

3500 Pickett Road

Statement of Support

November 22, 2019

Revised February 7, 2020

Introduction

EYA Development LLC (the “Applicant”) proposes to redevelop approximately 3.7 acres of underdeveloped land, identified as Tax Map No. 58-1-02-021 (the “Property”), located at 3500 Pickett Road, with fifty (50) townhomes thoughtfully designed to include high-quality urban design, landscaped sidewalks, and a large activated open space. In furtherance of this proposal, the Applicant is requesting the Property be rezoned from the Residential Low (“RL”) zoning district to the Planned Development – Residential (“PD-R”) zoning district (the “Rezoning”), concurrent with a Comprehensive Plan – Future Land Use Map Amendment to change the existing designation from Social and Civic Network to Townhouse/Single-Family Attached Neighborhood. The Comprehensive Plan (the “Plan”) offers support for the Applicant’s use, as detailed below.

As a specialist in infill housing, the Applicant intends to create a unique community that is context-appropriate and achieves the vision and policy objectives set by the City of Fairfax (the “City”), while being respectful and compatible with adjacent developments. To that end, the Applicant’s design is oriented around a large, public open space fronting Pickett Road while also providing substantial setbacks and buffers to the residential neighborhood to the north. The design also maximizes the views of and relationship to the existing golf country club immediately to the west. Finally, the Applicant proposes to create ownership opportunities for persons whose incomes fall below the Area Median Income (“AMI”) by contributing ten (10) percent of all units constructed on the Property to the City’s proposed affordable housing program. The benefits of the project include:

- the introduction of high-quality townhomes to the emerging residential neighborhoods on Pickett Road;
- appropriate re-use of institutionally utilized property;
- large, usable open space in excess of City regulations;
- compatibility with the adjacent Barristers Keepe neighborhood;
- a contribution towards a section of the City’s proposed Daniels Run trail; and
- the provision of new, affordable homeownership opportunities for City residents.

Site Description

The Property is currently zoned RL under the City of Fairfax Zoning Ordinance (the “Zoning Ordinance”) and is bounded by a 100-foot wide City owned property to the south, the Army Navy Country Club to the west, a small lot residential development known as Barristers Keepe to the north, and Pickett Road to the east. The Property is developed with a 17,830 square foot, single-story building and a large surface parking lot, which is currently used for a church and related activities. The surrounding land uses and zoning

complement and support the Applicant's proposed development, with the property to the north Planned Development Mixed Use (PD-M), to the east zoned PD-R, to the south zoned Residential Medium ("RM") and to the west zoned RL.

Planned Development (Rezoning) Request

The proposed Rezoning would permit the development of a neighborhood consisting of twenty-five (25) front-loaded and twenty (25) rear-loaded townhomes (inclusive of the five (5) affordable dwelling units) (the "Proposed Development"). The units facing Pickett Road will be set back a minimum of twenty-five (25) feet and a maximum of one hundred and fifteen (115) feet. All of the units, rear or front-loaded, will be at least three stories in height with an optional fourth story loft and/or roof-top terrace that will provide outstanding views of the Army Navy golf course. The maximum building height of each unit will be forty-five feet (45'), including the roof-top terraces. Notably, the units closest to the Barristers Keepe neighborhood were originally planned to be set back twenty (20) feet from the adjoining property line. After discussion with the Barristers Keepe Homeowner Association and the City of Fairfax, the Applicant will provide a fifty (50) foot wide open space parcel along the northern Property boundary, immediately adjacent to Barristers Keepe, in order to provide a significant buffer between the existing and proposed homes.

In addition to the unique, site-specific architecture, the Applicant has designed a neighborhood filled with landscaped sidewalks, backyards, activated open spaces, and a sizeable park, which will include a landscaped promenade that will be a highly utilized amenity for neighborhood events, and will provide fire access off Pickett Road. Markedly, the proposal is providing twenty-two percent (22%) open space. In conformance with the Plan, the Applicant's proposal also includes a monetary contribution to the City for construction of an extension of Daniels Run Trail immediately south of the Property. This monetary contribution will fund a three hundred and thirty (330) foot long extension of Daniels Run Trail onto Pickett Road and is consistent with the Parks and Recreation Master Plan. In exchange for this contribution, we propose that the City extinguish the existing trail easement encumbering the Property.

Additionally, the Proposed Development's location on the Pickett Road corridor is proximate to a plethora of walkable, pedestrian-friendly and family-oriented commercial retail, service, and office uses including the Fairfax Ice Arena and several grocery stores and restaurants. This proximity will offer future residents shopping, recreation, and employment opportunities within a safe and convenient distance. In return, residents of the neighborhood will provide the businesses along Pickett Road with users and shoppers that will support and sustain these important commercial establishments.

