



# FAIRFAX COUNTY PLANNING COMMISSION

May 28, 2015

## PUBLIC HEARING FOR PLANNING DETERMINATION

Pursuant to  
Va. Code Sec. 15.2 - 2232

**Public Hearing Date: June 11, 2015 at 8:15 p.m.**

Application Number: **2232-H15-8**

Applicant: **Metropolitan Washington Airports Authority and the Virginia Department of Rail and Public Transportation on behalf of the Washington Metropolitan Area Transit Authority**

Proposed Use: **Traction Power Substation #13**

Supervisor District: **Hunter Mill**

Subject Property Tax Map ID: **0164 01 0027**  
Subject Property Address: **12530 Sunrise Valley Drive, Herndon, VA 20191**  
Area of Subject Property: **Approximately 27.35 acres**  
Area of Proposed Facility: **Approximately 10,500 square feet**

Application Accepted: **May 7, 2015**  
Application Amended: **April 16, 2015**

Recommendation: **In accordance with Va. Code Sec. 15.2-2232, as amended, staff recommends that the Planning Commission find that the proposal by Metropolitan Washington Airports Authority and the Virginia Department of Rail and Public Transportation on behalf of the Washington Metropolitan Area Transit Authority, as amended, to construct Traction Power Sub Station #13 at 12530 Sunrise Valley Drive, Herndon, VA 20191, is substantially in accord with provisions of the adopted Comprehensive Plan.**

# PLANNING DETERMINATION

Section 15.2 -2232 of the Code of Virginia



Number: 2232-H15-8

Acreage: N/A

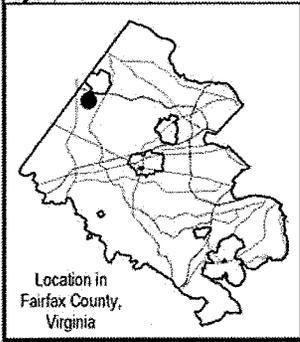
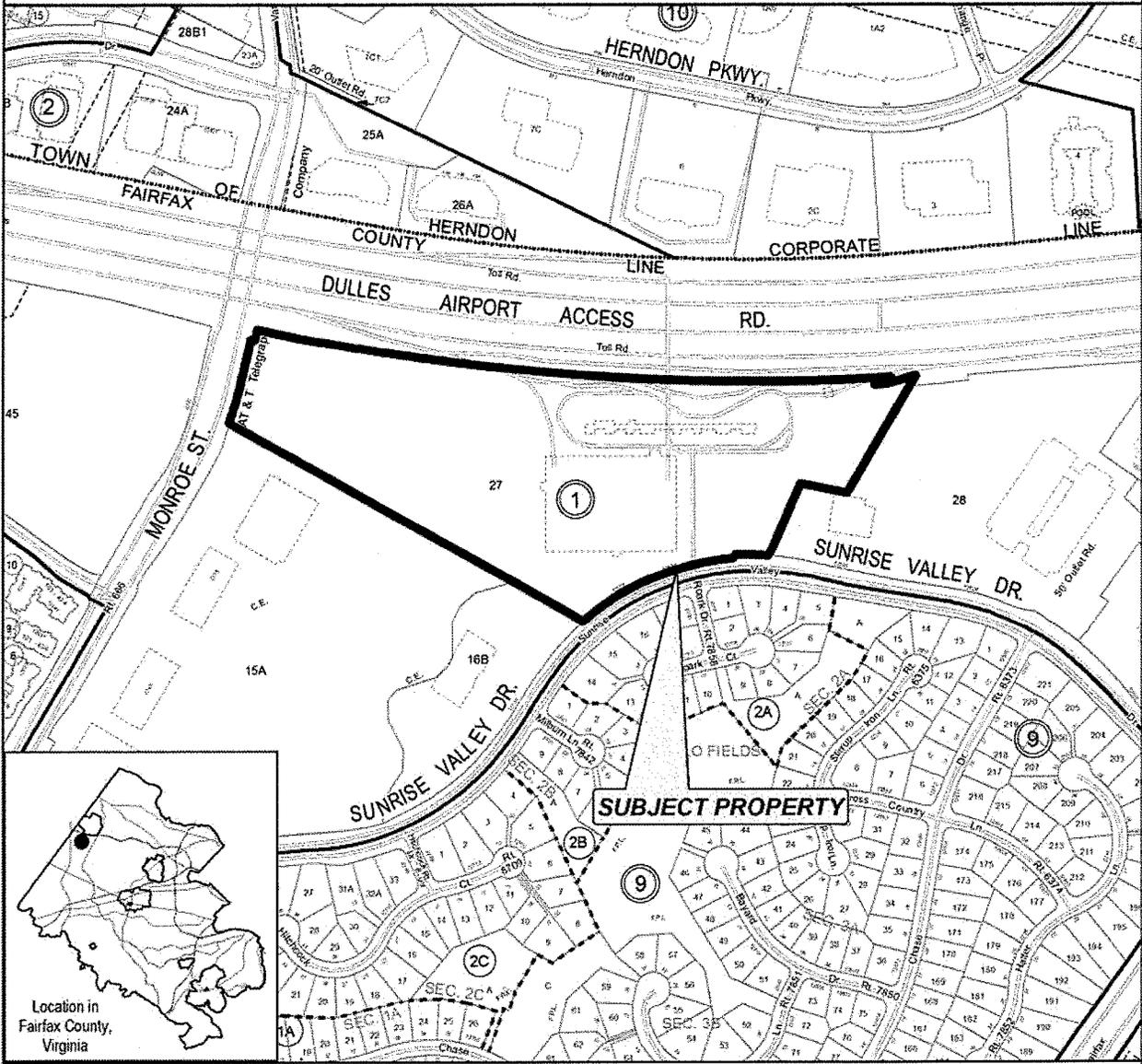
District: Hunter Mill

Tax Map ID Number: 16-4 ((1)) 27 Address: 12530 Sunrise Valley Dr., Herndon, VA 20191

Planned Use: Public Facilities, Governmental, and Institutional

Applicant: Metropolitan Washington Airports Authority and the Virginia Department of Rail and Public Transportation on behalf of the Washington Metropolitan Area Transit Authority

Proposed Use: Traction Power Substation #13



500 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING  
USING FAIRFAX COUNTY GIS



**APPLICATION***Attachment A*

**Proposal:** Traction Power Substation #13  
**Applicant:** Metropolitan Washington Airports Authority and the Virginia Department of Rail and Public Transportation on behalf of the Washington Metropolitan Area Transit Authority  
**Subject Property:** 12530 Sunrise Valley Drive, Herndon, VA 20191; Tax map 0164 01 0027  
**Zoning District:** I-4  
**Existing conditions:** The site is currently developed with an existing county owned commuter parking garage, and a passenger pick up/drop off area.

**Project Justification:** The applicant states that the proposed facility is needed to provide power to Metrorail train cars. Due to trains accelerating from a standstill when leaving a transit station, traction power substations (TPSS) need to be located near a station. Traction power substations work as part of a system and not as independent facilities, and therefore, relocating one traction power substation may require the relocation of one or more other traction power substations. TPSS #13 is the only TPSS that has yet to be approved as part of the Metrorail system.

**Proposed Use:** Metropolitan Washington Airports Authority and the Virginia Department of Rail and Public Transportation on behalf of the Washington Metropolitan Area Transit Authority proposes to construct and operate Traction Power Substation #13 to transform alternating current electrical power into direct current needed to power Metrorail train cars.

**Facility:** See application (*Attachment A*) for full description; all dimensions are approximate:

- Site – Northwest quadrant of County
- Structure, Compound, and Screening – An internal modular building that is approximately 3,000 square feet, a 110 square foot modular communication room, a 1,100 square foot transformer courtyard, and a 600 square foot 34.5kv switch courtyard, all surrounded by a 15' tall architectural screen wall made of precast concrete with brick veneer; Compound contains a total of 10,500 square feet
- Location - The traction power substation will be located in the northwestern portion of a 27.35 acre property. The TPSS will be located approximately 73' from the northern property line, which is the Dulles Toll Road right-of-way.
- Access - Not open to the public; access from Dulles Toll Road exit ramp with a shoulder and a turn-around sufficient for a WB-50 tractor trailer
- Operations - Unmanned; operates 24 hours/day; one employee trip per week for minimal onsite maintenance.
- Security – Enclosed with gated access; 24-hour camera monitoring; routine visits by WMATA and County police.

**Off-Site Impacts:** The applicant states that the proposed facility is a passive use and will not have employees or personnel on site (other than once per week), or have any impacts to traffic. The facility will not generate noise, odors or vibrations. Light impacts will be minimized by the architectural screen wall, landscaping, and full cut-off specialty lighting.

**Alternate locations:** TPSS #13 is part of a system-wide network of traction power substations that serve the entire Metro Silver Line and its service area responsibility cannot be assessed

independently. Therefore, since all other traction power substations have been approved, the general location of TPSS #13 was confirmed and has not changed from the original Locally Preferred Alternative. Two other areas near the transit station were considered as possible general locations.

1. Within the Dulles Toll Road median. This is not feasible since there is no space in the median for TPSS #13.
2. Herndon Station-North Entrance. This is not feasible since there is no space because of the abutting and existing private commercial development.

## **DESCRIPTION OF SURROUNDING AREA**

### **Adjacent and Nearby Land Uses:**

- Subject property – Developed with an existing county-owned commuter parking garage, and a passenger pick up/drop off and bus bay area.
- North – Property immediately north across the Dulles Toll Road is the Town of Herndon
- East – Commercial/Office use
- South – Residential use (single-family detached) across Sunrise Valley Road
- West – Commercial/Office use; Mixed use across Monroe Street

## **COMPREHENSIVE PLAN PROVISIONS**

### **COMPREHENSIVE PLAN MAP**

The subject property is located in the Area III, Upper Potomac Planning District, UP5 Reston Planning Sector, Reston Transit Station Areas. The Comprehensive Plan Map identifies the property as planned for Public Facilities, Governmental and Institutional use.

### **COMPREHENSIVE PLAN CITATIONS**

An assessment of this proposal for substantial conformance with current land use and design recommendations of the Comprehensive Plan (“the plan”) is guided by the following citations from the Plan.

#### **Area Plan**

Fairfax County Comprehensive Plan, 2013 Edition, Area III, Upper Potomac Planning District, Amended through 12-2-2014, Overview, Figure 7, Existing Public Facilities, Page 24:

“Other Public Facilities, UP5: Herndon-Monroe Park-&-Ride”

Fairfax County Comprehensive Plan, 2013 Edition, Area III, Upper Potomac Planning District, Amended through 12-2-2014, Reston Transit Station Areas, Figure 11, Reston Transit Stations Areas Boundaries, Page 31:

“Herndon Transit Station Area”

Fairfax County Comprehensive Plan, 2013 Edition, Area III, Upper Potomac Planning District, Amended through 12-2-2014, Reston Transit Station Areas, Page 53:

### **“RECOMMENDATIONS**

.....

*Phasing to Public Facilities*

The public facilities needed to serve the planned development will be constructed throughout the planning horizon as the need arises. However, it is critical that space for most, if not all, of these facilities be secured within the first 10-20 years of the Plan's implementation. Providing these facilities in concert with future employment and residential growth will present a challenge. Development proposals should commit to provide land and/or space for public facilities as early as possible to help ensure that locations are available when needed to provide the appropriate public facilities to support the growth in employment and number of new residents."

Fairfax County Comprehensive Plan, 2013 Edition, Area III, Upper Potomac Planning District, Amended through 12-2-2014, Reston Transit Station Areas, Page 102:

#### "PUBLIC FACILITIES

This section pertains to the public facility needs to accommodate growth in the Transit Station Areas (TSAs). Providing adequate public facilities to serve the planned growth around the three transit stations will require the expansion or modification of existing facilities in some cases and the development of new facilities in other cases. The existing and future public facilities in the TSAs are described below. The provision of future facilities will need to be coordinated with the rate at which planned development occurs in these TSAs as well as in the surrounding Reston community."

