County of Fairfax, Virginia

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

AMENDED

October 9, 2009

Timothy Sampson
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

RE: Proffered Condition Amendment Application PCA 87-P-038-04

Dear Mr. Sampson:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on July 13, 2009, approving Proffered Condition Amendment Application PCA 87-P-038-04 in the name of INOVA Health Care Services. The Board's action amends the proffers for Rezoning Application RZ 87-P-038, previously approved for an assisted living facility and office uses to permit commercial development and public uses and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.7. The subject property is located in the southeast quadrant of the intersection of Arlington Boulevard and Williams Drive on approximately 16.14 acres of land zoned C-3 [Tax Map 49-3 ((1)) 141], in the Providence District and is subject to the proffers dated July 6, 2009.

The Board also:

- Reaffirmed the modification of the transitional screening requirement and waiver of the barrier requirement along the south and east property lines in favor of that shown on the GDP.

- Reaffirmed the waiver of the service drive requirement along Route 50 (Arlington Boulevard).

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- Modified the loading space requirement for office uses to permit a maximum of three loading spaces per building shown on the GDP.

Sincerely,

Nancy Vehrs

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

Cc: Chairman Sharon Bulova
Supervisor Linda Smyth, Providence District
Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

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 13th day of July, 2009, the following ordinance was adopted.

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 87-P-038-04

WHEREAS, INOVA Health Care Services, filed in the proper form an application to amend the proffers for RZ 87-P-038 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 Providence 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 13th day of July, 2009.

Nancy Vehrs

Nancy Vehrs
Clerk to the Board of Supervisors