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## MEMORANDUM

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**TO:** Albert Frederick

**FROM:** G. Evan Pritchard

**DATE:** July 22, 2022

**RE:** Statement of Support for Zoning Map Amendment, Special Use Permit, and Special Excpetion Applications for N29 WillowWood Plaza Residential Development Phase II

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My client, Capital City Real Estate, proposes an infill residential project (“N29 Residential Phase II”) at the WillowWood Plaza office center located on Eaton Place near Fairfax Drive. As shown on the enclosed plans prepared by Christopher Consultants dated July 15, 2022 (“General Development Plan”), the project would consist of “two-over-two” or traditional townhomes that would be constructed on a surface parking lot located between the office building at 10300 Eaton Place and Fairfax Boulevard. Separate from this application, a parking garage would be constructed offsite to replace displaced parking for the office building.

The application property (the “Application Property”) is an approximately 2.2-acre portion of the parcel assigned tax Parcel ID 47 4 02 02 001, which includes the existing office building located at 10300 Eaton Place, has a site area of 4.5 acres, and is also zoned to the CR Commercial Retail District. The larger parcel will be subdivided to create a new lot for the townhomes on the Application Property. The new off-site parking garage, which is not part of this application, will be constructed on the same lot as the existing office building. The proposed new lot configuration is depicted on Sheet P\_001 of the General Development Plan.

The entire WillowWood Plaza area is identified in the Comprehensive Plan for the City of Fairfax (the “Comprehensive Plan”) as part of the Northfax Activity Center, which the Northfax Small Area Plan (the “SAP”) describes as being “marked by suburban commercial development, substantial impervious paving and a lack of sense of place.” The Northfax of the future is envisioned as a “dynamic, mixed-use center” whose existing commercial uses “can be greatly enhanced by additional uses” to include new residential typologies. Recommended building heights of up to seven (7) stories are recommended for the “Neighborhood Core” of Northfax, which includes the Application Property.

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We propose to rezone the Application Property to the CU Commercial Urban District and construct fifty-eight (58) two-over-two or traditional townhomes that will be four (4) stories in height. The townhome layout was carefully arranged in a manner that provides continued use of, and access to, an existing stormwater management facility that runs beneath the Application Property. Each townhome will be served by two (2) parking spaces in a garage.

Based on pre-application feedback received from staff, we eliminated the curb cut along Eaton Place near Fairfax Boulevard. Access to the townhomes will instead be provided via the existing curb cut on the western edge of the Application Property. We believe this will help mitigate traffic impacts and prevent conflicts along Eaton Place.

**Rezoning Considerations, § 6.4.9 of the Zoning Ordinance**

The proposed rezoning meets the approval considerations specified in § 6.4.9 of the City of Fairfax Zoning Ordinance (“Zoning Ordinance”):

- A. Substantial conformance with the comprehensive plan.

*The proposed rezoning to the CU District is consistent with the SAP’s call for dynamic, mixed-use residential development in Northfax. See Consistency with Comprehensive Plan section below.*

- B. Any greater benefits the proposed rezoning provides to the city than would a development carried out in accordance with the current zoning district (§3.2), and otherwise applicable requirements of this chapter.

*The proposed rezoning will allow for more urban residential development consistent with the SAP that would not be permitted under the existing CR District zoning. The proposed development will provide for greater housing opportunities in the City, generate greater commercial tax revenue, and create a more vibrant community than would otherwise be possible.*

- C. Suitability of the subject property for the development and uses permitted by the current versus the proposed district.

*A rezoning of the property to the CU District will allow for the development of townhomes consistent with the SAP recommendations. Furthermore, the introduction of residential uses adjacent to the existing office buildings will help create a more dynamic and active, mixed-use community.*

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

*The property is well-served by public transportation facilities, including the CUE Bus Green Routes 1 and 2 that provide service to the Vienna/Fairfax-GMU Metro Station. Existing public safety facilities, public school facilities, and public parks will all be adequate to serve existing community needs and the proposed development. Private recreational amenities and a potential connection the George Snyder Trail will also be provided with the proposed development.*

- E. Adequacy of existing and proposed public utility infrastructure.

*Existing public utility infrastructure has been deemed adequate for the proposed development. Existing stormwater management facilities will be relocated and upgraded with the proposed development.*

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

*The proposed townhouse development will be compatible with adjacent and nearby commercial development. It will also introduce more housing into the area as envisioned in the SAP.*

G. Consistency with the stated purpose of the proposed district.

*The proposed development will be consistent with the stated purpose of the proposed CU District zoning, which is to “provide an urban, mixed use development option for appropriate parts of the downtown area and sites in the general vicinity of the three key Fairfax Boulevard intersections: Main Street, Chain Bridge Road, and Old Lee Highway, or as may be more precisely specified by a current or future adopted plan.” The proposed residential development will be more urban in character and will be near the intersection of Fairfax Boulevard and Chain Bridge Road, aka “Northfax,” consistent with the SAP.*

**Special Exception Approval Criteria, § 6.17.7.A**

The following Special Exceptions are requested pursuant to § 6.17.1 of the Zoning Ordinance along with justification for the request:

1. A modification of § 3.6.2 to permit more than 24 dwelling units per acre;

*The proposed density is in line with the building form and planning goals for Northfax specified in the SAP..*

2. A modification of § 4.2.4.B.1 to permit tandem parking; and

*As is typical for townhouse development, two (2) tandem spaces will be provided for each unit.*

3. A modification of § 4.2.9.B to permit fewer than the required number of loading spaces.

*A loading space is not required for the townhomes.*

4. A modification of § 4.5.7.D related to the requirement for terminal landscape islands.

*We are not able to provide terminal landscape islands due to the location of existing sanitary sewer easement facilities that will prevent the planting of trees.*

The proposed development will meet the following criteria for special exceptions specified in § 6.17.7.A of the Zoning Ordinance:

1. Ensure the same general level of land use compatibility as the otherwise applicable standards.

*The proposed development will be compatible with the surrounding commercial development.*

2. Not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate transitioning, screening, setbacks and other land use considerations.

