



FAIRFAX COUNTY

V I R G I N I A

October 7, 1992

WSPOD

STAFF REPORT

APPLICATION NUMBER SE 92-Y-024
(Concurrent with PCA 85-C-091-3
and SEA 84-C-076-4)

SULLY DISTRICT

Applicant: Inova Hospitals

Subject Parcel: 45-2 ((2)) 51-B1

Present Zoning: R-1, WS

Acreage: 1.43 acres

FAR: 0.15

Proposed Use: Child Care Center for employees of hospital

Application Filed: June 3, 1992

Planning Commission Hearing Date: October 22, 1992

Board of Supervisors Hearing Date: October 26, 1992 at 3:30 p.m.

Staff Recommendation: Staff recommends that SE 92-Y-024 be denied. Should the Board approve this application, staff recommends that approval be subject to the Proposed Development Conditions contained in Appendix 3.

It should be noted that the Department of Public Works has indicated that the existing sanitary sewer capacity may be inadequate to accommodate this proposed development. Should the Board of Supervisors approve SE 92-Y-024, that approval in no way guarantees that the sewer capacity is or will be available to serve this site when the applicant or his successors wish to develop the subject property.

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 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.

For information, contact the Zoning Evaluation Division, Office of Comprehensive Planning, 12055 Government Center Parkway, Suite 801, (703) 324-1290.

PCA 85-C-091-3

SEA 84-C-076-4

CA 85-C-091-03 INOVA HOSPITALS
 FILED 06/03/92 PROFFERED CONDITION AMENDMENT
 PROPOSED: MEDICAL FACILITIES TO PERMIT COVERED WALKWAY, ADDITIONAL PARKING AND TO SEVER PUBLICALLY DEDICATED LAND
 APPROX. 46.30 ACRES OF LAND: DISTRICT - SULLY
 LOCATED: 3600 & 3650 JOSEPH SIEWICK DRIVE
 ZONING: C-3
 OVERLAY DISTRICT(S): WS
 MAP REF: 045-2- /01/ /0025, 0041, 0042

EA 84-C-076-04 INOVA HOSPITALS
 FILED: 06/03/92 AMEND SE 84-C-076 FOR MEDICAL CARE FACILITIES TO PERMIT COVERED WALKWAYS, ADDITIONAL PARKING AND REDUCTION IN LAND AREA
 ZONING DIST. SECTION: 04-0304
 ART 9 CATEGORY/USE: 03-06
 46.30 ACRES OF LAND: DISTRICT - SULLY
 LOCATED: 3600 & 3640 JOSEPH SIEWICK DRIVE
 ZONED: C-3 PLAN AREA 3
 OVERLAY DISTRICT(S): WS
 TAX MAP: 045-2- /01/ /0025, 0041, 0042



PROFFERED CONDITION AMENDMENT

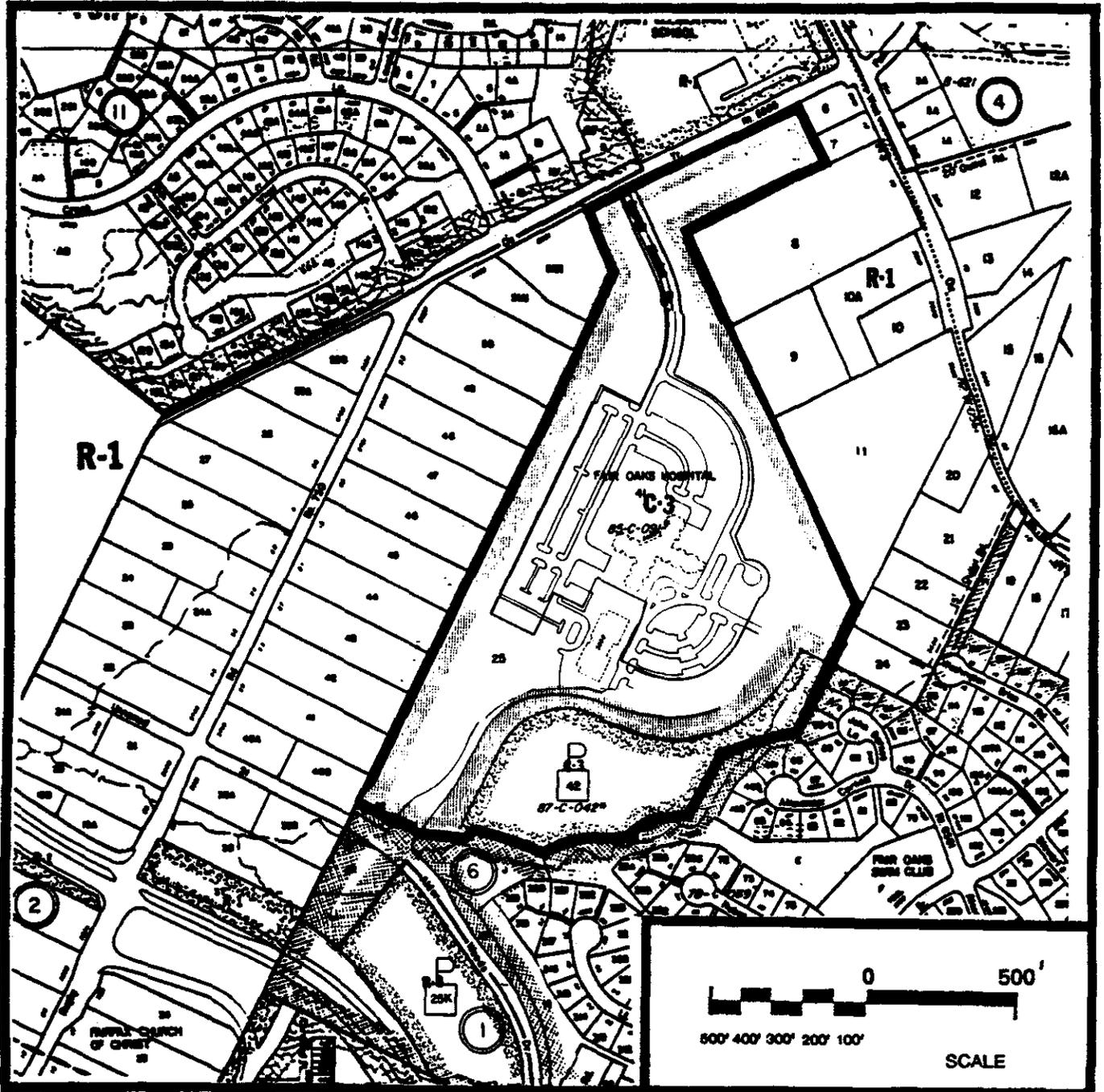
SPECIAL EXCEPTION APPLICATION

PCA 85-C-091-3

SEA 84-C-076-4

CA 85-C-091-03 INOVA HOSPITALS
 FILED 06/03/92 PROFFERED CONDITION AMENDMENT
 PROPOSED: MEDICAL FACILITIES TO PERMIT COVERED
 WALKWAY, ADDITIONAL PARKING AND TO
 SEVER PUBLICALLY DEDICATED LAND
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 LOCATED: 3600 & 3650 JOSEPH SIEWICK DRIVE
 ZONING: C-3
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 MAP REF: 045-2- /01/ /0025, 0041, 0042

EA 84-C-076-04 INOVA HOSPITALS
 FILED: 06/03/92 AMEND SE 84-C-076 FOR MEDICAL CARE FACILITIES
 TO PERMIT COVERED WALKWAYS, ADDITIONAL
 PARKING AND REDUCTION IN LAND AREA
 ZONING DIST. SECTION: 04-0304
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 TAX MAP: 045-2- /01/ /0025, 0041, 0042



SPECIAL EXCEPTION APPLICATION

SE 92-Y-024

SE 92-Y-024
FILED 06/03/92

INOVA HOSPITALS
CHILD CARE CENTER
ZONING DIST SECTION: 03-0104
ART 9 CATEGORY/USE: 03-10
1.43 ACRES OF LAND; DISTRICT - SULLY
LOCATED: 12601 OX TRAIL, FAIRFAX, VA 22033

ZONED R-1
OVERLAY DISTRICT(S): NS
045-2- /02/ /0051-01

PLAN AREA 3

TAX MAP



SPECIAL EXCEPTION APPLICATION

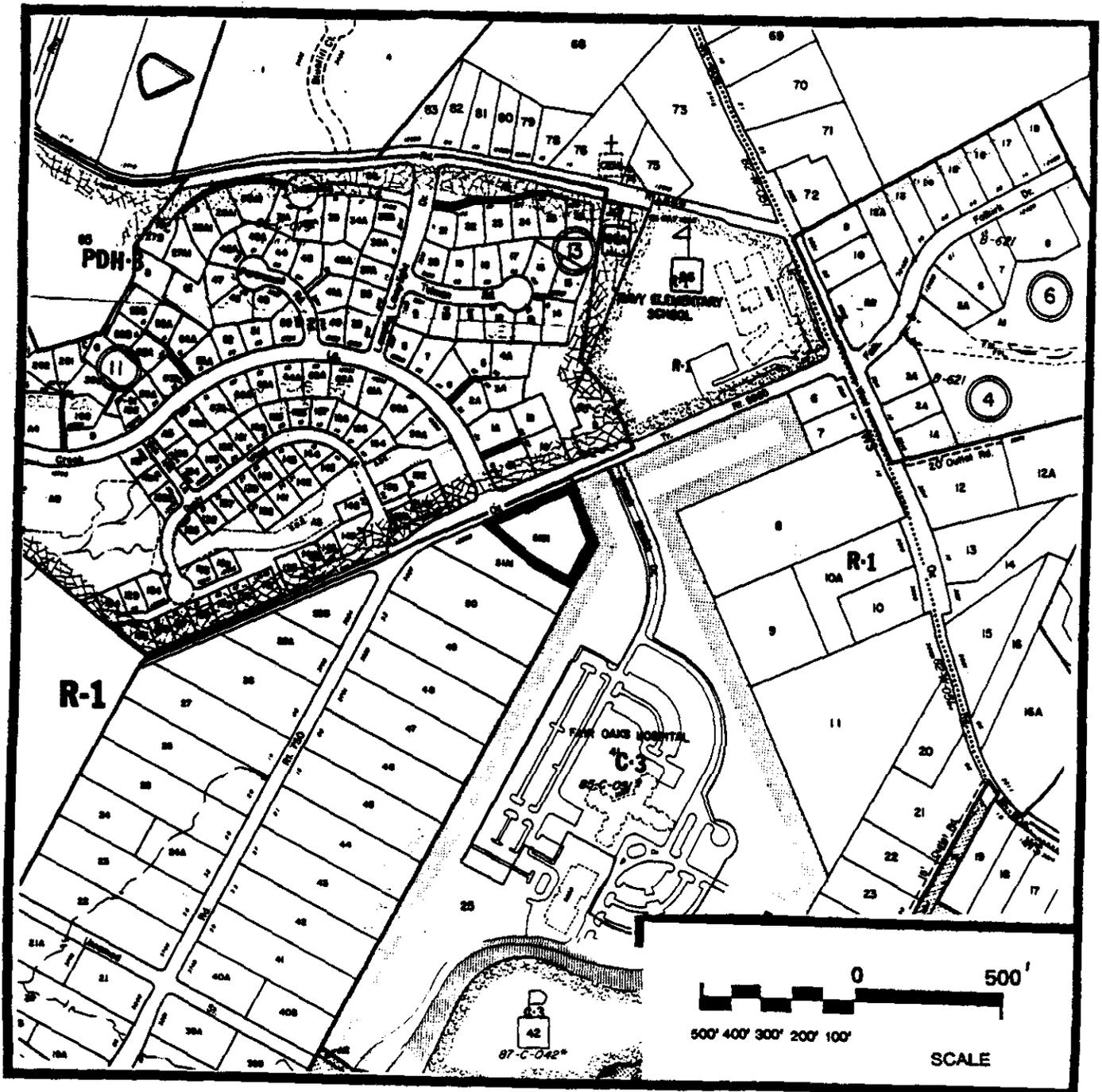
SE 92-Y-024

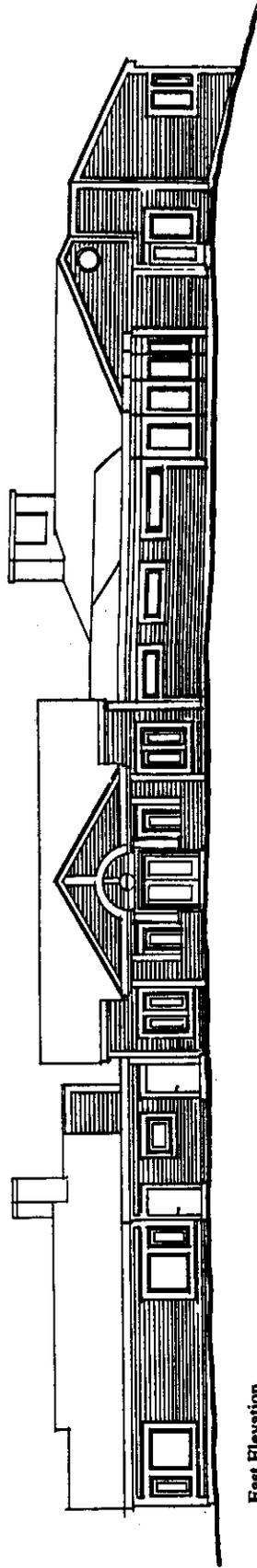
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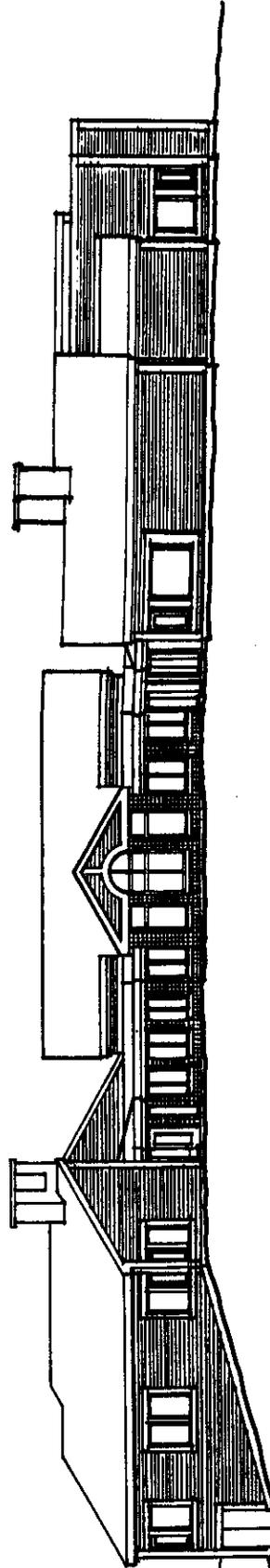
ZONED R-1
OVERLAY DISTRICT(S): WS
TAX MAP 045-2- /02/ /0051-B1

PLAN AREA 3





East Elevation



West Elevation

A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT

DESCRIPTION OF THE APPLICATION

The applicant, Inova Hospitals, is requesting approval of a special exception (SE 92-Y-024) to permit the development of a child care center for employees of Fair Oaks Hospital, located on a lot adjacent to the hospital site and approval to amend Special Exception SE 84-C-076 and PCA 85-C-091-2 to permit the addition of a canopy over the front entrance of the hospital, the addition of covered walkways linking several buildings in the Fair Oaks Hospital campus, the addition of parking for the child care center on the adjacent hospital parcel and the deletion of land area from the previous proffered condition and special exception amendment applications to reflect the severing of 7.5 acres of land associated with the previous dedication to the Fairfax County Park Authority.

The special exception application, SE 92-Y-024, proposes a child care center on Tax Map Parcel 45-2 ((2)) 51-B1 to accommodate up to 150 children. The child care facility will serve only employees of Fair Oaks Hospital. The applicant states that the use will operate from 6 a.m. to 8 p.m., five days per week. Some weekend care may be offered on occasion for special events. A maximum of forty (40) employees are proposed for the use. Access to the child care center is proposed to be from the hospital site only (off of Joseph Siewick Drive). Parking for the use is proposed to be located on the hospital site.

The special exception amendment and proffered condition amendment applications consist of several modifications and additions to the existing hospital site. The applicant proposes to modify the Generalized Development Plan (GDP)/Special Exception Amendment (SEA) Plat to reflect these changes and to amend the proffers and proposed development conditions to reflect the changes to the GDP/SEA Plat. The proposed changes include: the addition of covered walkways linking the medical office buildings on the site and the hospital; a canopy to be located over the existing entrance to the hospital; the provision of twenty four (24) additional parking spaces and possible location of a stormwater management facility to accommodate the proposed child care center which is the subject of the concurrent special exception application; and the deletion of 7.5 acres of land previously dedicated to the Park Authority. The applicant had also previously proposed the addition of several temporary modular buildings in the center of the hospital site, but has since removed them from the revised Generalized Development Plan/Special Exception Plat.

The applicant is also requesting a reaffirmation of a modification of the transitional screening and waiver of the barrier requirement that was previously granted pursuant to the approval of PCA 85-C-091-2 and SEA 84-C-076-3 and is requesting approval of a modification of the transitional screening requirement in favor of existing vegetation as shown on the SE Plat and a waiver of the barrier requirement in conjunction with the request for approval of SE 92-Y-024.

The Draft Proffers for PCA 85-C-091-3 are included as Appendix 1. Staff's proposed Development Conditions for SEA 84-C-076-4 are included as Appendix 2. Staff's proposed Development Conditions for SE 92-Y-024 are included as Appendix 3. The applicant's Affidavit and Statement of Justification are included as Appendices 4 and 5 respectively.

A child care facility is a Category 3 use in the R-1 District and must satisfy the Zoning Ordinance requirements contained in Appendix 6 of this report, among others.

Additions to a Medical Care facility are a Category 3 use in the C-3 District and must satisfy the Zoning Ordinance requirements contained in Appendix 6 of this report, among others.

LOCATION AND CHARACTER OF THE AREA

The special exception property is located at 12601 Ox Trail, on the south side of Ox Trail adjacent to Fair Oaks Hospital. The 1.43 acre site is zoned R-1 (Residential-One Dwelling Unit Per Acre) District.

The property subject to the special exception amendment and proffered condition amendment applications is located at 3600 and 3650 Joseph Siewick Drive. It consists of the same property as the previous special exception and proffered condition amendment applications, 46.3 acres of land which is zoned C-3 (the existing site of Fair Oaks Hospital). The applications also request to sever 7.5 acres of land previously dedicated by proffer to the Fairfax County Park Authority as part of the previous applications.

The hospital site is surrounded by subdivisions of single family detached homes. The area between the hospital and West Ox Road is zoned R-1 and is developed and planned for low density residential use at a density of .2-.5 dwelling unit per acre and open space. Murray Farms to the west is an older subdivision with lots about one acre in size. Fair Oaks Estates which is adjacent to the hospital to the east and south is an R-3 cluster subdivision with lots averaging 14,500 square feet at a density of 2.5 dwelling units per acre. On the north side of Ox Trail/Rugby Road, across from the hospital site, is Century Oaks, developed at a density of 2.6 dwelling units per acre under PDH-3 zoning and Navy Vale Elementary School.

The child care center is surrounded on its northeast and southeast boundaries by Fair Oaks Hospital. To the south and west of the child care center site is Murray Farms which is zoned R-1 and is developed with single family detached dwellings with lots an average of approximately one acre in size. Across from the child care site on the north side of Ox Trail/Rugby Road, is Century Oaks, developed with single family detached dwellings.

BACKGROUND

On July 23, 1979, the Board approved RZ 78-C-079 consisting of approximately 187 acres of land which were rezoned to the R-3 District. The current hospital site and Tax Map Parcel 45-2 ((1)) 25K were included in the application property for RZ 78-C-079.

