



MEMORANDUM

To: Chair 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 Breezeway Motel

Meeting Date: November 22, 2021

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 Zoning Map Amendment (Rezoning) pursuant to City Code Section 110-6.4 and Section 110-6.6, rezoning from CR Commercial Retail, RMF Multifamily and RH Residential High to PD-M, Planned Development Mixed Use while retaining the Architectural Control Overlay District (ACOD), approval of a Master Development Plan with modifications and commitments, pursuant to Section 110-3.8 (Planned Development Districts); and, to allow the development of townhouses, two-over-two condominiums, and a future commercial development phase.

The following items do not require a review and recommendation from Planning Commission, but will be reviewed by City Council:

- A Major Certificate of Appropriateness pursuant to City Code Section 110-6.5 for architecture and landscaping; and,
- A consideration of an ordinance permanently vacating, discontinuing, and closing an approximately 4,558 sf (0.105 acre), more or less, portion of a public right-of-way in Cedar Avenue and Walnut Street within the City of Fairfax, consistent with improvements shown on the Master Development Plan and the Summary of Commitments. Consideration of the vacation and dedication shall occur at the same meeting as consideration of the development application.



CITY OF FAIRFAX

Department of Community Development & Planning

Zoning Map Amendment (Z-18-00539)

PUBLIC HEARING DATE

November 22, 2021

APPLICANT

Pulte Home Company, LLC

OWNER

Robert W. Pierce

AGENT

Robert D. Brant, Attorney

PARCEL DATA

Tax Map ID

- ◇ 57-1-14-043
- ◇ 57-1-14-055A
- ◇ 57-1-14-083
- ◇ 57-1-14-077A
- ◇ 57-1-14-076A
- ◇ 57-1-14-075A

Street Address

- ◇ 10829 Fairfax Boulevard
- ◇ 10807 Cedar Avenue
- ◇ 3937 Walnut Street
- ◇ 3930 Oak Street
- ◇ 3932 Oak Street
- ◇ 3934 Oak Street

Zoning District

- ◇ CR, Commercial Retail
- ◇ RH, Residential High
- ◇ RMF, Multifamily
- ◇ Architectural Control Overlay District (ACOD)

APPLICATION SUMMARY

The applicant is requesting a Zoning Map Amendment (Rezoning) from CR Commercial Retail, RH Residential High and RMF Multifamily to PD-M Planned Development Mixed Use while retaining the Architectural Control Overlay District (ACOD), approval of a master development plan with modifications and commitments; to allow the development of townhomes, multifamily (two-over-two condominium units), and a future commercial development phase.

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

- Major Certificate of Appropriateness for architecture and landscaping;
- A consideration of an ordinance permanently vacating, discontinuing, and closing an approximately 4,558 sf (0.105 acre), more or less, portion of a public right-of-way (Cedar Avenue and Walnut Street) within the City of Fairfax, consistent with improvements shown on the Master Development Plan and the Statement of Commitments.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission provide a recommendation for conditional approval of the Zoning Map Amendment (Rezoning) from CR Commercial Retail, RH Residential High and RMF Multifamily to PD-M Planned Development Mixed Use while retaining the Architectural Control Overlay District (ACOD) with the following recommendations:

1. Staff recommends approval subject to conditions of the Master Development Plan with modifications to the Zoning Ordinance, Subdivision Ordinance and Public Facilities Manual as stated in the Master Development Plan (See Page 37).

Technical Deficiencies with Application

(Further analysis is provided in this report and in Attachment 1 – Analysis)

According to Section 6.6.3 of the Zoning Ordinance states that “Applications for planned development districts shall be submitted in accordance with §6.2.3. Concurrent with an application for a planned development, an applicant shall submit a master development plan that is in accordance with §3.8.2.C. Revisions to a master development plan shall not be accepted by the city less than 21 days prior to a public hearing. In the event an applicant seeks to make revisions to a master development plan less than 21 days prior to a public hearing, the public hearing will be continued or deferred.” The applicant submitted the rezoning and master development plan on October 19, 2021, for the Planning Commission set for November 8, 2021. At the applicant’s request, the land use application was deferred to November 22, 2021. Despite deferring the original meeting date, the hearing set for November 22, 2021 did not allow for changes to be made to the master development plan. Staff has provided a review of the submitted master development plan and support materials. Since, the master development plan was submitted for hearing, the applicant has provided supplemental documents to staff demonstrating how technical deficiencies would be addressed.

Items have been addressed in supplemental sheets, not formally included in MDP:

- Inadequate turning movements for fire and emergency access
- Tree preservation impacted by stormwater facilities

Items have not been addressed in supplemental sheets, not formally included in MDP:

- Inconsistencies in the Landscape Plan
- Clarity in phasing description between plan, narrative and commitments
- All mechanical equipment is required to be screened
- Height exhibits clearly demonstrating height calculations in conformance with the Zoning Ordinance

Background Information

The site is currently developed with the Breezeway Motel consisting of 50 rooms constructed in 1951; Fairfax Garden Apartments consisting of 38 apartments constructed in 1959; three (3) single family homes on Oak Street built in 1957 and one (1) single family home on Walnut Street built in 1954. Cedar Avenue divides the apartment property. Currently, there are approximately 30 parallel parking spaces on Cedar Avenue and approximately 10 parallel parking spaces on Oak Street. The subject property is located within the blocks bounded by Fairfax Boulevard, Oak Street, Second Street and Walnut Street. The site consists of a consolidation of six (6) parcels for a total of 4.63 +/- acres as summarized in Table 1 (below):

Table 1: Property Information

Address	Description	Area	Current Zoning
10829 Fairfax Boulevard	Breezeway Motel	1.148 acres	CR, Commercial Retail in the ACOD
10807 Cedar Avenue	Fairfax Gardens Apartment	2.082 acres	RMF, Multifamily in the ACOD
3937 Walnut Street	Single-Family Home	0.557 acres	RH, Residential High
3930 Oak Street	Single-Family Home	0.251 acres	RH, Residential High
3932 Oak Street	Single-Family Home	0.253 acres	RH, Residential High
3934 Oak Street	Single-Family Home	0.342 acres	RH, Residential High
Total Area		4.633 acres	

- The existing Breezeway Motel is composed of 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. A distinctive two-tier pylon sign is in the center of the property in a curbed landscape bed fronting on Fairfax Boulevard. This motel is discussed in the 2004 cultural resources inventory and report prepared by EHT Traceries, Inc., a preservation consultant based out of Washington DC. The report recommends that the Breezeway Motel be included on a Multiple Property Documentation Form as part of a series of roadside motels, diners, and service stations for their historical significance to post-World War II development of the City and the era in American history when cross country travel became a popular pastime. The report also recommends the Breezeway be considered for individual nomination to the National Register of Historic Places. No motion has been taken on either recommendation to date. The Virginia Department of Historic Resources identification number for the Breezeway Motel is 151-5252. Fairfax Gardens Apartments, composed of four two- and three-story garden-style apartment 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. Landscaping is concentrated along Walnut Street on the west side of the property in the form of mature evergreen trees.
- Fairfax Gardens Apartments was constructed in 1959 and is composed of four two-and three-story garden-style apartment buildings separated by Cedar Avenue.
- One single-family home at 3937 Walnut Street was constructed in 1954.
- Three (3) single-family homes at 3930-3934 Oak Street were constructed in 1957.

The Future Land Use designation for the subject property is split by two place types, Commercial Corridor and Multifamily Neighborhood:

The Commercial Corridor Place Type designation includes a mix of retail, restaurant, service, medical, office, and other commercial uses (Comprehensive Plan, Page 31). Commercial areas should accommodate access via a variety of transportation modes and be accessible to adjacent neighborhoods via pedestrian and bicycling facilities (Comprehensive Plan, Page 31). The parcel size, depth and width of the Commercial Corridor is more than adequate to support commercial uses on Fairfax Boulevard. The commercial portion is approximately 1.14-acres with a depth of approximately 200 feet and width of approximately 250 feet. The physical characteristics of the Commercial Corridor Place Type can accommodate a variety of buildings from small retail buildings to multi-story office buildings. The Comprehensive Plan encourages sites located along Boulevards or other street types, buildings should be located near front property lines with parking to the side or rear. Parking is also encouraged in above-ground structures or underground, should be provided to the side or rear of buildings, and should be screened from view from the right-of-way by building mass or landscaping (Comprehensive Plan, Page 31).

Multifamily Neighborhood Place Type designation applies to neighborhoods that are primarily developed with multifamily apartment and multifamily condominium housing. Townhouse/Single-Family Attached Neighborhood uses, and Single-Family Detached Neighborhood uses may be considered in the Multifamily Neighborhood Place Type when

developed in conjunction with Multifamily Neighborhood uses (Comprehensive Plan, Page 30). 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 (Comprehensive Plan, Page 30). Multifamily Neighborhood Place Type supports up to 20 dwelling units per acre and a maximum height of 4 stories/45 feet.

The site has access from Fairfax Boulevard, Walnut Street, Cedar Avenue and Oak Street. The surrounding future land use designations are a combination of Commercial Corridor, Single-Family Detached Neighborhood, Multifamily Neighborhood, Green Space, and Social and Civic Network. The surrounding zoning districts are a combination of RH Residential High and CR Commercial Retail. The subject property is split zoned with three zoning districts: CR Commercial Retail, RH Residential High and RMF Multifamily Family. Further information on adjacent properties is provided in Table 2 (below):

Table 2: Surrounding Land Use and Zoning

Direction	Existing Land Use/Uses	Zoning	Future Land Use
Site	Motel/Multifamily; Residential – Single Detached	CR, Commercial Retail/RMF, Multifamily in the ACOD; RH, Residential High	Commercial Corridor, Multifamily Neighborhood
North	Commercial/Retail	CR, Commercial Retail in the ACOD	Commercial Corridor
South	Residential – Single Detached	RH, Residential High	Single-Family Detached Neighborhood
East	Residential-Multifamily/Montessori School/Retail/Open Space	RH, Residential High; CR, Commercial Retail/CO, Commercial Office in the ACOD	Social and Civic Network Commercial Corridor Green Network
West	Commercial/Office	CR, Commercial Retail in the ACOD	Commercial Corridor

The subject property is immediately surrounded by uses that range from single-family homes to duplexes, car equipment installation to offices, auto service repair to a restaurant, bank and private park and civic organization. On the north side of Fairfax Boulevard and directly across from the Breezeway Motel is an auto service repair shop and a restaurant, and on the northwest corner of Fairfax Boulevard and Fairchester Drive is a five-story hotel; to the east of the Breezeway Motel and on the south side of Fairfax Boulevard is a car equipment installation service and commercial printer business; to the west of the Breezeway Motel and separated by Walnut Street is a bank, fast food restaurant and office building; to the south of Fairfax Gardens Apartment is a line of single-family detached homes fronting on Second Street; to the east of the Breezeway Motel and north of Cedar Avenue is four (4) duplexes and a single-family detached home fronting on Oak Street; and, to the east of the Fairfax Gardens Apartment and south of Cedar Avenue separated by Oak Street is Chilcott Field, a private park, that is owned by the American Legion Post 177.

Application History

Pre-Application Meetings

On June 11, 2018, the Planning Commission held a work session to review the proposal. Some of the comments voiced by the commissioners' included concerns about affordable housing, questions about providing a mixture of housing types instead of only townhouses and whether some could be converted to condominiums, reduction of units proposed to meet the open space requirements and concerns about how the city would be able to enforce the live-work units and what types of businesses would use those spaces.

On July 10, 2018, City Council held a work session to review the proposal. City Council expressed some concerns that were in line with comments from the Planning Commission, as well as the estimated student generation and potential traffic impacts caused by the proposal.

Post-Application Work Sessions

On August 6, 2018, the applicant applied to rezone six (6) parcels from CR Commercial Retail, RMF Multifamily and RH Residential High to PDM Planned Development Mixed Use on 4.63 +/- acres. The application included a Master Development Plan (MDP) to replace the existing uses on site with 74 townhomes, 8 of which were identified as live-work units fronting on Fairfax Boulevard. During the first review of the MDP submitted on August 6, 2018, staff informed the applicant and its representative that the proposed plan did not conform to the City's Comprehensive Plan with the proposed live/work units fronting on Fairfax Boulevard in the Business Commercial Future Land Use designation. The initial design did not meet Objective LU-3 of the previous Comprehensive Plan or the Fairfax Boulevard Master Development Plan. Staff also informed the applicant that the application was incomplete due to issues related to the depicted right-of-way for Cedar Avenue and Walnut Street. Staff also provided comments on the two entrances from Cedar Avenue because the entrances were too close to the intersections with Walnut Street and Oak Street. A better alignment would be entrances at mid-block on Cedar Avenue. Likewise, the entrance/exit off Walnut Street were too close to Fairfax Boulevard creating conflicts for drivers accessing the site (particularly the commercial use) and drivers coming and going from Fairfax Boulevard. On September 28, 2018, staff provided the first comment review letter to the applicant's representative including the following comments from Building Code and Fire Administration:

- Please provide an exhibit showing fire apparatus turning movements throughout site.
- Please provide data on available fire flow.
- Please indicate fire lane signage throughout site.
- Hammerhead between lots 33 and 74 is too short. Sixty feet minimum required.
- Site flow might be improved by connection to Cedar Avenue adjacent to lot 20 rather than between 14 and 15.

On June 7, 2019, the applicant submitted a revised Master Development Plan that removed the live/work units from the plan and added a commercial building footprint in the range of 8,000 sf to 10,000 sf with a list of potential uses. On August 19, 2019, staff provided a courtesy review to address the revised MDP, while the applicant and Public Works discussed the right-of-way vacation and other transportation related issues. On September 27, 2019, the Development Review Team met with the applicant to discuss the proposed right-of-way vacation and transportation improvements on Cedar Avenue, and Public Works and City Attorney have subsequently outlined the vacation process. Staff provided the applicant with a number of comments, including the following from Building Code and Fire Administration:

- Provide an exhibit showing fire apparatus turning movements throughout site. Please use apparatus similar to “aerial platform” in handout.
- Provide data on available fire flow. See response to C3. Is developer planning to install the mains as required by Fairfax Water?
- Indicate fire lane signage throughout site.

The Building Code and Fire Administration provided details of the aerial platform tower truck dimensions to the applicant so that they could revise the apparatus turning movements.

Work Session #1

On December 10, 2019, City Council discussed the proposed plans for redeveloping the Breezeway Motel, Fairfax Garden Apartments and four single family homes with 42 townhomes, 20 two-over-two condominiums and 8,000 sf to 10,000 sf of commercial. After staff presented the current proposal, City Council discussed a few issues that ranged from building heights and density, traffic volumes to right-of-way vacation, and open space to the status of the Breezeway Motel. The applicant stated that the Breezeway would remain until the landowner found a new owner to acquire the property and redevelop the site. City Council expressed concerns about the Breezeway remaining while townhouses were being developed. City Council also expressed an interest in seeing how the four redevelopment projects (Breezeway, Paul VI, Mount Vineyard and American Legion) in the area would have an impact on traffic and other infrastructure.

On January 13, 2020, the Planning Commission held a work session to discuss a proposal to replace the existing motel, 38 multifamily units and four (4) single-family homes with 42 townhomes, 20 two-over-two condominiums and 8,000 sf to 10,000 sf of commercial, on the 4.63 acres. The right-of-way vacation for Cedar Avenue requires City Council to authorize the City Manager to sign as a participant on the land use application. This proposal would require approval of a rezoning, Master Development Plan, and a request for right-of-way vacation.

Work Session #2

On September 28, 2020, the application was revised and submitted for a proposed Comprehensive Plan Amendment from Commercial Corridor to Multifamily, a rezoning from CR, Commercial Retail and RH, Residential High and RMF, Multifamily to PD-R, Planned Development Residential, approval of a Master Development Plan with modifications, and a right-of-way vacation. The applicant proposed to replace the existing Breezeway motel, 38 multifamily units and four single-family homes with 31 townhouse units, 34 two-over-two units, and a five-story age-restricted condominium building with 212 parking spaces on 4.63 +/- acres. A right-of-way vacation request for Cedar Avenue requires City Council to authorize the City Manager to sign as a participant on the land use application. If the right-of way vacation is approved, the total project area is increased from 4.63 +/- acres to 4.73 +/- acres.

The Planning Commission held a work session on September 28, 2020, on the revised proposal. Planning Commission comments and questions covered a few issues such as:

- How is the elimination of commercial land on Fairfax Boulevard consistent with the Comprehensive Plan?
- A residential building along Fairfax Boulevard may not be an appropriate response to meeting housing needs of the City’s senior population.
- What are the cumulative transportation impacts from the proposed development and other developments on the surrounding roads (Oak Street, Walnut Street and Cedar Avenue)?
- The increase in density will change this neighborhood.

- What is the appropriate height for the age-restricted building when evaluating the adjacent properties along Fairfax Boulevard?
- How do you screen/transition from single-family homes on 2nd Street with four story townhomes looking down on the rear yards of the adjacent homes?
- Connectivity using pedestrian and bicycle facilities and other off-site improvements should be explored by the applicant and City staff.
- Developer should consider safety measures for open space areas. There was also some concern with HOA open space areas being open to the public.
- Discussion on parking for multifamily units, trash facilities, loading zones and sound.
- Documentation of the historic elements of the Breezeway should be considered and coordinated with City staff.
- Applicant was encouraged to begin outreach to the surrounding neighborhood and associations.

Overall, the Planning Commission indicated general support for the townhomes/two over two condos and open space, but members expressed reservations regarding replacing commercial property with residential along Fairfax Boulevard.

On October 6, 2020, City Council held a work session to discuss the revised concept. City Council had several comments and questions regarding the revised plans, such as:

- Fairfax Boulevard is an important commercial corridor in the city and should be developed consistent with the Comprehensive Plan.
- Has the applicant included affordable units in this proposal?
- Would the applicant have to follow the Affordable Dwelling Unit (ADU) ordinance if volunteering to be in the program?
- What is staff's position on the senior building (55+)?
- Condo building without amenities maybe a difficult to sell based on potential price point.
- Has there been a traffic analysis that considers other residential projects in the area, such as Paul VI, American Legion, Fairfax Gateway, and Mount Vineyard?
- This area may be too dense based on existing units and proposed redevelopment potential.
- Will there be enough space for right-of-way improvements, such as on-street parking and bike lanes.
- Reservations expressed over the potential density for this neighborhood and the potential traffic from the increase in density.
- Need to address the diversity in housing stock including units for lower income residents. The loss of thirty-eight (38) units is a concern.
- Parking for the condo building was a concern in that it may not be enough parking.

City Council expressed the preference for a commercial use along Fairfax Boulevard to replace the existing Breezeway Motel. On October 9, 2020, the applicant decided to stop the review of the third submission after receiving comments from Planning Commission and City Council. The proposed plan used an intercity bus to model the turning movements, but this submission was withdrawn by the applicant and superseded with a new submission so formal staff comments were never generated.

After withdrawing the third submission, the applicant resubmitted a fourth revised rezoning application on November 2, 2020. The applicant submitted a rezoning request from CR Commercial Retail, RMF Multifamily and RH Residential High to PD-M Planned Development Mixed Use and a master development plan with modifications that included twenty (20) stacked condominium (two-over-two) multifamily units, forty-two (42) townhouses, and a commercial building between 8,000 and 10,000 square feet of floor area. The application proposed a limited number of commercial uses for the future commercial building. On January 11, 2021, staff provided the applicant with the fourth review comment letter. Staff provided comments for the applicant to address including comments from Building Code and Fire Administration stating the following:

- The proposed Emergency Access behind Units 62 and 21 at Cedar Avenue must have at the private street and Cedar Ave access, normal curb cuts for entrance/exit. Fire Apparatus will not drive over curbs. Removable bollards can be installed at Cedar Avenue entrance/exit. This will have to be marked Fire Lane with signage.
- Fire apparatus should not be required to drive over standard curbs. The City and Fairfax County Fire & Rescue have apparatus (Rescue Engines and Rescues) that have low ground clearances created by underbody “belly pans” that can be damaged. To this end, there needs to be either a low curb (height to-be-determined) or a standard entry/exit road transition onto the proposed grass paver fire lane/emergency lane. There would still be removable (locked) bollards to restrict only emergency vehicle use.

The applicant modeled a 40-foot pumper truck with this submission when Building Code and Fire Administration had previously asked for details of the aerial platform tower truck dimensions to the applicant so that they could revise the apparatus turning movements. Staff met with the applicant to discuss the fourth submission comments on January 26, 2021. On January 29, 2021, the applicant submitted a concept plan with roundabout at Cedar Avenue and Walnut Street, which was presented to Planning Commission and City Council in March 2021.

Work Session #3

On March 8, 2021, and on March 9, 2021, Planning Commission and City Council held work sessions with the applicant to get feedback on the most recent updates to the proposal. These updates included phasing of the project and redevelopment of the Breezeway Motel site, open space requirement, transportation improvements for Cedar Avenue and Walnut Street, and street alignment on Oak Street with the proposed American Legion redevelopment. In Phase Two, the applicant proposed to demolish the Breezeway Motel and provide a pad ready site with landscaping and other site improvements. Phase Three consists of the vertical commercial development (up to 10,000 square feet) to be constructed by a commercial developer in the future. Planning Commission and City Council expressed interest in four areas of the revised proposal: density, affordable housing and relocation package, timing and redevelopment of the Breezeway Motel and transportation improvements including sidewalks. The applicant shared with Planning Commission and City Council that they are the contract purchaser for all parcels included in this application and would develop the residential portion of the plan. The commercial phase would be marketed by the contract purchaser for development by a commercial developer.

