



# County of Fairfax, Virginia

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

December 7, 2011

Frank W. Stearns  
Donohue and Stearns, PLC  
201 Royal Street SE, Suite E  
Leesburg, VA 20175

RE: Proffered Condition Amendment Application PCA 83-L-074  
(Concurrent with Proffered Condition Amendment Applications PCA 82-L-083-02,  
PCA 81-L-093-03 and Special Exception Application SE 2011-LE-005)

Dear Mr. Stearns:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on December 6, 2011, approving Proffered Condition Amendment Application PCA 83-L-074 in the name of Forth Hotel Associates Limited Partnership. The Board's action amends the proffers for Rezoning Application RZ 83-L-074, previously approved for with commercial development to permit site modifications and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.53. The subject property is located in the S.W. quadrant of the intersection of South Van Dorn Street and the Capital Beltway on approximately 27,958 square feet of land zoned C-8 [Tax Map 81-2 ((1)) 12B], in the Lee District and is subject to the proffers dated September 28, 2011.

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors  
NV/ph

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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>

PCA 83-L-074  
December 7, 2011

-2-

Cc: Chairman Sharon Bulova  
Supervisor Jeff McKay, Lee District  
Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration  
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Angela K. Rodeheaver, Section Chief, Transportation Planning Division  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
District Planning Commissioner  
Denise James, Office of Capital Facilities/Fairfax County Public Schools  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 6th day of December, 2011, the following ordinance was adopted.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROFFERED CONDITION AMENDMENT PCA 83-L-074  
(Concurrent with Proffered Condition Amendment Applications PCA 82-L-083-02,  
PCA 81-L-093-03 and Special Exception Application SE 2011-LE-005)**

**WHEREAS**, Forth Hotel Associates Limited Partnership, filed in the proper form an application to amend the proffers for RZ 83-L-074 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. 15.2-2303(a), and

**WHEREAS**, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

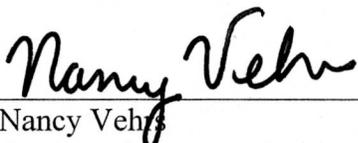
**WHEREAS**, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

**NOW, THEREFORE, BE IT ORDAINED**, that that certain parcel of land situated in the Lee District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

**BE IT FURTHER ENACTED**, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 6th day of December, 2011.

  
\_\_\_\_\_  
Nancy Veh  
Clerk to the Board of Supervisors



**Proffers for  
Fourth Hotel Associates Limited Partnership  
5716 Van Dorn Street  
PCA 81-L-093-03, PCA 82-L-083-03, PCA 83-L-074  
September 28, 2011**

Pursuant to Section 15-2.2303A of the Code of Virginia, 1950 edition, as amended, and subject to the Board of Supervisors approval of the Proffered Condition Amendments, the Applicant/Owners, their successors or assigns, herein after referred to as "the Owner" proffers the following. All previous proffers which apply to the application property shall, as applicable, remain in effect as stated in the proffer statement RZ 83-L-074, PCA 82-L-083-1 and PCA 81-L-093-2 approved January 24, 1983, by the Board of Supervisors. Should there be any inconsistencies between these proffers and prior proffers, these proffers shall replace and supersede those prior proffers or portions thereof to the extent of said inconsistencies. Those proffers carried forward without change from the previously approval of RZ 83-L-074, PCA 82-L-083-1 and PCA 81-L-093-2 are marked with an asterisk. These proffers delete previous proffer #17 which referenced the previous special exception approval for an increase in height to 80 feet.

1. The property shall be developed in substantial conformance with the Generalized Development Plan dated 11/5/82 and revised 9/26/83 and 10/12/83, prepared by Bengston, DeBell, Elkin & Titus entitled "Van Dorn Street Hotel," which Development Plan contemplates a nine story hotel containing 194 units as amended by the Special Exception Plat entitled "Verizon Wireless along with AT&T Mobility," prepared by Morris and Ritchie Associates, Inc., and dated January 12, 2010, as revised through September 6, 2011, to permit an increase in the building height to 95 feet to accommodate telecommunication facilities. Revisions to the location, size and/or number of additional telecommunication facilities shall not require an amendment to the Generalized Development Plan and shall not require a Proffered Condition Amendment if such revisions do not increase the height permitted by this Proffer Amendment and are otherwise in accordance with the Zoning Ordinance.

