

FF Realty IV LLC

Statement of Justification

July 2, 2018

The property identified as City of Fairfax tax map 57-1-2-27, 31, 31A, and 31B (the “Subject Property”), is comprised of four (4) parcels totaling approximately 8.33 acres. On February 24, 2015, the Fairfax City Council approved a rezoning of the Subject Property from the I-2, C-2, and HCOD Districts to the C-2 and HCOD Districts. The Council also approved a number of special use permit, special exception, and variance approvals under the prior Zoning Ordinance. On March 16, 2016 and September 7, 2016, the Board of Architectural Review also approved Certificates of Appropriateness for the proposed buildings and associated improvements. Collectively, the approvals permit a mixed-use development comprised of multifamily residential units, office, and retail uses. FF Realty IV LLC (the “Applicant”), an entity of Fairfield Residential, is now the contract purchaser of the Subject Property and seeks approval of minor amendments to the existing approvals to ensure that the project can become a reality.

The Subject Property is located within the central portion of the Kamp Washington triangle with frontage along Fairfax Boulevard (Route 50) and Lee Highway (Route 29). The Subject Property is currently occupied by, among others, Ted Britt Ford and the former American Medical Laboratories building. The Jermantown Cemetery and Fair Oaks Square office complex are located to the east of the site, to the southeast is the Hilltop Shop ‘N’ Go Center, and to the west, a gas station, a Dominion Power parking area, and an office complex. The Subject Property is located within the Kamp Washington area in the City of Fairfax Comprehensive Plan (the “Plan”), which specifically identifies the Kamp Washington triangle as a mixed-use zone. The Applicant continues to propose a high-quality mixed-use development that conforms to the Plan’s recommendations.

Over the last several months, the Applicant has studied the approved development and had discussions with City Staff, Councilmembers, and the Mayor. Based on the Applicant’s development experience, contemplated development program, and discussions with City Staff, the Applicant now proposes modifications to the approved development. Specifically, the Applicant proposes the following modifications:

- Delete a two-story building previously identified as Building 200, located in the northeast portion of the Subject Property;
- Modify the footprint of the residential building identified as Building 300, located in the eastern portion of the Subject Property;
- Relocate the proposed swimming pool to be directly adjacent to Building 300;
- Modify the location of the proposed office and residential amenity space;
- Delete some of the previously approved pedestrian bridges;

- Relocate units from Building 200 to Building 400;
- Modify the previously approved parking configuration;
- Revise the proposed landscaping plan; and
- Modify elevations.

The Applicant continues to propose a total of up to 403 multifamily units in five-story buildings and 4,000 square feet of office square footage. The modifications now result in approximately 21,249 square feet of primarily street-oriented ground floor office, retail and/or restaurant space. The commercial space is oriented to both Fairfax Boulevard and Lee Highway, thereby activating both frontages. The Applicant will continue to provide parking for the Subject Property through a combination of screened, at-grade parking structures, a multi-story parking garage on the western portion of the Subject Property that will be wrapped on all 4 sides by residential dwellings, and traffic calming on-street parking spaces.

The Applicant requests approval of the following land use applications:

Proffer Amendment:

1. Amendment to Rezoning Z-13070069, approved February 25, 2015 by the City Council.

Special Use Permits:

1. Section 110-3.3.1(B) – Permit Multi-family Residential Use in CR District.
2. Section 110-3.3.1(B) – Permit Upper Story Residential/Mixed Uses in CR District.

Special Exceptions:

1. Section 110-3.5.1(D)(1)(B) Upper Story Residential/Mixed Use – At least 75 percent of the ground floor (floor area) of upper story residential/mixed use buildings shall be used solely for nonresidential uses. The remaining 25 percent of the first floor may be used for residential uses and/or residential accessory uses, such as entry lobbies and amenities; and floor height.

The Applicant requests that less than 75 percent of the ground floor (floor area) of upper story residential/mixed use buildings be used solely for nonresidential uses as shown on the GDP/SUP/SE Plan.

2. Section 110.4.2.3 Required Parking for Multi-family – 1.5 spaces per one or less bedroom unit; 2 spaces per 2 or more bedroom unit.

The Applicant requests multi-family parking be based upon a ratio of 1.786 spaces per 2 or more bedroom unit. The studio and 1-bedroom units within the proposed multifamily building will be parked in accordance with Zoning Ordinance requirements.

3. Section 110-4.2.3 Required Parking for Upper Story Residential/Mixed Use Buildings – 1.25 spaces per efficiency unit; 1.5 spaces per 1 bedroom unit; 2 spaces per 2 or more bedroom units; other uses as required herein.

The Applicant requests upper story residential/mixed use building parking be based upon a ratio of 1.786 spaces per 2 or more bedroom unit. The studio and 1-bedroom units within the proposed upper story residential/mixed use buildings will be parked in accordance with Zoning Ordinance requirements.

4. Section 110-3.6.2 maximum building height five (5) stories above grade, but not more than 60 feet.

The Applicant requests to allow buildings up to five (5) stories above the average grade with an average above grade maximum height of up to sixty-nine (69) feet. All building heights are based upon the definition of height as provided in Section 110-1.5.11 of the Zoning Ordinance for buildings with a gable roof.

5. Section 110-4.4.4.(A)(1) sidewalks – unless otherwise specified below, sidewalks shall be required on both sides of all arterial, collector and local streets.

The Applicant requests to eliminate the requirement that sidewalks be required on both sides of all local streets and be provided as generally depicted in the GDP/SE/SUP Plan.

