



Board of Architectural Review

DATE: November 3, 2021
TO: Board of Architectural Review Chair and Members
THROUGH: Jason Sutphin, Community Development Division Chief
FROM: Anna Kohlbrenner, BAR Liaison
SUBJECT: **Public Hearing recommendation to City Council: Breezeway, Garden Apartments, and single-family homes - site redevelopment**

ATTACHMENTS: 1. Relevant Regulations
2. Current Plan Set

Nature of Request

1. Case Number: BAR-21-00532
2. Address: 10829 Fairfax Blvd, 10807-10818 Cedar Ave, 3930-3934 Oak Street, and 3937 Walnut Street
3. Request: 20 two-over-two stacked condominium units, 42 townhouses, associated open space
4. Applicant: Pulte Home Company, LLC
5. Applicant's Representative: Robert D. Brant
6. Status of Representative: Attorney
7. Zoning: CR Commercial Retail, RMF Residential Multifamily, RH Residential High, Architectural Control Overlay District

BACKGROUND

The subject site comprises 6 parcels of land along Fairfax Boulevard, Walnut Street, Cedar Avenue, and Oak Street. Existing conditions include:

- Breezeway Motel, 10829 Fairfax Boulevard, a motel constructed in three phases between 1950 and 1960, comprising four separate structures including the rental office, an L-shaped one-story building containing motel rooms, a two-story rectangular building containing motel rooms, and a two-story rectangular structure elevated above ground floor parking containing motel rooms. The exterior of the buildings is white painted cinder block with simple side gable and flat roof forms. The rental office has a unique north/front façade with a gabled form that is made up of windows. The stairwells at the corners of the elevated two-story building are capped with distinctive rounded red open-face canopies. Most of the site is paved with asphalt making up parking and drive aisles. Landscaping is concentrated along Walnut Street on the west side of

the property in the form of mature evergreen trees. A distinctive two-tier pylon sign is in the center of the property in a curbed landscape bed fronting on Fairfax Boulevard.

- Fairfax Gardens apartments, 10807-10818 Cedar Avenue, four two- and three-story garden-style apartment buildings straddling Cedar Avenue, constructed in 1959. These buildings have rectangular footprints, white-painted brick exteriors, front- and rear-facing balconies, and side gable asphalt shingle roofs. The property contains mature canopy trees.
- 3937 Walnut Street, a single-family home constructed in 1954.
- 3930, 3032, and 3934 Oak Street, three single-family homes constructed in 1957.

The north side of the site is bounded by Fairfax Boulevard. To the south there are single-family homes on Second Street. The east side of the site is bounded by Oak Street, and the west side of the site is bounded by Walnut Street. Cedar Avenue bisects the site.

PROPOSAL

The applicant is requesting redevelopment of the site to include 42 townhouses, 20 multifamily units in a two-over-two stacked arrangement and associated open space. The applicant proposes a rezoning to Planned Development Mixed Use, which requires approval from the City Council. Planning Commission would provide a recommendation on the proposed rezoning to the City Council.

In the previous work session, the applicant proposed a five-story age-restricted multifamily building with structured parking on the ground floor. This is no longer proposed, as now that area would be redeveloped in a future phase, which would include a commercial building with limited uses. This area would have grass in between phases and would be landscaped when the site is redeveloped. In addition, the applicant proposed 31 townhouses and 34 two-over-two units in the previous work session, with the current proposal including 42 townhouses and 20 two-over-two units. Numerous other changes include architecture, site layout, landscaping, and private road locations.

Site layout:

A portion of the right-of-way at the corner of Walnut Street and Cedar Avenue would need to be vacated by the city, which is a separate action. The commercial building would front Fairfax Blvd at a possible future phase.

Two sticks of rear-loaded two-over-two stacked condo units would be located on the north side of Cedar Avenue. There would be a private roadway with surface parking, from which the garages would be accessed. The rear-loaded two-over-twos on the north portion of the site would face out onto an open space that would straddle Cedar Avenue. The two halves would be connected by a pedestrian crossing in the right-of-way.

The south side of Cedar Avenue would be all townhouses. The townhouses would be arranged around a private roadway. All townhouses would be rear-loaded units except units 40-52, which would be front-loaded townhomes facing the private road.

Concrete pedestrian walkways throughout the site would provide access to the front doors of the two-over-two and townhouse units.

