

October 21, 1977

Mr. E. A. Prichard
4085 University Drive
Fairfax, Virginia 22023

Dear Mr. Prichard:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at its meeting on October 3, 1977, granting as covenanted, the application of No. 77-C-005, to rezone certain land in Centreville District from RE-2 & RPC District to RPC District.

Very truly yours,

Ethel Wilcox Register
Clerk to the Board

mng

cc: Mr. Patteson
Mr. Beales
Mr. Knowlton
✓ Mr. Yates

EXHIBIT

D

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 3 day of October, 1977, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
(PROPOSAL NO. 77-C-005 &)
DP-117

WHEREAS, Gulf Reston, Inc. filed in proper form, an application requesting the zoning of a certain parcel of land hereinafter described, from RE-2 & District to RPC District, and RPC

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 Centreville District, and more particularly described as follows: See attached legal description.

Be, and hereby is, zoned to the RPC District, and said property is subject to the use regulations of said RPC District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., § 15.1-491(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and further restricted by the covenants offered by the applicant and agreed to by this Board, which covenants are to be recorded in the Circuit Court of Fairfax County as restrictive covenants running with the land, 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 3 day of October, 1977.

Catherine A. Gillock, for
Ethel Wilcox Register
Clerk to the Board

DESCRIPTION OF AN AMENDMENT TO ZONING CASE B-846, 5TH
ADDITION TO THE FIRST R.P.C., RESTON, SOUTHERN SECTOR,
BEING BLOCKS 2-A AND 4, SECTION 40, RESTON AND A PORTION
OF BLOCK 1, SECTION 902, RESTON, CENTREVILLE DISTRICT,
FAIRFAX COUNTY, VIRGINIA.

BLOCKS 2-A and 4, SECTION 40

BEGINNING at a point in the easterly right-of-way line of Reston Avenue
(Route 602); said point being the southwest corner of Block 2-B, Section 40, Reston;

thence with the southerly lines of Block 2-B and Block 3, Section 40,
Reston, the following courses and distances:

S. 62° 08' 16" E. 85.02 feet to a point;
S. 27° 51' 44" W. 70.00 feet to a point;
S. 62° 08' 16" E. 200.00 feet to a point; and
S. 73° 45' 39" E. 173.49 feet to a point in the westerly
right-of-way line of Sunrise Valley Drive;

thence with the westerly right-of-way line of Sunrise Valley Drive, the
following courses and distances:

with the arc of a curve to the right whose
radius is 415.00 feet and whose chord bearing
and chord are S. 67° 03' 02" W. 643.31 feet
respectively, an arc distance of 736.07 feet to a point; and

with the arc of a curve to the right whose
radius is 40.50 feet and whose chord bearing
and chord are N. 19° 42' 38" W. 54.65 feet
respectively, an arc distance of 59.98 feet to a point in the easterly
right-of-way line of Reston Avenue;

thence with the easterly right-of-way line of Reston Avenue, the following
courses and distances:

N. 22° 43' 00" E. 90.54 feet to a point; and
N. 27° 51' 44" E. 406.62 feet to the point of beginning.

Containing 4.2676 Acres.

AND

A PORTION OF BLOCK 1, SECTION 902

BEGINNING at a point in the northerly right-of-way line of Sunrise Valley Drive; said point being the southeast corner of Block 1, Section 40, Reston;

thence with the easterly line of Block 1, Section 40, N. 22° 40' 00" E. 703.69 feet to a point in the southerly right-of-way line of Dulles Airport Access Highway;

thence with the southerly right-of-way line of Dulles Airport Access Highway, with the arc of a curve to the right whose radius is 16988.73 feet and whose chord bearing and chord are S. 71° 43' 31" E. 912.26 feet respectively, an arc distance of 912.37 feet to a point;

thence through Block 1, Section 902, the following courses and distances:

S. 40° 52' 10" W. 259.41 feet to a point; and
S. 42° 50' 10" W. 172.34 feet to a point in the northerly line of Block 2, Section 902, Reston;

thence with the northerly line of Block 2, Section 902, N. 67° 20' 00" W. 297.64 feet to a point in the easterly line of Roland Clarke Place;

thence with the easterly and westerly right-of-way lines of Roland Clarke Place the following courses and distances:

N. 22° 40' 00" E. 14.64 feet to a point;

with the arc of a curve to the right whose radius is 35.36 feet and whose chord bearing and chord are N. 45° 10' 00" E. 27.06 feet respectively, an arc distance of 27.77 feet to a point;

with the arc of a curve to the left whose radius is 50.00 feet and whose chord bearing and chord are N. 67° 20' 00" W. 70.71 feet respectively, an arc distance of 235.62 feet to a point;

with the arc of a curve to the right whose radius is 35.36 feet and whose chord bearing and chord are S. 00° 10' 00" W. 27.06 feet respectively, an arc distance of 27.77 feet to a point;

S. 22° 40' 00" W. 354.64 feet to a point; and

with the arc of a curve to the right whose radius is 25.00 feet and whose chord bearing and chord are S. 67° 40' 00" W. 35.36 feet respectively, an arc distance of 39.27 feet to a point in the northerly right-of-way line of Sunrise Valley Drive;

thence with the northerly right-of-way line of Sunrise Valley Drive, N. 67° 20' 00" W. 397.31 feet to the point of beginning.

