

MEMORANDUM



To: Chair Jaworski and Members of the
Planning Commission

From: Albert Frederick, Senior Planner

Through: Jason D. Sutphin, Community Development Division Chief
Brooke Hardin, Director of Community Development and Planning

RE: Public hearing for redevelopment of 3500 Pickett Road

Meeting Date: June 8, 2020

The attached documents are inclusive of all materials for the Planning Commission public hearing on the above-referenced item. This memorandum serves to provide explanation of the purpose of this item. The applicant is requesting a Comprehensive Plan Amendment from Social and Civic Network to Townhouse/Single-Family Attached Neighborhood, a Rezoning from RL, Residential Low to PD-R, Planned Development-Residential and approval of a Master Development Plan to replace an existing church with 50 townhouses on 3.69 +/- acres.



CITY OF FAIRFAX

Department of Community Development & Planning

Zoning Map Amendment (Z-19-00831)

PUBLIC HEARING DATE

June 8, 2020

APPLICANT

EYA Development, LLC

OWNER

Celebration Church of Jacksonville,
Inc.

AGENT

Mark C. Looney, Attorney

PARCEL DATA

Tax Map ID

◇ 58-1-02-021

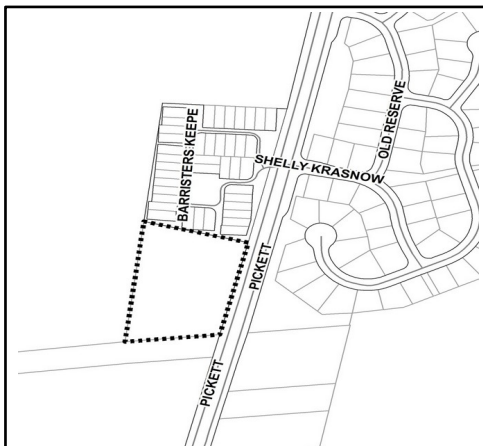
Street Address

◇ 3500 Pickett Road

Zoning District

- ◇ RL, Residential Low
- ◇ Architectural Control Overlay District (ACOD)

Location Map



BACKGROUND INFORMATION

APPLICATION SUMMARY

The applicant, EYA Development LLC, requests to change the Comprehensive Plan Place Type from Social and Civic Network to Townhouse/Single-Family Attached Neighborhood, to rezone the subject property from RL Residential Low to PD-R Planned Development Residential while retaining the Architectural Control Overlay District (ACOD) with commitments and modifications, to allow the development of a 50-unit townhouse project.

The following actions are also proposed, which do not require action or recommendation from the Planning Commission:

1. A Major Certificate of Appropriateness.
2. Support for Waivers and Modifications in the Master Development Plan
3. Consideration of the vacation of a trail easement, granted to the City pursuant to Deed of Easement recorded in Deed Book 7278, at Page 0585 among the land records of Fairfax County, Virginia. Said trail easement is located generally on the south side of property currently owned by Celebration Church of Jacksonville, Inc. and which is subject to the above development application.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission provide a recommendation for approval of the Comprehensive Plan Amendment and Zoning Map Amendment (Rezoning) with the following recommendations:

1. Development should be in conformance with Master Development Plan with modifications and commitments submitted by Applicant on May 18, 2020
2. Lots 39-50, in Exhibit A, shall meet the front yard setback requirement as stated in Section 3.5.1.C3 (Townhouses) of the Zoning Ordinance.

The subject property has an existing 17,830 square foot church that was initially constructed in 1980. The subject property is 3.69 +/- acres located on the west side of Pickett Road, north of the Colonial Avenue and the Tank Farm, south of Barrister’s Keepe Subdivision and east of the Army Navy Country Club. Immediately south is a parcel owned by the City. In 2014, DC Metro Church, Inc., the current occupant, received a non-residential use permit for a religious organization. Further information on adjacent properties are provided below:

Table 1: Existing Use and Surrounding Properties

Direction	Existing Land Use/Uses	Zoning	Future Land Use
Site	Institutional/Metro Church	RL Residential Low	Social and Civic Network
North	Residential Single-Detached/Single-Family Homes (Barrister’s Keepe)	PD-M Planned Development Mixed Use	Single-Family Detached Neighborhood
South	Open Space – Undesignated/ 100 +/- feet natural buffer; Industrial/ Citgo Petroleum Corp	RM Residential Medium IH Industrial Heavy	Green Network – Public Commercial Corridor
East	Residential Single-Detached/ Single-Family Homes (Pickett’s Reserve)	PD-R Planned Development Residential	Single-Family Detached Neighborhood
West	Open Space – Recreation/ Army Navy Country Club	RM Residential Medium	Green Network - Private

The Future Land Use designation for the subject property is Social and Civic Network, and the surrounding land use designations are a combination of Single-Family Detached Neighborhood, Green Network – Public, Commercial Corridor and Green Network – Private. The subject property is zoned Residential Low. The surrounding zoning districts are a combination of RM Residential Medium, PD-M Planned Development Mixed Use, PD-R Planned Development Residential and IH Industrial Heavy. The subject property is immediately surrounded by uses that range from single-family homes to a golf course, and post office to a City owned open space to a petroleum tank farm.

The Pickett Road corridor from Main Street to Fairfax Boulevard is a mixed corridor with residential, retail, office, industrial, institutional and recreational uses. Residential development along the corridor consist of single-family homes (Barrister’s Keepe and Pickett’s Reserve), condominiums (The Enclave and Foxcroft), and apartments under construction at Scout on the Circle. Retail development bookends the corridor with Pickett Shopping Center, Turnpike Shopping Center and Fair City Mall Shopping Center to the south; while, Scout on the Circle, a mixed-use development, is under construction and Home Depot on Old Pickett Road is located at the northern end of the corridor. The Pickett Road corridor also has heavy and light industrial uses to the south of the subject property. The Pickett Road Tank Farm was first established in 1965 and is situated on 71 acres on the west side of Pickett Road, south of the subject property. South of the tank farm and immediately north of the Fair City Mall Shopping Center is the Fairfax County Public Schools bus lot. On the east side of Pickett Road are a number of light industrial and commercial uses that include two storage facilities, auto care and services, veterinary clinic, Fairfax Ice Arena, Fairfax Gymnastics and post office. The corridor transitions from non-residential uses to single-family homes with Pickett’s Reserve subdivision on the east side of Pickett Road and Barrister’s Keepe subdivisions to north of the subject property. The Army Navy Country Club is west of the subject property and wraps around the Barrister’s Keepe with property frontage along Pickett Road. The City of Fairfax Property Yard is north of this area.

North of Pickett's Reserve is the recently constructed Enclave Condominiums and a small office park that includes a private school. Thaiss Park is located to north of the Enclave Condominiums.

Proposal History

In June 2019, the initial conceptual plan depicted 60-65 units with a linear park along Pickett Road. The plan showed two access points on Pickett Road that connected with a circular private drive and an alleyway that provided rear-loaded garages to 44 units in the interior of the site. The units were designed with three to four levels. Amenities included rooftops terraces, landscaped sidewalks, backyards, park space and an open space. The fronts and sides of some units faced Pickett Road but were setback a minimum of 40 feet and up to 100 feet. The initial concept plan showed open space in a linear park (23,476 +/- sf) fronting on a promenade/fire lane access off Pickett Road and a small open space area (6,090 +/- sf) in the southwest corner of the site.

The Planning Commission on April 27, 2020 held a post-submission work session with the applicant to discuss the rezoning and proposed master development plan. Likewise, the City Council met on May 5, 2020 met to discuss the project as well. A number of issues were discussed during both work sessions, such as:

- Tank Farm Assessment: the perceived impacts from the tank farm on the proposed development
- Perceived noise impacts on the proposed development
- Variation in setbacks for townhouses
- Consistency with the proposed Affordable Dwelling Unit Ordinance
- Potential location of off-site trail and the trail easement on the southern property line
- On-site drainage improvements and coordination with Barrister's Keep
- Modifications including transitional yards and internal sidewalks
- Opportunity to provide decks as part of a standard package

The BAR held a public hearing on the Major Certificate of Appropriateness on May 6, 2020 and recommended approval with eight conditions. On May 26, 2020, the applicant submitted a revised architectural package (Attachment #10) that staff has found adequately addresses several of the recommended conditions, which have been struck out below. Additionally, staff is recommending a slight modification to the text of condition number 7 which is shown below as well. Staff's final recommendation on the Certificate of Appropriateness will therefore contain 5 rather than 8 conditions.

BAR recommended conditions:

1. Townhouse units 39-50 shall have varied front yard setbacks.
- ~~2. Brick shall be used as the foundation material on the front of all townhouse units, and on the side and back elevations of all high visibility end units.~~
- ~~3. Brick to match the front elevation shall be used on the front portion of floors one and two of the side elevations between units 44 and 45 of the east sticks of townhouses.~~
4. Physical material samples shall be submitted to staff for review and approval by the Director of Community Development and Planning prior to issuance of any zoning permits.
5. The placement of the planters in the promenade area shall be subject to review and approval by the Fire Marshal.
- ~~6. South façade and east façade of the "A" units on the south side of the site shall incorporate comparable percentages of materials to the north façade, and a continuous cornice per unit for a minimum of the easternmost four units, exclusive of penthouse and windows.~~
7. Mechanical equipment screening shall be installed or parapets on the high roof shall be raised a minimum of 18 inches on units with views to Pickett Road.

