



FAIRFAX COUNTY

PCA APPLICATION FILED: November 29, 2001
SEA APPLICATION FILED: September 24, 2001
PLANNING COMMISSION: June 13, 2002
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

May 30, 2002

STAFF REPORT

APPLICATIONS

PCA 79-C-089 and SEA 00-Y-017

SULLY DISTRICT

APPLICANT: Axar Management, Inc.

ZONING: I-5, AN, HC

PARCEL(S): 34-4 ((12)) C2

ACREAGE: 10.0 acres

FAR: 0.42

OPEN SPACE: 36%

PLAN RECOMMENDATION: Campus-style office and industrial/flex

SE CATEGORY: Category 5, Use 9 (Eating Establishments)
Category 5, Use 14 (Hotels/Motels)

PROPOSAL: PCA 79-C-089 is a request to amend the proffers accepted by the Board for a portion of the area subject to RZ 79-C-089 to allow for a maximum floor area ratio of 0.42, as well as to modify the construction standard applicable to the portion of the structures built in the Airport Noise Overlay District to conform with current standards.

SEA 00-Y-017 is a request to amend a previously approved special exception for two hotels, to increase the building square footage of both hotels and construct an additional building (29,434 square feet overall increase); to enclose two previously approved outdoor swimming pools; and to permit an eating establishment in addition to office use (permitted by right in I-5 District).

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 79-C-089 subject to the execution of proffers consistent with those found in Appendix 1.

Staff recommends approval of SEA 00-Y-017 subject to the proposed development conditions found in Appendix 2.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334.

PCA 79-C-089

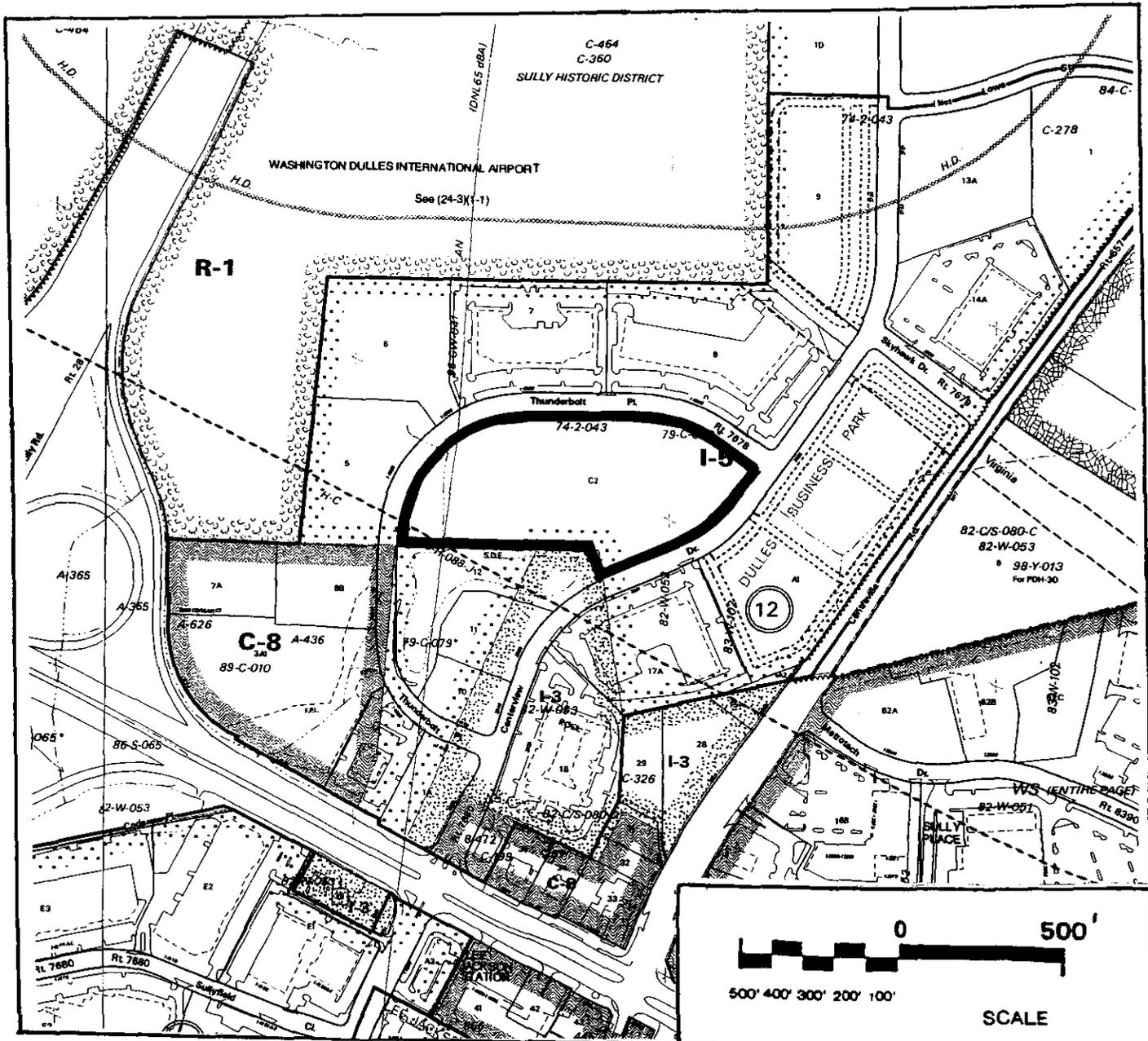
PCA 79-C-089
FILED 9/24/01

AXAR MANAGEMENT, INC.
PROFFERED CONDITION AMENDMENT
PROPOSED: COMMERCIAL DEVELOPMENT
APPROX. 10.00 ACRES OF LAND; DISTRICT - SULLY
LOCATED: SOUTHWEST QUADRANT OF THE INTERSECTION OF
CENTREVILLE DRIVE AND THUNDERBOLT PLACE
ZONING: I-5
OVERLAY DISTRICT(S): HC AN
MAP REF 034-4- /12/ / -C2

SEA 00-Y-017

SEA 00-Y-017
FILED 9/24/01

AXAR MANAGEMENT, INC.
AMENDMENT TO SPECIAL EXCEPTION SE 00-Y-017
PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT,
TO PERMIT AN EATING ESTABLISHMENT AND ENCLOSURE
OF PREVIOUSLY APPROVED SWIMMING POOLS.
ZONING DIST SECTION: 05-504 05-0504 05-0504
ART 9 CATEGORY/USE: 05-14 05-17 05-36
10.0 ACRES OF LAND; DISTRICT - SULLY
LOCATED: GENERALLY LOCATED AT THE S.W. CORNER OF THE
INTERSECTION OF CENTERVIEW DR. AND THUNDERBOLT PL.
ZONED I-5
OVERLAY DISTRICT(S): HC AN
PLAN AREA 3
TAX MAP 034-4- /12/ / -C2



PCA 79-C-089

PCA 79-C-089
FILED 9/24/01

AXAR MANAGEMENT, INC.
PROFFERED CDNDITION AMENDMENT
PROPOSED: COMMERCIAL DEVELOPMENT
APPROX. 10.00 ACRES OF LAND; DISTRICT - SULLY
LOCATED: SOUTHWEST QUADRANT OF THE INTERSECTION OF
CENTREVILLE DRIVE AND THUNDERBOLT PLACE
ZONING: I-5
OVERLAY DISTRICT(S): HC AN

NAP REF 034-4- /12/ / -C2

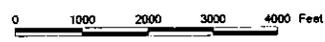
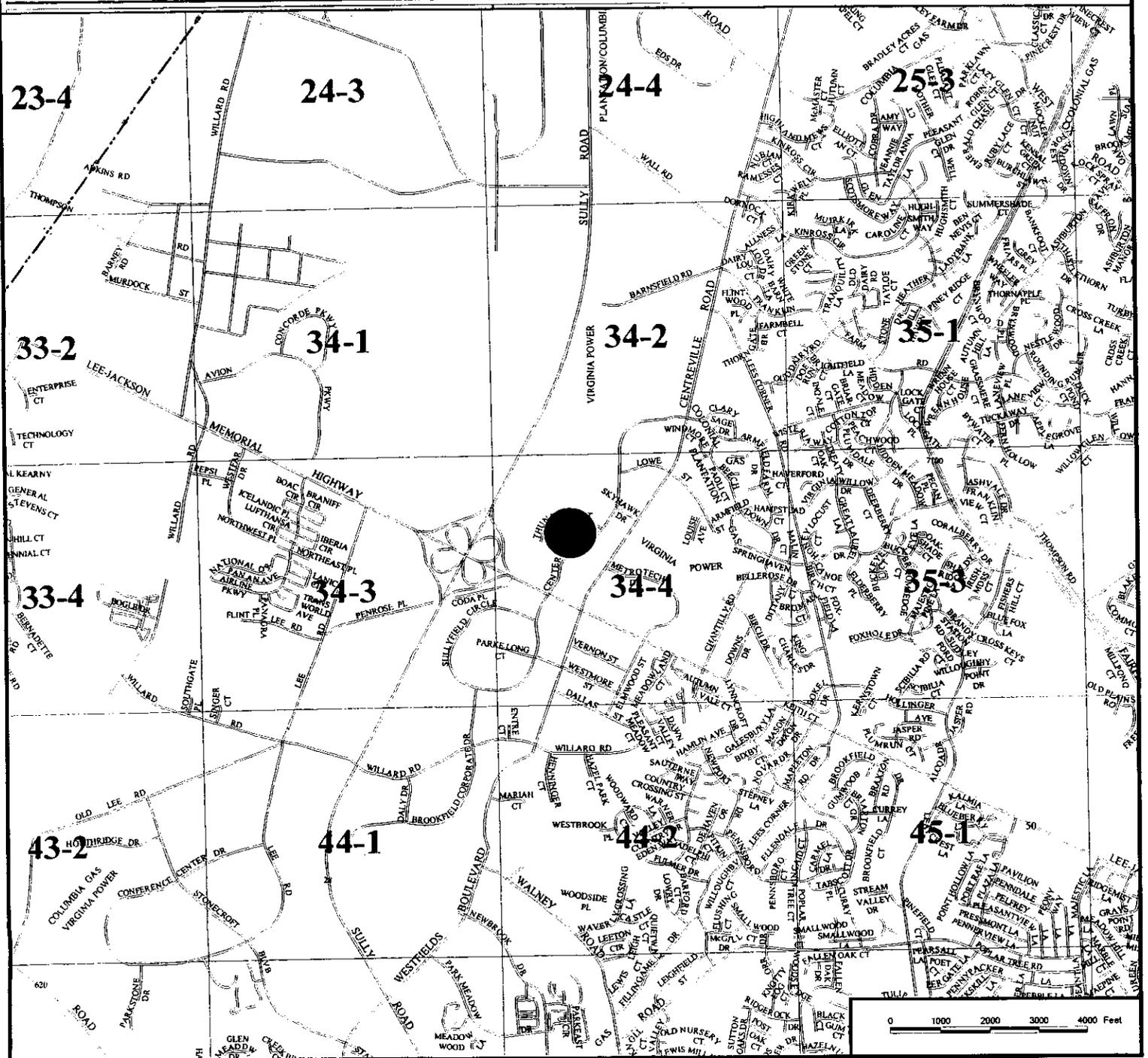
SEA 00-Y-017

