

**STATEMENT OF SUPPORT AND BUSINESS PLAN**  
**(revised as of 26 September 2022)**

The Lamb Center and Wesley Housing (the “Applicants”) submit a special use permit request for the CR special use of Upper Story Residential to allow a mixed-use redevelopment of the Hy-Way Motel property at 9640 Fairfax Boulevard, Parcel Identification Number 48-3-09-020 (the “Property”). The Applicants also submit special exception applications to allow modification of parking and other standards. The applications are supported by concept diagrams by mark r. yoo architect, pllc. and a revised special use/special exception plan by Walter L. Phillips, Inc. stamped on September 26, 2022. The concept diagram shows a new, five-story structure with an entry lobby and retail area on the ground floor facing Fairfax Boulevard. The concept exhibit illustrates landscaping, vehicular access, parking and zoning requirements. The revised special use/special exception plan responds to comments dated 28 June 2022 by: (1) updating the zoning tabulation to reflect street side yard requirements and to show compliance after dedication, (2) removing existing features in faded lines; (3) removing the parking setback, (4) correcting Note 10 to the proper reference to ADU regulations, (5) relocating bike racks to face Campbell Drive, (6) re-labeling the area in Campbell Drive from loading zone to temporary parking area; (7) moving trees further back to avoid conflict with overhead utilities, (8) adding existing pervious and impervious area calculations, (9) adding information about the location of the trash receptacle, (10) adding site lighting details, (11) adding density tabulations, (12) adding a proposed sign, (13) adding required and provided loading parking spaces; (14) adding sight distance profiles, (15), adding required and provided bike parking, (16) adding the CUE bus stop, (17), widening the curb ramp at Fairfax Blvd and Campbell Drive consistent with the 10-foot shared use path, (18) shifting the three trees along Fairfax Boulevard to provide additional space for the Fire & Rescue Ladder truck, (19) adding fire lane signage and surface marking to the entrance from Campbell Drive. The revised special use/special exception plan responds to comments dated 15 September 2022 by: (1) adjusting the limits of disturbance and adding tree protection “TP” notes to minimize impact on offsite trees; (2) adding updated grade plane exhibits to Sheet P-0605 to ensure that the height of the building is calculated in accordance with Section 1.5.11 of the Zoning Ordinance; (3) updating zoning tabulation to account for dedication; (4) updating Note 10 on the plan to detail extent of compliance with the ADU regulations in the Zoning Ordinance; (5) relocating bike racks from the front yard to within the building and near the bus pad; (6) shifting the loading spaces outside the front yard setback; (7) adding the types of pervious ground cover on plan sheet P-0101; (8) adding a utility narrative to plan sheet P-0101; (9) adding a note to the cover sheet regarding compliance with the ADU requirements pursuant to Zoning Ordinance Section 3.9.6.; (10) updating sight distances from the property entrance; (11) depicting bike racks with dimensions of 3’ X 7’-; (11) shifting the bike rack off the storm inlet; (12) adding lighting and a bench near the bus stop; (13) reducing the travel lane beginning from the centerline toward the property from 14 feet to 10 feet to reduce the pedestrian crossing distance across Campbell Drive; (14) depicting the approximate location of lighting for sidewalks and streets; (15) depicting the interior bike room on plan sheet P-0301;

**Special Use Permit Application**

The special use application is for Upper Story Residential, a special use in the CR, Commercial Retail zoning district. The property is planned Commercial Corridor and is located

just outside the Fairfax Circle Activity Center that lies to the east and directly across Fairfax Boulevard to the south. The special use permit would allow mixed use redevelopment of the hotel with small residential units on the upper floors and office and retail uses on the ground floor. Such redevelopment would honor the Commercial Corridor planning designation, while also providing a transition to the desired mixed use for the Fairfax Circle Activity Center directly across the street.

### **Residential units and supporting office**

The 54 residential units would be located on floors 2-5 would serve very low-income persons and would be very small, ranging from 350 to 750 square feet (most either 350 square feet or 550 square feet) but with a full kitchen and bathroom. There would be case managers on site providing services to residents. At least 15% of the units will be fully accessible for persons with disabilities and will meet other universal design requirements for such units. The second floor will also include a community room and offices to support the residential case managers. The project will meet the City's Affordable Dwelling Unit regulations applicable to this project by offering all 54 units to persons at 50% or below of area medium income. The Applicants' will not be offering units for lease by the City given the Applicants' mission to, themselves, provide affordable housing opportunities to very low income persons.

### **Ground Level Retail/Offices**

The office space on the ground level of the proposed building is envisioned as an employment agency for persons who have graduated from the Lamb Center's City Jobs workforce training program and, as such they, are ready to enter the general workforce. After successfully completing the training program, an individual would receive a referral and then be able to schedule an appointment at the Fairfax Blvd center.

