



## Board of Architectural Review

DATE: November 2, 2022  
TO: Board of Architectural Review Chair and Members  
THROUGH: Jason Sutphin, Community Development Division Chief *JDS*  
FROM: Anna Kohlbrenner, BAR Liaison *AK*  
SUBJECT: **Work Session: 10501, 10515, 10523 Main Street – City Centre West**

ATTACHMENTS: 1. Relevant Regulations  
2. Planning Commission work session staff report  
3. Current plan set

### **Nature of Request**

1. Case Number:	BAR-22-00772
2. Address:	10501, 10515, 10523 Main Street
3. Request:	Mixed-use building
4. Applicant:	Ox Hill Realty LLC
5. Applicant's Representative:	Robert D. Brant
6. Status of Representative:	Attorney
7. Zoning:	CR Commercial Retail/CG Commercial General, Old Town Fairfax Transition Overlay District

## **BACKGROUND**

The site is currently developed with a vacant 3,721 square foot bank with drive through, a vacant 4,408 square foot restaurant and a 11,340 square foot office building. The subject site is located on the south side of Main Street, west of West Street and north of Page Avenue and the Fairfax County Courthouse Public Safety Center, and east of Judicial Drive. It consists of a consolidation of three (3) parcels for a total of 1.784 +/- acres.

The applicant is proposing a Zoning Map Amendment (Rezoning) from CG, Commercial General and CR, Commercial Retail to CG, Commercial General in the Old Town Fairfax Transition Overlay District (TOD); a Special Use Permit to allow a bank with a drive-through; Special Exceptions to allow the building height to exceed for 48 feet in the Transition Overlay District (TOD), to allow the maximum density to exceed the permitted density, to exceed the maximum build-to line and maximum front yard requirements, to allow a waiver to the inter-parcel vehicular access requirement, to allow a reduction in the 10% tree canopy requirement, to allow an increase of maximum street tree spacing requirement and to allow reduction in the sidewalk width in the TOD. As seen in section 6.17.5. Special Exceptions in the Zoning Ordinance, the Board of Architectural Review would be making two

recommendations to the City Council. One recommendation would be for the special exceptions seen above with more detail in attachment two. The second recommendation would be on the Major Certificate of Appropriateness. Recommendations would take place at a future date, as this meeting is a work session.

## §6.17. SPECIAL EXCEPTIONS

### §6.17.1. Applicability

- A. Special exceptions shall be reviewed in accordance with the provisions of §6.17.
- B. Special exceptions may be approved modifying:
  - 1. The specific use standards authorized by the §3.5. This should not be interpreted as authorizing uses not otherwise allowed by §3.3;
  - 2. The dimensional standards (for residential and nonresidential uses) of §3.6;
  - 3. All standards applicable to overlay districts (§3.7); and
  - 4. The site development standards of Article 1.
- C. Alternatively, and in conjunction with other development reviews or where two or more special exceptions are proposed as part of the same application on all district properties, except in the RL, RM and RH districts, the city council may serve as the board of zoning appeals and approve special exceptions.
- D. The board of zoning appeal shall have authority to approve all special exceptions in the RL, RM and RH districts.

### §6.17.2. Pre-application meeting

Applicants submitting special exception applications shall hold a pre-application meeting in accordance with §6.2.1.

### §6.17.3. Application requirements

Applications for special exceptions shall be submitted in accordance with §6.2.3.

### §6.17.4. Notice and hearings

The city shall hold all required public hearings and give notice in accordance with §6.2.5.

### §6.17.5. Action by zoning administrator

- A. The zoning administrator shall review each special exception application for compliance with the approval criteria of §6.17.7 and distribute the proposed plan to appropriate agencies and reviewers.
- B. Applications on historic district and the transition overlay district properties requiring a certificate of appropriateness will be submitted to the board of architectural review for recommendation prior to action by the decision-making body.
- C. The zoning administrator shall provide a report and recommendation to the decision-making body.



## PROPOSAL

The applicant proposes to redevelop a bank with drive through, a vacant restaurant and a low-rise office building with a proposed upper-story mixed use building that consists of 84 multifamily condominium units, 68,905 square feet of general office uses, 12,649 square feet of medical and dental office uses, 3,662 square feet of retail uses, 3,662 square feet of restaurant uses, and bank with drive through on 1.78 +/- acres.

Each level of the proposed mixed-use building is provided in the plan set. Parking level four is the lowest level of the building, holding 123 parking spaces. Parking level three would hold 145 parking spaces. Parking level two is directly accessible from turning onto the private street and entering the garage in the back of the building. There would be two total entryways for the proposed parking garage. This parking level would have drive thru automated tellers with an ATM. Parking level one would share parking spaces with the residential main lobby and bank. Level one would house the commercial spaces including medical, bank, office, and retail/restaurant. Level two would be all office space. Remaining floors would be residential.

The applicant is proposing three different colors of brick. The applicant is also proposing fiber cement panel, architectural precast masonry, metal paneling, and aluminum storefront system. Canopy lighting would be recessed or be a surface mounted exterior fixture. Building lighting would be high matte black outdoor LED light fixture. Windows would be fiberglass with a black frame. Storefront would be aluminum in color bronze. Balcony material would consist of glass with a low-profile handrail.

The applicant is proposing three different types of pedestrian paving. Type one and two would be located along Main Street. Type three would be located along the connector and private road. Two bike racks are proposed.

Street trees include October Glory Red Maple, American Hornbeam, Blackgum, Hophornbeam, Sourwood, Princeton Sentry Ginkgo, Valley Forge Elm, and London Planetree. Groundcovers include Snow-in-Summer, Wild Ginger, Sweet Woodruff, and Creeping St. John's Wort. Shrubs include Summersweet, Winterberry, Virginia Sweetspire, and Dwarf Fothergilla.

