



APPLICATION ACCEPTED: May 1, 2013
PLANNING COMMISSION: July 25, 2013
BOARD OF SUPERVISORS: July 30, 2013 @ 4:00 p.m.

County of Fairfax, Virginia

July 2, 2013

STAFF REPORT

APPLICATION PCA 94-V-010

MOUNT VERNON DISTRICT

APPLICANT: Inova Health Care Services

PRESENT ZONING: C-3 (Office District)

PARCELS: 102-1 ((1)) 4 part

SITE AREA: 26.37 acres

PLAN MAP: Public Facilities, Governmental and Institutional

PROPOSAL: The applicant seeks approval of a partial Proffered Condition Amendment (PCA) application to amend the proffers associated with RZ 94-V-010. The applicant proposes to remove a proffered restriction that limits the child care center's enrollment to the children of employees. There are no proposed changes to the child care center's maximum enrollment and no site or building modifications are proposed.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 94-V-010 subject to the execution of proffers consistent with those contained in Appendix 1.

It should be noted that it is not the intent of the staff to recommend that the Board, in

Megan Brady

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



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adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application. For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

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Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Proffered Condition Amendment

PCA 94-V-010

Applicant:
Accepted:
Proposed:

INOVA HEALTH CARE SERVICES
05/01/2013
AMEND RZ 94-V-010 TO PERMIT
MODIFICATION OF APPROVED PROFFERS

Area:

26.37 AC OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect:

Located:

NORTHEAST QUADRANT OF THE INTERSECTION
OF HOLLAND ROAD AND HINSON FARM ROAD

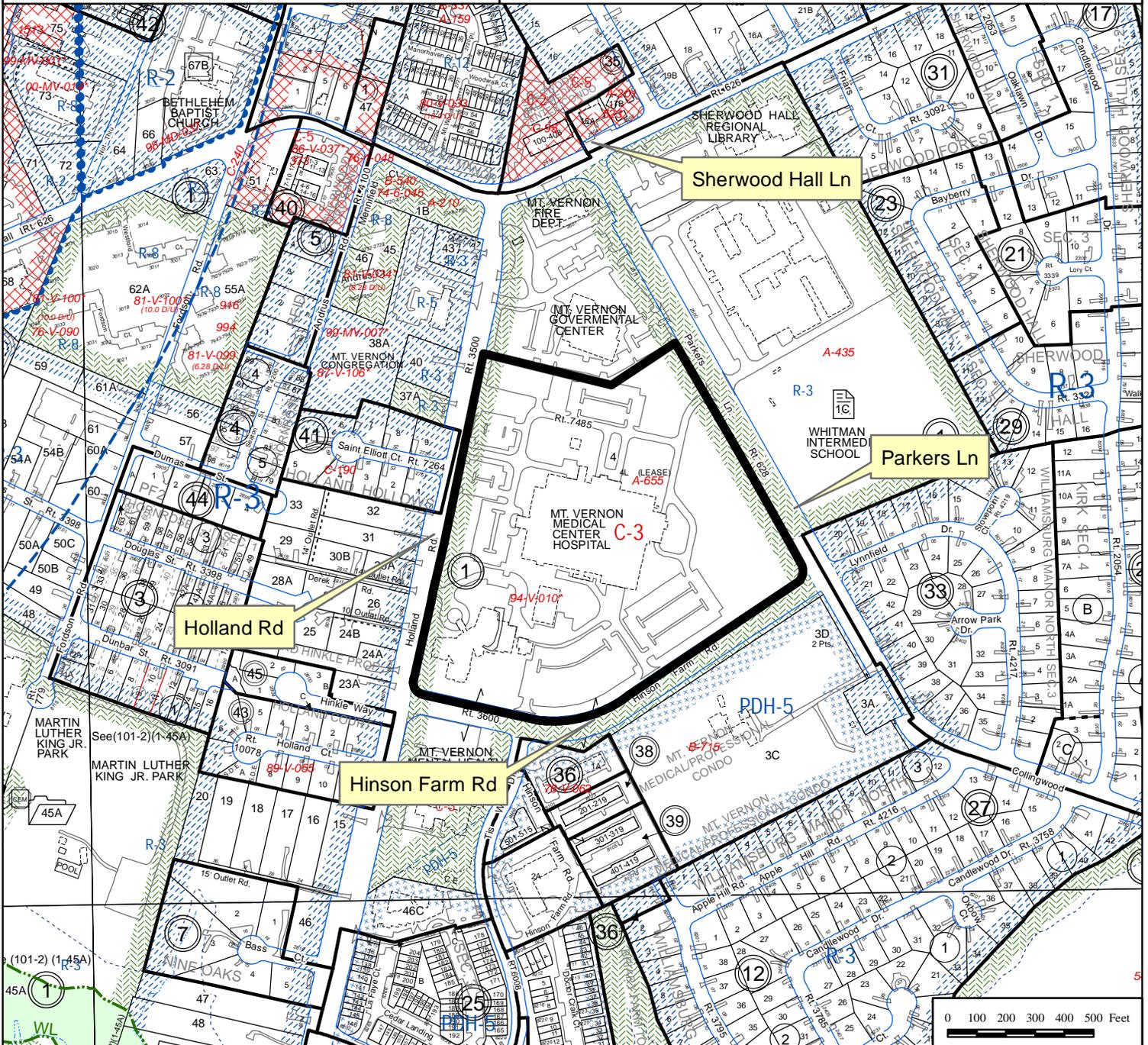
Zoning:

C-3

Overlay Dist:

Map Ref Num:

102-1-/01/ /0004 PART



DESCRIPTION OF THE APPLICATION

The applicant, Inova Health Care Services, seeks approval of a partial Proffered Condition Amendment (PCA) application to amend the single approved proffer associated with the Mount Vernon Hospital / Governmental Center. The previously approved proffer for this site limits the enrollment of the hospital's child care facility to the children of employees. This partial PCA would remove this restriction to allow child care enrollment for both employees and non-employees with a maximum attendance of 100 children at any one time. There are no site or building modifications associated with this application.

The applicant's draft proffers, affidavit, and statement of justification are contained in Appendices 1 – 3, respectively.

LOCATION AND CHARACTER

The application area is a 26.37 portion of a 37.23 acre site that contains the Mount Vernon Hospital / Governmental Center. The parcel is owned by Fairfax County and is under a long term lease. The Mount Vernon Hospital campus is the portion of the site associated with this application.

The hospital is located south of the Mount Vernon Fire Department and Governmental Center and near the intersection of Parkers Lane and Hinson Farm Road. The child care center is located on the second floor of the hospital building in the vicinity of the eastern hospital entrance.

The image to the right summarizes the zoning district and use for the surrounding parcels. The parcel to the east is developed with the Whitman Intermediate School and is planned for Public Facilities, Governmental and Institutional uses. The parcels to the west, which contain single family detached dwellings, are planned for residential use at 5 – 8 dwelling units per acre (du/ac) to the northwest of the application area and 4 – 5 du/ac to the southwest. The parcels to the south that contain medical offices are planned for Public Facilities, Governmental and Institutional uses and residential use at 5 – 8 du/ac.



Source: Fairfax County GIS

BACKGROUND

The Mount Vernon hospital was originally constructed as a by-right use in the R-12.5 District. A building permit for the foundation was issued on November 14, 1972 to the Fairfax County Board of Supervisors, and the building permit for the hospital structure was issued on June 12, 1973. Several subsequent building permits for additions and modifications to the hospital have been issued. In 1978 when the current Zoning Ordinance became effective, the R-12.5 District was converted to the R-3 District, which permitted medical care facilities as a special exception use. The zoning case history is listed in chronological order below.

On April 26, 1982, the Board of Supervisors approved SE 82-V-012 for a medical care facility to permit the expansion of the existing medical care facility (Mount Vernon Hospital) to include the addition of a free-standing, pre-fabricated greenhouse and a garage for parking and storage of grounds-keeping equipment.

On April 30, 1990, the Board of Supervisors approved SEA 82-V-012 to permit the addition of a helipad and a Magnetic Resonance Imaging (MRI) System, an increase in building height, and the addition of 148 parking spaces.

On August 8, 1994, the Board of Supervisors approved RZ 94-V-010 and SEA 82-V-012-2 to rezone the site from the R-3 District to the C-3 District and to permit the addition of hospital facilities, including medical offices and a child care center. This application included one proffered condition (Appendix 4), which limits the uses of the hospital to medical care facilities and related uses, a helipad for medical emergency transport, medical offices, and employee child care facilities. The approved GDP depicts a freestanding 10,000 square foot child care center at the intersection of Hinson Farm Road and Holland Road with an enrollment of 150 children, which would be limited to employees' children. However, the area planned for this facility was later approved for an assisted living facility rather than the child care center, which is instead currently housed on the second floor of the main hospital building.

