



# County of Fairfax, Virginia

*To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County*

February 3, 2016

John McBride  
Odin, Feldman & Pittleman, P.C.  
1775 Wiehle Avenue, Suite 400  
Reston, VA 20190

RECEIVED  
Department of Planning & Zoning

MAR 8 2016

Zoning Evaluation Division

Re: Special Exception Application SE 2015-HM-024  
(Concurrent with Planned Residential Community Application PRC 86-C-121-05)

Dear Mr. McBride:

At a regular meeting of the Board of Supervisors held on February 2, 2016, the Board approved Special Exception Application SE 2015-HM-024 in the name of Metropolitan Washington Airports Authority and the Virginia Department of Rail and Public Transportation on behalf of the Washington Metropolitan Area Transit Authority and the Board of Supervisors of Fairfax County. The subject property is located on the S. side of Sunset Hills Road, approximately 1,200 feet W. of its intersection with Reston Parkway, on approximately 1.69 acres of land, zoned in the PRC District in the Hunter Mill District [proposed Tax Map 17-3 ((1)) 35C, formerly part of 17-3 ((1)) 35B]. The Board's action permits electrically-powered regional rail transit facilities, pursuant to Section 6-304 of the Fairfax County Zoning Ordinance, 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. Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved PRC Plan/SE Plat/Public Facilities Plan entitled "Reston Town Center Station – North" as prepared by Dewberry Consultants LLC and consisting of nine sheets dated April 2015, and revised through December 3, 2015. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

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**Office of the Clerk to the Board of Supervisors**  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035  
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 711  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

4. A copy of the development conditions approved by the Board of Supervisors shall be included in all relevant plans, as determined by the Department of General Services (DGS) and/or the Metropolitan Washington Airports Authority (MWAA).
5. Certification from DGS and/or MWAA shall be provided to the Department of Planning and Zoning that the project conforms to these special exception conditions prior to the issuance of a Non-Residential Use Permit (Non-RUP). Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
6. Stormwater management plans shall be reviewed and approved by the Department of Environmental Quality (DEQ), which assumed responsibility from the Virginia Department of Conservation and Resources for the Virginia Stormwater Management Act, Virginia Erosion and Sediment Control Act, and Chesapeake Bay Preservation Act and shall also be based on the Cooperative Agreement dated July 19, 2007 between the County and the Metropolitan Washington Airports Authority. The stricter of the State or Fairfax County standards shall be applied by the State reviewing authority.
7. Erosion and Sediment control plans shall be implemented as determined by DEQ. The stricter of the State or Fairfax County standards shall be applied by the State reviewing authority.
8. Subject to the standards and approval of the Virginia Department of Transportation (VDOT) and the Washington Metropolitan Area Transit Authority, a pedestrian bridge may be provided by the applicant or by others from the subject property to connect to adjacent land to the north without the need for an amendment to the special exception.
9. Subject to VDOT approval, improvements to Sunset Hills Road shall be provided in accordance with that shown on the SE Plat/PRC Plan/Public Facilities Plan. In addition and subject to VDOT and Fairfax County Department of Transportation's approval, the applicant shall remove the eastern bump-out on the proposed bus pull-out on Sunset Hills Road to allow buses to proceed from the bus stop without merging into through traffic. The western bump-out may be removed, subject to VDOT approval.

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 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.

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February 3, 2016

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 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.

Sincerely,



Catherine A. Chianese  
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova  
Supervisor Catherine Hudgins, Hunter Mill District  
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration  
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Thomas Conry, Dept. Manager, GIS, Mapping/Overlay  
Michael Davis, Section Chief, Transportation Planning Division  
Donald Stephens, Transportation Planning Division  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
Jill Cooper, Executive Director, Planning Commission  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



RESTON

COUNTY OF FAIRFAX  
 Department of Planning and Zoning  
 Zoning Evaluation Division  
 12055 Government Center Parkway, Suite 801  
 Fairfax, VA 22035 (703) 324-1290, TTY 711  
 www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SE 2015-HM-024

concurrent with PRC 86-C-121-05  
 (Staff will assign)  
 RECEIVED  
 Department of Planning & Zoning  
 AUG 06 2015

Zoning Evaluation Division

**APPLICATION FOR A SPECIAL EXCEPTION**

(PLEASE TYPE or PRINT IN BLACK INK)

<b>APPLICANT</b>	<b>NAME</b> Metropolitan Washington Airports Authority (MWAA) and the Virginia Department of Rail and Public Transportation on behalf of the Washington Metropolitan Area Transit Authority; and the Board of Supervisors of Fairfax County, Virginia
	<b>MAILING ADDRESS</b> c/o James L. Van Zee, Dulles Corridor Metrorail Project, Metropolitan Washington Airports Authority, 198 Van Buren Street, Suite 300, Herndon, Virginia 20170
	<b>PHONE HOME</b> ( ) <b>WORK</b> ( 703 ) 572-0500
	<b>PHONE MOBILE</b> ( )
<b>PROPERTY INFORMATION</b>	<b>PROPERTY ADDRESS</b> [No registered address]
	<b>TAX MAP NO.</b> Formerly Part of TM# 17-3((01))35B (Proposed 17-3((01))35C) <b>SIZE (ACRES/SQ FT)</b> ±1.69 ACRES / 73,772 SQ FT
	<b>ZONING DISTRICT</b> PRC <b>MAGISTERIAL DISTRICT</b> Hunter Mill
	<b>PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:</b> N/A
<b>SPECIAL EXCEPTION REQUEST INFORMATION</b>	<b>ZONING ORDINANCE SECTION</b> §§ 2-517, 6-304.1 and 9-400 et. seq.
	<b>PROPOSED USE</b> Category 4: Electrically-powered regional rail transit facilities
<b>AGENT/CONTACT INFORMATION</b>	<b>NAME</b> John McBride (john.mcbride@ofplaw.com)
	<b>MAILING ADDRESS</b> Odin, Feldman & Pittleman, P.C. 1775 Wiehle Avenue, Suite 400, Reston, Virginia 20190
	<b>PHONE NUMBER HOME</b> <b>WORK</b> 703-218-2358
	<b>PHONE NUMBER MOBILE</b> Russ 703-589-3582
<b>MAILING</b>	<b>Send all correspondence to (check one):</b> <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact
The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.	
MWAA by James L. Van Zee, Deputy Dir. of Project Development <b>TYPE/PRINT NAME OF APPLICANT/AGENT</b>	<i>James L. Van Zee</i> <b>SIGNATURE OF APPLICANT/AGENT</b>

DO NOT WRITE IN THIS SPACE

*Debra L. Huberton*

SE 2015-0247

*mac*  
9/11/15

Date application accepted: September 11, 2015 Application Fee Paid: \$ —