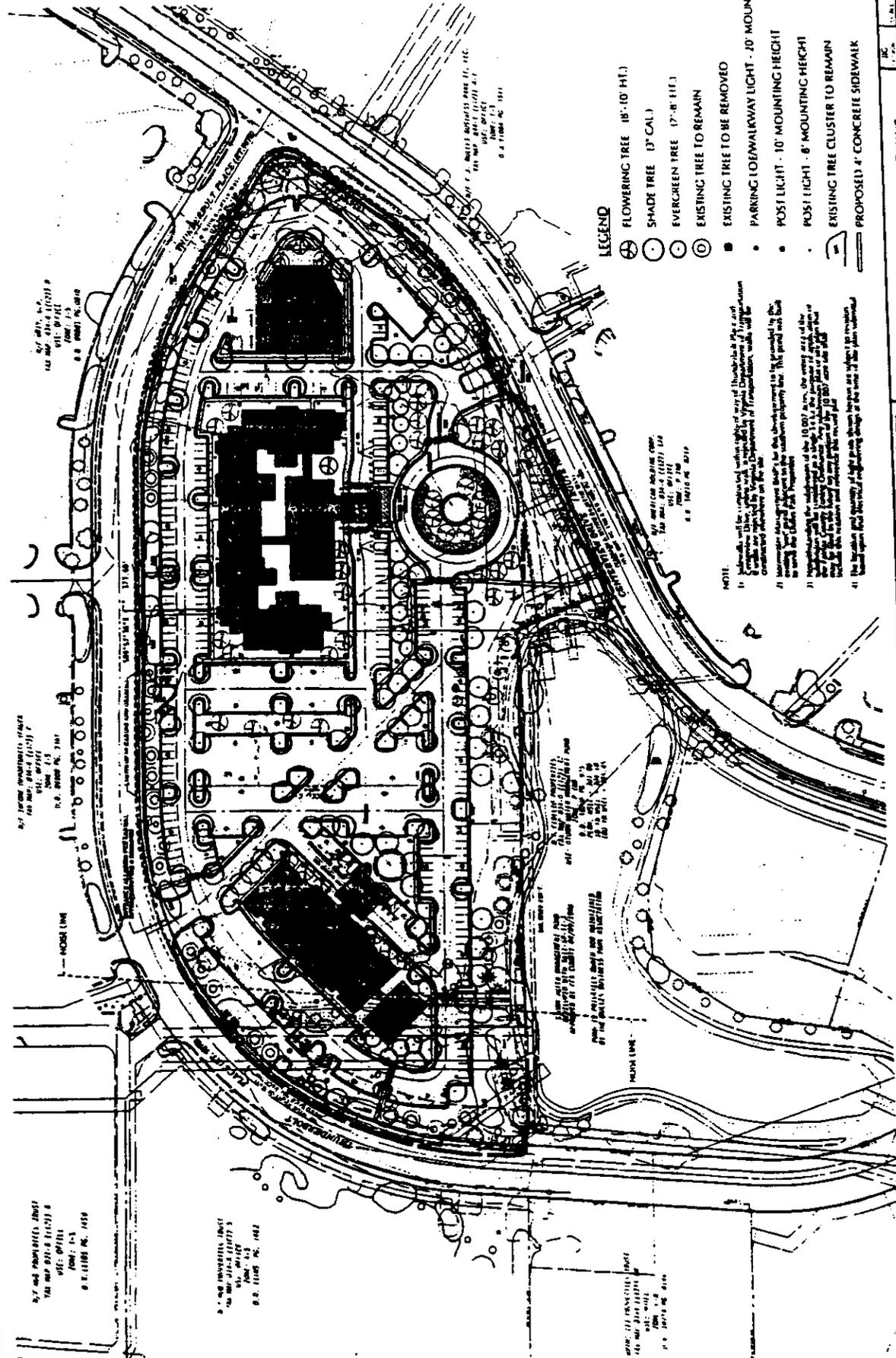
SEA 00-Y-017
FILED 9/24/01

AXAR MANAGEMENT, INC.
AMENDMENT TO SPECIAL EXCEPTION SE 00-Y-017
PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT.
TO PERMIT AN EATING ESTABLISHMENT AND ENCLOSURE
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LOCATED: GENERALLY LOCATED AT THE S.W. CORNER OF THE
INTERSECTION OF CENTREVIEW DR. AND THUNDERBOLT PL.

ZDMED I-5
OVERLAY DISTRICT(S): HC AN

TAX MAP 034-4- /12/ / -C2





BY THE ARCHITECT, JAMES
 THE MAP DATE: 11/21/77
 USE: OFFICE
 DATE: 11/77
 P.O. BOX NO. 1159

BY THE ARCHITECT, JAMES
 THE MAP DATE: 11/21/77
 USE: OFFICE
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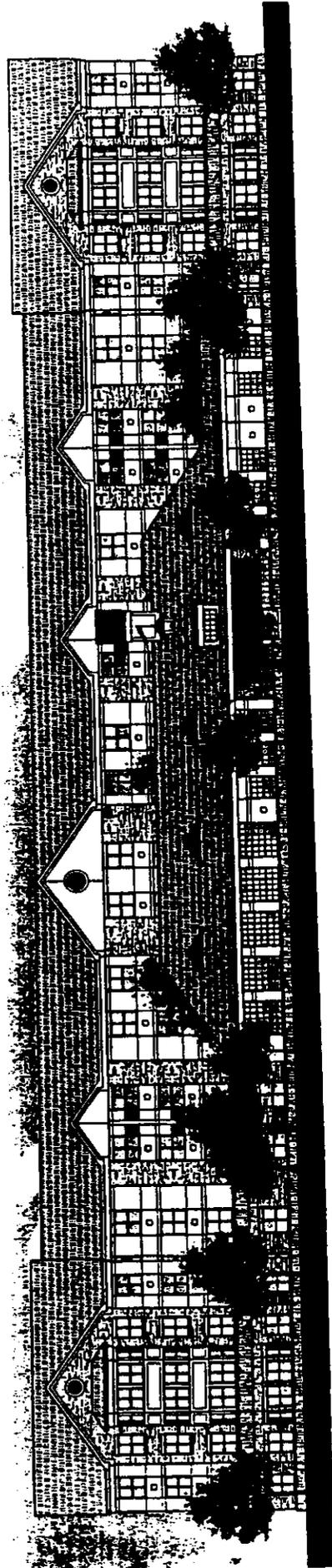
BY THE ARCHITECT, JAMES
 THE MAP DATE: 11/21/77
 USE: OFFICE
 DATE: 11/77
 P.O. BOX NO. 1159

- LEGEND**
- ⊕ FLOWERING TREE (8'-10' Ht.)
 - SHADE TREE (3'-CAL)
 - EVERGREEN TREE (7'-8' Ht.)
 - ⊙ EXISTING TREE TO REMAIN
 - EXISTING TREE TO BE REMOVED
 - PARKING LOT/WALKWAY LIGHT - 10' MOUNTING HEIGHT
 - POST LIGHT - 10' MOUNTING HEIGHT
 - POST LIGHT - 8' MOUNTING HEIGHT
 - EXISTING TREE CLUSTER TO REMAIN
 - ▭ PROPOSED 4" CONCRETE SIDEWALK

NOTE:

- 1) Landmarks will be maintained within limits of the building footprint and parking areas. The trees to be removed are those which are in the way of the building footprint and parking areas.
- 2) The trees to be removed are those which are in the way of the building footprint and parking areas.
- 3) The trees to be removed are those which are in the way of the building footprint and parking areas.
- 4) The trees to be removed are those which are in the way of the building footprint and parking areas.

| | | | |
|--|--|---------------|-------|
| DATE: 11/21/77 | | SCALE: 1"=50' | |
| NO. | 2 | OF | 3 |
| DATE | 11/21/77 | BY | JAMES |
| PROJECT | SPECIAL EXCEPTION PLAN AMENDMENT PROFFER COMPETITION AMENDMENT HOTELS @ DULLES BUSINESS PARK | | |
| | | | |
| Greenhorne & O'Mara, Inc. 1211 WAPLES MILL ROAD FAIRFAX, VIRGINIA 22030 (703) 518-7000 | | | |
| | | | |



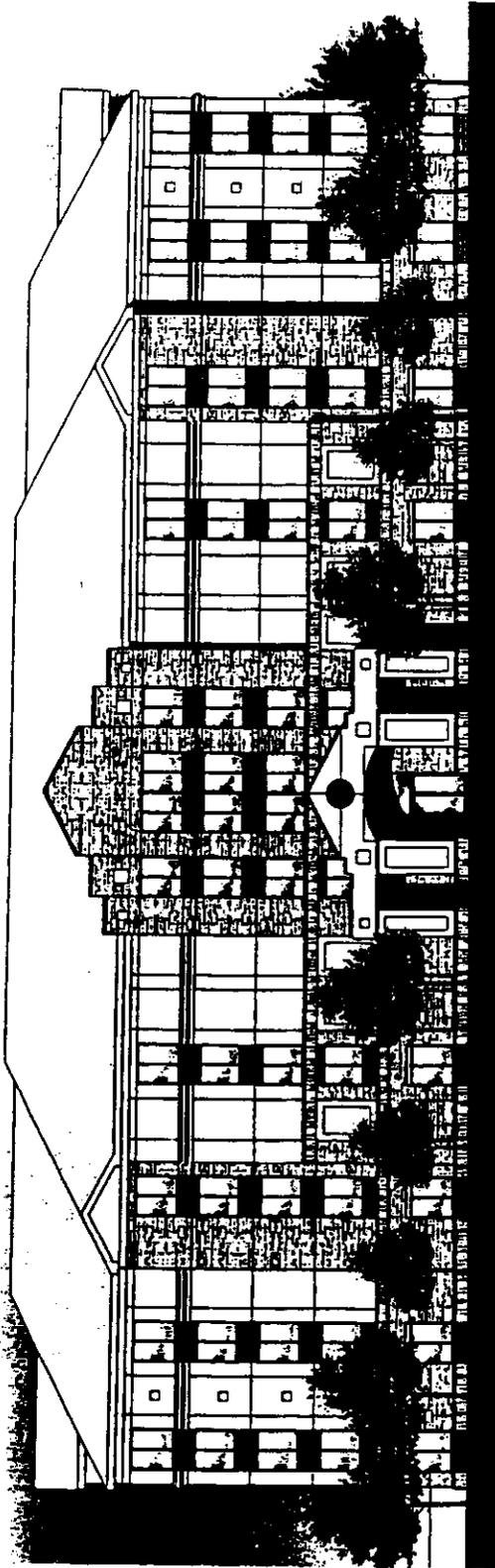
FRONT ELEVATION - REVISED

STAYBRIDGE SUITES HOTEL
DULLES BUSINESS PARK - CHANTILLY, VIRGINIA

DEVELOPED BY: AXAR MANAGEMENT

20 MAY, 2002
 SCALE: 3/32" = 1'-0"

EXHIBIT A



FRONT ELEVATION - REVISED

HAWTHORN SUITES HOTEL
DULLES BUSINESS PARK - CHANTILLY, VIRGINIA

DEVELOPED BY: AXAR MANAGEMENT

20 MAY, 2003
SCALE: 1/8" = 1'-0"

C

D

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

Proposal: PCA 79-C-089 is a request to amend the proffers for a portion of the area subject to RZ 79-C-089 to allow for a maximum floor area ratio of 0.42, as well as to modify the construction standard applicable to the portion of the structures built in the Airport Noise Overlay District to conform with current standards.

SEA 00-Y-017 is a request to amend a previously approved special exception for two hotels, to increase the building square footage of both hotels and construct an additional building (29,434 square feet overall increase); to enclose two previously approved outdoor swimming pools; and to permit an eating establishment in addition to office use (permitted by right in I-5 District).

Waivers and Modifications: None

Category of Use: Category 5, Use 9 (Eating Establishment)
Category 5, Use 14 (Hotels/Motels)

LOCATION AND CHARACTER

Site Description: The 10.0 acre site is located in the southwest quadrant of the Centerview Drive and Thunderbolt Place intersection and is currently undeveloped.

SURROUNDING AREA DESCRIPTION:

| Direction | Use | Zoning | Plan |
|------------------|--|---------------|---|
| North | Dulles Business Park Offices | I-5 | Campus-style office and industrial/flex use |
| South | Dulles Business Park Stormwater Management Pond | I-5 | Campus-style office and industrial/flex use |
| East | Dulles Business Park Offices | I-5 | Campus-style office and industrial/flex use |
| West | Dulles Business Park Offices | I-5 | Campus-style office and industrial/flex use |

BACKGROUND

Site History:

- RZ 79-C-089 which was approved by the Board on June 9, 1980, rezoned 81.6 acres from the R-1 District to I-5 District, subject to proffers (Appendix 4). The development plan, which was submitted but not proffered, showed an industrial subdivision with 23 parcels varying in size from 1.9 acres to 9.6 acres. The current proposal is a partial Proffer Condition Amendment applicable to 10.0 acres of the 81.6 acres rezoned under RZ 79-C-089, which has remained undeveloped.
- SE 00-Y-017 which was approved by the Board on October 16, 2000, permitted construction and operation of two hotels and two outdoor swimming pools with an overall FAR of 0.35 and a maximum square footage of 152,566 square feet. (Appendix 5)

COMPREHENSIVE PLAN PROVISIONS (Appendix 6)

| | |
|---------------------------|--|
| Plan Area: | III |
| Planning District: | Upper Potomac Planning District |
| Planning Sector: | Dulles Suburban Center, Land Unit E-1 |
| Plan Map: | Campus-style office and industrial/flex use up to a maximum FAR of 0.35 with additional language that permits increased FAR. |

Plan Text:

On page 86 in the Area III text, the Dulles Suburban Center, LAND UNIT RECOMMENDATIONS, the 2000 Comprehensive Plan states:

“LAND UNIT E-1

1. This land unit, except for parcels 34-4 ((1)) 15, 28, 29, 31, 32, 33, 34, 35, is planned for campus-style office, and industrial/flex use up to a maximum FAR of 0.35 to be compatible with existing development. Ancillary retail use up to 20 percent of the total development may be appropriate within office or industrial/flex buildings. In no event, however, should retail uses be developed as free-standing uses or as a shopping center...”
4. Several hotels have been developed in this land unit. Hotel use is appropriate as an option to the office and industrial/flex uses under the following conditions:
 - The hotel use does not have direct access to Route 50 or Centerville Road; and
 - The hotel use will result in fewer peak hour trips than the planned office and industrial/flex uses at .35 FAR, in accordance with the “Performance Criteria for Optional Uses” found in the Dulles Suburban Center Overview.”

ANALYSIS

Generalized Development Plan/Special Exception Amendment Plat (Copy at front of staff report)

Title of GDP/SEA Plat: "Generalized Development Plan/Special Exception Plat Hotels @ Dulles Business Park."

Prepared By: Greenhome & O'Mara, Inc.

