



# 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

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October 18, 1999

K.P. Heinemeyer  
Washington Metropolitan Area Transit Authority  
600 Fifth Street, N.W.  
Washington, D.C. 20001

RE: Special Exception Amendment  
Number SEA 82-P-032-3

Dear Mr. Heinemeyer:

At a regular meeting of the Board of Supervisors held on October 11, 1999, the Board approved Special Exception Amendment Number SEA 82-P-032-3 in the name of Washington Metropolitan Area Transit Authority (WMATA) and Fairfax County Board of Supervisors, located at Tax Map 48-1 ((1)) 90, 91B, 96, 97, 100A, 101B, 103; 48-1 ((6)) 7A, 8B; 48-2 ((1)) 1, 2, 4, 4A; 48-2- ((24)) 38A; and 48-3 ((4)) 28 for the addition of a parking structure and a change in land area to the Vienna Metro Station, pursuant to Sections 3-104, 3-804 and 6-105 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. These development conditions shall be in addition to the previously approved conditions for SE 82-P-032, SEA 82-P-032 and SEA 82-P-032-2.

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions.
3. This Special Exception Amendment 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 Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "Washington Metropolitan Area Transit Authority.

1K007P, 2<sup>nd</sup> Parking Structure at Vienna Station." prepared by the Washington Metropolitan Area Transit Authority and dated September 1999, and these conditions. Minor modifications to the approved special exception amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

4. The architecture of the proposed parking structure shall be designed to complement the existing parking structure and station. All exterior elements including stairways, columns, and handrails will utilize like materials.
5. A final landscaping plan, which is in substantial conformance with the Special Exception Amendment Plat, shall be provided to the Urban Forestry Branch of DPWES prior to site plan approval and shall be subject to the review and approval of DPWES for the quality, quantity and locations of the landscaping material; additional landscaping from that shown on the Special Exception Amendment Plat may be required to improve the buffering of the structure.
6. All existing street trees along the south side of the proposed parking structure shall be preserved. No clearing, grading or removal of plant material shall occur on the south side of the Metro Access Road. In addition, a minimum of a 25 foot wide landscape area equivalent to the intent of a Transitional Landscape Screening Yard #1 shall be provided on the south side of the proposed parking structure, between the parking structure and the Metro Access Road, utilizing the existing vegetation to be preserved and the proposed vegetation as shown on the Special Exception Amendment Plat, as well as additional landscaping as may be required by the Urban Forester.
7. All lighting for the parking structure shall be shielded and directed on-site and feature full cut-off fixtures to minimize off-site glare, per DPWES.
8. All signage shall be in conformance with Article 12, Signs.

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 Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment 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 Amendment. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**The Board also:**

- **Modified the transitional screening and waived the barrier requirement along the north, east, west, and south sides of the property as previously modified/waived by the Board with the approval of Special Exception Amendment Application SEA 82-P-032-2, and as depicted on the Special Exception Amendment Plat.**
- **Waived the interior parking lot landscaping requirements.**
- **Waived the site plan requirement in the Zoning Ordinance for the dedication of right-of-way for Vaden Drive.**

**The Chairman was authorized to send a letter immediately to the Virginia Department of Transportation requesting its expeditious assistance in issuing the permits necessary to fulfill the improvements contemplated prior to the opening of this garage.**

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

## **DEVELOPMENT CONDITIONS**

**SEA 82-P-032-3**

**September 14, 1999**

If it is the intent of the Board of Supervisors to approve SEA 82-P-032-3 for the Washington Metropolitan Area Transit Authority (WMATA) and Fairfax County Board of Supervisors, located at Tax Map 48-1 ((1)) 90, 91B, 96, 97, 100A, 101B, 103; 48-1 ((6)) 7A, 8B; 48-2 ((1)) 1, 2, 4, 4A; 48-2 ((24)) 38A; and 48-3 ((4)) 28, for the addition of a parking structure and a change in land area to the Vienna Metro Station pursuant to Sections 3-104, 3-804, and 6-105 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions shall be in addition to the previously approved conditions for SE 82-P-032, SEA 82-P-032 and SEA 82-P-032-2.

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment 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 Amendment 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 amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "Washington Metropolitan Area Transit Authority, 1K007P, 2<sup>nd</sup> Parking Structure at Vienna Station," prepared by the Washington Metropolitan Area Transit Authority and dated September 1999, and these conditions. Minor modifications to the approved special exception amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The architecture of the proposed parking structure shall be designed to complement the existing parking structure and station. All exterior elements including stairways, columns, and handrails will utilize like materials.
5. A final landscaping plan, which is in substantial conformance with the SEA Plat, shall be provided to the Urban Forestry Branch of DPWES prior to site plan approval and shall be subject to the review and approval of DPWES for the quality, quantity and locations of the landscaping material; additional landscaping from that shown on the SEA Plat may be required to improve the buffering of the structure.

6. All existing street trees along the south side of the proposed parking structure shall be preserved. No clearing, grading or removal of plant material shall occur on the south side of the Metro Access Road. In addition, a minimum of a 25 foot wide landscape area equivalent to the intent of a Transitional Landscape Screening Yard #1 shall be provided on the south side of the proposed parking structure, between the parking structure and the Metro Access Road, utilizing the existing vegetation to be preserved and the proposed vegetation as shown on the SEA Plat, as well as additional landscaping as may be required by the Urban Forester.
7. All lighting for the parking structure shall be shielded and directed on-site and feature full cut-off fixtures to minimize off-site glare, per DPWES.
8. All signage shall be in conformance with Article 12, Signs.

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 Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception amendment 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.

EJ

10/11/99

5:00 p.m. Item - SEA-82-P-032-3 – WMATA & FAIRFAX COUNTY BOARD  
OF SUPERVISORS  
Providence District

On Thursday, October 7, 1999, the Planning Commission voted unanimously (Commissioner Koch not present for the votes; Commissioners Byers, Downer, and Hall absent from the meeting) to recommend to the Board of Supervisors the following actions pertinent to SEA-82-P-032-3:

- 1) approval of SEA-82-P-032-3, subject to the development conditions dated September 14, 1999;
- 2) approval of a modification of the transitional screening and waiver of the barrier requirements along the north, east, west and south sides of the property as previously modified/waived by the Board of Supervisors with the approval of SEA-82-P-032-2, and as depicted on the SEA plat;
- 3) waiver of the interior parking lot landscaping requirements;
- 4) waiver of the site plan requirement and Zoning Ordinance requirement for the dedication of right-of-way for Vaden Drive.

NOTE: The Planning Commission also voted unanimously (Commissioner Koch not present for the vote; Commissioners Byers, Downer, and Hall absent from the meeting) to find that the WMATA facility proposed under 2232-P99-5 satisfies the criteria of location, character and extent as specified in Section 15.2-2232 of the Code of Virginia and is in substantial accord with the provisions of the Comprehensive Plan.