

NORTHFAX JV LLC

Statement of Justification

Revised: June 1, 2020

Please accept this Statement of Justification in support of a rezoning application to allow the redevelopment of an assemblage of seventeen (17) parcels and a portion of Orchard Street right-of-way to be vacated/abandoned. A complete list of all 17 parcels, the right-of-way, and each associated property address is attached to this Statement of Justification as **Exhibit A**. This Statement is submitted in conjunction with a Master Development Plan, prepared by Christopher Consultants, Ltd., dated January 3, 2020 and revised through June 1, 2020, consisting of thirty-five (35) sheets (the “MDP”), and other submitted supporting materials. The contents of this Statement of Justification address the requirements set forth in Section 3.8.2.C.1 of the City of Fairfax Zoning Ordinance, as amended by City Council through June 25, 2019 (the “Zoning Ordinance”).

Northfax JV LLC, an affiliate of The Lann Companies, is the Applicant in the proposed rezoning of that area referred to as Northfax West. The 17 properties and the portion of Orchard Street right-of-way to be vacated/abandoned, which are identified on Exhibit A, comprise approximately 11.46 acres and are identified as Tax Map 57-2-02-003, 57-2-02-005, 57-2-02-017, 57-2-02-018, 57-2-02-019, 57-2-02-020, 57-2-07-015-B, 57-2-08-005, 57-2-08-006, 57-2-08-007, 57-2-08-008, 57-2-08-010, 57-2-08-011, 57-2-08-012, 57-2-08-013, 57-2-08-014, and 57-2-47-000-A (collectively, the “Subject Property”). Exhibit A includes the Title Owner of each parcel. The Subject Property is located along the western frontage of Chain Bridge Road (Route 123) and north of Fairfax Boulevard (Route 50). The uses surrounding the Subject Property are varied. The northern boundary is adjacent to The Assembly townhouses, a service station and an office building; the eastern boundary is Chain Bridge Road; the southern boundary is adjacent to City property, a used car lot, the 29 Diner, Brown’s Fairfax Mazda, and the DarCar’s Used Car Center; and the western boundary is adjacent to the rear property line of single-family detached dwellings fronting on McLean Avenue. The Subject Property is currently zoned CR (Commercial Retail) and RM (Residential Medium) and located within the Architectural Control Overlay District (“ACOD”). Existing improvements on the Subject Property include two (2) one-story houses located on the RM portion of the Subject Property. Commercial uses on the Subject Property include vehicle storage and an existing restaurant that fronts Chain Bridge Road. Approximately 4.0 acres on the western portion of the Subject Property is undeveloped, with approximately 5.5 acres located within a 100-year floodplain. The extent of the 100-year floodplain boundary is depicted on the Existing Conditions Plan on Sheets 2 and 2A of the MDP.

PROPOSED DEVELOPMENT

The Applicant proposes to rezone the Subject Property from the CR and RM Districts to the Planned Development Mixed Use (“PD-M”) District to permit its redevelopment with a mix of residential and commercial uses that would be completed in four phases as generally depicted on the MDP. Phase One includes construction of a storm drainage culvert, utility relocations, the realignment of Orchard Street, and various improvements on the area generally designated on the MDP as the “Future Development Parcel.” Phase Two is the development of fifty-six (56)

townhouses and associated infrastructure, including an eight-foot wide trail in the northwest portion of the Subject Property, and a linear park on the north side of Orchard Street Realigned. Phase Three is a senior living building with up to two hundred (200) units and associated infrastructure. Phases Two and Three are anticipated to be completed by 2023. . Phase Four contemplates development of the Future Development Parcel that is anticipated to be completed by 2027. The Applicant will submit an amended MDP for approval once the uses for Phase Four have been determined.

Phase One

Preliminarily, before construction of the proposed residential community and senior living building, the Applicant will submit the necessary materials to modify the 100-year floodplain on a portion of the Subject Property. The current 100-year floodplain cuts through the Subject Property and causes approximately one-half of the site to be undevelopable. A stream generally flows from the northwest to the southeast into a box culvert, which is located at the Chain Bridge Road frontage of the Subject Property and recently installed by the City of Fairfax and the Virginia Department of Transportation as part of their road and drainage improvement project (the “City/VDOT Northfax Project”). Despite the installation of this culvert, the existing floodplain still includes a substantial portion of existing Orchard Street. The Applicant intends to complement and continue the City’s storm drainage improvements by enclosing the on-site stream in a box culvert, thereby modifying the area of the floodplain. The result will be the removal of Orchard Street and the area proposed for dedication of the planned Farr Avenue Extension from the floodplain, and an increase in the developable portion of the Subject Property. To accomplish the on-site stream channel improvements, the Applicant has applied for and has been issued the required approvals from governmental agencies, including a Virginia Water Protection (“VWP”) Permit, Permit No. 18-1003, on March 5, 2019 issued by the Virginia Department of Environmental Quality (“VDEQ”) and a Conditional Letter of Map Revision (“CLOMR”) from the Federal Emergency Management Agency (“FEMA”), Case No. 18-03 2239R, on April 1, 2019. These approvals have been coordinated with the City of Fairfax and are included as part of the MDP. As a result of the on-site stream channel improvements, the Applicant will effectively reduce the Resource Protection Area (“RPA”) on the Subject Property from 5.99 acres to 1.15 acres. Prior to the approval of the proposed rezoning, the Applicant will submit an RPA Delineation Plan and a Water Quality Impact Assessment.

In connection with the floodplain modification, the Applicant proposes to grade within the redefined RPA area to install the box culvert. Pursuant to Section 4.18.10 of the Zoning Ordinance, this improvement will be located outside the RPA to the degree possible, and no more land will be disturbed than is necessary to construct the proposed improvement. Moreover, the installation and maintenance of this improvement will be in compliance with all applicable state and federal permits and will be designed and conducted in a manner that protects water quality. In addition, the Applicant proposes to construct an eight-foot wide trail in the redefined RPA area. Prior to any land disturbance related to the trail construction, the Applicant will obtain any required permits. The Applicant will also submit sufficient and reasonable proof that this intended use will not deteriorate water quality and will not conflict with any nearby planned or approved uses. Finally, the Applicant will comply with all erosion and sediment control requirements if any land

disturbance in association with the construction of these improvements in the redefined RPA exceeds an area of 2,500 square feet.

Additionally, as part of Phase One, the Applicant proposes to improve and realign Orchard Street to connect to the proposed extension of Farr Avenue (the "Farr Avenue Extension"). The Farr Avenue Extension will be completed by the City and will provide vehicular access between Chain Bridge Road and Fairfax Boulevard, through the Subject Property and the adjoining Brown's Mazda property. The Farr Avenue Extension will include a five-foot wide bike lane and a six-foot wide sidewalk to promote pedestrian connectivity. Similarly, the Orchard Street improvements will also include five-foot wide bike lanes as well as six-foot wide sidewalks. In conjunction with the proposed Orchard Street and Farr Avenue Extension improvements, approximately 0.31 acre of Orchard Street right-of-way will be vacated and approximately 0.97 acre of right-of-way will be dedicated to the City, the majority of which will facilitate the City's completion of the Farr Avenue Extension project. The Applicant is not proposing any vehicular access connections to adjoining residential neighborhoods nor proposing interparcel access to non-residential uses in Phases One, Two, or Three. Given the proposed adjacent development, a vehicular connection is not warranted. The request for an interparcel access will be reevaluated in Phase Four during the redevelopment of the Future Development Parcel.

