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Department of Planning & Zoning

JUN 08 2012

Zoning Evaluation Division

May 23, 2012

John D. Thomas
Washington Metropolitan Area
Transit Authority (WMATA)
600 5th Street, NW
Washington, DC 20001

RE: Special Exception Amendment Application SEA 91-L-053-6

Dear Mr. Thomas:

At a regular meeting of the Board of Supervisors held on May 22, 2012, the Board approved Special Exception Amendment Application SEA 91-L-053-6 in the name of Washington Metropolitan Area Transit Authority (WMATA). The subject property is located at 6770 Frontier Drive on approximately 54.38 acres of land zoned I-4 in the Lee District [Tax Map 90-2 ((1))60 and 61B]. The Board's action amends Special Exception Application SE 91-L-053 previously approved for uses in a flood plain and transportation facilities to permit site modifications, building additions and associated modifications to the development conditions to permit the construction of a WMATA police substation and training facility pursuant to Sections 2-904, 5-404 and 9-401 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions; conditions carried forward unchanged from previous approvals are marked with an asterisk (*):

Please note that on April 26, 2012, the Planning Commission approved Public Facilities Application 2232-L11-21 as meeting the criteria of character, location, and extent as specified in Section 15.2-2232 of the *Code of Virginia* and being in accord with the adopted Comprehensive Plan.

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 Amendment (SEA) 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.

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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 amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "MTPD District Substation and Training Facility," prepared by Washington Metropolitan Area Transit Authority (WMATA) Department of Transit Infrastructure and Engineering Services and dated March 9, 2012, 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. During construction a copy of the Special Exception shall be posted in a conspicuous place on the property along with the Non-Residential Use Permit (Non-RUP) and shall be made available to all Departments of the County of Fairfax during hours of operation of the permitted use. After construction, a copy of the Special Exception shall be maintained on-site and at WMATA Headquarters.
5. These Special Exception Amendment conditions apply only within the area of the application property, a 54.38 acre portion of the 151.21 acre property included in the Special Exception approval to allow the WMATA facilities, known as the Franconia-Springfield Metro Station and the Joseph Alexander Transportation Center. These conditions shall be in addition to those adopted in conjunction with the approval of SEA 91-L-054-1 (to allow fill in the floodplain for the construction of the transportation facility, which included all previous conditions), SEA 91-L-054-3 (to allow Metropolitan Center Drive), SEA 91-L-053-1 (to allow an increase in the parking garage height, which included all previous conditions), SEA 91-L-053-3 (the Greyhound Bus Station) and SEA 91-L-053-5 (the second parking garage, which affected a 26.67 acre portion of the original property). These conditions shall replace the conditions for SEA 91-L-053-4 (to allow Metropolitan Center Drive).
6. Metropolitan Center Drive: The purpose of SEA 91-L-053-4 was to permit a connector road and a trail between the Franconia-Springfield Metro Station and the Joseph Alexander Transportation Center and the property immediately to the southwest of the Metro station site (2012 Tax Map Parcel 90-2 ((1)) 56C). Metropolitan Center Drive has been constructed and shall be open for traffic in accordance with the agreement between the applicant for RZ 1998-LE-064 and WMATA.
7. Metropolitan Center Drive: Metropolitan Center Drive located between Frontier Drive and the entrance to the police substation shall remain open to the public. The portion of Metropolitan Center Drive located on the applicants property between the police substation entrance and the southwestern boundary shall be restricted to transit vehicles including but not limited to, shuttle buses, jitneys and similar vehicles, and public transit buses, such as Metrobus, Fairfax Connector,

