



County of Fairfax, Virginia

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

December 15, 2008

Keith C. Martin
Sack, Harris & Martin, P.C.
8270 Greensboro Drive, Suite 810
McLean, Virginia 22102

RE: Rezoning Application RZ 2006-PR-013
(Concurrent with Special Exception Application SE 2006-PR-005)

Dear Mr. Martin:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on December 8, 2008, granting Rezoning Application RZ 2006-PR-013 in the name of Washington Property Company, LLC. The Board's action rezones certain property in the Providence District from the C-3, C-6, C-8, and HC Districts to the C-6 and HC Districts and permits commercial development with an overall Floor Area Ratio (FAR) of 0.04. The subject property is located in the southwest quadrant of the intersection of Lee Highway and Nutley Street and the northwest quadrant of the intersection of Arlington Boulevard and Nutley Street on approximately 13.52 acres of land [Tax Map 48-4 ((1)) 12], and is subject to the proffers dated November 4, 2008.

The Board also:

- Waived the service drive requirement along Lee Highway.
- Waived the service drive requirement along Arlington Boulevard.
- Waived of the transitional screening and barrier requirements along the perimeters adjacent to residential uses, in favor of the existing vegetation.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms
Enclosure

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

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 8th day of December, 2008, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2006-PR-013
(CONCURRENT WITH SE 2006-PR-005)**

WHEREAS, Washington Property Company, LLC, filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the C-3, C-6, C-8, and HC Districts to the C-6 and HC Districts, 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

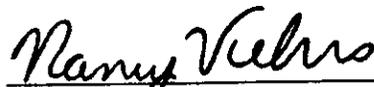
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

Be, and hereby is, zoned to the C-6 and HC Districts, and said property is subject to the use regulations of said C-6 and HC Districts, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., 15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to 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 parcel.

GIVEN under my hand this 8th day of December, 2008.



Nancy Veirs
Clerk to the Board of Supervisors