On October 11, 1999, the Board of Supervisors approved SEA 82-V-012-3 to permit an additional medical care facility (assisted living facility) and to delete the freestanding child care center.

On September 15, 2003, the Board of Supervisors approved SEA 82-V-012-4 to permit the expansion of the building area for the Mount Vernon Mental Health Center and to permit a setback variance along Tis Well Drive.

On July 31, 2006, the Board of Supervisors approved SEA 82-V-012-5 to permit separate additions to the northwest side of the existing Mount Vernon Hospital building totaling 5,500 square feet. The application also included two new parking lots for a net increase of 95 spaces permitting a total of 904 surface parking spaces.

On July 26, 2011, the Board of Supervisors approved SEA 82-V-012-6 to permit an expansion of the existing medical care facility, a parking garage, and other associated modifications to the site design and development conditions. The SEA approved an

expansion to a total gross floor area of 636,865 square feet. The adjacent assisted living facility contains an additional 72,035 square feet of gross floor area, resulting in an overall floor area ratio (FAR) of 0.62 for the site. This approval also included the relocation of the child care center's play area to the southeast portion of the site. The parking tabulation on the approved SEA Plat depicted 100 children for the child care center use. The child care center is not referenced in the approved SEA conditions, and the applicant's proffers for the current application limit the child care center to a maximum of 100 children at any one time. As such, an SEA application is not required for the applicant's request.

COMPREHENSIVE PLAN PROVISIONS

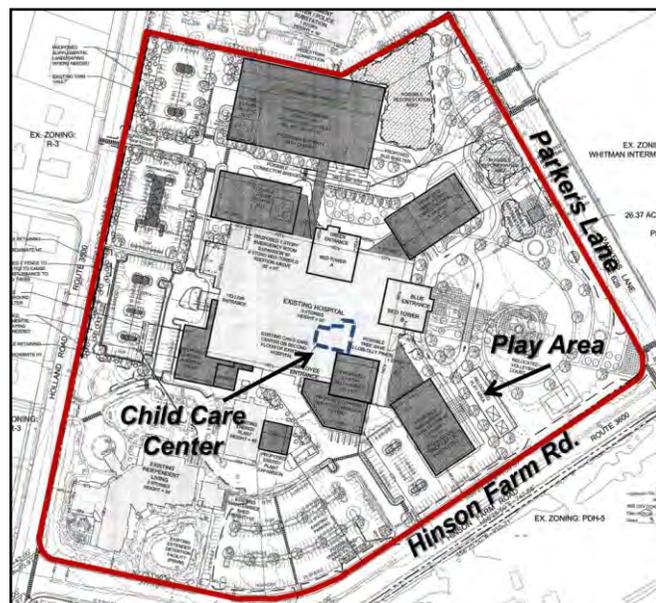
The subject property is located in Plan Area IV in the Mount Vernon Planning District and Fort Hunt Community Planning Sector. The Comprehensive Plan map calls for Public Facilities, Governmental and Institutional uses on the subject property. The Comprehensive Plan contains site specific text for the subject property, which includes a reference to "employee childcare facilities." Although there is a reference to employee childcare, staff finds that the application is in conformance with the Comprehensive Plan due to the estimated negligible land use and transportation impact that permitting non-employee children would have, as discussed in the analysis section below. The site specific text from the Comprehensive Plan and a link to the text online is contained in Appendix 5.

ANALYSIS

Because there are no land disturbing activities or additional buildings proposed with this application, a waiver of the submission requirements for a Generalized Development Plan was granted.

Site Layout

The image to the right outlines the application area and depicts the hospital building. The child care facility is located on the second floor of the hospital building. The shaded areas in the image depict the locations of the additions associated with the approval of SEA 82-V-012-6 that have not been constructed. The play area for the child care center is also shown on the SEA Plat and labeled in the image.



Source: SEA 82-V-012-6 approved Plat with added graphics

Vehicular Access

The eastern hospital entrance, accessed from Parkers Lane, provides access to the child care facility. This site entrance was maintained with the most recent SEA approval.