On July 26, 2021, the applicant filed a fifth submission of the rezoning application from CR Commercial Retail, RMF Multifamily and RH Residential High to PD-M Planned Development Mixed Use, a master development plan with modifications and commitments that include forty-two (42) townhouses, twenty (20) stacked condominium (two-over-two) multifamily units, and a commercial building between 8,000 and 10,010

square feet of floor area. As part of the application, the applicant requests to vacate approximately 4,569 square feet of existing Cedar Avenue at Walnut Street (See Attachment 9). The applicant submitted a plat of the right-of-way vacation without showing utilities on June 7, 2019. Staff provided the applicant with direction relating to their right-of-way vacation request on January 16, 2020. The applicant submitted an appraisal on October 1, 2021. The master development plan shows utilities but are not shown on the plat that was submitted. The city is conducting an independent appraisal of the proposed area to be vacated. The applicant also submitted an updated Traffic Impact Study, a commercial marketing plan, and a tenant relocation assistance plan. As part of this submission, the applicant applied for a Major Certificate of Appropriateness for architecture and landscaping. This submission 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. On September 3, 2021, an initial appraisal report for the vacation of right-of-way was submitted by the applicant for staff to review. Staff provided a fifth comment letter to the applicant on September 8, 2021, including comments from Building Code and Fire Administration stating:

- The turning analysis - pumper fire truck has data not representative of our largest apparatus. See below for our apparatus specifications (Sheet 13 of 30):
Pierce Velocity Chassis - Tower Ladder 403 (100' Aerial Platform)
Overall Length: 46' – 9.25"
Overall Width: 10' – 5"
Overall Height: 12' – 2"
Turning Radii:
Inside Turn: 20' – 9"
Curb to Curb: 37' – 4"
Wall to Wall: 45' – 0"
Wheelbase: 257"
Inside Cramp Angle: 45 degrees
Tread Width: 17.7"
- General comment: The commercial building, if occupied by a single tenant, does not show a loading dock/door.

On October 4, 2021, the applicant submitted a sixth version of the rezoning application from CR Commercial Retail, RMF Multifamily and RH Residential High to PD-M Planned Development Mixed Use, a master development plan with modifications and commitments that include forty-two (42) townhouses, twenty (20) stacked condominium (two-over-two) multifamily units, and a commercial building between 8,000 and 10,010 square feet of floor area. This submission included a dedication of approximately 2,500 square feet of right-of-way along Fairfax Boulevard. As part of the application, the applicant requests to vacate approximately 4,569 square feet of existing Cedar Avenue at Walnut Street. The applicant also submitted a revised Traffic Impact Study, a revised commercial marketing plan, and a revised Major Certificate of Appropriateness application for architecture and landscaping. On October 7, 2021, staff met with the applicant to discuss truck turning movements and subsequently, submitted a revised emergency truck turning movements. The applicant submitted revised emergency truck turning movements on October 13, 2021. On October 14, 2021, staff provided comments to the applicant. The next day, a memo from Building Code and Fire Administration was forwarded to the applicant regarding the truck turning movements and the comments were as follows:

- The dimensions listed are not exact to the actual dimension of the City of Fairfax Tower Lower 403, as provided in the City of Fairfax comment letter dated September 8, 2021. The dimensions should

reflect a height of 12 feet 2-inches and the width of 10 feet 5-inches. I do not believe these inaccuracies affect turning movement on this site. It should be noted that any tree canopy overhanging driving surfaces will need to be maintained for unimpeded passage.

- The proposed northern site turnaround near units 11 and 12 is acceptable.
- Overlaying the landscape sheet to the fire apparatus turning movement sheet it appears that a tree located at the corner of unit 40 would affect the turning movement at this location.
- The drawing does not show right and left turning movements from city streets. We will need to have the ability to turn from either direction.
- There are a few locations where the apparatus jumps the curb and sidewalk to make its maneuvers. At units 34, 35, 51 apparatus encroaches into the driveway area for that unit. If a car is parked halfway in the garage and halfway on the driveway (not in the street) then the truck is unable to maneuver. It is noted that they are proposing 22' streets without sidewalks, which if wider may allow for the maneuvers without these issues. As depicted on the drawing it appears the truck is making very sharp and somewhat straight turns rather than a more rounded turn radii we typically see.

The applicant submitted the final master development plan and summary of commitments for November 8, 2021, and staff pointed out significant issues particularly with fire access. The applicant requested to defer the meeting on November 8, 2021 to November 22, 2021, while being unable to amend the master development plan the applicant did provide exhibits illustrating how they would address issues and amend the master development plan prior to the City Council hearing.

Certificate of Appropriateness (Board of Architectural Review)

On September 16, 2020, the applicant had a pre-application work session with the Board of Architectural Review (BAR) for a residential development comprising of 31 townhouse units, 34 two-over-two units, and a five-story age restricted condominium building. The BAR had comments on a range of topics:

- Lack of privacy between the southern row of townhouses and their terraces overlooking single-family lots on Second Street. The applicant should consider how landscape screening will help provide privacy between the development and existing homes on Second Street.
- The end units of each stick of townhomes and two-over-two units should be embellished in some way to differentiate them from the center units.
- The two-over-two buildings have very flat facades. The townhouses and two-over-two units should have modulated facades to add dimension.
- Building mass and scale should respond to the context of the site.
- Make each stick of units look like a standalone building. Do not mimic neighboring architecture, project needs to add a level of uniqueness to the City of Fairfax.
- Provide renderings from outside of the site looking inward to add context.
- Engage landscape architect to ensure trees aren't being shown in locations where there is not sufficient room for growth, select species that will provide visual interest and pleasing textures.
- Explore art deco or "space age" architecture of the 1950's into the design of these buildings.
- Concept feels rushed, could be developed as feedback is received from Boards and Commissions.
- Consider simplifying and unifying the color palette.

On July 26, 2021, the applicant submitted a formal application for the Board of Architectural Review (BAR). Staff received the BAR hearing submission on October 25, 2021 and noted a number of discrepancies between the MDP and BAR plans. Staff communicated those discrepancies with the applicant noting that the height diagram was incorrect and some of the plan sheets did not match. On November 3, 2021, the BAR held a public hearing on the Major Certificate of Appropriateness for architecture and landscaping. The BAR

voted to defer the request and directed the applicant to resolve the outstanding issues related to the architecture and landscaping for the proposal. The BAR hearing is scheduled for December 15, 2021.

Master Development Plan

The subject property is composed of six (6) parcels that have been assembled for the redevelopment of a four (4) phased Master Development Plan with modifications and commitments:

- Phase One is the demolition of all existing structures and improvements (i.e., Breezeway Motel, Fairfax Garden Apartments and four (4) single-family homes). The demolition of all existing structures and improvements shall be completed prior to the issuance of a certificate of occupancy for the first residential unit in Phase Two. The demolition work in Phase One may be completed prior to or concurrent with the work in Phase Two.
- Phase Two consists of forty-two (42) townhouses and twenty (20) condominiums with a density of 13.24 units per acre. Townhouses are a mix of front entry units at 22 feet and 24 feet in width, and rear entry units at 20 feet in width. All rooftop terraces on the proposed townhouses would be located on the front of the units. Each unit is required to have two (2) parking spaces per unit. The applicant has provided two garaged spaces for townhomes. The condominiums have two (2) parking spaces per unit consisting of a one-car garage and a tandem driveway space. The applicant has provided 146 parking spaces (104 garage spaces, 20 driveway spaces and 22 private surface spaces). The applicant would also install infrastructure and stormwater management facilities related to the residential development. The removal or undergrounding of overhead utilities on site or along the property frontage and the construction of the project's streetscape would take place in this phase. The applicant requests that the city vacate approximately 4,569 square feet of existing Cedar Avenue at Walnut Street and reconfigure the existing triangular shape median to a conventional intersection with traffic calming improvements along Walnut Street and Cedar Avenue. The proposed vacation would allow the applicant to construct three dwelling units on the south side of Cedar and landscape area on the north side. The applicant would install thirty (30) on-street parking spaces on Cedar Avenue, nine (9) on-street parking spaces on the west side of Oak Street and seven (7) on-street parking spaces on the west side of Walnut Street, north of Cedar Avenue. The required 20% open and recreational space for the master development plan would be included in this phase. Section 3.8.2.I of the Zoning Ordinance states that no zoning permit shall be issued for a mixed-use development to authorize the occupancy of more than 66 percent of the approved residential dwelling units, prior to the issuance of a zoning permit to authorize the occupancy of 100 percent of the approved nonresidential floor area.
- Phase Three includes the interim improvements on the Breezeway Motel parcel (Parcel 57-1-14-043) notwithstanding the land area that is designated for open space in Phase Two. The interim improvements would prepare the site for the ultimate commercial buildout in Phase Four. These interim improvements include clearing and grading of the Breezeway parcel, installation of landscaping along the southern portion of the parcel, seeding of all open areas, and the installation of a temporary interim 10-foot asphalt trail along Fairfax Boulevard, and the retention of the existing interim sidewalk along Walnut Street. Interim improvements in Phase Three shall be complete prior to the issuance of certificate of occupancy for Phase Two.
- Phase Four of the Master Development Plan, to be constructed by others, consists of a future commercial building ranging from 8,000 sf to 10,010 sf with a maximum of forty-four (44) parking spaces and associated infrastructure, utilities, and stormwater management facilities. The size and use or mix of uses in the commercial building may vary provided that the parking does not exceed 44 spaces in compliance with Section 4.2.3.E of the Zoning Ordinance. The maximum building height is 35 feet and two stories. The owner of Tax Map Parcel 57-1-14-043 would be required to obtain approval of a Major Certificate of Appropriateness, site plan approval, building permits and other

necessary approvals. The applicant has provided a Commercial Marketing Plan (Attachment 7, Exhibit A) and a commitment for Phase Four of the proposal. Tax Map Parcel 57-1-14-043 also has a proposed inter-parcel vehicular access and a pedestrian access to the adjacent property owner to the east Tax Map 57-1-14-048 (10805 Fairfax Boulevard). Future development in phase four would be required to match the MDP, and a Certificate of Appropriateness, site plan and building permits would be required. If the proposal does not match the approved MDP, an amendment to the MDP would be required with review and approval from Planning Commission and City Council including a Major Certificate of Appropriateness.

Redevelopment of the subject property requires a Zoning Map Amendment (Rezoning) from RH Residential High, RMF Multifamily, and CR Commercial Retail to PD-M Planned Development Mixed Use while retaining the Architectural Control Overlay District (ACOD), approval of a master development plan with modifications and commitments, and a Major Certificate of Appropriateness for architecture and landscaping. The applicant has included in the Commitments a Marketing Strategy Plan (Attachment 7, Exhibit A) and a Tenant Relocation Plan (Attachment 8, Exhibit B).

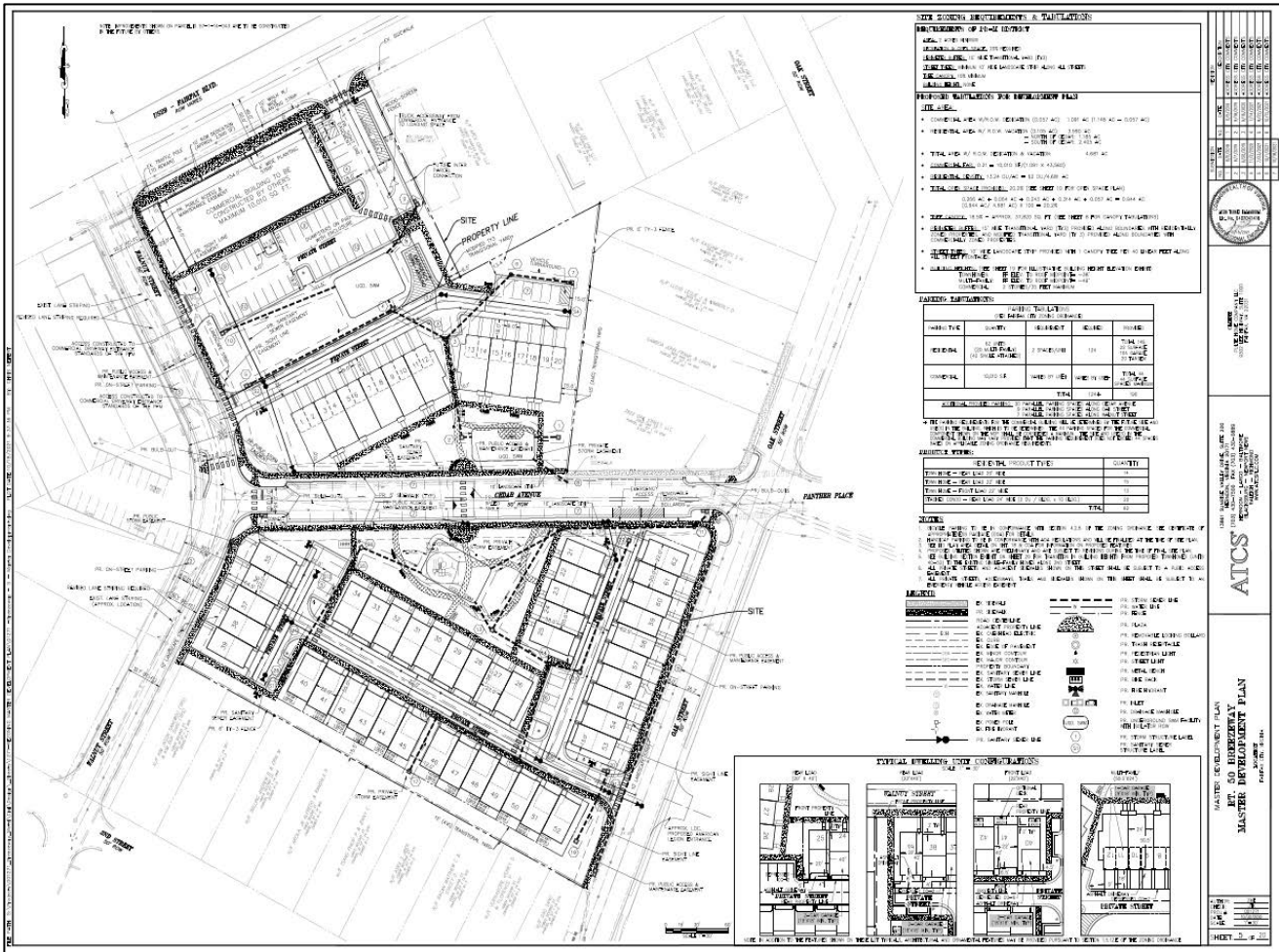
Zoning: The Zoning Ordinance provides the regulatory mechanism to ensure the new development and changes in land use are consistent with the vision of the Comprehensive Plan. The subject property is currently made up of multiple zoning districts with CR Commercial Retail, RMF Multifamily and RH Residential High Districts. The applicant is requesting to rezone the properties from CR Commercial Retail, RMF Multifamily and RH Residential High to PD-M Planned Development Mixed Use while remaining in the ACOD.

§3.2.3. Planned Development Districts B. The PD-M, Planned Development Mixed Use District, is intended to provide for coordinated mixed use developments which may include general residential and nonresidential uses within a planned development. The variety of land uses available in this district allows greater flexibility to respond to market demands and the needs of tenants, thereby providing for a variety of physically and functionally integrated land uses.

§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.

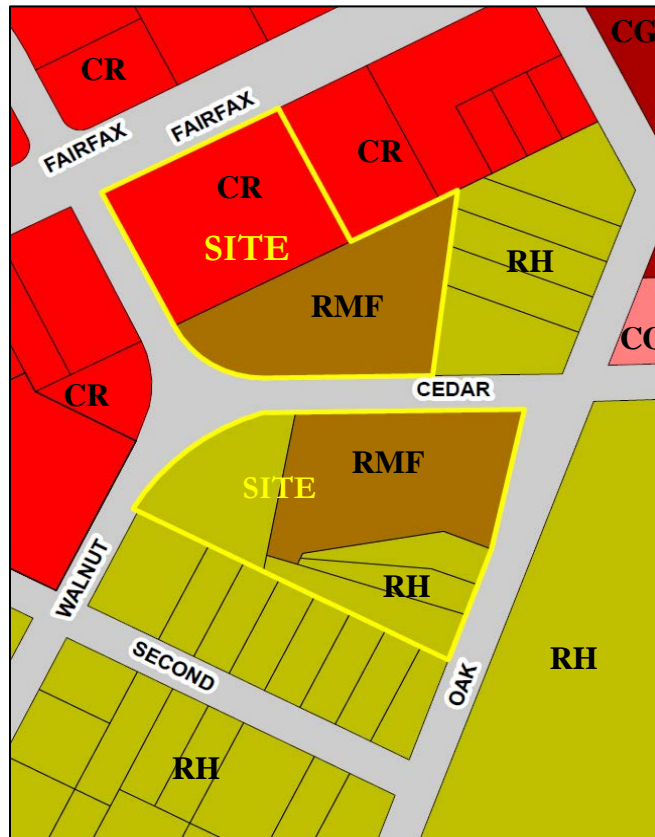
The development proposed in the master development plan shall be in substantial conformance with the comprehensive plan. A master development plan shall be filed by the applicant and approved by the city council as part of the approval of each planned development rezoning. After a master development plan has been submitted by an applicant and approved by the city council, development of the property that is the subject of that plan shall be in substantial conformance with the approved master development plan (Zoning Ordinance, Section 3.8.2.C, Page 3-59). On October 18, 2021, the applicant submitted a final version of the land use application to rezone the subject property, master development plan with modifications and commitments to allow the development of townhomes, multifamily (two-over-two condominium units), and a future commercial development phase. Figure 1 (next page) illustrates the proposed master development plan

Figure 1: Proposed Master Development Plan



The surrounding zoning districts are a combination of RH Residential High and CR Commercial Retail. The subject property is immediately surrounded by uses that range from single-family homes to duplexes, car equipment installation to offices, auto service repair to a restaurant, bank and private park and civic organization. On the north side of Fairfax Boulevard and directly across from the Breezeway Motel is an auto service repair shop and a restaurant, and on the northwest corner of Fairfax Boulevard and Fairchester Drive is a five-story hotel; to the east of the Breezeway Motel and on the south side of Fairfax Boulevard is a car equipment installation service and commercial printer business; to the west of the Breezeway Motel and separated by Walnut Street is a bank, fast food restaurant and office building; south of Fairfax Gardens Apartment with single-family detached homes fronting on Second Street; to the east of the Breezeway Motel and north of Cedar Avenue is four (4) duplexes and a single-family detached home fronting on Oak Street; and, to the east of the Fairfax Gardens Apartment and south of Cedar separated by Oak Street is a private park, Chilcott Field that is owned by the American Legion. Figure 2 (next page) illustrates the zoning districts for the subject property and the surrounding properties:

Figure 2: Current Zoning Map

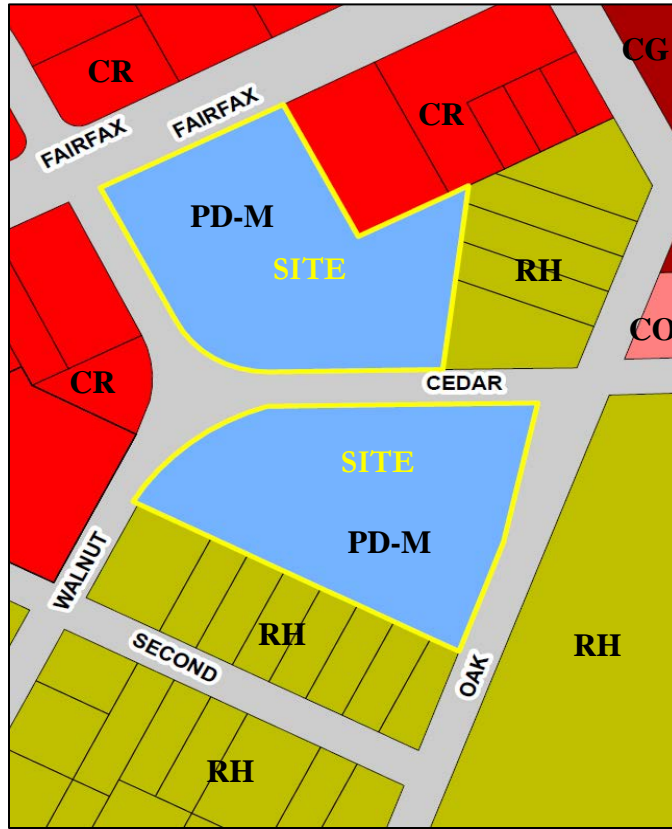


The subject property is split by three zoning districts: CR Commercial Retail, RH Residential High and RMF Multifamily Family. Under the current configuration, the proposal could not be developed, and the site would remain largely as a residential site with limited commercial opportunities. Therefore, the applicant is requesting to rezone the property from RMF Multifamily, RH Residential High and CR Commercial Retail to PD-M Planned Development-Mixed Use.

§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.

