



APPLICATION ACCEPTED: December 7, 2015
PLANNING COMMISSION: June 16, 2016
BOARD OF SUPERVISORS: TBD

County of Fairfax, Virginia

May 31, 2016

STAFF REPORT

APPLICATIONS PCA 84-P-114-04 / SEA 84-P-129-04

SPRINGFIELD DISTRICT



WS

APPLICANT: Arden Courts – Fair Oaks of Fairfax VA, LLC

EXISTING/PROPOSED ZONING: R-5, HC, WS

PARCEL: 45-4 ((1)) 6B

ACREAGE: 8.98 acres

PLAN MAP: Fairfax Center, Residential up to 6 du/ac at the Overlay Level

FAR: 0.25

SE CATEGORY: Category 3 – Medical care facilities

PROPOSAL: To permit an 8-bed expansion to the existing assisted living facility

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 84-P-114-04, subject to the execution of proffers consistent with the draft proffers contained in Appendix 1.

Staff recommends approval of SEA 84-P-129-04, subject to the development conditions contained in Appendix 2 and the Board's approval of the associated PCA.

Staff recommends approval of the modification of the transitional screening and waiver of the barrier requirements of Sects. 13-303 and 304 of the Zoning Ordinance, in favor of the landscaping shown on the GDP/SEA Plat.

Carmen Bishop, AICP

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz



Staff recommends approval of an increase in fence height above seven feet pursuant to Sect. 10-104 (3)(H) of the Zoning Ordinance to permit an eight-foot high fence as shown on the GDP/SEA Plat.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the 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 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 easements, 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).

Proffered Condition Amendment

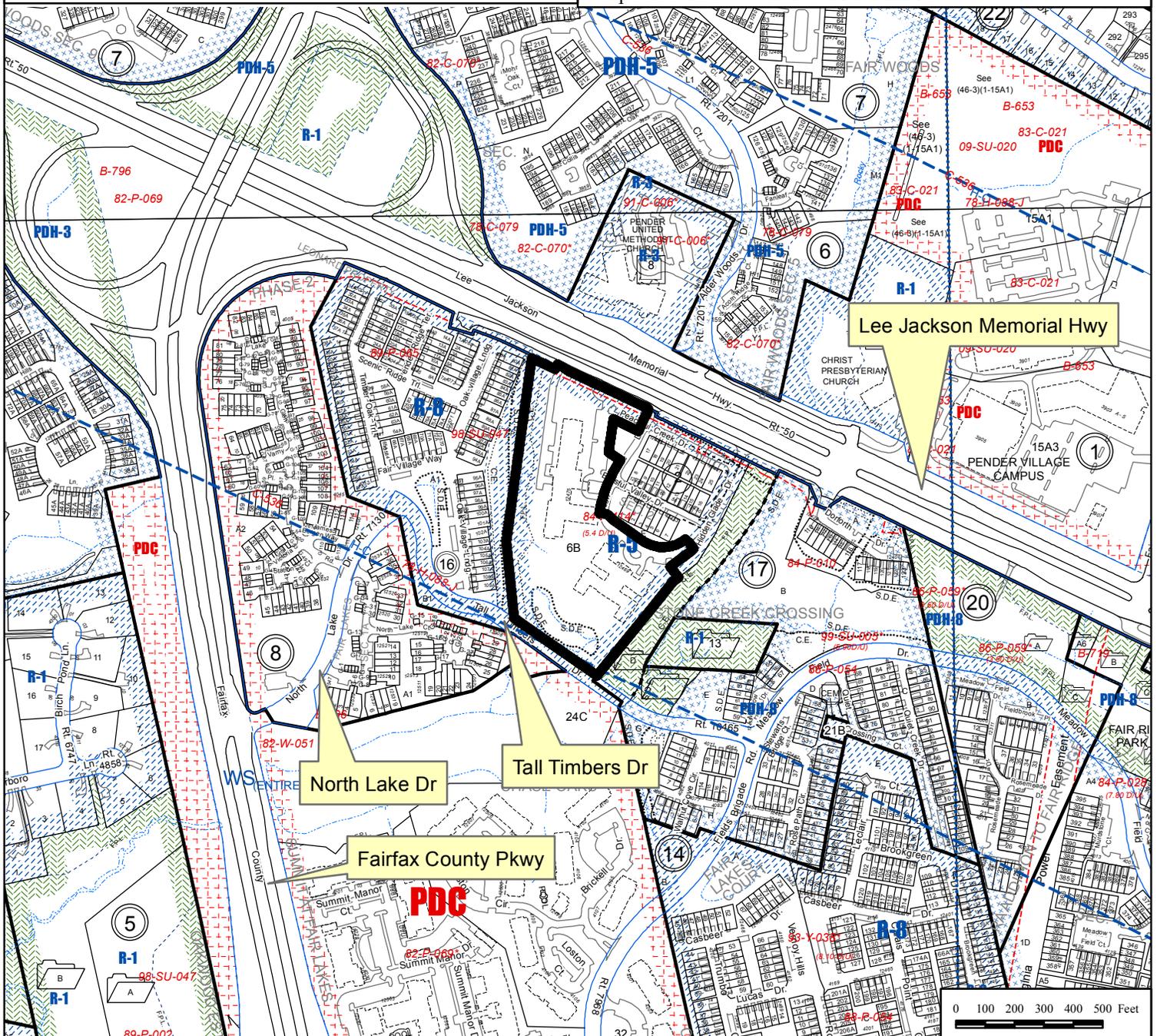
PCA 84-P-114-04

Applicant: ARDEN COURTS - FAIR OAKS OF FAIRFAX VA, LLC
 Accepted: 04/01/2016
 Proposed: AMEND PROFFERS ASSOCIATED WITH RZ 84-P-114
 Area: 8.98 AC OF LAND; DISTRICT - SPRINGFIELD
 Zoning Dist Sect: Located: 12469 LEE JACKSON MEMORIAL HIGHWAY, FAIRFAX, VA 22033
 Zoning: R-5
 Overlay Dist: WS HC
 Map Ref Num: 045-4- /01/ /0006B

Special Exception Amendment

SEA 84-P-129-04

Applicant: ARDEN COURTS - FAIR OAKS OF FAIRFAX VA, LLC
 Accepted: 12/07/2015
 Proposed: AMEND SE 84-P-129 PREVIOUSLY APPROVED FOR HOUSING FOR THE ELDERLY, MEDICAL CARE AND ASSISTED LIVING FACILITIES TO PERMIT SITE MODIFICATIONS AND MODIFICATION OF DEVELOPMENT CONDITIONS
 Area: 8.98 AC OF LAND; DISTRICT - SPRINGFIELD
 Zoning Dist Sect: 03-0504
 Located: 12469 LEE JACKSON MEMORIAL HIGHWAY, FAIRFAX, VA 22033
 Zoning: R-5
 Plan Area: 3,
 Overlay Dist: WS HC
 Map Ref Num: 045-4- /01/ /0006B



ARDEN COURTS-FAIR OAKS OF FAIRFAX VA, LLC

PROFFERED CONDITION AMENDMENT
SPECIAL EXCEPTION AMENDMENT APPLICATION

SEA 84-P-129-04
PCA 84-P-114-

SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA

NOVEMBER 13, 2015
 MARCH 25, 2016
 APRIL 29, 2016
 SHEET INDEX

- C-1 COVER SHEET
- C-2 NOTES AND TABULATIONS
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- C-11 SWM / BMP COMPUTATIONS
- C-12 EXISTING POND COMPUTATIONS
- C-13 EXISTING POND DETAILS
- C-14 EXISTING POND COMPUTATION
- C-15 EXISTING POND ROUTING

APPLICANT

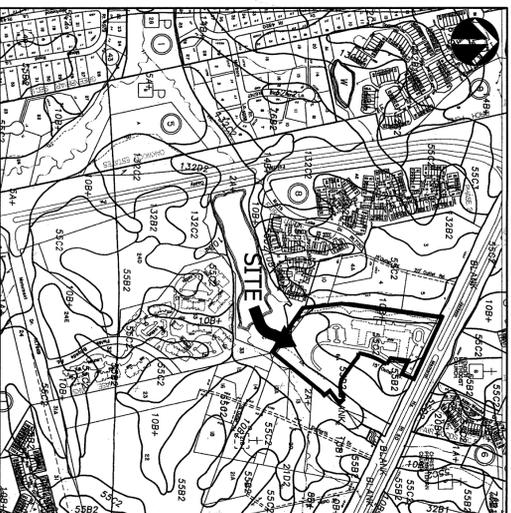
ARDEN COURTS - FAIR OAKS OF
 FAIRFAX, VA
 12469 LEE JACKSON MEMORIAL HWY,
 FAIRFAX, VA 22033
 (419) 252-5958
 CONTACT: PATRICIA MCCORMICK

ATTORNEY

BEAN, KINNEY & KORMAN, P.C.
 2300 WILSON BLVD. 7th
 FLOOR ARLINGTON, VIRGINIA
 22201 (703) 525-4000
 CONTACT: MARK M. VIANI,
 ZACHARY G. WILLIAMS

ENGINEER

VIKI VIRGINIA, LLC.
 8180 GREENSBORO DRIVE
 SUITE 200
 TYSONS, VIRGINIA 22102
 (703) 442-7800
 CONTACT: EDMUND J. IGNACIO, PE



SOILS MAP
 SCALE: 1"=500'
 TM 45-4 ((1)) 68



VICINITY MAP
 SCALE: 1"=500'
 TM 45-4 ((1)) 68



NOTES

1. THE PURPOSE OF THIS APPLICATION IS TO REVISE THE EXISTING 56 BED ASSISTED LIVING FACILITY TO ACCOMMODATE 8 ADDITIONAL BEDS FOR A TOTAL OF 64 BEDS.
2. THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION CONSISTS OF THE PARCEL IDENTIFIED ON THE FAIRFAX COUNTY TAX ASSESSMENT MAP AS 45-4-(11)-68. THE PROPERTY IS OWNED BY HOP PROPERTIES - FAIR OAKS OF VIRGINIA, LLC BY WAY OF NAME CHANGE FROM 539 HOR PROPERTIES - FAIR OAKS OF FAIRFAX VA, LLC AS SHOWN IN DEED BOOK 19747 AND PAGE 1483 ON THE LAND RECORDS OF FAIRFAX COUNTY. THE PROPERTY IS CURRENTLY ZONED R-5.
3. THE TOPOGRAPHY SHOWN HEREON WAS ORIGINALLY FIELD RUN AND COMPILED FROM PLANS OF RECORD. THE CONTOUR INTERVAL IS TWO (2) FEET AND THE HORIZONTAL DATUM IS VIRGINIA STATE GRID NORTH.
4. BOUNDARY INFORMATION PREVIOUSLY PREPARED BY VIK A, INC.
5. THE PROPERTY IS LOCATED ON LAND UNIT E, SUB UNIT E-1 OF THE FAIRFAX CENTER AREA OF THE FAIRFAX COUNTY COMPREHENSIVE PLAN.
6. PUBLIC WATER AND SANITARY SEWER ARE AVAILABLE. THE PROPOSED ADDITIONS WILL BE CONNECTED TO THE EXISTING BUILDING SERVICES.
7. STORMWATER MANAGEMENT FACILITIES ARE CURRENTLY PROVIDED IN THE SOUTH WEST CORNER OF THE SITE IN AN EXISTING DRY POND AND WILL BE MAINTAINED ACCORDING TO THE APPLICABLE ORDINANCES AND PRACTICES OF FAIRFAX COUNTY UNLESS WAIVED OR MODIFIED BY THE DIRECTOR OF DPW & ES. THE EXISTING STORM DRAINAGE FACILITIES ARE ADEQUATE TO CONVEY THE MINIMAL INCREASE IN RUNOFF DUE TO THE ADDITIONAL IMPERVIOUS AREA. THE EXISTING OUTFALL IS ADEQUATE FOR THIS SLIGHT INCREASE.
8. TO THE BEST OF OUR KNOWLEDGE, NO GRAVE SITES OR STRUCTURES MARKING A BURIAL SITE ARE PRESENT ON THE SUBJECT PROPERTY.
9. TO THE BEST OF OUR KNOWLEDGE, NO HAZARDOUS OR TOXIC SUBSTANCES ARE KNOWN TO EXIST ON THE SUBJECT PROPERTY.
10. A SKILLED NURSING FACILITY AND ASSISTED LIVING FACILITY CURRENTLY EXIST ON THE PARCEL.
11. THE ENTIRE SUBJECT PROPERTY IS LOCATED WITHIN AN RMA ZONE. A PORTION OF THE AREA PREVIOUSLY REMOVED FROM THE APPLICATION AREA IS SITUATED IN FLOOD ZONE "A" (SPECIAL FLOOD HAZARD ZONING) AND IS SHOWN ON FLOOD INSURANCE RATE MAP OF FAIRFAX COUNTY, VIRGINIA, NUMBERED 5-525-0025D DATED MARCH 3, 1990. RPA AND EOC AREAS EXIST ON THE SITE AS DELINEATED.
12. THERE IS AN EXISTING 8' WALK SHOWN ALONG THE LEE JACKSON MEMORIAL HIGHWAY FRONTAGE OF THIS PROPERTY AND AN 8' MULCH STREAM VALLEY TRAIL ALONG THE SOUTH EAST PROPERTY LINE. NO ADDITIONAL IMPROVEMENTS ARE PROPOSED OR ARE REQUIRED TO MEET THE REQUIREMENTS OF THE FAIRFAX COUNTY COMPREHENSIVE TRAILS PLAN.
13. THE PROPOSED ADDITIONS ARE LOCATED WITHIN THE PREVIOUSLY ESTABLISHED LIMITS OF CLEARING AND GRADING.
14. DEVELOPMENT WILL COMMENCE UPON COMPLETION OF REQUIRED FAIRFAX COUNTY PLAN PROCESSING AND APPROVALS.
15. THE DEVELOPMENT CONFORMS TO THE PROVISIONS OF ALL APPLICABLE STANDARDS WITH THE EXCEPTION OF WAIVERS AND MODIFICATIONS REQUESTED BELOW.
16. LANDSCAPED OPEN SPACE AREAS SHOWN HEREON MAY BE MODIFIED AT THE TIME OF FINAL ENGINEERING, SO LONG AS THE AREA OF LANDSCAPED OPEN SPACE AND THE NUMBER OF PLANTS IS NOT DIMINISHED.
17. THE FOOTPRINTS REPRESENTED HEREON ARE APPROXIMATE. BUILDING FOOTPRINTS MAY BE INCREASED OR DECREASED BY UP TO 5.0% IN ACCORDANCE WITH THE ZONING ORDINANCE AND THE NUMBER OF PARKING SPACES OUTSIDE AND IN THE STRUCTURES MAY BE MODIFIED, SO LONG AS THE MINIMUM OPEN SPACE PROVIDED IN THE TABULATION, AND THE AMOUNT OF LANDSCAPING AND PERIPHERAL LOT LINES ARE NOT DIMINISHED. THE APPLICANT RESERVES THE RIGHT TO DEVELOP A LESSER NUMBER OF PARKING SPACES THAN THAT NUMBER SHOWN HEREON. THE NUMBER OF PARKING SPACES SUBJECT TO RESERVATION SHALL BE DETERMINED BY THE APPLICANT AT THE TIME OF THE FINAL ENGINEERING MEETING. THE MINIMUM PARKING REQUIREMENTS SUBJECT TO RESERVATION ARE SET FORTH IN ARTICLE 11 OF THE ZONING ORDINANCE. THE APPLICANT RESERVES THE RIGHT TO PARK THE DEVELOPMENT IN EXCESS OF THAT REQUIRED BY ARTICLE 11 OF THE ZONING ORDINANCE.
18. ADDITIONAL SITE FEATURES SUCH AS PLAZA DEVELOPMENT, GAZEBOS, CORNICES, TRELLISES, ENTRANCE SIGNS, LIGHTS AND/OR WALLS NOT REPRESENTED HEREON MAY BE PROVIDED AS LONG AS DEEMED TO BE IN SUBSTANTIAL CONFORMANCE BY THE ZONING ADMINISTRATOR.
19. THE PROPOSED DEVELOPMENT ON THE SUBJECT PROPERTY WILL NOT POSE ANY ADVERSE EFFECT ON ADJACENT OR NEIGHBORING PROPERTIES.
20. SIGNAGE WILL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 12 OF THE ZONING ORDINANCE UNLESS WAIVED OR MODIFIED BY THE BOARD.
22. THERE ARE NO SCENIC ASSETS OR NATURAL FEATURES ON THIS SITE WORTHY OF DELINEATION.
23. PARKING LOT LANDSCAPING AND TREE COVER REQUIREMENTS WILL BE PROVIDED IN ACCORDANCE WITH Z.O. ARTICLE 13 UNLESS WAIVED BY THE DIRECTOR OF DPW & ES.
24. RETAINING WALL LOCATIONS ARE APPROXIMATE AND SUBJECT TO FINAL ENGINEERING AND GRADING.
25. BICYCLE RACKS WILL BE INSTALLED AS SHOWN ON PCA/SE PLAT. SEE DETAIL, THIS SHEET.
26. ALL STRUCTURES AS SHOWN ON THE SURVEY PLAT EXIST AND SHALL BE INCLUDED AS PART OF THE APPROVAL OF THE PCA/SE APPLICATION.
27. ALL PARKING AND LOADING SHALL MEET THE REQUIREMENTS PER ARTICLE 11 OF THE ZONING ORDINANCE. SEE SHEET C-3.

WAIVERS/MODIFICATIONS REQUESTED

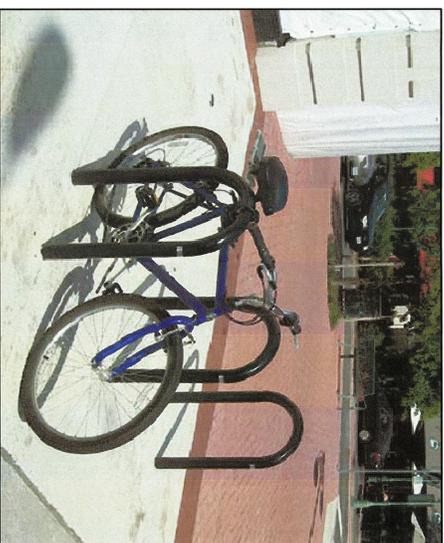
1. RE-AFFIRM 4 WAIVERS APPROVED WITH SEA 84-P-129-02 AND PCA 84-P-114-02.
2. MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS AND WAIVER OF THE BARRIER REQUIREMENTS ALONG THE PERIMETER OF THE SITE AND BETWEEN THE MEDICAL CARE FACILITIES AND THE SINGLE FAMILY UNITS, IN ACCORDANCE WITH THE GENERALIZED DEVELOPMENT PLAN.
3. WAIVER OF THE 800-FOOT MAXIMUM LENGTH REQUIREMENT FOR PRIVATE STREETS FOR THE SINGLE FAMILY ATTACHED DWELLING UNIT PORTION OF THE SITE.
4. MODIFICATION TO THE MAXIMUM FENCE HEIGHT TO 8' AS SHOWN ON THE PCA/SE PLAT.

BMP /STORMWATER MANAGEMENT NARRATIVE

FOR BMP / STORMWATER MANAGEMENT NARRATIVE, SEE SHEET C-10.

LANDSCAPE NARRATIVE

THE PROPOSED ADDITIONS AT THE FOUR CORNERS OF THE EXISTING ASSISTED LIVING FACILITY WILL HAVE MINIMAL IMPACT TO THE EXISTING LANDSCAPING. IF REQUIRED, SHRUBS WILL BE REMOVED DURING CONSTRUCTION AND REPLACED IN KIND. SEE SHEET 7.

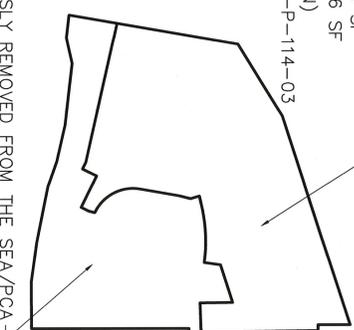


BICYCLE RACK

TOTAL SE 84-P-129-02 SITE AREA
PRIOR TO DEDICATION
16.17 ACRES, 704,365 SF

TOTAL SITE AREA AFTER DEDICATION
14.87 ACRES, 647,682 SF

AREA REMAINING IN THE SEA/PCA
8.98 ACRES, 390,934 SF
(10.28 ACRES, 447,796 SF
PRIOR TO DEDICATION)
SUBJECT TO PCA 84-P-114-03



AREA PREVIOUSLY REMOVED FROM THE SEA/PCA -
5.89 ACRES, 256,748 SF PER
SEA 84-P-129-03 / PCA 84-P-114-03

**SEA AREA EXHIBIT
NOT TO SCALE**

**ARDEN COURTS
FAIR OAKS OF
FAIRFAX VA, LLC**

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

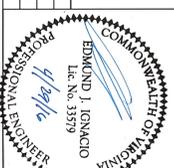
VIKA
ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ 3D LASER SCANNING

VIKA VIRGINIA LLC
8180 GREENSBORO DRIVE SUITE 200 ■ TYSONS, VIRGINIA 22102
(703) 442-7800 ■ FAX (703) 761-2787
WWW.VIKA.COM

**NOTES AND
TABULATIONS**

VIKA REVISIONS

NO.	DATE	DESCRIPTION
2	03/25/16	RESUBMISSION
1	11/13/15	FIRST SUBMISSION
REVISIONS		



2nd SUB.	03/25/2016
DATE:	NOVEMBER 13, 2015
DES.	DMN
MRC	ARC
SCALE:	
PROJECT/FILE NO.	VV5806N
SHEET NO.	C-2

PROFFERED CONDITION AMENDMENTS

PROPOSAL

The purpose of this Special Exception Amendment application is to expand the existing 56 bed assisted living facility to a total of 64 beds as allowed by SF 84-P-199-02. This will be accomplished by four (4) small additions totaling 2,048 square feet of floor area.

APPROVED DEVELOPMENT

SITE AREA:

(447,796 SQUARE FEET) 10.28 A
PRIOR TO DEDICATION
(390,934 SQUARE FEET) 8.98 A
AFTER DEDICATION

APPROVED FLOOR AREA:

111,009 GROSS SQUARE FEET

FAR:

0.25

OPEN SPACE:

195,467 SQUARE FEET 50%

BUILDING HEIGHT ALLOWED:

50 FEET

LOT WIDTH

440'±

EXISTING DEVELOPMENT

SITE AREA:

(447,796 SQUARE FEET) 10.28 A
PRIOR TO DEDICATION
(390,934 SQUARE FEET) 8.98 A
AFTER DEDICATION

FLOOR AREA:

93,431 GROSS SQUARE FEET

FAR:

0.21

OPEN SPACE:

264,266 SQUARE FEET 67.67%

BUILDING HEIGHT:

50 FEET

LOT WIDTH

440'±

PROPOSED DEVELOPMENT

SITE AREA:

(447,796 SQUARE FEET) 10.28 A
PRIOR TO DEDICATION
(390,934 SQUARE FEET) 8.98 A
AFTER DEDICATION

ADDITIONAL FLOOR AREA:

2,648 GROSS SQUARE FEET

TOTAL GROSS FLOOR AREA:

96,079 GROSS SQUARE FEET

FAR:

0.21 (0.25 APPROVED)

OPEN SPACE:

261,575 SQUARE FEET

BUILDING HEIGHT PROPOSED:

17 FEET

LOT WIDTH

440'±

PARKING TABULATION

REQ'D PARKING 1 SPACE/EMPLOYEE = 1 SPACE PER 3 BEDS

PHASE I

EXISTING NURSING FACILITY (120) BEDS
EMPLOYEES 40
SUBTOTAL 30 70

PHASE II

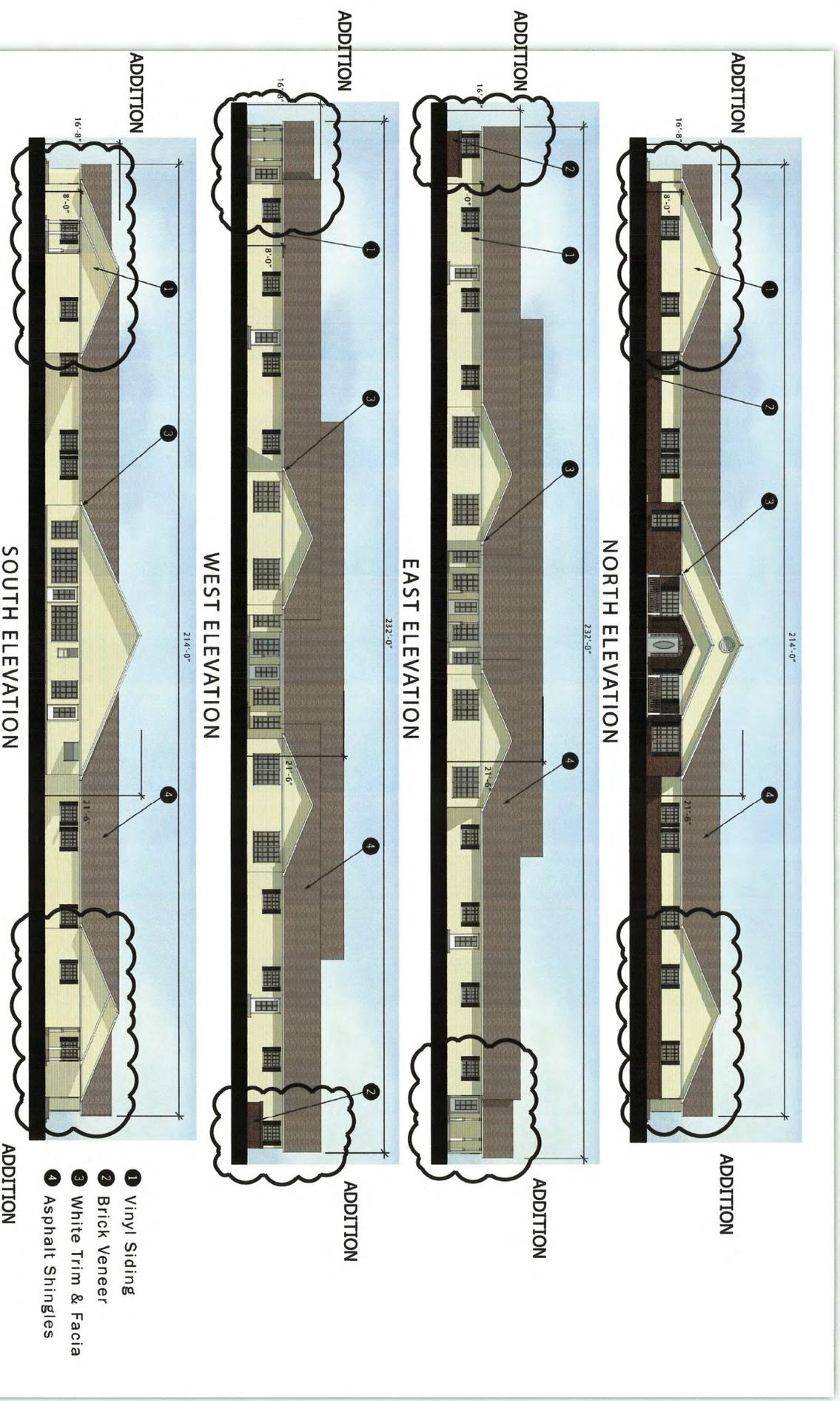
64 BED ASSISTED LIVING FACILITY [1]
EMPLOYEES 22
SUBTOTAL 18 40

PHASE III

DELETED
ATTACHED SKILLED NURSING FACILITY (60) BEDS
EMPLOYEES 20
SUBTOTAL 10 30

PHASE IV

EMPLOYEES 10
SUBTOTAL 30
TOTAL REQUIRED 140
TOTAL PROVIDED 140



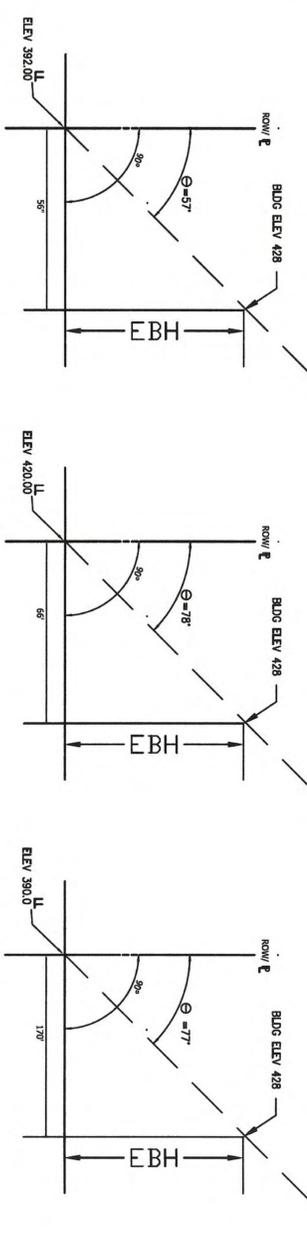
**Manor Care Addition
Fair Oaks**



SIDE

FRONT

REAR



PARKING NOTES:

[1] THE ORIGINAL ASSISTED LIVING FACILITY WAS APPROVED FOR 56 BEDS. THIS APPLICATION INCREASES THE NUMBER TO 64 BEDS AND THREE (3) ADDITIONAL PARKING SPACES HAVE BEEN ADDED FOR THE INCREASE.