8. The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

Master Development Plan Summary

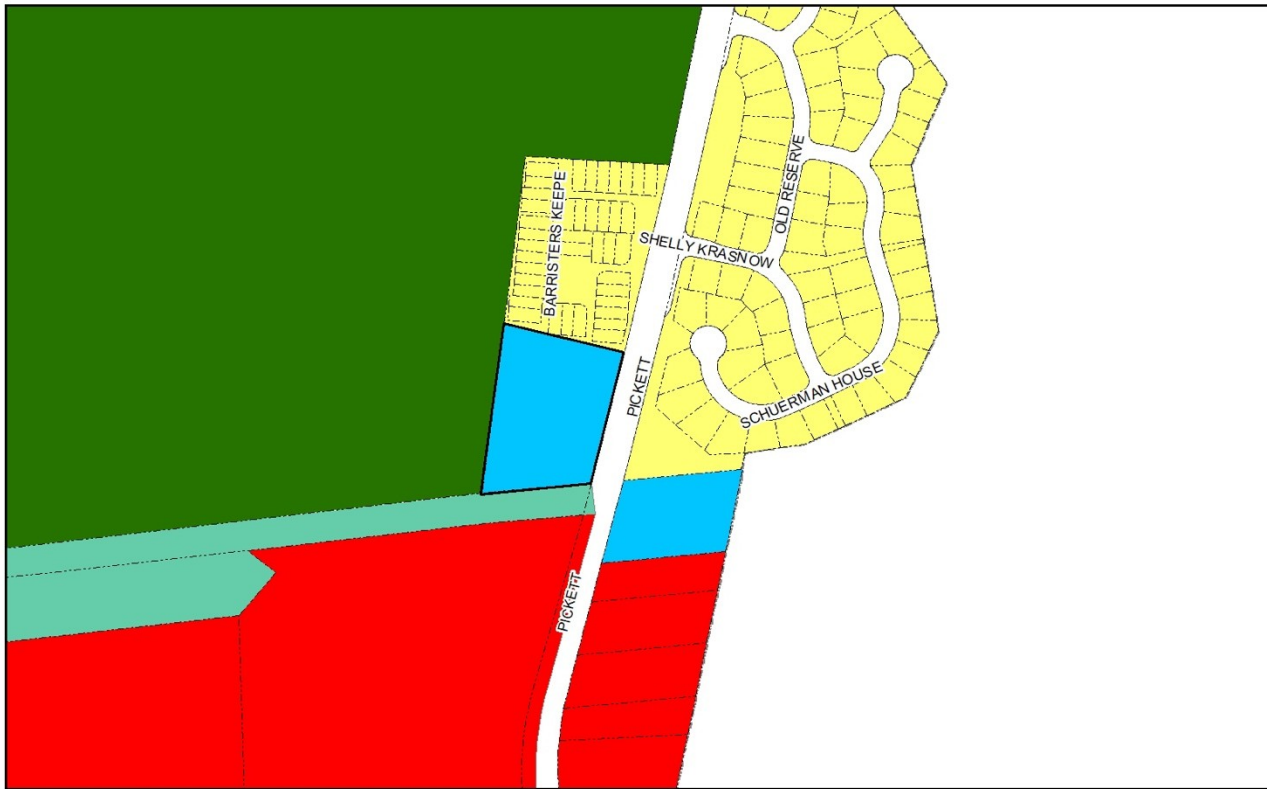
An application was filed in November 2019 to replace the existing 17,830 square foot church with 50 townhouses of varying widths of 16-feet, 20-feet and 24-feet, and a maximum height of 4-stories/45 feet, on 3.69 acres. The proposed Master Development Plan has two spaces for each unit (100 parking spaces); while providing 20 parallel parking spaces on the main interior road of the project. The project proposes a total of 120 parking spaces. The density for the proposed project is 13.5 dwelling units per acre. The distance of the nearest townhouse to Barrister's Keepe ranges from 52-feet to greater than 90-feet. The townhouses along the promenade are 115-feet from Pickett Road. There is a row of townhouses along the southern property line with the closest townhouse 15-feet from Pickett Road. The Master Development Plan shows two open space areas that total 0.79 acres or 36,079 square feet (22% of the site). The applicant proposes two entrance/exit access points on Pickett Road that are separated by 260 feet from the centerlines of each entrance. The northern access point is a full access point with turning movements allowing drivers to travel to the north and south on Pickett Road. The southern access point is a right-in right out from the site.

Comprehensive Plan

Land Use: The Comprehensive Plan provides a general plan and communicates a vision for future land use and development in the City; while, the zoning ordinance provides the regulatory mechanism to ensure the new development and changes in land use are consistent with the vision. The Comprehensive Plan states "where any new development is proposed that requires a land use action not consistent with the Comprehensive Plan, the applicant should request a modification to the Comprehensive Plan as well" (Chapter 1: Introduction, City of Fairfax 2035 Comprehensive Plan, page 15).

The Comprehensive Plan and the Zoning Ordinance provide opportunities for flexibility in site design and whether or not a use is appropriate and compatible with the adjacent properties. Some consideration for appropriateness is the ability to mitigate through site design, density and height limitations, setbacks, bufferyards and landscaping. The applicant is seeking to build a townhouse community in the Pickett Road corridor, which requires a Comprehensive Plan Amendment from Social and Civic Network to Townhouse/Single-Family Attached Neighborhood. The subject site is overlaid on the Future Land Use Map from the Comprehensive Plan in Figure 1 shown on the next page.

Figure 1: Comprehensive Plan Future Land Use Map



The Townhouse/Single-Family Attached Neighborhood applies to neighborhoods that are primarily developed with townhouses and single-family attached or duplex housing.

“Development that is adjacent to Single-Family Attached Neighborhood with the City limits, or to neighborhoods zoned primarily for single-family detached residences with adjacent jurisdictions, should have a maximum of three floors and provide landscaped setbacks for that portion of the site that is adjacent to any such neighborhood. Otherwise, a building height of up to four stories or 45 feet may be considered. Predicated on the underlying zoning district, the Townhouse/Single-Family Attached Neighborhood Place Type supports up to 12 dwelling units per acre” (Comprehensive Plan, Pg. 29).

The applicant has proposed four story townhouses (45-feet) adjacent to the Army Navy Country Club to the west and to the south adjacent to the 100 +/- feet undisturbed buffer owned by the City of Fairfax. The nearest unit to Barrister’s Keeppe has been limited to three stories. The applicant has provided a 50-foot buffer through open space and stormwater management adjacent to Barrister’s Keeppe to the north of the site.

Although the City is primarily built out, a variety of new housing types can be accommodated through redevelopment on a relatively limited basis to broaden the current offerings and accommodate changing demands (Comprehensive Plan, Pg. 53). Likewise, it is vital that a variety of high-quality, attractive housing choices continue to be available in the City to support differing needs and demands of residents. Housing needs and demands are reflective of the existing housing stock and fluctuating market trends, making them subject to change over time. Specific housing types are identified in the Land Use Strategies Section of the Comprehensive Plan. Current shortages could include multifamily rentals and condominiums, of which the majority of the City’s stock was built in the 1960s, and townhomes, of which the City currently has a lower ratio than many surrounding communities in Fairfax County (Comprehensive Plan, pg. 54). In addition to expanding housing choices, proactive strategies should be taken to ensure existing housing units that are

affordable are preserved and that new units that are affordable added to the City's overall housing unit mix (Comprehensive Plan, pg. 54). Finally, the applicant is providing a housing type that is underrepresented in the City's existing stock of housing units (Outcome H1.1).

The applicant is proposing townhouses on 3.69 acres with a density increase of 13.5 units per acre. The Comprehensive Plan Place Type of Townhouse/Single-Family Attached Neighborhood suggests a density of twelve (12) units per acre, which would result in forty-five (45) units for this site. The proposed development provides for 50 townhouses with varying widths of 16-feet, 20-feet and 24-feet, and a height of 4-stories/45 feet. The applicant is proposing forty-five (45) market rate units and five (5) affordable dwelling units. A typical market rate unit is either twenty (20) feet wide or twenty-four (24) feet wide, while the affordable units are sixteen (16) feet in width. These units are mixed within the development. To this end, the proposal addresses Outcome H2.1 by adding affordable units to the City's housing stock through redevelopment of an existing site.

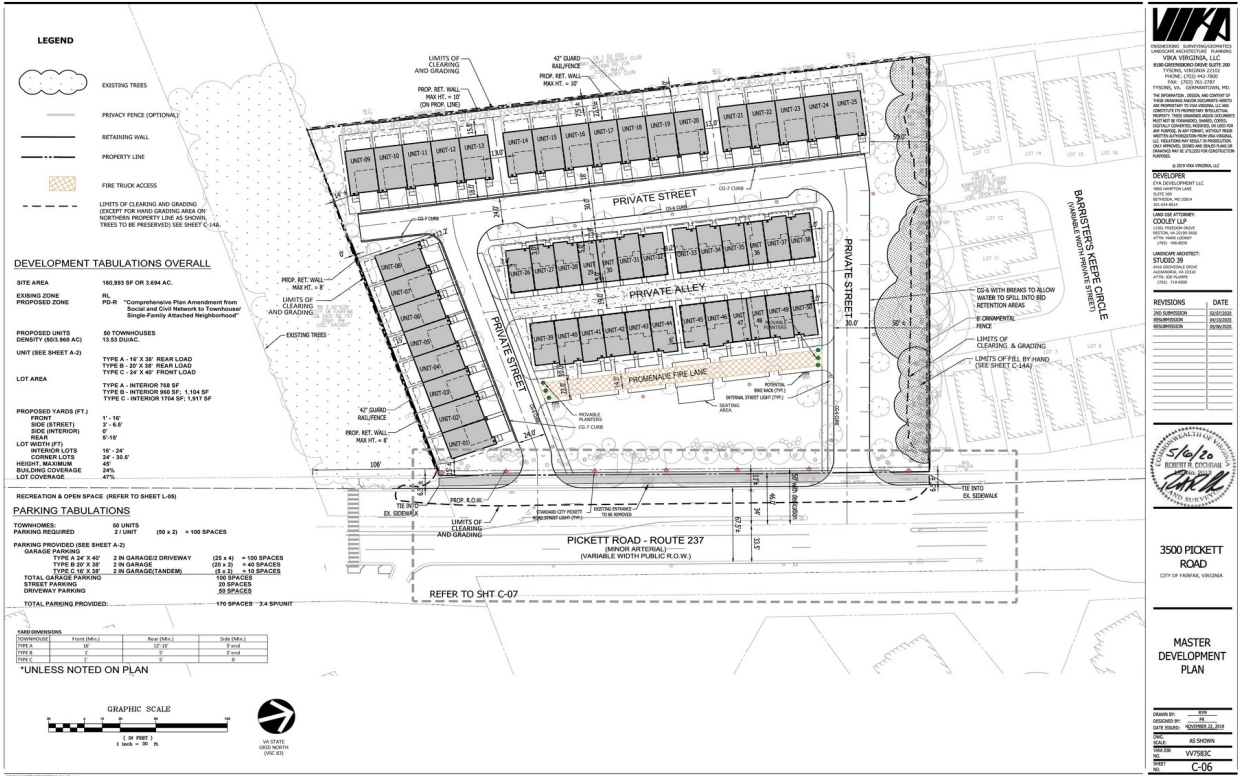
Rezoning: The applicant is requesting to rezone the property from RL Residential Low to PD-R Planned Development Residential.