Importantly, the unit types proposed by the Applicant are in high demand but in low supply within the City. Although the City includes a diverse mix of housing products, only fourteen (14) percent are townhomes. In addition, the Pickett Road corridor, while accommodating apartment, condominiums, and single-family homes, does not have any townhomes built, planned, or proposed. Because of the relative ease of their maintenance and upkeep, townhomes appeal to all segments of the housing market, including young professionals, families, active adults and empty nesters. The Proposed

Development will bolster the townhome offerings in the City, while also providing much-needed affordable housing.

Affordable Housing Units

As noted above, the City has not yet formally adopted an affordable housing ordinance. Nevertheless, the Applicant proposes to provide ten (10) percent of the total number of units within the Proposed Development as the first affordable dwelling units to be utilized within the City's future affordable housing program. These units will be for-sale but income restricted to persons and families making between seventy percent (70%) and eighty percent (80%) of the AMI. The Applicant continues to work with City staff to provide affordable housing that is in line with the overarching goals outlined in the City's draft affordable housing ordinance. The draft ordinance details a twenty percent (20%) bonus density that the applicant would qualify for based on the proposed percentage of affordable housing. Because this ordinance is not yet adopted, the applicant is pursuing a rezoning to the Planned Development – Residential ("PD-R") zoning district which will allow flexibility for the proposed unit density. If this ordinance was already adopted, the applicant's proposal would be in line with the Townhouse/Single-Family Detached Neighborhood (which limits development at twelve (12) dwelling units per acre) along with the applicable twenty percent (20%) bonus density. As such, the Applicant proposes fifty (50) units – including five (5) affordable dwelling units.

The Applicant is excited to work collaboratively with the City as it kicks off the affordable housing program.

Compliance with the Comprehensive Plan

The Property is designated as Social and Civic Network Place Type within the Plan and is planned for public and private schools, libraries, places of worship, post offices, and other public facilities. In light of the changing nature of these uses, however, the Plan anticipates the need to re-designate areas currently planned for Social and Civic Network Place Types with residential uses in conjunction with other uses, in order to achieve the objectives outlined in the Plan's Housing Guiding Principles. Specifically, Page 39 of the Plan states "in particular, potential alternative Place Type designations should be considered for privately-owned sites with a Social and Civil Network designation".

Page 37 of the Plan states that new developments when located in residential neighborhoods, such as this proposal, should be complementary in character of the surrounding properties, orient buildings toward the street network, and provide additional pedestrian connections. The Applicant's proposal achieves all of these objectives outlined, as the Applicant has designed a community that orients the buildings immediately adjacent to Pickett Road toward that existing street. The Proposed Development is reflective and complementary of Barristers Keepe, the residential development immediately to its north. Additionally, the proposal will provide a pedestrian connection along the Property's Pickett Road frontage as well as a monetary contribution towards the extension of Daniels Run Trail to connect with Pickett Road. This monetary commitment will provide the funding necessary for the City to fill a gap within the existing

trail network, as envisioned in the Plan on Page 78. As noted on Page 46 and 47 of the Plan, with relatively little undeveloped land available in the City for new residential neighborhoods the Proposed Development will provide infill housing that complements the character of the surrounding homes and provides missing pedestrian links as envisioned within the Plan. Note that, these design elements are interwoven into many elements of the Plan and can be found within the Housing Goals (Page 56), the Neighborhood Goals (Page 54), and the Multimodal Transportation Goals (Page 76). The Applicant's proposal provides all of the aforementioned design characteristics, achieving the City's vision for future neighborhoods.

In furtherance of the Housing Goal's, specifically Action H2.1.2 on Page 56 of the Plan, the Applicant has committed to providing 10% of the total number of units constructed within the Proposed Development as affordable housing units. The Applicant will continue to work with City staff to provide affordable housing that is in line with the overarching goals outlined in the City's Draft ADU Ordinance.

Accordingly, the Applicant seeks approval of a Comprehensive Plan – Future Land Use Map Amendment to change the Social and Civic Network Place Type designation to Townhouse/Single Family Attached Neighborhood Place Type to permit the Proposed Development. This proposal is consistent with the Plan's objectives and compatible with the surrounding land uses.

Transportation

The Property is currently served by two access points to Pickett Road: with one full-movement access point to the north of the site, and one right-in/right-out access point to the south of the site. The Applicant, as part of the Rezoning, proposes to shift the southern right-in/right-out access point approximately ninety-five (95) feet south of its existing location to accommodate on-site circulation and setbacks from adjacent properties. The northern full-movement access point will remain at its existing location. The Proposed Development is anticipated to generate approximately 13 new trips during a typical weekday morning peak hour, 16 new trips during afternoon peak hour, and 182 new daily trips. As such it will have a negligible impact on the existing transportation network.

