

Application No. _____

CITY OF FAIRFAX
PLANNED DEVELOPMENT APPLICATION

I/We Northfax JV LLC by Lynne J. Strobel, Attorney-in-Fact/Agent
(Name of applicant) (Authorized agent's name and relationship to applicant)

a corporation / general partnership / limited partnership / sole proprietorship/individual (circle one) which is the

property owner / contract purchaser / lessee (circle one)

of Lots See Attachment 1, Block _____, Section _____ of the
See Attachment 1 Subdivision containing Approx. 492,228 (Sq. Ft.) on the premises known as

See Attachment 1 requests that the property currently zoned CR and RM be rezoned to PD-M. This property is recorded in the land records of Fairfax County in the name of

See Attachment 1 in Deed Book See Attachment 1, Page See Attachment 1
(Name and address of subject property)

I certify that I have read and understand my application to comply with Zoning Ordinance Section 6.2.3.C Application Requirements, which states:

1. An application shall be sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with the applicable requirements of this chapter.
2. The burden of demonstrating that an application complies with applicable review and approval criteria is on the applicant. The burden is not on the city or other parties to show that the standards or criteria have not been met.
3. Each application is unique and, therefore, more or less information may be required according to the needs of the particular case. Information needs tend to vary substantially from application to application and to change over time as result of code amendments and review procedure changes. Staff has the flexibility to specify submission requirements for each application and to waive requirements that are irrelevant to specific situations. The applicant shall rely on the review official as to whether more or less information should be submitted."

Lynne J. Strobel

(Signature of applicant or authorized agent) Lynne J. Strobel
Walsh, Colucci, Lubeley & Walsh, P.C.

Attorney-in-Fact/Agent

(Title or relationship)

Address 2200 Clarendon Boulevard, Suite 1300, Arlington, Virginia 22201

Phone (703) 528-4700

Email lstrobel@thelandlawyers.com

STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 30 day of Nov, 2023, do hereby certify that this day personally appeared before me in the State aforesaid Lynne J. Strobel

(Name)

(Title)

whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 3 day of January, 2020, and acknowledged the same before me.

GIVEN under my hand and seal this 3 day of January, 2020.



Kimberly K. Pollin 283945
Notary Public Registration #

THE FOLLOWING MUST BE COMPLETED BY THE PROPERTY OWNER

I/We Northfax JV LLC by Lynne J. Strobel, Attorney-in-Fact/Agent hereby certify that the applicant named above has the authority vested by me to make this application.

Lynne J. Strobel Attorney-in-Fact/Agent
(Signature of owner or authorized agent) (Title or relationship)
Walsh, Colucci, Lubeley & Walsh, P.C.
Address 2200 Clarendon Boulevard, Suite 1300, Arlington, Virginia 22201 Phone: (703) 528-4700

STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 30 day of November, 2023, do hereby certify that this day personally appeared before me in the State aforesaid Lynne J Strobel
(Name) (Title)

whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 3 day of January, 2020, and acknowledged the same before me.

GIVEN under my hand and seal this 3 day of January, 2020.

Kimberly K Follin 283945
Notary Public Registration #



FOR OFFICE USE ONLY

Proposal filed: _____ Received by: _____
Fee Paid: _____ Receipt No: _____
Previous Cases: _____
Current status of business license and fees: _____
Treasurer: _____
Commissioner of Revenue: _____

**AFFIDAVIT
CITY OF FAIRFAX**

I, Northfax JV LLC, by Lynne J. Strobel, Attorney/Agent do hereby make oath or affirmation that
(Name of applicant or agent)

I am an applicant in Application Number _____ and that to the best of my knowledge and belief, the following information is true:

1. (a) That the following is a list of names and addresses of all applicants, title owners, contract purchasers, and lessees of the property described in the application, and if any of the foregoing is a trustee, each beneficiary having an interest in such land, and all attorneys, real estate brokers, architects, engineers, planners, surveyors, and all other agents who have acted on behalf of any of the foregoing with respect to the application (attach additional pages if necessary):

See Attachment A

Name	Address	Relationship

(b) That the following is a list of the stockholders of all corporations of the foregoing who own ten (10) percent or more of any class of stock issued by said corporation, and where such corporation has ten (10) or less stockholders, a listing of all the stockholders (attach additional pages if necessary):

See Attachment B

Corporation Name: _____

Name	Address	Relationship

(c) That the following is a list of all partners, both general and limited, in any partnership of the foregoing (attach additional pages if necessary):

None

Partnership Name: _____

Name	Address	Relationship

2. That neither the Mayor nor any member of the City Council, Planning Commission, BZA, or BAR has any interest in the outcome of the decision. EXCEPT AS FOLLOWS: (If none, so state).