On December 4, 1984 the Board of Supervisors approved SE 84-C-076 to permit the development of a hospital on land zoned R-3. Subsequently, on November 18, 1985, the Board approved RZ 85-C-091 for the rezoning of 38.83 acres of the 46.33 acre hospital site to the C-3 District to permit the development of medically-related office facilities subject to proffers and a proffered GDP. The remaining 7.5 acres were not included in the rezoning, since they were previously committed to be offered to the Park Authority pursuant to SE 84-C-076. Concurrently with RZ 85-C-091, the Board approved SEA 84-C-076-1 to amend the approved Special Exception Plat and conditions to reflect the addition of a medical office building (MOB-1).

On September 29, 1986, the Board of Supervisors approved PCA 85-C-091-1 and SEA 84-C-076-2 to amend the Special Exception Conditions which were proffered pursuant to RZ 85-C-091 to change the phasing of required improvements to the West Ox Road/Ox Trail intersection to permit the hospital to open prior to the completion of these improvements.

On January 28, 1991 the Board of Supervisors concurrently approved SEA 84-C-076-3, RZ 87-C-042, PCA 85-C-091-2 and PCA 78-C-079. Special Exception Amendment SEA 84-C-076-3 was approved for a hospital and associated uses to reflect the addition of a medical office building (MOB-2), the expansion of the hospital building and associated parking. PCA 85-C-091-2 was concurrently approved to amend the previous proffers accepted pursuant to PCA 85-C-091-1 to reflect an increase in land area, associated with concurrent rezoning application RZ 87-C-042, which rezoned 7.5 acres of land in the southern portion of the site to the C-3 District, and to provide for the addition of a medical office building and an increase in the size of the hospital. The 7.5 acre parcel is now owned by the Fairfax County Park Authority. PCA 78-C-079 was also concurrently approved with the above referenced applications to allow for the proffered dedication of Parcel 25K to the Fairfax County Park Authority.

COMPREHENSIVE PLAN PROVISIONS

The 46.3 acre property which is the subject of SEA 84-C-076-4 and PCA 85-C-091-3 and the 1.43 acre property is the subject of SE 92-Y-024 are located in the Lee-Jackson Community Planning Sector (UP8) of the Upper Potomac Planning District in Area III. An assessment of the proposals for conformance with the land use recommendations of the Comprehensive Plan should be guided by the following citations from the Plan:

On page 378 of the 1991 edition of the Area III Plan as amended through March 9, 1992, under the heading "Land Use Recommendations," the Plan states:

- "7. The Rugby Road/Ox Trail Road area north of the Fairfax County Parkway and west of the Fair Oaks Hospital, except the northern half of the Murray Farms subdivision, is planned for residential use at 2-3 dwelling units per acre which is compatible with the single-family detached development in the immediate vicinity. The northern half of Murray Farms is planned for residential development at a density of 1-2 dwelling units per acre with an option for 2-3 dwelling units per acre. In order for development in Murray Farms north of the Fairfax County Parkway to occur at a density of 2 - 3 dwelling units per acre, substantial land consolidation should be provided to ensure that the land use relationships, buffering, access and circulation pattern will be compatible with development in the surrounding area. . . .
10. Parcels 45-2((1))25, 41 and 42 are planned for hospital and related low intensity ancillary medical service use, provided that a substantial vegetated buffer is maintained between such uses and the nearby residential neighborhoods. Furthermore, it should be provided that the siting and height of buildings at this site are designed to minimize visual impacts on the residential community and that the overall FAR on the site not exceed .20. The southern 7.5 acre portion of this site is owned by the Fairfax County Park Authority and is planned for a public park."

The Comprehensive Plan map shows that the special exception property is planned for residential use at a density of 1-2 dwelling units per acre. The current hospital site is planned as a County Health Facility.

ANALYSIS

Description of the Generalized Development Plan/Special Exception Amendment Plat (GDP/SE Plat) PCA 85-C-091-3, SEA 84-C-076-4

The Generalized Development Plan (GDP)/Special Exception Amendment (SEA) Plat shows the existing hospital building and associated structures, the existing medical office building and the (previously approved) proposed second medical office building. The Plat indicates several modifications from the previously approved GDP/SE Plat, which include: the addition of covered walkways linking the medical office buildings on the site and the hospital; a proposed canopy over the existing entrance to the hospital; twenty four (24) additional parking spaces and the possible location of a stormwater management facility at the eastern edge of the site adjacent to the child care site along Ox Trail, to accommodate the proposed child care center (which is the

subject of the concurrent special exception application). The total F.A.R. proposed for all structures on the site is 0.18. Access to the site is from the existing Joseph Siewick Drive which accesses the site from Ox Trail. Existing landscaping and screening along the periphery and interior of the site remain as previously approved.

Description of the Special Exception Plat (SE Plat), SE 92-Y-024

The Special Exception (SE) Plat shows the 1.43 acre site to be developed for the proposed child care center with a one-story (24 feet in maximum height), 9,380 square foot structure located south of the center of the site. The F.A.R. proposed for the structure is 0.15. A proposed play area measuring 5,475 square feet is proposed adjacent to the structure, facing Ox Trail. An additional play area approximately 1400 square feet in size is located on the eastern side of the building. An eight (8) foot-high board on board fence and a four (4) foot-high split rail fence are provided along the western boundary of the site adjacent to the existing single family detached dwelling to the west of the property. Access to the site is through the main hospital property through the parking area accessed by Joseph Siewick Drive. A curved driveway at the property line adjoining the hospital provides for a drop-off location to the site. The drop off location is contiguous to the hospital parking lot and accommodates dropping off children at the child care center and parking of employee's vehicles within the hospital site.

The GDP/SE Plat shows that existing vegetation along the northern and western property lines will be supplemented to meet transitional screening and barrier requirements.

The SE Plat also indicates the possible location of a dry pond stormwater management facility, within the site of the existing hospital at the eastern edge of the site adjacent to the child care site along Ox Trail, to accommodate the proposed child care center's stormwater management requirements.

Comprehensive Plan Analysis

The complete Planning Analysis is included in Appendix 8. The proposed canopy and covered walkways within the existing hospital site that are the subject of the special exception amendment and the proffered condition amendment applications are in conformance with the comprehensive plan which calls for the use of the existing hospital site as a hospital and ancillary medical uses at an FAR not to exceed 0.20. The FAR remains below this recommendation at 0.18. There are no land use or design issues related to the proposed canopy and covered walkways between buildings (PCA 85-C-091-3 and SEA 84-C-076-4).

As noted above, the Comprehensive Plan restricts hospital development to the existing site of the hospital with an FAR not to exceed 0.20. As noted in the background section of this report, the hospital has been the

subject of several applications to accommodate the establishment, development and expansion of the hospital use. Throughout this process and in the evolution of the Comprehensive Plan regarding this use, there has been increasing concern and emphasis on protecting the adjacent residentially zoned and planned properties from intensification and expansion of the hospital and associated non-residential uses. The Comprehensive Plan language reflects these concerns by limiting development of these uses to the current hospital site at a maximum FAR of 0.20. The Comprehensive Plan addresses the countywide need to provide child care centers in convenient locations to serve residents and employees. This special exception application meets this goal of the Comprehensive Plan in that it would provide convenient child care for employees of the hospital. Nevertheless, based on an evaluation of the current Comprehensive Plan language governing the site, staff believes that the proposed child care facility is not in conformance with the language and intent of the Plan regarding the development of the hospital and its associated uses in that the facility is proposed for a parcel which is not located within the boundary of the area planned for hospital and associated uses. Staff considers the child care center to be an expansion of the hospital use into the Ox Trail/Rugby Road corridor and believes that approval of this use could establish a precedent for the expansion of the hospital or hospital serving uses in an area planned for single family detached development. Unless and until the Comprehensive Plan is modified, staff believes that the proposed child care center would be most appropriately located on the area now planned for hospital use, if it can be developed within the overall FAR of 0.20.

The property adjacent to and including the child care center is zoned R-1, and is planned and developed as single family detached dwellings. Staff has learned that the hospital has acquired all of the properties along the east side of Rugby Road adjacent to the hospital site, with the exception of the adjacent parcel located immediately to the west of the child care site. That parcel is used as a residence. Staff believes that before any expansion of hospital uses is permitted beyond the existing hospital site, a comprehensive study should be undertaken to carefully evaluate any proposed expansion to determine the impact on the surrounding residential areas.

The proposed building setbacks from the property lines shown on the SE Plat do not match the setbacks when measured to scale. The scaled setbacks are greater than the distances shown in some cases. It is staff's opinion that the applicant should increase the building setback to a minimum of one-hundred (100) feet from Ox Trail and to a minimum of seventy-five (75) feet from the adjacent residential parcel to the west to provide greater screening and buffering for adjacent properties. In addition, the building should be designed so that it is residential in appearance to insure compatibility with the adjacent residential structures.

Parking for the use is proposed on the adjacent hospital site. Twenty-four additional parking spaces are provided (0.16 space per child, 150 children proposed) meeting the parking requirement for the use. As

previously noted, the need for the additional parking should be evaluated at the time of site plan review. Since the proposed child care center is proposed for hospital employees only, additional parking may not be necessary since parking may be accommodated by existing parking on the hospital site with the provision of a shared parking agreement.

The GDP/SE Plat shows that existing vegetation along the northern and western property lines will be supplemented to meet transitional screening and barrier requirements and that an eight (8) foot high board on board fence and a four (4) foot high split rail fence are provided along the western boundary of the site adjacent to the existing single family detached dwelling to the west of the property. Staff believes additional plantings should be provided to provide additional buffering for adjacent residential properties, if determined necessary by the County Urban Forester.

Transportation Analysis

The complete Transportation Analysis is attached as Appendix 11. There are no outstanding transportation issues. The applicant has shown dedication of 56 feet from centerline along Ox Trail as requested by staff.

Environmental Analysis

Water quality and tree cover are the principal issues identified in the Environmental Analysis contained in Appendix 10 of this report. Staff notes that both the hospital and child care facility sites are located in the headwaters of the Cub Run watershed, which is a critical location in the Occoquan Basin. Most construction activity will take place on and adjacent to the child care site, part of which drains towards the location of a planned regional stormwater management pond (C-44) which will also provide water quality control measures. However, the northern portion of the child care site, as well as the new parking lots on the hospital property, drains in a different direction. Runoff from that area will need to meet on-site the Best Management Practices (BMP) requirements of the Water Supply Protection Overlay District (WSPOD). The GDP/SEA Plat shows a "possible stormwater management area" in the southeast quadrant of the intersection of Ox Trail and Joseph Siewick Drive where now there are mixed deciduous trees. This woodland habitat may be the upstream terminus of an EQC and wildlife corridor which begins to the southwest of the child care site, across Ox Trail. At the time of site plan approval the applicant may be required to make a contribution to regional pond C-44. For portions of the site which do not drain to the regional pond, the BMP requirements of WSPOD will need to be met. There is high quality vegetation and wildlife habitat in the area now designated as the possible stormwater management facility location. In order to preserve as much as possible of that area in its natural state, the applicant should explore the use of an embankment-only facility or other water quality measure which will cause the least amount of disturbance to the existing vegetation. This issue is addressed by a proposed development condition contained in Appendix 2.

Because the property is in the headwaters of WSPOD, water quality, including prevention of sedimentation, is of critical importance. In order to protect nearby streams from excessive erosion and sedimentation, the applicant should ensure that all erosion and sedimentation measures be designed and operate at their maximum effectiveness. This issue is addressed in a Proposed Development Condition in Appendix 3.

As previously noted, there is high quality vegetation on parcel 51B1 which extends to the adjacent hospital property. This woodland area, although separated from an EQC and wildlife corridor by Ox Trail, may contribute to wildlife movement and habitat. Although some preservation of stands of trees is shown on the Special Exception Plat, it would be desirable to incorporate more existing vegetation in the screening and buffering for the child care facility. All existing trees within areas designated for tree preservation should be preserved. In addition, in order to ensure that as many trees will be preserved as possible outside of the preservation areas, a tree-save plan to incorporate them in the site design should be submitted for the approval of the Urban Forester. This issue is addressed by a Proposed Development Condition in Appendix 3.

It would also be desirable to incorporate some of the existing vegetation in the proposed parking for the child care center shown on the SEA Plat in the parking lot landscaping or as previously noted, the applicant should consider a shared parking agreement to incorporate the parking necessary for the child care center with existing parking for the hospital to eliminate the need to disturb this area.

Public Facilities Analysis

Comments regarding the adequacy of sewer, stormwater management, water and fire and rescue services available to serve the site are found in Appendices 12, 13, 14 and 15 respectively. The proposed development currently meets fire protection guidelines and adequate water and stormwater management facilities serve the site. Comments for Systems Engineering and Monitoring Division, DPW indicate that a sewer connection for the child care center is not shown and that as such a sanitary sewer analysis cannot be done at this time. The report also noted that sanitary sewer capacity is limited in this area. Comments from the Fairfax County Park Authority are contained in Appendix 16. No adverse impacts are anticipated by the Park Authority as a result of the proposed application. The comments of The Fairfax County Health Department are included as Appendix 17. The Health Department indicates that it has no objection to the proposal, provided that conditions contained in its letter are met.

ZONING ORDINANCE PROVISIONS SEA 84-C-076-4/PCA 85-C-091-3

A copy of the applicable Zoning Ordinance provisions is included as Appendix 6 of this report. The following table illustrates how the Medical care facility addresses the requirements of the C-3 Zoning District:

| | <u>Required</u> | <u>Provided</u> |
|----------------------|-----------------|---|
| Minimum Lot Size | 20,000 sq. ft. | 2,018,134 sq. ft. |
| Minimum Lot Width | 100 ft. | 780 ft. |
| Maximum Bldg. Height | 90 ft. | Hospital - 48 ft. MOB-1 - 52 ft. MOB-2 - 52 ft. |
| Front Yard | 40 ft. | 1000 ft. |
| Rear Yard | 25 ft. | 255 feet |
| F.A.R. | 1.0* | 0.18 |
| Open Space | 15 percent | 63 percent |

* The Comprehensive Plan recommends that development on the subject property be limited to a maximum FAR of 0.20 and the proffered GDP/SE Plat accepted pursuant to the approval of PCA 85-C-091-2 limits development on the subject property to a maximum FAR of 0.20.

The above table indicates that the application is in conformance with the bulk requirements of the C-3 District.

In addition, the special exception amendment and proffered condition amendment applications must conform to the applicable provisions of Article 11, Off-Street Parking and Loading, Private Streets; Article 13, Landscaping and Screening; and Zoning Ordinance Standards for a Medical Care Facility contained in Article 9. As previously noted the special exception amendment and proffered condition amendment application involve minor additions and modifications to the previously approved GDP/SE Plat for PCA 85-C-091-2 and SEA 84-C-076-3. The applications continue to meet these standards as noted at the time of approval of the previous applications.

The special exception amendment application is required to meet the General Standards established for Special Exception uses under Section 9-006 of the Zoning Ordinance contained in Appendix 6. These standards include: conformance with the zoning ordinance and comprehensive plan; that the development not be detrimental to adjacent properties; that pedestrian and vehicular traffic associated with the development not be detrimental to existing traffic in the area; that landscaping, open space, drainage, utilities parking and loading necessary to serve the use be provided and that all signs on site meet zoning ordinance requirements. The application continues to meet these standards. However, as previously noted, parking for the child care use is proposed on the adjacent hospital site as part of the special exception amendment application. Since the child care center is proposed for hospital employees only, additional parking may not be necessary since parking may be accommodated by existing parking and the provision of a shared parking

ZONING ORDINANCE PROVISIONS SE 92-Y-024

A copy of the applicable Zoning Ordinance provisions is included as Appendix 6 of this report. The following table illustrates how the proposed child care center addresses the requirements of the R-1 Zoning District:

TABLE 1

| | <u>Required</u> | <u>Provided</u> |
|-------------------|-----------------|--------------------------------|
| Lot Size | 36,000 sq. ft. | 62,540 sq. ft. (1.43 acres) |
| Lot Width | 150 feet | 261.88 feet |
| Max. Bldg. Height | 60 feet | 30 feet |
| Min Front Yard | 40 feet | 80 feet |
| Min Rear Yard | 25 feet | 98 feet |
| Min Side Yard | 20 feet | 30 feet |
| Max FAR | 0.15 | 0.15 |
| Open Space | None | 70% |

The above table indicates that the application is in conformance with the bulk requirements of the R-1 district.

In addition, this application must conform to the applicable provisions of Article 11, Off-Street Parking and Loading, Private Streets and Article 13, Landscaping and Screening. According to Section 11-104 of the Zoning Ordinance, a child care center requires 0.16 parking spaces per child. The application proposes 150 children. Thus, the parking requirement for the child care center use is twenty-four (24) spaces. In accordance with Section 11-102 of the Zoning Ordinance, the applicant is proposing to locate the parking for the child care center use on the contiguous hospital site, since the required parking is located on land which is in the same ownership as the use (the hospital property). In accordance with Article 13 of the Zoning Ordinance Transitional Screening

link fence, or a 6 foot wall or wooden fence) are required along the northern and western boundaries of the site. The applicant has indicated on the GDP/SEA Plat that the existing vegetation along the northern and southern lot lines will be supplemented to provide for the required vegetation. The applicant requests a waiver of the barrier requirements along the northern boundary and a modification of the barrier requirements to that shown on the GDP/SE Plat on the western boundary of the site. Staff believes that the requested waivers and modifications could be appropriate under Sect. 13-304 if the setbacks and screening are increased as recommended.

The Special Exception application is required to meet the General Standards established for Special Exception uses under Section 9-006 of the Zoning Ordinance contained in Appendix 6. These standards include: conformance with the zoning ordinance and comprehensive plan; that the development not be detrimental to adjacent properties; that pedestrian and vehicular traffic associated with the development not be detrimental to existing traffic in the area; that landscaping, open space, drainage, utilities parking and loading necessary to serve the use be provided and that all signs on site meet zoning ordinance requirements. The application meets these standards with the following exception:

General Standard 1 states that the proposed use shall be in harmony with the adopted Comprehensive Plan. While establishment of the child care center would fulfill certain of the goals set forth in the Comprehensive Plan, approval of this use could establish a precedent for hospital expansion, or hospital serving uses in an area planned for single family detached development. Staff believes that such an expansion is not in harmony with the land use recommendations of the Comprehensive Plan which calls for hospital uses to be located on the adjacent property and single family detached on along Rugby Road, including the subject property. The staff believes that the issue of expanding the hospital and hospital uses to properties along the east side of Rugby Road should be studied in a comprehensive manner prior to establishment of any such uses in that area. Therefore, this application does not meet General Standard 1.

General Standard 3 states that the proposed use shall be harmonious with and will not adversely affect the use and development of neighboring properties. Because of the residential nature of the area proposed for the child care center development, it is staff's opinion that greater building setbacks and screening are necessary to provide adequate buffer from adverse impacts to the adjacent residential properties from the proposed child care center use. As proposed the scale and setback of the building could cause adverse impacts to the surrounding residential area, therefore, General Standard 3 has not been satisfied.

A child care center must also meet the requirements of Section 9-309, Additional Standards for Nursery Child Care Centers and Nursery Schools. As noted in Appendix 6, with the imposition of the Proposed Development Conditions in Appendix 3, this application meets these standards.

CONCLUSION AND RECOMMENDATION

Conclusion

These requests are for approval of a special exception to permit the development of child care center for hospital employees, and approval of a special exception amendment to amend Special Exception Amendment SEA 84-C-076 and Proffered Condition Amendment PCA 85-C-091-2 to permit the addition of a canopy over the front entrance of the hospital, the addition of covered walkways linking the several buildings in the hospital campus and the deletion of land area from the previous proffered condition and special exception amendment applications to reflect the severing of 7.5 acres of land associated with the previous dedication to the Fairfax County Park Authority.