Tank Farm Analysis

The applicant as chosen to work with Jensen Hughes, a leader in safety, security and risk-based engineering, to study the proposed infill re-developments proximity to the TransMontaigne tank farm facility. Jensen Hughes has prepared a code compliance review which demonstrates that there is significant separation distance between the tank farm and proposed development which substantially exceeds code regulations.

Conclusion

The proposed infill re-development is consistent with significant City objectives outlined in the Plan and provides residential units that will increase housing diversity and affordability within a convenient and safe distance from existing shopping, dining, and

employment opportunities. The Rezoning converts underutilized RL land and allows it to be redeveloped in a complementary manner to the existing residential uses along Pickett Road. The Proposed Development will provide a well-blended neighborhood of high-quality townhomes and will provide the first units to the City as a part of their affordable housing program. The Applicant respectfully requests the City's support of this infill townhome residential development that will help alleviate the dearth of townhome units and increase housing affordability in the City.

**Approval Considerations
(Pursuant to Section 6.6.8 of the Zoning Ordinance)**

A. Substantial conformance with the Comprehensive Plan;

The Property is designated as Social and Civic Network Place Type within the Comprehensive Plan and is planned for public and private schools, libraries, places of worship, post offices, and other public facilities. In light of the changing nature of these uses, the Comprehensive Plan anticipates the need to re-designate areas currently planned for Social and Civic Network Place Types with residential uses in conjunction with other uses, in order to achieve the objectives outlined in the Comprehensive Plan's Housing Guiding Principles. Specifically, Page 39 of the Comprehensive Plan states "in particular, potential alternative Place Type designations should be considered for privately-owned sites with a Social and Civil Network designation".

Page 37 of the Comprehensive Plan states that new developments when located in residential neighborhoods, such as this proposal, should be complementary in character of the surrounding properties, orient buildings toward the street network, and provide additional pedestrian connections. The Applicant's proposal achieves all of these objectives outlined:

- A) The Applicant has designed a community that orients the buildings immediately adjacent to Pickett Road toward that existing street while still maintaining a significant setback for noise protection.

- B) The Proposed Development is reflective and complementary of Barristers Keepe, the residential development immediately to its north. Barristers Keepe is composed of detached single-family houses on small lots with little separation between each house. Building a slightly higher density townhome development, just to the south of Barristers Keepe, as Pickett Road begins to transition into a more commercial street, is a natural and complementary progression of the existing adjacent uses. Particularly, a community that will provide five (5) ADUs which are not required within Townhouse/Single-Family Attached Neighborhoods presently.

- C) As discussed with staff on January 29, 2020, the Applicant will provide a ten (10) foot wide shared use path that will narrow to a width of six (6) feet along the Pickett Road Property frontage, as it meanders around the existing overhead utility poles located within the Pickett Road right-of-way.

Additionally, as noted on Pages 46 and 47 of the Comprehensive Plan, with relatively little undeveloped land available in the City for new residential neighborhoods, the Proposed Development will provide infill housing that complements the character of the surrounding homes and provides missing pedestrian links as envisioned within the Comprehensive Plan. Note that, these

design elements are interwoven into many elements of the Comprehensive Plan and can be found within the Housing Goals (Page 56), the Neighborhood Goals (Page 54), and the Multimodal Transportation Goals (Page 76). The Applicant's proposal provides all of the aforementioned design characteristics, achieving the City's vision for future neighborhoods.

In furtherance of the Housing Goals, specifically Action H2.1.2 on Page 56 of the Comprehensive Plan, the Applicant has committed to provide ten percent (10%) of the total number of single-family attached units constructed within the Proposed Development as affordable housing units. The five (5) ADUs have been increased from fourteen feet (14') to sixteen feet (16') in width, as noted in the requested modification of Section 3.9.6. The Applicant will continue to work with City staff to provide affordable housing that is in line with the overarching goals outlined in the City's Draft ADU Ordinance.

B. Any greater benefits the proposed planned development provides to the city than would a development carried out in accordance with the general zoning district regulations;

As the Applicant crafted the attached submission materials, they paid particular attention to the layout of Barristers Keepe to ensure compatibility, as well as taking cues from surrounding uses, development patterns, and market demand to create a high quality and fitting product for the site. As with their work in neighboring jurisdictions, the Applicant has proposed unique and high-quality architecture that is compatible with the adjacent uses and serves as a graceful transition between the multi-family, industrial, and single-family communities along Pickett Road.

Beyond the traditional zoning regulations, the Applicant has committed to a cash contribution to the City for the eventual construction of the Daniels Run Trail in the adjacent City owned parcel. Also, as outlined on Sheet L-05, the Applicant's proposal goes above the required twenty percent (20%) open space and provides twenty-two percent (22%) shared open space to effectively serve the community and provide a sufficient buffer to adjacent users.