6. Section 110-4.5.6(B) Street Trees – In all general districts except the RL, RM, RH and CU Districts, a minimum of ten foot wide landscaped strip shall be provided along all streets. Street trees shall be required along all streets at the rate of one canopy tree for every 40 linear feet and spaced a maximum of 50 feet part.

The Applicant requests that street trees be provided as generally shown on the GDP/SE/SUP Plan.

Certificate of Appropriateness

1. Request for a major certificate of appropriateness for the proposed architecture and associated improvements.

Pursuant to Section 110-6.7.7, of the City of Fairfax Zoning Ordinance, the following criteria shall be considered when evaluating all special use permit applications:

- *Consistency with the Plan.*

The Applicant's proposal for a mixed-use development in the Kamp Washington area is consistent with the Plan's vision for mixed-use development in this area. Through the redevelopment of the Subject Property, the Kamp Washington area will receive an infusion of new residents who will live within a comfortable walking distance to existing retail and commercial development. The proposed development also includes a new primary street with retail use and resident amenity spaces, a contemplative park in proximity to Fairfax Boulevard, high-quality design that is oriented to the periphery of the development thereby encouraging future redevelopment, and the potential creation of a "Green Necklace" chain of park spaces as suggested by the Fairfax Boulevard Master Plan.

- *Compliance with all applicable requirements of the Zoning Ordinance.*

Except as may be modified with the enclosed applications, the proposed uses and site design comply with the Zoning Ordinance.

- *The effect on the health or safety of persons residing or working in the neighborhood of the proposed use.*

The Applicant's proposal will improve the welfare of area residents and employees as the residential development will create a 24-hour presence, and increase the overall pedestrian visibility and utility within the area. The construction of a high quality mixed-use development will further enhance the redevelopment potential of the surrounding parcels in a manner that ultimately promotes revitalization.

The Subject Property is designed around a combination of publicly accessible plaza spaces and linear park spaces. Direct vehicular and pedestrian entrances are provided to both Fairfax Boulevard and Lee Highway. By establishing an on-site vehicular road network oriented toward existing property lines, the proposed development promotes the extension of internal streets upon future redevelopment of adjacent properties. The use of design techniques, such as on-street parking, roadway width, roadway configuration, and a traffic circle, will ensure that cars slow to an appropriate speed as they travel through the Subject Property and will likely discourage cut through traffic. The development also includes sidewalks and crosswalks to encourage safe and convenient pedestrian movement both to and from the Kamp Washington area.

- *The effect on public welfare, property, and improvements in the neighborhood.*

The proposed development will complement the existing commercial uses in the area by adding street front retail that connects to the surrounding uses. A pedestrian oriented residential component will attract new residents to the City who will live within walking distance to many existing retail and commercial properties that surround the site. The development's architecture, landscaping, and design will stimulate future redevelopment in a manner that enables future street connections to the internal road network. These urban design characteristics will increase the value and redevelopment viability of the adjoining parcels in a manner that is consistent with the Plan's vision. Through the introduction of a valuable residential component into the Kamp

Washington Triangle, the area will achieve the mix of uses that are envisioned in the Plan and that enable the area's ongoing success.

Pursuant to Section 110-6.17.7 of the City of Fairfax Zoning Ordinance, the following criteria shall be considered when evaluating all special exception applications:

- *Ensure the same general level of land use compatibility as the otherwise applicable standards.*

The proposed uses and site design are compatible with the provisions of the Zoning Ordinance. The proposed development incorporates appropriate transitions, screening, and enables future connections to adjacent properties. The proposed development will establish a significant mixed-use node in a critical location in the City of Fairfax.

- *Not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate transitioning, screening, setbacks and other land use considerations.*

The proposed development will enhance nearby properties. The proposed development will complement the existing commercial uses in the area through the inclusion of additional street-oriented retail space and through the inclusion of a pedestrian-focused residential component that will bring residents to the City's commercial core. The development's architecture, landscaping, and design will stimulate future redevelopment that invites future street connections from adjacent properties. The proposed landscaping will unify the pedestrian realm and provide appropriate transitions within the development and to adjacent properties.

- *Be generally consistent with the purposes and intent of this chapter and the Plan;*

The Applicant's proposal for a mixed-use development is consistent with the Plan's vision for mixed-use development in this area. The proposal includes a thoughtful combination of retail, office, and residential uses, as well as high-quality amenities and a series of interconnected open spaces. The proposed mix of uses will activate an aging commercial area and attract high-quality retail use in order to begin implementing the urban village envisioned for the Kamp Washington area.

- *Be based on the physical constraints and land use specifics, rather than on economic hardship of the applicant.*

The Subject Property is long and narrow, with its narrowest frontages on two major roads. The development will create an urban environment in an otherwise entirely suburban context and has been designed to engage neighboring parcels and facilitate future redevelopment efforts. The development maximizes the Subject Property's challenging configuration to complement existing, adjacent commercial uses, while introducing a much needed residential component to the Kamp Washington area that is consistent with the Plan. The unusual size and shape of the lot is a constraint that necessitates approval of the requested special exceptions.

In conclusion, the proposed modifications are in keeping with the approved development, and will ensure that the proposed development can become a reality. With a focus on reestablishing pedestrian connections and improved walkability, the addition of pedestrian oriented street retail and a street activating residential component, the proposed development will create a better balance of uses within the existing Kamp Washington triangle in a manner that both invites and engages with the surrounding community. Additionally, the Applicant proposes an internal road network oriented along existing property lines that will invite the redevelopment of adjacent properties. The Applicant proposes an attractive mixed-use development with that will include high-quality architecture, attractive streetscape, appropriate landscaping and buffers, and high-quality on-site amenities.