2. Right of way to fifty-five (55) feet from the center line of South Van Dorn Street shall be dedicated and a third traffic lane shall be constructed therein.\*

3. A right turn lane will be constructed at the entrance into the site, as shown on the attached development plan.\*

4. A left turn lane for north bound traffic on South Van Dorn Street will be provided by widening the street on the east side thereof, within existing VDH&T right of way, so as to create two (2) lanes in addition to a left turn lane, as shown on the attached development plan.\*

5. The site will be graded to allow for maximum sight distance, particularly toward the northern end thereof, in accordance with the attached development plan.\*

6. The entrance to the site will be constructed as a channelized, single lane section, in accordance with the attached development plan.\*

7. The exit from the site will be constructed as a two lane section, with one right turn lane and one left turn lane, as shown on the attached development plan.\*

8. The written approval of the Virginia Department of Highways and Transportation will be obtained for changes in construction contemplated within the South Van Dorn/VDH&T right of way.\*

9. Requirements in the Public Facilities Manual for storm water management in effect at the time of final site plan approval shall be satisfied.\*

10. A maximum noise of 55dBA shall be achieved within the hotel, either by undertaking the acoustical treatment procedure previously described in the Fairfax County Staff Report for Rezoning #79-L-019 or through such other acoustical treatment as achieve that standard.\*

11. A complete soils report prepared by a professional engineer will be furnished prior to, or concurrent with, the submission of building plans.\*

12. In the event that VDH&T constructs a sidewalk under the length of the I-495/I-95 bridge on the west side of South Van Dorn Street, then the applicant will construct steps leading from the north end of the parking lot down to a connection with such sidewalk.\*

13. A site plan, prepared in accordance with the provisions of Article 17 and all the other proffers contained herein shall be submitted and approved, said site plan to comply with ordinance requirements for parking, landscaping and screening.\*

14. All applicable ordinances, regulations and adopted standards shall continue to apply, except as modified by the special exception; the undersigned shall

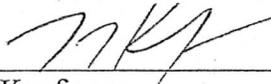
be responsible for obtaining the required residential/non-residential use permit through established procedures; the special exception shall not be valid until said use permit has been obtained and the requirements herein complied with.\*

15. The applicant and owner shall construct a third south-bound lane in South Van Dorn Street within the existing VDH&T right of way as shown on the attached development plan.\*

16. The design of the entrance/exit into the hotel site shall be reviewed by and found acceptable to VDH&T and Fairfax County.\*

Fourth Hotel Associates Limited Partnership

By: Curzon Development Corp.

By: 

Jay Kaufman

Its: Vice President



## PROPOSED DEVELOPMENT CONDITIONS

SE 2011-LE-005

September 21, 2011

If it is the intent of the Board of Supervisors to approve SE 2011-LE-005, located at 5716 South Van Dorn Street, Tax Maps 81-2 ((1)) 12B; 81-2 ((3)) 1, 2 to permit 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.
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 "Verizon Wireless along with AT&T Mobility," prepared by Morris and Ritchie Associates, Inc., and dated January 12, 2010, as revised through September 6, 2011, 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 the Special Exception SHALL BE POSTED in a conspicuous place on the property along with the Non-Residential Use Permit of the use and shall be made available to all Department of the County of Fairfax during hours of operation of the permitted use.
5. An eight foot high solid wood or otherwise architecturally solid fence shall be installed and properly maintained around the generators as shown on the SE Plat.
6. The screens for the telecommunication facilities shall be designed to have a color substantially similar to the color of the penthouse.
7. Prior to the installation of the proposed telecommunication facilities all existing antennas that exceed 98 feet in height shall be removed.
8. Notwithstanding the depictions and descriptions on the SE Plat, the telecommunication antennas on the building rooftop may be modified or increased in number and size if they continue to be shielded from the ground by the screening shown on the SE plat. Furthermore, the addition of flush mounted antennas, equipment or modifications of the existing unscreened antennas may be approved by the Zoning Administrator in

accordance with Par. 4 of Sect. 9-004 of the Zoning Ordinance. The provision of additional areas for unscreened antennas not reflected on the SE Plat that are not flush mounted should be considered a modification of the SE Plat and require an amendment. The provision of additional areas for screening for antennas not reflected on the SE Plat should be considered a modification and require an amendment.