Additionally, the Applicant has created a detailed stormwater management plan to address potential runoff to the Barristers Keepe community. As detailed on Sheet C-17, this submission vastly reduces the current stormwater runoff by decreasing the impervious surfaces and eliminating potential runoff towards Barristers Keepe using a swale and retaining wall along the Property's northern edge.

Further, as outlined above in response to Comment A2, the Applicant is proposing to provide ten percent (10%) of the total number of units within the Proposed Development as for-sale ADUs. These will be the first for-sale ADUs within the City's affordable housing program. The Applicant continues to work with City staff to provide affordable housing that is in line with the overarching goals outlined in the Draft ADU Ordinance. The Applicant has extensive experience building

affordable housing in neighboring jurisdictions and is excited to offer the first for-sale ADU'S within the City. The Applicant continues to work with City staff to provide affordable housing that is in line with the overarching goals outlined in the City's Draft ADU Ordinance.

As a result of the proposed rezoning, the Applicant is seeking to provide the City with distinct high-quality architecture, a monetary contribution for the construction of the Daniels Run Trail, stormwater management and open space above the required regulations, and five (5) ADUs. These unique benefits would not be financially possible if the project was restricted to the lower density allowed under the current RL zoning district.

C. Suitability of the subject property for the development and uses permitted by the general zoning district regulations versus the proposed district;

The Property's current and proposed zoning districts *both* permit residential uses. The proposed PD-R district would permit single-family attached residential units while the current zoning permits single-family detached residential units. Importantly, the proposed zoning district would provide unit types that are in high demand but in low supply within the City. Although the City includes a diverse mix of housing products, only fourteen percent (14%) are single-family attached residential units. In addition, the Pickett Road corridor, while accommodating apartment, condominiums, and single-family detached homes, does not have any single-family attached homes built, planned, or proposed. Because of the relative ease of their maintenance and upkeep, single-family attached units appeal to all segments of the housing market, including young professionals, families, active adults and empty nesters. The proposed rezoning would bolster the single-family attached offerings in the City. Additionally, as noted on Pages 46 and 47 of the Comprehensive Plan, with relatively little undeveloped land available in the City for new residential neighborhoods, this application will provide infill housing that complements the character of the surrounding homes and provides missing pedestrian links as envisioned within the Comprehensive Plan. Note that, these design elements are interwoven into many elements of the Comprehensive Plan and can be found within the Housing Goals (Page 56), the Neighborhood Goals (Page 54), and the Multimodal Transportation Goals (Page 76). The Applicant's proposal provides all the aforementioned design characteristics, achieving the City's vision for future neighborhoods.

D. Adequacy of existing or proposed public facilities such as public transportation facilities, public safety facilities, public school facilities, and public parks;

The Property is currently served by two access points to Pickett Road: one full-movement access point along the northern portion of the site, and one right-in/right-out access point along the southern portion of the site. The Applicant, as part of the rezoning, proposes to shift the southern right-in/right-out access point

approximately ninety-five (95) feet south of its existing location to accommodate on-site circulation and setbacks from adjacent properties. The northern full-movement access point will remain at its existing location. Additionally, as requested by staff, the Applicant has committed to provide a four (4) foot wide right-of-way dedication along the Property's Pickett Road frontage.

The Proposed Development is anticipated to generate approximately thirteen (13) new trips during a typical weekday morning peak hour, sixteen (16) new trips during afternoon peak hour, and one hundred and eighty-two (182) new daily trips. As such it will have a negligible impact on the existing public facilities.

In conformance with the Comprehensive Plan, the Applicant has made a commitment to provide the City with a financial contribution towards the construction of the three hundred and thirty (330) foot long extension of Daniels Run Trail immediately south of the Property on City owned property.

E. Adequacy of existing and proposed public utility infrastructure;

The Proposed Development will be served by the following existing utilities:

- Sewer: an existing eight (8) inch sewer line running through Barristers Keep
- Water: a twelve (12) inch water pipe running along Pickett
- Gas: an existing gas line running along Pickett
- Dry Utilities: existing lines running along Pickett

The Applicant has confirmed with City staff that there is adequate domestic water, sewer, and gas service for the Proposed Development.

F. Consistency of the applicable requirements of this chapter, including the general provisions of Section 3.8.2;

The application materials such as the Master Development Plan and Statement of Support provided for the proposed planned development appropriately address the provisions of Section 3.8.2, such as site development standards, dimensional standards, special use standards, and open space.