None

3. That within five (5) years prior to the filing of this application, neither the Mayor nor any member of the City Council, Mayor, Planning Commission, BZA, or BAR or any member of his or her immediate household and family, either directly or by way of a corporation or a partnership in which anyone of them is an officer, director, employee, agent, attorney, or investor has received any gift or political contribution in excess of \$100 from any person or entity listed in paragraph one. EXCEPT AS FOLLOWS: (If none, so state).

None

Northfax JV LLC by Lynne J. Strobel, Attorney/Agent

WITNESS the following signature:

Lynne J. Strobel

Applicant or Agent

ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 3 day of January, 2020, in the State of Virginia, County of Arlington

My commission expires: 11/30/2023

Kimberly K. Follin 283945
Notary Public Registration #



ATTACHMENT A

Northfax JV LLC
3900 Jermantown Road, Suite 300
Fairfax, VA 22030
Agent: John Napolitano

Applicant/Title Owner of
Tax Map 52-2-02-020

Orchard RE Investments, LLC
3900 Jermantown Road, Suite 300
Fairfax, VA 22030
Agent: John Napolitano

Title Owner of Tax Map
57-2-08-010, 57-2-02-005, 57-2-08-005,
57-2-08-006, 57-2-08-007, 57-2-08-008,
57-2-02-003, 57-2-07-015-B, 57-2-47-000-A

A.R.G. II, L.L.C.
3900 Jermantown Road, Suite 300
Fairfax, VA 22030
Agent: John Napolitano

Title Owner of Tax Map
Tax Map 57-2-02-017, 57-2-02-018, 57-2-02-019,
57-2-08-011, 57-2-08-012, 57-2-08-013, 57-2-08-014

MHI-Northfax, LLC
1950 Old Gallows Road, #200
Tysons, VA 22182
Agents: Andrew S. Rosenberger
Russell S. Rosenberger, Jr.
Milton (nmi) Schneiderman
Mark E. Westmoreland

Contract Purchaser

Brightview Senior Living Development
LLC
218 N. Charles Street
Baltimore, MD 21201
Agents: David D. Carliner
Steven M. Marker
Alan D. Siegfried

Contract Purchaser

Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, Virginia 22201
Agents: Lynne J. Strobel
Robert D. Brant
Elizabeth D. Baker
Anna B. Smith

Attorneys/Planners/Agent

M. Catharine Puskar
Kathryn R. Taylor
Bernard S. Suchicital

Christopher Consultants, Ltd.
9900 Main Street, Suite 400
Fairfax, Virginia 22031
Agents: Eli Goldman
Kevin M. Washington
Giovanni (John) B. Rinaldi
Laurie Beth Donnachie

Civil Engineers/Planners/Agent

Devereaux & Associates, P.C.
1481 Chain Bridge Road, Suite 302
McLean, Virginia 22101
Agent: William J. Devereaux, Jr.

Architect/Agent for MHI-Northfax, LLC

Gorove/Slade Associates, Inc.
1140 Connecticut Avenue, NW, Suite 600
Washington, DC 20036
Agents: Chad A. Baird
Kevin D. Sitzman
Niraja Chandrapu

Transportation Consultant/Agent

Apex Companies, LLC
203 Wylderose Court
Midlothian, VA 23113
Agent: John H. Brooks III

Environmental Consultant/Agent for MHI-Northfax, LLC

SK&I Architectural Design Group LLC
7735 Old Georgetown Road, #1000
Bethesda, Maryland 20814
Agent: Toygun Mar

Architect/Agent for Brightview Senior Living
Development LLC

ATTACHMENT B

Northfax JV LLC

Members: Orchard RE Investments, LLC
A.R.G. II, L.L.C.