Parking

This application does not propose any changes to the previously approved GDP or SEA Plat. A visitor parking lot is currently proximate to the hospital entrance off of Parkers Lane and could provide parking for the non-employee parents and guardians while they walk their child to the child care center in the hospital building.

Land Use and Environmental Analysis

No land use or environmental issues were identified.

Transportation Analysis (Appendix 6)

Staff from the Fairfax County Department of Transportation (FCDOT) and the Virginia Department of Transportation (VDOT) reviewed the application and determined that no significant transportation issues are associated with the application. Staff encouraged the applicant to provide enrollment priority to children of Inova Mount Vernon Hospital employees. The applicant's proffers commit to giving preference on the child care center's waiting list to the children of parents who work on the Application Property.

ZONING ORDINANCE PROVISIONS (Appendix 7)

Previously approved rezoning and special exception applications for the site reviewed the development against the applicable Zoning Ordinance provisions. Given that there are no changes proposed to the site design, staff finds that the application continues to meet these provisions and does not adversely impact the previously approved GDP/SEA Plats. There are no waivers or modifications associated with this application.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff finds that the applicant's request to amend the proffers approved for Mount Vernon Hospital to remove the restriction that limits the child care center to employees' children does not adversely impact the previously approved development. Staff finds that the application is in harmony with the

Comprehensive Plan and conforms to all applicable Zoning Ordinance Provisions.

Recommendation

Staff recommends approval of PCA 94-V-010 subject to the execution of proffers consistent with those contained in Appendix 1.

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

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proffers
2. Affidavit
3. Statement of Justification
4. RZ 94-V-010 Proffers
5. Comprehensive Plan Citations
6. FCDOT Analysis
7. Applicable Zoning Ordinance Provisions
8. Glossary

INOVA MOUNT VERNON HOSPITAL**PROFFERS****PCA 94-V-010****June 25, 2013**

Pursuant to Section 15.2-2303(A), Code of Virginia (1950, as amended) and Section 18-204 of the Zoning Ordinance of Fairfax County (1978, as amended), INOVA HEALTH CARE SERVICES ("Inova"), for themselves, the property owners and their successors and/or assigns (hereinafter collectively referred to as the "Applicant"), hereby proffers that the development of the parcel identified as 2013 Fairfax County tax map parcel 102-1 ((1)) 4 part (the "Application Property") shall be in substantial conformance with the following condition:

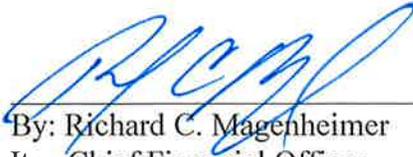
1. Uses of the Mount Vernon Hospital portion of the larger complex that includes the Mount Vernon Governmental Center, the Mount Vernon Fire Station and the Mount Vernon Center Mental Health Facility, shall be limited to medical care facilities and related uses, a helistop for medical emergency transport, medical offices and a child care center limited to a maximum attendance of 100 children at any one time. Preference on the waiting list for the child care center shall be given to children of parents who work on the Application Property.

[SIGNATURE PAGES TO FOLLOW]

APPLICANT/LESSEE ("TITLE OWNER" BY VIRTUE
OF A GROUND LEASE IN EXCESS OF 30 YEARS) OF
TAX MAP 102-1 ((1)) 4 PT.

INOVA HEALTH CARE SERVICES

By: Inova Health System Foundation, its Sole Member



By: Richard C. Magenheimer
Its: Chief Financial Officer

[SIGNATURES CONTINUE]

TITLE OWNER/GROUND LESSOR OF TAX MAP
102-1 ((1)) 4 PT.

FAIRFAX COUNTY BOARD OF SUPERVISORS

By: _____

Name: Edward L. Long, Jr.