Fairfax County Comprehensive Plan, 2013 Edition, Area III, Upper Potomac Planning District, Amended through 12-2-2014, Reston Transit Station Areas, Page 132:

#### "HERNDON TRANSIT STATION AREA

.....

#### Herndon Station Transit-Oriented Development (TOD) District

The vision of the Herndon Station TOD District is for a moderate intensity urban neighborhood with a mix of uses including office, residential, and hotel, together with support retail and services, adjacent to a district-defining natural resource amenity. In addition, redevelopment should create pedestrian-friendly connections to one or more smaller urban plazas or parks to provide gathering places for people of all ages as well as places to walk and enjoy green spaces.

Guidance for evaluating development proposals in each district is contained in the Area wide Recommendations and the following district and sub district recommendations. Redevelopment options are dependent on the degree to which necessary public infrastructure can be provided and Plan objectives and development conditions set forth in the Area wide and sub district guidance can be satisfied by development proposals.

The Herndon Station District is comprised of approximately 126 acres and is generally bounded by the DAAR on the north, the Fairfax County Parkway on the east, Sunrise Valley Drive on the south and the Woodland Park office development on the west, as shown on Figure 44. Monroe Street is the primary north-south street in the district.

Existing development in the district is a combination of low rise suburban office buildings with surface parking and mid-rise office buildings with structured parking. The Herndon Park-and-Ride facility is located adjacent to the planned transit station platform. The four-level county-owned and operated transit center (for Fairfax Connector bus service) and park-and-ride facility has 1,700 spaces

and will be expanded to provide 3,500 spaces for Metro parking. The Sunrise Valley Park Wildlife Habitat and Nature Preserve is an approximately 14 acre man-made publicly accessible wetland area in the district with a notable diversity of wildlife and a boardwalk facility that crosses the wetland. In addition, there is an approximately 21 acre vacant parcel in the northeastern corner of the Woodland Park mixed-use development along Monroe Street.”

### **Policy Plan**

Fairfax County Comprehensive Plan, Policy Plan, 2013 Edition, Public Facilities, Amended through 3-4-2014, Countywide Objectives and Policies, Pages 2-4:

**“Objective 1: Locate new facilities to provide convenient service to the greatest number of people or service consumers and users.**

- Policy a. Site facilities appropriately to the area they are intended to serve.
- Policy b. Reduce service area overlap between like facilities, unless overlap is necessary to correct service deficiencies.
- Policy c. Site facilities in accordance with locational standards that maintain accepted levels of service while reducing duplication or underutilization.
- Policy d. Ensure that minimum populations or service thresholds are projected to be met before facility construction is undertaken.

**Objective 4: Mitigate the impact of public facilities on adjacent planned and existing land uses.**

- Policy a. Locate public facilities in areas of compatible land use, if service efficiency and cost effectiveness can be achieved. Siting facilities in areas of different land uses is acceptable and at times required, to provide centrally located public facilities which are critical to the public interest as long as the integrity of the Comprehensive Plan is not impinged.
- Policy b. Co-locate public facilities whenever appropriate to achieve convenience and economies of scale, as long as the integrity of the Comprehensive Plan is not impinged.
- Policy c. Design facilities to promote and enhance the community identity of existing character.
- Policy d. Ensure that public facilities are properly screened and buffered in order to mitigate visual impact on adjacent planned development of a different use or nature.
- Policy e. Ensure that site size and development conforms to all requirements of the Fairfax County Zoning Ordinance and exceeds site acreage requirements, as possible, to achieve maximum compatibility with surrounding land uses.

**Objective 5: Acquire sites which are appropriate for the facility's specific purpose. Apply acceptable criteria when evaluating public facility sites.**

- Policy a. Consider accessibility in siting facilities. In general, public facilities should have access to primary arterial roadways. Exceptions to this locational principle include facilities with a community pedestrian orientation, such as a neighborhood park or an elementary school.
- Policy b. Locate facilities on sites which have adequate acreage for short-term needs, but can also accommodate expansion.
- Policy c. Avoid areas of environmental sensitivity except where site acquisition is in support of open space.
- Policy d. Evaluate engineering considerations, such as slopes and soils and other factors pertinent to knowing the extent of the site's development cost.
- Policy e. Locate, as possible, facilities on sites with public water and sewer.
- Policy f. Locate facilities on sites preferably having mature vegetation, capable of providing a natural buffer and enhancing building design.
- Policy g. Use the 2232 review process to determine the siting suitability and appropriateness of facilities in relation with the Comprehensive Plan.”

**STAFF ANALYSIS:** See *Attachments B - J* for detailed discussion.

**Fairfax County Department of Planning and Zoning**

- Zoning Administration Division – Ordinance Administration Branch *Attachment B*  
Bulk regulations of the I-4 District appear to be satisfied with this request. All applicable Zoning Ordinance requirements must continue to be satisfied at the time of site plan approval.
- Planning Division – Historic Preservation *Attachment C*  
Staff finds that no known historic properties will be affected by the project. No action concerning heritage resources is required.
- Planning Division – Environment and Development Review Branch *Attachment D*  
No environmental issues were identified with the proposed facility.

**Fairfax County Department of Public Works and Environmental Services**

- Site Development and Inspections Division *Attachment E*  
Comments noted in Attachment E will be addressed during site plan review.
- Urban Forest Management Division *Attachment F*  
The proposed plan meets code requirements for tree preservation and landscaping.

**Fairfax County Department of Transportation**

- Transportation Planning Section *Attachment G*

The Traction Power Substation will be accessed from the off ramp to the bus bays and the Metrorail Station, after the gore from the Dulles Toll Road's collector-distributor road. The access point to the substation will need to allow for adequate deceleration from the DTR so maintenance trucks can easily and safely access the station. This may require a wide well paved shoulder on the off-ramp. Clear signage will be needed well in advance and at the driveway of the substation so minimize driver confusion.

#### **Fairfax County Water Authority**

- Planning and Engineering Division

*Attachment H*

No water issues were identified with the proposed facility.

#### **Virginia Department of Transportation**

*Attachment I*

VDOT has no objection to approval of the proposal.

#### **Fairfax County Fire and Rescue**

- Strategic Planning Section

*Attachment J*

No comments.

#### **CONFORMANCE WITH THE COMPREHENSIVE PLAN**

*Attachment K*

Va. Code Sec. 15.2-2232, as amended, requires the Planning Commission to determine whether the general location or approximate location, character, and extent of the proposed facility, as amended, are substantially in accord with the adopted Comprehensive Plan.

#### **Location**

The traction power substation (TPSS) #13 is necessary to transform alternating current electrical power into the direct electrical power source needed to move trains along the Metrorail station. The TPSS needs to be located near a transit station due to the high electricity needs and avoidance of a voltage drop that is required to move trains as they enter a transit station. Traction power substations work collectively, in which each TPSS along the Metrorail works as part of a cohesive whole rather than an individual part. All traction power substations for the Silver Line in Fairfax County have been previously approved, with the exception of TPSS #13.

The proposed location of TPSS #13 will be in Land Unit C-2 of the Reston Transit Station Areas Plan, which conforms with Plan guidelines to site facilities appropriate to the area they are intended to serve. The proposed TPSS #13 is to be located on public property owned by Fairfax County. A public commuter parking garage is located on the property, and the parcel is identified on the Comprehensive Plan Map as Public Facilities, Governmental and Institutional. The location of the proposed TPSS #13 is in conformance with the Comprehensive Plan objective of locating public facilities in areas of compatible land use.

The Plan states that facilities should support the transit system and the extension of Metrorail system in the Dulles Corridor. The proposed traction power substation #13 conforms to these guidelines. The proposed location is on property that supports facilities designed to encourage alternative forms of transportation. This is consistent with Plan guidelines to provide mobility, reduce vehicle dependency, and promote the use of mass transit by extending the Metrorail system in the Dulles Corridor. Alternative sites were investigated and areas of environmental sensitivity were avoided, all in accordance to Plan guidelines.

**Character**

The Policy Plan states that new structures should consider minimizing visual impacts on the surrounding area. The proposed site of traction power substation #13 is currently a wooded area that will have to be cleared by the removal of existing trees and vegetation. The modular TPSS # 13 will be 41 feet by 73 feet and enclosed by an architectural screen wall 15 feet tall with new tree and shrub plantings that will minimize visual impacts of the new structure. Staff believes the proposal meets Plan guidelines to minimize adverse impacts through the use of landscaping, screening, design and architectural techniques.

The I-4 Zoning District restrictions result in a one-to-one ratio of building height to minimum yard requirement of not less than 40 feet. Staff believes that the proposed landscaped area and screen wall helps to minimize the visual impact to the adjacent properties and maintains the general character of the area, while meeting the requirements of this Zoning District. Staff believes the facility conforms to Comprehensive Plan guidelines to ensure that public facilities are properly screened and buffered in order to mitigate visual impact on adjacent development of a different use or nature.

**Extent**

The proposed facility consists of a modular unit around 3,000 square feet surrounded by a 15' tall screen wall set out approximately 5' for a total footprint of roughly 10,500 square feet. The proposal conforms to Zoning Ordinance requirements for this type of facility. Staff believes that the visual impact of the facility is mitigated by the proposed screen wall and landscaping, as discussed above. Staff believes that the proposed facility conforms with Plan guidelines to provide the necessary supporting facilities for the transit system.

The proposed use will not have a traffic impact as the structure is not open to the public and will be unmanned, except for a maintenance visit once a week. Any potential future street grid development of the remaining vacant portion of the property is not precluded by the proposed TPSS #13 facility.

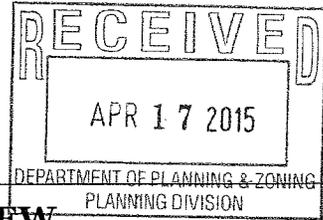
The proposed access to the facility is from the Dulles Toll Road exit ramp, and a turn-around sufficient for a WB-50 tractor trailer will be located at the facility. A shoulder on the ramp to TPSS #13 will be provided to allow vehicles to slow down and minimize conflicts with exit ramp traffic. The length of the shoulder access and turn-around will be based on industry standards for a WB-50 tractor trailer. Staff believes that the proposed facility conforms with Plan guidelines to provide the necessary supporting facilities for the transit system.

The proposed use meets Comprehensive Plan guidelines of not adversely impacting historically significant landscapes or views, or detracting from any architecturally or historically significant structure in the area.

**CONCLUSIONS AND RECOMMENDATIONS**

Staff concludes that the subject proposal by the Metropolitan Washington Airports Authority and the Virginia Department of Rail and Public Transportation on behalf of the Washington Metropolitan Area Transit Authority, 12530 Sunrise Valley Drive, Herndon, VA 20191, satisfies the criteria of location, character, and extent as specified in Va. Code Sec 15.2-2232. Therefore, staff recommends that the Planning Commission find the subject Application 2232-H15-8, substantially in accord with provisions of the adopted Comprehensive Plan.