Original and Revision Dates: November 9, 2001 revised through March 14, 2002

Description of Plat:

| Sheet # | Description |
|---------|--|
| Sheet 1 | Title page, Site Tabulations, General Notes, Lighting Detail |
| Sheet 2 | Site Plan, Landscape Plan |
| Sheet 3 | Existing Vegetation Map |

- Sheet 2 provides the detail of the site design and landscape plan for the 10.0 acre site. Hotel A will be a five story building with a maximum height of 75 feet and 67,500 square feet maximum. Hotel A will contain 124 units, 800 square feet of meeting rooms, and have an enclosed swimming pool. Hotel B will be a four story building not to exceed 75 feet in height and 93,500 square feet maximum. Hotel B will have 162 units, 625 square feet of meeting rooms, and an enclosed swimming pool. The meeting rooms and pools will be located in separate buildings. The two hotels, eating establishment and office space combined will not exceed a maximum FAR of 0.42 or 182,000 square feet. In addition to the hotels, the GDP/Plat depicts an 18,000 square foot two-story building. The first floor will have a 170 seat, 7,000 square foot eating establishment and the second floor will have 11,000 square feet of office space.

| | Approved (SE 00-Y-017) | Proposed (SEA 00-Y-017) |
|--------------|---|--|
| Hotel A | 65,000 sq. ft., four stories, max. height 75 ft., 104 rooms, 800 sq. ft. meeting rooms, outdoor swimming pool | 67,500 sq. ft., four stories, max. height 75 ft.; 124 rooms, 800 sq. ft. meeting rooms, enclosed swimming pool |
| Hotel B | 91,000 sq. ft., five stories, max. height 75 ft., 132 rooms, 625 sq. ft. meeting rooms, outdoor swimming pool | 93,500 sq. ft., five stories, max. height 75 ft., 162 units, 625 sq. ft. meeting rooms, enclosed swimming pool |
| Office Bldg. | Not a part. | 18,000 sq. ft., two stories, 170 seat eating establishment (7,000 sq. ft.), 11,000 sq. ft. office space |
| Tot. Sq. Ft. | 152,566 sq. ft. | 182,000 sq. ft |
| Tot. FAR | 0.35 | 0.42 |

- The Plat depicts 36% on-site open space, with landscaping provided on the perimeter of the site and throughout the interior of the parking lot. At the time of planting, the proposed shade trees will have a 3-inch caliper, the flowering trees will be 8-10 feet in height and evergreen trees will be 7 to 8 feet in height. There is a landscaped turn-around with a fountain in front of Hotel B and a fountain in front of Hotel A.
- A four foot wide sidewalk will be constructed along Centerview Drive and Thunderbolt Place. The sidewalk will connect to the adjacent trail to the south that encircles the stormwater management pond. Six foot wide paths will be constructed on the site to provide passage between the trail to the south and sidewalks located along Centerview Drive and Thunderbolt Place and the two hotels. Four foot wide sidewalks will be constructed in the parking lot area to provide passage between buildings.
- Vehicular access to the site is gained via an entrance/exit from/to Centerview Drive and one entrance/exit from/to Thunderbolt Place.
- The site will contain 425 parking spaces and 6 loading spaces (2 for the hotels, 1 for the eating establishment and 1 for the office space). Parking and security lights will be provided by 20 foot tall light poles, as illustrated on Sheet 1 and placed in accordance with Sheet 2.
- Architectural elevations for this project have been proffered to and a reduction of the elevations can be found in the front of the staff report.

Land Use Analysis (Appendix 5)

The proposal includes two hotels, each with a meeting room and enclosed pool, an eating establishment, and office space (which is permitted by right in the I-5 District). The proposed FAR is 0.42. While the Comprehensive Plan limits the FAR to a maximum of 0.35, there is additional language that supports an increase in FAR if the proposed use will generate fewer vehicle trips than the planned office and industrial/flex uses would at 0.35 FAR. The applicant has submitted a trip generation study that indicates the proposed uses will generate 2,350 vehicle trips per day (vpd), whereas the planned use will generate 2,367 vpd. It has been demonstrated that the proposed use will generate fewer trips, therefore the increased FAR is supported. There are no outstanding land use issues.

Transportation Analysis (Appendix 6)

The adopted Comprehensive Plan calls for phasing or a contribution to on-site and off-site road improvements to offset the impacts of site generated traffic. The requested uses can be expected to generate approximately 2,350 vpd and 205 vehicle trips during the p.m. peak hours. The applicant has proffered to contribute \$25,000 towards signalization of access from Centerville Road (at a location to be determined by the Department of Transportation prior to site plan approval). Staff is of the opinion that, as proffered and conditioned, all outstanding transportation issues have been resolved.

Environmental Analysis (Appendix 7)

The executed proffers accepted by the Board for the subject property require the buildings within the Airport Noise Overlay District to construct roofs and exterior walls at a laboratory

sound transmission class (STC) of at least 45 and to construct doors and windows with an STC of at least 37. The current noise contours have been updated since the execution of the proffers and as a result this proposal is a request to develop based on the current noise contours and current building material standards. A portion of Hotel A falls within the 65 – 70 dbl noise contour which would require its exterior wall to be at least 39 STC and the doors and windows to be at least 28 STC. The Proffer Condition Amendment proposes to construct affected buildings at these STC rates.

The previous application had a significant amount of impervious surface and the open space provided was less than what is provided with this amendment. As a result, the project was conditioned to provide drainage swales and/or raingardens to address stormwater run-off. This proposal reduces the amount of impervious surface and will provide 36% open space. Staff is of the opinion that the drainage swales and/or raingardens are no longer necessary so this condition was not carried forward from the original application. However, the provision made in the original application to tie into the existing stormwater management pond adjacent to the subject site is still applicable and is noted on the proposed on the Plat (which will be proffered to).

Staff is of the opinion that as proffered and conditioned, all outstanding environmental issues have been resolved.

Fire and Rescue Analysis (Appendix 10)

The Fairfax County Fire and Rescue Department Station #15, Chantilly, services the subject site and the proposal meets the fire protection guidelines. There are no outstanding fire and rescue issues.

Water Service Analysis (Appendix 11)

The subject property is located within the Fairfax County Water Authority franchise area and there is adequate domestic service available at the site from the existing 12& 8 inch mains located at the property. Depending on the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns. There are no outstanding water service issues.

Sanitary Sewer Analysis (Appendix 12)

The application property is located in the Cub Run (T1) Watershed. It would be sewerred into the UOSA Treatment Plant. The existing 8 inch line in Thunderbolt Pl. located 50 feet from the property and the existing 10 inch line located in an easement 100 feet from the property are adequate for the proposed use. Reimbursement charges to the Dulles Business Park may be applicable. There are no outstanding sanitary sewer issues.

ZONING ORDINANCE PROVISIONS (Appendix 8)

| Bulk Standards (I-5) | | |
|-----------------------------|--------------------|-----------------|
| Standard | Required | Provided |
| Lot Size | 20,000 Square feet | 10.0 acres |

| Bulk Standards (I-5) | | |
|-----------------------------------|---|---|
| Standard | Required | Provided |
| Lot Width | 100 feet | 630 feet ¹ |
| Building Height | 75 feet max. | 75 feet max. |
| Front Yard | Controlled by 45° angle of bulk plane (in this case 75 ft.) | 91 feet for Hotel A ² 90 feet for Hotel B ² 89 feet Office Building |
| Rear Yard | No Requirement | 148 feet for Hotel A 226 feet for Hotel B 72 feet Office Building |
| FAR | 0.35 FAR | 0.42 ³ |
| Open Space | 15% | 36% |
| Parking Parking Spaces | 425 parking spaces | 425 parking spaces |
| Loading Spaces | 6 spaces | 6 spaces |

1. Lot width measured from Centerview Drive
2. Angle of bulk plane measured from Thunderbolt Place
3. Additional language permits increased FAR if use generates less traffic than the planned use. This project submitted a trip generation study that supports increased FAR.

Conformance with Proffers

The site is subject to the proffers approved by the Board of Supervisors on June 9, 1980, for RZ 79-C-089. (Appendix 4) Proffers 1-4 are not applicable for this site and Proffers 5 & 7 are Public Facilities Manual requirements. Proffer 6 requires the site to comply with Board policy regarding Dulles Airport Noise. The Airport Noise Contours have been updated since the original proffers were executed. This proposal seeks to amend Proffer 6 to recognize the new Noise Contours and require building construction materials to be in compliance with the current standards. A portion of Hotel A falls within the 65 – 70 dbl contour which would require the exterior walls to have at least 39 STC and the doors and windows to have at least 28 STC. Staff believes the existing proffer commitments have been fulfilled.

Special Exception Requirements (Appendix 8)

General Standards (Sect. 9-006)

General Standard 1 requires that the proposed use at the specified location be in harmony with the adopted comprehensive plan. The application proposes two hotels, each one with a meeting room and an enclosed swimming pool, an eating establishment and office space (which is a permitted use in the I-5 District). The total square footage is 182,000 square feet or 0.42 FAR. The Zoning Ordinance allows development up to 0.50 FAR in the I-5 District but the Comprehensive Plan limits hotel uses to 0.35 FAR unless it can be demonstrated that the proposed use will generate fewer trips than the planned use, in which case an increase in FAR is possible. The applicant submitted a trip generation study, which indicates the trips

generated for the planned use would be 2,367 vpd, whereas the trips generated by the proposed use would be 2,350 vpd. Staff is of the opinion that the increase in FAR is supported by the trip generation study and that the project is in conformance with the use and intensity recommendations of the Comprehensive Plan.

General Standard 2 requires that the proposed use be in conformance with the general purpose and intent of the applicable zoning district regulations. The proposal satisfies the required bulk standards of the zoning ordinance and in Staff's opinion this standard has been satisfied.

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. The proposal has a FAR of 0.42; the surrounding I-5 District is permitted to develop up to 0.50 FAR. The surrounding properties are developed as office buildings, hotels, and restaurants of similar intensity and in Staff's opinion the proposed use is harmonious with the neighboring properties and will not adversely affect their value.

General Standard 4 requires that the proposed use be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. The transportation analysis (Appendix 7) includes data published by the Institute of Transportation Engineers that states the proposed uses can be expected to generate approximately 2,350 vehicles per day (vpd) and 205 vehicles during the p.m. peak hour (vph). In comparison, by-right uses can expect to generate 2,367 vpd. The proposal generates fewer trips than the by-right uses and in Staff's opinion they will not create a hazardous condition for the existing or anticipated traffic in the neighborhood.

General Standards 5, 6 and 7 require landscaping, screening, open space, adequate utility, drainage, parking and loading to be regulated in accordance with the Zoning Ordinance; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance. The proposal has met or exceeded the requirements of the Zoning Ordinance and in Staff's opinion these standards have been met.

Category 5 Standards (Sect. 9-503)

Additional Standards for Hotels, Motels (Sect. 9-512)

Overlay District Requirements (Appendix 8)

Airport Noise Impact (AN) (Sect. 7-400)

Highway Corridor (HC) (Sect. 7-600)

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

In Staff's opinion PCA 79-C-089 and SEA 00-Y-017 is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Recommendation

Staff recommends approval of PCA 79-C-089 subject to execution of proffers consistent with those found in Appendix 1.

Staff recommends approval of SEA 00-Y-017 subject to the Proposed Development Conditions contained in Appendix 2.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Draft Proffers
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. RZ 79-C-089 Proffers, SE 00-Y-017 Approved Development Conditions and SE Plat
6. Plan Citations and Land Use Analysis
7. Transportation Analysis
8. Environmental Analysis
9. Trip Generation Study
10. Fire and Rescue Analysis
11. Water Service Analysis
12. Sanitary Sewer Analysis
13. Stormwater Management Analysis
14. Applicable Zoning Ordinance Provisions and Special Exception Requirements
15. Glossary

PROFFERED CONDITION AMENDMENT APPLICATION**AXAR MANAGEMENT****PCA 79-C-089****April 22, 2002
Revised May 20, 2002**

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owners and Applicant in this Proffered Condition Amendment Application hereby reaffirms that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference No. 34-4 ((12)) C2 (hereinafter referred to as the "Property") will be in accordance with the proffered conditions accepted by the Board of Supervisors in the approval of RZ 79-C-089 except as qualified below. In the event the Proffered Condition Amendment request is denied, these proffers shall be null and void. The Owners and the Applicant ("Applicant"), for themselves, their successors and assigns, agree that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. Additions and/or revisions to the proffered conditions accepted in the approval of RZ 79-C-089 are listed below. Those proffers carried forward from RZ 79-C-089 are indicated by an asterisk.

- *1. Comply with the current policy and ordinance provisions of the Sully Historic District, for those portions of the site located within the historic district boundaries.
- *2. Dedicate to 45 feet from centerline on Centreville Road and construct road widening with face of curb set 35 feet from centerline.
- *3. Relocate site entrance and provide interparcel access generally in accord with the map shown in Appendix 7 of the staff report, except that only one access street would be provided to adjacent properties along the northeasterly boundary.
- *4. All parcels shall have access from the internal road system, not from Centreville Road.
- *5. Site plans shall be submitted to the Geotechnical Review Board as may be required by DEM.
- *6. Comply with Board policy regarding Dulles Airport Noise Exposure Forecast zoned as noted in Appendix 8 of the staff report.
- *7. Meet the stormwater management provisions of the ordinance and Public Facilities Manual in force at the time of site plan submission. Institute BMP recommendations if site plans are submitted prior to new criteria being added to the Public Facilities Manual.