Phase Two

To oversee and facilitate the townhouse development of Phase Two, the Applicant has contracted with MHI-Northfax, LLC, an affiliate of Madison Homes, Inc. ("Madison Homes"). The proposed townhouse development will include 56 units. This results in a proposed density of approximately 11.34 dwelling units per acre, when the proposed density is associated with only the townhouse portion of the development. The townhouses will be a mix of front entry units that are 24 feet wide, and rear entry units that are 20 feet wide. Each of the proposed townhouses will have an integrated two-car garage on the ground level, which will provide one hundred and twelve (112) total garage parking spaces. Twenty-two (22) additional guest parking spaces will be located on-site, including one handicap van-accessible space. The one hundred and thirty-four (134) parking spaces for the townhouse development will result in a parking ratio of 2.39 spaces per unit, which exceeds the required parking ratio of two (2) spaces per unit for townhouses. The townhouse layout includes rear entry units that will front on Orchard Street to activate the streetscape. Open space has been integrated into the layout. The proposed townhouses will be designed with architecture that will be compatible with the surrounding neighborhoods and will provide the appropriate transition between the surrounding residential neighborhoods and the higher density senior living facility planned with Phase Three, as well as the future uses of Phase Four. Building materials may include, but are not limited to, masonry, cementitious siding, and other quality materials. Additional residential amenities include a proposed pocket park within the townhouse development and a proposed amenity area in the northwest portion of the Subject Property, as generally shown on the MDP. These amenity areas will be programmed open spaces that may include a tot lot and seating areas. In addition, because the amenity area in the northwest portion is proximate to the beginning of the box culvert, the Applicant proposes to install culvert safety signage, four-foot high fencing, and a guardrail on the headwall. The Applicant will also heavily landscape the area around the culvert. Lastly, the Applicant has designed an eight to nine

foot wide linear park between the townhouses and the dedicated Orchard Street right-of-way, that will include plantings and benches to create a sense of place.

Approximately one (1) acre in the northwest corner of the Subject Property will remain as preserved open space, as generally shown on the MDP. As a part of Phase Two, the Applicant proposes to construct an eight-foot wide trail in this portion of the site, which will create connectivity to the adjacent neighborhoods. Specifically, the Applicant will connect the proposed linear park to the proposed trail, which will provide connectivity of the green spaces through the site to surrounding communities. Within the discretion of the City, the preserved open space will be owned by the City or the umbrella association established for the development. If the open space is privately owned and maintained, the Applicant will grant a public ingress/egress easement to the City to allow access by surrounding communities. The trail will provide a connection to Perry Street. The Applicant will remove invasive vines and dead trees from this area. Supplemental plantings will be selectively added to ensure a natural wooded environment. This area is part of approximately 20% of total area of the Subject Property that will remain in open space. However, the Zoning Ordinance permits only 50% of the land area located in a floodplain to qualify as open space; thereby the open space calculation on the Subject Property in accordance with the Zoning Ordinance is 15%. Combining this land area with the permitted open space options and uses outlined in Zoning Ordinance Section 3.8.7, the Applicant is effectively providing 23% open space. In addition, at least 60 percent of the required recreation and open space is contiguous, as the Applicant proposes pavers in the private street between the pocket park and the preserved open space. This designated walkway will link the linear park to the preserved open space. The Applicant also proposes crosswalks on realigned Orchard Street and Farr Avenue Extension in order to provide safe and adequate pedestrian access from both sides of the streets to the various recreation and open spaces throughout the Subject Property. Thus, Phases One, Two, and Three will meet the intent of the 20% open space requirement for the Subject Property without placing an open space requirement on the Future Development Parcel.

Phase Three

To develop and operate the proposed senior living facility on the Subject Property, the Applicant has contracted with Brightview Senior Living Development, LLC (“Brightview”). The proposed senior living facility will contain approximately 230,000 square feet of gross floor area in a seven-story building that incorporates a structured parking garage containing one hundred and fourteen (114) parking spaces with twelve (12) surface parking spaces, resulting in a total of one hundred and twenty (126) parking spaces. Based on the extensive industry experience of Brightview and market trends, the proposed number of parking spaces will meet the parking demand of a fully occupied community. A statement of operations to support the anticipated parking demand by the residents, staff, and visitors has been provided as **Exhibit B**. The proposed facility will have up to 200 units comprised of approximately one hundred and fourteen (114) independent living units, each with a full kitchen, sixty (60) assisted living units and twenty-six (26) memory care units. Resident amenities will include multiple dining venues, an area for fitness/wellness/yoga, physical therapy and occupational therapy services, an art studio, a multi-purpose space, a movie theater, and a hair and nail salon. In addition to the indoor amenities, the community will include outdoor courtyards and garden spaces for the enjoyment of the residents, residents’ visitors, and the neighboring community. The outdoor courtyards will include features

such as landscaping, hardscape, fountains, fire pits, lighting, and/or seating areas, as generally depicted on the MDP. These courtyards will be designed to encourage community use and will activate the streetscape. The design of the proposed building will include contemporary architecture that will be residential in style and scaled to be consistent with the proposed townhouse development on the north and west sides of the facility. The proposed residential community developed in Phases Two and Three will be served by public water and public sewer, as generally shown on the MDP.

The Subject Property will be served by a primary vehicular access point at realigned Orchard Street to Chain Bridge Road at an existing signalized intersection. The Applicant's traffic consultant, Gorove/Slade Associates, Inc., has prepared a Traffic Impact Study for the Subject Property, dated January 2, 2020 and revised on April 15, 2020 (the "TIS"). The TIS takes into account the redevelopment of the Subject Property and considers a number of external factors, such as the Farr Avenue Extension, the University Boulevard Extension, and redevelopment of other approved but incomplete proximate development projects. For Phases One, Two, and Three, the TIS concludes that the redevelopment of the Subject Property will have a negligible impact on the surrounding transportation and roadway network. Fairfax Boulevard shows an increase of less than 1.0% in peak hour traffic, and Chain Bridge Road shows an increase of less than 1.1% in peak hour traffic attributable to the proposed redevelopment of the Subject Property.

A series of on-site stormwater management devices, such as hydrodynamic separators, stormfilters, and filterras, will be utilized to meet stormwater management quality and quantity requirements. In addition to the stormwater management devices, the Applicant proposes to provide best management practices ("BMP") planter boxes in the linear park along Orchard Street within the townhouse portion of the development. The proposed senior living building will also incorporate two (2) green roofs. Any proposed on-site stormwater management and BMP facilities will comply with all applicable stormwater regulations. As the site design progresses, the design team will incorporate sustainable design features into the development to the extent possible.

Finally, the Applicant will commit to the completion of an off-site stream restoration project for that portion of Accotink Creek within the boundaries of Van Dyck Park, where the stream has a width ranging from 8 to 15 feet and extends for a distance of approximately 2,190 linear feet. This stream restoration project has received preliminary funding from the City and has been designated by the City as an important public improvement project that is part of the approved master plan for Van Dyck Park. The Applicant intends to complete the stream restoration project at no additional cost to the City. Recognized as a nutrient offset trading bank project, the Applicant will ensure that the off-site improvements will comply with the regulations of VDEQ. In addition, the Applicant will purchase 1,675 stream credits or 4,761 Stream Condition Units from a VDEQ approved mitigation bank, as required by the VWP Permit (Permit No. 18-1003), approved by VDEQ. By completing this stream restoration project, the Applicant will make a significant contribution to the implementation of the approved master plan for Van Dyck Park. Additional City benefits from this stream restoration project include improving the water quality of the stream through Van Dyck Park, reducing erosion in this stretch of the Accotink Creek, decreasing the effects of flooding, and enhancing and beautifying the natural habitat for native species in this area. The City may select an alternative stream restoration project on property under City ownership and equal in length, accessibility, and stream condition to that portion of Accotink

Creek within the boundaries of Van Dyck Park for the Applicant's consideration. Upon selection of the alternative by the Applicant, the Applicant will diligently pursue the required approvals and implement the alternative stream restoration project.

