINIA PROFESSIONAL ENGINEERING BOARD  
VIRGINIA REGISTERED PROFESSIONAL ENGINEER  
VIRGINIA LICENSE NO. 01047  
J. AMATITTI  
4/13/15

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VIRGINIA REGISTERED PROFESSIONAL ENGINEER  
VIRGINIA LICENSE NO. 01047  
J. AMATITTI  
4/13/15

TAX MAP NO.  
78-3 ((1)) 4

VIRGINIA PROFESSIONAL ENGINEERING BOARD  
VIRGINIA REGISTERED PROFESSIONAL ENGINEER  
VIRGINIA LICENSE NO. 01047  
J. AMATITTI  
4/13/15







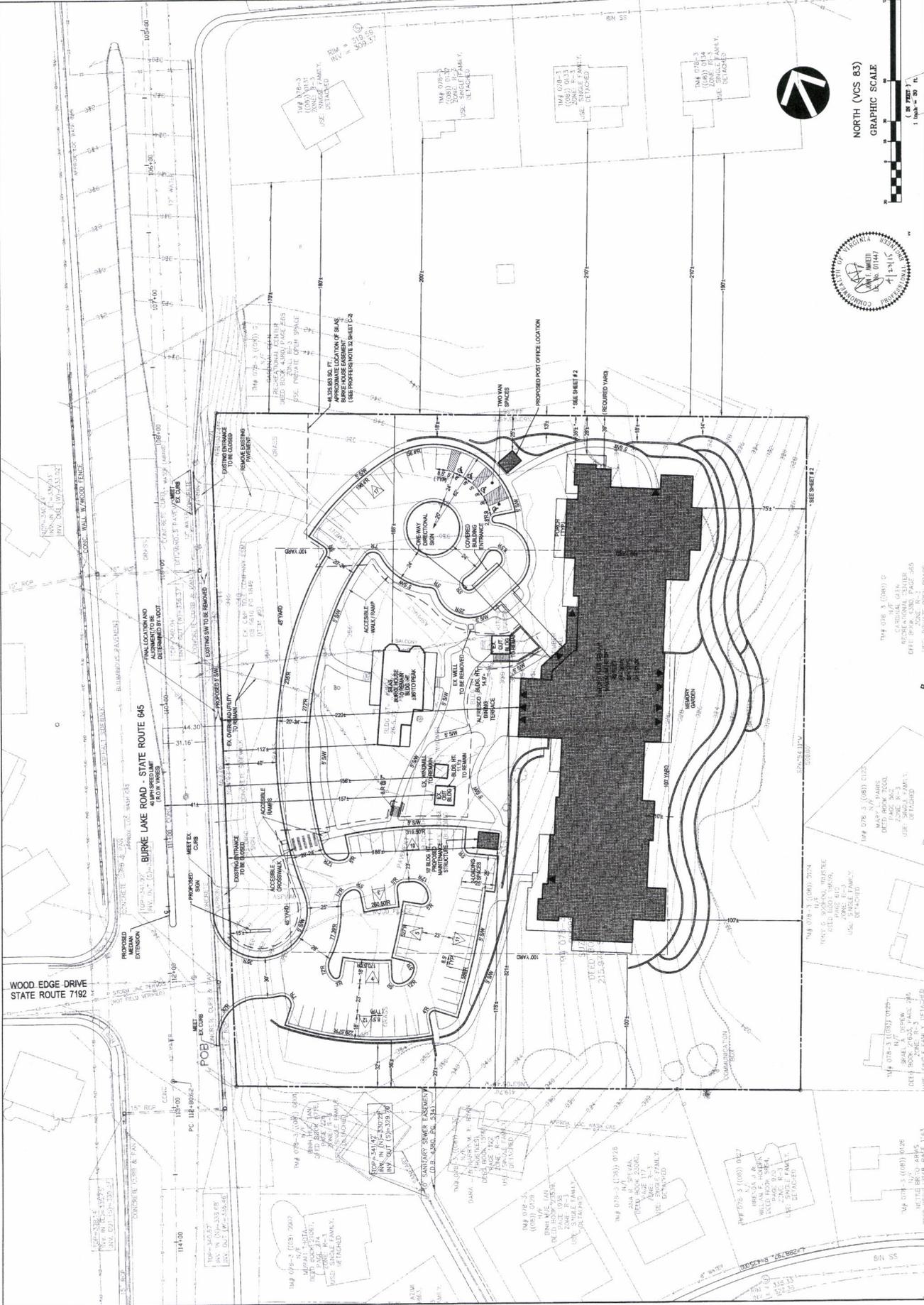




**GEOMETRIC PLAN**

DATE	DESCRIPTION	BY	CHK
APRIL 23, 2015	PROJECT/REV. NO.		
MARCH 18, 2015	PROJECT/REV. NO.		
OCTOBER 30, 2014	PROJECT/REV. NO.		
DATE	DESCRIPTION	BY	CHK
DATE	DESCRIPTION	BY	CHK
DATE	DESCRIPTION	BY	CHK

SCALE: 1" = 30'  
 PROJECT/REV. NO. VY0776  
 SHEET NO. C-6



NORTH (VCS 83)  
 GRAPHIC SCALE  
 1 inch = 30 ft

TMA 078-3 (08V) C  
 TMA 078-3 (08V) D  
 TMA 078-3 (08V) E  
 TMA 078-3 (08V) F  
 TMA 078-3 (08V) G  
 TMA 078-3 (08V) H  
 TMA 078-3 (08V) I  
 TMA 078-3 (08V) J  
 TMA 078-3 (08V) K  
 TMA 078-3 (08V) L  
 TMA 078-3 (08V) M  
 TMA 078-3 (08V) N  
 TMA 078-3 (08V) O  
 TMA 078-3 (08V) P  
 TMA 078-3 (08V) Q  
 TMA 078-3 (08V) R  
 TMA 078-3 (08V) S  
 TMA 078-3 (08V) T  
 TMA 078-3 (08V) U  
 TMA 078-3 (08V) V  
 TMA 078-3 (08V) W  
 TMA 078-3 (08V) X  
 TMA 078-3 (08V) Y  
 TMA 078-3 (08V) Z



















198 GALLONS ROAD, SUITE 110  
FAIRFAX COUNTY, VA 22031  
703.827.2063



250 VALLE BROOK DRIVE,  
FAIRFAX COUNTY, VA 22031  
771.469.0261



SILAS BURKE  
PROPERTY

9617 BURKE LAKE ROAD

SPRINGFIELD, FAIRFAX COUNTY, VA

REVISIONS

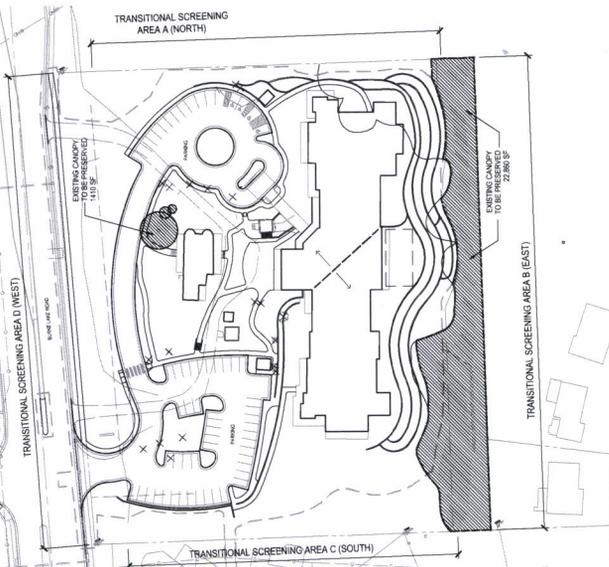
No.	Description	Date
1	Issue for RFP	April 20, 2015
2	Issue for RFP	May 15, 2015
3	Issue for RFP	March 20, 2015
4	Issue for RFP	October 16, 2014
5	Issue for RFP	October 16, 2014

LANDSCAPE CALCULATIONS

Project Number: 14110  
Scale: AS SHOWN  
Drawn By: M.D. ON  
Checked By: M.D. ON  
Date: 12/19/2014  
Sheet No.: L-2

TRANSITIONAL SCREENING AREA A (NORTH)				TRANSITIONAL SCREENING AREA B (EAST)				TRANSITIONAL SCREENING AREA C (SOUTH)				TRANSITIONAL SCREENING AREA D (WEST)			
TREE	QUANTITY	STOCK SIZE	10 YEAR TREE CANOPY	TREE	QUANTITY	STOCK SIZE	10 YEAR TREE CANOPY	TREE	QUANTITY	STOCK SIZE	10 YEAR TREE CANOPY	TREE	QUANTITY	STOCK SIZE	10 YEAR TREE CANOPY
RESERVED FOREST STAND	N/A	N/A	N/A	RESERVED FOREST STAND	N/A	N/A	N/A	RESERVED FOREST STAND	N/A	N/A	N/A	RESERVED FOREST STAND	N/A	N/A	N/A
<b>CATEGORY I DECIDUOUS TREES</b>				<b>CATEGORY I DECIDUOUS TREES</b>				<b>CATEGORY I DECIDUOUS TREES</b>				<b>CATEGORY I DECIDUOUS TREES</b>			
American holly	7	3"	125	American holly	12	3"	125	American holly	5	3"	125	American holly	13	3"	125
Croton variegatus			875	Croton variegatus			1500	Croton variegatus			625	Croton variegatus			1625
Indigo carolinensis				Indigo carolinensis				Indigo carolinensis				Indigo carolinensis			
Prunus 'Incarn' 'Dance'				Prunus 'Incarn' 'Dance'				Prunus 'Incarn' 'Dance'				Prunus 'Incarn' 'Dance'			
<b>CATEGORY II DECIDUOUS TREES</b>				<b>CATEGORY II DECIDUOUS TREES</b>				<b>CATEGORY II DECIDUOUS TREES</b>				<b>CATEGORY II DECIDUOUS TREES</b>			
Prunus acerifolia 'Bloodgood'	6	3"	250	Prunus acerifolia 'Bloodgood'	3	3"	250	Prunus acerifolia 'Bloodgood'	7	3"	250	Prunus acerifolia 'Bloodgood'	4	3"	250
Quercus phellos			1500	Quercus phellos				Quercus phellos				Quercus phellos			
Ulmus americana 'Valley Forge'				Ulmus americana 'Valley Forge'				Ulmus americana 'Valley Forge'				Ulmus americana 'Valley Forge'			
<b>CATEGORY III EVERGREEN TREES</b>				<b>CATEGORY III EVERGREEN TREES</b>				<b>CATEGORY III EVERGREEN TREES</b>				<b>CATEGORY III EVERGREEN TREES</b>			
Ilex x attenuata 'Foster'	14	1"	40	Ilex x attenuata 'Foster'	29	1"	40	Ilex x attenuata 'Foster'	30	1"	40	Ilex x attenuata 'Foster'	3	1"	40
Juniperus virginiana 'Minimus Sentry'			500	Juniperus virginiana 'Minimus Sentry'			1150	Juniperus virginiana 'Minimus Sentry'				Juniperus virginiana 'Minimus Sentry'			130
Thuja occidentalis 'Nigra'				Thuja occidentalis 'Nigra'				Thuja occidentalis 'Nigra'				Thuja occidentalis 'Nigra'			
<b>CATEGORY IV EVERGREEN TREES</b>				<b>CATEGORY IV EVERGREEN TREES</b>				<b>CATEGORY IV EVERGREEN TREES</b>				<b>CATEGORY IV EVERGREEN TREES</b>			
Chamaecyparis thyoides	20	3"	125	Chamaecyparis thyoides	12	3"	125	Chamaecyparis thyoides	16	3"	125	Chamaecyparis thyoides	5	3"	125
Juniperus virginiana			2000	Juniperus virginiana				Juniperus virginiana				Juniperus virginiana			625
<b>CATEGORY V EVERGREEN TREES</b>				<b>CATEGORY V EVERGREEN TREES</b>				<b>CATEGORY V EVERGREEN TREES</b>				<b>CATEGORY V EVERGREEN TREES</b>			
Magnolia grandiflora	10	2"	200	Magnolia grandiflora	0	2"	200	Magnolia grandiflora	11	2"	250	Magnolia grandiflora	2	2"	250
Prunus virginiana			2000	Prunus virginiana				Prunus virginiana				Prunus virginiana			500
<b>REFFER LENGTH</b>				<b>REFFER LENGTH</b>				<b>REFFER LENGTH</b>				<b>REFFER LENGTH</b>			
TREE CANOPY COVERAGE REQUIRED SF	302		500	TREE CANOPY COVERAGE REQUIRED SF	677		1312	TREE CANOPY COVERAGE REQUIRED SF	1114		1312	TREE CANOPY COVERAGE REQUIRED SF	1314		1314
TREE CANOPY COVERAGE PROVIDED SF	748		2726	TREE CANOPY COVERAGE PROVIDED SF	748		2726	TREE CANOPY COVERAGE PROVIDED SF	930		2726	TREE CANOPY COVERAGE PROVIDED SF	930		2726
<b>TOTAL EVERGREEN TREES</b>				<b>TOTAL EVERGREEN TREES</b>				<b>TOTAL EVERGREEN TREES</b>				<b>TOTAL EVERGREEN TREES</b>			
TOTAL TREES	4		15	TOTAL TREES	34		15	TOTAL TREES	53		17	TOTAL TREES	17		17
EVERGREEN PERCENT OF TOTAL TREES	72%		6%	EVERGREEN PERCENT OF TOTAL TREES	77%		6%	EVERGREEN PERCENT OF TOTAL TREES	88%		6%	EVERGREEN PERCENT OF TOTAL TREES	87%		6%
TOTAL SHRUBS PROVIDED	113		150	TOTAL SHRUBS PROVIDED	113		150	TOTAL SHRUBS PROVIDED	113		150	TOTAL SHRUBS PROVIDED	113		150
TOTAL SHRUBS REQUIRED	113		150	TOTAL SHRUBS REQUIRED	113		150	TOTAL SHRUBS REQUIRED	113		150	TOTAL SHRUBS REQUIRED	113		150

1 TRANSITIONAL SCREENING 2 CALCULATIONS



TREE	QUANTITY	STOCK SIZE	10 YEAR TREE CANOPY
<b>CATEGORY I DECIDUOUS TREES</b>			
Quercus coccoloba	8	3"	250
Quercus bicolor			2000
<b>TOTAL</b>	<b>8</b>	<b>3"</b>	<b>250</b>

TREE	QUANTITY	STOCK SIZE	10 YEAR TREE CANOPY
<b>CATEGORY I DECIDUOUS TREES</b>			
Quercus coccoloba	27	3"	825
Quercus bicolor			2000
<b>TOTAL</b>	<b>27</b>	<b>3"</b>	<b>825</b>

TREE	QUANTITY	STOCK SIZE	10 YEAR TREE CANOPY
<b>CATEGORY I DECIDUOUS TREES</b>			
Quercus coccoloba	27	3"	825
Quercus bicolor			2000
<b>TOTAL</b>	<b>27</b>	<b>3"</b>	<b>825</b>

2 PLANT LIST & TREE CANOPY CALCULATION

TREE	QUANTITY	STOCK SIZE	10 YEAR TREE CANOPY
<b>CATEGORY I DECIDUOUS TREES</b>			
Quercus coccoloba	27	3"	825
Quercus bicolor			2000
<b>TOTAL</b>	<b>27</b>	<b>3"</b>	<b>825</b>

NOTE: TOTALS INCLUDE PLANTS SHOWN IN 3

3 INTERIOR PARKING LOT LANDSCAPE

TREE	QUANTITY	STOCK SIZE	10 YEAR TREE CANOPY
<b>CATEGORY I DECIDUOUS TREES</b>			
Quercus coccoloba	6	3"	250
Quercus bicolor			2000
<b>TOTAL</b>	<b>6</b>	<b>3"</b>	<b>250</b>

4 TREE CANOPY TO BE PRESERVED

TREE	QUANTITY	STOCK SIZE	10 YEAR TREE CANOPY
<b>CATEGORY I DECIDUOUS TREES</b>			
Quercus coccoloba	27	3"	825
Quercus bicolor			2000
<b>TOTAL</b>	<b>27</b>	<b>3"</b>	<b>825</b>



1819 CALDWAY ROAD, SUITE 110  
VERONA, VIRGINIA 22136  
703.505.0305



SILAS BURKE  
PROPERTY

9617 BURKE LAKE ROAD

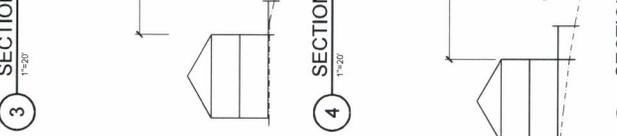
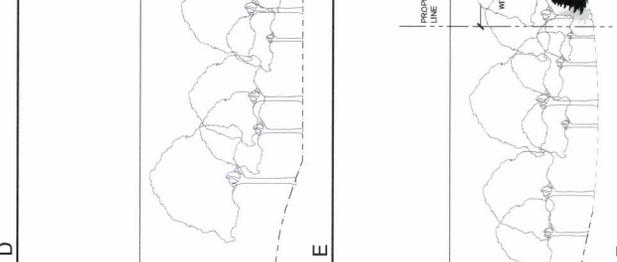
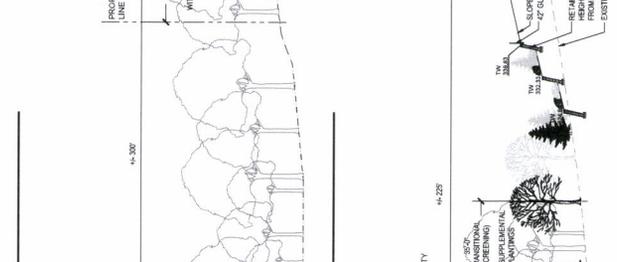
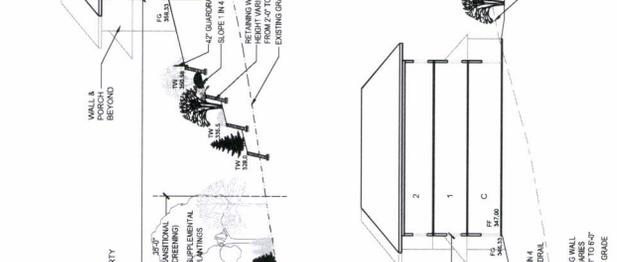
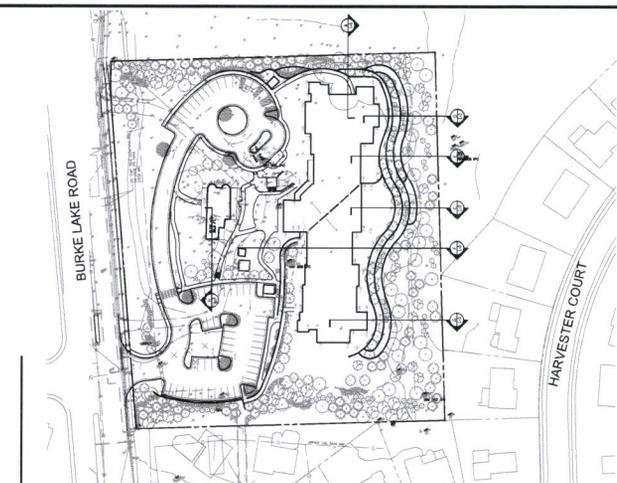
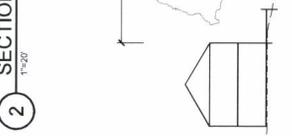
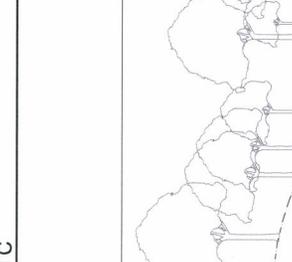
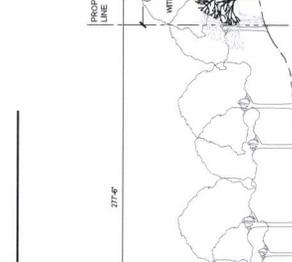
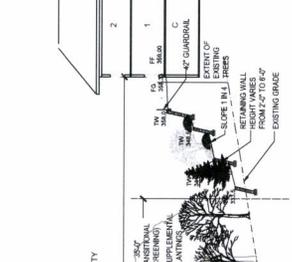
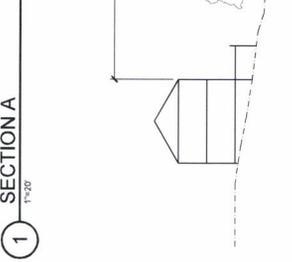
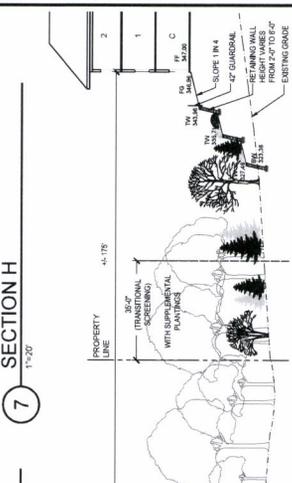
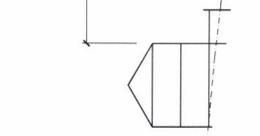
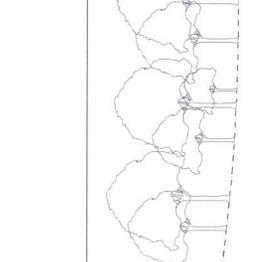
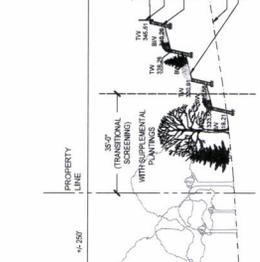
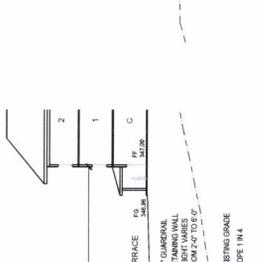
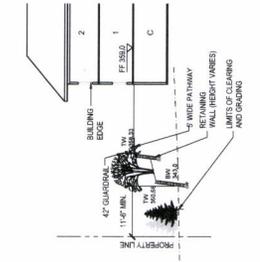
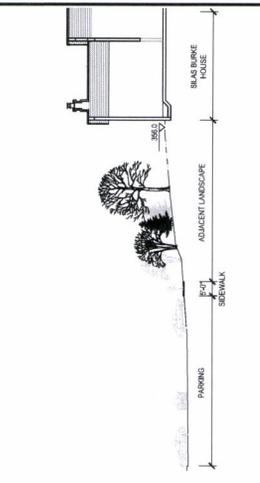
SPRINGFIELD, FAIRFAX COUNTY, VA

REVISIONS

No.	Description	Date
1	County Revisions	April 22, 2015
2	County Revisions	March 12, 2015
3	County Revisions	March 12, 2015
4	County Revisions	December 18, 2014
5	County Revisions	October 16, 2014
6	County Revisions	October 16, 2014

SECTIONS

Project Number: 14115  
Scale: AS  
Drawn By: M.C. ON  
Checked By: M.C. ON  
Date: 10/16/14  
Sheet No.: L-3





LSG LANDSCAPE ARCHITECTURE  
 1000 WOODS ROAD, SUITE 110  
 WINDY HILLS, VA 22190  
 703-451-0245



RYAN L. PETERSON, ARCHITECT  
 1000 WOODS ROAD, SUITE 110  
 WINDY HILLS, VA 22190  
 771-590-5621



SILAS BURKE  
 PROPERTY

9817 BURKE LAKE ROAD

SPRINGFIELD, FAIRFAX COUNTY, VA

REVISIONS

No.	Description	Date
4	County Resubmittal	April 23, 2015
3	County Resubmittal	March 18, 2015
2	County Resubmittal	March 18, 2015
1	County Resubmittal	December 19, 2014
1	County Resubmittal	October 30, 2014

TREE PRESERVATION  
 CALCULATIONS  
 AND STATEMENT

Project Number:	14110
Scale:	AS
Drawn By:	MC, DN
Checked By:	
Date:	12/11/2014
Sheet No.:	L-4

D 18	In an off-site planting area (recreation)?	No	Yes or No
D 19	Canopy area requested to be provided through off-site planting or tree bank	0	0
D 20	Amount to be requested into the site's existing planting area	0	0
D 21	Amount to be requested into the site's existing planting area	0	0
<b>E. Total of 10-year Tree Canopy Provided</b>			
E 1	Total of canopy area provided through tree preservation (C 10)	30,000	Square Feet
E 2	Total of canopy area provided through off-site mechanisms (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
E 3	Total of canopy area provided through off-site mechanisms (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
E 4	Total of 10-year Tree Canopy Provided (E 1 + E 2 + E 3)	30,000	Square Feet

C. Tree Preservation	Tree Preservation Target Area (SF)	18,738	Square Feet
C 1	Total canopy area meeting standards of § 12-0502 (B) + (C) + (D) + (E) + (F) + (G) + (H) + (I) + (J) + (K) + (L) + (M) + (N) + (O) + (P) + (Q) + (R) + (S) + (T) + (U) + (V) + (W) + (X) + (Y) + (Z)	28,875	Square Feet
C 2	Total canopy area provided by existing trees on site	1,410	Square Feet
C 3	Total canopy area provided by existing trees on site	2,115	Square Feet
C 4	Total canopy area provided by existing trees on site	0	Square Feet
C 5	Total canopy area provided by existing trees on site	0	Square Feet
C 6	Total canopy area provided by existing trees on site	0	Square Feet
C 7	Total canopy area provided by existing trees on site	0	Square Feet
C 8	Total canopy area provided by existing trees on site	0	Square Feet
C 9	Total canopy area provided by existing trees on site	0	Square Feet
C 10	Total of 10-year Tree Canopy Provided (E 1 + E 2 + E 3)	30,000	Square Feet

D. Tree Planting	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	23,303	Square Feet
D 1	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 2	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 3	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 4	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 5	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 6	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 7	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 8	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 9	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 10	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 11	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 12	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 13	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 14	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 15	Area of canopy to be met through tree planting (B 7-C 10) + (D 17) + (D 19) + (D 20) + (D 21)	0	Square Feet
D 16	Percentage of D 14 represented by D 15 = 0%	0%	Must not exceed 30% of D 14
D 17	Total of canopy area provided through tree planting = 23,303	23,303	Square Feet

1 TREE PRESERVATION TARGET CALCULATIONS AND STATEMENT

## **DESCRIPTION OF THE APPLICATIONS**

The applicant, Sunrise Development, Inc., requests approval to rezone property from the R-1 to the R-3 District and special exception approval to permit a medical care facility (assisted living facility) in the R-3 District. The applicant is proposing to retain and to preserve the existing Silas Burke House, its two outbuildings and windmill, and to develop the rear of the site with an assisted living facility. The Silas Burke House is a heritage resource listed in the County's Inventory of Historic Sites. The house was built by Colonel Silas Burke (circa 1820), who donated land for the development of Burke Station on the Orange & Alexandria Railroad and for whom the area is named.

The assisted living facility is proposed to be a 2-story building with cellar space containing a maximum gross floor area<sup>1</sup> of 53,993 square feet with a building height<sup>2</sup> of 40 feet and up to 85 units to serve a maximum of 105 residents. The facility is sited in the rear of the subject property to take advantage of the site's slope away from Burke Lake Road in order to maintain the prominence of the Silas Burke House and is located adjacent to private open space to minimize impacts to adjacent property.

The Silas Burke House is proposed to be used as an amenity for the residents and guests of the assisted living facility. The applicant proposes to use the first-floor of the house for community meetings, lectures, and other events. The second-floor is proposed to be renovated for a residential use by employees or as an accessory office space for the assisted living facility.

In addition to the proposed development of an assisted living facility, the applicant is proposing to relocate the historic Burke Post Office structure to the subject property. The post office currently is located on property off Guinea Road, which is approved for redevelopment and does not include retaining the post office.

## **WAIVERS AND MODIFICATIONS**

The applicant requests the following waivers and modifications of the Zoning Ordinance:

- Modification of Par. 5 of Sect. 9-308 of the Zoning Ordinance to permit a medical care facility to be located 28 feet from the northern property line and 75 feet from the eastern property line in lieu of the required 100-foot setback;
- Modification of Par. 6 of Sect. 9-308 of the Zoning Ordinance to permit a medical care facility to be located on a lot containing 4.96 acres of land in lieu of the required 5 acres; and

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<sup>1</sup> In accordance with Article 20 of the Zoning Ordinance, gross floor area does not include the cellar space square footage even if the space is used for units.

<sup>2</sup> In accordance with Article 20 of the Zoning Ordinance, building height is measured from the average grade to the mid-point of the roof line and not to the peak of the roof.

- Modification of Sects. 13-303 and 13-304 of the Zoning Ordinance on the transitional screening and barrier requirements along all boundaries of the property to that shown on the Generalized Development Plan/Special Exception Plat.

A reduction of the Generalized Development Plan/Special Exception Plat is provided at the front of this staff report. The applicant's draft proffers, staff's proposed special exception development conditions, the applicant's statement of justification, and the applicant's affidavits are provided as Appendices 1-4, respectively.

## LOCATION AND CHARACTER

The subject property contains 4.96 acres and is located on the east side of Burke Lake Road between Shiplett Boulevard and Burning Branch Road. The property is developed with the Silas Burke House (circa 1820 and rebuilt circa 1853), a 2 ½-story, gable roof-frame building with a stone foundation. Bay windows were added to the north facade in the late 1890s and a two-story portico was added to the east facade in 1926. To the east of the house are two outbuildings and a windmill. Burke Lake Road was realigned so that the rear of the house, the west elevation, now faces the road. Only three families have owned the house in its 190-year history. The property is listed in the County's Inventory of Historic Sites and has been determined eligible for listing in the National Register of Historic Places.



Figure 1: Silas Burke House property, Source: Fairfax County GIS, 2013

The surrounding uses are residential and developed with single-family homes. To the north is private open space and single-family detached homes, zoned R-3. To the northwest is a single-family home subdivision, zoned Planned Development Housing, Three Dwellings per Acre (PDH-3). To the west is a single-family detached development, zoned Planned Residential Community (PRC). To the east and south are single-family homes zoned R-3. To the southwest is the Heatherwood Retirement Community, zoned R-1 and developed at a 0.14 floor area ratio (FAR). Figure 1A depicts the surrounding area and uses.



Figure 1A: Subject property, surrounding uses, and zoning. Source: Fairfax County GIS, 2013

## BACKGROUND

Circa 1820, the Silas Burke House was constructed and rebuilt circa 1853. In 1969, the Silas Burke House was listed in the County's Inventory of Historic Sites.

On March 20, 2014, the Virginia Department of Historic Resources State Review Board determined that the Silas Burke House was eligible for listing in the National Register of Historic Places. In its determination, the Board recognized the dwelling as one of few surviving from that historic period in its area of the County and noted the retention of 5 acres of open space around the house is a key aspect of its setting, feeling, and association.

On May 13, 2014, Plan Amendment PA 2014-III-P1 was authorized by the Board of Supervisors to consider the appropriateness of the parcel redeveloping as an assisted living facility for up to approximately 54,000 square feet in gross floor area.

On March 3, 2015, the Board of Supervisors held a public hearing on Plan Amendment PA 2014-III-P1 and on March 24, 2015, the Plan amendment was approved.

## **COMPREHENSIVE PLAN**

Fairfax County Comprehensive Plan, 2013 Edition Area III, Pohick Planning District, amended through March 24, 2015, P2-Main Branch Community Planning Sector, Land Use Recommendations, page 34, is provided below and includes the recently amended Comprehensive Plan text.

*“19. Parcel 78-3 ((1)) 4 is planned for residential use at 1-2 dwelling units per acre. As an option, residential use at 2-3 dwelling units per acre or a medical care facility (assisted living facility) may be appropriate, subject to the following conditions:*

- The Silas Burke House should be retained and preserved in accordance with The Secretary of the Interior’s Standards for the Treatment of Historic Properties with commitment to an active use for the house.*
- Façade, historic, and open space conservation easements should be placed on the property to protect the house, accessory structures, and character of the immediate setting surrounding the house in perpetuity.*
- The design, scale, mass, orientation, and architecture of additional development should be compatible with the Silas Burke House and its surrounding area.”*

## **GENERALIZED DEVELOPMENT PLAN (GDP)/SPECIAL EXCEPTION (SE) PLAT ANALYSIS**

The GDP/SE Plat entitled “Silas Burke Property,” was submitted by Vika Virginia, LLC and consists of 18 sheets, dated July 18, 2014, and revised through April 23, 2015, and is reviewed below.

### Topography

The topography of the site contains changes in grade from an elevation of 344 feet above sea level along Burke Lake Road and rises to an elevation of 356 feet at the Silas Burke House. The site then slopes downward towards the east to an elevation of 314 feet at the eastern property line. The first level of the assisted living facility is located at an elevation of 359 and the elevation of the cellar space is at 347 feet. The average grade around the assisted living facility is 353 feet.

### Site Layout

The site currently is developed with the Silas Burke House, its two outbuildings and a windmill, which are centrally located on the property. The Silas Burke House measures 26.5 feet high and is 35 feet in height to the roof peak. The two outbuildings are 11.1 feet and 14.9 feet high, respectively. The height of the windmill is not provided.

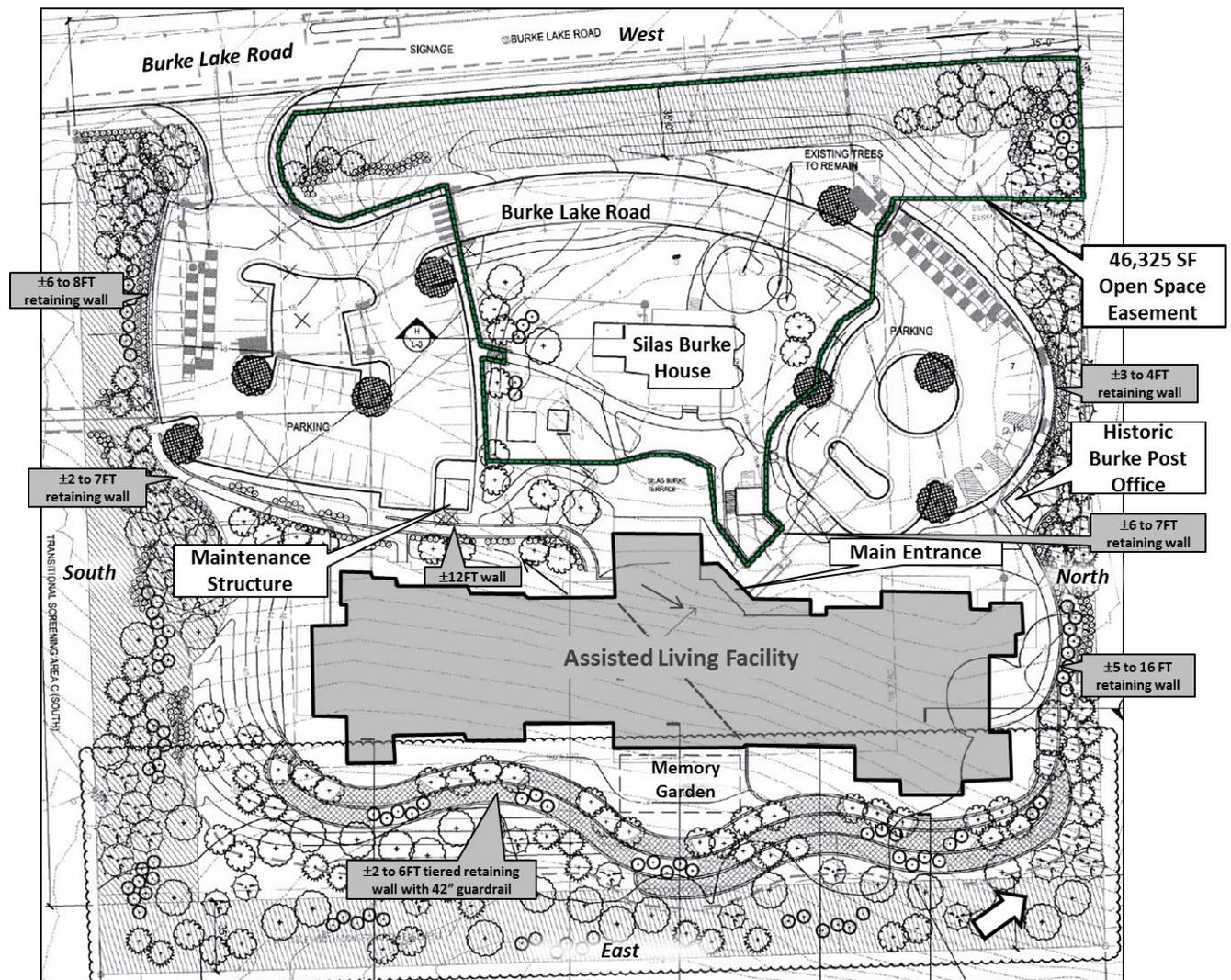


Figure 2: Site Layout, Source: GDP/SE Plat, Sheet C-7

An assisted living facility containing a maximum gross floor area of 53,993 square feet with a maximum building height of 40 feet is proposed in the rear of the property, along the site's eastern property line. Figure 2 provides the site layout. The main entrance to the assisted living facility faces the northern property line and features a covered entrance from the main entrance to the circular drive aisle in front. The covered entrance is approximately 10 to 15 feet from the closest corner of the northern outbuilding. A 1,800-square foot memory garden is proposed in the rear of the assisted living facility.

A 220-foot setback is shown from the assisted living facility to the western property line, along Burke Lake Road. A setback of 100 feet is provided along the southern and southeastern property lines. Along the northeastern and northern property lines, which are adjacent to private open space, a 75-foot and 28-foot setback is provided, respectively. In addition, a 46,325-square foot Silas Burke House open space easement surrounds the Silas Burke House.

The northern portion of the assisted living facility is proposed to be two-stories in height with cellar space and the southern portion of the building is proposed to be three-stories in height, as shown on Sheet L-1. A maintenance structure used for storage of trash bins on trash day is 10 feet in height and contains 195 square feet; two loading spaces are located in front of the southwest facade of the assisted living facility. A 12-foot high retaining wall with railing is located behind the loading spaces and maintenance structure and continues to the assisted living facility's service entrance. The historic Burke Post Office structure is located in the northeast area of the site, between the parking area and in front of the northwest facade of the assisted living facility.

Several retaining walls are proposed throughout the site in response to the site's change in grade from Burke Lake Road to the eastern property line. Figure 2 identifies the height and general location of the retaining walls. Landscaping is shown with the retaining walls to screen their appearance. Terraced retaining walls 2 to 6 feet in height are provided at the rear of the site, as shown in Figure 2A. The retaining wall in the northeast area of the site is shown as Figure 2B.

