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**WALSH COLUCCI
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March 19, 2012

Via Hand Delivery

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

Re: Rezoning Application
Fairfax County Tax Map Reference: 24-4 ((1)) 11B (the "Subject Property")
Applicant: Northern Virginia Health Investors, LLC

Dear Ms. Berlin:

Please accept the following as a statement of justification for the rezoning of approximately 8.46 acres from the I-5 District to the PRM District.

The Applicant is the contract purchaser of approximately 8.46 acres located in the Sully Magisterial District and identified among the Fairfax County tax map records as 24-4 ((1)) 11B (the "Subject Property"). The Subject Property is located north of McLearn Road and west of Centreville Road. Surrounding uses include the Rachel Carson Middle School to the west, a townhouse community to the north, and a service station with a car wash to the south. A place of worship is located on the opposite side of Centreville Road from the Subject Property. The Applicant proposes a rezoning to permit residential development consisting of independent living and medical care facilities that will be compatible with surrounding development.

The Subject Property is located within Land Unit D-2 of the Dulles Suburban Center in the Area III Comprehensive Plan (the "Plan"). The Plan recommends that the Subject Property be used for low intensity office use at a maximum .50 FAR. The Plan also includes a note in the Performance Criteria for Optional Uses section of the Dulles Suburban Center Overview that "[a]lthough not specifically referenced in each land unit, institutional uses and uses allowed by special permit and special exception may be considered as optional uses throughout the Dulles Suburban Center." A Major Land Use Planning Objective of the Dulles Suburban Center is to "[e]ncourage a variety of housing opportunities within and near the Dulles Suburban Center." As the Plan notes, the Dulles Suburban Center includes sufficient land area that is diverse enough to incorporate a broader range of uses. The existing uses surrounding the Subject Property include institutional, commercial and residential. The Applicant's proposal, therefore, creates an appropriate transition to the lower density residential communities to the east. Further, the proposed development results in an FAR that is below the FAR recommendation in the Plan.

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ATTORNEYS AT LAW

The Applicant has prepared and submitted a Conceptual Development Plan and Final Development Plan (CDP/FDP) that illustrates two separate residential buildings that will provide a tier of residential housing alternatives for seniors ranging from independent living to nursing care facilities. The Applicant's proposal to develop the Subject Property with these uses is in compliance with the Plan's recommendation for a broader range of uses and a variety of housing opportunities that remain in substantial conformity to the recommended density for the Subject Property. Accordingly, the proposed development is in harmony with the Plan recommendations and will serve the housing needs of the residential population in and around the Dulles Suburban Center.

In addition to compliance with the use recommendations of the Plan, the Applicant's proposal meets the Residential Development Criteria listed in Appendix 9 of the Policy Plan as follows:

Site Design

The CDP/FDP is characterized by high quality site design. The Applicant proposes to construct two separate residential buildings on the Subject Property which is currently undeveloped. Independent living and assisted living units will be provided within the same building which allows different levels of care and services for patients that might have the need to move between these levels. The assisted living units are classified within the definition of medical care facility by the Fairfax County Zoning Ordinance (the "Zoning Ordinance"). The nursing care component, also classified as a medical care facility, will be in a separate building.

The independent living and assisted living units will be located in a four-story building with a total height of sixty-seven (67) feet. A total of 152 units will be comprised of 100 units for independent living units and fifty-two (52) units for assisted living units. Of the fifty-two (52) assisted living units, sixteen (16) will be dedicated to memory care or Alzheimer's patients. The size of the independent living units will range from approximately 800 square feet for a one bedroom to approximately 1,100 square feet for a two bedroom. Assisted living units will range from approximately 500-600 square feet for a one bedroom and approximately 700 square feet for a two bedroom. The independent living units will include full service kitchens within the units, but the building will include a dining area for residents, as well as other amenities, such as a fitness center and hair salon. While the assisted and independent living units will be located within the same building, a separate dining area and amenities will be provided for each use. Both dining areas will be served by a shared central kitchen. All housing will be provided on a monthly payment basis and will not require initiation or reservation fees. The Applicant has already secured a Certificate of Need ("CoN") that allocates approximately 166 beds for this use.

Located in a separate building, the nursing care component will consist of two floors in a building with a height of thirty-five (35) feet. The building will house ninety-six (96) units and associated services. The nursing care component will have its own dining facility and other resident services.

Approximately 30% of the Subject Property will be open space, which exceeds the Zoning Ordinance requirement of 20%. To accommodate the grade changes between the adjacent properties, a retaining wall of varying height will be constructed along the southern and

western property lines. An existing five (5) foot sidewalk is located along the Subject Property's frontage on Centreville Road and connecting sidewalks are proposed within the development. The sidewalks will facilitate pedestrian connections within the development and to the surrounding uses. Landscaping will be installed around the buildings, parking lots and in the open space areas.

The development will include a variety of recreational facilities and amenities to serve the residents including, but not limited to: a fitness center, library, walking trails and outdoor courtyards.