Phase Four

Phase Four anticipates the redevelopment of approximately 3.3 acres of the Subject Property, which is identified as the "Future Development Parcel" on the MDP. Specific uses on this area remain to be determined, which allows the Applicant to preserve maximum flexibility for optimal development that will benefit the City in the future. Possible uses will be those permitted in the PD-M District under the Zoning Ordinance, to include permitted temporary uses. These uses may include, but are not limited to, approximately 25,000 square feet of office, retail, and restaurant uses; an additional 180 residential dwelling units; and a 140-room hotel. The Applicant is not seeking approval of these possible uses with the development of Phases One, Two, and Three. The Applicant may also consider opportunities to coordinate development of this parcel with adjoining properties, including the City-owned property at the corner of Chain Bridge Road and Fairfax Boulevard. Specific uses that will be excluded are cemeteries, detention facilities or jails, adult uses, building supplies and lumber sales, fuel stations, vehicle repair facilities, vehicle sales and leasing establishments, and vehicle service establishments.

An additional one-way, right-in only access from Chain Bridge Road will be constructed and completed in Phase Four of the development. The proposed access will ultimately connect to the realigned Orchard Street. In addition, the Applicant will provide an additional proposed location for ingress/egress at Orchard Street. The Applicant reserves the right to construct these future access points into the Future Development Parcel, as generally depicted on the MDP. The traffic impacts of Phase Four were considered as part of the TIS. Although the Applicant is not seeking approval of the possible uses listed above that are contemplated for Phase Four, the TIS takes into account the redevelopment of the Subject Property with such possible uses to ensure that all potential traffic impacts are considered. The TIS also considers a number of external factors, such as the Farr Avenue Extension; signalization of the Fairfax Boulevard and Farr Avenue intersection; the realignment of Warwick Avenue, Fairfax Boulevard, and McLean Avenue; the University Boulevard Extension; and redevelopment of other approved but incomplete proximate development projects. For Phase Four, the TIS concludes that the ultimate redevelopment of the Subject Property will have negligible impact on the surrounding transportation and roadway network. Fairfax Boulevard shows an increase of less than 3.3% in peak hour traffic and Chain Bridge Road shows an increase of less than 3.2% in peak hour traffic attributable to the proposed redevelopment of the Subject Property. At such time when the uses for Phase Four are selected and an amendment to the MDP is requested for the redevelopment of the Future Development Parcel, the Applicant will prepare and submit an amended TIS for review and approval.

With regard to stormwater management, similar devices to those provided in Phases One, Two and Three will be utilized in Phase Four to meet stormwater management quality and quantity requirements. The proposed development on the Future Development Parcel will include on-site stormwater management and BMP facilities that will comply with all applicable stormwater regulations. These measures will be evaluated by City staff when an amendment to the MDP is submitted.

In the interim, the Applicant proposes temporary improvements on the Future Development Parcel. These improvements include, but are not limited to, removing existing gravel areas to be replaced with sodding/seeding/ground cover; installing landscaping along the Chain Bridge Road frontage; and incorporating a six-foot sidewalk as well as providing a temporary linear park and landscaping along the south side of the realigned Orchard Street, as shown on the MDP. In addition, a multi-use trail will be installed along the Chain Bridge Road frontage, as shown on the MDP. While a majority of the trail will be ten (10) feet wide, the existing sidewalk at the corner of Orchard Street and Chain Bridge Road will be retained and transition to a six foot wide sidewalk being installed along the south side of Orchard Street. Likewise, at the southern end, the ten-foot trail will narrow to six feet to connect with the existing off-site sidewalk near the intersection of Chain Bridge Road and Fairfax Boulevard. In addition, the Applicant may seek permitted temporary uses on the Future Development Parcel in accordance with the Zoning Ordinance Section 3.5.6.B and C, including, but not limited to, temporary uses and temporary special events. Specifically, the Applicant seeks to retain the existing restaurant building on the Future Development Parcel. In accordance with the Zoning Ordinance, the Applicant may choose to convert the building to permitted temporary uses, including, but not limited to, temporary residential sales and/or leasing offices and temporary construction offices.

REZONING APPLICATION/COMPREHENSIVE PLAN

The Applicant proposes a rezoning of the Subject Property from the CR and RM Districts to the PD-M District in order to permit the proposed development. The proposed rezoning fulfills each of the approval considerations set forth in Section 6.4.9 of the Zoning Ordinance, as discussed below:

A. *Substantial conformance with the Comprehensive Plan.*

The proposed development is in substantial conformance with the recommendations of the Comprehensive Plan (the “Plan”) and the Future Land Use Map for the City of Fairfax. The Comprehensive Plan and Future Land Use Map, which were adopted by City Council in February of 2019, designate the Subject Property as an Activity Center. Specifically, the Subject Property is located in the Northfax Activity Center, which the Plan considers the most appropriate location in the City to accommodate a regional mixed-use destination. Consolidating 17 parcels, the Applicant is proposing to integrate a mix of residential, retail, restaurant, and hotel uses on the Subject Property in a development that will be implemented in four phases. With Phase One, in addition to the improved vehicular access along realigned Orchard Street and the Farr Avenue Extension, the proposed development will create a pedestrian friendly streetscape that includes a five-foot wide bike lane and a six-foot wide sidewalk, providing a convenient, safe pedestrian access from Chain Bridge Road to Fairfax Boulevard.

In Phases Two and Three, urban-style townhouses and a modern senior living facility will activate an urban streetscape along realigned Orchard Street and the Farr Avenue Extension, and have been designed to implement the “active street” concept contemplated in the Plan. The townhouses front on Orchard Street and Farr Avenue Extension, with front stoops that lead to the sidewalk. Similarly, the senior living building includes first

floor units on Orchard Street with front stoops. Additional uses, such as a hair and nail salon and fitness room, will be located on the first floor of the senior living building to activate the street level. Lastly, courtyards on the east and west sides of the senior living building will connect to the adjacent sidewalks creating an active and inviting environment. Moreover, the proposed townhouse residential use, combined with the incorporation of a senior living community, will diversify housing types in the City as well as address a growing need in the City for senior housing that allows City residents an opportunity to age in the City of Fairfax. The introduction of additional multifamily residential, hotel, restaurant, and retail uses in Phase Four will complete the Northfax Activity Center's objective to provide a well-designed, desirable place to live, work, shop, and dine, as envisioned by the Plan.