The special exception amendment and proffered condition amendment propose minor modifications to the hospital site. The applicant is also proposing additional parking on the hospital site to serve the child care center use on the adjacent property. The applicant should pursue a shared parking agreement to satisfy parking requirements with existing parking on the hospital site if the special exception application is approved and delete the proposed additional parking. The proposed modifications are in conformance with the Zoning Ordinance and Comprehensive Plan. However, staff believes that before any expansion of hospital uses (such as the proposed child care center) is permitted beyond the existing hospital site, a comprehensive study should be undertaken to carefully evaluate any expansion and to study the potential impact on the surrounding residential areas. The request for a special exception to permit the development of a child care center could establish a precedent for hospital expansion, or hospital serving uses in an area planned for single family detached development without the benefit of such a comprehensive analysis. As such, any expansion of the hospital and associated uses outside the current hospital property is contrary to the current land use recommendations of the Comprehensive Plan.

Recommendation

Staff recommends that PCA-85-C-091-3 be approved subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends that SEA-84-C-076-4 be approved subject to the Proposed Development Conditions contained in Appendix 2.

Staff recommends that the transitional screening yard requirements be modified along all boundaries in accordance with Sect. 13-104 as previously modified pursuant to the approval of PCA 85-C-091-2 and SEA 84-C-076-3.

Staff recommends that the barrier requirement be modified, as previously modified in accordance with proffers accepted by the Board Supervisors pursuant to the approval of PCA 85-C-092-2 which are dated January 25, 1992.

Staff recommends that SE 92-Y-024 be denied. Should the Board approve this application, staff recommends that approval be subject to the Proposed Development Conditions contained in Appendix 3.

It should be noted that the Department of Public Works has indicated that the existing sanitary sewer capacity may be inadequate to accommodate this proposed development. Should the Board of Supervisors approve PCA 85-C-091-3 and/or SE 92-Y-024, that approval in no way guarantees that the sewer capacity is or will be available to serve this site when the applicant or his successors wish to develop the subject property.

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 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.

APPENDICES

1. Draft Proffers PCA 85-C-091-3
2. Proposed Development Conditions SEA 84-C-076-4
3. Proposed Development Conditions SE 92-Y-024
4. Affidavit
5. Statement of Justification
6. Applicable Zoning Ordinance Provisions
7. Proffers PCA 85-C-091-2
8. Development Conditions SEA 84-C-076-3
9. Land Use Analysis
10. Environmental Analysis
11. Transportation Analysis
12. Sanitary Sewer Analysis, DPH
13. Utilities Planning and Design Analysis, DPH
14. Fairfax County Water Authority Analysis
15. Fairfax County Fire and Rescue Analysis
16. Fairfax County Park Authority Comments
17. Fairfax County Health Department Comments
18. Glossary of Terms

APPENDIX 1

PROFFERS

PCA 85-C-091-3

September 29, 1992

Pursuant to Section 15.1-491(a), Code of Virginia, 1950 Edition, as amended, subject to the Board of Supervisors approving PCA 85-C-091-3, except as modified below, the subject property containing approximately 46.3 acres remains governed by proffers dated January 25, 1991, and approved in conjunction with PCA 85-C-091-2.

- 1. Pursuant to Paragraphs 4 and 5 of Section 18-204 of the zoning ordinance, development of the property will be in substantial conformance with the generalized development plan amendment (the "Plan"), prepared by Dewberry & Davis, which consists of one page dated May 11, 1992, and last revised September 29, 1992.**
- 2. Applicant previously dedicated, subject to a reservation of density credit as described in Proffer 22 of PCA 85-C-091-2, a portion of the subject property (Parcel 42) to the Fairfax County Park Authority as evidenced by a deed recorded in Deed Book 7750 at page 346 among the Fairfax County land records. Either the hospital parcel (approximately 38.8 acres) or the Park Authority parcel (approximately 7.5 acres) may be the subject of a Proffered Condition Amendment (PCA) without the joinder and/or consent of the other parcel. Previously approved proffered conditions applicable to the parcel which is not the subject of a proposed PCA shall remain in full force and effect unless amended.**

[SIGNATURES BEGIN ON FOLLOWING PAGE]

PCA 85-C-091-3
Page 2

INOVA HOSPITALS

By: _____
C. Michael French
Chief Operating Officer
INOVA Health System

**INOVA HEALTH SYSTEMS
FOUNDATIONS**

By: _____
John P. O'Brien
Assistant Treasurer
INOVA Health System

INOVA HOLDINGS, INC.

By: _____
John P. O'Brien
Assitant Treasurer
INOVA Health System

PCA 85-C-091-3
Page 3

**FAIR OAKS PROFESSIONAL
BUILDING, L.P.**

By: _____
William A. McKee, Vice President,
Fair Oaks Medical Buildings, Inc.,
General Partner

PCA 85-C-091-3
Page 4

**INDUSTRIAL DEVELOPMENT
AUTHORITY OF FAIRFAX COUNTY**

By: _____

Its: _____

FAIRFAX COUNTY PARK AUTHORITY

By: _____
William C. Becker

LIS-13\85-c-091.pkr
9/30/92

PROPOSED DEVELOPMENT CONDITIONS

SEA 84-C-076-4

October 7, 1992

If it is the intent of the Board of Supervisors to approve SEA 84-C-076-4 located at Tax Map 45-2 ((1)) 25, 41 for a medical care facilities to permit pursuant to Section 4-304 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions which supercede all previous development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this special exception shall be in conformance with the approved Special Exception Amendment Plat, entitled, "Generalized Development Plan/Special Exception Plat, Fairfax Hospital Systems/Fair Oaks Site", prepared by Dewberry and Davis which is dated May 11, 1992 and revised to September 29, 1992.
4. These Development Conditions shall be in addition to any proffers adopted pursuant to PCA 85-C-091-3 which shall remain in full force and effect.
5. The structure identified on the Generalized Development Plan and Special Exception Amendment Plat as proposed hospital administrative offices shall be constructed with a brick similar in color and size to that used in the existing hospital and medical office building as determined by DEM.
6. Best Management Practices (BMP) facilities, such as, but not limited to, the proposed dry pond or other facilities indicated on the SE Plat, designed to meet the Best Management Practices (BMP) requirements of the Water Supply Protection Overlay District (WSPOD) for runoff from the subject site, shall be provided as determined by the Director, DEM. These measures may also include contribution to regional pond C-44 as determined by DEM. In order to preserve as much as possible of the site in its natural state the applicant shall explore with DEM the use of an embankment-only facility or other water quality measure(s) which will cause the least amount of disturbance to the existing

7. Erosion and sediment control measures shall be implemented during and after construction in accordance with methods recommended by the Virginia Soil and Water Conservation Commission and shall be approved by DEM. These methods shall include but not be limited to redundant siltation fencing that can be designed and maintained to achieve sediment trapping efficiencies in the range of 80% to 90%. The intent of these measures is to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook as determined by DEM.
8. All existing trees within areas designated for tree preservation shall be preserved.
9. If the concurrent Special Exception Application SE 92-Y-024 is not approved, or if SE 92-Y-024 is approved and a shared parking agreement with the hospital is obtained by the owner of the child care center, the additional parking shown on the GDP/SEA Plat shall be deleted, and the area shall remain as undisturbed open space.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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 shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception 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. 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.

PROPOSED DEVELOPMENT CONDITIONS

SE 92-Y-024

October 7, 1992

If it is the intent of the Board of Supervisors to approve SE 92-Y-024 located at Tax Map 45-2 ((2)) 51-B1 for a Child Care Center pursuant to Section 3-104 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this special exception shall be in conformance with the approved Special Exception Plat, entitled, "Special Exception Plat, Fair Oaks Hospital, Child Care Center", prepared by Dewberry and Davis which is dated May 11, 1992 and revised to September 29, 1992.
4. Best Management Practices (BMP) facilities, such as, but not limited to, the proposed dry pond or other facilities indicated on the SE Plat, designed to meet the Best Management Practices (BMP) requirements of the Water Supply Protection Overlay District (WSPOD) for runoff from the subject site, shall be provided as determined by the Director, DEM. These measures may also include contribution to regional pond C-44 as determined by DEM.
5. Erosion and sediment control measures shall be implemented during and after construction in accordance with methods recommended by the Virginia Soil and Water Conservation Commission and shall be approved by DEM. These methods shall include but not be limited to redundant siltation fencing that can be designed and maintained to achieve sediment trapping efficiencies in the range of 80% to 90%. The intent of these measures is to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook as determined by DEM.

6. All existing trees within areas designated for tree preservation shall be preserved. In addition, in order to ensure that as many trees will be preserved as possible outside of the preservation areas, a tree-save plan shall be submitted for review and approval of the Urban Forester at the time of site plan review. Tree replacement shall be provided for trees lost in disturbed areas as determined by the County Urban Forester.
7. This child care center shall be used exclusively by the children of employees and physicians of Fair Oaks Hospital.
8. The maximum daily enrollment shall be limited to 150 children on-site at any one time and there shall be a maximum of 40 total employees on site at any one time.
9. The hours of operation shall be limited to 6:00 a.m. to 8:00 p.m., Monday through Friday.
10. The proposed child care center shall have a minimum building setback of 100 feet from Ox Trail and a minimum setback of 75 feet from the shared property line with the adjacent residentially developed parcel to the west.
11. Access to the site shall not be onto the site's frontage on Ox Trail. Access shall be provided only through the adjacent hospital site.
12. Right-of-way up to 56 feet from the centerline of Ox Trail shall be dedicated to the Board of Supervisors, in fee simple, along the entire Ox Trail frontage of the site and all ancillary easements along the Ox Trail frontage of the site shall be conveyed to the Board of Supervisors at the at the time of site plan approval or within 60 days upon demand of DEM or VDOT, whichever first occurs.
13. The proposed child care center shall be designed to be residential in appearance, as shown on the elevation drawings entitled, "Elevations, Fair Oaks Hospital - Child Care Center, which is dated October 10, 1992, as determined by DEM.
14. The applicant shall pursue a shared parking agreement with the owner of the adjacent hospital site to accomodate parking for the proposed hospital site within the existing hospital parking to meet the parking requirements for the child care center as determined by DEM.
15. The height of the child care center shall not exceed twenty-four (24) feet.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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 shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception 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. 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.

REZONING AFFIDAVIT

APPENDIX 4

DATE: May 13, 1992
 (enter date affidavit is notarized)

I, Lynne J. Strobel, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) [] applicant
 [XX] applicant's authorized agent listed in Par. 1(a) below

in Application No(s): PCA 85-C-091-3
 (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 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.)

| NAME (enter first name, middle initial & last name) | ADDRESS (enter number, street, city, state & zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|--|---|--|
| INOVA Hospitals | 8001 Braddock Road Springfield, VA 22151 | Applicant and Lessee of 45-2-((1))-41 |
| -C. Michael French | | Agents |
| -David O. Hughes | | |
| Industrial Development Authority of Fairfax County, Virginia | 12000 Government Center Pkwy. Suite 549 Fairfax, VA 22035 | Title Owner 45-2-((1))-41 |
| -Fairfax County Attorney | | Agent |
| INOVA Health System Foundation | 8001 Braddock Road Springfield, VA 22151 | Title Owner 45-2-((1))-25 |
| -C. Michael French | | Agent |
| INOVA Holdings, Inc. | 8001 Braddock Road Springfield, VA 22151 | Lessee of a portion of 45-2-((1))-25 |
| -John P. O'Brien | | Agent |

(check if applicable) [X] There are more relationships to be listed and Par. 1(a) is continued on a " Rezoning Attachment to Par. 1(a)" form.

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(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 herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.
2200 Clarendon Blvd. 13th Floor
Arlington, VA 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, last name & title)

| | |
|----------------------------|---------------------------|
| <u>Martin D. Walsh</u> | <u>Michael D. Lubeley</u> |
| <u>Thomas J. Colucci</u> | <u>Keith C. Martin</u> |
| <u>Peter K. Stackhouse</u> | <u>Nan E. Terpak</u> |
| <u>Jerry K. Emrich</u> | |
| | |

(check if applicable) There is more corporation information and Par. 1(b) is continued on a " Rezoning Affidavit Attachment 1(b)" form.

** All listings which include partnerships or corporations 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 the stock. 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.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(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 & zip code)
The Weihe Partnership

1666 K Street, N.W.

Washington, D.C. 20006

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

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

PARTNERS:

Byron B. Black

Roger L. Strassman

Carroll R. "George" Dove

Marc Nathanson

Mark Bellonby

Jeff Morris

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

** All listings which include partnerships or corporations 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 the stock. 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 : AFFIDAVIT

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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 \$200 or more, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)
Elaine McConnell is a Trustee on the INOVA Health System Foundation Board.
Gerald Hyland is a Trustee on the INOVA Hospitals Board.

(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 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:

Lynne J. Strobel
(check one) Applicant Applicant's Authorized Agent
Lynne J. Strobel, Agent
(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 13th day of May, 19 92, in the state of Virginia.

My commission expires: 3-31-95. Kyla J. Dean
Notary Public

DATE: May 13, 1992
 (enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
 (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.)

| NAME (enter first name, middle initial & last name) | ADDRESS (enter number, street, city, state & zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a)) |
|---|--|---|
| Fair Oaks Professional Building, L.P. | 14755 Preston Road Suite 600 Lock Box 15 Dallas, TX 75240 | Sublessee of a portion of 45-2-((1))-25 |
| -Albert W. Seely | | Agent |
| Dewberry & Davis | 8401 Arlington Blvd. Fairfax, VA 22031 | Civil Engineer |
| -Dan H. Williams -Philip G. Yates | | Agents |
| The Weihle Partnership | 1666 K Street, N.W. Washington, D.C. 20006 | Architect |
| -Mark Bellonby -George Dove | | Agents |
| Fried & Sher, Inc. | 465 Carlisle Drive Herndon, VA 22070 | Child Care Consultant |
| -Madeline Fried -Beverly Voss | | Agents |
| Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C. | 2200 Clarendon Blvd., 13th Fl. Arlington, VA 22201 | Attorneys |
| -Lynne J. Strobel -Martin D. Walsh -Keith C. Martin | | Agents |

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued further on a "Re-zoning Attachment to Par. 1(a)" form.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
INOVA Health System Foundation
8001 Braddock Road
Springfield, VA 22151

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 & last name)
INOVA Health System Foundation, formerly INOVA Health Systems Foundations, which was formerly Fairfax Hospital Systems, Inc., is a nonstock, nonprofit corporation with a self-perpetuating Board of Trustees.

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
(2) INOVA Holdings, Inc.
8001 Braddock Road
Springfield, VA 22151

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 & last name)
INOVA Health System Foundation

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

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(enter County-assigned application number(s))

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

(1) Fair Oaks Medical Building, Inc., c/o Fair Oaks Professional Building, L.P.
14755 Preston Road, Suite 600, Lock Box 15
Dallas, TX 75240

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 & last name)

A wholly owned subsidiary of Mediplex medical Building Corporation. (16)

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

(3) George Bazaco, MD & John P. Cleary, MD, P.C.
14755 Preston Road, Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)

George C. Bazaco, M.D.
John P. Cleary, M.D.

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

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(enter County-assigned application number(s))

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

(5) Professional Physicians Services, Inc.
14755 Preston Rd., Ste 600, Lock Box 15
Dallas, TX 75240

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 & last name)

| | |
|------------------|-------|
| Anil Verma, M.D. | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

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

(6) Mediplex Medical Building Corporation
14755 Preston Rd., Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)

| | |
|--|-----------------------------|
| MMBC Management Group, Inc. (1) | Debra J. Segal Trust - |
| Betty Bardige | Debra J. Segal, Beneficiary |
| Wendy Masi | _____ |
| Richard D. Segal | _____ |
| Patricia Lieberman Trust - Patricia Lieberman, Beneficiary | _____ |

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

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(enter County-assigned application number(s))

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

(3) Drs. Ivy & Armstrong, Ltd.
14755 Preston rd., Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)

Norman Armstrong, M.D.

Michael Ivy, M.D.

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

(14) Nephrology Associates of Northern Virginia, Inc.
14755 Preston Rd., Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)

Robert Greenspan, M.D.

Steven Tolkan, M.D.

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

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(enter County-assigned application number(s))

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

(1) MMBC Management Group, Inc.
14755 Preston Rd., Ste 600, Lock Box 15
Dallas, TX 75240

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 & last name)

| | | |
|-----------------------------|--------------------------|---------------------------|
| <u>Edward D. Rirner</u> | <u>Gil T. Irvin</u> | <u>Mary E. Witt</u> |
| <u>John Day</u> | <u>William A. McKee</u> | <u>Charlene Wright</u> |
| <u>James Michael Dorsey</u> | <u>Mollie Mossman</u> | <u>S. E. Jeanne Young</u> |
| <u>Thomas J. Eagley</u> | <u>Carol Murphy</u> | |
| <u>Edmund C. Gazinski</u> | <u>Albert W. Seeley</u> | |
| <u>Alan Guerin</u> | <u>Steve Tuliance</u> | |
| <u>Grant Hensley</u> | <u>Robert L. Watkins</u> | |

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

(1) MMBC Equities Joint Venture
14755 Preston Rd., Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)

Mediplex Medical Building Corporation (1e)

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

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (complete enter name & number, street, city, state & zip code)
Fair Oaks Professional Building, L.P.
14755 Preston Road, Suite 600, Lock Box 15
Dallas, TX 75240

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

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g. General Partner, Limited Partner, or General and Limited Partner)
Fair Oaks Medical Building, Inc. - General Partner (1)

- LIMITED PARTNERS:
- Brent R. Ain, M.D.
 - Bands Venture Group (2)
 - Robert E. Bottone, M.D.
 - Mary F. Bottone, M.D.
 - Assoc. of Drs. Bowen, Matthews, Ducci & O'Brien (3)
 - CAR Associates (4)
 - William C. Dempsey, M.D.
 - Fair Oaks Partnership (5)
 - Jack M. Fanale, M.D.
 - Terry K. Fanale
 - Thomas Frey, M.D.
 - MFB/PSR Medical Realty, L.P. (6)
 - Gholam R. Mehryar, M.D.
 - Thomas. J. Neviasser, M.D.
 - Stephen W. Pournaras, Jr., M.D.
 - William L. Rich, III, M.D.
 - Harriet C. Roll
 - Daniel D. Rooney, D.O.
 - Hassan A. Salih, M.D.
 - Myron Shoham, M.D.
 - Andrea B. Shoham
 - SUDW Associates (7)
 - Martha D. Whipple
 - George Bazaco, M.D. & John P. Cleary, MD, PC (8)
 - Jack M. Costa, M.D., P.C. (9)
 - Fair Oaks Family Counseling & Consultation Center, Inc. (10)
 - MMBC Equities Joint Venture (11)
 - INOVA Holdings, Inc. (12)
 - Drs. Ivy & Armstrong, Ltd. (13)
 - Nephrology Associates of Northern VA, Inc. (14)
 - Professional Physicians Services, Inc. (15)

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

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (complete enter name & number, street, city, state & zip code)
Bands Venture Group
14755 Preston Road, Suite 600, Lock Box 15
Dallas, TX 75240

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

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

- William L. Bekenstein, M.D.
- Noemi Dosa, M.D.
- J. Douglas McDowall, M.D.
- Albert Spiegel, M.D.
- Manijeh Sadr, M.D.

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

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (complete enter name & number, street, city, state & zip code)
Association of Dr.s Bowen, Matthews, Ducci & O'Brien
14755 Preston Road, Suite 600, Lock Box 15
Dallas, TX 75240

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

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g. General Partner, Limited Partner, or General and Limited Partner)
Patrick J. Bowen, M.D.
Robert G. Matthews, M.D.
John T. O'Brien, M.D.
Hector H. Ducci, M.D.

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

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): PCA 85-C-091-3
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (complete enter name & number, street, city, state & zip code)
(5) Fair Oaks Partnership
14755 Preston Road, Ste. 600, Lock Box 15
Dallas, TX 75240

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

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g. General Partner, Limited Partner, or General and Limited Partner)
Paul A. Buongiorno, M.D.
Leonard S. Goldenstein, M.D.
Errol Segall, M.D.