G. Compatibility of the proposed development with adjacent community;

The Applicant has thoroughly considered the surrounding uses when preparing the proposed application. Pickett Road has long been a mixed-use corridor, with industrial, religious, retail, office, and residential uses. Based on the Applicant's analysis of the site and its uses, we believe it is well-suited for high-quality, architecturally distinct townhomes based on the following rationale:

- The Pickett Road corridor has been redeveloping to include a mix of residential uses, including Barristers Keepe to the immediate north, newer single-family homes across the street, and the Enclave, a new condominium project to the north.
- The Pickett Road corridor has active retail and light industrial uses, like Fairfax Ice Arena, that are complementary to townhomes. Having additional residents will support the viability of retail uses, while the retail makes the residential uses more attractive and viable.
- Single-family attached units fit well on the site and are compatible with all adjacent uses. Barristers Keepe, the residential development immediately to its north, is composed of detached single-family houses on small lots with little separation between each house. Building a slightly denser townhome community to the south serves as a graceful transition between the single-family community and retail uses further south.

H. Consistency with the general purpose of the planned development districts in Section 3.8.1 and the stated purposes of Section 3.2.3;

The flexibility of the planned development district will create a more livable, affordable and sustainable community along the Pickett Road corridor. This application will provide infill redevelopment consistent with significant City objections outlined in the Comprehensive Plan and provides residential units that will increase housing diversity and affordability within a convenient and safe distance from existing shopping, dining, and employment opportunities. The rezoning converts underutilized RL land and allows it to be redeveloped in a complementary manner to the existing residential uses along Pickett Road. The Proposed Development will provide a well-blended neighborhood of high-quality townhomes and will provide the City with the first for-sale single-family attached affordable housing units. This infill single-family attached residential development will help alleviate the dearth of townhome units and increase housing affordability in the City.

I. Compatibility of each component of the overall development with all other components of the proposed planned development.

The application proposes a single-component project of residential uses. Therefore, compatibility of multiple components within an overall development is not applicable to this planned development.

J. The quality of design intended for each component of the project and the ability of the overall master development plan to ensure a unified, cohesive environment at full build-out;

As a specialist in infill housing, the Applicant intends to create a unique community

that is context-appropriate and achieves the vision and policy objectives set by the City, while being respectful and compatible with adjacent developments. To that end, the development is thoughtfully designed to include site-specific, high-quality architecture, landscaped sidewalks, and a large activated open space along Pickett Road.

K. Self-sufficiency requirements of each phase of the overall project of Section 3.8.2.H;

Due to the infill nature of the development, the Applicant is not proposing to phase the proposed development.

L. The effectiveness with which the proposed planned development protects and preserves the ecological sensitive areas within the development; and

The Property is developed with a 17,830-square-foot, single-story building and a large surface parking lot. The development of this existing building removed all ecologically sensitive areas on site. However, the Applicant as depicted on Sheet C-03, will preserve 7,281 square feet of existing mature vegetation located on the Property. A large portion of the preserved mature vegetation is located along the northern Property line adjacent to Barristers Keepe. The Applicant has worked diligently, at the request of Barristers Keepe, to preserve as many of the existing mature vegetation along this northern boundary. Therefore, the Applicant has proposed to pull back the "Limits of Clearing and Grading" along the northern Property line, as depicted on Sheet C-06, so that the mature existing vegetation may be preserved.

M. The extent to which the residential component of the proposed planned development promotes the creation and preservation of affordable housing suitable for supporting the current and future needs of the City.

In furtherance of the Housing Goals, specifically Action H2.1.2 on Page 56 of the Comprehensive Plan, the Applicant has committed to provide ten percent (10%) of the total number of single-family attached units constructed within the proposed development as for-sale affordable dwelling units. Although the City has not formally adopted an affordable housing ordinance, the Applicant continues to work with City staff to provide affordable housing that in line with the overarching goals outlined in the City's Draft ADU Ordinance. As noted above, the Applicant has increased the proposed ADUs from fourteen feet (14') to sixteen feet (16') in width and has requested a modification of Section 3.9.6 to reduce the width of Affordable Dwelling Units (the "ADUs") to sixteen feet (16'). These five (5) ADUs will be the first for-sale units within the City's affordable housing program. The applicant has extensive experience building affordable housing in neighboring jurisdictions and is excited to offer the first for-sale affordable dwelling units within the City.

Requested Zoning Ordinance, Subdivision Ordinance, and PFM Waivers and Modifications

The Applicant is seeking approval of the following modifications:

- 1) Modification of Section 3.5.1.C.2:

Modification. The Applicant seeks to provide the same front yard setback dimensionally for more than two abutting dwelling units.

Justification. Although the front yard setback may be the same dimensionally for more than two abutting dwelling units, the architectural elevations for each individual unit will include design treatments that provide dimensional differentiation for the front yards. Such features include projected or recessed entryways, projected windows, and many other material and design treatments, such that the units will be distinct. The Applicant has implemented this design element in various projects throughout the region and feels that creating variation in building depth through architectural details creates a higher quality effect than front setback variation.