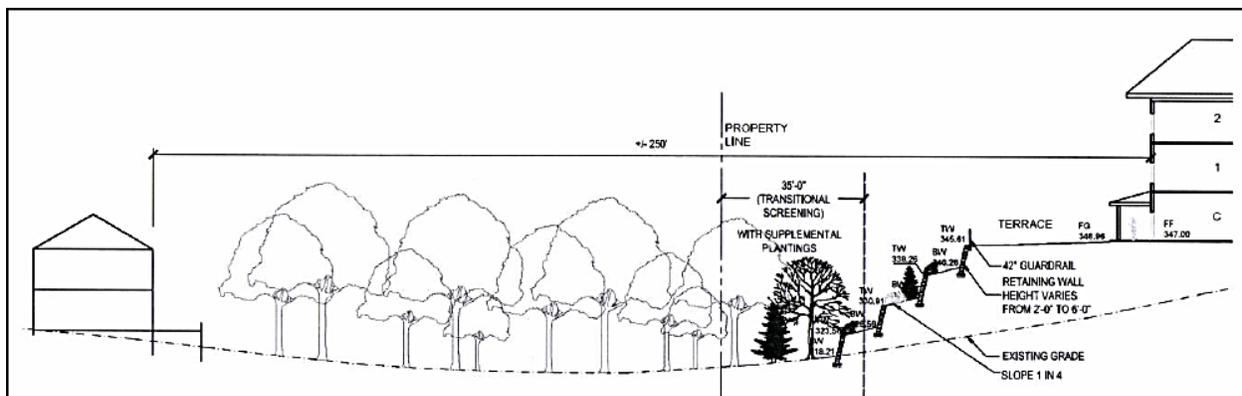
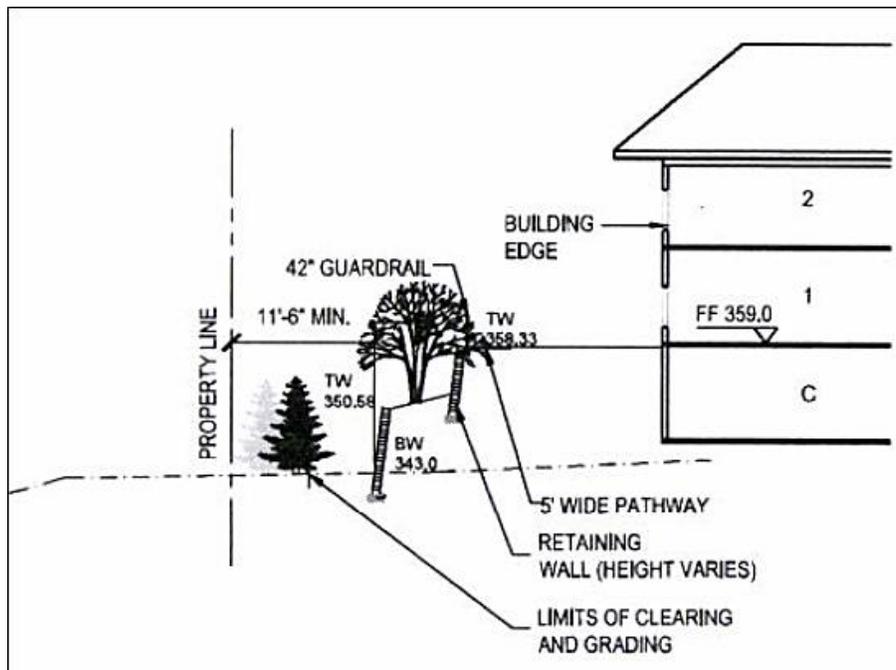


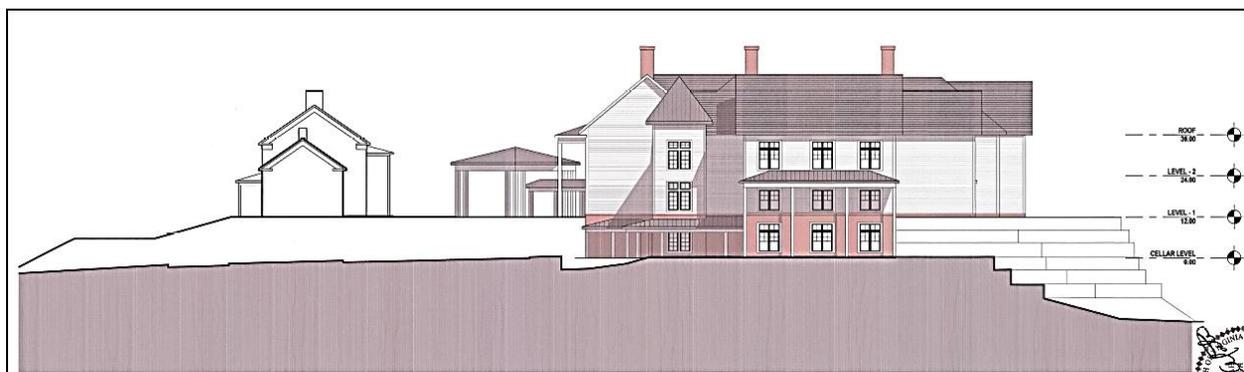
Figure 2A: Proposed retaining wall along the eastern boundary, Source: GDP/SE Plat, Sheet L-3, Section C



**Figure 2B: Proposed retaining wall along the northeast boundary,**  
 Source: GDP/SE Plat, Sheet L-3, Section A

## Architecture

The assisted living facility is articulated into three smaller sections separated by lower roof connections to break-up the mass of the building and is intended to provide a residential scale and appearance. Eaves and porch elements with reversed gables accent the building's articulation. The porch elements are intended to architecturally link the assisted living facility to the Silas Burke House. Eave brackets are used to emphasize major design elements and to provide added texture and visual interest. The architecture of the building is proposed to reflect the Victorian country farmhouse aesthetic of the Silas Burke House. Building materials may include dimensional asphalt shingles, standing seam metal roof, fiber cement siding, stone, and vinyl trim. Figures 3A and 3B depict the architecture of the southern and western building elevations.



**Figure 3A: South elevation,** Source: GDP/SE Plat, Sheet A-1



Figure 3B: West elevation, Source: GDP/SE Plat, Sheet A-1

## Transportation and Pedestrian Access

An existing semi-circular driveway from Burke Lake Road circles around the Silas Burke House for site access. However, with the proposed development, this driveway and its two driveway entrances onto Burke Lake Road will be removed and curb and gutter restored in their place. The new site entrance is shown to be relocated approximately 30 feet south of the existing southern driveway entrance and aligns with Woodedge Drive. The existing median nose on Burke Lake Road will be extended at this entrance. The southbound left turn lane will increase from 75 feet in length to 110 feet in length.

Two parking areas containing a total of 62 parking spaces are provided on either side of the Silas Burke House to serve both the assisted living facility and the Silas Burke House. A drive aisle located parallel to Burke Lake Road provides access to both parking areas.

The existing 4-foot wide sidewalk along Burke Lake Road will be replaced with a 5-foot wide sidewalk in accordance with the Public Facilities Manual standards. Sidewalks 5 feet in width are provided throughout the site to provide pedestrian access.

## Landscaping and Open Space

Currently, 31 percent (66,167 square feet) of the site is covered by existing tree canopy. With the proposed development, 25 percent (53,993 square feet) of the site is required to be provided as 10-year tree canopy. A total of 71,620 square feet is provided to meet the 10-year tree canopy requirement and consists of 30,690 square feet provided as tree preservation and 40,930 square feet provided through tree plantings (a total planting of 676 deciduous and evergreen trees and shrubs), as shown in the tree calculations. The applicant is providing the required 5% interior parking lot landscaping.

Transitional Screening 2 is required along all of the site's property lines, which abut residential property. Transitional Screening 2 consists of an unbroken strip of open space a minimum of 35 feet in width and planted with a mixture of tree and shrub plantings, as described in Article 13 of the Zoning Ordinance. Required landscaping and supplemental landscaping are provided along the north, south, and eastern property lines. Such landscaping consists of evergreen trees, deciduous trees, and shrubs, as shown on Sheets L-1 and calculated on Sheet L-2 of the development plan. A row of Categories II and IV deciduous trees and Category I evergreen trees is provided between the southern parking area and the Silas Burke House, as shown on

Sheet L-1 and in Section H on Sheet L-3 of the development plan. A row of Category II deciduous trees and shrubs is provided between the southern parking area and the assisted living facility. Existing trees and Category IV deciduous trees are provided adjacent to the circular driveway and the Silas Burke House, as shown on Sheet L-1. A modification of the transitional screening and barrier requirements has been requested for all property lines and is discussed in more detail in the Waivers/Modifications section of this report.

Currently, approximately 97 percent (4.91 acres) of the site is provided as open space and approximately 60 percent (2.96 acres) of the site is proposed to be retained as open space.

### **Stormwater Management**

The site is approximately 13 percent impervious and the development plan indicates that there is no evidence of existing stormwater management facilities on-site based on records and on the applicant's visual inspection.

A minimum phosphorous removal rate of 40 percent is required to be met. With the proposed development, the site is shown to be approximately 40 percent impervious and stormwater management will be provided in accordance with the 2009 Virginia Stormwater Management Program (VSMP) Regulations and Section 6-0401.2A of the Public Facilities Manual (PFM). To meet this requirement stormwater management practices such as low impact development practices (vegetated swale), conservation easement, and structural Best Management Practices (BMP) facilities are proposed. It is noted that the Department of Public Works and Environmental Services (DPWES) determined that the site qualifies under the "Time Limits" provision of the Stormwater Management Manual Ordinance Section 12401.11.A, and therefore, is subject to the previous stormwater regulations and not the new Stormwater Management Ordinance.

The applicant indicates that there is an existing off-site drainage swale located toward the rear of the site. To protect this swale, an 18,295 square feet conservation easement is proposed along the rear property line. The conservation easement will provide a buffer for treatment of the existing sheet flow into the offsite drainage swale. In addition, the swale will have a level spreader at the bottom of the facility to release sheet flow toward the existing drainage swale. To further protect the vegetated drainage swale from concentrated stormwater flows after development, a minor drainage divide diversion is proposed on-site and requires approval from DPWES at the time of site plan. The remainder of site is mainly impervious and would be treated by low impact development techniques, such as the proposed vegetated swale in the southeast area of the site.

Approximately 95 percent of the impervious cover proposed with the application will be captured and treated by a structural BMP facility, such as a bayfilter. Approximately

2.43 acres of the site will drain to two stormwater management facilities. Both facilities are designed with a structural BMP facility to provide water quality treatment and a 72-inch corrugated metal pipe for detention purposes.

The proposed development will utilize two separate existing closed conduit systems for stormwater runoff. The remaining site area that does not convey to these two outfall systems will continue as sheet flow from the site as it does in the existing condition. The development plan indicates that the proposed development will reduce the on-site contribution to the existing sheet flow condition, which provides an improvement over the existing condition. Existing outfall #1 will receive 1.04 acres of site runoff in an existing inlet along the east side of Burke Lake Road, north of the intersection with Woodedge Drive, and ultimately outfalls to a dry pond. Existing outfall #2 will receive 1.39 acres of site runoff in an existing inlet along the east side of Burke Lake Road, south of the intersection with Woodedge Drive, and ultimately outfalls to a dry pond.

## **STAFF ANALYSIS**

### **Land Use and Heritage Resources Analysis (Appendix 5)**

The site was determined to be eligible for listing in the National Register of Historic Places by the Virginia Department of Historic Resources State Review Board in 2014. In its determination, the State Review Board noted that the retention of the 5 acres of open space around the house is a key aspect of its setting, feeling, and association. Development of the assisted living facility would make the site ineligible for listing in the National Register, but the property would continue to be listed in the County's Inventory of Historic Sites. Properties listed in the National Register receive an honorific recognition of its historical, architectural, or archeological significance; however, according to the National Register, property owners can do whatever they want with their property as long as there are no Federal monies attached to the property. The Policy Plan and Countywide Objectives in the Comprehensive Plan provide guidance on the preservation of the County's heritage resources. The Policy Plan recognizes that heritage resources are vulnerable to damage and destruction from a variety of sources. Specifically, the Policy Plan provides guidance for heritage resources and states that "Fairfax County should support and encourage the identification and preservation of its heritage resources..." Likewise, Objective 3 of the Countywide Objectives and Policies, states "[p]rotect significant heritage resources from degradation, or damage and destruction by public or private action." More specifically, the site specific Comprehensive Plan recommendations provide conditions to retain and to preserve the Silas Burke House as part of an option for an increase in intensity for the site. The applicant proffered to retain and to preserve the Silas Burke House and proposed an active reuse for the house, which helps to prevent degradation, damage, or destruction since the house will not be left vacant. If by-right development were to occur, there is no requirement that the Silas Burke House be retained as part of the development.

The applicant is proposing to rezone to the R-3 District to develop an assisted living facility under the Comprehensive Plan option. Based on the R-3 District regulations, the maximum permitted gross floor area is a 0.25 FAR and equates to 53,993 square feet of gross floor area, which the applicant is proposing for the assisted living facility. The conditions associated with the Comprehensive Plan option for an increase in intensity are discussed below.

*The Silas Burke House should be retained and preserved in accordance with The Secretary of the Interior's Standards for the Treatment of Historic Properties with commitment to an active use for the house.*

The applicant has proffered to retain and to preserve the Silas Burke House, its two outbuildings and windmill in their existing location in perpetuity in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties. These standards promote historic preservation best practices that help to protect irreplaceable cultural resources. To ensure that a thorough investigation of the Silas Burke House is undertaken to determine the extent of restoration and repair needed and how such work will be accomplished, the applicant proffered that prior to site plan approval to submit a report to staff that includes an existing conditions assessment, a plan for the intended programming and use of the Silas Burke House, a summary of code requirements and regulations, and technical evaluation and summary of the work required to be completed in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties. To ensure that the Silas Burke House is adequately maintained, a third-party that meets the Secretary of Interior's Professional Qualification Standards for Historic Architecture is proffered to conduct a walk-through on an annual basis and a report on the findings will be provided to staff within 30 days of the walk-through being conducted. The items that require correction or alteration are proffered to be addressed within three months of submission of the report and shall be completed in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

An active use for the Silas Burke House is proffered, which helps to ensure long-term maintenance and preservation of the structure. The house is proffered to be used as an amenity for the assisted facility residents and their guests. At minimum, on a quarterly basis, the first-floor of the house is proffered to be available for community meetings, lectures, and other events. An event coordinator is proffered to coordinate the use of the house and off-site parking with shuttle service will be provided by the applicant for events anticipated to have 10 or more attendees. The second-floor of the house is proffered to be renovated as a residential use for employees or as an accessory office for use by the assisted living facility.

*Façade, historic, and open space conservation easements should be placed on the property to protect the house, accessory structures, and character of the immediate setting surrounding the house in perpetuity.*

The applicant proffered to record historic and facade easements to preserve the interior and exterior character defining features of the Silas Burke House, the outbuildings, and windmill. Prior to the drafting of the language for the easement, the applicant proffered to conduct a walk-through by a third-party that meets the Secretary of Interior's Professional Qualification Standards for Historic Architecture. The assessment of the work required to be undertaken to preserve the Silas Burke House, outbuildings and windmill and how such preservation work is to be accomplished is proffered to be used in determining the scope of the easement. The easement language is proffered to be reviewed and approved by staff and the County Attorney's office prior to its recordation among the land records of Fairfax County.

A conservation easement has been proffered to preserve the open space and character around the Silas Burke House, its outbuildings and windmill in their existing locations. Staff recommended expanding the Silas Burke House open space easement area to include a portion of the southern parking area and the northern parking area to the northern property line. In staff's opinion, this would more fully preserve the viewshed of the Silas Burke House along Burke Lake Road and ensure that future development does not occur in this area or obstruct the house. The easement could be written to permit maintenance and necessary improvements to the parking area and drive aisle. The applicant expanded the easement, which now contains 46,325 square feet, as shown in Figure 2 and Sheets C-5 and C-6 of the development plan, but does not include the parking areas. The applicant expressed concern with including the parking areas as part of the easement area. The expanded open space easement better protects the viewshed and character of the historic house along Burke Lake Road.

*The design, scale, mass, orientation, and architecture of additional development should be compatible with the Silas Burke House and its surrounding area.*

Design: The assisted living facility has been designed around the Silas Burke House with the assisted living facility located in the eastern (rear) portion of the property, where the grade slopes away from the Silas Burke House to minimize its visibility from Burke Lake Road.

On Sheet C-5 of the development plan, the applicant provided that the average grade around the assisted living facility is 353 feet. In order for space to be considered cellar, the portion of the building underground has to have one-half or more than one-half of its clear height below the grade plane. On Sheet C-2, the applicant indicates that the clear height is 10.5 feet. It appears based on the grades provided around the assisted living facility, a portion of the building is cellar space, which does not count as gross floor area. The applicant will have to demonstrate that the space identified as cellar meets the Zoning Ordinance requirement at the time of site plan in order to be deemed cellar space.

Through proffers, the applicant has addressed staff's comments in the Heritage Resources memo on the following site elements: signage, historical marker, retaining

wall, maintenance building, and walkway/driveway paving material, as summarized below.

- The applicant addressed staff concern on the design and impact to the viewshed to the Silas Burke House from the proposed freestanding sign at the site's entrance by proffering to limit the height of the sign to 5 feet, no internal illumination, and staff review and approval of the proposed design of the sign prior to the issuance of a sign permit.
- The applicant addressed staff's recommendation to relocate onto the property the existing Virginia Department of Transportation historical marker that provides the history of the Silas Burke House.
- The applicant also addressed staff's concern on the design of the 12-foot high wall behind the loading spaces and maintenance structure by proffering to provide renderings of the proposed design, building materials, and landscaping for staff review and approval.
- The applicant responded to staff's comment on the proposed maintenance building and proffered that prior to building permit approval to provide renderings of the proposed design and building materials of the maintenance structure for review and approval by staff. The applicant further proffered to use similar building materials for both the assisted living facility and maintenance structure to create a unified design theme and that the design of the maintenance building shall not imitate the existing outbuildings.
- The applicant proffered to use a combination of paving materials to address staff's concern that the use of black asphalt as the sole paving material for the walkways, drive aisle, and parking areas presents a stark appearance and is not in keeping with the character of the Silas Burke House.
- The applicant proffered flexibility on the location of the historic Burke Post Office, to allow for further discussion on the final location of the post office with community groups and heritage resource staff.

With the proffered conditions, staff comments on the site elements have been addressed.

*Orientation:* The assisted living facility is oriented behind the Silas Burke House with its main entrance facing the adjacent private open space to the north and the building also is adjacent to private open space to the northeast. Such orientation is intended to minimize disturbance to adjacent neighbors. With this orientation, the western facade of the building serves as the side of the building; however, it also faces the Silas Burke House and Burke Lake Road, which may create the perception that it is the front of the building.

The drive aisle that runs parallel to Burke Lake Road and connects the site's two parking areas is oriented to the existing grade and a rise in the topography is intended to minimize its visibility from Burke Lake Road. In addition, the site's topography is intended to mitigate the visual impact of the parking areas from the road.

Scale, mass, and architecture: During the review of this application, staff expressed concern with the scale and mass of the proposed assisted living facility and in its relationship to the Silas Burke House. To address staff’s concerns, the applicant provided more articulation to the building to break the scale and mass of the building. The building is designed with three smaller sections with lower roof lines that are intended to provide a more residential scale and feel to the building. The length of the assisted living facility is approximately 347.5 feet compared with the 67.5-foot length of the Silas Burke House. Porch elements and a variety of building materials also better break-up the mass and bulk of the building. The porch elements also are intended to better link the assisted living facility to the Silas Burke House. The applicant indicated that building materials may include dimensional asphalt shingles, standing seam metal roof, fiber cement siding, stone, and vinyl trim. Eaves and porch elements with reversed gables accent the building’s articulation. Eave brackets are used to emphasize major design elements and provide added texture and visual interest.

To better understand and to compare the height of the assisted living building with the Silas Burke House, staff requested the total height of the assisted living facility and the Silas Burke House. The height of the assisted living facility from the first level of the western facade to the roof peak is 41.1 feet at an elevation of 359 feet. In comparison, the height of the Silas Burke House to the roof peak is 35 feet at an elevation of 356 feet. Based on this, the assisted living facility is anticipated to be 9.1 feet taller than the Silas Burke House.

The closest residential properties to the east (rear of the site) are Lots 123 and 124. Staff requested cross-sections and additional elevations to better understand the visual impact from Lots 123 and 124. The applicant provided cross-sections to show the distances between these lots and the assisted living facility. Figures 4A and 4B depict cross-sections F and G from Sheet L-3, which shows the existing vegetation and a required 35-foot wide transitional screening yard with supplemental landscaping. To address staff’s concerns on the screening, the applicant provided a higher proportion of taller trees along the east side of the site.

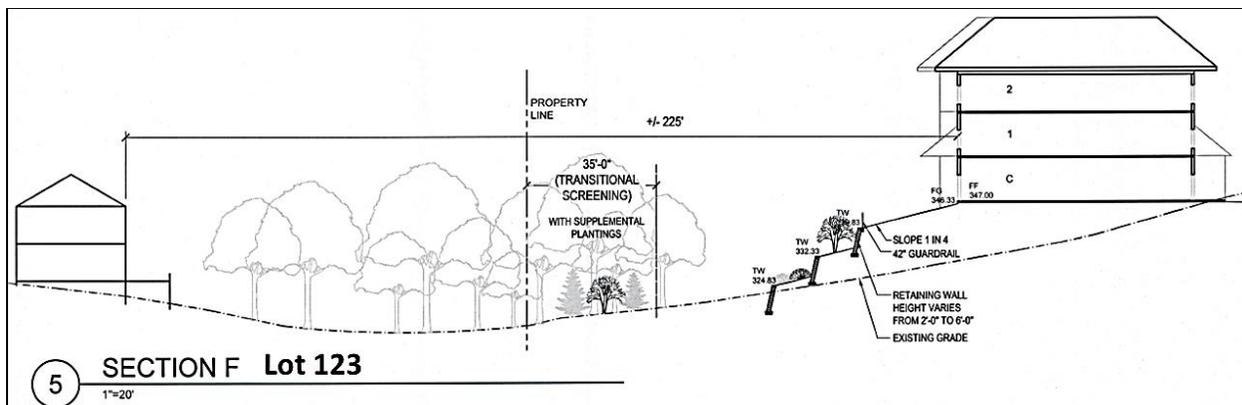


Figure 4A: Cross-section Lot 123 and the assisted living facility, Source: GDP/SE Plat, Sheet L-3

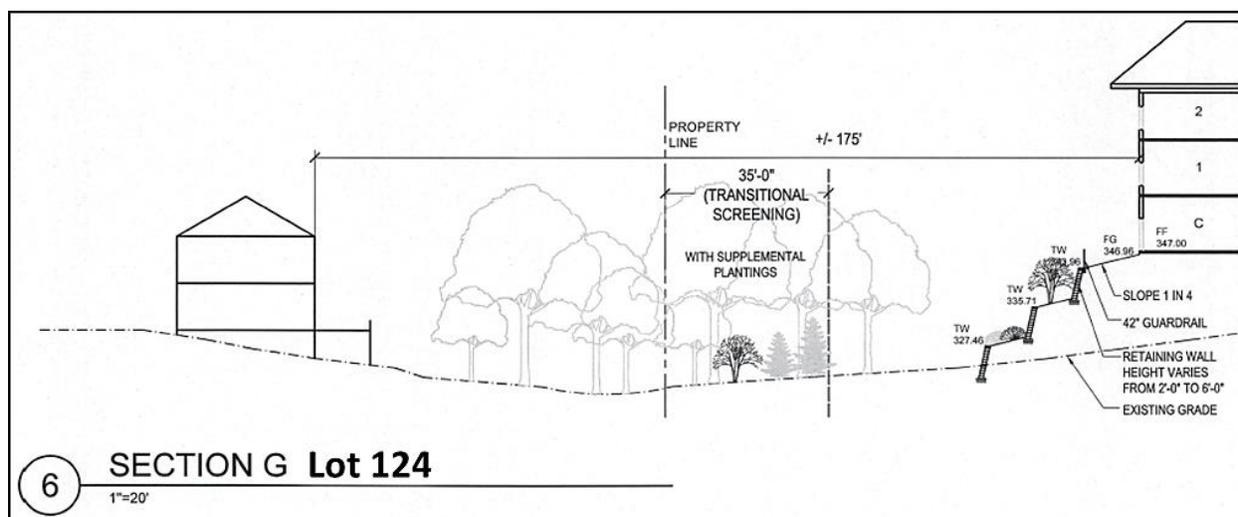


Figure 4B: Cross-section Lot 124 and the assisted living facility, Source: GDP/SE Plat, Sheet L-3

The applicant also articulated the mass of the east (rear) building facade to break the mass and scale of the building into smaller sections with lower roof lines and added a porch element to provide a more residential character to the building. Different types of building materials are shown to also break-up the mass and bulk of the building and to further articulate the building. The architecture of the assisted living facility is proposed to reflect the Victorian country farmhouse aesthetic of the Silas Burke House.

The heritage resources memo also discusses the proposed assisted living facility from two perspectives: from the public perspective viewed primarily from Burke Lake Road and from the private perspective viewed from the heritage resource (the house) and the site itself.

From the public perspective, the Silas Burke House serves as a focus of community identity and pride, one of the eligibility criteria for listing in the County's Inventory of Historic sites. From this perspective, staff believes that the proposed assisted living facility will allow for this community focus to be maintained for the benefit of the Burke community and for the larger Fairfax County populace as a whole. The prominent location at the top of the hill will be retained and the applicant has proffered to provide public access to the first-floor of the house. A public benefit can be achieved provided that the house is successfully preserved in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and that an active use for the house is maintained.

Although the development will alter the perspective as the cultural landscape will change from open space to a development of buildings, the Silas Burke House is anticipated to remain prominent when viewed from Burke Lake Road, and the applicant proposes to mitigate its visual impact using the site's topography, as previously discussed. It is not insignificant that a public purpose is being served by a commitment to preserving the heritage resource and thus, providing a sense of continuity with the County's historic past as cited in the Policy Plan. Staff believes that the County's goal

to support and encourage preservation of its heritage resources for the aesthetic, social, and educational benefits of present and future citizens can be achieved with the applicant's proffers and additional review by staff that provides commitments and safeguards to protect this site in perpetuity.

The second perspective in which the proposed assisted living facility can be viewed is from the vantage point of the property and the heritage resource (house) itself. From this perspective, there will be a different effect when evaluating the impact of the proposed assisted living facility. When viewed from the property, it may seem that the heritage resource is dominated by the proposed development. While staff recognizes the proposed use as a way for the heritage resource to be preserved, the size of the development along with its required infrastructure (parking areas, mechanical equipment, loading, etc.) and site constraints may prohibit the heritage resource from being more fully protected. Through the applicant's proffered conditions, as previously discussed, the impact of the assisted living facility on the heritage resource is anticipated to be mitigated assuring the heritage resource improved protection and preservation. Staff acknowledges that the site, its topography, and surrounding residential development limit the options open to the applicant to meet all of the requirements for the development of an assisted living facility at this location and to further buffer the heritage resource.

### **Environmental Analysis** (Appendix 6)

The Policy Plan of the Comprehensive Plan incorporates guidance in support of the application of energy and water conservation and other green building practices in the design and construction of new development and redevelopment projects. In support of the County's green building policy, the applicant has provided a green building proffer to provide green building practices such as: inclusion of a LEED-accredited professional, construction waste management plan, ultra-low-flow plumbing fixtures, low-emitting materials, installation of LED or fluorescent lamps, installation of Energy Star appliances, recycling materials, and a green building escrow.

The applicant addressed staff's previous comments to better define proposed green building elements to facilitate tracking and demonstration of achievement and to provide LEED certification prior to final bond release for the site. There are no outstanding issues.

### **Transportation Analysis** (Appendices 7 and 8)

The applicant has addressed the Virginia Department of Transportation's (VDOT) comments. The site's entrance width has been revised to be a minimum of 30 feet wide, the applicant will replace the existing storm drainage inlet along Burke Lake Road, and a 5-foot wide sidewalk is proposed to replace the existing 4-foot wide sidewalk along the property's frontage. The median nose on Burke Lake Road has been extended to provide a 75-foot turning radius. The applicant has confirmed that the left

turn length on Burke Lake Road into the subject property is sufficient for the proposed development and that a right turn lane into the subject property is not warranted. In addition, VDOT has approved the applicant's requested vertical sight distance waiver request for Burke Lake Road for the site's entrance.

Likewise, the applicant has addressed previous comments from the County's Department of Transportation to provide ADA accessible sidewalks and ramps on-site; to provide directional signage and striping for the entrance driveway at the covered building entrance as a one-way drive aisle; to locate the loading area in proximity to the proposed maintenance structure, and addressed the parking requirement.

On Burke Lake Road, a future buffered bicycle lane is shown on the County's Bicycle Master Plan and an on-road bicycle route is shown on the Countywide Trails Plan. Staff determined that construction of the bicycle lane is estimated to be between \$50,000 and \$60,000 and recommends a proffer contribution for the bicycle lane or if the bicycle lane is not constructed the proffer contribution could be used for other transportation projects in the vicinity in the Springfield District. The applicant declined to provide a proffer contribution towards the bicycle lane.

### **Stormwater Analysis** (Appendices 9 and 10)

The applicant requested a Stormwater Management Ordinance Determination (SWOD) from the Department of Public Works and Environmental Services (DPWES) on whether the development meets the criteria that will allow it to be evaluated under the 2009 Virginia Stormwater Management Regulations, as opposed to the County's recently adopted revision to the Stormwater Management Ordinance, Chapter 124 of the County Code.

DPWES determined that the development meets the applicable criteria and qualifies under the Time Limits on Applicability of Approved Design Criteria (Time Limits) provision of Section 124-1-11.A of the Stormwater Management Ordinance, Chapter 124 of the Code of the County of Fairfax. The determination does not relieve the applicant of any stormwater management ordinance requirement.

To address the stormwater quality control requirement, the projected total phosphorous runoff pollution load must be reduced by a minimum of 40 percent compared with the phosphorus loads projected for the development without Best Management Practices (BMP) facilities. To meet this requirement, the applicant is proposing an on-site conservation easement, storm filter, vegetated swales, and permeable pavement with a total phosphorous removal of 40.19 percent.

To address stormwater detention, the applicant is proposing underground stormwater detention barrels. Stormwater outfall is provided through two concentrated outfalls. Existing Outfall #1 will receive 1.04 acre of site runoff in an existing inlet along the east side of Burke Lake Road, north of the intersection with Woodedge Drive and ultimately

to a dry pond. Existing Outfall #2 will receive 1.39 acre of site runoff in an existing inlet along the east side of Burke Lake Road, south of the intersection with Woodedge Drive and ultimately to a dry pond. With the proposed proffered conditions and staff proposed development conditions, all issues have been addressed.

### **Landscape and Open Space** (Appendix 11)

A 54-inch diameter white oak tree is located behind the Silas Burke House and identified as Tree Tag #125 on Sheet C-3 of the development plan. Based on an evaluation and recommendation by a certified arborist, the applicant is proposing to remove this tree. A copy of the arborist's evaluation and recommendation is provided as Appendix 3B. The arborist concluded that the shell thickness around the main tree trunk is inadequate to provide baseline structural support under normal weather conditions. Further, the likelihood of failure is probable and the consequence of failure is significant. Therefore, the arborist's recommendation was that the tree is not a preservation candidate and should be removed in advance of any new construction. Based upon the analysis by the applicant's certified arborist, staff from the Urban Forest Management Division (UFMD) does not object to the removal of the tree. UFMD recommended the applicant explore opportunities to preserve additional Kentucky coffee trees near the Silas Burke House. Kentucky coffee trees represent a historical period species and are rarely seen in the present day landscape. The applicant is proposing to retain one additional Kentucky coffee tree near the Silas Burke House.

The UFMD memo recommended additional tree plantings along Burke Lake Road. However, the applicant provided that additional tree plantings would impact the viewshed to the Silas Burke House along Burke Lake Road. The applicant indicated a desire to have an undisturbed view to the historic home. The historic preservation planner and the Zoning Evaluation Division agree that additional trees would adversely impact the viewshed to the Silas Burke House along Burke Lake Road.

### **Park Authority** (Appendix 12)

The Park Authority requested a Phase I archaeological survey on the entire property. If significant sites are found, Phase II archaeological testing is recommended in order to determine if sites are eligible for inclusion on the National Register of Historic Places. If sites are found eligible, avoidance or Phase III archaeological data recovery is recommended. The applicant has proffered to provide the requested archaeological survey. No outstanding issues remain.

## **ZONING ORDINANCE PROVISIONS**

Staff review of the applicable Zoning Ordinance provisions is based on Sect. 9-006 of the Zoning Ordinance, General Standards, which provides that all such uses shall satisfy the general standards for special exception uses. In addition to the general

special exception standards, special exception uses have to satisfy specific use standards. The proposed medical care facility use (assisted living facility) is a Category 3 special exception use and the following is an analysis of the use standards.

**Standards for all Category 3 Uses** (Sect. 9-304)

*Standard 1: For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location.*

The proposed use is not a public use.

*Standard 2: Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located.*

The applicant is proposing to rezone to the R-3 District, which has a minimum lot area requirement of 10,500 square feet for a conventional subdivision. There is no lot size requirement for non-residential uses in the R-3 District. However, it is noted that Special Exception Additional Standard 6 for medical care facilities requires that in the R-E through R-5 Districts, no such use shall be located on a lot containing less than 5 acres. The subject property is proposed to be rezoned to the R-3 and contains 4.96 acres. As such, the applicant has requested a modification of the additional standard to permit the medical care facility to be located on 4.96 acres in lieu of the 5-acre requirement.

*Standard 3: Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.*

As shown in Table 1, the proposed development meets the bulk regulations of the R-3 District.

Bulk Regulations	R-3 District Requirements	Proposed Development
Maximum Building Height	60 feet	40 feet
Minimum Yards	Front: 40° angle of bulk plane (ABP), but not less than 30 feet (50 feet) Side: 35° ABP, but not less than 10 feet (28 feet); 100 feet per Par. 7 of Sect. 9-308 of the Zoning Ordinance Rear: 35° ABP, but not less than 25 feet (60 feet); 100 feet per Par. 7 of Sect. 9-308 of the Zoning Ordinance	Front: 220 feet Side: 28 feet Rear: 75 feet
Maximum Density	0.25 floor area ratio (FAR)	0.25 FAR
Open Space	No requirement	60 percent (2.96 acres)

**Table 1: R-3 District Bulk Regulations**, Source: Fairfax County Zoning Ordinance

It is noted that Special Exception Additional Standard 5 for medical care facilities has an additional 45-foot setback requirement from any street line and 100 feet from any lot line that abuts the R-A through R-4 Districts. This additional standard is discussed in more detail in the Additional Standards section of the report.

*Standard 4: All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.*

The proposed development is subject to Article 14 and no sports illumination is proposed.

*Standard 5: Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.*

The proposed development is subject to Article 17 and site plan approval is required.

#### **Additional Standards for Medical Care Facilities (Sect. 9-308)**

In addition to the Category 3 use standards; there are additional special exception standards for medical care facilities to satisfy. The following is an analysis of the additional standards for medical care facilities.

*Additional Standard 1: In its development of a recommendation and report as required by Par. 3 of Sect. 303 above, the Health Care Advisory Board (HCAB) shall, in addition to information from the applicant, solicit information and comment from such providers and consumers of health services, or organizations representing such providers or consumers and health planning organizations, as may seem appropriate, provided that neither said Board nor the Board of Supervisors shall be bound by any such information or comment. The Health Care Advisory Board may hold such hearing or hearings as may seem appropriate, and may request of the Board of Supervisors such deferrals of Board action as may be reasonably necessary to accumulate information upon which to base a recommendation.*

Pursuant to Par. 3 of Sect. 9-303 of the Zoning Ordinance, the applicant was referred to HCAB for their review and recommendation. According to HCAB, it reviews an application from the perspective of financial accessibility to clients, community, and medical need; institutional need, cost, proposed staffing levels, and qualifications; and financial feasibility.

On November 19, 2014, the Health Care Advisory Board (HCAB) provided notification that it was holding a public meeting on December 8, 2014, to review the special exception application for an assisted living facility. As a result of that meeting, HCAB requested additional information from the applicant regarding the County's 4 percent low income bed development condition, staffing ratios, residents' safety and security,

and medication administration procedures. On January 12, 2015, HCAB recommended that the Board of Supervisors support the applicant's development proposal for an assisted living facility. A copy of the HCAB memo is provided as Appendix 13. HCAB indicated that the applicant demonstrated a need for the proposed assisted living facility and memory care facility in the Burke and Springfield communities. HCAB found the proposed application reasonable in terms of access, need, quality, operations, and financial accessibility (based on the applicant's participation in the Virginia Department of Social Services' Auxiliary Grant program).

*Additional Standard 2: The Advisory Board, in making its recommendations, and the Board of Supervisors, in deciding on the issuance of such an exception, shall specifically consider whether or not:*

- A. *There is a demonstrated need for the proposed facility, in the location, at the time, and in the configuration proposed. Such consideration shall take into account alternative facilities and/or services in existence or approved for construction, and the present and projected utilization of specialized treatment equipment available to persons proposed to be served by the applicant.*

The applicant identified Burke as an underserved area with "a significant lack of supply to meet the demand" for assisted living and memory care services. The applicant was not able to address occupancy levels at other assisted living facilities in the area, but provided that based on internal market analysis, the average penetration rate for the Washington D.C. metropolitan statistical area (MSA) is 9.3 percent and for Burke, Virginia, using a three mile radius, less than 1 percent. The applicant provided that nationwide, among 99 MSAs, the average penetration rate is 17.6 percent with the average occupancy of 90 percent. Based on this, the applicant indicated that Burke is an underbuilt market. The applicant's company average occupancy level is 93.6 percent. As indicated by the applicant, half of the proposed residential units will be dedicated to traditional assisted living and the other half to memory care, subject to market demand. Stabilized occupancy is anticipated in 24 months at 93 percent.

The assisted living facility will offer five separate levels of care with additional gradations within the highest or "enhanced" level of care to allow residents to age in place. Memory care serves residents who have documented serious cognitive impairments and associated inability to recognize danger and protect their own safety/welfare. Four separate levels of care are offered with the memory care services. Additional gradations within the highest or "enhanced" level are tied to the number of staff hours required for resident care.

While the HCAB memo did not comment on alternative facilities or services in existence, Heatherwood Retirement Community and Burke Health and Rehabilitation Center are located approximately 500 feet south of the subject property. It is staff's understanding that Heatherwood is a 150 unit independent and

assisted living facility, but does not provide memory care services, which the applicant is proposing to provide. Burke Health and Rehabilitation Center caters to those who require a greater level of medical care and skilled nursing than an assisted living facility.

- B. Any proposed specialized treatment or care facility has or can provide for a working relationship with a general hospital sufficiently close to ensure availability of a full range of diagnostic and treatment services.*

The applicant has indicated that it has an established a working relationship with Inova Fairfax Hospital, which is located approximately six miles away and provides a full range of diagnostic and treatment services.

- C. The proposed facility will contribute to, and not divert or subvert, implementation of a plan for comprehensive health care for the area proposed to be served; such consideration shall take into account the experience of the applicant, the financial resources available and projected for project support and operation, and the nature and qualifications of the proposed staffing of the facility.*

The applicant is proposing up to 85 units (105 residents) and will provide a safe and secure home to seniors seeking to maintain their independence, but requiring assistance with daily activities such as bathing, dressing, and medication reminders. The proposed assisted living facility will be the 27<sup>th</sup> Sunrise Assisted Living facility in the Washington D.C. metropolitan region. As such, the applicant has experience working in the metropolitan area. The proposed assisted living facility offers memory care service, an additional level of service not immediately available in the area, and the assisted living facility would provide an additional assisted living option for the area. Heatherwood Retirement Community is located approximately 500 feet south of the subject property and provides both independent and assisted living facilities, but does not provide memory care.

The applicant's available and projected financial resources were not discussed in the HCAB memo. However, it can be assumed that the payments received to stay at the assisted living facility would be part of the applicant's financial resources. Rates vary according to residents' acuity, care, and service needs. Monthly charges are estimated between \$5,500 and \$7,000. Different unit types are available to meet budgetary constraints. For example, smaller apartments and semi-private units will be available at a lower price point. The applicant has proffered to maintain 4 percent of the assisted living units for residents who are eligible for the Virginia Department of Social Services' Auxiliary Grant Program.

The applicant estimated that the facility will have 100 employees, 70 of those full-time employees. The applicant uses a variable staffing model in which staffing hours are directly tied to residents' assessed level of care. The average number of employees per shift ranges between 25 and 30 employees. The residents-to-

caregiver ratio will vary by residents' acuity, but is estimated at 5 to 1 for assisted living and 4 to 1 for memory care. In addition to direct caregivers, medication is administered by medication care managers, who are registered medication aides by the Virginia Board of Nursing; registered nurses; and licensed practical nurses. The facility will be staffed by either Sunrise staff or staffing will be coordinated with outside partnerships for physical, occupational, and speech therapies. The assisted living facility will be managed by an executive director, licensed by the Commonwealth of Virginia as an assisted living manager. There will be seven other department heads and a dedicated care manager assigned to each resident. Staff would be added as residents' care needs increase. Medical technicians and nursing assistants will be required to be certified by the Virginia Board of Nursing. Registered nurses are on-site during the day on weekdays and weekends and on-call 24 hours a day, 7 days a week.

Based on the HCAB's recommendation of support for the application, it is anticipated that the proposed assisted living facility will contribute to comprehensive health care for the Burke and Springfield areas that are proposed to be served.

*Additional Standard 3: All such uses shall be designed to accommodate service vehicles with access to the building at a side or rear entrance.*

The parking area has been designed to accommodate service vehicles. Two loading spaces and a maintenance structure are provided adjacent to the building's ground floor service entrance. It is staff's understanding that the service entrance is located in the southwest area of the building, which is designed as the side of the building. However, this side of the building may be perceived as a building front since it faces Burke Lake Road and the Silas Burke House.

*Additional Standard 4: No freestanding nursing facility shall be established except on a parcel of land fronting on, and with direct access to, an existing or planned collector or arterial street as defined in the adopted comprehensive plan.*

The subject property fronts and has direct access to Burke Lake Road, which is an arterial road, as defined in Appendix 8 of the Comprehensive Plan.

*Additional Standard 5: No building shall be located closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-A through R-4 District.*

The proposed assisted living facility is located 220 feet from Burke Lake Road, the only street that abuts the property.

The proposed assisted living facility abuts properties zoned R-3 to the north, south, and east of the site and a setback of 100 feet is required along these property lines. The applicant is providing a 100-foot setback along the southern and southeastern property lines. Along the northern and northeastern property lines, a 28-foot and 75-foot wide

setback is provided, respectively. It is noted that the northern and northeast property lines abut private open space area, which is between 170 feet and 190 feet wide, as shown on Sheet C-6. The applicant has requested a modification of the 100-foot setback requirement where the building abuts the site's northern and northeastern property lines. With the approval of the requested modification, this standard has been addressed.

*Additional Standard 6: In the R-E through R-5 Districts, no such use shall be located on a lot containing less than five (5) acres.*

The subject property contains 4.96 acres. As such, the applicant has requested a modification of the additional standard to permit the assisted living facility to be located on 4.96 acres in lieu of the 5-acre requirement. With the approval of the requested modification, this standard has been addressed.

