



County of Fairfax, Virginia

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

March 20, 2009

Ms. Ellen vanHully-Bronson
Project Coordinator
Department of Public Works and Environmental Services
Planning & Design Division
12000 Government Center Parkway, Suite 449
Fairfax, VA 22035-0052

Re: Interpretation for PCA 91-W-023, PCA 91-W-023-2/FDPA 91-W-023-3, PCA 91-W-023-3, Fairfax County Public Safety Center Complex and Fairfax County Expansion & Renovation Project, Tax Map 57-4 ((1)) 14, 14A: Handicapped Parking

Dear Ms. vanHully-Bronson:

This is in response to your letter of February 17, 2009, (attached) requesting an interpretation of proffers and Final Development Plan Amendment (FDPA) accepted by the Board of Supervisors in conjunction with the approval of PCA 91-W-023, PCA 91-W-023-2/FDPA 91-W-023-3, PCA 91-W-023-3. As I understand it, the question is whether the addition of a 16 space handicap parking lot is in substantial conformance with the proffers and FDPA. This determination is based on your letter and an attached plan, entitled "Preliminary Landscape Plan," prepared by Dewberry and dated February 2009.

On October 22, 1992, the Public Safety Center was rezoned to the PDC (Planned Development-Commercial) District pursuant to the approval of RZ 91-W-023, subject to proffers dated October 15, 1992. The approved Conceptual Development Plan for the 47.8 acre site included a phased development program. The approval of Proffered Condition Amendment PCA 91-W-023 was on the 47.8 acres site and the proffers accepted with the approval of that application are dated October 16, 1997 and supersede the proffers accepted pursuant to the approval of RZ 91-W-023. Subsequently, the layout of a 26.91 acre portion of the site, where the proposed parking lot is to be located, was changed pursuant to the approval of PCA 91-W-023-2. The proffer statement for the approval of PCA 91-W-023-2 (dated March 13, 2002) amended only those proffers in the October 16, 1997 proffer statement that were affected by the proposed new layout for the Judicial Center and affects only the 26.91 acres included in that application. The

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



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Ms. vanHully-Bronson
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associated final development plan amendment, FDPA 91-W-023-1-2, affects only the 26.91 acres included in that application. The proffers accepted with PCA 91-W-023-3 affect the whole of the 47.8 acres and carry forward the proffers from PCA 91-W-023 and PCA 91-W-023-2.

Your letter states that Garage A provides handicapped parking for the public and includes a security check. Your letter further explains that the handicapped parking lot west of the Massey building, is always full with County handicapped employees parking. Due to the lack of such parking for the public easily accessible to the Courthouse, you are proposing the additional parking lot.

Your exhibit shows the proposed parking lot centrally located north of the circular entrance to the complex. It is my understanding that the proposed parking lot would provide a fairly level path to the entrance of the courthouse. The proposed parking lot location will not disturb the walkways or landscaping around the ellipse near the entrance. Further, your letter states that while the vegetation shown on the FDPA in the area of the proposed parking lot does not exist you intend to retain the required tree coverage for the site and to provide landscaping at the edge of the parking lot, as shown on the plan.

Pursuant to Par. 5 of Sect. 16-403 of the Zoning Ordinance, any modification to an approved final development plan to provide an accessibility improvement shall be permitted and shall not require approval of an amendment to the final development plan. Therefore it is my determination that the proposed parking lot, as shown on your plan, is an accessibility improvement that is in substantial conformance with PCA 91-W-023, PCA 91-W-023-2/ FDPA 91-W-023-3 and PCA 91-W-023-3 provided that landscaping is provided as reviewed and approved by Urban Forest Management (UFM), DPWES. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator.

If you have any questions regarding this interpretation, please feel free to contact Lisa Feibelman at (703) 324-1290.

Sincerely,



Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

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Attachments: A/S

Ms. vanHully-Bronson

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cc: Sharon Bulova, Chairman, Board of Supervisors
John C. Cook, Supervisor, Braddock District
Linda Q. Smyth, Supervisor, Providence District
Pat Herrity, Supervisor, Springfield District
Suzanne F. Harsel, Planning Commissioner, Braddock District
Kenneth Lawrence, Planning Commissioner, Providence District
Peter F. Murphy, Jr., Planning Commissioner, Springfield District
Anthony Griffin, County Executive
Rob Stalzer, Deputy County Executive
James P. Zook, Director, DPZ
Jimmie Jenkins, Director, DPWES
Ronald N. Kirkpatrick, Director, Planning & Design, DPWES
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Ken Williams, Plan Control, Land Development Services, DPWES
File: PCA 91-W-023, PCA 91-W-023-2/FDPA 91-W-023-3, PCA 91-W-023-3,
PI 0902 022, Imaging, Reading