- 2) Modification of Section 3.6.1:

Modification. The Applicant seeks to modify the maximum permitted height to forty-five (45) feet.

Justification. In order to appeal to all segments of the housing market, including young professionals, families, active adults and empty nesters the units within the community have been thoughtfully designed to provide high-quality urban designs, which include an optional fourth story loft and/or roof-top terrace. The integration of outdoor living spaces, such as a roof-top terrace, throughout the community will provide residents with an additional outdoor amenity space, albeit private, that will supplement the publicly accessible open spaces and amenities located throughout the community.

In order to provide this supplemental outdoor amenity space, all of the units, rear or front-loaded, will be at least three stories in height with an optional fourth story loft and/or roof-top terrace. The maximum building height of each unit will be forty-five feet (45'), including the roof-top terraces, except for the northern most front-load single-family attached unit, which will be limited to three (3) stories.

Note that, the Property is only bordered along the northern Property line by an existing Single-Family Detached Neighborhood. Since the Proposed Development does not contemplate any single-family attached units immediately adjacent to the northern Property line which is adjacent to an existing Single-Family Detached Neighborhood we believe the modification as requested is appropriate and contemplated within the Comprehensive Plan, as noted on Page 29.

- 3) Modification of Section 4.4.4.A1 of the Zoning Ordinance and Section 2.3.1A of the Subdivision Ordinance:

Modification. The Applicant seeks to provide sidewalks along one side of all local streets throughout the community.

Justification. Although a “sidewalk” by definition is not proposed on both sides of the local streets, the driveway aprons located parallel to the proposed sidewalk locations will act for all intents and purposes as a sidewalk. The proposed sidewalk locations throughout the community, focus the pedestrian circulation along the fronts of the rear-loaded units and away from driveway aprons. This careful design will provide a continuous pedestrian network focused along the internal roads thereby creating a looped pedestrian network to the sizeable park (including the landscaped promenade) and the activated open spaces throughout the community.

4) Modification of Section 4.5.5.C.2.(b)(1):

Modification. The Applicant is seeking to modify the transition yard requirements along all four of the property’s boundaries outlined in more detail below.

Justification. The Applicant is seeking to waive the requirement for a TY2 Transitional Yard (the “Transitional Yard”) along the southern property line given the property is immediately adjacent to an undeveloped and densely wooded ninety-four (94) foot wide swath of existing trees owned by the City.

Along the northern most property line adjacent to Barristers Keepe, the Applicant is proposing to modify the Transitional Yard to allow for a six (6) foot metal fence to act as the barrier on top of the proposed retaining wall and to allow the existing mature vegetation to remain as the Transitional Yard. If required to plant the Transition Yard, the Applicant would be removing a large portion of the existing mature vegetation along this boundary in order to install a smaller and less significant buffer than what exists today.

Along the Property’s eastern boundary, the Applicant will provide the quantity and types of landscaping required within the Transitional Yard, however due to utility conflicts the Applicant is seeks to modify the location of the Transition Yard by shifting the plantings slightly inward toward the open space area along Pickett Road. Additionally, the Applicant seeks to waive the barrier requirement along this important frontage in order to create a warm and inviting “front door” and focal point for the community.

The Applicant proposes to provide an enhanced buffer along the western boundary of the site to provide more supplemental shrubs than required, however, due to site and grading challenges the Applicant seeks to modify the width of the Transitional Yard to seven and a half (7.5) feet and to allow for the a 42” guardrail/fence to act as the barrier on top of the retaining wall along the western Property line. The property immediately to the west is the Army Navy golf course and the enhanced buffer will provide a natural and aesthetically pleasing buffer than would otherwise be provided with the required Transition Yard.

5) Modification of Section 4.5.6.B:

Modification. The Applicant is seeking to modify the street tree spacing, quantity, and planting area widths along the internal private streets and to waive the requirement along the alley and Pickett Road.

Justification. The Applicant is seeking to modify the street tree requirements in select areas along the internal private streets, as the required street tree spacing, quantity, and planting area widths cannot be consistently met due to driveway apron locations, on-street parallel parking, and various proposed utilities. Additionally, the Applicant is seeking to waive the street tree requirements along Pickett Road and the rear-load alley way. Provided the urban-design of the rear-loaded townhomes, the rear of the units are predominately imperious surfaces which are not-conducive to a suitable planting area width to support a large street tree. The Pickett Road frontage is encumbered by existing overhead utility easements, which prohibit the planting of landscape beneath the lines.

6) Modification of Section 4.5.6.B:

Modification. The Applicant is seeking to modify the street tree spacing, quantity, and planting area widths along the internal private streets and to waive the requirement along the alley and Pickett Road.