The PD-M Planned Development Mixed Use District is intended to provide for coordinated mixed use developments which may include general residential and nonresidential uses within a planned development. The variety of land uses available in this district allows greater flexibility to respond to market demands and the needs of tenants, thereby providing for a variety of physically and functionally integrated land uses (Zoning Ordinance, Section 3.2.3.B, Page 3-3). Figure 3 (next page) shows the proposed PD-M district and the zoning designations of the surrounding area:

Figure 3: Proposed Zoning Map



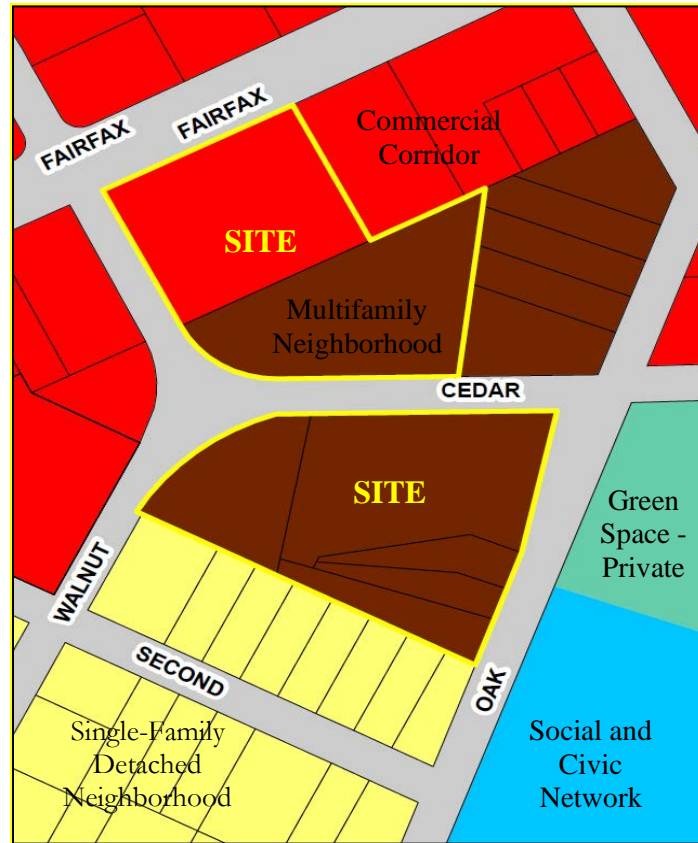
The proposed rezoning from RH Residential High, RMF Multifamily and CR Commercial Retail to PD-M Planned Development Mixed Use would allow for the “applicant to create special and unique developments by mixing and clustering, where appropriate, land uses and/or dwelling types and providing more usable recreation and open space in a master development plan proposed by the applicant and approved by the city council. Planned developments should create a more livable, affordable, and sustainable community. Starting from the baseline, which is current zoning, applicants may be given increased development rights, such as increased density and height, as well as increased flexibility, in return for providing benefits that make the project “superior” and the community better in accordance with the goals and objectives of the City, including, but not limited to, those set forth in the comprehensive plan” (Zoning Ordinance, Section 3.8.1, Page 3-59).

Comprehensive Plan

Land Use: The Comprehensive Plan describes the community’s vision for how it wants to physically grow and develop in the future (10 to 20 years). It also provides guidance on land use, transportation, housing, economic development, environment, public facilities, parks, arts, and historic preservation (City of Fairfax 2035 Comprehensive Plan, Chapter 1: Introduction, Page 5). 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 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 mixed-use development that is comprised of four phases as stated in the Narrative, detailed in the Master Development Plan and in the Summary of Commitments. To develop this project, the applicant seeks a Zoning Map Amendment (Rezoning) from RH Residential High, RMF Multifamily, and CR Commercial Retail to PD-M Planned Development Mixed Use in the Architectural Control Overlay District. This proposal does not require a Comprehensive Plan Amendment. The subject site is overlaid on the Future Land Use Map from the Comprehensive Plan in Figure 4 (below):

Figure 4: Comprehensive Plan



The proposed development would be consistent with the Comprehensive Plan Place Type of Multifamily Neighborhood with a mixture of multifamily and townhouses, and in the Commercial Corridor Place Type a commercial building footprint ranging from 8,000 sf to 10,010 sf is planned to be constructed by others. The Multifamily Neighborhood Place Type, identified in brown in the Future Land Use Map, applies to neighborhoods that are primarily developed with multifamily apartment or multifamily condominium housing. Townhouse/Single-Family Attached Neighborhood uses, and Single-Family Detached Neighborhood uses may be considered in the Multifamily Neighborhood Place Type when developed in conjunction with Multifamily Neighborhood uses (Comprehensive Plan, Page 30).

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. To retain the relative affordability available in many existing multifamily structures, redevelopment of existing multifamily sites within Multifamily Neighborhood land use areas, where additional density is permitted by the Zoning Ordinance, should consider accommodating existing multifamily structures. Predicated on the underlying zoning district, the Multifamily Neighborhood Place Type supports up to 20 dwelling units per acre and a maximum height of 4 stories/45 feet (Comprehensive Plan, Page 30). The height and type of units adjacent to single-family neighborhoods is consistent with the Comprehensive Plan.

The applicant is proposing 42 townhouse units and 20 multifamily two-over-two units in Phase One with a density of 13.24 dwelling units per acre. Density is calculated as the number of dwelling units per gross acre located within the development site. The Multifamily Neighborhood Place Type has a maximum density of 20 dwelling units per acre. The townhouse buildings on the south side of Oak Street are proposed at approximately 38 feet to mid-point of roof with four (4) stories adjacent to the single-family neighborhood on Second Street. The multifamily units (two-over-two condominiums) on the north side of Cedar Avenue are proposed at a height of 49 feet to mid-point of roof with four (4) stories.

The applicant is proposing three and four stories against existing single-family detached and attached. The proposed plans incorrectly reflect the height measurements, and the actual height is not shown. The applicant provides different height measurements for the Certificate plan and the MDP plan, but neither are correct. 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 proposed MDP prescribes the height for the development, the height is required to be shown now and not at the time of building permit. The applicant’s response, “Detailed height measurements for each lot will be provided at the time of site plan and building permit.” Figure 5 (below) shows the inconsistency between the two plans:

Figure 5: Height Measurement

BAR Submission



MDP Submission



The applicant has provided an exhibit that shows the proposed height numbers but did not provide an updated illustrative building height elevation exhibit. The master development plan and narrative need to be updated to provide the correct building heights.

Commercial Corridor Place Type, identified in red on the Future Land Use Map, includes a mix of retail, restaurant, service, medical, office, and other commercial uses. Limited manufacturing and other light industrial uses may also be considered. Heavy industrial uses should not be added or expanded beyond areas where they currently exist (such as the tank farm on Pickett Road). Residential uses are not recommended in Commercial Corridors. Commercial areas should accommodate access via a variety of transportation modes and be accessible to adjacent neighborhoods via pedestrian and bicycling facilities (Comprehensive Plan, Page 31). The commercial portion is approximately 1.14-acres with a depth of approximately 200 feet and width of approximately 250 feet. Phase One of the Master Development Plan is the demolition of all structures and improvements on site. Phase Four to be constructed by others consists of a future commercial building (8,000 sf to 10,010 sf) and associated infrastructure, utilities, stormwater management facilities and open space of the Master Development Plan. The owner of Tax Map Parcel 57-1-14-043 would be required to obtain approval of a Major Certificate of Appropriateness, site plan approval, building permit and other necessary approvals. Phase Four also excludes certain uses in Section 3.8.4 of the Zoning Ordinance. Parking standards for Phase Four are dependent upon the uses and parking requirements in Section 4.2.3.E of the Zoning Ordinance. The size and mix of uses are intended to not require more than 44 parking spaces as shown on the MDP. Parcels of this size typically can accommodate retail, office, restaurant, and other shopping center uses. At this time, a developer or use has not been identified for Phase Four. The applicant has dedicated 10 feet (approximately 2,500 square feet) of road frontage on Fairfax Boulevard to meet the 100-foot right-of-way requirement prescribed by the Comprehensive Plan and Public Facilities Manual.

Housing: 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.

The Comprehensive Plan provides guidance to the types of housing choices that are necessary to meet the needs and demands of current and future residents. The 2035 Comprehensive Plan has identified a shortage of multifamily and condominiums. Although significant single-family development is not anticipated as the city is primarily built-out, potential redevelopment and infill housing that keep up with modern expectations and meet demand are encouraged, provided they comply with the Zoning Ordinance (Comprehensive Plan, Page 54). Current shortages could include multifamily rentals and condominiums, of which most 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). Therefore, the Comprehensive Plan encourages redevelopment and infill housing to meet the demand for underrepresented types of housing in the City's housing stock. 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).

Specific housing types are identified in the Land Use Strategies Section of the Comprehensive Plan. The applicant is providing a housing type that is underrepresented in the City's existing stock of housing units (Outcome H1.1). The applicant does not have any information on whether the existing 38 multifamily units would meet the standard of naturally occurring affordable housing. The initial application was received on August 6, 2018, prior to the adoption of the Affordable Dwelling Unit (ADU) ordinance and the applicant has indicated that the proposal does not include any affordable units (Outcome H2.1).

Housing Goal 1

Support a wide range of housing.

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

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 most 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).

Housing 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.

There are several tools available to encourage the establishment of new affordable residential units as well as to preserve existing "naturally occurring affordable housing" that is affordable to families earning below the region's median household income (Comprehensive Plan, pg. 56).

On September 29, 2015, City Council adopted Resolution No. R-15-42 to address the need for housing affordability for City of Fairfax residents through voluntary development contribution in lieu of providing affordable units. The resolution offers a monetary formula as a guide with rates adjusted annually in accordance with the Consumer Price Index for All Urban Customers (CPI-U). The formula includes both a by-right rate of \$3,012 per unit and a development approval rate of \$6,036 per unit. Adjusting these rates in accordance with the consumer price index to the current year from the 2015 figures, as provided for in the resolution, would yield rates of \$3,297 and \$6,608, respectively. In applying this to the proposed 62 units, the development yield is roughly 52 units at the by-right rate and 10 units at the development approval rate. This equates to a voluntary development contribution of \$237,524. The City of Fairfax Affordable Dwelling Unit Ordinance was adopted on June 23, 2020, and since the application was submitted prior to the adoption of the ordinance, the provisions of the ADU ordinance do not apply. The applicant has voluntarily committed to provide a monetary contribution of \$237,524.00.

The applicant also has provided a commitment for tenant relocation that includes a monetary contribution for a reimbursement for moving expenses of \$800.00 for a one-bedroom unit and \$1,000.00 for two- and three-bedroom units to help off-set the cost of moving. Each tenant would receive a 90-day notice to relocate from Fairfax Garden Apartments. *Mt. Vineyard (Oak Knoll Apartments) and Layton Hall had provisions of 90-days and 180-days, respectively.* Staff believes that 120-days notice for tenants in accordance with the Code of Virginia § 55.1-1410 is appropriate.

Multimodal Transportation: The intent of the Multimodal Transportation Plan is to recommend strategies that will improve the operation and safety of the City's transportation system to achieve the larger community objectives for a vital, vibrant, and livable city (Comprehensive Plan, Page 66).

Multimodal Transportation Goal 1

Connect with the region.

Outcome MM1.2: Safety and operations in the regional network are improved.

Action MM1.2.2 Simplify multi-leg and offset intersections, such as the intersection of McLean Avenue, Warwick Avenue, and Fairfax Boulevard.

Action MM1.2.3 Address safety and operational deficiencies at major intersections, such as the intersection of Eaton Place and Chain Bridge Road.

The site has direct access to Fairfax Boulevard, Oak Street, Cedar Avenue and Walnut Street. The applicant has proposed to consolidate access points and redistribute vehicle movements by redeveloping the site. The proposed commercial pad would have one access point on Fairfax Boulevard and one access point on Walnut Street. The twenty (20) condominiums have a single access point from Walnut Street. The proposed forty-two (42) townhouses on the south side of Cedar Avenue have a single access point from Oak Street. The driveways in the residential portion of the plan are proposed at width of 22 feet. The private street in the northern section of the site has an emergency turnaround. This proposed access point is offset from the proposed northern access point planned for the proposed redevelopment of the American Legion site.

Currently, there are approximately 30 parallel parking spaces on Cedar Avenue and approximately 10 parallel parking spaces on Oak Street. The applicant is proposing traffic improvements for Walnut Street, Cedar Avenue and Oak Street. First, the applicant is proposing a bulb-out with a pedestrian crossing and seven (7) parallel parking spaces on Walnut Street. Second, the applicant is also proposing a mid-block pedestrian crossing, bulb-outs on both ends of Cedar Avenue and thirty (30) parallel parking spaces on Cedar Avenue by widening the road by three feet. The proposed road improvements would be consistent with the Multi-Modal Plan. Third, a proposed right-of-way vacation request for the intersection of Walnut Street and Cedar Avenue to remove the triangular shape median with a T-intersection with crosswalks, curb and gutter, ADA compliant curb ramps and curb bump outs, and a stop sign for west bound traffic on Cedar Avenue. These improvements are designed to reduce the speed of motorists on Walnut Street, as well as increase pedestrian safety at the intersection. As a result of this request, a portion of the city owned right-of-way would become a part of the streetscape and open space area on the north side of the proposed development. The southern portion of the right-of-way vacation would become a part of the streetscape and land area for townhouse Units 35-37. Finally, the applicant is proposing to add nine (9) parallel spaces on the west side of Oak Street. Public Works may need to address residential parking districts in this area. The applicant has not provided Transportation Demand Management (TDM) measures to off-set any transportation impacts.

Multimodal Transportation Goal 2

Provide viable and attractive mobility choices.

Outcome MM2.1: Pedestrian safety is improved.

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

Action MM2.1.4 Improve pedestrian crosswalks. Crosswalks should be provided across all legs of all intersections.

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.

The pedestrian network provided in the master development plan is consistent with the Comprehensive Plan and the Zoning Ordinance. In Phase One of the plan, the applicant is proposing pedestrian improvements on the west side of Oak Street, both sides of Cedar Avenue, the east side of Walnut Street and on the south side of Fairfax Boulevard. Crosswalks are proposed for a mid-block connection on Cedar Avenue and on the east side of Walnut Street crossing Cedar Avenue. A crosswalk is also proposed for Walnut Street just north of the intersection of Cedar Avenue. Likewise, the applicant has proposed a sidewalk along Walnut Street to the commercial area. Internal sidewalks connect the units on the southern portion and northern portion of the site to open space on Cedar Avenue. The applicant is seeking a modification to the sidewalk requirement for both sides of all streets internal to the site. This modification applies to all private streets within the proposed development. All units have a connection to a five (5) foot sidewalk in the front of the unit or in the case of Units 40-52 to the private street creating a continuous pedestrian connection throughout the site. The applicant proposes a pedestrian walkway near the eastern property line from the condominiums in Phase Two to the proposed commercial development in Phase Four of the plan. As recommended by the Multi-Modal Plan, a ten (10) foot wide sidewalk along Fairfax Boulevard would be installed along with the commercial building and associated improvements as part of Phase Four. There is an existing crosswalk on Walnut Street and Fairfax Boulevard, and an existing crosswalk from the south side to the north side of Fairfax Boulevard.

Outcome MM2.3 Bicycle network, facilities, and programs are improved.

Action MM2.3.3 Expand the provision of bicycle racks for short-term bicycle parking.

Bicycle parking and storage facilities shall be required for all multifamily and nonresidential uses (Zoning Ordinance, Section 4.2.8, Page 4-91). The applicant has provided 7 bicycle spaces for the proposed commercial building, 8 bicycle spaces for the proposed two-over-two condominiums, and 12 bicycle spaces for the proposed townhouses.

Multimodal Transportation 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.

The subject property is located within a ½-mile and to the east of Kamp Washington Activity Center. There is an existing sidewalk network from Fairfax Heights Subdivision to Kamp Washington. The applicant has proposed to improve the overall pedestrian environment by meeting the elements outline in Action MM3.2.4. The applicant is proposing several traffic improvements for Walnut Street and Cedar Avenue with a mid-block pedestrian crossing, bulb-outs, and 30 parallel parking spaces on Cedar Avenue, 7 parallel spaces on Walnut Street and 9 parallel parking spaces on Oak Street. The applicant has provided a landscape plan, a pedestrian movements plan, and detail sheet with lighting fixtures and furnishes as part of the Master Development Plan. The landscape plan illustrates a ten-foot landscape strip from the back of a five-foot sidewalk on all public streets. Sidewalks also have a separation of approximately four (4) feet from the back

of curb. Metro Bus Route 1C (from Fair Oaks to Fairfax Boulevard Line) provides daily service to the site on Fairfax Boulevard. The applicant did not provide a Transportation Demand Management program or trip cards as part of this land use application.

Parks: The master development plan shall provide recreation and open space in accordance with the requirements of Section 3.8.7. At least 20 percent of each planned development site shall be designated and provided as recreation and open space (Zoning Ordinance, Section 3.8.2.G, Page 3-61).

Parks and Recreation Goal 1

Develop high-quality park infrastructure.

Outcome PR1.1: A well-connected system of parks that provides citizens with healthy choices for recreation.

Action PR1.1.1 Identify and address gaps in the connections between the City's parks and open space.

Action PR1.1.2 Identify opportunities for future open space in neighborhoods that are undersupplied in public recreation and open space opportunities.

Action PR1.1.3 Enhance public access to parks and recreational facilities by making necessary infrastructure improvements.

The applicant would provide 20.2% (0.944 acres/41,120 sf) of recreation and open space that qualifies for the minimum width of 50 feet. The overall open space including areas less than 50 feet in width is approximately 43.7% (2.044 acres/89,056 sf). Portions of the overall calculation is mainly landscaped areas and not active recreation areas or other uses that Fairfax Parks and Recreation would provide. The applicant is not providing monetary contributions to mitigate impacts to City Parks.

Environment: An essential component of a planned development is the natural environment through tree preservation, landscaping with tree canopy coverage and impervious coverage. 10-year minimum tree canopy requirements as stated in Section 4.5.6 (Tree Requirements) of the Zoning Ordinance is 10% for proposed developments in the PD-M Planned Development Mixed Use. Likewise, the proposal is subject to a minimum ten-foot landscaped strip shall be provided along all streets. Street trees shall be required along all streets at the rate of one canopy tree for every 40 linear feet and spaced a maximum of 50 feet part (Section 4.5.6B, Zoning Ordinance, Page 4-101).

Environmental

Outcome NE1.5: Restored and preserved natural open spaces and contiguous greenway corridors that provide natural habitats for plants and wildlife.

Action NE1.5.3 Encourage new development that protects and preserves environmentally-sensitive areas and natural features, such as tree cover (especially significant stands of trees and healthy, mature trees), native vegetation, streams, wildlife habitat, and natural topography.

According to the tree inventory (Sheet 4) provided by the applicant, there are currently 160 trees on site. Six trees (three Red Maples, an Eastern White Pine, a Pitch Pine, and a Leyland Cypress) would remain on site. The applicant would need to demonstrate that T-89 (Red Maple) would survive based on the current layout of the underground stormwater management area on the south side of Cedar Avenue. The applicant has

chosen to not design around most mature, healthy trees. The applicant has provided a landscaping plan with a tree canopy of 18.5% (37,820 sf) exceeding the required 10% tree canopy requirement that includes the preservation of existing trees, plantings in the transitional yards, street trees, parking lot landscaping, within the open space areas, and the landscape buffer between the two-over-two condominium units and the proposed commercial building.

The overall impervious surface area would increase from 2.23 +/- acres to 2.90 +/- acres with the build out of the proposed development. The applicant has requested a modification to the landscape strip requirement and tree requirements along internal private streets (Section 4.5.6.B of the Zoning Ordinance). The applicant is seeking this modification to eliminate the 10-foot planting strip for interior private streets. Staff supports the modification because it is not uncommon for private alleyways in the interior of the site and between units to be void of landscaping. Likewise, the same modification to the private street leading to the two-over-two condominiums is appropriate as each driveway connects the units to the private street, which would impact the 10-foot landscape strip. The applicant attributes the need for the modification due to site constraints and the urban character of the project.

Additionally, the applicant is seeking a modification to the 15-foot transitional bufferyard in the northeast corner of the site abutting Tax Map Parcel 57-1-14-048 and the planting types within transitional yard along the southern property line abutting the single-family homes on Second Street. The abutting property to the east of the Breezeway Motel is an existing commercial business with a commercial zoning district. The applicant is seeking to reduce the required transitional yard from 15 feet to 9 feet with eight (8) canopy trees, eight (8) understory trees, eight (8) shrubs, and a six (6) foot fence. Staff supports the reduction in the width of the transitional yard adjacent to an existing commercial use in the CR Commercial Retail district. Staff also supports the use of evergreens or a similar planting to mix in with the required trees in the transitional yard along the southern property line abutting the single-family homes on Second Street. However, the applicant would need to add this to the transitional yard modification request on the cover sheet for the master development plan, as well as to the list of modifications in the narrative. The depth of the transitional yard would remain at the required 15 feet with additional evergreens planted.

Requests

In addition to the rezoning request from RH Residential High, RMF Multifamily and CR Commercial Retail to PD-M Planned Development Mixed Use while retaining the Architectural Control Overlay District (ACOD), the applicant has submitted the following applications for consideration by City Council:

- Approval of a Master Development Plan with modifications and commitments,
- Approval of a Major Certificate of Appropriateness; and,
- A request to vacate a portion of right-of-way for Cedar Avenue and Walnut Street.

However, formal action and recommendations by the Planning Commission are not required for the following items:

- **Major Certificate of Appropriateness** for architecture and landscaping; and,
- **Vacation of a portion of right-of-way** for Cedar Avenue and Walnut Street

Rezoning application

The proposed redevelopment is dependent on City Council approval of a Map Amendment (Rezoning) from RH Residential High, RMF Multifamily and CR Commercial Retail to PD-M Planned Development Mixed Use. The Breezeway Motel is in the CR Commercial Retail district, and the Fairfax Garden Apartments is in

the RMF Multifamily district, and the four (4) single family homes are in the RH Residential High district. All the properties are held under a single ownership with the applicant as the contract purchaser. The applicant would be developing the residential component of the project and would be seeking a commercial builder to develop the future commercial development. 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 Section 3.8.2 and the specific standards for the planned development listed in Section 3.8.3 through Section 3.8.6. 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 a development under general zoning district regulations.

The Master Development Plan is proposed as four phases with a modification to the development schedule as stated in Section 3.8.2.I of the Zoning Ordinance, which states “No zoning permit shall be issued for a mixed use development to authorize the occupancy of more than 66 percent of the approved residential dwelling units as part of a PD-C or PD-M district development prior to the issuance of a zoning permit to authorize the occupancy of 100 percent of the approved nonresidential floor area for that development. The foregoing shall be binding on the applicant unless the applicant proposes a modification to this requirement in the master development plan and the City council approves such modification when it approves the master development plan” (Page 3-61). Phase One is the demolition of all existing structures and improvements. Phase Two is proposed as two-over-two condominiums, townhouses, and 100% of the open space requirement. Phase Three is the interim plan that includes site preparation for the future commercial development. Phase Four, to be constructed by others, is proposed with a specific list of commercial uses to occupy a building that is approximately 8,000 square feet to 10,010 square feet with 44 parking spaces. Strict application of the ordinance would prohibit occupancy of all residential units prior to the completion of the commercial building fronting Fairfax Boulevard. Therefore, the applicant is seeking a modification to the development schedule requirement.

