



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
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Fairfax, Virginia 22035-0072

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V I R G I N I A

August 25, 1995

Francis A. McDermott, Esquire
Hunton and Williams
3050 Chain Bridge Road - Suite 600
Post Office Box 1147
Fairfax, Virginia 22030-2883

RE: Rezoning Application
Number RZ 94-P-064

Dear Mr. McDermott:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on July 31, 1995, granting, as proffered, Rezoning Application Number RZ 94-P-064 in the name of 1994 Fund III L.C., to rezone certain property in the Providence District from the I-4 District and Highway Corridor Overlay District to the PDH-30 District and Highway Corridor Overlay District, subject to the revised proffers dated July 27, 1995, on subject parcel 29-4 ((1)) 3A, consisting of approximately 21.05 acres.

The Board also approved the Conceptual Development Plan (CDP) subject to the development conditions dated July 13, 1995; the Planning Commission approved Final Development Plan FDP 94-P-064 on July 19, 1995, subject to the Board of Supervisors' approval of RZ 94-P-064 and the associated Conceptual Development Plan.

In addition, the Board also:

- **Modified the minimum setback requirement for residential buildings from interstate highways and the Dulles Airport Access Road, as shown on the Conceptual/Final Development (CDP/FDP) Plan, subject to the proffers dated July 27, 1995; and**

RZ 94-P-064
August 25, 1995

2.

- **Modified the maximum length limitations specified in the Zoning Ordinance for private streets in a residential development as shown on the CDP/FDP, subject to the proffers dated July 27, 1995.**

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: John M. Yeatman, Director, Real Estate Dvs., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Dvs., OCP
Fred R. Beales, Supervisor Base Property Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Dvs., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acqu. & Planning Dvs., Park Authority
Barbara J. Lippa, Deputy Executive Director, Planning Commission

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 31st day of July 1995, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 94-P-064

WHEREAS, 1994 Fund III L.C. filed in the proper form, an application requesting the zoning of a certain parcel of land hereinafter described, from the I-4 District and Highway Corridor Overlay District to the PDH-30 and Highway Corridor Overlay 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

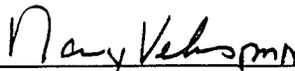
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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 PDH-30 District and Highway Corridor Overlay District, and said property is subject to the use regulations of said PDH-30 District and Highway Corridor Overlay District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.1-491(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 parcels.

GIVEN under my hand this 31st day of July, 1995.



Nancy Vehrs

Clerk to the Board of Supervisors

Ordinance - RZ 94-P-064

2.

The Board also approved the Conceptual Development Plan (CDP) subject to the development conditions dated July 13, 1995; the Planning Commission approved Final Development Plan FDP 94-P-064 on July 19, 1995, subject to the Board of Supervisors' approval of RZ 94-P-064 and the associated Conceptual Development Plan.

July 26, 1994

**DESCRIPTION OF
THE PROPERTY OF
1994 FUND III, L.C.
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA**

Beginning at a point on the northerly line of Old Springhouse Road (Route 3543) marking a northwesterly corner to Parcel 9, Westgate Industrial Park; thence running with the northerly line of Old Springhouse Road N 53° 30' 45" W, 633.97 feet to its intersection with the easterly line of the Capital Beltway (Route 495); thence running with the easterly lines of the Capital Beltway and continuing with the southerly lines of Dulles Airport Access Road (Route 267) the following courses: N 27° 30' 05" E, 602.95 feet; N 51° 28' 34" E, 626.43 feet; S 65° 56' 07" E, 134.13 feet; S 11° 44' 44" E, 438.47 feet and S 65° 12' 40" E, 154.18 feet to a point marking a northerly corner of the aforementioned Parcel 9; thence departing Dulles Airport Access Road and running with the westerly lines of the said Parcel 9 the following courses: S 11° 04' 21" W, 878.62 feet; N 53° 31' 46" W, 420.00 feet and S 36° 28' 14" W, 175.00 feet to the point of beginning, containing 21.05 acres of land.

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