TYPICAL PARKING STALL SIZE:
STANDARD:

8.5' X 18' OR 8.5' X 16.5' WHERE OVERHANG PERMITTED

HANDICAP SPACE: SAME AS STD WITH 5' WIDE SIDE SPACE

VAN HANDICAP SPACE: SAME AS STD WITH 8' WIDE SIDE SPACE

NO.	DATE	DESCRIPTION	REVISIONS
2	03/25/16	RESUBMISSION	
1	11/13/15	FIRST SUBMISSION	

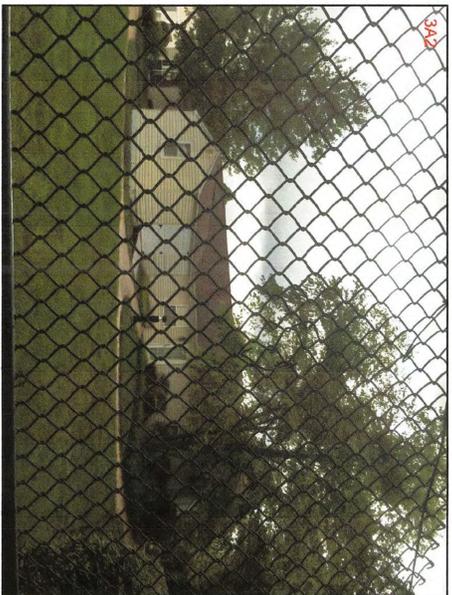


NOTES, TABULATIONS AND ARCHITECTURALS

**ARDEN COURTS
FAIR OAKS OF
FAIRFAX VA, LLC**
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

V I K A
ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ 3D LASER SCANNING

V I K A VIRGINIA LLC
8180 GREENSBORO DRIVE SUITE 200 ■ TYSONS, VIRGINIA 22102
(703) 442-7800 ■ FAX (703) 761-2787
WWW.VIKA.COM



NOTES:
1. ALL PHOTOS SHOWN HEREON WERE TAKEN JULY 15TH, 2015.

2	03/25/16	RESUBMISSION
1	11/13/15	FIRST SUBMISSION
NO.	DATE	DESCRIPTION
REVISIONS		

2nd SUB.	03/25/2016
DATE	NOVEMBER 13, 2015
DWG	DWN
MRC	ARC
SCALE:	
PROJECT/FILE NO.	V5808N
SHEET NO.	C-5

PICTURE EXHIBIT

**ARDEN COURTS
FAIR OAKS OF
FAIRFAX VA, LLC**
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ 3D LASER SCANNING

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PROFFERED CONDITION AMENDMENTS

PROPOSAL

The purpose of this Special Exception Amendment application is to expand the existing 56 bed assisted living facility to a total of 64 beds as allowed by SF 84-P-129-02. This will be accomplished by four (4) small additions totaling 2,648 square feet of floor area.

APPROVED DEVELOPMENT

SITE AREA: (447,796 SQUARE FEET) 10.28 A
PRIOR TO DEDICATION
(990,994 SQUARE FEET) 8.98 A
AFTER DEDICATION

APPROVED FLOOR AREA: 111,009 GROSS SQUARE FEET

FAR: 0.25

OPEN SPACE: 195,469 SQUARE FEET 50%

BUILDING HEIGHT ALLOWED: 50 FEET

LOT WIDTH: 440' ±

EXISTING DEVELOPMENT

SITE AREA: (447,796 SQUARE FEET) 10.28 A
PRIOR TO DEDICATION
(990,994 SQUARE FEET) 8.98 A
AFTER DEDICATION

FLOOR AREA: 93,431 GROSS SQUARE FEET

FAR: 0.21

OPEN SPACE: 264,262 SQUARE FEET 67.67%

BUILDING HEIGHT: 50 FEET

LOT WIDTH: 440' ±

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ADDITIONAL FLOOR AREA: 2,648 GROSS SQUARE FEET

TOTAL GROSS FLOOR AREA: 96,079 GROSS SQUARE FEET

FAR: 0.21 (0.25 APPROVED)

OPEN SPACE: 261,575 SQUARE FEET

BUILDING HEIGHT PROPOSED: 17 FEET

LOT WIDTH: 440' ±

PARKING TABULATION

REQD PARKING 1 SPACE/EMPLOYEE = 1 SPACE PER 3 BEDS

PHASE I EXISTING NURSING FACILITY (120) BEDS
EMPLOYEES 40
SUBTOTAL 30

PHASE II 64 BED ASSISTED LIVING FACILITY [1]
EMPLOYEES 22
SUBTOTAL 18

PHASE III DELETED
EMPLOYEES 20
SUBTOTAL 10

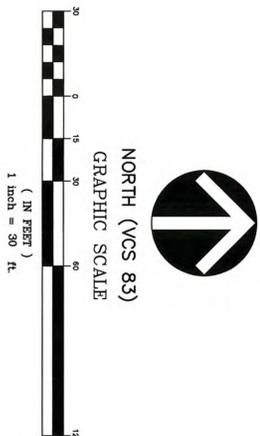
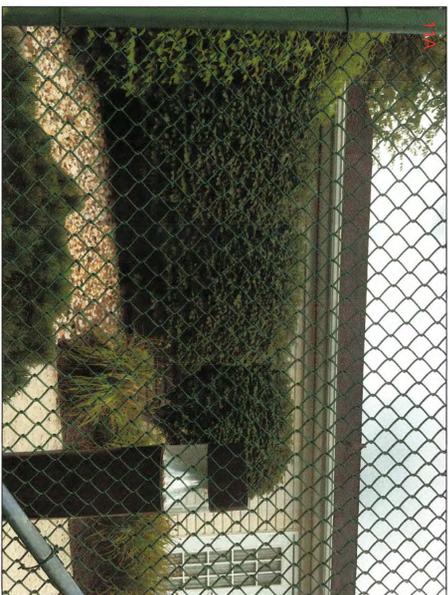
PHASE IV ATTACHED SKILLED NURSING FACILITY (60) BEDS
EMPLOYEES 10
SUBTOTAL 30

TOTAL REQUIRED 140

TOTAL PROVIDED 140

PARKING NOTES:

[1] THE ORIGINAL ASSISTED LIVING FACILITY WAS APPROVED FOR 56 BEDS. THIS APPLICATION INCREASES THE NUMBER TO 64 BEDS AND THREE (3) ADDITIONAL PARKING SPACES HAVE BEEN ADDED FOR THE INCREASE.



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1	11/13/15	FIRST SUBMISSION
NO.	DATE	DESCRIPTION
<p>REVISIONS</p>		

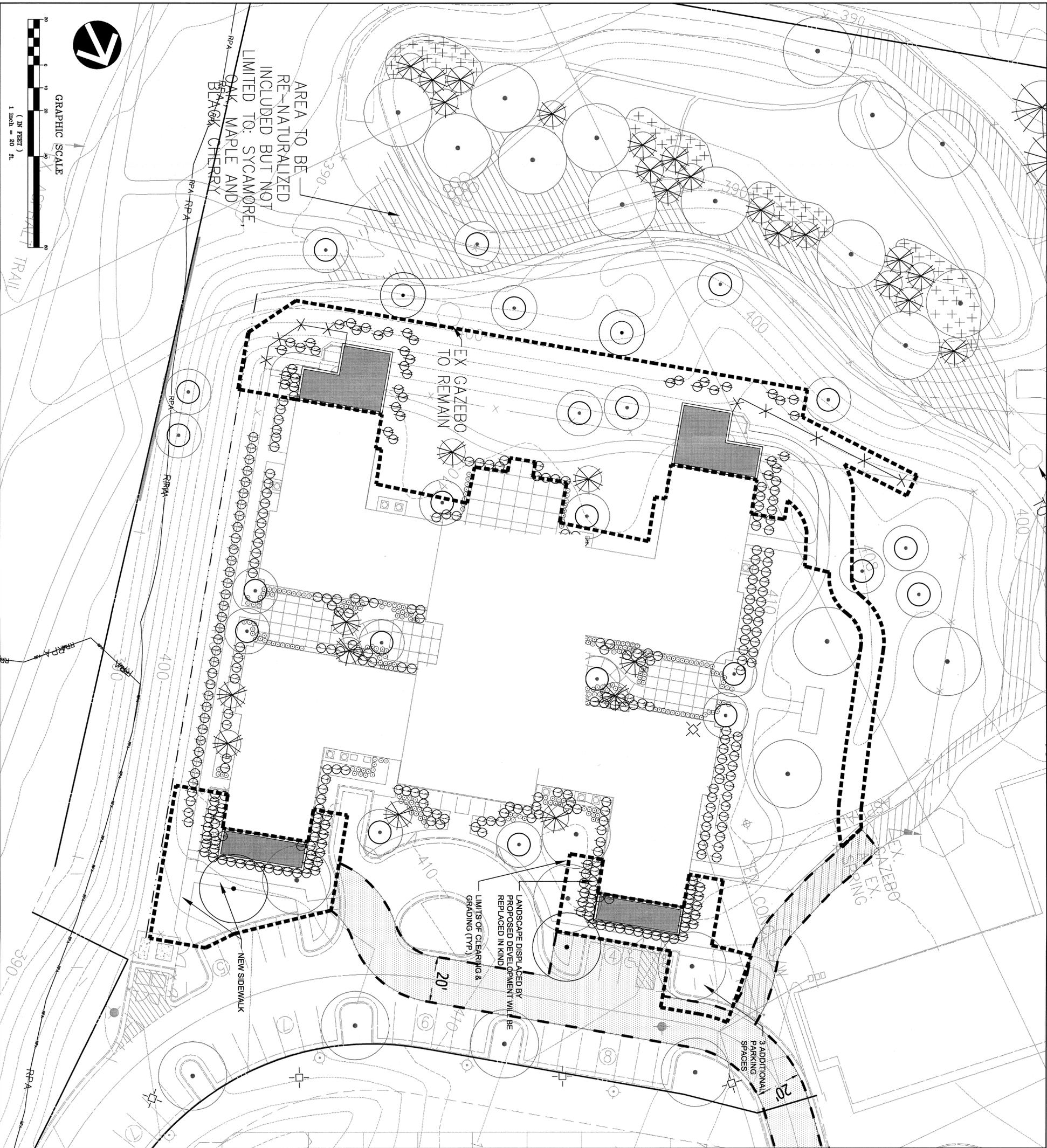


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**ARDEN COURTS
FAIR OAKS OF
FAIRFAX VA, LLC**
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

**APPLICATION
SUMMARY**

Vika Revisions	
SCALE:	1" = 30'
PROJECT/FILE NO.	W6806N
SHEET NO.	C-6



KEY	LATIN NAME	COMMON NAME	COMMENTS
CF	Cornus florida	White Flowering Dogwood	2" Cal. B&B
QP	Quercus phellos	Willow	2-1/2"-3" Cal.
TD	Toxus x media Densiformis	Dense Yew	18-24"

- NOTES:**
1. PLANT LIST SELECTIONS ARE SUGGESTIVE AND NOT ALL INCLUSIVE. STREET TREES MAY BE ADJUSTED FOR SIGHT DISTANCE FOR FINAL ENGINEERING.
 2. SEE SHEET L-03 FOR FULL PLANT SCHEDULE & 10-YEAR TREE CANOPY WORKSHEET.
 3. THE LANDSCAPE DESIGN SHOWN IS FOR ILLUSTRATIVE PURPOSES TO REPRESENT TYPICAL PLANTING CONCEPTS THAT PORTRAY THE GENERAL APPEARANCE AND CHARACTER FOR THE PROJECT. THE APPLICANT RESERVES THE OPTION TO MODIFY THE PLAN BASED ON FINAL ENGINEERING DESIGN AND DETERMINATION OF REQUIRED EASEMENTS AND UTILITIES.
 4. THE PROPOSED LANDSCAPING SHALL MEET THE MINIMUM TREE COVER REQUIREMENTS.
 5. STREET TREES SHALL BE SUITABLE TO WITHSTAND ADVERSE URBAN CONDITIONS. POSSIBLE STREET TREES TO INCLUDE LONDON PLANETREE AND/OR AMERICAN ELM. NEW HARMONY™ THE AMERICAN ELM IS CONSIDERED TO BE ONE OF THE BEST STREET TREES. TOLERATING VERY LIMITED SPACE AND LASTING FOR DECADES. THE NEW HARMONY™ IS A DISEASE RESISTANT USDA VARIETY THAT HAS NOT BEEN SUSCEPTIBLE TO DUTCH ELM DISEASE SINCE ITS INTRODUCTION.
 6. ALL TREES TO BE LOCATED A MINIMUM OF 5' OFF PUBLIC UTILITY EASEMENTS PER THE FAIRFAX COUNTY PFM.
 - 7.

NO.	DATE	DESCRIPTION
2	03/25/16	RESUBMISSION
1	11/13/15	FIRST SUBMISSION



ADDRESS: SIMM 4/20/2016
2ND SUB: 03/25/2016
DATE: NOVEMBER 13, 2015
DES: DMW
MRC: ARC
SCALE: 1" = 20'
PROJECT/FILE NO: V5808N
SHEET NO: C-8

VIKA REVISIONS

PROPOSED LANDSCAPE PLAN

**ARDEN COURTS
FAIR OAKS OF
FAIRFAX VA, LLC**

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ 3D LASER SCANNING

VIKA VIRGINIA LLC
8180 GREENSBORO DRIVE SUITE 200 ■ TYSONS, VIRGINIA 22102
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WWW.VIKA.COM

Table 4.3. Short-Cut Method to Determine Compost and Incorporation Depths

Contributing Impervious Cover to Soil Amendment Area Ratio					
Compost (cu ft)	ICSA = 0	ICSA = 0.5	ICSA = 0.75	ICSA = 1.0	ICSA = 1.5
2 ft x 4 ft	3 ft x 5 ft	4 ft x 6 ft	5 ft x 7 ft	6 ft x 8 ft	7 ft x 9 ft
Incorporation Method	Roller	Roller	Roller	Roller	Roller
Notes:					
1	IC = contrib. impervious cover (sq. ft.) and SA = surface area of compost amendment (sq. ft.)				
2	For amendment of compacted layers that do not receive off-site runoff				
3	Average depth of compost added should be rounded				
4	Lower end for B soils; higher end for C/D soils				

Once the area and depth of the compost amendments are known, the designer can estimate the total amount of compost needed, using an estimator developed by TCC (1997).

$$C = A \cdot D \cdot 6.0631$$

Where: C = compost needed (cu. yds.)
A = area of soil amended (sq. ft.)
D = depth of compost added (in)

6.5. Compost Specifications

The basic material specifications for compost amendments are outlined below:

- Compost shall be derived from plant material and provided by a member of the U.S. Composting Seal of Testing Assurance (STA) program. See www.compostingseal.com for a list of local providers.
- The compost shall be the result of the biological degradation and transformation of plant-derived materials under conditions that promote aerobic decomposition. The material shall be well composted, free of viable weed seeds, and stable with regard to oxygen consumption and carbon dioxide generation. The compost shall have a moisture content that has no visible free water or dust produced when handling the material. It shall meet the following criteria, as reported by the U.S. Composting Council STA Compost Technical Data Sheet provided by the vendor:
 - 100% of the material must pass through a half inch screen
 - The pH of the material shall be between 6 and 8
 - Manufactured inert material (plastic, concrete, ceramics, metal, etc.) shall be less than 1.0% by weight
 - The organic matter content shall be between 35% and 65%
 - Stability shall be less than 6.0 months/ton
 - Moisture should be greater than 80%
 - Stability shall be 7 or less
 - Carbon/nitrogen ratio shall be less than 25:1
 - Trace metal test result = "pass"
 - The compost must have a dry bulk density ranging from 40 to 50 lbs/cu. ft.

SECTION 7: REGIONAL & SPECIAL CASE DESIGN ADAPTATIONS

7.1. Karst Terrain

No special adaptations are needed in karst terrain, but the designer should take soil tests to ensure that soil pH is adjusted to conform to pre-existing soil conditions found in limestone dominated areas.

7.2. Coastal Plain

Designers should evaluate drainage and water table elevations to ensure the entire depth of soil amendment will not become saturated (i.e., a minimum separation depth of 2 feet from groundwater). Compost amendments are most cost effective when used to boost the runoff reduction capability of grass vegetated filter strips, grass channels and rooftop disconnections.

7.3. Steep Terrain

Compost amendments are ineffective when longitudinal slopes exceed 5%, so some terracing may be needed on steeper slopes.

7.4. Cold Climate and Winter Performance

Soil restoration is not recommended for areas that will be used for snow storage.

7.5. Linear Highway Sites

Soil amendments can improve the runoff reduction of drainage swales in open section right-of-way and highway medians.

SECTION 8: CONSTRUCTION

8.1. Construction Sequence

The construction sequence for compost amendments differs depending whether the practice will be applied to a large area or a narrow filter strip, such as a rooftop disconnection or grass channel. For larger areas, a typical construction sequence is as follows:

Step 1: Prior to building, the proposed area should be deep tilled to a depth of 2 to 3 feet using a tractor and sub-soiler with two deep shanks (curved metal bars) to create ribs perpendicular to the direction of flow. (This step is usually omitted when compost is used for narrower filter strips.)

Step 2: A second deep tilling to a depth of 12 to 18 inches is needed after final building has been graded.

Step 3: It is important to have dry conditions at the site prior to incorporating compost.

Step 4: An acceptable compost mix is then incorporated into the soil using a non-tiller or similar equipment at the volumetric rate of 1 part compost to 2 parts soil.

Step 5: The site should be leveled and seeds or sod used to establish a vigorous grass cover. Lime or irrigation may initially be needed to help the grass grow quickly.

Step 6: Areas of compost amendments exceeding 2500 square feet should employ simple erosion control measures, such as silt fence, to reduce the potential for erosion and trap sediment.

8.2. Construction Inspection

Construction inspection involves digging a test pit to verify the depth of tilled, amended soil and the depth of the compost. A test pit should be used to establish the depth of unamended soil at one location per 10,000 square feet.

SECTION 9: MAINTENANCE

9.1. Maintenance Agreements

When soil compost amendments are applied on private residential lots, homeowners will need to be educated on their routine maintenance needs, understand the long-term maintenance plan, and be subject to a deed restriction or other mechanism enforceable by the qualifying local program to ensure that infiltrating areas are not converted or disturbed. The mechanism should, ideally, grant authority for local agencies to access the property for inspection or corrective action. In addition, the DHS coordinates for all amended areas should be provided upon facility acceptance to ensure long term tracking.

A simple maintenance agreement should be provided if soil restoration is associated with more than 10,000 square feet of restoration. A conservation easement or deed restriction, which also identifies a responsible party, may be required to make sure the newly developing forest cannot be cleared or developed management is accomplished (i.e., thinning, invasive plant removal, etc.). Compost amendments should be tracked in a public right-of-way, or within a dedicated stormwater or drainage easement.

9.2. First Year Maintenance Operations

In order to ensure the success of soil compost amendments, the following tasks must be undertaken in the first year following soil restoration.

Initial Inspections. For the first six months following the incorporation of soil amendments, the site should be inspected at least once after each storm event that exceeds 1/2-inch of rainfall.

Spot Re-seeding. Inspectors should look for bare or eroding areas in the contributing drainage area or around the soil restoration area and make sure they are immediately stabilized with grass cover.

Fertilization. Depending on the amended soils, test a one-time, spot fertilization may be needed in the fall after the first growing season to increase plant vigor.

Watering. Water once every three days for the first month, and then weekly during the first year (April-October), depending on rainfall.

9.3. Ongoing Maintenance

There are no major on-going maintenance needs associated with soil compost amendments, although the owners may want to de-branch the turf every few years to increase permeability. The owner should also be aware that there are maintenance tasks needed for filter strips, grass channels and restoration areas. An example maintenance inspection checklist for an area of Soil Compost Amendments can be accessed in Appendix C of Chapter 9 of the *Virginia Stormwater Management Handbook* (2019).

SITE SPECIFIC DESIGN NARRATIVE

THE AMENDED SOIL COMPOST HAVE BEEN DESIGNED IN ACCORDANCE WITH DCW STORMWATER DESIGN SPECIFICATION #4. AS DEPICTED ON SHEETS AMENDED SOIL COMPOST WILL RECEIVE RUNOFF FROM SHEET FLOW FROM THE PROPOSED PUBLIC PARK. SEE SHEET FOR AMENDED SOIL COMPOST SCHEDULE.



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ARDEN COURTS
FAIR OAKS OF
FAIRFAX VA, LLC
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

SWM / BMP
COMPUTATIONS

Vika REVISIONS

NO.	DATE	DESCRIPTION
2	03/25/16	RESUBMISSION
1	11/13/15	FIRST SUBMISSION



2nd SUB: 03/25/2016
DATE: NOVEMBER 13, 2015
DES: EJI
SCALE: DWG: DP

PROJECT/FILE NO. V59808N
SHEET NO. C-11

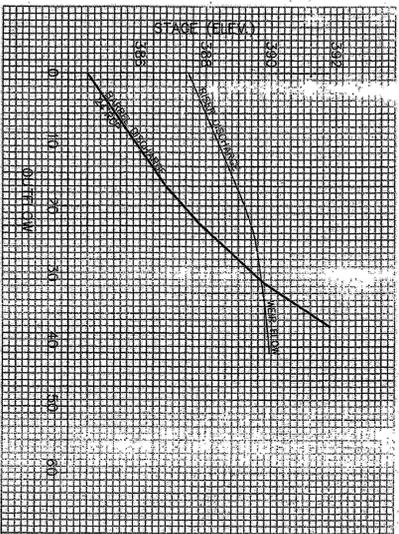
STORMWATER DETENTION NARRATIVE

STORMWATER DETENTION IS PROVIDED BY THE EXTENDED DETENTION POND. AN EXISTING DETENTION POND IS EXPANDED TO ACCOMMODATE THE ADDITIONAL REQUIRED VOLUME. THE EXISTING RISER STRUCTURE IS ALSO MODIFIED TO PROVIDE DETENTION COMPUTATIONS ARE PROVIDED FOR THE INTERNAL CONDITION (THIS PLAN/PHASE 1 CONSTRUCTION) AND THE ULTIMATE CONDITION (PHASES II & III AND THE 10 YEAR EVENT). THE EXISTING SPILLWAY IS SET AT OR ABOVE THE 10 YEAR ROUTED WATER SURFACE ELEVATION. THE SPILLWAY DESIGN FLOOD (SFD) AND THE PRELIMINARY HYDROGRAPH (PH) ARE ROUTED THROUGH THE SPILLWAY OF DAM ELEVATION IS SET AT 2 FEET ABOVE THE SFD AND IS ABOVE THE ROUTED FPH. THIS POND IS TO BE PRIVATELY OWNED AND MAINTAINED AS ENFORCED BY A MAINTENANCE AGREEMENT EXECUTED WITH FAIRFAX COUNTY.

OUTFALL NARRATIVE

ALL CONCENTRATED STORMWATER RUNOFF IS DIRECTED TO THE STORMWATER MANAGEMENT FACILITY. THE RISER STRUCTURE AND EXISTING OUTLET PIPE IS EXISTING 2" OUTLET PIPE DISCHARGES DIRECTLY INTO THE FLOODPLAIN FLOWING ALONG THE NORTHERN SIDE OF THE SITE. A CROSS SECTION ANALYSIS IS PROVIDED TO VERIFY THAT THE DISCHARGE IS ABOVE THE FLOODPLAIN FLOWING THAT AN ADEQUATE OUTFALL IS PROVIDED IN ACCORDANCE WITH THE FAIRFAX COUNTY PFD.

