



# County of Fairfax, Virginia

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

February 2, 2007

Mark C. Looney, Esq.  
Cooley, Godward, and Kronish LLP  
Reston Town Center, One Freedom Square  
11951 Freedom Drive  
Reston, VA 20190

RE: Rezoning Application Number RZ2006-PR-039 (concurrent with PCA 88-P-030)

Dear Mr. Looney:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on December 4, 2006, granting Rezoning Application Number RZ 2006-PR-039 in the name of Dunn Loring Metro, LLC to rezone certain property in the Providence District from R-1 and I-4 Districts to the PRM District. The subject property is located in the northeast quadrant of the intersection of Prosperity Avenue and Gallows Road on approximately 14.06 acres of land for mixed use up to 2.25 FAR and subject to the proffers dated November 30, 2006, and Conceptual Development Plan conditions dated December 1, 2006. Tax Map 49-1 ((1)) 27A; 49-2 ((1)) 13A and 15A.

The Board also:

- Modified the private street limitations, as depicted on the Conceptual Development Plan/Final Development Plan (CDP/FDP).
- Modified the transitional screening and waiver of the barrier requirements to the north, northeast, and internal to the site in favor of the treatments depicted on the CDP/FDP.
- Waived the 75-foot yard regulations for lots abutting principal arterial highways.
- Modified the interior parking lot landscaping on top of the WMATA parking deck, as depicted on the CDP/FDP.

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors  
Enclosure

Cc: Chairman Gerald E. Connolly  
Supervisor Catherine Hudgins, Hunter Mill District  
Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration  
Barbara A. Byron, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Thomas Conry, Dept. Manager. – GIS - Mapping/Overlay  
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division  
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation  
Audrey Clark, Director – Building Plan Review, DPWES  
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  
Barbara J. Lipka, Executive Director, Planning Commission  
Jose Comayagua, Director, Facilities Management  
Gary Chevalier, Office of Capital Facilities/Fairfax County Public Schools

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 4<sup>th</sup> day of December, 2006, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 2005-PR-039

WHEREAS, Dunn Lorning Metro, LLC filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-1 and I-4 Districts to the PRM District, 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 PRM District , and said property is subject to the use regulations of said Providence District, 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 4<sup>th</sup> day of December, 2006

  
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Nancy Veirs  
Clerk to the Board of Supervisors