Justification. The Applicant is seeking to modify the street tree requirements in select areas along the internal private streets, as the required street tree spacing, quantity, and planting area widths cannot be consistently met due to driveway apron locations, on-street parallel parking, and various proposed utilities. Additionally, the Applicant is seeking to waive the street tree requirements along Pickett Road and the rear-load alley way. Provided the urban-design of the rear-loaded townhomes, the rear of the units are predominately imperious surfaces which are not-conducive to a suitable planting area width to support a large street tree. The Pickett Road frontage is encumbered by existing overhead utility easements, which prohibit the planting of landscape beneath the lines.

7) Modification of Section 2.7.3.1 of the PFM and Section 2.2.7 of the Subdivision Ordinance

Modification. The Applicant seeks to provide nine (9) foot wide driveways to service the single-car garage townhomes constructed throughout the community.

Justification. The implementation of nine (9) foot wide driveways for units with a single-car width tandem parked garage will greatly reduce the amount of impervious areas throughout the site, while providing an appropriately designed driveway that will accommodate a single-vehicle within the driveway.

8) Modification of Section 401.01

Modification. The Applicant seeks to provide a blend of twenty-four (24) foot wide interior private streets, exclusive parking, and thirty (30) foot wide interior private streets, inclusive of on-street parallel parking, throughout the community.

Justification. Designing a community that provides interior streets in conformance with the Fire Marshal's minimum fire lane width allows the Applicant to maximize on-lot (2.9 spaces/per unit) and on-street parallel parking while reducing the amount of imperious area on site.

9) Modification of Section 2.4.1 of the PFM

Modification. The Applicant seeks to provide a road radius that is less than one hundred and seventy-five (175) feet.

Justification. By providing a reduced road radius, vehicular traffic will flow seamlessly through smoother road curves throughout the community rather than navigating a perpendicular t-stub out. Additionally, the reduced radius provides the Applicant with the ability to retain the existing mature vegetation that would otherwise be removed to accommodate a larger road radius.

10) Modification of Section 2.10 of the PFM

Modification. The Applicant seeks to provide a ten (10) foot radius at the property line for the alley.

Justification. The implementation of a ten (10) foot radius permits innovation within the community design while achieving auto turn requirements. Such innovation includes the ability to provide additional permeable areas with additional landscaping and a unified streetscape than would otherwise be permitted.

11) Modification of Section 403.03 of the PFM

Modification. The Applicant seeks to provide rolled curbs instead of a curb cuts for driveways throughout the community.

Justification. Although the Public Facilities Manual does not include a design standard for rolled curb, it is a common practice and actively being used throughout the City. Therefore, the Applicant seeks to implement a rolled curb design reflective and complementary of those found throughout the City. Providing a rolled curb throughout the community will create a visually seamless streetscape that is not cluttered by protruding standard curb sections. Additionally, it facilitates a safer walking environment for pedestrians by eliminating standard curb sections that inadvertently become tripping hazards.

12) Modification of Section 2.3.3A and Section 2.3.4A1 of the Subdivision Ordinance

Modification. The Applicant seeks to waive the requirement to connect to the existing sidewalk within Barristers Keepe.

Justification. At the request of Barristers Keepe, the only subdivision immediately adjacent to the development, the Applicant's as part of their Master Development Plan created a detailed stormwater management plan to address potential runoff to the Barristers Keepe community. As detailed on Sheet C-17, this proposal vastly reduces the current stormwater runoff by decreasing the impervious surfaces and eliminating potential runoff towards Barristers Keepe using a swale and retaining wall along the Property's northern edge. These proposed improvements impede the Applicant's ability to connect the subdivisions by sidewalk internally. However, the proposed development will provide a trail along its Pickett Road frontage which will connect to the sidewalk within the public right-of-way along Barristers Keepe, thereby connecting these adjacent subdivisions.

13) Modification of Section 2.2.2 of the PFM

Modification. The Applicant seeks to waive the turn lanes into the site as shown on the Master Development Plan.

Justification. Property is currently served by two access points to Pickett Road: one full-movement access point along the northern portion of the site, and one right-in/right-out access point along the southern portion of the site. The Applicant, as part of the rezoning, proposes to shift the southern right-in/right-out access point approximately ninety-five (95) feet south of its existing location to accommodate on-site circulation and setbacks from adjacent properties. The northern full-movement access point will remain at its existing location.

The Proposed Development is anticipated to generate approximately thirteen (13) new trips during a typical weekday morning peak hour, sixteen (16) new trips during afternoon peak hour, and one hundred and eighty-two (182) new daily trips. As such it will have a negligible impact on the existing public facilities.

