

ORDINANCE NO. 3470

AN ORDINANCE to amend Section 7-6-3 (ZONE BOUNDARIES; ADOPTION OF ZONING MAPS) of Article A (GENERAL PROVISIONS), Chapter 6 (ZONING), Title 7 (PLANNING AND DEVELOPMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

WHEREAS, Doris J. Lindsey ("Applicant") has filed for the rezoning of the property described below;

WHEREAS, pursuant to due and timely notice provided by publication in a newspaper of general circulation in the City of Alexandria, by mailing and by posting, public hearings have been held before the Planning Commission and the Council of the City of Alexandria on the rezoning of the property described below, at which hearings parties in interest and citizens have had an opportunity to be heard; and

WHEREAS, the Council of the City of Alexandria has determined that the rezoning of the property described below is in the public interest; now, therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the "Fifth Revised Zoning Map" described and referred to in Section 7-6-3 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by changing, in the manner set forth below, the zoning of the property hereafter described:

Lots 11 and 12, Block 3, City Assessment Map 72.00 (2310 and 2350 Mill Road), with approximately 318 feet of frontage on Mill Road and containing approximately 54,450 square feet (1.25 acres) of land area, as shown on the sketch marked RZ#90-2, dated June 5, 1990, attached hereto and incorporated herein by reference.

FROM: I-1 and I-2 Industrial/Planned Unit Development zones

TO: M-3 Metro-Eisenhower Avenue Station Area zone, with proffers

Section 2. That the rezoning of the property described in Section 1 of this ordinance is forever subject to and conditioned upon the proffer, voluntarily offered by the Applicant and accepted by city council, that:

(1) The Property shall be developed in accordance with approved Transitional Special Use Permit #2398, issued pursuant to Title 7,

Article R, Division 2 of The Code of the City of Alexandria, Virginia, 1981, as amended.

(2) Owner, on behalf of herself and any and all of her successors in interest, hereby proffers and agrees that any vested rights she may have to the use or development of the Property or any part thereof shall arise under the vesting provisions of the Transitional Special Use Permit for the property, issued by the Alexandria City Council, and that any legislation enacted by the Virginia General Assembly, including legislation enacted after the making of this proffer, which is inconsistent with the vesting provisions of the permit shall have no effect upon her right to use or develop the Property or any part thereof; provided that this paragraph 2, but not paragraph 1, shall be null and void and have no effect in the event the special use permit for the Property shall be finally declared invalid for any reason by a court of competent jurisdiction.

Section 3. That this ordinance shall be effective upon the date and at the time of its final passage.

JAMES P. MORAN, JR.
Mayor

Final Passage: June 26, 1990