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 13, 1992
 (enter date affidavit is notarized)

I, Lynne J. Strobel, 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): _____
 (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 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.)

| NAME (enter first name, middle initial & last name) | ADDRESS (enter number, street, city, state & zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|--|---|--|
| INOVA Hospitals | 8001 Braddock Road Springfield, Virginia | Owner/Applicant |
| C. Michael French David O. Hughes | | Agents |
| Dewberry and Davis | 8401 Arlington Boulevard Fairfax, Virginia 22031-4666 | Civil Engineer |
| Philip G. Yates Dan H. Williams | | Agents |
| The Weihle Partnership | 1666 K Street, N.W. Washington, D.C. 20006 | Architect |
| George Dove Mark Bellonby | | Agents |

(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.

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s):
(enter County-assigned application number(s))

1. (b). The following constitutes a listing** of the SHAREHOLDERS of corporations disclosed in this affidavit who own 10% or more of any class issued by said corporation, and where such corporation has 10 or less shareh listing of all of the shareholders:

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, Virginia 22201

DESCRIPTION OF CORPORATION: (check one statement)

- [X] 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, last name & title)
Martin D. Walsh Keith C. Martin
Thomas J. Colucci Nan E. Terpak
Peter K. Stackhouse
Jerry K. Emrich
Michael D. Lubeley

(check if applicable) [X] 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 or corporations 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 the stock. 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 AFFIDAVIT

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): _____
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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 \$200 or more, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

Elaine McConnell is a Trustee on the INOVA Health System Foundation Board.
Gerald Hyland is a Trustee on the INOVA Hospitals Board.

(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 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
Lynne J. Strobel

Lynne J. Strobel, Agent

(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 13th day of May, 19 92, in the state of Virginia.

My commission expires: 3-31-95

Kyle L. Dean
Notary Public

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s):
(enter County-assigned application number(s))

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

Fried & Sher, Inc.
465 Carlisle Drive
Herndon, VA 22070

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 & last name)

| | |
|----------------|-------|
| Madeline Fried | _____ |
| Margery Sher | _____ |
| _____ | _____ |
| _____ | _____ |

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

INOVA Hospitals
8001 Braddock Road
Springfield, VA 22151

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 & last name)

INOVA Hospitals is a nonstock, nonprofit corporation. The Board of Trustees is appointed by INOVA Health Systems Foundation.

(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: May 13, 1992
 (enter date affidavit is notarized)

I, Lynne J. Strobel, 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-C-076-4
 (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 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.)

| NAME (enter first name, middle initial & last name) | ADDRESS (enter number, street, city, state & zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|---|--|--|
| INOVA Hospitals | 8001 Braddock Road Springfield, VA 22151 | Applicant and Lessee of 45-2-((1))-41 |
| -C. Michael French | | Agents |
| -David O. Hughes | | |
| Industrial Development Authority of Fairfax County, Virginia | 12000 Government Center Pkwy. Suite 549 Fairfax, VA 22035 | Title Owner 45-2-((1))-41 |
| -Fairfax County Attorney | | Agent |
| INOVA Health System Foundation | 8001 Braddock Road Springfield, VA 22151 | Title Owner 45-2-((1))-25 |
| -C. Michael French | | Agent |
| INOVA Holdings, Inc. | 8001 Braddock Road Springfield, VA 22151 | Lessee of a portion of 45-2-((1))-25 |
| -John P. O'Brien | | 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.

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(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 herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.
2200 Clarendon Blvd, 13th Floor
Arlington, VA 22201

DESCRIPTION OF CORPORATION: (check one statement)
[X] 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, last name & title)
Martin D. Walsh
Thomas J. Colucci
Peter K. Stackhouse
Jerry K. Emrich
Michael D. Lubeley
Keith C. Martin
Nan E. Terpak

(check if applicable) [X] 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 or corporations 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 the stock. 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 AFFIDAVIT

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(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 & zip code)
The Weihe Partnership

1666 K Street, N.W.
Washington, D.C. 20006

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

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

PARTNERS:

Table with 2 columns: Name and Title. Rows include Byron B. Black, Roger L. Strassman, Carroll R. "George" Dove, Marc Nathanson, Mark Bellonby, and Jeff Morris.

(check if applicable) [X] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment 1(c)" form.

** All listings which include partnerships or corporations 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 the stock. 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.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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 \$200 or more, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)
Elaine McConnell is a Trustee on the INOVA Health System Foundation Board.
Gerald Hyland is a Trustee on the INOVA Hospitals Board.

(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 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
Lynne J. Strobel, Agent
(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 13th day of May, 1992, in the state of Virginia

My commission expires: 3-31-95
Notary Public

Speci Exception Attachment to I . 1(a) Page 5 of 21

DATE: May 13, 1992
 (enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
 (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.)

| NAME (enter first name, middle initial & last name) | ADDRESS (enter number, street, city, state & zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a)) |
|--|--|---|
| Fair Oaks Professional Building, L.P. | 14755 Preston Road Suite 600 Lock Box 15 Dallas, TX 75240 | Sublessee of a portion of 45-2-((1))-25 |
| -Albert W. Seely | | Agent |
| Dewberry & Davis | 8401 Arlington Blvd. Fairfax, VA 22031 | Civil Engineer |
| -Dan H. Williams | | Agents |
| -Philip G. Yates | | |
| The Weihle Partnership | 1666 K Street, N.W. Washington, D.C.20006 | Architect |
| -Mark Bellonby | | Agents |
| -George Dove | | |
| Fried & Sher, Inc. | 465 Carlisle Drive Herndon, VA 22070 | Child Care Consultant |
| -Madeline Fried | | Agents |
| -Beverly Voss | | |
| Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C. | 2200 Clarendon Blvd., 13th Fl. Arlington, VA 22201 | Attorneys |
| -Lynne J. Strobel | | Agents |
| -Martin D. Walsh | | |
| -Keith C. Martin | | |

(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.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Fried & Sher, Inc.
465 Carlisle Drive
Herndon, VA 22070

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 & last name)
Madeline Fried
Margery Sher

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
INOVA Hospitals
8001 Braddock Road
Springfield, VA 22151

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 & last name)
INOVA Hospitals is a nonstock, nonprofit corporation. The Board of Trustees
is appointed by INOVA Health Systems Foundation.

(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.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
INOVA Health System Foundation

8001 Braddock Road
Springfield, VA 22151

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 & last name)
INOVA Health System Foundation, formerly INOVA Health Systems Foundations, which was formerly Fairfax Hospital Systems, Inc., is a nonstock, nonprofit corporation with a self-perpetuating Board of Trustees.

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

(11) INOVA Holdings, Inc.
8001 Braddock Road
Springfield, VA 22151

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 & last name)

INOVA Health System Foundation

(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.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

(15) NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Fair Oaks Medical Building, Inc., c/o Fair Oaks Professional Building, L.P.
14755 Preston Road, Suite 600, Lock Box 15
Dallas, TX 75240

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 & last name)
A wholly owned subsidiary of Mediplex medical Building Corporation. (16)

(7) NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
George Bazaco, MD & John P. Cleary, MD, P.C.
14755 Preston Road, Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)
George C. Bazaco, M.D.
John P. Cleary, M.D.

(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.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
(4) Jack M. Costa, M.D., P.C.
14755 Preston Road, Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)
Jack M. Costa

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
(9) Fair Oaks Family Counseling & Consultation Center, Inc.
14755 Preston Road, Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)
Gordon Gondos, M.D. Abby Sternberg, LSCW
Ruth Imershein, M.D. Clare Vogel, LCSW
James McMurrer, M.D.
Thomas Simpson, M.D.

(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.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

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

(14) Professional Physicians Services, Inc.
14755 Preston Rd., Ste 600, Lock Box 15
Dallas, TX 75240

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 & last name)

Anil Verma, M.D.

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

(16) Mediplex Medical Building Corporation
14755 Preston Rd., Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)

| | |
|--|-----------------------------|
| MMBC Management Group, Inc. (17) | Debra J. Segal Trust - |
| Betty Bardige | Debra J. Segal, Beneficiary |
| Wendy Masi | |
| Richard D. Segal | |
| Patricia Lieberman Trust - Patricia Lieberman, Beneficiary | |

(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.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
(12) Drs. Ivy & Armstrong, Ltd.
14755 Preston rd., Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)
Norman Armstrong, M.D.
Michael Ivy, M.D.

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
(13) Nephrology Associates of Northern Virginia, Inc.
14755 Preston Rd., Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)
Robert Greenspan, M.D.
Steven Tolkman, M.D.

(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.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
(11) MMBC Management Group, Inc.
14755 Preston Rd., Ste 600, Lock Box 15
Dallas, TX 75240

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 & last name)
Edward D. Rittner Gil T. Irvin Mary E. Witt
John Day William A. McKee Charlene Wright
James Michael Dorsey Mollie Mossman S. E. Jeanne Young
Thomas J. Eagley Carol Murphy
Edmund C. Gazinski Albert W. Seeley
Alan Guerin Steve Tuliance
Grant Hensley Robert L. Watkins

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
(10) MMBC Equities Joint Venture
14755 Preston Rd., Ste. 600, Lock Box 15
Dallas, TX 75240

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 & last name)
Mediplex Medical Building Corporation (16)

(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.

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (complete enter name & number, street, city, state & zip code)
Fair Oaks Professional Building, L.P.
14755 Preston Road, Suite 600, Lock Box 15
Dallas, TX 75240

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

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g. General Partner, Limited Partner, or General and Limited Partner)
Fair Oaks Medical Building, Inc. - General Partner (15)

LIMITED PARTNERS:

- Brent R. Ain, M.D.
- Bands Venture Group (1)
- Robert E. Bottone, M.D.
- Mary F. Bottone, M.D.
- Assoc. of Drs. Bowen, Matthews, (2)
- Ducci & O'Brien
- CAR Associates (3)
- William C. Dempsey, M.D.
- Fair Oaks Partnership (4)
- Jack M. Fanale, M.D.
- Terry K. Fanale
- Thomas Frey, M.D.
- MFB/PSR Medical Realty, L.P. (5)
- Gholam R. Mehryar, M.D.
- Thomas. J. Neviasser, M.D.
- Stephen W. Pournaras, Jr., M.D.
- William L. Rich, III, M.D.
- Harriet C. Roll
- Daniel D. Rooney, D.O.
- Hassan A. Salih, M.D.
- Myron Shoham, M.D.
- Andrea B. Shoham
- SUDW Associates (6)
- Martha D. Whipple
- George Bazaco, M.D. & John P. Cleary, MD, PC (7)
- Jack M. Costa, M.D., P.C. (8)
- Fair Oaks Family Counseling & Consultation Center, Inc. (9)
- MMBC Equities Joint Venture (10)
- INOVA Holdings, Inc. (11)
- Drs. Ivy & Armstrong, Ltd. (12)
- Nephrology Associates of Northern VA, Inc. (13)
- Professional Physicians Services, Inc. (14)

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

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (complete enter name & number, street, city, state & zip code)
(1) Bands Venture Group
14755 Preston Road, Suite 600, Lock Box 15
Dallas, TX 75240

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

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

- William L. Bekenstein, M.D.
- Noemi Dosa, M.D.
- J. Douglas McDowall, M.D.
- Albert Spiegel, M.D.
- Manijeh Sadr, M.D.

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

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): SEA 84-C-076-4
(enter County-assigned application number(s))

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

(6) SUDW Associates
14755 Preston Road, Ste. 600, Lock Box 15
Dallas, TX 75240

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

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

Robert D. Warren, M.D.
Lee F. Smith, Jr. M.D.
Robert Dobrzynski, M.D.
Winston Ueno, M.D.

(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: May 13, 1992
 (enter date affidavit is notarized)

I, Lynne J. Strobel, 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): _____
 (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 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.)

| NAME (enter first name, middle initial & last name) | ADDRESS (enter number, street, city, state & zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|--|---|--|
| INOVA Hospitals | 8001 Braddock Road Springfield, Virginia | Owner/Applicant |
| C. Michael French David O. Hughes | | Agents |
| Dewberry and Davis | 8401 Arlington Boulevard Fairfax, Virginia 22031-4666 | Civil Engineer |
| Philip G. Yates Dan H. Williams | | Agents |
| The Weihle Partnership | 1666 K Street, N.W. Washington, D.C. 20006 | Architect |
| George Dove Mark Bellonby | | Agents |

(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.

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s):
(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 herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, Virginia 22201

DESCRIPTION OF CORPORATION: (check one statement)
[X] 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, last name & title)
Martin D. Walsh Keith C. Martin
Thomas J. Colucci Nan E. Terpak
Peter K. Stackhouse
Jerry K. Emrich
Michael D. Lubeley

(check if applicable) [X] 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 or corporations 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 the stock. 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 AFFIDAVIT

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s):
(enter county-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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 \$200 or more, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

Elaine McConnell is a Trustee on the INOVA Health System Foundation Board.
Gerald Hyland is a Trustee on the INOVA Hospitals Board.

(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 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
Lynne J. Strobel, Agent
(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 13th day of May, 1992, in the state of Virginia.

My commission expires: 3-31-95 Notary Public

DATE: May 13, 1992
(enter date affidavit is notarized)

for Application No(s): _____
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Fried & Sher, Inc.
465 Carlisle Drive
Herndon, VA 22070

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 & last name)
Madeline Fried _____
Margery Sher _____

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
INOVA Hospitals
8001 Braddock Road
Springfield, VA 22151

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 & last name)
INOVA Hospitals is a nonstock, nonprofit corporation. The Board of Trustees
is appointed by INOVA Health Systems Foundation.

(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.

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

COURTHOUSE PLAZA

THIRTEENTH FLOOR

2200 CLARENDON BOULEVARD

ARLINGTON, VIRGINIA 22201

(703) 528-4700

FACSIMILE (703) 525-3197

PRINCE WILLIAM OFFICE

VILLAGE SQUARE

13863 OFFICE PLACE, SUITE 201

WOODBRIE, VIRGINIA 22182

(703) 680-4664

METRO 680-4647

FACSIMILE (703) 680-2412

LOUDOUN OFFICE

WAVERLY PARK

604 SOUTH KING STREET, SUITE 200

LEESBURG, VIRGINIA 22075

(703) 777-6977

METRO 478-1340

FACSIMILE (703) 478-1348

MARTIN D. WALSH
THOMAS J. COLUCCI
PETER K. STACKHOUSE
JERRY K. EMRICH
MICHAEL D. LUBELEY
KEITH C. MARTIN
NAN E. TERPAK
WILLIAM A. FOGARTY
DAVID J. BONGARDNER
LYNNE J. STROBEL
LINDA E. FITZGERALD
VIRGINIA M. SULLIVAN

OF COUNSEL
NICHOLAS MALINCHAK
JULIA T. CANNON

May 14, 1992

Ms. Jane W. Gwinn
Zoning Administrator
4050 Legato Road, Suite 800
Fairfax, Virginia 22033

Re: Special Exception Application
Applicant: INOVA Hospitals

Dear Ms. Gwinn:

Please accept the following information as justification for a special exception proposed on that property referenced among the Fairfax County tax records as 45-2 ((2)) Parcel 51B1 (the "Subject Property"). The applicant proposes a child care center to be located on the Subject Property to accommodate more than 100 children. Concurrent with this special exception, the applicant requests a proffered condition amendment and special exception amendment on those parcels identified among the Fairfax County tax records as 45-2 ((1)) Parcels, 25 and 41.

A special exception for a medical care facility was previously approved on Parcels 45-2 ((1)) 25 and 41. The medical care facility is referred to as Fair Oaks Hospital which includes an established hospital and two adjacent medical office buildings, one of which is constructed and occupied. The applicant proposes a special exception to construct a child care facility on the Subject Property which is adjacent to the Fair Oaks Hospital. The child care facility will not be open to the public but will only serve employees of Fair Oaks Hospital campus, and will provide quality child care in a location both convenient and accessible to hospital employees. The child care facility may be constructed in two phases; however, the applicant requests approval with this application of the entire building which will consist of 9,343 square feet.

In your evaluation of the submitted application, please consider the following information which describes the proposed use:

- The type of operation proposed is a child care center.

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING
MAY 14 1992
ZONING EVALUATION DIVISION

Ms. Jane W. Gwinn
May 13, 1992
Page 2

- The regular hours of operation will be from 6:00 a.m. to 8:00 p.m., five days a week. Occasional weekend care may be offered for special events. The facility may be constructed in two phases. The first constructed phase will accommodate approximate 104 children, with the second phase accommodating an additional 46 children, thus achieving a maximum enrollment of 150 children.
- The number of employees anticipated with the first completed phase of construction is 30, with a maximum number of 40 employees upon completion of the second and final phase. The peak hours of operation will be between the hours of 9:00 a.m. and 4:00 p.m.
- As the proposed child care center will not be open to the public, there will be no additional traffic impacts associated with the proposed use. The first hospital shift is from 7:00 a.m. to 3:00 p.m., with most employees arriving around 6:30 a.m. The arrival of employees at the hospital will coincide with the peak child care center traffic. The expected trips to and from the Subject Property as a result of this proposal will coincide with the number of hospital employees utilizing the center on each shift. Traffic patterns will be unaffected as no new destination stations are added to the existing daily commute.
- The proposed child care center will be available only to employees of the Fair Oaks Hospital campus, a majority of which live in the western portion of Fairfax County.
- The child care center is planned to have a residential appearance compatible with the residential neighborhood opposite Ox Trail. The center will appear as a small cluster of houses including such residential features as front porches and pitched roofs which is consistent with the residential character of the neighborhood. Building materials will probably consist of siding, which is consistent with a residential appearance. The colors selected for the buildings will be in keeping with those in the adjoining residential areas. This type of design is being proposed because the children will be more comfortable in a residential type setting, which is a smaller scale than most commercial structures.
- The applicant is unaware of any hazardous or toxic substances on the Subject Property. An existing residential heating oil storage tank is located on the Subject Property which will be removed in accordance with applicable County and State regulations prior to the commencement of construction of the proposed improvements.
- The proposed use conforms to provisions of all applicable ordinances, regulations, ~~standards~~ and any applicable conditions.

Ms. Jane W. Gwinn
May 14, 1992
Page 3

The proposed child care center will be accessed directly off of Joseph Siewick Drive, which will eliminate the need for a curb cut on Ox Trail and provide more convenient access to the Subject Property by hospital campus employees. The child care center will include a separate drop off area and adequate parking to prevent any vehicular congestion on the Subject Property. Traffic in the area will be unaffected and possibly reduced as hospital employees will now have a common destination for both child care and employment. The outdoor play area is proposed at the center of the buildings, which will create the opportunity for increased supervision in a safe, fenced area. Most of the existing trees on the Subject Property will be preserved, which will create an effective buffer between the proposed use and the adjacent residential community as well as maintain a residential appearance. The applicant proposes to landscape the Subject Property to further enhance its appearance.

Concurrent with the proposed special exception for a child care center, the applicant requests a proffered condition amendment and special exception amendment to the existing hospital site. The proposed amendments will allow the incorporation of the access drive, parking, and storm water management facility for the child care center as shown on the proposed Development Plan. In addition, the applicant requests one minor modification to the existing medical care facility. As shown on the Development Plan, covered walkways are proposed between the existing medical office building and the second medical office building and between the existing medical office building and the hospital. The proposed walkways will facilitate access between the buildings not only for medical staff but also for patients.

Should you have any questions regarding the above or require additional information, please do not hesitate to give me a call.