§3.2.1.A The RL, Residential Low District, is established to provide areas for single-family detached residences with a minimum lot area of 20,000 square feet.

§3.2.3.A The PD-R, Planned Development Residential District, is provided to encourage more flexibility for housing options within a planned development, and allowing an increased density in return for the provision of a higher quality development than may be otherwise provided; i.e., more affordable housing, recreation and open space, or other improvements addressing community needs or values.

§3.8.2.B.2. Planned development district rezoning may be approved only when the applicant demonstrates to the satisfaction of the city council that a proposed planned development project would result in a greater benefit to the city than would development under general zoning district regulations.

Figure 2: Proposed Site Plan



In addition to expanding housing choices, proactive strategies should be taken to ensure that the City is as welcoming as possible to current and potential residents, regardless of socioeconomic status, age, or other circumstances (Comprehensive Plan, pg. 53). The applicant is also requesting a rezoning from RL Residential Low to PD-R Planned Development Residential, which does not have a maximum number of dwelling units assigned to the zoning district. Rather, the Planned District Residential encourages flexibility in housing options and allows for an increase in density in return for higher quality development. The Planned District Residential also addresses other improvements or community needs, such as, affordable housing, recreation and open space when evaluating a development proposal.

REQUESTS

In addition to the Comprehensive Plan Amendment and rezoning request from RL, Residential Low to PD-R, Planned Development Residential while retaining the Architectural Control Overlay District (ACOD) with commitments, the applicant proposes the following land use requests for City Council action; however, formal action and recommendations by the Planning Commission are not required for the following items:

- **Vacation of the existing trail easement** on the southern property line
- **Support for Waivers and Modifications** in the Master Development Plan
- **Major Certificate of Appropriateness** for architecture and landscaping

Rezoning application

The proposed redevelopment is dependent on City approval of a Comprehensive Plan Amendment from Social and Civic Network Place Type to Townhouse/Single-Family Attached Neighborhood and rezoning from RL, Residential Low to PD-R, Planned Development Residential. The current use is a 17,830 square foot religious institutional use with 222 parking spaces on 3.69 acres. In 2014, DC Metro Church, Inc., the current occupant, received a non-residential use permit for a religious organization. The surrounding land use

designations are a combination of Single-Family Detached Neighborhood, Green Network – Public, Commercial Corridor and Green Network – Private. The surrounding zoning districts are a combination of RM Residential Medium, PD-M Planned Development Mixed Use, PD-R Planned Development Residential and IH Industrial Heavy. The subject property is immediately surrounded by uses that range from single-family homes to a golf course, and post office to a City owned open space to a petroleum tank farm. The Townhouse/Single-Family Attached Neighborhoods Place Type applies to neighborhoods that are primarily developed with townhouses and single-family attached or duplex housing. The applicant is proposing to develop a 50-unit townhouse development that includes five (5) affordable dwelling units.

In approving a rezoning for a planned development, the city council shall find the proposed district designation and master development plan comply with the general provisions for all planned development in §3.8.2 and the specific standards for the planned development listed in §3.8.3 through §3.8.6. Planned development district rezonings may be approved only when the applicant demonstrates to the satisfaction of the city council that a proposed planned development project would result in a greater benefit to the city than would a development under general zoning district regulations.

The applicant states the proposed use is in substantial conformance with the Comprehensive Plan and may enhance the Pickett Road corridor by providing an underrepresented housing type in townhouses. The proposal also includes affordable dwelling units to help address housing affordability in the City. The subject property is highly suitable for the proposed rezoning and development based on adjacent uses to the north and east. Currently, the subject property is sufficiently served by public transportation facilities, and the existing utility infrastructure is adequate for the proposed uses. Further, the proposed development as stated by the applicant would be compatible with the surrounding area. Finally, the applicant believes the proposed use is consistent with the stated purpose of the PDR District and the Townhouse/Single-Family Attached Neighborhood Place Type.

RECOMMENDATION

Staff recommends the Planning Commission provide a recommendation of approval of the request for a Comprehensive Plan Amendment and Zoning Map Amendment (rezoning) with the following recommendations:

1. Development should be in conformance with Master Development Plan with modifications and Commitments submitted by the applicant on May 18, 2020
2. Lots 39-50, in Exhibit A, shall meet the front yard setback requirement as stated in Section 3.5.1.C3 (Townhouses) of the Zoning Ordinance.

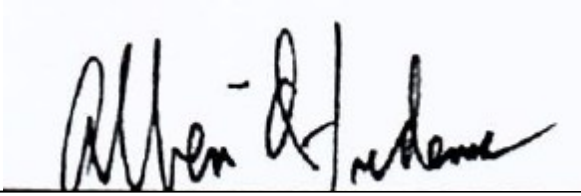
ANALYSIS

Staff analysis of the compliance of this proposal with the Comprehensive Plan, Zoning Ordinance and other City goals and policy is provided in Attachment 1.

ATTACHMENTS

1. Analysis
2. Summary of Zoning Districts
3. Planned Development Application
4. Statement of Support
5. Master Development Plan
6. Summary of Commitments
7. Traffic Impact Assessment
8. Code Compliance Report
9. Fiscal Impact Analysis
10. Board of Architectural Review Staff Report
- 10a. Revised Post Board of Architectural Review
11. Postings and Notices
12. Sample Motions
13. Comprehensive Plan Amendment Resolution
- 13a. Exhibit A

PREPARED BY:



Albert Frederick
Senior Planner

06-03-2020

DATE



Jason D. Sutphin
Community Development Division Chief

06-03-2020

DATE



Brooke Hardin
Director, Community Development & Planning

06-03-2020

DATE

**ATTACHMENT 1
ANALYSIS
(Z-19-00831)**

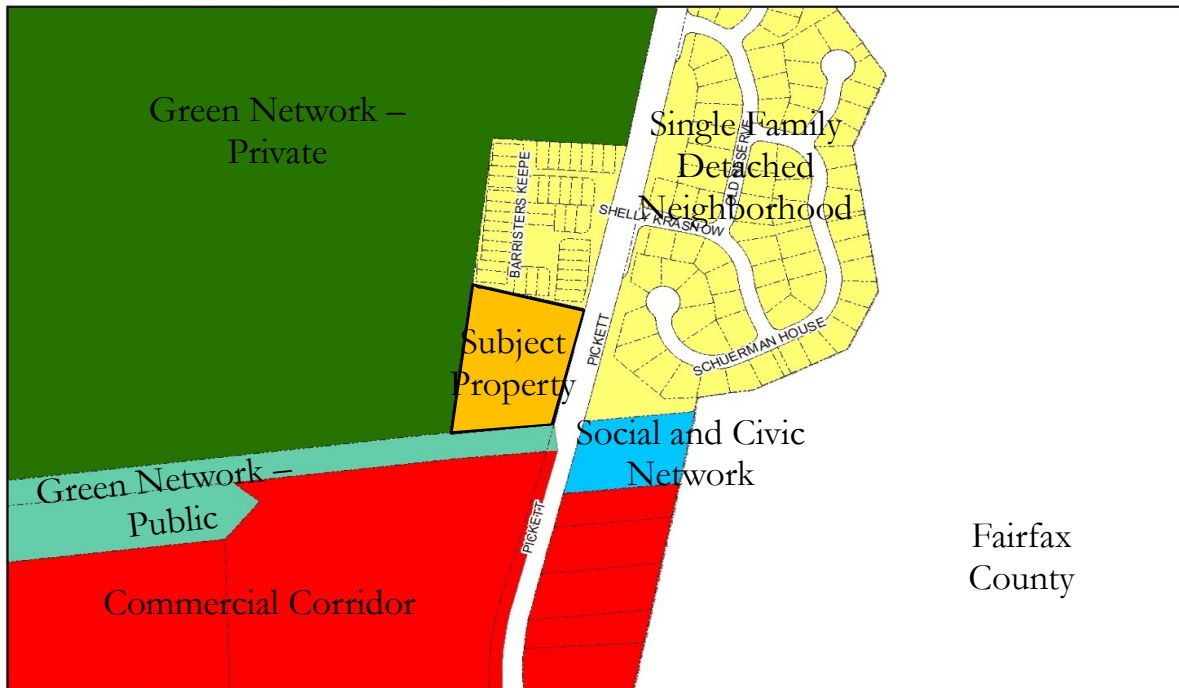
This attachment contains staff analysis on the submitted proposal for the redevelopment of the DC Metro site. It is divided into three primary sections:

- A. Comprehensive Plan: Analysis of the conformance of the application with the Comprehensive Plan and the Future Land Use Map.
- B. City Policy: Analysis of the conformance of the application with general requirements of the Zoning Ordinance and other City goals and policy.
- C. Procedural Requirements and Review Criteria: Analysis of conformance of the plan with specific citations from the Zoning Ordinance.

