

**PROPOSED DEVELOPMENT CONDITIONS**

SE 00-Y-005

June 20, 2000

If it is the intent of the Board of Supervisors to approve SE 00-Y-005 located at the southwest corner of the intersection of Random Hills and Waples Mill Roads (Tax Map 56-2 ((1)) 33G2) for an increase in building height pursuant to 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. Other by-right special permit and/or special exception uses may be permitted on the Application Property without the approval of a Special Exception Amendment if such uses do not affect this Special Exception.
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 "Special Exception Plat Parcel 6-A-2 being known as Cherrywood Plaza", consisting of seven sheets (1-6a) prepared by VIKA and dated November 24, 1999 and revised through May 11, 2000 (Sheets 1-6) and Sheet 6a dated June 2000 and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of this Special Exception SHALL BE POSTED in a conspicuous place on the property along with the Non-Residential Use Permit of the use and be made available to all Departments of the County of Fairfax during hours of operation of the permitted use.
5. If DPWES determines that a potential health risk exists caused by the presence of rock containing asbestos on the site, the developer shall:
  - a. Take appropriate measures as determined by the Health Department to alert all construction personnel as to the potential health risk.
  - b. Commit to appropriate construction techniques as determined by DPWES, in coordination with the Health Department, to minimize this risk. Such techniques may include, but are not limited to, dust suppression measures

during all blasting and drilling activities, covered transportation of removed material presenting this risk and appropriate disposal.

6. Outdoor lighting fixtures used to illuminate the parking area and walkways between buildings shall not exceed 20 feet in height, shall be of low intensity design and shall focus directly on the subject property. Outdoor building-mounted security lighting shall be directed internally toward the site and shall be fully shielded to prevent off-site glare. The light design shall be in substantial conformance with the light fixture detail shown on Sheet 6 of the Special Exception Plat.
7. The proposed building shall be limited to 98 feet in height, exclusive of the penthouse structure. The penthouse structure shall be limited to a maximum of twenty (20) feet in height, and shall comply with size limitations stated in Section 2-506 of the Zoning Ordinance.
8. Secure bicycle parking areas and locker and shower facilities shall be provided for the exclusive use of the office tenants. The bike rack shall be in substantial conformance with the design and location shown on Sheets 4 and 6 of the Special Exception Plat.
9. Landscaping and site amenities shall be provided in substantial conformance with the location, size, quality, quantity and design as depicted on Sheets 4 and 6 of the Special Exception Plat.
10. The parking deck landscape and planters shall be in substantial conformance with those shown on Sheet 4 of the Special Exception Plat.
11. Landscape features shall be properly maintained. Damaged site amenities shall be promptly replaced. Trash shall be removed from outside trash receptacles at least daily to prevent trash overflow.
12. The architecture of the building and garage shall be in substantial conformance with the elevations shown on Sheet 5 of the Special Exception Plat.
13. Prior to issuance of a non-residential use permit, frontage improvements per VDOT design standards shall be provided along the frontage of Waples Mill Road, for the third lane of a six lane divided facility per the adopted Comprehensive Plan. If the improvements are constructed by others, an equivalent dollar amount as determined by DPWES shall be contributed to the Fairfax Center Road Fund.
14. Prior to issuance of a non-residential use permit, frontage improvements shall be provided per VDOT design standards for Random Hills Road in general conformance with the design proposed on Sheet 6a of the Special Exception Plat. If VDOT permits a left turn into the eastern access onto Random Hills Road, the road shall be designed to accommodate the turn. If the improvements are constructed by others an equivalent amount as determined by DPWES shall be contributed to the Fairfax Center Road Fund.

15. Upon the completion of improvements to Random Hills Road, if full access (ingress/egress) can be achieved along the Random Hills Road frontage, full access shall be provided from the eastern access point, in accordance with VDOT design standards.
16. Unless and until the adjacent parcel to the south (Tax Map 56-2 ((1)) Parcel 33G1) has an acceptable access onto Government Center Parkway as determined by the Department of Transportation (DOT), an interparcel travel lane shall be designed and located east of the garage, between the site and Tax Map 56-2 ((1)) 33G1, prior to issuance of a non-residential use permit. A public access easement shall be placed over the travel lanes on the site to allow traffic from Tax Map 56-2 ((1)) 33G1 to Random Hills and Waples Mill Road. At such time as an acceptable access as determined by DOT is provided for Parcel 33G1 onto Government Center Parkway, the owners may request the interparcel travel lane be closed and the public access easement abandoned.
17. A contribution of \$50,000 shall be made to the Fairfax Center Road Fund at site plan approval, in addition to the amount proffered through RZ 74-2-035.

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

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.