ATTACHMENT A



**2232 PUBLIC FACILITY REVIEW  
(Non-Telecommunications)**

**County of Fairfax, Virginia  
Application for Determination  
Pursuant to  
Virginia Code Section 15.2-2232**

*\*\*\* This area to be completed by staff \*\*\**  
**APPLICATION NUMBER** 2232-H15-8

*(Please Type or Clearly Print)*

**PART I: APPLICATION SUMMARY**

**LOCATION OF PROPOSED USE**

Address 12530 Sunrise Valley Drive

City/Town Herndon Zip Code 20191

Place Name (if at county facility) Herndon-Monroe Park and Ride

Tax Map I.D. Number(s) 0164-01-0027

Fairfax County Supervisor District Hunter Mill

Total Area of Subject Parcel(s) 1,191,638 square feet (per tax record)

Zoning District I-4

**APPLICANT(S)**

Metropolitan Washington Airports Authority and the Virginia Department of Rail and  
Name (Company or Agency) Public Transportation on behalf of the Washington Metropolitan Area Transit Authority

Agent Name John McBride

(Note: Failure to notify County of a change in agent may result in application processing delays)

Agent's Mailing Address Odin, Feldman & Pittleman, P.C., 1775 Wiehle Avenue, Suite 400

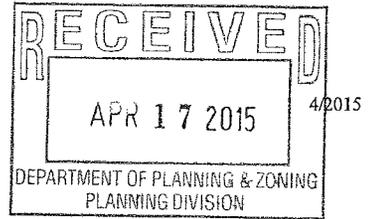
City/Town Reston State VA Zip Code 20190

Telephone Number (703) 218-2133 Fax (703) 218-2160

E-mail john.mcbride@ofplaw.com

Secondary Contact (Must Be Provided) Russ Forno

Telephone Number (703) 218-2358 E-mail russ.forno@ofplaw.com



**PROPERTY OWNER(S) OF RECORD**

Owner Fairfax County Board of Supervisors

Street Address 12000 Government Center Parkway, Suite 533

City/Town Fairfax State VA Zip Code 22035

Has property owner been contacted about this proposed use? Yes  No

**BRIEF DESCRIPTION OF PROPOSED USE**

To locate Traction Power Sub Station #13, which is part of the Washington Metropolitan Area Transit Authority's electrically-powered regional rail transit facilities.

**PRIOR 2232 REVIEW APPROVALS**

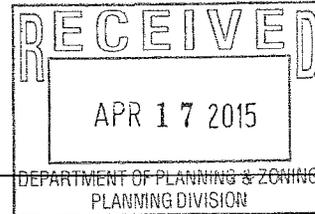
*Provide previous 2232, "Feature Shown" (FS) or 456 approvals*

FS-H14-13

**PRIOR ZONING APPROVALS**

*Provide previous Zoning Approvals for all uses on site such as proffered conditions, special permits, special exceptions, variances, or development plans.*

None to our knowledge.



**SIGNATURE**

The undersigned acknowledges that additional Fairfax County land use review requirements may be identified during the review of this 2232 Review application and the fulfillment of such requirements is the responsibility of the applicant. The undersigned also acknowledges that all Fairfax County Zoning Ordinance requirements pertaining to this project shall be fulfilled.

In the event a new agent is assigned responsibility for this application, the applicant agrees to provide a letter to the Department of Planning and Zoning authorizing the transfer of responsibility for the application and providing all new contact information. In the event the applicant fails to notify County staff of a change in agent, the application may be subject to processing delays.

Signature of Applicant or Agent \_\_\_\_\_

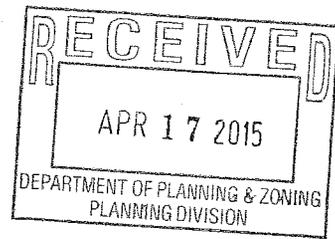
A handwritten signature in black ink, appearing to read "James L. Van Zee".

MWRA by James L. Van Zee, Deputy Dir. of Project Development

Date 15 April 2015

**Submit completed application to:**

**Chris Caperton, Chief, Facilities Planning Branch  
 Fairfax County Department of Planning and Zoning  
 12055 Government Center Parkway, Suite 730  
 Fairfax, Virginia 22035-5507  
 (703) 324-1380**



## COMMONWEALTH of VIRGINIA

Jennifer L. Mitchell  
Director

DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION  
600 EAST MAIN STREET, SUITE 2102  
RICHMOND, VA 23219-2416

(804) 786-4440  
FAX (804) 225-3752  
Virginia Relay Center  
800-828-1120 (TDD)

February 5, 2015

Mr. Jim VanZee  
Deputy Director Project Development  
Dulles Corridor Metrorail Project  
198 Van Buren Street  
Herndon, VA 20170

Subject: Dulles Corridor Metrorail Project – Phase 2  
Herndon Station South  
Combined Special Exception and 2232 Application  
Dated: January 26, 2015

Dear Mr. VanZee:

You are hereby authorized to submit the Herndon Station South Combined Special Exception and 2232 Application to Fairfax County for staff review.

Under Section 2.3 of the Cooperative Agreement between Metropolitan Washington Airports Authority (MWAA) and the County of Fairfax, Virginia, and under Article 9 of the Zoning Ordinance for Fairfax County, Virginia, DRPT is a co-applicant along with MWAA for Special Exceptions.

Should you have any questions or concerns please let me know.

Sincerely,

Phil DeLeon, Dulles Corridor Coordinator

cc: Kevin Page, DRPT

*The Smartest Distance Between Two Points*  
[www.drpt.virginia.gov](http://www.drpt.virginia.gov)



February 6, 2015

Kevin Volbrecht  
Project Director - Package A  
Metropolitan Washington Airports Authority  
198 Van Buren St.  
Herndon, Virginia 20170

Subject: Contract CRB0020\_07 - Dulles Phase 2 WMATA Oversight - Package A  
Herndon Station South Special Exception and 2232 Applications  
Letter No. WMATA-P2A-090  
File No. 26 Project Management - General

Reference: MWAA-P2-02894

Dear Mr. Volbrecht:

Reference is made to the January 27, 2015 e-mail from Sarah Ross (copy attached) which provided the subject Special Exception (SE) and 2232 applications, and identified that the Metropolitan Washington Airports Authority (MWAA) is seeking a consent letter from the Washington Metropolitan Area Transit Authority (WMATA) to proceed with submitting the applications to Fairfax County.

We have completed our review of these draft Herndon Station south SE and 2232 applications, and provide the following comments:

2232 Application - Statement of Justification

1. The Proposed Use (Page 3) - [editorial] Third Paragraph, insert the word "elevated" in front of the word "mezzanine".
2. Hours of Operation (Page 3) - [editorial] the hours of operation are more clearly defined as opening 5:00 am weekdays, 7:00 am weekends, closing 12 am Sun - Thur, 3:00 am Fri - Sat.
3. Proposed number of employees (Page 3) - [editorial] change the word "agent" to "manager".
4. Description of building and facade (Page 4) - [editorial] change the words "the Metrorail brand" to "that of other Silver Line stations," and delete the words "that are consistent with other Silver Line stations".
5. Components and features (Page 4) - First Sentence, change the word "platform" to "mezzanine". Second Sentence, change the words "to mezzanine", to the words "connecting all". Seventh Sentence, delete the word "skywalk" and the word "platform". Last Sentence, it is disingenuous and misleading to suggest that the stations employ green technology, and such claim shall be deleted.

Special Exception Plat

1. General Comment - the pedestrian bridge between the south entrance pavilion and the parking garage tower, and the new parking garage stair tower, are to be owned and maintained by Fairfax County, not WMATA, and the defined SE area should not include them.
2. General Comment - the offset from the south entrance pavilion and pedestrian bridge to the boundaries of the SE area should correspond to that of the property rights proposed to be granted WMATA - please coordinate.

**Washington  
Metropolitan Area  
Transit Authority**

600 Fifth Street, NW  
Washington, D.C. 20001  
202/962-1234

By Metrorail:  
Judiciary Square-Red Line  
Gallery Place-Chinatown  
Red, Green and  
Yellow Lines

A District of Columbia  
Maryland and Virginia  
Transit Partnership

February 6, 2015  
Kevin Volbrecht  
Project Director - Package A  
WMATA-P2A-090

3. Drawing N08-SE-010S (Sheet 10 of 11) should be deleted - see comment #1 above.

In accordance with our letter of February 27, 2006 establishing restrictions and limitations on DRPT's [MWAA's] authorization to act on WMATA's behalf in the submission of Section 15.2 - 2232 and Special Exception applications, and subject to the incorporation of the above WMATA comments, and recognizing receipt of MWAA's February 5, 2015 letter (MWAA-P2-02894) affirming MWAA's commitment to adhere to the conditions set forth in WMATA's February 27, 2006 letter, MWAA is hereby authorized to complete submission of the subject applications to Fairfax County for staff review.

If you have any questions or require additional information, please contact the undersigned.

Sincerely,



Digitally signed by Neil Nott  
DN: cn=Neil Nott, o=WMATA, ou=DULS,  
email=nnott@wmata.com, c=US  
Date: 2015.02.06 16:26:54 -05'00'

Neil Nott  
Acting Director, Dulles Corridor Metrorail Project (DULS)

cc: CPOD - S. Pant; MCAP - J. Thomas; COUN - M. Biondi; LAND - A. Talaia; DUL - O. Mislá;  
TSFA - B. Susanto; TSFA - J. Rudolf; PWRS - B. Yazew; ATCS - T. Shaw; COMS - N. Williams

File: Dulles Corridor Metrorail Project - Herndon Station South Special Exception and 2232 Applications.pdf

does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and will not prejudice the consideration of this application in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

32. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)**  
(12:27 p.m.)

Supervisor Gross announced that she had no Board Matters to present today.

33. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (12:27 p.m.)

Supervisor Foust announced that he had no Board Matters to present today.

34. **CAPTAIN MICHAEL WALL (HUNTER MILL DISTRICT)** (12:28 p.m.)

Supervisor Hudgins said that Reston District Police Captain Michael Wall is transferring from the Reston District for a new assignment with the County Police Department Helicopter Division. Since his arrival two years ago, Captain Wall has had a positive impact on the Reston District station.

Supervisor Hudgins referred to her written Board Matter which outlined Captain Wall's accomplishments. She noted that her office appreciates the service Captain Wall provided to the Reston District. She wished him the best as he moves forward with his career with the County Police Department.

35. **REQUEST FOR BOARD CONSENT TO ALLOW THE FILING OF SPECIAL EXCEPTION AND 2232 PUBLIC FACILITY DETERMINATION APPLICATIONS ON PORTIONS OF LAND OWNED BY THE BOARD (HUNTER MILL DISTRICT)** (12:30 p.m.)

Supervisor Hudgins said that the Metropolitan Washington Airports Authority (MWAA), in cooperation with the Washington Metropolitan Area Transit Authority (WMATA), the Virginia Department of Transportation (VDOT), the County, the Town of Herndon and Loudoun County, is designing and constructing the Silver Line Metrorail Project. It is a 23.1-mile extension of WMATA's Metrorail system in the Dulles Toll Road Corridor. This extension - the Locally Preferred Alternative (LPA) - extends the existing 106-mile Metrorail system from the Metrorail Orange Line in the County through Tysons Corner, through Washington Dulles International Airport, and beyond the airport to Route 772 in eastern Loudoun County. MWAA is constructing the LPA in two phases: Phase 1 - Extension to Wiehle Avenue (now completed), and Phase 2 - Extension to Dulles Airport/Route 772.

Phase 2 of the Silver Line will extend 11.4 miles from the Phase 1 terminus at the Wiehle-Reston East Station to Route 772 in Loudoun County, with service to Dulles Airport. The Phase 2 track alignment will be constructed in:

- The median of the Dulles International Airport Access Highway (DIAAH)
- On Dulles Airport property
- In the median of the Dulles Greenway

This second phase will include six new stations (Reston Town Center, Herndon, Innovation Center, Dulles Airport, Route 606 and Route 772). The three County transit rail stations within the DIAAH are features shown on the adopted Comprehensive Plan. One of these three stations will have facilities located on land currently owned by the Board. This station is Herndon Station.

Supervisor Hudgins said that the Herndon Station will feature an at-grade platform located within the median of the DIAAH, east of the Monroe Street overpass and adjacent to the existing County Herndon-Monroe Park-and-Ride. Pedestrian bridges will extend to the north and south over the DIAAH and the Dulles Toll Road (DTR), linking the platform to station access areas outside of the DTR.

