



# County of Fairfax, Virginia

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

February 24, 2010

Mr. Jonathan P. Rak  
McGuire Woods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

Re: Special Exception Amendment Application SEA 85-D-033-02

Dear Mr. Rak:

At a regular meeting of the Board of Supervisors held on February 23, 2010, the Board approved Special Exception Amendment Application SEA 85-D-033-02 in the name of Metropolitan Washington Airports Authority in coordination with the Virginia Department of Rail and Public Transportation on behalf of Washington Metropolitan Area Transit Authority (WMATA). The subject property is located at 7305 M Idylwood Road on approximately 39.16 acres of land zoned R-1, R-2, and HC in the Dranesville District [Tax Map 40-1 ((1)) 25B; 40-3 ((1)) 85, 86, 91A, and 93B]. The Board's action amends Special Exception Application SE 85-D-033, previously approved for a WMATA facilities to permit electrically powered regional rail transit facility (rail yard and accessory uses) and associated modifications to site design and development conditions pursuant to Sections 3-104 and 3-204 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions; conditions carried forward unchanged from previous approvals are marked with an asterisk (\*):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment 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 amendment shall be in substantial conformance with Special Exception Amendment (SEA) Plat entitled "West Falls Church Yard, Dulles Corridor Metrorail Project", prepared by Dewberry & Davis, LLC with sheets 1 through 10 dated July 15, 2008 as revised through April 2, 2009 and sheet 11 dated September 30, 2009, and these conditions. Minor modifications to the approved special exception amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

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**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](mailto:clerktothebos@fairfaxcounty.gov)

<http://www.fairfaxcounty.gov/bosclerk>

4. Landscaping of the parking lot and around the building that is being built shall be provided and maintained as submitted with SE 85-D-033.\*
5. Landscaping to soften the visual impact of the acoustical barrier shall be provided and maintained. The applicant shall coordinate with the Urban Forest Management Division (UFMD) to provide a landscape plan and to replace any vegetation shown on the landscape plan that dies.\*
6. The ingress/egress access point to the subject property at the west end of McKay Street shall be closed to traffic except for emergency and maintenance access. Landscaping shall be provided and maintained in this location.
7. The installation of a track cover box as shown on the SEA Plat and as required by the Federal Transit Administration Record of Decision, as amended, shall be completed prior to the issuance of a new Non-Residential Use Permit for the West Falls Church rail yard. A noise study shall be submitted to the Zoning Administrator prior to the issuance of the new Non-RUP for the West Falls Church rail yard to demonstrate that wheel squeal from the rail yard at the property lines of abutting residential uses does not exceed a noise level of 55 dBA Lmax.
8. The maximum stationary noise level generated by the rail yard at the property lines of abutting residential property shall be in accordance with the Noise Ordinance, except as may be permitted in accordance with Article 6 of the Noise Ordinance. A noise study for the rail yard shall be performed by MWAA and submitted by the applicant to the Zoning Administrator prior to the issuance of the new Non-RUP to demonstrate compliance with the Noise Ordinance, and also when deemed necessary by the Zoning Administrator as evidenced by the receipt of noise complaints associated with the site. If a noise study does not demonstrate compliance with the Noise Ordinance additional noise attenuation and mitigation measures shall be implemented in order to achieve compliance with the Noise Ordinance as determined by the Zoning Administrator.
9. To ensure that there is a forum for on-going discussion with the adjacent residential community, the applicant shall meet with a Communications Committee comprised of representatives of nearby homeowners and/or civic associations at the discretion of the Communications Committee but not more than twice a year. In addition, a dedicated telephone contact number for the West Falls Church rail yard shall be established and provided to the Dranesville District Supervisor's office, to the members of the Communications Committee to report concerns regarding the operation of the West Falls Church rail yard. The dedicated telephone contact number shall be provided by the applicant prior to the issuance of a Non-Residential Use Permit for the West Falls Church rail yard and updated as necessary. Monitoring of the telephone contact line shall be performed on a daily basis and all calls shall be responded to within one business day.