*Additional Standard 7: For hospitals, the Board of Supervisors may approve additional on-site signs when it is determined, based on the size and nature of the hospital, that additional signs are necessary in order to provide needed information to the public and that such signs will not have an adverse impact on adjacent properties. All proposed signs shall be subject to the maximum area and height limitations for hospital signs set forth in Article 12. All requests shall show the location, size, height and number of all signs, as well as the information to be displayed on the signs.*

The applicant is not proposing a hospital and this standard is not applicable.

### **General Standards (Sect. 9-006)**

In addition to the standards for all Category 3 uses, all proposed special exception uses also need to satisfy the following special exception general standards. The following provides an analysis of the general standards.

*General Standard 1: The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.*

As previously discussed in the Land Use and Heritage Resources section of this report, the proposed use is in harmony with the Comprehensive Plan with the approval of the proffered conditions and proposed development conditions.

*General Standard 2: The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.*

The purpose and intent of the R-3 District is to provide for single family detached dwellings and to allow other selected uses that are compatible with the low density residential character of the district. The proposed assisted living facility is permitted by special exception approval in the R-3 District. The applicant has designed the assisted

living facility to be compatible with the low density residential character of the district as discussed in the Land Use section of this report. The architecture of the building is proposed to reflect the Victorian country farmhouse aesthetic of the Silas Burke House and provides a more residential appearance. The proposed assisted living facility meets the bulk regulations for the R-3 District, as shown in Table 1. In staff's opinion, the proposed use is in harmony with the general purpose and intent of the R-3 District.

*General Standard 3: The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.*

As previously discussed in the Land Use and Heritage Resources section of this report, the location, size, and height of the proposed assisted living facility is not anticipated to hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. Retaining walls are proposed in response to the grade of the site and provide screening to adjacent uses. Landscaping is proposed and shown on the development plan to provide screening, screening for the retaining walls, and to address the transitional screening requirement. The provided landscaping and barriers were discussed in the Landscaping and Open Space sections of this report and the transitional screening and barrier requirements are discussed in the Waivers and Modifications section of this report. This standard has been addressed with the draft proffers that will further mitigate the impact of the development.

*General Standard 4: The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*

The applicant's transportation consultant provided a traffic assessment dated October 30, 2014, which analyzed the traffic impact from the proposed development. A copy of the traffic assessment is provided as Appendix 3A. The observed AM peak hour occurred from 6:30 AM to 7:30 AM, while the observed PM peak hour occurred from 5:15 PM to 6:15 PM. Staff and FCDOT's evaluation of the daily and AM and PM peak vehicle trip generation estimates is provided as Table 2 and is based on rates and equations from the Institute for Transportation Engineers (ITE) Trip Generation Manual for a 105 bed (resident) assisted living facility. The table also includes the trip generation for a by-right development of 1 dwelling unit per acre and 3 dwelling units per acre as permitted under the Comprehensive Plan option.

**Trip Generation Estimates**

**Subject Site: 4.96 acres Total**  
**Assume: 4 acres Developable**

Proposed Use	Quantity	Multipliers	Trips Daily	A.M. Peak			P.M. Peak		
				In	Out	Total	In	Out	Total
Assisted Living (Land Use 254) Multiplier = vehicle trips/bed	105 Beds	2.66 trips/bed 0.18 AM Peak 0.35 PM Peak	279	67%	33%	100%	47%	53%	100%
				13	6	19	17	20	37
<b>By-Right, R-1 District 1 du/ac</b>			<b>Daily</b>	26%	74%	100%	64%	36%	100%
Single Family Detached (Land Use 210) Develop at 1 du/acre x 4 acres Multiplier = vehicle trips/unit	4 DU	9.52 trips/unit 0.77 AM Peak 1.02 PM Peak	38	1	2	3	3	1	4
<b>Comp Plan Density Option @ 2-3 du/ac</b>			<b>Daily</b>	26%	74%	100%	64%	36%	100%
Single Family Detached (Land Use 210) Develop at 3 du/acre x 4 acres Multiplier = vehicle trips/unit	12 DU	9.52 trips/unit 0.77 AM Peak 1.02 PM Peak	114	2	7	9	8	4	12

**Table 2: Trip Generation Estimates**, Source: ITE Trip Generation Manual, 9<sup>th</sup> Edition, Volume 2: Data, 2012

As shown in the table, with the proposed assisted living facility, there is an increase in daily vehicle trips compared with a by-right development in the R-1 District. ITE notes that generally vehicle trips associated with an assisted living facility are not from the patients themselves, but from employees, visitors and delivery vehicles. It is staff's understanding from the applicant that none of the residents are anticipated to have vehicles. Also, the applicant indicated that there are three employee work shifts at a Sunrise community: a day shift (6:00 AM to 2:00 PM), an afternoon shift (2:00 PM to 10:00 PM), and a night shift (10:00 PM to 6:00 AM). Based on this, employee vehicle trips are not anticipated to occur in the applicant's observed peak hours (6:30 AM to 7:30 AM and from 5:15 PM to 6:15 PM).

As indicated above, vehicles entering and exiting the site during the three staggered work shifts are not anticipated to be in conflict with neighborhood traffic. According to the Virginia Department of Transportation's functional classification of roads, the surrounding roads are classified as: Burke Lake Road, an urban minor arterial, is designed to accept the greater traffic volumes from neighborhoods and surrounding areas; Shiplett Boulevard, an urban collector is intended to collect neighborhood traffic and direct volumes to an arterial road; and Burning Branch Road, an urban local (neighborhood street).

Two speed humps are installed on Burning Branch Road as part of the County's Residential Traffic Administration Program (RTAP), which assists communities in controlling traffic and parking on neighborhood streets with traffic calming devices. When the street was first studied in 2007, there were 702 vehicle trips per day. A subsequent count was performed in 2009, and the traffic volume was measured to be 407 vehicles. It is not anticipated that the vehicular traffic associated with this use will conflict with neighborhood traffic. However, if after the proposed assisted living facility is in operation and there is concern that traffic volume has increased in the neighborhood, residents could contact the Supervisor's office to request a traffic

analysis through RTAP. The RTAP policies state that traffic warrants would have to demonstrate more than 600 vehicles per day or an average speed greater than 30 mph (or 35 mph in the 85<sup>th</sup> percentile) to support another traffic calming device. A copy of the Burning Branch Road Traffic Calming Mitigation Study is provided as Attachment 8A. With the proposed proffered conditions and development conditions, this standard has been addressed.

*General Standard 5: In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.*

The applicant is providing landscaping along the northern, southern, and eastern property lines. Such landscaping is intended to screen the use from adjacent properties. The western property line abuts Burke Lake Road, and the applicant has added some landscaping to the northern and southern portions of this area. However, the majority of the western boundary remains as open space in order to provide an unobstructed view to the Silas Burke House from Burke Lake Road, as it exists today. A row of landscaping is provided between the southern parking area and the Silas Burke House and the proposed assisted living facility.

The proposed assisted living facility abuts residential uses (single family detached dwellings) and residentially zoned properties along all property lines. The applicant is requesting a modification of the transitional screening and barrier requirements, which is discussed in more detail in the Waivers/Modifications section of this report. With the approval of the requested transitional screening and barrier modifications, this standard has been addressed.

*General Standard 6: Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.*

In the R-3 District, there is no open space requirement for uses other than for cluster subdivision development. Currently, approximately 97 percent (4.91 acres) of the site is open space. With the proposed development approximately 60 percent (2.96 acres) of the site is proposed to be retained as open space.

*General Standard 7: Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.*

Adequate utilities such as water and sewer service are available to serve the proposed development. Adequate drainage is provided, as discussed in the Stormwater sections of this report.

It is staff's understanding that the average number of employees per employee shift ranges from between 25 and 30 employees. A maximum of 105 residents are

proposed. If the maximum number of employees and the maximum number of residents occur at the same time, then the parking requirement will not be met since parking for an assisted living facility is based on the number of residents and employees. To address staff's concern, the applicant proffered that the maximum number of employees and residents at any one time shall be coordinated so that the applicant complies with the parking requirements of Article 11 of the Zoning Ordinance.

The applicant has proffered to secure off-site parking for events at the Silas Burke House that are anticipated to exceed 10 attendees and proffered to provide shuttle service to ensure adequate parking for the assisted living facility. The coordination of the off-site parking and shuttle service are proffered to be handled by an events coordinator at the assisted living facility.

The two loading spaces and maintenance structure are located in front of the southwest area of the assisted living facility and in close proximity (approximately 35 feet from the nearest building edge) to residential units. Noise from delivery vehicles and trash trucks may be disruptive to residents who reside in the southwest area of the building and overlook the loading and maintenance structure. In response to staff's concern, the applicant proffered to limit the hours for trash and/or recycling collection to 8:00 a.m. to 6:00 p.m., Monday through Friday with no weekend pick-ups. In addition, the applicant proffered to restrict food and linen delivery to 8:00 a.m. to 6:00 p.m., Monday through Saturday, unless a need arises outside of those days and time period.

*General Standard 8: Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.*

A freestanding sign is permitted not to exceed 40 square feet or 8 feet in height and located not closer than 10 feet to any lot line. A freestanding sign is proposed at the site entrance. The applicant has addressed staff's concern with the impact of a freestanding sign on the viewshed to the Silas Burke House from Burke Lake Road by proffering to limit the height of the sign to 5 feet, no internal illumination, and staff review and approval of the design of the sign prior to the issuance of a sign permit. All other signage on the property is subject to Article 12, Signs, of the Zoning Ordinance.

## **WAIVERS AND MODIFICATIONS**

The applicant requests the following waivers and modifications of the Zoning Ordinance:

**Modification of Par. 5 of Sect. 9-308 of the Zoning Ordinance to permit a medical care facility to be located 28 feet from the northern property line and 75 feet from the eastern property line in lieu of the required 100-foot setback.**

The proposed assisted living facility abuts properties zoned R-3 to the north, south, and east of the site and a setback of 100 feet is required along these property lines. The applicant is providing a 100-foot setback along the southern and southeastern property lines. Along the northern and northeastern property lines, a 28-foot and 75-foot wide setback is provided, respectively. The applicant requests a modification of the 100-foot setback requirement where the building abuts the site's northern and northeastern property lines. The applicant provided that the building is located adjacent to private open space and takes advantage of the subject property's topography in order to minimize impacts on adjacent properties. Additional plantings are provided along the northern and eastern property lines. Staff does not object to the modification request.

**Modification of Par. 6 of Sect. 9-308 of the Zoning Ordinance to permit a medical care facility to be located on a lot containing 4.96 acres of land in lieu of the required 5 acres.**

The applicant requests a modification to permit the proposed assisted living facility on 4.96 acres of land in lieu of the required 5 acres. Supplemental plantings and retaining walls are proposed to buffer adjacent properties. Staff does not object to the modification request.

**Modification of Sects. 13-303 and 13-304 of the Zoning Ordinance on the transitional screening and barrier requirements along all boundaries of the property to that shown on the Generalized Development Plan/Special Exception Plat.**

Sects. 13-303 and 13-304 provide the transitional screening and barrier requirements. The proposed assisted living facility abuts residential uses (single family detached dwellings) and residentially zoned properties along all property lines. Based on this, Transitional Screening 2 and Barrier D, E, or F are required. Transitional Screening 2 consists of an unbroken strip of open space a minimum of 35 feet wide is required along all property lines. Barrier D, E, and F, respectively, are a 42-48 inch chain link fence, 6-foot wall, and 6-foot high solid wood fence.

The applicant is requesting a modification of Sects. 13-303 and 13-304 based on Pars. 2, 3, and 12 of Sect. 13-305, which provides circumstances in which transitional screening and barriers may be modified. Par. 2 of Sect. 13-305 states "transitional screening and/or barriers may be waived or modified by the Director where the side of a building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques." Par. 3 of Sect. 13-305 states "[t]ransitional screening may be modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques." Par. 12 of Sect. 13-305 provides that the barrier requirement may be modified where the topography of the lot

providing the transitional screening and the lot being protected is such that a barrier would not be effective.

The applicant requests a modification of the transitional screening and barrier requirements to that shown on the GDP/SE Plat. The applicant states that the site has been designed to minimize adverse impacts to adjacent properties through a combination of landscaping and architectural techniques and the topography of the site will make a barrier ineffective in many locations.

North: On the north boundary, adjacent to the proposed assisted living facility, the applicant proposes to modify the required transitional screening yard and barrier requirement to a minimum of 11.5 feet in conjunction with the construction of one or two masonry retaining walls with a combined minimum height of 5.5 feet and a 42-inch metal picket railing on the upper wall for a total minimum height of 9 feet. The applicant also requests a modification of the barrier requirement from the area in front of the assisted living facility to Burke Lake Road since the barrier would be ineffective due to the grade of the site.

East: On the majority of the east boundary, the applicant requests a modification of the Transitional Screening 2 and barrier requirement. The applicant proposes to retain the existing undeveloped and unmaintained tree stand, as shown on Sheet C-4, and proffered to remove invasive vegetation. The applicant proposes to provide a combination of masonry (concrete segmental block or similar) retaining walls with metal picket railing. As stated in Note 9 of Sheet L-1, the retaining walls are proposed to be between 3 and 6 feet in height and the railing is proposed to be 42 inches in height.

Southeast: On the southeast portion of the southern boundary, the applicant requests a modification of the Transitional Screening 2 requirement. The applicant proposes to retain the existing undeveloped and unmaintained tree stand, as shown on Sheet C-4 of the development plan. The applicant also proposes to restore the area to a more natural reforested condition with additional plantings and the removal of invasive vegetation.

South: On the south boundary, the applicant requests a modification of the Transitional Screening 2 and barrier requirements. The applicant proposes to provide a variable width screening yard 50 feet in dimension. In combination with a proposed berm and other site grading, the closest abutting property owners to the southwest will still be able to see the Silas Burke House and outbuilding, as requested. The property owners to the southeast will be buffered from the proposed development due to grade differences and approximately 10 feet.

West: On the west boundary, along Burke Lake Road, the applicant requests a modification of the Transitional Screening 2 and barrier requirement to provide screening by preserving of existing architectural structures, vegetation, and installation of new plantings, as shown on Sheet L-1. The applicant is requesting to utilize the

existing topography and planned elevation of the proposed structure. The proposed difference in elevation between the grade at the street and the finished floor of the proposed building is approximately 14 feet, which would make the barrier ineffective.

Staff does not object to the requested modifications for the transitional screening and barrier requirements.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

Through historic, facade, and conservation easements; building design; landscaping; and proffered conditions, the proposed assisted living facility is designed to minimize its impact on the Silas Burke House and the surrounding area. The applicant proffered to retain and to preserve the Silas Burke House in perpetuity in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties and to engage a third-party who meets the Secretary of Interior's Professional Qualification Standards for Historic Architecture to perform an existing conditions assessment and to identify and perform corrective work. The retention and preservation of the Silas Burke House is a significant part of the proposed development since the historic house serves as a focus of community identity and pride. The proposed development assures the community that the Silas Burke House will be retained and preserved; whereas, with a by-right development there is no requirement to retain or to preserve the historic house.

Staff concludes that the subject applications are in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the execution of the applicant's draft proffered conditions and staff's proposed development conditions contained in Appendices 1 and 2 of the staff report.

### **Staff Recommendations**

Staff recommends approval of RZ 2014-SP-015 and the Generalized Development Plan, subject to the execution of proffered conditions consistent with those set forth in Appendix 1 of the staff report.

Staff recommends approval of SE 2014-SP-060 and the Special Exception Plat, subject to the approval of the staff proposed development conditions contained in Appendix 2 of the staff report.

Staff recommends approval of the following waivers and modifications:

- Modification of Par. 5 of Sect. 9-308 of the Zoning Ordinance to permit a medical care facility to be located 28 feet from the northern property line and 75 feet from the eastern property line in lieu of the required 100-foot setback.

- Modification of Par. 6 of Sect. 9-308 of the Zoning Ordinance to permit a medical care facility to be located on a lot containing 4.96 acres of land in lieu of the required 5 acres.
- Modification of Sects. 13-303 and 13-304 of the Zoning Ordinance on the transitional screening and barrier requirements along all boundaries of the property to that shown on the Generalized Development Plan/Special Exception Plat.

It should be noted that it is not the intent of staff to recommend that the Board of Supervisors, in adopting any conditions proffered by the applicant/owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

## **APPENDICES**

1. Applicant's proposed proffered conditions
2. Proposed special exception development conditions
3. Statement of Justification
- 3A. Traffic Assessment, Wells and Associates
- 3B. Certified Arborist Letter
4. Affidavit
5. Heritage Resources Memo
6. Environmental Review Memo
7. Virginia Department of Transportation Memo
8. County Department of Transportation Memo
- 8A. Burning Branch Road Traffic Calming Mitigation Study
9. DPWES Stormwater Management Ordinance Determination
10. Stormwater Memo
11. Urban Forest Management Division Memo
12. Park Authority Memo
13. Health Care Advisory Board Meeting Notice and Memo
14. Glossary

**DRAFT PROFFERS****SUNRISE DEVELOPMENT, INC.****RZ 2014-SP-015****April 23, 2015**

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Sunrise Development, Inc., (hereinafter referred to as the "Applicant"), for itself, successors and assigns in RZ 2014-SP-015, filed for property identified as Tax Map 78-3 ((1)) 4 (hereinafter referred to as the "Application Property") hereby proffers that the development of the Application Property shall be in accordance with the following proffers, provided that the Board of Supervisors approves RZ 2014-SP-015 and SE 2014-SP-060. These proffers shall supersede and replace all previously approved proffers and conditions that may be applicable to the Application Property.

**1. GENERALIZED DEVELOPMENT PLAN/SPECIAL EXCEPTION PLAT**

- A. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance, (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the Generalized Development Plan/Special Exception Plat ("GDP/SE Plat") consisting eighteen (18) sheets, prepared by VIKA Virginia, LLC dated July 18, 2014 and revised through April 23, 2015.
- B. Subject to the provisions of Paragraph 5 of Section 18-204 of the Zoning Ordinance, minor modifications to the GDP/SE Plat may be permitted as determined by the Zoning Administrator.

**2. USES**

As shown on the GDP/SE Plat, the Application Property shall be developed with the following:

- A. A medical care facility comprised of a maximum of 53,993 square feet of gross floor area ("GFA"). The medical care facility may have up to 85 units and up to 105 residents. The Applicant reserves the right to provide cellar space in the medical care facility.
- B. The Silas Burke House and its two (2) outbuildings and windmill which shall be retained in perpetuity.
- C. The historic Burke Post Office structure.

3. TRANSPORTATION

- A. Prior to the issuance of a Non-Residential Use Permit (Non-RUP) for the medical care facility, the Applicant shall construct frontage improvements along Burke Lake Road within the dedicated right-of-way as shown on the GDP/SE Plat and in accordance with VDOT standards. Frontage improvements shall consist of an entrance, curb, gutter, landscape buffer, and a five (5) foot sidewalk.
- B. Prior to the issuance of a Non-RUP for the medical care facility, the Applicant shall extend the nose of the median within Burke Lake Road as shown on the GDP/SE Plat and in accordance with VDOT standards.
- C. Prior to the issuance of a Non-RUP for the medical care facility, the Applicant shall sign and stripe the driveway to indicate a one-way drive aisle adjacent to the entrance of the medical care facility, as shown on the GDP/SE Plat.
- D. Prior to the issuance of a Non-RUP for the medical care facility, the Applicant in consultation with FCDOT shall install bicycle racks within 50 feet of the medical care facility's main and employee entrances. The type, location, and number of bicycle racks shall be determined at that time. The Applicant shall provide proof of installation and location to FCDOT.

4. LANDSCAPING AND SCREENING

- A. The Applicant shall provide landscaping in substantial conformance with the GDP/SE Plat. The exact number and spacing of trees and other plant material shall be submitted at time of final site plan review and shall be subject to review and approval of the Urban Forest Management Division, Department of Public Works and Environmental Services (DPWES) to confirm that it is in substantial conformance with the GDP/SE Plat. Adjustments to the type and location of plantings may be permitted based on final engineering and design.
- B. Tree Preservation. The Applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist with experience in mitigating decline in trees resulting from the impacts of construction activities, and shall be subject to the review and approval of the Urban Forest Management Division (UFMD).

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved on and

off-site trees, living or dead, with trunks 12 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture), and located within the area to remain undisturbed and within 25 feet of the limits of clearing and grading and in the disturbed area within 10 feet of the limits of clearing and grading. 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 GDP/SE Plat and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509.

- C. 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 landscape architect shall walk the limits of clearing and grading with a UFMD representative to determine where adjustments to the clearing limits can be made 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.
- D. Tree Preservation Fencing. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing shall consist 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. Tree protection fence 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. The installation of all tree protection fencing shall be performed under the

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, UFMD 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 UFMD.

- E. Root Pruning. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by the UFMD, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
1. Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
  2. Root pruning shall take place prior to any clearing and grading, or demolition of structures.
  3. Root pruning shall be conducted under the supervision of a certified arborist.
  4. A UFMD representative shall be informed when all root pruning and tree protection fence installation is complete.
- F. Areas to be Left Undisturbed and Adherence to Limits of Clearing and Grading. The limits of clearing and grading shown on the GDP/SE Plat shall be strictly adhered to. The site plan shall clearly identify these areas as shown on the GDP/SE Plat.

As part of the site plan, the Applicant shall provide management practices for the protection of understory plant materials, leaf litter, and soil conditions found in areas to be left undisturbed, subject to the approval of the UFMD. The Applicant shall actively monitor the site to ensure that inappropriate activities such as the storage of construction materials, dumping of construction debris, and traffic by construction equipment and personnel do not occur within these areas. The Applicant shall restore understory plant materials, leaf litter, and soil conditions to the satisfaction of UFMD if these are found to be damaged, removed or altered in manner not allowed in writing by the UFMD.

If it becomes necessary to install utilities determined necessary by DPWES within areas to be left undisturbed, they shall be located and installed in the least disruptive manner possible as determined by UFMD

in coordination with the Site Development and Inspections Division, DPWES. In addition, the Applicant shall develop and implement a replanting plan for the portions of protected areas disturbed for utility installation taking into account planting restrictions imposed by utility easement agreements.

Any work occurring in or adjacent to the areas to be left undisturbed, such as root pruning, installation of tree protection fencing and silt control devices, removal of trash, or plant debris, or extraction of trees designated to be removed shall be performed in a manner that minimizes damage to any tree, shrub, herbaceous, or vine plant species that grows in the lower canopy environment; and minimizes impacts to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation, all as approved by UFMD. The use of power equipment in these areas shall be limited to small hand-operated equipment such as chainsaws. Any work that requires the use of larger motorized equipment such as, but not limited to, tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, or any accessory or attachment connected to such equipment shall not occur unless reviewed and approved in writing by UFMD.

- G. Control of Invasive Vegetation. The site plan shall provide for the management and treatment of harmful or invasive plants that may occur in the areas to be left undisturbed that are likely to pose human health problems, or are likely to disrupt or suppress native plants and plant communities. A narrative shall be provided with the site plan that identifies the species of plants to be controlled, methods of control including herbicides to be applied, and the time frame for application of materials and the duration of treatment. Any work impacting vegetation, leaf litter, or soil conditions not specifically addressed in the approved plan shall be subject to the review and written approval of UFMD. Plant species considered invasive under the Fairfax County Park Authority's Invasive Management Area program shall be removed.
- H. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Application Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by UFMD. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, 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.

- I. Prior to site plan approval, the Applicant shall identify plant materials and quantities of such plant materials that will effectively screen the 12-foot wall located behind the maintenance structure. Such plantings shall be reviewed and approved by the UFMD.
5. DESIGN
- A. The Applicant shall design the medical care facility in general conformance with the design and type, quality, and proportion of materials as shown on Sheets A1 and A2.
  - B. Retaining walls on the Application Property shall be constructed of decorative concrete or masonry materials.
  - C. Should the Applicant choose to install a sign, it shall be a monument-style sign that shall be compatible with the design of the assisted living building. One (1) freestanding sign shall be permitted. Such sign shall not exceed forty (40) square feet in sign area or five (5) feet in height. The sign shall not be located closer than ten (10) feet to any lot line. An internally illuminated sign shall not be permitted. The proposed design of the sign shall be reviewed for compatibility with the Silas Burke House, the medical care facility, and this proffer by the Director of the Zoning Evaluation Division in consultation with Heritage Resource staff in the Department of Planning and Zoning prior to the issuance of a sign permit. Should staff not contact the Applicant or review the proposed design within thirty (30) days of submission, no further review by staff shall be required. Should staff have comments on the proposed sign, the Applicant shall resubmit information for approval to staff. The staff shall have thirty (30) days from the Applicant's resubmission for review and approval. Such approval shall not be unreasonably withheld.
  - D. The Applicant shall use similar building materials for both the medical care facility and maintenance building to create a unified design theme. The design of the maintenance building shall not imitate the existing outbuildings. Prior to building permit approval, the Applicant shall provide renderings of the proposed design and building materials of the maintenance structure for review and approval to the Director of the Zoning Evaluation Division in consultation with the Heritage Resource staff in the Department of Planning and Zoning. The renderings shall show the structure in context to the Silas Burke House and existing accessory buildings. The proposed design of the maintenance building shall be reviewed for compatibility with the Silas Burke House, assisted living facility, and this proffer by the Director of the Zoning Evaluation Division in consultation with Heritage Resource staff in the Department of Planning and Zoning prior to the issuance of a building permit. Such review shall occur within thirty (30) days of submission to staff. Should staff not respond within thirty (30) days of submission, no further review

by staff shall be required. Should staff have comments on the proposed maintenance building, the Applicant shall resubmit information for approval by staff. The staff shall have thirty (30) days from the Applicant's resubmission for review and approval. Such approval shall not be unreasonably withheld.

E. Prior to building permit approval, the Applicant shall provide renderings of the proposed design and building materials for the 12-foot wall located behind the maintenance structure to the Director of the Zoning Evaluation Division in consultation with the Heritage Resource staff in the Department of Planning and Zoning for review and approval. In order to provide contextual information, the materials submitted for review shall include information on the plantings reviewed and approved by the UFMD under Proffer 4I.; however, no further review of the plantings shall be conducted. Such review shall occur within thirty (30) days of submission to staff and approval shall not be unreasonably withheld. Should staff not contact the Applicant or review the proposed design within thirty (30) days of submission, no further review by staff shall be required. Should staff have comments on the proposed wall, the Applicant shall resubmit information for approval by staff. Staff shall have thirty (30) days from the Applicant's resubmission for review and approval. Such approval shall not be unreasonably withheld.

F. A combination of paving materials shall be provided for the parking areas and drive aisle parallel to Burke Lake Road so that black asphalt is not the sole paving material used. Prior to site plan approval, the Applicant shall provide paving information to the Director of the Zoning Evaluation Division in consultation with Heritage Resource staff in the Department of Planning and Zoning for review and approval. Such review shall occur within thirty (30) days of submission. Should staff not contact the Applicant or review the proposed materials within thirty (30) days of submission, no further review by staff shall be required. Should staff have comments on the proposed paving materials, the Applicant shall resubmit information for approval by staff. Staff shall have thirty (30) days from the Applicant's resubmission for review and approval. Such approval shall not be unreasonably withheld.

## 6. HISTORIC PRESERVATION AND HERITAGE RESOURCES

A. The Applicant shall retain the existing Silas Burke House, its two (2) outbuildings, and the windmill located on the Application Property in perpetuity. Prior to the approval of the site plan, the Applicant shall submit a report to the Director of the Zoning Evaluation Division that shall include an existing conditions assessment, a plan for the intended programming and use of the Silas Burke House, a summary of code requirements and regulations, and technical evaluation and summary of the work required to be completed in accordance with the Secretary of the

Interior's Standards for Treatment of Historic Properties. To ensure that the Silas Burke House is adequately maintained, a third-party that meets the Secretary of Interior's Professional Qualification Standards for Historic Architecture shall conduct a walk-through with on an annual basis and provide a report to the Director of the Zoning Evaluation Division of the Department of Planning and Zoning within thirty (30) days of the walk-through being conducted. The qualifications of the third-party shall be provided to the Heritage Resources staff in the Department of Planning and Zoning prior to each walk-through being held. The items that require correction or alteration shall be addressed within three (3) months of submission of the report to the Zoning Administrator and shall be completed in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. The Applicant shall provide evidence of compliance with this proffer to the Director of the Zoning Evaluation Division.

- B. Prior to site plan approval for the Application Property, the Applicant shall record a historic and façade easement to preserve the interior and exterior character defining features of the Silas Burke House, accessory outbuildings, and windmill, as well as an open space easement to preserve the open space around the Silas Burke House and the outbuildings in their existing locations. The assessment of the work required to be undertaken and how it is to be accomplished as outlined in Proffers 6A shall be used in determining the scope of the easement. The Applicant shall use best efforts to increase the area of the easements from that shown on the GDP/SE Plat. Said easement shall be reviewed and approved by the DPZ Heritage Resource staff and the Fairfax County Attorney's Office prior to its recordation among the land records of Fairfax County. Prior to the drafting of the easement, the Applicant shall conduct a walk-through as described in Proffer 6A to determine which features of the Silas Burke House shall be preserved. Retention of the Silas Burke House and its surroundings shall be preserved in perpetuity in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties.
- C. Prior to issuance of a Non-RUP for the Application Property, the Applicant shall relocate the VDOT historical marker identified s #E 95 on the Application Property to ensure that it is visible from Burke Lake Road.
- D. Prior to land disturbance, the Applicant shall erect fencing around the Silas Burke House, the outbuildings, windmill, and the open space to be included in the easement area to ensure that the structures and open space are not disturbed during construction. Prior to installing the fencing, the Applicant shall submit the location and material to be used for review and approval by the Heritage Resource staff in the Department of Planning and Zoning. Such review shall occur within thirty (30) days of the Applicant's submission to staff. Should there be no response within thirty (30) days

from the Heritage Resource staff, no further review by the Heritage Resource staff shall be required. Should the Heritage Resource staff have comments on the proposed fencing and location, the Applicant shall resubmit information to the Heritage Resource staff. The Heritage Resource staff shall have thirty (30) days from the Applicant's resubmission for review and approval. Such approval shall not be unreasonably withheld.

- E. Prior to the issuance of a Non-RUP for the medical care facility, the Applicant shall appoint an Event Coordinator that will coordinate use of the Silas Burke House. The Applicant shall use the Silas Burke House as an amenity for the residents and guests of the medical care facility. At a minimum, the Applicant shall make the house available for events on a quarterly basis. The Applicant shall work with community groups to include, but not be limited to, the Burke Historical Society, History Commission, and school groups to facilitate community meetings, lectures, and other events.
- F. Parking for events that are anticipated to have more than ten (10) attendees at the Silas Burke House shall be coordinated with the Event Coordinator and shall occur off-site. Parking shall be secured no later than one (1) month in advance of the scheduled event. The Applicant shall coordinate with other sites which may include, but not be limited to, Burke School and Burke United Methodist Church to utilize their respective parking lots for parking. The Applicant shall inform groups that no parking should occur in the surrounding neighborhoods. For events that are anticipated to have more than ten (10) attendees at the Silas Burke House, the medical care facility shuttle shall be utilized to provide transportation for attendees from off-site parking areas. The use of the shuttle shall be coordinated with the Event Coordinator.
- G. Prior to the issuance of a Non-RUP for the medical care facility, the Applicant shall renovate the second floor of the Silas Burke House to allow for residential or accessory office use. Within six (6) months of the first resident moving into the medical care facility, the Applicant shall advertise the space for residential occupancy to employees of the medical care facility that work on the Subject Property or shall allow the space to be used for accessory office use. In the event that the space is advertised for residential use and there is no interest in twelve (12) months among the employees that work on the Subject Property, the Applicant shall advertise the space for residential occupancy to any of its employees for an additional twelve (12) months. In the event that there is no interest among all of its employees, the Applicant shall be permitted to make the second floor available for occasional residential use by employees, contractors, or guests of the residents of the medical care facility.

- H. The Applicant shall employ maintenance staff that shall be responsible for routine maintenance of the medical care facility, the Silas Burke House, and Burke Post Office.
- I. Prior to the issuance of a Non-RUP for the medical care facility, the Applicant shall locate the Burke Post Office on the Application Property provided such building is made available to the Applicant. The Burke Post Office shall not be located within a required yard nor shall it interfere with sight distance requirements. The location of the Burke Post office shall be finalized at time of site plan approval and shall be determined based upon the proposed use and with input from Heritage Resources staff in the Department of Planning and Zoning.
- J. Prior to any land disturbance on the Application Property, the Applicant shall conduct a Phase I archaeological study on the Application Property and provide the results of said study to the Cultural Resources Management and Protection Section of the Fairfax County Park Authority (CRMP) for review and approval. The study shall be conducted by a qualified archaeological professional approved by CRMP. If the Phase I study concludes that an additional Phase II study of the Application Property is warranted, the Applicant shall complete said study and provide the results to CRMP. If the Phase II study concludes that additional Phase III evaluation and/or recovery is warranted, the Applicant shall also complete said work in consultation and coordination with CRMP; however, that process shall not be a precondition of site plan approval but rather shall be carried out in conjunction with site construction.
- K. At the completion of any cultural resource studies, the Applicant shall provide two (2) copies (one hard copy, one digital copy) of the archaeology report as well as field notes, photographs, and artifacts to the Park Authority's Resource Management Division within thirty (30) days of completion of the study.

7. RECREATION

Prior to the issuance of a Non-RUP for the medical care facility, the Applicant shall provide recreational amenities for the residents of the medical care facility which may include, but not be limited to, walking paths, a memory garden, and outdoor furniture.

8. GREEN BUILDING PRACTICES

- A. Prior to final bond release, the Applicant shall provide green building practices including, but not limited to the following:
  - (i) Inclusion of a LEED-accredited professional as a member of the design team. The LEED-accredited professional shall work with

the design team to incorporate sustainable design elements and innovative technologies into the project. At time of site plan submission, the Applicant will provide documentation to the Environment and Development Review Branch (EDRB) of DPZ demonstrating compliance with the commitment to engage such a professional.

- (ii) The Applicant shall have a construction waste management plan that consists of hiring a waste removal and diversion company to process all construction waste at a recycling center. The Applicant shall provide a copy of the waste removal contract as proof of compliance to the EDRB of DPZ.
- (iii) The Applicant shall install ultralow-flow plumbing fixtures that have a maximum water usage as follows:
  - a. Water closet (gallons per flush, gpf) = 1.28
  - b. Urinal (gpf) = 0.5
  - c. Showerheads (gallons per minute, gpm) = 2.0 (when measured at a flower water pressure of 80 pounds per square inch)
  - d. Lavatory Faucets (gpm) = 1.5 (when measured at a flowing water pressure of 60 pounds per square inch.
  - e. Kitchen and Janitorial Sink Faucets (gpm) = 2.20

The Applicant shall provide proof of installation and the manufacturer’s product data to the EDRB of DPZ.

- (iv) The Applicant shall use low-emitting materials for all adhesives, sealants, paints, and coatings. Low-emitting is defined according to the following table:

Application	(VOC Limit g/L less water)
Carpet Adhesive	50
Rubber floor adhesive	60
Ceramic tile adhesive	65
Anti-corrosive/ anti-rust paint	250
Clear wood finishes	350

The Applicant shall provide proof of installation and the manufacturer’s product data to the EDRB of DPZ.

- (v) The Applicant shall install only LED or fluorescent lamps in all interior building lighting fixtures. The Applicant shall provide a

maximum lighting power allowance of 1.25 watts/square foot. The Applicant shall provide proof of installation and manufacturer's product data to the EDRB of DPZ.

- (vi) The Applicant shall install Energy Star appliances and equipment for refrigerators, dishwasher, water heaters, computers, monitors, televisions, vending machines, water coolers, and other appliances and office equipment where practical. The Applicant shall provide proof of installation and manufacturer's product data, including the Energy Star energy guide to the EDRB of DPZ.
- (vii) The Applicant shall provide an area for the collection and storage of glass, paper, metal, plastic, and cardboard generated by residents and employees. There shall be a dedicated area on the Subject Property for the storage of recycled materials. The Applicant shall provide proof of installation, installation locations, and a copy of the Applicant's hauling contract to the EDRB of DPZ.
- (viii) The proposed building shall not have any chlorofluorocarbon (CFC) based refrigerants in any of the building systems, or not use refrigerants. The Applicant shall provide manufacturer's specification sheets for any refrigerant installed in the building to the EDRB of DPZ.

B. Prior to building plan approval for the Application Property, the Applicant shall execute a separate agreement and post a "green building escrow," in the form of cash or a letter of credit from a financial institution acceptable to DPWES and defined in the Public Facilities Manual. The amount of the escrow shall be \$2.00 per square foot of gross floor area of the building. The green building escrow shall be in addition to and separate from other bond requirements. This escrow shall be released once the following conditions have been met:

- (i) Prior to final construction bond release, the LEED-AP, who is also a professional engineer or licensed architect, shall submit a certification statement including supporting documentation as detailed below, confirming that the green building elements listed below have been incorporated into the design and construction of the building.
- (ii) Concurrence and acceptance of the certification statement by the EDRB of DPZ.

If the Chief of EDRB of DPZ does not concur or accept the certification statement described in proffer 8B(i) and a review of the documentation determines that the green building elements have not been implemented or

included in the design and construction of the project, then the Chief of EDRB shall notify the Applicant's LEED-AP. The Applicant's LEED-AP and the Chief of EDRB shall meet to discuss the potential deficiencies and to develop appropriate resolutions, which may include substitute techniques or elements that achieve the same intended sustainability or energy conservation benefits. Thereafter, if the Applicant fails to take the necessary corrective actions and have the Applicant's LEED-AP submit a revised certification statement with supporting documentation within 90 days, then the entirety of the green building escrow for the property shall be released to Fairfax County and shall be posted to a fund within the County budget supporting implementation of county environmental initiatives. However, if the necessary corrective actions cannot be completed within 90 days, and the Applicant can provide documentation in support of this, then the time period may be extended as determined appropriate by the Zoning Administrator and no release of escrowed funds shall be made to either the Applicant or the county during this time period.

9. OPERATIONS

- A. A maximum of thirty (30) employees are permitted per shift and a maximum of 105 residents are permitted, but the maximum number of employees and residents at any one time shall be coordinated so that the Applicant complies with the parking requirements in Article 11 of the Zoning Ordinance.
- B. Trash and/or recycling collection shall be limited to the hours of 8:00 a.m. to 6:00 p.m., Monday through Friday. No weekend pickups shall be allowed.
- C. Trash bins and trash shall not be located outside of the maintenance building.
- D. Food and linen delivery hours shall be restricted to 8:00 a.m. to 6:00 p.m., Monday through Saturday, unless unusual circumstances which may include, but not be limited to, emergencies, atypical weather, or traffic conditions require delivery outside of these days and times.

10. AFFORDABLE HOUSING

The Applicant shall maintain four percent (4%) of the assisted living units for residents who are eligible for the Virginia Department of Social Services' Auxiliary Grant Program.

11. TIMING OF IMPROVEMENTS

Notwithstanding the foregoing, upon demonstration that, despite diligent efforts or due to factors beyond the Applicant's control, proffered commitments have

been delayed beyond the timeframes specified herein, the Zoning Administrator may agree to a later date for completion of such commitments.

12. SUCCESSORS AND ASSIGNS

These proffers shall bind and inure to the benefit of the Applicant and its successors or assigns.

13. COUNTERPARTS

These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one in the same instrument.

{ A0659543.DOCX / 1 Draft Proffers 04.23.15 (cIn) 008370 000002 }

[SIGNATURES BEGIN ON NEXT PAGE]

APPLICANT/CONTRACT PURCHASER OF  
TAX MAP 78-3 ((1)) 4

SUNRISE DEVELOPMENT, INC.

---

By: Andrew H. Coelho  
Its: VP

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP 78-3 ((1)) 4

---

By: Suzanne Fowler Neal

[SIGNATURES END]

**PROPOSED DEVELOPMENT CONDITIONS****SE 2014-SP-060****APRIL 29, 2015**

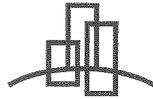
If it is the intent of the Board of Supervisors to approve SE 2014-SP-060 located at Tax Map 78-3 ((1)) 4 for use as a medical care facility pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following 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 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, 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 "Silas Burke Property," was submitted by Vika Virginia, LLC and consists of 18 sheets, dated July 18, 2014 and revised through April 23, 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.
4. A copy of this Special Exception and the Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. The final architectural design of the building shall be consistent with the general design and type, quality, and proportion of materials depicted in the illustrative perspectives and renderings on Sheets A1 and A2 of the Generalize Development Plan/Special Exception Plat.
6. The maximum number of units shall not exceed 85 and the maximum number of residents shall not exceed 105.
7. Retention and preservation of the Silas Burke House, its two outbuildings and windmill shall be preserved in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties in perpetuity.