On the south side of the DTR, an entrance pavilion and plaza will be located at the existing 27.3 acre Herndon-Monroe Park-and-Ride site, which already has County 2232 Public Facility Determination approval for an additional park and ride garage and enhanced access to serve the new Metrorail rail station. This entrance pavilion and its surrounding pedestrian plaza, elevator connection to the County parking garage, and revisions to the existing Kiss-and-Ride area, requires Special Exception application zoning approval by the Board because the land is zoned I-4.

A 2232 public facility determination application is required to allow the Traction Power Substation (TPSS) #13 location, to be deemed in substantial accord with the adopted Comprehensive Plan. This TPSS is defined as an "Accessory Electrically-powered Regional Rail Transit Facility" in the Zoning Ordinance, which is permitted in all zoning districts and which is subject to the requirements of Section 15.2-2232 of the Code of Virginia.

Therefore, Supervisor Hudgins moved that the Board authorize MWAA to include portions of the 27.3 acre parcel owned by the County, Tax Map Parcel #16-4((1))-0027, in a special exception application, and a 2232 Public Facility Determination application, and to expedite processing of these applications to allow the Silver Line Metrorail improvements. This motion should not be construed as a favorable recommendation by the Board on the merits of either application and does not relieve the applicant from compliance with the

provisions of all applicable ordinances, regulations, development conditions or adopted standards. Supervisor Hyland seconded the motion and it carried unanimous vote.

36. **TOWN OF VIENNA CELEBRATES 125 YEARS** (12:34 p.m.)

Supervisor Hudgins announced that this year the Town of Vienna celebrates the 125<sup>th</sup> anniversary of its incorporation. On February 28, the Town will kick-off the year-long "Celebrate Vienna 125" festivities with a reenactment of the 1890 incorporation along with music, bonfire, and of course, a birthday cake.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite the Vienna Mayor and members of the Town Council to appear before the Board on February 17, 2015, to receive congratulations on its 125 year heritage. Without objection, it was so ordered.

37. **ENDORSEMENT TO NAME WIEHLE AVENUE-RESTON EAST METRORAIL STATION BICYCLE PARKING ROOM** (12:38 p.m.)

In a joint Board Matter with the Board, Supervisor Hudgins said that she is seeking the Board's endorsement of naming the Wiehle Reston-East Metrorail Station bicycle parking room after Charlie Strunk. He has been the County's first Bicycle Program Manager and will be retiring from County service today.

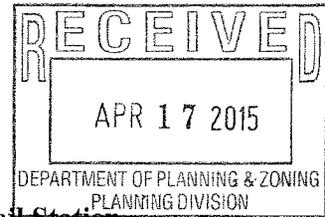
Supervisor Hudgins referred to her written Board Matter and outlined the history of the County Bicycle Program and Mr. Strunk's involvement with the program.

Supervisor Hudgins announced that in 2014, with the opening of the Silver Line, the Department of Transportation (DOT) also opened the Wiehle Reston-East Metrorail Station Bicycle Parking Room. It is the first secure bicycle room in the County. Mr. Strunk led not only the design efforts, but coordinated with other County departments, stakeholders, and advocacy groups to ensure all voices and concerns were heard.

The Wiehle Reston-East Bike Room currently has 300 members from all over the region, including Maryland and the District of Columbia. This bike room is a proto type for other rooms being planned at the Stringfellow Park-and-Ride Lot, the Rolling Road VRE Station, Route 1 Transit Center; as well as the Herndon and Innovation Center Metrorail Stations.

In honor of his dedication to the County and tenacity in successfully developing the bicycle program, Supervisor Hudgins moved that the Board:

- Authorize the naming of the Wiehle Reston-East Bicycle Parking Room in honor of Charlie Strunk, the County's first Bicycle Program Manager



**DULLES CORRIDOR METRORAIL PROJECT**  
**Section 15.2 – 2232 Application for the Herndon Silver Line Rail Station**  
**"Traction Power Substation #13"**  
**STATEMENT OF JUSTIFICATION**  
**April 9, 2015**

**BACKGROUND, OVERVIEW AND ALTERNATIVES CONSIDERED**

Rapid transit in the Dulles Corridor was first explored in the 1950's during planning for the Dulles International Airport ("the Airport"). Consistently, studies over the years concluded that rail was one of the primary long-term solutions to accommodate anticipated significant population and employment growth, as well as the planned growth of the Airport. The Dulles Toll Road was never intended to be a final or single solution to the mobility needs of the region. Specific transit alternatives were evaluated in the *Dulles Corridor Rapid Transit Project Draft Environmental Impact Statement*, which was published in June 2002 by the Commonwealth of Virginia, in partnership with the Washington Metropolitan Area Transit Authority ("WMATA") and the Federal Transit Administration ("FTA"). The environmental, transportation, social, and economic impacts of such a rail transit extension, including the locations of the Innovation Center station entrance proposed in this 2232 application, were further analyzed in the Supplemental, Final and Amended Final Environmental Impact Statements performed between the time period of 2003 to 2006. In 2004, the Virginia Commonwealth Transportation Board, WMATA, the Metropolitan Washington Airports Authority ("Airports Authority"), the Loudoun Board of Supervisors and the Fairfax County Board of Supervisors ("the Fairfax Board"), all agreed to adopt a 23 mile extension of Metrorail from the West Falls Church station, through Tysons and Reston, to eastern Loudoun County, as the *Locally Preferred Alternative* transit solution.

This *Locally Preferred Alternative*, which included a track alignment in the median of the Dulles Airport Access Road/Dulles Toll Road/Rt. 267 ("DAAR/DTR"), the station locations, and the necessary ancillary facilities (including 18 wayside facilities in Fairfax County – 14 Traction Power Substations (TPSS), 3 tie breaker stations and 1 train control room) were evaluated in great detail in the *Final Environmental Impact Statement* ("FEIS"). Impacts to known archaeological and historic architectural resources were assessed and compliance with the National Historic Preservation Act of 1966 was confirmed. No adverse impacts to historic resources were revealed at any of the proposed stations, including the Innovation Center station. Parapet walls beside the tracks and the location of the rail line within the center median of the DAAR/DTR right-of-way was found to reduce brake and wheel noise to acceptable levels. The noise studies conducted in the *FEIS* identified no adverse impacts requiring further mitigation. An air quality assessment was also undertaken during the *FEIS* process. This assessment found no adverse long-term impacts to regional air quality from the Metrorail extension project. To the contrary, electrically-powered rail transit was (and is) universally regarded as having a positive impact on air quality by significantly reducing the use of individual gasoline and diesel powered vehicles.

In 2005, the FTA issued a *Record of Decision* approving the environmental review process for the Silver Line extension of Metrorail from the West Falls Church Orange Line Station through Tysons, Reston, Herndon and Dulles Airport, terminating in Loudoun County. The November 2006 *Amended Record of Decision* ("ROD") concluded that the Dulles Corridor Metrorail Project met the requirements of the National Environmental Policy Act of 1969, and confirmed that the *Locally Preferred Alternative* for the transit project, as described in the *FEIS*, was supported by the FTA.

In 2006, the Virginia Department of Rail and Public Transportation ("DRPT") submitted Application 2232-MD06-10 to Fairfax County, seeking approval to extend Metrorail through Tysons, Reston and western Fairfax County, as proposed in the *Locally Preferred Alternative* and in the *FEIS*. That 2232 application included the rail track alignment, as well as ancillary tie breaker stations, train control rooms, traction power substations and stormwater management facilities. However, the individual rail stations were not included within the scope of that first application. It was noted in the staff report that the passenger stations would be subject to separate 2232 and Special Exception (SE) approvals by Fairfax County. It was also noted in the 2006 application that four of the fourteen Traction Power Substations were to be addressed with later 2232 applications. One of those excluded substations was TPSS #13, which was to be located on County-owned land immediately adjacent to the existing bus transfer parking garage. On January 18, 2007, the Planning Commission found Application 2232-MD06-10 to be substantially in accord with the provisions of the adopted Comprehensive Plan with regard to the Metrorail extension project's location, character and extent. The general spacing of the fourteen TPSS's along the rail line was established by this approval.

The purpose of a TPSS is to transform alternating current electrical power into direct current needed to power Metrorail train cars. Electric power to each TPSS is fed via cables from the Dominion Virginia Power utility grid. Train cars collect the power through a sliding shoe that rides on the third electrified rail. The substations work as part of a system and not as independent facilities. Thus, a change to the location of one substation may require the relocation of one or more other substations. Areas near the transit stations have particularly high traction power needs due to the train accelerating from a stop when departing the station. To prevent loss of power through voltage drop, locating a TPSS near each station is critical.

On June 14, 2007, the Commonwealth of Virginia, the Airports Authority, WMATA and Fairfax County reached an agreement regarding the intergovernmental cooperation and permitting necessary to design and construct the Metrorail Silver Line through Fairfax County. This agreement confirmed that 2232 and SE applications would be required for the Silver Line stations. On February 18, 2009, the Planning Commission found the five Silver Line "Phase 1" rail station 2232 applications to be substantially in accord with the provisions of the adopted Comprehensive Plan. Those applications were numbered 2232-P08-10, 2232-P08-11, 2232-MD08-12, 2232-MD08-13 and 2232-H08-14. The Fairfax Board approved the companion SE applications soon thereafter.

On February 14, 2014, the Comprehensive Plan for the Dulles Suburban Center area was amended by the Fairfax Board in a manner which shows the specific platform locations of three of the four Silver Line transit rail stations within the Dulles Toll Road corridor (Wiehle-Reston

East, Reston Town Center and Herndon). This "area" Plan text was relabeled the "Reston Transit Station Areas Plan," in recognition of the importance of these three Metrorail stations to the Plan recommendations.

### **THE PROPOSED USE**

The Airports Authority and DRPT, on behalf of WMATA, propose to construct some of the Silver Line's electrically-powered regional rail transit facilities and ancillary components on County-owned property located at 12530 Sunrise Valley Drive (known as the Herndon-Monroe Park-and-Ride Transit Center), as part of Phase 2 of the Dulles Corridor Silver Line Metrorail Extension Project. This proposal is consistent with the earlier *Locally Preferred Alternative* and *FEIS*.

The facilities in this proposed application are shown on a Public Facilities Plan ("Plan") labeled "Traction Power Substation #13", prepared by Dewberry Consultants LLC, and last revised April 17, 2015. The scope of this 2232 application is limited to the establishment of TPSS #13 only. Proposed landscaping around the substation is also shown on the Plan. A separate 2232 application encompasses the entrance pavilion and the elevated pedestrian bridge (where connecting the entrance pavilion to the Herndon rail transit station that is located within the median of the DAAR/DTR, and to the existing, county-owned commuter parking garage located onsite). Other transit-related improvements which either currently exist, or are planned to soon be constructed, on this County-owned property have already been approved through other *2232 Public Facility* or *Feature Shown* determinations. Thus, the parking garage expansion, the enhanced access roads, the additional bicycle storage areas, and the realigned bus transfer areas are not included within this 2232 application. They are already planned and approved. The proposed station entrance pavilion, pedestrian bridges and TPSS #13 are the only transit-related facilities on this site which will not be owned and operated by the County. They will be owned and operated by WMATA.

- Type of Operation: Accessory electrically-powered regional rail transit facility.
- Hours of Operation/Maintenance: Not open to the public. This is an unmanned facility with minimal onsite maintenance requirements usually limited to one employee trip per week. The facility will be secured by walled and gated access, 24-hour camera monitoring, and routine visits by WMATA and County police.
- Vicinity of area to be served by TPSS #13: The proposed location of TPSS #13 is part of a system-wide network of Traction Power Substations needed to serve the entire Silver Line. Its service area responsibility cannot be assessed independently.
- Description of building and façade: TPSS #13 will be designed to be consistent with the brick veneer, concrete and specialty lighting fixture design of the Silver Line facilities (similar to the other thirteen TPSS's). Photos of an existing, identical Traction Power Substation are included in this 2232 application (Exhibit A).

