



FAIRFAX COUNTY

DEPARTMENT OF PLANNING AND ZONING

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

(703) 324-1290

Fax (703) 324-3924

V I R G I N I A

July 24, 2001

Molly E. Harbin
McGuire Woods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102-4215

Re: Interpretation for SE 00-Y-017, Hotels at Dulles Business Park Entrance, Layout and Parking Lot Lighting; Tax Map, 34-4 ((12)) C2

Dear Miss. Harbin

This is in response to your letters of June 19, 2001, and July, 12, 2001, requesting an interpretation of the Special Exception (SE Plat) and the development conditions imposed by the Board of Supervisors in conjunction with the approval of SE 00-Y-017. As I understand it, you have several questions which will be answered separately. This determination is based on the plan attached to your letters, entitled, "Site Plan/Zoning Exhibit", dated June 11, 2001, and prepared by Greenhorne & O'Mara, Inc. Copies of your letters and reduction of the plan are attached for reference.

As I understand it, your first question is whether the proposed additional entrance from Thunderbolt Place is in substantial conformance with the SE Plat and development conditions. You have indicated that the Fairfax County Fire Marshal is requiring two entrances to the site (letter attached) as a condition to approval of the site plan. The Virginia Department of Transportation (VDOT) supports the second entrance (letter attached) based upon the benefits it would provide in terms of access, circulation and traffic dispersment. It is my determination that the proposed additional entrance to the hotels is in substantial conformance with the SE Plat and the development conditions.

As I understand it, your second question is whether certain changes in the building setbacks are in substantial conformance with SE Plat. You are proposing to move the Staybridge Hotel building two (2) feet closer to the Thunderbolt Place in the northwest corner, while the southeastern corner of the building is moved seven (7) feet towards the interior of the site. The Hawthorne Suites building is proposed to be shifted approximately six (6) feet towards the interior of the site on the northwestern corner, while the southwest corner of the building is proposed to be moved four (4) feet towards the interior of the site. The proposed changes, along with the proposed second entrance, would result in changes to the parking layout, providing a better on site circulation. It is my determination that the proposed building shifts and

Molly E. Harbin

Page 2

the parking layout changes are in substantial conformance with SE Plat.

Your third question is whether the proposed outdoor lighting for the parking areas and walkways is in substantial conformance with the SE Plat and the Development Condition Number 11. Lighting details are not shown on the SE Plat for these areas; however, Development Condition Number 11 specifies the height, design and performance of lights. You have not submitted sufficient information for a determination to be made on this issue.

Your fourth and final question is whether the proposal to construct the swimming pool outdoors for the Staybridge Hotel without an enclosure is in substantial conformance with the SE Plat and the development conditions. You are proposing this change in order to satisfy Development Condition Number 4, which limits the total gross floor area to 152,566 S.F. and an FAR of 0.35 for the two hotel buildings. It is my determination that your proposal to construct the swimming pool outdoors and thus maintain the maximum gross floor area of 152,566 SF for both hotel buildings would be in substantial conformance with the SE Plat and Development Condition Number 4.

These determinations have been reviewed with Environment and Development Review Branch, DPZ and Office of Site Development Services, DPWES and have been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please feel free to contact Kul Sandhu at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division

BAB/KS/HotelsatDullesBusinessPark

Attachments: A/S

cc: Michael R. Frey, Supervisor, Sully District
Ronald W. Koch, Planning Commissioner, Sully District
Jane W. Gwinn, Zoning Administrator
Michael Congleton, Deputy Zoning Administrator for Zoning Permits Review, DPZ
Michelle Brickner, Director, Office of Site Development Services, DPWES
Asad Ayoubi, Director, West Team, Environmental and Facilities Review Division, Office of Site Development Services, DPWES
Bruce Douglas, Chief, Environment and Development Review Branch, DPZ
File: SE 00-Y-017, SEI 0107 029