Its: County Executive

[SIGNATURES END]

REZONING AFFIDAVIT

DATE: May 31, 2013
 (enter date affidavit is notarized)

I, Jonathan D. Puvak, attorney/agent, 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 121160

in Application No.(s): PCA 94-V-010
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Inova Health Care Services	8110 Gatehouse Road, Suite 200 East Tower Falls Church, Virginia 22042	Applicant/Lessee ("Title Owner" by virtue of a ground lease in excess of 30 years) of Tax Map 102-1 ((1)) 4 pt.
Agents: J. Knox Singleton Richard C. Magenheimer Mark Stauder John F. Gaul Jennifer W. Siciliano		

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

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

Rezoning Attachment to Par. 1(a)

DATE: May 31, 2013
(enter date affidavit is notarized)

121160

for Application No. (s): PCA 94-V-010
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Fairfax County Board of Supervisors County Executive/Agent: Edward L. Long Jr.	12000 Government Center Parkway, Suite 533 Fairfax, VA 22035	Title Owner/Ground Lessor of Tax Map 102-1 ((1)) 4 pt.
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Jonathan D. Puvak Elizabeth D. Baker Inda E. Stagg Elizabeth A. Nicholson	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: May 31, 2013
(enter date affidavit is notarized)

121160

for Application No. (s): PCA 94-V-010
(enter County-assigned application number(s))

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

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Inova Health Care Services
8110 Gatehouse Road, Suite 200, East Tower
Falls Church, Virginia 22042

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

Inova Health Care Services, formerly Inova Health System Hospitals, formerly Inova Hospitals, formerly Fairfax Hospital System, Inc., formerly Fairfax Hospital Systems, Inc., formerly Fairfax Hospital Association, is a non-stock, non-profit corporation, the sole member of which is Inova Health System Foundation. Inova Health System Foundation appoints the Board of Trustees of Inova Health Care Services

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

Officers: J. Knox Singleton, President; Charles H. Smith, III, Chairman; Jack C. Ebeler, Vice Chair; Richard C. Magenheimer, Treasurer; Charles E. Beard, Secretary; John F. Gaul, Asst Secretary
Board of Trustees: Mary Agee, Robert Ahmed, Charles E. Beard, Arshed Choudhry, Hugo Davalos, Jack C. Ebeler, Michael R. Frey, Sarita Gopal, Betty Hudson, Gerald W. Hyland, Hooks Johnston, Mark Moore, Dean Morehouse, Carolyn Moss, Philip O. Nolan, Patrick Rhodes, Mary E. Schmidt, J. Knox Singleton, Charles H. Smith, III, Mark Stavish, George Tawil, Robert Tsien

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: May 31, 2013
(enter date affidavit is notarized)

121160

for Application No. (s): PCA 94-V-010
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Inova Health System Foundation
8110 Gatehouse Road
Falls Church, VA 22042

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Inova Health System Foundation, formerly Inova Health Systems Foundation, which was formerly Inova Health Systems, Inc., which was formerly Fairfax Hospital Association Foundation, which was formerly The Fairfax Hospital Association Foundation, is a non-stock, non-profit corporation.

=====

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

Officers: J. Knox Singleton, CEO; Mark S. Stauder, President; Stephen M. Cumbie, Past Chairman; Nicholas Carosi, III, Chairman; Lydia Thomas, Treasurer; Richard C. Magenheimer, Asst. Treasurer & CFO; Tony Nader, Secretary, John F. Gaul, Asst. Secretary & General Counsel; Chair Emeritus: John Toups

=====

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

Inova Health System Foundation [continued]
8110 Gatehouse Road
Falls Church, VA 22042

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

=====

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

Trustees: Robert Ahmed, Nicholas Carosi, III, Margaret Colon, Stephen M. Cumbie, Jack C. Ebeler, Penelope A. Gross, Katherine K. Hanley, Paul Harbolick, Jr., Sheila Johnson, D. Mark Lowers; Alan G. Merten; Tony Nader; J. Knox Singleton; Charles H. Smith, III; Mark E. Stavish; Todd A. Stottlemeyer, Maura Sughrue; Lydia Thomas; Joe Travez, Winston Ueno

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

Rezoning Attachment to Par. 1(b)

DATE: May 31, 2013
(enter date affidavit is notarized)

121160

for Application No. (s): PCA 94-V-010
(enter County-assigned application number (s))

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

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Michael J. Coughlin, Peter M. Dolan, Jr., Jay du Von, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Kathleen H. Smith, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

=====

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

=====

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

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

=====

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

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

REZONING AFFIDAVIT

DATE: May 31, 2013
(enter date affidavit is notarized)

121160

for Application No. (s): PCA 94-V-010
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)
None

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

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

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: May 31, 2013
(enter date affidavit is notarized)

121160

for Application No. (s): PCA 94-V-010
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

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

None

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: May 31, 2013
(enter date affidavit is notarized)

121160

for Application No. (s): PCA 94-V-010
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

Supervisors Michael R. Frey and Gerald W. Hyland are both trustees on the Inova Health Care Services Board.