9. Notwithstanding the above, any future telecommunication facility shall be subject to Section 15.2-2232 of the Code of Virginia.

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 applicants from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicants shall be themselves 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, at a minimum, 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.

**PREVIOUS SITE APPLICATIONS**

SE 81-L-100  
SE 2006-LE-032  
RZ 78-L-016  
RZ 81-L-093  
RZ 83-L-083  
RZ 83-L-074

**PROJECT INFORMATION**

**SITE ADDRESS:** 5716 VAN DORN STREET  
ALEXANDRIA, VIRGINIA 22310

**APPLICANT 1:** VERIZON WIRELESS  
4000 JUNCTION DRIVE  
ANNAPOLIS, JUNCTION, MD 20701  
TEL. (301) 512-2000  
FAX (301) 512-2188

**APPLICANT 2:** NEW CIRCULAR WIRELESS PCS, LLC  
1150 STANDARD DRIVE  
HANOVER, MD 21086

**APPLICANT'S ATTORNEY:** FRANK W. STEARNS, ESQ.  
DORNING & STEARNS, P.C.  
201 ROYAL STREET, SE  
LEESBURG, VIRGINIA 20115  
(703) 326-2547

**LATITUDE:** 38° 47' 43.21"  
**LONGITUDE:** 77° 00' 13.41"

**COUNTY:** FAIRFAX  
**CURRENT USE:** TELECOMMUNICATIONS FACILITY  
**PROPOSED USE:** TELECOMMUNICATIONS FACILITY

**ZONING:** C-8

**PROPERTY OWNER:** FOURTH HOTEL ASSOCIATES LP  
5716 SOUTH VAN DORN STREET,  
CASE CORPCT IN ALEXANDRIA  
ALEXANDRIA, VIRGINIA 22310

**SITE DATA:** DEED BOOK 09414, PAGE 1502  
PARCEL ID: 0812\_03\_0002  
TRACT AREA: 0.1001 SQ FT/ 1.68 ACRES

**SITE DATA:** PARCEL ID: 0812\_03\_0003  
TRACT AREA: 21,958 SQ. FT/ 0.64 ACRES  
DISTRICT: LEE TRANSPORTATION

**SITE DATA:** PARCEL ID: 0812-03-0001  
TRACT AREA: 26,468 SQ. FT/ 0.62 ACRES  
DISTRICT: LEE TRANSPORTATION

**TRACT AREA:** 136,728 SQ FT/ 3.14 ACRES

**NOTES**

- CONTRACTOR SHALL NOTIFY "MISS UTILITY" (DU) 48 HOURS PRIOR TO DOING ANY EXCAVATION IN THIS AREA. CONTRACTOR SHALL CONTACT A SUBSURFACE UTILITY LOCATOR FOR LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL VERIFY EXISTING UTILITY LOCATIONS BY TEST PIT AS NECESSARY. LOCATION OF UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE AND FOR PLANNING PURPOSES ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. DAMAGE TO UTILITIES OR PROPERTY OF OTHER BY THE CONTRACTOR DURING CONSTRUCTION SHALL BE REPAIRED TO PRECONSTRUCTION CONDITIONS BY THE CONTRACTOR.
- ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH ALL STATE AND LOCAL CODES AND ORDINANCES, THE LATEST EDITION THEREOF.
- ANY PERMITS WHICH MUST BE OBTAINED SHALL BE THE CONTRACTOR'S RESPONSIBILITY. CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS FOR THIS PROJECT FROM ALL APPLICABLE GOVERNMENTAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ABIDING BY ALL CONDITIONS AND REQUIREMENTS OF THE PERMITS.
- CONTRACTOR SHALL COORDINATE ALL UTILITY CONNECTIONS WITH APPROPRIATE UTILITY OWNERS.
- THESE PLANS ARE NOT FOR RECORDATION OR CONVEYANCE.
- EXISTING PAVEMENT AND OTHER SURFACES DISTURBED BY CONTRACTOR (WHICH ARE NOT TO BE REMOVED) SHALL BE REPAIRED TO PRECONSTRUCTION CONDITIONS BY THE CONTRACTOR.