The applicant states the proposed development is in substantial conformance with the Comprehensive Plan. The housing component of the proposed plan is in the Multifamily Neighborhood Place Type and provides a transitional use from the existing commercial uses and proposed commercial building on Fairfax Boulevard to the single-family detached homes fronting on Second Street, and single-family detached and attached homes on Oak Street north of Cedar Avenue. The Comprehensive Plan provides guidance suggesting that 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 (4) stories or 45 feet may be considered.

Forty-two townhomes are proposed on the south side of Cedar Avenue. The fourth floor of each townhome unit includes a front facing private terrace. A transitional yard of fifteen feet (15) with a six (6) foot fence is proposed to abut the single-family detached homes on Second Street and the single-family detached and attached homes on Oak Street north of Cedar Avenue. All rooftop terraces on the proposed townhouses would be located on the front of the units. Ten (10) rear-entry townhouses front on Oak Street and five (5) rear-entry townhouses front on Walnut Street. There are fourteen (14) rear-loaded townhouse units lining the open space area on the south side of Cedar Avenue. Each unit has two garage parking spaces with access from a private street that measures at 22 feet in width. No townhouse unit has direct vehicle access from a public street (i.e., Cedar Avenue, Oak Street and Walnut Street). Twenty (20) stacked, rear-loaded two-over-two condominiums that fronts on an open space area are planned for the north side of Cedar Avenue. These rear-

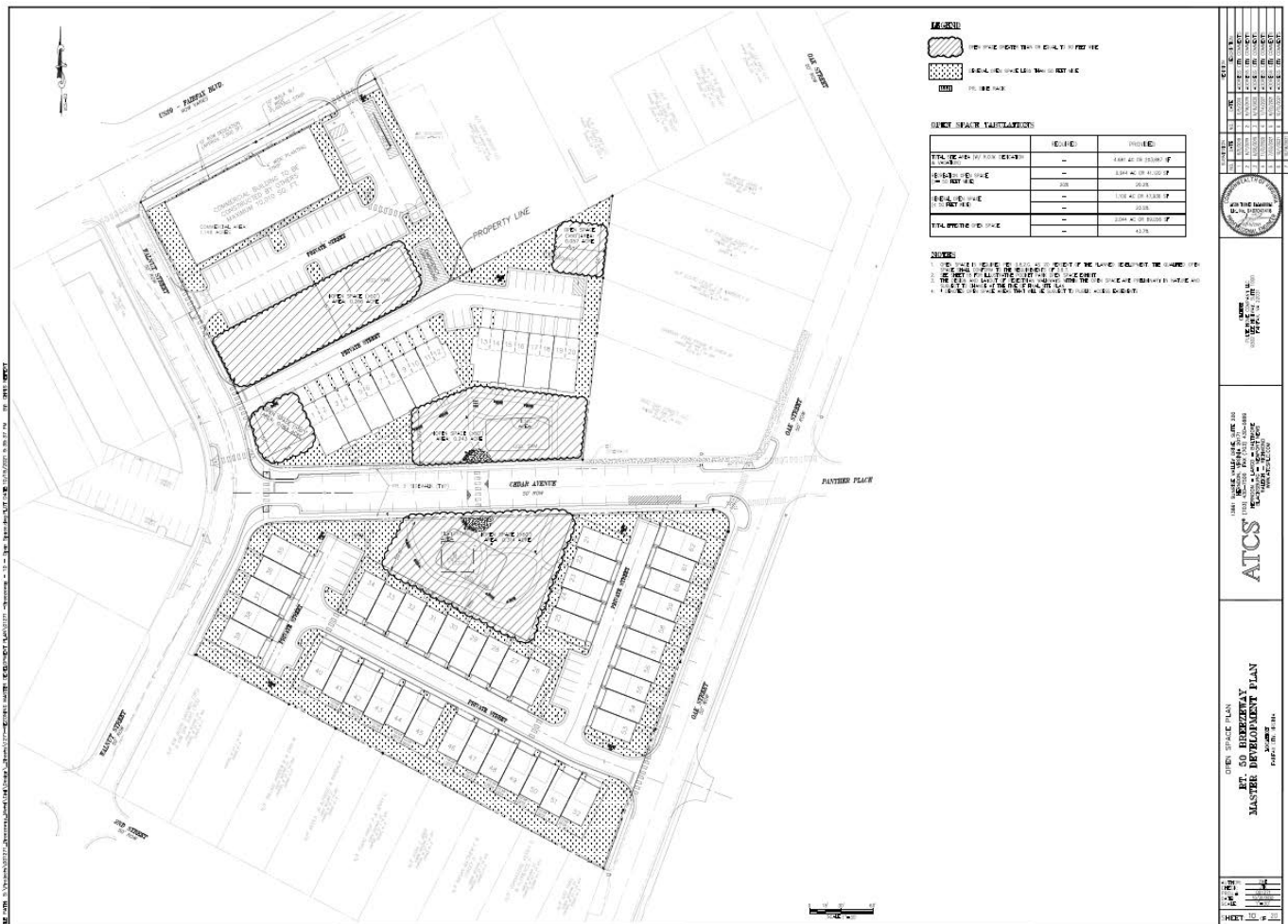
loaded units have one garage space and one tandem driveway space that are accessed by a 22-foot wide private street with an emergency turnaround.

The non-residential component of the proposal is located at the southeast corner of Fairfax Boulevard and Walnut Street. Phase Four, to be developed by others, would require a separate approval for a major certificate of appropriateness for the proposed building. The applicant has prescribed a limited number of specified uses for the proposed commercial development. The building footprint as proposed has a range of 8,000 square feet to 10,010 square feet with a maximum of 44 parking spaces. The development plan shows a 10,010 square foot commercial building pad situated along the front property line with 90-degree parking to the east side and rear of the building, a commercial entrance on the east side of the building from Fairfax Boulevard with a driveway aisle of 24 feet, as well as a loading area of 10 feet in width. The plan also shows a commercial entrance south of the building from Walnut Street.

Open Space: The Planned Development Districts requires at least twenty (20) percent of the site to be designated as recreation and open space for use and enjoyment of the residents and occupants of the development. Section 3.8.7.B.3 requires the minimum width for any required recreation and open space shall be 50 feet. The zoning administrator may grant exceptions for items such as trail easements and midblock crossings when their purpose meets the intent of §3.8.7. The Zoning Ordinance also requires at least 60% of the required open space be contiguous, however, it may be bisected by a residential street.

Open space is programmed as an amenity area on the north side of Cedar Avenue abutting twenty (20) stacked, rear-loaded two-over-two condominiums and on south side of Cedar Avenue abutting fourteen (14) rear-loaded townhouse units, at the northeast corner at Cedar Avenue and Walnut Street, north of the private drive and south of the proposed commercial building footprint, and in the northeast corner of the site near the emergency turnaround for the multifamily units. The development currently proposes five (5) areas of open space for a total of 0.944 acres (41,120 sf) or 20.2% of the property. The first open space area (0.314 +/- acres) is located between the proposed commercial building on Fairfax Boulevard and the private driveway to the proposed condominiums on the north side of Cedar Avenue. The second and third open space areas (0.243 +/- acres and 0.266 +/- acres) are located immediately north and south of Cedar Avenue, accessible to both the residents in the development, as well as the surrounding neighborhood. There are fourteen (14) rear-loaded townhouse units lining the open space area on the south side of Cedar Avenue. Each unit has two garage parking spaces with access from a private street that measures at 22feet in width. No townhouse unit has direct access vehicle access from a public street (i.e., Cedar Avenue, Oak Street and Walnut Street). On the north side of Cedar Avenue, there are twenty (20) stacked, rear-loaded two-over-two condominiums that front on an open space area. The fourth area of 0.064 acres is located at the northeastern corner of Cedar Avenue and Walnut Street. The final area of 0.057 acres is located at the northeast corner of the site. These areas meet the zoning requirement that open spaces must be a minimum of fifty (50) feet in width. The overall site has 23.5% (47,936 sf) of open space, which includes areas that are less than the required 50 feet (Section 3.8.7.B.3 of the Zoning Ordinance). The applicant has also provided open space that is at least 60% contiguous, which includes any recreation and open space bisected by a local street. Four of these areas are accessible to the public through an access easement that is described in Commitment 15 (Attachment 6) and shown on Sheet 10 of the master development plan. Figure 6 (next page) shows open space areas that are programmed for this project:

Figure 6: Open Space

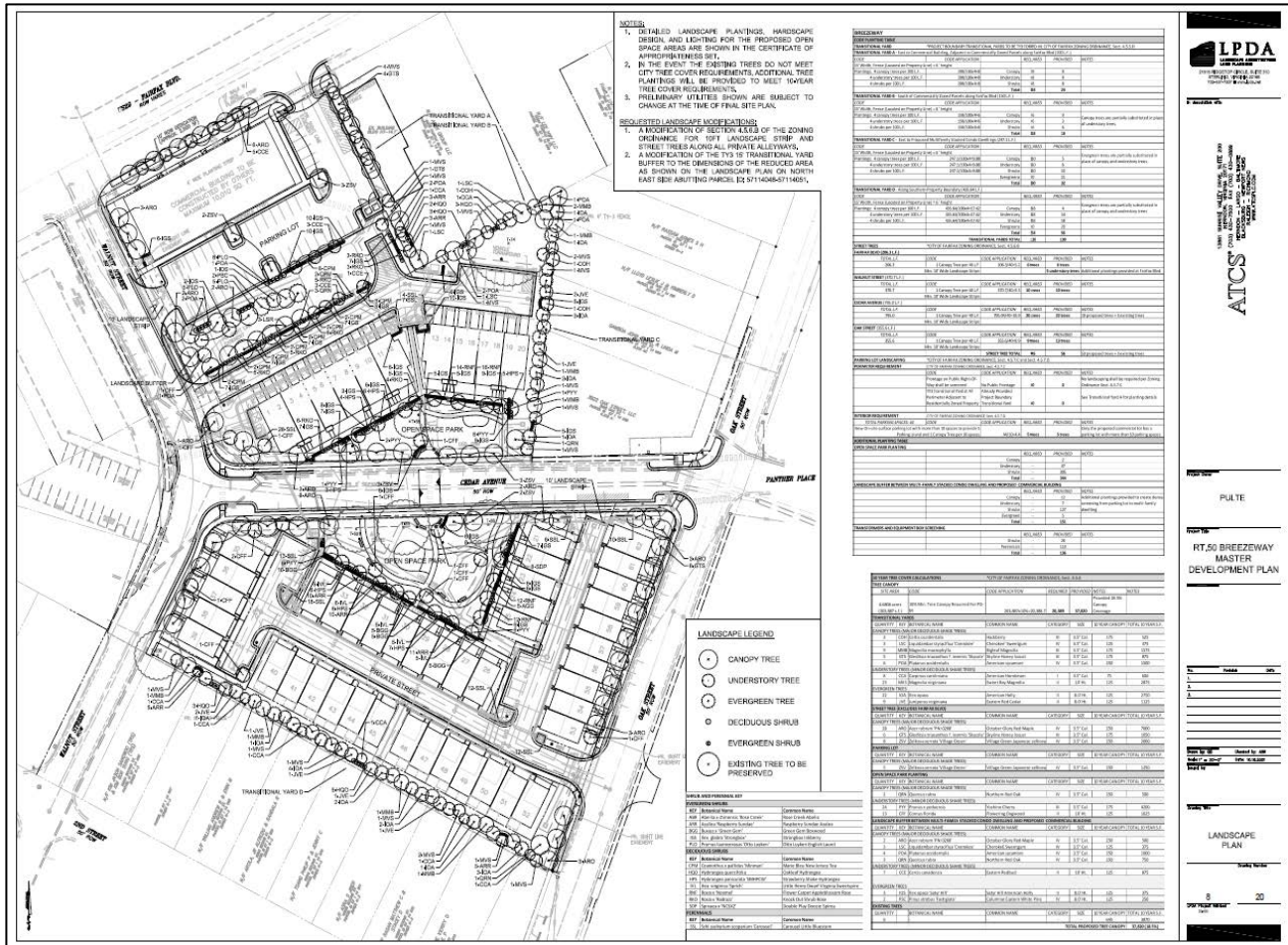


The applicant has also provided open space that is at least 60% contiguous, which includes any recreation and open space bisected by a local street. The applicant is proposing to install a mid-block pedestrian crosswalk on Cedar Avenue that connects the north and south side of the development. At this connection point on the north side of Cedar Avenue, the applicant proposes a pocket park with a plaza, benches, sidewalks, and picnic area. On the south side of Cedar Avenue, the applicant proposes a pocket park with a plaza, benches, sidewalks, tot lot with seating area, and a bicycle rack.

The subject property is located within a ¼-mile of Pat Rodio Park. City staff requested a contribution for improvements to Pat Rodio Park. In comparison to other projects, Paul VI approvals included sixty (60) parking spaces dedicated for Pat Rodio Park, and the developers for Mt. Vineyard and The Enclave provided a contribution of \$378 per each net new dwelling unit. The applicant states the “open space will be programmed with open lawns, seating areas and play area facilities to serve future residents and the surrounding community” (Narrative, Page 7). The open space along Cedar Avenue is planned as accessible to the public through public access easements and “contributes to the network of parks and open spaces throughout the city” (Narrative, Page 7). The applicant in Commitment 15 would provide a provision to place four open space areas identified on the master development plan in a public access easement. To that end, the applicant has not included a contribution towards the improvements to City Parks.

Transitional Yards: The transitional yard requirements and the screening requirements are intended to improve compatibility of uses by providing privacy and enhancing the aesthetic transition between uses (Section 4.5.1 of the Zoning Ordinance). According to Section 4.5.5.C, all site area boundaries for a master development plan with PD-M, Planned Development Mixed Use require a transitional yard buffer of fifteen (15) feet. The applicant has requested a modification to reduce the TY3 transitional yard requirement along the northeast property line (Parcel ID 57-1-14-048/10805 Fairfax Boulevard) from 15 feet to 9 feet. Figure 7 (below) illustrates the required transitional yards and the modification request to the transitional yard requirement:

Figure 7: Transitional Yard



Staff recommended that the applicant use an evergreen or a similar planting to mix in with the required trees as a buffer to the existing homes on Oak Street and Second Street because evergreen trees maintain its green foliage year-round, grow fast and can provide screening and privacy between uses. Section 4.5.5.D of the Zoning Ordinance provides the minimum tree plantings as well as the minimum fence or wall height of the TY3 transitional yard specifications along the Subject Property’s boundaries. Table 3 (next page) provides the TY3 requirements and what the applicant has submitted in the Master Development Plan.

Table 3: Transitional Yards

Required by Zoning Ordinance (Section 4.5.5.D)	Provided by the Applicant			
	Transitional Yard A (200 feet)	Transitional Yard B (150 feet)	Transitional Yard C (247 feet)	Transitional Yard D (435 feet)
Minimum Transitional Width – 15 feet (TY3)	15 feet to 9 feet	15 feet	15 feet	15 feet
Minimum Fence or Wall Height (feet) on lot line – 6 feet	6-foot fence	6-foot fence	6-foot fence	6-foot fence
Minimum Canopy Tree (4 per 100 feet)	8 canopy required; 8 canopy provided	6 canopy required; 9 canopy provided	10 canopy required; 5 canopy provided; 11 evergreens provided	18 canopy required; 4 canopy provided; 20 evergreens provided
Minimum Understory Tree (4 per 100 feet)	8 understory required; 8 understory provided	6 understory required; 3 understory provided	10 understory required; 6 understory provided	18 understory required; 14 understory provided
Minimum Shrubs (4 per 100 feet)	8 shrubs required; 8 shrubs provided	6 shrubs required; 6 shrubs provided	10 shrubs required; 10 shrubs provided	18 shrubs required; 18 shrubs provided

A transitional yard buffer of 15 feet (TY3) is required along the site area boundary. Transitional Yard A is approximately 200 feet in length. The applicant is seeking a modification to reduce the width from 15 feet to 9 feet adjacent to an existing commercial use in the CR Commercial Retail district. The applicant intends to maintain the required fencing, quantity, and type of plant species along this boundary line but would reduce the width of the transitional yard. The applicant is proposing a six-foot fence with 8 canopy trees, 8 understory trees and 8 shrubs along the property line.

Transitional Yard B is approximately 150 feet in length. The applicant is proposing a six-foot fence with 9 canopy trees, 3 understory trees and 6 shrubs along the property line.

Transitional Yard C is approximately 247 feet in length. The applicant is proposing a six-foot fence with 5 canopy trees, 6 understory trees and 10 shrubs along the property line. The applicant intends to maintain the required fencing, quantity, and type of plant species along the southern property line adjacent to single-family detached homes along Second Street. At the request of staff, the applicant has included evergreen or a similar planting as a buffer to the existing homes on Oak Street because evergreen trees maintain its green foliage year-round, grow fast and can provide screening and privacy between uses. The applicant would need to include the use of evergreens or a similar planting to the list of modifications on the cover page of the master development plan.

Transitional Yard D is approximately 435 feet in length. The applicant is proposing a six-foot fence with 5 canopy trees, 6 understory trees and 10 shrubs along the property line. The applicant intends to maintain the required fencing, quantity, and type of plant species along the southern property line adjacent to single-family detached homes along Second Street. At the request of staff, the applicant has included an evergreen or a similar planting as a buffer to the existing single-family homes on Second Street because evergreen trees maintain its green foliage year-round, grow fast and can provide screening and privacy between uses. The applicant would need to include the use of evergreens or a similar planting to the list of modifications on the cover page of the master development plan.

The applicant is seeking a modification to the landscape strip and street tree requirements for internal private streets due to site constraints and the urban design of the proposed development. Section 4.5.6.B states “street trees shall be required along all streets at the rate of one canopy tree for every 40 linear feet and spaced a maximum of 50 feet part” and Section 4.5.6.B.1 states “all street trees shall be planted no less than three feet or more than 15 feet from the back of the curb or edge of pavement.” The applicant has provided a ten (10) foot landscape strip along Cedar Avenue, Oak Street and Walnut Street. Table 4 (below) summarizes the number street trees that are required for the proposal.

Table 4: Street Trees

Required by Zoning Ordinance (Section 4.5.6.B)	Provided by the Applicant			
	Fairfax Boulevard (250 feet)	Walnut Street (270 feet)	Cedar Avenue (750 feet)	Oak Street (355 feet)
Minimum Canopy Tree (1 per 40 feet)	6 canopy required; 6 canopy provided; 5 understory provided	10 canopy required; 10 canopy provided	20 canopy required; 21 canopy provided	9 canopy required; 13 canopy provided

The final design for Fairfax Boulevard along the property frontage is a 10-foot wide sidewalk with a 5-foot wide planting strip. The applicant is also required to provide a 10-year minimum tree canopy of ten (10) percent (20,648 sf). The applicant proposes to provide a 10-year minimum tree canopy of 18.5% (37,820 sf) through the combination of tree preservation and new plantings. The table in the landscape plan (Sheet 8) is inaccurate because there are understory trees being counted as street trees. In addition to the inadequate tree count, the location of trees at the northeast corner of Cedar Avenue and Walnut Street may not meet the requirements in Section 4.5.6.B.1 to plant trees no less than three feet or more than 15 feet from the back of the curb or edge of pavement because of the location of the easement and the potential size of the easement. The MDP plan did not provide the size of the easement.

Scale: 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 (4) stories or 45 feet may be considered. The proposed residential development varies in unit type and size. The townhome buildings on the south side of Oak Street are proposed at a height of 38-feet to mid-point of roof with four (4) stories adjacent to the single-family neighborhood on Second Street. All rooftop terraces on the proposed townhouses would be located on the front of the units. The multifamily units (two-over-two condominiums) on the north side of Cedar Avenue are proposed at a height of 49 feet to mid-point of roof with four (4) stories and balconies to the rear of the units. However, the master development plans (Sheet 19 and Sheet 20) submitted do not accurately reflect the building heights as defined by the Zoning Ordinance. Section 1.5.11.A.1 states that “Height is the vertical distance from grade plane, as defined in Section 9.3.1, to the highest point of the roof line of a flat roof, to the deck line of mansard roof, and to the mean height level (midpoint) between eaves and highest ridge point for gable, hip or gambrel roof; as specified in the Virginia Uniform Statewide Building Code (USBC).”

Condominiums are located on the north side of Cedar Avenue with a single access point from Walnut Street, while townhomes are planned to be developed on the south side of Cedar Avenue with a single access point from Oak Street. The townhouses are located to serve as a transition to the single-family neighborhood on

Second Street. The proposed plan has townhouse units facing Cedar Avenue, Walnut Street and Oak Street. The overall residential densities and heights for other approved developments as compared to the subject application are provided in Table 5 (below):

Table 5: Residential Comparisons

Project	Site Area (Acres)	Number of Units	Density	Building Height
Pulte/Breezeway	4.68	62	13.24	38' to mid-point of roof (townhouses) 49' to mid-point of roof (multifamily)
Cameron Glenn	6.23	48	13.3	43'
Madison Mews	1.76	26	14.8	50'
Main Street Residences	4.32	40	9.3	45' 5"
Mayfair	0.93	25	28.5	43'
Metro Church/EYA	3.69	50	13.5	45'
Mount Vineyard	6.11	132	21.6	48' (townhomes), 55' (multifamily)
Paul VI	18.5	266	14.4	40-45' (townhomes) 45' (multifamily), 35' (single family detached)

The townhouse unit dimensions proposed are generally like those in other townhouse developments in the city as shown in Table 6 (below):

Table 6: Townhouse Unit Width Comparison

Project	Total # of TH units	Townhouse Unit Width					
		16'	17'	20'	22'	24'	30'+
Pulte/Breezeway*	42			X	X		
Cameron Glen	48					X	
Madison Mews	26					X	
Main Street Residences	40				X	X	X
Mayfair	25		X	X			
Metro Church/EYA	50	X		X		X	
Mount Vineyard	38				X		
Paul VI	115			X	X	X	

*Includes 20 two-over-two condominium units (20) that are rear loaded with a width of 24 feet

The applicant has proposed 42 front and rear loaded townhouses with widths of 20 feet and 22 feet. The applicant has also proposed 20 rear-loaded two-over-two condominiums (multifamily) at 24 feet in width. The total number of units in the proposed planned development is 62 units. The applicant is seeking a modification to Section 3.5.1.C.2 which states, “No more than two of any 10 or one of any three to five abutting dwelling units having the same front yard setback. Varied front yard setbacks shall not be less than two feet offset from adjoining units as measured at the principal foundation line of each unit and no setback distance shall be less than the required minimum” (Zoning Ordinance, Page 3-14). The applicant states that the desired articulation is achieved through the staggering of front building walls such that no two adjacent townhouses share the same front yard setback.