Very truly yours,

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


Lynne J. Strobel

LJS:kd

cc: William Harvey
David O. Hughes
Madeline Fried
Dan Williams
Mark Bellonby
Martin D. Walsh

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

COURTHOUSE PLAZA

THIRTEENTH FLOOR

2200 CLARENDON BOULEVARD

ARLINGTON, VIRGINIA 22201-3359

(703) 528-4700

FACSIMILE (703) 525-3197

July 23, 1992

PRINCE WILLIAM OFFICE

VILLAGE SQUARE

13863 OFFICE PLACE, SUITE 201

WOODBRIDGE, VIRGINIA 22192-4216

(703) 890-4864

METRO (703) 890-4867

FACSIMILE (703) 890-2412

LOUDOUN OFFICE

WAVERLY PARK

804 SOUTH KING STREET, SUITE 200

LEESBURG, VIRGINIA 22075-3911

(703) 777-8977

METRO (703) 478-1340

FACSIMILE (703) 478-1348

MARTIN D. WALSH
THOMAS J. COLUCCI
PETER K. STACKHOUSE
JERRY K. EMRICH
MICHAEL D. LUBELEY
KEITH C. MARTIN
NAN E. TERPAK
WILLIAM A. FOGARTY
DAVID J. BOMGARDNER
LYNNE J. STROBEL
LINDA E. FITZGERALD
VIRGINIA M. SULLIVAN
OF COUNSEL
NICHOLAS MALINCHAK

BY HAND

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

JUL 23 1992

Greg Chase
Office of Comprehensive Planning
4050 Legato Road, Suite 700
Fairfax, Virginia 22033

ZONING EVALUATION DIVISION

Re: SE 92-Y-024 Concurrent with PCA 85-C-019-3 and SEA 84-C-076-4
Applicant: INOVA Hospitals

Dear Mr. Chase:

Please accept the following additional information for consideration in your review of the above-referenced applications. The applicant has previously submitted plans for the construction of a child care facility with minor modifications to the adjacent hospital site. In reference to the minor modifications to the hospital site, the applicant would appreciate consideration of the following additional improvements which are also referenced in Note 1 on the attached GDPA/SEA plat.

- A designated area in which temporary modular buildings may be located to house hospital service functions on an interim basis as construction takes place.
- An extension of the canopy at the main entrance of the hospital.
- A dedication to 56 feet from centerline on Ox Trail across the frontage of the subject property.

As you may be aware, a second medical office building will soon be under construction at Fair Oaks Hospital and improvements to the existing hospital building are ongoing. The proposed temporary buildings will accommodate services and uses displaced by the construction activities. Initially, the temporary modular buildings will accommodate a library for use by hospital employees, two small conference areas, and other

Disabilities Act requirements. A covered drop off area will facilitate access of the building by patients and visitors with physical handicaps. Lastly, the additional dedication on Ox Trail is in response to the new standards set forth in the Comprehensive Plan.

The above-described modifications are relatively minor and will have no impact on the existing or proposed uses for the property. The proposed modifications will not be visible to adjacent property owners and will be attractively screened and landscaped. I have submitted 22 copies of a revised development plan prepared by Dewberry & Davis and a reduction with this correspondence which represents all of these proposed changes.

Should you have any questions regarding the above or require additional information, please do not hesitate to give me a call.

Very truly yours,

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


Lynne J. Strobel

LJS:kd

cc: James Scott
David Hughes
Jeff Winter
Philip Yates
Martin D. Walsh

ljs-13\lfr\chase.1

SEA 84-C-076-4

9-005

FAIRFAX COUNTY ZONING ORDINANCE

9-005

Establishment of Categories

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

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.

9-007

Conditions and Restrictions

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008

Time Limitations, Extensions, Renewals

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a

9-303

FAIRFAX COUNTY ZONING ORDINANCE

C-7, C-8 Districts: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 13 and 14

I-1 District: Limited to uses 10 and 11

I-1 District: Limited to uses 1, 2, 3, 6, 7, 8, 10, 11, 13 and 14

I-2, I-3 Districts: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 11, 13 and 14

I-4 District: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 11 and 13

I-5, I-6 Districts: Limited to uses 7, 8, 9, 10, 11 and 13

9-303

Additional Submission Requirements

In addition to the submission requirements set forth in Sect. 011 above, all applications for Category 3 uses shall be accompanied by the following items:

1. For public uses, a certified copy of the law, ordinance, resolution or other official act adopted by the governmental entity proposing the use, authorizing the establishment of the proposed use at the proposed location, shall be provided.
2. For public uses, a statement by an official or officer of the governmental body shall be presented giving the exact reasons for selecting the particular site as the location for the proposed facility.
3. All applications for medical care facilities shall be filed at the same time as the application for a State Medical Facilities Certificate of Public Need. The application for the special exception shall be referred to the Health Care Advisory Board for a recommendation and report, which shall be developed in accordance with the provisions of Par. 1 and Par. 2 of Sect. 308 below and furnished to the Planning Commission and Board of Supervisors.

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.
5. Before establishment, all uses shall be subject to the approval of a site plan prepared in accordance with the provisions of Article 17.

9-305

Additional Standard for Conference Centers and Retreat Houses

1. 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.

9-306

Additional Standards for Housing for the Elderly

1. Housing and general care shall be provided only for persons who are sixty-two (62) years of age or over and couples where either the husband or wife is sixty-two (62) years of age or over.
2. Housing for the elderly may include general nursing facilities designed solely

FAIRFAX COUNTY ZONING ORDINANCE

| Comprehensive Plan Recommendation | | Maximum Number of Units Per Acre* | Required Open Space |
|-----------------------------------|---------------|---|---------------------|
| 0.2 unit per acre | not to exceed | 1 unit per acre | 75% |
| 0.5 unit per acre | " | 2 units per acre | 70% |
| 1 unit per acre | " | 4 units per acre | 65% |
| 2 units per acre | " | 8 units per acre | 60% |
| 3 units per acre | " | 12 units per acre | 55% |
| 4 units per acre | " | 16 units per acre | 50% |
| 5 units per acre | " | 20 units per acre | 35% |
| 8 units per acre | " | 32 units per acre | 25% |
| 12 units per acre or more | " | 40 units per acre | 35% |
| PRC District | | In accordance with an approved Development Plan | |

*Excluding nursing facilities

- 9. The maximum building height shall be 50 feet, except that greater heights may be approved by the Board.
- 10. The minimum front, side and rear yard requirements shall be as follows, except greater yards may be required by the Board:
 - A. Where the yard abuts or is across a street from an area adopted in the comprehensive plan for 0.2 to 8 dwelling units per acre - 50 feet.
 - B. Where the yard abuts or is across a street from an area adopted in the comprehensive plan for a residential use having a density greater than 8 dwelling units per acre or any commercial, office or industrial use - 30 feet.
- 11. Transitional screening shall be provided in accordance with the provisions of Article 13, and for the purpose of that Article, housing for the elderly shall be deemed a multiple family dwelling.

9-307

Additional Standard for Institutions Providing Housing and General Care for the Indigent, Orphans and the Like

- 1. Institutional uses located in a building, which but for its institutional use would be a single detached dwelling, shall comply with the applicable single family detached minimum yard requirements of the zoning district in which located. Institutions located in any other structure shall be located no closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-1 through R-4 District.

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.

SPECIAL EXCEPTIONS

9-309

- 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.

9-309

Additional Standards for Child Care Centers and Nursery Schools as Set Forth in Par. 10 of Sect. 301 Above

- 1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

 - A. That area not covered by buildings or required off-street parking

9-005

FAIRFAX COUNTY ZONING ORDINANCE

9-005

Establishment of Categories

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

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.

9-007

Conditions and Restrictions

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008

Time Limitations, Extensions, Renewals

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period

9-303

FAIRFAX COUNTY ZONING ORDINANCE

C-7, C-8 Districts: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 13 and 14

I-1 District: Limited to uses 10 and 11

I-1 District: Limited to uses 1, 2, 3, 6, 7, 8, 10, 11, 13 and 14

I-2, I-3 Districts: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 11, 13 and 14

I-4 District: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 11 and 13

I-5, I-6 Districts: Limited to uses 7, 8, 9, 10, 11 and 13

9-303

Additional Submission Requirements

In addition to the submission requirements set forth in Sect. 011 above, all applications for Category 3 uses shall be accompanied by the following items:

1. For public uses, a certified copy of the law, ordinance, resolution or other official act adopted by the governmental entity proposing the use, authorizing the establishment of the proposed use at the proposed location, shall be provided.
2. For public uses, a statement by an official or officer of the governmental body shall be presented giving the exact reasons for selecting the particular site as the location for the proposed facility.
3. All applications for medical care facilities shall be filed at the same time as the application for a State Medical Facilities Certificate of Public Need. The application for the special exception shall be referred to the Health Care Advisory Board for a recommendation and report, which shall be developed in accordance with the provisions of Par. 1 and Par. 2 of Sect. 308 below and furnished to the Planning Commission and Board of Supervisors.

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.
5. Before establishment, all uses shall be subject to the approval of a site plan prepared in accordance with the provisions of Article 17.

9-305

Additional Standard for Conference Centers and Retreat Houses

1. 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.

9-306

Additional Standards for Housing for the Elderly

1. Housing and general care shall be provided only for persons who are sixty-two (62) years of age or over and couples where either the husband or wife is sixty-two (62) years of age or over.
2. Housing for the elderly may include general nursing facilities designed solely for the residents as an accessory use.

SPECIAL EXCEPTIONS

9-309

- 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.

9-309

Additional Standards for Child Care Centers and Nursery Schools as Set Forth in Par. 10 of Sect. 301 Above

- 1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

 - A. That area not covered by buildings or required off-street parking spaces.

FAIRFAX COUNTY ZONING ORDINANCE

- B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.
- C. Only that area which is developable for active outdoor recreation purposes.
- D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

2. For each person enrolled, indoor recreation space shall be provided in accordance with the provisions of Chapter 30 of The Code.

3. All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

| Number of Persons | Street Type |
|-------------------|-------------|
| 4-75 | Local |
| 76-660 | Collector |
| 660 or more | Arterial |

4. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.

5. No such use shall be permitted unless it is determined by the County Department of Health Services that the location does not pose any hazard to the health, safety and welfare of the children.

Additional Standards for Private Schools of General Education and Private Schools of Special Education as Set Forth in Par. 11 and Par. 12 of Sect. 301 Above

1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area for a private school of general education shall be of such size that:

- A. 200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 that may use the space at any one time, and
- B. 430 square feet of usable outdoor recreation area shall be provided for each child in grades 4-12 that may use the space at any one time.

Such usable outdoor recreation area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

- A. That area not covered by buildings or required off-street parking spaces.
- B. That area outside the limits of the required front yard.
- C. Only that area which is developable for active outdoor recreation purposes.



APPENDIX 7

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030



February 26, 1991

Mr. Donald L. Harris
Senior Vice President
INOVA Health Systems
8001 Braddock Road
Springfield, Virginia 22151

Re: Proffered Condition Amendment
Number PCA 85-C-091-2
(Concurrent with RZ 87-C-042;
PCA 78-C-079; and SEA 84-C-076-3)

Dear Mr. Harris:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on January 28, 1991, approving Proffered Condition Amendment PCA 85-C-091-2 in the name of Fairfax Hospital System, A Division of Inova Health Systems, subject to the revised proffers dated January 25, 1991, on subject parcels 45-2 ((1)) 25, 41 and 42 consisting of approximately 46.33 acres in Centreville District.

The Board directed that staff give notification when the deed for the dedication of the 7.5 acres proffered to be dedicated to the Park Authority pursuant to RZ 87-C-042 and PCA 85-C-091-2 is recorded and that it be done within 90 days. (The Board of Supervisors was informed that the deeds for the 7.5 acres of parkland and the 5.4 acres proffered pursuant to PCA 78-C-079 were recorded on February 11, 1991.)

In addition, the Board stated that if the additional storm water management facility required by Proffer Number 10 is located off-site that those plans be coordinated with representatives from the Navy Vale Community League and Fair Oaks Estate Homeowners Association as specified in Proffer Number 16 of the January 25, 1991 Proffer statement for RZ 87-C-042 and PCA 85-C-091-2.

February 26, 1991

-2-

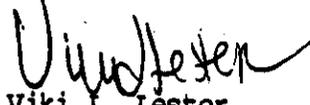
The Board also:

- Modified the transitional screening yard requirements for all four applications along all boundaries in accordance with Section 13-104 of the Zoning Ordinance; and
- Modified the barrier requirement in accordance with the January 25, 1991 proffer statement.

Further, the Board directed that the letter from Mr. Walsh, of Walsh, Colucci, Stackhouse, Emrich and Lubeley, attorney for the applicant dated January 28, 1991, clarifying Proffer Number 17 regarding condemnation be made a part of the official record.

In addition, Mr. Walsh has submitted a letter dated February 4, 1991 clarifying Proffer Number 10.

Sincerely,



Viki L. Lester

Deputy Clerk to the Board of Supervisors

NV/ns

cc: Dena M. Siri, Real Estate Dvsn., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP
Robert Moore, Trnsprt'n. Planning Dvsn., Office of Transportation
Kathy Ichter, Trnsprt'n. Road Bond Dvsn., Office of Transportation
Department of Environmental Management
A. V. Bailey, Resident Engineer, VDOT
Land Acq. & Planning Dvsn., Park Authority
Martin D. Walsh, Esquire

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Massey Building at Fairfax, Virginia, on the 28th day of January, 1991, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 85-C-091-2
(CONCURRENT WITH RZ 87-C-042; PCA 78-C-079; AND SEA 84-C-076-3)

WHEREAS, Fairfax Hospital System, A Division of Inova Health Systems, filed in the proper form, an application requesting amendment to the plan of a certain parcel of land, hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.1.491(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

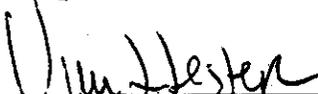
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Centreville District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.1-491(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 28th day of January, 1991.


Viki L. Lester

Deputy Clerk to the Board of Supervisors

PROFFERS

FAIRFAX HOSPITAL SYSTEM

RZ 87-C-042

and

PCA 85-C-091-2

January 25, 1991

Pursuant to Section 15.1-491 (a) of the Code of Virginia, 1950 edition as amended, the undersigned hereby proffers that, in the event the property that is the subject of RZ 87-C-042 is rezoned to the C-3 District and the companion PCA 85-C-091-2, PCA 78-C-079-1, and SEA 84-C-076-3 applications are approved by the Board of Supervisors, development will be subject to the following terms and conditions:

1. Pursuant to Par. 4 and 5 of Sect. 18-204 of the Zoning Ordinance, development of the subject property will be in conformance with the Generalized Development Plan/Special Exception Amendment Plat (The Plan) prepared by Dewberry & Davis, which consists of four (4) sheets and dated January 15, 1990 and last revised to January 25, 1991 and the conditions of approval of Special Exception Amendment 84-C-076-3.
2. Ingress/egress easements and necessary temporary grading and construction easements will be provided for parcels 45-2 ((1)) 8, 9 and 11 in the event that said parcels develop in medically-related uses.

PCA 85-C-091-2
RZ 87-C-042

Proffers
January 25, 1991

3. In conjunction with the approval of the site plan for the second medical office building, transitional screening yards and barriers will be provided in accordance with the representations presented on The Plan. Transitional screening will consist of existing vegetation which will be supplemented as required by the County Arborist to meet the standards specified in Article 13. Barrier D will be extended as shown on the Plan, along the western and southern boundaries of the site. The Barrier D extension will be a vinyl coated 42-48 inch chain link fence. No barriers will be provided along the other boundaries. All landscaping and barriers will be maintained by the applicant in accordance with the provisions of Section 13-106 of the Zoning Ordinance.

4. The limits of clearing and grading depicted on The Plan will be maintained. Utilities and the several access easements/interparcel connections may be located within the limits of clearing and grading provided that they are installed in the least disruptive manner possible as approved by the Director of the Department of Environmental Management (DEM). A re-vegetation plan will be submitted to mitigate the impacts of the clearing and grading as approved by the County Arborist. The proposed underground stormwater management facility(s) will not encroach into the limits of clearing and grading depicted on The Plan.

5. The applicant will provide a detailed landscape plan with the submission of the site plan for the second medical office building for approval by the County Arborist. This landscape plan will include the proposed landscaping in the existing parking lot and will be in substantial conformance with the preliminary landscape features presented on The Plan. In addition, the site plan(s) for each of the proposed building(s) will include a planting plan for the foundation of the respective building subject to the approval of the County Arborist. A planting plan for the foundation of the existing hospital building will be included with the submission of the first site plan submitted subsequent to the approval of this application, i.e. the site plan for either of the hospital expansions or the second medical office building. Such plans will be similar in character to the Landscape Plan for the Medical Office Building #1 as determined by the County Arborist, a copy of which is presented on Sheet 4 of 4 of the Plan.

6. The heights of the buildings will not exceed the heights as represented on The Plan. Rooftop structures to include penthouses will not extend more than twelve (12) feet above the roof line of the medical office buildings and will be screened by a parapet wall three to four feet in height.

FCA 85-C-091-2
RZ 87-C-042

Proffers
January 25, 1991

7. The use of the medical office buildings will be limited to medical-related uses and accessory service uses as permitted by Article 10 of the Zoning Ordinance.

8. The applicant will maintain the existing stormwater detention facility located in the northeastern quadrant of Alder Woods Drive and Joseph Siewick Drive which has been improved to increase its capacity and converted to a wet pond in accordance with Site Plan 3624-PI-03, as approved by Fairfax County. Best Management Practices (BMP's) for the existing development have been provided in the existing stormwater management facility as approved by DEM.

9. The applicant will develop a plan for approval by the Director of DEM to provide: (1) An adequate watercourse channel between the storm drain outlet in the vicinity of Lot 470 Fair Oaks Estates and the main water channel; (2) Supplemental trees in the vicinity of Lot 470 Fair Oaks Estates to soften the sight line between the residence on that lot and the hospital site; (3) An onsite maintenance program to control erosion and minimize the amount of sediment draining to the existing stormwater management pond. This plan will be submitted within ninety (90) days of the date of approval by the Board of Supervisors of this application.

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RZ 87-C-042

Proffers
January 25, 1991

10. Stormwater management and Best Management Practices (BMP's) will be provided for the proposed second medical office building and hospital expansion in accordance with the policies and ordinances of Fairfax County. An additional stormwater management facility(s) will be provided to accommodate additional runoff from the proposed second medical office building and hospital expansion. As noted on the GDP, this facility may be located underground. With each phase of development which increases the impervious area on the site, stormwater management will be provided in either a temporary or a permanent facility(s). The exact location and size of the facility(s) will be determined at time of each site plan submission.
11. Prior to issuance of the Non-Residential Use Permit (Non-RUP) for the second medical office building, the proposed stop signs will be installed at the locations indicated on The Plan.
12. Prior to issuance of the Non-RUP for the second medical office building, the applicant will provide a bicycle rack in a safe and accessible location next to the proposed office building as approved by DEM.
13. Prior to issuance of the Non-RUP for the second medical office building, a picnic table will be provided at an appropriate location near the proposed office building.

PCA 85-C-091-2

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Proffers
January 25, 1991

14. Parking lot lighting for the second medical office building will be designed and located in accordance with the glare standards set forth in Section 9 of Article 14 of the Zoning Ordinance in effect at the time of site plan approval for the second medical office building.

15. The proposed second medical office building and the proposed permanent MRI will be constructed with a brick similar in color and size to those used for the existing medical office building and hospital. The second medical office building will have an appearance that is comparable to the representation presented on Sheet 3 of The Plan as determined by DEM. In addition, the applicant will, to the extent possible, employ innovative types of windows and/or shades to minimize the glare from the second medical office building towards the residential areas. Architectural elevations for the proposed hospital administrative office building will be submitted to the Planning Commission for review and approval.

16. The applicant will provide the Fair Oaks Estates Homeowners Association and the Navy Vale Community League with written notification of the submission of the site plan(s) to DEM for the second medical office building and proposed hospital expansions. The site plan for the second medical office building will include a Landscape Plan addressing transitional screening and supplemental plantings along the western and eastern property lines. In addition

standards set forth in Par. 1 of Sect. 17-106 of the Zoning

Proffers
January 25, 1991

Ordinance, copies of the written notification of the submission of the site plan(s) will be submitted to DEM.