Containing 10.5680 Acres.

For a total acreage in this revision of 14.8356 Acres.

AND

DESCRIPTION OF AN ADDITION TO ZONING CASE B-846, 5TH ADDITION TO THE FIRST R.P.C., RESTON, SOUTHERN SECTOR, BEING A PORTION OF BLOCK 1, SECTION 902, RESTON, CENTREVILLE DISTRICT, FAIRFAX COUNTY, VIRGINIA.

BEGINNING at a point in the southerly right-of-way line of Dulles Airport Access Highway; said point being the northeast corner of Block 1, Section 902;

thence with the easterly line of Block 1, Section 902, the following courses and distances:

S. 46° 30' 00" W. 314.89 feet to a point; and
 S. 58° 12' 04" W. 294.15 feet to a point in the northerly line of Block 2, Section 902, Reston;

thence with the northerly line of Block 2, Section 902, N. 44° 06' 08" W. 262.75 feet to a point;

thence through Block 1, Section 902, the following courses and distances:

N. 42° 50' 10" E. 172.34 feet to a point; and
 N. 40° 52' 10" W. 259.41 feet to a point in the southerly right-of-way line of Dulles Airport Access Highway;

thence with the southerly right-of-way line of Dulles Airport Access Highway, with the arc of a curve to the right whose radius is 16988.73 feet and whose chord bearing and chord are S. 69° 30' 42" E. 400.31 feet respectively, an arc distance of 400.32 feet to the point of beginning.

Containing 3.8776 Acres.

DESCRIPTION OF AN ADDITION TO THE 5TH ADDITION TO THE
1ST R. P. C. (CASE B-846), BEING A PORTION OF PARCEL 4 AND
PARCEL 4-A, RESTON OF THE LAND OF GULF RESTON, INC.,
CENTREVILLE DISTRICT, FAIRFAX COUNTY, VIRGINIA.

PART II

BEGINNING at a point in the easterly right of way line of Reston Avenue (Route 602); said point being N. $84^{\circ} 02' 54''$ W. 13.01 feet and S. $02^{\circ} 50' 31''$ W. 629.58 feet from the southwest corner of Block 19, First Addition to Section one, Reston;

thence through Parcel 4, N. $86^{\circ} 36' 22''$ E. 526.81 feet to a point;

thence continuing through Parcel 4 with the easterly line of Parcel 4-A, S. $03^{\circ} 23' 38''$ E. 423.50 feet to a point;

thence through Parcel 4, S. $86^{\circ} 36' 22''$ W. 573.08 feet to a point in the easterly line of Reston Avenue;

thence with the easterly line of Reston Avenue N. $02^{\circ} 50' 31''$ E. 426.02 feet to the point of beginning.

Containing 5.3467 Acres.

BOARD OF SUPERVISORS ACTION

ON ZONING MAP AMENDMENT

APPLICATION NUMBER 77-C-005 & DP-117

Applicant: GULF RESTON, INC.

Present Zoning: RE-2 & RPC

Requested Zoning: RPC

Proposed Use: PARCEL A - RESTAURANT &/OR OFFICES
B - COMMERCIAL &/OR OFFICES
C - OFFICES

Subject Parcels: PARCEL A - 17-2(C1) 1 & PART II Acreage: PARCEL A - 5.3467 ACRES
B - 17-2(C3) 2B & 4 B - 4.2676 ACRES

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 OCTOBER 3, 1977, the following action was adopted on the subject application.

- Amended the zoning map as requested.
- Amended the zoning map as requested, and further restricted the use of the subject property by the conditions proffered and accepted pursuant to Virginia Code Ann., Section 15.1-491(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel. (See Attachment 1)
- Denied the requested _____ District.
- Amended the zoning map for the subject property to the _____ District.
- Amended the zoning map for the subject property to the _____ District, and further restricted the use of the subject property by the conditions proffered and accepted pursuant to Virginia Code Ann., Section 15.1-491(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel. (See Attachment 1)
- In addition to the action taken above, the applicant presented certain restrictive covenants for recordation governing the subject property (a copy of which is attached).
- In addition to the action taken above, the Board of Supervisors instructed that the site plan/subdivision plat be forwarded to the Planning Commission/Board of Supervisors for its review before approval.

