

APPROVED DEVELOPMENT CONDITIONS

SEA 85-C-119

June 17, 2015

If it is the intent of the Board of Supervisors, pursuant to Section 2-904 the Fairfax County Zoning Ordinance, to approve Special Exception Amendment SEA 85-C-119, previously approved for a stormwater management facility in a floodplain, to permit the addition of land area and associated modifications to site design for the construction of a multi-family development and a public road for the properties located at Tax Maps 16-3 ((1)) 4M and 5D, staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions for the subject property. (Those conditions that are identical to conditions that were included in previous approvals or that contain only minor editorial changes are marked with an asterisk*).

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.* Where there is a conflict between the SEA Plat (including the notes thereon) and these conditions, these conditions shall govern the development.
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 for the uses in a floodplain shall be in substantial conformance with the special exception amendment (SEA) plat entitled "Dulles Technology Center," prepared by William H. Gordon Associates, Inc., dated September 3, 2013, and revised through June 5, 2015, consisting of thirty-eight (38) sheets, 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 applicant will construct the proposed Stormwater management facility within the limits of clearing and grading depicted on the special exception amendment plat prepared by William H. Gordon Associates, Inc., dated September 3, 2013, and revised through June 5, 2015*
5. No additional encroachment into the floodplain shall be permitted other than that shown on the special exception amendment plat.
6. Hold harmless and indemnification agreements shall be executed with the County for all adverse effects which may arise as a result of the location of the site within a

floodplain area.

7. A 2x2 foot sign shall be placed near the travelway located in the floodplain that states: "Warning: High Water and Flooding during Heavy Rains."

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 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.