- Listing of Hazardous or Toxic Substances on site: TPSS #13 will not generate hazardous waste, although there are a number of industrial products that are used in their operation and maintenance. These products include (but are not limited to) paints and associated paint solvents, high voltage equipment, lead-acid batteries, oils and lubricants. WMATA manages these products and associated waste in accordance with all state and federal laws. Electrically-powered rail systems have significantly less adverse environmental impact than diesel rail systems or gasoline-powered individual vehicles.

### **ANTICIPATED IMPACTS ON ADJOINING PROPERTIES**

The noise, light, vibration, smell and visual impacts of the proposed TPSS #13 are no different than those approved for identical facilities in previous 2232 applications. The TPSS has no noise, smell or vibration. Its visual and light impacts have been minimized by the architectural screen wall landscaping/tree planting and full cut-off specialty lighting. The closest residences are located across Sunrise Valley Drive. The location of the TPSS is as far from the residences as possible, and will be completely shielded by existing and future development on the County-owned site.

### **CONFORMANCE WITH THE COMPREHENSIVE PLAN**

TPSS #13, together with the other thirteen Traction Power Substations, is an integral component to the supply of direct power to Metrorail along the DAAR/DTR corridor. It is directly supported by the recommendations contained in the adopted Comprehensive Plan. In fact, implementation of the Plan recommendations in the future is dependent on approval of this 2232 application; and construction of the facilities shown in it. More generally, the "public transportation" section of the Plan states:

"The introduction of Metrorail service along the Dulles Airport Access Road and Dulles Toll Road (DAAR, Route 267) is a key component to providing increased mobility and reducing vehicle dependency for employees and residents in the three TSAs. Focusing the highest density development, especially new office development, around the Metrorail stations is vital to promote the use of mass transit and achieving the vision for these TSAs."

In addition, the Transportation Section of the Policy Plan contains many references to the need to reduce reliance on the automobile in Fairfax County by supporting an extension of the Metrorail system in the Dulles Corridor.

The general location, character and extent of TPSS #13 has not changed since the *Locally Preferred Alternative* was selected and its *FEIS* approved. Its location on the County-owned site has been coordinated with the Fairfax County Department of Transportation Planning Division and will not interfere with the intense mixed use development or the enhanced "grid of streets"

shown in the Plan on the remainder of the County-owned land. The other thirteen substations were deemed to be in accord with the adopted Comprehensive Plan in Application 2232-MD06-10. The location of TPSS #13 is consistent with this previous County *Public Facility Determination*.

### **ALTERNATIVE SITES CONSIDERED FOR THIS USE**

Once the other thirteen Traction Power Substation locations were approved, the general location of TPSS #13 was confirmed. Its location has not changed from the original *Locally Preferred Alternative*. Due to electrical engineering constraints, this substation must be located close to the track and either (1) on the County-owned property, (2) within the DAAAR/DTR median, or (3) at the Herndon Station – North Entrance. There is no room in the median for this TPSS. There is no room at the North Entrance to the Herndon Station because of the abutting, long established private commercial development. The location chosen on the County-owned property does not preclude the future enhanced "grid of streets," an expansion of the County parking garage, or the future development (public or private) of the vacant portion of the County-owned site. The substation must be located along the northern portion of the County-owned property in order to minimize its distance from the main line track.

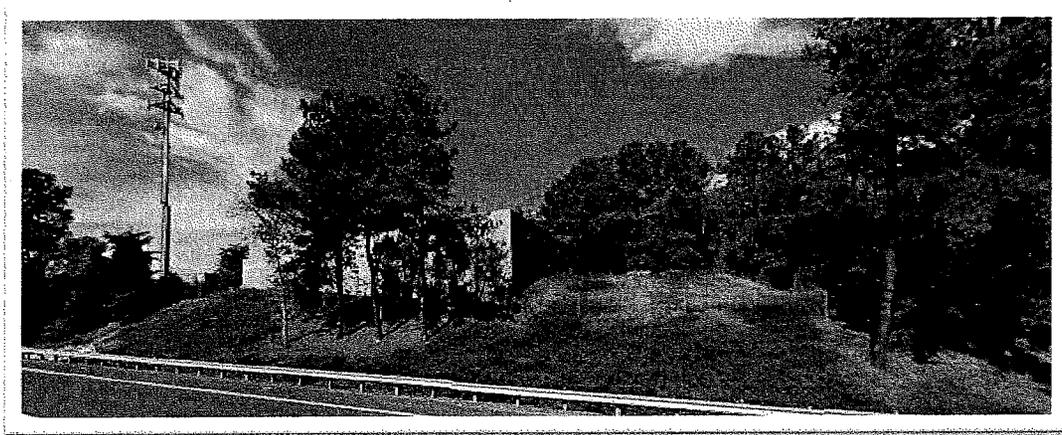
TPSS #13 has been located on the northern edge of the County-owned property in a manner which does not adversely affect the existing County facilities. Although this substation is not occupied on a day-to-day basis, it will have periodic maintenance and inspection activities. WMATA requires that these substations be accessible by a WB-50 tractor trailer. Access for maintenance, inspection and tractor trailer deliveries, will not be frequent. Access will be initially provided solely from the DTR ramp and a turn-around sufficient for a WB-50 tractor trailer will be provided. This does not impede or interdict with access to the County facilities or the WMATA entrance pavilion. TPSS #13 has been located as close to this ramp as is safe and feasible. A shoulder has been provided on the ramp for safe access to this substation, which allows vehicles to slow down and minimizes conflicts with exit ramp traffic. The design of access to this substation minimizes the chance that vehicles entering the Park-and-Ride facility will be confused and enter the access area instead. The length of the access drive and turn-around are based on AASHTO WB-50 vehicle turning radii. In the future, the routine weekly inspection and maintenance access to TPSS #13 may be provided through the new "grid of streets." The infrequent WB-50 tractor trailer access will likely remain from the DTR ramp.

### **CONCLUSION**

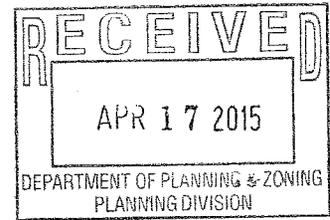
The proposed Silver Line extension of Metrorail and TPSS #13 are identified in the Transportation Policies section of the Policy Plan, the land unit specific recommendations contained in the Area III Plan, and are shown on the Plan's Transportation Map. The location, character and extent of the proposed WMATA facilities are in substantial accord with the Comprehensive Plan.

**EXHIBIT A**

Existing Phase 1 TPSS #10 at Sunset Hills Road along the DAAR/DTR.



#2672922v1 SOJ Herndon South 2232 - TPSS#13 080092/000009



## COMMONWEALTH of VIRGINIA

Office of the Governor

PO Box 1475  
Richmond, Virginia 23218

Pierce R. Homer  
Secretary of Transportation

(804) 786-8032  
Fax: (804) 786-6683  
TTY: (800) 828-1120

June 14, 2007

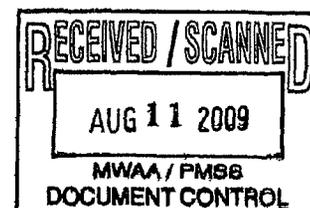
Mr. Anthony H. Griffin  
County Executive, Fairfax County  
12000 Government Center Parkway, Suite 552  
Fairfax, Virginia 22035

Dear Mr. Griffin:

The purpose of this letter is to state the Commonwealth's agreement, through a number of its agencies, to have a continuing role in the Dulles Corridor Metrorail Project (Project) following the anticipated transfer of the Project sponsor role from the Department of Rail and Public Transportation (DRPT) to the Metropolitan Washington Airports Authority (MWAA).

As the Project sponsor, MWAA will be the entity that is responsible for the implementation of the Dulles Corridor Metrorail Project. It shall be assisted with those responsibilities by DRPT, the Department of General Services (DGS), the Department of Conservation and Recreation (DCR), and the Virginia Department of Transportation (VDOT). MWAA will serve as the federal grant recipient and will be responsible for the completion of the financing, preliminary engineering, design-build activities, and associated project development activities including but not limited to: financial planning, right-of-way acquisition, environmental mitigation, utility coordination and relocation, permitting, intergovernmental agreements, and public involvement.

DRPT, which was responsible for overseeing the preparation of the majority of the preliminary engineering plans associated with this Project in accordance with all applicable state and federal standards, will continue to serve in a project coordination role for the Commonwealth. As part of this role, DRPT shall serve as a co-applicant on all special exception applications that are filed for the Project in accordance with Article 9 of the Zoning Ordinance for Fairfax County, Virginia (Fairfax County Zoning Ordinance). DGS shall conduct all required site plan reviews and inspections and shall be responsible for issuing all building permits that may be required for those portions of the Project that are located on land within Fairfax County, Virginia (Fairfax County), that is not owned by the federal government and/or MWAA. DCR shall be responsible for reviewing and



Mr. Anthony H. Griffin  
June 14, 2007  
Page 2

approving all stormwater management and erosion and sediment control plans for those portions of the Project that are located within Fairfax County that is not owned by the federal government and/or MWAA. Regardless of the ownership of land, the project must be registered under the General Permit for Stormwater Discharge from Construction Activity with DCR. In addition, DCR shall be the regulatory authority for all land-disturbing and construction activity in Chesapeake Bay Preservation areas under the provisions of the Chesapeake Bay Preservation Act. Both DGS and DCR shall apply the stricter of the state or Fairfax County standards, where applicable, in reviewing plans and issuing permits.

Fairfax County shall inform DGS of any special exception development conditions imposed by the Fairfax County Board of Supervisors so that they be made a part of the approved site plans, as appropriate. DGS shall notify Fairfax County, on or before the time that MWAA applies for Non-Residential Use Permits on behalf of WMATA, of the extent to which such special exception development conditions were implemented as part of the final site plans for the Project. To the extent that any or all of the special exception development conditions were not addressed by DGS during the process of carrying out its regulatory role for the Project, Fairfax County will be permitted access to all approved plans and shall be permitted to inspect the Project facilities to verify that all special exception conditions were satisfactorily implemented by the Project.

Additionally, DGS, as appropriate, shall verify the Project's compliance with all applicable requirements for issuance of a Non-Residential Use Permit, as set forth in Fairfax County Zoning Ordinance § 18-704. To the extent that DGS is unable to verify the Project's compliance with all of the applicable requirements for issuance of Non-Residential Use Permit(s), Fairfax County shall be permitted access to all approved plans and shall be permitted to inspect the Project facilities to verify that all applicable requirements for issuance of Non-Residential Use Permits for the Project facilities have been satisfied.

Ongoing stormwater pond maintenance shall be performed based on the ownership of the ponds. Fairfax County will retain responsibility for ponds it currently maintains, WMATA will maintain all ponds located on property it currently owns or will own as a result of this Project, and all other ponds created for the project will be maintained by MWAA.

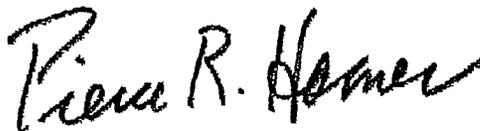
VDOT will assist MWAA with design reviews, use of VDOT right-of-way, property acquisition, utility relocation, construction permitting, construction and final acceptance, traffic maintenance, and project-related roadway improvements, as will be specifically set out in the MWAA-VDOT Cooperative Agreement. More specific information on the roles and responsibilities of each agency will be available in the Project's "Project Management Plan" and in the Cooperative Agreement entered into between Fairfax County and MWAA.

Mr. Anthony H. Griffin  
June 14, 2007  
Page 3

After all construction and start-up related contracts have been performed, MWAA intends to transfer the Project's transit line, facilities, and systems to WMATA for operation and maintenance and for incorporation into the Adopted Regional System. MWAA anticipates having no permanent property interests other than the property interests that MWAA possessed prior to the Project, as permanent property interests in the Project will be held by either WMATA or VDOT, as applicable, in the name of the Commonwealth.