While the proposed development is in substantial conformance with the recommendations of the Plan and the Future Land Use Map, the Plan recommends Small Area Plans be developed for each of the City's five Activity Centers, including Northfax. Currently, the City is undergoing a process to develop Small Area Plans for Northfax and Old Town Fairfax that will provide more specific guidance for these Activity Centers, including the desired mix of uses, residential density, building intensity, design aesthetic, street locations, multimodal connections, infrastructure improvements, parking, and open space. As each Small Area Plan is completed, its adopted recommendations will supersede the pre-existing guidance in the 2035 Comprehensive Plan for its respective Activity Center. Based on meetings coordinated by Cunningham/Quill Architects, the proposed development will be designed to be consistent with the overall vision for the Northfax Small Area Plan. Specifically, a significant feature of the envisioned Northfax Small Area Plan includes a linear park concept. Taking this into consideration, the Applicant has designed an eight to nine foot wide linear park between the dedicated Orchard Street right-of-way and the townhomes. The linear park will include plantings and benches to create a sense of place. Stormwater management planter boxes will create opportunities for on-site infiltration. Additionally, connecting the linear park to the proposed trail through the northwest portion of the site provides connectivity through the site itself, but also to surrounding neighborhoods.

- B. Any greater benefits the proposed rezoning provides to the City than would a development carried out in accordance with the current zoning district, and otherwise applicable requirements of this chapter.*

The proposed development will provide greater benefits to the City than a development in accordance with current zoning district regulations. The proposed rezoning to the PD-M District will consolidate 17 parcels to create a single zoning classification on the Subject Property. The rezoning will allow for the development of a mixed-use destination in Northfax that more properly aligns with and advances the goals of the City's vision in this Activity Center. Moreover, because the development will be completed in four Phases, with the development of the fourth Phase being subject to future evaluation and approval by the City Council, the proposed rezoning affords the Applicant flexibility to respond to market demands and the needs of City residents. As currently envisioned, it is planned that the contemplated mix of uses in Phase Four will create a critical mass of residential density

that will support retail and restaurant uses in the Northfax Activity Center. In addition, the proposed development will provide road improvements to existing Orchard Street that will, in conjunction with the City's Farr Avenue Extension project, complete the connection between Fairfax Boulevard and Chain Bridge Road. This connection facilitates establishment of the Northfax street grid. The Farr Avenue Extension is a new roadway link that will improve the area's traffic circulation. Associated with these road improvements is the installation of a five-foot wide bike lane and a six-foot wide sidewalk along the realigned Orchard Street that will extend off-site to Chain Bridge Road, resulting in enhanced pedestrian connectivity. The pedestrian connectivity will also extend to the west with the installation of an eight-foot wide trail from the Subject Property to Perry Street. In addition, the proposed development will include the installation of a box culvert as part of a public improvement project on the Subject Property.

C. *Suitability of the Subject Property for the development and uses permitted by the current versus the proposed district.*

The Subject Property is highly suitable for the proposed development given its location proximate to a mix of existing residential and commercial uses. Under the existing zoning designations, the Subject Property is zoned to two different zoning classifications. While most of the proposed uses are permitted either by right or with a special use permit approval in the respective zoning districts, a townhouse residential use specifically is not permitted in either the RM or CR zoning districts. A townhouse component creates an appropriate transition use adjacent the existing townhouses of The Assembly. The consolidation and rezoning of the 17 parcels that comprise the Subject Property to the proposed PD-M District allows for a development of uses in a manner that will be compatible with nearby communities and consistent with the Plan's recommendations for the Northfax Activity Center. The proposed rezoning results in a more suitable development than could be achieved by the existing zoning.

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

The proposed development will not have an adverse impact on public facilities such as public transportation facilities, public safety facilities, public school facilities, and public parks. Part of the proposal incorporates a separate Public Improvement Plan (the "PI Plan") that includes the construction of a storm drainage culvert, utility relocations, the realignment of Orchard Street, a multi-use trail on Chain Bridge Road, and temporary landscaping and linear park on the south side of Orchard Street. The PI Plan will be reviewed and approved by the City in coordination with the City's plans for the construction of the Farr Avenue Extension. The completion of Orchard Street and the Farr Avenue Extension creates a street grid that connects Chain Bridge Road to Fairfax Boulevard and improves transportation use. In addition, the Applicant proposes to construct an eight-foot wide trail within a public access easement in the northwest corner of the Subject Property, creating additional usable public open space. The Applicant will also extend a sidewalk to Chain Bridge Road and construct a multi-use trail on Chain Bridge Road. These improvements provide pedestrian connectivity on and off-site.

Finally, the Applicant's commitment to stream restoration in Van Dyck Park will improve the health of Accotink Creek and benefit, not just Van Dyck Park, but the entire City.

E. Adequacy of existing and proposed public utility infrastructure.

The existing public utility infrastructure is adequate to serve the proposed development. All new utilities serving the proposed townhouse development and the senior living community development constructed in Phases Two and Three will be installed underground. Offsite overhead utilities along the north side of Orchard Street in an existing easement or the existing right-of-way of Orchard Street will be maintained above ground and will be modified by the Applicant to relocate the pole at the southwestern corner of the adjacent office building property and add a new terminal pole to serve the Application Property and the office building. In addition, existing above ground utilities along the Chain Bridge Road frontage and the southeastern corner of the Subject Property will remain and will be addressed during the redevelopment of the Future Development Parcel in Phase Four.

F. Compatibility of the proposed development with adjacent and nearby communities.

The proposed development has been designed to ensure compatibility with the surrounding residential uses to the north and west of the Subject Property as well as the retail uses to the south. The construction of townhomes on the north and west portions of the Subject Property creates an appropriate transition to the existing Assembly townhomes and the single-family homes on McLean Avenue. The senior living building was designed to place the senior living parking garage adjacent to the parking facility being proposed as part of the redevelopment of the Brown's Mazda dealership to the south. The Applicant intends to utilize the open space in the northwest corner of the Subject Property to foster connectivity to the adjacent neighborhoods. Furthermore, the Farr Avenue Extension that extends through the Applicant's site and will connect to an improved Orchard Street will provide a connected street network for motorists, bicyclists, and pedestrians. This will effectively unify the proposed projects on both sites and contribute to the creation of a pedestrian-oriented, mixed-use destination at Northfax. *G. Consistency with the stated purpose of the proposed district.*

The stated purpose of the PD-M District is to provide for coordinated mixed-use developments, which may include general residential and nonresidential uses within a planned development. The variety of land uses available in this district allows greater flexibility to respond to market demands and the needs of tenants, thereby providing for a variety of physically and functionally integrated land uses. The proposed mixed-use development planned for Phases Two and Three is consistent with the purpose of the PD-M District. In addition, while the uses for Phase Four have not yet been specified, the uses ultimately selected will be in response to market demands and will fully integrate with, not only the uses of Phases Two and Three, but with the broader mixed-use development of the Northfax Activity Center.

The additional considerations of Section 6.6.8 of the Zoning Ordinance are met as follows:

- In order to ensure compatibility of each component within the overall development, the design of the proposed townhouses incorporates an aesthetic transition between the traditional style townhouses of The Assembly and the contemporary style of the proposed senior living building. In addition, the senior living community integrates a contemporary design that complements both the transitional architecture and massing of the adjacent townhouses to its north and west as well as the adjacent Brown's Mazda dealership to its south.
- The development will be completed in four Phases, with Phase Four being subject to future evaluation and approval by City Council. This ensures that the proposed rezoning will create a unified, cohesive environment at full build-out that will be responsive to market demands and the needs of the City to ultimately develop a mixed-use destination in the Northfax Activity Center.
- The overall development of the Subject Property will occur in phases that are connected but are independent projects, in accordance with the MDP. Development will occur in the following Phases:
 - Phase One: Construction of storm drainage culvert, utility relocations, the realignment of Orchard Street, and various improvements on the Future Development Parcel, as depicted on the MDP. Phase One will be subject to the PI Plan to be prepared by the Applicant and reviewed and approved by the City of Fairfax in coordination with the City's plans for the construction of the Farr Avenue Extension. The PI Plan was submitted to the City in May 2020. It is anticipated that construction of this Phase could begin in early 2021, subject to obtaining all necessary approvals, with completion in late 2021. The culmination of Phase One will be the submission and approval of a Letter of Map Revision ("LOMR") by FEMA, consistent with the approved CLOMR.
 - Phase Two: Development and construction of the townhouse component, including an eight-foot wide trail in the northwest portion of the Application Property and a linear park on the north side of Orchard Street, as shown on the MDP. Subject to final site plan approval and coordination with the LOMR resulting from the Phase One work, this work could begin in mid to late 2021. Timing for the completion of this Phase Two will be dependent upon market conditions for the sale of the proposed townhouses, but it is anticipated that this Phase will be developed, constructed, and sold over a 2-3 year period from commencement.
 - Phase Three: Development and construction of the senior living building, as shown on the MDP. Subject to final site plan approval and coordination with the LOMR resulting from the Phase One work, this work could begin in mid to late 2021. Construction of the improvements included in Phase Three should be completed in approximately 18 months from commencement. Occupancy of the senior living building will commence upon completion of construction.

- Phase Four: Development and construction of the Future Development Parcel will occur after approval by the City Council of an amendment to the MDP, specifying the improvements and uses to be constructed on this Phase Four of the project. Details with regard to the timing of this development and construction will be provided as part of a future application for amendment to the MDP.
- To protect and preserve the ecologically sensitive areas within the Subject Property, the Applicant intends to complement and continue the City's storm drainage improvements that will ultimately reduce the impact of the floodplain on the Subject Property and on adjacent properties, including The Assembly. The Applicant is also proposing to maintain approximately one acre in the northwest corner of the Subject Property primarily in its current condition. The existing trees in the northwest corner of the site have been evaluated for health, structure, and impact from invasive species. The focus of this area will be on tree preservation with minimal development. The invasive species and dangerous trees will be removed so the higher quality trees can thrive. In addition, the trail and proposed amenity area will be designed to maximize the preservation of good quality trees. Supplemental trees will be planted in this area to ensure a natural wooded environment. A narrative describing the condition of existing trees on-site and the Applicant's proposal to improve the current condition of the tree canopy is attached as **Exhibit C**. Finally, by completing the Van Dyck Stream restoration project, the Applicant will improve the water quality and reduce erosion in this portion of the Accotink Creek, decrease the effects of flooding, and enhance and beautify the natural habitat for native species in the area.
- The Applicant is not displacing any existing affordable housing on the Subject Property. The Applicant is providing a diverse mix of housing that includes single-family attached units as well as a senior living building that will include independent living, assisted living, and memory care units. The proposed development meets the housing goals of the City's Comprehensive Plan, as it is comprised of housing types that are underrepresented in the City's stock of housing units. The Applicant will provide a variety of housing types at various price points that will meet the needs of the City's residents, including its senior citizens.

MODIFICATIONS, WAIVERS, AND SPECIAL USE PERMIT REQUESTS

In conjunction with the proposed rezoning, the Applicant requests approval of the following modifications and special use permits:

1. Pursuant to Section 4.15.7.C.2.b.1 of the Zoning Ordinance, a special use permit is hereby requested to allow for disturbance within the 100-year floodplain boundary.

The proposed floodplain boundary modification meets the approval considerations for a special use permit as set forth in Section 6.7.7 of the Zoning Ordinance. The modification of the floodplain boundary is consistent with the Comprehensive Plan and the Future Land Use Map, which designates the Subject Property as an Activity Center. The modification will relocate the on-site stream into a box culvert and remove the 100-year floodplain from the developable area of the site, which will allow a mixed-use development consistent with the Comprehensive Plan. The

modification is compliant with all applicable Zoning Ordinance requirements related to floodplain regulations, Chesapeake Bay preservation, and open space. In addition, the modification of the floodplain will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use nor will it have a negative, adverse effect on public welfare, property, and improvements in the neighborhood. Rather, the modification will have a positive and beneficial impact on the proposed development as well as the surrounding neighborhood by permitting the Applicant to properly redevelop this site in accordance with the mixed-use development planned for this area. Furthermore, the proposed floodplain boundary modification has already been identified by the City as a necessary public improvement project in order for the City to complete its Farr Avenue Extension project.

2. Pursuant to Section 3.8.2.I of the Zoning Ordinance, a modification is hereby requested of the development schedule requirement, as set forth in this provision.

The development of the project is proposed to occur in phases. Phases Two and Three will include the development and construction of townhouses and a senior living facility. As previously discussed, the senior living community will be comprised of a mix of independent living units, assisted living units, and memory care units. While the independent living component is considered a residential use, the assisted living and memory care components are considered non-residential uses. Additional non-residential uses are anticipated in Phase Four. As such, strict compliance with this provision precludes occupancy of the townhouses prior to the completion of the senior living facility. Therefore, a modification of this requirement is appropriate.

3. Pursuant to Section 3.8.7.G of the Zoning Ordinance, a modification is hereby requested of the requirement of a 20% minimum recreation and open space, as set forth in Section 3.8.2.G.

Pursuant to Section 3.8.7.B.3 of the Zoning Ordinance, the minimum required width for recreation and open space is fifty (50) feet. As shown on Sheet 7 of the MDP, a total of 11% of the site is provided as open space that meets this dimensional requirement. In addition, by accounting for only 50% of the northwest corner of the site, which contains floodplain and/or steep slopes, this results in an additional 4% open space. Accordingly, the Applicant is providing 15% open space that meets the Zoning Ordinance requirements, which includes the area in the northwestern portion of the site, the open space within the townhouse development, and the courtyards to the east and west of the senior living community.

However, approximately 0.8 acres of recreation and open space is provided that does not fall within a strict reading of the Zoning Ordinance requirements. These areas include 0.8 acre of sidewalks and planted areas within the townhouse and senior living building parcels that are not fifty (50) feet in both directions. An eight to nine foot wide linear park will be located between the townhomes and the

Orchard Street right-of-way. Adding these components increases the green space by 8%, effectively resulting in a total recreation and open space of 23%. At least 60 percent of the required recreation and open space is contiguous as the Applicant is connecting open space with crosswalks and a pedestrian connection delineated by pavers in a private street between the pocket park and the open space in the northwest portion of the site.

In addition, there is 0.55 acre that includes streetscape improvements along Farr Avenue Extension and Orchard Street, which provide 6-foot wide sidewalks, street trees, and lighting. The senior living building will also provide a six-foot wide planting strip along the main entrance area on the eastern side of the senior living building, several rooftop amenitized green spaces that includes landscaping and seating areas for assisted living and memory care residents, as well as a number of green roofs. Therefore, by including these additional recreational amenities and exceptionally designed green spaces, this modification request is appropriate.

4. Pursuant to Section 3.8.2.D of the Zoning Ordinance, a modification is hereby requested of the requirement that no more than two of any ten or one of any three to five abutting dwelling units have the same front yard setback, as set forth in Section 3.5.1.C.2

The proposed townhouse development consists of a total of 56 townhouse units. As shown on the MDP, the townhouse sticks include a mix of four, five, and six units. Within the townhouse sticks, some varying setbacks have been incorporated. The Applicant also proposes an architectural variation of the design of the units, including façade, color, among other features, that will provide a visual appearance of various depths, despite several units having the same setback. For example, for the proposed rear entry townhouses units fronting Realigned Orchard Street and Farr Avenue Extension, the Applicant is providing twelve (12) inch offsets. This allows for a better overall design that creates an aesthetically-pleasing community.