20 multifamily units in a two-over-two stacked arrangement architecture

The two-over-twos would be four stories. Each stack of units would vary by material and color. Each unit is labeled with a color package, varying types of brick, siding, and stone in each material package. The applicant has stated all balconies would be made of waterproof vinyl material. The applicant has stated, *“Each of the color packages that have been assembled consists of a palette of complementary materials and colors. Not each material in every package is currently shown on the applicable elevations, but the packages are intended to provide a degree of flexibility and customization for final design.”* On the side of the two-over-two buildings, brick goes up two stories, with siding on the remaining two stories. A utility storage area is seen on the side of both two-over-two sticks. The front door is accessed from the open space area and the garage is on the back of the units. Balconies would be located on the back of the units.

Townhouse architecture

All townhomes would be four stories. Each townhouse unit would vary by material and color. Each unit is labeled with a color package, varying types of brick, siding, and stone in each material package. The applicant has stated, *“Each of the color packages that have been assembled consists of a palette of complementary materials and colors. Not each material in every package is currently shown on the applicable elevations, but the packages are intended to provide a degree of flexibility and customization for final design.”* Please see plans attached for colored renderings of each townhome. All townhouses would have front facing balconies on the fourth floor. Units 21-34 would have front balconies that would face the open space area along Cedar. Units 35-39 would have front balconies that would face Walnut Street. Units 40-52 would have front balconies that would face the private street and the back of townhouse units across the street. Units 53-62 would have front balconies that would face Oak Street. All townhome units would also have rear balconies that would be two stories in height.

Landscaping

Canopy trees would be scattered through out and include: October Glory Red Maple, Hackberry, Skyline Honeylocust, Rotundiloba Sweetgum, Bigleaf Magnolia, American Sycamore, Red Oak, and Village Green Japanese Zelkova. Understory trees would include American Hornbeam, Eastern Red Bud, Flowering Dogwood, Sweet Bay Magnolia, and Yoshino Cherry. Evergreen Trees include: American Holly, Satyr Hill American Holly, Eastern Red Cedar, and Columnar Eastern White Pine. Varying evergreen shrubs, deciduous shrubs, and perennials are included in the plan set.

Hardscape

Hardscape includes broom finished concrete with trowel finished edges, brick edging at concrete, a brick plaza, exposed aggregate concrete pathway at cedar avenue, bike racks, trash receptacle, benches, a customized play structure, bollard lights, rail fence, bistro table, and varying traffic signs.

ANALYSIS

As discussed below, there are many items on the plans that are incorrect or that do not match amongst the various plan sheets or with the Master Development Plan associated with the rezoning. Staff has requested clarification or correction throughout the application review process, however the final submission for hearing still includes the following issues:

- The Applicant is showing different height measurements for the Certificate plan and the MDP plan, but neither are correct. Previous submissions incorrectly measured height from the floor level of the first floor and not average grade, with a height of approximately 49 feet for the multifamily units and 38 feet for the townhomes. The MDP height exhibit was updated to show the height being measured from the average grade plan, but the height still shows 49 feet for the multifamily units and 38 feet for the townhomes, which does not account for the now lower point of measurement. The Certificate plan was not updated at all. The Planned Development rezoning MDP prescribes the height for the development, the height is required to be shown now and not at the time of building permit. The applicants response, *“Detailed height measurements for each lot will be provided at the time of site plan and building permit.”*

BAR Submission:



MDP Submission:



- Staff requested floor plans for the two-over-two units to illustrate how many front doors there would be, as the elevations only show one door is proposed. Additional doors need to be shown on the plans if they are indeed proposed. The applicants response, *“Not within the scope of a COA application.”*

- Full lighting plan has not been provided. Certificate of Appropriateness approval is required for all lighting. The building permit does not take the place of Certificate approval, thus lighting is required to be shown at this time. The applicants response, “A detailed lighting plan will be provided at the time of site plan and building permit.”
- Mailbox locations have not been labeled.
- Fence locations have not been labeled.
- Grading plan on page 52 does not reflect what is seen on the landscape rendering. Both sheets in the BAR submission show different fire truck turn-around locations. In addition, there are landscape discrepancies, inclusive of a large mature tree (T-89) being preserved there that is not on the grading plan.



- MDP and COA plans do not match. Unit 35 shows different sidewalk and tree locations:



- Certain balconies may need to be removed due to Fire Department comments. Elevations do not show an example of townhome without a rear balcony in case a balcony would have to be removed. Staff would need to know how these units would look if any architecture is changed in consequence.
- Factors with the MDP might change landscape design.

- Dimensions have not been provided for: the decks or two-over-twos, etc. Please see examples below in orange.