8. Substantial Conformance Development of the Property will be in substantial conformance with the plan entitled "Special Exception Amendment Proffer Condition Amendment Hotels @ Dulles Business Park" consisting of three sheets, dated November 9, 2001 and revised through May 20, 2002 and prepared by Greenhome & O'Mara (the "Plat").

9. Minor Modifications Pursuant to Par. 5 of Sect. 18-204 of the Zoning Ordinance, minor modifications from the Plat may be permitted as determined by the Zoning Administrator.

10. Building Architecture The design and architecture of the two (2) approved hotels shall be in substantial conformance with the general bulk, mass and quality of materials described on the illustrative elevations titled "Staybridge Suites Hotel" and "Hawthorn Suites Hotel" and dated May 20, 2002, or of comparable quality as determined by the Department of Public Works and Environmental Services (DPWES). This proffer shall not preclude the enclosure of the swimming pools as contemplated by this application and as shown on the Plat. The approved free standing restaurant shall be designed to incorporate a type and quality of materials that is compatible with the approved hotels. Brand and logo information is conceptual and is subject to change. The requirements of these proffers should not preclude the use of signage and similar corporate identifiers provided that the same are in conformance with these proffers and the requirements of the Fairfax County Zoning Ordinance.

11. Noise Mitigation Proffer 6 of RZ 79-C-089 is deleted in its entirety and replaced with the following:

- A. In order to achieve an interior noise level not to exceed DNL 45 dBA, those portions of the approved structure(s) located within the Airport Noise Overlay District shall have the following acoustical attributes as approved by the Department of Public Works and Environmental Services:

Roof and exterior walls shall have a laboratory sound transmission class (STC) of at least 39.

Doors and windows shall have a laboratory STC of at least 28. If windows function as walls, then they shall have the STC specified for exterior walls.

Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

The Applicant may pursue other methods of mitigating interior noise if it can be demonstrated, through an independent noise study that is reviewed and approved by DPWES showing that these methods will be effective in reducing interior noise levels to DNL 45 dBA or less.

12. Traffic Signal. Prior to site plan approval, the Applicant shall escrow with the Department of Public Works and Environmental Services (DPWES) \$25,000.00 for the construction of a traffic signal at the intersection of Skyhawk Drive and Centreville Road.

{the rest of this page has been intentionally left blank}

TITLE OWNERS:

ARTEE & ASSOCIATES, LLC

By: _____
Name: _____
Title: _____

SHREE-JEE CORPORATION

By: _____
Name: _____
Title: _____

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PROPOSED DEVELOPMENT CONDITIONS

SEA 00-Y-017

May 30, 2002

If it is the intent of the Board of Supervisors to approve SEA 00-Y-017, located in the southwest quadrant of the intersection of Centerview Drive and Thunderbolt Place (Tax Map 34-4 ((12)) C2) for the use of two hotels, each with a meeting room and an enclosed swimming pool, an eating establishment in addition to office uses, pursuant to Sect. 5-504 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

** Conditions marked with an asterisk (*) are conditions from the previously approved special exception (SE 00-Y-017). The following conditions supercede the previous 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 Generalized Development Plan/Special Exception Plat entitled "Hotels @ Dulles Business Park", prepared by Greenhome & O'Mara and dated November 9, 2001 and revised through March 14, 2002, 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. The maximum FAR of the site shall be limited to 0.42 (182,000 square feet). Hotel A may be developed to a maximum of 67,500 gross square feet, Hotel B to a maximum of 93,500 gross square feet, the office building/eating establishment shall not exceed 18,000 total gross square feet.**
- 5. The two hotels may be developed to a combined maximum of 286 rooms. Use of hotel facilities, including the swimming pool and other recreational facilities shall be limited to registered hotel guests only and shall not be open to the general public.**
- *6. The maximum building height shall be limited to 75 feet.**
- *7. Landscaping shall be provided in substantial conformance with the location, size, quality, quantity and design as depicted on Sheet 2 of the Special Exception Plat as determined by the Urban Forestry Branch.**

- *8. The architecture of all four sides of Hotel A and Hotel B shall be in substantial conformance with the elevations prepared by D.R. Brasher Architects dated July 25, 2000 and shown on Sheets 4 and 5 of the Special Exception Plat, respectively.
9. Pedestrian connections shall be provided as displayed on Sheet 2 of the Special Exception Plat between the two hotels and the trail to the south of the site, located on Tax Map 34-4 ((12)) 12 and the sidewalks on Thunderbolt Place and Centerview Drive. Prior to the time of site plan approval for the first hotel, the applicant shall diligently pursue the off-site approvals necessary to provide a pedestrian connection between Thunderbolt Place and the existing trail which encircles the stormwater pond located on Tax Map 34-4 ((12)) 12. The applicant shall construct the connection to the standard determined by DPWES. If the necessary easements cannot be secured, it must be demonstrated to the satisfaction of DPWES that said easements were diligently pursued and adequate funds to construct the trail shall be escrowed, to DPWES satisfaction.
- *10. All freestanding and building-mounted signs shall comply with the provisions of Article 12 of the Zoning Ordinance. No pole mounted signs shall be permitted. Signage shall be front-lit and light directed downward onto the sign to minimize glare.
11. 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, shall be full cut-off, shielded to minimize glare, shall focus directly on the subject property, and shall meet the Performance Standards set forth in Article 14 of the Zoning Ordinance. The lights shall be in general conformance with the light fixture detail shown on Sheet 1 and located in substantial conformance as illustrated on Sheet 2 of the Special Exception Plat.
12. Prior to the start of construction perimeter erosion and sediment control measures shall be installed and other similar measures shall be coordinated with DPWES and the Northern Virginia Soil and Water Conservation District throughout the stages of development.
13. Disturbed areas shall not be left denuded for more than 14 consecutive days. Except for that portion of the site in which work will be continuous beyond that period as demonstrated to DPWES and the Northern Virginia Soil and Water Conservation District.
14. Off-site facilities shall be designed to provide detention for the subject site consistent with Sect. 6-0300 of the PFM and DPWES. Run-off shall be adequately conveyed to off-site facilities consistent with Sect. 6-0200 of the PFM and DPWES. A private agreement shall be entered into for the purposes of maintaining the aforementioned facilities.

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.

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REZONING AFFIDAVIT

DATE: MAY 21, 2002
(enter date affidavit is notarized)

Molly E. Harbin, Agent for Applicant

I, Molly E. Harbin, Agent for Applicant, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

2001-1854

in Application No(s): PCA 79-C-089
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that to the best of my knowledge and belief, the following information is true:

1. (a) The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application, and if any of the foregoing is a **TRUSTEE***, each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner.)

| NAME (enter first name, middle initial & last name) | ADDRESS (enter number, street, city, state & zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|---|--|--|
|---|--|--|

| | | |
|--|---|---------------------------------|
| Artee & Associates, LLC Agent: Pravinchandra M. Patel | 2406 N. Roberts Avenue Lumberton, N.C. 28358 | Owner Tax Map 34-4-((12))-C2 |
|--|---|---------------------------------|

| | | |
|--|---|---------------------------------|
| Shree-Jee Corporation Agent: Harichandra M. Patel | 2406 N. Roberts Avenue Lumberton, N.C. 28358 | Owner Tax Map 34-4-((12))-C2 |
|--|---|---------------------------------|

| | | |
|--|--|---|
| Axar Management, Inc. Agent: Heeren Patel (NMI) | 2406 Roberts Avenue Lumberton, N.C. 28358 | Applicant/Agent <i>for Title Owners</i> |
|--|--|---|

(check if applicable) There are more relationships to be listed and Par. (a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* List as follows: (name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

NOTE: This form is also for Final Development Plans not submitted in conjunction with Conceptual Development Plans.

Rezoning Attachment to Par 1(a)

DATE: MAY 21, 2002
 (enter date affidavit is notarized)

2001-1854

for Application No(s): PCA 79-C-089
 (enter County-assigned application number(s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Numbers(s) of the parcel(s) for each owner.)

| NAME (enter first name, middle initial & last name) | ADDRESS (enter number, street, city, state & zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a)) |
|--|---|--|
| DR Brasher Architects, Inc. Agents: D. Ronald Brasher Joseph L. Heisler | 5560 Sterrett Place, Ste. 300 Columbia, MD 21044 | Architects/Agents |
| Greenhorne & O'Mara, Inc. Agents: Bharat Bhargava (NMI) Martin E. Crahan John J. Gattuso Edward G. Venditti (former) | 11211 Waples Mill Road, Ste. 100 Fairfax, VA 22030 | Engineers/Agents/ Former Engineer |
| McGuireWoods LLP Agents: Gregory A. Riegler, Esquire Carson Lee Fifer, Jr., Esquire Molly E. Harbin, Urban Planner | 1750 Tysons Blvd., Ste. 1800 McLean, VA 22102 | Attorneys/Planner Agent |

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form

REZONING AFFIDAVIT

DATE: MAY 21, 2002
(enter date affidavit is notarized)

2001-1850

for Application No(s): PCA 79-C-089
(enter County-assigned application number(s))

1. (b). The following constitutes a listing** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)

Shree-Jee Corporation 2406 N. Roberts Avenue
Lumberton, N.C. 28358

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

Baldev M. Patel
Pravinchandra M. Patel
Harichandra M. Patel

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

DATE: MAY 21, 2002
(enter date affidavit is notarized)

2001-185e

Application No(s): PCA 79-C-089
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Greenhome & O'Mara, Inc. 11211 Waples Mill Road, Ste. 100
Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

An Employee Stock Ownership Plan (ESOP)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
DR Brasher Architects, Inc. 5560 Sterrett Place, Ste. 300
Columbia, MD 21044

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

D. Ronald Brasher
Fredric E. Melby

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

Check if applicable)

- There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: MAY 21, 2002
(enter date affidavit is notarized)

for Application No(s): PCA 79-C-089
(enter County-assigned application number(s))

2001-1856

1. (c). The following constitutes a listing** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS (enter first name, middle initial, last name & title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Equity Partners of McGuireWoods LLP

Aaronson, Russell T., III
Adams, Michael
Adams, Robert T.
Ames, W. Allen, Jr.
Anderson, Arthur E., II
Anderson, Donald D.
Andre-Dumont, Hubert
Atkinson, Frank B.
Aucutt, Ronald D.
Bagley, Terrence M.
Baril, Mary Dalton
Barnum, John W.
Barr, John S.
Bates, John W., III
Belcher, Dennis I.
Blanco, Jim L.

Boland, J. William
Bracey, Lucius H., Jr.
Broaddus, William G.
Brown, Thomas C., Jr.
Burke, John W., III
Burkholder, Evan A.
Burrus, Robert L., Jr.
Busch, Stephen D.
Cabaniss, Thomas E.
Cairns, Scott S.
Capwell, Jeffrey R.
Carter, Joseph C., III
Cason, Alan C.
Cogbill, John V., III
Courson, Gardner G.
Cranfill, William T.

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

4

Rezoning Attachment to Par. 1(c)

DATE: MAY 21, 2002
(enter date affidavit is notarized)

2001-1850

for Application No(s): PCA 79-C-089
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

(check if applicable) [X] The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g., General Partner, Limited Partner, or General and Limited Partner)

- Cromwell, Richard J.
- Culbertson, Craig R.
- Cutchins, Clifford A., IV
- Cullen, Richard
- Dabney, H. Slayton, Jr.
- Deem, William W.
- de Cannart d'Hamale, Emmanuel
- den Hartog, Grace R.
- Douglass, W. Birch, III
- Dudley, Waller T.
- Dunetz, Jeffrey L.
- Dyke, James Webster, Jr.
- Earl, Marshall H., Jr.
- Edwards, Elizabeth F.
- Evans, David E.
- Feller, Howard
- Fennebresque, John C.
- Fifer, Carson Lee, Jr.
- Flemming, Michael D.
- France, Bonnie M.
- Franklin, Stanley M.
- Freye, Gloria L.
- Getchell, E. Duncan, Jr.
- Gieg, William F.
- Gillece, James P., Jr.
- Glassman, M. Melissa
- Goodall, Larry M.
- Gordon, Alan B.
- Grandis, Leslie A.

- Grimm, W. Kirk
- Hampton, Glenn W.
- Harmon, T. Craig
- Heberton, George H.
- Howard, Marcia Morales
- Isaf, Fred T.
- Johnston, Barbara Christie
- Joslin, Rodney D.
- Kane, Richard F.
- Katsantonis, Joanne
- Keefe, Kenneth M., Jr.
- King, Donald E.
- King, William H., Jr.
- Kittrell, Steven D.
- Krueger, Kurt J.
- La Fratta, Mark J.
- Lawrie, Jr., Henry deVos
- Little, Nancy R.
- Mack, Curtis L.
- Marshall, Gary S.
- Martin, George Keith
- McArver, R. Dennis
- McCallum, Steven C.
- McElligott, James P.
- McElroy, Robert G.
- McFarland, Robert W.
- McGee, Gary C.
- McIntyre, Charles Wm.
- McMenamin, Joseph P.