I hope this letter clarifies the anticipated continuing role of the Commonwealth. If you require any further information, please contact DRPT's Director, Matthew Tucker, at (804) 786-1051.

Sincerely,

A handwritten signature in cursive script that reads "Pierce R. Homer". The signature is written in dark ink and is positioned above the printed name.

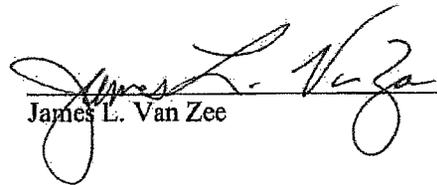
Pierce R. Homer

Copy: The Honorable Viola Baskerville, Secretary of Administration  
The Honorable Preston Bryant, Secretary of Natural Resources

James L. Van Zee, Deputy Director of Project Development  
Metropolitan Washington Airports Authority (MWA)A)  
198 Van Buren Street, Suite 300  
Herndon, Virginia 20170

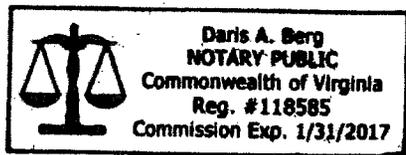
AGENT AUTHORIZATION

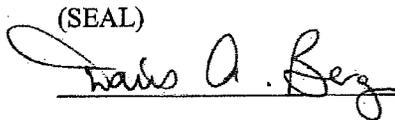
MWAA does hereby authorize John McBride, Esquire, Noah Klein, Esquire, Jo Anne Bitner, Esquire, and Douglas Forno of Odin, Feldman & Pittleman, P.C. ("Agent") to make application to Fairfax County, Virginia, and act as agent for a Special Exception on a portion of the property located at 12530 Sunrise Valley Drive, known as Fairfax County Tax Map No. 16-4((1))27, including execution of any and all such applications in the name of the Applicant.

  
James L. Van Zee

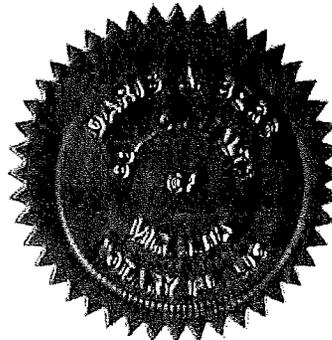
STATE OF Virginia  
COUNTY OF Loudoun

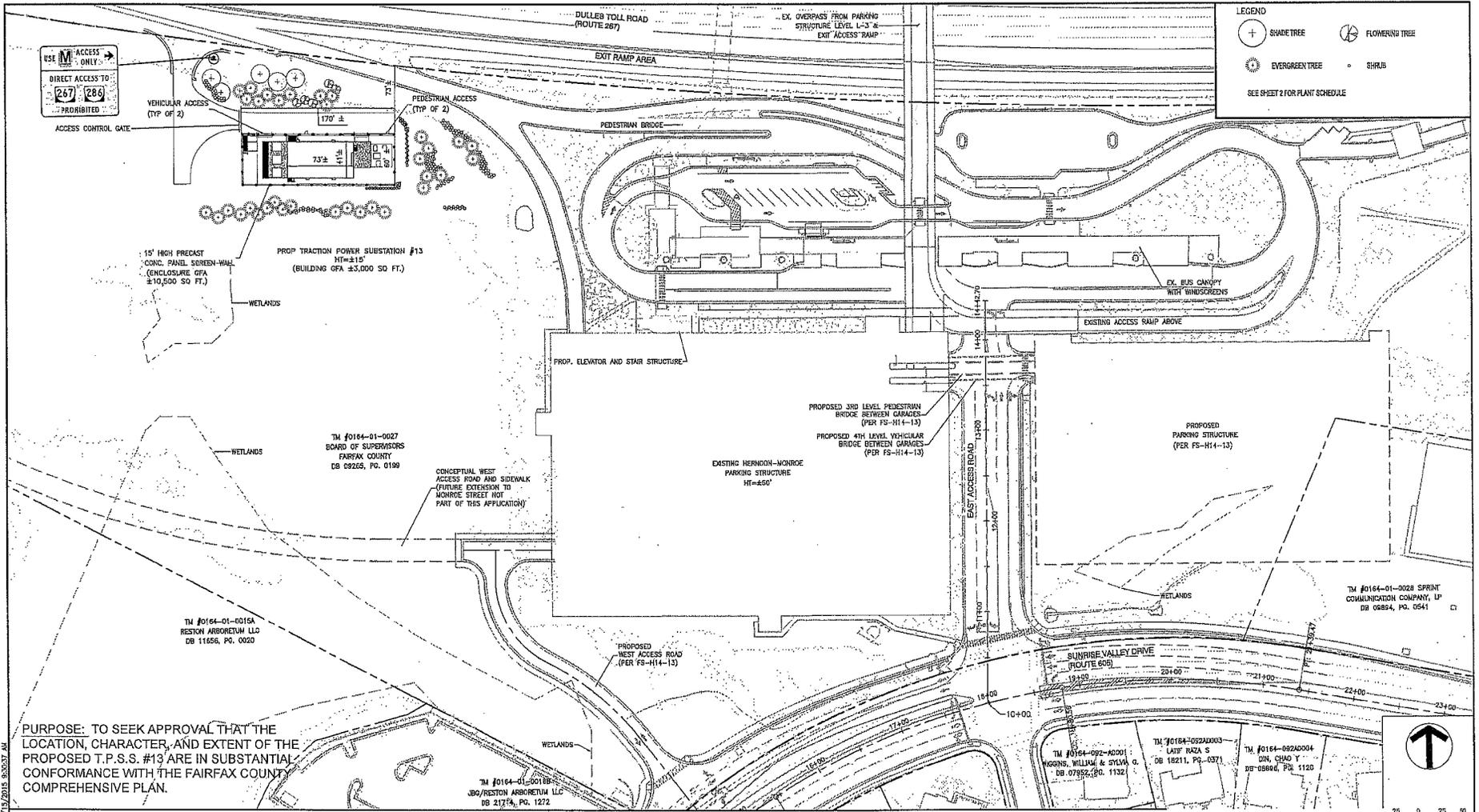
The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of Feb, 2015, by James L. Van Zee, as Dep. Director of Project Development of the Metropolitan Washington Airports Authority, who is personally known to me or has produced \_\_\_\_\_ as identification.



(SEAL)  
  
Notary Public-State of VA  
Commission Number: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

#2546436v1 AgentAuthorization-MWAA 080092/000009



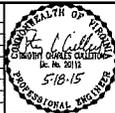


PURPOSE: TO SEEK APPROVAL THAT THE LOCATION, CHARACTER, AND EXTENT OF THE PROPOSED T.P.S.S. #13 ARE IN SUBSTANTIAL CONFORMANCE WITH THE FAIRFAX COUNTY COMPREHENSIVE PLAN.

PLANS FOR THE EXTENSION OF THE METRO RAIL PROJECT TO THE AIRPORT, SHEET 1 OF 2, DATE 05/13/2015, 9:30:37 AM

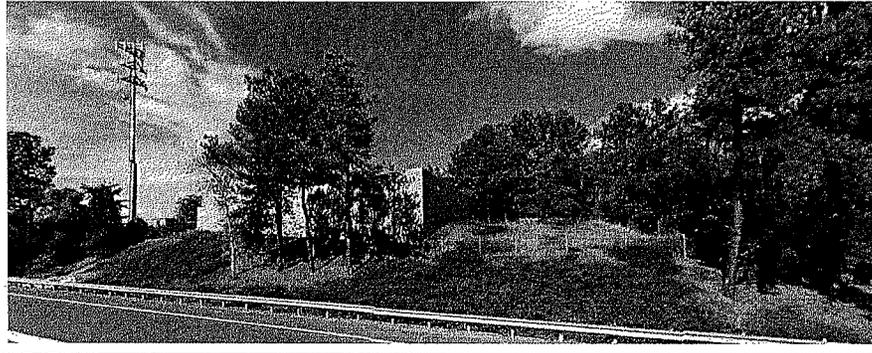
			WMATA LDP 2009	CONTRACT NO.: 8-13-C001
METROPOLITAN WASHINGTON AIRPORTS AUTHORITY		EXTENSION TO DULLES AIRPORT / ROUTE 772 PUBLIC FACILITIES PLAN TRACTION POWER SUBSTATION #13		
Capital Trail Constructors 118 Van Dorn St, Suite 300, Herndon, Virginia 20185		SCALE: 1"=50'		DRAWING NO.: N08-PFM-101S
SHEET 1 OF 2		SHEET 1 OF 2		

DRAWN		DATE		DESCRIPTION		ORIG		CHKRS		SPLM		APPR	
NUMBER	DESCRIPTION	NO	DATE	DESCRIPTION	DT	JV	JV	TC	DT	JV	JV	TC	TC
M. DASHMAN	12/20/14	0	04/17/2015	PUBLIC FACILITIES PLAN SUBMISSION									
D. TUCKER	12/20/14	1	05/10/2015	PUBLIC FACILITIES PLAN SUBMISSION									
DORNER	04/16												
J. VESPA	12/20/14												
GREKOS	04/16												
T. CULLETON	12/20/14												
APPROVAL	DATE												



Capital Trail Constructors  
118 Van Dorn St, Suite 300, Herndon, Virginia 20185

Dewberry  
4011 Arlington Road, Fairfax, VA 22031  
703-819-3100



TPSS #10 (SUNSET HILLS ROAD AND THE DULLES TOLL ROAD)



TPSS #10 (SUNSET, HILLS ROAD AND THE DULLES TOLL ROAD)

NOTE:  
THE PHOTOGRAPHS OF THE EXISTING DULLES CORRIDOR METROPOLITAN PHASE I TPSS ARE FOR ILLUSTRATIVE PURPOSES TO SHOW THE CHARACTER OF THE TPSS ARCHITECTURE PROPOSED WITH THE PUBLIC FACILITIES PLAN WHICH IS SUBJECT TO FINAL DESIGN.

PLANT SCHEDULE				
BOTANICAL NAME/ COMMON NAME	QTY	SIZE	10-YR TREE COVER SQ.FT.	TREE COVER SUB-TOTAL
<b>SHADE TREES CAT. III OR IV</b>				
ACER RUBRUM 'RED SUNSET'	8	3" CAL.	250	1,250
RED MAPLE				
<b>FLOWERING TREES CAT. II</b>				
AMELANCHER ARBOREA	5	8' HT.	100	500
DOWNY SERVICEBERRY				
<b>EVERGREEN TREES</b>				
CEDRUS ATLANTICA	34	6' HT.	75	2,550
BLUE ATLAS CEDAR				
ILEX OPACA				
AMERICAN HOLLY				
JUPEPERUS VIRGINIANA 'EMERALD SENTINEL'				
'EMERALD SENTINEL' RED CEDAR				
PINUS VIRGINIANA				
VIRGINIA PINE				
<b>SHRUBS</b>				
ARONIA MELONCARPA	187	3 GAL.		
BLACK CHOKEBERRY				
FOTHERGILLA MAJOR 'MOUNT AIRY'				
DWARF FOTHERGILLA				
ILEX GLABRA 'SHAMROCK'				
'SHAMROCK' INKBERRY				
MYRICA PENNSYLVANICA				
NORTHERN BAYBERRY				
MORELLA PUMILA				
DWARF WAXMYRTLE				
ILEX VERTICILLATA				
WINTERBERRY HOLLY				

Public Facilities Plan - TPSS SHEET A, 06/12/2015 03:43:36 AM

OPERATIONS M. CAHMAN 12/23/14 DRAWN DATE D. TUCKER 12/23/14 DESIGNED DATE J. VEDA 12/23/14 CHECKED DATE T. CULLETON 12/23/14 APPROVED DATE		REFERENCE DRAWINGS NUMBER DESCRIPTION NO DATE DESCRIPTION		REVISIONS NO DATE DESCRIPTION DT JV JY TO		METROPOLITAN WASHINGTON AIRPORTS AUTHORITY CAPITAL RAIL CONSTRUCTORS 100 Van Dorn St. Suite 250, Herndon, Virginia 20170		WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY WMATA LDP 2009 CONTRACT NO.: 8-13-C001		EXTENSION TO DULLES AIRPORT / ROUTE 772 PUBLIC FACILITIES PLAN TRACTION POWER SUBSTATION #13 TPSS PERSPECTIVES	
DWS PROJECT IDENTIFICATION CODE:						METROPOLITAN WASHINGTON AIRPORTS AUTHORITY		DULLES CORRIDOR METROPOLITAN PROJECT		SCALE: 1"=50' DRAWING NO.: N08-PFM-102S SHEET 2 OF 2	

**ATTACHMENT B**

## Clark, Harvey

---

**From:** Belgin, Cathy S.  
**Sent:** Thursday, March 12, 2015 2:43 PM  
**To:** Clark, Harvey  
**Cc:** Caperton, Chris B; Hushour, Andrew  
**Subject:** 2232-H15-2, South Entrance Pavilion and Skywalk to future Herndon Silver Line Station and Traction Power Sub Station #13

2232-H15-2

Metropolitan Washington Airports Authority and the Virginia Department of Rail and Public Transportation, on behalf of the Washington Metropolitan Area Transit Authority (WMATA)- South Entrance Pavilion and Skywalk to the future Herndon Silver Line Station, and Traction Power Sub Station #13, both of which are part of the Washington Metropolitan Area Transit Authority's electrically-powered regional rail transit facilities.