STAGE		VS		STORAGE	
ELEV. FT.	AREA SQ. FT.	AREA SQ. FT.	H. FT.	TOT. VOL. CU. FT.	TOT. VOL. CU. FT.
384.96	0.00	0	1.04	3224	0.07401
386.00	2.49	6200	1.00	10388	0.31248
387.00	5.83	14578	1.00	18280	0.58853
388.00	7.17	17925	2.00	40280	1.60954
390.00	8.59	22329	2.00	70112	2.98987
392.00	10.93	27325	2.00	119782	4.43567



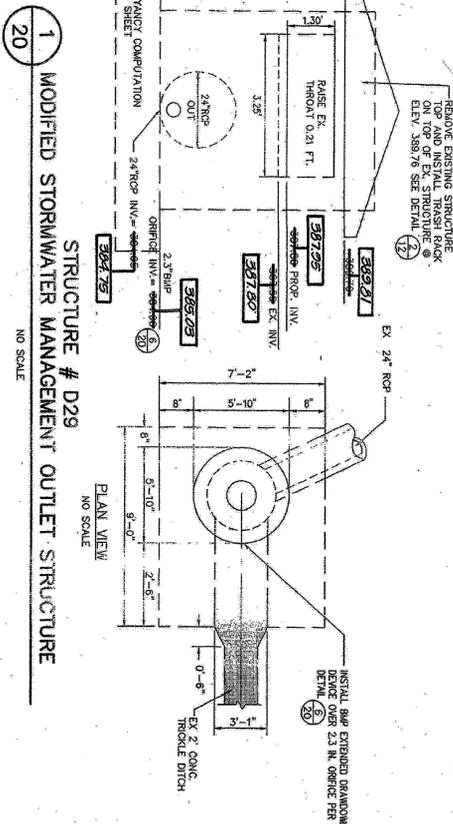
STAGE DISCHARGE CURVE

STAGE	WEIR NOTCH FLOW CFS	RISER FLOW CFS	BARREL FLOW CFS	TOTAL FLOW CFS
384.96	0	0	0	0
387.0	0	0	18.9	18.9
388.0	1	0	28.5	29.5
389.0	14.2	1	28.7	43.9
390.0	32.4	22.2	104.6	159.2
392.0	83.2	173.4	179.8	336.4

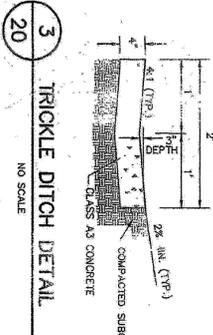
- NOTES:
- * FOR EQUATIONS SEE THIS SHEET
 - RISER STRUCTURE BECOMES ORIFICE FLOW @ ELEV. 391.5, C= 123
 - BARREL OR OUTLET CONTROL OCCURS @ ELEV. = 390.0
- STAGE DISCHARGE TABULATION**

STRUCTURE EQUATIONS

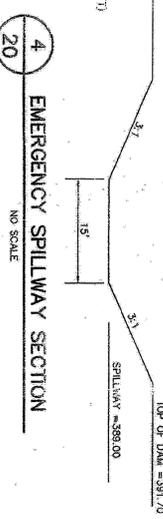
- ORIFICE (1)
- $$Q = CAV\sqrt{2gh}$$
- Q = DISCHARGE (CFS)
 A = AREA OF ORIFICE (SQ. FT.)
 V = VELOCITY (FT/S)
 H = WATER SURFACE TO CENTER OF ORIFICE (FT)
- WEIR (1)
- $$Q = CLH^{3/2}$$
- Q = DISCHARGE (CFS)
 C = WEIR COEFFICIENT
 L = LENGTH OF WEIR (FT)
 H = WATER SURFACE TO WEIR SURFACE
- OUTLET CONTROL
- BARREL (1)
- $$Q = A\sqrt{2gh}$$
- $$A = \frac{2gh}{1 + K(H + (2gR)^2)}$$
- Q = DISCHARGE (CFS)
 A = AREA OF BARREL (SQ. FT.)
 K = ENTRANCE COEFFICIENT
 R = HYDRAULIC RADIUS (FT)
 H = WATER SURFACE TO WEIR SURFACE
- EMERGENCY SPILLWAY (2)
- $$Q = C_1LH^{3/2}$$
- Q = 300
 C = 3.00
 L = WEIR SURFACE TO EMERGENCY SPILLWAY
 H = WATER SURFACE TO EMERGENCY SPILLWAY



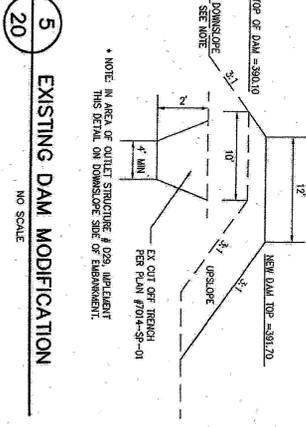
1 MODIFIED STORMWATER MANAGEMENT OUTLET STRUCTURE



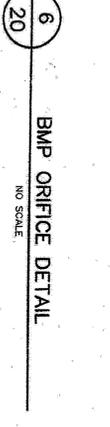
3 TRICKLE DITCH DETAIL



4 EMERGENCY SPILLWAY SECTION



5 EXISTING DAM MODIFICATION



6 BMP ORIFICE DETAIL

Manor Care Stormwater Management Fund

VTKA, Inc. performed a stormwater analysis using the 48-hour peak volumes and the 2-year return period for the 8-year return period. The analysis shows that the existing 2-year return period for the 8-year return period is 21.4 cfs at station 388.7. The allowable 2-year return period is 5.4 cfs and the allowance for stormwater management for the subject site and functions as designed.

- BUOYANCY COMPUTATION**
- RISER STRUCTURE D29 - DETAIL 1/20
- CALCULATE STRUCTURE DISPLACEMENT
 OUTSIDE X-SEC AREA = 26.7 FT²; R = 2.92 FT
 INSIDE X-SEC AREA = 18.6 FT²; R = 2.92 FT
 VOLUME = (26.7) (5.1) = 137 FT³
 - BUOYANCY FORCE
 WATER WEIGHT = 62.4 LBS/FT³ OR 8,580 LBS
 SAFETY FACTOR = 1.3 X 8,580 LBS = 11,115 LBS
 - SUBTOTAL VOLUME OF CONCRETE REQUIRED
 1 FT³ CONC. = 150 LBS
 VOL. = 11115/150 = 74.1 FT³ CONC.
 - STRUCTURE VOLUME PROVIDED: H = 5.1 FT³
 VOL. = (26.7 FT² - 18.6 FT²) 5.1 FT = 38.2 FT³
 - TOTAL ADDITIONAL VOLUME OF CONCRETE REQUIRED
 74.1 FT³ - 38.2 FT³ = 35.9 FT³
 - ADDITIONAL VOLUME OF CONCRETE PROVIDED (RISER BASE)
 9 FT X 7.17 FT X 13/12 FT = 68.9 FT³ (DESIGN OK)

AS-BUILT

SITE PLAN AS-BUILT SHEET 3 OF 7

20 of 46



NO.	DATE	DESCRIPTION
1	11/13/15	FIRST SUBMISSION
2	03/25/16	RESUBMISSION



NO.	DATE	DESCRIPTION
1	11/13/15	FIRST SUBMISSION
2	03/25/16	RESUBMISSION

AS-BUILT STORMWATER MANAGEMENT COMPUTATIONS AND DETAILS

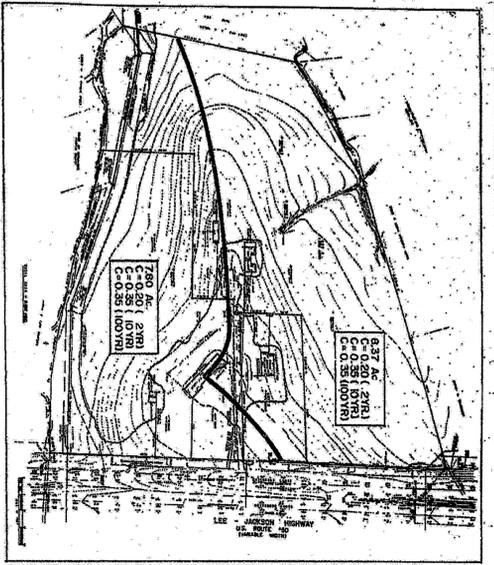
RETIREMENT CAMPUS MANOR CARE AT FAIR OAKS PHASE II

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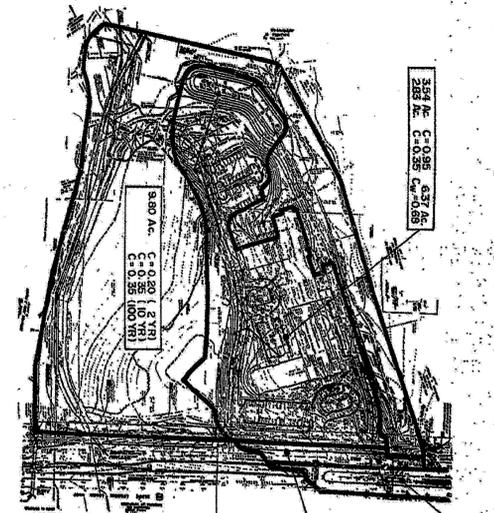
EXISTING POND DETAILS

ARDEN COURTS FAIR OAKS OF FAIRFAX VA, LLC

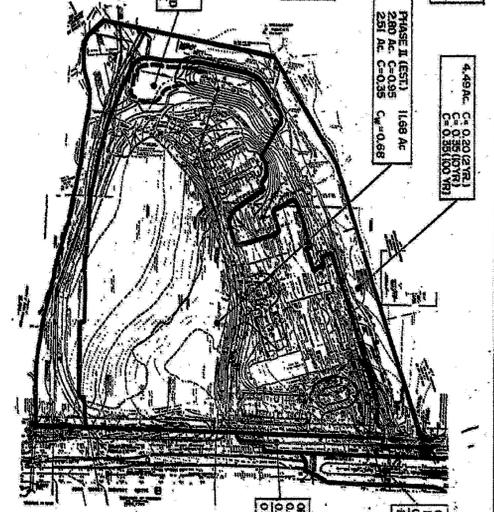
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PRE DEVELOPMENT DRAINAGE AREA MAP
SCALE 1"=100'



POST DEVELOPMENT DRAINAGE MAP
FOR PHASE I
SCALE 1"=100'



POST DEVELOPMENT DRAINAGE MAP
FOR PHASE II
SCALE 1"=100'

POST DEVELOPMENT SITE CONDITIONS

Q (2.28) = 0.20 X 3.71 X 1.00 = 0.74 CFS
 Q (1.00 YR.) = 0.35 X 3.71 X 1.00 = 1.30 CFS
 Q (100 YR.) = 0.35 X 3.71 X 1.00 = 1.30 CFS
 ZONE DEVELOPMENT - CONSERVATION
 C = 0.35
 FOR WOODS H = 0.40 L = 160' S = 200' = 1.25
 $Q = 0.35 \times 3.71 \times 1.00 = 1.30$
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 $Q = 0.35 \times 3.71 \times 1.00 = 1.30$

THIS SHEET FOR INFORMATION PURPOSES ONLY



NO.	DESCRIPTION	DATE

RETIREMENT CAMPUS
 DRAINAGE MAPS AND COMPUTATIONS
 FOR STORMWATER MANAGEMENT
 CERAMIS AND ASSOCIATES, P.C.
 ENGINEERS, PLANNERS, SURVEYORS
 2222 N. WINDYBROOK DRIVE, SUITE 200
 FARMERSBURG, VA 22039
 PHONE: (703) 761-2787
 FAX: (703) 761-2787
 WWW.CERAMIS.COM

NO.	DATE	DESCRIPTION
1	11/13/15	FIRST SUBMISSION
2	03/25/16	RESUBMISSION

SCALE: E/I
 PROJECT/FILE NO. V/5806N
 SHEET NO. C-14

EXISTING POND COMPUTATIONS

ARDEN COURTS
 FAIR OAKS OF
 FAIRFAX VA, LLC
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

VKA
 ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ 3D LASER SCANNING
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DESCRIPTION OF THE APPLICATION

The applicant, Arden Courts – Fair Oaks of Fairfax VA, LLC, requests approval to add eight beds (2,648 square feet) to the existing 56-bed medical care facility. Arden Courts is an assisted living facility focusing on the needs of memory care patients. The building is comprised of four wings, and the applicant proposes to extend the front wings by approximately 12 feet, and the rear wings by about 28 feet. The application includes associated modifications to the proffers and to the plans relating to landscaping, stormwater management and parking.

A reduced copy of the Generalized Development Plan/Special Exception Amendment (GDP/SEA) Plat is included at the front of this report. The applicant's draft proffers and staff's proposed special exception amendment conditions are included in Appendices 1 and 2, respectively. The applicant's statement of justification and affidavit are included in Appendices 3 and 4, respectively.

Waivers and Modifications

The applicant requests reaffirmation of the previously approved waiver of the barrier requirement and modification of the transitional screening requirement of Sects. 13-303 and 304 of the Zoning Ordinance, in favor of the landscaping as shown on the GDP/SEA Plat.

The applicant also requests an increase in fence height above seven feet pursuant to Sect. 10-104 (3)(H) of the Zoning Ordinance to permit an eight-foot high fence as shown on the GDP/SEA Plat.

LOCATION AND CHARACTER

The application property consists of one parcel located on the south side of Route 50. It is developed with a 160-bed skilled nursing facility, the 56-bed Arden Courts assisted living facility, 137 parking spaces and a stormwater management pond. The site is accessed from the Route 50 service drive. The subject parcel contains one entrance, but Arden Courts, which is situated at the rear of a private loop road/parking area can be accessed via three different driveways. A drop-off area and 37 parking spaces are located immediately in front of Arden Courts. The overall property includes 100-year floodplain, Resource Protection Area and Environmental Quality Corridor areas, which are not affected by the proposed construction.



Figure 1: Arden Courts; Pictometry, 2015 Imagery

The surrounding area on the south side of Route 50 is developed with single family attached dwellings. To the north of Arden Courts are the Winchester townhomes (Stone Creek Crossing) which were approved with the previous PCA for the overall property. The property is buffered by open space to the east (owned by the Fairfax County Park Authority), south (owned by the Villages of Fair Lakes, Inc.) and to the west (owned by the Fair Oaks Green Homeowners Association).

The surrounding area is shown on the following map.



Figure 2: Source Fairfax County GIS, 2013 Imagery with added annotations

BACKGROUND

Arden Courts is part of the overall Manor Care/Winchester Homes development which includes an existing skilled nursing facility and single family attached dwellings. The history of the property is as follows:

- The property was rezoned on June 3, 1985, (RZ 84-P-114 and SE 84-P-129) to permit 395 units of elderly housing. These approved units were not constructed.

- On November 24, 1986, PCA 84-P-114 and SEA 84-P-129 were approved for a reduction in the number of elderly housing units to 192 beds and for the addition of a 120-bed skilled nursing facility and a 120-bed personal care facility. According to the Department of Tax Administration (DTA), the skilled nursing facility was built in 1990. The elderly housing and personal care facility were not constructed.
- On October 30, 1995, PCA 84-P-114-02 and SEA 84-P-129-02 were approved for the addition of 60 beds to the skilled nursing facility and for a separate 56-bed "Alzheimer's Disease facility" (Arden Courts, the subject of the present application), and to replace the housing for the elderly (192 beds) with a 126-bed assisted living facility. According to DTA, Arden Courts was completed in 1997. Of the 60 additional beds approved for the skilled nursing facility, site plan records indicate that 30 were built in 2004, 10 were added in 2008, and 20 have not yet been constructed.
- On October 7, 2002, PCA 84-P-114-03 and SEA 84-P-129-03 were approved to delete the 5.89 acres from the SEA area and replace the 126-bed assisted living facility with 25 single family attached dwellings. The townhomes were completed in 2004. The subject property is presently governed by these zoning approvals, and the development plan, proffers and conditions are included in Appendix 5.

COMPREHENSIVE PLAN PROVISIONS

The subject property is located within Sub-unit E1 in the Fairfax Center Area, in Area III of the Comprehensive Plan. The Plan designates this area for Residential at 2 dwelling units per acre (du/ac) at the Baseline Level, and up to 6 du/ac at the Overlay Level. The Plan text found on page 55 of the Fairfax County Comprehensive Plan, 2013 Edition, Area III, Fairfax Center Area, as amended through October 20, 2015, acknowledges the nursing home and elderly care/assisted living facility and the need to protect EQC areas; it does not offer any specific guidance for the present application:

... The eastern portion of the sub-unit contains a nursing home and elderly care/assisted living facility.

Any development proposal should incorporate full protection of EQC areas in a natural condition. ...

DESCRIPTION OF THE GENERALIZED DEVELOPMENT PLAN AND SPECIAL EXCEPTION AMENDMENT PLAT (GDP/SEA PLAT)

The GDP/SEA Plat is titled "Arden Courts-Fair Oaks of Fairfax VA, LLC, Proffered Condition Amendment, Special Exception Amendment Application," prepared by VIKA Virginia, LLC and consists of fifteen sheets dated November 13, 2015, as revised through April 29, 2016.

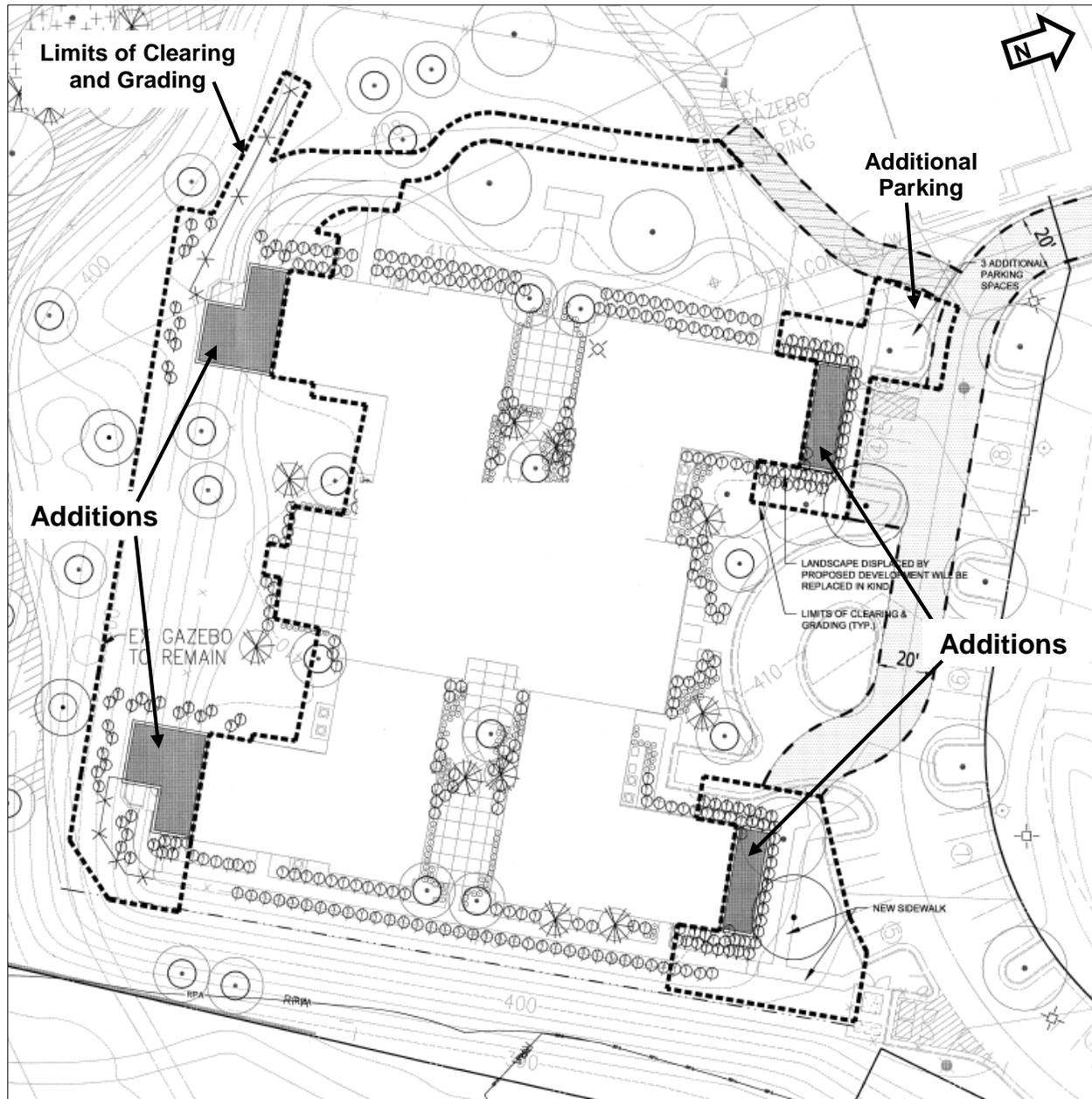


Figure 3: Source GDP/SEA Plat, Sheet C-8, with added annotations

The GDP/SEA Plat depicts the proposed extensions of the four wings of Arden Courts and the associated site modifications. The proposed Plat is limited to the modifications related to the planned additions and is not intended to replace the previously-approved Plat with regard to the nursing facility (see Appendix 5). The architectural elevations included on Sheet C-3 illustrate that the additions will blend in with the existing structure. Sheet C-4 of the plan depicts the location of the existing facilities and parking, and identifies the proposed extensions of the four wings with a total of 2,648 square feet, three additional parking spaces, a bicycle rack near the entrance to Arden Courts, a reconfigured portion of a sidewalk, and 8-foot high fencing. The limits of clearing and grading are outlined as well. The entrance drive is shaded on Sheet C-4 for the purpose

of identifying the access, but no revisions are proposed. Sheet C-8 represents the proposed landscaping plan wherein trees and shrubs will be planted to compensate for the impacts on existing vegetation from the proposed construction. Sheet C-9 indicates that stormwater management BMPs will consist of a 322-square foot bioretention area to be located in front of the left-front (northeastern) addition, and 1,966 square feet of soil compost amendment located to the rear of the structure.

ANALYSIS

Special Exception Standards (Appendix 11)

A medical care facility must satisfy the General Special Exception Standards contained in Sect. 9-006, the Standards for All Category 3 Uses contained in Sect. 9-304, and the Additional Standards for Medical Care Facilities found in Sect. 9-308 of the Zoning Ordinance.

General Standards (Sect. 9-006)

General Standards 1 and 2 require that the proposed use at the specified location be in harmony with the adopted Comprehensive Plan and with the general purpose and intent of the applicable zoning district regulations. General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties, and furthermore, that the location, size, height, and screening will not hinder or discourage the appropriate development and use of adjacent properties.

The subject parcel is designated for residential uses on the Comprehensive Plan Map, and the Comprehensive Plan text acknowledges the existing nursing home and assisted living facility. The property is zoned to the R-5 District, which is established to provide for a mixture of single family dwelling types and other selected uses which are compatible with the residential character of the district. Medical care facilities are permitted as quasi-public uses with special exception approval.

The site was previously approved for a gross floor area of 111,009 square feet which equates to an F.A.R. of 0.248. The addition of 2,648 square feet results in a minor increase in F.A.R. to 0.254¹ which is below the maximum permitted in the R-5 District of 0.35. Arden Courts is buffered by open space to the east, south and west, and the single family attached dwellings to the north were approved as part of a common plan of development. The architectural treatment of the additions will match the existing building. In conformance with Proffer 3 approved with PCA 84-P-114-02 and incorporated into the approval of PCA 84-P-114-03, the applicant has obtained the support of the Villages of Fair Lakes Board of Trustees, of which North Lakes Village is a part.

¹ The F.A.R. calculations are based on a site area of 447,617 square feet as presented in the legal description for the property, not the 447,796 square feet noted on the proposed plans.

The existing facilities were previously determined to be in harmony with the Comprehensive Plan and the applicable Zoning Ordinance regulations, and to be compatible with the use and development of surrounding properties. In staff's opinion, the proposed modest increase of eight beds to the Arden Courts facility does not adversely affect the previous determinations.

General Standard 4 requires that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing or anticipated traffic.

As noted in the review by the Fairfax County Department of Transportation (FCDOT, Appendix 6), the proposed additions to Arden Courts will have minimal impact to traffic operations on the adjacent Route 50 and the service drive. The addition of eight beds results in a requirement for three additional parking spaces in accordance with Sect. 11-103 of the Zoning Ordinance; the applicant proposes to provide these spaces adjacent to existing parking near the facility. During the review of the application, staff received comments from the community that parking is occurring along the service drive, which does not have an adequate width to accommodate on-street parking without requiring vehicles to cross the double-yellow line. The applicant has agreed to a condition to post reminders to employees and visitors to not park along the service drive. As recommended by FCDOT, the applicant has proposed bicycle parking racks in accordance with the Fairfax County Bicycle Parking Guidelines. In addition, the applicant has proffered to contribute to the Fairfax Center Area Road Fund.

General Standards 5, 6, 7 and 8 require landscaping, screening, open space, adequate utility, drainage, parking, loading, and signage to be regulated in accordance with the Zoning Ordinance; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

The proposed additions will result in the loss of some existing and previously-approved landscaping, including both trees and shrubs. Notwithstanding the note on Sheet C-2 of the GDP/SEA Plat indicating that the impacts are limited to shrubs which would be replaced, Sheet C-8 provides a proposed landscape plan for the installation of both trees and shrubs. The Urban Forest Management Division (UFMD, Appendix 7) acknowledges that the landscape plan will require refinement at the time of site plan review. For instance, certain trees are shown on Sheet C-8 to be too close to a restrictive root barrier such as a sidewalk or curb. Additionally, the soil amendment BMP area does not appear to be conducive to the survival of the proposed species. Therefore, a condition is proposed to allow adjustments to the proposed landscaping during site plan review, subject to approval by the UFMD. The plan indicates that the existing and proposed open space will exceed the previously approved total of 50 percent.

The proposed construction is required to provide stormwater quality and quantity controls in accordance with the Stormwater Management Ordinance. In addition, the property is located within the Water Supply Overlay District, which requires the projected phosphorous load to be reduced by at least 50 percent. The applicant has

proposed the installation of BMPs, consisting of amended soils and a bioretention area, which will provide compliance with the water quality requirements. It is anticipated that stormwater quantity requirements will be addressed by the existing dry extended detention pond located behind Arden Courts. The applicant will need to provide the final calculations and design details at the time of site plan review (Appendix 8).

Parking, loading and signage will remain in accordance with the Zoning Ordinance regulations.

In staff's opinion, the applicant's request satisfies all of the General Special Exception Standards with the adoption of the proposed development conditions.

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

In addition to the general standards set forth in Sect. 006 above, all Category 3 special exception uses shall satisfy the Standards in Section 9-304 which in summary states that all uses shall comply with the lot size requirements of the zoning district in which located; all uses shall comply with the bulk regulations of the zoning district in which located; all uses shall comply with the performance standards specified for the zoning district in which located; before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

As identified in the table below, the lot size requirements and bulk regulations of the R-5 District are met.

Standards for R-5 District		
Standard	Required	Proposed
Min. lot area	14,000 sq. ft. / 5 acres SE std.	8.98 acres
Min. lot width	75 ft.	~437 ft.
Front yard	30° ABP, not less than 20 ft.	66 ft. (addition)
Side yard	25° ABP, not less than 10 ft.	56 ft. (addition)
Rear yard	25° ABP, not less than 25 ft.	170 ft. (addition)
Setback – Medical care facility (Sect. 9-308 (5))	45 ft. to street line 100 ft. to abutting R-A – R-4	~85 ft. (skilled nursing to Rt. 50) N/A
Max. building height	65 ft. (50 ft. SEA condition)	17 ft.
Max. FAR	0.35	0.25
Open Space	25%	67%
Parking spaces (Sect. 11-103 (9))	1 space/3 residents, plus 1 space/employee = 140	140 spaces
Loading	1/first 10,000 SF + 1/ea. additional 100,000 SF or major fraction = 2	3

The proposed use will be required to comply with the performance standards of Article 14 of the Zoning Ordinance. The proposed development will be subject to site plan requirements.