## RELEVANT DESIGN GUIDELINES

### ***City of Fairfax Design Guidelines:***

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

*Transition Overlay District Overview, TOD-1*

*Transition Overlay District Goal, TOD-1.1*

*Build on the existing character of the neighboring HOD without copying it when designing new buildings in the TOD. Maintain and strengthen the TOD street "wall" at properties adjacent to the HOD, and strengthen the street edge with buildings and landscape throughout the district. Respect the boundary between the commercial areas and surrounding neighborhoods. Undertake changes that will improve pedestrian routes between the TOD and surrounding neighborhoods. Continue the emphasis on attractive and well-maintained landscaping within the TOD. Respect the existing physical street patterns and lot orientation of the HOD when redeveloping sections of the TOD.*

This proposed redevelopment is located on one of the main entrances to the historic overlay district. The site is across from Truro church which is considered a contributing building on the National Register. The site is diagonal from the National Bank of Fairfax site located at 10440 Main Street that is contributing. The site is in proximity to the historic jail and courthouse in the County, also contributing on the National Register. The proposed redevelopment would add significant height along Main Street. The grade along Main Street slopes significantly away from the historic core. As seen in the Old Town Fairfax Small Area Plan, "In this diagram, the Small Area Plan project team recommends a tailored approach to height limits by establishing a lower height limit setback of 4 stories closer to adjacent residential communities. Areas not close to adjacent residential structures are recommended to have a 6 story height limit. Hybrid transition areas are designated with a 5 story or a 4 story height limit. The historic core of downtown is recommended to remain limited to 3 stories. Height limits and setbacks must both allow feasible development to occur while also respecting historical and nearby existing single family uses. At key locations where the study area is adjacent to residential areas, the plan proposes lower scale townhouse uses or pedestrian friendly green spaces and streetscapes to allow a clean visual and programmatic transition. The plan focuses larger scale redevelopment in Old Town North and Old Town South. Taller buildings conform to the existing character established by the larger existing office buildings and nearby tall structures at the Massey Complex." There is room for increased growth and height as seen in the Old Town Fairfax Small Area Plan.

*Transition Overlay District Character, TOD-1.2*

*The height limit in the TOD is 48 feet, or four levels, for new buildings.*

Building height surpasses the recommended height limit, applicant would need a special exception for this reason. Building height would be roughly 94' from average grade. There are ongoing tasks by city staff to change regulatory and policy documents to reflect Old Town Fairfax Small Area Plan. While the building exceeds the maximum height of the TOD standard, the latest policy guidance is found in the SAP. Criteria for approving an SE is in part based on conformance to comprehensive plan guidance, and the SAP recommends increased height in this location. BAR should consider if the height is too high given the proximity of historic sites, and if the applicant has used the techniques outlined in Design Guidelines to treat a large building.

*New Construction, TOD-3*

*Building Types, TOD-3.3*

*Sometimes new commercial, office or mixed-use buildings will be constructed on larger sites. They may be a single large site or several lots assembled from smaller parcels that can translate into new structures whose scale and mass could overwhelm neighboring existing buildings. Therefore, while this building type needs to respond to the various building conditions of the site, it also should employ design techniques to reduce its visual presence.*

There could be some improvement along the pedestrian realm in the middle area of the building along Main Street to reduce its visual presence.

*Building Size & Footprint, TOD-3.6*

*Institutional and multi-lot buildings by their nature will have large footprints. Therefore, the massing of these large-scale structures should be reduced so they will not overpower the traditional scale of the neighboring HOD. Techniques could include varying the surface planes of the building, stepping back the building as the structure increases in height, and breaking up the roofline with different elements to create smaller compositions.*

Roofline appears broken up, there is a small indent of the building footprint along Main Street in the retail/restaurant space.

*Building Height & Width, TOD-3.7*

*The maximum height of new buildings in the TOD can allow for a height of four stories. In some instances, four stories may be inappropriately tall. Many commercial buildings in the neighboring downtown area average 30 feet in width. If new buildings are wider than this size, their primary facades should be divided into bays to reflect the predominant width of the existing buildings. Buildings that front on two or more sides should use this bay division technique on all appropriate facades. These bays also should have varied planes within the overall façade. Mixed-use buildings should typically have a taller ground floor to accommodate for commercial uses.*

*Building Scale, TOD-3.7*

*Reinforce the human scale of new design in the TOD by including different materials or colors, or elements such as entrance and window trim, cornices, string and belt courses to separate floor levels, pilaster-like elements to separate bays, and other decorative features.*

Pedestrian level building engagement and differing materials would be beneficial for reducing building scale in the middle area of the building along Main Street to reduce its visual presence.

