



County of Fairfax, Virginia

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

October 30, 2013

Timothy S. Sampson
Walsh, Colucci, Lubeley, Emrich &
Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, VA 22201

Re: Special Exception Application SE 2013-PR-004

Dear Mr. Sampson:

At a regular meeting of the Board of Supervisors held on October 29, 2013, the Board approved Special Exception Application SE 2013-PR-004 in the name of INOVA Health Care Services. The subject property is located in the S.E. quadrant of the intersection of Williams Drive and Arlington Boulevard, on approximately 4.87 acres of land, zoned C-3 in the Providence District [Tax Map 49-3 ((39)) 3]. The Board's action permits a medical care facility, pursuant to Section 4-304 of the Fairfax County Zoning Ordinance, 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 amendment 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 the special exception shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "Inova Comprehensive Cancer and Research Institute Special Exception Plat SE 2013-PR-004, prepared by Dewberry and Davis LLC and Wilmont Sanz dated March 28, 2013, as revised through September 12, 2013. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

4. A copy of this Special Exception Amendment and the Non Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. The outdoor seating area located on the northwest corner of the building shall comply with the Permitted Extensions into Minimum Required Yards in Section 2-412 of the Zoning Ordinance.
6. All landscaping, freestanding signs and outdoor seating areas shall be located so as not to restrict sight distance for drivers entering or exiting travel intersections, aisles or driveways.
7. The retaining wall located along the northeast portion of the subject property shall not exceed 8 feet in height and shall be finished with the appearance of stone and/or brick materials facing Route 50 (Arlington Boulevard).

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-six (36) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the buildings in the proposed development options. 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.

The Board also:

- Reaffirmed a waiver of the service drive requirement along Route 50 (Arlington Boulevard)
- Reaffirmed a modification of the loading space requirements for office uses to permit a maximum of three loading spaces per building shown on the SE Plat
- Directed the Director of DPWES to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the SE Plat and as conditioned

- Modified the trail requirement along Route 50 (Arlington Boulevard) in favor of the existing sidewalk
- Waived the Use Limitations on Corner Lots in Section 2-505 of the Zoning Ordinance to permit landscaping and sign walls within the sight triangles formed by the streets along the corner lot as shown on the SE Plat
- Modified Section 9-308.5 of the Zoning Ordinance to allow the medical care facility to be located 40 feet from the street lines consistent with the C-3 District, as shown on the SE Plat
- Modified Section 10-104.3 of the Zoning Ordinance to allow an eight foot tall retaining wall in a portion of the Route 50 (Arlington Boulevard) front yard, to enclose the loading service area as shown on the SE Plat
- Modified the Merrifield Streetscape Guidelines in the Comprehensive Plan to allow the streetscape and landscaping as shown on the SE Plat and as conditioned

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor Linda Smyth, Providence, District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation Planning Division
Donald Stephens, Transportation Planning Division
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

COMMERCIAL
REVITALIZATION AREA



COUNTY OF FAIRFAX
Department of Planning and Zoning
Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
 www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SE 2013-PR-004
 (Staff will assign)

RECEIVED
 Department of Planning & Zoning

FEB 08 2013

APPLICATION FOR A SPECIAL EXCEPTION

(PLEASE TYPE or PRINT IN BLACK INK)

Zoning Evaluation Division

APPLICANT	NAME Inova Health Care Services
	MAILING ADDRESS 8110 Gatehouse Road, Suite 200, East Tower Falls Church, Virginia 22042-1210
	PHONE HOME () WORK (703) 289-2000
	PHONE MOBILE ()
PROPERTY INFORMATION	PROPERTY ADDRESS None Assigned
	TAX MAP NO. 49-3 ((39)) 3 SIZE (ACRES/SQ FT) 4.87 acres
	ZONING DISTRICT C-3 MAGISTERIAL DISTRICT Providence
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION 9-301(6); 4-304(2)(E)
	PROPOSED USE Medical Care Facility
AGENT/CONTACT INFORMATION	NAME Timothy S. Sampson
	MAILING ADDRESS Walsh, Colucci, Lubeley, Emrich & Walsh, PC 2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201
	PHONE HOME () n/a WORK (703) 528-4700
	PHONE MOBILE (703) 618-4135
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact

The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.

Timothy S. Sampson, Attorney/Agent for Applicant

Timothy S. Sampson

 SIGNATURE OF APPLICANT/AGENT

TYPE/PRINT NAME OF APPLICANT/AGENT

DO NOT WRITE IN THIS SPACE

Date Application accepted: 4/2/13

Application Fee Paid: \$ 16,375.⁰⁰

SE2013-0041

4/1/13
 WBS

SE 2013-PR-004

Zoning Application Closeout Summary Report

Printed: 11/15/2013

General Information

APPLICANT: INOVA HEALTH CARE SERVICES
DECISION DATE: 10/29/2013
CRD: NO
HEARING BODY: BOS
ACTION: APPROVE
STAFF COORDINATOR: WILLIAM O'DONNELL
SUPERVISOR DISTRICT: PROVIDENCE

DECISION SUMMARY:

ON OCTOBER 29, 2013, THE BOARD OF SUPERVISORS ON A MOTION MADE BY SUPERVISOR SMYTH APPROVED SE 2013-PR-004 SUBJECT TO DEVELOPMENT CONDITIONS DATED SEPTEMBER 18, 2013.

APPLICATION DESCRIPTION:

MEDICAL CARE FACILITY

Zoning Information

Existing Zoning		Proposed Zoning		Approved Zoning	
DISTRICT	AREA	DISTRICT	AREA	DISTRICT	AREA
				C-3	4.87 ACRES

Tax Map Numbers

0493 ((39)) ()0003

Approved Land Uses

Zoning District: C-3

LAND USE	DU'S	RES LAND AREA	ADU'S	WDU'S	GFA	FAR	NRES LAND AREA
MED/CR/FAC					258,000	1.22	4.87 ACRES

TOTALS

Approved Waivers/Modifications

SEE FILE FOR ALL WAIVERS AND MODIFICATIONS

11/15/2013

Approved Development ConditionsDEVELOPMENT CONDITION STATEMENT DATE: 11-14-2013

<u>DEVELOPMENT CONDITION</u>	<u>DUE</u>	<u>TRIG #</u>	<u>TRIG EVENT</u>	<u>CONTRIB</u>	<u>EXPIR DTE</u>
GRANTED WITHOUT TERM	01-01-0001	0	N/A	0	01-01-0001
CONDITION - DEVELOPMENT PLAN	01-01-0001	0	N/A	0	01-01-0001
USE RESTRICTIONS	01-01-0001	0	N/A	0	01-01-0001
APPROVED FOR LOCATION/STRUCTURE/USES ETC ON PLATS	01-01-0001	0	N/A	0	01-01-0001
COPY SHALL BE POSTED	01-01-0001	0	N/A	0	01-01-0001
SIGHT DISTANCE	01-01-0001	0	N/A	0	01-01-0001
OTHER - LAND USE	01-01-0001	0	N/A	0	01-01-0001

11/15/2013