



County of Fairfax, Virginia

2015 Planning Commission

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July 14, 2015

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

RE: FDPA 2002-MV-040-02 – Lorton AL Investors, LLC
Mount Vernon District

Dear Ms. Strobel:

At its July 8, 2015 meeting, the Planning Commission voted 8-0 (Commissioner Sargeant recused himself from the hearing. Commissioners Lawrence, Murphy, and Strandlie were absent from the meeting) to **APPROVE** FDPA 2002-MV-040-02, subject to the development conditions dated June 24, 2015, as attached.

Enclosed for your records is a copy of the verbatim of the Commission's action on this matter. Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,


John W. Cooper, Clerk to the
Fairfax County Planning Commission

Attachments (a/s)

cc: Gerald Hyland, Supervisor, Mount Vernon District
Earl Flanagan, Planning Commissioner, Mount Vernon District
Carmen Bishop, Staff Coordinator, ZED, DPZ
✓ Robert Harrison, ZED, DPZ
July 8, 2015 date file

 To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.

Fairfax County Planning Commission
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PROPOSED DEVELOPMENT CONDITIONS

FDPA 2002-MV-040-02

June 24, 2015

If it is the intent of the Planning Commission to approve FDPA 2002-MV-040-2 for a medical care facility located at Tax Map 107-1 ((7)) E, pursuant to Sect. 16-402 of the Fairfax County Zoning Ordinance, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions:

1. This approval is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Final Development Plan Amendment (FDPA) approved with the application, as qualified by these development conditions.
2. This FDPA is subject to the provisions of Article 17 of the Zoning Ordinance, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any site plan submitted pursuant to this FDPA shall be in substantial conformance with the approved FDPA titled "The Crossings at Spring Hill, Spring Hill Senior Campus, Parcel 'E'" prepared by Bowman Consulting, dated November 10, 2014, as revised through May 13, 2015, and these conditions. Minor modifications to the approved FDPA may be permitted pursuant to Sect. 16-403 of the Zoning Ordinance.
3. The Applicant shall provide landscaping in substantial conformance with the FDPA. The exact number and spacing of trees and other plant material shall be submitted at the time of site plan review and shall be subject to review and approval of the Urban Forest Management Division, DPWES.
4. The architectural design, building configuration and materials, landscaping and landscape features, grading and paving shall be subject to the review and approval of the Fairfax County Architectural Review Board as stipulated by Article 7, Part 2, of the Zoning Ordinance.
5. There shall be a maximum of 27 employees per shift and a maximum of 117 residents. The number of employees may be increased if the minimum parking requirements for a medical care facility in Article 11 of the Zoning Ordinance are met, and subject to approval of a parking tabulation by the Department of Public Works and Environmental Services. However, there shall be no increase permitted to the proposed 68 parking spaces.
6. The Applicant shall maintain four (4) assisted living units for residents who are eligible for the Virginia Department of Social Services' Auxiliary Grant Program (the "Affordable Units"). If, in consultation with the directors and care coordinators at the Applicant's facility, a physician determines that it is necessary for an assisted living resident in the Affordable Units to receive memory care services, the Applicant shall

implement a transition plan, as outlined below, to ensure that the resident has the opportunity to receive memory care services at a licensed facility. The transition plan shall be implemented at the time the determination is made that the resident requires memory care services as follows:

- A. If the resident resided in the independent senior living or active adult housing at the Spring Hill Senior Campus before moving into an Affordable Unit at the Applicant's facility, then the resident shall be transferred to a memory care unit at the facility and shall receive all necessary memory care services on a permanent basis. The resident's memory care unit will be deemed to be one of the four Affordable Units under the terms of this condition.
- B. If the resident did not reside in the independent senior living or active adult housing at the Spring Hill Senior Campus before moving into an Affordable Unit at the Applicant's facility, then:
 - i. The resident shall be transferred to a memory care unit at the facility on a temporary basis and will receive all necessary services while residing in the memory care unit until such time as a transfer to another facility can be arranged. During that time, the resident's memory care unit will be deemed to be one of the four Affordable Units under the terms of this condition.
 - ii. The Applicant will coordinate efforts with the resident's family and/or responsible party and Fairfax County Community Based Services personnel to facilitate the application process to establish Medicaid eligibility.
 - iii. The Health Care Coordinator at the facility will work with Fairfax County personnel to determine eligibility for appropriate placement through the Medicaid pre-admission screening process. The facility will provide the family and/or responsible party with at least two (2) possible skilled nursing facilities within a ten (10) mile radius of the Applicant's facility to which the resident could transition. The facility's personnel would also provide guidance on the various factors to consider during the decision making process.
 - iv. The resident shall be entitled to remain at the Applicant's facility in an Affordable Unit with all necessary memory care services until such time as the resident has been deemed to be eligible for Medicaid and has been officially offered residency in a skilled nursing facility.