17. The applicant will construct the following transportation improvements subject to the approval of DEM and the Virginia Department of Transportation (VDOT). These improvements will be provided in accordance with the timing established in this proffer and Proffer 18.

- a. The improvement of "Unnamed Street" (Alder Woods Drive Extended) to a four lane undivided standard within a 63 foot right of way with a 52 foot pavement section from Alder Woods Drive to Rugby Road to include a 4 foot concrete sidewalk in accordance with Site Plan 3624-PI. If requested by and subject to the approval of DEM, the applicant may escrow the appropriate funds for construction of the sidewalk by others at such time when the sidewalk can be connected to the planned sidewalk along Rugby Road.
- b. The improvement of Rugby Road to provide a right turn lane onto "Unnamed Street" (Alder Woods Drive Extended) in accordance with Site Plan 3624-PI.
- c. The improvement of Ox Trail to provide a left turn lane onto Joseph Siewick Drive from Ox Trail.

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- d. If and when deemed necessary by the applicant, the construction of an emergency access road between the Fairfax County Parkway in conformance with the approved plans for the Fairfax County Parkway which will align with the site entrance on Alder Woods Drive as may be approved by DEM and VDOT. If required by VDOT, a traffic signal at the intersection of Alder Woods Drive will be provided.
- e. A letter of credit or other financial documents as may be approved by the Director of DEM for the cost of a traffic signal at the intersection of Rugby Road and "Unnamed Street" (Alder Woods Drive Extended) will be provided at time of site plan approval for the second medical office building or the signal itself will be provided subject to the approval of VDOT.
- f. At time of site plan approval for the second medical office building, if VDOT warrants for signalization are met, a traffic signal at the intersection of Ox Trail and Joseph Siewick Drive will be provided.
- g. At time of site plan approval for the second medical office building, the applicant will contribute \$10,000.00 as adjusted

PCA 85-C-091-2
RZ 87-C-042

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January 25, 1991

for inflation as specified in the Consumer Price Index for the cost of a future signal at the intersection of Ox Trail and West Ox Road.

The applicant will use best efforts to acquire right-of-way which may be needed for the above-referenced improvements. Where necessary, the applicant proffers to pay for the cost of any additional right-of-way needed for such improvements. In the event the applicant is unable to acquire needed right-of-way, the applicant shall request that the County acquire the right-of-way by means of its condemnation powers at applicant's expense. It is understood that the County shall be under no obligation to do so. It is further understood that the applicant's request will not be considered until it is forwarded, in writing, to the Director of Property Management accompanied by: (1) plans and profiles showing the necessary right-of-way property; (2) an independent appraisal, by an appraiser not an employee of the County, of the value of land taken; (3) a twenty (20) year title search certificate of the right-of-way property to be acquired; and (4) a Letter of Credit in an amount equal to the appraised value of the property to be acquired not including any damages to the residue, which can be drawn upon by the County. It is also understood that in the event the property owner of the right-of-way property to be acquired is awarded more than the appraised value of the property alone and not including any damages to the residue, in a condemnation suit, the amount of the award in

excess of the Letter of Credit amount shall be paid to the County by the developer within five (5) days of said award. If the County elects not to use its powers of eminent domain to acquire right of way that is required for a given road improvement, applicant's proffered obligation for construction of that road improvement shall be deemed satisfied when the applicant post funds in escrow for acquisition of said right-of-way as provided herein above (the amount to be determined at the time of posting by an appraiser approved by the County Executive or his designee) and funds for the cost of construction of said road improvement (the amount to be determined at the time of posting by a construction cost estimator approved by the County Executive or his designee.) The above appraisal and estimate shall be at applicant's expense.

18. No issuance of the Non-RUP for the proposed second medical office building will occur until the road improvements identified in 17 a, b and c are "completed." "Completed" will be construed to mean physical improvements are in place and sufficient to allow the roads use by vehicular traffic and open for vehicular traffic regardless of the roads acceptance into the State's road system.

19. At time of site plan approval for the second medical office building, or upon demand by Fairfax County or VDOT, whichever occurs first, the applicant will dedicate to the Board of Supervisors and convey in fee simple right-of-way along the subject property's Ox Trail frontage to

PCA 85-C-091-2
RZ 87-C-042

Proffers
January 25, 1991

a distance of 35 feet from the existing centerline. Temporary grading and construction easements across the Ox Trail frontage of the site will be provided as requested by VDOT and/or DEM.

20. All rights of way dedicated in conjunction with these proffers will be conveyed to the Board of Supervisors in fee simple.
21. The land area subject to RZ 87-C-042 which consists of 7.5 acres will be dedicated to the Fairfax County Park Authority in fee simple upon demand for public park use or public natural open space. A public access easement for maintenance and public access purposes will be provided along Joseph Siewick Drive from Alder Woods Drive to Ox Trail. An additional 35-foot public access easement will be provided to this parcel in one of the two approximate locations shown on The Plan. The location of the 35-foot public access easement will be subject to the approval of the Fairfax County Park Authority. This land area and the 5.4 acres referenced in PCA 78-C-079-1 will be dedicated to the Fairfax County Park Authority prior to issuance of the Non-RUP for the second medical office building.
22. All land area dedicated for public use(s) in conjunction with these proffers for PCA 85-C-091-2 and RZ 87-C-042 and all density/floor area ratio related to the land area of these dedications is hereby reserved for the subject property in accordance with the provisions of Par. 5 of Sect. 2-308 of the Zoning Ordinance.

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January 25, 1991

23. Handicapped parking spaces for the second medical office building will be located in a convenient and accessible location adjacent to the entrance(s) to the office building.
24. All proposed dumpsters will be screened by a combination of brick walls, a gate and evergreen plantings as may be approved by the County Arborist.
25. Each reference to "Applicant" in this proffer will include within its meaning, and will be binding upon, applicant's successor(s) in interest and/or the developer(s) of the subject property or any portion thereof.

FAIRFAX HOSPITAL SYSTEM, INC.

By: Donald L. Harris
Donald L. Harris, Senior Vice President

INOVA HEALTH SYSTEMS FOUNDATION

By: Donald L. Harris
Donald L. Harris, Senior Vice President

HEALTH ENTERPRISES, INC.

By: Martin L. Cohen
Martin L. Cohen, Senior Vice President

PCA 85-C-091-2
RZ 87-C-042

Proffers
January 25, 1991

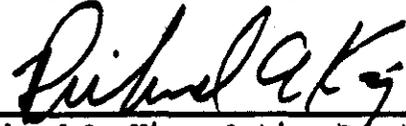
FAIR OAKS PROFESSIONAL BUILDING, L.P.

By: 
William A. McKee, Vice President,
Fair Oaks Medical Building, Inc.,
General Partner

INDUSTRIAL DEVELOPMENT AUTHORITY

By:  VICE CHAIRMAN
Charles R. Rainey, Jr., Vice-Chairman

FAIRFAX COUNTY PARK AUTHORITY

By: 
Richard A. King, Acting County Executive

dln890

APPENDIX 8



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030



February 26, 1991

Mr. Donald L. Harris
Senior Vice President
INOVA Health Systems
8001 Braddock Road
Springfield, Virginia 22151

Re: Special Exception Amendment
Number SEA 84-C-076-3
(Concurrent with RZ 87-C-042;
PCA 85-C-091-2; and PCA 78-C-079)

Dear Mr. Harris:

At a regular meeting of the Board of Supervisors held on January 28, 1991, the Board approved Special Exception Amendment Number SEA 84-C-076-3, in the name of Fairfax Hospital System, A Division of Inova Health Systems, located at Tax Map 45-2 ((1)) 25, 41, and 42 for a hospital and associated uses, heliport, and medical office buildings, pursuant to Section 4-304 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

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. Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat and these conditions.

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4. These Development Conditions shall be in addition to any proffers adopted pursuant to PCA 85-C-091-2 which shall remain in full force and effect.
5. The structure identified on the Generalized Development Plan and Special Exception Amendment Plat as proposed hospital administrative offices shall be constructed with a brick similar in color and size to that used in the existing hospital and medical office building.

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.

Under Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Exception Amendment unless the activity authorized has been established, or unless construction has commenced and is diligently pursued, or unless additional time is approved by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the approval of this Special Exception Amendment. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

The Board also:

- Modified the transitional screening yard requirements for all four applications along all boundaries in accordance with Section 13-104 of the Zoning Ordinance; and
- Modified the barrier requirement in accordance with the January 25, 1991 proffer statement.

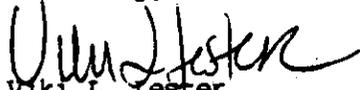
The Board directed that staff give notification when the deed for the dedication of the 7.5 acres proffered to be dedicated to the Park Authority pursuant to RZ 87-C-042 and PCA 85-C-091-2 is recorded and that it be done within 90 days. (The Board of Supervisors was informed that the deeds for the 7.5 acres of parkland and the 5.4 acres proffered pursuant to PCA 78-C-079 were recorded on February 11, 1991.)

February 26, 1991

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If you have any questions concerning this Special Exception, please give me a call.

Sincerely,



Viki L. Lester

Deputy Clerk to the Board of Supervisors

NV/ns

cc: Dena M. Siri, Real Estate Dvsn., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, OCP
Audrey Clark, Chief, Inspection Svcs., BPRD, DEM
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP
Robert Moore, Trnsprt'n. Planning Dvsn., Office of Transportation
Kathy Ichter, Trnsprt'n. Road Bond Dvsn., Office of Transportation
Department of Environmental Management
A. V. Bailey, Resident Engineer, VDOT
Land Acq. & Planning Dvsn., Park Authority
Martin D. Walsh, Esquire

FAIRFAX HOSPITAL SYSTEM/FAIR OAKS SITE

DESIGNER: Desberry & Davis



ON TRAIL (RT. 888)

TABULATION

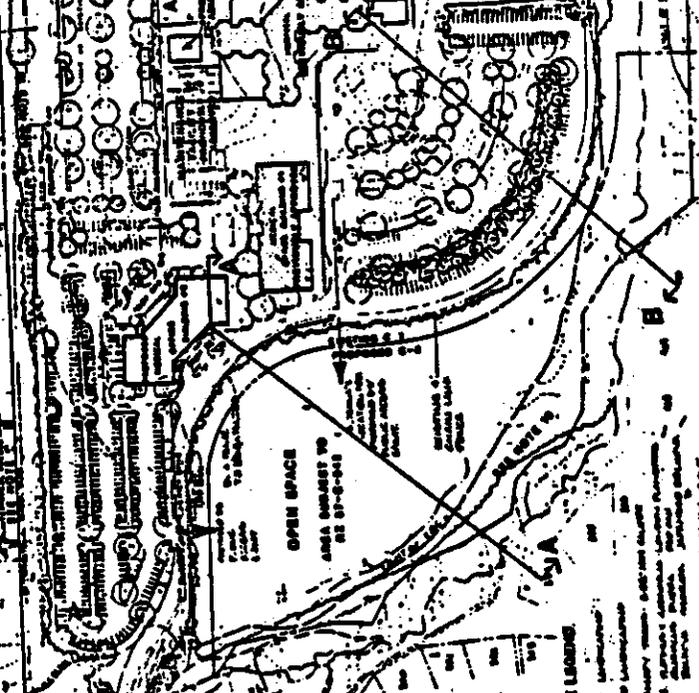
| | | | |
|-----|--------------|----------------|------------------|
| NO. | DESCRIPTION | AREA (SQ. FT.) | VOLUME (CU. YD.) |
| 1 | GRAVEL DRIVE | 1,200 | 1,200 |
| 2 | GRAVEL DRIVE | 1,200 | 1,200 |
| 3 | GRAVEL DRIVE | 1,200 | 1,200 |
| 4 | GRAVEL DRIVE | 1,200 | 1,200 |
| 5 | GRAVEL DRIVE | 1,200 | 1,200 |
| 6 | GRAVEL DRIVE | 1,200 | 1,200 |
| 7 | GRAVEL DRIVE | 1,200 | 1,200 |
| 8 | GRAVEL DRIVE | 1,200 | 1,200 |
| 9 | GRAVEL DRIVE | 1,200 | 1,200 |
| 10 | GRAVEL DRIVE | 1,200 | 1,200 |
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| 12 | GRAVEL DRIVE | 1,200 | 1,200 |
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| 23 | GRAVEL DRIVE | 1,200 | 1,200 |
| 24 | GRAVEL DRIVE | 1,200 | 1,200 |
| 25 | GRAVEL DRIVE | 1,200 | 1,200 |
| 26 | GRAVEL DRIVE | 1,200 | 1,200 |
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| 30 | GRAVEL DRIVE | 1,200 | 1,200 |
| 31 | GRAVEL DRIVE | 1,200 | 1,200 |
| 32 | GRAVEL DRIVE | 1,200 | 1,200 |
| 33 | GRAVEL DRIVE | 1,200 | 1,200 |
| 34 | GRAVEL DRIVE | 1,200 | 1,200 |
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| 37 | GRAVEL DRIVE | 1,200 | 1,200 |
| 38 | GRAVEL DRIVE | 1,200 | 1,200 |
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| 42 | GRAVEL DRIVE | 1,200 | 1,200 |
| 43 | GRAVEL DRIVE | 1,200 | 1,200 |
| 44 | GRAVEL DRIVE | 1,200 | 1,200 |
| 45 | GRAVEL DRIVE | 1,200 | 1,200 |
| 46 | GRAVEL DRIVE | 1,200 | 1,200 |
| 47 | GRAVEL DRIVE | 1,200 | 1,200 |
| 48 | GRAVEL DRIVE | 1,200 | 1,200 |
| 49 | GRAVEL DRIVE | 1,200 | 1,200 |
| 50 | GRAVEL DRIVE | 1,200 | 1,200 |

AREA NOT INCLUDED IN REZONING APPLICATION

LEGEND

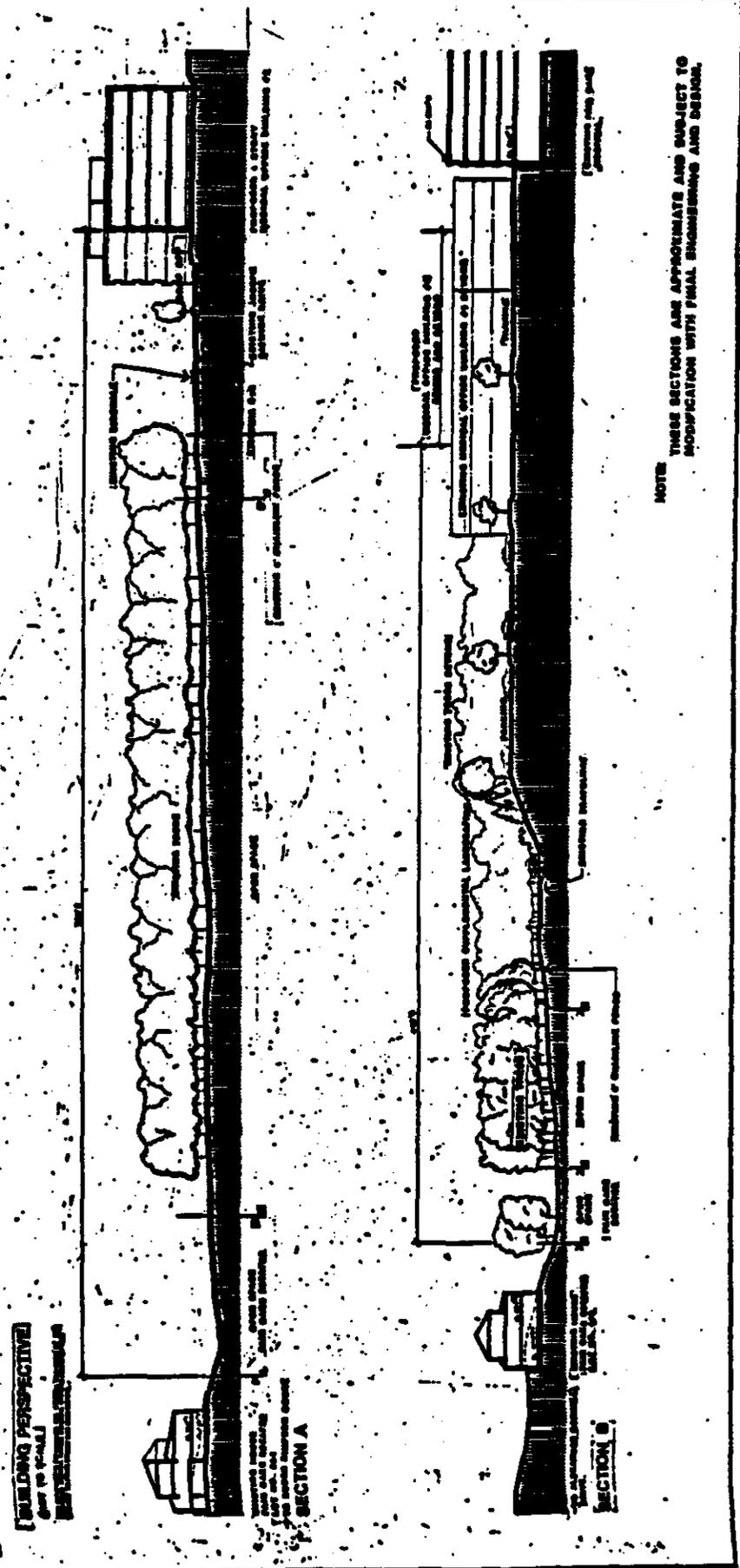
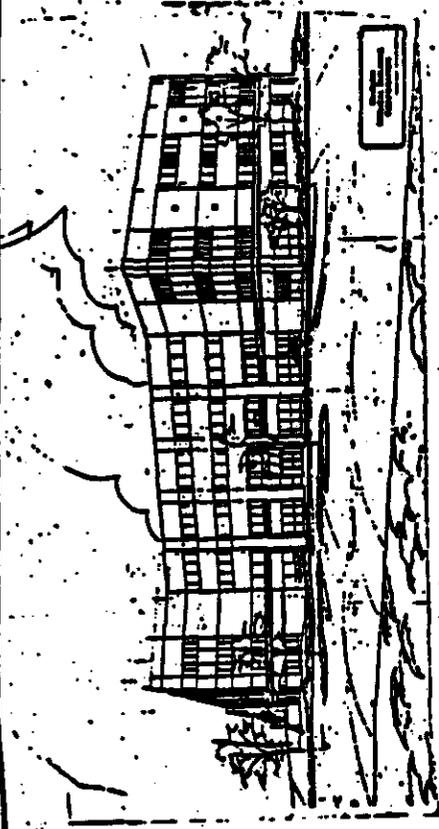
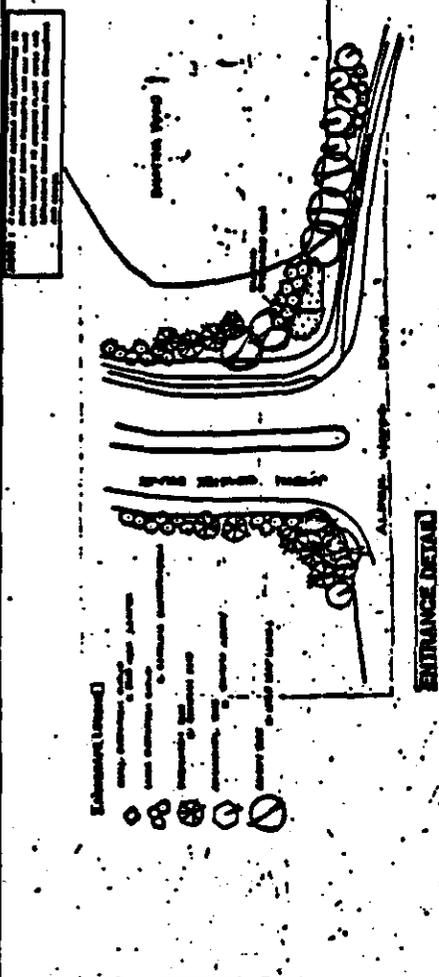
LEGEND

LEGEND



SCAPE LEGEND

LEGEND



NOTE: THESE SECTIONS ARE APPROXIMATE AND SUBJECT TO MODIFICATION WITH FINAL ENGINEERING AND DESIGN.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

THRU: *Lynda L. Stanley*
Lynda L. Stanley, Director
Planning Division, OCP

FROM: *Bruce G. Douglas*
Bruce G. Douglas, Chief
Environment s& Development Review Branch

DATE:

FILE NO.: 1042 (ZONING)

SUBJECT: Planning Analysis addendum for: PCA 85-C-091-3 and
SEA 84-C-076-4
(Fair Oaks Hospital)

This memorandum, prepared by Steve Lopez, provides guidance on land use recommendations from the Comprehensive Plan and a planning analysis of amended applications, PCA 85-C-091-3, and SEA 84-C-076-4, dated July 23, 1992, requesting three modular temporary buildings with a proposed additional FAR of .002 and a canopy extension.

