

PROPOSED DEVELOPMENT CONDITIONS

February 26, 1990

If it is the intent of the Board of Supervisors to approve SE 89-D-042 located at Tax Map 29-3 ((15)) 4-A, 4-B, 4-C for an increase in building height pursuant to Section 4-407 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 dated May 24, 1989 and prepared by Gordon Associates 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 this special exception shall be in conformance with the approved Special Exception Plat and these conditions.
4. The height of existing office building 4A shall not exceed the 156 feet, existing office building 4C shall not exceed 104 feet, and proposed office building 4B shall not exceed 113 feet. The overall maximum FAR of 1.65 shall not be exceeded on the site.
5. Landscaping shall be provided in accordance with the landscaping shown on the Special Exception plat, and the following specific additions and shall be subject to review and approval by the County Arborist.
 - a. Provide foundation plantings and pedestrian walks adjacent to all buildings to soften the hard edge of the building to the ground.
 - b. Provide a planting island with a shade tree for every 12 parking spaces for the parking areas located along the north, south and west property lines to shade parked automobiles.
 - c. Add a minimum of one shade tree a minimum of 2 1/2 inch caliper at breast height every 15 feet along the west property line to create a tree-lined row along Leesburg Pike.

- d. Add both deciduous and coniferous trees at a minimum 2 1/2 inch diameter or 6 feet tall for evergreens at a minimum of every 20 feet along the foundation of the parking structure for better screening and softening of the hard architecture.
6. The existing trail along the north side of Leesburg Pike shall be retained as shown on the site plan SP 0826-SP-05-1.
7. There is a proposal to create a fund for transportation improvements in the Tysons Corner area, known as the Tysons Corner Transportation Fund which may be established by the Board of Supervisors. A contribution of Fifteen Thousand Dollars and No/100 (\$15,000) shall be escrowed with the Fairfax County at the time of site plan approval for the future Tysons Corner transportation fund. If the Tysons Corner transportation fund is not created and approved by the Board within thirty-six (36) months of the approval of this Special Exception, applicant shall have no further obligation under this condition and the money shall be returned to the applicant.

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.

Under Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Exception unless the activity authorized has been established, or unless construction has commenced and is diligently pursued, or unless additional time is approved by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the approval of this Special Exception. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.