- and the Springfield Connector or TAGS. This provision shall not preclude the use of gates to limit access to transit vehicles. The service for the shuttle buses, jitneys and similar vehicles shall be limited to Land Units N, O and P of the Franconia Springfield Transit Station Area as shown in the 2011 Edition of the Fairfax County Comprehensive Plan. This service may be extended with the approval of the Board of Supervisors.
8. Metropolitan Center Drive: The pedestrian/bicycle trail along Metropolitan Center Drive shall not be closed except in an emergency.
 9. Sidewalk: In addition to the proposed sidewalk/trail shown on the SEA Plat north of Metropolitan Drive, a sidewalk/trail a minimum of five feet wide shall be extended from the entrance of the police substation to the existing sidewalk located at Tax Map 90-2 ((1)) 56B.
 10. Frontier Drive Extension: At such time as the Frontier Drive Extension project is ready to proceed, the applicant shall dedicate the right-of-way and ancillary easements in general accordance with the alignment depicted in Attachment 1. The dedication shall be in fee simple, without encumbrances, to the Fairfax County Board of Supervisors. If required, the dedication shall be subject to approval of the Federal Transit Administration (FTA) and in accordance with applicable Federal law and regulations. In the event that WMATA cannot dedicate the right-of-way due to restrictions of the Federal Transit Administration, the applicant shall provide appropriate documentation to the Zoning Administrator supporting its inability to dedicate the right-of-way and work with the County to facilitate conveyance of the right-of-way in a method acceptable to the FTA and Fairfax County, in consultation with Fairfax County Department of Transportation (FCDOT), which may include public easements. Fairfax County Department of Transportation (FCDOT) or its designee shall prepare the final alignment drawings in consultation with the Virginia Department of Transportation (VDOT) and WMATA. It will be the responsibility of Fairfax County or their designee to obtain all necessary Federal, State, and local permits and approvals that would allow for conveyance/construction of the extension of Frontier Drive. The applicant shall provide Fairfax County and/or its designee/contractor's reasonable access to the site and authorization to perform all necessary studies, tests, or other activities that may be required to obtain approval of required Federal, State or local permits. Access to the property must be arranged with WMATA's Office of Joint Development and Adjacent Construction. If the Federal Transit Administration does not allow for the conveyance of right-of-way, the applicant shall provide appropriate documentation to the Zoning Administrator supporting its inability to convey the right-of-way.
 11. Crosswalk: A pedestrian path (crosswalk) on Frontier Drive at Metropolitan Center Drive shall be provided with final location to be determined at site plan, subject to the approval of the Fairfax County Department of Transportation.

12. Traffic Signs: The applicant shall install a “No thru street” sign at the intersection of Frontier Drive and Metropolitan Center Drive.
13. Bikes: The Applicant shall install bicycle racks for at least five bikes in a location determined by the Applicant and approved by the Fairfax County Department of Transportation as part of site plan approval. The bike racks shall be installed prior to the approval of the Non-RUP for the police substation.
14. Architecture: The architectural design of the building shall be in substantial conformance with the elevations and sections shown on the SEA Plat. Modifications may be made with the final architectural design if they are determined to be in substantial conformance with the elevations shown on the SEA Plat.
15. Recreation: A recreation facility, to include a locker room and shower, shall be provided in the police substation.
16. Trash: The trash enclosure shall be constructed of materials consistent with the architecture of the building with an opaque gate.
17. Fence: A six foot tall vinyl chain link fence shall be provided in the locations indicated on the SEA Plat.
18. Vehicle Maintenance: All vehicle maintenance, repair and mechanical work, except that of an emergency nature, shall be performed in enclosed buildings.
19. Public Art: Public art shall be provided within the common areas of the application property near the entrance to the police substation. The selection of public art and final location shall be coordinated with the Lee District Supervisor and Planning Commissioner.
20. Geotechnical: Prior to site plan approval, and in accordance with the provisions of the Public Facilities Manual, the Applicants shall submit a geotechnical study of the Application Property to the Geotechnical Review Board through DPWES and shall incorporate appropriate engineering practices as recommended by the Geotechnical Review Board and DPWES to alleviate potential structural problems, to the satisfaction of DPWES. The recommendations of the Geotechnical Review Board shall be implemented during construction.
21. Lights: The light standards shall feature semi-cutoff shielding for street lights. Lighting standards in the parking lot shall feature full cut-off shielding.
22. LEED: The Applicant shall submit a scorecard of specific credits within the most current version of the U.S. Green Building Council’s Leadership in Energy and Environmental Design—New Construction (LEED®-NC) rating system, or other