- Staff has asked the applicant to extend brick up the entire side elevation walls of the two-over-two units. The applicant's response, "The applicant has extended the brick up to the second floor on the side and rear elevations of the stacked condominium units in response to previous comments from staff and the BAR."



Brick was extended up the full building wall in the previous two-over-two renderings seen in the work session last year:



City of Fairfax Design Guidelines:

The following excerpts from the Design Guidelines are relevant to this application.

New Construction, ACOD-3

Building Siting, ACOD-3.2

Townhouse buildings should have varied setbacks between units.

Building Scale, ACOD-3.5

Reinforce the human scale of new design in ACOD by including different materials, textures or colors within a large building and/ or by dividing large facades and other elevations into different bays with different heights and planes. Use other techniques such as varying rooflines and window patterns, articulating entrances, and adding cornices and string and belt courses to separate floor levels, and using other decorative features. Corner articulation, balconies, canopies, marquees, and awnings can all also help create a human scale. Consider creating a three-part building design with a differentiated base, upper story, and roof or cornice line.

Staff believes that the plans are in substantial conformance with this guidance but note that there are concerns over the two-over-twos not depicting a potential second door. Balconies on several units may not be permitted due to conflicts with fire apparatus. The applicants comment response to staff was noncommittal on material use and coloration on units, yet they did not build in an options package. This Certificate represents final architectural approval.

Roof Form & Materials, ACOD-3.6

Large-scaled buildings should have a varied roofline to break up the mass of the design and to avoid a visible monolithic expanse of roof. Use gable and/ or hipped forms or different height of bays. Break the roof mass with elements such as gables, hipped forms, dormers, or parapets. Scale these features to the scale of the building. On roofs that are visible, use quality materials such as standing seam metal, architectural shingles, slate, or artificial slate.

Materials & Textures, ACOD-3.9

The selection of materials and textures for a new building in the ACOD may include brick, stone, cast stone, wood or cementitious siding, metal, glass panels, or other materials as deemed appropriate by Staff and the BAR. In general, the use of stucco-like products such as EIFS should be limited and is most appropriate on higher elevations, not in the pedestrian realm.

Use quality materials consistently on all publicly visible sides of buildings in the district. These materials should be long lasting, durable, maintainable, and appropriate for environmental conditions.

Avoid the use of aluminum or vinyl siding and plain concrete masonry units as exterior materials or painted metal siding. EIFS (artificial stucco) may be appropriate if used in small proportions above pedestrian level.

Plans in substantial conformance with this guideline, but applicant is non-committal about material.

Architectural Details & Decorative Features, ACOD-3.9

Simple details such as brick patterns, varied materials, cornices, roof overhangs, window and door surrounds, belt or string-courses, and water tables can all add visual interest and human scale elements to new construction.

Appurtenances, ACOD-3.13

Mechanical equipment on roofs or sides of buildings should not be visible from streets. It should be screened from public view on all sides if otherwise visible. The screening should be consistent with the design, textures, materials, and colors of the building. Another method is to place the equipment in a nonvisible location behind a parapet.

Private Site Design & Elements, ACOD-6

Landscaping, ACOD-6.3

Use landscape edges such as a row of street trees. Where trees cannot be installed due to utility or other restrictions, use a shrub layer or herbaceous planting to create a unifying edge or seam between adjacent developments and their face on the public right-of-way. Reference the drawings and illustrations for strategies to use in creating aesthetically appropriate transitional yards as required by the Zoning Ordinance (see §4.5.5.) Enhance the site's appearance by incorporating a layered landscape with a variety of plant materials. Consider color, texture, height, and mass of plant selections in a planting composition. 5. Create well-defined outdoor spaces, delineate pathways and entries, and create a sense of continuity from one site to the next. 6. Use plant materials to soften large buildings, hard edges, and paved surfaces. 7. Conceal loading and storage areas from public rights-of-way using masonry walls, wooden screening fences, landscaping, or a combination of these features. 8. Refer to the plant list included in Appendix III for recommended plants for use in various site conditions and uses.

Plans in substantial conformance, but there are issues with the plans. Staff notes that one maple tree (T-89) is shown to have substantial encroachments with the proposed storm water facilities and grading on the south side of Cedar. While the applicant commits to tree protection, and replanting should the tree not survive, it is staff's belief that the critical root zone would be compromised by the proposal. Tree protections and changes to the plan should be shown in the current proposal since the tree is proposed to be saved.

Lighting, ACOD-6.5

Select light posts and fixtures that are sympathetic to the design and materials of the building and its neighbors.

