



County of Fairfax, Virginia

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

February 4, 2010

Philip G. Yates, Senior Associate
Dewberry
8401 Arlington Boulevard
Fairfax, VA 22031

Re: Interpretation for SEA 84-C-076-08 and PCA 2000-SU-032-02; Inova Fair Oaks:
Layout modification, Parking

Dear Mr. Yates:

This is in response to your letter dated November 19, 2009 (attached), requesting an interpretation of the proffers and GDP accepted by the Supervisors in conjunction with the approval of PCA 2000-SU-032-02 and of the Special Exception Amendment Plat and development conditions approved with SEA 84-C-076-08. As I understand it, the question is whether the reconfiguration of an existing travel way and loading dock, including the loss of 24 surface parking spaces, would be in substantial conformance with the proffers, GDP, SEA Plat, and development conditions. This determination is based on your letter and a submitted drawing titled "Interpretation Graphic," dated November, 2009.

You indicate that the existing configuration of an internal travel way and loading dock area located adjacent to Medical Office Building 3 does not function well. In order to address this existing condition, you have proposed a reconfiguration that would eliminate 24 surface parking spaces in order to enhance internal vehicular movements. The removal of these parking spaces will result in a slight increase in open space and pervious area on the site.

The calculations in your letter indicate that the loss of these 24 parking spaces is offset by the opening of the parking garage located directly across the internal travel way, which contains 950 new spaces. Those 950 spaces, plus the additional 1775 surface parking spaces on site, total 2725 spaces.

SEA 84-C-076-08 development condition number 8 states:

"Parking spaces shall be provided as shown on the SE Plat and as noted; however, the number of parking spaces at the ultimate build-out shall not be reduced by more than 5% from that number proposed on the SE Plat. This condition shall not limit the ability of the applicant to phase the provision of parking, so long as the phasing complies with Article 11."

Philip G. Yates
Page 2

The GDP/SEA Plat shows a total of 3,088 spaces to be provided at maximum buildout.

The minimum number of spaces provided required by the Zoning Ordinance is 1479. Therefore, with the removal of 24 spaces, the project exceeds the minimum Zoning Ordinance parking requirement by 1246 spaces.

It is my determination that the reconfiguration of the existing internal travel way, including the loss of 24 parking spaces, is in substantial conformance with the proffers, GDP, SEA Plat and development conditions, provided the overall parking for the property is not reduced by more than 5% from the number proposed (shown) on the SEA Plat.

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 Suzie Zottl at (703) 324-1290.

Sincerely,



Regina C. Coyle, Director
Zoning Evaluation Division

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Attachments: A/S

cc: Michael Frey, Supervisor, Sully District
John Litzenberger, Planning Commissioner, Sully District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Ken Williams, Plan Control, Land Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, ZED, DPZ
File: SEA 84-C-076-8, PCA 2000-SU-032-02, PI 0912 124, Imaging, Reading File

November 19, 2009

Regina C. Coyle, Director
Zoning Evaluation Division, DPZ
12055 Government Center Parkway, 8th Floor
Fairfax VA 22035

RECEIVED
Department of Planning & Zoning

NOV 20 2009

RE: Request for Interpretation
Inova – Fair Oaks Hospital
SEA 84-C-076-08 and PCA 2000-SU-032-02

Zoning Evaluation Division

Regina
Dear Ms. Coyle:

May this letter and enclosed graphic serve as a Request for Interpretation related to the above-referenced applications that were approved by the Board of Supervisors on May 1, 2006.

As you will conclude from a review of the enclosed Interpretation Graphic (2 copies), the Request for Interpretation concerns an adjustment to the internal access travel way and maneuver area for the loading docks that serve the hospital use. Experience has proven that the existing layout does not function well. You will note that the proposed adjustments to the travel ways and loading dock area are minor in nature and are internal to the site.

The proposed minor adjustment will result in a loss of 24 surface parking. This loss will not present any issue, however, given the recent opening of the parking garage located directly across the internal travel way known as Joseph Siewick Drive. The parking garage contains 950 new parking spaces. Together with the existing surface parking spaces on the Campus, there is a total of 2,725± spaces, which is far in excess of the 1,479 spaces required by the applicable provisions of the Zoning Ordinance. I would further note that the reduction of the 24 surface parking spaces is in accordance with Note 10 that is affixed to the currently approved GDPA/SEA Plat.

Whereas the proposed minor modification will result in the loss of several parking spaces, it will result in a slight increase in open space and pervious area on the Campus. An additional 1,030± square feet will be added to the existing internal open space which in total equates to 45% of the Campus land area. As you are aware, only 15% open space is required. The proposed minor adjustment will also enhance pedestrian circulation in this sector of the Campus.

It is our judgment that the proposed adjustment to the internal circulation plan is a minor modification that is in substantial conformance with the GDPA/SEA Plat and related Proffers and Development Conditions that were approved by the Board of Supervisors on May 1, 2006. As noted, the minor modification is in response to vehicular circulation on the site.

To support our judgment, we note the proposed modification will be in accordance with the provisions set forth in both Par. 4A of Sect. 9-004 and Par. 5A of Sect. 18-204 of the Zoning Ordinance. More specifically, the proposed modification will not:

1. Change the amount of land area, permit a more intensive use, expand the hours of operation, increase the number of seats, students or employees from that approved pursuant to the Special Exception Amendment/Proffered Condition Amendment (SEA/PCA).
2. Result in an increased parking requirement beyond that approved pursuant to the SEA/PCA.
3. Permit uses other than those approved pursuant to the SEA/PCA.
4. Reduce the effectiveness of approved transitional screening, buffering, landscaping or open space; or
5. Permit changes to the bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property; or
6. Result in an increase in the amount of clearing and/or grading for a stormwater management facility; or
7. Include the addition of any building or additions to buildings beyond those approved pursuant to the SEA/PCA.

I trust that I have adequately presented this request, but should you have any questions or the need for elaboration, please let me know. A response at your early convenience will be appreciated.

Sincerely,



Philip G. Yates
Senior Associate

Enclosure: A/S

CC: Todd McGovern
Mark Ehert
Daniela Medek
Tim Sampson
Clinton Abernathy

December 1, 2009

Regina C. Coyle, Director
Zoning Evaluation Division, DPZ
12055 Government Center Parkway, 8th Floor
Fairfax VA 22035

RECEIVED
Department of Planning & Zoning
DEC 01 2009
Zoning Evaluation Division

RE: Request for Interpretation
Inova – Fair Oaks Hospital
SEA 84-C-076-08 and PCA 2000-SU-032-02

Regina
Dear Ms. Coyle:

Attached is a check for \$500.00 for the filing fee associated with a Request for Interpretation that we filed on November 19, 2009 related to the above-noted applications. I inadvertently omitted the check when we filed the Request, and your staff was kind enough to call and inform me of the oversight.

With the receipt of the check, I trust the Request for Interpretation can be processed in a timely manner.

Thank you for your attention to this matter.

Sincerely,



Philip G. Yates
Senior Associate

Enclosure: A/S

CC: Todd McGovern
Mark Ehert
Daniela Medek
Tim Sampson
Clinton Abernathy

