



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030



June 8, 1989

Keith C. Martin, Esquire
Walsh, Colucci, Stackhouse,
Emrich and Lubeley
950 North Glebe Road - Suite 300
Arlington, Virginia 22203

Re: Proffered Condition Amendment
Number PCA 80-P-039 and
Conceptual Development Plan Amendment
Number CDP 80-P-039

Dear Mr. Martin:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on March 20, 1989, approving Proffered Condition Amendment PCA 80-P-039 and Conceptual Development Plan Amendment CDP 80-P-039 in the name of FMCE Associates Limited Partnership, on subject parcels 48-4 ((1)) 1G, 1E and 1H consisting of approximately 56.90 acres in Providence District.

The Board approved PCA/CDP 80-P-039 subject to the executed proffers dated March 13, 1989 and the following development conditions :

1. A 50-foot undisturbed buffer area shall be provided on the commercial component between the Metro connector road and the western lot line. Notwithstanding the preceding sentence, if the Department of Environmental Management (DEM) requires the road to be shifted to the west so that it is not feasible, in the judgment of DEM, to maintain a 50-foot undisturbed buffer, the applicant will preserve an undisturbed buffer to the extent that it is in the judgment of DEM feasible to do so, but will in any event preserve a minimum undisturbed buffer of 35 feet.

April 12, 1989

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2. A 50-foot undisturbed buffer shall be provided on the commercial component between the western commercial loop road and the western lot line, as long as it is feasible in the judgment of DEM to do so, without relocating that road to the east. If the undisturbed 50-foot buffer cannot be maintained then the applicant will preserve an undisturbed buffer to the extent that it is, in the judgment of DEM, feasible to do so, but will in any event preserve a minimum undisturbed buffer of 35 feet.

The Board also modified the transitional screening along the southern lot line to provide Transitional Screening 1, as approved by the County Arborist.

In addition, the Board waived the transitional screening along the eastern lot line and the barrier requirement along the southern and eastern lot lines, subject to the executed proffers dated March 13, 1989.

Sincerely,



Theodore Austell, III
Clerk to the Board of Supervisors (Acting)

TAIII:ns

cc: Joseph T. Hix
Real Estate Division, Assessments
Gilbert R. Knowlton, Deputy
Zoning Administrator
Barbara A. Byron, Director
Zoning Evaluation Division
Robert Moore, Transportation Planning Division,
Office of Transportation
Kathy Ichter, Transportation Road Bond Division,
Office of Transportation
Department of Environmental Management
A. V. Bailey, Resident Engineer
Virginia Department of Transportation
Richard Jones, Manager, Land Acquisition & Planning Division
Fairfax County Park Authority

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Massey Building at Fairfax, Virginia, on the 20th day of March, 1989, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 80-P-039
(CONCURRENT WITH CONCEPTUAL DEVELOPMENT PLAN AMENDMENT CDPA 80-P-039)

WHEREAS, HMCE Associates Limited Partnership, filed in the proper form, an application requesting amendment to the plan of a certain parcel of land, hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.1.491(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,

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.1-491(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 20th day of March, 1989.



Theodore Austell, III
Clerk to the Board of Supervisors (Acting)



William H. Gordon Associates, Inc.

HEADQUARTERS 1806 Robert Fulton Drive Reston, Virginia 22091 (703) 860-3600 Metro (703) 620-6250

May 24, 1989

Description of
plat showing the PDC zoned portion of
the property of
First American Bank of Virginia, Trustee
Providence District
Fairfax County, Virginia

Beginning at a point in the northerly right-of-way line of Lee Highway (Route 29), said point marking the southwesterly corner of Fairfax Development Corporation;

thence with the northerly right-of-way line of Lee Highway the following six (6) courses:

with the arc of a curve to the left having a radius of 1,171.00 feet and a chord bearing and chord of S 75° 10' 56" W, 119.86 feet respectively, an arc distance of 119.91 feet;

S 72° 14' 55" W, 567.08 feet;

S 78° 47' 09" W, 73.02 feet;