(check if applicable) [X] There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 21, 2002
(enter date affidavit is notarized)

for Application No(s): PCA 79-C-089
(enter County-assigned application number(s))

2001-1856

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

(check if applicable) [X] The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g., General Partner, Limited Partner, or General and Limited Partner)

- Melson, David E.
Menges, Charles L.
Menson, Richard L.
Michels, John J., Jr.
Milton, Christine R.
Murphy, Sean F.
Newman, William A.
Nunn, Daniel B. Jr.
Oostdyk, Scott C.
O'Grady, Clive R. G.
O'Grady, John B.
Oakey, David N.
Padgett, John D.
Page, Rosewell, III
Pankey, David H.
Pollard, John O.
Price, James H., III
Pusateri, David P.
Richardson, David L.
Rifken, Lawrence E.
Riopelle, Brian C.
Robertson, David W.
Robinson, Stephen W.
Rohman, Thomas P.
Rogers, Marvin L.
Rooney, Lee Ann
Rosen, Gregg M.
Russell, Deborah M.
Rust, Dana

- Sable, Robert G.
Satterwhite, Rodney A.
Schill, Gilbert E., Jr.
Sellers, Jane Whitt
Shelley, Patrick M.
Skinner, Halcyon E.
Slaughter, Alexander H.
Stone, Daniel K.
Smith, James C., III
Smith, R. Gordon
Spahn, Thomas E.
Stallings, Thomas J.
Steen, Bruce M.
Stone, Jacquelyn E.
Strickland, William J.
Stroud, Robert E.
Summers, W. Dennis
Swartz, Charles R.
Swindell, Gary W.
Tashjian-Brown, Eva S.
Taylor, D. Brooke
Tetzlaff, Theodore R.
Thomhill, James A.
Van der Mersch, Xavier
Vick, Howard C., Jr.
Waddell, William R.
Walker, Howard W.
Walsh, James H.
Watts, Stephen H., II

(check if applicable) [X] There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

DATE: MAY 21, 2002
(enter date affidavit is notarized)

2001-1856

for Application No(s): PCA 79-C-089
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g., General Partner, Limited Partner, or General and Limited Partner)

- Wells, David M.
- Whittemore, Anne Marie
- Williams, Stephen E.
- Williams, Steven R.
- Williamson, Mark D.
- Wilson, Ernest G.
- Wood, R. Craig
- Word, Thomas S., Jr.
- Younger, W. Carter
- Zirkle, Warren E.

These are the only equity partners in the above-referenced firm.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: MAY 21, 2002
(enter date affidavit is notarized)

200-1856

for Application No(s): PCA 79-C-089
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.
EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(check if applicable) [] There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

Molly E. Harbin
(check one) [] Applicant [X] Applicant's Authorized Agent
Molly E. Harbin, Agent for Applicant

(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 21st day of MAY, 2002, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

Patricia W. Young
Notary Public

My commission expires: DECEMBER 31, 2002

SPECIAL EXCEPTION AFFIDAVIT

DATE: MAY 21, 2002
 (enter date affidavit is notarized)

I, Molly E. Harbin, Agent for Applicant, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

2002-560

in Application No(s): SEA-00-Y-017-01
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that to the best of my knowledge and belief, the following information is true:

1. (a) The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS and LESSEES** of the land described in the application, and if any of the foregoing is a **TRUSTEE***, each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner.)

| NAME (enter first name, middle initial & last name) | ADDRESS (enter number, street, city, state & zip code) | RELATIONSHIP (S) (enter applicable relationships listed in BOLD above) |
|---|--|---|
| Artee & Associates, LLC Agent: Pravinchandra M. Patel | 2406 N. Roberts Avenue Lumberton, N.C. 28358 | Owner Tax Map 34-4-((12))-C2 |
| Shree-Jee Corporation Agent: Harichandra M. Patel | 2406 N. Roberts Avenue Lumberton, N.C. 28358 | Owner Tax Map 34-4-((12))-C2 |
| Axar Management, Inc. Agent: Heeren Patel (NMI) | 2406 Roberts Avenue Lumberton, N.C. 28358 | Applicant/Agent <i>for Title Owners</i> |

(check if applicable) There are more relationships to be listed and Par. (a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* List as follows: (name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

DATE: MAY 21, 2002
 (enter date affidavit is notarized)

for Application No(s): SEA-00-Y-017-01 2002-566
 (enter County-assigned application number(s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the tax map Numbers(s) of the parcel(s) for each owner.)

| NAME (enter first name, middle initial & last name) | ADDRESS (enter number, street, city, state & zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a)) |
|--|---|--|
| DR Brasher Architects, Inc. Agents: D. Ronald Brasher Joseph L. Heisler | 5560 Sterrett Place, Ste. 300 Columbia, MD 21044 | Architects/Agents |
| Greenhorne & O'Mara, Inc. Agents: Bharat Bhargava (NMI) Martin E. Crahan John J. Gattuso Edward G. Venditti (former) | 11211 Waples Mill Road, Ste. 100 Fairfax, VA 22030 | Engineers/Agents/ Former Engineer |
| McGuireWoods LLP Agents: Gregory A. Riegle, Esquire Carson Lee Fifer, Jr., Esquire Molly E. Harbin, Urban Planner | 1750 Tysons Blvd., Ste. 1800 McLean, VA 22102 | Attorneys/Planner Agent |

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

Special Exception Attachment to Par. 1(b)

DATE: MAY 21, 2002
(enter date affidavit is notarized)

for Application No(s): SEA-00-Y-017-01
(enter County-assigned application number(s))

2002-566

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)

Greenhome & O'Mara, Inc. 11211 Waples Mill Road, Ste. 100
Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

An Employee Stock Ownership Plan (ESOP)

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)

DR Brasher Architects, Inc. 5560 Sterrett Place, Ste. 300
Columbia, MD 21044

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

D. Ronald Brasher
Fredric E. Melby

(check if applicable)

- There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: MAY 21, 2002
(enter date affidavit is notarized)

for Application No(s): SEA-00-Y-017-01
(enter County-assigned application number(s))

2002-566

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)

Artee & Associates, LLC
2406 N. Roberts Avenue
Lumberton, N.C. 28358

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

Balder M. Patel
Harichandra M. Patel
Pravinchandra M. Patel

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)

Axar Management, Inc.
2406 N. Roberts Avenue
Lumberton, N.C. 28358

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

Heeren Patel (NMI)
Pravinchandra M. Patel
Harichandra M. Patel

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: MAY 21, 2002
(enter date affidavit is notarized)

for Application No(s): SEA-00-Y-017-01 2002-566
(enter County-assigned application number(s))

1. (c). The following constitutes a listing** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuire Woods LLP
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS (enter first name, middle initial, last name & title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Equity Partners of McGuireWoods LLP

Aaronson, Russell T., III
Adams, Michael
Adams, Robert T.
Ames, W. Allen, Jr.
Anderson, Arthur E., II
Anderson, Donald D.
Andre-Dumont, Hubert
Atkinson, Frank B.
Aucutt, Ronald D.
Bagley, Terrence M.
Baril, Mary Dalton
Barnum, John W.
Barr, John S.
Bates, John W., III
Belcher, Dennis I.
Blanco, Jim L.

Boland, J. William
Bracey, Lucius H., Jr.
Broaddus, William G.
Brown, Thomas C., Jr.
Burke, John W., III
Burkholder, Evan A.
Burrus, Robert L., Jr.
Busch, Stephen D.
Cabaniss, Thomas E.
Cairns, Scott S.
Capwell, Jeffrey R.
Carter, Joseph C., III
Cason, Alan C.
Cogbill, John V., III
Courson, Gardner G.
Cranfill, William T.

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment 1(c)" form.

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

DATE: MAY 21, 2002
(enter date affidavit is notarized)

for Application No(s): SEA-00-Y-017-01
(enter County-assigned application number(s))

2002-566

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuire Woods LLP
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Cromwell, Richard J.
Culbertson, Craig R.
Cutchins, Clifford A., IV
Cullen, Richard
Dabney, H. Slayton, Jr.
Deem, William W.
de Cannart d'Hamale, Emmanuel
den Hartog, Grace R.
Douglass, W. Birch, III
Dudley, Waller T.
Dunetz, Jeffrey L.
Dyke, James Webster, Jr.
Earl, Marshall H., Jr.
Edwards, Elizabeth F.
Evans, David E.
Feller, Howard
Fennebresque, John C.
Fifer, Carson Lee, Jr.
Flemming, Michael D.
France, Bonnie M.
Franklin, Stanley M.
Freye, Gloria L.
Getchell, E. Duncan, Jr.
Gieg, William F.
Gillece, James P., Jr.
Glassman, M. Melissa
Goodall, Larry M.
Gordon, Alan B.
Grandis, Leslie A.

Grimm, W. Kirk
Hampton, Glenn W.
Harmon, T. Craig
Heberton, George H.
Howard, Marcia Morales
Isaf, Fred T.
Johnston, Barbara Christie
Joslin, Rodney D.
Kane, Richard F.
Katsantonis, Joanne
Keefe, Kenneth M., Jr.
King, Donald E.
King, William H., Jr.
Kittrell, Steven D.
Krueger, Kurt J.
La Fratta, Mark J.
Lawrie, Jr., Henry deVos
Little, Nancy R.
Mack, Curtis L.
Marshall, Gary S.
Martin, George Keith
McArver, R. Dennis
McCallum, Steven C.
McElligott, James P.
McElroy, Robert G.
McFarland, Robert W.
McGee, Gary C.
McIntyre, Charles Wm.
McMenamin, Joseph P.

(check if applicable)

There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

DATE: MAY 21, 2002
(enter date affidavit is notarized)

for Application No(s): SEA-00-Y-017-01
(enter County-assigned application number(s))

2002-566

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuire Woods LLP
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Melson, David E.
Menges, Charles L.
Menson, Richard L.
Michels, John J., Jr.
Milton, Christine R.
Murphy, Sean F.
Newman, William A.
Nunn, Daniel B. Jr.
Oostdyk, Scott C.
O'Grady, Clive R. G.
O'Grady, John B.
Oakey, David N.
Padgett, John D.
Page, Rosewell, III
Pankey, David H.
Pollard, John O.
Price, James H., III
Pusateri, David P.
Richardson, David L.
Risken, Lawrence E.
Riopelle, Brian C.
Robertson, David W.
Robinson, Stephen W.
Rohman, Thomas P.
Rogers, Marvin L.
Rooney, Lee Ann
Rosen, Gregg M.
Russell, Deborah M.
Rust, Dana

Sable, Robert G.
Satterwhite, Rodney A.
Schill, Gilbert E., Jr.
Sellers, Jane Whitt
Shelley, Patrick M.
Skinner, Halcyon E.
Slaughter, Alexander H.
Slone, Daniel K.
Smith, James C., III
Smith, R. Gordon
Spahn, Thomas E.
Stallings, Thomas J.
Steen, Bruce M.
Stone, Jacquelyn E.
Strickland, William J.
Stroud, Robert E.
Summers, W. Dennis
Swartz, Charles R.
Swindell, Gary W.
Tashjian-Brown, Eva S.
Taylor, D. Brooke
Tetzlaff, Theodore R.
Thomhill, James A.
Van der Mersch, Xavier
Vick, Howard C., Jr.
Waddell, William R.
Walker, Howard W.
Walsh, James H.
Watts, Stephen H., II

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

DATE: MAY 21, 2002
(enter date affidavit is notarized)

2002-566

for Application No(s): SEA-00-Y-017-01
(enter County-assigned application number(s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuire Woods LLP
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name & title, e.g., General Partner, Limited Partner, or General and Limited Partner)

- Wells, David M.
- Whittemore, Anne Marie
- Williams, Stephen E.
- Williams, Steven R.
- Williamson, Mark D.
- Wilson, Ernest G.
- Wood, R. Craig
- Word, Thomas S., Jr.
- Younger, W. Carter
- Zirkle, Warren E.

These are the only equity partners in the above-referenced firm.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

PROFFERED CONDITION AMENDMENT AFFIDAVIT

DATE: MAY 31, 2002
(enter date affidavit is notarized)

2002-566

for Application No(s): SEA-00-Y-017-01
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(check if applicable) There are more interests to be listed and par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney, or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(check if applicable) There are more disclosures to be listed and par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

Molly E. Harbin

(check one) Applicant Applicant's Authorized Agent

Molly E Harbin Agent for Applicant

(Type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 21st day of MAY, 2002, in the State/Comm. of VIRGINIA, County/City of FAIRFAX

Patricia W. Young
Notary Public

My commission expires: DECEMBER 31, 2002

STATEMENT OF JUSTIFICATION
SPECIAL EXCEPTION APPLICATION
BY AXAR MANAGEMENT, INC. (the "Applicant")
TAX MAP 34-4 ((12)) C2 ("the Property")

August 31, 2001
Revised March 21, 2002

INTRODUCTION

This Special Exception Amendment application (the "Application") is a request for approval of a Special Exception Amendment to permit the development of a freestanding full service eating establishment and the enclosure of two previously approved outdoor swimming pools. A Special Exception is necessary to allow for an eating establishment in the I-5 Zoning District. The eating establishment will provide an amenity to the surrounding office buildings as well as visitors to the future Air & Space Museum Annex. The Special Exception Amendment Plat/Proffer Condition Amendment plat (the "Plat") depicts an 18,000 square foot building, including 11,000 square feet of office space and 7,000 square feet for an eating establishment. The office space will be used by the applicant for general business purposes. The office use is allowed by right in the I-5 Zoning District.