Distribution:

District Supervisor
Applicant
Clerk to the Board
Executive Director, Planning Commission
Supervisor of Assessments
Director, Mapping Division, Overlay Branch
Director, Zoning Enforcement Division
Director, Office of Research and Statistics
Public Affairs
VDH & T

Coordinator RR

Application Number 77-C-005 & DP-117
Approved to the RPC District

Total Number of Dwelling Units _____ Density _____
Building Floor Area _____ Floor Area Ratio (FAR) _____

The following conditions were proffered and accepted pursuant to Virginia Code, Ann., Section 15.1-491(a) and shall further restrict the use of the property subject to the above referenced application:

See Attachment 2 and 3 for proffers.

Also see Attachment 4 for covenant.

Gulf Reston, Inc.

11440 Isaac Newton Square, North Reston, Virginia 22090

STATEMENT OF REVISED JUSTIFICATION and PROFFERS - Part II

1. The proposed rezoning of Parcel 4A (the Bowman House) will permit preservation of the house and a significant part of its grounds. The existing house is planned for expansion to the east for use as a restaurant with possible conference/inn facilities or office buildings. Future townhouse scaled office buildings are planned to flank the north, east and south perimeters of the property to create a quadrangle-type complex. Parking will be primarily north and south of the existing house.
2. The existing western facade of the Bowman House will be preserved (except for needed repairs or renovation) for a period of not less than seven years. All proposed development of the site or future demolition would be reflected on preliminary site plans subject to review by Fairfax County.
3. With respect to height limitations, no structure will exceed, above the mean grade, the height of the existing DeLong Bowman house.
4. The scenic green will be maintained. The land encompassed within the driveway circle as reconstructed will remain undeveloped with buildings. New driveway construction is required and some limited intrusion by parking may be necessary. Parking in this area would be screened from visibility from the main entrance off Reston Avenue by landscaping.
5. The contract purchaser recognizes the need for adequate landscape screening and fencing to minimize impact on proposed neighboring multi-family residential development, and commits to provide such fencing. His intent is to provide fencing that will be compatible with, and of the same type, as existing fencing materials. Further, it is his intent to have the proposed fencing reviewed by both the County Staff and the Reston Community Association.



6. Gulf Reston, Inc. agrees to covenant against further expansion of the Town Center zone in the area between Reston Avenue and North Shore Drive.

Michael Was

Michael Was
Director of Planning

September 30, 1977

COVENANT REAL

THIS DEED, made and entered into this _____ day of October, 1977, by and between GULF RESTON, INC., a Delaware corporation, developer of Reston and JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY, parties of the first part, and the BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, party of the second part;

WHEREAS, on January 24, 1977, Gulf Reston, as developer of the planned community of Reston, applied for a Plan Amendment, change of zoning and Development Plan approval of a parcel of land containing 5.347 acres, more or less, shown on Fairfax County Tax Map 17-2 as Parcel 1 and part of Parcel 11 ((1)), and also being known and advertised as Development Plan 117; and

WHEREAS, it is proposed that the said parcels be used for a restaurant and/or low rise offices which will permit the retention of the existing dwelling house located on the parcel known as the "Bowman House"; and

WHEREAS, Gulf Reston has requested the rezoning of said parcel to RPC-Town Center, which is the only section of the RPC zoning category under which the proposed uses are permissible; and

WHEREAS, Gulf Reston has agreed to impose upon the remaining area of Parcel 11 a covenant real running with the land which will insure that the Town Center will not be further expanded into Parcel 11; and

WHEREAS, the Board of Supervisors deems it desirable to make possible the preservation of the "Bowman House"; and

WHEREAS, the Board of Supervisors has agreed to change the zoning of said parcel only if Reston's agreement to restrict the further enlargement of the Town Center is placed of record;

NOW, THEREFORE, THIS DEED WITNESSETH:

That for and in consideration of the mutual premises herein contained and other good and valuable consideration, the parties of the first part do hereby covenant and agree that Parcel 11 ((1)) shown on Tax Map 17-2 of the Tax Maps of Fairfax County, also known as a part of Parcel 4 Reston and which is owned by John Hancock Mutual Life Insurance Company shall be, and the same hereby is, restricted to those uses which are permissible in the RPC category of the Fairfax County Ordinance (including uses permissible in village centers, planned convenience centers and in convention center-conference centers). This covenant shall exclude those uses which are permissible in town centers which are not also permissible in village centers, planned convenience centers and convention center-conference centers. It is further covenanted and agreed that the Town Center shown on the Reston Master Plan will not be further expanded east of Reston Avenue (Virginia State Route 602). It is further covenanted and agreed that this covenant will be recorded among the land records of Fairfax County and that the same shall be construed as a covenant real running with the title to the land included in Parcel 17-2-001-11 of the Tax Maps of Fairfax County.

WITNESS the following signatures and seals:

GULF RESTON, INC.
a Delaware corporation

By _____

ATTEST:

Secretary

JOHN HANCOCK MUTUAL LIFE
INSURANCE COMPANY

By _____