**INDEX OF DRAWINGS**

- C-4 COVER SHEET
- C-1 SITE PLAN
- G-1A SITE PLAN W/ AT&T INFORMATION
- C-2 SITE LAYOUTS
- C-3 ELEVATIONS & SITE DETAILS
- C-4 SOIL MAP
- C-5 ROOFTOP COVERAGE

**CODE ANALYSIS**

APPLICABLE BUILDING CODE:	VIRGINIA UNIFORM STATEWIDE BUILDING CODE (VUBC), 19C, 2006
DESCRIPTION OF VERIZON WIRELESS WORK:	INSTALL UNMANNED EQUIPMENT PLATFORM ON ROOFTOP.
DESCRIPTION OF AT&T WORK:	INSTALL UNMANNED EQUIPMENT PLATFORM ON ROOFTOP.
USE GROUP:	RESIDENTIAL (R-1)
CONSTRUCTION TYPE:	1B
NUMBER OF STORIES:	4
FIRE PROTECTION:	FULL SPRINKLER
ROOF AREA:	81,601 SQ. FT.
ROOF AREA:	8,950 SQ. FT.
PROPOSED PLATFORM AREA:	400 SQ. FT.

**VICINITY PLAN**



**PROJECT DESCRIPTIONS**

**VERIZON WIRELESS:**  
INSTALLING AN UNMANNED TELECOMMUNICATIONS FACILITY CONSISTING OF A NEW 14'-6"X24'-2" PLATFORM ON AN EXISTING ROOFTOP, AND (B) THIRTEEN ANTENNAS MOUNTED ON AN EXISTING ROOFTOP.

**AT&T:**  
INSTALLING AN UNMANNED TELECOMMUNICATIONS FACILITY CONSISTING OF A NEW 12'-0"X20'-0" SCREENED PLATFORM ON AN EXISTING ROOFTOP, AND (B) TWELVE ANTENNAS MOUNTED ON AN EXISTING ROOFTOP.

**DIRECTIONS TO SITE**

- FROM ANNAPOLIS JUNCTION
- TAKE RD 302 EAST
  - TAKE THE EXIT ONTO BALTIMORE WASHINGTON PKWY 245 S
  - TAKE EXIT 1C TO MERGE ONTO I-495 S/ I-495 S TOWARD RICHMOND
  - TAKE EXIT 114 TOWARD'S EISENHOWER AVE/ CONNECTOR ALEXANDRIA
  - MERGE ONTO CLERKSON AVE
  - TURN LEFT ONTO EISENHOWER AVE
  - TURN LEFT AT VA-401 VA-619 S VAN DORN ST
  - CONTINUE TO FOLLOW VA-619 S VAN DORN ST

**VERIZON REVIEW**

BUILDING OWNER	DATE
ENGINEERS	DATE
OPERATIONS	DATE
CONSTRUCTION	DATE



**MORRIS & RITCHE ASSOCIATES, INC.**  
Civil/Structural Engineers  
1386-02 South College Road, Suite 201  
Farmingdale, New York 11737  
616.881.1288  
616.881.1100 Fax