BACKGROUND

On October 16, 2000 the Fairfax County Board of Supervisors approved SE 00-Y-017 for hotel use in the I-5 Zoning District. The approval included two hotels. Hotel A was approved as a five story building not to exceed 75 feet in height and 65,000 sqf., including 104 units, 800 sqf. of meeting rooms and an outdoor pool. Hotel B was approved as a four story building not to exceed 75 feet in height and 91,000 sqf., including 132 units, 625 sqf. of meeting rooms and an indoor pool. A subsequent interpretation by Barbara Byron for an outdoor pool for Hotel B was granted on July 24, 2001. The meeting rooms and pool for Hotel B will be located in a separate building attached to the hotel by walkways. The Application accompanies, and is running concurrent with, a pending Proffered Condition Amendment (PCA 79-C-079).

As required by the standards for Special Exception approval contained in § 9-006 of the Fairfax County Zoning Ordinance, the proposed use and intensity are in harmony with the recommendations of the Comprehensive Plan. The Property is located in Land Unit E-1 of the Dulles Suburban Center. Paragraph 4 of the pertinent Land Use Recommendations states that hotels and ancillary retail uses are "appropriate" in this portion of the Land Unit provided that the "maximum FAR" of such uses in the Land Unit does not exceed 0.35. The proposed FAR on the application property is 0.42 and well within the requirements of the I-5 Zoning District of 0.5 FAR. More importantly, and consistent with the Comprehensive Plan, while there are other hotels in the Land Unit, collectively within the Land Unit, the existing and proposed hotel uses are developed well below the maximum overall FAR of 0.35 established for such uses in this Land Unit.

PROPOSAL

Eating Establishments require approval by Special Exception in the I-5 Zoning District. The Plat depicts two previously approved hotels, two enclosed swimming pools, meeting rooms, and a freestanding building containing an eating establishment and office space. Hotel A shall comprise a five story building not to exceed 75 feet in height and 67,500 sqf., including 124 units, 800 sqf. of meeting rooms and an enclosed swimming pool. Hotel B shall comprise a four story building not to exceed 75 feet in height and 93,500 sqf., including 162 units, 625 sqf. of meeting rooms and an enclosed swimming pool. The meeting rooms and pool for Hotel B will be located in a separate building attached to the hotel by walkways.

The following information is provided pursuant to §9-011 of the Fairfax County Zoning Ordinance.

1. **Type of Operation:** Two previously approved hotels, one free standing full service eating establishment, including office space for the Applicant, and enclosure of two previously approved, but as yet un-built swimming pools. Both hotels will operate as all-suites hotels.
2. **Hours of Operation:** The two hotels will operate twenty-four (24) hours per day, seven (7) days per week. The eating establishment will operate from 7:00 am – 12 a.m. seven (7) days per week.
3. **Proposed number of employees:** The number of employees for each hotel will vary from shift to shift, estimated as follows: 7:00 am to 3:00 pm – 15 to 20 employees; 3:00 pm to 11:00 pm – 2 to 4 employees; and 11:00 pm to 7:00 am – 1 to 2 employees. There are no restaurants, bar facilities, or large conference rooms in the hotels. The number of employees for the proposed eating establishment will be approximately twenty (20) at any given time.
4. **Estimated number of patrons:** The average occupancy rate for all-suites hotels is typically 75%. It is estimated that the average number of patrons for each hotel will be between 90 and 120 at any one time. The 170-seat eating establishment will average 120-140 patrons during lunch and dinner.
5. **Traffic impact:** Based on a study of the Institute of Transportation Engineers (ITE) Manual (6th Edition - 1997), the all-suites hotels will generate between 100 and 115 trips during the AM and PM peak hours. The proposed eating establishment is anticipated to generate between 70 and 80 vehicle trips during the AM and PM peak hours. These numbers are based on the ITE Manual estimates for high-turn over/sit-down restaurants and do not take into account that the proposed eating establishment will be located in a mixed-use development where hotel, office, and meeting room users are able to walk to the eating establishment.
6. **Area served:** The previously approved hotels will serve western Fairfax County, including business generated from the Washington Dulles International Airport. The proposed eating establishment will provide an amenity to the two on-site hotels and to the surrounding community

including Westfields, the Route 28/Dulles Airport Access Road Technology Corridors, and the Future Air & Space Museum Annex.

7. Architectural compatibility: The architecture of the two hotels will be compatible with surrounding buildings. The architecture of the proposed eating establishment will be compatible with the previously approved hotels for the Property and with the surrounding community. Enclosure of the two swimming pools will complement the high architectural standards set for development of the Property as a whole. This application will achieve a unified architectural and functional design for the entire Property.

8. Hazardous and toxic substances: To the best of the Applicant's knowledge, there are no hazardous or toxic substances on the property. If any such substances are discovered, impacts will be mitigated and/or remediated in accordance with governing County, State and Federal laws.

9. Statement of conformance: To the best of the Applicant's knowledge, the proposed development conforms to the requirements of the Fairfax County Zoning Ordinance.

Respectfully submitted,

McGuire Woods LLP

By:


Molly E. Harbin, Agent for Applicant

PROFFER STATEMENT APPLICATION 79-C-089

1. Comply with the current policy and ordinance provisions of the Sully Historic District, for those portions of the site located within the historic district boundaries.
2. Dedicate to 45 feet from centerline on Centreville Road and construct road widening with face of curb set 35 feet from centerline.
3. Relocate site entrance and provide interparcel access generally in accord with the map shown in Appendix 7 of the staff report, except that only one access street would be provided to adjacent properties along the northeasterly boundary.
4. All parcels shall have access from the internal road system, not from Centreville Road.
5. Site plans shall be submitted to the Geotechnical Review Board as may be required by DEM.
6. Comply with Board policy regarding Dulles Airport Noise Exposure Forecast zoned as noted in Appendix 8 of the staff report.
7. Meet the storm water management provisions of the ordinance and Public Facilities Manual in force at the time of site plan submission. Institute BMP recommendations if site plans are submitted prior to new criteria being added to the Public Facilities Manual.

Signatures



Robert M. Steinberg



E. Maurice Kupersmidt



Katherine B. Markwood



FAIRFAX COUNTY

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

November 1, 2000

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

Gregory A. Riegler, Esquire
McGuire, Woods, Battle and Boothe
1750 Tysons Boulevard - Suite 1800
McLean, Virginia 22102-3915

RE: Special Exception Application
Number SE 00-Y-017

Dear Mr. Riegler:

At a regular meeting of the Board of Supervisors held on October 16, 2000, the Board approved Special Exception Application Number SE 00-Y-017 in the name of Axar Management, Incorporated, located in the southwest quadrant of the Centerview Drive and Thunderbolt Place intersection (Tax Map 34-4 ((12)) C2) for the use of two hotels pursuant to Section 5-504 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 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 "Proposed Hotels at Dulles Business Park," prepared by Greenhome & O'Mara and dated March 15, 2000, and revised through October 2, 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 maximum FAR of the site shall be limited to 0.35 (152,566 square feet). Hotel A may be developed to a maximum of 65,000 gross square feet and Hotel B to a maximum of 91,000 gross square feet.
5. The two hotels may be developed to a combined maximum of 286 rooms. Use of hotel facilities, including the swimming pool and other recreational facilities shall be limited to registered hotel guests only and shall not be open to the general public.
6. The maximum building height shall be limited to 75 feet.
7. Landscaping shall be provided in substantial conformance with the location, size, quality, quantity and design as depicted on Sheet 2 of the Special Exception Plat as determined by the Urban Forestry Branch.
8. The architecture of all four sides of Hotel A and Hotel B shall be in substantial conformance with the elevations prepared by D.R. Brasher Architects dated July 25, 2000 and shown on Sheets 4 and 5 of the Special Exception Plat, respectively.
9. Pedestrian connections shall be provided as displayed on Sheet 2 of the Special Exception Plat between the two hotels and the trail to the south of the site, located on Tax Map 34-4 ((12)) 12 and the sidewalks on Thunderbolt Place and Centerview Drive. If VDOT does not permit the sidewalks to be located within the right-of-way they shall be located adjacent to Thunderbolt Place and Centerview Drive on-site. Prior to the time of site plan approval for the first approved hotel, the applicant shall diligently pursue the off-site approvals necessary to provide a pedestrian connection between Thunderbolt Place and the existing trail which encircles the stormwater pond located on Tax Map 34-4 ((12)) 12. The applicant shall construct the connection to the standard determined by DPWES. If the applicant is unable to secure the necessary easements they must demonstrate to the satisfaction of DPWES that they diligently pursued the necessary approvals and shall escrow the necessary funds to construct the trail, to DPWES satisfaction.
10. All freestanding and building-mounted signs shall comply with the provisions of Article 12 of the Zoning Ordinance. No pole mounted signs shall be permitted. Signage shall be front-lit and light directed downward onto the sign to minimize glare. Back-lit building mounted signage may be installed provided it is demonstrated to the satisfaction of DPWES that (1) the sign is designed to minimize glare in accordance with the Performance Standards of Article 14 of the Zoning Ordinance and (2) that the sign will not generate glare beyond the boundary of the site.

11. Outdoor lighting fixtures used to illuminate the parking area and walkways between buildings shall not exceed 14 feet in height, shall be of low intensity design and shall focus directly on the subject property. All outdoor pole lighting fixtures shall be full cut-off; focused downward and shielded to minimize glare, and shall meet the Performance Standards set forth in Article 14 of the Zoning Ordinance. The lights shall be in general conformance with the light fixture detail shown on Sheet 1 and located in substantial conformance as illustrated on Sheet 2 of the Special Exception Plat.
12. In order to achieve a maximum interior noise of approximately 45 dBA Ldn the proposed hotels shall have the following acoustical attributes as approved by DPWES:
 - (i) Roof and exterior walls shall have a laboratory sound transmission class (STC) of at least 45.
 - (ii) Doors and windows shall have a laboratory STC of at least 37. If "windows" function as the walls, then they shall have the STC specified for exterior walls.
 - (iii) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for testing and Materials to minimize sound transmission.
13. Subject to approval by DPWES, the applicant shall provide depression swales in substantial conformance with the design and configuration shown on the SE plat. If implemented, such swales shall be designed to accommodate a minimum of 5% and up to 10% of the surface water run-off. In the event it is determined by DPWES that upon final engineering soil conditions or other engineering constraints are not conducive to the installation of the depression swales shown on the SE plat, the swales may be eliminated from the site design and stormwater management shall be provided in accordance with the requirements of these Conditions.

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

SE 00-Y-017
November 1, 2000

- 4 -

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 and an explanation of why additional time is required.

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

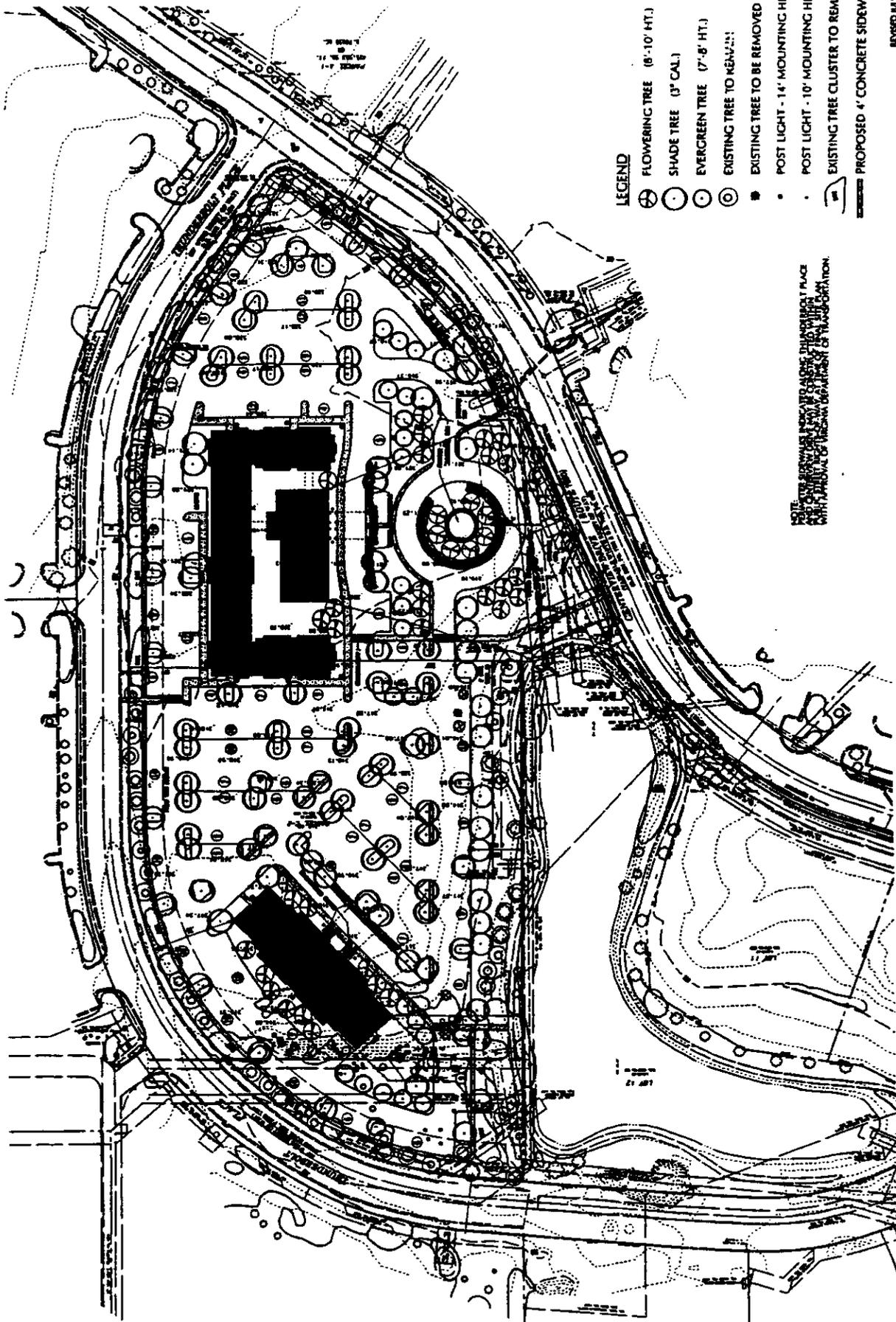
NV/ns

cc: Chairman Katherine K. Hanley
Supervisor - Sully District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, DPZ
Audrey Clark, Director, BPRD, DPW&ES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Robert Moore, Trnsprt'n. Planning Div., Department of Transportation
Ellen Gallagher, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPW&ES
DPW&ES - Bonds & Agreements
Department of Highways, VDOT
Land Acq. & Planning Div., Park Authority
District Planning Commissioner