Transportation

The site has direct access to Fairfax Boulevard, Oak Street, Cedar Avenue and Walnut Street. There are two driveway aprons on Fairfax Boulevard to the existing Breezeway Motel, one driveway apron on the curve of Walnut Street to the existing Fairfax Garden Apartments on the north side of Cedar Avenue, and one driveway apron on the south side of Cedar Avenue for the remaining units at Fairfax Garden Apartments. The single-family home at 3937 Walnut Street has a circular drive with two driveway aprons. The three (3) single-family homes fronting on Oak Street each have a driveway apron. The applicant has proposed to consolidate access points and redistribute vehicle movements by redeveloping the site. The proposed commercial pad would have one access point on Fairfax Boulevard and one access point on Walnut Street. The proposed twenty (20) condominiums have a single access point from Walnut Street. The proposed forty-two (42) townhouses on the south side of Cedar Avenue have a single access point from Oak Street. The applicant has coordinated with the American Legion to align this driveway with the proposed northern access point planned for the redevelopment of the American Legion site.

The applicant is proposing traffic improvements for Walnut Street, Cedar Avenue and Oak Street. First, the applicant is proposing a bulb-out with a pedestrian crossing and seven (7) parallel parking spaces on Walnut Street. Second, the applicant is also proposing a mid-block pedestrian crossing, bulb-outs on both ends of Cedar Avenue and thirty (30) parallel parking spaces on Cedar Avenue by widening the road by three feet. Third, a proposed right-of-way vacation request for the intersection of Walnut Street and Cedar Avenue to remove the triangular shape median with a T-intersection with crosswalks, curb and gutter, ADA compliant curb ramps and curb bump outs, and a stop sign for west bound traffic on Cedar Avenue. These improvements are designed to reduce the speed of motorist on Walnut Street, as well as increase pedestrian safety at the intersection. As a result of this request, a portion of the city owned right-of-way would become a part of the streetscape and open space area on the north side of the proposed development. The southern portion of the right-of-way vacation would become a part of the streetscape and land area for townhouse Units 35-37. Finally, the applicant is proposing to add nine (9) parallel spaces on the west side of Oak Street.

On June 25, 2019, the City's Transportation Division held a scoping meeting with the applicant's engineer to discuss the methodology and ITE data for the Traffic Impact Study (TIS). The objective of the TIS is to evaluate intersections and roadways that potentially would be impacted by the proposed master development plan. The applicant submitted a revised TIS Report, dated October 25, 2021. The TIS Report studied several roadways and intersections that could be impacted by the proposed development such as: Fairfax Boulevard, Main Street, Walnut Street, Cedar Avenue, Oak Street and Second Street. Fairfax Boulevard is classified as an arterial with a five-lane, undivided roadway in the vicinity of the proposed development. The posted speed limit is 35 miles per hour with a center two-way left turn lane. Main Street is also classified as an arterial roadway with a four-lane, divided median roadway in the vicinity of the site. The posted speed limit sign is 35 miles per hour. Walnut Street is a two-lane north-south undivided roadway. Walnut Street provides access to residential and commercial properties south of Fairfax Boulevard. Walnut Street. There is one existing single-family home with access to Walnut Street. The proposal has two access points north of Cedar Avenue from Walnut Street. Cedar Avenue is a two-lane east-west roadway that bisects the subject property. The existing Fairfax Garden Apartments has a curb cut on Cedar Avenue. However, the proposal does not provide an access point on Cedar Avenue. Oak Street is a north-south undivided roadway from Main Street to Fairfax Boulevard. Currently, there are three existing single-family homes with driveways on Oak Street. The proposal consolidates the three access points to one access point on Oak Street. Second Street is a two-lane east-west local street from Fairfax Boulevard to Walnut Street.

The Virginia Administrative Code defines level of service as a qualitative measure describing the operational conditions within a vehicular traffic stream, generally in terms of such service measures as speed, travel time,

freedom to maneuver, traffic interruptions, and comfort and convenience (24 VAC 30-73-10. Definitions). In simple terms, level of service is a measure of traffic flow with A being the best and F being the worst. Table 7 (below) provides the existing level of service for the intersections surrounding the proposed development.

Table 7: Existing Intersection Capacity Summary

Intersections	Intersection Control	Existing LOS	
		AM Peak	PM Peak
Fairfax Blvd & Meredith Dr./Oak St.	Signal	C	B
Fairfax Blvd & Fairchester Dr./Walnut St.	Signal	B	A
Walnut St & Cedar Ave.	Stop	A	A
Walnut St & Second Ave.	Stop	A	A
Oak St & Second Ave.	Stop	A	A
Oak St. & Cedar Ave./Panther Pl.	Stop	A	A

Table 4-1 of the TIS Report shows a couple of approaches to have an unstable flow with operations at capacity (Level E) and a forced or breakdown in flow with traffic volumes more than capacity (LOS F). Overall, the existing level of service for the surrounding streets range from A to C meaning that the traffic flow is free flowing with vehicles almost completely unimpeded in their ability to maneuver within traffic (LOS A) to stable flow with vehicles having freedom to maneuver within traffic is noticeably restricted (LOS C). The applicant has provided a Traffic Impact Study estimating a net difference of 2 AM peak hour trips, 97 PM peak hour trips and 1,237 daily trips upon buildout of the development. Most of the projected trips are generated from the proposed commercial development in Phase Four. Table 8 (below) provides a summary of existing trips and proposed trips:

Table 8: Trip Generation Summary

Land Use		ITE Code	Size	AM Peak Hour	PM Peak Hour	Daily
Existing	Single-Family Detached Homes	210	4	3	4	38
	Multifamily Housing (Low-Rise)	220	6	3	3	44
	Multifamily Housing (Mid-Rise)	221	32	11	15	173
	Motel	320	50	21	21	152
Subtotal Existing Uses				38	43	407
Proposed	Townhomes	220	62	31	41	387
	Commercial (Retail Shopping Center)	820	10 ksf	9	99	1,257
Subtotal Proposed Uses				40	140	1,644
Net Difference				2	97	1,237

The proposed uses would increase the number of daily vehicular trips due to the proposed commercial retail use with a maximum building footprint of 10,010 square feet. Table 9 (next page) summarizes with the future level of service with the proposed development buildout for the intersections surrounding the proposed development and the access points to the site.

Table 9: Future Intersection Capacity Summary

Intersections	Intersection Control	Future LOS	
		AM Peak	PM Peak
Fairfax Blvd & Meredith Dr./Oak St.	Signal	C	B
Fairfax Blvd & Fairchester Dr./Walnut St.	Signal	B	B
Walnut St & Cedar Ave.	Stop	A	A
Walnut St & Second Ave.	Stop	A	A
Oak St & Second Ave.	Stop	A	A
Oak St. & Cedar Ave./Panther Pl.	Stop	A	A
Fairfax Blvd. Access Point	Stop	B	A
Walnut St. Commercial Access Point	Stop	A	A
Walnut St. Residential Access Point	Stop	A	A
Oak St. Residential Access Point	Stop	A	A

Table 7-1 of the TIS Report shows a couple of approaches to have an unstable flow with operations at capacity (Level E) and a forced or breakdown in flow with traffic volumes more than capacity (LOS F). Overall, the existing level of service for the surrounding streets range from A to C meaning that the traffic flow is free flowing with vehicles almost completely unimpeded in their ability to maneuver within traffic (LOS A) to stable flow with vehicles having freedom to maneuver within traffic is noticeably restricted (LOS C). See the Traffic Impact Study (Attachment 10) for observations and conclusions.

Circulation/Pedestrian Access: The applicant proposes access points into the proposed commercial portion of the site from Fairfax Boulevard and Walnut Street. The applicant has proposed only one access point from Walnut Street for the twenty (20) condominiums on the north side of Cedar Avenue. One access point is planned for Oak Street to forty-two (42) townhouses in the southern section of the development. There are no vehicular access points from Cedar Avenue except for an emergency access point to the section of townhomes south of Cedar Avenue. The Public Facilities Manual (PFM) standard in Detail Sheet 401.01 requires a minimum of thirty (30) feet for private accessways. The proposed master development plan has private streets throughout the development that ranges from 22 feet to 24 feet from face of curb to face of curb. Therefore, the applicant is requesting a waiver to this PFM standard. The turning movements shown on Sheet 13 (Emergency Vehicle Access Turning Movements) using the largest emergency vehicle, 403 Fire Ladder Truck with an overall length of 46'-9.25" and overall height of 12'-2" provided has generated concern from the Code Administration/Fire Marshal, in a few areas, such as:

- One movement involves the apparatus driving over the sidewalk on Oak Street.
- The other two movements involve the overhang of the ladder bucket being right at the rear of the parking spaces for Units 35-36, Units 51-52 and across from Unit 53. A pickup or other longer than normal passenger vehicle will likely extend out of the standard dimension parking spot. This will require the apparatus to stop and back up, which is not a desired outcome.
- Staff also has concern with residence parking vehicles in front of garages in alleyways potentially impeding the movement of the largest emergency vehicles.
- Additional turn movements should be provided to adequately determine if the turning movements

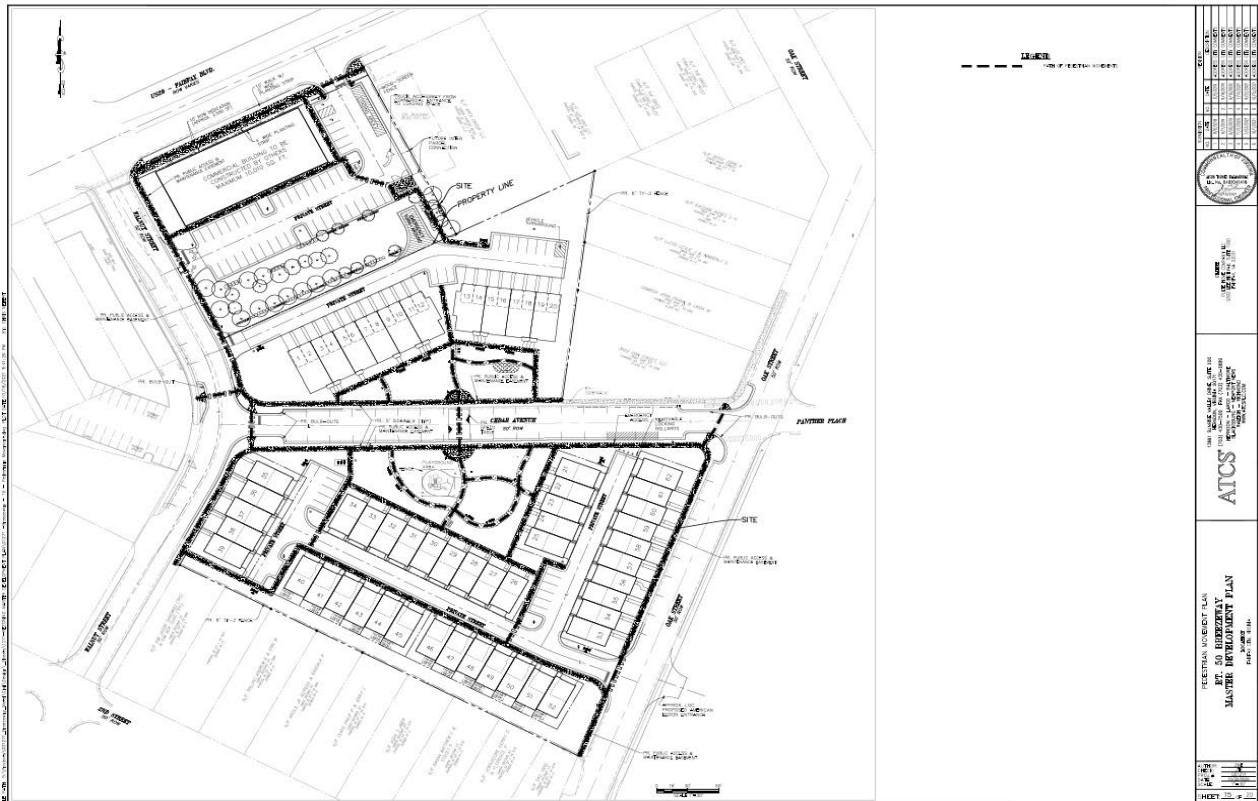
The proposed architecture shows rear decks with posts on all units, even though with conflicts, alternative elevations or clarifications were not provided despite staff pointing out the trucks could not use these private areas to make its maneuvers. Staff also needs clarity from the applicant on whether there are decks with posts over the garage in the southern section of the development. The applicant needs to provide an Emergency

Vehicle Access Turning Movements showing decks over the garage doors on the townhouses. The typical dwelling unit configuration on Sheet 5 should also show the decks over the garage doors. The master development plan does not match the application submitted for the Board of Architectural Review, which shows decks over garages for townhouses. Staff does not support the waiver to Public Facilities Manual (PFM) standard in Detail Sheet 401.01 to reduce the required minimum for private accessways from 30 feet to 22 feet to 24 feet. The applicant has proposed an emergency access point with removable locking bollards on the south side of Cedar Avenue in alignment with the private internal street between Units 21-25 and Units 52-62.

The applicant is proposing an emergency turnaround on the north side of Cedar Avenue to accommodate an emergency vehicle. The applicant is seeking a waiver to the Section 2.4.1 of the PFM for private access ways to have a minimum horizontal radius of 175. The proposed waiver of the required horizontal radius applies to a section of the internal private street in the northern portion of the proposed development between Units 12 and 13 as identified on the MDP. Staff would need to further evaluate whether this waiver is needed if the street width requirement is met. The applicant has provided an exhibit that shows the largest apparatus accessing the site. The Fire Marshal has reviewed the exhibit and concurs that the plan works. The applicant would need to update the master development plan prior to the City Council hearing.

Consistent with the multimodal plan, the applicant is proposing sidewalks that are five (5) foot wide internal to the site and five (5) foot wide sidewalks on Cedar Avenue, Walnut Street and Oak Street. The applicant is proposing to install a mid-block pedestrian crosswalk on Cedar Avenue. A crosswalk on the east side of Walnut Street crossing Cedar Avenue, a crosswalk on Walnut Street north of Cedar Avenue, and a crosswalk west of Oak Street across Cedar Avenue. Figure 8 (below) illustrates the pedestrian connections for the proposed master development plan.

Figure 8: Pedestrian Movement Plan



The applicant is seeking a modification to the sidewalk requirement for both sides of all streets internal to the site. This modification applies to all private streets within the proposed development. All units have a connection to five (5) foot sidewalk in the front of the unit or in the case of Units 40-52 to the private street creating a continuous pedestrian connection throughout the site. The Master Development Plan depicts a pedestrian connection from the two-over-two condominiums near the eastern property line and a pedestrian connection along Walnut Street to the commercial area. There is an existing crosswalk on Walnut Street and Fairfax Boulevard, and an existing crosswalk from the south side to the north side of Fairfax Boulevard. In Phase Three (Interim Plan), the applicant proposes to keep the existing sidewalk along Walnut Street in its existing condition and to remain open for pedestrian access until the final streetscape improvements are completed in Phase Four. In addition to keeping the existing sidewalk on Walnut Street, the applicant proposes a ten-foot asphalt trail in Phase Three until the final streetscape improvements are made in Phase Four. As recommended by the Multi-Modal Plan, a ten (10) foot wide sidewalk or multiuse path on Fairfax Boulevard would be installed in Phase Four of the project.

Inter-parcel connection: As part of Phase Four, the applicant is proposing a future inter-parcel connection for pedestrians and vehicles with the adjacent commercial property (Parcel ID # 57-1-14-048) to the east on Fairfax Boulevard as required by Section 4.3.3.B which states “Vehicular access shall be required between abutting nonresidential lots fronting on arterial and collector streets prior to the erection or establishment of a principal building on one of the lots in order to facilitate traffic flow between lots, except where topography or other physical conditions make such access unreasonable. The zoning administrator shall determine the location and dimensions of such easement based on public safety and convenience, not owner preference.”

Parking: Residential units are required two (2) parking spaces per unit. The applicant has proposed forty-two townhouses with two (2) parking spaces each with a total of 84 spaces. The two-over-two condominiums have one (1) car garage and one (1) tandem driveway space for a total of 20 spaces. Section 4.2.4.B.1 of the Zoning Ordinance allows tandem parking for townhouses duplex and single-family homes. However, the Zoning Ordinance prohibits tandem parking from occurring with multifamily units. The applicant is seeking a modification to Section 4.2.4.B.1 of the Zoning Ordinance to allow tandem parking for the two-over-two stacked condominium multifamily units. Tandem parking is common for the unit type as it serves for parking individual homeowners of these units. The applicant has developed a similar product in Mt. Vineyard. Staff supports the modification to allow tandem parking for the multifamily units on the north side of Cedar Avenue. The applicant has provided twenty-two additional surface parking spaces throughout the residential portion of the proposed plan.

The proposed commercial building footprint with a limited number of uses as proposed has a maximum of 10,010 square feet and a maximum of 44 parking spaces. The development plan shows a 10,010 square foot commercial building pad situated along the front property line with 90-degree parking to the east side and rear of the building, a commercial entrance on the east side of the building from Fairfax Boulevard with a driveway aisle of 24 feet, as well as a loading area of 10 feet in width. The plan also shows a commercial entrance south of the building from Walnut Street. The owner of Tax Map Parcel 57-1-14-043 would be required to obtain approval of a Major Certificate of Appropriateness, site plan approval, building permits and other necessary approvals. Table 10 (next page) summarizes the required parking requirements and proposed parking spaces provided by the applicant:

Table 10: Parking Requirements

Use	Units	Zoning Requirement	Required Spaces	Provided Spaces
Townhomes	42	2 spaces/unit	84	84
Condominiums	20	2 spaces/unit	40	40
Surface Parking	N/A	N/A	N/A	22
Commercial	8,000 – 10,010 sf Retail/Restaurant	1:200	50	44
Total				190

The size and use or mix of uses in the commercial building may vary provided that the parking does not exceed 44 spaces in compliance with Section 4.2.3.E of the Zoning Ordinance. In addition to the parking spaces on site, the applicant proposes thirty (30) parallel spaces on Cedar Avenue, nine (9) parallel spaces on Oak Street and seven (7) Walnut Street. However, on-street parking on a city road may not be included in parking calculations for the development. The subject property is in a residential parking district with some restrictions. Parking is restricted to residents with permits from 7 am to 4 pm from Monday through Friday on Oak Street and Second Street. Otherwise, parking is available evenings and on weekends. On-street parking is prohibited along Walnut Street and Panther Place.

Bicycle Parking: Bicycle parking and storage facilities are required for all non-residential uses and multifamily uses. This proposal requires five (5) bicycle parking spaces. The applicant has provided 7 bicycle spaces for the proposed commercial building, 8 bicycle spaces for the proposed two-over-two condominiums, and 12 bicycle spaces for the proposed townhouses.

Utilities: All on-site utilities shall be installed underground at the applicant’s expense in accordance with City and applicable utility company standards; provided that temporary overhead facilities required for construction purposes shall be permitted (Section 4.11.B). When the proposed development will result in moving or relocating existing overhead utilities located in adjoining rights-of-way, the applicant shall be responsible for placing such utilities underground and dedicating any additional right-of-way or easement that is necessary. Equipment such as electric distribution transformers, switch gear, meter pedestals and telephone pedestals which is normally installed above ground in accordance with generally accepted utility practice for underground distribution may be so installed (Section 4.11.C). Phase Two would include the removal or undergrounding of existing overhead utilities on the subject property or along the frontage. All utilities would be installed underground for this land use application. The applicant has provided a commitment on utilities that states, “All new on-site utilities constructed with each phase of development will be located underground. All existing overhead utilities on the Subject Property will be either removed or relocated underground as depicted on the MDP. In conjunction with the utility undergrounding or relocation the Applicant will coordinate as necessary with any affected abutting or surrounding property owners.” (Attachment 6, Summary of Commitment).

Stormwater Management: Storm drainage facilities which must be provided by landowners to control rainfall runoff from and across their property in a manner not detrimental to other inhabitants of the city and to preserve, where possible, presently existing natural creek channels. It is the further purpose of Section 4.16 to minimize the adverse effects of stormwater runoff on downstream drainageways within the city (Zoning Ordinance, Section 4.16.1.A, Page 4-159). The site currently does not have an existing stormwater management system due to the age of the existing structures and development requirements at the time of development. The proposed development would install three underground facilities as shown on the master

development plan. The applicant states that these facilities have been designed within the context of the landscaping and overall site design.

The proposed public stormwater easement (Sheet 9) on the northeast corner of Cedar Avenue and Walnut Street maybe in conflict with the plantings shown on Landscape Plan (Sheet 8) requiring an administrative action if the easement sizes need to be increased. The current plan does not provide a measurement of the size of the easement.