**verizon wireless**  
VAN DORN - COMFORT INN  
5716 SOUTH VAN DORN STREET  
ALEXANDRIA, VA 22310 (FAIRFAX COUNTY)

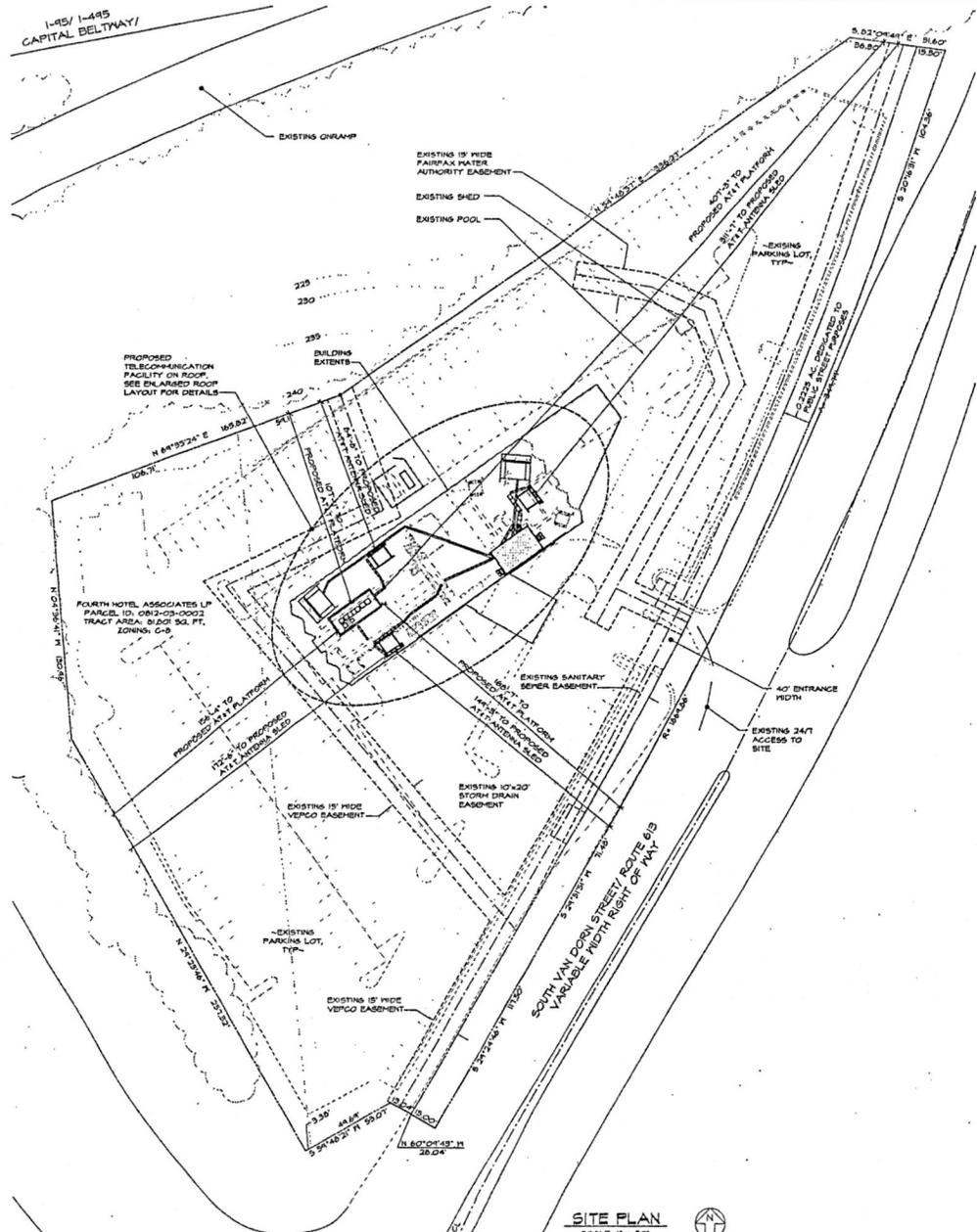
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	01/09/10
2	COUNTY COMMENTS	02/04/10
3	ZONING COMMENTS	02/25/10
4	ZONING CHANGES	03/02/10
5	ZONING CHANGES	03/04/10