10. Erosion and Sediment control plans shall be implemented as determined by DCR. The stricter of the state or Fairfax County standards shall be applied by the state reviewing body.
11. Prior to any construction associated with this application, the applicant shall submit documentation to the Department of Public Works and Environmental Services (DPWES) that demonstrates that all required Virginia Department of Conservation and Recreation (DCR) approvals have been obtained for the subject site.
12. Prior to the issuance of the new Non-RUP for the West Falls Church rail yard, a parking tabulation for the subject site shall be submitted to DPWES for review and approval, to demonstrate that adequate parking has been provided for the site.
13. All new lighting shall conform to the provisions of Part 9 of Article 14 of the Zoning Ordinance. Any new outdoor lighting fixtures installed on the site shall not exceed 30 feet in height, shall be of low glare design with cutoff optics and shall focus directly onto the subject property.
14. Stormwater Management, Best Management Practices, and adequate outfall measures shall be provided in substantial conformance with Sheet 11 of the SEA Plat, as determined by DCR.
15. Construction traffic shall not use McKay Street to access the application property, except for access to provide the stream restoration improvements shown on Sheet 11 of the SEA Plat. All construction personnel, including contractors, shall be informed of this restriction. The McKay Street and Eastman Drive right-of ways shall not be used for the staging of construction vehicles or the storage of construction materials.
16. All employees, contractors and subcontractors working on the application property shall be instructed both verbally and in writing that they should drive slowly and stay alert when in the proximity of McKay Street in order to protect children.
17. Construction of the improvements associated with this special exception amendment application shall not be permitted on the application property between the hours of 9:00 P.M. and 7:00 A.M, Monday through Saturday. These hours shall also apply to Sundays and Federal holidays except that work shall not commence prior to 9:00 A.M.

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 responsible for obtaining the Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

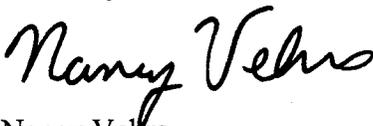
The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exceptions shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction of the service and inspection annex building 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.

**The Board also:**

- Modified the transitional screening requirements and waiver of the barrier requirements along the northern property line in favor of that shown on the SEA Plat.
- Waived the Comprehensive Plan trail requirement along Idylwood Road.

Sincerely,



Nancy Velrs  
Clerk to the Board of Supervisors  
NV/ph

Cc: Chairman Sharon Bulova  
Supervisor John Foust, Dranesville District  
Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration  
Regina Coyle, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division  
Eric Teitelman, Capital Projects and Operations Div., Dept. of Transportation  
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  
District Planning Commissioner  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



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](http://www.fairfaxcounty.gov/dpz/zoning/applications)

APPLICATION No: SEA 85-D-033-02  
 (Staff will assign) RECEIVED  
 Department of Planning & Zoning

OCT 22 2008

**APPLICATION FOR A SPECIAL EXCEPTION**  
 (PLEASE TYPE or PRINT IN BLACK INK)

Zoning Evaluation Division

APPLICANT	NAME Metropolitan Washington Airports Authority in coordination with the Virginia Department of Rail and Public Transportation on behalf of
	MAILING ADDRESS Washington Metropolitan Area Transit Authority 1593 Springhill Road, Ste. 300, Vienna, VA 22182
	PHONE HOME ( ) WORK (703) 572-0500
	PHONE MOBILE ( )
PROPERTY INFORMATION	PROPERTY ADDRESS 7305 M Idlywood Road
	TAX MAP NO. 40-3((1))85, 86, 91A, 93B; 40-1((1))25B SIZE (ACRES/SQ FT) 39.16 acres
	ZONING DISTRICT R-1/R-2 MAGISTERIAL DISTRICT Dranesville
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION Sect. 9-401
	PROPOSED USE Electrically-powered Regional Rail Transit Facility (rail yard and accessory uses)
AGENT/CONTACT INFORMATION	NAME Jonathan Rak/ Lori Greenlief
	MAILING ADDRESS 1750 Tysons Blvd., Ste. 1800, McLean, VA 22102
	PHONE HOME ( ) WORK (703) 712-5433 (Lori)
	PHONE MOBILE ( )
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact
<p>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.</p> <p>Charles S. Carnaggio, P.E. <u>Charles S. Carnaggio</u>          TYPE/PRINT NAME OF APPLICANT/AGENT SIGNATURE OF APPLICANT/AGENT</p> <p style="text-align: right;">SEA 2006-0110 use 11/14/08</p>	

DO NOT WRITE IN THIS SPACE

Date Application accepted: 11/14/08

Virginia Ruffen  
 Application Fee Paid: \$ unc