5. Pursuant to Section 3.8.2.E.3 of the Zoning Ordinance, a modification is hereby requested of the requirement to provide 1.5 parking spaces per unit for the independent living portion of the proposed senior living facility, as set forth in Section 4.2.3.E.

The Applicant proposes a seven-story senior living facility of up to 200 units that includes a combination of independent living units, assisted living units, and memory care units. Included in the building will be a structured parking garage that provides 114 parking spaces. There will be an additional twelve (12) surface parking spaces provided, resulting in a total of 126 parking spaces. Based on the Zoning Ordinance, the parking ratio for an assisted living facility is one (1) parking space per four (4) beds. There are 92 proposed assisted living and memory care beds, resulting in a parking requirement of 23 spaces. Currently, parking for an independent living use is not specified in the Zoning Ordinance. The most similar use may be a congregate living facility, which yields a parking ratio requirement of

1.5 spaces per unit. Therefore, the Applicant would be required to provide 171 parking spaces for the proposed 114 independent living units. Combined with the requisite spaces for the assisted living and memory care units, the requirement is 194 parking spaces, which exceeds what is practically needed given that many residents will not be driving or even have a vehicle. Based on the extensive experience of Brightview, and its research of optimal operating conditions, its industry knowledge dictates a much lower parking demand, which is also consistent with the Institute of Transportation Engineers' Parking Generation Manual and surrounding jurisdictions. Brightview has determined that the requisite number of parking spaces for its proposed senior living facility to efficiently operate is 126 spaces. The Applicant has submitted a parking analysis that supports the proposed parking reduction. In addition, a statement of operations prepared by Brightview to support anticipated parking demand is attached as Exhibit B.

6. Pursuant to Section 3.8.2.E.3 of the Zoning Ordinance, a modification is hereby requested of the requirement to provide two (2) loading spaces for the independent living portion of the proposed senior living building, as set forth in Section 4.2.9.B.

The Applicant is providing one loading space located in front of the senior living building. A 78-foot drop off bay, inclusive of the proposed loading space, at the main entrance on the eastern side of the senior living building will serve as the drop-off area for most day-to-day deliveries from Amazon, FedEx, UPS, and other delivery services. The loading space is located on the end of the bay closest to the parking garage entrance. Utilizing this loading space at the main delivery area of the senior living facility will help to facilitate efficient traffic flow and will not impede the circulation of vehicles traversing the site, as regular deliveries to the senior living facility would be made off the public right-of-way. In addition, though located in the public-right-of-way, the Applicant anticipates use of a loading zone on-street along the western side of the senior building facility on Farr Avenue Extension, as depicted on the MDP. Located closer to the back-of-house areas of the senior living building, this space will accommodate larger, less frequent deliveries. Thus, the Applicant meets the intent of the loading space requirement, and this modification request is appropriate.

7. Pursuant to Section 3.8.2.E.3 of the Zoning Ordinance, a modification is hereby requested of the requirement to provide vehicular access between abutting nonresidential lots fronting on arterial and collection streets prior to the erection or establishment of a principal building, as set forth in Section 4.3.3.B.

The southern property line of the Subject Property is the only location of abutting nonresidential lots. Along this property line, the Applicant proposes the parking garage of the senior living building, which is adjacent to the Brown's Mazda dealership, a commercial use. Specifically, the dealership proposes a parking garage adjacent to the Applicant's southern property line. Given the characteristics of the two uses, a vehicle access is not warranted or reasonable.

8. Pursuant to Section 3.8.2.E.3 of the Zoning Ordinance, a modification is hereby requested of the requirement to provide sidewalks on both sides of a collector and local street, as set forth in Section 4.4.4.A.1.

The rear entry townhouse units are served by alleyways, as depicted on the MDP. In addition, the front entry townhouse units will be primarily comprised of driveway entryways that limit the ability to install and effectively use a sidewalk in front of these units. Thus, given the driveway access to each unit type, the installation of a sidewalk on such side of the internal street is not practical.

9. Pursuant to Section 3.8.2.E.3 of the Zoning Ordinance, a modification is hereby requested of the requirement to provide the minimum tree plantings as well as the minimum fence or wall height of the TY3 transitional yard specifications along the Subject Property's boundaries, as set forth in Sections 4.5.5.C.2(b)(2) and 4.5.5.D.

The Applicant seeks to modify the minimum tree plantings requirements along the northern, western, southern and eastern property lines. Along the northern property line, the Applicant's proposed townhouse development is located immediately to the south of The Assembly townhouses. There is existing vegetation as well as existing privacy fences between the townhouse development and The Assembly townhouses that provide the requisite transitional yard. In the northeastern portion of this property line, the width and number of canopy trees must be reduced due to a proposed alley and sanitary easements. However, the Applicant intends to provide an increased number of understory trees.

Along the western property line, the required transitional yard width must be reduced due to constraints created by the right-of-way dimensions that have been determined by the City as part of the Farr Avenue Extension project. Such constraints necessitate a modified transitional yard width in order for the Applicant to provide the proper site design for the proposed townhouses and alleyways. Furthermore, although single-family detached dwellings are located on the adjacent properties, these homes remain a significant distance from the property line. The Applicant anticipates that reducing the transitional yard width between the proposed townhouse development and the adjacent single-family detached dwellings will have minimal effect on these neighboring properties as the full amount of required landscaping and fencing will be provided.

Along the southern property line, the Applicant proposes to locate the parking garage of the senior living facility on the southeast portion of the boundary. The Brown's Mazda dealership is directly adjacent to the parking structure. Because a commercial use will be abutting a proposed parking garage, extensive TY3 transitional yard along this portion of the property line, including a fence or wall between the adjacent properties, is not needed. In addition, the proposed installation of a concrete sidewalk, the extension of the fire turnaround, and incorporation of surface parking spaces also warrants a modification of the TY3 transitional yard along the southeastern portion of the border.

Finally, along the eastern property line, transitional yard modifications are needed for proper site design of the townhouses and alleyways. Specifically, rear entry units are proposed for the easternmost townhouse stick, and this precludes the Applicant's ability to provide the full transitional yard width. The Applicant is also proposing to provide a reduced number of trees along this border due to existing vegetation between the townhouse development and the adjacent office building as well as because of proposed sanitary sewer utilities and easements in the northeastern corner of the Subject Property.

In light of all of these conditions along the various property lines of the Subject Property, the Applicant will provide the appropriate transitional yard width and a modified number of canopy and understory tree plantings sufficient to mitigate any possible effects of the proposed development on the surrounding uses.

10. Pursuant to Section 3.8.2.E.3 of the Zoning Ordinance, a modification is hereby requested of the requirement to provide street trees along all streets at a rate of one canopy tree for every 40 linear feet and spaced a maximum of 50 feet apart and the requirement to plant trees no less than three feet from the back of the curb or edge of pavement, as set forth in Section 4.5.6.B.

Street trees have been provided along Orchard Street and the Farr Avenue Extension to the extent possible. There are select areas where the requirements of Section 4.5.6 cannot be met due to proposed on-street parallel parking and various proposed utilities. The most current active street design provided by the City's consultant for the Farr Avenue Extension and labeled 60% complete has been added to the MDP. In coordination with the City, this is also the desired design for Orchard Street. The proposed active street design may also need to accommodate curb cuts, underground stormwater pipes, and filterstrips that will result in spacing greater than the required 50 feet maximum. In addition, the provided design shows a four-foot planting strip in between the curb and six foot wide sidewalk that cannot conform to the required three-foot minimum distance from paved surfaces.