14) Modification of Section 2.4.2.3 of the PFM and Section 2.4.2B, Section 2.4.2C, and Section 5.3 of the Subdivision Ordinance

Modification. Pursuant to Section 3.8.2.E3 of the Zoning Ordinance, the Applicant seeks to provide intersections with arterial streets less than six-hundred (600) feet apart and block lengths less than 250' and no more than 800' to those shown on the Master Development Plan.

Justification. The Applicant has proposed to shift the southern right-in/right-out access point approximately ninety-five (95) feet south of its existing location to accommodate on-site circulation and setbacks from adjacent properties. The northern full-movement access point will remain at its existing location. As proposed, the block and intersection distances improve bringing the Property closer into compliance with

these provisions however, provided the infill nature of this redevelopment a modification remains necessary.

15) Modification of Section 2.2.2B, Section 2.2.2C, and Section 2.2.2F1 of the Subdivision Ordinance

Modification. The Applicant seeks to provide privately maintained roadways throughout the community.

Justification. Provided the infill nature of this redevelopment project, the Applicant is unable to provide interparcel access to the adjacent properties. Such properties are developed with uses that are not conducive to vehicular interparcel connectivity, such as the Army Navy Country Club, Barristers Keepe, or the City's property. However, the Applicant worked diligently to orient the community in such a way that would provide the least amount of dead-ends given the inability to create the Subdivision Ordinances desired connections.

Additionally, provide the urban-design of the community, the Applicant has proposed to provide private streets that will be maintained by the HOA in perpetuity, which is common practice within the industry for single-family attached communities.

16) Modification of Future Section 3.9.6 of the Zoning Ordinance

Modification. The Applicant seeks to reduce the width of affordable dwelling units to sixteen (16) feet.

Justification. The Applicant is aware that the City has not formally adopted an affordable housing ordinance. However, in furtherance of the Housing Goals, specifically Action H2.1.2 on Page 56 of the Comprehensive Plan, the Applicant has committed to provide ten percent (10%) of the total number of single-family attached units constructed within the Proposed Development as ADUs.

As discussed with staff, the Applicant has maintained the five (5) affordable dwelling units and at the direction of staff has increased the width of the affordable dwelling units from fourteen feet (14') to sixteen feet (16') and has requested a modification of Section 3.9.6 to reduce the width of the ADUs to sixteen feet (16'). However, as discussed on a call with staff on January 30, 2020, the mandate that the ADUs be constructed at the same or comparable size as the market rate units is different than those of neighboring jurisdictions and may be difficult to implement.

For example, in Section 2-802(5)(D) of the Fairfax County Zoning Ordinance, it states that ADUs "shall be of the same dwelling unit type as the market rate units constructed on site." Fairfax County does not mandate that ADUs be constructed at the same or comparable size as the market rate units, only of the same unit type. Section 2-802(5)(D) is attached as Exhibit A.

Instead, the County has developed a “Schedule of ADU Prototypes and Cost Allowances” for ADUs that detail the minimum and maximum sizes of ADUs by unit type. This is done in recognition that ADUs need to be smaller than the market rate units for cost reasons, but not so small that they are unlivable. It also ensures the cost of constructing the ADU is reasonable in relation to the maximum sales price a developer may charge for the ADU, which is governed by the purchaser’s ability to pay and not by the cost to construct. That’s how the program meets the mandate that the developer not suffer an “economic loss” when providing ADUs. The “Schedule of ADU Prototypes and Cost Allowances” is attached as Exhibit B.

In addition to the ADU prototypes, Fairfax County also developed “Minimum Specifications” for ADUs to address bedroom sizes, fixtures, etc. These standards were updated in 2018 and also are attached as Exhibit C. While there is verbiage about ADUs being “comparable” to the market units, the language makes clear comparability is limited to the “primary functional components,” and not floor areas, layouts, and width which can be unique for each project, provided they meet the minimum prototype sizes of the above “Schedule.”

From an ordinance perspective, insisting that ADUs in the City be similar/identical in size to a market rate unit puts the City at odds with the manner in which Fairfax County administers its ADU program. It also creates potential hardships to providing ADUs by increasing construction costs without a corresponding ability to pass those added costs on to the purchaser. And the larger unit sizes are more land-consumptive, leaving less land area available to make up the added costs through bonus density. While it may be possible for the City Council to grant relief from this standard, the uncertainty as whether it would be granted on a case-by-case basis makes it difficult for property owners to project their overall development costs and move forward with implementing the Draft ADU Ordinance as written.

The Applicant strongly supports ADU programs and wants to include units in its proposed development, but the uncertainty created by the size expectations merits further discussion. The Applicant will continue to work with City staff to provide affordable housing that is in line with the overarching goals outlined in the City’s Draft ADU Ordinance.