Orchard RE Investments, LLC

Members: John E. Napolitano
ELENA, LLC

Members: Andrea Sylos-Labini
Elena Sylos-Labini
Victoria Sylos-Labini
Maura Archetti
Chiara Archetti
Paola Archetti

ELEVIAN, LLC

Members: Andrea Sylos-Labini
Elena Sylos-Labini
Victoria Sylos-Labini

A.R.G. II, L.L.C.

Members: John E. Napolitano
Roberto Beolchini
ELEVIAN, LLC

Members: Andrea Sylos-Labini
Elena Sylos-Labini
Victoria Sylos-Labini

Brightview Senior Living Development LLC

Sole Member: Brightview Group, LP

General Partner: Brightview Group GP, LLC

Members: Arnold I. Richman
Marilynn K. Duker
Jeffrey K. Hettleman
David D. Carliner

Limited Partners: The Arnold I. Richman Revocable Trust
Richman Family Limited Partnership, L.L.L.P.

General Partner: Arnold I. Richman, Trustee

Limited Partners: Katherine R. Voglmayr & Jonathan D. Eisner,
Co-Trustees
Lauri G. Richman Hidalgo & Jonathan D. Eisner,
Co-Trustees
Daniel Geary & Jonathan D. Eisner, Co-Trustees
Allison L. Richman & Jonathan D. Eisner, Co-
Trustees
Arnold I. Richman, Trustee

The Marilyn K. Duker Revocable Trust
Jeffrey K. Hettleman
David D. Carliner

MHI-Northfax, LLC

Manager: Madison Homes, Inc.

Member: Madison Communities II, LLC

Madison Communities II, LLC

Manager: Madison Homes, Inc.

Members: Russell S. Rosenberger, Jr., Milton Schneiderman, Andrew S. Rosenberger, Mark E. Westmoreland

Walsh, Colucci, Lubeley & Walsh, P.C.

Shareholders:

Wendy A. Alexander	William A. Fogarty	Charles E. McWilliams	Kathleen H. Smith
David J. Bomgardner	John H. Foote	Antonia E. Miller	Lynne J. Strobel
E. Andrew Burcher	H. Mark Goetzman	J. Randall Minchew	Erin M. Thiebert
Thomas J. Colucci	Bryan H. Guidash	Andrew A. Painter	Garth M. Wainman
Michael J. Coughlin	Michael J. Kalish	M. Catharine Puskar	Nan E. Walsh
Peter M. Dolan, Jr.	Michael R. Kieffer	John E. Rinaldi	Matthew A. Westover

Christopher Consultants, Ltd.

Shareholders: William R. Zink, William R. Goldsmith, Jr., Michael S. Kitchen, Jeffrey S. Smith, Ruth R. Fields, Kevin M. Washington, Brent E. Evans, Christopher C. Filmore, Giovanni (John) B. Rinaldi

Devereaux & Associates, P.C.

Shareholder: William J. Devereaux, Jr.

Gorove/Slade Associates, Inc.

Shareholders: Christopher M. Tacinelli, Chad A. Baird, Daniel B. VanPelt, Erwin N. Andres, Tushar A. Awar

Apex Companies, LLC

Sole Shareholder: Apex Intermediate, LLC

SK&I Architectural Design Group LLC

Members: Meral Iskir, Sami M. Kirkdil

EQUITABLE OWNERSHIP DISCLOSURE STATEMENT

I. GENERAL DISCLOSURE REQUIREMENTS

In accordance with § 6.2.3.B of the Zoning Ordinance, any application for a change in zoning shall include as part of the application a statement on a form provided by the zoning administrator providing complete disclosure of the legal and equitable ownership in any real estate to be affected by the requested change in zoning.

In the case of corporate ownership of real estate, the disclosure shall include the names of stockholders, officers and directors and in any case the names and addresses of all the real parties in interest; provided, however, that the requirement of listing the names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. Such disclosure shall be sworn to under oath before a notary public or other official before whom oaths may be taken.

II. IDENTIFICATION OF REAL PROPERTY AFFECTED

Map Number Parcel Number Street Address Current Owner of Record

See Attachment 1

III. DESCRIPTION OF CHANGE IN ZONING REQUESTED

Completely describe the action being requested, attach narrative if desired.