Neighborhood Context

A rezoning to the PRM District will allow the Applicant to design a planned development that will provide a continuum of care and variety of housing types that is not permitted under a conventional zoning district. The Applicant proposes an age-restricted multi-family residential development that is designed to supplement the existing uses in the Dulles Suburban Center and in proximity to the Subject Property. Surrounding uses include institutional, commercial and residential. The proposed density of the independent living portion of the development is 24.27 dwelling units per acre, while the medical care facility proposes a density of 0.32 FAR.

Required setbacks are maintained around the periphery of the Subject Property and where possible, supplemented with landscaping. In accordance with Article 13 of the Zoning Ordinance, a thirty-five foot transitional screening buffer will be provided along the northern boundary of the Subject Property adjacent to the existing townhouse community. Transitional screening will include the preservation of existing mature vegetation with some supplemental plantings. A wooded fence six (6) feet in height will also be provided along the northern property line to satisfy the barrier requirement.

The buildings will be oriented toward Centreville Road. The architectural design will include unique and varying facades, complemented by the use of both brick and fiber cement siding. The planned development is designed to minimize impacts on existing development and to be compatible with the surrounding uses. The Applicant's proposal will complete and complement an existing development pattern consisting of non-residential, residential and institutional uses.

Environment

The Subject Property does not include any environmentally sensitive features that require preservation. There is no 100-year floodplain, resource protection areas, wetlands or environmental quality corridors located on the Subject Property. The existing soil characteristics do not present any significant challenges for the proposed development. Storm water management will be provided with the installation of an underground storage facility as shown on the CDP/FDP. No issues concerning noise, lighting or energy have been identified, but may be addressed in proffers submitted during the rezoning process.

Tree Preservation and Tree Cover Requirements

The Subject Property is currently undeveloped and includes existing vegetation. Given the proposed development layout, a fixed location for access to Centreville Road and the narrowness of the Subject Property, significant tree preservation is not possible. The Applicant will preserve a substantial area of existing trees on the northern boundary of the property line that is adjacent to an existing townhouse community. A waiver of the tree preservation target area requirements is requested under Chapter 122 of the Fairfax County Code and Section 12-0508.3 of the Public Facilities Manual as meeting the tree preservation target would prevent the development of uses and densities otherwise allowed by the Zoning Ordinance and as recommended by the Plan.

Transportation

Access to the Subject Property will be provided at an existing curb cut and median break on Centreville Road. The proposed residential development includes five (5) foot concrete sidewalks around the buildings. These sidewalks will connect to the existing sidewalk on Centreville Road. Both buildings will be served by surface parking, with the independent living and assisted living building also served by below grade parking. The parking provided is adequate to provide for the proposed uses. The Applicant has designed a drive aisle around the buildings with the appropriate width to provide for emergency vehicle access. Given the nature of the use, impacts on traffic are not anticipated during peak hours. The overall traffic generated by the Applicant's proposal is much less than what could occur in accordance with the Plan's baseline recommendation for office use at a .5 FAR.

Due to the residential nature of both buildings, services and support staff will be on-site twenty-four hours a day. The breakdown of on-site staff throughout a twenty-four hour cycle is provided in the table below:

	7 AM -3 PM	3 PM -11 PM	11 PM -7 AM	9 AM -5 PM (Mon.to Fri. only)
Independent Living and Medical Care Facility (includes assisted living and Alzheimer's care units)	28	23	8	10
Medical Care Facility (skilled nursing facility)	54	21	23	0
Total Employees	82	44	31	10

Public Facilities

The proposed development will be served by available public facilities that are adequate for the uses proposed. As housing will be provided for senior residents, there is no anticipated impact on the public schools.

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Heritage Resources

The Applicant is unaware of any Heritage Resources that may be located on the Subject Property and worthy of preservation.

The Applicant's proposal also complies with the Guidelines for Multifamily Residential Development for the Elderly listed in Appendix 1 of the Policy Plan. Specifically, the development will provide a shuttle bus service to allow the residents to access local community services. Through the use of retaining walls and the proposed building layout, the Applicant has created a development that is free of significant slopes. Lastly, the independent living and medical care facilities will be designed with features to enhance the safety and security of the residents. These features include universal design elements to promote ease, accessibility and flexibility of use by the residents and an overall safe living environment.


Except for the tree preservation waiver requested herein, to the best of the Applicant's knowledge and belief, the proposed use will be in conformance with all applicable ordinances, regulations and adopted standards.

The Applicant's proposal will transform a now vacant industrially zoned property into a residential use that is in harmony with the Plan, and will serve the needs of the surrounding community. This proposal satisfies the residential development criteria and guidelines for elderly housing as outlined herein.

Should you have any questions regarding the above, or require additional information, please do not hesitate to contact me. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. As always, I appreciate your cooperation and assistance.

Very truly yours,

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


Lynne J. Strobel

LJS/jdp

cc: William M. Holmes
Rob Loftis
Allan Baken
Jonathan D. Puvak
Martin D. Walsh

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