PART A: CONSISTENCY WITH COMPREHENSIVE PLAN

The existing church property is designated as Social and Civic Network Place Type on the Comprehensive Plan Future Land Use Map. The subject property has been the site of a church since 1980. The Comprehensive Plan has identified the subject property as Social and Civic Network which includes “public and private schools, libraries, places of worship, post offices, and other public facilities.” (Comprehensive Plan, Page 37). The applicant is proposing to change the Future Land Use Place Type from Social and Civic Network to Townhouse/Single-Family Attached Neighborhood as indicated in Figure 1-1A.

Figure 1-1A: Future Land Use



Townhouse/ Single-Family Attached Neighborhood

The design and layout of new Townhouse and Single-Family Attached Neighborhood developments should reflect the location of the development within the City. In particular, development that is adjacent to Single-Family Detached Neighborhoods within City limits, or to neighborhoods zoned primarily for single-family detached residences within adjacent jurisdictions, should have a maximum of three floors and provide landscaped setbacks for that portion of the site that is adjacent to any such neighborhood. Otherwise, a building height of up to four stories or 45 feet may be considered. Predicated on the underlying zoning district, the

Townhouse/ Single-Family Attached Neighborhood Place Type supports up to 12 dwelling units per acre (Comprehensive Plan, pg 29).

The Comprehensive Plan is a guide for future growth of the City, focusing on community needs through 2035. There are numerous nonresidential properties throughout the City with the potential for redevelopment or to reposition themselves for current market demands. The proposed applications are reviewed based on its consistency with the Comprehensive Plan as a whole. Descriptions of specific Comprehensive Plan strategies and other language that influence the staff recommendations are provided below.

Neighborhoods

Goal 1 – Enhance neighborhood character.

Outcome N1.1: Infill housing that complements the character of surrounding homes in existing neighborhoods.

Action N1.1.1: Maintain regulatory standards to ensure infill housing fits in with the surrounding neighborhood context.

Outcome N1.2: Residents have regular communication and positive interactions with other members of their neighborhood as well as the larger City community.

Action N1.2.1: Encourage and support community engagement through homeowner, condominium, and civic associations.

Action N1.2.2: Establish regular communication with homeowner, condominium, and civic associations and residential property managers as a means to keep individual citizens informed about City business.

Staff Analysis:

Staff believes the applicant has proposed a quality residential planned development along Pickett Road by redeveloping a site that is under developed. The proposed fifty (50) unit townhouse development provides a type of housing that is under represented in the City of Fairfax. This site is located on the west side of Pickett Road with Barrister's Keepe to the north, a 100 foot wide parcel owned by the City of Fairfax to the south, the Army-Navy Country Club to the west and Pickett's Reserve to the east. The Pickett Road corridor has a mix of non-residential uses and residential developments that include single-family, condominiums and apartments. However, the corridor does not have any approved or built townhouses. The applicant has engaged the community and heard from City Council, the Planning Commission and city staff to minimize any real or perceived negative impacts for redevelopment at this location. The proposed site improvements have considered the future residents of the project by providing a significant setback to Pickett Road to mitigate for noise impacts from Pickett Road. As part of the commitments for the proposed project, the applicant would provide a noise study prior to the site plan approval identifying the units that are most impacted by noise from Pickett Road. The applicant would provide noise attenuation measures to reduce the sound below the average interior noise levels. In addition to the noise impacts, the applicant has provided an analysis of the Tank Farm and its compatibility to the proposed project. In short, the code compliance review of the tank farm determined that the proposed development is a significant distance from the tank farm and exceeds code compliance regulations. The applicant has also designed the site to provide a transitional area from the proposed units to the Barrister's Keepe community. A fifty (50) foot wide open space area would serve a transitional buffer serving as a passive recreation and open space area, and as a stormwater drainage improvement.

Goal 2 – Provide neighborhood pedestrian connections.

Outcome N2.1: Residents of all abilities safely and easily move about the community.

Action N2.1.1 Identify opportunities for future open space and trails in neighborhoods that are currently deficient in offering these amenities.

Action N2.1.2 Expand existing pedestrian network to increase connectivity within neighborhoods and to other destinations.

Staff Analysis:

The applicant would provide a five (5) foot sidewalk network that is internal to the site and connects to Pickett Road. Also, the applicant would provide a ten (10) foot multiuse path on Pickett Road that is consistent the Comprehensive Plan Multimodal Plan. In addition to pedestrian connections internal and external to the site, the applicant proposes a contribution of \$122,000 toward the future extension of the City's proposed Daniels Run Trail.

Housing

Goal 1 – Support a wide range of housing types.

Outcome H1.1: Continued development of housing types that are underrepresented in the City's existing stock of housing units.

Action 1.1.1.2 Support development of housing types that are not heavily represented in the City's housing stock, as identified in the housing assessment, where reasonable.

Staff Analysis:

The proposed fifty (50) unit townhouse development provides a type of housing that is under developed in the City of Fairfax. According to the Comprehensive Plan, the townhouses represent fourteen (14) percent of the housing stock in the City. The Pickett Road corridor has a mix of non-residential uses and residential developments that include single-family, condominiums and apartments. However, the corridor does not have any approved or built townhouses.

Goal 2 - Ensure availability of housing that is affordable.

Outcome H2.1: Affordable housing units have been added to the City's housing stock through redevelopment and strategic investments.

Action H2.1.2 Provide regulatory and financial incentives to increase the supply of affordable housing, including amending the City's Zoning Ordinance to include an Affordable Dwelling Unit ordinance.

Staff Analysis:

Currently, the City of Fairfax does not have an affordable dwelling unit ordinance. The proposed fifty (50) unit townhouse development is proposed on 3.69 acres with a density of 13.5 units per acre. The Comprehensive Plan Place Type of Townhouse/ Single-Family Attached Neighborhood suggests a density of twelve (12) units per acre, which would result in forty-five (45) units for this site. The applicant is also requesting a rezoning from RL Residential Low to PD-R Planned Development Residential, which does not have a maximum number of dwelling units assigned to the zoning district. Rather, the Planned District Residential encourages flexibility in housing options and allows for an increase in density in return for higher quality development. The Planned District Residential also addresses other improvements or community needs, such as, affordable housing, recreation and open space when evaluating a development proposal. The applicant is proposing forty-five (45) market rate units and five (5) affordable dwelling units. As a part of the Master Development Plan and Summary of Commitments, the applicant would commit five (5) units or 10% of the units as Affordable Dwelling Units (ADU). These units are shown on the plan as 16-foot in width to be sold to future residents having a median household income of seventy percent (70) or less of the Washington, D.C. metropolitan statistical area median income "AMI" as determined by the U.S. Department of Housing and Urban Development. If the City decides not to adopt an ADU ordinance prior to site plan approval, the applicant would provide (a) five

(5) for sale ADU units consistent with the master development plan, or (b) contribute \$325,000 to City's Affordable Housing Trust Fund to be used by the City to provide affordable housing to City residents. To this end, the proposal addresses Outcome H2.1 by adding affordable units to the City's housing stock through redevelopment of an existing site.

Goal 2 – Provide viable and attractive mobility choices.

Outcome MM2.1: Pedestrian safety is improved.

Action MM2.1.1 Fill critical gaps in the pedestrian network. Develop and act on a prioritized list of sidewalk improvements in the commercial areas and provide sidewalks on at least one side of every residential street in neighborhoods that are in agreement.

Action MM2.1.2 Ensure the pedestrian network is accessible to all and meets the requirements of the Americans with Disabilities Act (ADA).

Action MM2.1.5 Expand the sidewalk network. Sidewalks should be provided with any significant street maintenance, rehabilitation, or reconstruction project and may be constructed independent of a street project.

Action MM2.2.1 Identify and fill gaps in the trail network. Find opportunities for future trails, complete connections to existing segments, implement projects proposed by the Parks and Recreation Master Plan, and pursue new trail connections to create a more functional trail network.

Staff Analysis:

The applicant would provide a five (5) foot sidewalk network that is internal to the site and connects to Pickett Road. Also, the applicant would provide a ten (10) foot multiuse path on Pickett Road that is consistent the Comprehensive Plan Multimodal Plan. In addition to pedestrian connections internal and external to the site, the applicant proposes a contribution of \$122,000 toward the future extension of the City's proposed Daniels Run Trail. In addition to the construction of 10-foot wide multiuse path along the property frontage and monetary contribution, the applicant has provided a bicycle parking rack to accommodate up to seven (7) bicycles to encourage multi-modes of transportation. The subject property is located on a transit route with a bus stop located to the north and the south on Pickett Road.

Goal 3 – Integrate transportation with land use.

Outcome MM3.2 – Walkability to and within activity centers and between neighborhoods is increased.

Action MM3.2.4 – Improve the overall pedestrian environment, including pedestrian crossings, street trees, furnishing zones; buffering sidewalk from vehicle travel lanes; improved pedestrian scale lighting; and active ground floor uses along street edges.

Staff Analysis:

The applicant would provide a five (5) foot sidewalk network that is internal to the site and connects to Pickett Road. Also, the applicant would provide a ten (10) foot multiuse path on Pickett Road that is consistent the Comprehensive Plan Multimodal Plan. The installation of a multiuse path would help connect pedestrians and bicyclist to the Activity Center at Main Street and Pickett Road to the south and the Activity Center at Fairfax Circle to the north. The contribution of \$122,000 toward the future extension of the City's proposed Daniels Run Trail would further establish connectivity to the Activity Center at Main Street and Pickett Road. The applicant proposes to provide landscape and streetscape improvements including street lights along Pickett Road and internal to the site.