City Schools: Providence Elementary School (PES) has a capacity of 910 students. The school is at 100% capacity utilization. According to Fairfax County Public Schools FY21 Approved Capital Improvement Program, Providence's projected membership for the next four years is over 1,000 students, placing the school as much as 111% overcapacity. That is a moderate capacity deficit without further residential development or other membership or boundary adjustments. Providence ES currently has two trailers; both are used as resource rooms. Providence's Special Use Permit for the trailers was renewed in November 2019 for five years. It is projected that the Breezeway development student yield ratio will be .230. According to City staff's projections, the Breezeway project will generate 15 students. While that number appears manageable, the combined yields of other planned residential projects such as Northfax and the American Legion potentially equal up to 63 students (2-3 additional classrooms). This will contribute to Providence remaining overcapacity. Moreover, this exacerbates the need for trailers on the Providence grounds and/or reconfiguring interior space at the school. City Schools staff and Board remain concerned with the residential planning projects attribution to capacity deficit and overcrowding at Providence Elementary School. The applicant has not included a contribution towards mitigation of impacts to City Schools.

Recommendation

1. Staff recommends conditional approval of the Zoning Map Amendment (Rezoning) with modifications to the Zoning Ordinance, Subdivision Ordinance and Public Facilities Manual from CR Commercial Retail, RMF Multifamily and RH Residential High to PD-M Planned Development Mixed Use.
 - a. The applicant shall amend the master development plan to demonstrate adequate turning movements for fire and emergency access throughout the proposed development
 - b. The applicant shall modify the site design on the master development plan to save tree #59, or demonstrate why the site improvements cannot be changed so that the tree can be saved.
 - c. The applicant shall revise the landscape plan in the master development plan to accurately reflect the number of trees provided.
 - d. The applicant shall provide clarity in the phasing description between proposed master development plan, narrative and commitments.
 - e. The applicant shall demonstrate compliance with the zoning ordinance for the screening of mechanical units.
 - f. The applicant shall modify the master development plan to accurately reflect the maximum height that is proposed.
 - g. The applicant shall provide a notice of 120 days to tenants in accordance with the Code of Virginia § 55.1-1410.
 - h. The applicant shall use additional evergreens or a similar planting to mix in with the required trees for all property boundaries abutting all single-family homes.
 - i. The applicant shall update the transitional yard modification request to include the property lines adjacent to existing single-family homes on the cover sheet for the master development plan, as well as to the list of modifications in the narrative.

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 – Analysis.

Attachments

- A01 – Analysis
- A02 – Summary of Zoning Districts
- A03 – Planned Development District Application
- A04 – Narrative
- A05 – Master Development Plan
- A06 – Summary of Commitments
- A07 – Commercial Marketing Plan – Exhibit A
- A08 – Tenant Relocation Assistance Plan – Exhibit B
- A09 – Certified Plat
- A10 – Traffic Impact Study
- A11 – Right-of-Way Vacation Plat
- A12 – Fiscal Impact Analysis
- A13 – Posting and Notices
- A14 – Board of Architectural Review Staff Report
- A15 – Order and Motions – List
- A15A – Sample Motions
- A16 – Ordinance

PREPARED BY:



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Director, Community Development & Planning

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**ATTACHMENT 1
ANALYSIS
(Z-18-00539)**

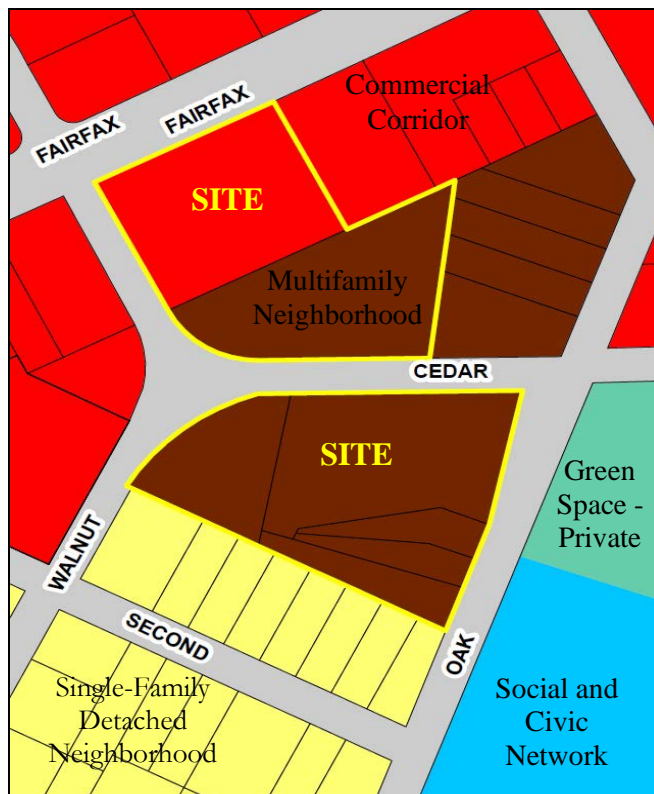
This attachment contains staff analysis on the submitted proposal for the redevelopment of the Breezeway site. It is divided into three primary sections:

- 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 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. The applicant is seeking to build a mixed-use development that is comprised of four phases as stated in the Narrative, detailed in the Master Development Plan and in the Summary of Commitments. To develop this project, the applicant seeks a Zoning Map Amendment (Rezoning) from RH Residential High, RMF Multifamily, and CR Commercial Retail to PD-M Planned Development Mixed Use in the Architectural Control Overlay District. This proposal does not require a Comprehensive Plan Amendment. The subject site is overlaid on the Future Land Use Map from the Comprehensive Plan in Figure 1 (below):

Figure 1: Comprehensive Plan



The proposed development would be consistent with the Comprehensive Plan Place Type of Multifamily Neighborhood with a mixture of multifamily and townhouses, and in the Commercial Corridor Place Type a commercial building footprint ranging from 8,000 sf to 10,010 sf is planned to be constructed by others. The Multifamily Neighborhood Place Type, identified in brown in the Future Land Use Map, applies to neighborhoods that are primarily developed with multifamily apartment or multifamily condominium housing. Townhouse/Single-Family Attached Neighborhood uses, and Single-Family Detached Neighborhood uses may be considered in the Multifamily Neighborhood Place Type when developed in conjunction with Multifamily Neighborhood uses (Comprehensive Plan, Page 30).

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. To retain the relative affordability available in many existing multifamily structures, redevelopment of existing multifamily sites within Multifamily Neighborhood land use areas, where additional density is permitted by the Zoning Ordinance, should consider accommodating existing multifamily structures. Predicated on the underlying zoning district, the Multifamily Neighborhood Place Type supports up to 20 dwelling units per acre and a maximum height of 4 stories/45 feet (Comprehensive Plan, Page 30). The height and type of units adjacent to single-family neighborhoods is consistent with the Comprehensive Plan.

Commercial Corridor Place Type, identified in red on the Future Land Use Map, includes a mix of retail, restaurant, service, medical, office, and other commercial uses. Limited manufacturing and other light industrial uses may also be considered. Heavy industrial uses should not be added or expanded beyond areas where they currently exist (such as the tank farm on Pickett Road). Residential uses are not recommended in Commercial Corridors. Commercial areas should accommodate access via a variety of transportation modes and be accessible to adjacent neighborhoods via pedestrian and bicycling facilities (Comprehensive Plan, Page 31). The commercial portion is approximately 1.14-acres with a depth of approximately 200 feet and width of approximately 250 feet prior to the 10-foot right-of-way dedication for Fairfax Boulevard.

Phase One of the Master Development Plan is the demolition of all structures and improvements on site. In Phase Two, the applicant is proposing 42 townhouse units and 20 multifamily two-over-two units on 3.49 +/- acres with a density of 13.24 dwelling units per acre. Density is calculated as the number of dwelling units per gross acre located within the development site. The Multifamily Neighborhood Place Type has a maximum density of 20 dwelling units per acre. The proposed density in the Multifamily Neighborhood Place Type area alone is 17.7 du/acre. The townhouse buildings on the south side of Oak Street are proposed at approximately 38 feet to mid-point of roof with four (4) stories adjacent to the single-family neighborhood on Second Street. The multifamily units (two-over-two condominiums) on the north side of Cedar Avenue are proposed at a height of 49 feet to mid-point of roof with four (4) stories. The height diagram provided in the MDP has incorrect building heights.

Phase Three is the interim improvements of clearing, grading, and seeding of the commercial site for Phase Four. Phase Four to be constructed by others consists of a future commercial building (8,000 sf to 10,010 sf) and associated infrastructure, utilities, stormwater management facilities and open space of the Master Development Plan. The owner of Tax Map Parcel 57-1-14-043 would be required to obtain approval of a Major Certificate of Appropriateness, site plan approval, building permit and other necessary approvals. Phase Four also excludes certain uses in Section 3.8.4 of the Zoning Ordinance. Parking standards for Phase Four are dependent upon the uses and parking requirements in Section 4.2.3.E of the Zoning Ordinance. The size

and mix of uses are intended to not require more than 44 parking spaces as shown on the MDP. Parcels of this size typically can accommodate retail, office, restaurant, and other shopping center uses. At this time, a developer or use has not been identified for Phase Four. The applicant has dedicated 10 feet (approximately 2,500 square feet) of road frontage on Fairfax Boulevard to meet the 100-foot right-of-way requirement prescribed by the Comprehensive Plan and Public Facilities Manual.

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:

The housing component of the proposed plan is in the Multifamily Neighborhood Place Type and provides a transitional use from the existing commercial uses and proposed commercial building on Fairfax Boulevard to the single-family detached homes fronting on Second Street, and single-family detached and attached homes on Oak Street north of Cedar Avenue. Twenty (20) stacked condominiums units are planned for the north side of Cedar Avenue with a height of 49 feet. Forty-two (42) townhomes are proposed on the south side of Cedar Avenue at 38 feet in height and four stories. Building heights shown in the MDP are incorrect and need to be updated before the City Council hearing. The applicant has provided staff with supplemental information stating that the building height for the townhouses are proposed at approximately 40 feet in height and the two-over-two condominiums at approximately 51 feet in height. The proposed residential portion of the plan is generally conforming to the Comprehensive Plan Place Types with respect to use and density. The heights provided in the MDP are incorrectly shown. The fourth floor of each townhome unit includes a front facing private terrace. A transitional yard of fifteen (15) feet with a six-foot fence is proposed to abut the single-family detached homes on Second Street and the single-family detached and attached homes on Oak Street north of Cedar Avenue.

The applicant is proposing traffic improvements for Walnut Street, Cedar Avenue and Oak Street. First, the applicant is proposing a bulb-out with a pedestrian crossing and seven (7) parallel parking spaces on Walnut Street. Second, the applicant is also proposing a mid-block pedestrian crossing, bulb-outs on both ends of Cedar Avenue and thirty (30) parallel parking spaces on Cedar Avenue by widening the road by three feet. Third, a proposed right-of-way vacation request for the intersection of Walnut Street and Cedar Avenue to remove the triangular shape median with a T-intersection with crosswalks, curb and gutter, ADA compliant curb ramps and curb bump outs, and a stop sign for west bound traffic on Cedar Avenue. These improvements

are designed to reduce the speed of motorist on Walnut Street, as well as increase pedestrian safety at the intersection. As a result of this request, a portion of the city owned right-of-way would become a part of the streetscape and open space area on the north side of the proposed development. The southern portion of the right-of-way vacation would become a part of the streetscape and land area for townhouse Units 35-37. Finally, the applicant is proposing to add nine (9) parallel spaces on the west side of Oak Street.

The pedestrian network provided in the Master Development Plan is consistent with the Comprehensive Plan and the Zoning Ordinance. The applicant is proposing pedestrian improvements on the west side of Oak Street, both sides of Cedar Avenue, the east side of Walnut Street and on the south side of Fairfax Boulevard. Crosswalks are proposed for a mid-block connection on Cedar Avenue and on the east side of Walnut Street crossing Cedar Avenue. A crosswalk is also proposed for Walnut Street just north of the intersection of Cedar Avenue. Likewise, the applicant has proposed a sidewalk along Walnut Street to the commercial area. Internal sidewalks connect the units on the southern portion and northern portion of the site to open space on Cedar Avenue. The applicant is seeking a modification to the sidewalk requirement for both sides of all streets internal to the site. This modification applies to all private streets within the proposed development. All units have a connection to a five (5) foot sidewalk in the front of the unit or in the case of Units 40-52 to the private street creating a continuous pedestrian connection throughout the site. The applicant proposes a pedestrian walkway near the eastern property line from the condominiums in Phase Two to the proposed commercial development in Phase Four of the plan. As recommended by the Multi-Modal Plan, a ten (10) foot wide sidewalk along Fairfax Boulevard would be installed along with the commercial building and associated improvements as part of Phase Four. There is an existing crosswalk on Walnut Street and Fairfax Boulevard, and an existing crosswalk from the south side to the north side of Fairfax Boulevard.

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 has proposed to improve the existing pedestrian connections along the property street frontage of Oak Street, Walnut Street, Cedar Avenue and Fairfax Boulevard. The current sidewalk along the property frontage on Oak Street, Walnut Street and Cedar Avenue is four (4) feet in width and the proposed improvements include a five (5) foot concrete sidewalk and a ten (10) foot landscape strip. The existing sidewalk on Fairfax Boulevard is six (6) feet and the proposed sidewalk is ten (10) feet with a five (5) foot wide planting strip. The proposed 10-foot sidewalk on Fairfax Boulevard is consistent with the Multi-Modal Plan, as well as the five-foot sidewalk on Oak Street, Cedar Avenue and Walnut Street. Oak Street and Cedar Avenue are classified as limited connection residential streets in the Multi-Modal Plan. Walnut Street is classified as a neighborhood circulator in the Multi-Modal Plan. The applicant is proposing to install a mid-block pedestrian crosswalk on Cedar Avenue that connects the north and south side of the development. At this connection point on the north side of Cedar Avenue, the applicant proposes a pocket park with a plaza, benches, sidewalks, and picnic area. On the south side of Cedar Avenue, the applicant proposes a pocket park with a plaza, benches, sidewalks, tot lot with seating area, and a bicycle rack. A proposed right-of-way vacation request for the intersection of Walnut Street and Cedar Avenue to remove the triangular shape median with a T-intersection with crosswalks, curb and gutter, ADA compliant curb ramps and curb bump outs, and a stop sign for west bound traffic on Cedar Avenue. These improvements are designed to reduce the speed of motorist on Walnut Street, as well as increase pedestrian safety at the intersection.

Commercial Corridors

Goal 1 – Enhance commercial corridors.

Outcome CCAC1.1: Commercial Corridors with attractive physical characteristics that provide shopping, dining, services, and other businesses.

Action CCAC1.1.1: Encourage commercial redevelopment that offers amenities and atmosphere to attract top-tier commercial tenants.

Action CCAC1.1.2: Identify underutilized properties (i.e., buildings assessed at considerably less than the total property value) and, working with the City’s Economic Development Authority, encourage redevelopment.

Action CCAC1.1.3: Encourage creativity and architectural excellence in new commercial developments.

Action CCAC1.1.5: Encourage tree-lined and heavily landscaped property edges, particularly where surface parking is adjacent to the public rights-of-way.

Action CCAC1.1.6: Provide pedestrian and bicycle connections to nearby neighborhoods.

Outcome CCAC1.2: Tenants representing diverse business sectors that meet current and emerging trends in neighborhood-serving retail, service, and other business demands.

Action CCAC1.2.1: Strengthen existing retail businesses and expand choices to capture retail spending by residents.

Action CCAC1.2.2: Create a marketing plan to generate excitement about the current retail and service offerings.

Staff Analysis:

The non-residential component of the proposed plan is located at the southeast corner of Fairfax Boulevard and Walnut Street. The parcel size, depth and width of the Commercial Corridor is more than adequate to support commercial uses on Fairfax Boulevard. The parcel is approximately 1.14-acres with a depth of approximately 200 feet and width of approximately 250 feet prior to the proposed 10-foot right-of-way dedication for Fairfax Boulevard. The development plan shows a 10,010 square foot commercial building pad situated along the front property line with 90-degree parking (maximum of 44 spaces) to the east side and rear of the building, a commercial entrance on the east side of the building from Fairfax Boulevard with a driveway aisle of 24 feet, as well as a loading area of 10 feet in width. The plan also shows a commercial entrance south of the building from Walnut Street. Phase Four excludes certain uses in Section 3.8.4 of the Zoning Ordinance and the excluded uses are identified in the Summary of Commitments (Attachment 6). Parking standards for Phase Four are dependent upon the uses and parking requirements in Section 4.2.3.E of the Zoning Ordinance. While the preference would be for the commercial development to be in conjunction with the residential use, the plan does present a strategy of a pad site that would accommodate a development based on the MDP. This plan is consistent with the Commercial Corridor Place Type. However, the owner of Tax Map Parcel 57-1-14-043 would be required to obtain approval of a Major Certificate of Appropriateness, site plan approval, building permits and other necessary approvals. The applicant has submitted a Commercial Marketing Plan (Attachment 7) for the Breezeway Motel site.

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.

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.

Outcome H2.2: Preservation of and reinvestment in the City's existing supply of affordable multifamily rental housing units.

Staff Analysis:

The applicant is providing a housing type that is underrepresented in the City's existing stock of housing units (Outcome H1.1). Figure 12 (Housing Units by Type) illustrates that 50% of the city's housing stock is comprised of single-family detached/ townhomes, 36% with multifamily and 13% with townhouses (Comprehensive Plan, Pg. 55). Phase Two is proposed as forty-two (42) townhouses and twenty (20) multifamily (two-over-two stacked condominiums). The applicant does not have any information on whether the existing 38 multifamily units would meet the standard of naturally occurring affordable housing. The initial application was received on August 6, 2018, prior to the adoption of the Affordable Dwelling Unit (ADU) ordinance and the applicant has indicated that the proposal does not include any affordable units (Outcome H2.1). The applicant has provided a voluntary development contribution of \$237,524 towards the City's Affordable Housing Trust Fund. In addition to the contribution, the applicant would provide written notice to tenants of Fairfax Gardens Apartments as outlined in the Tenant Relocation Assistance Plan attached to this report. The applicant would provide moving expenses in the amount of \$800.00 for a one-bedroom unit and \$1,000.00 for two- and three-bedroom units. Staff recommends the tenant relocation plan provide 120 days notice to tenants in accordance with the Code of Virginia § 55.1-1410.

Multimodal Transportation

Goal 1 – Connect with the region.

Outcome MM1.2: Safety and operations in the regional network are improved.

Action MM1.2.2 Simplify multi-leg and offset intersections, such as the intersection of McLean Avenue, Warwick Avenue, and Fairfax Boulevard.

Action MM1.2.3 Address safety and operational deficiencies at major intersections, such as the intersection of Eaton Place and Chain Bridge Road.

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.

Outcome MM2.3 Bicycle network, facilities, and programs are improved.

Action MM2.3.3 Expand the provision of bicycle racks for short-term bicycle parking.

Staff Analysis:

The site has direct access to Fairfax Boulevard, Oak Street, Cedar Avenue and Walnut Street. The applicant has proposed to consolidate access points and redistribute vehicle movements by redeveloping the site. The proposed commercial pad would have one access point on Fairfax Boulevard and one access point on Walnut Street. The proposed twenty (20) condominiums have a single access point from Walnut Street. The proposed forty-two (42) townhouses on the south side of Cedar Avenue have a single access point from Oak Street. This proposed access point is offset from the proposed northern access point planned for the redevelopment of the American Legion site.

The applicant is proposing traffic improvements for Walnut Street, Cedar Avenue and Oak Street. First, the applicant is proposing a bulb-out with a pedestrian crossing and seven (7) parallel parking spaces on Walnut Street. Second, the applicant is also proposing a mid-block pedestrian crossing, bulb-outs on both ends of Cedar Avenue and thirty (30) parallel parking spaces on Cedar Avenue by widening the road by three feet. Third, a city right-of-way vacation request for the intersection of Walnut Street and Cedar Avenue to remove the triangular shape median with a T-intersection with crosswalks, curb and gutter, ADA compliant curb ramps and curb bump outs, and a stop sign for west bound traffic on Cedar Avenue. These improvements are designed to reduce the speed of motorist on Walnut Street, as well as increase pedestrian safety at the intersection. As a result of this request, a portion of the city owned right-of-way would become a part of the streetscape and open space area on the north side of the proposed development. The southern portion of the right-of-way vacation would become a part of the streetscape and land area for townhouse Units 35-37. Finally, the applicant is proposing to add nine (9) parallel spaces on the west side of Oak Street.

Staff believes that the pedestrian network provided in the Master Development Plan is consistent with the Comprehensive Plan and the Zoning Ordinance. The applicant is proposing pedestrian improvements on the west side of Oak Street, both sides of Cedar Avenue, the east side of Walnut Street and on the south side of Fairfax Boulevard. Crosswalks are proposed for a mid-block connection on Cedar Avenue and on the east side of Walnut Street crossing Cedar Avenue. A crosswalk is also proposed for Walnut Street just north of the intersection of Cedar Avenue. Likewise, the applicant has proposed a sidewalk along Walnut Street to the commercial area. Internal sidewalks connect the units on the southern portion and northern portion of the site to open space on Cedar Avenue. The applicant is seeking a modification to the sidewalk requirement for both sides of all streets internal to the site. This modification applies to all private streets within the proposed development. All units have a connection to a five (5) foot sidewalk in the front of the unit or in the case of Units 40-52 to the private street creating a continuous pedestrian connection throughout the site. The applicant proposes a pedestrian walkway near the eastern property line from the condominiums in Phase Two to the proposed commercial development in Phase Four of the plan. As recommended by the Multi-Modal Plan, a ten (10) foot wide sidewalk along Fairfax Boulevard would be installed along with the commercial building and associated improvements as part of Phase Four. There is an existing crosswalk on Walnut Street and Fairfax Boulevard, and an existing crosswalk from the south side to the north side of Fairfax Boulevard.

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 subject property is located within a 1/2-mile and to the east of Kamp Washington Activity Center. There is an existing sidewalk network from Fairfax Heights Subdivision to Kamp Washington. The applicant has proposed to improve the overall pedestrian environment by meeting the elements outline in Action MM3.2.4. The applicant has provided a landscape plan, a pedestrian movements plan, and detail sheet with lighting fixtures and furnishes as part of the Master Development Plan. Landscape plan illustrates a ten-foot landscape strip from the back of a five-foot sidewalk on all public streets. Sidewalks also have a separation of approximately four (4) feet from the back of curb.

