



October 12, 2011

The Honorable Christopher Zimmerman
Chairman, Arlington County Board
2100 Clarendon Boulevard, Suite 300
Arlington, Virginia 22201

Dear Chairman Zimmerman,

This letter is in regards to the issue before you referred to as ZOA-11-02, a zoning ordinance amendment that would require large retail establishments seeking to build new stores in either the C-1, C-2, or C-R zoning districts to obtain a Special Exception Use Permit from the County Board. Currently such uses are permitted by-right.

The Northern Virginia Building Industry Association (NVBIA) represents a diverse group of builders, developers and landowners in Arlington County. We do not support the proposed ordinance amendment and, further, are very dismayed at the way in which this ordinance was proposed and processed. While we understand and appreciate the motives and desires to subject "big-box" retailers to additional oversight when proposing new stores, we will not support any measure that infringes on the by-right options of any property.

As I understand it, this amendment was a direct response to a proposed Wal-Mart in the southern portion of the county. Subsequently, the county issued a request to advertise for this ordinance amendment. We do not know of any community outreach that took place prior to this request to advertise. As I am sure you are aware, this exclusion of any public discussion is not the Arlington Way and is not acceptable. To its credit, staff subsequently sought community input and incorporated this feedback into several changes to the text that made the initial proposed amendment much less draconian in scope.

We hope to be able to continue an open dialog with county personnel on future issues. It is our sincere hope that on future issues incorporates an open discussion with all stakeholders. I am sure that you and members of the County Board will agree that it would be a shame to continue to reject the Arlington Way on future matters.

Sincerely,

Andrew Rosenberger
President
NVBIA Urban Chapter