*Roof Form & Materials, TOD-3.8*

*Multi-lot buildings or large-scaled buildings should have a varied roof line to break up the mass of the design using gable and/or hipped forms or different height of sloped bays. If roof-mounted mechanical or other equipment is used, it should be screened from public view on all sides.*

*Window Types & Patterns, TOD-3.9*

*Glass storefronts would generally have more horizontal proportions than upper floor openings. Window proportions in new designs in the TOD may have more flexibility in their proportions than in the HOD.*

*Entry Features: Storefronts, Porches & Doors, TOD-3.10*

*When designing new storefronts in the TOD, continue with the concept of display windows, but the design may have more glass and a wider range of materials than the traditional storefronts of the HOD. Keep the ground levels of new retail commercial buildings at least sixty percent transparent up to a level of ten feet if possible.*

*Materials, Textures & Colors, TOD-3.11*

*The selection of materials and textures for a new building in the TOD should be compatible with, and complement, the neighboring historic buildings. Brick, stone, and wood siding or cementitious siding are the most appropriate materials for new buildings. Most new brick buildings currently use a brick facing over a frame instead of a solid brick wall. Large scale multi-lot buildings whose primary facades have been divided into different bays and planes to relate to existing neighboring buildings may vary materials, shades, and textures.*

*Building-Mounted Lighting, TOD-3.13*

*Fixtures should utilize an incandescent, LED, fluorescent, metal halide, or color corrected high-pressure sodium lighting sources. Fixtures should be the full cutoff variety to limit the impact of lighting on neighboring properties and on the night sky.*

*Signs, TOD-5*

*Disallowed Sign Types, TOD-5.5*

*Rooftop signs, moving signs, billboards, and off-site signs and portable signs (other than sandwich signs) are not allowed. Temporary signs are not reviewed in the transition district.*

Would need to discuss with Zoning if proposed signs would be categorized as rooftops signs above canopy. Bank sign would need further research from Zoning.

*Awnings, TOD-7*

*Canopies & Marquees, TOD-7.3*

*Canopies and marquees may be appropriate on non-historic or new commercial buildings depending on their use. They should fit within the overall architectural design and not obscure important elements such as transoms or decorative glass.*

The site is located inside the Old Town Fairfax Small Area Plan boundaries and categorized as activity center in the Comprehensive Plan for future land use. Please see attachment two for more information.

ATTACHMENT 1

## RELEVANT REGULATIONS

### §6.5.1. Applicability

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

A. A certificate of appropriateness shall be required:

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

### §6.5.3. Certificate of appropriateness types

A. Major certificates of appropriateness

1. Approval authority

(a) General

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

(b) Alternative (in conjunction with other reviews)

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

### §6.5.6. Action by decision-making body

A. General (involving other review by city council)

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

B. Other reviews

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



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

#### §6.5.7. Approval criteria

##### A. General

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

#### §6.5.9. Action following approval

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

#### §6.5.10. Period of validity

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

#### §6.5.11. Time lapse between similar applications

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

#### §6.5.12. Transfer of certificates of appropriateness

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

§6.5.13. Appeals

A. Appeals to city council

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

B. Appeals to court

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



# CITY OF FAIRFAX

## Department of Community Development & Planning

Zoning Map Amendment (Z-22-00054)

Special Use Permit (SU-22-00055)

Special Exception (SE-22-00056)

### WORK SESSION DATE

October 24, 2022

### APPLICANT

Ox Hill Realty, LLC

### AGENT

Robert D. Brant, Attorney  
Walsh Colucci Lubeley & Walsh  
2200 Clarendon Boulevard  
Suite 1300  
Arlington, VA 22201

### PARCEL DATA

#### Tax Map ID

- ◇ 57-4-02-076
- ◇ 57-4-02-072
- ◇ 57-4-02-071

#### Street Address

- ◇ 10501 Main Street
- ◇ 10515 Main Street
- ◇ 10523 Main Street

#### Zoning District

- ◇ CG, Commercial General
- ◇ CR, Commercial Retail
- ◇ Old Town Fairfax  
Transition Overlay  
District/Architectural  
Control Overlay District  
(ACOD)

### APPLICATION SUMMARY

The intent of this post-submission work session request is to receive feedback from the Planning Commission on a proposed Zoning Map Amendment (Rezoning) from CG, Commercial General and CR, Commercial Retail to CG, Commercial General in the Old Town Fairfax Transition Overlay District (TOD); a Special Use Permit to allow a bank with a drive-through; Special Exceptions to allow the building height to exceed for 48 feet in the Transition Overlay District (TOD), to allow the maximum density to exceed the permitted density, to exceed the maximum build-to line and maximum front yard requirements, to allow a waiver to the inter-parcel vehicular access requirement, to allow a reduction in the 10% tree canopy requirement, to allow a reduction of maximum street tree spacing requirement and to allow reduction in the sidewalk width in the TOD. The applicant proposes to redevelop a bank with drive through, a vacant restaurant and a low-rise office building with a proposed upper-story mixed use building that consists of 84 multifamily condominium units, 68,905 square feet of general office uses, 12,649 square feet of medical and dental office uses, 3,662 square feet of retail uses, 3,662 square feet of restaurant uses, and bank with drive through on 1.78 +/- acres.



Background Information

The site is currently developed with a vacant 3,721 square foot bank with drive through, a vacant 4,408 square foot restaurant and a 11,340 square foot office building. The subject site is located on the south side of Main Street, west of West Street and north of Page Street and the Fairfax County Courthouse Public Safety Center, and east of Judicial Drive. It consists of a consolidation of three (3) parcels for a total of 1.784 +/- acres as summarized in Table 1 (below):

Table 1: Property Information

Address	Description	Area	Current Zoning
10501 Main Street	Wells Fargo	0.842 acres	CG, Commercial General/TOD
10515 Main Street	Restaurant	0.608 acres	CR, Commercial Retail/TOD
10523 Main Street	Office Building	0.334 acres	CR, Commercial Retail/TOD
Total Area		1.784 acres	

- 10501 Main Street: Wells Fargo was constructed in 1986
- 10515 Main Street: the restaurant was constructed in 1970
- 10523 Main Street: the office building was constructed in 1971

The site has access from Main Street with four existing curb cuts on three parcels. Further information on adjacent properties is provided in Table 2 (below):

Table 2: Surrounding Land Use and Zoning

	Existing Zoning	Existing Land Use	Future Land Use
Site	CG, Commercial General and CR, Commercial Retail/Old Town Fairfax Transition Overlay District (TOD)	Vacant Bank, vacant restaurant, and office building	Activity Center/Old Town Fairfax Small Area Plan
North	CR, Commercial Retail and RM Residential Medium/Old Town Fairfax Historic Overlay District (HOD)	Religious Institution City parking lot	Social and Civic Network/Activity Center
South	PDC, Planned Development Commercial District	Fairfax County Courthouse Public Safety Center	Public Facilities
East	PDC, Planned Development Commercial District	Undeveloped land, County Sheriff, and Historic Courthouse	Public Facilities
West	CR, Commercial Retail/Old Town Fairfax Transition Overlay District (TOD)	Office	Activity Center/Old Town Fairfax Small Area Plan

The Future Land Use designation for the subject site is Activity Center. The surrounding land use designations are a combination of Activity Center and Social and Civic Network in the city, while the land use designation for the abutting properties in Fairfax County has a future land use designation of Public Facilities. The subject site is split zoned with two zoning districts: CG Commercial General and CR Commercial Retail. The subject site is immediately surrounded by uses that range from an office building to religious institution, city parking lot to county sheriff, and parking garage and judicial center. On the north side of Main Street and directly across from the site is Truro Anglican Church and a city parking lot; to the immediate east of the site

and at the southwest corner of Main Street and West Street is a county-owned parcel; immediately to the south of the site is the county-owned property with the Fairfax County Courthouse Public Safety Center; and to the west is a three-story office building.

Pre-Application Meetings

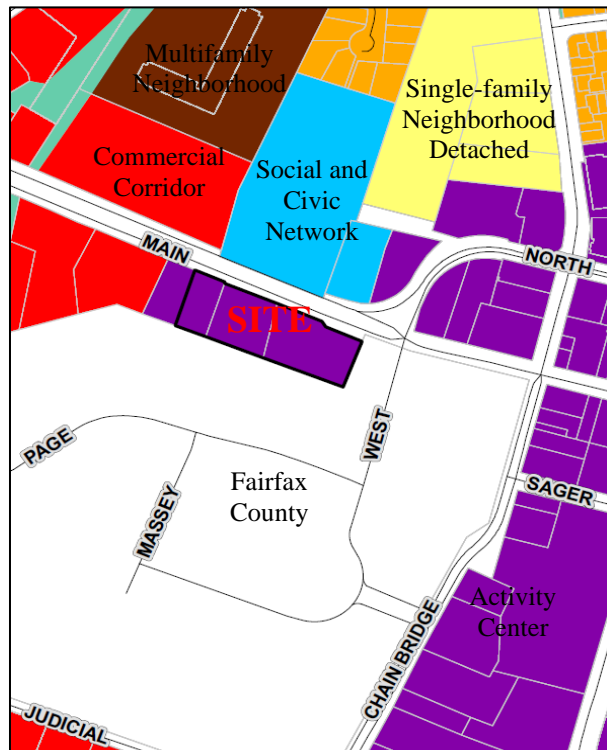
On April 2, 2019, City Council held a pre-application briefing to review a proposal for a hotel, performance center, college/university space, restaurants, retail, and office, approximately 100 residential units and structured parking. City Council expressed some concerns about traffic, mix of uses and functionality, theater space could be larger, collaboration with the Fairfax County and the Master Plan for the Judicial Center. City Council expressed strong support the concept plan. On April 22, 2019, the Planning Commission held a pre-application briefing to review a proposal for a hotel, performance center, college/university space, restaurants, retail, and office, approximately 100 residential units and structured parking. Planning Commission expressed similar concerns held by the City Council. Planning Commission would be interested in learning more about the relationship between the developer, George Mason University, the theater component, and a major hotel chain. Timing of this proposal and the necessary work to be done on the Small Area Plan and the Master Plan for the Judicial Center will be a challenge.

Since these pre-application meetings, the proposal was significantly modified, and an application was filed with a different set of proposed uses and building/site layout.

**COMPREHENSIVE PLAN**

Land Use: The Comprehensive Plan provides a general plan and communicates a vision for future land use and development in the city; while the Zoning Ordinance provides the regulatory mechanism to ensure the new development and changes in land use are consistent with the vision. Figure 1 (below) illustrates the Future Land Use Map for the subject site and surrounding area.

Figure 1: Comprehensive Plan



The Activity Center Place Type applies to locations in the city where pedestrian-oriented, mixed-use development is strongly encouraged. Mixed-use development is pedestrian-oriented development that allows multiple activities to take place by layering compatible land uses, public amenities, active streets accommodating multimodal transportation, and community serving commercial (City of Fairfax 2035 Comprehensive Plan, page 32). New development in Activity Center Place Type should provide integrated uses with structured or below grade parking. The overall project design within an activity center should improve the streetscape and provide vehicular and pedestrian connections to the existing road network and surrounding uses as recommended by the Multimodal Transportation Chapter of the Comprehensive Plan (City of Fairfax 2035 Comprehensive Plan, page 32). While the Comprehensive Plan advises the Activity Center's development at a high level, Small Area Plans provide more specific guidance for each Activity Center, including the desired mix of uses, residential density, building density, design aesthetic, street locations, multimodal connections infrastructure improvements, parking, and open space. As each Small Area Plan is completed and adopted, its recommendations will supersede the pre-existing guidance in the 2035 Comprehensive Plan for its respective Activity Center" (City of Fairfax, <https://www.fairfaxva.gov/government/community-development-planning/planning/current-studies-projects-plans/small-area-plans>). As noted in the section beginning on page 5, the Old Town Fairfax Small Area Plan was adopted in 2020, which includes the subject site.

Housing: 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). Therefore, the Comprehensive Plan encourages redevelopment and infill housing to meet the demand for underrepresented types of housing in the City's housing stock.

### 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 the majority of the City's stock was built in the 1960s, and townhomes, of which the city currently has a lower ratio than many surrounding communities in Fairfax County (Comprehensive Plan, pg. 54).

### 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. Affordable housing should be encouraged in higher density areas of the city, particularly in the Activity Centers. (Comprehensive Plan, Page 56).

The applicant is proposing 84 multifamily (condominiums) units on 1.78 +/- acres with a density of 47 dwelling units per acre. This land use application is subject to Section 3.9 (Affordable Dwelling Units) of the Zoning Ordinance, which states “the provision of affordable dwelling units shall apply to any site, or any portion thereof, at one location which is the subject of a complete Land Use Application submitted after the effective date of the city's Program, whenever such an application includes, upon approval, a total of 30 or more dwelling units. Any Affordable Dwelling Unit Development is allowed to apply the Affordable Dwelling Unit Development Regulations to that development as set forth in §3.9.3 of this Ordinance (Zoning Ordinance, Page 3-69). The applicant is required to set aside a minimum of 6% of the total units in this upper story mixed-use residential development for affordable dwelling units. For land use applications in an adopted Small Area Plan, specific recommendations on growth in each Activity Center will be determined by the guidance of the adopted Small Area Plan.

### Old Town Fairfax Small Area Plan

In June 2020, City Council adopted the Old Town Fairfax Small Area Plan to provide guidance on a neighborhood level for development in the Activity Center Place Type. The guidance provides specifics on the desired mix of uses, recommended height and density, building typologies, street locations, multi-modal connections, infrastructure improvements, parking, and open space. Old Town Fairfax is intended to bring in regional populations to come visit, interact, work, play, shop and dine in the city. It is a unique place within the region, with its historical downtown fabric and its adjacency to George Mason University (Old Town Small Area Plan, Introduction, Page 2).

### Mix of Uses

- Old Town has an 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, bringing more activity around the clock, potentially reduce single-use peak traffic, and help create more dynamic public spaces.
- 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. Expanding residential choices to include new construction, including target market occupants (students and seniors), can help nurture a well-balanced sustainable community (Old Town Small Area Plan, Page 24).
- Retail thrives when concentrated in nodes of no more than two to three urban blocks, and in traditional two-sided walkable pedestrian friendly streets and continuous retail frontage. Public open space can be advantageously used by adjacent retail uses to strengthen the civic life of the park and help support the retail. Retail should be most concentrated in the pedestrian precinct and cultural core-building upon its unique existing retail opportunities (Old Town Small Area Plan, Page 21).
- In the medium to long term mix of uses, the following percentage of uses are anticipated:
  - o Multifamily (52%)
  - o Office (28%)
  - o Retail (11%)
  - o Hotel (5%)

- Institutional (4%)

- Retail frontage is prescribed at this location on Main Street and adjacent to the County-owned land at the corner of southwest Main Street and West Street.

### Height and Density

Density is not prescribed on a parcel-by-parcel basis. For a near term horizon of 15 years, it is estimated that Old Town will bring in substantial new development and land use changes, including:

- Residential: Increase of 1,250 residential units (includes townhouses, condos, market-rate apartments, senior living, student, and affordable housing units)
- Office: Increase of at least 25,000 GSF new office space
- Retail: Increase of at least 60,000 GSF new retail space and activation of at least 20,000 GSF of currently vacant retail space
- Most of the properties within the Old Town study area regulated by the Old Town Historic Overlay District and the Old Town Transition Overlay District, which limits buildings to a maximum height of 3 stories and 4 stories, respectively. The plan focuses larger scale redevelopment in Old Town North and Old Town South. Taller buildings conform to the existing character established by the larger existing office buildings and nearby tall structures at the Massey Complex (Old Town Small Area Plan, Page 25).
- Recommended up to six (6) stories for the subject property.

The SAP accommodates increased height at this site if certain uses are proposed, which the applicant no longer proposes.

### Building Typologies

A set of buildings that are similar in the function or form but may have different materials and styles.

### Street Locations

- One of the key recommendations of this plan is to rethink the street grid and circulation system as a loop road surrounding a pedestrian precinct. Main Street, from West Street to Old Lee Highway, is Fairfax City's historic central street. Currently, Main Street is characterized by narrow sidewalks, no bicycle facilities, uncomfortable crossings, and traffic congestion.
- Main Street from Chain Bridge Road to Old Lee Highway, and University Drive from Sager Avenue to North Street can be designed as pedestrian-oriented streets. The Old Town Small Area Plan incorporates the 30% streetscape design plan as a near term recommendation for Main Street.
- Continued coordination with the redevelopment of the Fairfax County Massey Complex property provides an opportunity to further extend South Street to the west of Chain Bridge Road and connect it to West Street to complete the loop.
- This plan proposes new street connections to create more walkable blocks with a grid of connected streets. Not only is pedestrian connectivity enhanced by the creation of smaller blocks and higher intersection density, but a well-connected network allows choice for travelers to filter through a grid of streets and potentially shorten travel distances. The street grid will result in providing options for people to use other streets and may reduce additional traffic at major intersections than otherwise would be added in the absence of a new network (Old Town Small Area Plan, Page 28).



### Multi-modal Connections

- As identified in the City's Multi-modal Transportation Plan, most of the trips on the City's roadway network are people driving in cars that start and end beyond the City's limits (Old Town Small Area Plan, Page 28).
- This Small Area Plan provides a unique opportunity to fundamentally rethink the role and design of Old Town's streets to prioritize people over cars. With this approach, streets can be designed to focus on local activities and local trips made by all modes rather than regional car trips that do not serve the City's goals.
- Mixed-use redevelopment built as walkable districts invite more local travel and produce much higher rates of "internal capture" than typical single-use automobile-dependent developments (Old Town Small Area Plan, Page 28).
- This plan proposes new street connections to create more walkable blocks with a grid of connected streets. New street and trail connections are proposed to the surrounding neighborhoods around Old Town. These new connections will help provide a more direct option for current residents to walk and bike much shorter distances to get to their destinations in Old Town (Old Town Small Area Plan, Page 28).
- Provide comfortable sidewalks and street crossings throughout the Activity Center. Develop a complete network of safe and comfortable bicycle facilities linked to destinations beyond the Activity Center.
- Establish a Transportation Demand Management (TDM) program to encourage active modes of transportation

The east-west private road behind the building would be located partially on County land, and while it is the City's understanding that there is some agreement of understanding, the County has not committed to this design and may have comments.

### Infrastructure Improvements

The plan recommends that future developments be encouraged to place existing overhead utilities underground. This is consistent with Section 4.11 of the Zoning Ordinance.

### Parking

- Parking management for the Activity Center relies on the following five strategies (Old Town Small Area Plan, Page 34):
- Create a park-once and walk district
- Encourage shared parking
- Establish district-wide parking regulations
- Encourage the use of on demand mobile parking apps
- Manage curbside space

### Open Space

The plan calls for a variety of green spaces - from trails and natural spaces to neighborhood parks and plazas. The range of green and open spaces can allow a variety of activities to take place for the residents and visitors.

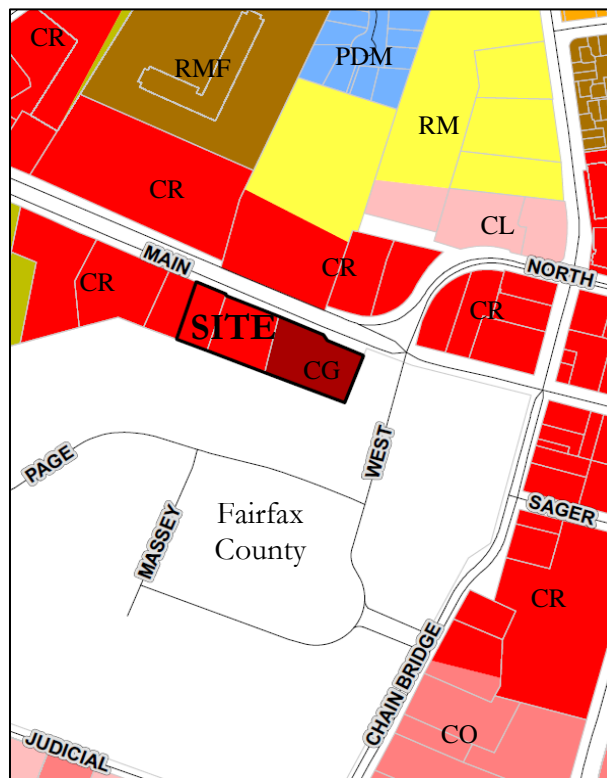
Rezoning: The applicant is requesting a Zoning Map Amendment (Rezoning) from CG, Commercial General and CR, Commercial Retail to CG, Commercial General in the Old Town Fairfax Transition Overlay District (TOD).

§3.2.1.B.1.c CR, Commercial Retail The CR, Commercial Retail District is established to provide areas for office and general business and retail establishments, and uses accessory or complementary thereto.

§3.2.1.B.1.e. The CG, Commercial General District is established to provide areas for office, general retail, automobile-related uses, and uses accessory or complementary thereto.

The subject site is split zoned with two zoning districts: CR Commercial Retail and CG Commercial General. If an existing lot is (currently) split into two or more zoning districts, each such portion of the split-zoned parcel may be used only for purposes allowed within the respective zoning district. No principal or accessory use of land, building or structure, and no use or building or structure authorized by special use permit or special exception is allowed unless the use, building or structure is expressly authorized or permitted within the subject district (Section 2.2.2. Split-zoned lots). Figure 2 (below) illustrates the zoning districts for the subject site and the surrounding properties.

Figure 2: Current Zoning Map



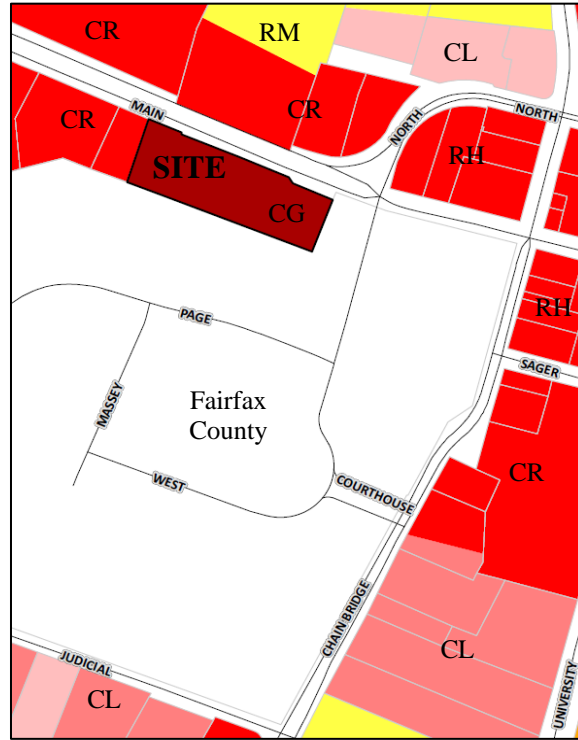
The surrounding zoning districts to the north and west are a combination of CR Commercial Retail and RM Residential Medium in the city with uses that range from an office building, religious institution, and city parking lot; while the parcels in the county to the south and east have PDC Planned Development Commercial zoning with undeveloped land and public facility uses (i.e., Fairfax County Courthouse Public Safety Center, County Sheriff, and Historic Courthouse).

