



County of Fairfax, Virginia

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

March 15, 2017

RECEIVED
Department of Planning & Zoning

MAR 30 2017

Zoning Evaluation Division

Noah Klein
Odin, Feldman & Pittleman, P.C.
1775 Wiehle Avenue, Suite 400
Reston, VA 20190

Re: Special Exception Application SE 2016-HM-020

Dear Mr. Klein:

At a regular meeting of the Board of Supervisors held on March 14, 2017, the Board approved Special Exception Application SE 2016-HM-020 in the name of - Metropolitan Washington Airports Authority and the Virginia Department of Rail and Public Transportation on behalf of the Washington Metropolitan Area Transit Authority; and the Board of Supervisors of Fairfax County, Virginia. The subject property is located at 2000 and 2001 Edmund Halley Drive on approximately 1.88 acres of land, zoned I-4 in the Hunter Mill District [Tax Map 17-3 ((8)) 2A (pt.) and 17-3 ((8)) (3A) 2A (pt.)]. The Board's action permits electrically powered regional rail transit facilities and waiver of open space requirements, pursuant to Sections 2-517, 5-404, 5-408, 9-612, and 9-400 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 plat approved with the application, as qualified by these development conditions.
3. Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved SE Plat/Public Facilities Plan entitled "Reston Town Center Station – South" as prepared by Dewberry and consisting of nine sheets dated May 23, 2016, and revised through January 18, 2017. 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: 711
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

4. A copy of the development conditions approved by the Board of Supervisors shall be included in all relevant plans, as determined by the Department of General Services (DGS) and/or the Metropolitan Washington Airports Authority (MWAA).
5. Certification from DGS and/or MWAA shall be provided to the Department of Planning and Zoning that the project conforms to these special exception conditions prior to the issuance of a Non-Residential Use Permit (Non-RUP). Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
6. Stormwater management plans shall be reviewed and approved by the Department of Environmental Quality (DEQ), which assumed responsibility from the Virginia Department of Conservation and Resources for the Virginia Stormwater Management Act, Virginia Erosion and Sediment Control Act, and Chesapeake Bay Preservation Act and shall also be based on the Cooperative Agreement dated July 19, 2007 between the County and MWAA. The stricter of the State or Fairfax County standards shall be applied by the State reviewing authority.
7. Erosion and Sediment control plans shall be implemented as determined by DEQ. The stricter of the State or Fairfax County standards shall be applied by the State reviewing authority.
8. Subject to the standards and approval of the Virginia Department of Transportation, Fairfax County Department of Transportation, the Washington Metropolitan Area Transit Authority, and MWAA, pedestrian access may be provided by the applicants or by others from the subject property to connect to the adjacent properties, and landscaping may be relocated or removed to accommodate such access, without the need for an amendment to the special exception.

This approval, contingent on the above noted conditions, shall not relieve the applicants from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicants shall be 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.

SE 2016-HM-020

March 15, 2017

The Board also:

- Approved a modification of Sect. 5-408 of the Zoning Ordinance for the 15 percent open space requirement to permit five percent

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor Catherine Hudgins, Hunter Mill District
Howard Goodie, Director, Real Estate Division, Dept. of Tax Administration
Tracy D. Strunk, Acting Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager, GIS, Mapping/Overlay
Michael Davis, Section Chief, Transportation Planning Division
Donald Stephens, Transportation Planning Division
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Andrea Dorlester, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



RESTON

COUNTY OF FAIRFAX

APPLICATION No:

SE 2016-MM-020

Department of Planning and Zoning
Zoning Evaluation Division

(Staff will assign)

12055 Government Center Parkway, Suite 801
Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

RECEIVED
Department of Planning & Zoning

OCT 07 2016

APPLICATION FOR A SPECIAL EXCEPTION

Zoning Evaluation Division

(PLEASE TYPE or PRINT IN BLACK INK)

| | | |
|---|--|---|
| APPLICANT | NAME Metropolitan Washington Airports Authority (MWAA) and the Virginia Department of Rail and Public Transportation on behalf of the Washington Metropolitan Area Transit Authority; and the Board of Supervisors of Fairfax County, Virginia | |
| | MAILING ADDRESS c/o James L. Van Zee, Dulles Corridor Metrorail Project, Metropolitan Washington Airports Authority, 198 Van Buren Street, Suite 300, Herndon, Virginia 20170 | |
| | PHONE HOME () | WORK (703) 572-0500 |
| | PHONE MOBILE () | |
| PROPERTY INFORMATION | PROPERTY ADDRESS 2000 and 2001 Edmund Halley Drive, Reston, Virginia 20191 | |
| | TAX MAP NO. 17-3((8))2A PT. & 17-3((8))(3A)2A PT. | SIZE (ACRES/SQ FT) ±1.88 ACRES / 82,056.25 SQ FT |
| | ZONING DISTRICT I-4 | MAGISTERIAL DISTRICT Hunter Mill |
| | PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A | |
| SPECIAL EXCEPTION REQUEST INFORMATION | ZONING ORDINANCE SECTION §§ 2-517, 5-404.4, 9-612, and 9-400 et seq. | |
| | PROPOSED USE Category 4 - Transportation Facilities | |
| AGENT/CONTACT INFORMATION | NAME Noah Klein (noah.klein@ofplaw.com) | |
| | MAILING ADDRESS Odin, Feldman & Pittleman, P.C. 1775 Wiehle Avenue, Suite 400, Reston, Virginia 20190 | |
| | PHONE NUMBER | HOME WORK 703-218-2193 |
| | PHONE NUMBER | MOBILE 703-589-3582 (Russ) |
| 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. | | |
| MWAA by James L. Van Zee, Deputy Director of Project Development TYPE/PRINT NAME OF APPLICANT/AGENT | | SIGNATURE OF APPLICANT/AGENT |

DO NOT WRITE IN THIS SPACE

Date application accepted: October 21, 2016

Application Fee Paid: \$ waived

SE 2016-0292

mec
10/21/16