Supervisor Penelope A. Gross is a trustee on the Inova Health System Foundation's Board.

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form. →

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

Applicant

Applicant's Authorized Agent

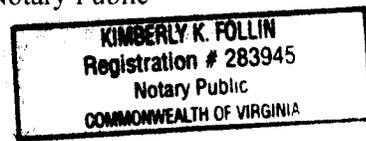
Jonathan D. Puvak attorney/agent

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

Subscribed and sworn to before me this 31 day of May, 2013, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2015



Rezoning Attachment to Par. 3

DATE: May 31, 2013
(enter date affidavit is notarized)

121160

for Application No. (s): PCA 94-V-010
(enter County-assigned application number (s))

Stephen M. Cumbie, Past Chairman and Trustee on the Inova Health System Foundation Board and Director on the Inova Holdings, Inc. Board, donated in excess of \$100 to Supervisor Michael R. Frey.

Gerald W. Hyland, a member of the Fairfax County Board of Supervisors and a Trustee on the Inova Health Care Services Board, donated in excess of \$100 to Chairman Sharon Bulova through Hyland for Supervisor.

Todd A. Stottlemyer, a Trustee on the Inova Health System Foundation Board, donated in excess of \$100 to Supervisor Patrick Herrity.

Supervisors Penelope A. Gross, John W. Foust and Catherine M. Hudgins and their spouses, attended the Inova Health System Foundation's 2012 Annual Gala with complimentary tickets having a face value in excess of \$100 each.

(check if applicable)

There are more disclosures to be listed for Par. 3, and Par. 3 is continued further on a "Rezoning Attachment to Par. 3" form.

APR 02 2013

Zoning Evaluation Division



WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

Timothy S. Sampson
703-618-4135
tsampson@arl.thelandlawyers.com

April 2, 2013

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

Re: **Proffered Condition Amendment Application for Inova Mount Vernon Hospital**
Application Property: Tax Map 102-1 ((1)) 4 (part)
Applicant: Inova Health Care Services

Dear Ms. Berlin:

STATEMENT OF JUSTIFICATION:

Please accept the following as a statement of justification in support of a proffered condition amendment ("PCA") for the Application Property. The Applicant is the owner of the Application Property.¹

The Application Property is zoned to the C-3 District and is subject to proffers dated August 2, 1994 adopted pursuant to RZ 94-V-010 approved on August 8, 1994. The Application Property is also subject to special exception approval for medical care facility use, among other uses, pursuant to SEA 82-V-012-6 approved on September 13, 2011.

As you may be aware, the Inova Mount Vernon Hospital Campus includes a Child Care Center within the hospital building. Enrollment in the Child Care Center is limited by the phraseology of the sole proffer which refers to "employee child care facilities" as an allowable use. This limitation negatively impacts the operation of the Child Care Center and has precluded the Child Care Center from reaching its maximum allowable daily attendance of 100 children at any one time, as reflected on the approved Special Exception Plat.

In order to improve the viability of the Child Care Center and to continue its existence, the Applicant requests a modification to the proffer to eliminate the reference that suggests the Child Care Center is limited to "employee" use only. Specifically, the Applicant proposes the following change to the text of Proffer 1.

¹ The Applicant is the "owner" (as defined in the Zoning Ordinance) of tax map parcel 59-2 ((1)) 1A1 by virtue of a ground lease from the Fairfax County Board of Supervisors to the Applicant for a term in excess of 30 years.

"The Application Property includes the Mount Vernon Governmental Center, the Mount Vernon Fire Station, the Mount Vernon Center Mental Health Facility and Mount Vernon Hospital (the "Hospital"). The Hospital portion of the complex will be limited to medical care facilities and related uses, a helistop for medical emergency transport, medical offices, and ~~employee~~ child care facilities which shall not be limited to children of employees only."

Notably, this PCA does not propose to change the approved maximum attendance or hours of operation of the Child Care Center. Further, this Application proposes no new construction or any other change to the physical condition of the Application Property as it exists or is approved today. Accordingly, the change requested by this PCA will generate no additional land use requirements or any adverse impacts related thereto. In other words, this PCA does not propose an expansion of the approved use; rather, the proposed change simply allows the Applicant to utilize the approved use to the extent for which it is already approved.