Proposed rezoning from CR and RM to PD-M to allow for the development of seventeen (17)
parcels with a mix of uses, including residential, institutional, retail, and restaurant.

IV. SPECIFIC EQUITABLE OWNERSHIP DISCLOSURE

The following individuals have legal and equitable ownership in the real estate to be affected by the requested change in zoning. (Include name, address and telephone number)

See Attachment 1

THE DISCLOSURE MADE ON THIS FORM IS IN ACCORDANCE WITH § 110-5 (D) OF THE CODE OF THE CITY OF FAIRFAX MUST BE SWORN UNDER OATH BEFORE A NOTARY PUBLIC OR OTHER OFFICER BEFORE WHOM OATHS MAY BE TAKEN. ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURE NOTARIZED. ATTACH A SEPARATE SHEET IF NECESSARY.

I hereby swear to the best of my knowledge that the information provided in this statement is true and complete.

Lynne J. Strobel, Attorney-in-Fact/Agent

Lynne J. Strobel
Signature

Subscribed and sworn before me this 3 day of January, 2020.

My commission expires: 11/30/2023



Kimberly K. Follin 283945
Notary Public Registration #

ATTACHMENT 1

Planned Development Application
Equitable Ownership Disclosure Statement
Land Use Application – Special Use Permit

Northfax West Property, City of Fairfax, Virginia

Tax Map No.	Parcel No.	Subdivision	Property Address	Current Owner of Record	Deed Book	Page
57-2-02	003	Fairfax Acres	10516 Orchard Street	Orchard RE Investments, LLC	20080	1218
57-2-02	005	Fairfax	10517 Orchard Street	Orchard RE Investments, LLC	19218	1148
57-2-02	017	Fairfax	3590 Chain Bridge Road	A.R.G. II, L.L.C.	15230	1182
57-2-02	018	Fairfax	3580 Chain Bridge Road	A.R.G. II, L.L.C.	15230	1182
57-2-02	019	Fairfax	10505 Orchard Street	A.R.G. II, L.L.C.	15230	1182
57-2-02	020	Fairfax	3570 Chain Bridge Road	Northfax JV LLC	25751	1696
57-2-07	015-B	Resub FFX AC	McLean Avenue	Orchard RE Investments, LLC	23812	0494
57-2-08	005	Fairfax Acres	10508 Orchard Street	Orchard RE Investments, LLC	17602	0631
57-2-08	006	Fairfax Acres	10510 Orchard Street	Orchard RE Investments, LLC	19837	1921
57-2-08	007	Fairfax Acres	10512 Orchard Street	Orchard RE Investments, LLC	17434	444
57-2-08	008	Fairfax Acres	10514 Orchard Street	Orchard RE Investments, LLC	18388	265
57-2-08	010	Fairfax Acres	10515 Orchard Street	Orchard RE Investments, LLC	18823	1535
57-2-08	011	Fairfax Acres	10507 Orchard Street	A.R.G. II, L.L.C.	15230	1182
57-2-08	012	Fairfax Acres	10509 Orchard Street	A.R.G. II, L.L.C.	15339	102
57-2-08	013	Fairfax Acres	10511 Orchard Street	A.R.G. II, L.L.C.	15339	102
57-2-08	014	Fairfax Acres	10513 Orchard Street	A.R.G. II, L.L.C.	16739	1026
57-2-47	000-A	Bajaj	McLean Avenue	Orchard RE Investments, LLC	23812	0479

IV. SPECIFIC EQUITABLE OWNERSHIP DISCLOSURE

Northfax JV LLC, 3900 Jermantown Road, Ste. 300, Fairfax, VA 22030, Agent: John Napolitano, The Lann Companies, (703) 934-4600
A.R.G. II, L.L.C., 3900 Jermantown Road, Ste. 300, Fairfax, VA 22030, Agent: John Napolitano, The Lann Companies, (703) 934-4600
Orchard RE Investments, LLC, 3900 Jermantown Road, Ste. 300, Fairfax, VA 22030, Agent: John Napolitano, The Lann Companies, (703) 934-4600