

DEVELOPMENT CONDITIONS

SE 2005-SU-023

February 27, 2006

If it is the intent of the Board of Supervisors to approve a special exception for an increase in building height requested by Sully North Investments L.C. located at Tax Map 34-2 ((1)) 34 in accordance with Sect. 9-607 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, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Dulles Discovery North" consisting of six sheets prepared by Urban Engineering & Associates, Inc. dated June 29, 2005 as revised through December 9, 2005. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The maximum building height for the Phase II and Phase III office buildings shall be limited to 150 feet above grade as shown on the SE Plat; however, prior to site plan approval, the applicant shall obtain approval from the Federal Aviation Administration (FAA) for the building heights depicted on the SE Plat; if the FAA does not approve the height as shown on the SE plat, the maximum building height will be either the maximum height permitted by the Zoning Ordinance or a lesser increase in height as permitted by the FAA.
5. No site plan for the Dulles Discovery North office complex (Tax Map 34-2 ((1)) 34) shall be approved unless the site plan also includes a cumulative tabulation that includes the adjacent parcel (Tax Map 34-2 ((1)) 33).
6. All outdoor lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.
7. All signage shall comply with the provisions of Article 12 of the Zoning Ordinance.

8. All parking lot landscape islands shall be a minimum of 9 feet in width as shown on the SE Plat.
9. Architectural elevations shall be in substantial conformance with those shown on the SE Plat.
10. Notwithstanding that shown on the SE Plat, the maximum height of all fences on site shall be limited to that permitted by the Zoning Ordinance.

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 or Residential Use Permits 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.