8. Prior to site plan approval, the applicant shall obtain a determination from the Zoning Administrator that the space identified in the assisted living facility as cellar space may be used as cellar space.

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 (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.



**WALSH COLUCCI  
LUBELEY & WALSH PC**

Sara V. Mariska  
(703) 528-4700 Ext. 5419  
[smariska@thelandlawyers.com](mailto:smariska@thelandlawyers.com)

Revised  
October 31, 2014

**Via Hand Delivery**

Barbara C. Berlin, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning & Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

RECEIVED  
Department of Planning & Zoning  
OCT 31 2014  
Zoning Evaluation Division

Re: Proposed Rezoning and Special Exception Applications  
Fairfax County Tax Map Reference: 78-3 ((1)) 4 (the "Subject Property")  
Applicant: Sunrise Development, Inc.

Dear Ms. Berlin:

Please accept the following as a revised statement of justification for the rezoning of approximately 4.96 acres from the R-1 to the R-3 District and a concurrent special exception application to allow a medical care facility on the Subject Property.

The Subject Property is located on the east side of Burke Lake Road (Route 645), south of its intersection with Shiplett Boulevard (Route 5236) in the Springfield Magisterial District. Zoned to the R-1 District, the Subject Property is currently improved with the Silas Burke House and is not subject to any proffers or conditions. The owner of the Subject Property has long contemplated future plans for the Subject Property with a particular interest in preserving the historic home. Silas Burke and his wife Hannah Coffey built the home in 1824. The home's historical value lies in the fact that Lieutenant Colonel Burke donated a considerable portion of his property for the development of Burke Station on the Orange & Alexandria Railroad. This donation helped put Burke and the surrounding area on the map. The home continues to be an important landmark to the community. The Applicant requests approval of a rezoning and special exception to establish an assisted living community on the Subject Property. As part of the proposed development, the Applicant is committed to preserving the Silas Burke House in perpetuity.

The Subject Property is located within the Main Branch Community Planning Sector (P2) within the Pohick Planning District of the Area III Comprehensive Plan (the "Plan"). In consideration of the Applicant's proposal, on May 13, 2014, the Board of Supervisors (the

ATTORNEYS AT LAW

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2200 CLARENDON BLVD. ■ SUITE 1300 ■ ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 ■ WOODBRIDGE 703 680 4664

"Board") authorized consideration of an Out-of-Turn Plan Amendment (OTPA) for the Subject Property. The OTPA is being processed by the Fairfax County planning staff and it is anticipated that this rezoning application will proceed concurrently with the pending OTPA, with the understanding that the Board must act on the OTPA prior to this application. Should the OTPA be adopted by the Board, the Applicant's proposal will be in harmony with Plan's recommendations.

The Applicant proposes an assisted living facility on the Subject Property which is defined as a medical care facility in the Fairfax County Zoning Ordinance (the "Zoning Ordinance"). The assisted living community, Sunrise of Silas Burke House, will be developed by Sunrise Development, Inc. and operated by Sunrise Senior Living. The community will be comprised of up to 82 units. Sunrise of Silas Burke House will provide a safe and secure home to seniors seeking to maintain their independence, but requiring assistance with daily activities such as bathing, dressing, and medication reminders. Sunrise Senior Living provides resident-centered services that are delivered by a team trained to encourage independence, preserve dignity, enable freedom of choice, and protect the privacy of each resident.

The enclosed Generalized Development Plan/Special Exception Plat ("GDP/SE Plat") depicts a building of approximately 53,900 square feet on the eastern portion of the Subject Property. The building has been carefully located to ensure that the Silas Burke House and associated outbuildings and windmill may remain in their existing locations. Additionally, the building takes advantage of the Subject Property's slope away from Burke Lake Road so that the assisted living facility does not detract from the prominence of the historic Silas Burke House. Finally, the location of the building is adjacent to private open space thereby minimizing impacts to the adjacent community.

The enclosed GDP/SE Plat includes elevations of the proposed building. The building has been designed to be compatible with and complementary to the Silas Burke House as well as the surrounding residential community. The building reflects the Victorian country farm house aesthetic of the Silas Burke House and outbuildings on the Subject Property. The building is articulated into three (3) smaller sections. This massing allows the building to take on a more residential scale while the roof lines also echo the slope of the existing home. The eaves and porch elements with reverse gables provide accents to the building's articulation. Eave brackets are used to emphasize major design elements and provide additional texture and visual interest.

In addition to high quality architecture, the Applicant proposes a number of site amenities. Most significantly, the Applicant proposes to retain the Silas Burke House and allow residents to use the historic home for occasional events; however, no residential use of the house is proposed. The Applicant also proposes a series of walkways, outdoor furniture, as well as a memory garden to provide a variety of areas for residents to enjoy.

In accordance with Section 9-011 of the Zoning Ordinance, please accept the following information:

- The type of operation proposed is a medical care facility (assisted living facility).

- Hours of operation: Twenty-four hours a day, seven days a week.
- The estimated number of units is 82.
- The estimated number of employees is a maximum of 90 (including full time and part time employees) with a maximum of 30 on site at any one time.
- The proposed use will generate approximately 239 trips per day with approximately 16 in the AM peak hour and approximately 26 in the PM peak hour.
- The general area to be served by the use is Burke and Springfield.
- The proposed use results in approximately 53,900 square feet of gross floor area. The building materials may include dimensional asphalt shingles, standing seam metal roof, fiber cement siding, stone, and vinyl trim.
- There are no known hazardous or toxic substances that will be generated or stored on site with the proposed use.
- The proposed use conforms to all applicable ordinances, regulations, adopted standards and conditions except as modified by this application:
  - The Applicant hereby requests a modification of Paragraph 5 of Section 9-308 of the Zoning Ordinance to allow the building to be located approximately 70 feet from the eastern property line and approximately 25 feet from the northern property line. The building has been located adjacent to private open space and takes advantage of the Subject Property's topography in order to minimize impacts on adjacent properties.
  - The Applicant hereby requests a modification of Paragraph 6 of Section 9-308 of the Zoning Ordinance to allow the building to be located on property that is approximately 4.96 acres in size in lieu of the required 5 acres.
  - The Applicant hereby request a modification of transitional screening and barrier requirements of Sections 13-303 and 13-304 for all property boundaries pursuant to Paragraphs 3, 4 and 12 of Section 13-305 of the Zoning Ordinance. The Applicant has specifically designed the development to minimize adverse impacts to adjacent properties through a combination of landscaping and architectural techniques. Additionally, the topography of the lot will make a barrier ineffective in many locations. The Applicant requests a modification to reduce the required

width of transitional screening in locations as shown on the GDP/SE Plat by constructing an architectural block wall of at least 7 feet in height. On the northeast portion of the northern property line, in lieu of Transitional Screening 2, the Applicant proposes to retain the existing undeveloped and unmaintained tree stand as shown outside of the limits of disturbance. The Applicant proposes to restore this area to a more natural reforested condition with additional plantings and the removal of invasive vegetation. On the northern side of the Subject Property, adjacent to the proposed building, the Applicant proposes to reduce the required screening yard to a minimum of 11.5 feet in conjunction with the construction of a 7 foot minimum masonry (concrete segmental block or similar) retaining wall with 42 inch metal picket railing. On the remainder of the northern property line, the Applicant requests a waiver of the required barrier as the elevation of the abutting property is generally 6 feet below that of the adjacent developed portion of the site (a parking lot) and thus a barrier would be ineffective.

On the majority of the eastern property line, in lieu of Transitional Screening 2, the Applicant proposes to retain the existing undeveloped and unmaintained tree stand as shown outside of the limits of disturbance. The Applicant proposes to restore this area to a more natural reforested condition with additional plantings and the removal of invasive vegetation. On the eastern property line, in lieu of the required barrier, the Applicant proposes to provide a combination of masonry (concrete segmental block or similar) retaining wall(s) with metal picket railing and change in grade as shown on the GDP/SE Plat. The wall(s) shall be between 3 and 7 feet in height and the railing shall be 42 inches high.

On the southern property line, in lieu of the required Transitional Screening 2 and barrier, the Applicant proposes to provide a variable width screening yard between 35 feet and 50 feet in dimension. Quantities of proposed materials are shown on the table included in the GDP/SE Plat. In combination with a proposed berm and other site grading, the closest abutting property owners to the southwest will be afforded views of the preserved historic home and outbuildings. Property owners to the southeast will not have a view of the proposed development due to grade differences of approximately 10 feet. On the southeast portion of the southern property line, in lieu of Transitional Screening 2, the Applicant proposes to retain the existing undeveloped and unmaintained tree stand as shown outside of the limits of disturbance. The Applicant also proposes to restore the area to a more natural reforested condition with additional plantings and the removal of invasive vegetation.

On the western property line, along Burke Lake Road (Route #645), in lieu of the required barrier, the Applicant proposes to utilize the existing topography and planned elevation of the proposed structure. The proposed difference in elevation between the grade at the street and the finished floor of the proposed building is approximately 14 feet, with an intervening high point (between it and the preserved Silas Burke House) of approximately 4 feet above the finished floor of the proposed building. On the western property line, along Burke Lake Road (Route #645), in lieu of Transitional Screening 2, the Applicant proposes to provide screening by preservation of existing architectural structures, vegetation, and installation of new plantings as shown on the GDP/SE Plat.

In accordance with Section 9-308 of the Zoning Ordinance, please accept the following information:

- The Applicant will make an application to the Health Care Advisory Board as part of the special exception process.
- The community's loading area has been located to the south on the side of the proposed building.
- The Applicant proposes an assisted living facility, not a nursing facility, but the community will front on Burke Lake Road which is classified as a minor arterial.
- A modification is requested to the requirement that the building be located 100 feet from a lot line abutting an R-A through R-4 District as described above. The building has been located to take advantage of the Subject Property's topography. Additionally, the building will be adjacent to significant landscaping and private open space.
- A minimal modification is requested to allow the building on approximately 4.96 acres in lieu of 5 acres.

The Applicant's proposal will serve the needs of the surrounding community. Between 2005 and 2030, Fairfax County currently projects that the 50 and over population will increase by 40 percent and the 80 and over population by 88 percent. Based on these projections, assisted living facilities will become an even more critical community need. Seniors typically seek services within 5-7 miles of where they currently reside so that they may continue to be active in their communities and close to their families and friends. Sunrise Senior Living has been providing quality care since 1981 and looks forward to establishing a high quality community in the Burke area. In addition to filling a critical need, the Applicant's proposal will ensure preservation of the Silas Burke House in perpetuity thereby protecting a community asset.

Should you have any questions regarding the above, or require additional information, please do not hesitate to contact me. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.



Sara V. Mariska

cc: Edward Burnett  
Michael Congleton  
Charles Health  
Mark Gionet  
William F. Johnson  
Lynne J. Strobel  
Martin D. Walsh



## WELLS + ASSOCIATES

### MEMORANDUM

**To:** Bob Pikora  
Fairfax County Department of Transportation

Kevin Nelson, P.E.  
Virginia Department of Transportation

**From:** William F. Johnson, P.E.  
Brian Horan, E.I.T.

**Re:** RZ 2014-SP-015/SE 2014-SP-060; Silas Burke Property  
Tax Map: 78-3-((1)) 4  
Fairfax County, Virginia

**Subject:** Traffic Assessment

**Date:** October 30, 2014

11441 Robertson Drive  
Suite 201  
Manassas, VA 20109  
703-365-9262  
703-365-9265 FAX  
www.mjwells.com

RECEIVED  
Department of Planning & Zoning  
OCT 31 2014  
Zoning Evaluation Division

#### Introduction

The purpose of this memorandum is to summarize the results of a traffic assessment associated with the proposed redevelopment of an approximate 4.96-acre parcel in Fairfax County, Virginia. The property is identified as Tax Map #78-3 ((1)) 4 and is located on the east side of Burke Lake Road (Route 645) and south of Shiplett Boulevard (Route 5239) within the Springfield Magisterial District and is currently the site of the historic Silas Burke House built circa 1824.

The property is currently zoned R-1 (Residential – one dwelling unit per acre). As proposed the property will be rezoned and subsequently developed with a 53,900 gross square foot (GSF) assisted living facility consisting of 82 units. The existing historic structure will remain. For purposes of this assessment it was assumed that the site would be built out and occupied by 2016. A general development plan/special exception plan (GDP/SE) prepared by VIKA, see Figure 1, shows that a full movement access to the site is provided on Burke Lake Road at an entrance directly opposite of Woodedge Drive (Route 7192). The following documents a capacity and queuing analysis of the site entrance as well as turn lane warrant analyses at the intersection along Burke Lake Road.

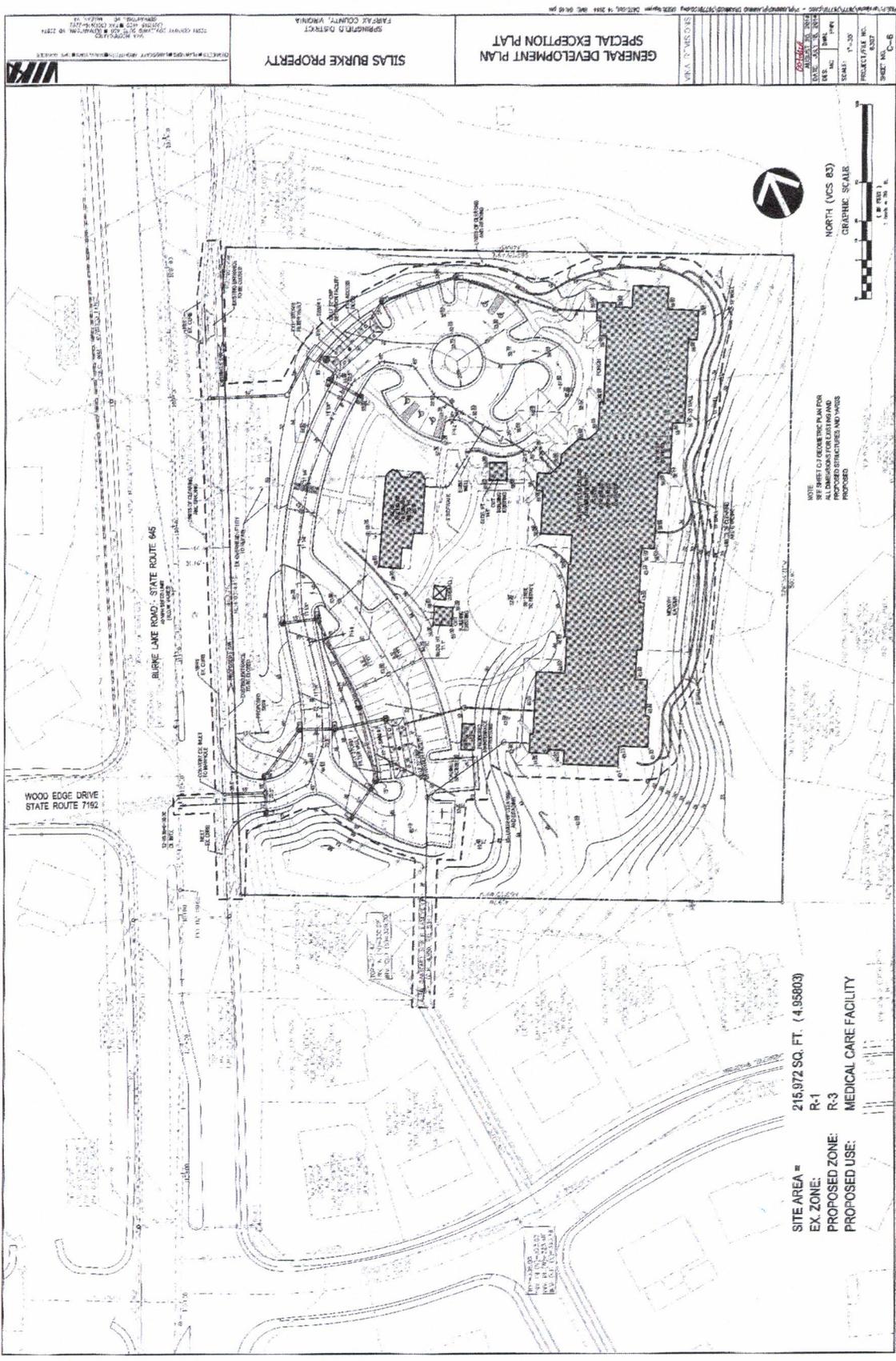


Figure 1  
Conceptual Development Plan/ Special Exception Plat





## WELLS + ASSOCIATES

### MEMORANDUM

#### Existing Field Conditions

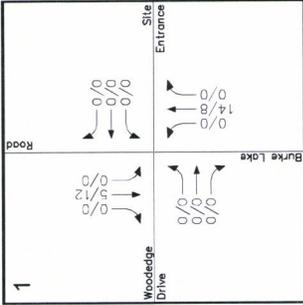
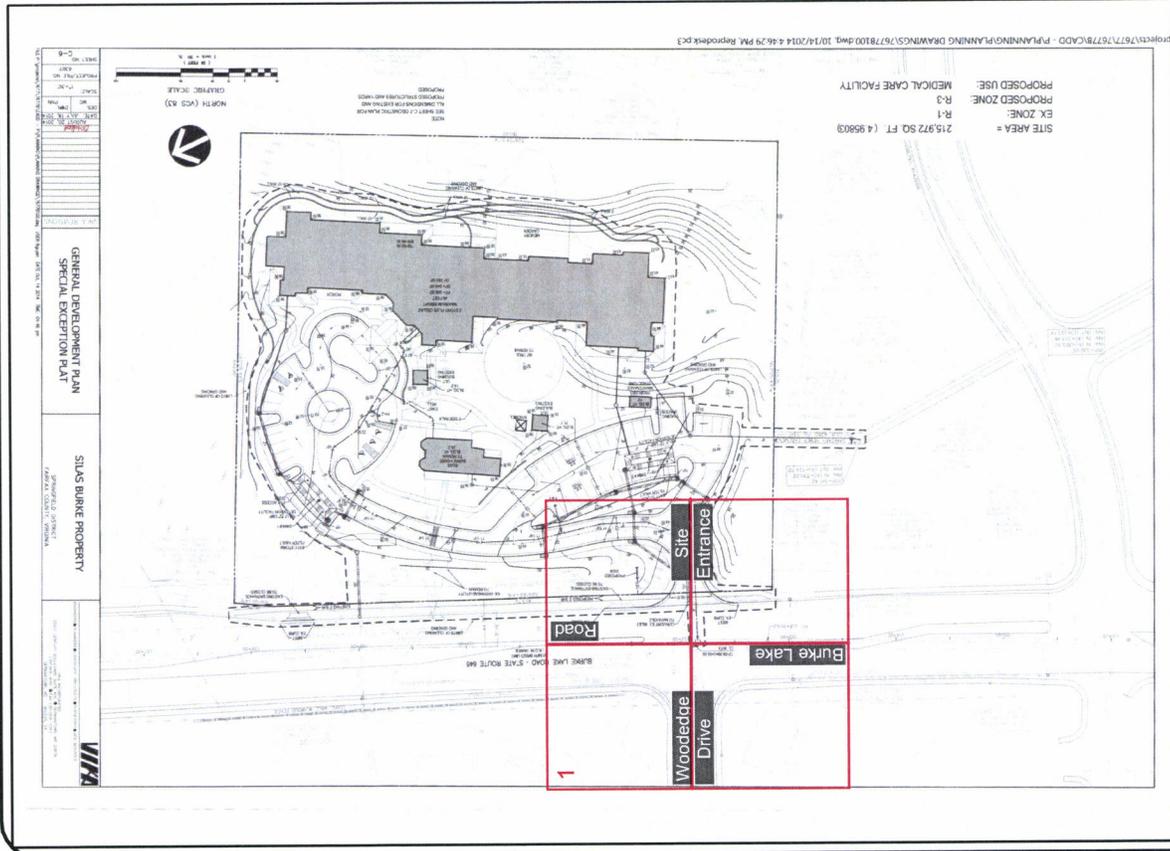
Burke Lake Road is classified by VDOT as an urban minor arterial and is constructed as a four-lane, median divided roadway with a posted speed limit of 40 miles per hour (mph) in the vicinity of Woodedge Drive. Woodedge Drive is a local two-lane, undivided street with a posted speed limit of 25 mph. Woodedge Drive provides access to 41 existing single family detached houses and intersects Burke Lake Road under STOP sign control. Currently there is a southbound left turn lane along Burke Lake Road at its intersection with Woodedge Drive which serves the existing driveway to the historic home. This existing driveway is offset approximately 65 feet from the Woodedge Drive/Burke Lake Road intersection. Therefore, the applicant proposes to close the existing driveway and construct a new standard entrance to serve the site that is directly aligned with Woodedge Drive. There is no right turn lane northbound on Burke Lake Road at the existing entrance to the site.

#### Existing Traffic Counts

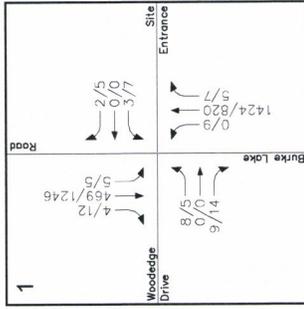
In order to perform the analysis and turn lane warrant, existing peak period traffic counts were conducted at the Burke Lake Road/Woodedge Drive intersection on Thursday, June 12, 2014 for all turning movements. As per typical practice, the counts were conducted from 6:00 AM to 9:00 AM and 4:00 PM to 7:00 PM during a typical weekday while area public schools were in session. The observed AM peak hour occurred from 6:30 AM to 7:30 AM while the observed PM peak hour occurred from 5:15 PM to 6:15 PM. The turning movement volumes for the AM and PM peak periods were extracted for use in the analysis. The existing traffic volumes are shown on Figure 2 and a copy of the count data is provided as Attachment I.

#### Background Traffic Growth

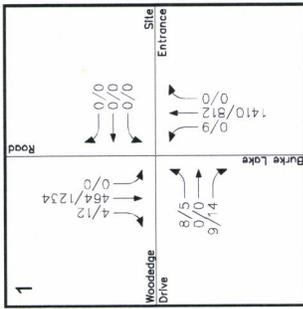
VDOT traffic data was utilized to establish a background growth rate. According to VDOT traffic data there has been little to no traffic growth for the last 5 years along this segment of Burke Lake Road. In order to be conservative in our analysis, a growth rate of 0.5% per year was applied to through movements on Burke Lake Road. Traffic volume added to the network due to regional growth is shown on Figure 2.



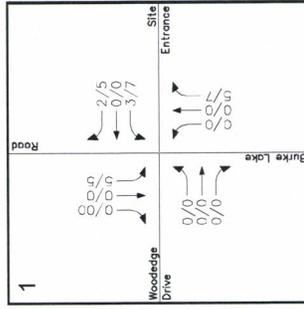
2016 Background Growth



2016 Total Future Traffic Volumes



Existing Traffic Volumes



Site Trips

Figure 2  
Intersection Volumes





# WELLS + ASSOCIATES

## MEMORANDUM

### Trip Generation for Proposed Assisted Living Facility

The number of trips generated by the proposed development was estimated based on, the Institute of Transportation Engineers' (ITE) Trip Generation Manual (9th Edition) Land Use Code (LUC) 254 Assisted Living. The number of occupied beds was selected as the independent variable. As shown in Table 1, the proposed assisted living facility is expected to generate 15 new AM Peak Hour trips and 24 new PM peak hour trips. These trips were assigned to the network based on existing traffic patterns and engineering judgment. The site trips were distributed as follows and are shown on Figure 2:

- 45 percent to/from the north along Burke Lake Road
- 55 percent to/from the south along Burke Lake Road.

Table 1

Peak Hour Trip Generation Summary – Peak Hour of the Adjacent Street  
Assisted Living – 82 occupied beds

	AM PEAK HOUR			PM PEAK HOUR		
	IN	OUT	TOTAL	IN	OUT	TOTAL
Total Trips	10	5	15	12	12	24

### Total Future Traffic Forecasts

Total future traffic forecasts were developed for a projected build out year, for analysis purposes only, of 2016. The existing volumes as well as the annual growth rate of 0.5 percent which applied to the through volumes along Burke Lake Road. The resulting total future traffic forecasts are shown on Figure 2.

As shown in Table 1, the proposed assisted living development is expected to generate ten (10) inbound trips during the AM peak hour and twelve (12) inbound trips during the PM peak hour. Based on existing traffic volumes and patterns at the intersection, 45 percent of the AM inbound trips (or five (5) trips) and 45 percent of the PM inbound trips (or five (5) trips) are expected to approach the site from the north. As a result, the proposed development is expected to add five (5) left turning vehicles during the AM peak hour and five (5) left turning vehicles during the PM peak hour.

In total, the proposed assisted living development will increase traffic volumes at the Burke Lake Road/Woodedge Drive intersection by less than one percent during the AM peak hour and by approximately one percent during the PM peak hour.



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### MEMORANDUM

#### Turn Lane Analysis

**Right Turn Lane Warrant Analysis.** A right-turn lane warrant analysis was performed for the northbound approach along Burke Lake Road at the Woodedge Drive intersection based on the VDOT Road Design Manual (RDM) Appendix F. The total future peak hour volumes for the intersection were applied to RDM "Figure 3-27" which is provided as Attachment II. Based on the estimated total future traffic volumes, the following inputs were applied to Figure 3-27:

#### AM Peak Hour (6:30 AM - 7:30 AM)

Right Turn Volume:	5 vehicles per hour
Approach Total Volume:	1429 vehicles per hour

#### PM Peak Hour (5:15 PM - 6:15 PM)

Right Turn Volume:	7 vehicles per hour
Approach Total Volume:	836 vehicles per hour

As shown in Attachment II, the total future volumes along Burke Lake Road do not warrant a northbound right-turn lane into the proposed assisted living facility during the AM and PM peak hour conditions.

**Sufficiency of the Existing Left Turn Lane.** According to field data, the southbound left turn lane at Burke Lake Road/Woodedge Drive/Silas Burke House intersection is constructed with 75' of full width turn lane with a 100' taper. With the closure of the existing site driveway and the construction of the new site entrance which will be aligned with Woodedge Drive, the existing left turn lane will be lengthened by approximately 35 feet. Therefore, 110 feet of full width storage will be provided for the left turn lane in the future condition. Per standard convention in urban areas, VDOT allows 50% of the taper to be applied to the effective storage length of the turn lane. This convention results in 160 feet of effective storage for the southbound left turn lane. A Synchro analysis was performed to determine 95<sup>th</sup> percentile queues based on the total future traffic volumes shown on Figure 2. The results of this queuing analysis are shown on Table 2. As shown on Table 2, Synchro reports southbound left queues one (1) vehicle or less. Therefore, no queuing issues are anticipated at this intersection and the existing turn lane dimensions are sufficient to accommodate total future traffic volumes. Furthermore, and as shown on Table 2, all

Table 2  
 Silas Burke  
 Level of Service and Queuing Analysis Summary (1) (2) (3)

Intersection	Operating Condition	Approach/ Movement	Total Future Levels of Service		Turn Bay Storage (ft)	Total Future 95th Percentile Queues	
			AM	PM		AM	PM
1 Woodedge Drive/Burke Lake Road	STOP	EBLTR	D [25.9]	F [50.7]	n/a	9	20
		WBLTR	F [65.5]	F [58.2]	n/a	7	14
		NBL	A [0.0]	B [13.1]	132	0	2
		NBTR	A [0.0]	A [0.0]	n/a	0	0
		SBL	B [13.9]	B [10.1]	140	1	1
		SBTR	A [0.0]	A [0.0]	n/a	0	0

(1) Numbers in brackets [] represent delay at unsignalized intersections in seconds per vehicle.

(2) Roadway names in bold are considered north/south for purposes of this analysis

(3) Queue length as reported by Synchro, Version 7 and in units of feet.



## WELLS + ASSOCIATES

### MEMORANDUM

turning movements are forecasted to operate at Level of Service (LOS) "D" or better. The Synchro outputs are provided as Attachment III.

### Conclusions

Based on the analyses, the following may be concluded:

1. The proposed development is expected to increase the total traffic at the intersection by less than one percent during the AM peak hour and by approximately one percent during the PM peak hour.
2. The proposed development would increase the northbound right turns at the Burke Lake Road/Woodedge Drive/Site Entrance intersection by five (5) vehicles during the AM peak hour and by seven (7) vehicles during the PM peak hour. No right turn lane treatment is warranted according to the VDOT Road Design Manual.
3. The proposed development would increase the southbound left turns at the Burke Lake Road/Woodedge Drive/Site Entrance intersection by five (5) vehicles during the AM peak hour and by five (5) vehicles during the PM peak hour. The existing left turn lane provides enough storage for the proposed trips.

We trust that the analysis and information provided herein address the need for a turn lane warrant assessment for the subject intersection. Please do not hesitate to contact Will Johnson at 703.365.9262 should you have any questions or require additional information.

Attachments: a/s

**WELLS + ASSOCIATES**

MEMORANDUM

Attachment I

Existing Traffic Count



11441 Robertson Drive  
Suite 201  
Manassas, VA 20109  
703-365-9262  
703-365-9265 FAX  
[www.mjwells.com](http://www.mjwells.com)

# Wells + Associates, Inc.

McLean, Virginia

## Turning Movement Count - All Vehicles

Time Period		Southbound Burke Lake Road - 645					Westbound 0					Northbound Burke Lake Road - 645					Eastbound Woodedge Drive - 7192					North & South	East & West	Total
		Right	Thru	Left	Total	PHF	Right	Thru	Left	Total	PHF	Right	Thru	Left	Total	PHF	Right	Thru	Left	Total	PHF			
<b>AM 15 Minute Volumes</b>																								
6:00 AM - 6:15 AM		0	35	0	35		0	0	0	0		0	174	2	176		3	0	3	6		211	6	217
6:15 AM - 6:30 AM		0	64	0	64		0	0	0	0		0	259	0	259		3	0	2	5		323	5	328
6:30 AM - 6:45 AM		0	95	0	95		0	0	0	0		0	367	0	367		2	0	2	4		462	4	466
6:45 AM - 7:00 AM		1	103	0	104		0	0	0	0		0	391	0	391		2	0	1	3		495	3	498
7:00 AM - 7:15 AM		2	118	0	120		0	0	0	0		0	336	0	336		2	0	3	5		456	5	461
7:15 AM - 7:30 AM		1	148	0	149		0	0	0	0		0	316	0	316		3	0	2	5		465	5	470
7:30 AM - 7:45 AM		1	111	0	112		0	0	0	0		0	314	3	317		4	0	3	7		429	7	436
7:45 AM - 8:00 AM		2	138	0	140		0	0	0	0		0	337	0	337		2	0	2	4		477	4	481
8:00 AM - 8:15 AM		0	125	0	125		0	0	0	0		0	342	1	343		0	0	0	0		468	0	468
8:15 AM - 8:30 AM		0	115	0	115		0	0	0	0		0	346	2	348		3	0	1	4		463	4	467
8:30 AM - 8:45 AM		1	121	0	122		0	0	0	0		0	279	1	280		1	0	1	2		402	2	404
8:45 AM - 9:00 AM		0	111	0	111		0	0	0	0		0	321	0	321		7	0	3	10		432	10	442
<b>Total</b>		<b>8</b>	<b>1284</b>	<b>0</b>	<b>1292</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>3782</b>	<b>9</b>	<b>3791</b>		<b>32</b>	<b>0</b>	<b>23</b>	<b>55</b>		<b>5083</b>	<b>55</b>	<b>5138</b>
<b>AM One Hour Volumes</b>																								
6:00 AM - 7:00 AM		1	297	0	298	0.72	0	0	0	0	0.00	0	1191	2	1193	0.76	10	0	8	18	0.75	1491	18	1509
6:15 AM - 7:15 AM		3	380	0	383	0.80	0	0	0	0	0.00	0	1353	0	1353	0.87	9	0	8	17	0.85	1736	17	1753
6:30 AM - 7:30 AM		4	464	0	468	0.79	0	0	0	0	0.00	0	1410	0	1410	0.90	9	0	8	17	0.85	1878	17	1895
6:45 AM - 7:45 AM		5	480	0	485	0.81	0	0	0	0	0.00	0	1357	3	1360	0.87	11	0	9	20	0.71	1845	20	1865
7:00 AM - 8:00 AM		6	515	0	521	0.87	0	0	0	0	0.00	0	1303	3	1306	0.97	11	0	10	21	0.75	1827	21	1848
7:15 AM - 8:15 AM		4	522	0	526	0.88	0	0	0	0	0.00	0	1309	4	1313	0.96	9	0	7	16	0.57	1839	16	1855
7:30 AM - 8:30 AM		3	489	0	492	0.88	0	0	0	0	0.00	0	1339	6	1345	0.97	9	0	6	15	0.54	1837	15	1852
7:45 AM - 8:45 AM		3	499	0	502	0.90	0	0	0	0	0.00	0	1304	4	1308	0.94	6	0	4	10	0.63	1810	10	1820
8:00 AM - 9:00 AM		1	472	0	473	0.95	0	0	0	0	0.00	0	1288	4	1292	0.93	11	0	5	16	0.40	1765	16	1781
<b>PM 15 Minute Volumes</b>																								
4:00 PM - 4:15 PM		4	293	0	297		0	0	0	0		0	191	4	195		2	0	0	2		492	2	494
4:15 PM - 4:30 PM		1	295	0	296		0	0	0	0		0	172	1	173		1	0	1	2		469	2	471
4:30 PM - 4:45 PM		3	328	0	331		0	0	0	0		0	164	2	166		1	0	2	3		497	3	500
4:45 PM - 5:00 PM		1	314	0	315		0	0	0	0		0	181	2	183		0	0	0	0		498	0	498
5:00 PM - 5:15 PM		2	308	0	310		0	0	0	0		0	190	1	191		1	0	1	2		501	2	503
5:15 PM - 5:30 PM		2	347	0	349		0	0	0	0		0	191	3	194		3	0	0	3		543	3	546
5:30 PM - 5:45 PM		2	314	0	316		0	0	0	0		0	203	2	205		3	0	4	7		521	7	528
5:45 PM - 6:00 PM		6	261	0	267		0	0	0	0		0	212	2	214		3	0	1	4		481	4	485
6:00 PM - 6:15 PM		2	312	0	314		0	0	0	0		0	206	2	208		5	0	0	5		522	5	527
6:15 PM - 6:30 PM		4	301	0	305		0	0	0	0		0	208	2	210		1	0	0	1		515	1	516
6:30 PM - 6:45 PM		1	254	0	255		0	0	0	0		0	198	1	199		1	0	0	1		454	1	455
6:45 PM - 7:00 PM		0	274	0	274		0	0	0	0		0	204	4	208		5	0	1	6		482	6	488
<b>Total</b>		<b>28</b>	<b>3601</b>	<b>0</b>	<b>3629</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>2320</b>	<b>26</b>	<b>2346</b>		<b>26</b>	<b>0</b>	<b>10</b>	<b>36</b>		<b>5975</b>	<b>36</b>	<b>6011</b>
<b>PM One Hour Volumes</b>																								
4:00 PM - 5:00 PM		9	1230	0	1239	0.94	0	0	0	0	0.00	0	708	9	717	0.92	4	0	3	7	0.58	1956	7	1963
4:15 PM - 5:15 PM		7	1245	0	1252	0.95	0	0	0	0	0.00	0	707	6	713	0.93	3	0	4	7	0.58	1965	7	1972
4:30 PM - 5:30 PM		8	1297	0	1305	0.93	0	0	0	0	0.00	0	726	8	734	0.95	5	0	3	8	0.67	2039	8	2047
4:45 PM - 5:45 PM		7	1283	0	1290	0.92	0	0	0	0	0.00	0	765	8	773	0.94	7	0	5	12	0.43	2063	12	2075
5:00 PM - 6:00 PM		12	1230	0	1242	0.89	0	0	0	0	0.00	0	796	8	804	0.94	10	0	6	16	0.57	2046	16	2062
5:15 PM - 6:15 PM		12	1234	0	1246	0.89	0	0	0	0	0.00	0	812	9	821	0.96	14	0	5	19	0.68	2067	19	2086
5:30 PM - 6:30 PM		14	1188	0	1202	0.95	0	0	0	0	0.00	0	829	8	837	0.98	12	0	5	17	0.61	2039	17	2056
5:45 PM - 6:45 PM		13	1128	0	1141	0.91	0	0	0	0	0.00	0	824	7	831	0.97	10	0	1	11	0.55	1972	11	1983
6:00 PM - 7:00 PM		7	1141	0	1148	0.91	0	0	0	0	0.00	0	816	9	825	0.98	12	0	1	13	0.54	1973	13	1986



**WELLS + ASSOCIATES**

MEMORANDUM

Attachment II

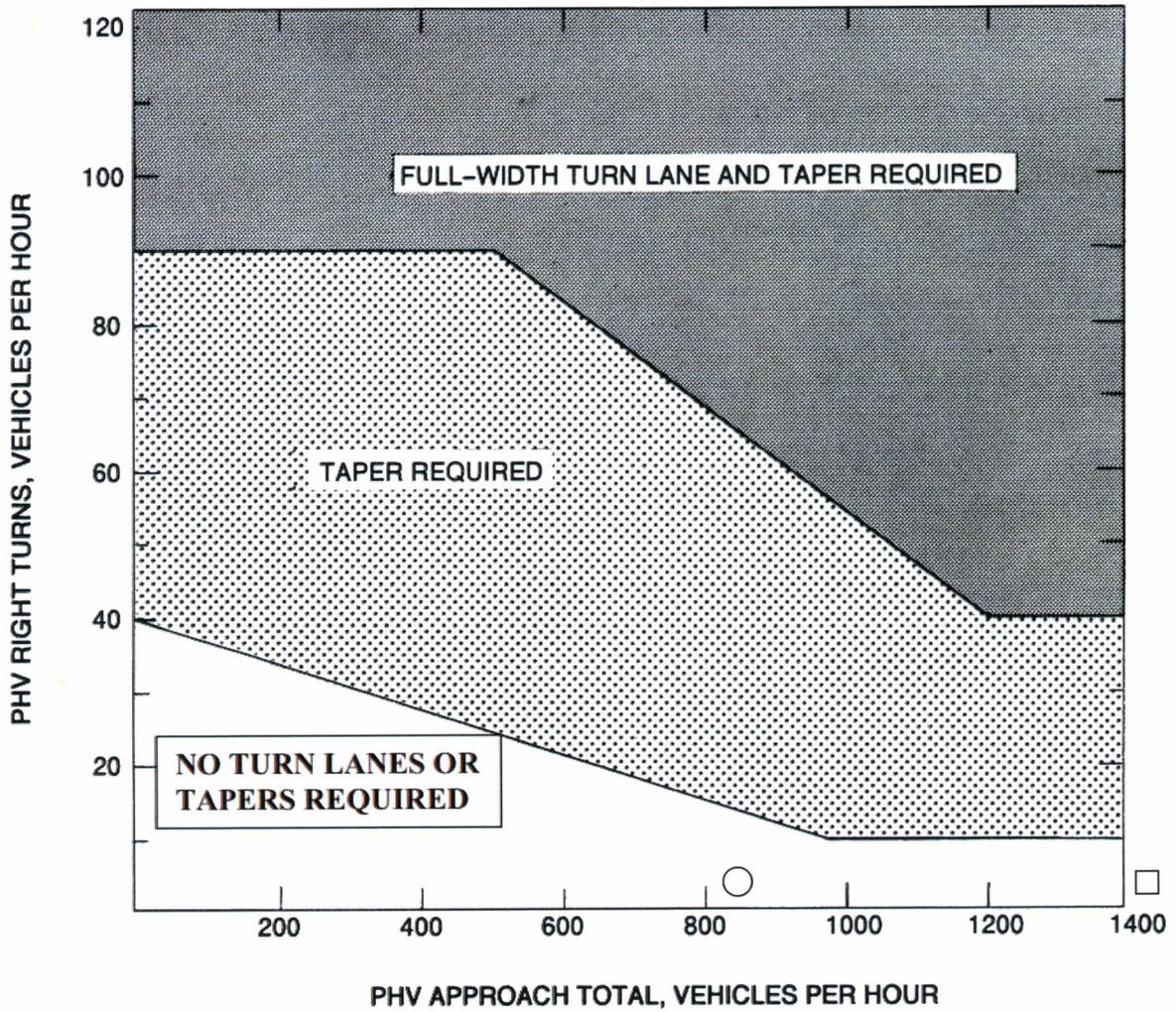
Right Turn Lane Warrant

**Northbound Right Turn Lane Analysis**

Burke Lake Road/ Site Driveway

Silas Burke Property

**FIGURE 3-27 GUIDELINES FOR RIGHT TURN TREATMENT  
(4-LANE HIGHWAY)**



	Total Future	
	AM	PM
Approach Total	1429	836
Right Turns	5	7
Symbol	□	○
Type of Treatment Required	None	None



**WELLS + ASSOCIATES**

MEMORANDUM

Attachment III

Synchro Analysis Outputs

# HCM Unsignalized Intersection Capacity Analysis

## 1: Woodedge Drive & Burke Lake Road

10/22/2014



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↗	↕		↗	↕	
Volume (veh/h)	8	0	9	3	0	2	0	1424	5	5	469	4
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.85	0.85	0.85	0.92	0.92	0.92	0.90	0.90	0.90	0.85	0.85	0.85
Hourly flow rate (vph)	9	0	11	3	0	2	0	1582	6	6	552	5
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	1359	2154	278	1883	2153	794	556			1588		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1359	2154	278	1883	2153	794	556			1588		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	91	100	99	92	100	99	100			99		
cM capacity (veh/h)	105	47	719	42	47	331	1010			410		

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3
Volume Total	20	5	0	1055	533	6	368	189
Volume Left	9	3	0	0	0	6	0	0
Volume Right	11	2	0	0	6	0	0	5
cSH	192	65	1700	1700	1700	410	1700	1700
Volume to Capacity	0.10	0.08	0.00	0.62	0.31	0.01	0.22	0.11
Queue Length 95th (ft)	9	7	0	0	0	1	0	0
Control Delay (s)	25.9	65.5	0.0	0.0	0.0	13.9	0.0	0.0
Lane LOS	D	F				B		
Approach Delay (s)	25.9	65.5	0.0			0.1		
Approach LOS	D	F						

Intersection Summary		
Average Delay		0.4
Intersection Capacity Utilization	49.5%	ICU Level of Service A
Analysis Period (min)		15

# HCM Unsignalized Intersection Capacity Analysis

## 1: Woodgedge Drive & Burke Lake Road

10/22/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	5	0	14	7	0	5	9	820	7	5	1246	12
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.85	0.85	0.85	0.92	0.92	0.92	0.92	0.92	0.92	0.89	0.89	0.89
Hourly flow rate (vph)	6	0	16	8	0	5	10	891	8	6	1400	13
Pedestrians		30			30			30			30	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		3			3			3			3	
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	1949	2396	767	1702	2399	509	1443			929		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1949	2396	767	1702	2399	509	1443			929		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	83	100	95	85	100	99	98			99		
cM capacity (veh/h)	34	31	328	50	30	484	454			714		
<b>Direction, Lane #</b>	<b>EB 1</b>	<b>WB 1</b>	<b>NB 1</b>	<b>NB 2</b>	<b>NB 3</b>	<b>SB 1</b>	<b>SB 2</b>	<b>SB 3</b>				
Volume Total	22	13	10	594	305	6	933	480				
Volume Left	6	8	10	0	0	6	0	0				
Volume Right	16	5	0	0	8	0	0	13				
cSH	101	80	454	1700	1700	714	1700	1700				
Volume to Capacity	0.22	0.16	0.02	0.35	0.18	0.01	0.55	0.28				
Queue Length 95th (ft)	20	14	2	0	0	1	0	0				
Control Delay (s)	50.7	58.2	13.1	0.0	0.0	10.1	0.0	0.0				
Lane LOS	F	F	B			B						
Approach Delay (s)	50.7	58.2	0.1			0.0						
Approach LOS	F	F										
<b>Intersection Summary</b>												
Average Delay			0.9									
Intersection Capacity Utilization			51.2%		ICU Level of Service				A			
Analysis Period (min)			15									



October 21, 2014

Mr. Rick Orwig  
 The Care of Trees  
 22830 Quicksilver Drive  
 Dulles, VA 20166

RECEIVED  
 Department of Planning & Zoning  
 OCT 31 2014  
 Zoning Evaluation Division

Dear Rick:

Thank you for the opportunity to present this risk assessment on a large diameter White oak (*Quercus alba*), on the grounds of the Silas Burke House, Burke, VA. This tree measures 54" of diameter at breast height (dbh), and is in good to fair condition.