The applicant has proposed to improve the existing pedestrian connections along the property street frontage of Oak Street, Walnut Street, Cedar Avenue and Fairfax Boulevard. The current sidewalk along the property frontage on Oak Street, Walnut Street and Cedar Avenue is four (4) feet in width and the proposed improvements include a five (5) foot concrete sidewalk and a ten (10) foot landscape strip. The existing sidewalk on Fairfax Boulevard is six (6) feet and the proposed sidewalk is ten (10) feet with a five (5) foot wide planting strip. The applicant is proposing to dedicate ten feet (approximately 2,500 square feet) of right-of-way along Fairfax Boulevard that is consistent with the Comprehensive Plan and the requirements of Public Facilities Manual (PFM). The applicant is not providing Transportation Demand Management strategies or contributions.

Parks and Recreation

Goal 1 – Develop high-quality park infrastructure.

Outcome PR1.1: A well-connected system of parks that provides citizens with healthy choices for recreation.

Action PR1.1.1 Identify and address gaps in the connections between the City's parks and open space.

Action PR1.1.2 Identify opportunities for future open space in neighborhoods that are undersupplied in public recreation and open space opportunities.

Action PR1.1.3 Enhance public access to parks and recreational facilities by making necessary infrastructure improvements.

Staff Analysis:

The Planned Development Districts require at least twenty (20) percent of the site to be designated as recreation and open space for use and enjoyment of the residents and occupants of the development. The applicant proposes five (5) areas of open space for a total of 0.944 acres (41,120 sf) or 20.2% of the recreation and open space that qualifies for the minimum width of 50 feet. The overall site has 23.5% (47,936 sf) of open space, which includes areas that are less than the required 50 feet (Section 3.8.7.B.3 of the Zoning Ordinance). The Zoning Ordinance also requires at least 60% of the required open space be contiguous, however, it may be bisected by a residential street. Open space is programmed as an amenity area on the north side of Cedar Avenue abutting twenty (20) stacked, rear-loaded two-over-two condominiums and on south side of Cedar Avenue abutting fourteen (14) rear-loaded townhouse units, at the northeast corner at Cedar Avenue and Walnut Street, north of the private drive and south of the proposed commercial building footprint, and in the northeast corner of the site near the emergency turnaround for the multifamily units. Four of these areas are accessible to the public through an access easement that is described in Commitment 15

(Attachment 6) and shown on Sheet 10 of the master development plan. These areas are landscaped areas and do not provide organized athletic fields or some other uses, therefore City Parks staff has asked the applicant to mitigate impacts to city parks at \$378 per each net new dwelling unit and the applicant has chosen not to provide a contribution.

Environmental

Goal 1 – Preserve, promote, and enhance a healthy environment.

Outcome NE1.5: Restored and preserved natural open spaces and contiguous greenway corridors that provide natural habitats for plants and wildlife.

Action NE1.5.3 Encourage new development that protects and preserves environmentally-sensitive areas and natural features, such as tree cover (especially significant stands of trees and healthy, mature trees), native vegetation, streams, wildlife habitat, and natural topography.

Staff Analysis:

The applicant has provided a landscaping plan with a tree canopy of 18.5% (37,820 sf) exceeding the required 10% tree canopy requirement that includes the preservation of existing trees, plantings in the transitional yards, street trees, parking lot landscaping, within the open space areas, and the landscape buffer between the two-over-two condominium units and the proposed commercial building. The overall impervious surface area would increase from 2.23 +/- acres to 2.90 +/- acres with the build out of the proposed development. The Planned Development Mixed Use District does not have a maximum lot coverage, but CR Commercial Retail has a maximum lot coverage of 85% and RMF Residential Multifamily has a maximum lot coverage of 80% as a comparison. Staff has provided comments on the number of trees being preserved and tree planned to be removed, inquired if more trees could be preserved and noted that trees in previous versions of the plan called out trees to be saved would be impacted by the proposed development design. Tree #89 is example of a tree that would be preserved but could be impacted by the proposed development design.

The applicant has requested a modification to the landscape strip requirement and tree requirements along internal private streets (Section 4.5.6.B of the Zoning Ordinance). The applicant is seeking this modification to eliminate the 10-foot planting strip for interior private streets. Staff supports the modification because it is not uncommon for private alleyways in the interior of the site and between units to be void of landscaping. Likewise, the same modification to the private street leading to the two-over-two condominiums is appropriate as each driveway connects the units to the private street, which would impact the 10-foot landscape strip. The applicant attributes the need for the modification due to site constraints and the urban character of the project.

Additionally, the applicant is seeking a modification to the 15-foot transitional bufferyard in the northeast corner of the site abutting Tax Map Parcel 57-1-14-048. The abutting property to the east of the Breezeway Motel is an existing commercial business with a commercial zoning district. The applicant is seeking to reduce the required transitional yard from 15-foot to 9 feet with eight (8) canopy trees, eight (8) understory trees, eight (8) shrubs, and a six (6) foot fence. Staff supports the reduction in the width of the transitional yard as the transitional yard abuts an existing commercial development in the CR Commercial Retail district. Staff also supports the use of evergreens or a similar planting mixed into the transitional yard along the southern property line abutting the single-family homes on Second Street. However, the applicant would need to add this to the transitional yard modification request on the cover sheet for the master development plan, as well as to the list of modifications in the narrative. The depth of the transitional yard would remain at the required 15 feet but would be denser with evergreens.

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. Utilities
8. Open Space
9. Tree Coverage
10. Fiscal Impact

Land Use

The current land use designations for the site are Commercial Corridor and Multifamily Neighborhood. Guidance from the Comprehensive Plan for the two land use place types are provided below with a description of the physical characteristics.

Commercial Corridor Place Type

The Commercial Corridor Place Type, identified in red on the Future Land Use Map, includes a mix of retail, restaurant, service, medical, office, and other commercial uses. Limited manufacturing and other light industrial uses may also be considered. Heavy industrial uses should not be added or expanded beyond areas where they currently exist (such as the tank farm on Pickett Road). Residential uses are not recommended in Commercial Corridors. Commercial areas should accommodate access via a variety of transportation modes and be accessible to adjacent neighborhoods via pedestrian and bicycling facilities.

Commercial Corridor Place Types can accommodate a variety of buildings from small footprint retail buildings to multi-story office buildings. The desired orientation and placement of buildings on a Commercial Corridor site is primarily dependent on the adjacent Street Type. For sites located along Commercial Mains, buildings should have similar setbacks and building orientation as recommended for the nearby Activity Centers. Parking is encouraged in above-ground structures or underground, should be provided to the side or rear of buildings, and should be screened from view from the right-of-way by building mass or landscaping. For sites located along Boulevards or other street types, buildings should be located near front property lines with parking provided to the side or rear. Direct pedestrian access should be provided from the sidewalk in the right-of-way to primary building entrances. Predicated on the underlying zoning district, the Commercial Corridor Place Type supports a density of a minimum Floor Area Ratio (FAR) of 0.4 for commercial development and a maximum building height of 3 stories/35 feet to 5 stories/60 feet.

Multifamily Neighborhood Place Type

The Multifamily Neighborhood Place Type identified in brown in the Future Land Use Map, applies to neighborhoods that are primarily developed with multifamily apartment or multifamily condominium housing. Townhouse/Single-Family Attached Neighborhood uses, and Single-family Detached Neighborhood uses may be considered in the Multifamily Neighborhood Place Type when developed in conjunction with Multifamily Neighborhood uses.

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. In order to retain the relative affordability available in many existing multifamily structures, redevelopment of existing multifamily sites within Multifamily Neighborhood land use areas, where additional density is permitted by the Zoning Ordinance, should consider accommodating existing multifamily structures. Predicated on the underlying zoning district, the Multifamily Neighborhood Place Type supports up to 20 dwelling units per acre and a maximum height of 4 stories/45 feet.

Staff Analysis:

Staff believes the uses shown on the MDP are generally in conformance with the Future Land Use Map category and the guidance of the Comprehensive Plan. Phase One is the demolition of all existing structures and improvements (i.e., Breezeway Motel, Fairfax Garden Apartments and four (4) single-family homes). Phase Two also includes the required open space of twenty (20) percent. Phase Two includes a combination of twenty (20) condominiums and forty-two (42) townhouses by Pulte Homes with a density of 13.24 units per acres. The Multifamily Neighborhood Place Type prescribes a density of up to 20 dwelling units per unit. The proposed density in the Multifamily Neighborhood Place Type area alone is 17.7 du/acre. Townhouses are a mix of front entry units at 22 feet and 24 feet in width, and rear entry units at 20 feet in width. All rooftop terraces on the proposed townhouses would be located on the front of the units. Each townhome unit is required to have two (2) parking spaces per unit and the applicant has provided two garaged spaces for each unit. The applicant has provided 146 parking spaces (104 garage spaces, 20 driveway spaces and 22 private surface spaces). The townhouses are proposed at four (4) floors and approximately 38 feet in height. The condominiums are proposed at four (4) floors and at approximately 49 feet in height. The height exhibit shown in the MDP has the incorrect measurements. The applicant has provided staff with supplemental information stating that the building height for the townhouses are proposed at approximately 40 feet in height and the two-over-two condominiums at approximately 51 feet.

The condominiums have two parking spaces per unit with a one-car garage and a tandem driveway space. The applicant is requesting a modification to Section 4.2.4.B.1 of the zoning ordinance to allow tandem parking for the two-over-two condominium units. Staff supports this modification as tandem parking is common for the unit type as it serves for parking individual homeowners of these units. The applicant has developed a similar product in Mt. Vineyard. Staff supports the modification to allow tandem parking for the multifamily units on the north side of Cedar Avenue.

The applicant has requested a modification to the Section 3.8.2IH of the Zoning Ordinance states that no zoning permit shall be issued for a mixed-use development to authorize the occupancy of more than 66 percent of the approved residential dwelling units, prior to the issuance of a zoning permit to authorize the occupancy of 100 percent of the approved nonresidential floor area. The owner of Tax Map Parcel 57-1-14-043 would be required to obtain approval of a Major Certificate of Appropriateness, site plan approval, building permits and other necessary approvals. Phase Four excludes certain uses in Section 3.8.4 of the Zoning Ordinance.

Scale

Density/Height: Predicated on the underlying zoning district, the Multifamily Neighborhood Place Type supports up to 20 dwelling units per acre and a maximum height of 4 stories/45 feet (Comprehensive Plan, Pg. 30). The Planned Development Mixed Use District does not have maximum height requirement.

Staff Analysis:

Staff believes the use shown on the MDP is generally in conformance with the Future Land Use Map category and the guidance of the Comprehensive Plan. Phase One includes a combination of twenty (20) condominiums and forty-two (42) townhouses with a density of 13.24 units per acre. The overall densities for other approved projects as compared to the subject application is provided in Table 1 (next page):

Table 1: Comparable Projects in the City

Project	Site Area	Number of Units	Density	Height
Breezeway	4.63	62	13.24	38 +/- feet; 49 +/- feet (Incorrectly shown on plan) 40 +/- feet; 51 +/- feet (Corrected Height)
<i>Capstone</i>	<i>6.15</i>	<i>275</i>	<i>44.7*</i>	<i>48 +/- feet</i>
<i>Metro Church/EYA</i>	<i>3.7</i>	<i>50</i>	<i>13.5</i>	<i>45 +/- feet</i>
<i>Mt. Vineyard</i>	<i>6.11</i>	<i>132</i>	<i>21.6</i>	<i>55 +/-; 48 +/- feet</i>
<i>Paul VI</i>	<i>18.51</i>	<i>266</i>	<i>14.4</i>	<i>45 +/- feet</i>
<i>The Enclave</i>	<i>3.7</i>	<i>80</i>	<i>22</i>	<i>68 +/- feet</i>
<i>Scout on the Circle</i>	<i>9.81</i>	<i>400</i>	<i>40.7*</i>	<i>85 +/- feet</i>

*Project is in an Activity Center

Townhouses are a mix of front entry units at 22 feet and 24 feet in width, and rear entry units at 20 feet in width. All rooftop terraces on the proposed townhouses would be located on the front of the units. The townhouses are proposed at four (4) floors and approximately 38 feet in height. The condominiums are proposed at four (4) floors and at approximately 49 feet in height. The applicant is proposing three and four stories against existing single-family detached and attached. The proposed plans incorrectly reflect the height measurements, and the actual height is not shown. The applicant provides 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 applicant has provided staff with supplemental information stating that the building height for the townhouses are proposed at approximately 40 feet in height and the two-over-two condominiums at approximately 51 feet.

Intensity/Height: Predicated on the underlying zoning district, the Commercial Corridor Place Type supports a density of a minimum Floor Area Ratio (FAR) of 0.4 for commercial development and a maximum building height of 3 stories/35 feet to 5 stories/60 feet (Comprehensive Plan, Pg. 31).

The parcel size, depth and width of the Commercial Corridor is more than adequate to support commercial uses on Fairfax Boulevard. The parcel is approximately 1.14-acres with a depth of approximately 200 feet and width of approximately 250 feet. The development plan shows a 10,010 square foot commercial building pad situated along the front property line with 90-degree parking (maximum of 44 spaces) to the east side and rear of the building, a commercial entrance on the east side of the building from Fairfax Boulevard with a driveway aisle of 24 feet, as well as a loading area of 10 feet in width. The plan also shows a commercial entrance south of the building from Walnut Street. Phase Four excludes certain uses in Section 3.8.4 of the Zoning Ordinance and the excluded uses are identified in the Summary of Commitments (Attachment 6). Parking standards for Phase Three are dependent upon the uses and parking requirements in Section 4.2.3.E of the Zoning Ordinance. The owner of Tax Map Parcel 57-1-14-043 would be required to obtain approval of a Major Certificate of Appropriateness, site plan approval, building permits and other necessary approvals. The proposed FAR is 0.21 which is below the suggested Comprehensive Plan suggested minimum of 0.4 for commercial development.

Circulation

Vehicular Network: The site has direct access to Fairfax Boulevard, Oak Street, Cedar Avenue and Walnut Street. There are two driveway aprons on Fairfax Boulevard to the existing Breezeway Motel, one driveway apron on the curve of Walnut Street to the existing Fairfax Garden Apartments on the north side of Cedar Avenue, and one driveway apron on the south side of Cedar Avenue for the remaining units at Fairfax Garden Apartments. The single-family home at 3937 Walnut Street has a circular drive with two driveway aprons. The three (3) single-family homes fronting on Oak Street each have a driveway apron.

Staff Analysis:

The City's Transportation Division held a scoping meeting with the applicant's engineer to discuss the methodology and ITE data for the Traffic Impact Study (TIS). The objective of the TIS is to evaluate intersections and roadways that potentially would be impacted by the proposed master development plan. The applicant has provided a Traffic Impact Study estimating a net difference of 2 AM peak hour trips, 109 PM peak hour trips and 1,237 daily trips upon buildout of the development. Most of the projected trips are generated from the proposed commercial development in Phase Four. There is a projected increase of 132 daily trips from the residential development. Table 2 (next page) provides a summary of existing trips and proposed trips:

Table 2: Trip Generation

Land Use		ITE Code	Size	AM Peak Hour	PM Peak Hour	Daily
Existing	Single-Family Detached Homes	210	4	3	4	38
	Multifamily Housing (Low-Rise)	220	6	3	3	44
	Multifamily Housing (Mid-Rise)	221	32	11	15	173
	Motel	320	50	21	21	152
Subtotal Existing Uses				38	43	407
Proposed	Townhomes	220	62	31	41	387
	Commercial (Retail Shopping Center)	820	10 k.sf	9	99	1,257
Subtotal Proposed Uses				40	140	1,644
Net Difference				2	97	1,237

The proposed uses would increase the number of daily vehicular trips due to the proposed commercial retail use; however, the level of service for Fairfax Boulevard would not be degraded. The applicant accounted for existing and future conditions in the immediate area. See the attached TIS for observations, conclusions and background information in the appendix.

The applicant has proposed to consolidate access points and redistribute vehicle movements by redeveloping the site. The proposed commercial pad would have one access point on Fairfax Boulevard and one access point on Walnut Street. The applicant is proposing to provide a cross access easement from the commercial parcel to the car stereo store to the east consistent with Section 4.3.3.B (Cross access requirement) which requires "vehicular access shall be required between abutting nonresidential lots fronting on arterial and collector streets prior to the erection or establishment of a principal building on one of the lots in order to facilitate traffic flow between lots, except where topography or other physical conditions make such access unreasonable. The Zoning Administrator shall determine the location and dimensions of such easement based on public safety and convenience, not owner preference." (Zoning Ordinance, Pg. 4-11). The proposed twenty (20) condominiums have a single access point from Walnut Street. The proposed forty-two (42) townhouses on the south side of Cedar Avenue have a single access point from Oak Street. The driveways in the residential portion of the plan are proposed at a width of 22 feet. The private street in the northern section of the site has an emergency turnaround. The proposed access point is offset from the proposed northern access point planned for the redevelopment of the American Legion site on the east side of Oak Street.

The applicant is proposing traffic improvements for Walnut Street, Cedar Avenue and Oak Street. First, the applicant is proposing a bulb-out with a pedestrian crossing and seven (7) parallel parking spaces on Walnut Street. Second, the applicant is also proposing a mid-block pedestrian crossing, bulb-outs on both ends of Cedar Avenue and thirty (30) parallel parking spaces on Cedar Avenue by widening the road by three feet. Third, a proposed right-of-way vacation request for the intersection of Walnut Street and Cedar Avenue to remove the triangular shape median with a T-intersection with crosswalks, curb and gutter, ADA compliant curb ramps and curb bump outs, and a stop sign for west bound traffic on Cedar Avenue. These improvements are designed to reduce the speed of motorist on Walnut Street, as well as increase pedestrian safety at the intersection. As a result of this request, a portion of the city owned right-of-way would become a part of the streetscape and open space area on the north side of the proposed development. The southern portion of the right-of-way vacation would become a part of the streetscape and land area for townhouse Units 35-37. Finally, the applicant is proposing to add nine (9) parallel spaces on the west side of Oak

Street. Public Works may need to address residential parking districts in this area with City Council as Paul VI High School is no longer in operation.

Pedestrian Network: The applicant is seeking a modification for the requirement to provide sidewalks on both sides of a private street. The Master Development Plan provides for a multi-use path of ten (10) feet along the property frontage on Fairfax Boulevard as referenced in the Comprehensive Plan Multimodal Transportation Plan.

Staff Analysis:

The applicant proposes access points into the proposed commercial portion of the site from Fairfax Boulevard and Walnut Street. The applicant has proposed only one access point from Walnut Street for the twenty (20) condominiums on the north side of Cedar Avenue. One access point is planned for Oak Street to forty-two (42) townhouses in the southern section of the development. There are no vehicular access points from Cedar Avenue except for an emergency access point to the section of townhomes south of Cedar Avenue. The applicant is proposing a sidewalk network throughout the site with five (5) foot wide sidewalks internal to the site and five (5) foot wide sidewalks on Cedar Avenue, Walnut Street and Oak Street. The applicant is proposing to install a mid-block pedestrian crosswalk on Cedar Avenue. A crosswalk on the east side of Walnut Street crossing Cedar Avenue, a crosswalk on Walnut Street north of Cedar Avenue, and a crosswalk west of Oak Street across Cedar Avenue.

The applicant is seeking a modification to the sidewalk requirement for both sides of all streets internal to the site. This modification applies to all private streets within the proposed development. All units have a connection to five (5) foot sidewalk in the front of the unit or in the case of Units 40-52 to the private street creating a continuous pedestrian connection throughout the site. The Master Development Plan depicts a pedestrian connection from the two-over-two condominiums near the eastern property line and a pedestrian connection along Walnut Street to the commercial area. There is an existing crosswalk on Walnut Street and Fairfax Boulevard, and an existing crosswalk from the south side to the north side of Fairfax Boulevard. In Phase Three (Interim Plan), the applicant proposes to keep the existing sidewalk along Walnut Street in its existing condition and to remain open for pedestrian access until the final streetscape improvements are completed in Phase Four. In addition to keeping the existing sidewalk on Walnut Street, the applicant proposes a ten-foot asphalt trail in Phase Three until the final streetscape improvements are made in Phase Four. As recommended by the Multi-Modal Plan, a ten (10) foot wide sidewalk or multiuse path on Fairfax Boulevard would be installed in Phase Four of the project.

Parking: Residential units are required two (2) parking spaces per unit. The commercial phase in Phase Four, to be developed by others, would require separate approvals for a Major Certificate of Appropriateness for the proposed building. The applicant has proposed to exclude certain uses for the proposed commercial development. Table 3 provides a breakdown of the required and provided parking spaces for the proposed Master Development Plan.

Table 3: Parking

Use	Units	Parking Requirements	Required Spaces	Provided Spaces
Townhomes	42	2 spaces per unit	84	84
Multifamily (Two over two stacked condominiums)	20	2 spaces per unit	40	40
Surface Parking	N/A	N/A	N/A	22
Commercial Building*	8,000 – 10,010 sf Retail/Restaurant	1:200	50	44
Total				190

*Parking would be determined during the review process for Phase Four.

Staff Analysis:

Staff believes that the applicant has sufficient demonstrated that the site would be adequately parked in Phase One. The applicant has proposed 146 residential parking spaces on site through a combination of 104 garage spaces, 20 tandem spaces, and 22 surface parking spaces, which is 2.35 spaces per unit. There are twelve (12) surface parking spaces near the townhouses on the south side of the development and ten (10) surface parking spaces on the north side near the two-over-two unit. The building footprint as proposed in the Master Development Plan has a maximum of 10,010 square feet and a maximum of 44 parking spaces. Ultimately, the number of parking spaces for Phase Four would be determined by the uses proposed for the commercial building. In addition to the parking spaces on site, the applicant proposes thirty (30) parallel spaces on Cedar Avenue, nine (9) parallel spaces on Oak Street and seven (7) Walnut Street. However, on-street parking on a city road may not be included in the parking calculations for the development. Public Works may need to address residential parking districts in this area with City Council as Paul VI High School is no longer in operation.