McGuireWoods LLP
1750 Tysons Boulevard
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Molly E. Harbin
Direct: 703.712.5349

McGUIREWOODS

mharbin@mcguirewoods.com
Direct Fax: 703.712.5205

July 12, 2001

Ms. Barbara Byron
Fairfax County Zoning Evaluation Division
Department of Planning and Zoning
12055 Government Center Parkway
Suite 801
Fairfax, VA 22035

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

JUL 12 2001

ZONING EVALUATION DIVISION
ZONING EVALUATION DIVISION

Re: The Hotels at Dulles Business Park
Special Exception: SE 00-Y-017
Request for Interpretation

Dear Barbara:

This letter respectfully requests your opinion of the matters described below.

I. Background

Our client, Axar Management, has the above-referenced site plan (the "Plan") currently pending with Fairfax County. The first-submission comments from the County Office of Site Development Services question certain relatively minor inconsistencies between the approved Special Exception plat (the "Plat") and the Plan. At issue are lighting, building setbacks and entrances. During a June 12 meeting with Bill Mayland of your office, and Judy Cronauer and Clinton Abernathy of Site Development Services these issues were discussed. This letter serves to request confirmation that a number of minor modifications are in substantial conformance with the approved Plat. Attached as Exhibit 1 (the "Exhibit") is a graphic, which shows the proposed site configuration.

II. Issues

A. Additional Entrance. We request your confirmation that the additional entrance as shown on the Exhibit is in substantial conformance with the approved Plat attached as Exhibit 2. Upon review of site plan alternatives showing one and two entrances the Fairfax County Fire Marshall has confirmed that two entrances are required for approval by that office. The entrance will provide enhanced vehicular and pedestrian safety by preventing stacking of vehicles entering and departing the property. There will be no net loss of landscaping or open space as a result of the additional entrance.

B. Setbacks. Please also confirm that the change in setbacks between the approved Plat and the Exhibit are minor and do not require interpretation. As shown on the Exhibit, the northwestern corner of the Staybridge Hotel is two (2) feet closer to Thunderbolt

Place while its southwestern corner has been shifted seven (7) feet toward the interior of the site. The Hawthorne Suites has been shifted approximately six (6) feet toward the interior of the site on its northwestern side while its southwestern corner has been shifted four (4) feet toward the interior of the site.

C. Lighting. The differences in lighting between the Plat and the Exhibit are minor. The approved Plat shows no detailed lighting for parking areas or walkways. The lighting shown on the Exhibit will provide illumination and safety for pedestrians traversing the parking area. Ultimately, the development conditions governing approval of the existing Special Exception prevent adverse effects from lighting on the property. The condition regarding lighting is as follows:

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 flare, and shall meet the Performance Standards set forth in Article 14 of the Zoning Ordinance.

D. Swimming Pool. We request that the swimming pool for the Staybridge Hotel be allowed to be unenclosed. We are uncovering the swimming pool in order to comply with the FAR requirement of 0.35 found in Development Condition 4 of the conditions governing development of the Property. You will notice that the square footage of each hotel has decreased. The Exhibit depicts a small reduction in the square footage of each hotel, including: a reduction from 65,000 to 62,738 square feet for the Hawthorne Suites Hotel; and a reduction from 91,000 to 89,828 square feet for the Staybridge Hotel.

III. Summary

Thank you very much for your early consideration of this request. Our client is eager to move forward with development of the two hotels approved for the property. If questions arise, please feel free to call me directly at 703-712-5349.