PART B: CITY POLICY

This section is divided into the following subjects:

1. Land Use
2. Scale
3. Circulation (including vehicular circulation, pedestrian circulation and parking)
4. Architecture and Landscaping
5. Historic Resources
6. Stormwater Management
7. Dry Utilities
8. Open Space
9. Tree Coverage
10. Fiscal Impact

Land Use

The proposed land use designation for the site is Townhouse/Single-Family Attached Neighborhood. Guidance from the Comprehensive Plan for this land use is provided below followed by a physical characteristic of the conformance of the development proposal with that guidance.

Townhouse/Single-Family Attached Neighborhood

The Townhouse/Single-Family Attached Neighborhood Place Type, identified in orange on the Future Land Use Map, applies to neighborhoods that are primarily developed with townhouses and single-family attached or duplex housing. Single-family detached uses may be considered in the Townhouse/Single-Family Attached Neighborhood Place Type when developed in conjunction with Townhouse/ Single-Family Attached Neighborhood uses.

The design and layout of new Townhouse and Single-Family Attached Neighborhood developments should reflect the location of the development within the City. In particular, development that is adjacent to Single-Family Detached Neighborhoods within City limits, or to neighborhoods zoned primarily for single-family detached residences within adjacent jurisdictions, should have a maximum of three floors and provide landscaped setbacks for that portion of the site that is adjacent to any such neighborhood. Otherwise, a building height of up to four stories or 45 feet may be considered. Predicated on the underlying zoning district, the Townhouse/Single-Family Attached Neighborhood Place Type supports up to 12 dwelling units per acre. (Comprehensive Plan, Page 29).

Staff Analysis:

Staff believes the use shown on the GDP is generally in conformance with the Future Land Use Map category and the guidance of the Comprehensive Plan. Fifty (50) townhouses at a max height of forty-five (45) including roof top terraces with landscaped setbacks generally conform to the guidance of the plan. The applicant has provided a mixture of front and rear loaded townhouses with widths of 16-feet, 20-feet and 24-feet with a height of four stories/45-feet. The applicant has provided one unit adjacent to Barrister's Keepe with a limited height of three (3) stories. The distance of the nearest townhouse to Barrister's Keepe ranges from 52-feet to greater than 90-feet. A row of townhouses along the southern property line is set back 15-feet from Pickett Road. The townhouses along the promenade are 115-feet from Pickett Road. The plan provides open space adjacent to Barrister's Keepe to the north and Pickett Road to the east.

As part of the commitments for the proposed project, the applicant would provide a noise study prior to site plan approval identifying the units that are most impacted by noise from Pickett Road. The applicant would provide noise attenuation measures to reduce the sound below the average interior noise levels. In addition to the noise impacts, the applicant has provided an analysis of the Tank Farm and its compatibility to the proposed project. In short, the code compliance review of the tank farm determined that the proposed development is a significant distance from the tank farm and exceeds code compliance regulations.

Scale

Density: Predicated on the underlying zoning district, the Townhouse/Single-Family Attached Neighborhood Place Type supports up to 12 dwelling units per acre. Additionally, the Planned Development Residential District is provided to encourage more flexibility for housing options within a planned development, and allowing an increased density in return for the provision of a higher quality development than may be otherwise provided; i.e., more affordable housing, recreation and open space, or other improvements addressing community needs or values.

Staff Analysis:

Staff believes the use shown on the GDP is generally in conformance with the Future Land Use Map category and the guidance of the Comprehensive Plan. Fifty (50) townhouses on 3.69 acres results in a density of 13.5 units/acre, which is inclusive of affordable housing provisions as sought by the Comprehensive Plan. The applicant is also requesting a rezoning from RL Residential Low to PD-R Planned Development Residential, which does not have a maximum number of dwelling units assigned to the zoning district. Rather, the Planned District Residential encourages flexibility in housing options and allows for an increase in density in return for higher quality development. This district also promotes affordable housing, recreation and open space, and other improvements that address community values or needs. The applicant is committed to provide five (5) affordable dwelling units or to make a contribution of \$325,000 to the City’s Affordable Housing Trust Fund, open space (22%) with increased setbacks adjacent to Barrister’s Keepe that exceeds the district requirement of 20%. The overall residential densities for other approved projects in the area as compared to the subject application is provided below:

Table 1: Density

Project	Site Area	Number of Units	Density/Acre
EYA Townhouses	3.69	50	13.5
<i>Pickett’s Reserve</i>	<i>28.56</i>	<i>89</i>	<i>3.12</i>
<i>Barrister’s Keepe</i>	<i>5.1</i>	<i>40</i>	<i>7.8</i>
<i>The Enclave Condominiums</i>	<i>3.7</i>	<i>80</i>	<i>22</i>
<i>Foxcroft Colony</i>	<i>16.58</i>	<i>312</i>	<i>18.8</i>
<i>Scout on the Circle</i>	<i>9.81</i>	<i>400</i>	<i>40.7*</i>

* Project is located in an Activity Center

Height: Development that is adjacent to Single-Family Detached Neighborhoods within City limits, or to neighborhoods zoned primarily for single-family detached residences within adjacent jurisdictions, should have a maximum of three floors and provide landscaped setbacks for that portion of the site that is adjacent to any such neighborhood. Otherwise, a building height of up to four stories or 45 feet may be considered.

Staff Analysis:

Staff believes the townhouses shown at a max height of forty-five (45) feet including roof top terraces with landscaped setbacks on the GDP is generally in conformance with the Future Land Use Map category and the guidance of the Comprehensive Plan. The applicant also proposes to limit the closet unit (more than 50 feet from houses in Barrister’s Keepe) to a height of three (3) stories. Height in the Planned Development Residential District is not restricted.

Circulation

Vehicular Network: The internal vehicular circulation is provided by a loop road with twenty (20) on-street parking spaces and access to twenty-five (25) front loaded units along the west and southern property lines. A private alleyway provides access to the twenty-five (25) rear loaded townhouses. A fire lane is provided to townhouses that front on the linear park on Pickett Road.

The applicant proposes two entrance/exit access points on Pickett Road that are separated by 260 feet from the centerline of each entrance. The northern access point location is unchanged and is a full access point with turning movements allowing vehicles to travel to the north and south on Pickett Road. The southern access point has been shifted approximately 95 feet to the south and is a right-in right out from the site. In addition to relocating the existing southern access point, the applicant is proposing to dedicate right-of-way of four (4) feet to establish the minimum right-of-way for an arterial road (50-feet from centerline of road).

Staff Analysis:

The applicant is proposing a series of modifications related to vehicle circulation. The first modification is to Section 401.01 to reduce the internal street widths while providing the appropriate widths for fire access. The applicant has provided twenty-four (24) foot wide interior private streets and thirty (30) foot wide private streets including on-street parking. Staff believes the internal and external vehicular circulation is generally in conformance with the Comprehensive Plan and Zoning Ordinance. The second modification is to Section 2.4.1 of the Public Facilities Manual to reduce the road radius to less than one hundred and seventy-five (175) feet. This modification allows for the project to be designed with tighter curves and a reduction in the amount of pavement. The third modification is to Section 2.10 of the Public Facilities Manual to provide a ten (10) foot radius at the property line for the alley. The fourth modification is a request to Section 403.03 of the Public Facilities Manual to provide a rolled curb instead of a curb cut for driveways through the proposed development. Rolled curbs, often referred to as mountable curb, allow cars to encroach on them without damaging tires and wheels. The transition from street to sidewalk is generally sloped to allow cars to access driveways. The fifth modification related to vehicular movement is Section 2.2.2 of the Public Facilities Manual to eliminate the turn lanes into the site. The applicant proposes two entrance/exit access points on Pickett Road that are separated by 260 feet from the centerlines of each entrance after the existing southern entrance is moved south by approximately ninety-five (95) feet. The northern access point is a full access point with turning movements allowing drivers to travel to the north and south on Pickett Road. The southern access point is a right-in right out from the site. The applicant is seeking a sixth modification to the block length requirement in Section 3.8.2.E.3 of the Zoning Ordinance and Section 2.4.2.B, Section 2.4.2.C and Section 5.3 of the Subdivision Ordinance. As stated previously, the applicant proposes two entrance/exit access points on Pickett Road that are separated by 260 feet from the centerlines of each entrance after the existing southern entrance is moved south by approximately ninety-five (95) feet. The northern access point is a full access point with turning movements allowing drivers to travel to the north and south on Pickett Road. The southern access point is a right-in right out from the site. The final modification request is to Section 2.2.2.B, Section 2.2.2.C and Section 2.2.4.F.1 of the Subdivision Ordinance to eliminate vehicular connections to adjoining properties. The subject property is surrounded by a City-owned parcel to the south, the Army-Navy Country Club to the west and to Barrister's Keep to the north.

A traffic impact study submitted by the applicant and reviewed by the City's Transportation Division, as provided in Attachment 7 estimates 26 AM peak hour trips, 31 PM peak hour trips and 333 daily trips upon buildout of the development. The applicant states that the change in use would generate an increase during the AM Peak Hour by 13 trips, PM Peak Hour by 14 trips and daily trips of 163. The table below provides a summary of existing trips and proposed trips:

Table 2: Trip Generation

<u>Land Use</u>	<u>ITE Code</u>	<u>Size</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>	<u>Daily</u>
Religious Institution (Metro Church)*	560	17,860	13	17	170
Single-family Home (Permitted in RL)	210	8	6	8	76
Multifamily Housing (Low-Rise)	220	50	26	31	333

*Trips for the existing Metro Church were obtained from turning movement count collected at site driveways. The weekday daily trips were calculated as 10 times the PM peak hour trips.

The proposed use would increase the number of daily vehicular trips; however, the level of service for Pickett Road would not be degraded.

Pedestrian Network: The Master Development Plan has a five (5) foot sidewalk network that is internal to the site and connects to Pickett Road. The applicant is seeking a modification to provide sidewalks on both sides of a street. The Master Development Plan provides for a multiuse path of ten (10) feet along the property frontage on Pickett Road as referenced in the Comprehensive Plan Multimodal Transportation Plan.