LEED rating system determined to be applicable to the buildings by the U.S. Green Building Council, that the applicant anticipates attaining, as part of the site plan submission and building plan submission. A professional engineer or architect shall provide certification statements at both the time of site plan review and the time of building plan review confirming that the items on the scorecard meet, when ultimately approved by the U.S. Green Building Council, a range of LEED credits that is no less than the minimum credits necessary to attain LEED certification of the training facility and the minimum number of credits necessary to attain LEED "Silver" certification for the substation.

23. Landscaping: The Applicant shall provide landscaping as generally shown on the SEA pursuant to the approval of the Urban Forest Management Branch (UFMB). Deciduous trees shall be a minimum of two to two and one-half inches in caliper and evergreen trees a minimum of six to eight feet in height at time of planting. Regardless of landscaping depicted on the northern property boundary, the landscaping shall be revised to locate the grow-low fragrant sumac to the north to be directly adjacent to the fence instead of the parking area. The landscape plans shall be designed so that the 10-year deciduous tree canopies do not overlap. Approximately half of the proposed deciduous trees along the entire length of the northern property boundary shall be removed and supplemented with columnar evergreen trees. A suitable evergreen tree, in addition to the dark green arborvitae and eastern red cedar shown on the plan, is Foster's holly.
24. Landscaping: Subject to the approval of the Virginia Department of Transportation, additional off-site landscaping shall be provided along the northern boundary of the site between the parking areas and the trail to help screen the facility from the trail. All plantings proposed for this area shall be low bushes or ground cover only, so that the physical security of the substation and training facility area is not compromised. As part of the site plan approval, a landscape plan depicting the additional plantings shall be submitted with the number, type and size of the low bushes and ground cover for the final approval of the Urban Forest Management Branch. No underground utility will be required to be moved to accommodate this additional landscaping. If VDOT does not permit landscaping within the right-of-way, the applicant shall provide documentation of the failed attempt to the Department of Public Works and Environmental Services.
25. Tree Preservation: The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-

site trees, living or dead with trunks 8 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SEA and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in Public Facilities Manual (PFM) 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

26. **Tree Preservation Walk-Through:** The applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.
27. **Limits of Clearing and Grading:** The Applicant shall conform strictly to the limits of clearing and grading as shown on the SEA, subject to allowances specified in these conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SEA, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.
28. **Tree Preservation Fencing:** All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four foot high, fourteen gauge welded wire attached to six foot steel posts driven eighteen inches into the ground and placed no further than ten feet apart or, super silt fence to the extent that required trenching for super silt

fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and Phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" development condition below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

29. Root Pruning: The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
 - Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - Root pruning shall take place prior to any clearing and grading, or demolition of structures.
 - Root pruning shall be conducted with the supervision of a certified arborist.
 - An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

30. Site Monitoring: During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

This approval, contingent on the above noted conditions, shall not relieve the applicants from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicants shall be themselves responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced on either the training facility or the substation structure and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

- Waived Section 17-201 of the Zoning Ordinance and Section 7.0104 of the Public Facilities Manual requiring a service drive along Franconia-Springfield Parkway.
- Modified Zoning Ordinance Sections 13-303, Transitional Screening Requirements, and 13-304, Barrier Requirements, along the northern and southern property boundary in favor of the landscaping and barrier shown on the Special Exception Amendment plat, as modified by the development conditions.

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

Cc: Chairman Sharon Bulova
Supervisor Jeffrey McKay, Lee District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

