

DEVELOPMENT CONDITIONS

SE 2011-HM-019

June 12, 2012

If it is the intent of the Board of Supervisors to approve SE 2011-HM-019 located at 12100 Sunrise Valley Drive [Tax Map 17-1 ((8))(3A)-1A] to permit an increase in maximum allowable FAR to 0.7 pursuant to Sect. 9-618 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval 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. Any plan submitted pursuant to the special exception amendment shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "Special Exception Plat for Coresite Real Estate, 12100 Sunrise Valley Drive, LLC", consisting of six sheets prepared by Bohler Engineering dated November 10, 2012, as revised through May 15, 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. The final architectural design of the new building shall be consistent with the general type, quality, and proportion of materials depicted in the illustrative perspectives, elevations, and renderings entitled "Special Exception Concept Renderings", prepared by Environetics, dated January 30, 2011 and attached to these development conditions as Attachment "A".
5. Parking spaces shall meet the provisions of Article 11 of the Zoning Ordinance and the geometric design standards in the Public Facilities Manual, as determined by DPWES; a parking tabulation which demonstrates that parking requirements are met shall be submitted to DPWES prior to issuance of a Non-Residential Use Permit (Non-Rup).

In the event the provisions of Article 11 as they apply to the subject use and/or site are amended to permit a further reduction in the number of parking spaces required, the applicant shall be permitted to remove such

excess parking spaces and convert that land area to open space without having to obtain Special Exception Amendment approval from the Board. In no event shall this permission be deemed to allow any other changes to the approved special exception other than those that would be considered minor modifications pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance. All areas where parking spaces are removed shall be landscaped open space.

6. All signs shall conform to Article 12 of the Zoning Ordinance.
7. Subject to Department of Public Works and Environmental Services (DPWES) approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of 55 (fifty-five) feet along the application property's Dulles Toll Road (VA Route 267) frontage as shown on the SE Plat. Dedication shall be upon demand of Fairfax County.
8. Subject to Department of Public Works and Environmental Services (DPWES) approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of 10 (ten) feet along the application property's Edmund Halley Drive frontage as shown on the SE Plat. Dedication shall be upon demand of Fairfax County.
9. Landscaping shall be consistent with that shown on the SE Plat. A minimum caliper ranging from 2.5" – 3.0" or six feet in height for evergreen trees shall be provided for all newly planted trees, subject to alteration with approval from the Urban Forest Management (UFM) branch of DPWES.
10. Any interior parking lot landscaping that is dead, dying, or otherwise in poor condition shall be replaced as determined by Urban Forest Management. The applicant shall work with Urban Forest Management in determining the most appropriate size and species in order to ensure survivability.
11. All landscaping shall be maintained in good condition and include regular maintenance. This maintenance includes, but is not limited to, removal of dead/diseased plantings and their prompt replacement to maintain the required landscaping of this Special Exception, as determined by Urban Forest Management.
12. The proposed fence and optional gate indicated on the SE Plat shall be estate-style aluminum or wrought iron in construction and painted a dark earth tone or black and shall be of a style consistent with the architectural design of the new building. No barbed wire, razor wire, or any electrical current in said fence shall be permitted.

13. The applicant will include, as part of the site plan submission and building plan submission, a list 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 building(s) by the U.S. Green Building Council (USGBC), that the applicant anticipates attaining. A LEED-accredited professional (LEED-AP) who is also a professional engineer or licensed architect will provide certification statements at both the time of site plan review and the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED certification of the project.

In addition, prior to site plan approval, the applicant will designate the Chief of the Environment and Development Review Branch of the Department of Planning and Zoning as a team member in the USGBC's LEED Online system. This team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

Prior to the building plan approval, the applicant will submit documentation, to the Environment and Development Review Branch of DPZ, regarding the U.S. Green Building Council's preliminary review of design-oriented credits in the LEED program. This documentation will demonstrate that the building is anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED Silver certification. Prior to release of the bond for the project, the applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating the status of attainment of LEED certification or a higher level of certification from the U.S. Green Building Council for the building.

As an alternative to the actions outlined in the above paragraphs, or if the U.S. Green Building Council review of design-oriented credits indicates that the project is not anticipated to attain a sufficient number of design-related credits to support attainment of LEED Silver certification, the applicant will execute a separate agreement and post, a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of (\$2/square foot). This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of LEED certification or higher level of certification, by the U.S. Green Building Council, under the most current version of the LEED-NC rating system or other LEED

rating system determined, by the U.S. Green Building Council. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that the building has attained LEED certification will be sufficient to satisfy this commitment.

If the applicant provides to the Environment and Development Review Branch of DPZ, within one year of issuance of the final RUP/non-RUP for the building, documentation demonstrating that LEED certification for the building has not been attained but that the building has been determined by the U.S. Green Building Council to fall within three points of attainment of LEED certification, 50% of the escrow will be released to the applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the applicant fails to provide, within one year of issuance of the final RUP/non-RUP for the building, documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification or demonstrating that the building has fallen short of LEED certification by three points or less, the entirety of the escrow for that building will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the Environment and Development Review Branch of DPZ, that USGBC completion of the review of the LEED certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the time frame may be extended as determined appropriate by the Zoning Administrator, and no release of escrowed funds shall be made to the Applicant or to the County during the extension.

14. Existing lighting, including streetlights, security lighting, signage lighting, and pedestrian or other incidental lighting may remain. All new and replacement outdoor lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.
15. The stormwater management system and Best Management Practices (BMPs) shall be reviewed for adequacy by DPWES at the time of site plan review; if any inadequacies are identified appropriate corrective measures shall be employed to the satisfaction of DPWES, prior to final site plan approval.
16. All existing trees to be preserved shall meet tree condition standards as required in PFM 12-0403. At the time of site plan submission, any trees

shown to be preserved on the SE Plat that do not meet tree condition standards, as determined by Fairfax County Urban Forest Management Division staff, shall be replaced with new nursery stock. Soils in islands where new material is to be planted, in accordance with the approved site plan, shall be loosened to a depth of one foot and compost or humus incorporated into the soil prior to replanting. All trees shall be planted in areas where minimum planting area requirements per the Public Facilities Manual are met.

17. Trees planted in parking lot islands shall be sun tolerant and suited to the harsh environment of parking lots, as approved by Urban Forest Management.
18. Prior to site plan approval, the applicant shall provide a contribution of \$25,000.00 to Fairfax County for the future construction of a sidewalk within the right-of-way of Edmund Halley Drive. The contribution amount shall be adjusted by increases to the Consumer Price Index for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics from the date of the Board of Supervisors' approval of this special exception application to the date of site plan approval.

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, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the proposed buildings. 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.