Staff Analysis:

Staff believes the pedestrian network provided in the master development plan is consistent with the Comprehensive Plan and the Zoning Ordinance. The applicant is seeking a modification of Section 4.4.4.A1 of the Zoning Ordinance and Section 2.3.1.A of the Subdivision Ordinance to not provide sidewalks on both sides of all local streets. The Zoning Ordinance requires both sides of the street to have a sidewalk. The applicant would provide a five (5) foot sidewalk network that is internal to the site and connects to Pickett Road. The modification request is reasonable as the applicant has provided a continuous pedestrian path within the development. Internal sidewalks align with the fronts of every unit across the front loaded units and the rear loaded units have front sidewalks. Sidewalks are not provided in private alleyway. The Subdivision Ordinance in Section 2.3.3.A and Section 2.3.4.A1 requires a pedestrian connection to the adjacent single-family neighborhood to the north. The applicant has proposed stormwater improvements, preserve mature trees, and a retaining wall on the northern property. The applicant has provided a ten (10) foot multiuse path on Pickett Road that is consistent with the Comprehensive Plan Multimodal Plan. In addition to pedestrian connections internal and external to the site, the applicant proposes a contribution of \$122,000 toward the future extension of the City's proposed Daniels Run Trail.

Parking:

The applicant is proposing fifty (50) townhouses and the Zoning Ordinance requires two spaces per unit for a total of one hundred (100) parking spaces. The Master Development Plan has a combination of side-by-side garage parking spaces, tandem parking spaces for the five (5) Affordable Dwelling Units, driveway spaces and parallel spaces on the private street. The applicant has provided one hundred-seventy (170) spaces, which is 3.4 spaces per unit. However, the front load units all have two (2) car driveways and are parked at a ratio of four (4) per unit, the units with access to private alleys are parked at two (2) per units, while there are twenty (20) parallel spaces. The table on the next page provides the parking tabulation for the proposed development:

Table 3: Parking Tabulation

Unit Type	No. of Units	Garage Parking Provided	Driveway Parking Provided	Total Provided
Type A (24' x 40')	25	2	2	100
Type B (20' x 38')	20	2		40
Type C (16' x 38')	5	2		10
On-street parking				20

The total number of for the proposed development is 170 parking spaces.

Staff Analysis:

Staff believes the parking provided on the plan is consistent with the Comprehensive Plan and Zoning Ordinance. Section 4.2.4 (location of parking) permits the garage spaces to count towards the required parking, as well as, tandem parking when not blocking location of the sidewalk. The applicant has provided one-hundred (100) spaces in side-by-side garages, ten (10) spaces in tandem garages, fifty (50) driveway spaces and twenty (20) on-street parking spaces for a total of one hundred-seventy (170)

spaces. The number of parking spaces provided exceeds the required parking by seventy spaces. The applicant is seeking a modification to Section 2.7.3 (Driveways) of the Public Facilities Manual and Section 2.2.7 of the Subdivision Ordinance to provide nine (9) foot wide driveways to service single-loaded townhouses. These units are designed to provide tandem parking with two cars in the garage, parked front to back and the garage entrances are on a private alley, which would have low traffic volume, And the dimensions would accommodate vehicular movements..

Architecture and Landscaping:

The Architectural Control Overlay District (ACOD) is established to encourage the construction of attractive buildings, to protect and promote the general welfare and to prevent deterioration of the appearance of the city, to make the city more attractive for the development of business and industry, and to protect land values (Zoning Ordinance, Section 3.2.2.B.2, pg. 3-3). The ACOD shall apply city-wide to all development outside of the historic and transition districts. The requirements of the ACOD include review and recommendation by the Board of Architectural Review (BAR) and issuance of a Certificate of Appropriateness for architecture and landscaping for City Council. Guidance on architecture and landscaping for new development in the ACOD is provided in the Design Guidelines.

The townhouses are designed in a contemporary style, with architectural features including face brick, extruded two-story window bays, flush two-story window bays, recessed garage doors (front-loaded units only), one-over-one vertically oriented windows, decorative cornices at the third story, simpler cornices at the fourth story for those units with lofts, soldier course brick banding and window and door headers, rowlock brick banding and window sills, individual front stoops with suspended metal awnings, and optional rear second-story decks.

The BAR reviewed the submitted plans and materials at a public hearing on May 6, 2020 and provided a recommendation of approval to City Council for a certificate of appropriateness with conditions.

Staff Analysis:

The BAR held a public hearing on the Major Certificate of Appropriateness on May 6, 2020 and recommended approval with eight conditions. On May 26, 2020, the applicant submitted a revised architectural package (Attachment #10) that staff has found adequately addresses several of the recommended conditions, which have been struck out below. Additionally, staff is recommending a slight modification to the text of condition number 7 which is shown below as well. Staff's final recommendation on the Certificate of Appropriateness will therefore contain 5 rather than 8 conditions.

BAR recommended conditions:

- 1.—Townhouse units 39-50 shall have varied front yard setbacks.*
- 2.—Brick shall be used as the foundation material on the front of all townhouse units, and on the side and back elevations of all high visibility end units.*
- 3.—Brick to match the front elevation shall be used on the front portion of floors one and two of the side elevations between units 44 and 45 of the east sticks of townhouses.*
- 4.—Physical material samples shall be submitted to staff for review and approval by the Director of Community Development and Planning prior to issuance of any zoning permits.*
- 5.—The placement of the planters in the promenade area shall be subject to review and approval by the Fire Marshal.*
- 6.—South façade and east façade of the “A” units on the south side of the site shall incorporate comparable percentages of materials to the north façade, and a continuous cornice per unit for a minimum of the easternmost four units, exclusive of penthouse and windows.*
- 7. Mechanical equipment screening shall be installed or parapets on the high roof shall be raised a minimum of 18 inches on units with views to Pickett Road.*

8. *The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.*

Stormwater Management:

Even though stormwater management typically is not fully designed until administrative site plan review, the General Development Plan will be subject to the requirements of the state code and the City's stormwater management regulations. The applicant shows a reduction in impervious surface from the existing conditions of 128,066 sf to 106,722 sf by redeveloping the site. The applicant has programmed on the GDP a stormwater management pond on the north side of the property near Barrister's Keepe.

Staff Analysis:

The applicant must demonstrate during site plan review that the stormwater management system is sufficient to handle a 1-year and 10-year 24-hour storm event. The preliminary location of the stormwater management area is shown near the northern property line on the submitted MDP.

Utilities:

Section 4.11 of the Zoning Ordinance requires all on-site above-ground utilities to be relocated underground for any development that will require site plan approval. Overhead utilities run along the right-of-way for Pickett Road. The applicant is dedicating four (4) feet to add to the existing right-of-way for Pickett Road, an arterial road that requires 50-feet to the centerline of the road.

Staff Analysis:

The site has existing public utility infrastructure to support the planned redevelopment. The on-site utilities for the townhouses would be placed underground as required by the Zoning Ordinance. The existing overhead utilities are in the right-of-way for Pickett Road. The applicant has provided four (4) feet of right-of-way for Pickett Road. There are other utilities that run along Pickett Road to serve the proposed redevelopment of the site.

Parks and Open Space:

Section 3.8.2.G of the Zoning Ordinance requires that a master development plan provide recreation and open space. At least twenty (20) percent of each of each planned development site shall be designated and provided as recreation and open space. The MDP has provided twenty-two (22) percent of the site as recreation and open space. The plan would provide a linear park on the eastern property line along Pickett Road and an area on the northern property line adjacent to Barrister's Keepe. The Zoning Ordinance requires at least 60% of the required open space be contiguous and may be bisected by a residential street which it is in this proposal. The applicant also has included a commitment of \$122,000 to contribute to the future construction of the extension of Daniels Run Trail. The existing trail easement along the southern property line would be vacated as part of this master development plan approval.

Staff Analysis:

Staff believes that the open space design shown on the MDP satisfies the goals of the district. The applicant has provided twenty-two (22) percent of the site and the two areas are contiguous with a private street bisecting the green space. The linear park serves as a community gathering space; while the area adjacent to Barrister's Keepe functions as a passive park and stormwater utility.

Tree Coverage:

The applicant has provided a landscape plan as part of the master development plan. This plan includes interior landscaping along the private-street and promenade, transitional yards and Pickett Road. The landscaping plan considers the overhead utilities on Pickett Road when establishing the location of canopy and understory trees. Due to the location of the ten (10) foot multiuse path, right-of-way dedication for Pickett Road, overhead utilities and utilities in the ground along Pickett, the applicant has requested a modification from Section 4.5.6 of the Zoning Ordinance to allow street trees at distance greater than 15 feet at back of curb along Pickett Road. The applicant also seeks to modify the transitional yard requirement (TY2) on all property lines. The applicant has provided the required 20% tree coverage for the site.

Staff Analysis:

Staff believes that the landscape plan as presented with modifications to Section 4.5.5.C.2(b)(1) is consistent with the Comprehensive Plan and Zoning Ordinance. The applicant has provided canopy trees, understory trees, shrubs and ground cover to landscape the site including the loop road, promenade and the open space areas. The applicant is preserving mature trees and adding a six foot fence on top of a retaining wall along the northern property line adjacent to Barrister's Keepe. The applicant is seeking to reduce the width from ten (10) feet to 7.5-feet on the western property line abutting the Army-Navy Golf Course. The western property line has a mixture of canopy and understory trees along with a 42-inch aluminum railing on top of a retaining wall. The applicant is seeking to modify the transitional yard requirement from 10-feet to zero on the southern property line adjacent to the City's 100-foot wide parcel that is undeveloped and densely wooded. The eastern property line would have the required number and types of plantings beyond fifteen (15) feet from the Pickett Road right-of-way. The City does not have tree preservation ordinance, and the applicant is complying with the Zoning Ordinance requirement. There a number of factors that play into the request for a modification to the dimensional transition yard requirement from back of curb or edge of pavement. The applicant proposes to plant the required number and type of plantings along the open space area along Pickett Road. The applicant has met the required tree canopy of twenty (20) percent.