ZONING EVALUATION DIVISION

NOV 1 2000

RECEIVED
DEPARTMENT OF PLANNING AND ZONING



LEGEND

- ⊗ FLOWERING TREE (8'-10' HT.)
- SHADE TREE (3" CAL.)
- EVERGREEN TREE (7'-8' HT.)
- ⊙ EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- POST LIGHT - 14' MOUNTING HEIGHT
- POST LIGHT - 10' MOUNTING HEIGHT
- ⊞ EXISTING TREE CLUSTER TO REMAIN
- ▬ PROPOSED 4' CONCRETE SIDEWALK

NOTE: THIS DRAWING IS TO BE USED AS A GUIDE ONLY. THE EXACT LOCATION AND SPECIFICATIONS OF ALL PLANTING SHALL BE DETERMINED BY THE LANDSCAPE ARCHITECT AT THE TIME OF CONSTRUCTION.

REVISED MAY 22, 2000
REVISIONS JUNE 7, 2000

| | | | |
|-----|----------|----|-------------------|
| NO. | DATE | BY | DESCRIPTION |
| 1 | 05/22/00 | JM | ISSUED FOR PERMIT |
| 2 | 06/07/00 | JM | ISSUED FOR PERMIT |

SPECIAL EXCEPTION PLAT
PROPOSED HOTELS @ DULLES BUSINESS PARK

Greenhorne & O'Mara, Inc.
11211 WAPLES MILL ROAD
FAIRFAX, VIRGINIA 22030
(703)995-9800



| NO. | DATE | BY | DESCRIPTION |
|-----|----------|----|-------------------|
| 1 | 05/22/00 | JM | ISSUED FOR PERMIT |
| 2 | 06/07/00 | JM | ISSUED FOR PERMIT |



FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

FROM: *Bruce G. Douglas*
Bruce G. Douglas, Chief
Environment and Development Review Branch, DPZ

SUBJECT: LAND USE ANALYSIS: SEA 00-Y-017
(Axar) PCA 79-C-089

DATE: 13 May 2002

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of this application. The proposed use, intensity and site design are evaluated in terms of the relevant Plan recommendations and policies.

DESCRIPTION OF THE APPLICATION:

| | |
|---------------------------------|--|
| <i>Date of Development Plan</i> | November 9, 2001 |
| <i>Request</i> | A freestanding restaurant and permission to enclose two existing swimming pools. |
| <i>FAR DU/AC</i> | .42 |
| <i>Land Area</i> | 10 acres |

CHARACTER and PLANNED USE OF THE ADJACENT AREA:

The site is located in the middle of LAND UNIT E-1, which has a mixture of hotels, industrial/flex uses, campus style office use and retail uses in the Dulles Business Park. There is a freestanding restaurant in the land unit near Route 50. The planned maximum FAR for this land unit is .35 and the existing development does not exceed this. There is some vacant land in this land unit.

COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:**Plan Text:**

On page 86 in the Area III text, the Dulles Suburban Center, LAND UNIT RECOMMENDATIONS, the 2000 Comprehensive Plan states:

“LAND UNIT E-1

1. This land unit, except for parcels 34-4((1)) 15, 28, 29, 31, 32, 33, 34, 35, is planned for campus-style office, and industrial/flex use up to a maximum FAR of .35 to be compatible with existing development. Ancillary retail use up to 20 percent of the total development may be appropriate within office or industrial/flex buildings. In no event, however, should retail uses be developed as free-standing uses or as a shopping center.
-
4. Several hotels have been developed in this land unit. Hotel use is appropriate as an option to the office and industrial/flex uses under the following conditions:
 - The hotel use does not have direct access to Route 50 or Centreville Road; and
 - The hotel use will result in fewer peak hour trips than the planned office and industrial/flex uses at .35 FAR, in accordance with the “Performance Criteria for Optional Uses” found in the Dulles Suburban Center Overview.”

Plan Map:

The property is planned for mixed use, as shown on the Comprehensive Plan map.

Analysis:

The proposed use and intensity are in conformance with the guidance of the Plan. The applicant has submitted trip generation data to support the higher FAR as recommended in the Plan text cited above.

BGD: SEM

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief *CAA*
Site Analysis Section *for AKR*
Department of Transportation

FILE: 3-4 RZ 179-C-089
3-5 SE 00-Y-017

SUBJECT: Transportation Impact Addendum II

REFERENCE: PCA 79-C-089-01; SEA 00-Y-017-01
Traffic Zone: 1708
Land Identification Map: 34-4 ((12)) C2

DATE: May 16, 2002

The following comments reflect the position of the Department of Transportation. These comments supercede prior comments and are based on the amended special exception plat dated March 14, 2002, and a vehicle trip generation study dated March 7, 2002. The applicant is seeking approval to construct two hotels, and a free standing restaurant with office space located above the restaurant. The trip generation study demonstrates that trips expected with development of the site will not exceed that which would occur with "by-right" development. This department concurs with the conclusions of the trip generation study.

In the prior reviews of the applications, several transportation issues were identified by this department. With the current submissions, the applicant has addressed almost all of these concerns. The remaining concern is a recommendation that the applicant commit to contribute funds towards the signalization of access to and from Centreville Road at a location to be determined by the Department of Transportation at time of site plan review. With such a commitment, this department would not object to approval of the application as now submitted.

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

FROM: ^{Bruce G. Douglas}
Bruce G. Douglas, Chief
Environment & Development Review Branch, DPZ

SUBJECT: ENVIRONMENTAL ASSESSMENT for: SEA 00-Y-017
Axar Management, Inc. PCA 79-C-089

DATE: 13 May 2002

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the development plan dated, November 9, 2001. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

On pages 91 through 93 of the 2000 edition of the Policy Plan under the heading "Water Quality", the Comprehensive Plan states:

**"Objective 2: Prevent and reduce pollution of surface and groundwater resources.
Protect and restore the integrity of streams in Fairfax County.**

- Policy a... ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements.
- Policy e... Minimization and phasing of clearing and grading are the preferred means of limiting erosion during construction...
- Policy k. For new development... apply low-impact site design techniques such a as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase

groundwater recharge and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created...
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate...

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: ...those which preserve as much undisturbed open space as possible; and those which contribute to ecological diversity..."

On page 94 the of the 2000 edition of the Policy Plan under the heading "Water Quality", the Comprehensive Plan states:

"Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Pay Preservation Ordinance."

On pages 95 and 96 the of the 2000 edition of the Policy Plan under the heading "Noise", the Comprehensive Plan states:

"Transportation generated noise impacts the lives of many who live in the County. Some County residents are subjected to unhealthful levels of noise from highway traffic, aircraft operations and railroads...Federal agencies with noise mitigation planning responsibilities have worked with the health community to establish maximum acceptable levels of exposure (Guidelines for Considering Noise in Land Use Planning and Control). These guidelines expressed in terms of sound pressure levels are; DNL 65 dBA for outdoor activity areas, DNL 50 dBA for office environments, and DNL 45 dBA for residences, schools, theaters and other noise sensitive uses. While the federal guidelines consider all land uses to be compatible with noise levels below DNL 65 dBA, they are not proscriptive as they relate to local land use decisions. Further, it is known that adverse noise impacts can occur at levels below DNL 65 dBA and that there may be variability among communities in responses to such noise.

Objective 4: Minimize human exposure to unhealthful levels of transportation generated noise.

Policy a: Regulate new development to ensure that people are protected from unhealthful levels of transportation noise.

Policy b: Reduce noise impacts in areas of existing development.”

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County's remaining natural amenities.

Stormwater Management/Soil Constraints

The applicant is encouraged to provide documentation from DPWES that the stormwater management facilities noted on the development plan will accommodate water quality and quantity requirements of this proposed development.

Transportation Generated Noise

Issue:

The applicant seeks to amend the rezoning which established the I-5 Zoning for this property in order to reflect the current airport noise contours as well as to amend the proffer language to reflect current building materials standards for noise mitigation.

Resolution:

The applicant's proposal to amend the development plan to reflect the current airport noise for the 65 dbl-noise contour is appropriate. It appears that the western portion of Hotel B will fall within the 65-70-dbl-noise contour, and it is appropriate that this plan reflect the correct location of that contour. Furthermore, it is appropriate that the proffer language reflect current building materials standards – at least 39 STC for exterior walls and 28 STC for doors and windows.

TRAILS PLAN:

The Trails Plan Map depicts a bicycle trail along the west side of Centreville Road adjacent to the subject property. At the time of Site Plan review, the Director, Department of Public Works and Environmental Services will determine what trail requirements may apply to the subject property.

BGD: MAW

BOARD OF DIRECTORS

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Vice Chairman
Gregory C. Evans
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Sally B. Ormsby
Treasurer
Debbie Dillion
Director - Extension



COMMONWEALTH of VIRGINIA

Northern Virginia Soil and Water Conservation District
12055 Government Center Parkway • Suite 905 • Fairfax, VA 22035-5512

Willie.woode@co.fairfax.va.us

**DISTRICT
ADMINISTRATOR**
Diane Hoffman

TELEPHONE
703/324-1460

FAX
703/324-1421

EMAIL
nvsxcd@erols.com

October 23, 2001

TO: Barbara Byron, Division Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Wilfred D. Woode
Senior Conservation Specialist 

RE: Conservation Report on SEA 00-Y-017

In response to your request, I have reviewed the materials submitted for the case listed above.

Appropriate perimeter erosion and sediment control measures must be installed prior to the start of construction, and other similar measures coordinated with the stages of development.

It should be the responsibility of the developer to ensure that no disturbed area is left denuded for more than 14 days. Except for the portion of the site in which work will be continuous beyond that period.

Should this case change in status, or should you have any questions based on the details of this report please contact me.

cc: Bruce Douglas, Branch Chief, Environmental and Development
Review Branch, Planning Division, DPZ.



VETTRA Co. *Transportation Planning & Engineering Services*

11535 Gunner Court
Woodbridge, Virginia 22192 Tel: 703/590-4932 Fax: 703/590-1277 Email: vettra@aol.com

March 7, 2002

*via Facsimile
& U.S. Mail*

Mr. Heeren Patel
Axar Management
11776 Stratford House Place
Suite 102
Reston, Virginia 20191

(fax) 703/832-0270

RE: Hotels at Dulles Business Park
Fairfax County, Virginia

SUBJ: Trip Generation Study

Dear Mr. Patel:

Attached please find two (2) spreadsheets that provide calculated vehicular trips for the referenced property: 1) "As-Planned" @ 0.35 FAR, per County staff guidance, evaluating three (3) different land uses (warehousing, office park, and general office) -- see "Table 1" attached -- and 2) "As Proposed" @ 0.42 FAR, per client's attorney guidance and the latest development program -- see "Table 2" attached.

As directed by ITE, we believe that the "general office" category should be the comparable "planned" land use. ITE states "... it is suggested that the general office building category be used rather than office parks when estimating trip generation for one or more office buildings in a single development."

Based on this, results show that the expected daily traffic for the "proposed" Hotels @ Dulles Business Park development is slightly less (1%) the traffic of the "planned" general office development traffic -- (2,350 vs. 2,367 vpd). The "proposed" peak hour traffic will be approximately 36% less (AM) and 50% less (PM) than "planned".

I trust this provides the information required. If you should have any questions, please feel free to call me.