The initiative would function much like a staffing agency supporting the needs of area employers in that Lamb Center clients will be matched with stable employment opportunities with the potential collection of fees. Like other employment agencies, assessments and interviews could be conducted at the Fairfax Blvd office. The focus will be to match the needs of area employers with individuals who have demonstrated skills and who are ready for employment. The Fairfax Blvd center will seek to build community connections through door-to-door discussions with neighboring companies, meetings with area businesses, and business organizations. The goal will be to introduce the center, learn about the needs of area employers, and solicit cooperation in second-chance employment opportunities.

Use of this office space could include:

- Administrative office functions including but not limited to client paperwork, maintenance of jobs database, billings for any fees charged;
- Computer stations for resume development and online jobs applications; and
- Meeting rooms for interviews and employer relationship development.

The ground floor of the building would include gated parking and a 24-7 staffed entry lobby that would allow access to stairs and elevators to the upper floors.

## **Special Exception Applications**

The special exception applications would be (1) to allow a reduction of the minimum parking standard. (2) to allow waiver of the Street Tree requirement in Code § 4.5.6.B, (3) to allow exceeding the density limitations set forth in Zoning Ordinance Section 3.6.2, (4) to allow a courtyard encroachment into the front setback from Campbell Drive (5) allow increased nonconformity of minimum lot size because of dedication for public improvements;(6) exceed the maximum building coverage after dedication of public improvements; (7) allow a trash receptacle in the front yard setback; (8) allow a power transformer in the front yard setback and (9) waiver of the requirement for an interparcel connector from the Sunoco Property to the east.

### **Section 6.17.7 Statements for Special Exceptions**

#### **Minimum Parking, ZO Section 4.2.3.E**

The request for reduction in minimum parking is made in light of the unusual nature of the proposed development where residents-- being very low income—would rely on public buses for transportation. A bus stop is located immediately adjacent to the property at the corner of Campbell Drive and Fairfax Boulevard and the Lamb Center will provide tokens free of charge to residents obtaining healthcare, employment, and other services. Bus schedules and assistance with directions will be provided to residents and their guests from a staffed front desk. Many residents will be Medicaid recipients and thus entitled to use Medicaid Transportation Services for any form of healthcare or other Medicaid-approved services.

There is precedent in other Northern Virginia jurisdictions for the reduction of parking where, as here, residents, would be limited to those with a low percentage of the average median income for the jurisdiction. The special exception could condition continuity of very low-income residents and public transportation strategies as the basis for the parking reduction. The Applicants submitted a Traffic and Parking Study by Wells + Associates in support of the reduction on 27 June 2022 and have supplemented that study with a table providing information about reduced parking from other jurisdictions. The Applicants have committed to a Transportation Demand plan that will promote public transportation. Given the low vehicle use on the property and the commitment to public transportation, the parking standard reduction will ensure the same level of land use compatibility and will not materially or adversely affect adjacent land uses. The provision of affordable housing to very low-income persons who generally don't own or lease vehicles is consistent with the affordable housing goals of the City. The reduction of parking spaces and the promotion of public transit reduce vehicle trips and impact on transportation infrastructure. The requested reduction is also based on the physical constraints of this small site that does not provide enough space to meet parking standards as opposed to economic hardship to the Applicants.

#### **Additional remedies:**

- The Lamb Center partners with the Fairfax City-based Shepherd's Heart Anglican Church Bike Ministry to provide its clients with refurbished bikes and bike repair services.

- The Lamb Center will support and promote regional resources, including the Commuter Connections Guaranteed Ride Home program.

### **Maximum Street Tree Setback from Right of Way , ZO Section 4.5.6.B.1**

The special exception for waiver of the Street Tree requirement in Code § 4.5.6.B requiring planting no more than 15 feet from the back of the curb or edge of pavement is to allow the Applicants to conform to Comprehensive Plan guidance that requires at 4-foot barrier from the trail along the street frontage on Fairfax Boulevard and to allow to accommodate undergrounding of utilities along Campbell Drive. Honoring the competing Comprehensive Plan goal along of a four-foot barrier from the trail on Fairfax Boulevard and the competing policy in favor of the undergrounding of the existing overhead utilities along Campbell Drive means that the same level of land use compatibility is provided and that there is no materially and adverse impact on adjacent land uses. Nor does placing the street trees further back to accommodate these competing public goals result in inadequate transitioning or screening given the busy Fairfax Boulevard frontage and the existing commercial development along Campbell Drive. Undergrounding of utilities and providing a barrier to the trail along Fairfax Boulevard is generally consistent intent of the Zoning Ordinance and Comprehensive Plan. It is the constraints of this small site in accommodating the separation from the new underground utilities along Campbell and the separation from the trail along Fairfax Boulevard that requires relief from the maximum 15-foot street tree setback as opposed to economic hardship on the applicant.