The proposed use and additional FAR are do not conflict with Comprehensive Plan guidance. The proposed temporary modular buildings between the hospital and medical office building #1 add only .002 to the overall FAR, which will not exceed the Plan limit of .20. The structures are temporary, keyed to completion of other building space, and will be on site for no more than five years. Foundation plantings are recommended.

LLS:BGD:SHL

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

DATE: 18 AUG 1992

THRU: *Lynda L. Stanley*
Lynda L. Stanley, Director
Planning Division, OCP

FROM: *Bruce G. Douglas*
Bruce G. Douglas, Chief
Environment & Development Review Branch

FILE NO: 1018 (ZONING)

SUBJECT: Planning Analysis for: SE 92-Y-024 (Fair Oaks Hospital)
PCA 85-C-091-3
SEA 84-C-076-4

This memorandum, prepared by Steve Lopez, provides guidance on land use recommendations from the Comprehensive Plan and a planning analysis of applications SE 92-Y-024, PCA 85-C-091-3, and SEA 84-C-076-4, submission dated June 3, 1992. SE 92-Y-024 requests a child care center and PCA 85-C-091-3 and SEA 84-C-076-4 request covered walkways between existing buildings. The proposed child care center has a floor area ratio (FAR) of .15. The issues identified in this analysis should be satisfactorily addressed before this application is considered favorably.

COMPREHENSIVE PLAN CITATIONS:

The 38.8-acre property is located in the Lee-Jackson Community Planning Sector (UP8) of the Upper Potomac Planning District in Area III. An assessment of the proposal for conformance with the land use recommendations of the Comprehensive Plan should be guided by the following citations from the Plan:

On page 378 of the 1991 edition of the Area III Plan as amended through March 9, 1992, under the heading "Land Use Recommendations," the Plan states:

- "7. The Rugby Road/Ox Trail Road area north of the Fairfax County Parkway and west of the Fair Oaks Hospital, except the northern half of the Murray Farms subdivision, is planned for residential use at 2-3 dwelling units per acre which is compatible with the single-family detached development in the immediate vicinity. The northern half of Murray Farms is planned for residential development at a density of 1-2 dwelling units per acre with an option for 2-3 dwelling units per acre. In order for development in Murray

Barbara A. Byron
SE 92-Y-024 (Fair Oaks Hospital)
PCA 85-C-091-3
SEA 84-C-076-4
Page Two

Farms north of the Fairfax County Parkway to occur at a density of 2 - 3 dwelling units per acre, substantial land consolidation should be provided to ensure that the land use relationships, buffering, access and circulation pattern will be compatible with development in the surrounding area. . . .

10. Parcels 45-2((1))25, 41 and 42 are planned for hospital and related low intensity ancillary medical service use, provided that a substantial vegetated buffer is maintained between such uses and the nearby residential neighborhoods. Furthermore, it should be provided that the siting and height of buildings at this site are designed to minimize visual impacts on the residential community and that the overall FAR on the site not exceed .20. The southern 7.5-acre portion of this site is owned by the Fairfax County Park Authority and is planned for a public park."

On page 41 under the heading "Locational Guidelines for Child Care Facilities," the 1990 Policy Plan states:

"In Fairfax County, as in other areas of the country, there is an increasing need for high-quality child care facilities. Such facilities should be encouraged throughout the County to the extent that they can be provided consistently with the following criteria:

1. Child care facilities should have sufficient open space to provide adequate access to sunlight and suitable play areas, taking into consideration the size of the facility.
2. Child care facilities should be located and designed to ensure the safety of children.
3. Child care facilities should be located and designed to protect children from excessive exposure to noise, air pollutants, and other environmental factors potentially injurious to health or welfare.
4. Child care facilities should be located and designed to ensure safe and convenient access. This includes appropriate parking areas and safe and effective on-site circulation of automobiles and pedestrians.

Barbara A. Byron
SE 92-Y-024 (Fair Oaks Hospital)
PCA 85-C-091-3
SEA 84-C-076-4
Page Three

5. Child care facilities in Suburban Neighborhoods should be located and designed to avoid creating undesirable traffic, noise, and other impacts upon the surrounding community. Therefore, siting child care facilities on the periphery of residential developments or in the vicinity of planned community recreation facilities should be considered.
6. Child care facilities should be encouraged in employment centers to provide locations convenient to work places. However, these locations should make provisions for a safe and healthful environment in accord with the guidelines listed above."

On page 31 under the heading "Land Use, Land Use Pattern," the 1990 Policy Plan states:

"Objective 8: Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods. . . .

Policy b. Discourage commercial development within residential communities unless the commercial uses are of a local serving nature and the intensity and scale is compatible with surrounding residential uses."

On page 35 under the heading "Land Use, Land Use Compatibility," the 1990 Policy Plan states:

"Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses. . . .

Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening. . . .

Policy e. Stabilize residential neighborhoods adjacent to commercial areas through the establishment of transitional land uses, vegetated buffers and/or architectural screens, and the control of vehicular access.

Barbara A. Byron
SE 92-Y-024 (Fair Oaks Hospital)
PCA 85-C-091-3
SEA 84-C-076-4
Page Four

- Policy f. Utilize urban design principals to increase compatibility among adjoining uses.
- Policy g. Consider the cumulative effect of institutional uses in an area prior to allowing the location of additional institutional uses. . . .
- Policy l. Regulate the amount of noise and light produced by non-residential land uses to minimize impacts on nearby residential properties."

On page 36 under the heading "Land Use, Land Use Compatibility," the 1990 Policy Plan states:

"Objective 15: Fairfax County should promote the use of sound urban design principles to increase functional efficiency, unify related areas and impart an appropriate character and appearance throughout the County.

- Policy a. Apply urban design principles in the planning and development process.
- Policy b. Incorporate appropriate urban design features in the design and construction of County facilities.
- Policy c. Recognize quality design in site planning and architecture through the Fairfax County Exceptional Design Awards program.
- Policy d. Encourage the use of art in public places to enhance both public and private development."

The Comprehensive Plan map shows that the property is planned for residential use at a density of 1-2 dwelling units per acre, public facilities, and institutional use.

Barbara A. Byron
SE 92-Y-024 (Fair Oaks Hospital)
PCA 85-C-091-3
SEA 84-C-076-4
Page Five

PLANNING ANALYSIS:

The following analysis identifies and discusses pertinent planning issues and design that relate to the proposed use on the application property.

Character of the Surrounding Area:

The hospital is surrounded by subdivisions of single family detached homes. The area west of West Ox Road is developed and planned for low density residential use at a density of .2-.5 dwelling unit per acre and open space. Murray Farms to the west is an older subdivision with lots about one acre in size. Fair Oaks Estates which is adjacent to the hospital to the east and south is an R-3 cluster subdivision with lots averaging 14,500 square feet and a density of 2.5 dwelling units per acre. On the north side of Ox Trail/Rugby Road, opposite the proposed child care center, is Century Oaks, developed at a density of 2.6 dwelling units per acre under PDH-3 zoning.

Planning Issues:

Because the proposed day care facility has no on-site parking, and will be open only to employees of the hospital, and because the facility is proposed for a parcel which is not within the boundary of the area planned for hospital uses, it should be considered an expansion of the hospital use into the Ox Trail/Rugby Road corridor. Approval of this use would establish a precedent for hospital expansion, or hospital serving uses in an area planned for single family detached development. Such an expansion is contrary to the land use recommendations of the Comprehensive Plan.

There are no land use or design issues related to the proposed covered walkways between buildings (PCA 85-C-091-3 and SEA 84-C-076-4).

Suggested Measures to Address Planning Issues:

This use is not in conformance with the Plan recommendation which limits hospital use specifically to parcels 45-2((1))25, 41, and 42. The facility should be placed on the area now planned for hospital use, if it can be developed within the overall FAR of .20.

LLS:BGD:SHL

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director DATE: AUG. 17 1992
Zoning Evaluation Division, OCP

THRU: *Bruce A. Douglas*
Bruce G. Douglas, Chief
Environmental and Heritage Resources Branch, OCP

FROM: Susan H. Leonard, Planner II *SHL*
Environmental and Heritage Resources Branch, OCP

FILE NO.: 225 (LEONARD)

SUBJECT: ENVIRONMENTAL ASSESSMENT for: SE 92-Y-024;
concurrent with
PCA 85-C-091-3 &
SEA 84-C-076-4
Inova Hospitals
45-2 ((2)) 51-B1,
((1)) 25, 41

This environmental assessment includes citations from the Comprehensive Plan that establish environmental policy for this property and a discussion of environmental concerns including a description of potential impacts that may result from the proposed development. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are at least as compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

Comprehensive Plan guidance is the basis for the evaluation of this application. The following citations have been determined to have relevance to the application property and the development proposal.

On page 86, under the heading "Water Quality," the 1990 Policy Plan states:

"Objective 2: Prevent and reduce pollution of surface waters.

Policy a. Implement a best management practices (BMP) program for Fairfax County. . . .

Policy c. Minimize the amount of impervious surface created as a result of development consistent with planned land uses.

Policy f. Update erosion and sediment regulations and enforcement procedures as new technology becomes available. Minimization of grading shall be a preferred means of limiting erosion.

Development proposals should implement best management practices to reduce runoff pollution. Preferred practices include; those which recharge groundwater when such recharge will not degrade groundwater quality, those which preserve as much natural open space as possible, and those which contribute to ecological diversity by the creation of wetlands. . . ."

On page 93, under the heading "Environmental Resources," the 1990 Policy Plan states:

"Objective 11: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed sites consistent with planned land use and good silvicultural practices."

ENVIRONMENTAL CONCERNS AND SUGGESTIONS FOR THEIR RESOLUTION:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed use. Proposed solutions are acceptable remedies to the concerns that have been identified. There may be other acceptable solutions that have not been identified by staff. Particular emphasis is given to opportunities provided by this application to conserve the County's remaining environmental resources.

Water Quality

Concern: The hospital and child care facility sites are located in the headwaters of the Cub Run watershed which is a critical location in the Occoquan Basin. The most significant construction activity will be taking place on and adjacent to the child care site, part of which drains towards the location of a planned regional stormwater management pond (C-44) which will also provide water quality control measures. However, the northern portion of the child care site, as well as the new parking lots on the hospital property, drains in a different direction. Runoff from that area will need to meet the Best Management Practices (BMP) requirements of the Water Supply Protection Overlay District (WSPOD). The Special Exception Plat dated May 11, 1992 shows a "possible stormwater management area" in the southeast quadrant of the intersection of Ox Trail and

Barbara A. Byron

SE 92-Y-024, PCA 85-C-091-3 & SEA 84-C-076-4

Page Three

Joseph Siewick Drive where now there are mixed deciduous trees. This woodland habitat may be the upstream terminus of an EQC and wildlife corridor which begins to the southwest of the child care site, across Ox Trail.

Suggested Solution: The applicant should contact the Department of Public Works regarding a contribution to regional pond C-44. For portions of the site which do not drain to the regional pond, the BMP requirements of WSPOD will need to be met. There is high quality vegetation and wildlife habitat in the area now designated as the possible stormwater management facility location. In order to preserve as much as possible of that area in its natural state, the applicant should explore the use of an embankment-only facility or other water quality measure which will cause the least amount of disturbance to the existing vegetation.

Concern: Highly erodible soils (Penn) occur on the site. Because the property is in the headwaters of WSPOD, water quality, including prevention of sedimentation, is of critical importance.

Suggested Solution: In order to protect nearby streams from excessive erosion and sedimentation, the applicant should ensure that all erosion and sedimentation measures be designed and operate at their maximum effectiveness.

Preservation of Existing Vegetation

Concern: As noted above, there is high quality vegetation on parcel 51B1 and the adjacent hospital property. This woodland area, although separated from an EQC and wildlife corridor by Ox Trail, may contribute to wildlife movement and habitat. Although some preservation of stands of trees is shown on the Special Exception plat, it would be desirable to incorporate more existing vegetation in the screening and buffering for the child care facility, and, if possible, in the neighborhood of the new parking lots.

Suggested Solution: All existing trees within areas designated for tree preservation should be preserved. In addition, in order to ensure that as many trees will be preserved as possible outside of the preservation areas, a tree-save plan to incorporate them in the site design should be submitted for the approval of the Urban Forester.

APPENDIX 11

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director DATE: July 29, 1992
Zoning Evaluation Division, OCP

FROM: Angela Kadar Rodeheaver, Chief *AKR*
Site Analysis Section, OT

FILE: 3-4 (RZ 85-C-091)
3-5 (SEA 84-C-076)/SITE1 260

SUBJECT: Transportation Impact

REFERENCE: PCA 85-C-091-3/SEA 84-C-076-4; INOVA Hospitals
Traffic Zone: 1177
Land Identification Map: 45-2 ((1)) 25, 41

Transmitted herewith are the comments of the Office of Transportation with regard to the referenced application. These comments are based on the development plan dated May 11, 1992 and revised on June 1, 1992.

The referenced applications are requests for amendments to previously approved uses under PCA 85-C-091-2 and SEA 84-C-076-3 to allow the addition of covered walkways, additional parking and reflection of publically dedicated land, respectively.

These amendments are not expected to result in additional traffic generation to the approved uses. However, it is imperative that the previous transportation proffers committed to under PCA 85-C-091-2, as well as relevant transportation-related conditions of approval of SEA 84-C-76-3 are continued. In addition, a right-of-way of 56 feet from the centerline of Ox Trail to the property line is required to accommodate the recommendation of the Comprehensive Plan adopted by the Board of Supervisors on July 1, 1991. Therefore, this Office would not object to the approval of the referenced applications if the transportation commitments under PCA 85-C-091-2 and SEA 84-C-076-3 are continued and additional right-of-way dedication is provided along Ox Trail.

AKR/BO:kdr

cc: John Winfield, Deputy Director, Design Review, Department of Environmental Management

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

DATE: July 29, 1992

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section, OT *AKR*

FILE: 3-5 (SE 92-Y-024)/SITE2 144

SUBJECT: Transportation Impact

REFERENCE: SE 92-Y-024; INOVA Hospitals
Traffic Zone: 1177
Land Identification Map: 45-2 ((2)) 51-B1

Transmitted herewith are the comments of the Office of Transportation with regard to the referenced application. These comments are based on the development plan dated May 11, 1992.

The referenced application is a Special Exception request under Sections 9-302 and 3-104 of the Zoning Ordinance to allow the operation of a Child Care Center with a maximum of 150 children. As declared in the applicant's statement of justification, the child care facility will not be open to the public but will only serve employees of Fair Oaks Hospital campus. Therefore, no new traffic is expected to be generated as a result of the referenced application. Thus, this operational restriction would be critical in the approval of the application.

Also, since the subject site is supplemental to the site covered by approved PCA 85-C-091-2, appropriate mitigation would be deemed provided if the transportation proffers under PCA 85-C-092-2 are continued. In addition, a right-of-way of 56 feet from the centerline of Ox Trail to the property line is required to accommodate the cross-section recommended in the Comprehensive Plan adopted by the Board of Supervisors on July 1, 1991.

Therefore, this Office would not object to the approval of the referenced application if the following issues are addressed:

- Restriction of the operation of the child care facility to the exclusive use of employees of Fair Oaks Hospital campus.
- Continuation of the transportation proffers committed to under PCA 85-C-091-2.
- Dedication of 56 feet of right-of-way from the centerline of Ox Trail (Route 6985) to the property line.

AKR/BO:kdr

cc: John Winfield, Deputy Director, design Review, Department of Environmental



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
3975 FAIR RIDGE DRIVE
FAIRFAX, VA 22033

RAY D. PETHTEL
COMMISSIONER

CLAUDE D. GARVER, JR.
DISTRICT ADMINISTRATOR

July 1, 1992

Ms. Barbara A. Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning
County of Fairfax
4050 Legato Road, 7th Floor
Fairfax, Virginia 22033

RE: SE 92-Y-024, Fair Oaks Hospital/ Child Care Center
Tax Map No: 045-2 /02/ 51-B1

Dear Ms. Byron:

This office has reviewed the special exception plat relative to special exception application 92-Y-024 and offer the following comments.

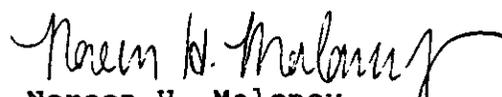
The application has been filed to construct a child care center.

The Fairfax County adopted Comprehensive Plan recommends this section of Ox Trail be reconstructed to a four lane divided facility. The applicant should dedicate 45 feet of right-of-way from the centerline of Ox Trail to the property line and should construct a 35 foot cross section from the centerline to the face of curb.

The applicant is proposing to close the existing driveway, therefore the additional traffic should be analyzed at the intersection of Joseph Siewick Drive. Additional right-of-way and pavement may be necessary for a left turn lane at this intersection.

If you should require any additional information, please do not hesitate to contact this office.

Sincerely,


Noreen H. Maloney



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
3975 FAIR RIDGE DRIVE
FAIRFAX, VA 22033

RAY D. PETHTEL
COMMISSIONER

CLAUDE D. GARVER, JR.
DISTRICT ADMINISTRATOR

July 13, 1992

Ms. Barbara A. Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning
County of Fairfax
4050 Legato Road, 7th Floor
Fairfax, Virginia 22033

RE: PCA 85-C-091-3 Concurrent with SEA 84-C-076-4
Fairfax Hospital System
Tax Map No: 45-2-/01/ /25-, 41-

Dear Ms. Byron:

This office has reviewed the generalized development plan relative to proffer condition amendment application 85-C-091-3 and the special exception application relative to special exception application 84-C-076-4 and offer the following comments.

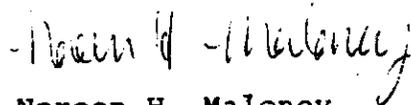
The Fairfax County adopted Comprehensive Plan recommends this section of Ox Trail be reconstructed to a four lane divided facility. The applicant should dedicate 45 feet of right-of-way from the centerline of Ox Trail to the property line and should construct a 35 foot cross section from the centerline to the face of curb. Additional right-of-way and pavement may be necessary to construct a left turn at the intersection of Joseph Siewick Drive.

The applicant should proffer to contribute to a traffic signal at the intersection of Ox Trail/Joseph Siewick Drive when the warrants are achieved.

Ms. Barbara A. Byron
July 13, 1992
Page Two

If you should require any additional information, please do not hesitate to contact this office.

Sincerely,



Noreen H. Maloney
Transportation Engineer

NHM:law

cc: Mr. S. K. Pant
Mr. O. C. Deal, Jr.