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

Medical care facilities are subject to the additional standards contained in Sect. 9-308 of the Zoning Ordinance, and review by the Health Care Advisory Board (HCAB, Appendix 9).

Additional Standard 1 addresses the information to be considered and hearings that may be held by the Health Care Advisory Board in developing a recommendation.

The application was reviewed at a public meeting before the HCAB on February 8, 2016, and the HCAB voted to recommend approval of the application.

Additional Standard 2 requires HCAB to consider whether or not: (a) there is a demonstrated need for the proposed facility, (b) the facility has or can provide for a working relationship with a general hospital, and (c) the facility will contribute to a plan for comprehensive health care for the area to be served.

As noted in their review memo, the HCAB found the application to be acceptable in terms of access, need, operations and financial accessibility. The existing 56-bed Alzheimer's assisted living facility opened in 1997. To demonstrate need for the proposed additional eight assisted living (memory care) beds, the applicant has indicated that Arden Courts has averaged 96 percent occupancy during the past five years, and 98 percent during the past two years. The applicant provided information to HCAB to demonstrate that the existing and proposed inventory within five miles of Arden Courts is not sufficient to meet the projected need for memory care services. The applicant has indicated that Arden Courts has a primary working relationship with Inova Fairfax Hospital.

In addition, the applicant has agreed to maintain at least 4 percent of the beds for residents who are eligible for the Virginia Department of Aging and Rehabilitative Services' Auxiliary Grant Program.

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

The vehicular access, including parking, loading and a drop-off area, is adequate for service vehicles, and is not impacted by the proposed application.

Additional Standard 4 requires a freestanding nursing facility to be located on a parcel fronting on, and with direct access to, an existing or planned collector or arterial street.

The subject property has frontage on and direct access, via a service drive, to Route 50 (Lee Jackson Memorial Highway), which is classified as a principal arterial in the Comprehensive Plan.

Additional Standard 5 specifies that 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 Zoning Ordinance defines the street line for a public street to be the lot line (or right-of-way line). In accordance with this standard, the medical care facility buildings are required to be located a minimum of 45 feet from the northern property line along Route 50. The existing skilled nursing facility is situated approximately 85 feet from the northern property line. Arden Courts is located to the rear of the property. The subject property does not directly abut any properties zoned to the R-A through R-4 District.

Additional Standard 6 establishes a minimum lot size of five acres for such use in the R-E through R-5 Districts.

This application for an expansion of a medical care facility within the R-5 District meets this standard as the portion of the property subject to the special exception is approximately 8.98 acres.

Additional Standard 7 relates to signage for hospitals.

This standard does not apply as the proposed use is not a hospital.

Waivers and Modifications

Transitional screening and barrier

The applicant requests reaffirmation of the waiver of the barrier requirement and the modification of the transitional screening around the perimeter of the site, pursuant to Sects. 13-303 and 304 of the Zoning Ordinance. A Type 2 Transitional Screening yard of 35 feet in width, planted in accordance Sect. 13-303(3)(B), and a Barrier D, E or F, as defined in Sect. 13-304(4) of the Zoning Ordinance, are required between the medical care facilities and the surrounding single family attached dwellings. The proposed additions impact the landscaping immediately surrounding the building, which will be addressed through the implementation of the proposed landscape plan; the additions do not affect the transitional screening yards. Given the existing vegetation and proposed landscaping, staff does not object to the requested reaffirmations.

Fence height

The applicant requests approval for an increase in fence height pursuant to Sect. 10-104(3)(H) of the Zoning Ordinance. Sect. 10-104(3)(A) permits a fence or wall of up to 7 feet in height. Sheet C-4 of the GDP/SEA Plat identifies the location of existing and proposed 8-foot high fencing. The existing fencing is composed of both solid and green chain-link, and is illustrated on Sheets C-5 and C-6. The fencing provides for privacy and security for the facility and is not highly visible off-site. Staff does not object to the increase in height.

On the GDP/SEA Plat and in the Statement of Justification, the applicant includes a request to reaffirm the waiver of the 600-foot maximum length requirement for private streets for the single family attached dwelling unit portion of the original property pursuant to Sect. 11-302 of the Zoning Ordinance. This waiver was approved as part of PCA 84-P-114-03. However, since the present application is a partial proffered condition amendment that does not include the single family attached dwelling unit portion of the site, reaffirmation of this waiver is not required. The applicant also requested reaffirmation of the acceptance of the 12.5 feet of right-of-way (ROW) dedication as provided with PCA 84-P-114-02, as satisfying the Comprehensive Plan requirements for a public street connection along the southern boundary of the site. However, the reaffirmation is not needed, as the ROW has been dedicated and the public street, Tall Timbers Drive, has been constructed and accepted for maintenance by the Virginia Department of Transportation.

CONCLUSIONS AND RECOMMENDATIONS

The applicant requests approval to add eight beds to the existing 56-bed assisted living facility. Staff concludes that the application is in harmony with the Comprehensive Plan and conforms to the applicable provisions of the Zoning Ordinance.

Staff recommends approval of PCA 84-P-114-04, subject to the execution of proffers consistent with the draft proffers contained in Appendix 1.

Staff recommends approval of SEA 84-P-129-04, subject to the development conditions contained in Appendix 2 and the Board's approval of the associated PCA.

Staff recommends approval of the modification of the transitional screening and waiver of the barrier requirements of Sects. 13-303 and 304 of the Zoning Ordinance, in favor of the landscaping shown on the GDP/SEA Plat.

Staff recommends approval of an increase in fence height above seven feet pursuant to Sect. 10-104 (3)(H) of the Zoning Ordinance to permit an eight-foot high fence as shown on the GDP/SEA Plat.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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. Draft Proffers
2. Proposed Development Conditions
3. Statement of Justification
4. Affidavits
5. Approved Proffers, Development Conditions and Plat for PCA 84-P-114-03 and SEA 84-P-129-03
6. Fairfax County Department of Transportation Review, and Virginia Department of Transportation Review
7. Urban Forest Management Division Review
8. Stormwater Review
9. Health Care Advisory Board Review
10. Sanitary Sewer Review
11. Zoning Ordinance Provisions
12. Glossary

HCP PROPERTIES – FAIR OAKS OF FAIRFAX VA, LLC**DRAFT PROFFER STATEMENT
PCA 84-P-114-04****May 18, 2016**

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Arden Courts – Fair Oaks of Fairfax VA, LLC (hereinafter referred to as the “Applicant”) and HCP Properties – Fair Oaks of Fairfax VA, LLC (hereinafter referred to as the “Property Owner”) for themselves and successors in PCA 84-P-114-04 (the “Application”), filed for property identified as Tax Map 0454 01 0006B (hereinafter referred to as the “Application Property”) hereby proffer that any development of the Application Property pursuant to the Application shall be in accordance with the following proffers. All other existing proffers affecting the Application Property shall remain in full force and effect and are not modified by these proffers except where inconsistent, in which case these proffers shall supersede. Previously approved proffers are attached as Exhibit 1.

1. Subject to the Proffers and the Zoning Ordinance of Fairfax County, as amended, the Application Property shall be developed in substantial conformance with the Generalized Development Plan (GDP), titled “Arden Courts-Fair Oaks of Fairfax VA, LLC Proffered Condition Amendment / Special Exception Amendment Application SEA 84-P-129-04 / PCA 84-P-114-04” which consists of fifteen (15) pages, prepared by VIKA Virginia, LLC, dated March 25, 2016, as revised through April 29, 2016. These Proffers shall not reduce or restrict the previously-approved density and development of the Skilled Nursing Facility on the Application Property, as depicted on the previously-approved Special Exception/Proffered Condition Amendment Plat consisting of 22 sheets and prepared by VIKA, Inc., entitled “Manor Care at Fair Oaks PCA/SEA Plat,” dated March 22, 2002, as revised through August 23, 2002, and approved by the Board of Supervisors on October 7, 2002 as part of applications PCA 84-P-114-3 and SEA 84-P-129-3.
2. Trash and/or recycling collection, and food and linen delivery hours shall be limited to the hours of 6:00 a.m. to 9:00 p.m., Monday through Friday, unless unusual circumstances, such as emergencies, atypical weather or traffic conditions require collection outside of these days and times.
3. Use of the dumpsters outside of the Skilled Nursing Facility and Arden Courts Memory Care Facility shall be limited to the hours of 6:00 a.m. to 9:00 p.m., unless unusual circumstances, such as emergencies, require use of the dumpsters outside of these times.
4. The Applicant, Arden Courts – Fair Oaks of Fairfax VA, LLC, shall provide a contribution to the Fairfax Center Area Road Fund, for the additional proposed 2,648 square feet of non-residential development, in accordance with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as amended subject to credit for all creditable expenses as determined by FCDOT and/or DPWES.

PROPERTY OWNER:

HCP Properties—Fair Oaks of Fairfax VA, LLC, a
Delaware limited liability company

By: Angela M. Playle
Title: Senior Vice President

PROPOSED DEVELOPMENT CONDITIONS**SEA 84-P-129-04****May 31, 2016**

If it is the intent of the Board of Supervisors to approve SEA 84-P-129-04 for additions to a medical care facility and related site modifications located at Tax Map 45-4 ((1)) 6B, pursuant to Sect. 3-504 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions which supersede all previous conditions (those conditions carried forward from previous approvals are marked with an asterisk*):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment (SEA) is granted only for the purpose(s), structure(s) and/or use(s) indicated on the SEA Plat approved with the application, as qualified by these development conditions.*
3. This Special Exception Amendment 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 SEA shall be in substantial conformance with the approved SEA Plat titled "Arden Courts-Fair Oaks of Fairfax VA, LLC, Proffered Condition Amendment, Special Exception Amendment Application," prepared by VIKA Virginia, LLC and consisting of fifteen sheets dated November 13, 2015, as revised through April 29, 2016, and these conditions. Any plan for completion of Phase IV for the skilled nursing facility shall be in substantial conformance with the approved SEA Plat titled "Manor Care Fair Oaks" approved with SEA 84-P-129-03 on October 7, 2002. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. There shall be a maximum of 18 employees per shift and a maximum of 64 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. All parking shall be in conformance with Article 11 of the Zoning Ordinance and the Public Facilities Manual.
5. The Applicant shall maintain at least 4 percent of the beds for residents who are eligible for the Virginia Department for Aging and Rehabilitative Services' Auxiliary Grant Program.
6. The maximum building height shall not exceed 50 feet.*

7. The Applicant shall install stormwater management facilities in substantial conformance with the SEA Plat and in accordance with the Fairfax County Stormwater Management Ordinance and the Public Facilities Manual. At the time of site plan review, the Applicant may substitute alternative stormwater quality control facilities, including the purchase of off-site nutrient credits, subject to review and approval by the Department of Public Works and Environmental Services.
8. The Applicant shall provide landscaping, including trees and shrubs, in substantial conformance with the SEA Plat. The exact number, species, location and spacing of trees and other plant material shall be determined at the time of site plan review and shall be subject to review and approval of the Urban Forest Management Division (UFMD), DPWES. In addition, if the site plan includes the use of soil amendments for stormwater quality control (BMP) purposes, the species and/or location(s) of proposed plantings shall be revised, if necessary, as determined by UFMD.
9. Landscape Planting Pre-installation Meeting: Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the contractor/developer shall coordinate a pre-installation meeting on the site with the landscape contractor, UFMD staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan shall be reviewed and must be approved by UFMD staff prior to planting.
10. Prior to site plan approval for additional skilled nursing beds, the Applicant shall demonstrate that a Certificate of Public Need has been issued by the State Health Systems Agency and provided to the DPWES.*
11. The architectural design of the proposed facility shall generally conform to the character and quality of the illustrative elevations included in the SEA Plat.
12. The Applicant shall post in conspicuous places in both the skilled nursing and assisted living facilities reminders to the employees and visitors to not park on the service drive along Route 50. Evidence of the postings shall be provided prior to site plan approval.

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

The Applicant shall be 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 amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use, which for this purpose shall be deemed as the eight additional beds for the assisted living facility, 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.



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March 29, 2016

VIA HAND DELIVERY

Fairfax County Zoning Evaluation Division
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

RECEIVED
Department of Planning & Zoning
MAR 29 2016
Zoning Evaluation Division

Re: Statement of Justification
Applicant: Arden Courts – Fair Oaks of Fairfax VA, LLC
Application: SEA 84-P-129-04
Concurrent With PCA 84-P-114-
Property: 12469 Lee Jackson Memorial Highway, Fairfax, VA, 22033
Tax Map No. 0454 01 0006B

Dear Department of Planning and Zoning:

On behalf of the Applicant, Arden Courts – Fair Oaks of Fairfax VA, LLC, please accept this letter as our revised Statement of Justification in support of the enclosed Special Exception Amendment Application SEA 84-P-129-04 for the above-referenced Property. This SEA is being submitted concurrently with PCA 84-P-114-.

The Applicant is seeking an Amendment to PCA 84-P-114 and Special Exception SEA 84-P-129 to add eight beds to an existing 56-bed Assisted Living Facility, for a total of 64 beds, on the Property. The only change that the Applicant is requesting to PCA 84-P-114 is a revision of Proffer #1 to reference the 8-bed addition reflected in the new plans for SEA 84-P-129-04.

I. History of PCA 84-P-114/SEA 84-P-129 and the Assisted Living Facility

The Property was rezoned from the R-1 District to the R-5 District on June 3, 1985 pursuant to RZ 84-P-114 and SE 84-P-129 to permit 395 units of elderly housing. On November 24, 1986, the Board of Supervisors approved PCA 84-P-114 and SEA 84-P-129 to permit construction of a 120-bed skilled nursing facility and 120-bed personal care facility. On October 30, 1995, the Board approved PCA 84-P-114-2 and SEA 84-P-129-2 to permit the addition of 60 beds to the skilled nursing facility and construction of a 56-bed Assisted Living Facility for memory care patients. On October 7, 2002, the Board approved PCA 84-P-114-3 and SEA 84-P-129-3 to permit a reduction of 5.89 acres from the medical care facility site. The Property is currently governed by PCA 84-P-114-3 and SEA 84-P-129-3. After the removal of 5.89 acres from the site, the Property is now 8.98 acres in size and is currently improved with a 120-bed skilled nursing facility and 56-bed Assisted Living Facility.

II. The Applicant's Proposed Addition to the Assisted Living Facility

In this Application, the Applicant is requesting approval of an addition of eight beds (2,648 square feet) to the existing 56-bed Assisted Living Facility, for a total of 64 beds, on the Property. The proposed addition is depicted in the color elevations included with this Application. This Assisted Living Facility has been specially designed to meet the unique needs of memory care patients suffering from Alzheimer's disease and related dementias. The Assisted Living Facility is comprised of four "houses" connected by a common space where residents can enjoy social events and interaction with other residents and staff. The proposed addition will add additional bedrooms to the end of each of the four "houses." The expanded bedrooms will extend and replace area that is currently landscaped. This landscaping will be replaced on the boundary of the new extensions. The proposed addition will provide the community additional capacity for memory care patients at this specially-designed facility.

The proposed addition conforms to all requirements in SEA 84-P-129 and its subsequent amendments. The addition of 2,648 square feet is well within the remaining unused density approved for the Property. The total floor area of the existing buildings and proposed addition will be 96,079 square feet, which results in an FAR of 0.215, which is below the maximum FAR of 0.35. The proposed addition will conform to the open space requirements and parking requirements for the site. With the proposed addition, the property will have 66% open space, well above the 25% requirement and the 50% previously approved for this project. The proposed addition will follow the existing architectural design of the Assisted Living Facility.

Hours of Operation

The Assisted Living Facility will continue to operate 24 hours per day.

Proposed Number of Employees and Staff

There are typically 33 staff members on duty in the building over a 24-hour period. The proposed addition will result in no additional staff to the facility.

Estimate of Traffic Impact of the Proposed Use

The proposed addition does not require a Chapter 870 TIA (see enclosed e-mail from Michelle Guthrie). The traffic impact of the proposed addition is negligible due to the fact that no additional staff will be required as a result of the proposed addition. The only additional traffic as a result of the proposed addition will be off-peak, intermittent visits by family and friends for the residents of the eight additional beds.

Vicinity or General Area to Be Served by the Use

The primary service area for this facility includes the neighborhoods within a 5-mile radius of the facility. Other residents originate from up to 7 to 10 miles away. On occasion, some residents are from beyond that range, but typically this is the case because they have children responsible for them who live within close proximity to the facility.

Hazardous or Toxic Substances

There are no known hazardous or toxic substances, as defined in Title 40 CFR Parts 116.4, 302.4, and 355, or hazardous waste as set forth in the Virginia DEQ waste management regulations, or petroleum products to be generated, utilized, stored, treated, or disposed of on-site.

III. The Application Complies With the Comprehensive Plan.

This property and the Assisted Living Facility will continue to comply with the Comprehensive Plan. This property is located within Land Unit E of the Fairfax Center Area. The Comprehensive Plan references the Assisted Living Facility as a feature of this Land Unit. This development will also continue to comply with all applicable Proffers and development conditions.

IV. The Applicant Requests a Revision of PCA 84-P-114 Proffer #1.

The only change that the Applicant is requesting to PCA 84-P-114 is a revision of Proffer #1 to reference the 8-bedroom addition reflected in the new plans for SEA 84-P-129-04.

V. Additional Standards for Medical Care Facilities (Article 9-308)

The Fairfax County Zoning Ordinance lists additional standards for special exceptions for medical care facilities in Article 9-308. These standards are addressed below.

- 1. In its development of a recommendation and report as required by Par. 3 of Sect. 303 above, the Health Care Advisory Board 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.**

The Health Care Advisory Board held a hearing on this application on February 8, 2016 and has recommended approval that the Board of Supervisors approve the Applicant's proposal to add eight memory care beds to the Arden Courts Fair Oaks facility.

- 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.

- 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.**
- 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 Health Care Advisory Board held a hearing on this application on February 8, 2016 and has recommended approval that the Board of Supervisors approve the Applicant's proposal to add eight memory care beds to the Arden Courts Fair Oaks facility.

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

The facility will continue to have a service drive and parking area for service vehicles along the side entrance to the facility.

- 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 standards set forth in paragraph 4 are inapplicable to this Application because the proposed addition is to the existing Assisted Living Facility, not a nursing facility.

- 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 Assisted Living Facility will not be located closer than 45 feet to any street line or within 100 feet of any lot line that abuts an R-A through R-4 District. There are no R-A through R-4 districts adjacent to the Assisted Living Facility.

- 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 total special exception area for this Application is 8.98 acres.



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 standards set forth in paragraph 7 are inapplicable to this Application because the proposed addition is to the existing Assisted Living Facility, not a hospital.

VI. Waiver of Special Exception Requirements

The proposed SEA seeks the addition of 2,648 square feet of floor area. Section 9-011, Submission Requirements, of the Zoning Ordinance requires submission of a detailed Special Exception Plat to accompany the application. In this particular application, due to its minor nature, we respectfully request a waiver of the detail required by Section 9-001, Paragraphs 2D, 2F, 2H, 2J, 2L, 2M, 2O and 2Q, for this submission as the approved Special Exception Plat has been modified to highlight the areas at issue in this application and provide sufficient detail for its review.

Sheet C-2 of the SEA plats lists additional waivers that the Applicant is requesting at this time. This includes reaffirmation of the four waivers approved with SEA 84-P-129-02 and PCA 84-P-114-02. In addition, the Applicant requests: (1) modification of the transitional screening requirements and waiver of the barrier requirements along the perimeter of the site and between the medical care facilities and the singly family units, in accordance with the Generalized Development Plan; (2) waiver of the 600-foot maximum length requirement for private streets for the single family attached dwelling unit portion of the site; and (3) modification of the maximum fence height to 8 feet as shown on the SEA plats.

VII. Waiver of PCA Requirements

The Applicant requests a waiver from the requirement that a Generalized Development Plan be submitted with this PCA application. The only change that the Applicant is requesting to PCA 84-P-114 is a revision of Proffer #1 to reference the 8-bedroom addition reflected in the new plans for SEA 84-P-129-04. Therefore, the Applicant proposes that the new plans submitted as part of SEA 84-P-129-04 are sufficient for this Application.

VIII. Summary

For all of the above reasons, the Applicant seeks approval of this Special Exception Amendment Application to allow the addition of eight beds to the existing 56-bed Assisted Living Facility on the Property. If you require any further information or documents to assist in

Statement of Justification



Page 6 of 6

your review of the Application, please do not hesitate to contact Mark M. Viani or Zachary Williams at 703-525-4000 or by e-mail at mviani@beankinney.com or at zwilliams@beankinney.com.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark M. Viani / Z. Williams w/ permission".

Mark M. Viani, Esq.

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 29, 2016
 (enter date affidavit is notarized)

132915

I, Zachary G. Williams, Esquire, 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): SEA 84-P-129-04
 (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.)

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 BOLD above)
Arden Courts-Fair Oaks of Fairfax VA, LLC a/k/a Arden Courts of Fair Oaks	333 N. Summit Street, Toledo, Ohio 43604 ATTN: Real Estate Counsel	Applicant/Lessee
HCP Properties-Fair Oaks of Fairfax VA, LLC	1920 Main Street, Suite 1200 Irvine, California 92614	Title Owner/Lessor of TM No. 045-4-((01))-0006B
Bean, Kinney & Korman, P.C. Mark M. Viani, Esquire Zachary G. Williams, Esquire	2300 Wilson Blvd., 7th Floor Arlington, Virginia 22201	Attorney/Agent Attorney/Agent Attorney/Agent
VIKA Virginia, LLC Agents: John F. Amatetti Robert R. Cochran P. Christopher Champagne Edmund J. Ignacio Michael R. Congleton Franklin E. Jenkins Jeffrey Kreps J. Thomas Harding	8180 Greensboro Drive Suite 200 Tysons, VA 22102	Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent

(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: March 29, 2016
 (enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
 (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 BOLD above)
VIKA, Inc. Agents: John F. Amatetti Robert R. Cochran P. Christopher Champagne Edmund J. Ignacio Michael R. Congleton Franklin E. Jenkins Jeffrey Kreps J. Thomas Harding	8180 Greensboro Drive Suite 200 Tysons, VA 22102	Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/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: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
(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)
Arden Courts-Fair Oaks of Fairfax VA, LLC a/k/a Arden Courts of Fair Oaks
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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

HCR IV Healthcare, LLC (Sole Member)

(check if applicable) 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: March 29, 2016

132915

(enter date affidavit is notarized)

for Application No. (s): SEA 84-P-129-04
(enter County-assigned application number (s))

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

HCR IV Healthcare, LLC
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)

HCR III Healthcare, LLC (Sole Member)

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

HCR III Healthcare, LLC
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)

HCR II Healthcare, LLC (Sole Member)

(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: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
(enter County-assigned application number (s))

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

HCR II Healthcare, LLC
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)

HCR Healthcare, LLC (Sole Member)

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

HCR Healthcare, LLC
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)

Manor Care, Inc. (Sole Member)

(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: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
(enter County-assigned application number (s))

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

Manor Care, Inc.
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)

HCR ManorCare Heartland, LLC (Sole Shareholder)

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

HCR ManorCare Heartland, LLC
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)

HCR ManorCare Operations II, LLC (Sole Member)

(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: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
(enter County-assigned application number (s))

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

HCR ManorCare Operations II, LLC
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)

HCR ManorCare, Inc. (Sole Member)

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

HCR ManorCare, Inc.
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)

Carlyle Partners V MC Holdings, L.P.
(Shareholder)
Carlyle Partners V MC, L.P. (Shareholder)
Carlyle MC Partners, L.P. (Shareholder)

(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: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
(enter County-assigned application number (s))

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

HCP Properties - Fair Oaks of Fairfax VA, LLC
1920 Main Street
Suite 1200
Irvine, California 92614

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)

HCP Properties - Fair Oaks of Fairfax VA,
LLC is a subsidiary of HCP, Inc., a
Delaware Corporation, which is publicly
traded on the NYSE.

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

Bean, Kinney & Korman, P.C.
2300 Wilson Boulevard
7th Floor
Arlington, Virginia 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)

Jonathan C. Kinney
James W. Korman

(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: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 24-P-129-04
(enter County-assigned application number (s))

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

VIKA Virginia, LLC
8180 Greensboro Drive
Suite 200
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)

John Francis Amatetti	Jeffrey Bruce Amateau
Charles Allen Irish, Jr.	Kyle Upham Oliver
Harry Leon Jenkins	Phillip Christopher Champagne
Robert Richard Cochran	Michael Dwayne Benton
Mark Geoffrey Morelock	Edmund Javier Ignacio

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

VIKA, Inc.
8180 Greensboro Drive
Suite 200
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)

John Francis Amatetti	Jeffrey Bruce Amateau
Charles Allen Irish, Jr.	Kyle Upham Oliver
Harry Leon Jenkins	Phillip Christopher Champagne
Robert Richard Cochran	Michael Dwayne Benton
Mark Geoffrey Morelock	Edmund Javier Ignacio

(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: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
(enter County-assigned application number (s))

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

HCP, Inc.
1920 Main Street
Suite 1200
Irvine, California 92614

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)

HCP, Inc. is a Delaware Corporation, which is publicly traded on the NYSE.

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

TC Group V, L.L.C.
1001 Pennsylvania Avenue, N.W.
Suite 220
Washington, DC 20004

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)

TC Group V, L.L.C. is wholly owned by The Carlyle Group L.P.

(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: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
(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)

Carlyle MC Partners, L.P.
1001 Pennsylvania Avenue, N.W.
Suite 220
Washington, DC 20004

(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**)

General Partner is:

\TC Group V, L.P

No limited partner owns 10% or more of the Applicant. The limited partners for the above-referenced partnerships are passive investors with no involvement or knowledge of day-to-day business operations.

(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 Attachment to Par. 1(c)

DATE: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-D-129-07
(enter County-assigned application number (s))

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

Carlyle Partners V MC Holdings, L.P.
1001 Pennsylvania Avenue, N.W.
Suite 220
Washington, DC 20004

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

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

General Partner is:

TC Group V, L.P

No limited partner owns 10% or more of the Applicant. The limited partners for the above-referenced partnerships are passive investors with no involvement or knowledge of day-to-day business operations.

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

Special Exception Attachment to Par. 1(c)

DATE: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
(enter County-assigned application number (s))

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

~~Carlyle Partners V MC, L.P.
1001 Pennsylvania Avenue, N.W.
Suite 220
Washington, DC 20004~~

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

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

General Partner is:
~~TC Group V, L.P.~~

No limited partner owns 10% or more of the Applicant. The limited partners for the above-referenced partnerships are passive investors with no involvement or knowledge of day-to-day business operations.