As a way to enhance design coherency on a private site in the ACOD, ensure that new exterior lighting elements—posts, fixtures, landscape, and other accent lights share at least one common element—color, material, form, or style, creating a coherent suite or assemblage of exterior lighting elements.

Use exterior lighting to enliven and accentuate landscape and outdoor site features—handrails, steps, and bollards.

When possible, consider the use of LED lights for outdoor lighting of all types. Choose LED lighting with the lowest emission of blue light possible. Shield all lighting to minimize glare and its effect on wildlife. Dim when possible, or shut-off completely when not needed.

Colored lighting should generally not be used outside of temporary seasonal displays.

Lighting should illuminate parking lots and pathways to provide safe vehicular and pedestrian circulation and to minimize pedestrian / vehicular conflicts. Incorporate lighting in pavement, railings, and steps to illuminate the pedestrian way and walking surfaces.

Lighting type is in general conformance, but lighting plan has not been provided with this proposal.

Furnishings, ACOD-6.6

Private sites are encouraged to make individual choices as to the style and color of bollards, bike racks, and other site-specific furnishings.

All furnishings within a single private site or project should form a coherent suite or family of furnishings—with a consistent color, material, style, or form.

Benches and trashcans should be located where useful—along pedestrian pathways, and at building entries, gathering areas, and plazas.

Bike racks should be placed near building entries and included in parking lots, garages, and structures.

The use of café seating and movable furnishings is highly encouraged in gathering spaces and plazas.

Arbors and planters should be made from natural wood, metal, or concrete and should be of a consistent vocabulary in color, material, and form to complement a suite of furnishings such as benches, tables and chairs, and trashcans.

Appurtenances, ACOD-6.7

Examples of architectural interventions that are appropriate for screening appurtenances include masonry walls, fences with gates, landscape, or wood screens.

Dumpster enclosures should reflect the surrounding building materials and design.

Gathering Spaces, ACOD-6.8

Smaller and less formal than a plaza as defined in the Zoning Ordinance, gathering spaces may vary widely in type, size and amenities. At a minimum, a gathering space should accommodate six seated individuals and allow for a variety of seating options such as benches, seat walls, tables/chairs, or seating directly on lawn areas. Other amenities in these spaces may include outdoor dining, game tables, public art, or water features.

Private Roads, ACOD-6.9

- 1. Provide for a pedestrian scaled and shaded environment by planting street trees on both sides of private streets.*
- 2. Provide pedestrian friendly sidewalks that are ADA compliant.*
- 3. Use materials that are stable, attractive, and reflect the adjacent building vocabulary and streetscape materials.*
- 4. Use sturdy benches, trashcans, and pedestrian amenities with materials, styles, and quality similar to those in quality and appearance required for the public streetscape.*

Comprehensive Plan:

The following excerpts from the 2035 Comprehensive Plan are relevant to this application.

Chapter 2 – Land Use

Multifamily Neighborhood, Physical Description:

The design and layout of new Multifamily Neighborhood developments should reflect the location of the development within the City. Development that is adjacent to Single-Family Detached or Townhouse/Single-Family Attached neighborhoods within City limits, or to neighborhoods zoned primarily for single-family detached or single-family attached residences within adjacent jurisdictions, should have a maximum of three floors and provide landscaped setbacks for portions of the site that are adjacent to any such uses. Otherwise, a building height of up to four stories or 45 feet may be considered.

RECOMMENDATIONS

Staff believes that the proposal is substantially conforming to the City's design criteria contained in the Design Guidelines, and therefore recommends that the Board of Architectural Review provide a conditional recommendation of approval to the City Council provided that the applicant makes revisions to address the following conditions:

1. The proposed modifications shall be in general conformance with the plans and renderings received by staff on October 25, 2021, as recommended to be modified below to address discrepancies and inaccuracies.
2. The Applicant shall secure all required zoning approvals and permits prior to construction.
3. The applicant shall return to the Board of Architectural Review for final review and approval of any material package changes for any unit not shown on the final Certificate of Appropriateness submission plans.
4. The plans shall be changed to show correct building heights.
5. The doors for two-over-two units must be shown on the plans.
6. The mailbox and fence locations must be shown.
7. The grading plan must reflect the current proposal.
8. The landscape plan must match landscape plan in MDP.
9. The full lighting plan with exact locations of lighting must be shown on the plans.
10. Brick must cover a minimum of three floors on lot 1/2 on the side of the building.
11. The number of false windows must reduce on end units or have more functional windows.
12. The applicant will ensure that the Certificate plans match the MDP plans.