Along the Chain Bridge Road frontage, the Applicant cannot provide the requisite street trees due to the presence of existing overhead utilities that will remain during Phases One, Two, and Three. Given the width of the three-foot grass strip, the proposed 10-foot multi-use trail, and the three-foot wide buffer requirement from paved surfaces, it is not possible to provide street trees within 15-feet of the edge of pavement. However, the Applicant has proposed a row of large evergreen and deciduous shrubs of varying size to be planted as close as possible to the back of the sidewalk, within 15-feet from the edge of pavement. These shrubs will be layered and may achieve a mature height of approximately 15 feet, thereby providing year round screening and meeting the intent of the street tree requirement.

Notwithstanding, at such time when an amendment to the MDP is submitted to redevelop the Future Development Parcel, the Applicant will install street trees along the Subject Property's Chain Bridge Road frontage. The final number and

location of street trees will be determined in accordance with the amendment to the MDP as required for Phase Four.

11. Pursuant to Section 3.8.2.E.3 of the Zoning Ordinance, a modification is hereby requested of the requirements to provide both interior islands with a minimum of 200 square feet per island and a minimum of 400 square feet per island that include sidewalks, where no parking space located more than 50 feet from a planting island, as well as curbed terminal islands at the end of a row of parking spaces, as set forth in Section 4.5.7.D.

The Applicant requests this modification to permit head-in parking spaces in the northwest corner of the townhouse area. As generally shown on the MDP, this area is constrained by the proposed box culvert improvement that will run underneath a portion of the parking spaces. Since this parking area will function within an urban development project, these conditions prevent the Applicant from installing terminal landscaped islands with the square footage specified in the Zoning Ordinance. The modification request also applies to the parallel parking spaces within the townhouse parcel due to utility easements, urban conditions, and the incorporation of visitor parking spaces. In addition, this modification is needed to the surface parking space areas of the senior living building, where various utilities easements and appurtenances preclude terminal landscaped islands, as depicted on the MDP.

12. Pursuant to Section 3.8.2.E.3 of the Zoning Ordinance, a modification is hereby requested of the requirement that all on-site utilities be installed underground, as set forth in Sections 4.11.B and C.

As part of Phases Two and Three, all new utilities serving the proposed townhouse and senior living developments will be located underground. This modification is requested to allow the existing overhead utility lines along the southeastern property line and the Chain Bridge Road frontage to remain, and the relocation of an existing utility on the north side of Orchard Street that will be maintained above ground.

Along the southern property line of the Future Development Parcel, the existing overhead utility lines primarily serve the Glascock property and the Brown's Mazda site and do not provide service to the Subject Property. Of the four (4) existing utility poles in this area, only one utility pole is located on the Subject Property. The remaining poles are located either on City property, the Glascock property, or the Brown's Mazda property. As such, undergrounding the overhead utility lines on the Subject Property would require coordination with adjacent property owners. The undergrounding of the existing utilities would be better addressed at the time that the adjacent properties are redeveloped. Additional utility poles are located on Chain Bridge Road adjacent to the Future Development Parcel. These utilities will be addressed when an amendment to the MDP is submitted to develop the Future Development Parcel.

An overhead utility pole along the north side of Orchard Street, primarily within an existing right-of-way or an existing easement, will be relocated approximately 20 feet east by the Applicant to the southwestern corner of the adjacent office building property (3554 Chain Bridge Road) and maintained above ground. The pole is being relocated to accommodate the proposed design of Realigned Orchard Street and Farr Avenue Extension. The design of this street section by the City includes on-street parallel parking, a proposed sidewalk, and a proposed storm pipe. To accommodate this road section, the existing pole must be relocated. A single terminal pole is added off-site to serve both the Subject Property and the existing office building at 3554 Chain Bridge Road. Specifically, this pole is needed to close the loop once the Senior Living Building is developed in Phase Three and the Future Development Parcel is redeveloped in Phase Four. Additionally, the proposed terminal pole will be a benefit to the office building to the north because it is currently on a dead-end circuit. By adding this pole, it will provide the existing office building with a more reliable and redundant electric power source.

13. Pursuant to Section 2.10.1 of the Subdivision Ordinance, a modification is hereby requested of the requirement to provide street improvements to Perry Street and Howerton Avenue.

The Applicant is not proposing vehicular access to Perry Street/Howerton Avenue. The only improvement shown in this area is the pedestrian trail connection. Given the minimal frontage and lack of vehicular connection or impact to these streets, street improvements at this location are not warranted. The trail will connect to Perry Street with a small refuge area for pedestrians and cyclists. The refuge will reduce conflicts with vehicular traffic. A sign will be installed within the Perry Street right-of-way to identify the trail location.

14. Pursuant to Section 401-01 of the Public Facilities Manual (“PFM”), support for a waiver is hereby requested of the requirement to provide a typical curb and gutter street on private accessways that is less than 30 feet from face of curb to face of curb or edge of pavement.

The proposed development is designed to be an urban community that is more compact and integrated with reduced roadway widths. The reduced road widths, in conjunction with other design features, will assist to discourage cut through traffic. Therefore, support of this waiver is appropriate in consideration of the intended urban design of the proposed development.

15. Pursuant to Section 2.4.5.3 of the PFM,¹ support for a waiver is hereby requested of the requirement that blocks shall not exceed 1,200 feet in length nor shall they be less than 300 feet in length.

Because the proposed development is designed to be an urban community, private alleys are proposed to improve circulation within the development. As such, some

alleys are approximately 100 feet. Therefore, the Applicant requests support for a waiver to allow for blocks that will be less than 300 feet in length.

The Applicant's proposal presents an opportunity to redevelop currently underutilized parcels and activate them with a mix of complementary uses that is consistent with the recommendations of the City's Comprehensive Plan and Future Land Use Map. The Applicant has designed a high-quality community that will advance the City's vision to make Northfax a regional mixed-use destination that will strengthen economic vitality, provide diverse residential and retail opportunities for sustained demand, and reinforce the City's regional appeal. The Applicant is committed to working with the City and the surrounding community to ensure that the proposed development fits into the fabric of the City of Fairfax.

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⁴Section 2.4.2.B of the Subdivision Ordinance also provides a block length requirement, stating that "[b]lock length shall not be less than 250 feet or more than 800 feet." This requirement provides a lesser standard than the similar PFM requirement. As such, Section 1.1 of the PFM states that "[w]henver any provision of this [PFM] imposes a greater requirement or a higher standard than is required in any State or Federal statute or City Ordinance or regulation, the provision of this PFM shall govern." Thus, the Applicant only seeks a modification of the block length requirement of the PFM requirement.