**LAST REV:**  
PROJECT NO: 10421.754  
DATE: JAN. 12, 2010  
SCALE: AS NOTED

**TITLE:**  
Cover Sheet

**SHEET:**  
CS-1

A B C D E F G H J K L M N P Q R



**EXISTING SITE ELEMENTS**

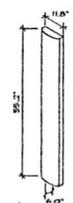
PROPERTY LINE	---
1' CONTOUR LINE	---
5' CONTOUR LINE	---
BOLLARD	⊙
TREE	⊙

**PROPOSED AT&T PLATFORM SETBACKS**

	REQUIRED	PROPOSED
FRONT	40'	107'-11"
SIDE (LEFT)	NONE	256'-4"
SIDE (RIGHT)	NONE	427'-3"
REAR	20'	148'-7"

**PROPOSED AT&T ANTENNA SETBACKS**

	PROPOSED
FRONT (SECTOR 1)	0'-4"
SIDE (LEFT) (SECTOR 2)	172'-6"
SIDE (RIGHT) (SECTOR 1)	261'-7"
REAR (SECTOR 2)	144'-3"



KATHREIN-SCALA 800 10764  
**AT&T ANTENNA DETAIL**  
NOT TO SCALE



**verizon wireless**  
VAN DORN - COMFORT INN  
5716 SOUTH VAN DORN STREET  
ALEXANDRIA, VA 22310 (FAIRFAX COUNTY)

**REVISIONS:**

NO	DESCRIPTION	DATE

**LAST REV.:**  
PROJECT NO: 10421.754  
DATE: JAN. 12, 2010  
SCALE: AS NOTED

**Site Plan W/ AT&T Information**

SHEET:  
**C-1A**



**Know what's below. Call before you dig.**  
811  
PLEASE VISIT OUR WEBSITE: [www.811va.com](http://www.811va.com)  
FOR A LIST OF PARTICIPATING UTILITIES AND TO REGISTER YOUR DIGGING PROJECT.  
CALL 811 AT LEAST 48 HOURS BEFORE ANY EXCAVATION.  
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CALL 811 AT LEAST 48 HOURS BEFORE ANY EXCAVATION.

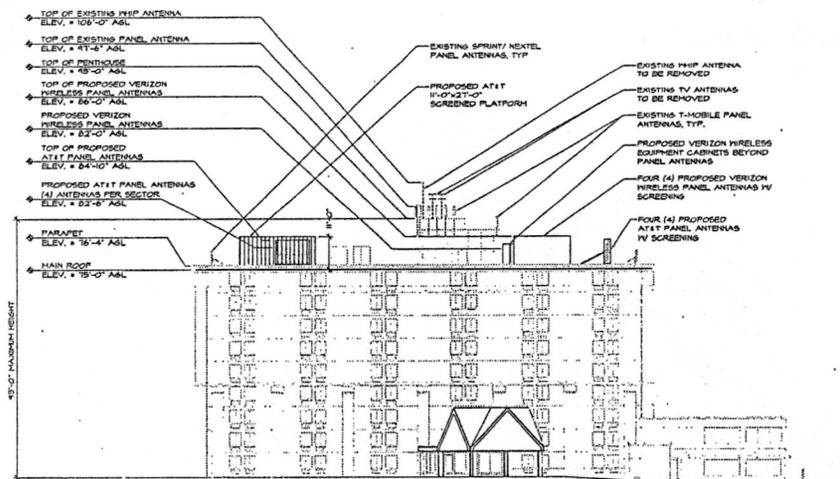
**SITE PLAN**  
SCALE: 1" = 50'

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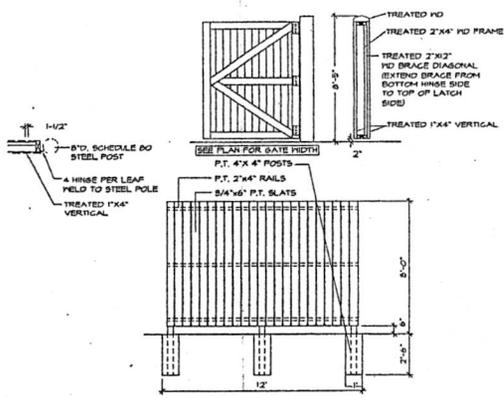
A B C D E F G H J K L M N P Q R