12530 Sunrise Valley Drive

Tax Map Ref.: 16-4 ((1)) 27

Zoning District: I-4

Comments:

This request is for the proposed South Entrance Pavilion and Skywalk to the future Herndon Silver Line Station, and Traction Power Sub Station #13, to be located at the referenced property. The property consists of 27.36 acres and is zoned I-4. The property is currently developed with the Herndon-Monroe Park & Ride public commuter parking facility, which includes a 4-story parking structure, and has previously been approved for other improvements including an additional parking garage and pedestrian connections. A Special Exception application, SE 2015-HM-006, has also been filed on the property for the future electrically-powered regional rail transit facility, with pending public hearing dates before the Planning Commission on July 22, 2015, and the Board of Supervisors on July 28, 2015. The property is not subject to any proffered conditions or development conditions, and public uses are a permitted use in the I-4 District.

The proposal includes construction of a 6,000 square foot entrance pavilion with a 5,000 square foot elevator and stair structure and elevated pedestrian bridge connecting it to the parking garage and future transit station. Additionally, the proposal includes construction of a traction power station, "TPPS #13", which includes a 3,000 square foot modular building, a 110 square foot modular communication room, a 1,100 square foot transformer courtyard, and a 600 square foot 34.5 kv switch courtyard, all surrounded by a 15 foot high architectural screen wall. The I-4 District requirements include a maximum floor area ratio (FAR) of 0.50 by-right, a maximum building height of 75 feet, and a minimum front yard requirement controlled by a 45 degree angle of bulk plane, which results in a one-to-one ratio of building height to minimum yard requirement, but not less than 40 feet. The elevated pedestrian walkway connecting the entrance pavilion to the future transit station is considered most similar to "...any similar structures or devices which in the opinion of the Zoning Administrator are obviously intended to be otherwise located in the public interest, and are not incongruous with the aesthetic standards of the surrounding area" and are therefore exempt from the minimum yard requirements pursuant to Par. 2 of Sect. 2-104 of the Zoning Ordinance. The bulk regulations of the I-4 District appear to be satisfied with this request. Waivers and modifications for transitional screening and barrier requirements were previously granted at the time of site plan approval for the existing facility. All applicable Zoning Ordinance requirements must continue to be satisfied at the time of site plan approval for this request.

ZED: Not applicable

Prepared by: Cathy Belgin- March 12, 2015

Cathy S. Belgin, AICP

Senior Assistant to the Zoning Administrator

Zoning Administration Division

Fairfax County Department of Planning and Zoning  
703-324-1314  
[Cathy.Belgin@fairfaxcounty.gov](mailto:Cathy.Belgin@fairfaxcounty.gov)

ATTACHMENT C



# County of Fairfax, Virginia

## MEMORANDUM

DATE: 30 March 2015

**TO:** Harvey Clark, Planner, Facilities Planning Branch

**FROM:** Linda Cornish Blank, Historic Preservation Planner *ACB*

**SUBJECT:** 2232-H15-2, Tax Map # 16-4((1))27, 12530 Sunrise Valley Drive; proposal to construct a south entrance pavilion and skywalk to the Herndon Silver Line Metro Station and Traction Power Sub Station #13

**Background:** The subject property is not included within the boundaries of a Fairfax County Historic Overlay District, is not listed on the Fairfax County Inventory of Historic Sites or the National Register of Historic Places or documented in the historic structures survey file. There are no properties in the immediate vicinity of the property which is the subject of this application that are within the boundaries of a Fairfax County Historic Overlay District, listed on the Fairfax County Inventory of Historic Sites or the National Register of Historic Places or documented in the historic structures survey file that would be negatively impacted by the proposed construction of a pavilion entrance and skywalk to the Herndon Silver Line Metro Station and a traction power substation.

The applicant stated in the application compliance with Section 106 of the National Historic Preservation Act. No adverse effects were found for any of the proposed silver line stations including the Herndon station.

**Findings:** Staff finds that no known historic properties will be affected by the project. No action concerning heritage resources is required.

ATTACHMENT D



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** May 20, 2015

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

Chris Caperton, Chief  
Facilities Planning Branch, DPZ

**FROM:** Pamela G. Nee, Chief  
Environment and Development Review Branch, DPZ

**SUBJECT:** Environmental Assessment: SE 2015-HM-006/ 2232-H15-2

This special exception request encompasses .52 acres of land on a larger subject property which is 27.35 acres. The subject property is located north of Sunrise Valley Drive, south of the Dulles Toll Road and east of Monroe Street. The property is currently zoned I-4. The application requests approval to locate the Herndon Silver Line Metro station which includes the south entrance pavilion and skywalk to the Herndon Silver Line Station and the Traction Power Sub-Station.

The applicant is encouraged to build the new parking garage in a manner which supports the County's Green Building Policy. In addition, the applicant should notify the Federal Aviation Administration (FAA) about this project. No environmental issues have been identified for this application.

PGN/MAW

# ATTACHMENT E



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** March 20, 2015

**TO:** Mary Ann Tsai, Senior Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Mohan Bastakoti, P.E., Senior Engineer III   
South Branch  
Site Development and Inspections Division  
Department of Public Works and Environmental Services

**SUBJECT:** SE 2015-HM-006; MWAA; 9069-ZONA-001-1, Tax Map #016-4-01-0027  
Hunter Mill District

We have reviewed the subject application and offer the following stormwater management comments:

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area present on this site.

Floodplain

There is a minor floodplain on this site. For any proposed use in a minor floodplain, a floodplain use determination from SDID is required.

Downstream Drainage Complaints

There is no storm water complaint on file within the property.

Drainage Diversion

During the development, the natural drainage divide shall be honored. If natural drainage divides cannot be honored, a drainage diversion justification narrative must be provided. The increase and decrease in discharge rates, volumes, and durations of concentrated and non-concentrated Stormwater runoff leaving a development site due to the diverted flow shall not have an adverse impact (e.g., soil erosion; sedimentation; yard, dwelling, building, or private structure flooding; duration of ponding water; inadequate overland relief) on adjacent or downstream properties.  
(PFM 6-0202.2A)

Department of Public Works and Environmental Services  
Land Development Services, Site Development and Inspections Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



Water Quality Control

The applicant has not provided information about how much area will be disturbed and the new proposed impervious area. A note on Sheet#2 states “stormwater management has been designed for phase 2 of Dulles Corridor Metrorail Project with a system wide approach utilizing site IIB criteria. The proposed stormwater management approach is subject to Virginia DEQ review and approval.”

Stormwater Detention

No information was provided regarding to the existing and proposed 2-yr and 10-yr peak runoff from the site. A note on sheet#2 states “stormwater management has been designed for phase 2 of Dulles Corridor Metrorail Project with a system wide approach utilizing site IIB criteria. The proposed stormwater management approach is subject to Virginia DEQ review and approval.”

Water Quantity Control

A note on sheet#2 states “stormwater management has been designed for phase 2 of Dulles Corridor Metrorail Project with a system wide approach utilizing site IIB criteria. The proposed stormwater management approach is subject to Virginia DEQ review and approval.”

Downstream Drainage System

No information was provided regarding to the existing condition of the outfalls from the site.

cc: Don Demetrius, Chief, Watershed Projects Evaluation Branch, SPD, DPWES  
Fred Rose, Chief, Watershed Planning & Assessment Branch, SPD, DPWES  
Bijan Sistani, Chief, South Branch, SDID, DPWES  
Zoning Application File

ATTACHMENT F



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** March 19, 2015

**TO:** Harvey Clark, Planner  
Planning Division, DPZ

**FROM:** Hugh C. Whitehead, Urban Forester III *HCW*  
Forest Conservation Branch, DPWES

**SUBJECT:** 12530 Sunrise Valley Drive, 2232-H15-2

I have reviewed the 2232 application for the above referenced site. The project consists of construction a south entrance pavilion and skywalk to the Herndon Silver Line Station and Traction Power Sub-station #13.

The proposed plan meets code requirements for tree preservation and landscaping. Forest Conservation Branch staff has no comments regarding the subject plan at this time.

If there are any questions or further assistance is desired, please contact me at (703)324-1770.

HCW/  
UFMDID #: 199381

cc: DPZ File



ATTACHMENT G



# County of Fairfax, Virginia

## MEMORANDUM

DATE: March 20, 2015

**TO:** Chris Caperton, Chief  
Facilities Planning Branch, DPZ

**FROM:** Leonard Wolfenstein, Chief  
Transportation Planning Section  
Department of Transportation

*L. Wolfenstein*

**FILE:** 10-5

**SUBJECT:** Application for 15.2-2232 determination –2232-H15-2 for the approval of the south Entrance Pavilion and Skywalk to the Herndon Silver Line Station and Traction Power Sub Station #13

The Fairfax County Department of Transportation (FCDOT) has reviewed the above 2232 application for the south Entrance Pavilion and Skywalk to the Herndon Silver Line Station and Traction Power Sub Station. While these two facilities come are contained in the same 2232 application, it is easier to discuss the two separately.

The south Entrance Pavilion and Skywalk will help facilitate the access to the Herndon Metrorail Station. Phase 2 of the Silver Line is of great importance to Fairfax County's transportation network. Creating good access to the Metro Platform, as this Entrance Pavilion and skywalk will do, enhances the accessibility of the Herndon Metrorail Station. The skywalk (more precisely, its support and access structure) will result in the permanent elimination of the westernmost two bus bays within the bus loop. The removal of these bus stops will have some impacts during the construction of Phase 2, while existing bus routes still serve the Herndon-Monroe Park-and-Ride, connecting riders to the Wiehle-Reston East Metrorail Station.

To mitigate the loss of the two western-most bus bays, mitigate impacts to the bus platform during Metrorail station construction, including construction of the entrance pavilion, and ensure continued bus access during Traction Power Sub-Station work, close coordination with FCDOT will be needed.

Funding will be needed and FCDOT TSD staff will need to be consulted on the following (at a minimum):

- Short-term site circulation testing, including a proposed partial closure of the ramp from the Herndon-Monroe site to the eastbound Dulles Toll Road.
- Long-term temporary bus stop relocation and passenger accommodations to mitigate the loss of the two western-most bus bays.