RECEIVED

OFFICE OF COMPREHENSIVE PLANNING

JUN 17 1992

FAIRFAX COUNTY, VIRGINIA

ZONING EVALUATION DIVISION

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division
Office of Comprehensive Planning

DATE: June 16, 1992

FROM: Gilbert Osei-Kwadwo, Engineer III (Tel: 324-5025)
System Engineering & Monitoring Division
Department of Public Works

SUBJECT: Development Plan Analysis

REF: PCA 85-C-093-3 W/SEA 84-C-076-4
Map Ref 45-2- /01/ /0025, 0041

Sewer connection for the proposed Child Care Center has not been indicated, as such a sanitary sewer analysis report cannot be done. Also be advised that sanitary sewer capacity is limited in this area.

GOK/aas

MEMORANDUM

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

DATE: 8-5-92

FROM: John W. Koenig, Director *JK*
Utilities Planning and Design Division
Department of Public Works

SUBJECT: Rezoning Application Review

Name of Applicant/Application: INOVA HOSPITALS
Application Number: 85-C-091-3, 84-C-076-4
Type of Application: Proposed Condition Amendment, Special Exception Application

Information Provided

Application: YES
Development Plan: YES
Other: YES - STATEMENT OF JUSTIFICATION

Date Received in UP&DD: 6-15-92

Date Due Back to OCP: 7-1-92

Site Information

- o Location: Tax Map 45-2/01/25,41
- o Area of Site: 34.80 ACRES
- o Rezoned from C-3 to _____
- o Watershed/Segment: CUB RUN / NAVY PARK

1. Drainage

o Master Drainage Plans: No deficiencies are identified in the Fairfax County Master Drainage Plan.

o UP&DD Ongoing County Drainage Projects: None

o UP&DD Drainage Complaint Files:
 Yes No

Any downstream drainage complaints on file pertaining to the outfall for this property?

If yes, Describe: _____

II. Trails:

Yes No

Any Trail projects pending funding approval on this property?

If yes, Describe: _____

Yes No

Any funded trail projects affected by this rezoning?

If yes, Describe: _____

III. School Sidewalk Program:

Yes No

Any sidewalk projects pending funding approval or on the School Sidewalk Program priority list for this property?

If yes, Describe: _____

Yes No

Any funded sidewalk projects affected by this rezoning?

If yes, Describe: _____

IV. Sanitary Sewer Extension and Improvement (E&I) Program:

Yes No

Any existing residential properties adjacent to or draining through this property that are without sanitary sewer facilities?

If yes, Describe: _____

Yes No

Any ongoing E&I projects affected by this rezoning?

If yes, Describe: _____

V. Other UP&DD Projects or Programs:

Yes No

Any Board of Road Viewers (BORV) or Fairfax County Road Maintenance Improvement Projects (FCRMIP) affected by this rezoning?

If yes, Describe: _____

Application Name/Number: INDVA HOSPITALS PCA 85-C-091-3 SEA 84-C-076-4

***** UTILITIES PLANNING AND DESIGN DIVISION, DPW, RECOMMENDATIONS *****

Note: The UP&DD recommendations are based on the UP&DD involvement in the below listed programs and are not intended to constitute total County input for these general topics.

DRAINAGE RECOMMENDATIONS: Applicant to provide contribution towards the implementation of proposed regional facility C-44. Contact DPW for details.

TRAILS RECOMMENDATIONS: None

SCHOOL SIDEWALK RECOMMENDATIONS: None

SANITARY SEWER E&I RECOMMENDATIONS:

YES NOT REQUIRED

Extend sanitary sewer lines to the development boundaries on the _____ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works during the normal Department of Environmental Management plan review and approval process.

Other E&I recommendations: NONE

OTHER UP&DD PROJECT/PROGRAM RECOMMENDATIONS: NONE

UP&DD Internal Sign Off by:
Planning Support Branch (Ron Kirkpatrick)
Public Improvements Branch (Walt Wozniak)
Stormwater Management Branch (Bill Henry)



Date: 06/25/92

TO: Staff Coordinator (Tel.: 246-1250)
Zoning Evaluation Branch
4050 Legato Road, Centre Pointe
Fairfax, VA 22033

FROM: Planning Branch (Tel.: 698-5600 ext. 343)
Engineering and Construction Division
Fairfax County Water Authority

Subject: Water Service Analysis, Rezoning Application SEA 84-C-076-4

The following information is submitted in response to your request for a water service analysis for the subject rezoning application:

1. The application property is located within the franchise area of the Fairfax County Water Authority
2. Adequate water service is available at the site.
3. Offsite water main extension is not required.
4. The nearest adequate water main available to provide service is a 12 inch main located at the property. See enclosed property map.
5. Other pertinent information or comments:

SPECIAL EXCEPTION APPLICATION

SEA 84-C-076-4

EA 84-C-076 -04 INOVA HOSPITALS
FILED 06/03/92 AMEND SE 84-C-076 FOR MEDICAL CARE FACILITIES
TO PERMIT COVERED WALKWAYS, ADDITIONAL
PARKING AND REDUCTION IN LAND AREA
ZONING DIST SECTION: 04-0304
ART 9 CATEGORY/USE: 03-06

38.80 ACRES OF LAND; DISTRICT - SULLY
LOCATED: 3600 & 3650 JOSEPH SIEWICK DRIVE, FAIRFAX,
VA 22033

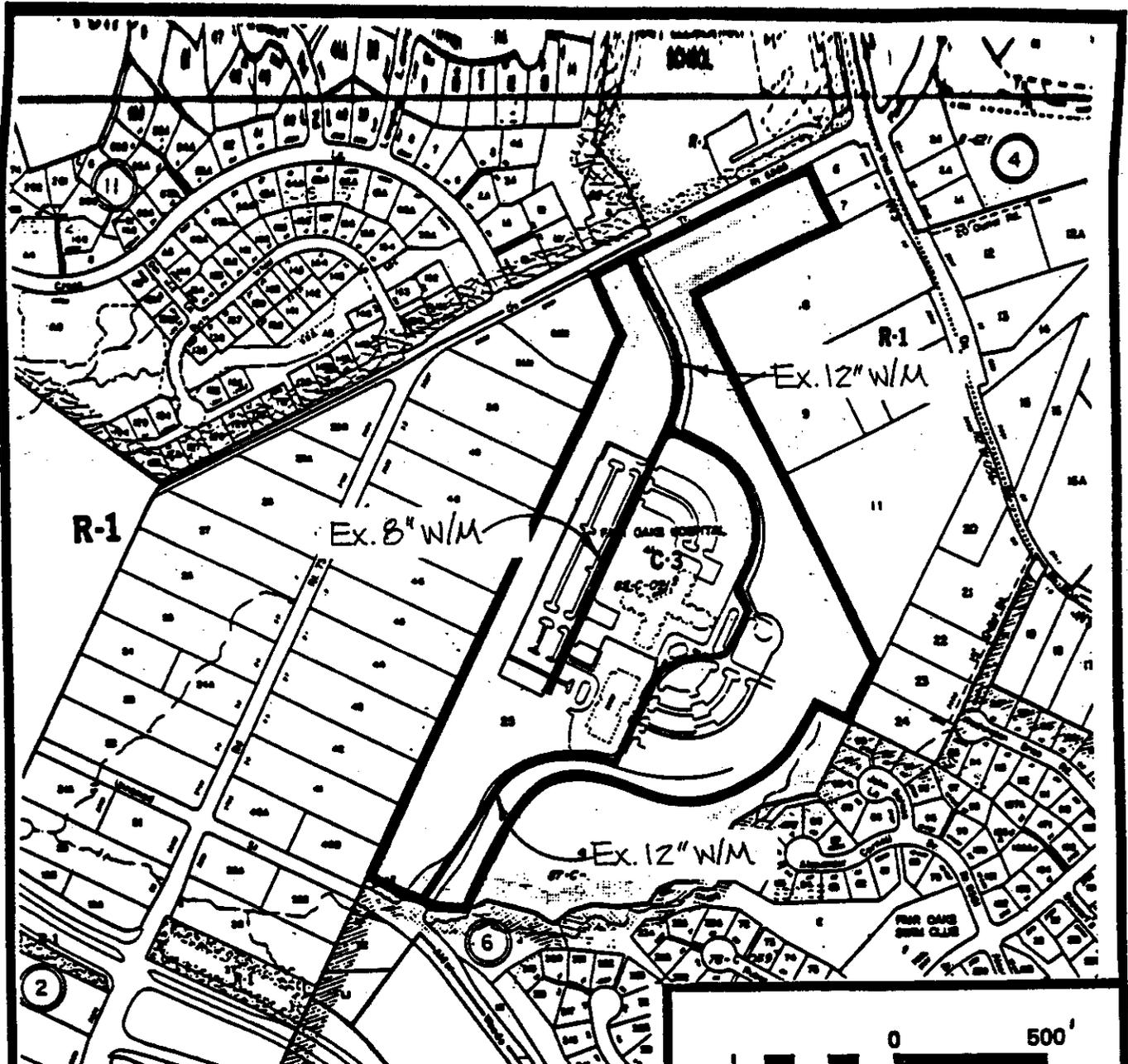
ZONED C-3

PLAN AREA 3

OVERLAY DISTRICT(S): WS

TAX MAP

045-2- /01/ /0025- ,0041-



A.C.

Date: 06/25/92

TO: Staff Coordinator (Tel.: 246-1250)
Zoning Evaluation Branch
4050 Legato Road, Centre Pointe
Fairfax, VA 22033

FROM: Planning Branch (Tel.: 698-5600 ext. 343)
Engineering and Construction Division
Fairfax County Water Authority

Subject: Water Service Analysis, Rezoning Application PCA 85-C-091-3

The following information is submitted in response to your request for a water service analysis for the subject rezoning application:

1. The application property is located within the franchise area of the Fairfax County Water Authority
2. Adequate water service is available at the site.
3. Offsite water main extension is not required.
4. The nearest adequate water main available to provide service is a 12 inch main located at the property. See enclosed property map.
5. Other pertinent information or comments:

PROFFERED CONDITION AMENDMENT

PCA 85-C-091-3

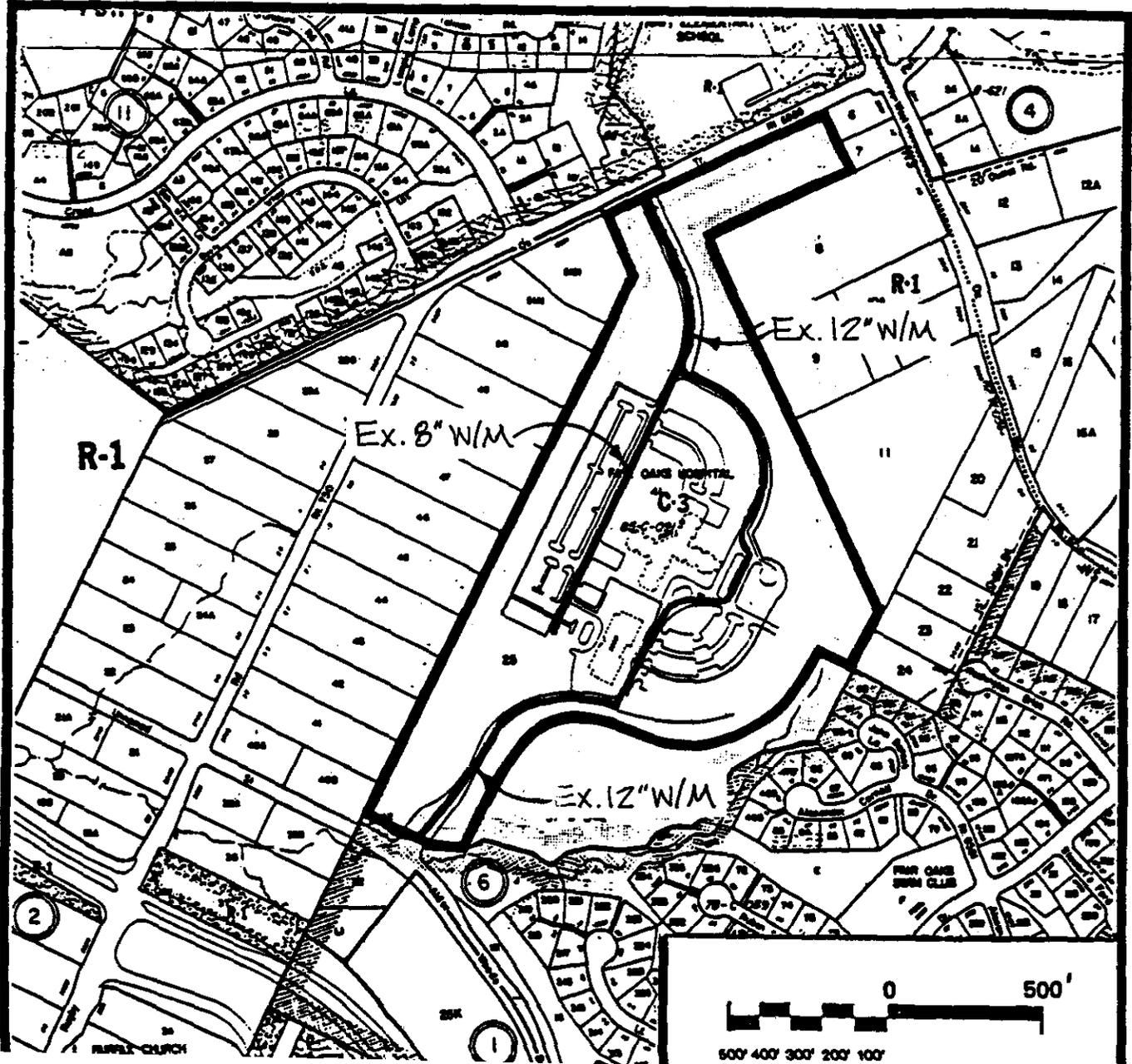
CA 85-C-091 -03
FILED 06/03/92

INOVA HOSPITALS
PROFFERED CONDITION AMENDMENT
PROPOSED: MEDICAL FACILITIES TO PERMIT COVERED WALKWAY,
ADDITIONAL PARKING AND REDUCTION IN LAND
AREA

APPROX. 38.80 ACRES OF LAND; DISTRICT - SULLY
LOCATED: 3600 & 3650 JOSEPH SIEWICK DRIVE

ZONING: C-3
OVERLAY DISTRICT(S): WS

MAP REF 045-2- /01/ /0025- ,0041-



FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

June 29, 1992

TO: Barbara A. Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

FROM: Edie Beitzel, (246-3953) 
Resource Management Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis,
Special Exception Amendment Application SEA 84-C-076-4

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject Special Exception Amendment Application:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #21 Fair Oaks.
2. After construction programmed for FY 1992, this property will be serviced by the fire station planned for the _____ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility, however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility; however, a station location study is currently underway, which may impact this rezoning positively.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

June 29, 1992

TO: Barbara A. Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

FROM: Edie Beitzel, (246-3953) 
Resource Management Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis,
Proffered Condition Amendment PCA 85-C-091-3

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject Proffered Condition Amendment:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #21 Fair Oaks.
2. After construction programmed for FY 1992, this property will be serviced by the fire station planned for the _____ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility, however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility; however, a station location study is currently underway, which may impact this

Fairfax
County
Park
Authority



Memorandum

APPENDIX 16

July 6, 1992

TO: Barbara A. Byron, Director
Zoning Evaluation Division - OCP

FROM: Dorothea L. Stefen, Plans Review *DLS*
Division of Planning & Land Acquisition - FCPA

SUBJECT: SE 92-Y-024
Loc: 45-2((2))51b1

The Fairfax County Park Authority staff has reviewed the above referenced application and has determined it would have no adverse effects on the Fairfax County Park Authority.

26
Fairfax
County
Park
Authority



July 6, 1992

Memorandum

TO: Barbara A. Byron, Director
Zoning Evaluation Division - OCP

FROM: Dorothea L. Stefen, Plans Review *DLS*
Division of Planning & Land Acquisition - FCPA

SUBJECT: PCA 85-C-091-3
Loc: 45-2((1))25,41

The Fairfax County Park Authority staff has reviewed the above referenced application and has determined it would have no adverse effects on the Fairfax County Park Authority.



COMMONWEALTH of VIRGINIA

Fairfax County Health Department

DIVISION OF ENVIRONMENTAL HEALTH

CONSUMER SERVICES SECTION

10777 MAIN STREET, SUITE 111

FAIRFAX, VIRGINIA 22030

May 14, 1992

IN COOPERATION WITH THE
STATE DEPARTMENT OF HEALTH

Phone (703) 246-2444
TDD (703) 591-6435

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING
MAY 14 1992
ZONING EVALUATION DIVISION

Ms. Lynne J. Strobel
Walsh, Colucci, Stackhouse, Emrich and Labeley
Attorneys at Law
Courthouse Plaza
Thirteenth Floor
2200 Claredon Blvd.
Arlington, Va. 22201

RE: Proposed Child Care Facility Located at 12601 Ox Trail, Tap
May 45-2-2-51B1.

Dear Ms. Strobel:

We have reviewed your preliminary application and floor plan of the above proposed facility. We have no objections to the issuance of a Special exception from the Board of Supervisors of Fairfax County provided that the following conditions are met.

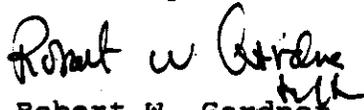
1. The facility must be corrected to public water and sewerage systems.
2. The maximum number of children attending the facility at any one time shall not be more than two hundred and forty (240).
3. The outside play area appears adequately sized for a maximum of fifty four (54) children occupying the play area at any one time. The play area must be enclosed by a fence at least three (3) feet in height.
4. Food shall be catered to the facility from an approved foodservice establishment.
5. Provide at least one child sized toilet and a hand wash sink for each twenty (20) children or fraction thereof. Separate toilets for the staff must be provided in accordance with Chapter 65 of the Fairfax County Code.

Ms. Strobel
Page 2
May 14, 1992

This review does not constitute an operational or construction permit. If a Special Exception is approved by the Board of Supervisors, all requirements of Chapter 30 "Minimum Private School and Child Care Facilities Standards" and 43 "Food and Foodservice Establishments" of the Fairfax County Code must be complied with.

If further information or assistance is required from this office, please call me at 246-2449.

Sincerely,


Robert W. Gardner
Sanitarian

Reviewed by:


Horace E. Jones, Jr., R.E.H.S.
Program Manager

RWG:pg

cc: Office of Comprehensive Planning

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 in the zoning district if the site were developed as a conventional subdivision. See Sect. 9-615 of the Zoning Ordinance.

COUNTY 456 REVIEW PROCESS: A public hearing process pursuant to 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 the Zoning Ordinance when a developer provides certain open space, recreation facilities, or

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. 15.1-491 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 Environmental Management.

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 DEM 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 DEM 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

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|----------------------------|--|---------|---|
| A&F | Agricultural & Forestal District | PDC | Planned Development Commercial |
| ADU | Affordable Dwelling Unit | PDH | Planned Development Housing |
| ARB | Architectural Review Board | PFM | Public Facilities Manual |
| BMP | Best Management Practices | PPRB | Permit, Plan Review Branch |
| BOS | Board of Supervisors | PRC | Planned Residential Community |
| BZA | Board of Zoning Appeals | RMA | Resource Management Area |
| COG | Council of Governments | RPA | Resource Protection Area |
| CBC | Central Business Center | RUP | Residential Use Permit |
| CDP | Conceptual Development Plan | RZ | Rezoning |
| DEM | Department of Environmental Management | SE | Special Exception |
| DDR | Division of Design Review, DEM | SP | Special Permit |
| DP | Development Plan | TDM | Transportation Demand Management |
| DPW | Department of Public Works | 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, DPW |
| FDP | Final Development Plan | UMTA | Urban Mass Transit Association |
| GDP | Generalized Development Plan | VC | Variance |
| GFA | Gross Floor Area | VDOT | Virginia Dept. of Transportation |
| HCD | Housing and Community Development | VPD | Vehicles Per Day |
| LOS | Level of Service | VPH | Vehicles per Hour |
| Non-Residential Use Permit | | WMATA | Washington Metropolitan Area Transit |