I understand your concerns with the structural integrity of this tree, given the historic wounding on one side of the tree. In an effort to assess the structural integrity, I undertook a series of nineteen (19) tests into the primary root flares, and the main trunk, using the resistograph machine. Also, once your crew member exposed the lower portions of the root plate on the wounded side of the tree, I was able to conduct an additional five (5) tests on the belowground portions of several roots. The locations are indicated on the attached photographs.

As you know, the resistograph machine graphically indicates the wood density based upon the resistance experienced by the very small diameter drill bit. The resulting graphs are reflective of this resistance, with the higher amplitudes indicating greater wood density. I have marked the graphs to show areas of complete decay (cavities), advanced decay, and also incipient decay, which is early stage decay. I have also added an arrow at the point of the graph where I feel that the structural wood ends. This area of "shell thickness" is important because it is the portion of the tree that is providing the structural support.

My initial impressions were that the tree is healthy, with a symmetric and full canopy. And, that at 54" of diameter it is probably 125-150 years old. It has grown without competition from other trees, and appears to have been adequately maintained. Additionally, the Silas Burke house likely blocked the westerly winds that could have damaged the canopy. This is probably why it has retained such good form.

Shell thickness guidelines:

There are no standards in our industry in terms of shell thickness. However, guidelines have been promulgated that suggest the minimum shell thickness that is required to best insure structural integrity on the root flares, and main trunk. In both cases, the minimum amount is 15% of the trunk diameter. So, in the case of this tree, I am looking for a minimum shell thickness of 8.1" in the root flares and main trunk (54 x .15).

Additionally, the guidelines suggest that at least 2/3rds of the root flares should have this minimum level of shell thickness. And, that the minimum shell thickness should be present on all sides

surrounding a decay column. If one side is just below this level, we can look at the wall on the opposite side to see if there is enough shell there so that the combination would be above 30 %. Again, this is subjective in terms of just how thin the shell is on the side that failed. However, I am wary of trusting a shell thickness of less than 15%, especially on a larger tree like this.

These guidelines are subjective in that there are other factors to consider when determining the risk potential of a tree, or a tree part. Factors include the tree type, wind loading potential, collective defects and targets. And, I also consider whether there are indications of active decay pathogen compartmentalization. I feel that the occurrence of a strong 'Wall 4' at the edges of a decay column suggests that the tree is healthy and viable enough to complete this process, and to add new wood on top of any cavities, or columns of decay.

## RESULTS:

Included in this report is an Excel worksheet, which is pre-programmed with the shell thickness guidelines described above. I simply input the results from the test, and the results are presented in the spreadsheet.

**Root flares** – Of the eleven (11) flares tested, two (2) failed the minimum shell thickness guidelines. This is certainly within the 2/3rds minimum, but this is not the end of the story.

The testing done below ground showed much more decay on the flares at sites #5A, 6A and 7A. This suggests that a wood decay pathogen exists at the base of this tree, and that it has moved upwards and slowly outwards. The decay pattern in the main trunk also bears this out.

However, taken on the tests made above grade, the root flare system appears to be providing adequate structural support. Things may change in this situation over the next 5+ years, as the pathogen migrates outwards into the flares, but for now they appear to be adequate.

**Main trunk** – We both thought on site that the root flare system would be the weak link. However, the tests reveal that the defect is in the main trunk. As you can see from the spreadsheet, five (5) of eight (8) tests failed the guidelines for shell thickness. And, while the shell thickness is thin in some cases, the most disturbing fact is that there are no indications of a Wall 4 being formed. The existing pattern is of incipient decay in all of these tests, which indicates a wood decay pathogen that is still advancing into the sapwood. This is not at all encouraging.

My summary of the conditions in the main stem is that there are many areas of decaying wood that are not providing structural support. In one site the percent of shell thickness is only 5.5%. This is at site #14 where there appears to be a saprot pathogen active just under the bark, and a heart rot pathogen active deeper in the tree. This is unusual, and unfortunate.

There were no fruiting bodies on the root flares, or main trunk, which would indicate which wood decay pathogen, or pathogens, is active. This is unfortunate because the fruiting bodies would provide good insight. The lawn maintenance crews may be removing these features. However, absent these features, I suspect that the pathogen active here is likely one of the species of *Ganoderma* that are so aggressive. They are the usual suspects on white oak in our area.

In summary, it is my professional opinion that the shell thickness around the main trunk is inadequate to provide baseline structural support even under normal weather conditions. The likelihood of failure is probable, and the consequences of a failure are significant. As such, this tree is not a preservation candidate under any circumstances. It could fail during normal weather conditions, and most certainly during a storm that contained high winds. It would most likely fail in the main trunk, but there is a chance that the root flares could fail because of the large sail area in the canopy, and because of its position on a steep hill. Therefore, it is my recommendation that the tree be removed in advance of any new construction.

Thank you for the opportunity to offer these observations and recommendations. Please contact me with any other questions you may have.

Sincerely,



Keith C. Pitchford  
ISA Certified Arborist, MA-0178  
ISA Certified Tree Risk Assessor, #922  
MD Licensed Tree Expert, #589  
MD Licensed Forester, #675









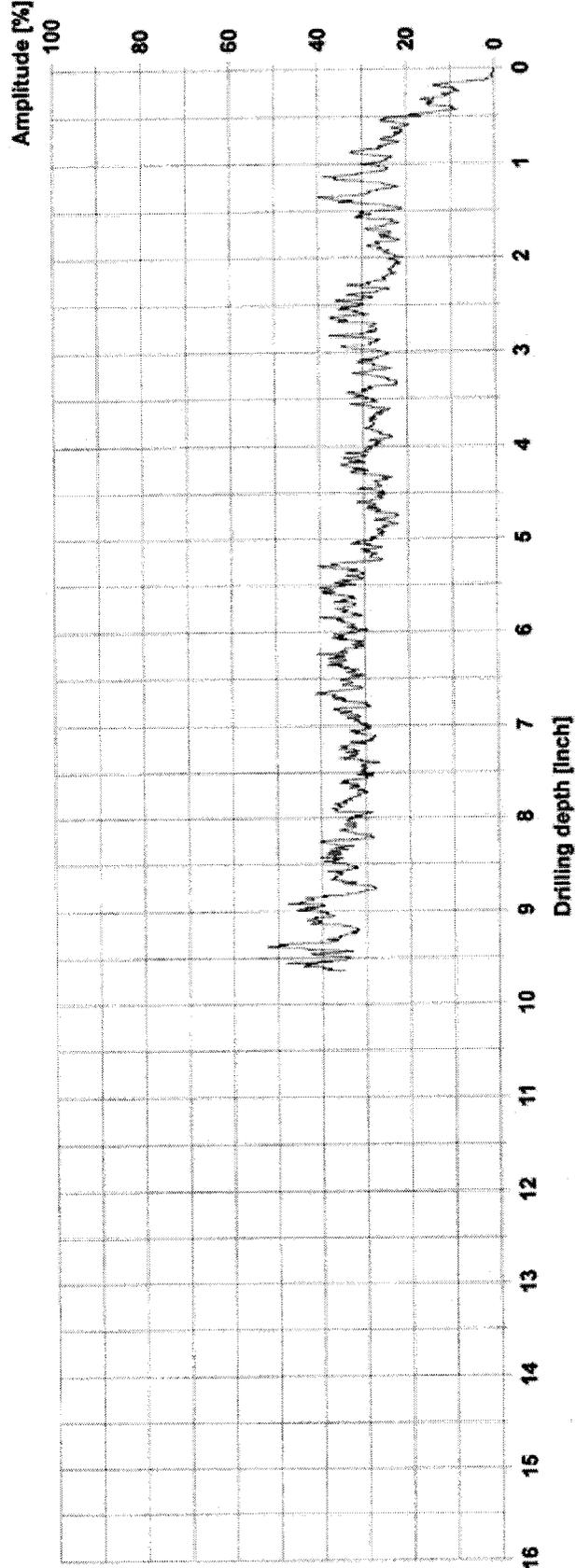


Pole inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 1  
 ID number : SILAS BURKE 1  
 Drilling depth : 9.642"  
 Date : 21.10.2014  
 Time : 10:59:44  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state :  
 Tilt : 45° (45°)  
 Offset : 87/206  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment

PITCHFORD ASSOC.

Assessment

From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole inspector

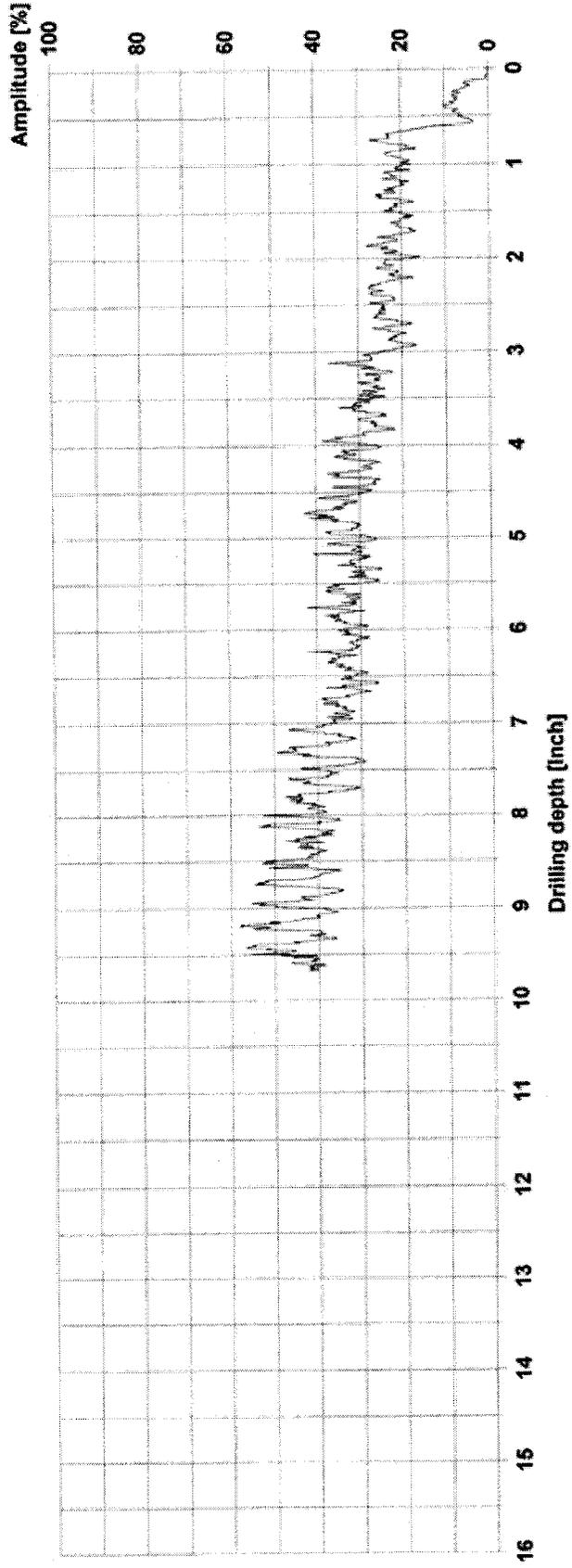
Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 2  
 ID number : SILAS BURKE 2  
 Drilling depth : 9.635"  
 Date : 21.10.2014  
 Time : 11:00:30  
 Feed speed : 39"/min

Needle speed : 2000 r/min  
 Needle state :  
 Tilt : 45° (45°)  
 Offset : 80/221  
 Avg. curve : off

Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment  
 PITCHFORD ASSOC.

Assessment

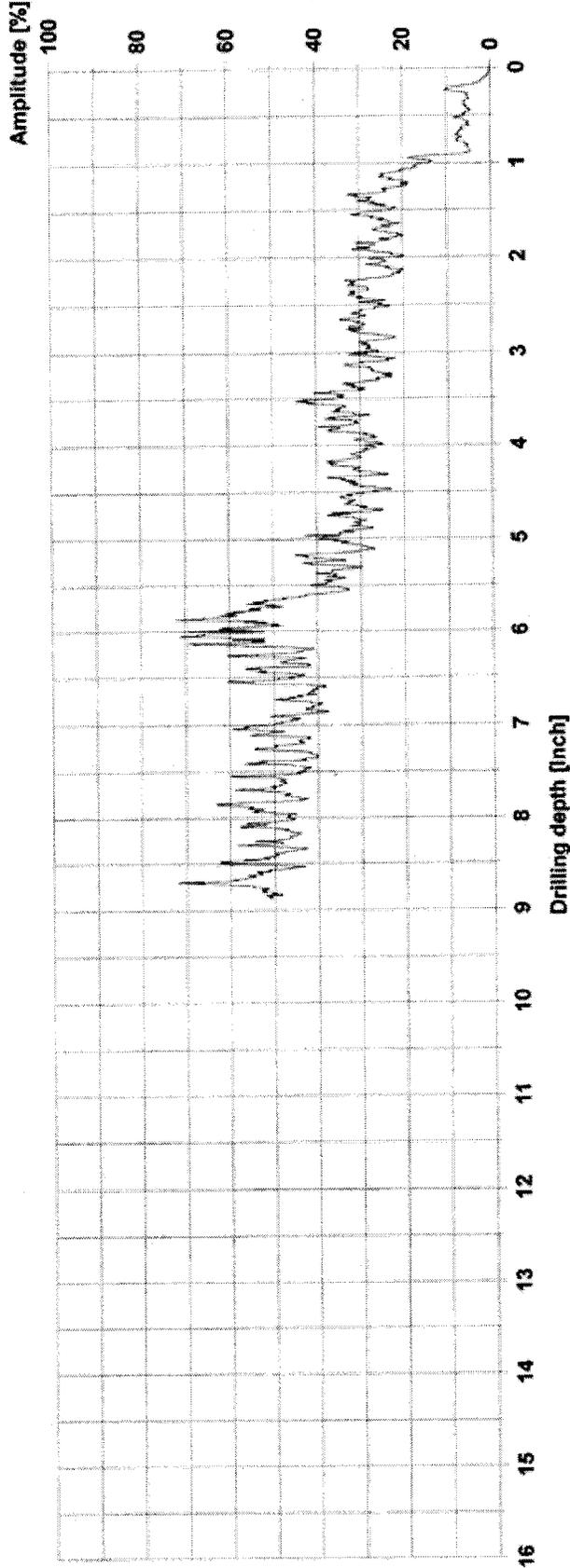
From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole Inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 3  
 ID number : SILAS BURKE 3  
 Drilling depth : 8.878"  
 Date : 21.10.2014  
 Time : 11:01:07  
 Feed speed : 39.7/min  
 Needle speed : 2000 r/min  
 Needle state :  
 Tilt : 45° (45°)  
 Offset : 78217  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment

PITCHFORD ASSOC.

Assessment

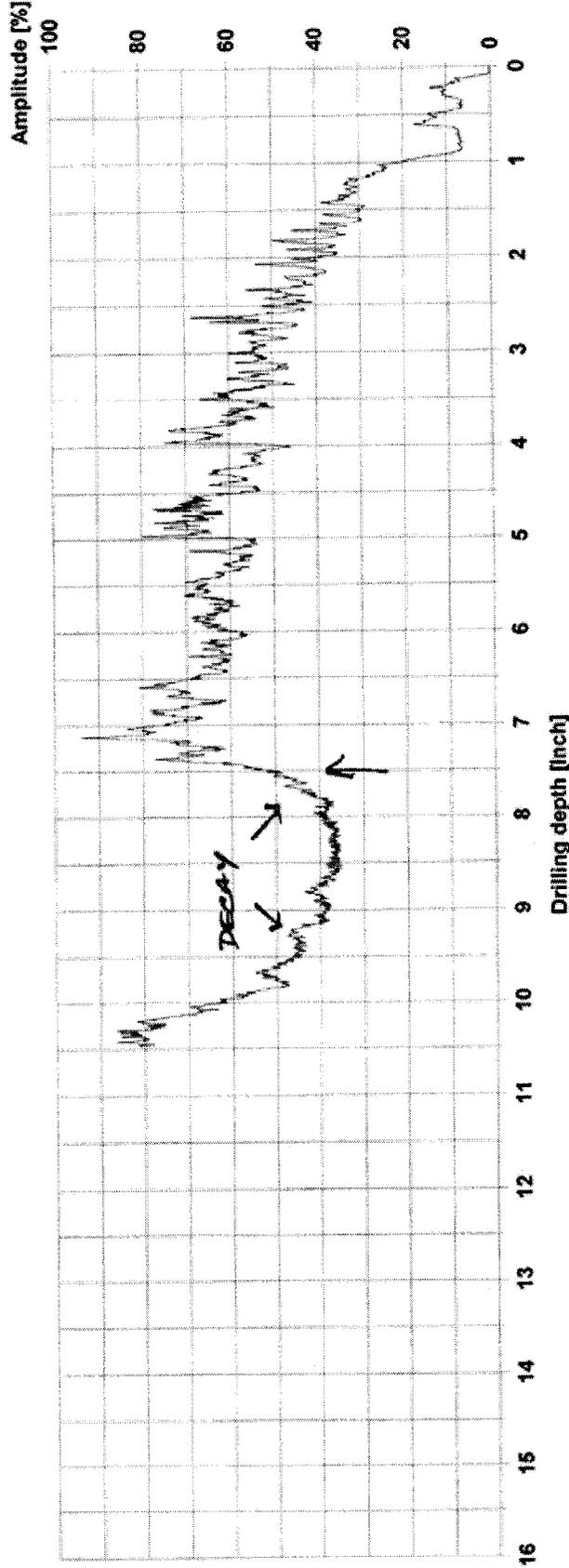
From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole Inspector

Start / stop : ---  
 Resulting length : ---  
 Quality detection : ---  
 Cavity detection : ---  
 Result : ---

Measuring / object data

Measurement no. : 4  
 ID number : SILAS BURKE 4  
 Drilling depth : 10.469"  
 Date : 21.10.2014  
 Time : 11:02:18  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 45° (45°)  
 Offset : 77/196  
 Avg. curve : off  
 Diameter : ---  
 Level : ---  
 Direction : ---  
 Species : ---  
 Location : ---  
 Name : ---



Comment

PITCHFORD ASSOC.

Assessment

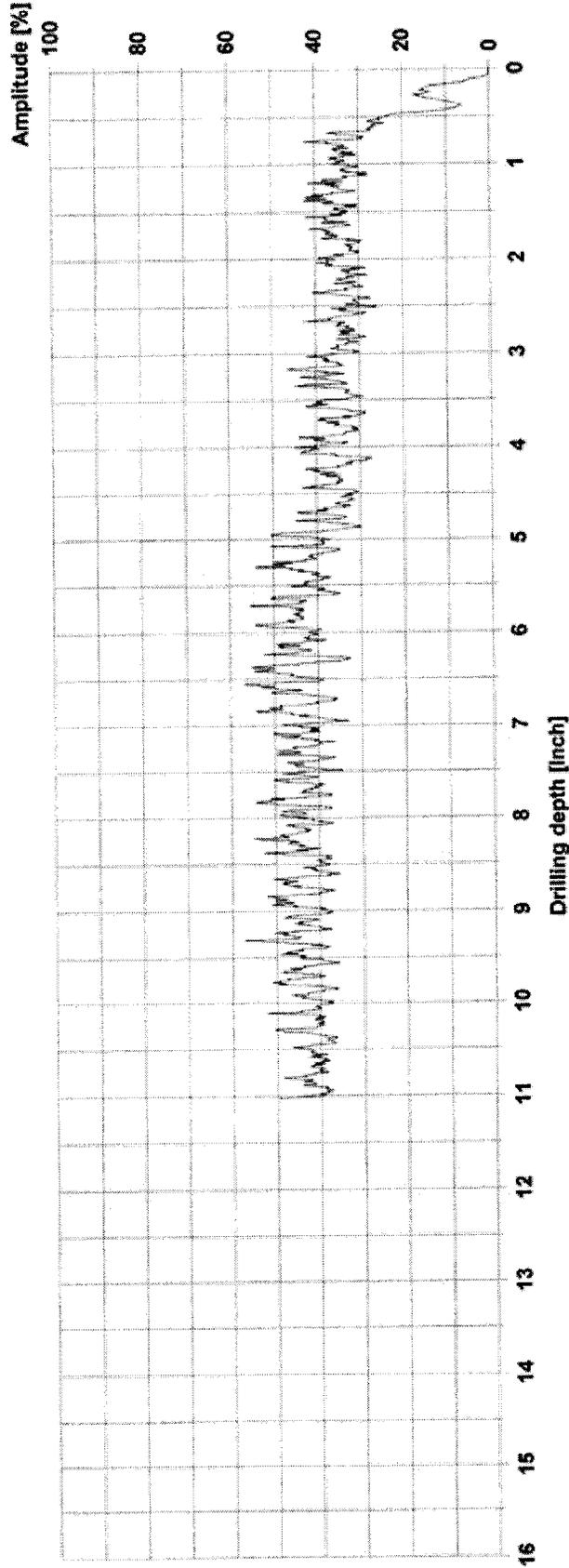
From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole Inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 5  
 ID number : SILAS BURKE 5  
 Drilling depth : 11.031"  
 Date : 21.10.2014  
 Time : 11:03:13  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 45° (45°)  
 Offset : 76/205  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment

PITCHFORD ASSOC.

Assessment

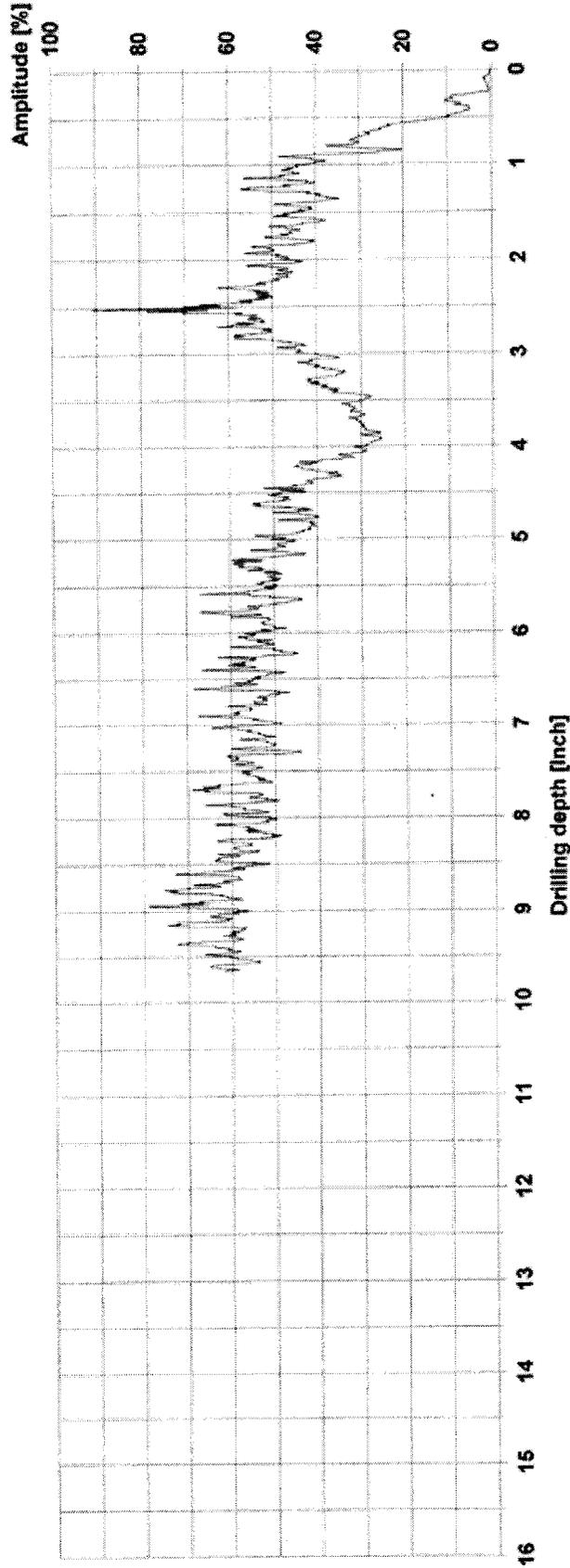
From 0,00" to 0,00" :  
 From 0,00" to 0,00" :

Pole Inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 6  
 ID number : SILAS BURKE 6  
 Drilling depth : 9.665"  
 Date : 21.10.2014  
 Time : 11:04:28  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 45° (45°)  
 Offset : 76/199  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment

PITCHFORD ASSOC.

Assessment

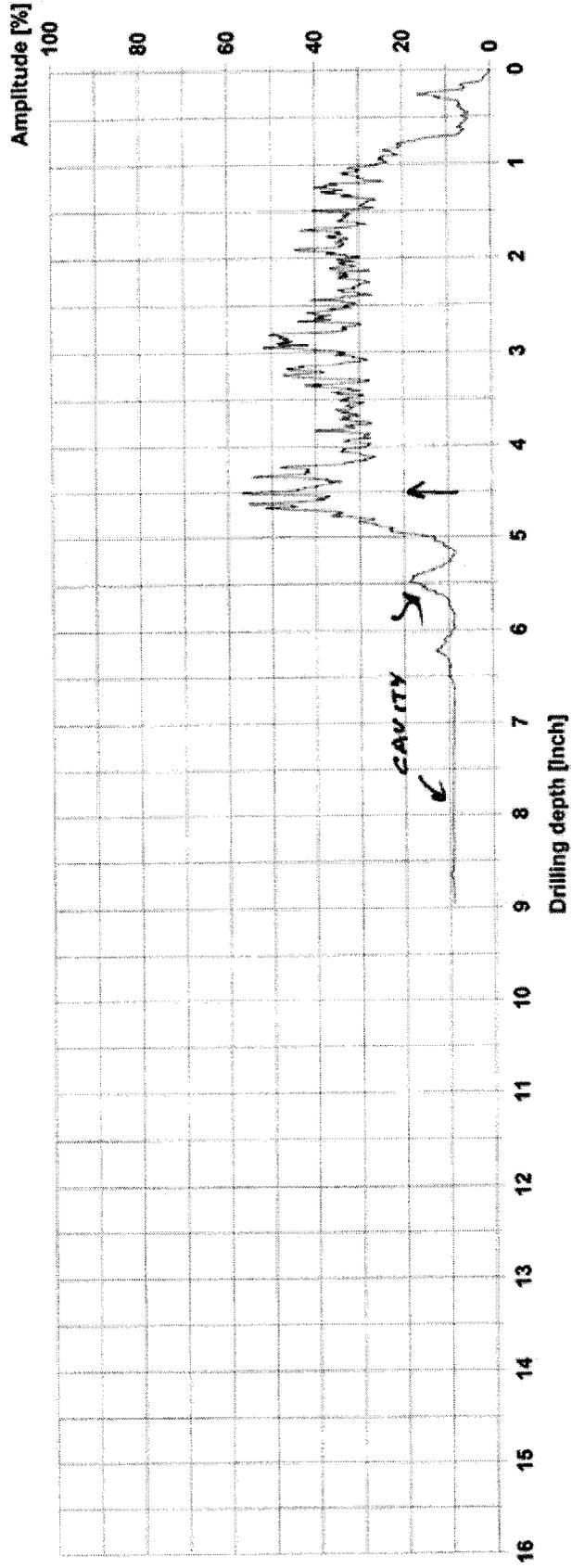
From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole Inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 7  
 ID number : SILAS BURKE 7  
 Drilling depth : 8.965"  
 Date : 21.10.2014  
 Time : 11:05:09  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state :  
 Tilt : 45° (45°)  
 Offset : 73/201  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment  
 PITCHFORD ASSOC.

Assessment

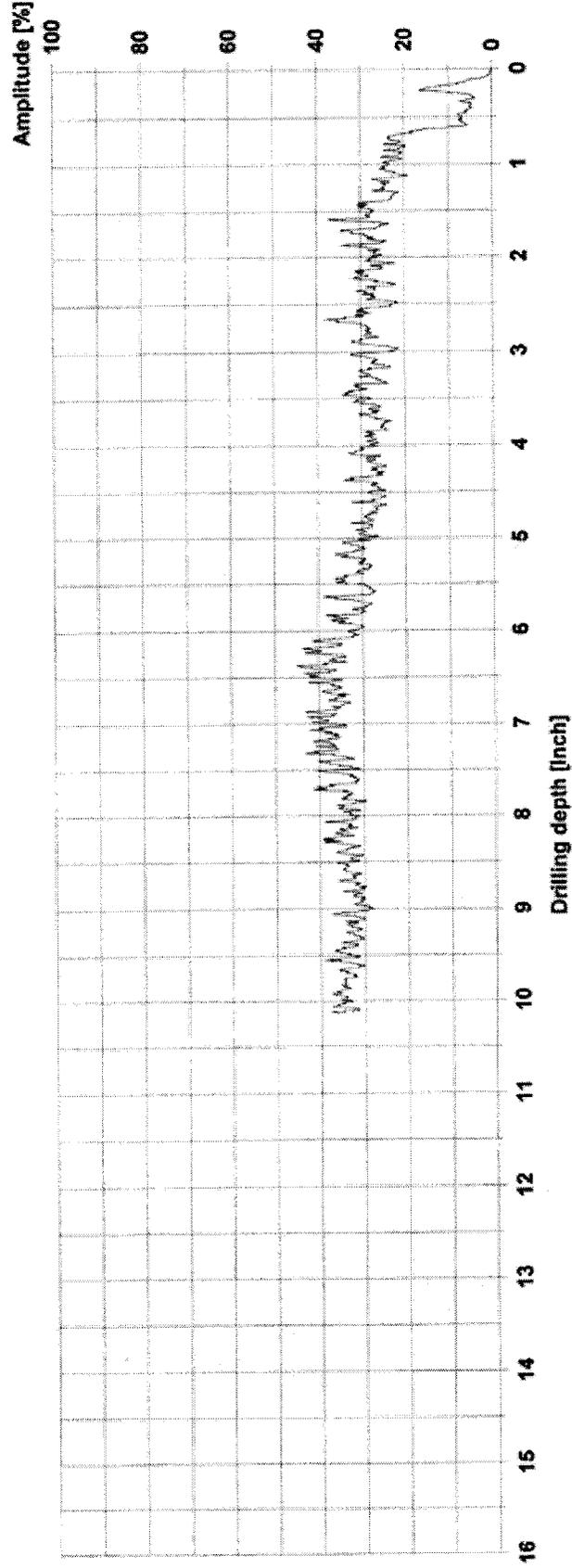
From 0.00" to 0.00" : From 0.00" to 0.00" : From 0.00" to 0.00" : From 0.00" to 0.00" : From 0.00" to 0.00" :
---------------------------------------------------------------------------------------------------------------------------

Pole Inspector

Start / stop : ---  
 Resulting length : ---  
 Quality detection : ---  
 Cavity detection : ---  
 Result : ---

Measuring / object data

Measurement no. : 8  
 ID number : SILAS BURKE 8  
 Drilling depth : 10.146"  
 Date : 21.10.2014  
 Time : 11:06:06  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 45° (45°)  
 Offset : 73/192  
 Avg. curve : off  
 Diameter : ---  
 Level : ---  
 Direction : ---  
 Species : ---  
 Location : ---  
 Name : ---



Comment

PITCHFORD ASSOC.

Assessment

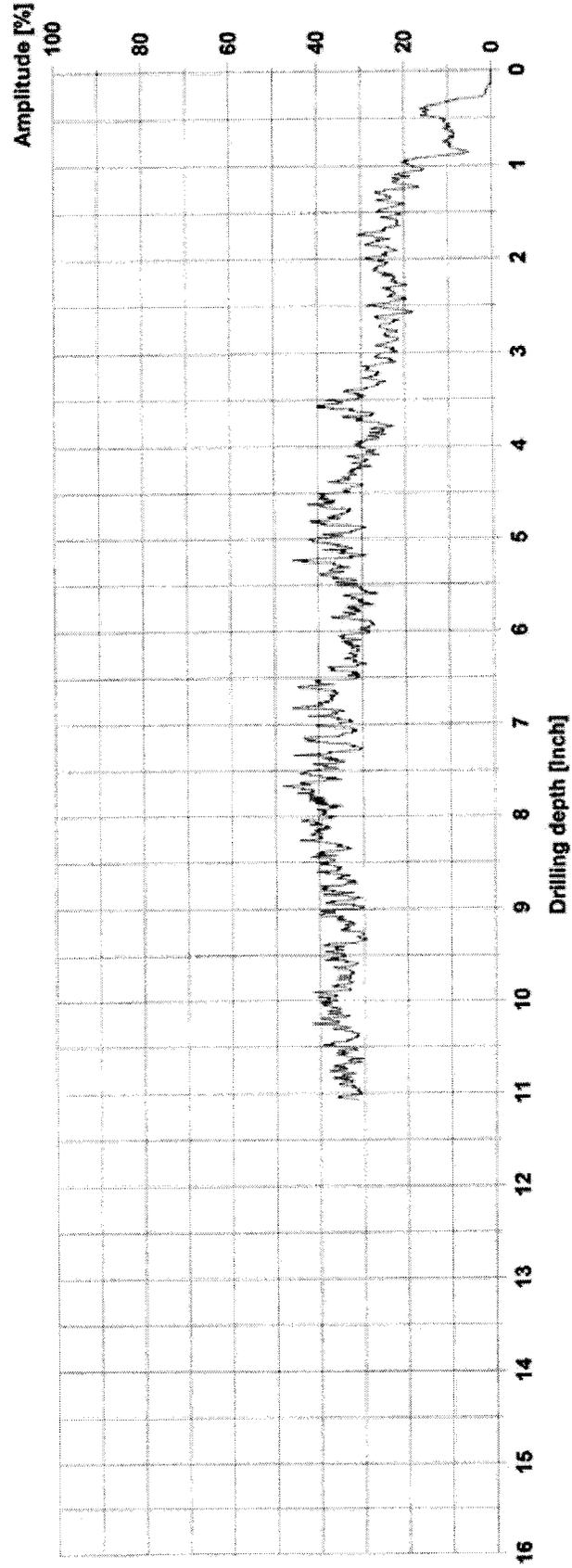
From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole Inspector

Start / stop : ---  
 Resulting length : ---  
 Quality detection : ---  
 Cavity detection : ---  
 Result : ---

Measuring / object data

Measurement no. : 9  
 ID number : SILAS BURKE 9  
 Drilling depth : 11.071"  
 Date : 21.10.2014  
 Time : 11:06:48  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 45° (45°)  
 Offset : 72/197  
 Avg. curve : off  
 Diameter : ---  
 Level : ---  
 Direction : ---  
 Species : ---  
 Location : ---  
 Name : ---



Comment  
 PITCHFORD ASSOC.

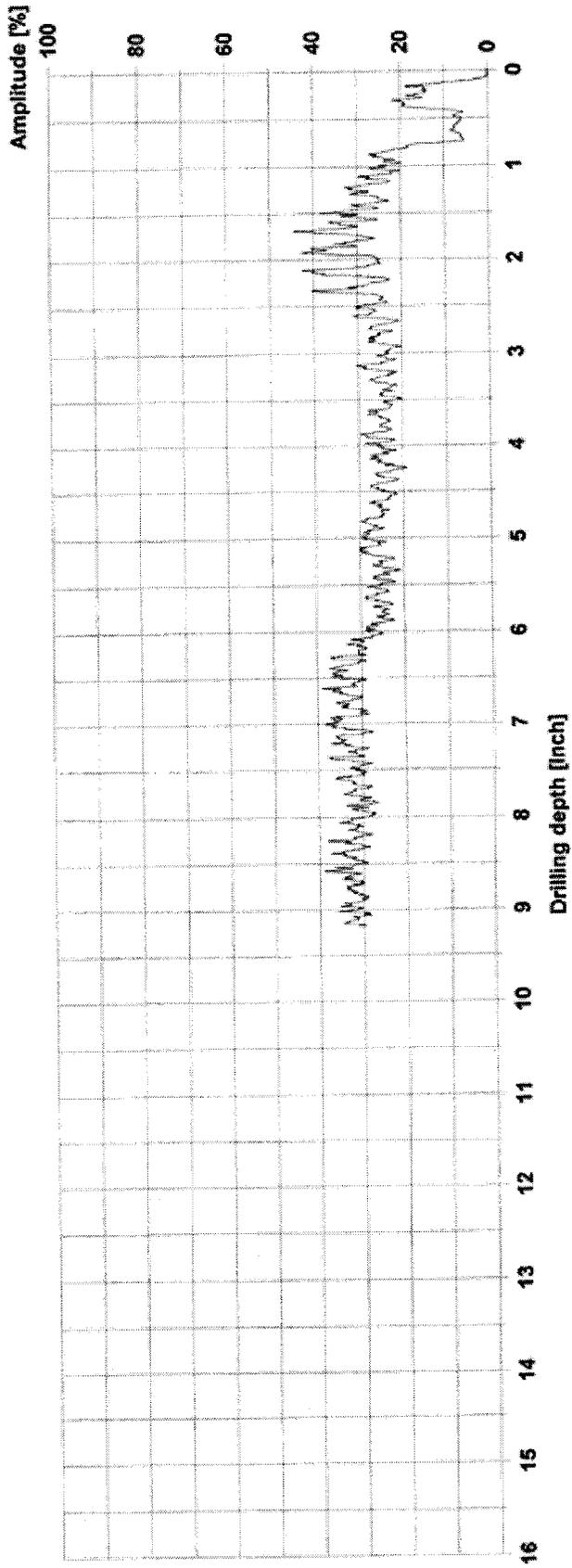
Assessment  
 From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole inspector

Start / stop : ---  
 Resulting length : ---  
 Quality detection : ---  
 Cavity detection : ---  
 Result : ---

Measuring / object data

Measurement no. : 10  
 ID number : SILAS BURKE 10  
 Drilling depth : 9.181"  
 Date : 21.10.2014  
 Time : 11.10.54  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 45° (45°)  
 Offset : 74/185  
 Avg. curve : off  
 Diameter : ---  
 Level : ---  
 Direction : ---  
 Species : ---  
 Location : ---  
 Name : ---



Comment

PITCHFORD ASSOC.