To the best of my knowledge, this PCA is in keeping with the recommendations of the Comprehensive Plan, the Zoning Ordinance and all other adopted standards and regulations. While the Child Care Center is a permitted use in the C-3 District, I note that Section 4-305(2) of the Zoning Ordinance refers such uses to the standards of Section 9-309. Again, given the fact that this PCA proposes only to allow the Applicant to utilize the Child Care Center to the extent of its current approval, the proposal does not affect compliance of the existing Child Care Center with these, or other, applicable standards.

WAIVER OF SUBMISSION REQUIREMENTS:

Given the nature of this PCA as described above, I hereby request a waiver of the requirement to submit with this PCA, (1) a zoning plat, (2) a legal description, and (3) a development plan. The proposed proffer change is narrative only, and the items I am requesting to be waived are not needed to enable a complete review of this request.

As always, thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions or if I can provide you with any additional information.

Very truly yours,

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



Timothy S. Sampson

Enclosures

{A0553938.DOC / 1 Berlin Letter IMVH Child Care 4-2-13 000333 000064}

PROFFERS

RZ 94-V-010

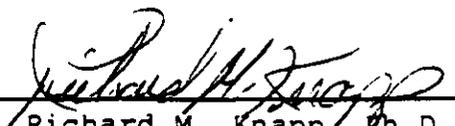
August 2, 1994

Pursuant to Section 15.1-491(a), Code of Virginia, 1950 edition as amended. Inova Health System Hospitals, the applicant in RZ 94-V-010, filed for property identified as tax map 102-1-((1))-Part 4, hereinafter referred to as the "Application Property," agrees to the following proffer, provided that the Board of Supervisors approves a rezoning of the Application Property to the C-3 Zoning District:

1. The Application Property includes the Mount Vernon Government Center, the Mount Vernon Fire Station, the Mount Vernon Center Mental Health Facility and Mount Vernon Hospital (the "Hospital"). The Hospital portion of the complex will be limited to medical care facilities and related uses, a helistop for medical emergency transport, medical offices, and employee child care facilities.

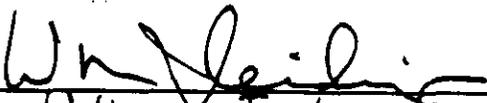
APPLICANT/OPERATOR:

Inova Health System Hospitals

By: 
Name: Richard M. Knapp, Ph.D.
Its: Chairman, Board of Trustees

OWNER:

FAIRFAX COUNTY BOARD OF
SUPERVISORS, a body corporate and politic

By: 
Name: William J. LEIDINGER
Its: COUNTY EXECUTIVE

MV6 FORT HUNT COMMUNITY PLANNING SECTOR

Land Use Recommendation 5 is summarized below. The complete text is located at <http://www.fairfaxcounty.gov/dpz/comprehensiveplan/area4/mtvernon2.pdf>

...RECOMMENDATIONS

Land Use

- ...5. The Mount Vernon District Campus is generally located along both sides of Parkers Lane, east of Holland Road. The campus includes health care, civic, and educational uses. Within the campus, along the north side of Sherwood Hall Lane is an office building, a bank and a service station. South of Sherwood Hall Lane is the Mount Vernon Governmental Center, and Fire and Police Stations, Sherwood Hall Regional Library and Walt Whitman Middle School. The INOVA Mount Vernon Hospital and Sunrise Assisted Living Facility are located north of Hinson Farm Road. The Mount Vernon mental health facility is located south of Hinson Farm Road.

The Mount Vernon Campus is envisioned to be transformed into an area with a well-lit system of trails, sidewalks, crosswalks, bike paths, plazas, and landscaped open space with mature trees and vegetation that also encourages use of public transportation. The overarching goal for the campus is to develop a pedestrian realm, preserve the existing green space and reduce the extent of impervious surface where possible.

...The existing office, bank and service station uses on the north side of Sherwood Hall Lane are planned to be retained, except that the addition of a table service restaurant is encouraged.

Development is planned at an intensity up to .50 FAR on parcel 102-1((1))4 (approximately 815,450 square feet). The hospital facilities with related ancillary medical service uses, including medical offices and employee childcare facilities and the assisted living facility are planned for a total gross floor area of approximately 708,900 square feet.