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Department of Planning & Zoning

February 17, 2009

FEB 20 2009

Regina C. Coyle
Director of the Zoning Evaluation Division
Department of Planning & Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035

Zoning Evaluation Division

Reference: Fairfax County Public Safety Center Complex
Fairfax County Courthouse Expansion & Renovation Project
Tax Map 57-4 ((1)) 14, 14A
Minor Modification Request to PCA 91-W-023-2/FDPA 91-W-023-3

Dear Ms. Coyle:

This letter is a request to allow the construction of a 16 space handicap parking lot as shown on the attached plan to support the new Fairfax County Courthouse Expansion & Renovation project.

This 16 space handicap parking lot project has been requested by the County Executive and has funding approved to proceed with design and construction. The need for this project was created after the Courthouse Expansion opened to the public in early Spring 2008. When the expansion portion of the courthouse opened, the entrance to the courthouse shifted approximately 300 feet to the east and up a slight incline. To compound the length of this walk for the public, the two on-site parking garages were switched for safety reasons several years ago to only permit public parking in Garage B (newer parking structure further from the new Courthouse).

Handicap parking during the original re-zoning application process was planned for the lot adjacent to the south side of the Massey Building. This handicap parking lot has been constructed and is always full. Surveys have shown that it is primarily county employees using this lot, thereby leaving no close-in handicap parking for the public visiting the courthouse. Additional handicap parking was then created within Garage A and can be used by both county staff and the public. However, it is not easy for the public to use Garage A as they must go through a security check in order to park there. The County has received numerous complaints from the handicap community resulting in a search to find a better solution.

During a walk of the site with Tony Griffin it was determined that the best solution would be to add another surface handicap parking lot where the construction contractor's (Dick Corp) construction trailers are currently located (see attached plan). This area will provide an additional 16 handicap parking spaces and has the advantage of being in a direct and fairly level path to the front of the courthouse. In addition, this location is the least disruptive as it keeps the landscaped ellipse and walkways consistent with the original design.

Department of Public Works and Environmental Services
Planning & Design Division

12000 Government Center Parkway, Suite 449
Fairfax, VA 22035-0052

Phone: 703-324-5800, TTY: 1-800-828-1120, Fax: 703-324-4365

www.fairfaxcounty.gov/dpwes



This project does modify the overall landscaping in the area of the proposed handicap parking lot but does not decrease the overall tree canopy. Landscaping that was planned to flank the sidewalk in this area will now be used to soften the edges of the handicap parking lot with additional landscaping (shown on plan) between the edge of the parking lot and Page Avenue. Note that the required tree cover for the site is 46,988 SF and a total of 103,901 SF of tree cover is provided. While the handicap lot does add additional impervious area, the increase is small enough that it does not appreciably alter the stormwater management calculations. The increase in impervious area is not large enough to increase the runoff coefficient or percent impervious utilized in the stormwater management calculations. In addition, the receiving storm sewer system is an adequate outfall.

Timing of this project is critical in order to proceed with construction as soon as the Dick Corp construction trailers are moved from the site – projected to be late spring 2009. The completion of design and the site permit process are on track for this schedule.

The original zoning staff member assigned to this application in the mid-90's, was Mr. Peter Braham. Mr. Braham was instrumental in working with Planning & Design Division/DPWES to receive a favorable response to this application in 1997 and again in 2002. This past fall 2008 I reviewed the concept of the handicap parking lot in this location with Mr. Braham. Mr. Braham suggested that this handicap parking lot could be handled through an interpretation process. Accordingly I am submitting this request for your consideration to allow the handicap parking lot to proceed.

I look forward to hearing back from you. Dewberry, our civil engineer and I are available to meet with you to review any details of this proposed design. This additional parking lot will dramatically improve handicap access to the courthouse and needs to be constructed as soon as possible. Thank you in advance for your prompt and timely consideration of this request.

Sincerely,



Ellen vanHully-Bronson, Project Coordinator

Enclosures: As Stated

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cc: Anthony Griffin, County Executive
Rob Stalzer, Deputy County Executive
Jim Zook, Director, DPZ
Jimmie Jenkins, Director, DPWES
Ronald N. Kirkpatrick, Director, Planning & Design, DPWES