The internal street tree planting requirements is not being met due to the location of proposed underground utilities, driveway aprons and on-street parking locations. Therefore, the applicant is seeking a modification to the street tree requirement for internal streets including the private alley.

Fiscal Impact:

The anticipated fiscal impact estimate for the proposed redevelopment of Metro Church to a 50-unit townhouse project ranges from \$67,000 to \$185,000 net gain annually.

PART C: PROCEDURAL REQUIREMENTS AND REVIEW CRITERIA

Following is an analysis of citations from the Zoning Ordinance related to procedural requirements and review criteria from Section 6.6.8 of the Zoning Ordinance:

A. Substantial conformance with the comprehensive plan;

The request to change the Comprehensive Plan Place Type from Social and Civic Network to Townhouse/Single family Attached Neighborhood supports up to 12 dwelling units per acre with a maximum height of up to four stories or 45 feet when adjacent to single-family detached homes in the City. The applicant has submitted a master development plan with 50 townhouses on 3.69 acres yielding a density of 13.5 dwelling units per acre. The proposed fifty (50) unit townhouse development provides a type of housing that is under developed in the City of Fairfax. The master development plan is designed to reflect the surrounding and adjacent properties through the use of recreation and open space that serve as a buffer to the Barrister's Keepe community and to Pickett Road. The height of the buildings are consistent with the Comprehensive Plan.

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;

The existing Comprehensive Plan Place Type of Social and Civic Network restricts the site to public and private schools, libraries, places of worship, post offices, and other public facilities. Based on current zoning districts, the site could potentially be engineered to be developed with approximately 6-8 single-family homes. The proposed Comprehensive Plan Amendment and rezoning increases the development potential of a 3.69-acre site. The proposed MDP reduces the amount impervious surface area, increases the amount of open space, expands housing choices, provide five affordable dwelling units to help meet the needs of an underserved population, and contributes to the planned trails system by connection residents to key areas of the city. The plan would also alleviate a drainage issue for neighboring property owners.

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

Staff believes that the proposed use is consistent with the Comprehensive Plan and Zoning Ordinance and townhomes are an appropriate use as it is surrounded by single-family detached homes to the north and to the east, a 100-foot wide undeveloped City parcel to the south and the Army-Navy Country Club to the west.

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

The site has adequate public facilities to support an approval of a rezoning from RL Residential Low to PD-R Planned Development Residential. The subject property is located on a mass transit route and the adjoining road has capacity to support the proposed use. There are adequate public safety facilities in the area. The proposed rezoning and proposed use would not have an impact on public school facilities as there is adequate school capacity..

E. Adequacy of existing and proposed public utility infrastructure;

The public utility infrastructure is adequate and proposed on-site stormwater facilities would reduce impact on infrastructure. Fairfax Water has reviewed the project and there are no noted issues for the project.

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

The proposed planned development is consistent with the general requirements set forth in Section 3.8.2 and Section 6.6 of the Zoning Ordinance.

G. Compatibility of the proposed planned development with the adjacent community;

The proposed rezoning is consistent with the surrounding area. Pickett Road has a mixture of non-residential uses and residential uses. Residential development is located to the north and to the east of the site. The City of Fairfax owns the parcel to the south and the site is adjacent to the Army-Navy Country Club to the west. The physical separation between the proposed use and the Tank Farm has been addressed by a code compliance report, which has been reviewed and approved by City staff. Additionally, the subject property is located along a corridor that is bookend by Activity Centers, which are envisioned as dense areas in the City. The Activity Center located at the intersection of Main Street and Pickett Road is within a 100-feet of the Tank Farm.

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

The PD-R, Planned Development Residential District, is provided to encourage more flexibility for housing options within a planned development, and allowing an increased density in return for the provision of a higher quality development than may be otherwise provided; i.e., more affordable housing, recreation and open space, or other improvements addressing community needs or values. The applicant has requested a rezoning to Planned Development Residential to develop the site as a fifty (50) unit

townhouse development that includes five (5) affordable dwelling units, two large areas for recreational and open space, and quality building design. The applicant has committed to contribute to off-site improvements for the construction of the extension of Daniels Run Trail.

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

The proposed planned development is compatible with the surrounding uses. Residential development is located to the north and to the east of the site. The City of Fairfax owns the parcel to the south and the site is adjacent to the Army-Navy Country Club to the west.

- 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;

The applicant has proposed a quality residential planned development along Pickett Road by redeveloping a site that is under developed. The proposed fifty (50) unit townhouse development provides a type of housing that is under represented in the City of Fairfax. This site is located on the west side of Pickett Road with Barrister's Keepe to the north, a 100 foot wide parcel owned by the City of Fairfax to the south, the Army-Navy Country Club to the west and Pickett's Reserve to the east. The Pickett Road corridor has a mix of non-residential uses and residential developments that include single-family, condominiums and apartments. However, the corridor does not have any approved or built townhouses. The applicant has engaged the community and heard from City Council, the Planning Commission and city staff to minimize any real or perceived negative impacts for redevelopment at this location. The proposed site improvements have considered the future residents of the project by providing a significant setback to Pickett Road to mitigate for noise impacts from Pickett Road. As part of the commitments for the proposed project, the applicant would provide a noise study prior to the site plan approval identifying the units that are most impacted by noise from Pickett Road. The applicant would provide noise attenuation measures to reduce the sound below the average interior noise levels. In addition to the noise impacts, the applicant has provided an analysis of the Tank Farm and its compatibility to the proposed project. In short, the code compliance review of the tank farm determined that the proposed development is a significant distance from the tank farm and exceeds code compliance regulations. The applicant has also designed the site to provide a transitional area from the proposed units to the Barrister's Keepe community. A fifty (50) foot wide open space area would serve a transitional buffer serving as a passive recreation and open space area, and as a stormwater drainage improvement.

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

The proposed planned development is a single phased plan.

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

The applicant has met the open space requirement for the planned development district by providing two large areas for passive recreation. The applicant has provided twenty-two (22) percent of the site and the two areas are contiguous with a private street bisecting the green space. The linear park serves as a community gathering space; while the area adjacent to Barrister's Keepe functions as a passive park and stormwater utility. The applicant has provided canopy trees, understory trees, shrubs and ground cover to landscape the site including the loop road, promenade and the open space areas. The applicant is preserving mature trees and adding a six foot fence on top of a retaining wall along the northern property line adjacent to Barrister's Keepe. The applicant has exceeded the tree canopy requirement, which includes preserving some trees.

- 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.

The applicant has also submitted a rezoning application from RL Residential Low to PD-R Planned Development Residential District. The Planned Development District is provided to encourage more flexibility for housing options within a planned development, and allowing an increased density in return for the provision of a higher quality development than may be otherwise provided; i.e., more affordable housing, recreation and open space, or other improvements addressing community needs or values (Zoning Ordinance, Section 3.2.3A, pg 3-3). Currently, the City of Fairfax does not have an affordable housing ordinance. However, as a part of the Master Development Plan and Summary of Commitments, the applicant would commit five (5) units or 10% of the units as Affordable Dwelling Units (ADU). These units are shown on the plan as 16-feet in width to be sold to future residents having a median household income of seventy percent (70) or less of the Washington, D.C. metropolitan statistical area median income "AMI" as determined by the U.S. Department of Housing and Urban Development. If the City fails to adopt an ADU ordinance prior to site plan approval, the applicant would provide (a) for sale ADUs despite the lack of an adopted ADU Ordinance, or (b) contribute \$325,000 to City's Affordable Housing Trust Fund to be used by the City to provide affordable housing to City residents.



SUMMARY OF ZONING DISTRICTS AND OVERLAYS

GENERAL ZONING DISTRICTS: Unless within a planned development district, each property in the City belongs to one of the following zoning districts, which spells out permitted uses and types of development for all parcels within each district, as summarized below:

RL, RM & RH RESIDENTIAL DISTRICTS: Permits single-family detached housing and select types of supportive, complementary uses that create quiet and comfortable neighborhoods. Development must be consistent with the character of a residential neighborhood and fit within certain parameters, including:

- **RL RESIDENTIAL LOW:** 20,000 minimum lot size and 40' front setback from the street;
- **RM RESIDENTIAL MEDIUM:** 7,500 minimum lot size and 25' front setback from the street;
- **RH RESIDENTIAL HIGH:** 6,000 minimum lot size and 20' front setback from the street.

RT & RT-6 TOWNHOUSE DISTRICTS: Provides townhouses in both districts, as well as duplexes, single-family attached, and single-family detached housing in the RT district.

- **RT-6:** Limited to 6 units per acre;
- **RT:** Limited to 12 units per acre.

RMF MULTIFAMILY DISTRICT: Provides for multifamily housing as well as townhouses, duplexes, single-family attached, and single-family detached housing. Buildings may be no taller than 3 stories and 35' or 4 stories and 45' (where not adjacent to a single-family detached district) with a density limited to 20 units per acre. Permitted uses also include nursing homes, assisted living facilities, congregate living facilities and select directly related, complementary uses.

CL COMMERCIAL LIMITED DISTRICT: Provides for limited, low intensity office development as a transitional use between residential and commercial areas with buildings limited to 3 stories and 35' in height that may not exceed 17,500 sq. ft. in floor area.

CO COMMERCIAL OFFICE DISTRICT: Provides for offices for business, governmental and professional uses, and uses accessory or complementary thereto. Buildings may be up to 5 stories and 60'.

CR COMMERCIAL RETAIL DISTRICT: Provides for office and general business and retail establishments, and uses accessory or complementary thereto. Buildings may be up to 5 stories and 60'.