March 20, 2015

Page 2 of 2

- Changes to allow buses to circulate clockwise from the southern side of the bus platform to the northern side of the bus platform, where we will likely locate temporary stops/boarding areas. (This movement is only made by personal vehicles at this time and may require changes to the curbs and islands.)
- Language restricting work to impact the two western-most bays only during weekday rush periods (other bays can be impacted to accommodate construction outside of weekday rush periods, which are typically 4:30 a.m. to 9:30 a.m. and 3:30 p.m. to 6:30 p.m., per consultation and coordination with FCDOT TSD staff).
- Funding to mitigate dust, dirt, and other debris during construction to keep passengers from tracking construction debris onto Fairfax Connector buses, frequent platform power washing could be implemented.
- For Fairfax Connector routes 981 and 983 (eastbound), and Metrobus Route 5A (eastbound), maintaining access to the existing Herndon-Monroe site for buses traveling from the eastbound Dulles Toll Road that use the Herndon-Monroe exit ramp to reach the bus platform.

As mentioned previously, close coordination will be needed with FCDOT's Transit Division; however, when open, the skywalk should contribute to a safer environment for pedestrians and bus riders by allowing them to cross multiple vehicle flows without conflict.

The Traction Power Substation will be accessed from the off ramp to the bus bays and the Metrorail Station, after the gore from the Dulles Toll Road's collector-distributor road. The access point to the substation will need to allow for adequate deceleration from the DTR so maintenance trucks can easily and safely access the station. This may require a wide well paved shoulder on the off-ramp. Clear signage will be needed well in advance and at the driveway of the substation so minimize driver confusion.

With these considerations in mind, there are no impacts to any roads planned or existing on the comprehensive plan. The application does not affect any planned bike or trail facilities and will enhance the pedestrian experience for those utilizing the Herndon Metrorail station.

If you have any questions please feel free to contact Kristin Calkins (tel. 703-877-5710) [Kristin.Calkins@fairfaxcounty.gov](mailto:Kristin.Calkins@fairfaxcounty.gov).

Cc: Harvey Clark, DPZ  
Mike Davis, FCDOT  
Karyn Moreland, FCDOT  
Kristin Calkins, FCDOT  
Bill Harrell, FCDOT  
Randy White, FCDOT  
Chris Wells, FCDOT  
Mark Canale, FCDOT  
Martha Coello, FCDOT

ATTACHMENT H

# Fairfax Water

FAIRFAX COUNTY WATER AUTHORITY  
8560 Arlington Boulevard, Fairfax, Virginia 22031  
www.fairfaxwater.org

**PLANNING & ENGINEERING  
DIVISION**

Jamie Bain Hedges, P.E.  
Director  
(703) 289-6325  
Fax (703) 289-6382

March 23, 2015

Mr. Harvey Clark  
Facilities Planning Branch  
Fairfax County Department of Planning & Zoning  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035

Re: Application No. 2232-H15-2  
South Entrance Pavilion and  
Skywalk to Herndon Silver Line  
Station and Traction Power Sub  
Station #13  
Tax Map: 16-4 ((1)) 27

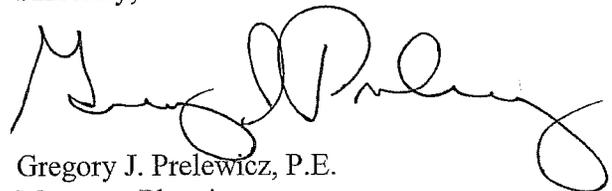
Dear Mr. Clark:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 12-inch and 6-inch water mains located onsite. See the enclosed water system map.
3. Adequate overhead clearances to be provided prior to approval.

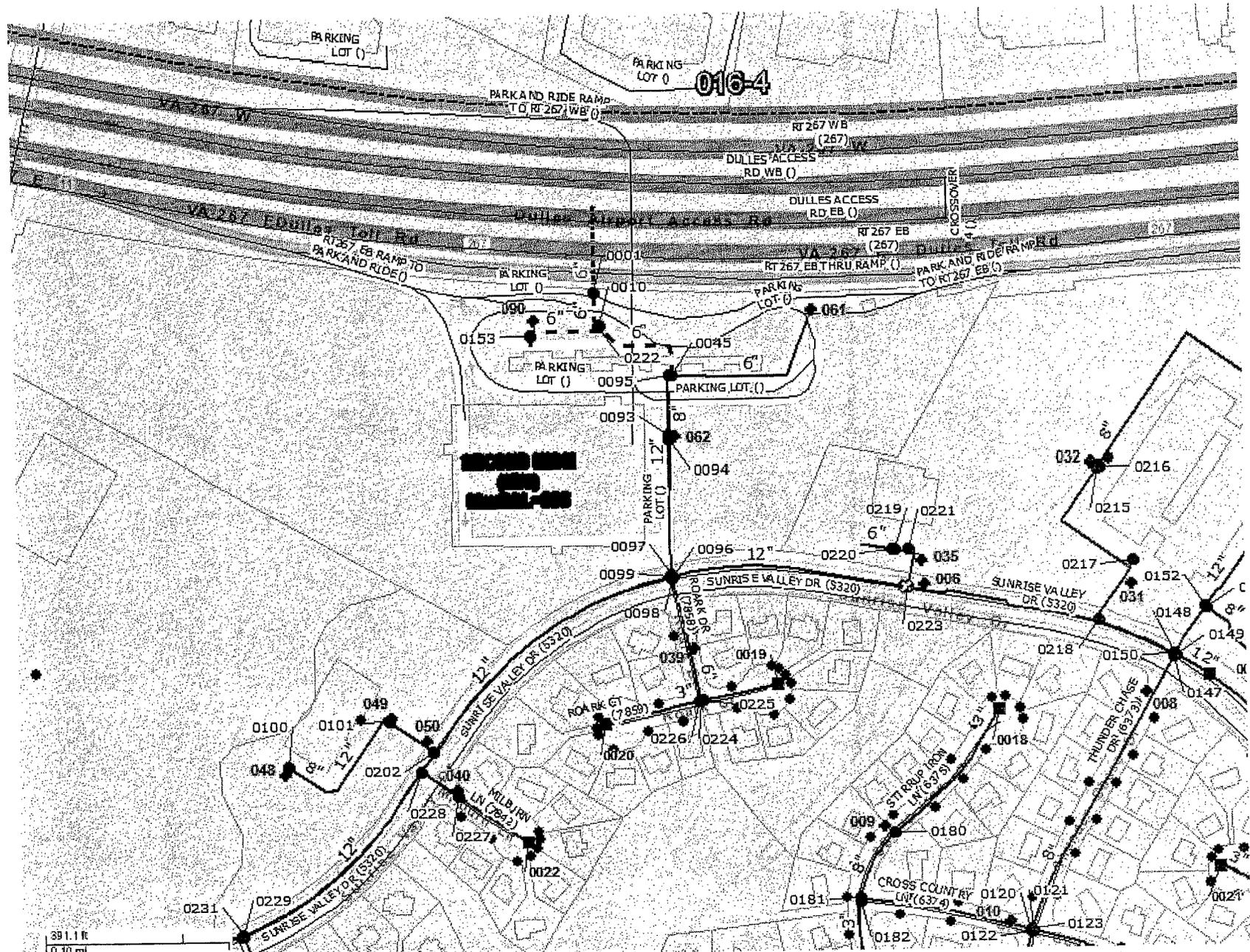
If you have any questions regarding this information please contact Ross K. Stilling, P.E., Chief, Site Plan Review at (703) 289-6385.

Sincerely,



Gregory J. Prelewicz, P.E.  
Manager, Planning

Enclosure



(note: scalebar is approximate)

ATTACHMENT I



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

CHARLES A. KILPATRICK, P.E.  
COMMISSIONER

March 13, 2015

Mr. Chris B. Caperton, Chief  
Facilities Planning Branch  
Planning Division  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5505

Re: Herndon Station South  
Fairfax County Plan No: 2232-H15-2

Dear Mr. Caperton:

VDOT has reviewed the above referenced plan and has no objection to its approval.

Sincerely,

A handwritten signature in cursive script that reads "Paul J. Kraucunas".

Paul J. Kraucunas, P.E.  
Land Development Program Manager

cc: Fairfax Permits

ATTACHMENT J

## Clark, Harvey

---

**From:** Stone, Laurie A.  
**Sent:** Friday, March 20, 2015 4:00 PM  
**To:** Clark, Harvey  
**Subject:** 2232 Application Number 2232-H15-2

Harvey,

The Fire and Rescue Department has no comments regarding the 2232 application number 2232-H15-2 for the pavilion and skywalk to the Herndon Silver Line Station.

Laurie

Laurie Stone  
Strategic Planner  
Fairfax County Fire and Rescue Department  
4100 Chain Bridge Road  
Fairfax, VA 22030  
Phone: 703-246-3889

ATTACHMENT K

## § 15.2-2232. Legal status of plan.

A. Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. In connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing, after notice as required by § 15.2-2204. Following the adoption of the Statewide Transportation Plan by the Commonwealth Transportation Board pursuant to § 33.1-23.03 and written notification to the affected local governments, each local government through which one or more of the designated corridors of statewide significance traverses, shall, at a minimum, note such corridor or corridors on the transportation plan map included in its comprehensive plan for information purposes at the next regular update of the transportation plan map. Prior to the next regular update of the transportation plan map, the local government shall acknowledge the existence of corridors of statewide significance within its boundaries.

B. The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may appeal the decision of the commission to the governing body within 10 days after the decision of the commission. The appeal shall be by written petition to the governing body setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the governing body shall overrule the commission.

C. Widening, narrowing, extension, enlargement, vacation or change of use of streets or public areas shall likewise be submitted for approval, but paving, repair, reconstruction, improvement, drainage or similar work and normal service extensions of public utilities or public service corporations shall not require approval unless such work involves a change in location or extent of a street or public area.

D. Any public area, facility or use as set forth in subsection A which is identified within, but not the entire subject of, a submission under either § 15.2-2258 for subdivision or subdivision A 8 of § 15.2-2286 for development or both may be deemed a feature already shown on the adopted master plan, and, therefore, excepted from the requirement for submittal to and approval by the commission or the governing body; provided, that the governing body has by ordinance or resolution defined standards governing the construction, establishment or authorization of such public area, facility or use or has approved it through acceptance of a proffer made pursuant to § 15.2-2303.

E. Approval and funding of a public telecommunications facility on or before July 1, 2012, by the Virginia Public Broadcasting Board pursuant to Article 12 (§ 2.2-2426 et seq.) of Chapter 24 of Title 2.2 or after July 1, 2012, by the Board of Education pursuant to § 22.1-20.1 shall be deemed to satisfy the requirements of this section and local zoning ordinances with respect to such facility with the exception of television and radio towers and structures not necessary to house electronic apparatus. The exemption provided for in this subsection shall not apply to facilities existing or approved by the Virginia Public Telecommunications Board prior to July 1, 1990. The Board of Education shall notify the governing body of the locality in advance of any meeting where approval of any such facility shall be acted upon.

F. On any application for a telecommunications facility, the commission's decision shall comply with the requirements of the Federal Telecommunications Act of 1996. Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within 90 days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than 60 additional days. If the commission has not acted on the application by the end of the extension, or by the end of such longer period as may be agreed to by the applicant, the application is deemed approved by the commission.

(Code 1950, §§ 15-909, 15-923, 15-964.10; 1958, c. 389; 1960, c. 567; 1962, c. 4 7, § 15.1-456; 1964, c. 528; 1966, c. 596; 1968, c. 290; 1975, c. 641; 1976, c. 291; 1978, c. 584; 1982, c. 39; 1987, c. 312; 1989, c. 532; 1990, c. 633; 1997, cc. 587, 858; 1998, c. 683; 2007, c. 801; 2009, cc. 670, 690; 2012, cc. 803, 835.)