- v. The Applicant shall not be required to offer an Affordable Unit to a new resident until after the resident requiring memory care services under the terms of this condition has left the Applicant's facility.
7. Trash and/or recycling collection shall be limited to the hours of 8:00 a.m. to 6:00 p.m., Monday through Friday, unless unusual circumstances, such as emergencies, atypical weather or traffic conditions require collection outside of these days and times. No weekend pickups shall be allowed.
8. Food and linen delivery hours shall be restricted to 8:00 a.m. to 6:00 p.m., Monday through Friday, unless unusual circumstances, such as emergencies, atypical weather or traffic conditions require delivery outside of these days and times.
9. In accordance with Proffer 5.b.iii. for the Spring Hill Senior Campus; the Applicant shall accommodate the following on-site amenities that shall be made available to the residents of the Application property and all Independent Senior Living residents of the Spring Hill Senior Campus. A separate fee may be applied, as appropriate.
 - A. A congregate dining facility.
 - B. An on-site library area.
 - C. A beauty/barber salon area.
 - D. Outdoor garden/meditation areas.
 - E. An on-site postal center.
 - F. Arts, crafts and multi-purpose room available for organized social, educational and recreational activities. Multi-purpose room(s) within the assisted living facility will also be available for on-site programs (County sponsored and other) which are offered for the benefit of the entire age-restricted community.
10. In order to reduce interior noise to a level of approximately DNL 45 dBA, units within the highway noise impact zone of DNL 65-70 dBA (within 137 feet from the centerline of Silverbrook Road and where upper stories are proposed within 172 feet from the centerline of Silverbrook Road) shall be constructed with the following acoustical treatment measures if not otherwise shielded from noise impacts by other residential units:
 - A. Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.
 - B. Doors and windows shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20% of any façade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the windows should have a STC rating of at least 39. However, the Applicant may elect to have a refined acoustical analysis performed to determine minimum STC ratings for exterior walls, windows and doors, and the STC rating specifications may be reduced based on this analysis as determined

appropriate by DPWES.

- C. All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.
11. After construction, the proposed building will obtain an ENERGYSTAR qualified senior care facility rating. In addition to the commitment to ENERGYSTAR, the following green building technology and strategies will be incorporated into the building, and proof of each shall be demonstrated to the Environment and Development Review Branch (EDRB) of the Department of Planning and Zoning, prior to final bond release. Additionally, the ENERGYSTAR senior care facility rating will be reported to EDRB prior to final bond release.
- A. A LEED-accredited professional will be included as a member of the design team. The LEED-accredited professional will work with the team to incorporate sustainable design elements and innovative technologies into the project. At the time of site plan submission, documentation will be provided to the EDRB demonstrating compliance with the commitment to engage such a professional.
 - B. The Applicant shall install ultralow-flow plumbing fixtures throughout the building with the maximum water usage as listed below. In addition, motion sensor faucets and flush valves shall be installed in public area restrooms. Proof of installation and manufacturers' product data shall be provided to the EDRB.

Water Closet (gallons per flush, gpf) = 1.28
Urinal (gpf) = 0.5
Showerheads (gallons per minute, gpm) = 2.0 (when measured at a flowing pressure of 80 pounds per square inch, psi)
Lavatory faucets (gpm) = 1.5 (when measured at a flowing water pressure of 60 psi)
Kitchen and janitor sink faucets (gpm) = 2.20
Metering faucets (gpm) = 0.25
 - C. An area for the separation, collection and storage of glass, paper, metal, plastic and cardboard generated by both residents and employees shall be provided. There shall be a dedicated area on the Application Property for the storage of the recycled materials. The Applicant shall provide proof of installation, installation locations, and a copy of the Applicant's hauling contract to the EDRB.
 - D. Carbon dioxide (CO₂) monitors with demand control mechanical ventilation shall be installed. CO₂ monitors shall be located in all occupied spaces with a design occupancy of 25 or more people per 1,000 square feet. Monitors shall be located between 3 and 6 feet above the floor. All monitoring equipment

shall be configured to generate increased ventilation to restore proper ventilation levels per ASHRAE62.1-2013, or its equivalent. Proof of installation, the manufacturers' product data and installation locations shall be provided to the EDRB.

- E. LED or fluorescent lamps shall be incorporated 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.
- F. Energy Star appliances and equipment shall be installed for all refrigerators, dishwashers, water heaters, computers, monitors, televisions, vending machines, water coolers, and other appliances and office equipment (if available). Proof of installation, installation locations and manufacturers' product data, including the Energy Star energy guide, shall be provided to the EDRB.
- G. The Applicant shall have a construction waste management plan that consist 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.
- H. The Applicant shall use low-emitting materials for all adhesives, sealants, paints, coatings, flooring systems, composite wood, and agrifiber products, as well as furniture and furnishings if available – to be written as it pertains to the specific case. 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 manufacturers' product data to the EDRB.

- I. The Applicant shall install carpet and carpet padding that shall meet the testing and product requirements of the Carpet and Rug Institute Green Label Plus Program. The Applicant shall provide proof of installation and the manufacturers' product data to the EDRB.
- J. The Applicant shall not use any particle board, medium density fiberboard (MDF), plywood, wheatboard, strawboard, or panel substrates on the interior of the building which contain urea formaldehyde resins. The Applicant shall provide proof of installation and the manufacturers' product data to the EDRB.

12. All signage shall conform to Article 12 of the Zoning Ordinance. Signage is subject to review and approval by the Fairfax County Architectural Review Board as stipulated by Article 7, Part 2, of the Zoning Ordinance.

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.

Planning Commission Meeting
July 8, 2015
Verbatim Excerpt

FDPA 2002-MV-040-02 LORTON AL INVESTORS, LLC (Mount Vernon)

After Close of the Public Hearing.

Vice Chairman de la Fe: The public hearing is closed. This is in the Mount Vernon District, Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. I've already had the applicant, you know, confirm their agreement with the conditions so at this point I MOVE THAT THE PLANNING COMMISSION APPROVE THE FINAL DEVELOPMENT PLAN AMENDMENT 2002-MV-040-02 SUBJECT TO THE CONDITIONS DATED JUNE 24, 2015.

Commissioner Heditniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioner Heditniemi. Is there any discussion? Hearing and seeing none all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

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(The motion carried by a vote of 8-0. Commissioner Sargent recused himself from the public hearing. Commissioners Lawrence, Murphy, and Strandlie were absent from the meeting.)

TMW