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

Special Exception Attachment to Par. 1(c)

DATE: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
(enter County-assigned application number (s))

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

TC Group V, L.P.
1001 Pennsylvania Avenue, N.W.
Suite 220
Washington, DC 20004

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

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

General Partner is:

TC Group V, L.L.C.

No limited partner owns 10% or more of the Applicant. The limited partners for the above-referenced partnerships are passive investors with no involvement or knowledge of day-to-day business operations.

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

Special Exception Attachment to Par. 1(c)

DATE: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-07
(enter County-assigned application number (s))

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

The Carlyle Group L.P.
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004

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

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

The Carlyle Group L.P. is a publicly traded
partnership trading on the NASDAQ
market.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a
“Special Exception Attachment to Par. 1(c)” form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 29, 2016
(enter date affidavit is notarized)

132915

for Application No. (s): SEA 84-P-129-04
(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): SEA 84-P-129-04
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 29, 2016
(enter date affidavit is notarized)

132915

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.)

- Frederick R. Taylor, Esq. of Bean, Kinney & Korman P.C. made contributions in excess of \$100 to Penelope A. Gross within the past twelve months.
- Jerry William Boykin, Esq. of Bean, Kinney & Korman P.C. made contributions in excess of \$100 to Pat Herry and John C. Cook within the last twelve months.

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) [] Applicant [x] Applicant's Authorized Agent

Zachary G. Williams
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 29th day of March 2016, in the (State/Comm.) of Virginia (County/City) of Arlington.

My commission expires: 5/31/16

[Signature]
Notary Public



REZONING AFFIDAVIT

DATE: May 2, 2016
(enter date affidavit is notarized)

134342

I, Zachary G. Williams, Esquire, 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): PCA 84-P-114-04
(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 BOLD above)
Arden Courts-Fair Oaks of Fairfax VA, LLC a/k/a Arden Courts of Fair Oaks	333 N. Summit Street, Toledo, Ohio 43604 ATTN: Real Estate Counsel	Applicant/Lessee
HCP Properties-Fair Oaks of Fairfax VA, LLC	1920 Main Street, Suite 1200 Irvine, California 92614	Title Owner/Lessor of TM No. 045-4-((01))-0006B
Angela M. Playle (HCP Properties-Fair Oaks of Fairfax VA, LLC Senior Vice President)	3000 Meridian Boulevard, Suite 200 Franklin, TN 37067	Agent for Title Owner
Bean, Kinney & Korman, P.C. Mark M. Viani, Esquire Zachary G. Williams, Esquire	2300 Wilson Blvd., 7th Floor Arlington, Virginia 22201	Attorney/Agent Attorney/Agent Attorney/Agent

(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)

134342

DATE: May 2, 2016
(enter date affidavit is notarized)

for Application No. (s): PCA 84-P-114-04
(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 BOLD above)
VIKA Virginia, LLC Agents: John F. Amatetti Robert R. Cochran P. Christopher Champagne Edmund J. Ignacio Michael R. Congleton Franklin E. Jenkins Jeffrey Kreps J. Thomas Harding	8180 Greensboro Drive Suite 200 Tysons, VA 22102	Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent
VIKA, Inc. Agents: John F. Amatetti Robert R. Cochran P. Christopher Champagne Edmund J. Ignacio Michael R. Congleton Franklin E. Jenkins Jeffrey Kreps J. Thomas Harding	8180 Greensboro Drive Suite 200 Tysons, VA 22102	Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/Agent Engineer/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: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(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)
Arden Courts-Fair Oaks of Fairfax VA, LLC a/k/a Arden Courts
of Fair Oaks, 333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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 SHAREHOLDERS: (enter first name, middle initial, and last name)
HCR IV Healthcare, LLC (Sole Member)

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

(check if applicable) 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: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
HCR IV Healthcare, LLC
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)
HCR III Healthcare, LLC (Sole Member)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)
HCR III Healthcare, LLC, ATTN: Real Estate Counsel
333 N. Summit Street
Toledo, OH 43604

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
HCR III Healthcare, LLC, ATTN: Real Estate Counsel
333 N. Summit Street
Toledo, OH 43604

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)
HCR II Healthcare, LLC (Sole Member)

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: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

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

HCR II Healthcare, LLC
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)

HCR Healthcare, LLC (Sole Member)

=====

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)

HCR Healthcare, LLC, ATTN: Real Estate Counsel
333 N. Summit Street
Toledo, OH 43604

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)

Manor Care, Inc. (Sole Member)

=====

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: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

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

Manor Care, Inc.
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)

HCR ManorCare Heartland, LLC (Sole Shareholder)

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)

HCR ManorCare Heartland, LLC, ATTN: Real Estate Counsel
333 N. Summit Street
Toledo, OH 43604

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)

HCR ManorCare Operations II, LLC (Sole Member)

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: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
HCR ManorCare Operations II, LLC
333 N. Summit Street
Toledo, OH 43604
ATTN: Real Estate Counsel

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)
HCR ManorCare, Inc. (Sole Member)

=====

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)
HCR ManorCare, Inc., ATTN: Real Estate Counsel
333 N. Summit Street
Toledo, OH 43604

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)
Carlyle Partners V MC Holdings, L.P. (Shareholder)
Carlyle Partners V MC, L.P. (Shareholder)
Carlyle MC Partners, L.P. (Shareholder)

=====

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: May 2, 2016
(enter date affidavit is notarized)

134842

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)HCP Properties - Fair Oaks of Fairfax VA, LLC
1920 Main Street
Suite 1200
Irvine, California 92614**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)

HCP Properties - Fair Oaks of Fairfax VA, LLC is a subsidiary of HCP, Inc., a Delaware Corporation, which is 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.)

Lauralee E. Martin, President and Chief Executive Officer	Ryan J. Anderson, Vice President
Scott A. Anderson, Executive Vice President	Reid L. Babin, Vice President
Jonathan M. Bergschneider, Executive Vice President	Jeannine K. Baker, Vice President
J. Justin Hutchens, Director, Executive Vice President	Tony R. Black, Vice President
Thomas D. Kirby, Executive Vice President	Scott R. Bohnl, Vice President
Thomas M. Klaritch, Executive Vice President	S. Paul Brown, Vice President
Darren A. Kowalske, Executive Vice President	Andrew R. Cressman, Vice President
John Lu, Executive Vice President	Susan B. Cullen, Vice President
Troy E. McHenry, Director, Executive Vice President and Corporate Secretary	Michael S. Dorris, Vice President
Timothy M. Schoen, Director, Executive Vice President and Chief Financial Officer	Brandon C. Fox, Vice President
John D. Stasinos, Executive Vice President	Jack B. Garrett, Vice President
Kendall K. Young, Executive Vice President	Scott A. Graziano, Vice President
Antonio A. Acevedo, Senior Vice President	Carri S. Hanson, Vice President
Andrea Auteri, Senior Vice President	Matthew M. Harrison, Vice President
Keith S. Bereskin, Senior Vice President	Thomas W. Hulme, Vice President
Jeannine N. Bonesteele, Senior Vice President	Paul Y. Jin, Vice President
Matthew A. Brill, Senior Vice President and Treasurer	Douglas E. Kurras, Vice President
James A. Croy, Senior Vice President	Ellie I. McNichols, Vice President
Timothy A. Hall, Senior Vice President	Todd F. Meek, Vice President
Brian J. Maas, Senior Vice President and Assistant Corporate Secretary	Thomas M. Moro, Vice President
George M. McIlwain, Senior Vice President	Kimberley P. Myers, Vice President
Larry P. Mohr, Senior Vice President	Wendy M. Newcott, Vice President
Angela M. Playle, Senior Vice President	Beejal S. Northrup, Vice President
Glenn T. Preston, Senior Vice President	Jennee S. Oh, Vice President
Darrin L. Smith, Senior Vice President	Robert E. Pflomm, Vice President
Patrick J. Stangle, Senior Vice President	Tracy A. Porter, Vice President
	Taylor Sakamoto, Vice President
	Simona J. Wilson, Vice President
	Michelle L. Wood, Vice President

(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: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

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

Bean, Kinney & Korman, P.C.
2300 Wilson Boulevard
7th Floor
Arlington, Virginia 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)

Jonathan C. Kinney
James W. Korman

=====

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
Suite 200, 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)

John Francis Amatetti, Mark Geoffrey Morelock, Charles Allen Irish, Jr., Harry Leon Jenkins, Robert Richard Cochran, Jeffrey Bruce Amateau, Kyle Upham Oliver, Phillip Christopher Champagne, Michael Dwayne Benton, Edmund Javier Ignacio

=====

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: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
VIKA, Inc.
8180 Greensboro Drive
Suite 200, 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 SHAREHOLDER: (enter first name, middle initial, and last name)
John Francis Amatetti, Mark Geoffrey Morelock, Charles Allen Irish, Jr., Harry Leon Jenkins, Robert Richard Cochran, Jeffrey Bruce Amateau, Kyle Upham Oliver, Phillip Christopher Champagne, Michael Dwayne Benton, Edmund Javier Ignacio

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)
HCP, Inc.
1920 Main Street
Suite 1200, Irvine, California 92614

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)
HCP, Inc. is a Delaware Corporation, which is 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: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
TC Group V, L.L.C.
1001 Pennsylvania Avenue, N.W.
Suite 220
Washington, DC 20004

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)
TC Group V, L.L.C. is wholly owned by The Carlyle Group L.P.

=====

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)
HCP, Inc. is a Delaware Corporation, which is 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 AFFIDAVIT

DATE: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(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)
Carlyle MC Partners, L.P.
1001 Pennsylvania Avenue, N.W.
Suite 220
Washington, DC 20004

(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)

General Partner is:

TC Group V, L.P

No limited partner owns 10% or more of the Applicant. The limited partners for the above-referenced partnerships are passive investors with no involvement or knowledge of day-to-day business operations.

(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 Attachment to Par. 1(c)

DATE: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

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

Carlyle Partners V MC Holdings, L.P.
1001 Pennsylvania Avenue, N.W.
Suite 220
Washington, DC 20004

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

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

General Partner is: TC Group V, L.P	No limited partner owns 10% or more of the Applicant. The limited partners for the above-referenced partnerships are passive investors with no involvement or knowledge of day-to-day business operations.
--	--

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

Rezoning Attachment to Par. 1(c)

DATE: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

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

Carlyle Partners V MC, L.P.
1001 Pennsylvania Avenue, N.W.
Suite 220
Washington, DC 20004

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

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

General Partner is:

TC Group V, L.P.

No limited partner owns 10% or more of the Applicant. The limited partners for the above-referenced partnerships are passive investors with no involvement or knowledge of day-to-day business operations.

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

Rezoning Attachment to Par. 1(c)

DATE: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

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

TC Group V, L.P.
1001 Pennsylvania Avenue, N.W.
Suite 220
Washington, DC 20004

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

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

General Partner is:

TC Group V, L.L.C.

No limited partner owns 10% or more of the Applicant. The limited partners for the above-referenced partnerships are passive investors with no involvement or knowledge of day-to-day business operations.

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

Rezoning Attachment to Par. 1(c)

DATE: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)
The Carlyle Group L.P.
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004

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

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

The Carlyle Group L.P. is a publicly traded
partnership trading on the NASDAQ
market.

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

REZONING AFFIDAVIT

DATE: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(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: May 2, 2016
(enter date affidavit is notarized)

134342

for Application No. (s): PCA 84-P-114-04
(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.)

Frederick R. Taylor, Esq. of Bean, Kinney & Korman P.C. made contributions in excess of \$100 to Penelope A. Gross within the past twelve months.
Jerry William Boykin, Esq. of Bean, Kinney & Korman P.C. made contributions in excess of \$100 to Pat Herry and John C. Cook within the last twelve months.

(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

Zachary G. Williams

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

Subscribed and sworn to before me this 2nd day of May, 2016, in the State/Comm. of Virginia, County/City of Arlington.

[Signature]
Notary Public

My commission expires: 5-31-16





FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151
FAX: 703-324-3926
TTY: 703-324-3903

October 24, 2002

Francis A. McDermott, Esquire
Hunton and Williams
1751 Pinnacle Drive, Suite 1700
McLean, Virginia 22102

RE: Proffered Condition Amendment Number PCA 84-P-114-3
(Concurrent with SEA 84-P-129-3)

Dear Mr. McDermott:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 7, 2002, approving Proffered Condition Amendment PCA 84-P-114-3 in the name of Winchester Homes Inc., to amend the proffers for RZ 84-P-114 to permit a medical care facility at an overall Floor Area Ratio (FAR) of 0.25 and residential development at a density of 4.25 dwelling units per acre (du/ac), located on the south side of Lee Jackson Memorial Highway, approximately 1,000 feet east of the Fairfax County Parkway, Tax Map 45-4 ((1)) 6A, subject to the proffers dated September 24, 2002, consisting of approximately 14.87 acres located in Springfield District.

Sincerely,

Patti M. Hicks
Deputy Clerk to the Board of Supervisors
PMH/ns

PCA 84-P-114-03
WINCHESTER HOMES, INC. AND MANOR CARE
PROFFER STATEMENT

July 11, 2002
August 14, 2002
August 23, 2002
September 3, 2002
September 24, 2002

Pursuant to Section 15.2-2303(A) of the Code of Virginia, as amended, and subject to the Fairfax County Board of Supervisors' (the "Board") approval of application PCA 84-P-114-03, as proposed, Leader Nursing and Rehabilitation Center of Virginia, Inc. (the "Owner") and Winchester Homes, Inc. (the "Applicant"), for themselves and their successors and assigns, hereby proffer that development of Tax Map Parcel 45-4-((1))-6A (the "Property"), containing approximately 14.87 acres, shall be in accordance with the following proffered conditions:

I. "Medical Care Facility" Use Site (approximately 8.98 acres)

1. All previous proffers dated September 27, 1995, accepted in conjunction with Board of Supervisors' approval of PCA 84-P-114-2 on October 30, 1995 (see Manor Care proffer statement attached as Exhibit 1 and incorporated herein by reference), with the exception of proffer #1 which is hereby revised to commit to the revised Special Exception/Proffered Condition Amendment Plat consisting of 22 sheets prepared by VIKA, Inc., entitled "Manor Care at Fair Oaks PCA/SEA Plat," dated March 22, 2002, as revised through August 23, 2002, shall continue to apply to and govern development of the residual 8.98 acre Manor Care site.
2. Tall Timbers Drive Construction Easements. All temporary ancillary grading and construction easements, necessary for the construction of Tall Timbers Drive, shall be provided to Fairfax County consistent with the limits of clearing shown on Sheets 4 and 5 of Fairfax County plan 7014-PI-01, prepared by Urban Engineering & Assoc., Inc. as revised through August 21, 2002, subject to the qualification that the extent of said easements shall be limited to areas where said construction shall not cause any damage to or reconstruction of the existing stormwater management pond referenced in Proffer Paragraph 13, below, and that Fairfax County shall be responsible for all such damage or reconstruction, if any, and the replacement of any trees removed within said easements.

II. "Townhouse" Use Site (approximately 5.89 acres)

3. Substantial Conformity. The approximately 5.89 acre townhouse portion ("Townhouse Parcel") of the Property shall be developed in substantial conformance with Sheets 11 through 22, relative to the general layout, points of access to the existing road network, location and types of units, peripheral setbacks, the maximum number of units, general limits of clearing and grading and the location and amount of open space, of the Proffered Condition Amendment Plat prepared by VIKA, Inc., entitled "Manor Care at Fair Oaks PCA/SEA Plat" dated March 22, 2002, as revised through August 23, 2002 ("Development Plan") and as further modified by these proffered conditions.

4. Minor Modifications to Design. Pursuant to Section 18-204 of the Zoning Ordinance, minor modifications from the approved Development Plan may be permitted as determined by the Zoning Administrator. The layout shown on the Development Plan may be modified provided such changes are in substantial conformance with the Development Plan and proffers, and do not increase the total number of units or decrease the minimum amount of open space or the Townhouse setbacks from Route 50 shown to be provided on the Property.
5. Maximum Density. A maximum of 25 single-family attached dwelling units at a density of approximately 4.24 dwelling units per acre shall be permitted on the 5.89 acre portion of the Property. The right is reserved to develop fewer than the maximum number of units referenced in this paragraph without the need for a PCA application.
6. Declaration of Covenants. The Applicant shall cause an amendment to the Declaration of Covenants for the adjacent Stone Creek Crossing townhouse development ("Stone Creek") to be recorded which shall permit all owners of the twenty-five (25) townhome lots on the Townhouse Parcel to be included within the Stone Creek community homeowners' association ("HOA") and thereby be granted access to the Stone Creek HOA recreational amenities and other facilities. In the event that Stone Creek Crossing does not accept the twenty-five (25) townhome lots on the Townhouse Parcel a separate homeowners association shall be established.
7. Landscaping. Landscaping shall be consistent with the quality, quantity and general locations shown on the Landscape Plan on Sheets 12, 14, 15, 19 and 20 of the Development Plan. At the time of planting, the minimum caliper for deciduous trees shall be three (3) inches and the minimum height for evergreen trees shall be seven (7) to eight (8) feet. Actual types and species of vegetation shall be pursuant to more detailed landscape plans approved by the Urban Forester and the Fairfax County Department of Public Works and Environmental Services ("DPWES") at the time of final site plan approval. Such landscape plans shall provide tree coverage and species diversity consistent with the Public Facilities Manual ("PFM") criteria, as determined by the Urban Forester and DPWES.
8. Design Features. Site amenities shall be located generally as depicted on the Development Plan, and shall be of a quality consistent with the illustrative drawings on Development Plan as described below.
 - A. Streetscape. As depicted on Sheet 15, a landscaped berm and entry feature wall shall be constructed along the Route 50 frontage of the site. In addition, on the south edge of the townhome area, a second landscape buffer shall be provided along the Manor Care entrance road generally as depicted on Sheet 20 of the Development Plan.

- B. Design Amenities. Site amenities shall consist of a unified, high quality design. "Entrance Planting Areas," as depicted on Sheet 14, shall be provided generally as shown on the Development Plan. Special entrance features shall include construction of brick and/or stone columns and iron fence generally as depicted on Sheets 16 and 18. Focal point amenities shall include: (i) a "Picnic Area" to be provided generally as depicted on Sheets 14 and 18 of the Development Plan; (ii) a "Pocket Park" provided generally as depicted on Sheet 14 of the Development Plan including benches, sidewalks, brick and/or stone columns and iron fencing similar to that used in the entrance features; and (iii) a mailbox area covered with a trellis supported by brick and/or stone columns as depicted on Sheets 14 and 18 of the Development Plan.
- C. Building Elevations. Townhomes shall have brick fronts and shall be constructed in substantial conformance with the building elevations depicted on Sheet 21 of the Development Plan.
9. Fairfax Center Area Roadway Contribution. A contribution shall be made to the Fairfax Center Area Road Fund for each townhouse built, in accordance with and at such times as are specified in the "Procedural Guidelines" adopted by the Board on November 22, 1982, as amended, subject to credit for all creditable expenses, as determined by the Fairfax County Department of Transportation and DPWES.
10. Transportation. The provision of signage and pavement striping shall be coordinated with VDOT and implemented as requested by VDOT and DPWES to clarify the priority of, and to improve, vehicular flow and turning movements at the intersection of Route 50 and the service drive, prior to site plan approval for the Townhouse Parcel.
11. Private Streets. All private streets will be constructed with materials and depth of pavement consistent with public street standards in accordance with the PFM, as determined by DPWES. The Homeowners Association ("HOA") and Manor Care, as appropriate, shall be responsible for the maintenance of all private streets. The HOA documents shall expressly state that the HOA shall be solely responsible for the maintenance of the private streets internal to the HOA's development area.
12. Limits of Clearing and Grading. The limits of clearing and grading, as identified on the Development Plan as "Limits of Existing Conservation Area," shall be strictly conformed to subject to installation of necessary utilities, utility lines, and/or trails as determined by DPWES. This area shall contain no structures (other than the aforesaid utilities and/or trails) or fences and shall remain undisturbed open space with the exception of the removal of diseased, dead or dying trees or other vegetation and selective maintenance to remove noxious or poisonous weeds, subject to the Urban Forester's approval.
13. Stormwater Management. Stormwater management/best management practices (SWM/ BMPs) shall be provided in accordance with County requirements within the existing facility pursuant to a private agreement between Manor Care and the Applicant, if approved by DPWES.

14. Public Parkland Dedication. At the time of site plan approval for the Townhouse Parcel, the area consisting of approximately 1.95 acres, depicted on the Development Plan as "Existing Conservation Easement Area," shall be dedicated in fee simple to the Fairfax County Park Authority ("FCPA") for public park purposes. A trail connection to the existing trail as depicted on the Development Plan shall be constructed subject to public access easement in accordance with Countywide Trails Plan requirements, as determined by FCPA and DPWES.
15. Trail Improvements. Necessary maintenance-type improvements shall be made to the existing asphalt "Countywide" trail located along the eastern boundary of the Property within the townhouse portion of the application in accordance with Fairfax County Park Authority standards; said improvements shall include the clearing of excessive vegetation along said Countywide trail to make it useable and attractive to users.
16. FCPA Park Cash Contribution. There shall be a contribution to FCPA in the amount of \$535 per townhouse unit, in a total amount not to exceed \$13,375 ("Park Contribution"), payable at the issuance of the first residential use permit. Said contribution shall be used solely for development of public park facilities in the vicinity of the subject site, and there shall be credited against that contribution the cost of trails and all other recreation improvements (including those referenced in Proffer Paragraph 15, above) constructed by Applicant. To avoid overpayment and the necessity for subsequent refunds, said amount of recreation expenses to be credited may be determined by DPWES on the basis of costs projected from engineering drawings and bond amounts approved by DPWES for such improvements. Such requests for credit shall be accompanied by the documentation required by DPWES in its administration of the Park Contribution ordinances and policies.
17. Housing Trust Fund Cash Contribution. A contribution shall be made, at the time of site plan approval for the Townhouse Parcel, to the Fairfax County Housing Trust Fund of 0.5% of the base sales price of each townhouse unit actually constructed. The amount of said contribution shall be determined in coordination with the Department of Housing and Community Development.
18. Energy Efficiency. All homes constructed on the Property shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES, for either electric or gas energy systems.
19. Garages. A covenant shall be placed on each townhouse garage unit that prohibits the use of the garage for any purpose which precludes motor vehicle storage. This covenant shall be recorded among the land records of Fairfax County prior to the sale of lots and shall run to the benefit of the HOA and to the Board. Prior to recordation, the covenant shall be approved by the Fairfax County Attorney's office. The HOA documents shall expressly state this use restriction.
20. Open Space. A minimum of approximately 56%, including the area being dedicated to the FCPA, of the Townhouse Parcel shall be retained in open space as defined by the Fairfax County Zoning Ordinance. At the time of recordation of the site plan, the

Applicant shall convey to the HOA, for ownership and maintenance, all open space areas outside private lot lines not being dedicated to the FCPA.

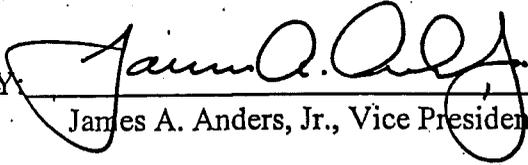
21. **Noise Attenuation.** Building materials shall be used with characteristics, pursuant to commonly accepted industry standards, to achieve a maximum interior noise level of approximately 45 dBA Ldn as follows:
- A. All residential units impacted by highway noise levels of between 70 and 75 dBA Ldn (approximately 355 feet from the centerline of Route 50) and not otherwise shielded by structures or topography shall have the following acoustical attributes: Exterior walls shall have a laboratory STC rating of at least 45; doors and windows shall have a laboratory STC rating of at least 37. If glazing constitutes more than twenty percent (20%) of any affected facade, they shall have the same laboratory STC as walls. Measures to seal and caulk between exterior wall surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
 - B. All residential units impacted by highway noise levels of between 65 and 70 dBA Ldn (approximately 370 feet from the centerline of Route 50) and not otherwise shielded by structures or topography shall have the following acoustical attributes: Exterior walls shall have a laboratory STC rating of at least 39; doors and windows shall have a laboratory STC rating of at least 28. If glazing constitutes more than twenty percent (20%) of any affected facade, they shall have the same laboratory STC as walls. Measures to seal and caulk between exterior wall surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
 - C. In order to achieve a maximum exterior noise levels of 65 dBA within rear yards of units, noise attenuation structures such as acoustical fencing, walls, earthen berms or combinations thereof, shall be provided for those rear yard areas that are unshielded by topography or structures. If acoustical fencing or walls are used, they shall be architecturally solid from the ground up with no gaps or openings and of sufficient height, subject to the height limitations of the Zoning Ordinance, to adequately shield the impacted area from the source of noise, as determined through a noise study prepared by a qualified acoustical engineer for the approval of DPWES.
 - D. As an alternative to "A," "B," or "C" above, a refined acoustical analysis may be performed, subject to approval of DPWES, to verify or amend the noise levels and impact areas set forth above and/or to determine which units may have sufficient shielding from topography or structures to permit a reduction in the mitigation measures prescribed above; or to determine minimum STC ratings for exterior walls, windows, and doors.
22. **Lighting.** All common area lighting except entry monumentation/signage lighting shall be directed inward and downward to prevent light spilling onto adjacent properties; public street lighting shall be provided by use of full cut off luminaire fixtures or similar fixtures as approved by Virginia Power. Uplighting of the entry monumentation signage

shall be permitted, provided that the lighting is focused directly on the signs, and not at the sky.

23. Illegal Signs. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia, shall be placed on or off-site to assist in the initial sale of homes on the Property. Furthermore, the agents and employees involved in the marketing and sale of the residential units on the Property shall be directed to adhere to this proffer.
24. Density Credit. All intensity of use attributable to land areas dedicated and conveyed to the Board, FCPA, or any other County agency pursuant to these proffers shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and is hereby reserved to the residue of the Property out of which the dedication has occurred.
25. Severability. Any portion of the Property may be the subject of a PCA and/or GDPA without joinder and/or consent of any other portion, if such PCA and/or GDPA does not have any material adverse effect on such portion. Previously approved proffered conditions or development conditions applicable to the portion of the Property not the subject of such a PCA and/or GDPA shall otherwise remain in full force and effect.
26. Counterparts. To facilitate execution, this Proffer Statement may be executed in as many counterparts as may be required. It shall not be necessary that the signature on behalf of all the parties to the Proffer Statement appear on each counterpart of this Proffer Statement. All counterparts of this Proffer Statement shall collectively constitute a single instrument.
27. Successors and Assigns. Each reference to "Owner" and/or "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, the respective entity's successor(s) in interest, assigns, and/or developer(s) of the Property or any portion of the Property.