Assessment

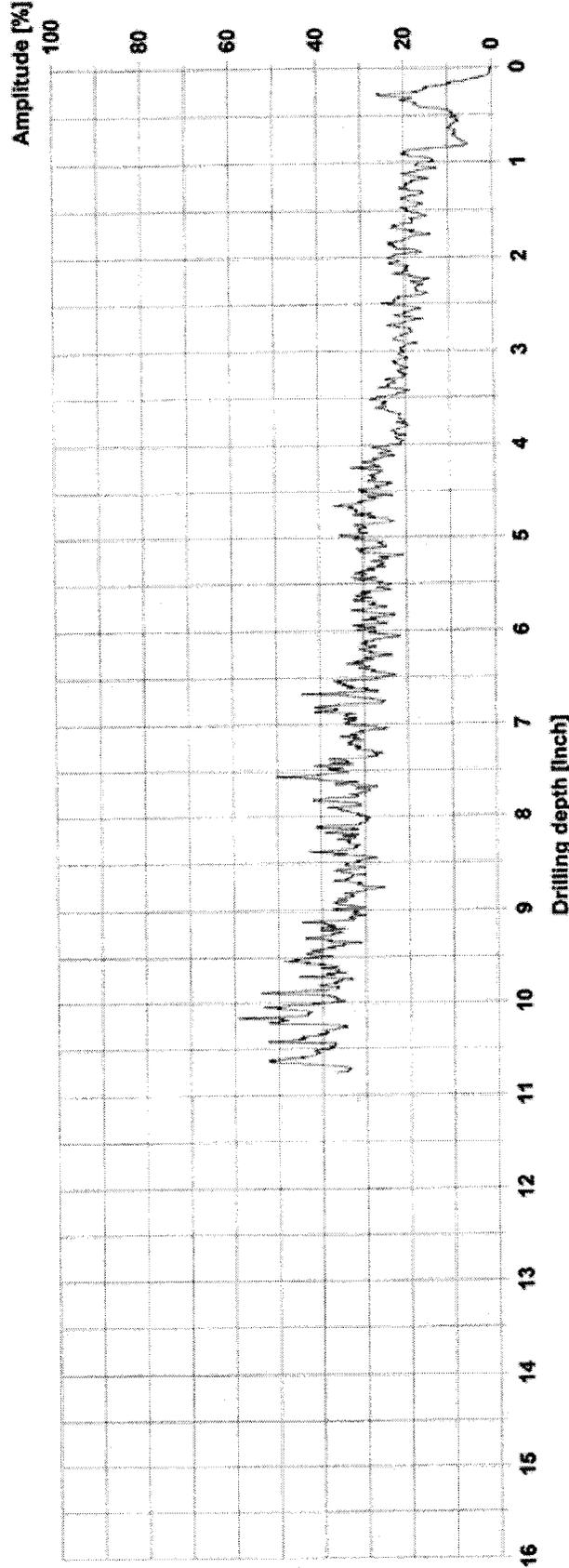
From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Role Inspector

Start / stop : ---  
 Resulting length : ---  
 Quality detection : ---  
 Cavity detection : ---  
 Result : ---

Measuring / object data

Measurement no. : 11  
 ID number : SILAS BURKE 11  
 Drilling depth : 10.756"  
 Date : 21.10.2014  
 Time : 11:11:31  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 45° (45°)  
 Offset : 72/187  
 Avg. curve : off  
 Diameter : ---  
 Level : ---  
 Direction : ---  
 Species : ---  
 Location : ---  
 Name : ---



Comment  
 PITCHFORD ASSOC.

Assessment  
 From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole inspector

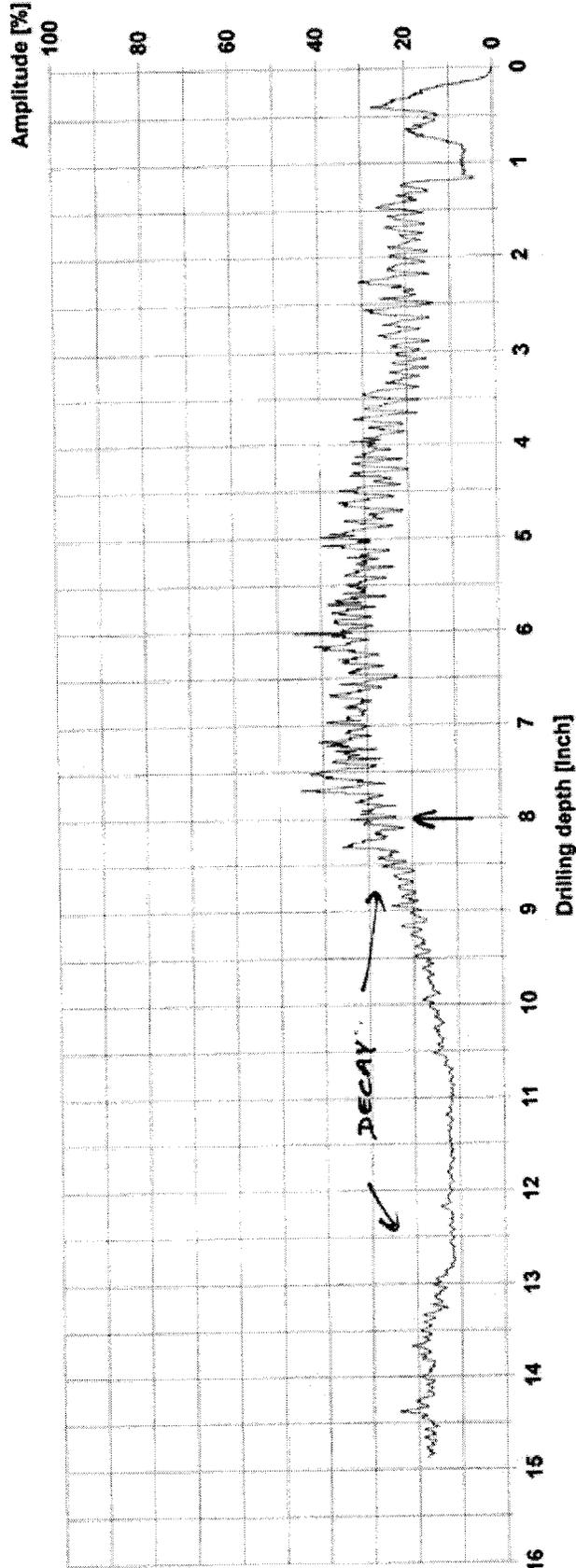
Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 12  
 ID number : SILAS BURKE 12  
 Drilling depth : 14.866"  
 Date : 21.10.2014  
 Time : 11:15:08  
 Feed speed : 39"/min

Needle speed : 2000 r/min  
 Needle state :  
 Tilt : 90° (45°)  
 Offset : 84/197  
 Avg. curve : off

Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment  
 PITCHFORD ASSOC.

Assessment

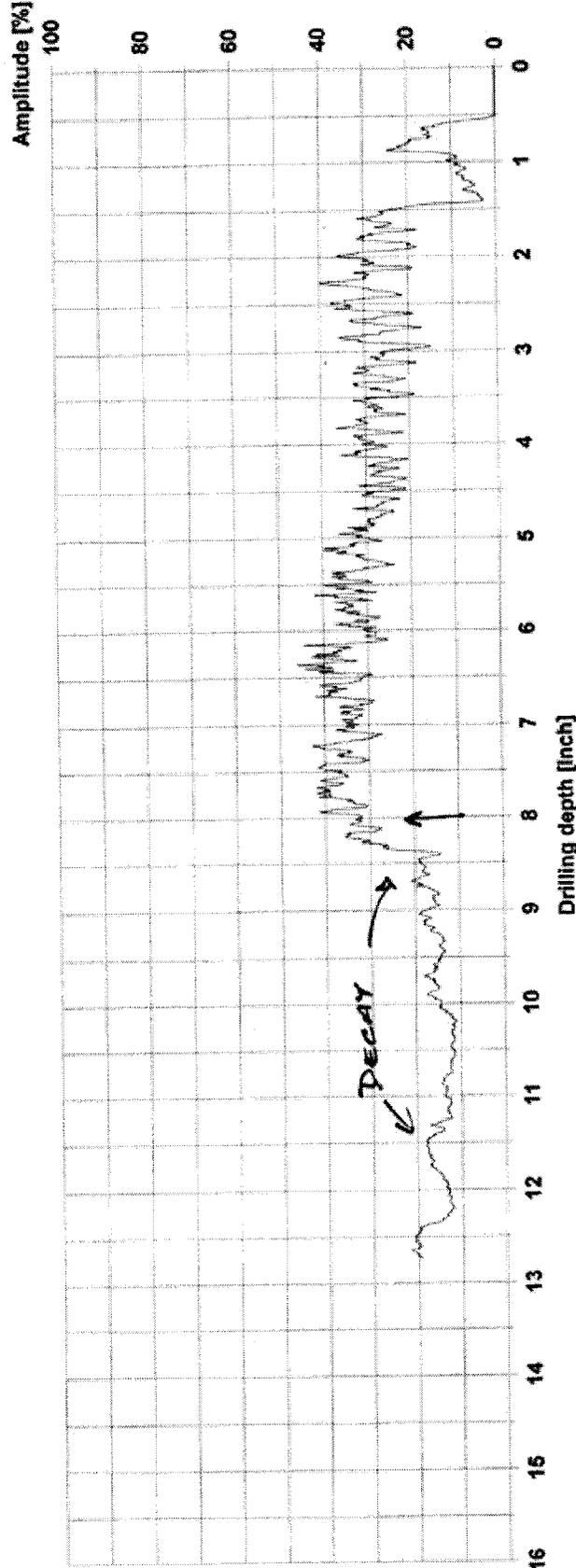
From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole Inspector

Start / stop : ---  
 Resulting length : ---  
 Quality detection : ---  
 Cavity detection : ---  
 Result : ---

Measuring / object data

Measurement no. : 13  
 ID number : SILAS BURKE 13  
 Drilling depth : 12.724"  
 Date : 21.10.2014  
 Time : 11:15:58  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 90° (45°)  
 Offset : 82/189  
 Avg. curve : off  
 Diameter : ---  
 Level : ---  
 Direction : ---  
 Species : ---  
 Location : ---  
 Name : ---



Comment  
 PITCHFORD ASSOC.

Assessment

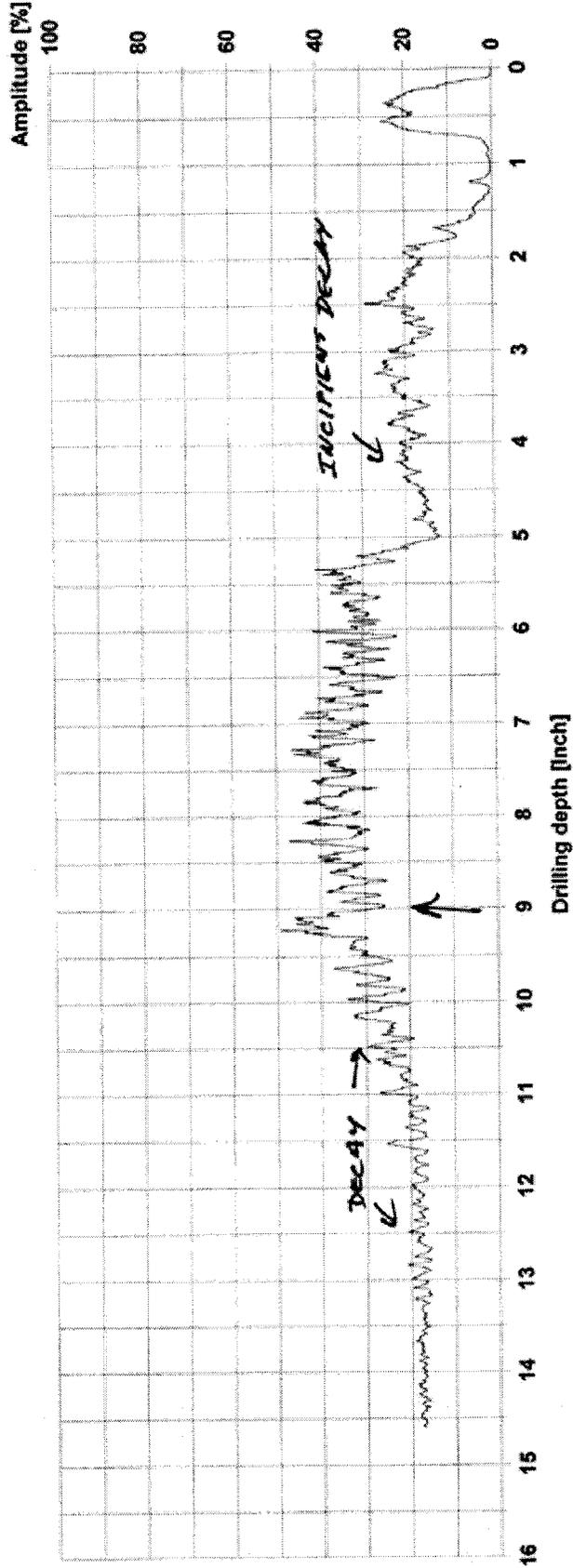
From 0.00"	to 0.00"

Pole Inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 14  
 ID number : SILAS BURKE 14  
 Drilling depth : 14.598"  
 Date : 21.10.2014  
 Time : 11:16:42  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state :  
 Tilt : 90° (45°)  
 Offset : 55/185  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment

PITCHFORD ASSOC.

Assessment

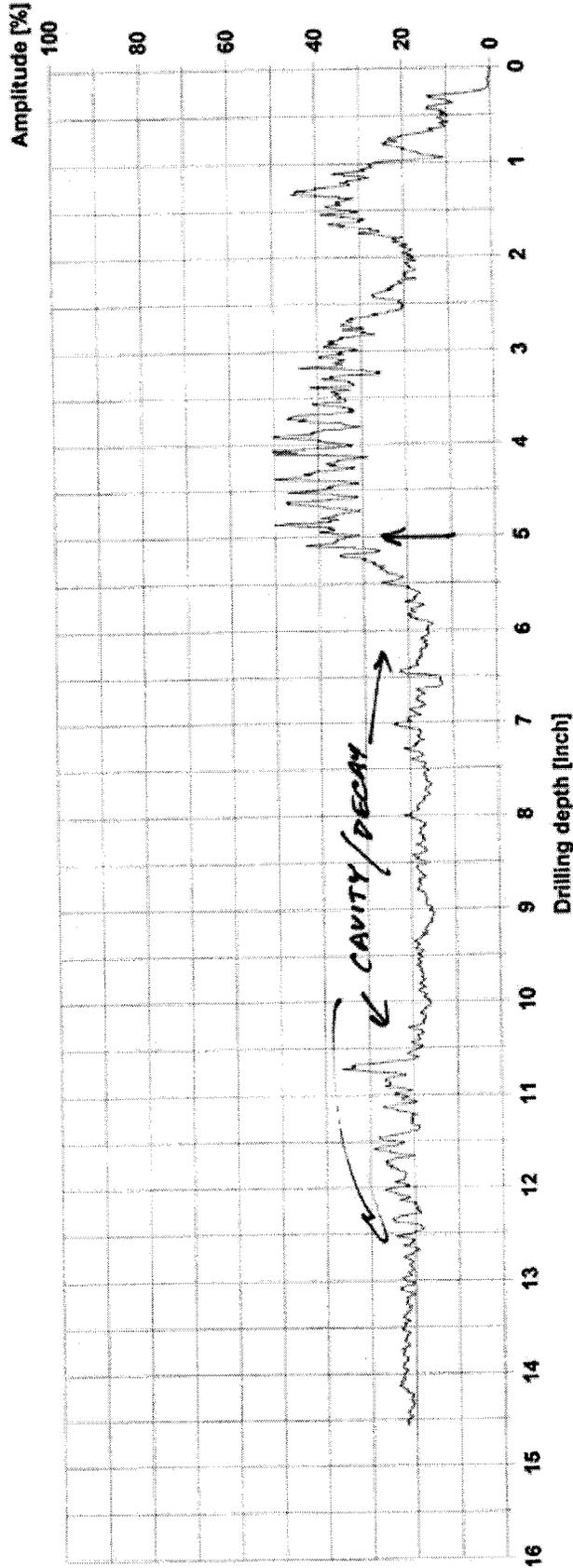
From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 15  
 ID number : SILAS BURKE 15  
 Drilling depth : 14.567"  
 Date : 21.10.2014  
 Time : 11:17:28  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 90° (45°)  
 Offset : 87/189  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment

PITCHFORD ASSOC.

Assessment

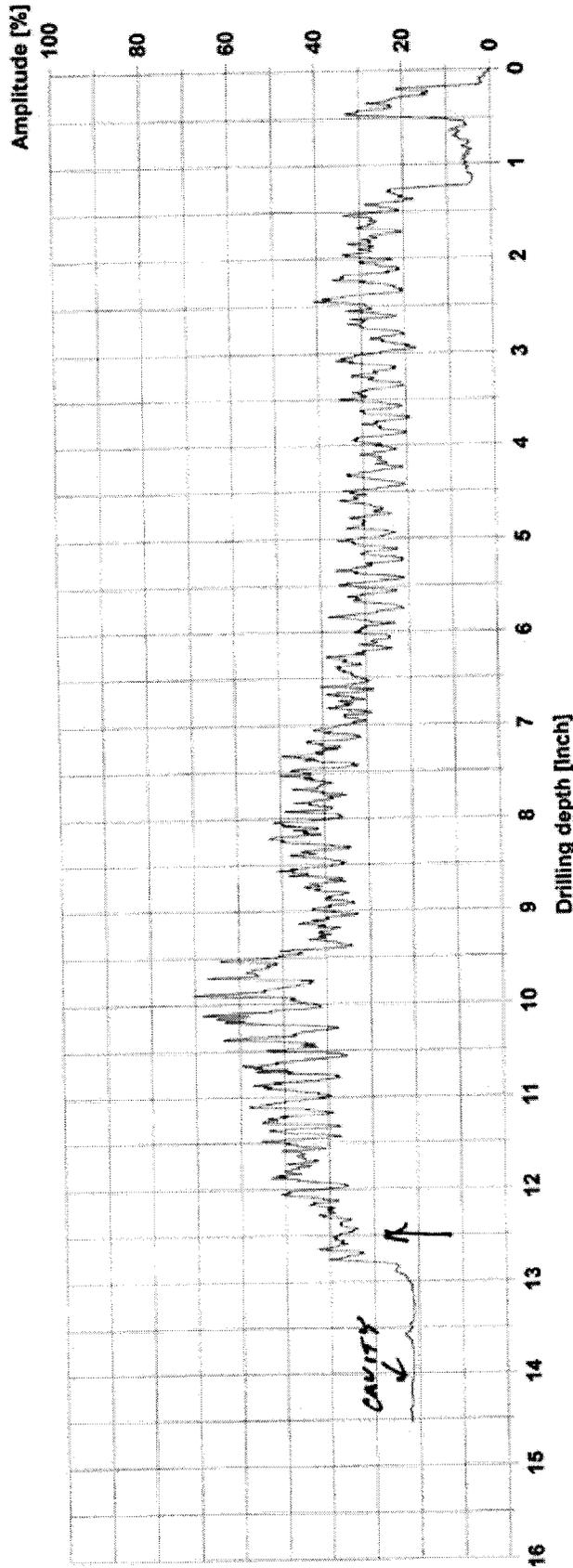
From 0,00" to 0,00" :  
 From 0,00" to 0,00" :

Pole inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 16  
 ID number : SILAS BURKE 16  
 Drilling depth : 14.539"  
 Date : 21.10.2014  
 Time : 11:18.23  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 90° (45°)  
 Offset : 84/207  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment

PITCHFORD ASSOC.

Assessment

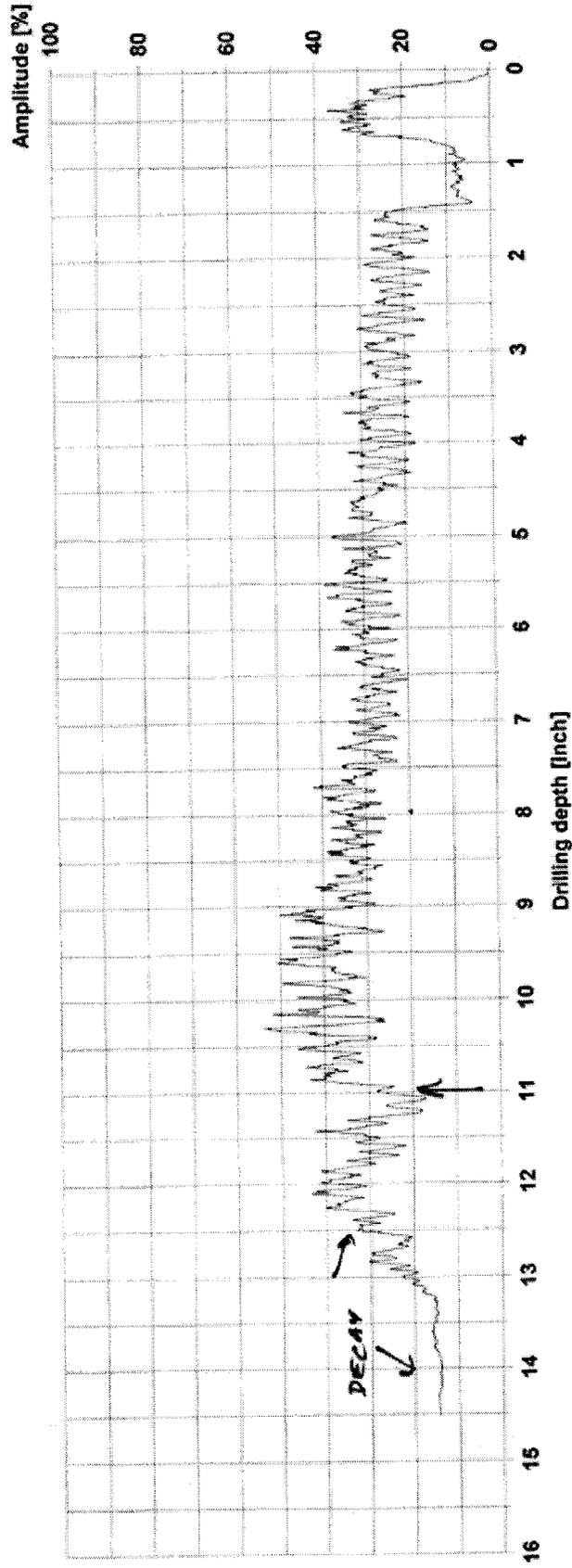
From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 17  
 ID number : SILAS BURKE 17  
 Drilling depth : 14.516"  
 Date : 21.10.2014  
 Time : 11:19:10  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state :  
 Tilt : 90° (45°)  
 Offset : 85/192  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment  
 PITCHFORD ASSOC.

Assessment

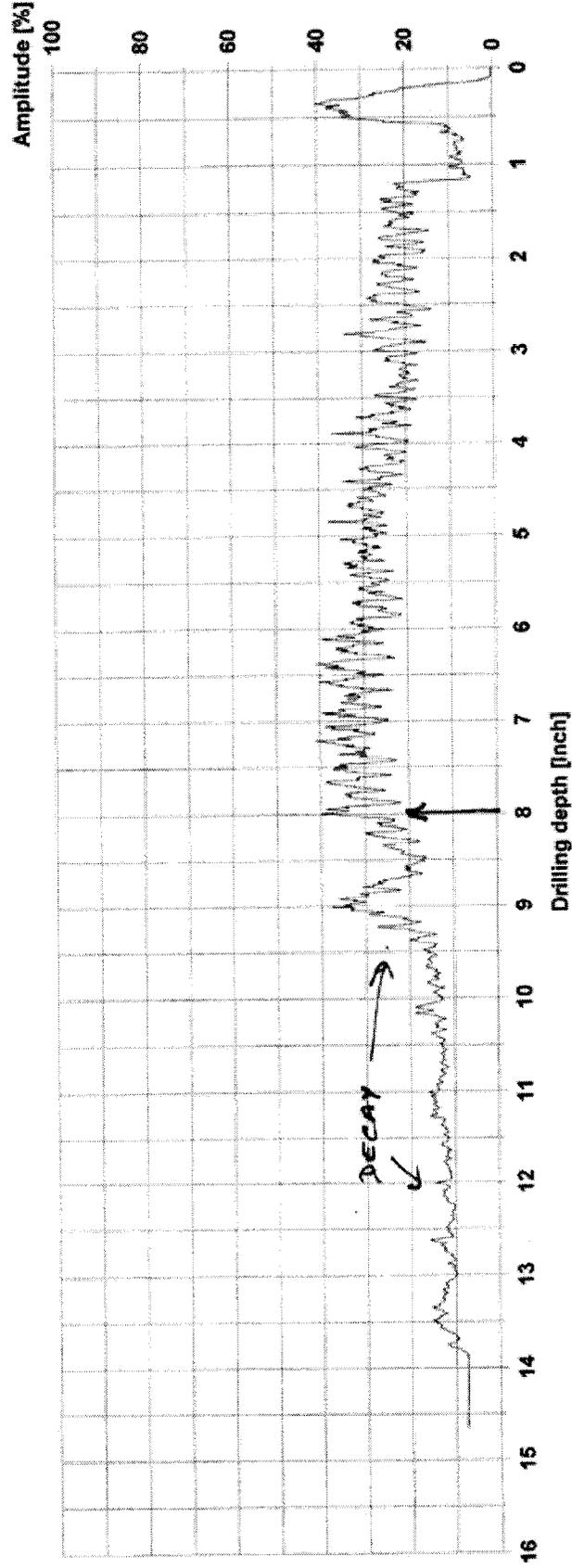
From 0.00" to 0.00" : From 0.00" to 0.00" : From 0.00" to 0.00" : From 0.00" to 0.00" : From 0.00" to 0.00" :
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Pole Inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 18  
 ID number : SILAS BURKE 18  
 Drilling depth : 14.669"  
 Date : 21.10.2014  
 Time : 11:20:13  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state :  
 Tilt : 90° (45°)  
 Offset : 83/192  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment  
 PITCHFORD ASSOC.

Assessment

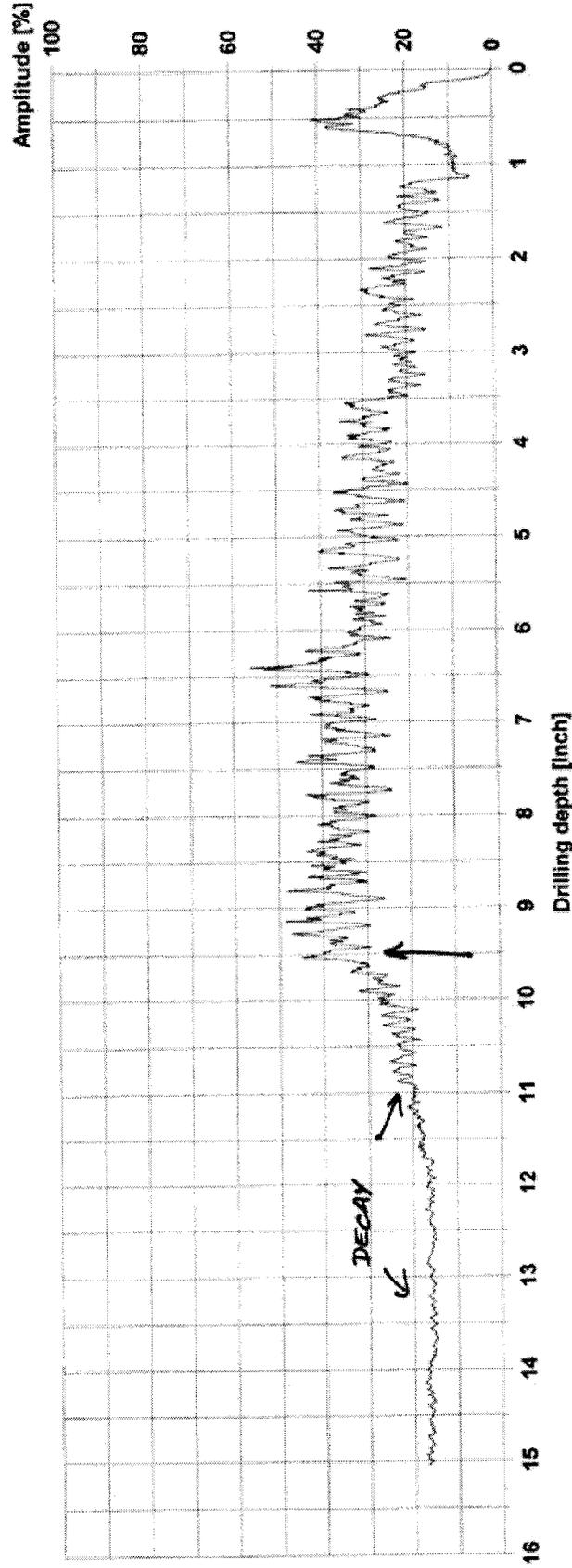
<input type="checkbox"/>	From 0.00" to 0.00" : <input type="checkbox"/>
<input type="checkbox"/>	From 0.00" to 0.00" : <input type="checkbox"/>
<input type="checkbox"/>	From 0.00" to 0.00" : <input type="checkbox"/>
<input type="checkbox"/>	From 0.00" to 0.00" : <input type="checkbox"/>
<input type="checkbox"/>	From 0.00" to 0.00" : <input type="checkbox"/>

Pole Inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 19  
 ID number : SILAS BURKE 19  
 Drilling depth : 15.051"  
 Date : 21.10.2014  
 Time : 11:20:59  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 90° (45°)  
 Offset : 78/192  
 Avg. curve : cff  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment  
 PITCHFORD ASSOC.

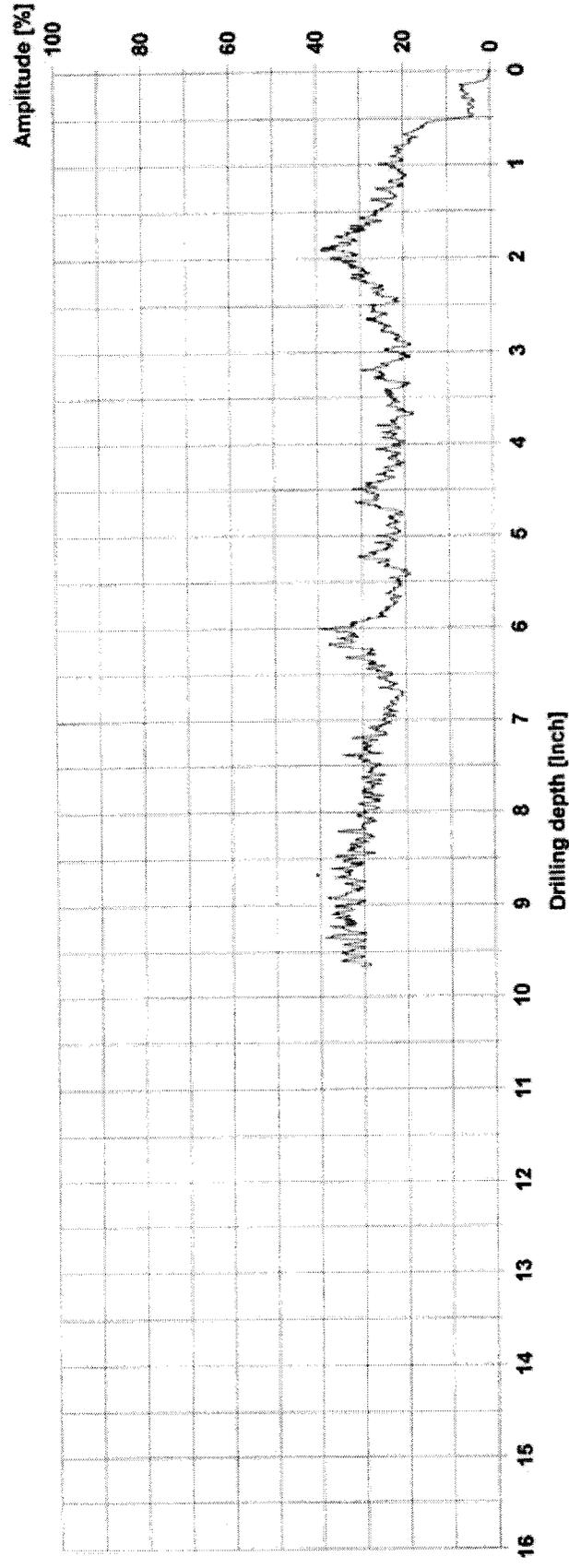
Assessment  
 From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole Inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 20  
 ID number : SILAS BURKE 4A  
 Drilling depth : 9.673"  
 Date : 21.10.2014  
 Time : 11:39:32  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state :  
 Tilt : 45° (45°)  
 Offset : 73/173  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment  
 PITCHFORD ASSOC.

Assessment

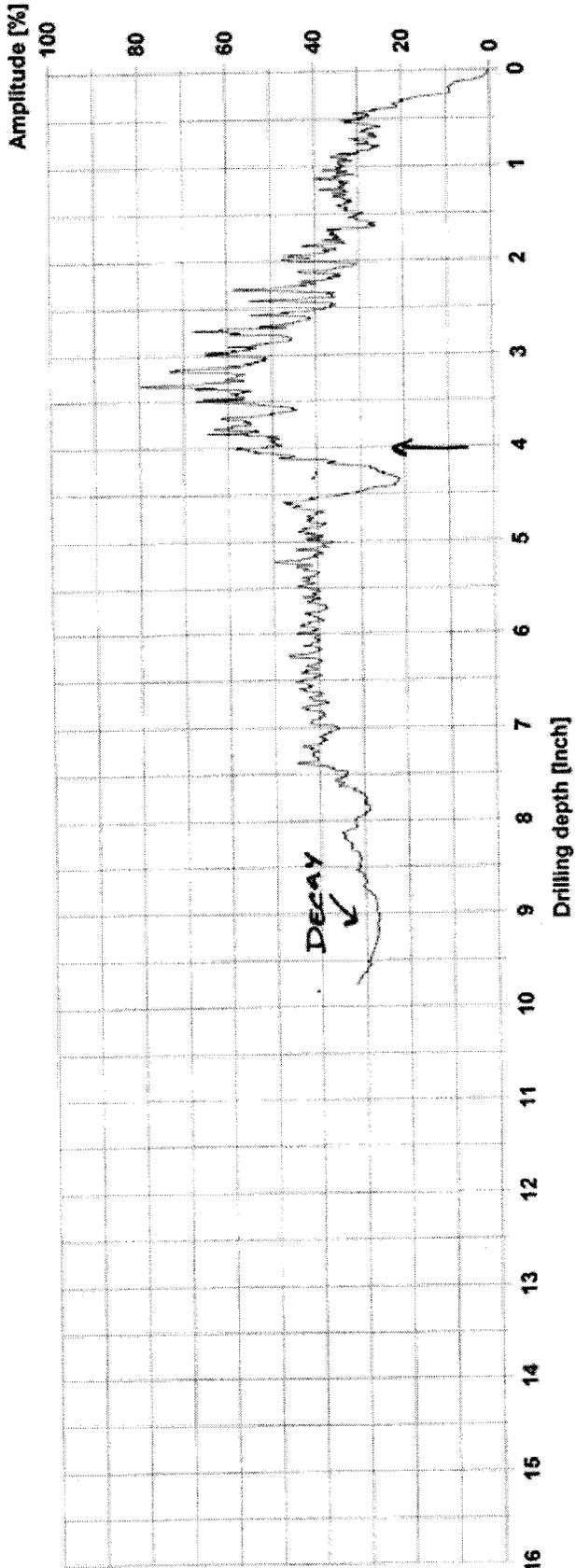
From 0.00" to 0.00" : <input type="checkbox"/>				
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Pole Inspector

Start / stop :  
 Resulting length :  
 Quality detection :  
 Cavity detection :  
 Result :

Measuring / object data

Measurement no. : 21  
 ID number : SILAS BURKE 5A  
 Drilling depth : 9.768"  
 Date : 21.10.2014  
 Time : 11:40:29  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state :  
 Tilt : 45° (45°)  
 Offset : 72/176  
 Avg. curve : off  
 Diameter :  
 Level :  
 Direction :  
 Species :  
 Location :  
 Name :



Comment  
 PITCHFORD ASSOC.

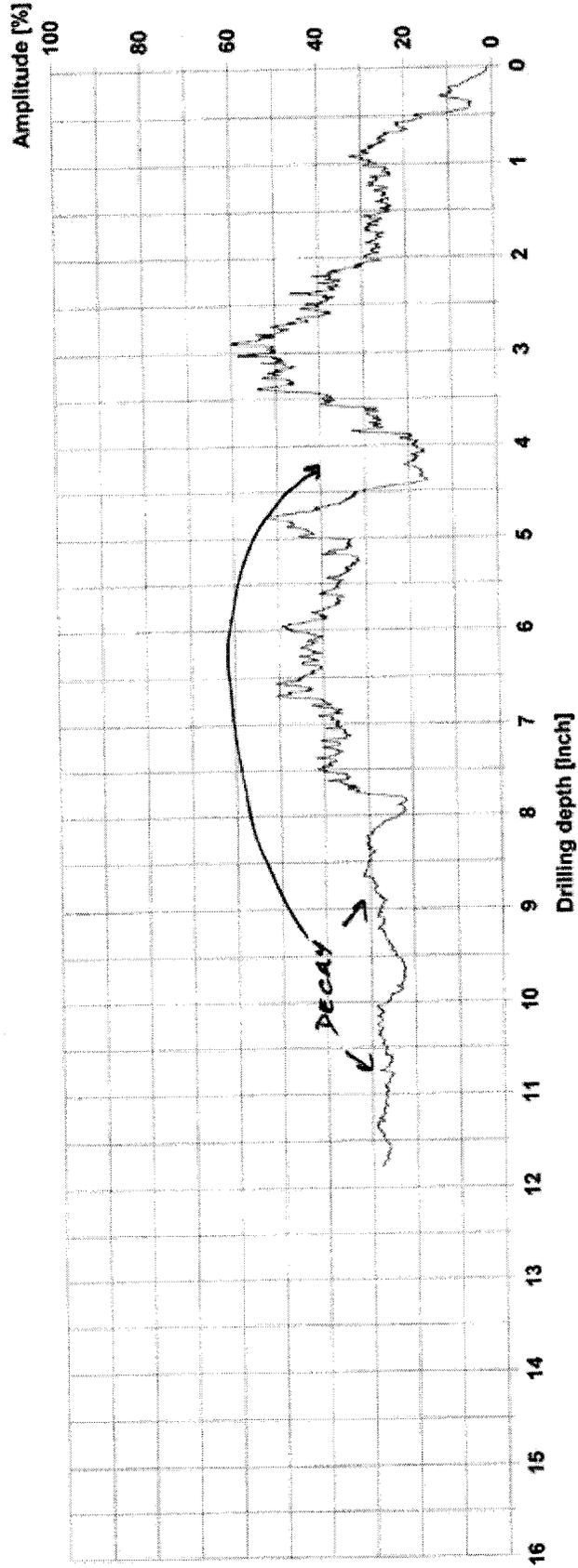
Assessment  
 From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole inspector

Start / stop : --  
 Resulting length : --  
 Quality detection : --  
 Cavity detection : --  
 Result : --

Measuring / object data

Measurement no. : 22  
 ID number : SILAS BURKE 6A  
 Drilling depth : 11.776"  
 Date : 21.10.2014  
 Time : 11:41:26  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : --  
 Tilt : 45° (45°)  
 Offset : 72/176  
 Avg. curve : off  
 Diameter : --  
 Level : --  
 Direction : --  
 Species : --  
 Location : --  
 Name : --



Comment

PITCHFORD ASSOC.