### **Density, ZO Section 3.6.2**

The special exception for exceeding the density limitation in Zoning Ordinance Section 3.6.2 is to allow density commensurate with providing significant numbers of very low-income housing units in the form of very small units. The result is 54 dwelling units on .41 acres for a density of 131.7 dwelling units per acre, as compared to the maximum ADU residential density--premised on standard-sized ADU units--of 24 dwelling units per acre. The degree of land use compatibility is not altered because smaller size of the units and the provision of smaller units inside the building do not in any way increase the impact on adjacent land uses or adversely impact the character of uses in the immediate vicinity. From the outside, one will not be able to tell that there is a greater number of smaller units and the typical single-occupancy of those units means that there are fewer persons impacting adjacent property. The provision of housing to very low income persons through very small units is consistent with the ADU provisions in the Zoning Ordinance and Comprehensive Plan. The greater density resulting from the very small units is also based on the land use specifics as opposed to economic hardship to the Applicants.

### **Courtyard Encroachment Into Campbell Drive Setback, ZO Section 1.5.12.E**

The special exception for encroachment of the courtyard into the Campbell Drive setback allows for a pedestrian connection to the sidewalk and for an amenity for residents. The degree of land use compatibility is not altered by allowing this pedestrian connection and the connection does not increase the impact on adjacent land uses. The encroachment is toward a public road, not private property. Provision of safe pedestrian travel is consistent with goals of the Zoning

Ordinance and Comprehensive Plan and the need for encroachment is based on the physical constraints of this small site and land use specifics as opposed to economic hardship to the Applicants.

**Increased Nonconformity as to Minimum Lot Size**

The special exception for increased nonconformity as to minimum lot size results solely from the requested dedication for public improvements. Dedication for public improvements does not increase the impact on adjacent land uses and honors goals of the Zoning Ordinance and Comprehensive Plan to ensure adequate levels of transportation infrastructure and to mitigate the impact of private development on those levels of service. The increased nonconformity is because of the already-nonconforming nature of this the property as to minimum lot size, as opposed to economic hardship of the Applicants.

**Exceeding Maximum Building Coverage After Dedication, ZO Section 3.6.2**

The special exception for exceeding maximum building coverage is necessary because of the requested dedication for public improvements. Dedication for public improvements does not increase the impact on adjacent land uses and honors goals of the Zoning Ordinance and Comprehensive Plan to ensure adequate levels of transportation infrastructure and to mitigate the impact of private development on those levels of service. The increased nonconformity is because of the already-nonconforming nature of this the property as to minimum lot size as opposed to economic hardship of the Applicants.

**Allow Trash Receptacle in Front Yard Setback, Zoning Ordinance Section 4.5.8.G.3**

The special exception for allowing the trash receptacle in the front yard setback is needed because the encroachment cannot be avoided given the limitations of the site and the need to provide for safe and efficient waste collection. Appropriate screening of the receptacle will be provided so that the encroachment will not impact adjacent land uses. Providing access to the dumpster by trash removal services promotes zoning ordinance and Comprehensive Plan goals of promoting this essential sanitary service and the need for the exception is based on constraints of this small site as opposed to economic hardship to the Applicants.

**Allow Power Transformer in Front Yard Setback, Zoning Ordinance Section 1.5.12.E**

The special exception allowing the power transformer in the front yard setback is needed because of the location of the overhead lines along Fairfax Boulevard that must power the transformer and the small size of the site. Appropriate screening of the transformer will be provided so that the encroachment will not impact adjacent land uses. Given the location of the overhead utility lines, the transformer can only be located in the front yard setback and the transformer promotes zoning ordinance and Comprehensive Plan goals of promoting this essential utility service. The need for the exception is based on constraints of this small site as opposed to economic hardship to the Applicants.

### **Waiver of Interparcel Connector from Sunoco Station, ZO Section 4.3.3**

The concept of interparcel connector is based on providing alternative vehicular access routes to public roadways between similar uses. The Sunoco station to the east is a wholly commercial use while the proposed mixed use project has a substantial residential component. Compliance with Section 4.3.3 in this case, therefore, would contradict the Zoning Ordinance and Comprehensive Plan rationale of providing interparcel access between commercial uses and would pose a danger to residents who would cross that travelway. The need for the waiver, thus, relates to the land use specifics as opposed to economic hardship to the Applicants.