[SIGNATURES ON FOLLOWING PAGES]

WINCHESTER HOMES, INC., *Applicant and
Contract Purchaser*

BY: 
James A. Anders, Jr., Vice President

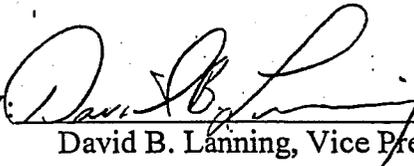
LEADER NURSING AND REHABILITATION
CENTER OF VIRGINIA, INC., *Title Owner*

BY: _____
David B. Lanning, Vice President

WINCHESTER HOMES, INC., *Applicant and
Contract Purchaser*

BY: _____
James A. Anders, Jr., Vice President

LEADER NURSING AND REHABILITATION
CENTER OF VIRGINIA, INC., *Title Owner*

BY:  _____
David B. Lanning, Vice President

MANOR HEALTHCARE CORP.
LEADER NURSING AND REHABILITATION CENTER OF VIRGINIA, INC.
PCA 84-P-114-2
SEA 84-P-129-2

September 27, 1995

PROFFERS

Pursuant to Section 15.1-491(a) of the Code of Virginia (1950 as amended) and Section 18-203 of the Zoning Ordinance of Fairfax County (1978 as amended), the property owner, Leader Nursing and Rehabilitation Center of Virginia, Inc., and operator/applicant, Manor Healthcare Corp., for themselves and their successors or assigns (hereinafter collectively referred to as "Developer") proffer that the development of the parcels under consideration and shown on Fairfax County Tax Map as Tax Map Reference 45-4-((1))-6A, (hereinafter referred to as the "Property" or "Project") will be in accordance with the conditions set forth herein. If accepted, these proffered conditions supersede all previous proffers proposed or accepted for the Property. The proffered conditions are as follows:

GENERAL DEVELOPMENT

The Property which is the subject of this application shall be developed in phases in accordance with the Special Exception Amendment/PCA Plat dated April 3, 1995, and revised through August 10, 1995, (hereinafter the "Plat") and approved as a part of these applications, provided, however, that reasonable modifications as determined by the Department of Environmental Management ("DEM") shall be permitted when necessitated by sound engineering

practices, or which may be necessary due to final engineering or final architectural constraints, provided that all modifications shall be in substantial conformance with the Plat, including commitments made to North Lakes Village Homeowners Association as to the following issues for the development of Phase II - Arden Courts: the building location, maximum height, architectural treatment, site lighting, stormwater detention pond landscaping, and areas to be re-naturalized. No modifications will be allowed to increase the floor area ratio approved for the Project. The Project will be constructed in phases in general accord with the phasing schedule set forth on Sheet 4 of 11 of the Plat, as follows: Phase II shall include 30 additional skilled nursing beds and the 56 unit Arden Courts facility; Phase III shall include the 126 unit Springhouse facility; and Phase IV shall include the remaining additional 30 skilled nursing beds.

2. Consistent with Proffer #1, the location of the buildings and proposed building heights shall be as shown on the Plat.

3. Any adjustments to the approved plans (particularly any modifications affecting the maximum height and/or the location of the Phase II - Arden Courts building) which require a Proffered Condition Amendment ("PCA") and/or a Special Exception Amendment ("SEA") shall be submitted to an individual or subcommittee designated by the North Lakes Village Homeowners Association for reasonable and timely review and approval.

4. The Developer agrees to adhere to the Phasing Plan for the development of the Project as set forth on Sheet 4 of 11 of the Plat.

STORMWATER DETENTION FACILITY

5. All detention ponds and stormwater management facilities constructed on the Property and/or associated with the development shall be BMP facilities in accordance with the County's written criteria/guidelines for such facilities, unless modified or waived by DEM. The existing dry stormwater detention pond constructed at the southern end of the Property may be modified by the Developer to accommodate the development proposed and approved as a part of these applications. The Developer shall make the modifications to the stormwater detention facility at the beginning of the construction activities for Phase II - Arden Courts. The Developer shall also install the landscaping and commence re-naturalization of the pond area, as shown on the Plat, during Phase II, as soon as possible so that the additional landscaping will have the maximum amount of time to mature and provide screening for the adjacent residential community. Landscaping at the south end of the stormwater detention pond shall occur at the beginning of Phase II construction unless early installation of materials would cause damage to the landscaping due to undesirable weather conditions or due to Phase II construction activities. The Developer recognizes that North Lakes Village, may be affected during the Phase II construction activities and commits to consult with an individual or subcommittee designated by the North Lakes Village Homeowners

Association to review steps to be taken to minimize the impact of such construction. Such modifications to the stormwater detention pond shall conform to the Plat.

TRANSPORTATION

6. The Developer agrees to reimburse VDOT for the costs incurred in closing the easternmost Route 50 entrance to the Property upon completion of the improvements, in accordance with Project #R000-029-249.

7. The Developer shall dedicate a 12½ foot wide section of right-of-way along the Property's southern boundary, as shown on the Plat, to permit the construction by others of a connector road and associated appurtenances (sidewalks, lighting fixtures and the like) between Fields Brigade Road, Meadow Fields Drive, Dorforth Drive and North Lake Drive. The Developer shall not be responsible for any construction costs for such roadway and any associated appurtenances. If permitted by paragraph (4) of Section 2-308 of the Fairfax County Zoning Ordinance, the Developer shall receive density credit for the dedicated right-of-way. Dedication of the right-of-way shall occur upon the request of either VDOT or Fairfax County, or at the time of final site plan approval for Phase II, whichever event occurs first.

In addition to the dedicated right-of-way, the Developer shall agree to provide temporary ancillary easements within an area not to exceed five feet (5') from the dedicated right-of-way, so long as the granting of such easements does not require the Developer to

reconstruct the embankment of the existing storm water management/detention pond.

8. In order to assist in additional roadway improvements planned for the Fairfax Center Area, the Developer shall make a contribution for 182 beds/units in accordance with the residential rate listed in the Procedural Guidelines as amended, for each bed/unit in the medical care facilities on the Property. It is understood and acknowledged by the County that the Developer has to date paid for 180 beds/units. With respect to said contributions, the Developer shall be entitled to any credits for off-site construction activities which may be permitted by the Procedural Guidelines as amended.

AMENITIES

9. The Developer agrees that the amenity package for the Project as a whole shall, at a minimum, include the following:

- (a) Central dining with dietician, planning, menu rotation and special diet provisions;
- (b) Regularly scheduled housekeeping and linen services;
- (c) Facilities to ensure adequate health monitoring and observations of the residents;
- (d) 24 hour security staffing;
- (e) Beauty salon and barber shop;
- (f) Art, crafts, and multipurpose room with regularly scheduled and organized educational and recreational activities;
- (g) Garden areas;

(h) Periodically scheduled on and offsite social activities;

(i) Regularly scheduled coordination between the project's administrative staff and applicable County and State agencies, such as the County's Area Agency on the Aging to ensure the residents have access to available activities and services provided by such agencies.

10. The Developer shall coordinate and arrange shuttle bus service for the residents on an as required basis for trips to include mall shopping, doctor's appointments, sightseeing, and other activities, in and around the Washington metropolitan area.

LANDSCAPING

11. For each phase of the Project, a landscape plan shall be submitted with the site plan for the phase which will be in general accord with the landscape plan shown on Sheet 5 of 11 of the Plat. The landscape plan shall be submitted to the Urban Forester for approval prior to incorporation into the final site plan submission for each phase of the Property. Any revisions to the Phase II landscape plan, other than those considered minor by the Urban Forester and the Office of Comprehensive Planning, shall be concurrently submitted to an individual or subcommittee designated by the North Lakes Village Homeowners Association for reasonable and timely review and approval. The Developer agrees to install landscaping on the Property, in accordance with the phasing as set forth on Sheet 4 of 11 of the Plat, and in accordance with Proffer 3 above. The Developer agrees to provide the landscaping for the

northwest portion of the Property along Route 50 during Phase II, and for the northeast portion of the Property along Route 50 during Phase III.

11. The Developer shall provide supplemental landscape screening on the north shore of the stormwater detention facility, as shown on Sheets 5 and 9 of 11 of the Plat, and shall re-naturalize the area between the north shore of the stormwater detention facility and the existing trail. The Developer agrees to install the screening and re-naturalize as set forth herein in accordance with the phasing as set forth on Sheet 4 of 11 of the Plat, and in accordance with Proffer 3 above.

12. During Phase II of the Project, the Developer agrees to install any landscaping which was required on the site plan and not installed under Phase I of the Project, and to replace any landscaping in Phase I which has subsequently died. The Developer agrees to address and correct any areas of existing erosion in the proximity to Phase I during its construction and landscaping activities in Phase II as determined by DEM.

13. The Developer agrees to engage a landscape professional to manage and maintain the landscaping and re-naturalized areas on the Property.

LIMITS OF DISTURBANCE

14. The area within the EQC limits and the building restriction lines shall remain undisturbed open space. Any necessary disturbing of that area, including, but not limited to, installation of trails, utilities and stormwater management

facilities, shall be done in such a manner as to minimize the disturbance, and shall, to the extent necessary, be replanted subject to the review and approval of the Urban Forester.

15. The Developer agrees that clearing and grading and other construction activities associated with Phase II - Arden Courts shall be contained within the "Limits of Disturbance" lines as shown on Sheet 4 of 11 of the Plat. The Developer agrees that except for the clearing and grading activities into the area of Phase III, as shown on Sheet 4 of 11 of the Plat, necessary for the construction of Phase II - Arden Courts, it will not commence clearing and grading for future phases until construction for those phases has commenced.

SIGNAGE

17. The Developer shall design an integrated sign plan to ensure that all signs are consistent with the architecture and the residential character of the development. All signage materials shall be compatible with those used throughout the development.

LIGHTING

18. The Developer agrees that it shall install coach type lighting on the Property, as shown on Sheet 7 of 11 of the Plat, and as may be approved by Fairfax County. All on-site lighting directly visible to the adjacent townhome residents in North Lakes Village shall be either shielded or screened so as to control light and glare in accordance with the Fairfax County Zoning Ordinance.

19. The Developer shall provide a lighting plan, including performance criteria, prior to site plan approval.

TRAIL SYSTEM

20. The Developer agrees to construct an integrated trail system in general accord with the Plat. In addition, the Developer agrees to install a series of gazebos, benches and patios on the site, in general accord with the Plat, which will be available to all residents and their visitors.

ARCHITECTURAL TREATMENT

21. The Developer agrees to construct the additions to the skilled nursing portion of the Project in Phases II and IV, with building materials that are similar to the existing architectural treatment; and the Developer agrees to construct the Arden Courts building in a yellow colored vinyl siding with white trim, and the Spring House building in general accord with the building materials represented on the elevations shown on Sheets 2 and 11 of 11 of the Plat.

ARCHEOLOGY

22. The County Archeologist shall be notified by the Developer thirty (30) days prior to construction activities on the Property and shall be permitted to recover any artifacts uncovered during the land disturbance so long as such recovery by the County does not impede or slow down the construction activities or schedule for the Project.

ACOUSTICAL TREATMENT

23. For those portions of the Property located within the Highway Noise Impact Zone, in order to achieve a maximum interior noise level of 45 dBA Ldn, all units located between the 70-75 DBA Ldn highway noise impact contours, and 355 feet from the centerline of Route 50, should have the following acoustical attributes:

a. Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 45.

b. Doors and windows shall have a laboratory STC rating of at least 37. If windows constitute more than 20% of any facade, they should have the same laboratory STC ratings as walls.

c. Measures to seal and caulk between surfaces should follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

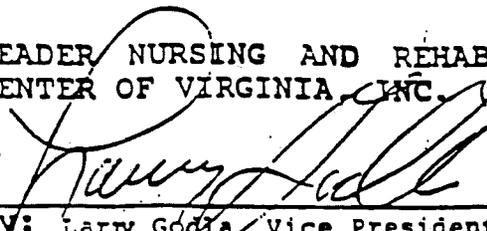
d. As an alternative, the Developer may at its sole discretion have a refined acoustical analysis performed in coordination with County Staff to determine which buildings may have sufficient shielding to permit a reduction in the mitigation measures prescribed above, subject to approval by DEM.

24. In order to achieve a maximum exterior noise level of 65 DBA Ldn, noise attenuation features, including but not limited to: acoustical fencing, walls, earthen berms, or a combination thereof, should be provided for the courtyards which are unshielded by topography or built structures, as determined by DEM.

These proffers may be executed in counterparts and the counterparts shall constitute one and the same proffer statement.

Date: 9/27/95

LEADER NURSING AND REHABILITATION
CENTER OF VIRGINIA, INC. (Owner)

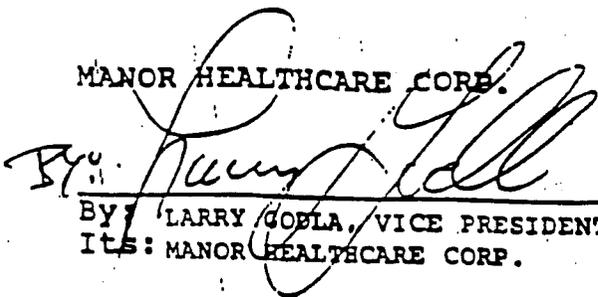
BY: 

BY: Larry Godia, Vice President
ITS: LEADER NURSING AND REHABILITATION
CENTER OF VIRGINIA, INC.

MANOR HEALTHCARE CORP.

Date:

9/27/95

By: 

BY: LARRY GOOLA, VICE PRESIDENT
ITS: MANOR HEALTHCARE CORP.

P:MANORCARPROFFERS.110 PROFFERS.72



FAIRFAX COUNTY

700
OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A
October 24, 2002

Telephone: 703-324-3151
FAX: 703-324-3926
TTY: 703-324-3903

Francis A. McDermott, Esquire
Hunton and Williams
1751 Pinnacle Drive, Suite 1700
McLean, Virginia 22102

RE: Special Exception Amendment Application
Number SEA 84-P-129-3
(Concurrent with PCA 84-P-114-3)

Dear Mr. McDermott:

At a regular meeting of the Board of Supervisors held on October 7, 2002, the Board approved Special Exception Amendment Application Number SEA 84-P-0129-3 in the name of Winchester Homes Inc., located at 12475 Lee Jackson Memorial Highway, Tax Map 45-4 ((1)) 6A to amend SEA 84-P-129-2 previously approved for a medical care facilities, to permit the continuation of a medical care facility and deletion of 5.89 acres from the land area subject to the Special Exception Amendment pursuant to Section 3-504 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. Those conditions carried forward from the previously approved Special Exception Amendment are marked with an asterisk.

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions.*
3. This Special Exception Amendment 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 Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "Manor Care Fair Oaks" containing 22 sheets, prepared by Vika Inc. and dated March 22, 2002, as revised through August 23, 2002, and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. The maximum building height shall not exceed 50 feet.*
5. Prior to site plan approval for the thirty (30) bed skilled nursing facility proposed in Phase IV a Certificate of Public Need shall be issued by the State Health Systems Agency and provided to the Department of Public Works and Environmental Services (DPWES).*

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception Amendment. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

- **Modified the transitional screening requirements and waived the barrier requirements along the perimeter of the site and between the medical care facilities and the single family attached units, in accordance with the Generalized Development Plan.**
- **Waived the 600-foot maximum length requirement for private streets for the single family attached dwelling unit portion of the site.**

If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Patti M. Hicks
Deputy Clerk to the Board of Supervisors
PMH/ns

cc: Chairman Katherine K. Hanley
Supervisor McConnell, Springfield District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Enforcement Branch
John Crouch, Deputy, Zoning Enforcement Branch, ZPRB
Audrey Clark, Director, BPRD, DPWES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPWES
DPWES – Bonds & Agreements
Department of Highways, VDOT
Land Acqu. & Planning Div., Park Authority
District Planning Commissioner

[Faint, illegible text, possibly a stamp or signature]

MANOR CARE AT FAIR OAKS

PCA/SEA PLAT

SEA 84-P-129-03
 PCA 84-P-114-03

SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA

MARCH 22, 2002
 REV. JULY 9, 2002
 REV. AUG. 15, 2002
 REV. AUG. 23, 2002

SHEET INDEX

- 1 COVER SHEET
- 2 OTHER REGULATIONS AND ARCHITECTURALS
- 3 SPECIAL INSPECTION ASSIGNMENT/SEA PLAT
- 4 FINISH PLAN
- 5 LANDSCAPE PLAN
- 6 PCA PLAT
- 7 LANDSCAPE PLANTING DETAILS
- 8 SITE SECTION
- 9 SITE SECTION
- 10 NOTES, TITLES, TYPING AND ARCHITECTURALS
- 11 SITE LAYOUT
- 12 OVERALL PLAN
- 13 SITE ENLARGEMENTS
- 14 PLANTING, SEED SECTION AND PLAT
- 15 SITE ELEVATION AND EXTERIOR WALL
- 16 SITE ELEVATION
- 17 SITE ELEVATION
- 18 OVERALL LANDSCAPE PLAN
- 19 LOTS 1-14 MANOR CARE BEYOND LANDSCAPE PLAT W/ PLANT LIST
- 20 PLANTING TYPICAL PLANTING
- 21 PLANTING TYPICAL PLANTING
- 22 PLANTING TYPICAL PLANTING



SOILS MAP
 SHEET P-01
 TM 84-03 04



VICINITY MAP
 SHEET P-02
 TM 84-03 04

LANDSCAPE ARCHITECT
 STUDIO 9 LANDSCAPE ARCHITECTURE PC
 606 GARDENWAY DRIVE
 SUITE 200A
 ALEXANDRIA, VIRGINIA 22304
 (703) 791-9800

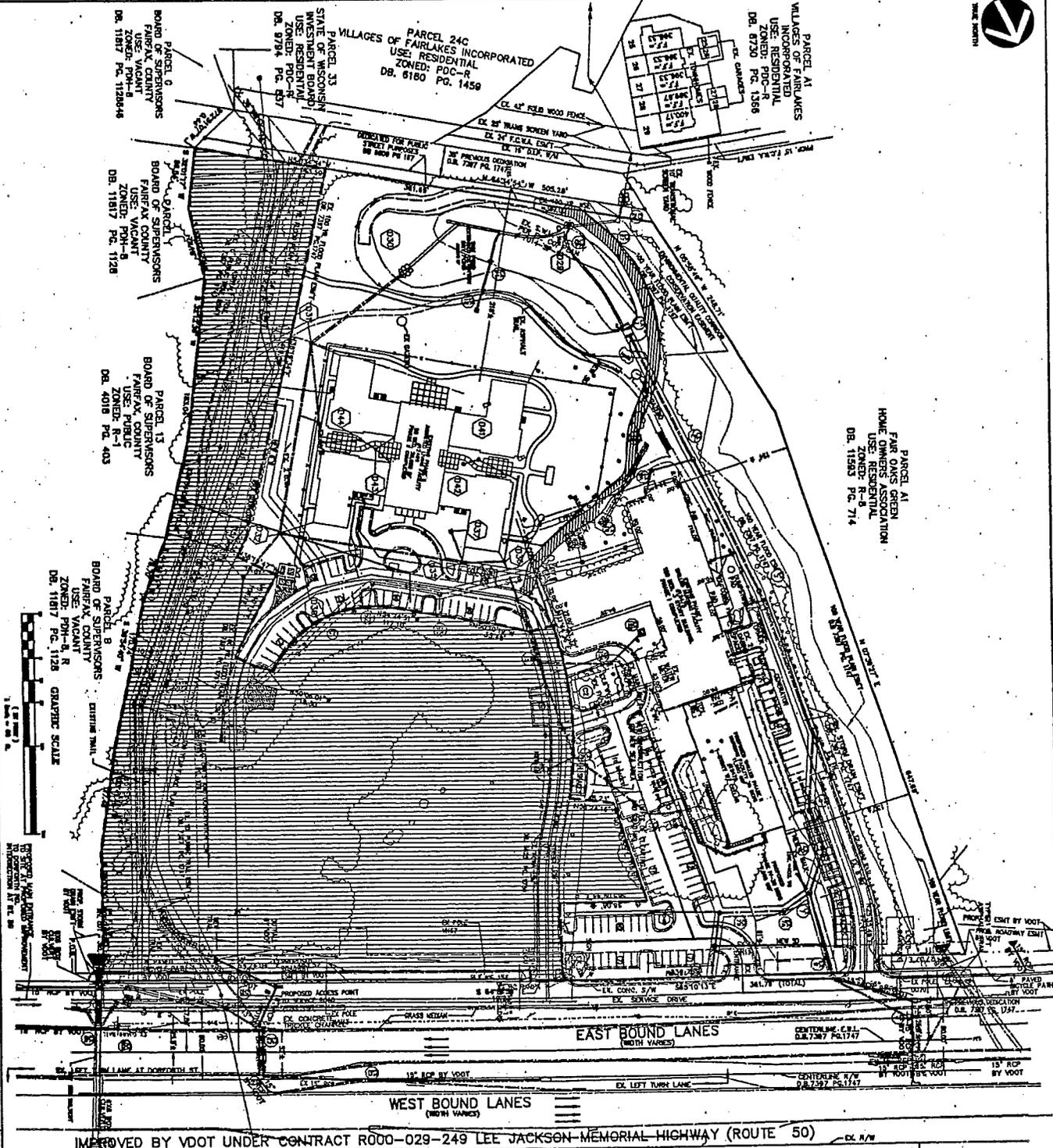
ENGINEER
 VITA INC.
 800 GARDENWAY DRIVE
 SUITE 200A
 ALEXANDRIA, VIRGINIA 22304
 (703) 442-2800

APPLICANT
 WINDHURST HEALTH
 200 PARK LANE CIRCLE SUITE 200
 FARMAN, VIRGINIA 22029
 (703) 595-7500
 COUNCILOR: DR. ANDREW



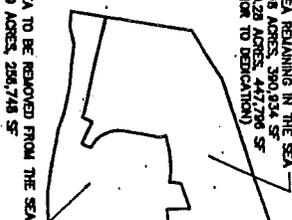
SEE VENDOR'S SHEET
 SHEET 1 OF 22

5306Covr.dwg 26102 3/28/02



AREA TO BE REMOVED FROM THE SEA
5.88 ACRES, 258,748 SF

SEA AREA EXHIBIT
NOT TO SCALE



AREA REMAINING IN THE SEA
6.08 ACRES, 264,534 SF
(10.28 ACRES, 447,288 SF
PRIOR TO DEDICATION)

TOTAL SITE AREA AFTER DEDICATION
14.87 ACRES, 647,682 SF

LEGEND

- LIMITS OF TREES TO REMAIN
- LIMITS OF CLEARING AND GRADING
- LIMITS OF AREA TO BE REMOVED FROM SEA
- ▨ AREA TO BE REMOVED FROM THE SEA (5.88 AC, 258,748 SF)



NO.	DATE	DESCRIPTION
1	8-16-02	PRELIMINARY
2	8-16-02	REVISED
3	8-16-02	REVISED
4	8-16-02	REVISED
5	8-16-02	REVISED
6	8-16-02	REVISED
7	8-16-02	REVISED
8	8-16-02	REVISED
9	8-16-02	REVISED
10	8-16-02	REVISED

**SPECIAL EXCEPTION
AMENDMENT/PCA PLAT**

**RETIREMENT CAMPUS
MANOR CARE AT FAIR OAKS**
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA

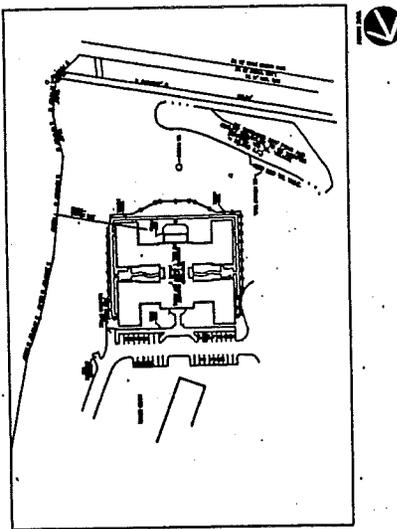
VIVA

MEMBER OF THE VIVA GROUP

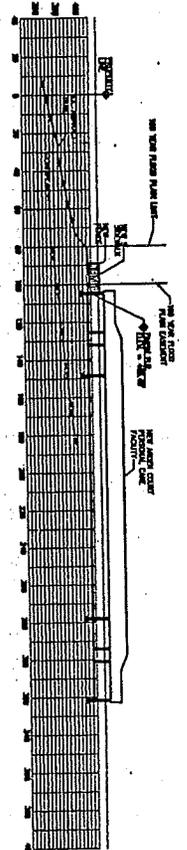
1000 BRIDGESIDE DRIVE, SUITE 202 • FALLS CHURCH, VIRGINIA 22046
703-441-1000 • FAX 703-441-4777
HOLLAND, VA 22060 • 849-722-0000