**MRA**  
 MORRIS & RITCHEE  
 ASSOCIATES, INC.  
 2747 Professional Building  
 1394-D South Joyce Road, Suite 100  
 Chesapeake, Virginia 23060  
 814-431-1200  
 814-431-1201  
 814-431-1202

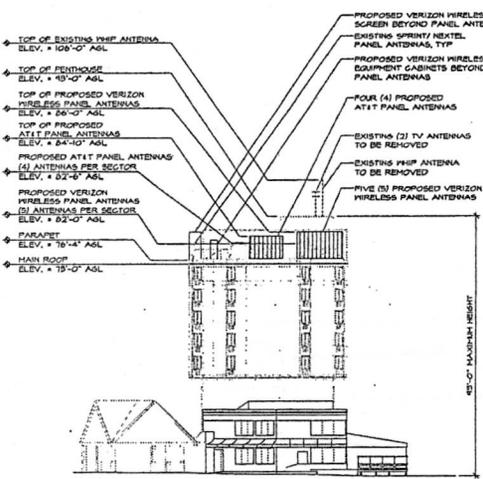
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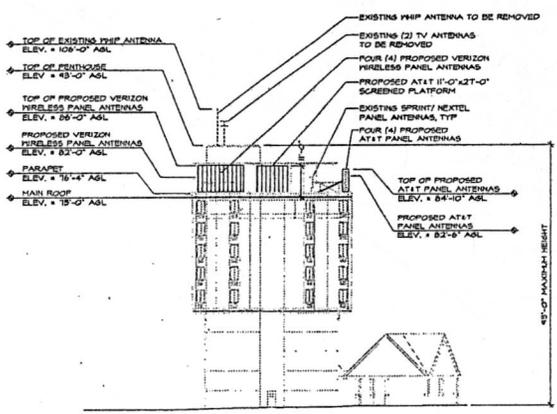
**SOUTH BUILDING ELEVATION**  
 SCALE: 1" = 20'



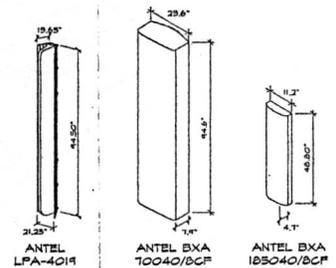
**BOARD ON BOARD FENCE DETAIL**  
 N.T.S.



**EAST BUILDING ELEVATION**  
 SCALE: 1" = 20'



**WEST BUILDING ELEVATION**  
 SCALE: 1" = 20'



**VERIZON WIRELESS ANTENNA DETAILS**  
 NOT TO SCALE



Know what's below.  
 Call before you dig.

PLEASE ALWAYS USE 811  
 BEFORE DIGGING  
 THE DRAWING DOES NOT SHOW ALL UTILITIES  
 LOCATIONS OR DEPTHS. THEREFORE, CALL 811  
 AT LEAST 48 HOURS BEFORE ANY EXCAVATION,  
 TRENCHING, OR OTHER WORK THAT MAY  
 INTERFERE WITH UTILITIES.

**REVISIONS:**

NO.	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	06/16/10
2	CONTRACT CHANGES	02/20/10
3	COUNTY CHANGES	04/20/10
4	SCREENING CHANGES	07/06/10
5	SCREENING CHANGES	08/04/10

LAST REV.:  
 PROJECT NO: 10421.754  
 DATE: JAN. 12, 2010  
 SCALE: AS NOTED

TITLE:  
 Elevations &  
 Site Details

SHEET:

**C-3**

**verizon wireless**  
 VAN DORN - COMFORT INN  
 5716 SOUTH VAN DORN STREET  
 ALEXANDRIA, VA 22310 (FAIRFAX COUNTY)