Very truly yours,



Molly E. Harbin
Land Use Planner

Enclosures

cc: William Mayland, AICP, Zoning Evaluation
Judy Cronauer, Site Development Services
Clinton Abernathy, Site Development Services
Heeren Patel, Axar Management
Bharat Bhargava, PE, Greenhorne & O'Mara
John J. Gattuso, ASLA, Greenhorne & O'Mara
Gregory A. Riegle, Esquire, McGuireWoods

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June 19, 2001

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
JUN 19 2001

Ms. Barbara Byron
Fairfax County Zoning Evaluation Division
Department of Planning and Zoning
12055 Government Center Parkway
Suite 801
Fairfax, VA 22035

ZONING EVALUATION DIVISION

Re: The Hotels at Dulles Business Park
Special Exception: SE 00-Y-017
Request for Interpretation

Dear Barbara:

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I. Background

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Place while its southwestern corner has been shifted seven (7) feet toward the interior of the site. The Hawthorne Suites has been shifted approximately six (6) feet toward the interior of the site on its northwestern side while its southwestern corner has been shifted four (4) feet toward the interior of the site.

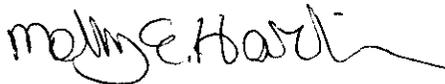
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Very truly yours,



Molly E. Harbin
Land Use Planner

Enclosures

cc: William Mayland, AICP, Zoning Evaluation
Judy Cronauer, Site Development Services
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Heeren Patel, Axar Management
Bharat Bhargava, PE, Greenhorne & O'Mara
John J. Gattuso, ASLA, Greenhorne & O'Mara
Gregory A. Riegle, Esquire, McGuireWoods



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

CHARLES D. NOTTINGHAM
COMMISSIONER

THOMAS F. FARLEY
DISTRICT ADMINISTRATOR

June 25, 2001

Mr. Kevin J. Guinaw, Branch Chief
Special Projects Applications Management Branch
Zoning Evaluation Division
Office of Comprehensive Planning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: **The Hotels at Dulles Business Park**
SE 2000-Y-017

Dear Mr. Guinaw:

I have reviewed the information provided to each of us by Molly E. Harbin, along with her letter to me dated June 22, 2001, requesting review of a proposed entrance on Thunderbolt Place.

Thunderbolt Place is a local street whose primary purpose is to provide access to abutting properties. In consideration of the local nature of Thunderbolt Place and the benefits of an additional entrance in dispersing traffic, improving site circulation, and site access options this office is supportive of the proposed additional entrance.

Sight distance for the proposed entrance should be based on the Thunderbolt Place design speed. In addition to the need for a sight distance easement some grading and changes to the existing landscaping appear necessary.

Should you wish to discuss this matter further feel free to contact me at (703) 383-2424.

Sincerely,

Frank D. Edwards
Land Development Section Manager

c: Molly E. Harbin, McGuire Woods
Angela K. Rodeheaver

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
JUN 28 2001

ZONING EVALUATION DIVISION

GREENHORNE &



O'MARA, INC.

GENERAL CIVIL

TRANSPORTATION

ENVIRONMENTAL

GEOGRAPHIC SCIENCES

June 20, 2001

Mr. Richard Darrickson, Plan Reviewer
Fairfax County Fire & Rescue Department
Fire Prevention Division
Engineering Plans Review Section
4100 Chain Bridge Road, 3rd Floor
Fairfax, VA 22030

RE: HOTELS AT DULLES BUSINESS PARK
COUNTY PLAN NO. 5611-SP-21

Dear Mr. Darrickson:

It is my understanding from our telephone conversation of June 18, 2001, that based upon your review of a copy of the approved Special Exception Plan showing one vehicular entrance into the site from Centerview Drive and a copy of the Zoning Exhibit showing one vehicular entrance from Centerview Drive and one vehicular entrance from Thunderbolt Place, Chief White indicated to you that the Zoning Exhibit plan showing two entrances into the project is the preferred plan and that the Special Exception Plan showing one entrance into the project would not be approved by your Office.

If my understanding of our conversation agrees with your understanding of our conversation, please sign below and return to me.

Sincerely yours,
Greenhorne & O'Mara, Inc.

John J. Cattuso, ASLA
Scriber Landscape Architect

Seen and Agreed:

Richard Darrickson per Chief White

6-20-2001

Date

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OFFICE OF FIRE MARSHAL