### **Service to Very Low-Income Persons**

The proposed redevelopment project—including the requested parking reduction—is best understood in the context of the Lamb Center and Wesley Housing initiatives providing shelter and housing to the homeless. The [Lamb Center](#) is a daytime drop-in shelter for homeless individuals in the central Fairfax area. Since opening its doors in 1992, thousands of guests have been welcomed and served. The Lamb Center provides a variety of services without cost to its guests, including breakfast, lunch, showers, laundry service, case management, Bible studies, housing referrals and job counseling, AA meetings, a nurse practitioner clinic, a dental clinic, and much more. The Lamb Center partners with both the City of Fairfax and Fairfax County to provide approximately 20 guests each week with paid jobs maintaining city parks and public spaces. The Lamb Center is sustained through generous community support from over 100 churches, more than 2000 individual donors, dozens of local businesses, and hundreds of volunteers. [Wesley Housing](#), a leading nonprofit developer in Northern Virginia and the District of Columbia, has been working to provide affordable rental housing for individuals families for nearly 50 years. Since its founding, Wesley Housing has emerged as a premier developer of affordable housing. Wesley Housing has acquired or developed over 2,700 rental units, providing quality housing for thousands of at-risk individuals and families each year. Wesley Housing supplements housing with supportive services to build up the lives of its residents, including low- and moderate-income families, older adults, and individuals with disabilities and/or chronic disease.

This project would continue these needed services. The apartments will be rented through long-term leases with security and safety stipulations. Most units will be dedicated to very low-income residents at or below 30% area median income (currently \$27,090 for a single person). According to the National Alliance to End Homelessness (NAEH), a chronically homeless person costs the taxpayer an average of \$35,578 per year. An NAEH study found that supportive housing can cut that cost in half. The Lamb Center - Wesley housing partnership will reduce the number of people sleeping on the streets and in the woods, reduce the number of people cycling through emergency rooms and jails, and will provide housing not currently available in the city. Once housed, residential case managers will assist residents with accessing community services and resources, monitoring the quality and effectiveness of those services, and ensuring coordination of care. Residential case managers will help each tenant formulate and achieve individual goals such as securing income or work, improving physical and mental health conditions, and maintaining housing. Case managers will also provide skills training to improve

individuals' abilities to budget, manage medication, maintain employment, and develop positive social supports.

### **Section 3.5(D) Standards**

The concept diagrams show how proposed development demonstrates compliance with City Code Section 110-3.5.1D.1 that the at least 75% of the ground floor Upper Story residential /mixed uses be used solely for nonresidential uses. The special use/special exception plan shows how development also complied with the nonresidential dimensional standards referenced in Section 110-3.5.1.D.2, and set forth in Section 110-3.6.2, including lot area, required yards, bulk plane, height, building coverage, lot coverage. Floor height will also comply will comply with the standard in Section 110-3.5.1.D.3 that the ground floor have at least twelve feet of clear interior height and that 80% of each upper story have interior clear height of at least nine feet.

### **Section 6.6.8 Special Use Review Criteria**

As required by the Special Use Request Instructions, the Applicants set forth responses to the applicable Special Use Review Criteria.

#### **A. Substantial Compliance with Comprehensive Plan**

As stated above, the mixeduse project with ground floor commercial space is consistent with preservation of commercial uses along Fairfax Boulevard while also providing a transition from the Fairfax Circle Activity Center to the east and across the road through the very low-income residential component. Additionally, the project aligns with the Comprehensive Plan's goal of redeveloping older commercial projects in key areas to provide economic and social benefits to the community.

#### **B. Any greater benefits the proposed development provides to the city than would a development carried out in accordance with the general zoning regulations**

The proposal provides needed housing to very low-income persons, a goal of the City.

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

The property, being currently used for a hotel, is suited to continued residential use under a special use permit as opposed to commercial strip retail.

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

As noted above, the property is well served by public transportation facilities, with a bus stop on its Fairfax Boulevard frontage. It is also served by police, fire and rescue, as well as nearby parks, including Draper Park, Wilcoxon Trail, and Thaiss Park. The low-income adult residents would place no demand on public schools.

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

All public utilities are available and of adequate capacity.

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

Section 3.8.2 is not applicable to this property because it is not in a development district. The proposed development is consistent with all applicable requirements of the Zoning Ordinance except for the parking standard that is sought to be reduced through the special exception application.

- G. Compatibility of the proposed development with the adjacent community

As noted above, the mixed-use development is consistent with that encourage by the Fairfax Circle Activity Center to the east and across Fairfax Boulevard.

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

The property is not in a planned development district.

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

As stated above, the second story offices will provide support services to the residential use and the first-floor retail will provide employment agency services to benefit businesses and graduates of the Lamb Center Work Force Training Program.

- 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 buildout.

The quality of design is reflected in the concept diagrams. This is a single building redevelopment such that there is no need for a master development plan.

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

The project is not phased nor located in a planned development district.

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

The project is a redevelopment project without ecologically sensitive areas.



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.

As explained above, the residential component of the project is entirely devoted to affordable housing.