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.

Staff Analysis:

The Master Development Plan is subject to a public hearing with the Board of Architectural Review for architecture and landscaping with a recommendation to the City Council. On November 3, 2021, the BAR held a public hearing on the Major Certificate of Appropriateness for architecture and landscaping. The BAR voted to defer the request and directed the applicant to resolve the outstanding issues related to the architecture and landscaping for the proposal. The BAR meeting has been set for December 15, 2021.

Stormwater Management:

Even though stormwater management typically is not fully designed until administrative site plan review, the General Development Plan would be subject to the requirements of the state code and the City's stormwater management regulations.

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. Likewise, the design and construction of stormwater management facilities shall comply with Virginia Stormwater Management Program (VSMP) Permit Regulations.

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. When the proposed development will result in moving or relocating existing overhead utilities located in adjoining rights-of-way, the applicant shall be responsible for placing such utilities underground and dedicating any additional right-of-way or easement that is necessary. Equipment such as electric distribution transformers, switch gear, meter pedestals and telephone pedestals which is normally installed above ground in accordance with generally accepted utility practice for underground distribution may be so installed (Section 4.11.C).

Staff Analysis:

Section 4.11.B states, "All on-site utilities shall be installed underground at the applicant's expense in accordance with city and applicable utility company standards; provided that temporary overhead facilities required for construction purposes shall be permitted." The existing overhead utilities that currently serve the Breezeway Motel, Fairfax Garden Apartments and four (4) single-family homes would be removed. All existing overhead utilities on the subject property would be either removed or relocated underground with each phase of development. The applicant states that any existing overhead utilities shown on the Master Development Plan to remain are located off-site or within the right-of-way. Staff has requested that the applicant show easements in the area to be vacated as there are underground utilities that would generate the need for easements. Such easements may impact the proposed tree plantings on the northeast corner of Cedar Avenue and Walnut Street, which may cause an issue with meeting the street tree requirements.

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 Master Development Plan has provided 20.2 percent of the site as recreation and open space. 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.

Staff Analysis:

The Planned Development Districts requires at least twenty (20) percent of the site to be designated as recreation and open space for use and enjoyment of the residents and occupants of the development. The Zoning Ordinance also requires at least 60% of the required open space be contiguous, however, it may be bisected by a residential street. The development currently proposes five (5) areas of open space for a total of 0.944 acres (41,120 sf) or 20.2% of the property. These areas meet the zoning requirement that open spaces must be a minimum of fifty (50) feet in width. The overall site has 23.5% (47,936 sf) of open space, which includes areas that are less than the required 50 feet (Section 3.8.7.B.3 of the Zoning Ordinance). The applicant would also provide open space that is at least 60% contiguous, which includes any recreation and open space bisected by a local street. The applicant has provided a tot lot and general open space but did not provide organized athletic fields or some other park uses.

Tree Coverage:

The applicant has provided a landscape plan as part of the master development plan. This plan includes interior landscaping, transitional yards, improvements along Fairfax Boulevard and temporary plantings for Phase Two in preparation for the commercial footprint planned in Phase Three. Section 4.5.6.A of the Zoning Ordinance requires a 10% tree coverage for the site and the proposed Planned Development Mixed Use.

Staff Analysis:

The applicant has provided a landscaping plan with a tree canopy of 18.5% (37,820 sf) exceeding the required 10% tree canopy requirement that includes the preservation of existing trees, plantings in the transitional yards, street trees, parking lot landscaping, within the open space areas, and the landscape buffer between the two-over-two condominium units and the proposed commercial building. The applicant has requested a modification to the landscape strip requirement and tree requirements along internal private streets (Section 4.5.6.B of the Zoning Ordinance). The applicant is seeking this modification to eliminate the 10-foot planting strip for interior private streets. Staff supports the modification because it is not uncommon for private alleyways in the interior of the site and between units to be void of landscaping. Likewise, the same modification to the private street leading to the two-over-two condominiums is appropriate as each driveway connects the units to the private street, which would impact the 10-foot landscape strip. The applicant attributes the need for the modification due to site constraints and the urban character of the project.

Additionally, the applicant is seeking a modification to the 15-foot transitional bufferyard in the northeast corner of the site abutting Tax Map Parcel 57-1-14-048 and the planting types within transitional yard along the southern property line abutting

the single-family homes on Second Street. The abutting property to the east of the Breezeway Motel is an existing commercial business with a commercial zoning district. The applicant is seeking to reduce the required transitional yard from 15-foot to 9 feet with eight (8) canopy trees, eight (8) understory trees, eight (8) shrubs, and a six (6) foot fence. Staff supports the reduction in the width of the transitional yard adjacent to an existing commercial use in the CR Commercial Retail district. Staff also supports the use of evergreens or a similar planting as a buffer along the southern property line abutting the single-family homes on Second Street. However, the applicant would need to add this to the transitional yard modification request on the cover sheet for the master development plan, as well as to the list of modifications in the narrative. The depth of the transitional yard would remain at the required 15 feet.

Fiscal Impact:

Staff anticipated fiscal impact estimate for the proposed redevelopment of Breezeway Motel ranges from \$134,000 to \$303,000 with an average net gain annually of \$218,500. The applicant conducted their fiscal impact estimate with similar results (See Attachment 10).

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;

Staff believes the uses shown on the MDP are generally in conformance with the Multifamily Neighborhood Place Type and Commercial Corridor Place Type and the guidance of the Comprehensive Plan except for building height which is not correctly depicted on the plan. Phase One is the demolition of all existing structures and improvements. Phase Two is proposed as two-over-two condominiums, townhouses, and 100% of the open space requirement. Phase Three is the interim plan that includes site preparation for the future commercial development. Phase Four, to be constructed by others, is proposed with a specific list of commercial uses to occupy a building that is approximately 8,000 square feet to 10,010 square feet with 44 parking spaces. Strict application of the ordinance would prohibit occupancy of all residential units prior to the completion of the commercial building fronting Fairfax Boulevard. The owner of Tax Map Parcel 57-1-14-043 would be required to obtain approval of a Major Certificate of Appropriateness, site plan approval, building permits and other necessary approvals.

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 subject property is currently split zoned with RH Residential High, RMF Multifamily and CR Commercial Retail Districts. Four (4) of the six (6) parcels are zoned RH Residential High with four (4) existing single-family homes. The existing Breezeway Motel with 50-rooms is in the Commercial Retail district and the Fairfax Garden Apartments with thirty-eight (38) units is in the RMF Multifamily district. Under the current lot configuration, the proposal could not be developed, and the sites would be limited by the split zoned parcels. Therefore, the applicant is requesting to rezone the property from RH Residential High, RMF Multifamily and CR Commercial Retail to PD-M Planned Development-Mixed Use. The PD-M, Planned Development Mixed Use District, is intended to provide for coordinated mixed use developments which may include general residential and nonresidential uses within a planned development. The variety of land uses available in this district allows greater flexibility to respond to market demands and the needs of tenants, thereby providing for a variety of physically and functionally integrated land uses (Zoning Ordinance, Section 3.2.3.B, Pg. 3-3). The proposed MDP would create additional open space with site amenities that exceed the minimum 20% open space requirement. The MDP also would make traffic improvements at the intersection of Walnut Street and Cedar Avenue to remove the triangular shape median with a T-intersection with crosswalks, curb and gutter, ADA compliant curb ramps and curb bump outs, and a stop sign for west bound traffic on Cedar Avenue. These improvements are designed to reduce the speed of motorist on Walnut Street, as well as increase pedestrian safety at the intersection.

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

The current uses are limited due to the property having three zoning districts. Staff believes that the proposed uses are consistent with the Comprehensive Plan and Zoning Ordinance. Residential townhouses serve as a transitional use to the adjacent single-family homes on Second Street and multifamily stacked condominiums (two-over-two) are planned in the middle of the site to transition from the planned commercial area on Fairfax Boulevard. The planned development allows the six parcels to be consolidated and buildings placed on-site to provide the required transitional yards, landscaping, parking, and open space.

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 RH Residential High, RMF Multifamily and CR Commercial Retail to PD-M Planned Development Mixed Use. The subject property is located on a mass transit route and the adjoining road has capacity to support the proposed uses. There are adequate public safety facilities in the area. Providence ES (PES) has a capacity of 910 students. The school is at 100% capacity utilization. According to Fairfax County Public Schools FY21 Approved Capital Improvement Program, Providence's projected membership for the next four years is over 1,000 students, placing the school as much as 111% overcapacity. That is a moderate capacity deficit without further residential development or other membership or boundary adjustments. Providence ES currently has two trailers; both are used as resource rooms. Providence's Special Use Permit for the trailers was renewed in November 2019 for five years. It is projected that the Breezeway development student yield ratio will be .230. According to City staff's projections, the Breezeway project would generate 15 students. While that number appears manageable, the combined yields of other planned residential projects such as Northfax and the American Legion potentially equal up to 63 students (2-3 additional classrooms). This would contribute to Providence remaining overcapacity. Moreover, this exacerbates the need for trailers on the Providence grounds and/or reconfiguring interior space at the school. City Schools staff and Board remain concerned with the residential planning projects attribution to capacity deficit and overcrowding at Providence ES. The applicant has chosen not to mitigate for impacts.

The nearest city owned park is Pat Rodio Park, a four (4) acre neighborhood park, to the east of the subject property. Pat Rodio Park is located at the corner of Keith Avenue and Cedar Avenue. This city park offers a Little League Field, multipurpose field, and a playground. The applicant has chosen not to mitigate for impacts to parks.

The Fairfax City Fire Department is part of the Northern Virginia regional response system with mutual aid to neighboring jurisdictions. Fire Station #33 is located at 10101 Fairfax Boulevard, which is approximately 1.4 +/- miles from the subject property. Fire Station 33 will house a specialized Rescue Engine Company, which has both heavy rescue and firefighting capability, and an ALS transport unit. Fire Station #3 is located at 4081 University Drive, which is approximately 1.3 +/- miles from the subject property. Fire Station #3 includes an advanced life support (ALS) transport unit.

Staff finds that proposed master development plan has inadequate turning movements that could impact the health, safety, and welfare of the residents of the City of Fairfax. These truck turning movements do not allow emergency vehicles to properly access the site without the apparatus driving over the sidewalk off Oak Street. The other two movements involve the overhang of the ladder bucket being right at the rear of the parking spaces. A pickup or other longer than normal passenger vehicle would likely extend out of the standard dimension parking spot. This would require the apparatus to stop and back up. The proposed development should be designed so that an emergency vehicle would be able to enter and exit the site without any issues. Furthermore, the drawing does not show right and left turning movements from city streets. The truck would need to have the ability to turn from either direction. The apparatus used to model the truck turning movements should be based on actual dimension of the City of Fairfax Tower Lower 403. The dimensions should reflect a height of 12-feet 2-inches and the width of 10-feet 5-inches. The applicant has provided an exhibit that shows the largest apparatus accessing the site. The Fire Marshal has reviewed the exhibit and concurs that the plan works. The applicant would need to update the master development plan prior to the City Council hearing.

Metro Bus Route 1C (from Fair Oaks to Fairfax Boulevard Line) provides daily service to the site on Fairfax Boulevard.

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 with exception to street design standards that would pose a problem with emergency vehicles movement through the site. Staff finds that proposed master development plan has inadequate turning movements that could impact the health, safety, and welfare of the residents of the City of Fairfax.

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

The applicant has proposed uses at a scale that is outlined in the Comprehensive Plan. The proposal as submitted is consistent with the Comprehensive Plan and is compatible with the surrounding area. The subject property is immediately surrounded by uses that range from single-family homes to duplexes, car equipment installation to offices, auto service repair to a restaurant, bank and private park and civic organization. On the north side of Fairfax Boulevard and directly across from the Breezeway Motel is an auto service repair shop and a restaurant, and on the northwest corner of Fairfax Boulevard and Fairchester Drive is a five-story hotel; to the east of the Breezeway Motel and on the south side of Fairfax Boulevard is a car equipment installation service and commercial printer business; to the west of the Breezeway Motel and separated by Walnut Street is a bank, fast food restaurant and office building; south of Fairfax Gardens Apartment with single-family detached homes fronting on Second Street; to the east of the Breezeway Motel and north of Cedar Avenue is four (4) duplexes and a single-family detached home fronting on Oak Street; and, to the east of the Fairfax Gardens Apartment and south of Cedar separated by Oak Street is a private park, Chilcott Field that is owned by the American Legion. This area has started to redevelop with Mt. Vineyard at the corner of Main Street and Oak Street and to the east of the site at the former site of Paul VI High School.

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

The applicant has proposed a mixed use planned development in four phases. Phase One is the demolition of all existing structures and improvements (i.e., Breezeway Motel, Fairfax Garden Apartments and four (4) single-family homes). In Phase Two, the applicant is proposing to develop forty-two (42) townhouses and twenty (20) stacked condominiums (two-over-two) with a density of 13.24 units per acre. Townhouses are a mix of front entry units at 22 feet and 24 feet in width, and rear entry units at 20-feet in width. All rooftop terraces on the proposed townhouses would be located on the front of the units. The townhouses are proposed at four (4) floors and approximately 38 feet in height. The condominiums are proposed at four (4) floors and at approximately 49 feet in height. Building heights as stated are incorrect. Phase Three is the interim improvements on the Breezeway Motel site (Parcel 57-1-14-043) to clear and grade the site, to install landscaping along the southern portion of the parcel, to seed all open areas, to install a temporary 10-foot asphalt trail along Fairfax Boulevard, and to retain the existing sidewalk along Walnut Street. The interim improvements would prepare the site for the ultimate commercial buildout in Phase Four. Phase Four, to be constructed by others, consists of a future commercial building (8,000 sf to 10,010 sf) and associated infrastructure, utilities, and stormwater management facilities.

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. The applicant is proposing 42 townhouse units and 20 multifamily two-over-two units in Phase Two with a density of 13.24 dwelling units per acre. Density is calculated as the number of dwelling units per gross acre located within the development site. The Multifamily Neighborhood Place Type has a maximum density of 20 dwelling units per acre. The townhouse buildings on the south side of Oak Street are proposed at approximately 38 feet to mid-point of roof with four (4) stories adjacent to the single-family neighborhood on Second Street. The multifamily units (two-over-two condominiums) on the north side of Cedar Avenue are proposed at a height of 49 feet to mid-point of roof with four (4) stories. Building heights shown in the MDP are incorrect and need to be updated before the City Council hearing. The applicant has provided staff with supplemental information stating that the building height for the townhouses are proposed at approximately 40 feet in height and the two-over-two condominiums at approximately 51 feet in height.

The non-residential component of the proposal is located at the southeast corner of Fairfax Boulevard and Walnut Street. Phase Four, to be developed by others, would require separate approvals from City Council including a major certificate of appropriateness for the proposed building. The applicant has prescribed a limited number of specified uses for the proposed commercial development. The development plan shows a 10,010 square foot commercial building pad situated along the front property line with 90-degree parking of 44 spaces to the east side and rear of the building, a commercial entrance on the east side of the building from Fairfax Boulevard with a driveway aisle of 24 feet, as well as a loading area of 10 feet in width. The plan also shows a commercial entrance south of the building from Walnut Street. The applicant has stated that the proposed building height would be limited to 35 feet.

Staff believes the applicant has provided transitions between uses that through use of open space, sidewalks, and landscaping to integrate residential uses and potential non-residential uses.

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 mixed use planned development in a section of the Fairfax Heights Subdivision that is bounded by Fairfax Boulevard, Oak Street, Second Street and Walnut Street. 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.

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

The applicant is proposing to develop the site in four phases with a modification to the Development schedule as stated in Section 3.8.2.I of the Zoning Ordinance, which states “No zoning permit shall be issued for a mixed use development to authorize the occupancy of more than 66 percent of the approved residential dwelling units as part of a PD-C or PD-M district development prior to the issuance of a zoning permit to authorize the occupancy of 100 percent of the approved nonresidential floor area for that development. The foregoing shall be binding on the applicant unless the applicant proposes a modification to this requirement in the master development plan and the city council approves such modification when it approves the master development plan.” (Pg. 3-63).

Staff identified inconsistencies in the narrative and summary of commitments regarding the phasing plan when compared to the phasing sheet as it related to open space. The written text in the narrative states that “following completion of Phase Two, the 20% open space requirement will be met.” (Narrative, Page 5). The applicant stated on the Development Phasing Plan (Sheet 6) that “the completion of interim improvements on the breezeway parcel (parcel 43). Interim conditions would include the clearing and grading of parcel 43, the installation of landscaping in the required open space area on the southern portion of parcel 43, the seeding of all open areas, the installation of a temporary 10' asphalt trail along Fairfax Boulevard, and the retention of existing interim sidewalk along walnut street.” This statement is inconsistent with the narrative and summary of commitments as the open space area would be completed as part of Phase Two.

Staff also identified inconsistencies in the description of Phase Four. On the plan sheet, the applicant states “to the extent the landscaped open space area installed in Phase Two is impacted by construction activities in phase four, said area shall be replanted and restored to its pre-existing condition with the phase four improvements.” However, this language is not carried out in the narrative but is in the Summary of Commitments. Also, the applicant has used a color code to depict the phasing plan with the open space area between the two-over-two multifamily and the commercial building being a part of Phase Two and Phase Four. A description of the colors and phasing plan need to be properly described in the Narrative and Summary of Commitments.

Phase One is the demolition of all existing structures and improvements (i.e., Breezeway Motel, Fairfax Garden Apartments and four (4) single-family homes). Phase Two consists of forty-two (42) townhouses and twenty (20) condominiums with a density of 13.24 units per acre. The required 20% open and recreational space for the master development plan would be included in this phase.

Phase Three is the interim improvements on the Breezeway Motel site (Parcel 57-1-14-043) to clear and grade the site, to install landscaping along the southern portion of the parcel, to seed all open areas, to install a temporary 10-foot asphalt trail along Fairfax Boulevard, and to retain the existing sidewalk along Walnut Street. The interim improvements would prepare the site for the ultimate commercial buildout in Phase Four. Phase Four, to be constructed by others, consists of a future commercial building (8,000 sf to 10,010 sf) and associated infrastructure, utilities, and stormwater management facilities.

Phase Four of the Master Development Plan, to be constructed by others, consists of a future commercial building ranging from 8,000 sf to 10,010 sf with a maximum of forty-four (44) parking spaces and associated infrastructure, utilities, and stormwater management facilities. The size and use or mix of uses in the commercial building may vary provided that the parking does not exceed 44 spaces in compliance with Section 4.2.3.E of the Zoning Ordinance. The maximum building height is 35 feet and two stories. The owner of Tax Map Parcel 57-1-14-043 would be required to obtain approval of a Major Certificate of Appropriateness, site plan approval, building permits and other necessary approvals.

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

The subject property is not located in an ecologically sensitive area as the site has been developed since the 1950's and 1960's. The applicant has proposed a mixed-use planned development that with open space, landscaping, and tree coverage. The impervious surface area has been increased from 2.23 acres of the site to 2.9 acres. The applicant has provided a landscaping plan with a tree canopy of 18.5% (37,820 sf) exceeding the required 10% tree canopy requirement that includes the preservation of existing trees, plantings in the transitional yards, street trees, parking lot landscaping, within the open space areas, and the landscape buffer between the two-over-two condominium units and the proposed commercial building.

According to the tree inventory (Sheet 4) provided by the applicant, there are currently 160 trees on site. Six trees (three Red Maples, an Eastern White Pine, a Pitch Pine, and a Leyland Cypress) would remain on site. The applicant would need to demonstrate that Tree #89 (Red Maple) would survive based on the current layout of the underground stormwater management area on the south side of Cedar Avenue. Staff forwarded questions and concerns on tree preservation in an email on March 9, 2021. Staff has had further questions on survivability of various trees noted to remain. Tree #89 is proposed to remain, but a significant portion of the critical root zone appears to be in an area that would be disturbed by grading, storm water management, hardscape, and utilities. Trees 651 and 86 appear to have improvements in the root zones too, but no tree protection is shown. If tree #89 cannot survive, then the site is left with only one mature deciduous tree - tree #86 a 22" red maple, which is shown to have encroachments in the critical root zone. Provide information on tree protection and how this tree would survive based on the proposed plan. Tree #83 is proposed to remain, but it is a white mulberry, which are noted as invasive non-native tree by VA DCR <https://www.dcr.virginia.gov/natural-heritage/document/nb-invasive-plant-list-2014.pdf>. Canopy percentage would need to change if trees are not to remain. If tree #89, 86, and 651 would not remain, then the plans need to show additional street trees to meet the requirements, or the modification request should include this.

The applicant provided a revised Grading Plan (Sheet 7) that demonstrates the underground utilities and playground area would be altered to minimize the impacts to tree #89.

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.

On September 29, 2015, City Council adopted Resolution No. R-15-42 to address the need for housing affordability for City of Fairfax residents through voluntary development contribution in lieu of providing affordable units. The resolution offers a monetary formula as a guide with rates adjusted annually in accordance with the Consumer Price Index for All Urban Customers (CPI-U). The formula includes both a by-right rate of \$3,012 per unit and a development approval rate of \$6,036 per unit. Adjusting these rates in accordance with the consumer price index to the current year from the 2015 figures, as provided for in the resolution, would yield rates of \$3,297 and \$6,608, respectively. In applying this to the proposed 62 units, the development yield is roughly 52 units at the by-right rate and 10 units at the development approval rate. This equates to a voluntary development contribution of \$237,524. The initial application was received on August 6, 2018, prior to the adoption of the Affordable Dwelling Unit (ADU) ordinance. The City of Fairfax Affordable Dwelling Unit Ordinance was adopted on June 23, 2020, and since the application was submitted prior to the adoption of the ordinance and its provisions do not apply, the applicant has voluntarily committed to provide a monetary contribution. In addition to the ADU contribution, the applicant has provided a relocation package to help off-set the moving cost for the existing tenants at the Fairfax Gardens Apartments.