58160101.dwg 8-16-02 3:27:06 pm EST

SITE PLAN SHOWING SITE SECTION LOCATION

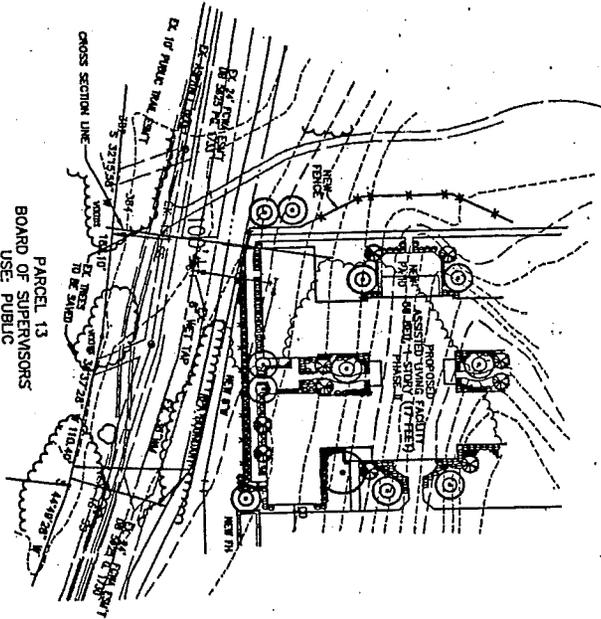


CROSS SECTION



SITE SECTION DETAIL

PARCEL 13
BOARD OF SUPERVISORS
USE: PUBLIC
ZONED: B-1



PLANT LIST

KEY
TREE

SHADE TREE

BLOOMING TREE

EVERGREEN

NEW EVERGREEN

REMOVE/EXCAVATION PLANTING

PERMANENT ANNUAL PLANT BEDS

NO CHANGE PROPOSED FROM APPROVED SEA 84-P-129-02



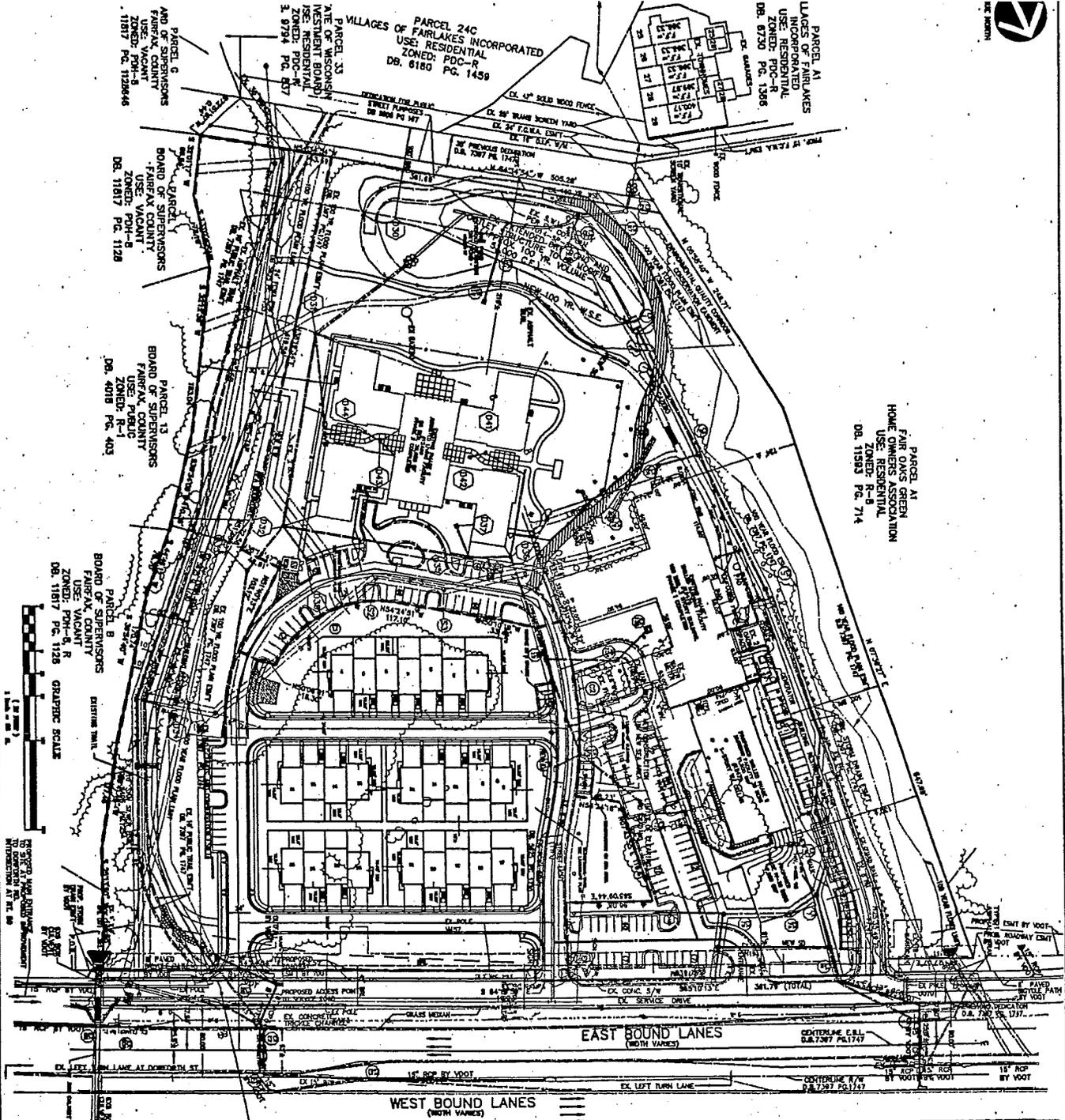
30165330149 3549R 03836
SHEET NO. 8 OF 22

SITE SECTIONS

RETIREMENT CAMPUS
MANOR CARE AT FAIR OAKS
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA

VIA
DIVISION OF PLANNING & LANDSCAPE ARCHITECTURE, RECREATION & INSPECTION
1000 COMMONWEALTH DRIVE, SUITE 205 B, WALEX, VIRGINIA 22106
PHONE: 703-474-6700 FAX: 703-773-7787
WWW.VIRGINIA.GOV

NO.	DATE	BY	REVISIONS
1	08/11/03
2	08/11/03
3	08/11/03
4	08/11/03
5	08/11/03
6	08/11/03
7	08/11/03
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16	08/11/03
17	08/11/03
18	08/11/03
19	08/11/03
20	08/11/03
21	08/11/03
22	08/11/03



IMPROVED BY VDOT UNDER CONTRACT R000-029-249 LEE JACKSON-MEMORIAL-HIGHWAY (ROUTE 50)

OPENSOURCE TABULATION

REQUIREMENT BASIS FOR PARCELS
 TOTAL AREA - 1,487 ACRES, 28,524,312 SF
 AREA OF OPEN SPACE - 428 ACRES, 7,814,400 SF
 OTHER SPACE - 888
 BOUNDARY TOLERANCE PARCELS
 TOTAL AREA - 1,487 ACRES, 28,524,312 SF
 AREA OF OPEN SPACE - 428 ACRES, 7,814,400 SF
 OTHER SPACE - 888
 OVERALL SITE
 TOTAL AREA - 1,487 ACRES, 28,524,312 SF
 AREA OF OPEN SPACE - 428 ACRES, 7,814,400 SF
 OTHER SPACE - 888



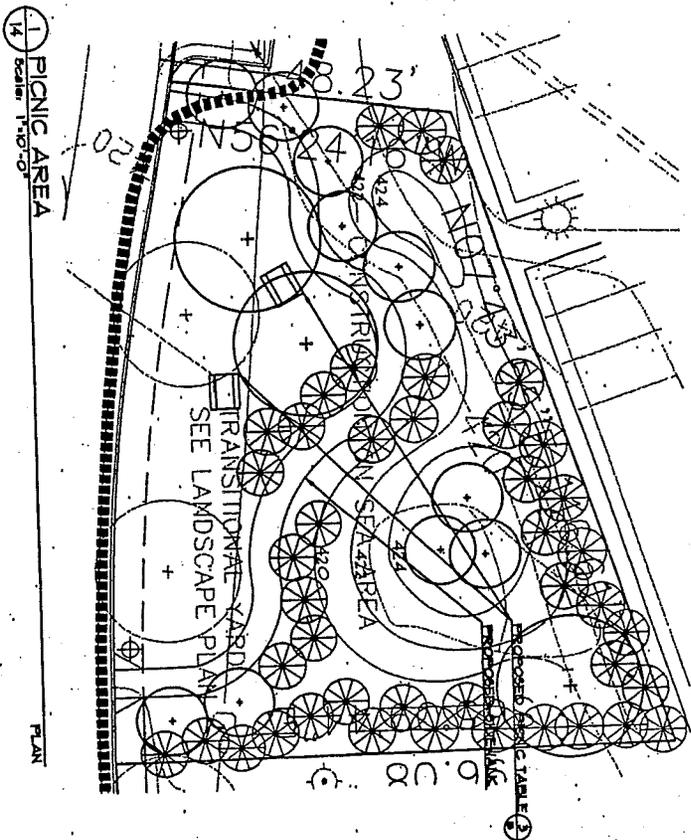
58060VCE049g B-16-02 4/6/27 PM EST

PROJECT NO.	13 OF 22
DATE	4/6/27
SCALE	AS SHOWN
DESIGNED BY	WVA
CHECKED BY	WVA
DATE	4/6/27
PROJECT NAME	RETIREMENT CAMPUS MANOR CARE AT FAIR OAKS
PROJECT NO.	13 OF 22

OVERALL PLAN

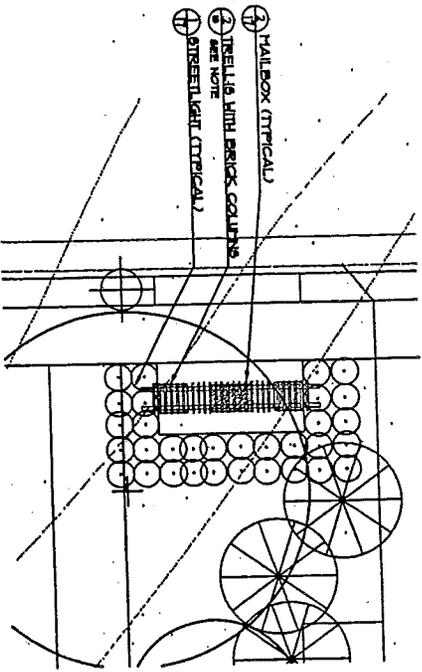
RETIREMENT CAMPUS
 MANOR CARE AT FAIR OAKS
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA

VVA INCORPORATED
 1000 COMMONWEALTH BLVD, SUITE 200, FALLS CHURCH, VIRGINIA 22046
 (703) 441-1111
 FAX (703) 441-1111
 WWW.VVA.COM



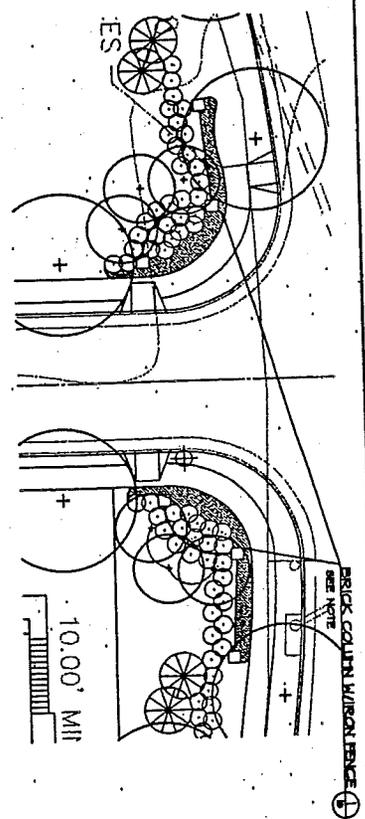
1 PICNIC AREA
Scale: 1/16\"/>

PLAN



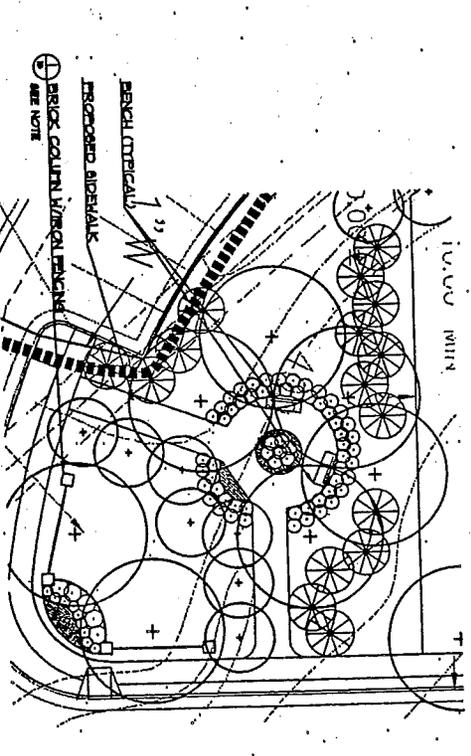
2 MAILBOX AREA
Scale: 1/24\"/>

PLAN



3 ENTRANCE PLANTING AREA
Scale: 1/16\"/>

PLAN



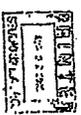
4 POCKET PARK
Scale: 1/16\"/>

PLAN

LEGEND

	SHADE TREES Minimum caliper size to be 3 1/2\"/>
	EVERGREEN TREES Minimum height to be 6-8'
	ORNAMENTAL TREES Min. to be minimum 3\"/>
	SHRUBS Minimum spread/height to be 30\"/>

NOTES:
 1. ENTRY BRICK WALL PLACEMENT NOT TO BE DETERMINED FROM THIS UTILITY FIELD STAKE-OUT.
 2. BRICK WALL AND ENTRY COLUMN TO BE STONE OR BRICK VENDOR TO BE DETERMINED BY DEVELOPER AT LATER DATE.

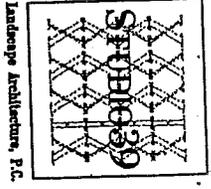


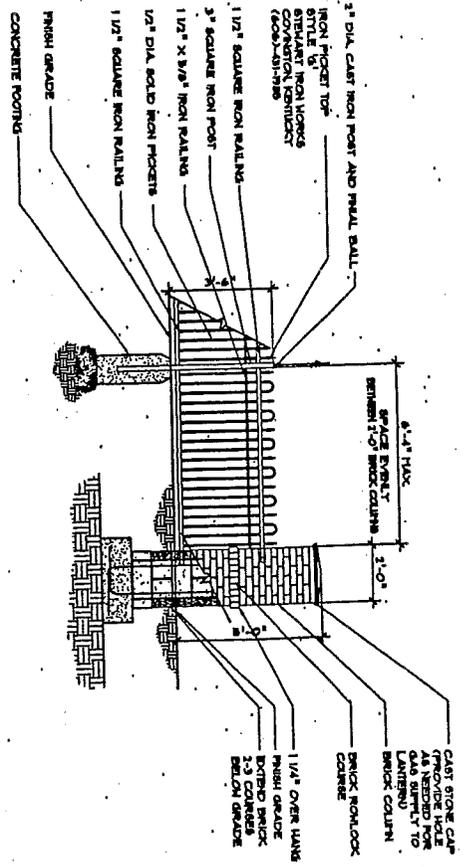
DATE: August 23, 2002
 SHEET 14 OF 22



SITE ENLARGEMENTS

THE TOWNHOUSES AT MANOR CARE
 Fairfax County, Virginia
 WINCHESTER HOMES





NOTE:
 PROPOSED ENTRY FEATURE WALL PLACEMENT
 SHALL BE ADAPTED PER HIS UTILITY
 FIELD STAKE-OUT.
 RETAINING WALL AND ENTRY COLUMN TO BE STONE OR BRICK
 WHEN TO BE DETERMINED BY DEVELOPER AT LATER DATE.

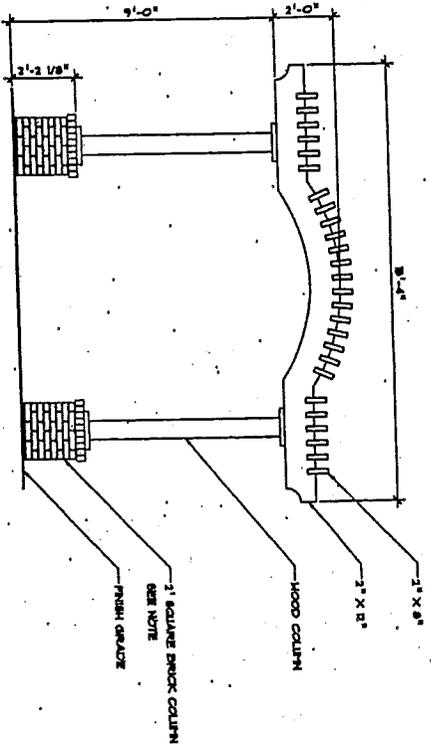


MODEL: 07-4
DATE: PER PLAN
MANUFACTURER: VICTOR FRANKLIN, INC.
 10000 LANTANA DRIVE
 FORT WASHINGTON, PA 19043

3 BENCH OPTION #1
 Scale: 1/2" = 1'-0"

SPECIFICATION

SITE DETAILS



2 TRELIS W/BRICK COLUMN
 Scale: 1/2" = 1'-0"

ELEVATION

4 BENCH OPTION #2
 Scale: 1/2" = 1'-0"



MODEL: 07-4
DATE: PER PLAN
MANUFACTURER: VICTOR FRANKLIN, INC.
 10000 LANTANA DRIVE
 FORT WASHINGTON, PA 19043

SPECIFICATION



THE TOWNHOUSES AT MANOR CARE
 FAIRFAX COUNTY, VIRGINIA
 WINCHESTER HOMES

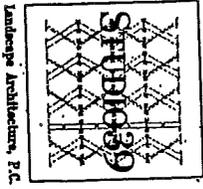
SHEET 18 OF 22

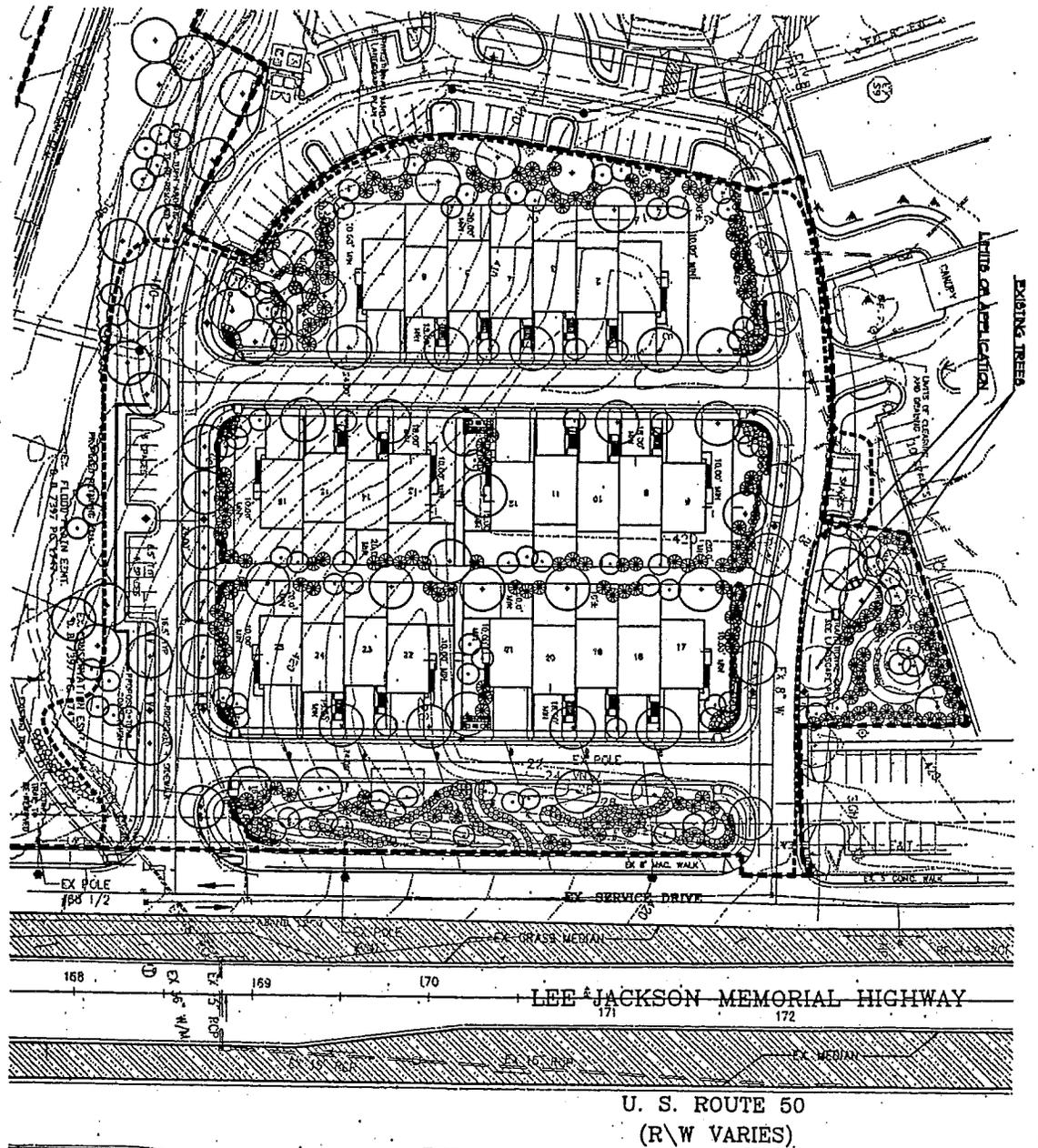
2009 01060

DATE: August 23, 2002
 REVISIONS:

PRINTED
 AUG 22 2002
 STUDIO 911 A 255

THE TOWNHOUSES
 AT MANOR CARE
 Fairfax County, Virginia
 WINCHESTER HOMES





U. S. ROUTE 50
(R\W VARIES)

LEGEND

- SHADE TREES**
Minimum caliper shall be 2 1/2" - 3"
- EVERGREEN TREES**
Minimum height to be 6'-8'
- ORNAMENTAL TREES**
All to be multi-trunked & some minimum height to be 6'-8'
- SHRUBS**
Minimum spread/height to be 30"-42"

NOTE:
LANDSCAPE PLAN SUBJECT TO URBAN FORESTER APPROVAL.

PRINTED
BY
STUDIO 39
ARCHITECTS, P.C.



OVERALL LANDSCAPE PLAN

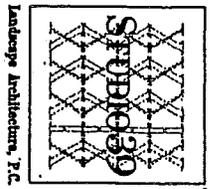
SCALE: 1" = 30'-0"

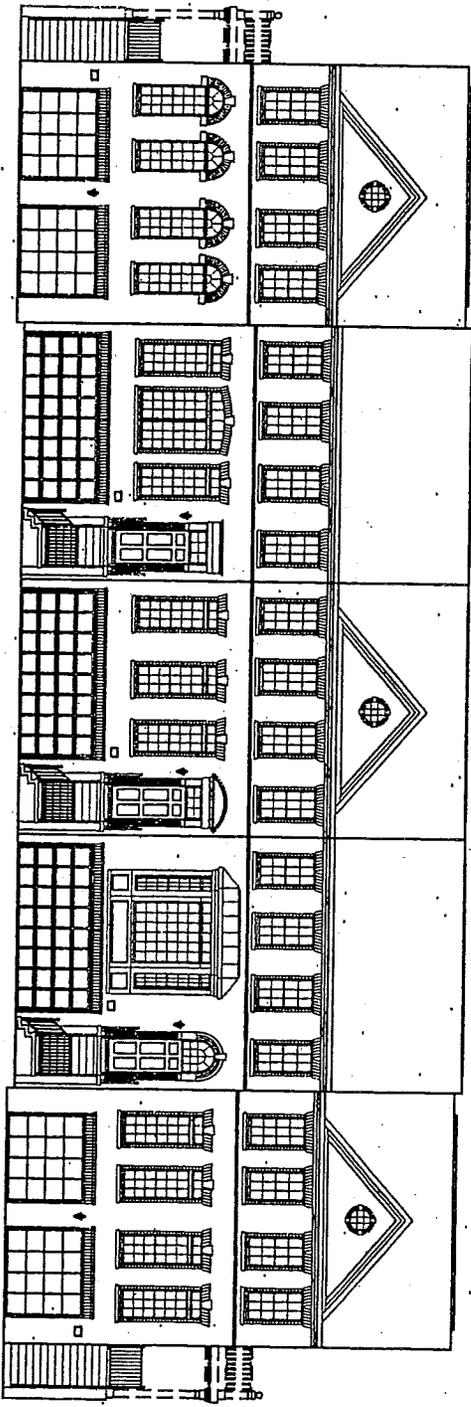
DATE: August 23, 2002

SHEET 19 OF 22

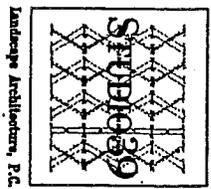
4091 01000

THE TOWNHOUSES AT MANOR CARE
Fairfax County, Virginia
WINCHESTER HOMES





NOTE:
ALL FRONT FACADES TO BE BRICK FACED.



**THE TOWNHOUSES
AT MANOR CARE**
Fairfax County, Virginia
WINCHESTER HOMES

TOWNHOUSE
TYPICAL ELEVATION

SCALE: 3/16" = 1'-0"

DATE: AUGUST 23, 2002

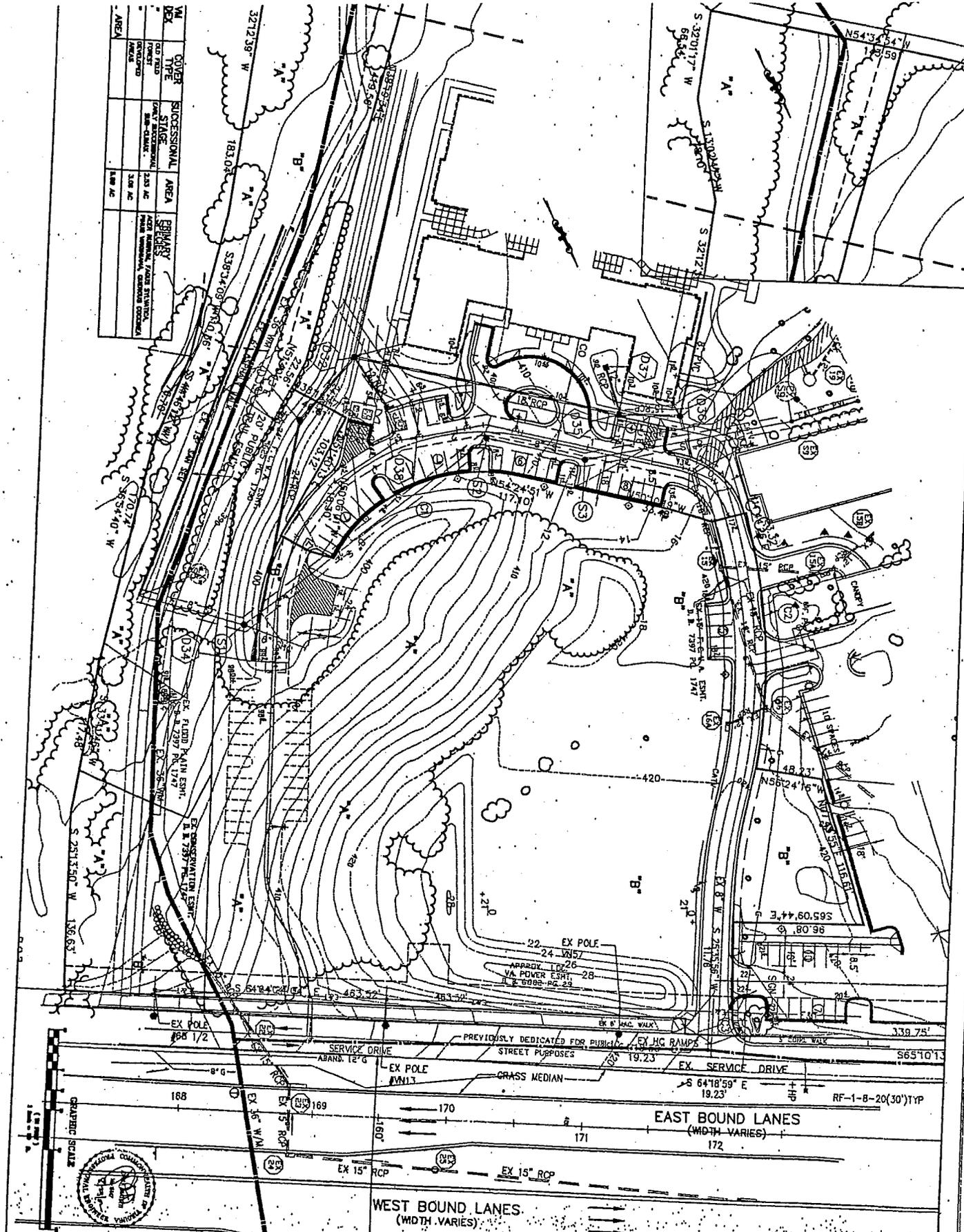
JOSEF 01060

SHEET 21 OF 22



PRINTED BY:
STUDIO 39 ARCHITECTURE, P.C.
1122 E. 23RD ST.
Arlington, VA 22202
Tel: 703.241.1122
Fax: 703.241.1122

NO.	DATE	DESCRIPTION	BY	CHECKED
1	08/11/22	ISSUED FOR PERMITTING	...	...
2	08/11/22	ISSUED FOR PERMITTING	...	...
3	08/11/22	ISSUED FOR PERMITTING	...	...
4	08/11/22	ISSUED FOR PERMITTING	...	...
5	08/11/22	ISSUED FOR PERMITTING	...	...