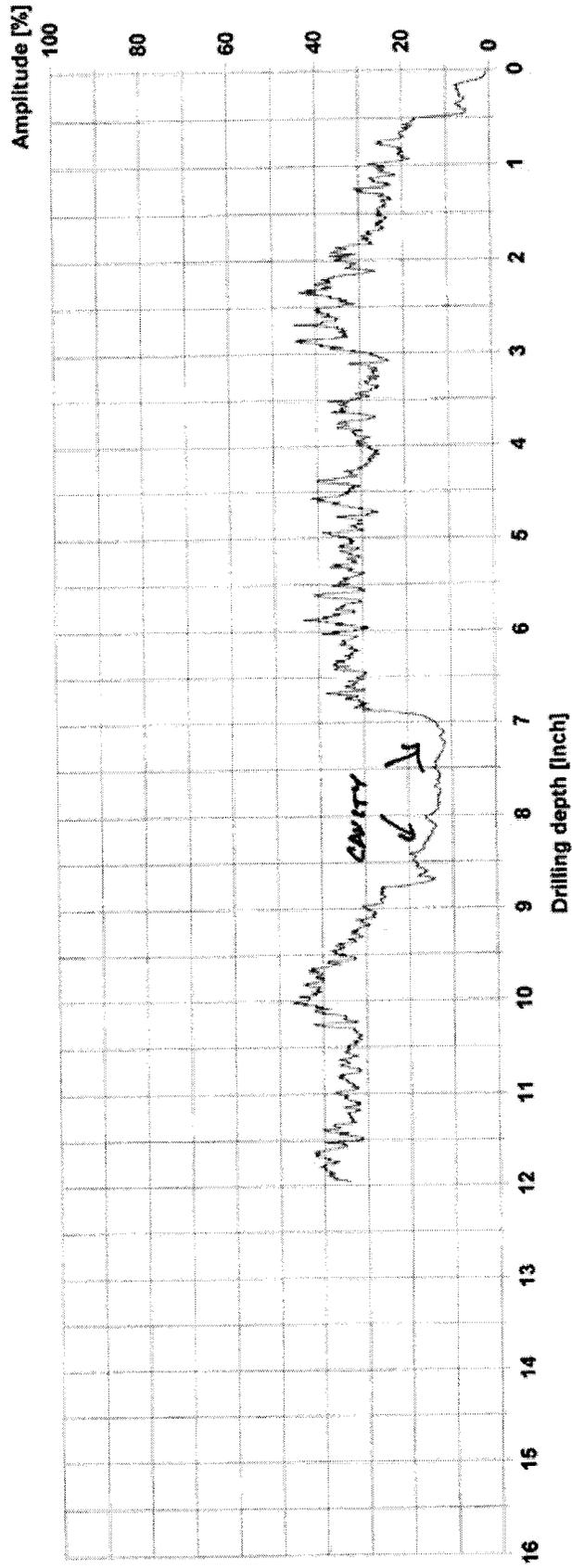
Assessment

From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole Inspector

Start / stop : ---  
 Resulting length : ---  
 Quality detection : ---  
 Cavity detection : ---  
 Result : ---

Measuring / object data  
 Measurement no. : 23  
 ID number : SILAS BURKE 7A  
 Drilling depth : 11.961"  
 Date : 21.10.2014  
 Time : 11:42:31  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 45° (45°)  
 Offset : 71/174  
 Avg. curve : off  
 Diameter : ---  
 Level : ---  
 Direction : ---  
 Species : ---  
 Location : ---  
 Name : ---



Comment  
 PITCHFORD ASSOC.

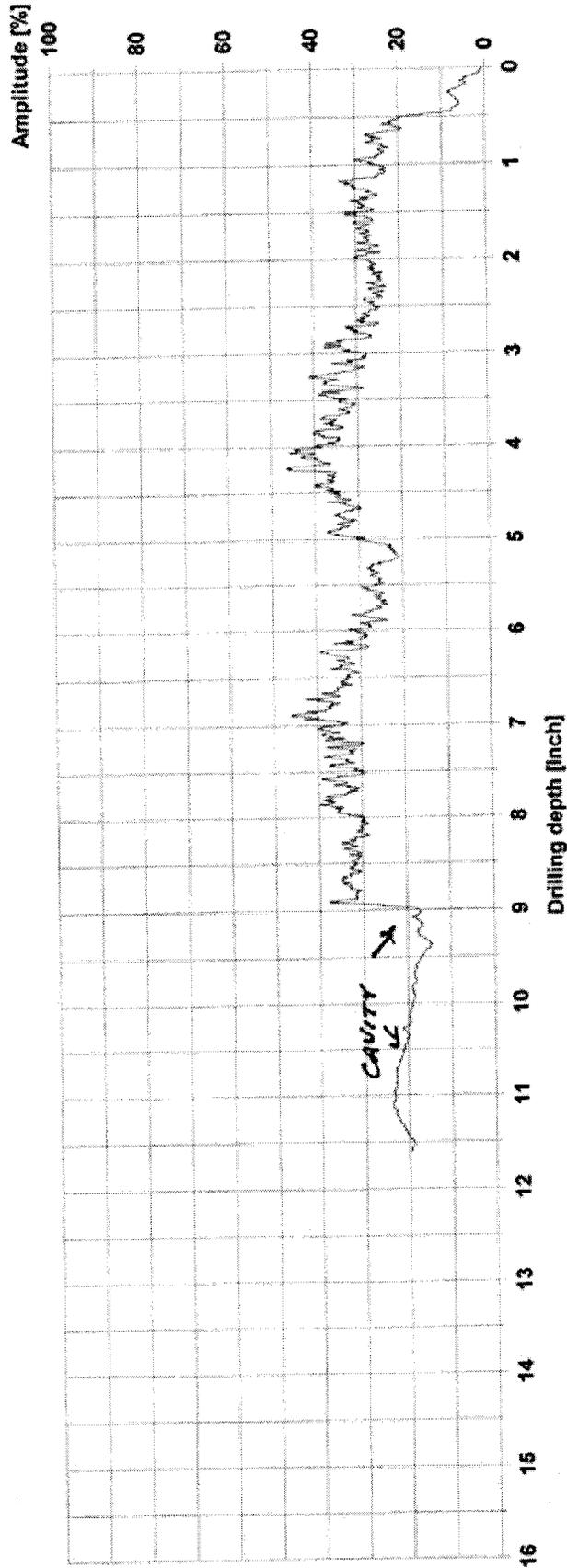
Assessment  
 From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

Pole Inspector

Start / stop : ---  
 Resulting length : ---  
 Quality detection : ---  
 Cavity detection : ---  
 Result : ---

Measuring / object data

Measurement no. : 24  
 ID number : SILAS BURKE 9A  
 Drilling depth : 11.602"  
 Date : 21.10.2014  
 Time : 11:43:37  
 Feed speed : 39"/min  
 Needle speed : 2000 r/min  
 Needle state : ---  
 Tilt : 45° (45°)  
 Offset : 71/177  
 Avg. curve : off  
 Diameter : ---  
 Level : ---  
 Direction : ---  
 Species : ---  
 Location : ---  
 Name : ---



Comment

PITCHFORD ASSOC.

Assessment

From 0.00" to 0.00" :  
 From 0.00" to 0.00" :

**REZONING AFFIDAVIT**

DATE: April 13, 2015  
 (enter date affidavit is notarized)

I, Sara V. Mariska, attorney/agent, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)             applicant  
                               applicant's authorized agent listed in Par. 1(a) below

126 791 C

in Application No.(s): RZ 2014-SP-015  
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

**(NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
\ Sunrise Development, Inc.  Agents: Edward W. Burnett Andrew H. Coelho Philip E. Kroskin \ Jerry (nmi) Liang	7902 Westpark Drive McLean, VA 22102	Applicant/Contract Purchaser of Tax Map 78-3 ((1)) 4
\ Suzanne Fowler Neal f/k/a Suzanne S. Fowler	4628 Pleasant Valley Road Chantilly, VA 20151	Title Owner of Tax Map 78-3 ((1)) 4

(check if applicable)             There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

**Rezoning Attachment to Par. 1(a)**

DATE: April 13, 2015  
 (enter date affidavit is notarized)

126791e

for Application No. (s): RZ 2014-SP-015  
 (enter County-assigned application number (s))

**(NOTE):** All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
\VIKA, Incorporated  Agents: John F. Amatetti Robert R. Cochran P. Christopher Champagne	8180 Greensboro Drive, Suite 200 McLean, VA 22102	Engineer/Agent
\VIKA Virginia, LLC  Agents: John F. Amatetti Robert R. Cochran P. Christopher Champagne Michael R. Congleton	8180 Greensboro Drive, #200 McLean, VA 22102	Engineer/Agent
\Walsh, Colucci, Lubeley & Walsh, P.C.  Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson (former) M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Andrew A. Painter Matthew J. Allman Jeffrey R. Sunderland Elizabeth D. Baker Inda E. Stagg Elizabeth A. Nicholson (former) Amy E. Friedlander	2200 Clarendon Boulevard Suite 1300 Arlington, Virginia 22201	Attorneys/Planners/Agent  Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney*/Agent Planner/Agent Planner/Agent Planner/Agent

\*Admitted in New York and California.  
 Admission to Virginia Bar pending.

(check if applicable)            There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

**Rezoning Attachment to Par. 1(a)**

DATE: April 13, 2015  
 (enter date affidavit is notarized)

126791c

for Application No. (s): RZ 2014-SP-015  
 (enter County-assigned application number (s))

**(NOTE):** All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
\ RLPS, LLP d/b/a Reese, Lower Patrick & Scott Architects  Agent: \ Charles R. Heath	250 Valleybrook Drive Lancaster, PA 17601	Architects/Agent
M.J. Wells & Associates, Inc.  Agents: Robin L. Antonucci William F. Johnson \ Brian J. Horan	1420 Spring Hill Road, Suite 610 Tysons, VA 22102	Transportation Consultant/ Agent
\ LSG Landscape Architecture Inc.  Agents: Mark C. Gionet \ David T. Norden	1919 Gallows Road, #110 Tysons Corner, VA 22182	Landscape Architect/Agent

(check if applicable)            There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: April 13, 2015
(enter date affidavit is notarized)

126791c

for Application No. (s): RZ 2014-SP-015
(enter County-assigned application number(s))

1(b). The following constitutes a listing\*\*\* of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Sunrise Development, Inc.
7902 Westpark Drive
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- [x] There are 10 or less shareholders, and all of the shareholders are listed below.
[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Sunrise Senior Living, LLC

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

Felipe Mestre, President, Director; David W. Painter, VP/Treasurer; Andrew H. Coelho, VP; Marc E. Roder, Director; Philip E. Kroskin, VP; Jerry (nmi) Liang, VP; Benjamin (nmi) Adams, VP; Edward A. Frantz, VP and Secretary

(check if applicable) [x] There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

**Rezoning Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126791c

for Application No. (s): RZ 2014-SP-015  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

· Sunrise Senior Living, LLC  
7902 Westpark Drive  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Red Fox Holding Corporation, sole member

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

· Charles C. Winkle, CEO; Edward W. Burnett, CFO; Farinaz S. Tehrani, General Counsel & Secretary; Vanessa H. Forsythe, General Counsel; David W. Painter, Treasurer, Felipe Mestre, SVP-Tax  
· Board of Managers: Jeffrey C. Lozon, Charles C. Winkle, Christopher W. Hollister, Scott M. Brinker, James R. Hardy

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

· Red Fox Holding Corporation  
7902 Westpark Drive  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

· HCRI Red Fox ManCo, LLC  
· Red Fox Acquisition Company, Inc.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

· James R. Hardy, President; Frank Cerrone, Treasurer & Secretary  
· Directors: Jeffrey C. Lozon, Charles C. Winkle, Christopher W. Hollister, Scott M. Brinker, James R. Hardy

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

126791c

DATE: April 13, 2015  
(enter date affidavit is notarized)

for Application No. (s): RZ 2014-SP-015  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

HCRI Red Fox ManCo, LLC  
4500 Dorr Street  
Toledo, OH 43615

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Health Care REIT, Inc.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Health Care REIT, Inc.  
4500 Dorr Street  
Toledo, OH 43615

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

A real estate investment trust publicly traded on the NYSE.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126791 e

for Application No. (s): RZ 2014-SP-015  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Revera Health Services, Inc.  
55 Standish Court, 8th Floor  
Mississauga, ON L5R 4B2

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Revera Inc.

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

Thomas G. Wellner, President/CEO; Frank Cerrone, SVP, General Counsel & Secretary; Jim Hardy, CFO  
Directors: Frank Cerrone, Patricia Barbato, Christopher Mitchell, Thomas G. Wellner

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Revera Inc.  
55 Standish Court, 8th Floor  
Mississauga, ON L5R 4B2

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Public Sector Pension Investment Board

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

Thomas G. Wellner, President/CEO; Frank Cerrone, SVP, General Counsel & Secretary; Jim Hardy, CFO  
Directors: Neil P. Cunningham, Gary F. Colter, Barbara Hill, Pat Jacobsen, Charles Jones, Calvin R. Stiller, Marie-Josée Turmel, John Valentini, Thomas G. Wellner

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126791e

for Application No. (s): RZ 2014-SP-015  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Public Sector Pension Investment Board  
440 Laurier Avenue West, Suite 200  
Ottawa, Ontario

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

The Public Sector Pension Investment Board is a publicly traded Canadian pension fund with thousands of members.

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Red Fox Acquisition Company, Inc.  
55 Standish Court, 8th Floor  
Mississauga, ON L5R 4B2

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Revera Health Services, Inc.  
HCRI Red Fox ManCo, LLC

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126791c

for Application No. (s): RZ 2014-SP-015  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

VIKA, Incorporated  
8180 Greensboro Drive, Suite 200  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

John F. Amatetti, Charles A. Irish, Jr., Harry L. Jenkins, Robert R. Cochran, Mark G. Morelock, Jeffrey B. Amateau, Kyle U. Oliver, P. Christopher Champagne

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

VIKA Virginia, LLC  
8180 Greensboro Drive, #200  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

John F. Amatetti, Charles A. Irish, Jr., Harry L. Jenkins, Robert R. Cochran, Mark G. Morelock, Jeffrey B. Amateau, Kyle U. Oliver, P. Christopher Champagne

=====

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126791c

for Application No. (s): RZ 2014-SP-015  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Walsh, Colucci, Lubeley & Walsh, P.C.  
2200 Clarendon Boulevard, Suite 1300  
Arlington, VA 22201

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Wendy A. Alexander, David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Michael J. Coughlin, Peter M. Dolan, Jr., Jay du Von, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael J. Kalish, J. Randall Minchew, Andrew A. Painter, G. Evan Pritchard, M. Catharine Puskar, John E. Rinaldi, Kathleen H. Smith, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh  
Former Shareholders: Michael D. Lubeley, Martin D. Walsh

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

M.J. Wells & Associates, Inc.  
1420 Spring Hill Road, Suite 610  
Tysons, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns 10% or more of any class of stock.

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

**Rezoning Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126791c

for Application No. (s): RZ 2014-SP-015  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

LSG Landscape Architecture Inc.  
1919 Gallows Road, #110  
Tysons Corner, VA 22182

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDER:** (enter first name, middle initial, and last name)

Robert K. Esselburn  
Mark C. Gionet  
Mark R. Lewis  
Yunhui Connie Fan

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: April 13, 2015  
(enter date affidavit is notarized)

126791c

for Application No. (s): RZ 2014-SP-015  
(enter County-assigned application number(s))

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state and zip code)

RLPS, LLP d/b/a Reese, Lower Patrick & Scott Architects  
250 Valleybrook Drive  
Lancaster, PA 17601

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

- Michael J. Martin
- Gregory J. Scott
- Craig H. Walton (former)
- David D. Lobb
- Craig P. Kimmel
- Eric J. Endres
- Eric S. McRoberts
- John F. Holliday

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: April 13, 2015  
(enter date affidavit is notarized)

126791C

for Application No. (s): RZ 2014-SP-015  
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (**NOTE:** If answer is none, enter "NONE" on the line below.)

None

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: April 13, 2015
(enter date affidavit is notarized)

126791c

for Application No. (s): RZ 2014-SP-015
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

[ ] Applicant
[ ] Applicant's Authorized Agent

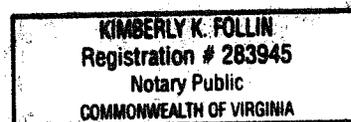
Sara V. Mariska, attorney/agent

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 13 day of April 20 15, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2015



**SPECIAL EXCEPTION AFFIDAVIT**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126777C

I, Sara V. Mariska, attorney/agent, do hereby state that I am an  
(enter name of applicant or authorized agent)

(check one)             applicant  
                              applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): SE 2014-SP-060  
(enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS,** and **LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS,** and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

**(NOTE:** All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner,** etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
\ Sunrise Development, Inc.  Agents: \ Edward W. Burnett Andrew H. Coelho Philip E. Kroskin \ Jerry (nmi) Liang	7902 Westpark Drive McLean, VA 22102	Applicant/Contract Purchaser of Tax Map 78-3 ((1)) 4
\ Suzanne Fowler Neal f/k/a Suzanne S. Fowler	4628 Pleasant Valley Road Chantilly, VA 20151	Title Owner of Tax Map 78-3 ((1)) 4

(check if applicable)             There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

**Special Exception Attachment to Par. 1(a)**

DATE: April 13, 2015  
 (enter date affidavit is notarized)

126777c

for Application No. (s): SE 2014-SP-060  
 (enter County-assigned application number (s))

**(NOTE):** All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
VIKA, Incorporated  Agents: · John F. Amatetti · Robert R. Cochran · P. Christopher Champagne	8180 Greensboro Drive, Suite 200 McLean, VA 22102	Engineer/Agent
· VIKA Virginia, LLC  Agents: · John F. Amatetti · Robert R. Cochran · P. Christopher Champagne · Michael R. Congleton	8180 Greensboro Drive, #200 McLean, VA 22102	Engineer/Agent
· Walsh, Colucci, Lubeley & Walsh, P.C.  Agents: Martin D. Walsh Lynne J. Strobel · Timothy S. Sampson (former) M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Andrew A. Painter Matthew J. Allman Jeffrey R. Sunderland Elizabeth D. Baker Inda E. Stagg · Elizabeth A. Nicholson (former) · Amy E. Friedlander	2200 Clarendon Boulevard Suite 1300 Arlington, Virginia 22201	Attorneys/Planners/Agent  Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney*/Agent Planner/Agent Planner/Agent Planner/Agent Planner/Agent

\*Admitted in New York and California. Admission to Virginia Bar pending.

(check if applicable)            There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

**Special Exception Attachment to Par. 1(a)**

DATE: April 13, 2015  
 (enter date affidavit is notarized)

126777 c

for Application No. (s): SE 2014-SP-060  
 (enter County-assigned application number (s))

**(NOTE:** All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
\ RLPS, LLP d/b/a Reese, Lower Patrick & Scott Architects  Agent: \ Charles R. Heath	250 Valleybrook Drive Lancaster, PA 17601	Architects/Agent
\ M.J. Wells & Associates, Inc.  Agents: Robin L. Antonucci William F. Johnson \ Brian J. Horan	1420 Spring Hill Road, Suite 610 Tysons, VA 22102	Transportation Consultant/ Agent
\ LSG Landscape Architecture Inc.  Agents: Mark C. Gionet \ David T. Norden	1919 Gallows Road, #110 Tysons Corner, VA 22182	Landscape Architect/Agent

(check if applicable)            There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: April 13, 2015
(enter date affidavit is notarized)

126777 c

for Application No. (s): SE 2014-SP-060
(enter County-assigned application number(s))

1(b). The following constitutes a listing\*\*\* of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) - Sunrise Development, Inc.
7902 Westpark Drive
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- [x] There are 10 or less shareholders, and all of the shareholders are listed below.
[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

- Sunrise Senior Living, LLC

(check if applicable) [x] There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

**Special Exception Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126777c

for Application No. (s): SE 2014-SP-060  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

~ Sunrise Senior Living, LLC  
7902 Westpark Drive  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

~ Red Fox Holding Corporation, sole member

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

~ Red Fox Holding Corporation  
7902 Westpark Drive  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

~ HCRI Red Fox ManCo, LLC  
~ Red Fox Acquisition Company, Inc.

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

**Special Exception Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126777c

for Application No. (s): SE 2014-SP-060  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

HCRI Red Fox ManCo, LLC  
4500 Dorr Street  
Toledo, OH 43615

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Health Care REIT, Inc.

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Health Care REIT, Inc.  
4500 Dorr Street  
Toledo, OH 43615

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

A real estate investment trust publicly  
traded on the NYSE.

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

**Special Exception Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

*126777c*

for Application No. (s): SE 2014-SP-060  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Revera Health Services, Inc.  
55 Standish Court, 8th Floor  
Mississauga, ON L5R 4B2

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Revera Inc.

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Revera Inc.  
55 Standish Court, 8th Floor  
Mississauga, ON L5R 4B2

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Public Sector Pension Investment Board

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

**Special Exception Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126771c

for Application No. (s): SE 2014-SP-060  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Public Sector Pension Investment Board  
440 Laurier Avenue West, Suite 200  
Ottawa, Ontario

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

The Public Sector Pension Investment Board is a publicly traded Canadian pension fund with thousands of members.

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Red Fox Acquisition Company, Inc.  
55 Standish Court, 8th Floor  
Mississauga, ON L5R 4B2

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Revera Health Services, Inc.  
HCRI Red Fox ManCo, LLC

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

**Special Exception Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126777C

for Application No. (s): SE 2014-SP-060  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

VIKA, Incorporated  
8180 Greensboro Drive, Suite 200  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

John F. Amatetti, Charles A. Irish, Jr.,  
Harry L. Jenkins, Robert R. Cochran,  
Mark G. Morelock, Jeffrey B. Amateau,  
Kyle U. Oliver, P. Christopher Champagne

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

VIKA Virginia, LLC  
8180 Greensboro Drive, #200  
McLean, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

John F. Amatetti, Charles A. Irish, Jr.,  
Harry L. Jenkins, Robert R. Cochran,  
Mark G. Morelock, Jeffrey B. Amateau,  
Kyle U. Oliver, P. Christopher Champagne

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

**Special Exception Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126777c

for Application No. (s): SE 2014-SP-060  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Walsh, Colucci, Lubeley & Walsh, P.C.  
2200 Clarendon Boulevard, Suite 1300  
Arlington, VA 22201

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Wendy A. Alexander, David J. Bomgardner,	Bryan H. Guidash, Michael J. Kalish, J.	Former Shareholders:
E. Andrew Burcher, Thomas J. Colucci,	Randall Minchew, Andrew A. Painter, G.	Michael D. Lubeley, Martin D. Walsh
Michael J. Coughlin, Peter M. Dolan, Jr.,	Evan Pritchard, M. Catharine Puskar, John	
Jay du Von, William A. Fogarty,	E. Rinaldi, Kathleen H. Smith, Lynne J.	
John H. Foote, H. Mark Goetzman,	Strobel, Garth M. Wainman, Nan E. Walsh	

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

M.J. Wells & Associates, Inc.  
1420 Spring Hill Road, Suite 610  
Tysons, VA 22102

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

M.J. Wells & Associates, Inc. Employee  
Stock Ownership Trust. All employees are  
eligible plan participants; however, no one  
employee owns 10% or more of any class of  
stock.

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

**Special Exception Attachment to Par. 1(b)**

DATE: April 13, 2015  
(enter date affidavit is notarized)

126777c

for Application No. (s): SE 2014-SP-060  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

LSG Landscape Architecture Inc.  
1919 Gallows Road, #110  
Tysons Corner, VA 22182

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Robert K. Esselburn  
Mark C. Gionet  
Mark R. Lewis  
Yunhui Connie Fan

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: April 13, 2015
(enter date affidavit is notarized)

126777C

for Application No. (s): SE 2014-SP-060
(enter County-assigned application number(s))

1(c). The following constitutes a listing\*\*\* of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

RLPS, LLP d/b/a Reese, Lower Patrick & Scott Architects
250 Valleybrook Drive
Lancaster, PA 17601

(check if applicable) [ ] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

- Michael J. Martin
Gregory J. Scott
Craig H. Walton (former)
David D. Lobb
Craig P. Kimmel
Eric J. Endres
Eric S. McRoberts
John F. Holliday

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: April 13, 2015  
(enter date affidavit is notarized)

126777c

for Application No. (s): SE 2014-SP-060  
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (**NOTE:** If answer is none, enter "NONE" on the line below.)

None

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

Application No.(s): SE 2014-SP-060  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: April 13, 2015  
(enter date affidavit is notarized)

*12677c*

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (**NOTE:** If answer is none, enter "NONE" on line below.)  
None

**NOTE:** Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

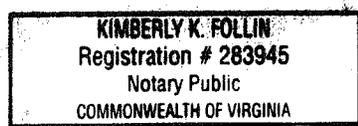
(check one) *Sara V. Mariska*  
[ ] Applicant [x] Applicant's Authorized Agent

Sara V. Mariska, attorney/agent  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 13 day of April 20 15, in the State/Comm. of Virginia, County/City of Arlington.

*Kimberly K. Follin*  
Notary Public

My commission expires: 11/30/2015





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** 27 March 2015

**TO:** Mary Ann Tsai, Staff Coordinator, Zoning Evaluation Division

**FROM:** Linda Cornish Blank, Historic Preservation Planner *LCB*

**CC:** Leanna O'Donnell, Branch Chief, Policy and Plan Development  
Pam Nee, Branch Chief, Environment and Development Review

**SUBJECT:** RZ 2014-SP-015/SE 2014-SP-060, Silas Burke house. Sunrise Development, Inc., Medical Care Facility; 9617 Burke Lake Rd.; Request to rezone the property from the R-1 District to the R-3 District and a SE for an approximately 53,900 sq. ft. assisted living facility containing 82 units on the eastern portion of the site; parcel tax map #078-3 ((1)) 4.

**Planning Location:** Fairfax County Comprehensive Plan, 2013 Edition, Area III, Pohick Planning District; Amended through 10-28-2014, Overview, p. 10; P2 Main Branch Community Planning Sector, Character, p. 29; Heritage Resources, p. 41.

Pohick Planning District, Overview, p. 10:

"Heritage Resources

. . . The Fairfax County Inventory of Historic Sites, the Virginia Landmarks Register, the National Register of Historic Places, and Historic Overlay Districts promote the recognition of sites with historic, architectural and archaeological significance. Designation confers public recognition and can offer incentives for preservation to the property owner.

The county Inventory of Historic Sites includes properties which meet certain eligibility criteria and are officially designated by the county's History Commission. In addition to historic, architectural and archaeological significance, property that serves as a focus of community identity and pride may also be recognized. The benefits of designation include public recognition of the structure's significance and enhanced support for preservation. Owners of properties included in the Inventory may meet with the county's Architectural Review Board on a voluntary basis to review proposed changes to their properties. . . .

The Virginia Landmarks Register and the National Register of Historic Places also officially recognize properties meeting specific criteria. Like the county Inventory, benefits of designation include public recognition and enhanced support for preservation.

Department of Planning and Zoning  
Planning Division  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5509  
Phone 703-324-1380  
Fax 703-324-3056  
www.fairfaxcounty.gov/dpz/



RZ 2014-SP-015/SE 2014-SP-060, Silas Burke house.

Tsai memo, page 2

March 27, 2015

... In those areas where significant heritage resources have been recorded, an effort should be made to preserve them for the benefit of present and future generations. . . . “

P2 Main Branch Community Planning Sector, Character, p. 29:

“CHARACTER

... Although this sector has been heavily developed in upland areas, there are locally significant heritage resources present. These are located predominantly in the Burke area. Burke Methodist Church/Burke Station and Silas Burke House are two of these resources which are listed in the Fairfax County Inventory of Historic Sites. A list and map of heritage resources are included in the Pohick Planning District Overview section, Figures 4 and 5. . . . “

P2 Main Branch Community Planning Sector, Heritage Resources, p. 41:

“Heritage Resources

... Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered. . . . “

Policy Plan: Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Amended through 4-29-2014, Heritage Resources, pages 3 & 4:

## HERITAGE RESOURCES

Heritage Resources, page 3:

### BOARD OF SUPERVISORS GOAL

“**Culture and Recreation** - Fairfax County should also support and encourage the identification and preservation of its heritage resources for the aesthetic, social, and educational benefits of present and future citizens.

Fairfax County's goal for heritage resource preservation is contained in the broader goal entitled "Culture and Recreation". This goal recognizes that preservation of the county's heritage resources--its historic structures, landscapes, cemeteries, and its historic and Native American archaeological sites--serves a public purpose by (1) enhancing the quality of life through aesthetic diversity in the landscape, and (2) providing a sense of continuity with the county's historic and prehistoric past. This goal also recognizes that heritage resource preservation requires a commitment both from the public and private sectors and from the community.”

Heritage Resources, page 4:

## **COUNTYWIDE OBJECTIVES AND POLICIES**

“Objective 3: Protect significant heritage resources from degradation, or damage and destruction by public or private action.

Policy b. Plan and undertake appropriate actions to retain and enhance significant heritage resources to be affected by public or private land use or development.

Policy e. Coordinate activities affecting heritage resources among county agencies and with other public agencies and private organizations.

Policy g. Promote the use of open space/conservation easements to preserve heritage resources. Encourage property owners to place easements on their properties, working with the county, a local non-profit land trust and/or a state or national entity authorized to hold easements for the purpose of heritage resource preservation.”

### **Heritage Resource Review and Comment:**

The Silas Burke house was listed in the Fairfax County Inventory of Historic Sites in 1969. The house was constructed circa 1820 and rebuilt circa 1853. It is a two-and-a-half story, gable-roofed, frame building with a stone foundation. Bay windows were added to the north façade in the late 1890s and a two-story portico was added to the east façade in 1926. Burke Lake Road was realigned so that the rear of the house, the west elevation, now faces the road. Only three families have owned the house in its 190-year history.

The property was determined eligible for listing in the National Register of Historic Places (NR) by the Virginia Department of Historic Resources State Review Board at its spring 2014 meeting. The meeting minutes state that the Review Board noted that the retention of five acres of open space around the house is a key aspect of its setting, feeling and association. The proposed development will render the property no longer NR-eligible since the open space surrounding the house would no longer remain. Development that would make the property ineligible for NR listing is problematic and in this fact needs to be considered along with the proposal’s intent to preserve the house itself. With loss of NR-eligibility, meeting the intent of the newly adopted Comprehensive Plan guidance below becomes critical. The property will continue to be listed in the County Inventory.

The rezoning application was evaluated concurrently with Comprehensive Plan Amendment 2014-III-P1, adopted by the Board of Supervisors on March 24, 2015, and which added the following site-specific Comprehensive Plan guidance for the property:

“19. Parcel 78-3 ((1)) 4 is planned for residential use at 1-2 dwelling units per acre. As an option, residential use at 2-3 dwelling units per acre or a medical care facility (assisted living facility) may be appropriate, subject to the following conditions:

- The Silas Burke House should be retained and preserved in accordance with The Secretary of the Interior’s Standards for the Treatment of Historic Properties with commitment to an active use for the house.
- Façade, historic and open space conservation easements should be placed on the property to protect the house, accessory structures, and character of the immediate setting surrounding the house in perpetuity.
- The design, scale, mass, orientation, and architecture of additional development should be compatible with the Silas Burke House and its surrounding area.”

1. Development: The Board of Supervisors goal for culture and recreation as stated in the Policy Plan calls for Fairfax County to support and encourage preservation of its heritage resources for the aesthetic, social, and educational benefits of present and future citizens. The Policy Plan objectives call for protecting significant heritage resources from degradation by public or private action. The newly adopted site-specific Plan guidance states that the house should be retained and preserved, that easements should be placed on the property, and that the design, scale, mass, orientation, and architecture of additional development should be compatible with the Silas Burke house and its surrounding area. Staff commends the applicant for consistently agreeing to preserve the Silas Burke house and for proposing to place easements on the property as recommended in the Plan guidance. Staff acknowledges that the applicant has examined options to fully meet the broader policy plan text and the guidance related to the design including shifting required parking, narrowing the access drive and lowering and/or shifting retaining walls away from the Silas Burke house and its accessory buildings, and pushing the proposed facility down the existing steep grade away from the Silas Burke house. In addition, the applicant has taken some design cues including use of materials from the heritage resource. These efforts have helped to minimize the impact of the proposed new development on the heritage resource.

The impact of the development was evaluated from two perspectives. The first was the public perspective as viewed primarily from Burke Lake Road. The second was the private perspective as viewed from the heritage resource and the site itself.

The Silas Burke house serves as a focus of community identity and pride, one of the eligibility criteria for listing in The Fairfax County Inventory of Historic sites. From the first perspective, Staff believes that this proposal will allow for this community focus to be maintained for the benefit of the Burke community and for the larger Fairfax County community as a whole. The prominent location at the top of the hill will be retained, and the applicant has

proffered to providing public access to the house. A public benefit can be achieved provided the house is successfully preserved in accordance with The Secretary of the Interior's Standards for the Treatment of Historic Properties and an active use for the house is maintained.

Although the development will alter the perspective as the cultural landscape will change from open space to a development of buildings, the Silas Burke house will remain prominent when viewed from Burke Lake Road. The fact that the access road and parking are proposed to be sunken and lowered will aide in hiding these elements from public view. The fact that the development is proposed to be sited down the existing steep grade away from the Silas Burke house will also serve to lessen the impact of the development on the house when viewed from Burke Lake Road. It is not insignificant that a public purpose is being served by a commitment to preserving the heritage resource and thus providing a sense of continuity with the county's historic past as cited in the Policy Plan. Staff believes that Fairfax County's goal to support and encourage preservation of its heritage resources for the aesthetic, social, and educational benefits of present and future citizens can be achieved provided there are adequate safeguards and commitments in place to protect this site in perpetuity.

The applicant has consistently committed to preservation of the Silas Burke house and its accessory buildings. However, Staff has concern that the feasibility of this undertaking has not been thoroughly investigated and integrated into the projects' planning and development process. Fairfax County History Commissioner, Jack Hiller, raised this point of concern in his questions to the applicant at the February 24, 2105 public meeting on the proposed rezoning. Staff believes that the feasibility of the work that needs to be undertaken and how it is to be accomplished to preserve the house as envisioned by the applicant and the community is critical to inform the rezoning and future development. This is a missing piece of information in the projects' planning and development process that Staff finds incumbent upon the applicant to provide in order to meet the intent of the newly adopted plan text. With commitments made by the applicant to have an individual(s) who meets the Secretary of the Interior's Professional Qualification Standards for Historic Architecture study the specific improvements required to preserve the house, and to then follow recommendations related to the Secretary's standards, this concern can be addressed.

The second perspective is from the vantage point of the property and the heritage resource (house) itself. From this perspective, there will be a different effect when evaluating the impact of the new development. It would be difficult to conclude that from this perspective alone that a development of this size fully meets the intent of the Policy Plan. Staff believes that part of this is due to required infrastructure and the fact that there appears to be no relief from the requirements such as qualifying for consideration of a parking reduction to reduce the amount of required paved surface that may lend better protection to the heritage resource while allowing for development. Staff continues to find that when viewed from the property that the resource is dominated by the surrounding development. Staff acknowledges that the site, its topography and

surrounding residential development limit the options open to the applicant to meet all of the requirements for the development of a medical care facility on this location, the new Plan guidance, and the intent of Policy Plan guidance. The site constraints rather than the efforts of the applicant may be the biggest impediment. The graphic on page L-2 plan sheet dated March 18, 2015 illustrates this.

While Staff continues to support the proposed use as a way for the house to be preserved, Staff finds that the size of the development along with the required infrastructure and site constraints may prohibit the heritage resource from full protection without a stronger commitment to a conservation easement as proposed by staff, and to formally investigating what is needed to preserve the house, as recommended by the newly adopted Plan guidance. Attempting to fit a development around a resource because the resource will be retained is not the same as designing a development which integrates itself onto a property with an existing heritage resource.

2. Site elements: The following found on Page C-2 plan sheet dated March 18, 2015 notes 20, 31, 32 should be addressed.
  - a. Note 20 states that signage will be determined at time of final site plan. As the proposed sign will be in the direct viewshed from Burke Lake Rd. to the Silas Burke house, design information and graphics showing how the sign will appear along with its impact on the viewshed should be provided for review under the rezoning. Staff notes that an internally illuminated sign is inappropriate and that lighting should be external and directed at the sign using the minimum light required to make the sign visible.
  - b. Note 31 states that the height and location of retaining walls will be determined at final site plan. Staff believes that the appearance and impact of the proposed 12' high retaining wall located east of the proposed maintenance building should be provided for review under the rezoning and that landscaping be considered to mitigate the impact and expanse of the 12' high X 120' long proposed wall.
  - c. Note 32 states that the easement area will be determined at final site plan. Staff believes that the area needs to be determined at the rezoning stage to meet the new Plan guidance.

Page C-5 plan sheet dated March 18, 2015 shows a 10' high maintenance structure proposed to be located approximately 30' from an existing accessory building. Given its proposed location, staff believes that the building design should be provided for review under this rezoning. Staff notes that the design should not imitate the existing accessory buildings.

3. Conservation Easement: The applicant has shown conservation easement boundaries on plan sheet C-5 and C-6 dated March 18, 2015 that do not correlate and should be corrected. Staff commends the applicant for increasing the area of the easement as shown on sheet C-6, however, the boundaries are not consistent with what staff has recommended to protect the house, accessory structures and

character of the immediate setting surrounding the house as recommended by Plan guidance. In order to meet the intent of the plan, Staff believes that the easement boundaries need to be expanded as staff has consistently proposed. An easement with its purpose of protecting the property is not intended to prohibit elements such as access, infrastructure development, signage and landscaping from being constructed within the easement's boundaries. The easement would help ensure that development within its boundaries is compatible with and protective of the viewshed between Burke Lake Road and of the cultural landscape and historic integrity of the house and accessory structures to the greatest extent possible. It would allow for continued thoughtful engineering, site design and layout to proceed within the context of protecting the character and integrity of the historic property while preventing the historic significance of this site from being further compromised.

4. Adaptive Reuse: Staff finds the applicant's proffer commitment for adaptive reuse of the house for residential occupancy of the second floor by its employees acceptable. However, as noted in staff comment above, the feasibility of preserving the house for reuse without having undertaken thorough investigation as to how this can be accomplished is of concern. To meet the intent of the site specific plan text, proposed renovations will need to be undertaken and completed in accordance with The Secretary of the Interior's Standards for the Treatment of Historic Properties. In addition, the party(ies) engaged in the feasibility, design and undertaking of the renovation should be required to meet the Secretary of the Interior's Professional Qualification Standards for Historic Architecture as published in 36 CFR Part 61. Staff recommends that the proffer be rewritten as such to provide more specificity as to the expertise needed.

The flexibility to identify alternative and/or additional reuse options may be beneficial. This would afford the applicant the greatest flexibility in determining an appropriate reuse. Staff recommends adding flexibility to the reuse proffer to allow for consideration of other uses as appropriate.

5. Burke Post Office: Staff commends the applicant for agreeing to relocate the Burke Post Office to the site. However, the proposed location, northeast of the facility adjacent to the turn-around and parking seems awkward. It appears the building has been located without consideration of its relationship to the surrounding built environment or setting. The building appears isolated from rather than integrated into the site. To address this concern, staff supports note 29 on sheet C-2 which indicates that the final location of the post office is subject to final design.

**Heritage Resource Staff recommendation:**

The Comprehensive Plan recognizes that heritage resources are vulnerable to damage and destruction from a variety of sources. It also recognizes that protecting

heritage resources from damage or destruction and preserving them for continued use, enjoyment, and study by their owners or the public is a complex issue. For this reason, the Plan seeks to provide guidance to decision makers and members of the community in achieving a balance between the often conflicting goals of planning for necessary physical and economic growth while accepting responsibility for the stewardship of the county's fragile heritage resources. The Board also recently adopted new Plan guidance to facilitate development of this type, with conditions related to preservation of the house. Staff has sought to consider this balance in review of this rezoning application and in making staff recommendations that follow.

1. Development: Staff previously discussed the impact of the development on the heritage resource from two perspectives. The first is the public perspective as viewed primarily from Burke Lake Road and the second is the private perspective as viewed from the heritage resource and the site/property itself.

The proposed efforts of the applicant to adaptively reuse the house and to rehabilitate it in accordance with the Secretary of the Interiors Standards are of benefit to the community. And if properly executed, these efforts can bring years of new life to the house and serve the facility residents, visitors and community well. Staff finds that aspects of the plans as submitted and proffers should be strengthened so as to ensure its protection and preservation and the proper execution of the efforts to achieve these goals.

With improved commitments to the conservation easement and to obtaining the details of the work needed to preserve the house, from the public perspective the proposal meets the balance of development and preservation, and staff would consider the proposal in conformance with the Comprehensive Plan subject to enhanced and strengthened proffers and to heritage resource staff recommendations 2-6 below.

Staff has noted that when evaluated from the private perspective, (from the heritage resource site itself), that the proposal may not adequately balance development and preservation and the consequence may harm rather than enhance the heritage resource.

2. Site Elements: Staff recommends that design information, height, color and/or graphics be provided as necessary for review of the following under the rezoning:
  - a. Proposed signage: internally illuminated signage is inappropriate; any sign lighting should be external and directed at the sign using the minimum light required to make the sign visible;
  - b. Proposed relocation/siting of VDOT historical marker #E 95, the Silas Burke House;
  - c. Proposed retaining walls: landscaping be considered to mitigate the impact and expanse of the 12' high X 120' long proposed wall;
  - d. Proposed maintenance building: design should not imitate the existing accessory buildings; and
  - e. Proposed walkway and driveway material and color: alternative to stark black asphalt.