S 72° 26' 24" W, 691.22 feet;

with the arc of a curve to the left having a radius of 1,179.00 feet and a chord bearing and chord of S 68° 14' 33" W, 172.59 feet respectively, an arc distance of 172.75 feet and

N 08° 31' 15" W, 41.34 feet

to a point marking the southeasterly corner of now or formerly Diana Dee Devers;

thence departing said Lee Highway and with the lines of said Devers the following four (4) courses:

N 08° 31' 15" W, 75.39 feet;

N 52° 01' 15" W, 8.78 feet;

S 69° 09' 25" W, 10.41 feet and

S 37° 31' 05" W, 250.61 feet

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thence with the northerly right-of-way line of Lee Highway

S 53° 37' 15" W, 17.51 feet and

N 17° 25' 32" W, 8.79 feet

to a point marking the southeasterly corner of Lot 59, Fairlee;

thence departing from Lee Highway and with the easterly lines of
Fairlee

N 06° 08' 35" W, 2,045.21 feet

to a point on the southerly line of the Washington Metropolitan
Area Transit Authority and marking the northeasterly corner of
Lot 38B, Fairlee;

thence with Washington Metropolitan Area Transit Authority the
following six (6) courses:

S 63° 47' 00" E, 426.95 feet;

N 77° 00' 19" E, 392.65 feet;

with the arc of a curve to the right having a radius
of 250.00 feet and a chord bearing and chord of
S 67° 49' 43" E, 306.88 feet respectively, an arc
distance of 306.88 feet;

S 32° 39' 45" E, 399.87 feet;

with the arc of a curve to the left having a radius
of 150.00 feet and a chord bearing and chord of
S 85° 17' 53" E, 233.77 feet respectively, an arc
distance of 268.03 feet and

N 53° 10' 13" E, 39.44 feet

to a point in the southwesterly right-of-way line of Nutley
Street;

thence with the southwesterly right-of-way line of Nutley Street
the following three (3) courses:

S 36° 50' 09" E, 148.92 feet;

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First American Bank of Virginia, Trustee
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with the arc of a curve to the left having a radius
of 5,751.08 feet and a chord bearing and chord of

S 38° 34' 33" E, 349.25 feet respectively, an arc distance
of 349.31 feet and

S 40° 18' 57" E, 255.81 feet

to a point marking the northeasterly corner of Virginia Electric
and Power Company;

thence departing from Nutley Street and running with the
northerly line of Virginia Electric and Power Company and
continuing with the northerly and westerly lines of Commonwealth
of Virginia

S 84° 45' 22" W, 144.94 feet and

S 05° 14' 39" E, 127.66 feet

to a point marking the southwesterly corner of said Commonwealth
of Virginia;

thence continuing with the southerly lines of Commonwealth of
Virginia and in part with said Virginia Electric and Power
Company

N 84° 43' 07" E, 98.42 feet

to point marking the northwesterly corner of B.P. Oil, Inc.;

thence with the westerly lines of B.P. Oil, Inc. and
aforementioned Fairfax Development Corporation

S 05° 16' 52" E, 200.67 feet

to the point of beginning.

Containing 2,479,035 square feet or 56.91081 acres of land.

All being more particularly described on a plat attached hereto
and made a part hereof.

F A I R F A X C O U N T Y

BOARD OF SUPERVISORS ACTION
ZONING MAP AMENDMENT
DATE OF ACTION 03/20/89

APPLICATION NUMBER: CA 80-P-039

PROVIDENCE DISTRICT

APPLICANT: HMCE ASSOCIATES LIMITED PARTNERSHIP

STAFF: ANDERSON

APPROVED THE REQUESTED AMENDMENT(S) TO THE PROFFERED CONDITIONS

APPLICATION DATA

EXISTING ZONING AND ACREAGE

ZONING: PDC

ACRES: 56.90

PROPOSAL DISTRICT:

ACTION:

PDC
56.90

APPROVE
56.90

TOTAL ACRES
56.90

TOTAL ACRES
56.90

MAP NUMBERS

048-4- /01/ /0001-G ,0001-E ,0001-H

REMARKS: