



# FAIRFAX COUNTY

DPZ

**OFFICE OF THE CLERK  
BOARD OF SUPERVISORS**  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151  
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TTY: 703-324-3903

March 15, 2001

Elizabeth D. Baker, Land Use Coordinator  
Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC  
2200 Clarendon Boulevard – 13<sup>th</sup> Floor  
Arlington, Virginia 22201-3359

RE: Rezoning Application  
Number RZ 2000-HM-063  
(Concurrent with SE 00-H-035)

Dear Ms. Baker:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on February 26, 2001, granting Rezoning Application Number RZ 2000-HM-063 in the name of AC Associates II Limited Partnership, to rezone certain property in the Hunter Mill District from the I-4 District to the I-4 District in order to waive the 75 foot setback requirement from the Dulles Airport Access and Toll Road to permit an office building and parking structure with an overall Floor Area Ratio (FAR) of 0.70, maximum height of 135 feet and an attached parking structure, subject to the proffers dated February 26, 2001, on subject parcel 18-3 ((6)) 10 consisting of approximately 5.63 acres.

**The Board also waived the minimum distance requirement of 75 feet from the Dulles Airport Access Road.**

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns





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April 18, 2001

Elizabeth D. Baker  
Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC  
2200 Clarendon Boulevard - 13<sup>th</sup> Floor  
Arlington, Virginia 22201-3359

RE: Special Exception Application  
Number SE 00-H-035  
(Concurrent with RZ 2000-HM-063)

Dear Ms. Baker:

At a regular meeting of the Board of Supervisors held on February 26, 2001, the Board approved Special Exception Application Number SE 00-H-035 in the name of AC Associates II Limited Partnership, located at Tax Map 18-3 ((6)) 10 (11091 Sunset Hills Road) for an increase in height and FAR for an office building with an attached parking structure pursuant to Section 5-404 of the Fairfax County Zoning Ordinance, 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 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 "Generalized

Development Plan /Special Exception Plat – Sunset III” and prepared by William H. Gordon Associates, Inc. which is dated June 14, 2000, as revised through November 17, 2000, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. The office building shall be limited to 171,649 square feet, with a maximum height of 494.5 feet above sea level as depicted on the Special Exception Plat dated November 17, 2000. Exterior building materials for the proposed building addition shall consist of materials similar to depicted on Attachment 1. The proposed building façade shall be in substantial conformance with the elevation rendered in Attachment 1.
5. The vehicular entrance to the site shall be designed and constructed so that it connects to Sunset Hills Road per VDOT standards, as approved by DPWES. Additionally, a vehicular interparcel access to parcel 9 shall be provided via a public access easement as depicted on the Special Exception Plat.
6. A sidewalk, as approved by DPWES, shall be provided from Sunset Hills Road into the site to provide pedestrian access from Sunset Hills Road through the parking area to the office building entrance and sidewalk from the south side of the building to the public access easement in the southwestern corner of the site shall be provided for interparcel access, as shown on the Special Exception Plat.
7. A landscape plan shall be submitted as part of the first submission of site plan(s) and shall be reviewed and approved by the Urban Forestry Branch. The plan shall provide for landscaping consistent in quality and quantity with that shown on Sheet 3 of the Special Exception Plat, with the addition of the following:
  - The limits of clearing and grading shall be clearly marked with a continuous line of flagging prior to the pre-construction meeting and shall clearly delineate the limits of clearing and grading with such flagging throughout the construction period. To ensure the preservation of trees to the maximum extent possible, the limits of clearing and grading and tree save areas shall be protected by tree protection fencing, consisting of 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no farther than 10 feet apart. The tree protection fencing shall be made clearly visible to all construction personnel. The tree protection fencing shall be installed prior to the performance

of any clearing and grading activities on the site. Trees within the tree protection fencing that are damaged or destroyed by construction activities shall be replaced as determined by the Urban Forester.

8. All freestanding and building mounted signs shall comply with the provisions of Article 12. No pole mounted signs shall be permitted.
9. All outdoor pole lighting shall be focused downward and shielded to minimize glare and shall meet the Performance Standards set forth in Article 14 of the Zoning Ordinance.
10. Stormwater management facilities and best management practices shall be provided on-site as shown on the Special Exception Plat. The final design shall be subject to the approval of DPWES.
11. Trash dumpsters shall be screened with wood or masonry enclosures which are designed to be compatible with the buildings.
12. At the time of site plan review, trails shall be provided as determined by DPWES.

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.

The Board also:

- **Modified the transitional screening requirements along the eastern and northern property lines in favor of that shown in the Generalized Development/Special Exception Plat and as conditioned in the development conditions.**

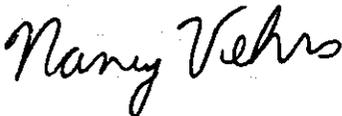
SE 00-H-035  
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- 4 -

- Waived the barrier requirement along the eastern and northern property line.
- Waived the service drive requirement along the Dulles Airport Access Road.

If you have questions regarding the expiration of this Special Exception or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

Attachment

cc: Chairman Katherine K. Hanley  
Supervisor – Hunter Mill District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator  
John Crouch, Assistant Chief, PPRB, DPZ  
Audrey Clark, Director, BPRD, DPWES  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Robert Moore, Transprt'n. Planning Div., Department of Transportation  
Charles Strunk, Project Planning Section, Department of Transportation  
Michelle A. Brickner, Director, Site Development Services, DPWES  
DPWES – Bonds & Agreements  
Department of Highways, VDOT  
Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING  
APR 25 2001

ZONING EVALUATION DIVISION

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 26<sup>th</sup> day of February, 2001, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 2000-HM-063  
(CONCURRENT WITH SE 00-H-035)

WHEREAS, AC Associates II Limited Partnership filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the I-4 District to the I-4 District (in order to waive the 75 foot setback requirement from the Dulles Airport Access and Toll Road to permit an office building and parking structure with an overall FAR of 0.70), a maximum height of 135 feet and an attached parking structure, 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 Hunter Mill District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the I-4 District , and said property is subject to the use regulations of said I-4 District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to 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 parcel.

GIVEN under my hand this 26th day of February, 2001.

  
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Nancy Vekrs

Clerk to the Board of Supervisors