ATTACHMENT 1

RELEVANT REGULATIONS

§6.5.1. Applicability

Certificates of appropriateness shall be reviewed in accordance with the provisions of §6.5.

A. A certificate of appropriateness shall be required:

1. To any material change in the appearance of a building, structure, or site visible from public places (rights-of-way, plazas, squares, parks, government sites, and similar) and located in a historic overlay district (§3.7.2), the Old Town Fairfax Transition Overlay District (§3.7.3), or in the Architectural Control Overlay District (§3.7.4). For purposes of §6.5, “material change in appearance” shall include construction; reconstruction; exterior alteration, including changing the color of a structure or substantial portion thereof; demolition or relocation that affects the appearance of a building, structure or site;

§6.5.3. Certificate of appropriateness types

A. Major certificates of appropriateness

1. Approval authority

(a) General

Except as specified in §6.5.3.B.2(b), below, the board of architectural review shall have authority to approve major certificates of appropriateness.

(b) Alternative (in conjunction with other reviews)

Alternatively, and in conjunction with special use reviews, planned development reviews, special exceptions or map amendments (rezoning), the city council may approve major certificates of appropriateness.

§6.5.6. Action by decision-making body

A. General (involving other review by city council)

After receiving the director’s report on proposed certificates of appropriateness, which do not involve other reviews described below, the board of architectural review (BAR) shall review the proposed certificates of appropriateness in accordance with the approval criteria of §6.5.7. The BAR may request modifications of applications in order that the proposal may better comply with the approval criteria. Following such review, the BAR may approve, approve with modifications or conditions, or disapprove the certificate of appropriateness application, or it may table or defer the application.

B. Other reviews

1. Prior to taking action on special use reviews, planned development reviews, and map amendments (rezoning), the city council shall refer proposed certificates of appropriateness to the BAR for review in accordance with the approval criteria of §6.5.7.
2. In conjunction with special use reviews, planned development reviews, special exceptions and map amendments (rezoning), the city council may review the proposed certificate of

appropriateness in accordance with the approval criteria of §6.5.7. The city council may request modifications of applications in order that the proposal may better comply with the approval criteria. Following such review, the city council may approve, approve with modifications or conditions, or disapprove the certificate of appropriateness application, or it may table or defer the application.

§6.5.7. Approval criteria

A. General

1. Certificate of appropriateness applications shall be reviewed for consistency with the applicable provisions of this chapter, any adopted design guidelines, and the community appearance plan.
2. Approved certificates of appropriateness shall exhibit a combination of architectural elements including design, line, mass, dimension, color, material, texture, lighting, landscaping, roof line and height conform to accepted architectural principles and exhibit external characteristics of demonstrated architectural and aesthetic durability.

§6.5.9. Action following approval

- A. Approval of any certificate of appropriateness shall be evidenced by issuance of a certificate of appropriateness, including any conditions, signed by the director or the chairman of the board of architectural review. The director shall keep a record of decisions rendered.
- B. The applicant shall be issued the original of the certificate, and a copy shall be maintained on file in the director's office.

§6.5.10. Period of validity

A certificate of appropriateness shall become null and void if no significant improvement or alteration is made in accordance with the approved application within 18 months from the date of approval. On written request from an applicant, the director may grant a single extension for a period of up to six months if, based upon submissions from the applicant, the director finds that conditions on the site and in the area of the proposed project are essentially the same as when approval originally was granted.

§6.5.11. Time lapse between similar applications

- A. The director will not accept, hear or consider substantially the same application for a proposed certificate of appropriateness within a period of 12 months from the date a similar application was denied, except as provided in §6.5.11.B, below.
- B. Upon disapproval of an application, the director and/or board of architectural review may make recommendations pertaining to design, texture, material, color, line, mass, dimensions or lighting. The director and/or board of architectural review may again consider a disapproved application if within 90 days of the decision to disapprove the applicant has amended his application in substantial accordance with such recommendations.

§6.5.12. Transfer of certificates of appropriateness

Approved certificates of appropriateness, and any attached conditions, run with the land and are not affected by changes in tenancy or ownership.

§6.5.13. Appeals

A. Appeals to city council

Final decisions on certificates of appropriateness made may be appealed to city council within 30 days of the decision in accordance with §6.22.

B. Appeals to court

Final decisions of the city council on certificates of appropriateness may be appealed within 30 days of the decision in accordance with §6.23.