EXHIBIT A

Northfax West Property, City of Fairfax, Virginia

Tax Map No.	Parcel No.	Property Address	Current Owner of Record
57-2-02	003	10516 Orchard Street	Orchard RE Investments, LLC
57-2-02	005	10517 Orchard Street	Orchard RE Investments, LLC
57-2-02	017	3590 Chain Bridge Road	A.R.G. II, L.L.C.
57-2-02	018	3580 Chain Bridge Road	A.R.G. II, L.L.C.
57-2-02	019	10505 Orchard Street	A.R.G. II, L.L.C.
57-2-02	020	3570 Chain Bridge Road	Northfax JV LLC
57-2-07	015-B	McLean Avenue	Orchard RE Investments, LLC
57-2-08	005	10508 Orchard Street	Orchard RE Investments, LLC
57-2-08	006	10510 Orchard Street	Orchard RE Investments, LLC
57-2-08	007	10512 Orchard Street	Orchard RE Investments, LLC
57-2-08	008	10514 Orchard Street	Orchard RE Investments, LLC
57-2-08	010	10515 Orchard Street	Orchard RE Investments, LLC
57-2-08	011	10507 Orchard Street	A.R.G. II, L.L.C.
57-2-08	012	10509 Orchard Street	A.R.G. II, L.L.C.
57-2-08	013	10511 Orchard Street	A.R.G. II, L.L.C.
57-2-08	014	10513 Orchard Street	A.R.G. II, L.L.C.
57-2-47	000-A	McLean Avenue	Orchard RE Investments, LLC
		Orchard Street right-of-way	City of Fairfax

June 1, 2020

Brooke Hardin, AICP
Director of Community Development and Planning
City of Fairfax
10455 Armstrong Street
Fairfax, VA 20030

Re: REVISED Northfax West Senior Living Statement of Operations – Anticipated Parking Demand

Dear Brooke:

Following our Planning Commission and City Council work sessions last week, we want to follow up with a statement of operations as it relates to parking requirements of the senior living portion of the Northfax West application. As a developer, owner, and operator of senior living communities for over 20 years with 41 active communities located along the East Coast, we are confident in the proposed amount of parking that will be needed to adequately serve the proposed community at the City of Fairfax.

Senior Living communities differ greatly in their operations as compared to traditional multi-family, or even age-restricted multi-family buildings. The average age of our residents is 82 years old, the majority of whom are no longer driving. In addition, as we noted at the most recent Planning Commission work session, we do not offer nursing care, which typically generates higher staffing demands. We also provide transportation demand management tools to reduce the need for on-site parking. Due to the combination of these factors, the primary users of parking in our communities are employee associates, followed by visiting family and friends, with residents as the lightest users.

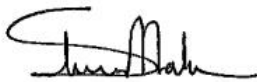
We operate three (3) 8-hour shifts: 7am-3pm (day), 3pm-11pm (evening), and 11pm-7am (night). For a 200-unit community, there will be 35 associates for the day shift, 25 for the evening shift, and 5 for the night shift. Each shift transition is staggered over a 1-hour period, 30-minutes before and 30-minutes after a shift begins. In addition, for those communities with bus/metro access, similar to the CUE/metrorail bus lines that will be accessible at Northfax West, approximately 10% of our associates utilize public transportation options. We expect similar usage rates at the proposed Brightview City of Fairfax location. Taking all of this into consideration, we anticipate that employee associates will account for the use of no more than 45 parking spaces in the garage at any point in time. This peak period will occur during the staff transition of the day shift to the evening shift, as some associates are arriving while others are leaving.

Next, family and friends visiting our residents comprise the second largest group of parking users in our communities. Family and friends visit throughout the day, but the most popular time for visiting is after work, in the evening hours. As such, for a community of 200 units, we expect that visitors coming to see our residents during the evening shift will utilize approximately 40 parking spaces. While there may be more visitors during this time, there are also fewer associates on site.

While most residents are car-free by the time they move into our community, we do have residents who may desire to drive their own vehicles. The need to drive, however, is mitigated by two community vehicles, a van and a sedan that are operated by Brightview staff and will provide transportation to group events, to/from metro, and can be scheduled for individual trips, like doctor's visits. Thus, due to the provision of community vehicles combined with the availability of public transportation, we anticipate that, of the 114 independent living units, less than 1/4 of these residents will bring cars to the community, resulting in the utilization of approximately 29 parking spaces.

In the end, by conservatively accounting for all three user groups during particular peak time hours (45+40+29), we expect that 114 spaces would be the maximum number of occupied spaces at any given time. Based on our decades of experience operating similar facilities, we remain confident that the proposed 126 parking spaces will be adequate to serve our community at the City of Fairfax and will not burden the surrounding neighborhoods or City streets with additional parking needs.

Sincerely,



Steve Marker
Brightview Senior Living
Director of Development

EXHIBIT C

EXISTING VEGETATION NARRATIVE

The existing tree canopy covers approximately 5.6 acres of the site. An ISA certified arborist (the “Arborist”) conducted a number of site visits to evaluate and record the health and structure of the existing trees on-site. Utilizing the condition rating system based on the ISA Guide for Plant Appraisal and the invasive species list of the Virginia Department of Conservation and Recreation Invasive Plant Species List, the Arborist determined that approximately 60% of the existing trees on the site are rated in poor condition or are invasive species. The poor condition of the trees is primarily due to invasive plant and insect species.

Approximately 4 acres of existing tree canopy is significantly impacted by invasive species. The following list covers many of the invasive species that the Arborist observed on-site: white mulberry, bush honeysuckle, wisteria, greenbrier, Japanese honeysuckle, bamboo, English ivy, mimosa, vinca, Tatarian honeysuckle, multiflora rose, Chinese privet, Oriental bittersweet, and poison ivy (native but undesirable). In some areas, the invasive vines have completely covered trees making them unidentifiable, have wrapped around the trunks, have strangled the trees, and have pulled tree canopies down to the ground until the limbs snapped. See the attached pictures below that illustrate several these conditions.

The proposed improvements depicted on the MDP will remove the hazardous trees and significantly reduce the impact of the invasive vegetation on those trees identified for preservation. Removing the invasive vegetation and dangerous trees will effectively allow the higher quality trees that are being preserved to thrive. In addition, the area surrounding the proposed 8-foot wide trail between Orchard Street and Perry Street/Howerton Avenue has been carefully surveyed to identify the existing hazardous trees to be removed, while protecting existing healthy trees that are likely to survive for years to come. A combination of techniques will be implemented over time to ultimately control the various invasive species on-site including:

- manual control through digging, hand-pulling, and smothering with impenetrable barriers;
- mechanical control through cutting, girdling, and chopping vines at the tree base;
- cultural control by planting desirable species to shade out certain shade intolerant species; and
- chemical control with herbicides that will be considered carefully due to the tree canopy’s location within a floodplain.

Furthermore, the Applicant will selectively plant supplemental trees that will be native, to the greatest extent feasible, and non-invasive species throughout the northwest corner of the site to ensure a natural, wooded environment, as generally shown on the MDP.

Photo 1: Existing conditions on-site looking north towards The Assembly townhouses. The groundcover and shrub layer consist mainly of invasives.



Photo 2: Existing conditions on-site looking south towards the McLean Avenue homes. The groundcover and shrub layer consist mainly of invasives. Many of the fallen trees on-site, such as those in this photo, are ash trees that have been destroyed by the invasive Emerald Ash Borer (EAB).



Photo 3: Existing conditions on-site looking northeast towards the existing single-family homes. In the foreground, invasive shrubs cover the ground, while harmful vines are covering the tree on the left. In the background, there is a large stand of invasive bamboo.



Photo 4: Existing conditions on-site looking south along an existing channel. There is extensive bank erosion in this area, which has caused the existing trees to lean towards and eventually fall into the channel. In addition, numerous invasive vine species are strangling the trees, making the area difficult to walk through.



Photo 5: Existing conditions on-site showing the large size of invasive wisteria vines.



Photo 6: An example of what the trail may look like once it is completed. The 8-foot wide trail will have all vegetation cleared a few feet off the trail edge to improve safety. In addition, where new trees are planted proximate to the proposed trail, they will be native species to the greatest extent possible and non-invasive.