CU COMMERCIAL URBAN DISTRICT: Provides an urban, mixed use development option for appropriate parts of the downtown area and sites in the general vicinity of the three key Fairfax Boulevard intersections: Main Street, Chain Bridge Road, and Old Lee Highway, or as may be more precisely specified by a current or future adopted plan. Buildings may be up to 5 stories and 60'.

CG COMMERCIAL GENERAL DISTRICT: Provides areas for office, general retail, automobile-related uses, and uses accessory or complementary thereto. Buildings may be up to 5 stories and 60'.

IL INDUSTRIAL LIGHT DISTRICT: Provides areas for light industrial uses. Buildings may be up to 3 stories and 35'.

IH INDUSTRIAL HEAVY DISTRICT: Provides areas for general industrial uses. Building may be up to 6 stories and 60'.

PLANNED DEVELOPMENT DISTRICTS AND ZONING OVERLAYS: Some properties are included in planned development districts and/or are governed by regulations that exceed that of the underlying general zoning district through overlays and other development standards. These are summarized below:

PD-R, PD-M, PD-C & PD-I PLANNED DEVELOPMENT DISTRICTS: Provides for coordinated developments and communities with appropriate boundary transitional yards and recreation and open space. The districts provide additional flexibility not available in general zoning districts and allows for innovations and special features in site development that make the community better.

- **PD-R PLANNED DEVELOPMENT RESIDENTIAL:** Allows for permitted/special uses in the R districts;
- **PD-M PLANNED DEVELOPMENT MIXED USE:** Allows for permitted/special uses in the R and C districts;
- **PD-C PLANNED DEVELOPMENT COMMERCIAL:** Allows for permitted/special uses in the C districts;
- **PD-I PLANNED DEVELOPMENT INDUSTRIAL:** Allows for permitted/special uses in the CG, IL, and IH districts.

HISTORIC OVERLAY DISTRICTS: Provide additional protection to areas of historic interest in the City in order to ensure that development or building modifications do not alter or diminish the historic quality of the district:

- **OLD TOWN FAIRFAX HISTORIC DISTRICT:** Encourages a compatible mixture of residential, retail and office uses within the district.
- **FAIRFAX PUBLIC SCHOOL HISTORIC DISTRICT:** Includes the property containing the Fairfax Museum & Visitor Center; the district controls uses and structures built on the property.
- **BLENHEIM HISTORIC DISTRICT:** Includes the property at Historic Blenheim; the district preserves Blenheim mansion and controls uses and structures built on the property.

OLD TOWN FAIRFAX TRANSITION OVERLAY DISTRICT: Established to encourage a compatible mixture of residential, retail and office uses in areas close to the Old Town Fairfax Historic District. New development must complement the scale, siting and design of the Historic District.

ARCHITECTURAL CONTROL OVERLAY DISTRICT: Includes all land in the city which is located outside of an historic district and zoned and used for anything other than a single-family detached residence. This district seeks to encourage the construction of attractive buildings, to protect and promote the general welfare and to prevent deterioration of the appearance of the city, to make the city more attractive for the development of business and industry, and to protect land values.

RESOURCE PROTECTION AREA (RPA): Includes land within 100 feet of water bodies that have perennial flow, as well as other natural features such as wetlands and intermittent streams. The RPA seeks to protect these waters from significant degradation due to land disturbances.

RESOURCE MANAGEMENT AREA (RMA): Includes all land in the City that is not part of an RPA. Land disturbances in the RMA can have cause water quality degradation and diminish the functionality of RPA lands. Together, the RMA and RPA form the Chesapeake Bay Preservation Area, which encompasses all of the City.

100-YEAR FLOODPLAIN: Includes land subject to inundation by the “100-year flood” as on FEMA flood maps (a flood that has a 1% chance of occurring each year).

Application No. _____

CITY OF FAIRFAX
PLANNED DEVELOPMENT APPLICATION

I/We EYA DEVELOPMENT LLC by AAKASH THAKKAR, EXECUTIVE VICE PRESIDENT
(Name of applicant) (Authorized agent's name and relationship to applicant)

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

property owner / contract purchaser / lessee (circle one)

of Lots _____, Block _____, Section _____ of the
FAIRFAX Subdivision containing 161,956 (Sq. Ft.) on the premises known as

3500 PICKETT ROAD / TAX MAP 58-1-02-021 requests that the property currently zoned RL be

rezoned to PD-R. This property is recorded in the land records of Fairfax County in the name of

CELEBRATION CHURCH OF JACKSONVILLE, INC. in Deed Book 26110, Page 0084.

(Name and address of subject property)

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

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

X [Signature] _____
(Signature of applicant or authorized agent) (Title or relationship)

Address 4800 HAMPDEN LANE, SUITE 300, BETHESDA, MD 20814 Phone 301-634-8617

Email ATHAKKAR@EYA.COM

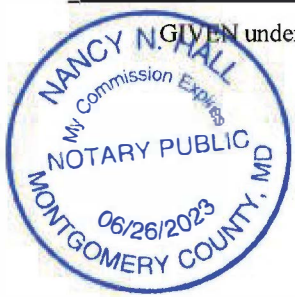
STATE OF Maryland ~~VIRGINIA~~ to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 26 day of June, 2023, do hereby certify that this day personally appeared before me

in the State aforesaid Aakash Thakkar EVP
(Name) (Title)

whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 12 day of March, 2020, and acknowledged the same before me.

GIVEN under my hand and seal this 12 day of March, 2020.



[Signature] N/A
Notary Public Registration #

THE FOLLOWING MUST BE COMPLETED BY THE PROPERTY OWNER

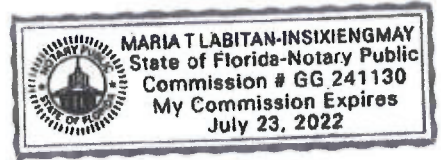
I/We CELEBRATION CHURCH OF JACKSONVILLE, INC. by Morgan Dalisay hereby certify that the applicant named above has the authority vested by me to make this application.

[Signature]
(Signature of owner or authorized agent) Exec Director of Operations
(Title or relationship)
Address 10302 DEERWOOD PARK BOULEVARD, SUITE 104, JACKSONVILLE, FL 32256 Phone: 703-855-4399

Florida
STATE OF ~~VIRGINIA~~ to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 23rd day of July, 2022, do hereby certify that this day personally appeared before me in the State aforesaid Morgan Dalisay Exec Director of Operations
(Name) (Title)
whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 23rd day of March, 2020, and acknowledged the same before me.

GIVEN under my hand and seal this 23rd day of March, 2020.



[Signature]
Notary Public GG 241130
Registration #

FOR OFFICE USE ONLY

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

3500 Pickett Road

Statement of Support

November 22, 2019
Revised February 7, 2020
Revised April 20, 2020
Revised May 6, 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 toward the future extension 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 the future extension of Daniels Run Trail. 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 no more than seventy percent (70%) 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 were already adopted, the Applicant's proposal would be in line with the Townhouse/Single-Family Detached Neighborhood (which limits development to 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 future extension of Daniels Run Trail. 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 12 new trips during a typical weekday morning peak hour, 15 new trips during afternoon peak hour, and 167 new daily trips. As such it will have a negligible impact on the existing transportation network.

Tank Farm Analysis

The Applicant has 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. Importantly, this community 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 and connects to the off-site 6-foot wide trail.

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 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 future extension of the Daniels Run Trail. 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 has extensive

experience building affordable housing in neighboring jurisdictions and is excited to offer the first for-sale ADU'S within the City.

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 future extension 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 were restricted to the lower density cap in 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 12 new trips during a typical weekday morning peak hour, 15 new trips during afternoon peak hour, and 167 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 future extension of Daniels Run Trail.

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 Keepe

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. These five (5) ADUs will be the first for-sale units within the City's affordable housing program.

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 for all units except for Units 39 to 50, which will meet the Ordinance standard.

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. Notwithstanding the above, the Applicant will provide the varied setbacks, as called for in Section 3.5.1.C.2 for Units 39 to 50, the only units that front along Pickett Road.

2) 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. All streets throughout the project will be private and each street will have a sidewalk along one of its sides. With half of the units being front-loaded, two of the three streets in the community will provide driveway access, thus interrupting a consistent pedestrian path. That, coupled with the small size and scale of the community, more than justifies the request to concentrate the pedestrians on one side of the street. This careful design will provide a continuous pedestrian network focused along the internal roads thereby creating a looped path to the sizeable park (including the landscaped promenade) and the activated open spaces throughout the community.

3) 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 perimeters as explained below:

Southern boundary. The southern property line is immediately adjacent to an undeveloped and densely wooded, nearly 100-foot wide swath of existing trees owned

by the City. Adding additional buffer or a screening fence there is unnecessary as the City-owned land will remain undeveloped, so there is nothing to buffer from this community or to buffer this community from. The Applicant's proposal is an improvement to the Ordinance standard as it allows the proposed units to more seamlessly relate to the natural preserved environment.

Northern boundary. 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 Transitional 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, thereby justifying the Applicant's request.

Eastern boundary. 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 seeks to modify the location of the plantings slightly inward toward the open space area along Pickett Road. Additionally, because this is the front entrance to the community and we want to relate the community to Pickett Road, the Applicant seeks to waive the barrier requirement along this important frontage to create a warm and inviting "front door" and focal point for the community. This is an improvement to the Ordinance requirement as it establishes a positive relationship between the community and Pickett Road.

Western boundary. 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 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 more natural and aesthetically pleasing buffer than would otherwise be provided with the required Transitional Yard.

4) 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.

5) 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-loaded 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 area throughout the site, while providing an appropriately designed driveway that will accommodate two cars in the garage, parked back to front.

6) Modification of Section 401.01

Modification. The Applicant seeks to provide a blend of twenty-four (24) foot wide interior private streets, exclusive of on-street 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 (3 spaces/per unit) and 20 additional on-street parallel parking, while reducing the amount of impervious area on site.

7) 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.

8) 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.

9) 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.

10) 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.

11) 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.

12) 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.

13) 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.