Parking should be consolidated into structures in order to minimize surface parking lots. Structured parking should be screened or treated in a manner that contributes to the visual appeal of the campus. Luminaries should be shielded to minimize light spillover and glare onto adjacent land uses to the west and north. The structured parking should be built in such a manner that does not pose a security threat to the adjacent police facility. If surface lots must be utilized, redesign and consolidation is encouraged to accommodate space for trees and other landscaping features. Creative approaches to reduce the amount of required parking provided, such as shared parking strategies or parking maximums should be considered.

Development should be designed to encourage the concentration of services and the inclusion of retail concessions to serve the local workforce and public as appropriate. Development that improves accessibility and integrates the hospital facilities, civic and public safety institutions, and commercial uses throughout the campus using pedestrian walkways, both covered and uncovered, and bicycle paths that limit the need for vehicular transport should be utilized. A common streetscape theme throughout the campus should be created. Pedestrian activated crosswalks that connect the hospital campus to surrounding uses should be provided.

Any development on parcel 102-1((1))4 should also meet the following conditions:

- Limit the height of buildings on the periphery of parcel 102-1((1))4 to 75 feet in order to minimize visual impacts on the community;
- Provide for substantial, usable landscaped open space. Existing open spaces should be preserved and retrofitted to include features such as plazas, gazebos, gardens, and pedestrian walkways and paths in order to create focal points and gathering places for the hospital;
- Screen the hospital complex with a landscape buffer facing the residentially planned and developed area fronting on Holland Road using evergreen landscaping. Provide additional landscape screening on the west side of Holland Road to provide a more effective buffer for the residential neighborhood;
- For each phase of development, review the traffic impact study dated April 8, 2011 which was accepted by VDOT, in order to identify and implement those transportation capacity and operational improvements shown in the traffic impact study, or appropriate alternate improvements, which are proportional to the relative impact that phase of development will have on the roadway network.
- These reviews shall be coordinated with the Fairfax County Department of Transportation, Virginia Department of Transportation, Mount Vernon District Supervisor and surrounding residential communities.
- Implement a Travel Demand Management (TDM) program ensuring that employees have options other than the automobile for travelling to and from the hospital and ambulatory care centers. In addition, implementation of an Alternative Work Schedule (AWS) program that allows teleworking and staggered shifts to the greatest extent possible given the requirements of normal hospital operations is encouraged;
- Provide convenient access to public transportation by installing bus stop shelters and bus pullouts in order to reduce vehicular traffic;
- Provide improved bicycle/pedestrian connections between the hospital property and the county's existing and planned sidewalks, bicycle lanes and trails in this area;

- Provide stormwater quantity and quality control measures that are substantially more extensive than minimum requirements. The emphasis should be on low impact development (LID) techniques that evapotranspire water, filterwater through vegetation and/or soil, or return water to the ground or reuse it. Recommendations in the Little Hunting Creek Watershed Management Plan pertaining to this area should be implemented;
- Encourage implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) program or other comparable programs with third party certification) where applicable. Expansions of the hospital which utilize the hospital's existing infrastructure and systems are not subject to this provision.



County of Fairfax, Virginia

MEMORANDUM

DATE: May 30, 2013

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

FROM: Angela Kadar Rodeheaver, Chief *MAD for AKR*
Site Analysis Section
Department of Transportation

FILE: 3-4 (RZ 94-V-010)

SUBJECT: Transportation Impact

REFERENCE: PCA 94- V-010; INOVA Health Care Services- Mount Vernon
Hospital
Traffic Zone: 1474
Land Identification Map: 102-1 ((01)) 4 part

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application and as proposed with the applicant's statement of justification dated May 10, 2013.

The applicant proposes to change the proffered text to allow more flexibility with regard to student enrollment. While the amended proffer will allow childcare enrollment for both employees and non-employees, the maximum enrollment allowed will not change.

This department has reviewed this application and mentions the following:

- At a maximum, this proposal is anticipated to add 34 vehicle trips per peak hour to the INOVA site. This increase would be negligible as compared to the existing and approved site traffic. Therefore, this department does not object to the subject proposal.

AKR/ak

9-309 Additional Standards for Child Care Centers and Nursery Schools

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.
 - 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. 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
1-75	Local
76-660	Collector
660 or more	Arterial

3. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.
4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		