Respectfully submitted,
VETTRA Company

Vernon E. Torney

Vernon E. Torney, AICP
Certified Planner # 8543
President

cc: Ms. Molly Harbin -- McGuire Woods

attachments: Table 1 -- Trip Generation (As-Planned)
Table 2 -- Trip Generation (As-Proposed)

VETTRA Co.

VETTRA Co.

2/26/02

TABLE 1

\\dbplartgen1.usk4

"SITE" DEVELOPMENT DENSITIES & TRIP GENERATION

HOTELS @ DULLES BUSINESS PARK

-- As Planned --

PROPOSED DENSITIES AND TRIP RATES

| Land Uses & Densities | Quantity | Unit | ITE Avg. "Adj. SL" Trip Rates (8th Edition - 1997) | | | |
|--|----------|------|--|-----------|-----------|-------------|
| | | | ITE (Code) | AM Pk.Hr. | PM Pk.Hr. | Weekday VPD |
| Scenario 1 (Warehousing) - 0.35 FAR 152,400 gsf Warehousing | 152.46 | Kgsf | (150) | 0.46 | 0.51 | 4.88 |
| Scenario 2 (Office Park) - 0.35 FAR 152,400 gsf Office Park | 152.46 | Kgsf | (750) | 1.74 | 1.50 | 11.42 |
| Scenario 3 (Gen. Office) - 0.35 FAR 152,400 gsf General Office (3 Bldgs.) | 152.46 | Kgsf | (710) | 2.14 | 2.88 | 16.53 |

Notes:
Kgsf = Thousand gross square feet

GENERATED TRIPS

| Land Uses & Densities | AM Pk.Hr. | | | PM Pk.Hr. | | | Weekday VPD |
|--|-----------|-----|-------|-----------|-----|-------|-------------|
| | In | Out | Total | In | Out | Total | |
| Scenario 1 (Warehousing) - 0.35 FAR 152,400 gsf Warehousing | 66 | 12 | 60 | 18 | 60 | 78 | 788 |
| Scenario 2 (Office Park) - 0.35 FAR 152,400 gsf Office Park | 236 | 20 | 286 | 32 | 197 | 229 | 1,741 |
| Scenario 3 (Gen. Office) - 0.35 FAR 152,400 gsf General Office (3 Bldgs.) | 287 | 30 | 328 | 60 | 330 | 400 | 2,367 |

Note: All computations are automatically rounded.

VETTRA Co.

VETTRA Co.

3/7/02

TABLE 2

vd\p\stagen2.wk4

"SITE" DEVELOPMENT DENSITIES & TRIP GENERATION

HOTELS @ DULLES BUSINESS PARK

-- As Proposed --

PROPOSED DENSITIES AND TRIP RATES

| Land Uses & Densities | Quantity | Unit | ITE Avg. "Adj. St." Trip Rates (8th Edition - 1987) | | | |
|---|----------|-------|---|-----------|-----------|-------------|
| | | | ITE (Code) | AM Pk.Hr. | PM Pk.Hr. | Weekday VPD |
| Hotels @ Dulles Bus. Park - 0.42 FAR | | | | | | |
| 2 All-suites Hotels (total of 200 rooms) | 200 | Rooms | (311) | 0.38 | 0.40 | 4.80 |
| 170-seat High-Turn/Sit-down Restaurant | 170 | Seats | (832) | 0.47 | 0.42 | 4.83 |
| 11,000 sqft Single-Tenant Office Bldg. | 11.00 | Ksqft | (715) | 1.76 | 1.72 | 11.67 |

Notes:

Ksqft = Thousand gross square feet

GENERATED TRIPS

| Land Uses & Densities | AM Pk.Hr. | | | PM Pk.Hr. | | | Weekday VPD |
|---|------------|-----------|------------|-----------|------------|------------|--------------|
| | In | Out | Total | In | Out | Total | |
| Hotels @ Dulles Bus. Park - 0.42 FAR | | | | | | | |
| 2 All-suites Hotels (total of 200 rooms) | 80 | 48 | 100 | 81 | 63 | 114 | 1,481 |
| 170-seat High-Turn/Sit-down Restaurant | 42 | 36 | 88 | 41 | 36 | 71 | 821 |
| 11,000 sqft Single-Tenant Office Bldg. | 17 | 2 | 29 | 3 | 16 | 19 | 127 |
| Site Total = | 119 | 89 | 208 | 96 | 108 | 206 | 2,380 |

Note: All computations are automatically rounded.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

December 12, 2001

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

FROM: Ralph Dulaney (246-3868)
Planning Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Proffered Condition
Amendment 79-C-089

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #15, Chantilly.
2. After construction programmed for FY 20__, this property will be serviced by the fire station planned for the _____ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:

- a. currently meets fire protection guidelines.
- b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
- c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
- d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

FAIRFAX COUNTY WATER AUTHORITY
8570 Executive Park Avenue- P. O. Box 1500
Merrifield, Virginia 22116-0815
(703) 289-6000

December 12, 2001

MEMORANDUM

TO: Staff Coordinator (Tel. 324-1250)
Zoning Evaluation Division-Suite 800
12055 Government Center Parkway
Fairfax, Virginia 22035

FROM: Planning Branch (Tel. 289-6363)
Planning and Engineering Division

SUBJECT: Water Service Analysis, Rezoning Application PCA 79-C-089

The following information is submitted in response to your request for a water service analysis for the subject rezoning application:

1. The application property is located within the franchise area of the Fairfax County Water Authority.
2. Adequate domestic water service is available at the site from existing 12 & 8inch main located at the property. See enclosed property map.
3. Depending upon the configuration of the onsite water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.


Jamie K. Bain, P.E.
Manager, Planning Department

Attachment

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator DATE: January 18, 2002
 Zoning Evaluation Division, OCP

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gok*
 System Engineering & Monitoring Division
 Office of Waste Management, DPW

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. PCA 79-C-089
 Tax Map No. 034-4- /12/ / -C

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the CUB RUN (T1) Watershed. It would be sewered into the UOSA Treatment Plant.
2. Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. Existing 8 AND 10 inch lines located in THUNDERBOLT PLACE AND EASEMENT and 50 AND 100 FEET RESPECTIVELY FROM the property ARE adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

| <u>Sewer Network</u> | <u>Existing Use + Application</u> | | <u>Existing Use + Application + Previous Rezoning</u> | | <u>Existing Use + Application + Comp. Plan</u> | |
|----------------------|-----------------------------------|----------------|---|----------------|--|----------------|
| | <u>Adeq.</u> | <u>Inadeq.</u> | <u>Adeq.</u> | <u>Inadeq.</u> | <u>Adeq.</u> | <u>Inadeq.</u> |
| Collector | <u>X</u> | <u>_____</u> | <u>X</u> | <u>_____</u> | <u>X</u> | <u>_____</u> |
| Submain | <u>X</u> | <u>_____</u> | <u>X</u> | <u>_____</u> | <u>X</u> | <u>_____</u> |
| Main/Trunk | <u>X</u> | <u>_____</u> | <u>X</u> | <u>_____</u> | <u>X</u> | <u>_____</u> |
| Interceptor | <u>_____</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> |
| Outfall | <u>_____</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> | <u>_____</u> |

5. Other pertinent information or comments: DULLES BUSINESS PARK
REIMBURSEMENT CHARGES ARE APPLICABLE.
-
-
-

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

DRAFT

TO: Barbara Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

DATE: 5/23/02

FROM: Carl Bouchard, Director
Stormwater Planning Division
Department of Public Works & Environmental Services

SUBJECT: Rezoning Application Review

Name of Applicant/Application: Axar Management, Inc.

Application Number: PCA79-C-089

Information Provided: Application - Yes
Development Plan - Yes
Other - Statement of Justification

Date Received in SWPD: 12/10/01

Date Due Back to DPZ: 1/2/02

Site Information: Location - 034-4-12-00-0000-C2
Area of Site - 10 acres
Zoned - I-5
Watershed/Segment - Cub Run

Stormwater Planning Division (SWPD), Maintenance and Stormwater Management Division (MSMD), and Planning and Design Division (PDD) Information:

I. Drainage:

- MSMD/PDD Drainage Complaints: **There are no downstream complaints on file with PDD, relevant to this proposed development.**
- Master Drainage Plan, proposed projects, (SWPD): **No downstream deficiencies are identified in the Fairfax County Master Drainage Plan.**
- Ongoing County Drainage Projects (SWPD): **None.**
- Other Drainage Information (SWPD): **None.**

II. Trails (PDD):

Yes No Any funded Trail projects affected by this application?

If yes, describe:

Yes No Any Trail projects on the Countywide Trails priority list or other significant trail project issues associated with this property?

If yes, describe:

III. School Sidewalk Program (PDD):

Yes No Any sidewalk projects pending funding approval or on the School Sidewalk Program priority list for this property?

If yes, describe:

Yes No Any funded sidewalk projects affected by this application?

If yes, describe:

IV. Sanitary Sewer Extension and Improvement (E&I) Program (PDD):

Yes No Any existing residential properties adjacent to or draining through this property that are without sanitary sewer facilities?

If yes, describe:

Yes No Any ongoing E&I projects affected by this application?

If yes, describe:

V. Other Projects or Programs (PDD):

Yes No Any Board of Road Viewers (BORV) or Fairfax County Road Maintenance Improvement Projects (FCRMIP) affected by this application?

If yes, describe:

Yes No Any Commercial Revitalization Program (CRP) projects affected by this application?

If yes, describe:

Yes No Any Neighborhood Improvement Program (NIP) projects affected by this application?

If yes, describe:

Other Program Information (PDD): **None.**

Application Name/Number: Axar Management, Inc. / PCA79-C-089

***** SWPD AND PDD, DPWES, RECOMMENDATIONS*****

Note: The SWPD and PDD recommendations are based on the SWPD and PDD involvement in the below listed programs and are not intended to constitute total County input for these general topics. It is understood that the current requirements pertaining to Federal, State and County regulations, including the County Code, Zoning Ordinance and the Public Facilities Manual will be fully complied with throughout the development process. The SWPD and PDD recommendations are to be considered additional measures over and above the minimum current regulations.

DRAINAGE RECOMMENDATIONS (SWPD): Applicant shall: 1) Ensure off-site facility is designed to provide detention for this site per PFM 6-0300, 2) ensure runoff is adequately conveyed to off-site facility per PFM 6-0200, 3) enter into a private maintenance agreement.

TRAILS RECOMMENDATIONS (PDD): None.

SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.

SANITARY SEWER E&I RECOMMENDATIONS (PDD): None.

Yes NOT REQUIRED Extend sanitary sewer lines to the development boundaries on the _____ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works and Environmental Services during the normal plan review and approval process.

Other E&I Recommendations (PDD): None.

OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.

SWPD and PDD Internal sign-off by:
Planning Support Branch (Ahmed Rayyan) ab
Utilities Design Branch (Walt Wozniak) mg
Transportation Design Branch (Larry Ichter) nc
Stormwater Management Branch (Fred Rose) _____

SRS/PCA79-C-089

cc: Gordon Lawrence, Coordinator, Office of Safety, Fairfax County Public Schools (only if sidewalk recommendation made)

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

- 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
- 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- 3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- 4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
- 5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
- 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
- 7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
- 8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-503

Standards for all Category 5 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 5 special exception uses shall satisfy the following standards:

- 1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
- 2. All uses shall comply with the performance standards specified for the zoning district in which located.
- 3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted in the zoning district if the site were developed as a conventional subdivision. See Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

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| A&F | Agricultural & Forestal District | PD | Planning Division |
| ADU | Affordable Dwelling Unit | PDC | Planned Development Commercial |
| ARB | Architectural Review Board | PDH | Planned Development Housing |
| BMP | Best Management Practices | PFM | Public Facilities Manual |
| BOS | Board of Supervisors | PRC | Planned Residential Community |
| BZA | Board of Zoning Appeals | RMA | Resource Management Area |
| COG | Council of Governments | RPA | Resource Protection Area |
| CBC | Community Business Center | RUP | Residential Use Permit |
| CDP | Conceptual Development Plan | RZ | Rezoning |
| CRD | Commercial Revitalization District | SE | Special Exception |
| DOT | Department of Transportation | SP | Special Permit |
| DP | Development Plan | TDM | Transportation Demand Management |
| DPWES | Department of Public Works and Environmental Services | TMA | Transportation Management Association |
| DPZ | Department of Planning and Zoning | TSA | Transit Station Area |
| DU/AC | Dwelling Units Per Acre | TSM | Transportation System Management |
| EQC | Environmental Quality Corridor | UP & DD | Utilities Planning and Design Division, DPWES |
| FAR | Floor Area Ratio | VC | Variance |
| FDP | Final Development Plan | VDOT | Virginia Dept. of Transportation |
| GDP | Generalized Development Plan | VPD | Vehicles Per Day |
| GFA | Gross Floor Area | VPH | Vehicles per Hour |
| HCD | Housing and Community Development | WMATA | Washington Metropolitan Area Transit Authority |
| LOS | Level of Service | ZAD | Zoning Administration Division, DPZ |
| Non-RUP | Non-Residential Use Permit | ZED | Zoning Evaluation Division, DPZ |
| OSDS | Office of Site Development Services, DPWES | ZPRB | Zoning Permit Review Branch |
| PCA | Proffered Condition Amendment | | |