3. Conservation Easement: Staff recommends that the conservation easement boundary lines be drawn to include a minimum area shown on plan sheet C-6 dated March 18, 2015 as the 100' yard line at the south, the property lines at the north and west (parallel to Burke Lake Road) and the currently proposed easement line at the east drawn to extend and connect the south and north lines as indicated. The conservation easement should be expanded for the purpose of protecting the viewshed between Burke Lake Road and the Silas Burke house, the cultural landscape and historic integrity of the house and accessory structures to the greatest extent possible. This new easement would serve to protect a locally significant heritage resource. It would allow for continued thoughtful engineering, site design and layout to protect the character and integrity of the historic property while preventing the historic significance of this site from being further compromised.
  
4. Adaptive Reuse: Staff recommends commitment to beginning to determine the:
  - a. feasibility of the work that needs to be undertaken and how it is to be accomplished to preserve and reuse the house be provided to inform the rezoning. This would include at a minimum:
    - i. Preliminary analysis and existing conditions assessment;
    - ii. Treatment plan for programming of the intended function and use; and
    - iii. Investigation of code requirements and regulations and evaluation of the technical and economic feasibility of the proposed work;
  - b. the feasibility findings and treatment plan be used to inform the historic and façade easement(s);
  - c. party(ies) engaged in the feasibility, design and undertaking of the renovation be required to meet the Secretary of the Interior's Professional Qualification Standards for Historic Architecture as published in 36 CFR Park 61 and that this be stipulated in the proffer; and
  - d. adding flexibility to the reuse proffer to allow for consideration of other uses as appropriate
  
5. Historic and Façade Easement(s): Staff recommends that the:
  - a. historic and façade easement(s) be drafted to protect the historic and character defining features of both the interior and exterior of the Silas Burke house and its accessory buildings and structures and that the easement(s) provide for retention and preservation of the property in accordance with The Secretary of the Interior's Standards for the Treatment of Historic Properties in perpetuity;
  - b. that the feasibility of the work that needs to be undertaken and how it is to be accomplished (analysis, assessment and treatment plan cited above) be used to inform the easement(s); and
  - c. easement be recorded prior to the undertaking of any rehabilitation of the Silas Burke house.

6. Burke Post Office: Staff recommends:
  - a. determining how the building is to be used on the site; as an accessible building or as a museum object that would not be accessed so as to best inform its location;
  - b. the applicant find a location for the post office on the property that integrates it into the site taking into consideration its relationship to the surrounding built environment and setting while accommodating the determined use;
  - c. the final location of the post office be determined with input from appropriate community groups and heritage resource staff; and
  - d. the applicant proffer to maintaining the post office.



# County of Fairfax, Virginia

## MEMORANDUM

DATE: January 16, 2015

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief *PHN*  
Environment and Development Review Branch, DPZ

**SUBJECT: Environmental Assessment:** RZ 2014-SP-015; SE 2014-SP-060  
Sunrise Development, Inc.

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject rezoning application (RZ), special exception (SE) and proffers revised through December 19, 2014. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

### COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

The Fairfax County Comprehensive Plan, Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, page 7-8 states:

**“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.**

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment

complies with the County’s best management practice (BMP) requirements. . . .

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation. . . .
- Encourage cluster development when designed to maximize protection of ecologically valuable land. . . .
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.”

The Fairfax County Comprehensive Plan, Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, page 10 states:

**“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.**

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

The Fairfax County Comprehensive Plan Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, page 12 states:

**“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.**

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices. . . .”

The Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, page 19-21 states:

**“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.**

Policy a. In consideration of other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices may include, but are not limited to:

- Environmentally-sensitive siting and construction of development;
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*);
- Optimization of energy performance of structures/energy-efficient design;
- Use of renewable energy resources;
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products;
- Application of best practices for water conservation, such as water efficient landscaping and innovative wastewater

- technologies, that can serve to reduce the use of potable water and/or reduce stormwater runoff volumes;
- Reuse of existing building materials for redevelopment projects;
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris;
- Use of recycled and rapidly renewable building materials;
- Use of building materials and products that originate from nearby sources;
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials;
- Reuse, preservation and conservation of existing buildings, including historic structures;
- Retrofitting of other green building practices within existing structures to be preserved, conserved and reused;
- Energy and water usage data collection and performance monitoring;
- Solid waste and recycling management practices; and
- Natural lighting for occupants.

Encourage commitments to implementation of green building practices through certification under established green building rating systems for individual buildings (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design for New Construction [LEED-NC<sup>®</sup>] or the U.S. Green Building Council's Leadership in Energy and Environmental Design for Core and Shell [LEED-CS<sup>®</sup>] program or other equivalent programs with third party certification). An equivalent program is one that is independent, third-party verified, and has regional or national recognition or one that otherwise includes multiple green building concepts and overall levels of green building performance that are at least similar in scope to the applicable LEED rating system. Encourage commitments to the attainment of the ENERGY STAR<sup>®</sup> rating where available. Encourage certification of new homes through an established

residential green building rating system that incorporates multiple green building concepts and has a level of energy performance that is comparable to or exceeds ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. . . .”

## ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county’s remaining natural amenities. This application seeks approval for a two story, 53,900 gross square foot medical care facility at a maximum height of 46 feet on 5 acre parcel of land with a proposed floor area ratio of .25. This facility is intended to serve 125 residents and it will employ 25 staff persons.

**Stormwater Quality Best Management Practices:** The 5 acre subject property falls within the Pohick Creek Watershed and it is located on the east side of Burke Lake Road. The subject property is vegetated with turf grass and deciduous tree canopy which surrounds the historic Silas Burke House and the associated accessory structures. The historic house and a select number of these trees are proposed to remain on the property and to be incorporated into the development. Currently the property is approximately 13% impervious, and it is proposed to be 40% impervious with the development of the medical care facility. The stormwater narrative for this application indicates that the proposed development will meet water quality and water quantity control requirements through the use of the following facilities:

- Two underground stormfilters;
- A vegetated swale; and
- A .42 acre conservation easement of the eastern side of the site which traverses the entire property from north to south.

The narrative further indicates that 95% of runoff generated by the proposed new development will be captured and treated by the proposed underground stormwater facilities. A Stormwater Ordinance Determination (SWOD) has been submitted for this development proposal which will allow this development proposal to be evaluated under the 2009 Virginia Stormwater Management Regulations, as opposed to the County’s recently adopted Stormwater Management Ordinance, Chapter 124 of the County Code.

The outfall narrative for this proposal indicates that runoff from the site currently flows in two locations and is captured in a closed conduit pipe system which crosses under Burke Lake Road in a westerly direction. Both Outfall #1 and Outfall #2 ultimately drain into dry ponds on the west side of Burke Lake Road. The adequacy of stormwater management/best management

practice (SWM/BMP) facilities and outfall will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

**Tree Preservation/Restoration:** The subject property is currently vegetated with specimen trees worthy of preservation particularly around the Silas Burke home. The applicant is encouraged to work with the Urban Forestry Management Division (UFMD) of DPWES to implement measures which would preserve the existing trees, as proposed. The applicant is also encouraged to identify more areas where new landscaping could be augmented to provide adequate screening to adjacent residential areas.

**Green Building Practices:** The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. In support of the County's green building policy, the applicant has provided a draft proffer #8 which enumerates nine measures to be implemented during the construction of this facility. However, staff requests that some of the proposed green measure elements be defined to facilitate tracking and demonstration of achievement and to avoid the need for possible future compliance interpretations. Staff has provided the applicant specific comments to help clarify the intent of draft proffer #8.

In addition, the draft proffer proposes posting of a green building escrow in the amount of \$2.00 per square of gross floor area of the building. The draft proffer provides for the release of the escrow at the time that a LEED accredited professional certifies that the green building commitments have been implemented. Staff emphasizes that certification should be provided before the final bond release for the building site.

PGN/MAW



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

March 18, 2015

CHARLES A. KILPATRICK, P.E.  
COMMISSIONER

**To:** Ms. Barbara Berlin  
Director, Zoning Evaluation Division

**From:** Kevin Nelson  
Virginia Department of Transportation – Land Development Section

**Subject:** RZ 2014-SP-015/SE 2014-SP-060 Sunrise Development, Inc.  
Tax Map # 78-3((01))0004

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on March 6, 2015, and received March 9, 2015. I have no additional comments related to this application.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver  
fairfaxrezoning2014-SP-015rz3SunriseDevInc3-18-15BB



## County of Fairfax, Virginia

**MEMORANDUM****DATE:** March 16, 2015

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, Department of Planning & Zoning

**CC:** Mary Ann Tsai, Staff Coordinator  
Zoning Evaluation Division, Department of Planning & Zoning

**FROM:** Michael A. Davis, Acting Chief   
Site Analysis Section, Department of Transportation

**FILE:** RZ 2014-SP-015, SE 2014-SP-060

**SUBJECT:** RZ 2014-SP-015, SE 2014-SP-060 Sunrise Development, Inc. (Silas Burke)  
9617 Burke Lake Road, Burke VA 22015  
Tax Map: 78-3 ((1)) 4

This Department has reviewed the subject application and Generalized Development Plan/Special Exception Plat (GDP/SE Plat) dated July 18, 2014, revised through March 6, 2015, and the Proffers dated December 19, 2014, also revised through March 6, 2015.

All identified concerns have been addressed. Proffer comments were submitted under separate cover.

MAD/RP

Fairfax County Department of Transportation  
4050 Legato Road, Suite 400  
Fairfax, VA 22033-2895  
Phone: (703) 877-5600 TTY: 711  
Fax: (703) 877-5723  
[www.fairfaxcounty.gov/fcdot](http://www.fairfaxcounty.gov/fcdot)





# FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION

## RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) TRAFFIC CALMING ENGINEERING REVIEW

BURNING BRANCH ROAD: (Springfield District)

EB VOLUME	377
WB VOLUME	325
EB AVERAGE SPEED	28
WB AVERAGE SPEED	31
EB 85 <sup>TH</sup> PERCENTILE SPEED	40
WB 85 <sup>TH</sup> PERCENTILE SPEED	36

ROAD ELIGIBILITY CRITERIA	ANALYSIS
Local or collector road <b>25 mph posted speed limit</b>	<b>Local road</b> <b>Meets requirement</b>

Qualifications for acceptance into traffic calming program:

- ✚ Average speed of 30 mph OR 85<sup>th</sup> percentile speed of 35 mph
- ✚ Volume between 600 and 4,000 vehicles per day

Date of traffic count: 10/31/2007



Proposed Speed Hump adjacent to 9522, 9523, 9524 & 9525 Burning Branch Road

Proposed Speed Hump adjacent to 9508, 9511, & 9513 Burning Branch Road



Fairfax County Department of Transportation  
 Residential Traffic Administration Program (R-TAP)  
**PROPOSED TRAFFIC CALMING PLAN**  
**BURNING BRANCH ROAD**





# FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION

## RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) TRAFFIC CALMING ENGINEERING REVIEW

BURNING BRANCH ROAD: (Springfield District)

EB VOLUME	208
WB VOLUME	199
EB AVERAGE SPEED	26
WB AVERAGE SPEED	25
EB 85 <sup>TH</sup> PERCENTILE SPEED	33
WB 85 <sup>TH</sup> PERCENTILE SPEED	32

ROAD ELIGIBILITY CRITERIA	ANALYSIS
Local or collector road <b>25 mph posted speed limit</b>	<b>Local road</b> <b>Meets requirement</b>

Qualifications for acceptance into traffic calming program:

- ✚ Average speed of 30 mph OR 85<sup>th</sup> percentile speed of 35 mph
- ✚ Volume between 600 and 4,000 vehicles per day

Date of traffic count: 04/28/2009



# County of Fairfax, Virginia

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

JAN 29 2015

Edward Burnett  
Sunrise Senior Living  
7902 Westpark Drive  
McLean, Virginia 22102

Subject: Silas Burke Property; 0640-RGP-002-1, RZ 2014-SP-015 and SE 2014-SP-060;  
Tax Map #078-3-01-0004; Springfield District

Reference: Stormwater Management Ordinance Determination #0640-SWOD-001-1

Dear Mr. Burnett:

This is in response to your request dated November 18, 2014, for a determination whether the subject project meets the applicable criteria and qualifies under the Time Limits on Applicability of Approved Design Criteria ("Time Limits") provision in §124-1-11.A of the Stormwater Management Ordinance, Chapter 124 of the *Code of the County of Fairfax* (SWMO). With your request, you provided a copy of the 2009 General Permit for Discharges of Stormwater from Construction Activities (General Permit) coverage letter issued by the Virginia Department of Environmental Quality (DEQ), dated June 30, 2014 (#VAR10F362).

We have reviewed your request and have determined that the land-disturbing activities that obtained initial coverage under the 2009 General Permit prior to July 1, 2014, qualify under the "Time Limits" provision in SWMO §124-1-11.A, and may be conducted in accordance with the technical criteria in Article 5 of the SWMO for two additional state permit cycles, subject to the following:

- Continued coverage under the 2014 Virginia Pollution Discharge Elimination System (VPDES) General Permit is obtained;
- Coverage under the VPDES General Permit is continuously maintained, until all land-disturbing activities are completed and final stabilization is achieved;
- All development-wide, post-construction stormwater management measures included in the Stormwater Pollution Prevention Plan (SWPPP) for the land-disturbing activities are installed prior to the completion of construction to ensure compliance with the technical criteria in Article 5 of the SWMO; and
- Any portions of the project not under construction at the end of the 2019 VPDES General Permit (i.e., June 30, 2024) shall become subject to any new technical criteria adopted by the State Water Control Board and in effect at that time.

This determination is based on the Time Limits and Grandfathering provisions in the SWMO, adopted pursuant to the Virginia Stormwater Management Act (Va. Code Ann. § 62.1-44.15:24,

Department of Public Works and Environmental Services  
Land Development Services, Site Development and Inspections Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720 • TTY 703-324-1877 • FAX 703-653-1782



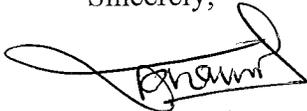
et seq.) and Virginia Stormwater Management Program (VSMP) Permit Regulations (9VAC25-870 et seq.); and DEQ Guidance Memo No. 14-2014, dated August 25, 2014 (available on DEQ's website at: <http://www.deq.virginia.gov/Portals/0/DEQ/Water/Guidance/142014.pdf>). The land-disturbing activities qualify under the "Time Limits" provision in SWMO §124-1-11.A because coverage under the General Permit had been obtained prior to July 1, 2014.

Please ensure that a copy of this letter is made a part of any subsequent plan submissions. This determination in no way relieves you of any SWMO requirement. It does confirm that the project may meet the requirements of the SWMO using the technical criteria in Article 5 in lieu of the technical criteria in Article 4, subject to the conditions listed above. It is the operator's and owner's responsibility to ensure that all necessary approvals and permits are obtained, coverage under the state General Permit is maintained, and the SWPPP for the land-disturbing activities is updated, as necessary, in compliance with the requirements of the General Permit. Please note that the SWMO or this determination does not prevent an applicant from designing to a more stringent standard if they choose to do so.

This determination shall automatically expire, without notice, on June 30, 2024, unless all portions of the project have been completed or are under construction. After that time, any portions of the project not under construction shall become subject to any new technical criteria adopted by the State Water Control Board and in effect at that time.

If further assistance is desired, please contact Jeremiah Stonefield, Engineer IV, Site Code Research and Development Branch (SCRD), at 703-324-1780.

Sincerely,



Durga Kharel, P.E.  
Chief, Central Branch  
Site Development and Inspections Division (SDID)

cc: Jack Weyant, Director, Site Development and Inspections Division, LDS, DPWES  
Paul Shirey, Director, Code Development and Compliance Division, LDS, DPWES  
Jeremiah Stonefield, Engineer IV, SCR D, CDCD, LDS, DPWES  
DPWES File



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** February 19, 2015

**TO:** Mary Ann Tsai, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Mohan Bastakoti, P.E., Senior Engineer III   
South Branch  
Site Development and Inspections Division  
Department of Public Works and Environmental Services

**SUBJECT:** RZ 2014-SP-015/SE 2014-SP-060(Sunrise Development Inc.) Tax Map#  
078-3-01-0004; LDS Project: 005093-ZONA-001-1

We have reviewed the subject application and offer the following stormwater management comments. The plan qualifies under the "Time Limits" provision in SWMO §124-1-11.A per 0640-SWOD-001-1.

### Chesapeake Bay Preservation Ordinance (CBPO)

There are no Resource Protection Areas on the site.

### Floodplain

There are no regulated floodplains on the site.

### Downstream Drainage Complaints

There is no storm water complaint on file within the property.

### Drainage Diversion

During the development, the natural drainage divide shall be honored. If natural drainage divides cannot be honored, a drainage diversion justification narrative must be provided. The increase and decrease in discharge rates, volumes, and durations of concentrated and non-concentrated Stormwater runoff leaving a development site due to the diverted flow shall not have an adverse impact (e.g., soil erosion; sedimentation; yard, dwelling, building, or private structure flooding; duration of ponding water; inadequate overland relief) on adjacent or downstream properties. (PFM 6-0202.2A)

### Stromwater Quality Control

Water quality controls must be satisfied for this development (PFM 6-0401.2). For this development, the projected total phosphorus runoff pollution load for the proposed development shall be reduced by no less than 40 percent compared to phosphorus loads projected for the development without BMPs.

The applicant has proposed onsite conservation easement, storm filter, vegetated swales and permeable pavement with total phosphorous removal rate of 40.19%.

Stromwater Detention

Detention facilities must be provided in all storm drainage plans proposed for development in the County submitted for review and approval unless waived by the Director.

The applicant has proposed underground detention barrels to meet the detention requirement of PFM. 6-0301.3. The details of routing and sizing computations will be reviewed during site plan review.

Underground barrels shall provide two or more access points, at least one of which shall be a 4-foot x 4-foot access door, double leaf, aluminum, BILCO Model JD-2AL or approved equal, for each major storage chamber or run of pipe for ventilation and cleaning, and be large enough to accommodate cleaning equipment. Access doors installed in areas subject to vehicle loads shall be BILCO Model JD-2AL H 20 or approved equal. Generally, the minimum height where possible, shall be 72 inches, in order to facilitate maintenance.

Downstream Drainage System

According to the applicant, there are two concentrated outfalls and sheet flows from the property. The applicant has shown the point of confluence and extent of review for the concentrated outfalls. The details of the hydrologic and hydraulic computations will be reviewed during site plan review.

Please contact me at 703-324-1739 if you require additional information.

cc: Don Demetrius, Chief, Watershed Evaluation Branch, SPD, DPWES  
Fred Rose, Chief, Watershed Planning & Assessment Branch, SPD, DPWES  
Durga Kharel, Chief, Central Branch, SDID, DPWES





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** March 17, 2015

**TO:** Mary Ann Tsai, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Hugh C. Whitehead, Urban Forester III *HWC*  
Forest Conservation Branch, DPWES

**SUBJECT:** Sunrise Development Inc. 9617 Burke Lake Road  
RZ 2014-SP-015/SE 2014-SP-060

I have reviewed the above referenced Rezoning and Special Exception application, including a Statement of Justification and the GDP/SE Plat stamped as received by the Zoning Evaluation Division on March 6, 2015 and March 10, 2014, respectively; and draft proffers dated March 6, 2015. The following comments are based on this review and a site visit conducted during review of the previously submitted plan for this application.

1. **Comment:** Proposed and existing vegetation is lacking along the west boundary of the site adjacent to Burke Lake Road. Single-family detached residences exist on the opposite side of the road, requiring the subject site to provide transitional screening 2. While the transitional screening requirement can be modified, additional trees or groups of trees should be spaced along this boundary to break up the full view of the site from the single-family detached dwellings on the west side of Burke Lake Road.

**Recommendation:** Require revision of the Landscape Plan to provide additional proposed trees along the Burke Lake Road frontage of the site.

2. **Comment:** Notes on the Landscape Plan request a waiver of the requirement for transitional screening 2, as provided for by ZO 13-305.3 and ZO 13-305-12 (reduced width with 6-foot wall. The transitional screening requirement cannot be waived in this case, but can be modified to the proposed landscaping and preservation of existing vegetation as shown on the Landscape Plan included in the GDP/SE.

**Recommendation:** The language in the Landscape Plan Notes should be revised to request a modification of the requirements for transitional screening 2 to the proposed landscaping and preservation of existing vegetation as shown on the Landscape Plan included in the GDP/SE, as provided for in Section 13-305, paragraphs 3 and 12 of the Zoning Ordinance.

Department of Public Works and Environmental Services  
Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 711, Fax: 703-653-9550  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



Sunrise Development Inc. 9617 Burke Lake Road  
RZ 2014-SP-015/SE 2014-SP-060  
March 17, 2015  
Page 2 of 2

3. **Comment:** Proposed planting on the east side of the site, below the retaining walls, is largely comprised of Category II evergreen and deciduous trees. Because the building is positioned about 30 feet higher than the single-family residences to the east, taller trees would be more effective in screening the site.

**Recommendation:** Require a higher percentage of Category III and IV trees below the retaining walls on the east side of the proposed building to more effectively screen the site from the single-family residences to the east.

If there are any questions or further assistance is desired, please contact me at (703)324-1770.

HCW/  
UFMDID #: 195100

cc: DPZ File





# FAIRFAX COUNTY PARK AUTHORITY



## M E M O R A N D U M

**TO:** Barbara Berlin, AICP, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Sandy Stallman, AICP, Manager  
Park Planning Branch, PDD 

**DATE:** November 12, 2014

**SUBJECT:** RZ 2014-SP-015, Sunrise Development  
Tax Map Number: 78-3 ((1)) 4

### **BACKGROUND**

The Park Authority staff has reviewed the proposed Development Plan dated July 18, 2014, for the above referenced application. The Development Plan shows an assisted living facility on a five-acre parcel to be rezoned from R-1 to R-3.

### **COMPREHENSIVE PLAN GUIDANCE**

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8). Resource protection is addressed in multiple objectives, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

### **ANALYSIS AND RECOMMENDATIONS**

#### Cultural Resources Impact:

The subject parcel contains the historic Silas Burke house, Archaeological Site 44FX2691, dated to 1820, as well as two historic outbuildings, in its historic landscape. It is additionally listed on the Virginia Department of Historic Resources (VDHR) architecture inventory as 029 0171 and has been listed as eligible for inclusion onto the National Register of Historic Places.

Due to the magnitude of the cultural significance of this site, The Park Authority requests a Phase I archaeological survey on the entire property. If significant sites are found, Phase II archaeological testing is recommended in order to determine if sites are eligible for inclusion on the National Register of Historic Places. If sites are found eligible, avoidance or Phase III archaeological data recovery is recommended.

At the completion of any cultural resource studies, the Park Authority requests that the applicant provide two copies (one hard copy, one digital copy) of the archaeology report as well as field notes, photographs, and artifacts to the Park Authority's Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study. Materials can be sent to 2855 Annandale Road Falls Church, VA 20110 for review and concurrence. For artifact catalogues, please include the database in Access™ format, as well as digital photography, architectural assessments, including line drawings. If any archaeological, architectural or other sites are found during cultural resources assessments, the applicant should update files at VDHR, using the VCRIS system.

Please note the Park Authority would like to review and comment on proffers and/or development conditions related to park and recreation issues. We request that draft and final proffers and/or development conditions be submitted to the assigned reviewer noted below for review and comment prior to completion of the staff report and prior to final Board of Supervisors approval.

FCPA Reviewer: Andy Galusha  
DPZ Coordinator: Mary Ann Tsai

Copy: Cindy Walsh, Director, Resource Management Division  
Liz Crowell, Manager, Cultural Resource Management & Protection Section  
Mary Ann Tsai, DPZ Coordinator  
Chron File  
File Copy

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2014-SP-015\RZ 2014-SP-015-FCPA.docx



# County of Fairfax, Virginia

Health Care Advisory Board

## MEMORANDUM

**DATE:** November 19, 2014

**TO:** Distribution

**FROM:** Marlene W. Blum, Chairman  
Health Care Advisory Board (HCAB)

**SUBJECT:** HCAB Public Meeting, Monday, December 8 at 7:30 P.M. in the Fairfax County Government Center, Conference Rooms 9-10, located at 12000 Government Center Pkwy., Fairfax, VA to review the Special Exception (SE) application of Sunrise Development, Inc. to develop Sunrise of Silas Burke House (RZ 2014-SP-015/SE-2014-SP-060), an assisted living facility.

The Health Care Advisory Board (HCAB) will hold a public meeting on Monday, December 8, 2014 at 7:30 P.M. in the Fairfax County Government Center, Conference Rooms 9-10, located at 12000 Government Center Parkway, Fairfax, VA to review the Special Exception application of Sunrise Development, Inc. (RZ 2014-SP-015/SE-2014-SP-060) to develop Sunrise of Silas Burke House, an assisted living facility comprised of up to 82 units, located on the east side of Burke Lake Road, south of the intersection with Shiplett Boulevard and serving the Burke and Springfield community.

As you are aware, the HCAB reviews zoning and special exception applications for medical care facilities from a health care rather than land use perspective, using such criteria as community and medical need, access to care, cost, quality and continuity of care. The HCAB will make recommendations regarding the proposal to the Board of Supervisors and the Planning Commission.

The format of the HCAB's Public Meeting is as follows: the applicant will have 15 minutes to present the proposal; the HCAB will ask questions and discuss the proposal, hear public comment and develop its report. Members of the public are urged to attend and provide comments and will be given three minutes or, if representing an organization, up to five minutes to do so. To be placed on the speakers' list please call HCAB staff at (703) 246-8664 by Friday, December 5. Written comments will be considered if they are received prior to the HCAB meeting. These should be sent to Sherryn Craig, HCAB Staff Coordinator, Health Department, 10777 Main Street, Suite 203, Fairfax, Virginia, 22030. You may also e-mail comments to [sherryn.craig@fairfaxcounty.gov](mailto:sherryn.craig@fairfaxcounty.gov).

**Fairfax County Health Department**

10777 Main Street, Suite 203

Fairfax, VA 22030

Phone: 703-246-2411 TTY: 711

FAX: 703-273-0825

<http://www.fairfaxcounty.gov/hd/hcab/>



If you would like to review the zoning application, you must visit:

Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway  
Fairfax, VA 22035

All other questions or comments should be directed to HCAB staff at (703) 246-8664. Thank you.

cc: Board of Supervisors  
Edward L. Long, County Executive  
Patricia Harrison, Deputy County Executive  
Jill Cooper, Executive Director, Planning Commission  
Peter F. Murphy, Chairman, Planning Commissioner, Springfield District  
Mary Ann Tsai, Office of Comprehensive Planning, Zoning Evaluation Branch  
Sara V. Mariska, Associate, Walsh, Colucci, Lubeley & Walsh P.C.  
Health Care Advisory Board

**Distribution**

Tim Thompson, President, Fairfax County Federation of Citizens Associations  
Julia Jones, Co-President, League of Women Voters of the Fairfax Area  
Helen Kelly, Co-President, League of Women Voters of the Fairfax Area  
Patricia Sanner, Chairman, Health Systems Agency of Northern Virginia  
Nancy Tanchel, MD, President, Medical Society of Northern Virginia  
Gloria Addo-Ayensu, MD, MPH, Director of Health Services  
Rosalyn Foroobar, Deputy Director for Health Services  
Kevin H. Bell, Chairman, Human Services Council  
Michelle Gregory, Staff, Human Services Council  
Ken Garnes, Chairman, Fairfax-Falls Church Community Services Board  
Tisha Deeghan, Executive Director, Fairfax-Falls Church Community Services Board  
Melissa Osborne, Staff, Fairfax-Falls Church Community Services Board  
Sharon Lynn, Director, Fairfax Area Agency on Aging  
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Jacquie Woodruff, Staff, Commission on Aging  
Jerry Hopkins, Chairman, Long Term Care Coordinating Council  
Patricia Rohrer, Staff, Long Term Care Coordinating Council  
Tapan Banerjee, Chairman, Fairfax Area Disability Services Board  
Matthew Barkley, Staff, Fairfax Area Disability Services Board  
Marlae Schnare, Senior Legislative Aide, Office of Supervisor Herrity  
Rosemary Ryan, Senior Staff Assistant, Office of Supervisor John Cook  
Diana Trinh, Office of Chairman Sharon Bulova  
Patricia Maxson, Cardinal Glen Homes Association  
Angela Pilcher, Heatherwood Retirement Community  
Jon Vrana, Burke Historical Society  
Lynne Garvey, History Commission  
Thomas Wilder, Lincolnwood Homeowners Association  
Gale Rogers, Burke Lake Crossing Homeowners Association  
Vicki Hall, Braddock District Land Use Committee  
Bill Holden, White Oaks Civic Association

Garrett McGuire, Office of Delegate Eileen Filler-Corn  
Patrick Gloyd, Burke Center Conservancy  
Pam Phillips, Administrator, Arden Courts of Annandale  
Judy Campanilla, Administrator, Crystal Gardens Assisted Living  
Art Campanilla, Administrator, Crystal Gardens Assisted Living II  
Anita Irvin, Administrator, Arden Courts of Fair Oaks  
Karen Boyce, Administrator, Garden Ridge Assisted Living  
Acting Administrator, Leewood Assisted Living  
Carmen Longchamp, Executive Director, Braddock Glen  
Shannon Yunn, Administrator, Sunrise at George Mason  
Grace Kimball, Administrator, Sunrise of Fairfax  
Antoinette Doublin, Administrator, Sunrise of Springfield  
Priscilla Kneisley, Administrator, Virginian Assisted Living

MWB/sc



# County of Fairfax, Virginia

Health Care Advisory Board

**MEMORANDUM**

**DATE:** January 14, 2015

**TO:** Board of Supervisors

RECEIVED  
Department of Planning & Zoning

**FROM:** Marlene W. Blum, Chairman  
Health Care Advisory Board

JAN 16 2015  
Zoning Evaluation Division

**SUBJECT:** Health Care Advisory Board Review of Sunrise Development, Inc.'s Special Exception (SE) application number (RZ 2014-SP-015/SE-2014-SP-060) to develop the Sunrise at the Silas Burke House assisted living facility (ALF).

On December 8, 2014, the Health Care Advisory Board (HCAB) reviewed the Special Exception (SE) application of Sunrise Development, Inc. (SE-2014- SP-015/SE-2014-SP-060) to develop the Sunrise at the Silas Burke House, an assisted living and memory care unit located on the east side of Burke Lake Road, south of the intersection with Shiplett Boulevard, and serving the Burke and Springfield communities. The HCAB deferred its decision on the project until its January 12 meeting, requesting that the applicant provide additional information regarding the County's 4% low income bed development condition, staffing ratios, residents' safety and security, and medication administration procedures. Sunrise responded to the HCAB's request in writing and appeared at its January 12 meeting to answer additional questions.

As the Board of Supervisors is aware, the Zoning Ordinance specifies that the HCAB review Special Exception applications for medical care facilities. The HCAB reviews these applications from the perspective of financial accessibility to clients, community and medical need, institutional need, cost, proposed staffing levels and qualifications, and financial feasibility.

Edward Burnett, Chief Financial Officer, Sunrise Development, Inc., Juliann Navarrete, Registered Nurse, Registered Assisted Living Nurse, Director of Clinical Education, Sunrise Development, Inc., and Sara V. Mariska, Associate, Walsh, Colucci, Lubeley & Walsh P.C. appeared before the HCAB to present Sunrise's proposal and answer HCAB members' questions.

#### Facility/Program

The Sunrise at the Silas Burke House will be the applicant's 27<sup>th</sup> community in the Washington, D.C. Metropolitan Region. The facility will consist of a three-story, 35,000 square foot ALF with up to 82 units. Half of the units will be dedicated to traditional living, the other half to memory care, subject to market demand. The Sunrise at the Silas Burke House is anticipated to reach stabilized occupancy in 24 months at 93%.

**Fairfax County Health Department**

10777 Main Street, Suite 203

Fairfax, VA 22030

Phone: 703-246-2411 TTY: 711

FAX: 703-273-0825

<http://www.fairfaxcounty.gov/hd/hcab/>



Sunrise cares for many frail residents with a variety of health conditions and co-morbidities. To meet the diverse needs of its residents, Sunrise's Assisted Living neighborhoods offer five separate levels of care. There are additional gradations within the highest, or "enhanced," level of care to allow residents to age in place. Each level of care (and each gradation within the Enhanced care level) is tied directly to an amount of staffing hours required to provide care to a resident on that care level.

Residents living in Sunrise's memory care neighborhoods have documentation of serious cognitive impairments and an associated inability to recognize danger and take measures to protect their own safety and welfare. Memory care neighborhoods offer four separate levels of care. Like the assisted living neighborhoods, there are additional gradations within the highest, or "enhanced," level, which are tied to the number of staff hours required for resident care.

#### Community Need

The applicant identified Burke as an underserved area with "a significant lack of supply to meet the demand" for assisted living and memory care services. The applicant's market analysis "included a review of total overall financial performance, occupancy, rate, expense loads, new and old supply, and strength of team." Sunrise representatives were not able to speak to occupancy levels among other ALFs in the area, but stated that based on an internal market analysis, the average penetration rate for the Washington, DC Metropolitan Statistical Area (MSA) is 9.3% and for Burke, Virginia, using a three mile radius, less than 1%. Nationwide, among 99 MSAs, the average penetration rate is 17.6% with an average occupancy of 90%. Mr. Burnett stated that these numbers suggest the Burke community is an underbuilt market. While Sunrise does not have occupancy data on other ALFs, the company's average is 93.6%.

#### Accessibility

##### *Physical*

The development of the property has been designed to accommodate and preserve the historic Silas Burke House. Located on a WMATA bus route (18R), the property also has direct access to Burke Lake Road and connectivity to Braddock Road and the Capital Beltway (I-495).

##### *Financial*

The pricing model for the Sunrise at the Silas Burke House is not all-inclusive; rates will vary according to residents' acuity, care, and service needs. Monthly charges are estimated between \$5,500 and \$7,000. Different unit types are available to meet budgetary constraints. For example, smaller apartments and semi-private units will be available at a lower price point.

The applicant also confirmed that the Sunrise at the Silas Burke House will participate in the Virginia Department of Social Services' (DSS) Auxiliary Grant Program, committing four percent of its beds (3 beds) for low income residents who cannot afford the facility's market rates.

#### Safety and Security

All Sunrise memory care neighborhoods are fully secured in compliance with all Virginia DSS Assisted Living requirements. All doors leading to areas outside of the memory care neighborhood are equipped with comprehensive security systems including egress alarms

and magnetic locks that only open when staff enters a code. All windows are secured and equipped with protected devices that prevent them from being opened wide enough to allow resident exits. All outdoor areas are fully secured with perimeter fences. Egress alert bracelets are available and may be used for any resident who displays continued intent to exit the secured neighborhood or building without supervision. The egress alert device will trigger an alarm should the resident attempt to exit the building. All doors in the memory care neighborhood signal when they have been breached through both an auditory alarm and to a team member communication device.

Residents are assessed monthly as to their continued need to wear an egress alert device. Sunrise policy is to have the use of an egress alert device approved by the resident's physician and guardian/family member as well as by the regional Vice President of Resident Care. Precautions are taken to lock up/secure ordinary materials or objects that may be harmful to memory care residents. These items are available to residents with memory care staff supervision.

#### Staffing Levels, Qualifications, and Training

Sunrise care services are provided either by Sunrise staff or coordinated with outside partnerships such as physical, occupational, and speech therapies. The Sunrise at the Silas Burke House community will be managed by an Executive Director who will be a licensed Assisted Living Manager in the State of Virginia. The facility will employ seven other department heads, including an assisted living coordinator, memory care coordinator, and health care coordinator. A dedicated care manager will be assigned to each resident and staff will be added as residents' care needs increase. All medical technicians and nursing assistants will be certified by the Virginia Board of Nursing. The applicant estimates the facility will have 100 employees, with 70 of those full-time.

Sunrise uses a variable staffing model in which staffing hours are directly tied to residents' assessed level of care. Registered Nurses (RNs) serve as health care coordinators in all of Sunrise's buildings. RN availability varies by building, but nurses are typically onsite during the days and weekends. In buildings with high acuity residents, nurses are on staff well into the evening. RNs are on call 24 hours a day, 7 days a week. Licensed Practical Nurses (LPNs) are also part of residents' team of care managers. Residents are encouraged to use home health benefits to access occupational, speech, and physical therapy services, and Sunrise will work with residents and their families to access hospice benefits as appropriate.

There are typically three shifts in a Sunrise Community: a day shift (6 am – 2 pm), an afternoon shift (2 pm – 10 pm), and a night shift (10 pm – 6 am). The average number of employees per shift will range between 25 and 30. The residents-to-caregiver ratio will vary by residents' acuity, but is estimated at five-to-one among Assisted Living neighborhoods and four-to-one for Memory Care.

In addition to direct caregivers, Sunrise offers three levels of medication assistance (independent, with assistance, and memory care) based upon the number and type of medications a resident takes and the amount of time required to manage and administer these medications. Medications are most often administered by Medication Care Managers (MCM). These individuals are registered as medication aides with the Virginia Board of Nursing. To become a MCM, an individual must be either a Certified Nursing Assistant or complete the Direct Care training course developed by the DSS. The applicant stated that Sunrise is a DSS-approved course provider.

The course encompasses 40 hours of classroom didactic training, 20 hours of hands-on shadowing and practice, and eight hours of training related to insulin administration. Following the training, individuals must pass an examination administered by the Board of Nursing and register with the State. MCMs are also required to have 20 hours of continuing education annually, which Sunrise provides. RNs and other LPNs employed by the community may also administer medications. These providers are not required to complete state training as medication administration falls within the scope of practice allowed by their license.

Memory Care MCM allocations are higher than Assisted Living allocations because of the additional time required to administer medications to these residents. According to the applicant, Sunrise is moving toward automated medication administration, which is common in skilled nursing facilities, as a way to resolve medication errors. Sunrise is also piloting other pharmacy models. The ability to provide smaller quantities of medications will help Sunrise improve on medication storage.

#### Recommendation

Based on the information provided by Sunrise Development, Inc., the HCAB felt that the applicant had demonstrated a need for the development of an assisted living and memory care facility in the Burke and Springfield communities. The HCAB finds the application reasonable in terms of access, need, quality, operations, and financial accessibility (based on the applicant's participation in the Auxiliary Grant program). Therefore, the HCAB recommends that the Board of Supervisors support the applicant's proposal to build the Sunrise at the Silas Burke House.

Should the Board have further questions, please contact the HCAB. Thank you.

cc: Ed Long, County Executive  
Patricia Harrison, Deputy County Executive  
Gloria Addo-Ayensu, MD, MPH, Director of Health Services  
Rosalyn Foroobar, Deputy Director for Health Services  
Sharon Arndt, Director of Community Health Development and Preparedness  
Planning Commission  
Jill Cooper, Executive Director, Planning Commission  
Mary Ann Tsai, Office of Comprehensive Planning, Zoning Evaluation Branch  
Marlae Schnare, Senior Legislative Aide, Office of Supervisor Herrity  
Rosemary Ryan, Senior Staff Assistant, Office of Supervisor John Cook  
Diana Trinh, Office of Chairman Sharon Bulova  
Sara V. Mariska, Associate, Walsh, Colucci, Lubeley & Walsh P.C.  
Health Care Advisory Board

## GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

**ABANDONMENT:** Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

**ACCESSORY DWELLING UNIT (OR APARTMENT):** A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

**AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT:** Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

**AGRICULTURAL AND FORESTAL DISTRICTS:** A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

**BARRIER:** A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

**BEST MANAGEMENT PRACTICES (BMPs):** Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

**BUFFER:** Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

**CHESAPEAKE BAY PRESERVATION ORDINANCE:** Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

**CLUSTER DEVELOPMENT:** Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

**COUNTY 2232 REVIEW PROCESS:** A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

**dba:** The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

**DENSITY:** Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

**DENSITY BONUS:** An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

**DEVELOPMENT CONDITIONS:** Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

**DEVELOPMENT PLAN:** A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

**EASEMENT:** A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

**ENVIRONMENTAL QUALITY CORRIDORS (EQCs):** An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

**ERODIBLE SOILS:** Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

**FLOODPLAIN:** Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

**FLOOR AREA RATIO (FAR):** An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

**FUNCTIONAL CLASSIFICATION:** A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

**GEOTECHNICAL REVIEW:** An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

**HYDROCARBON RUNOFF:** Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

**IMPERVIOUS SURFACE:** Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

**INFILL:** Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

**INTENSITY:** The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

**Ldn:** Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

**LEVEL OF SERVICE (LOS):** An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

**MARINE CLAY SOILS:** Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

**OPEN SPACE:** That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

**OPEN SPACE EASEMENT:** An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

**P DISTRICT:** A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

**PROFFER:** A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

**PUBLIC FACILITIES MANUAL (PFM):** A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

**RESOURCE MANAGEMENT AREA (RMA):** That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**RESOURCE PROTECTION AREA (RPA):** That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**SITE PLAN:** A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

**SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP):** Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

**STORMWATER MANAGEMENT:** Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

**SUBDIVISION PLAT:** The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

**TRANSPORTATION DEMAND MANAGEMENT (TDM):** Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

**TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS:** This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

**URBAN DESIGN:** An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

**VACATION:** Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

**VARIANCE:** An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

**WETLANDS:** Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

**TIDAL WETLANDS:** Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

#### Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		