Under the current configuration, the proposal could not be developed, and the site would remain with commercial uses as residential uses are not permitted in CR Commercial Retail and CG Commercial General. Therefore, the applicant is requesting to rezone the property from CR Commercial Retail and CG Commercial General to CG Commercial General.

§3.2.1.B.1.e. The CG, Commercial General District is established to provide areas for office, general retail, automobile-related uses, and uses accessory or complementary thereto.

Figure 3 (below) shows the proposed CG Commercial General district and the zoning designations of the surrounding area.

Figure 3: Proposed Zoning Map

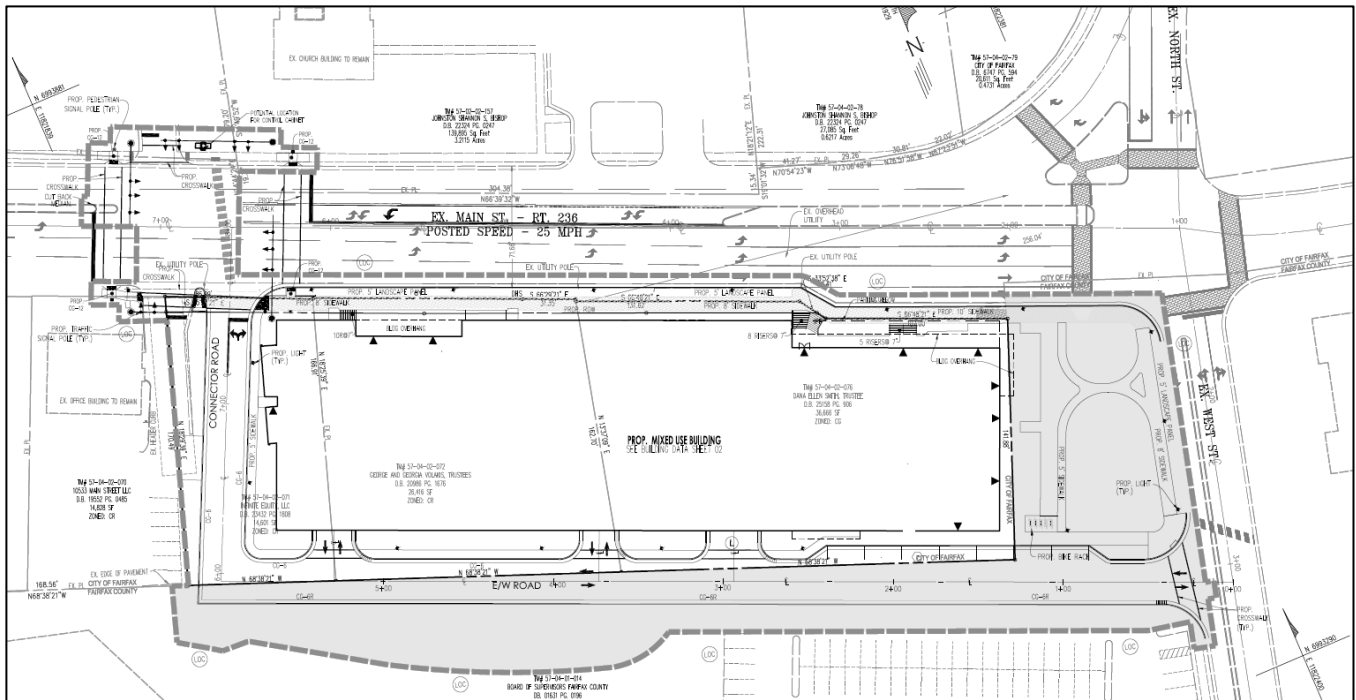


The proposed rezoning from CR Commercial Retail and CG Commercial General to CG Commercial General could allow for the site to be developed with commercial uses. CG Commercial General does not support residential development in the purpose statement. However, the Transition Overlay District permits upper-story residential/mixed use as a by-right use.

Staff has asked the applicant to examine the CU Commercial Urban district. Staff believes the most appropriate zoning district for this land use application is the CU Commercial Urban district as it closely aligns with the Transition Overlay District. The CU Commercial Urban District is established 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 in the downtown area.

Figure 4 (next page) shows the building footprint and limits of disturbance for the proposed general development plan.

Figure 4: General Development Plan



## Requests

### Rezoning application

The proposed redevelopment is dependent on City Council approval of a Map Amendment (Rezoning) from CR Commercial Retail and CG Commercial General to CG Commercial General. The site is currently developed with a vacant 3,721 square foot bank with drive through, a vacant 4,408 square foot restaurant and a 11,340 square foot office building. The applicant is the contract purchaser for the three parcels included in this land use application. In determining whether to approve or disapprove a proposed rezoning to any district other than a rezoning requesting a planned development district, the planning commission and city council shall consider any proffers, and the specific standards listed in Section 6.4.9.A-G. In granting applications for rezoning to districts other than planned development districts, the city council may accept, through proffering or otherwise as permitted by law, development of the subject site as shown on a general development plan (Section 6.4.10.B). Where the underlying zoning is the CL, CO, CR, CG or CU district in the Transition Overlay District, uses permitted include upper story residential/mixed use (Zoning Ordinance, Section 3.7.3.B.1.a). An amendment to the City's Zoning Ordinance approved in July 2022 added CU Commercial Urban to the list of underlying zoning districts in which upper story residential/mixed use is permitted by-right in the Transition Overlay District.