*The proposed development will be harmonious with surrounding land uses and help create a vibrant, mixed-use community where only surface parking lots exist today.*

3. Be generally consistent with the purposes and intent of this chapter and the comprehensive plan.

*The proposed development will be consistent with the purpose and intent of the Zoning Ordinance and the SAP to create a successful and well-balanced mix of uses in the City's urban activity centers. See Consistency with Comprehensive Plan section below.*

4. Be based on the physical constraints and land use specifics, rather than on economic hardship of the applicant.

*The requested special exceptions are necessary to achieve the mixed-use goals articulated in the SAP.*

A waiver is also requested of the Public Facilities Manual § 401-01 requirement that a typical curb and gutter street be provided on private accessways that are less than thirty (30) feet from face of curb to face of curb.

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

**Consistency with the Comprehensive Plan**

Below is a summary table of the how the proposed development is consistent with the Comprehensive Plan and SAP:

<b>Comprehensive Plan Reference</b>	<b>Recommendation</b>	<b>Proposed Plan</b>
Comprehensive Plan, p. 36, Activity Center – Northfax	“New residential uses and amenities such as open spaces and a pedestrian-friendly multimodal transportation network, should also be leveraged to improve the commercial marketability of the Activity Center.”	The new residential uses will provide daytime activity and potential employees to support existing retail and office uses in the area. They will also replace expansive surface parking with more attractive buildings served by garage parking. The project will also improve the walkability of the area for

		pedestrians with improved sidewalks and streetscape.
SAP, p. 6, A New Identity	A new identity for Northfax includes “housing typologies that are not well represented in Fairfax, such as senior, living, market-rate apartments, condominiums and affordable housing...”	The proposed development will include market-rate and affordable townhomes, which are currently under-represented in the City.
SAP, p. 7, The Linear Park	“The most important design feature in the Northfax vision is a new linear park that spans from Northfax West to Northfax East, and connects north with Accotink Creek.”	The proposed development will help provide a pedestrian connection to Accotink Creek.
SAP, p. 9, A Balanced Activity Center	“Northfax is a huge opportunity to transform into a mixed-use Activity Center that centers and anchors the surrounding communities. Transitioning to a more balanced mix of uses will help create a better sense of place, bring more activity around the clock, potentially reduce single-use peak traffic, and help create more dynamic public spaces. The existing offices and hotels would be greatly enhanced by additional daytime retail, including restaurants, and a larger nearby residential population.”	The introduction of townhomes will help balance the mix of uses in Northfax. New residents will help support existing and future retail in the area as well as hotels and office by generating daytime pedestrian activity.
SAP, p. 14, Surface Parking to Green Space	“...[T]he plan proposes an increase in buildings - replacing mostly surface parking in the plan. These new buildings have the potential to better direct water, have green roofs, and other eco-friendly designs that improve the ecology of the study area.”	The proposed residential building and open space areas will replace an existing surface parking lot. As a result, stormwater will be treated in a much more efficient and ecologically-friendly manner.
SAP, p. 14, Connected Green Spaces	“The proposed green space diagram demonstrates potential green spaces in a total build out of the plan.	The proposed redevelopment of the Application Property includes a defined path for pedestrian circulation to

	<p>The goal of this green space approach is to create 1) interconnected green spaces to facilitate movement of people and wildlife 2) A variety of park sizes and spaces to support different activities and 3) connecting green spaces within the study area to active trail systems and cultural resources.”</p>	<p>connect Eaton Place with a proposed Amenity Area in the center of the parcel and to the Snyder Trail beyond.</p>
<p>SAP, p. 20, Commercial Uses in Northfax</p>	<p>“Northfax is home to a large office complex (WillowWood Plaza) anda cluster of hotels serving a range of guests. What is absent in the overall setting is access to convenient / walkable amenities, such as restaurant and retail.</p> <p>Including providing enhanced neighborhood conveniences for nearby city residents, the redevelopment of the Fairfax Shopping Center into Point 50 will help address this commercial user serving gap. Adding further retailing offerings and other user amenities elsewhere in Northfax (i.e. green space) is key to strengthening these background existing commercial land uses.”</p>	<p>The proposed open space will add to the sense of place for Northfax.</p>
<p>SAP, p. 22, Residential Uses in Northfax</p>	<p>“Residential uses are key to supporting new development in the activity centers, both of which are currently dominated by office space. New residential construction also provides diversification of residential product type since most of the City’s existing residential inventory comprises older single family homes and apartment complexes.”</p>	<p>The proposed residential development will help diversity the City’s housing stock and bring much needed residential uses to Northfax.</p>

<p>SAP, p. 22, Building Height and Setbacks</p>	<p>“Areas not close to adjacent residential structures are recommended to have a (7 story) height limit.”</p>	<p>We are proposing 4 stories for the townhomes.</p>
<p>SAP, p. 43, Zoning and Regulatory Recommendations</p>	<p>“Zoning (Land Use) – Currently, most of Northfax is zoned CR (Commercial Retail), which does not permit residential and hotel uses without special exception. The plan recommends that all properties in the study area be rezoned to also allow for residential, hotel and mixed-use. The Commercial Urban (CU) zone is a potential solution for the study area, as it has more flexibility in allowable land uses.”</p>	<p>Consistent with this recommendation in the SAP, we are proposing to rezone to the Commercial Urban (CU) zone.</p>