GRAPHIC SCALE
 1" = 20'
 168' 169' 170' 171' 172'

EX 15" RCP
 EX 15" RCP

EX SERVICE DRIVE
 EX 8" W S. 25° 55' 35" W
 EX 8" W S. 25° 55' 35" W
 EX 8" W S. 25° 55' 35" W
 EX 8" W S. 25° 55' 35" W

EAST BOUND LANES
 (WIDTH VARIES)

WEST BOUND LANES
 (WIDTH VARIES)

LEE JACKSON MEMORIAL HIGHWAY (ROUTE 50)
 IMPROVED BY VDOT UNDER CONTRACT R000-029-249

EXISTING VEGETATION MAP	MANOR CARE AT FAIR OAKS TOWNHOUSE PARCEL SPRINGFIELD DISTRICT FAIRFAX COUNTY, VIRGINIA	
--------------------------------	--	--

VIVA REVISIONS
 DATE: 08/11/22
 BY: ...
 CHECKED: ...

PROJECT/FILE NO.
 SHEET NO. OF 22

ENGINEERS & PLANNERS & LANDSCAPE ARCHITECTS & SURVEYORS & GPS SERVICES
 8100 GREENHURST DRIVE, SUITE 200 B WILMANTON, VIRGINIA 22106
 (703) 444-7000 • FAX (703) 444-7001
 WWW.VIVACONSULTING.COM



County of Fairfax, Virginia

MEMORANDUM

DATE: March 28, 2016

TO: Barbara Berlin, Director
Zoning Evaluation Division, Department of Planning & Zoning

FROM: Michael A. Davis, Acting Chief
Site Analysis Section, Department of Transportation

FILE: SE 84-P-129 (with RZ 84-P-114)

SUBJECT: SEA 84-P-129-04 Arden Courts – Fair Oaks of Fairfax VA, LLC
12469 Lee Jackson Memorial Highway, Fairfax VA 22033
Tax Map: 45-4 ((1)) 006B

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application and Special Exception Amendment plat (SEA). These comments are based on the application material, dated November 13, 2015.

- The proposed building additions with this application will have a minimal impact to traffic operations on the adjacent Route 50 roadway and service drive. As such, no additional recommendations are needed for circulation and access to the roadway and service drive beyond what is currently provided.
- Applicant should provide inverted, "U-shaped" bicycle parking racks within 50 feet of the main and employee entrance, in accordance with the Fairfax County Bicycle Parking Guidelines.
- This project site is located within the Fairfax Center Area Plan. The Applicant should provide a contribution to the Fairfax Center Area Road Fund (FCAR), for the additional square footage proposed, in accordance with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as amended subject to credit for all creditable expenses as determined by FCDOT and/or DPWES.

cc: Carmen Bishop, DPZ

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





COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

February 5, 2016

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: SEA 1984-P-129-04 Arden Courts – Fair Oaks of Fairfax VA, LLC
Tax Map # 61-2((21))0001

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 January 4, 2016, and received on January 20, 2016. I have no objection to the approval of this amendment.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver
fairfaxspex1984-P-129-04sea1ArdenCtsFairOaks2-5-16BB

We Keep Virginia Moving



County of Fairfax, Virginia

MEMORANDUM

DATE: May 9, 2016

TO: Carmen Bishop, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Ian Fuze, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: Arden Courts-Fair Oaks of Fairfax SEA 84-P-129-04

The following comments and recommendations are based on the above mentioned Special Exception Amendment application stamped as received by the Department of Planning and Zoning April 29, 2016.

- 1. Comment:** A portion of the site within the rear courtyard will receive soil amendments that may not be conducive to the establishment of landscape plantings.

Recommendation: Allow for the substitution of species and/or the relocation of those plantings shown on the landscape plan proposed where soil amendments are to take place.

- 2. Comment:** It will be beneficial to make the adjustments mentioned above or any other that may arise prior to the installation of any landscape plantings. A required meeting in the field with the landscape contractor will allow UFMD a chance to make any necessary changes prior to planting installation.

Recommendation: Include the following development condition:

“Landscape Planting Pre-installation Meeting. Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the contractor/developer shall coordinate a pre-installation meeting on the site with the landscape contractor, UFMD staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan shall be reviewed and must be approved by UFMD staff prior to planting.”

If further assistance is desired, please contact me at 703-324-1770.

if/

UFMDID #: 208940

cc: DPZ File



County of Fairfax, Virginia

MEMORANDUM

DATE: May 5, 2016

TO: Carmen Bishop, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: William J. Veon, Jr., Senior Engineer III (Stormwater)
Central Branch, Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Zoning Application No.: SEA 84-P-129-04
Arden Courts – Fairfax Oaks of Fairfax VA, LLC
Special Exception Amendment Plat (dated April 29, 2016)
LDS Project No.: 007014-ZONA-001-1
Tax Map No.: 045-4-01-0006B
Springfield District

The subject application has been reviewed and the following stormwater management comments are offered at this time:

1 - Note that Article 4 of the Fairfax County Stormwater Management Ordinance (SWMO - County Code, Chapter 124), and the version of the Fairfax County Public Facilities Manual (PFM) current with the date of future site plan approval, are applicable to this proposed project. No evidence has been provided to support a “time limits” or “grandfathering” condition for the project. The statement on Sheet 2 that the “existing [stormwater management] facility remains adequate to serve the site” is not likely valid.

Response: *The project site limits have been provided as requested in the subsequent comments. In accordance with the current regulations, a VRRM analysis has been provided to demonstrate that the proposed BMP’s are viable and have the potential to provide compliance with the project site’s water quality requirements. The final calculations will be provided with the final design/site plan stage.*

Follow-up Comment 1: Please ensure the proposed project site limits include all proposed facilities (including BMP facilities), adequate work areas around these facilities (10’ minimum work width around facility perimeters), adequate ingress/egress (widths [10’ minimum] and lengths) from public R/W to the work areas, adequate areas for construction staging and for temporary materials storage and transport, adequate areas for construction equipment storage and

for construction-related vehicle parking, and adequate areas for all project Pollution Prevention Plan facilities. Note that the proposed BMP's will be addressed in other follow-up comments below.

Follow-up Response: The project site limits which include the abovementioned items have been identified. We have also identified the projects limits of disturbance which include the active project work areas that involve actual land disturbance activities (the additions, sidewalk, grading, landscaping, adequate perimeter clearance for the work areas, and connectivity between work areas and the parking lot). This distinction has been provided to clarify what areas are included in the SWM/BMP calculations. The existing private drive aisle from the ROW and parking areas that will not be disturbed are not included in the SWM/BMP calculations. These are existing undisturbed areas that are currently treated by the existing pond. At this time the final location of any contractor staging/storage is not known, but a note has been added to ensure that these areas are to be identified with the final site plan and shall not encroach into the RPA and/or floodplain.

Follow-up Comment (5/5/2016): ok.

2 - Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) located on the property containing the proposed project. However, the portion of the property that is to comprise the project site has not been formally identified, so it cannot yet be determined if RPA delineations and/or RPA impact waivers will be required. Please see the definition of "site" in the SWMO, and ensure all proposed facilities, facility perimeter work areas, ingress/egress areas, stockpile/construction storage areas, construction parking areas, etc., are included within the defined project site. Please depict the project site on the proposed SEA plat.

Response: *The limits of the project site have been fully depicted on the proposed SEA/PCA plat. These limits do not propose any encroachment into any RPA.*

Follow-up Comment 2: See follow-up comment 1 regarding the limits of the project site.

Follow-up Response: Please see response to Follow-up Comment 1.

Follow-up Comment (5/5/2016): ok.

3 - Floodplains

There are regulated floodplains located on the property containing the project. However, the portion of the property that is to comprise the project site has not been formally identified, so it cannot yet be determined if floodplain impact assessments and Floodplain Use Determinations will be required. Please depict the project site on the proposed SEA plat.

Response: *The limits of the project site have been fully depicted on the proposed SEA/PCA plat. These limits do not propose any encroachment into any floodplain.*

Follow-up Comment 3: See follow-up comment 1 regarding the limits of the project site.

Follow-up Response: Please see response to Follow-up Comment 1.

Follow-up Comment (5/5/2016): ok.

4 - Downstream Drainage Complaints

There are no significant, contemporary downstream drainage complaints on file.

Response: *This comment is acknowledged and understood.*

Follow-up Comment 4: ok.

5 - Water Quality

Water quality controls are required for this project (SWMO 124-1-6, 124-4-1 & 124-4-2). The entire property is also located within the Occoquan Water Supply Overlay District, and SWMO 124-4-2.B (as well as PFM 6-0401.2) requires the projected phosphorous load for the proposed site disturbance be reduced by at least 50%. The BMP/SWM Narrative indicates that the proposed project's required phosphorous reduction will be achieved via the existing onsite dry extended detention pond. However, this entire pond will need to be brought into compliance with current PFM and VA Department of Environmental Quality (DEQ) requirements if used to meet the water quality needs for the proposed project.

Response: *A VRRM analysis has been provided to demonstrate that the proposed BMP's are viable and have the potential to provide compliance with the project site's water quality requirements. The final calculations will be provided with the final design/site plan stage. The VRRM assigns a 15% phosphorous removal value for the project site which utilizes the existing pond. Additional water quality/BMP facilities are proposed which will allow a total of 50% reduction for the project site.*

Follow-up Comment 5: The existing pond is still proposed to provide a portion of the required phosphorous reduction; so, as originally stated above and in accordance with VA DEQ Guidance 14-2014, this entire pond will need to be brought into compliance with current PFM and VA Department of Environmental Quality (DEQ) requirements. This compliance for the existing pond drainage area must be demonstrated now, at this zoning stage, since the scope of this zoning request and the limits of the project site will be impacted by the potential pond modifications, the new pretreatment requirements, and the additional BMP's that will be required (to make up for the difference between the 15% [new] & the 40% [old] phosphorous reduction allowances for the pond drainage area). Alternatively, separate BMP's (not including the existing

pond) can be proposed for the new construction site area, and the existing pond will not need to be upgraded to current BMP standards.

Also, a grass channel BMP is proposed, but no grass channel is identified on the plat. Please identify the grass channel or choose a different BMP.

Follow-up Response: The design has been revised such that credit for the pond is not being taken for the project limits of disturbance. Additional BMP's in the form of urban bioretention tree pit(s) have been provided to meet the current requirements. Grass channels are not being used.

Follow-up Comment (5/5/2016): ok – calculation and design details are reviewed at the final design/site plan stage.

6 - A preliminary VRRM analysis has not been provided to identify the initial phosphorus reduction requirement for the project, and to demonstrate the design engineer's expectation of project compliance via proposed BMP facilities. Although calculation and design details are reviewed at the final design/site plan stage, the design engineer is still required, at the zoning stage, to demonstrate that specific BMPs are viable for a site and that these BMPs have the potential to provide compliance with the project site's water quality requirements.

Response: *A VRRM analysis has been provided to demonstrate that the proposed BMP's are viable and have the potential to provide compliance with the project site's water quality requirements. The final calculations will be provided with the final design/site plan stage.*

Follow-up Comment 6: Please note that the post-development phosphorous load that must be reduced by 50% is comprised of both the "Post-ReDevelopment Load" and the "Post-Development Load" in the VRRM spreadsheet. So, per the current calcs, a reduction of about 0.28 lbs/yr would be required rather than the identified 0.23 lbs/yr.

Follow-up Response: The post development phosphorous load comprised of both "Post Redevelopment Load" and "Post Development Load" is calculated as 0.61 lbs/yr. The proposed reduction is 0.32 lbs/yr which satisfies the 50%.

Follow-up Comment (5/5/2016): ok – calculation and design details are reviewed at the final design/site plan stage.

7 - Note that under the SWMO Article 4 regulations an extended detention pond is now assigned only a 15% phosphorus reduction value. Previously (prior to July 1, 2014) this reduction value was 40%.

Response: *The existing pond is being utilized to provide water quality/BMP for the project area at a 15% phosphorous removal rate. As stated in the response to comment 5, additional water*

quality/BMP facilities are proposed which will allow a total of 50% reduction for the project site.

Follow-up Comment 7: Please note that the 15% phosphorous removal rate will apply to the entire existing pond drainage area if the existing pond is proposed to provide any portion of the required phosphorous removal for the new construction.

Follow-up Response: The existing pond is no longer being utilized for BMP credit for the proposed project limits of disturbance.

Follow-up Comment (5/5/2016): ok.

8 - Water Quantity - Detention

Water quantity controls for stormwater detention are required for this project (SWMO 124-1-6, 124-4-1 & 124-4-4.D). The BMP/SWM Narrative indicates that the proposed project's detention requirements will be achieved via the existing dry extended detention pond. Demonstration that the existing pond was originally designed to accommodate the post-development stormwater runoff from the proposed project will need to be provided at the final design/site plan stage. Calculation and design details are reviewed at the final design/site plan stage.

Response: *This comment is acknowledged and understood. This will be coordinated with the final design to be provided with the final design/site plan stage.*

Follow-up Comment 8: ok.

9 - Water Quantity - Outfalls

Water quantity controls for outfall channel and flood protection are required for this proposed project (SWMO 124-1-6, 124-4-1, 124-4-4.B & 124-4-4.C). The Design Engineer has stated that the outfall is adequate via Note 7 on Sheet 2. However, due to erosion issues in the channel into which the proposed project will discharge (see Stormwater Planning Comments, below), the outfall is not adequate. The allowable project discharge will need to be determined by the "detention method" equation contained in SWMO 124-4-4.B.3.a. The outfall analysis calculations and details will be reviewed at the final design/site plan stage.

Response: *This comment is acknowledged and understood. This will be coordinated with the final design to be provided with the final design/site plan stage.*

Follow-up Comment 9: An acknowledgement of the applicability of the detention method for determining allowable discharges must be included in the SWM/BMP narrative.

Follow-up Response: The acknowledgement has been provided.

Follow-up Comment (5/5/2016): ok.

10 - Stormwater Planning Comments

This site is located in the Cub Run Watershed and the Upper Big Rocky Run Water Management Area (WMA). There is a future stream restoration project (CU9209) proposed on a Rocky Run tributary located along a portion of the project's western property boundary; as well as upstream drainage retrofit projects (CU9914 & CU9914C) proposed on a portion of Rocky Run located along the project's eastern property boundary. Please contact Don Demetrius and/or Fred Rose (cc'd below) with the Stormwater Planning Department to discuss the implication of the proposed project on the future, adjacent County projects.

Response: *This comment is acknowledged and understood. This will be coordinated with the final design to be provided with the future site plan and/or minor site plan.*

Follow-up Comment 10: ok.

11 - Dam Breach

The property is not located within a dam breach inundation zone.

Response: *This comment is acknowledged and understood.*

Follow-up Comment 11: ok.

12 - Miscellaneous

The stormwater information form on Sheet 2 will need to be updated to reflect the SWMO Article 4 design requirements.

Response: *The note on sheet 2 has been updated. The additional updated information has been moved to sheet 10 and is noted as such on sheet 2.*

Follow-up Comment 12: ok.

13 - The stormwater management plan to be prepared at final design must address all of the items listed in SWMO 124-2-7.B.

Response: *This comment is acknowledged and understood.*

Follow-up Comment 13: ok.

14 - The latest BMP specifications provided on the Virginia Stormwater BMP Clearinghouse website, in addition to the PFM, must be used for final design. The design engineer is also referred to LTI 14-13 with regard to the selection of the appropriate BMPs.

Response: *This comment is acknowledged and understood.*

Follow-up Comment 14: ok.

Please contact me at 703-324-1720 or William.Veon@fairfaxcounty.gov, if you have any questions or require additional information.

WJV/

cc: Don Demetrius, Chief, Watershed Projects Evaluation Branch, SPD, DPWES
Fred Rose, Chief, Watershed Planning & Assessment Branch, SPD, DPWES
Durga Kharel, Chief, Central Branch, SDID, DPWES
Hani Fawaz, Senior Engineer III, Central Branch, SDID, DPWES
Zoning Application File



County of Fairfax, Virginia

Health Care Advisory Board

MEMORANDUM

DATE: February 12, 2016

TO: Board of Supervisors

RECEIVED
Department of Planning & Zoning

FROM: Marlene W. Blum, Chairman
Health Care Advisory Board

FEB 22 2016
Zoning Evaluation Division

SUBJECT: Health Care Advisory Board Review of Arden Courts-Fair Oaks of Fairfax VA, LLC application number (SEA-84-P-129-04) to add eight assisted living memory care units.

On February 8, 2016, the Health Care Advisory Board (HCAB) reviewed the application of Arden Courts-Fair Oaks of Fairfax VA, LLC (SEA-84-P-129-04) to add eight assisted living memory care units to its existing facility. The proposed site is located at 12469 Lee Jackson Memorial Highway in the Springfield District. Opened in 1997, Arden Courts Fair Oaks is a 56-bed Alzheimer's assisted living facility (ALF) dedicated to providing memory care to persons with Alzheimer's disease and related dementias.

Carrie O'Hara, Senior Health Planner, HCR Manor Care; Anita Irvin, Facility Executive Director, Arden Courts Fair Oaks; Francina Smith, Programs and Marketing, Arden Courts Fair Oaks; Ken Connelly, Divisional Director, HCR Manor Care; and Mark Viani, Shareholder, Bean, Kinney & Korman appeared before the HCAB to present Arden Courts-Fair Oaks of Fairfax VA, LLC's proposal and answer HCAB members' 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.

Facility/Program

The mission of HCR ManorCare, Inc., the parent corporation of Arden Courts Fair Oaks, includes development and operation of dedicated Alzheimer's assisted living facilities in areas with identified need for memory care services.

Arden Courts Fair Oaks is comprised of four wings called "houses," which are connected by a common space where residents can enjoy specialized programming and interaction with other residents and staff. The proposed project would add eight private rooms (2,648 square feet) to the facility. If approved, the addition adds two bedrooms to the end of each "house."

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/>



Arden Courts Fair Oaks provides memory care services for every level of dementia. The Director of Programs and Marketing described several treatment programs, including Engagement Therapy Treatment (ETT) and Namaste Care. ETT integrates unique life experiences of the past with present interests, such as the National Parks. Based on personal and historic information, ETT programs are developed to help residents socialize and share with others. According to Francia Smith, joining past and present maximizes cognitive abilities and provides a particularly therapeutic environment.

The Namaste Program is a complementary care program for advanced dementia residents. The focus of this treatment modality is to engage people in an environment that nurtures and stimulates the senses, created with scents of lavender, soft music, nature scenes, and hydration. By nurturing the senses of smell, touch, taste, hearing and vision, the Namaste Program can mitigate the use of some medicines.

Institutional/Community Need

According to the applicant, Arden Courts Fair Oaks' occupancy averaged 96% during the past five years and over 98% during the past two years. Given that the facility is operating at close to full capacity, the applicant argued that additional beds are required.

Arden Courts Fair Oaks applied the Alzheimer's Association's 11% prevalence rate to the 65 and older population within Arden Courts Fair Oaks' five-mile service area. The applicant estimated a service need for 2,303 persons 65 and older with Alzheimer's disease and related dementias.

Applying a 32% prevalence rate to the 85 and older population, the period where at-home, community-based care is less appropriate, the applicant estimated a service need for 604 persons within five miles of Arden Courts Fair Oaks. The applicant argued that the current inventory of 150 existing and 104 proposed assisted living memory care beds (254 total) within five miles of Arden Courts Fair Oaks is not sufficient to meet the projected need for additional memory care services.

Moreover, representatives for Arden Courts Fair Oaks identified a growing need for memory care services for younger adults. The facility is increasingly admitting younger persons with early onset Alzheimer's disease, frontotemporal dementia, Lewy body dementia or alcohol related dementia. Many of these residents were admitted before their 50s, and Arden Courts believes this trend will continue, underscoring the need for additional beds.

Accessibility

Physical

Arden Courts Fair Oaks is located on U.S. Route 50 (Lee Jackson Memorial Highway), a major east-west thoroughfare traversing western Fairfax County, which is in close proximity and intersects with other major highways such as I-66, U.S. Route 29, Fairfax County Parkway (Route 286), Route 123 and Centreville Road (Route 28). Public transportation is available to the site as there are a couple of Fairfax Connector bus routes that run along Route 50 and nearby cross streets.

Financial

Arden Courts charges market rates for memory care. Rates for the eight additional beds will be the same as the existing beds. The rate is a flat-fee, all inclusive of room, board, personal and memory care. There is an additional charge for medications and incontinence products

(the associated care is included in the room rate), beauty/barber services and cable TV in the residents' rooms.

The applicant reconfirmed its commitment to provide 4% of its units to residents eligible for the Virginia Department for Aging and Rehabilitative Services' (DARS) Auxiliary Grant (AG) Program. Communication with the Fairfax County Department of Family Services (DFS) confirmed that Arden Courts Fair Oaks participates in the AG Program.

Safety and Security

Residents of Arden Courts Fair Oaks are housed on one level; there are no elevators or stairs. The facility has a controlled access system that requires a security code to enter and exit. A perimeter fence along the property enhances resident safety and security.

Staffing Levels, Qualifications, and Training

Arden Courts Fair Oaks has licensed and certified staff specially trained in dementia and memory care to care for its residents. The facility's Executive Director, Anita Irvin, stated that overall resident care is supervised by a Resident Services Coordinator who is a licensed Registered Nurse (RN), in consultation with a physician Medical Director. A Licensed Practical Nurse (LPN) works on each shift. Specially trained Resident Caregivers – some are Certified Nursing Assistants (CNAs) – provide direct resident care. A caregiving plan is prepared for each resident to ensure that appropriate and necessary care is provided.

The Resident Services Coordinator works full-time (8 am – 5 pm) and is on call 24/7. There is a LPN on each of the three shifts. With respect to direct resident care, there are eight resident caregivers on the day shift (1 caregiver to 7 residents), 6.5 caregivers on the evening shift (1 caregiver to 8.6 residents) and 4 caregivers on the night shift (1 caregiver to 14 residents). The average turnover rate among Resident Caregivers is 33%, a rate significantly lower than those reported by other ALF providers. Ms. Irvin highlighted staff longevity as one of the facility's unique assets. If the eight beds are approved, one additional resident caregiver will be added to each shift.

Medication administration is provided onsite by the LPNs and Resident Caregivers who are licensed as Medication Technicians. Medications are stored in locked carts that are located in the health center office when not in use.

All staff receive initial training in their respective job duties as well as training regarding the manifestations of Alzheimer's disease and related dementias and best practices in memory care. Continuing education for all staff is provided. Monthly educational seminars include topics related to advances in Alzheimer's disease treatment and memory caregiving techniques. While Arden Courts Fair Oaks provides 16 hours of training and 12 hours of training specific to dementias, Ms. Irvin stated that the facility's continuing education programs have been increased, which is both a benefit for the staff and the residents in their care.

Formal performance evaluations are conducted after the first 90 days of employment and annually thereafter. Informal feedback is provided on an ongoing basis.

Recommendation:

Per HCAB's procedures, the applicant's operational history was researched using inspection reports from the Virginia Department of Social Services (DSS) and the complaint log from the Northern Virginia Long-Term Care Ombudsman Program. Between January 1, 2015 and

Memorandum to the Board of Supervisors
February 12, 2016
Page 4 of 4

December 31, 2015, two complaints were submitted to the Ombudsman, neither of which could be verified but were later resolved to the satisfaction of the residents. Violations detailed in DSS's inspection summaries from July 11, 2013 through December 2, 2015 detailed shortcomings in medication administration and documentation. Ms. Irvin indicated her awareness of these violations. She discussed the facility's remediation efforts, which included additional training and oversight by LPN and RN staff. The HCAB was satisfied with Arden Courts Fair Oaks' responses and Ms. Irvin's stated commitment to quality improvement.

Based on the information provided by Arden Courts-Fair Oaks of Fairfax VA, LLC, the HCAB feels the applicant has demonstrated a need for the expansion of its existing facility. The application is reasonable in terms of access, need, operations, and financial accessibility (based on the applicant's participation in the Auxiliary Grant program).

Therefore, the HCAB recommends that the Board approve the applicant's proposal to add eight memory care beds to the Arden Courts Fair Oaks.

Should the Board have further questions, please contact the HCAB. Thank you.

cc: Edward L. 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
Peter F. Murphy, Planning Commissioner, Springfield District
Jill Cooper, Executive Director, Planning Commission
Carmen Bishop, Department of Planning and Zoning, Zoning Evaluation Division
Marlae Schnare, Office of Supervisor Herrity
Zachary G. Williams, Bean, Kinney & Korman, PC
Health Care Advisory Board



County of Fairfax, Virginia

MEMORANDUM

DATE: January 31, 2016

TO: Carmen Bishop
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sharad Regmi, P.E.
Engineering Analysis and Planning Branch

SUBJECT: Sanitary Sewer Analysis Report

REF: **Application No. : SEA 84-P-129-04**
Tax Map No. : 045-4-((01))-0006-B

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

- The application property is located in the Cub Run (T-4) watershed. It would be sewered into the Upper Occoquan Sewage Authority (UOSA) Treatment Plant.
- Based upon current and committed flow, there is excess capacity in the UOSA Treatment. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 8" inch line located on the property is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use +Application</u>		<u>Existing Use + Application +Previous Applications</u>		<u>Existing Use + Application + Comp Plan</u>	
	<u>Adeq.</u>	<u>Inadeq</u>	<u>Adeq.</u>	<u>Inadeq</u>	<u>Adeq.</u>	<u>Inadeq</u>
Collector	X		X		X	
Submain	X		X		X	
Main/Trunk	X		X		X	

- Other pertinent comments:**

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
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.
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.
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.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
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.
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.

9-304 Standards for all Category 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 3 special exception uses shall satisfy the following standards:

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

9-308 Additional Standards for Medical Care Facilities

1. In its development of a recommendation and report as required by Par. 3 of Sect. 303 above, the Health Care Advisory Board 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.
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.

- 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.
 - 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.
3. All such uses shall be designed to accommodate service vehicles with access to the building at a side or rear entrance.
 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.
 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.
 6. In the R-E through R-5 Districts, no such use shall be located on a lot containing less than five (5) acres.
 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.

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		