



# County of Fairfax, Virginia

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

January 29, 2008

Antonio J. Calabrese, Esquire  
One Freedom Drive  
11951 Freedom Drive  
Reston, Virginia 20190

RE: Proffered Condition Amendment Application PCA 84-L-020-23

Dear Mr. Calabrese:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on January 28, 2008, approving Proffered Condition Amendment Application PCA 84-L-020-23 in the name of Kingstowne L L.P., Kingstowne Parcel O L.P.; Kingstowne M & N LP; BP Kingstowne Office Building T, LLC; Kingstowne Towne Center L.P.; BP Kingstowne Office Building K LLC; BP Kingstowne Theatre, LLC. The Board's action amends the proffers for Rezoning Application RZ 84-L-020, previously approved for mixed use development to permit two additional buildings, site modifications, and associated modifications to proffers to a portion of the Kingstowne Shopping Center with an overall Floor Area Ratio (FAR) of 1.03. The subject property is located in the northeast and southeast quadrants of the intersection of Kingstowne Boulevard and Kingstowne Village Parkway on approximately 43.37 acres of land zoned PDC [Tax Map 91-2 ((1)) 26K, 32F, 36B, 36C, 36G, 36H, and 36I], in the Lee District and subject to the proffers dated January 25, 2008.

**The Board also:**

- Modified the transitional screening requirement to the north and west of the subject property.
- Waived the barrier requirement at all edges of the PDC District subject to the application.

On October 4, 2007, the Planning Commission approved Final Development Plan Amendment Application FDPA 84-L-020-02-13 subject to the Board's approval of PCA 84-L-020-23.

Sincerely,

Nancy V. Ehrns  
Clerk to the Board of Supervisors  
NV/dms  
Enclosure

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Fairfax, Virginia 22035

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 28<sup>th</sup> day of January, 2008, the following ordinance was adopted.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROFFERED CONDITION AMENDMENT PCA 84-L-020-23**

**WHEREAS**, Kingstowne L L.P., Kingstowne Parcel O L.P.; Kingstowne M & N LP; BP Kingstowne Office Building T, LLC; Kingstowne Towne Center L.P.; BP Kingstowne Office Building K LLC; BP Kingstowne Theatre, LLC, filed in the proper form an application to amend the proffers for RZ 84-L-020 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. 15.2-2303(a), and

**WHEREAS**, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

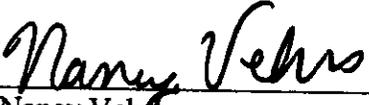
**WHEREAS**, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

**NOW, THEREFORE, BE IT ORDAINED**, that that certain parcel of land situated in the Lee District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

**BE IT FURTHER ENACTED**, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 28th day of January, 2008.

  
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Nancy Vehs  
Clerk to the Board of Supervisors