Staff recommends that the applicant now consider the more appropriate district of CU Commercial Urban in the Old Town Fairfax Transition Overlay District (TOD). The CU, Commercial Urban District is established 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 (Zoning Ordinance, Section 3.2.1.B.1.d, Page 3-2). A rezoning from CR Commercial Retail and CG Commercial General to CU Commercial Urban may reduce the number of special exceptions for the proposed general development plan. Staff notes that the CU Commercial Urban district does not have a tree canopy requirement and street trees are not required in the CU Commercial Urban. Likewise, the minimum landscape strip requirement for street trees in Section 4.5.6 shall not apply in the Old Town Fairfax Transition Overlay District.

Scale: The building form and mix of uses as prescribed by the Old Town Fairfax Small Area Plan provides guidance to the height and bulk size of the proposed building. The typical land uses prescribed for this location are mixed use buildings, retail, offices, multifamily, parks and green space. Areas not close to adjacent residential structures are recommended to have a 6-story height limit to accommodate mixed-use buildings. The plan focuses larger scale redevelopment in Old Town North and Old Town South. Taller buildings conform to the existing character established by the larger existing office buildings and nearby tall structures at the Massey Complex. (Old Town Small Area Plan, Page 25). Table 3 (below) provides a comparison of building heights for the proposed development and other buildings in city and general vicinity of the site.

Table 3: Building Height Comparison

Name	Floors	Height
City Centre West	7 to 9-stories	94 +/- feet
Adult Detention Center (County)	7-stories	100 +/- feet
Capstone Collegiate	5-stories	64 +/- feet
Fairfax Building	6-stories	82 +/- feet
Fairfax at Gateway (The Moxley)	5-stories	53 +/- feet
Mosby Tower	7-stories	85 +/- feet
Providence Square	4-stories	60 +/- feet
Scout on the Circle	6-stories	85 +/- feet
N29 WillowWood Phase I*	8-stories	80 +/- feet

\*Land use application under review

The applicant has requested a special exception for the maximum height requirement of 48 feet in the Transition Overlay District. In addition to a special exception for height, the applicant has requested a special exception for density to exceed the maximum number of units per acre in the CG Commercial General district (24 du/acre). The general development plan has 84 total units, while the request for special exception has 80 units. The density for the proposed project is 47.19 dwelling units per acre. The overall residential densities and heights for other approved developments as compared to the subject application are provided in Table 4 (below):

Table 4: Project Comparisons

Project	Site Area (Acres)	Number of Units	Density	Building Height
City Centre West	1.78	84	47.1	94 +/- feet
Capstone Collegiate	6.15	275	44.7	64 +/- feet
Fairfield at Gateway (The Moxley)	8.32	403	48.4	69 +/- feet
Providence Square	2.21	96	43.4	60 +/- feet
Scout on the Circle	8.69	400	46	85 +/- feet
N29 WillowWood Phase I (Land use application under review)	2.97	278	95.9	80 +/- feet

Build-to Line: Build-to lines are either the front and side (street) property lines or lines parallel to the front and side (street) property lines as specified to provide the maximum yard allowed to which a minimum percentage of the building facade along the front yard and side (street) yard, if any, must be built (Zoning Ordinance, Section 1.5.4, Page 1-4). The mandatory build-to line in the TOD is 50% with a front and side yard setback of 10 feet. In applying this requirement, 50% of the building face must be within 10 feet of the

property line. The applicant has proposed a range of front yard setback of 4 feet to 17 feet on Main Street; thus, requiring a special exception to the build-to line requirement of the maximum 10-foot front yard requirement.

A right-of-way dedication for up to 50 feet to Main Street is required by the Comprehensive Plan and the Public Facilities Manual.

Building Coverage: Building coverage is the percentage of lot area that is permitted to be covered by buildings, including both principal structures and accessory buildings (Zoning Ordinance, Section 1.5.7.A.1, Page 1-5). The requirement for maximum building coverage in the TOD is 80%. The existing building coverage is 17%. The applicant has provided a building and lot coverage sheet in the general development plan and states the proposed building coverage is 68%.

Lot coverage: Lot coverage is the percentage of lot area that may be covered by buildings, including both principal and accessory structures, impervious surfaces such as driveways, uncovered porches or patios, swimming pools, or roof overhangs of more than three feet (Zoning Ordinance, Section 1.5.7.B, Page 1-6). The requirement for maximum lot coverage in the TOD is 90%. The existing lot coverage is 79% of the three existing lots. The applicant has provided a building and lot coverage sheet in the general development plan and states the proposed lot coverage is 89%.

Tree Canopy: Section 4.5.6 of the Zoning Ordinance prescribes a 10-year minimum tree canopy requirement by district. The tree canopy requirement for the CG Commercial General district is 10%. The general development plan as currently submitted has 4,000 sf under the required 7,768 sf in the CG Commercial General. The applicant is requesting a special exception to the tree canopy requirement. The applicant states, “a significant number of trees both on and off-site along the street frontages and within the public plaza at the intersection of Main Street and West Street. Given that many of the trees are located either in the right of way along Main Street or in the County-owned public plaza, such trees are off-site and are therefore ineligible for inclusion in tree canopy coverage calculations. If the off-site trees were eligible for inclusion in these calculations, the proposed development would significantly exceed the 10% minimum requirement. Because the City will ultimately receive the benefit of the tree canopy required by the Zoning Ordinance, the requested modification is appropriate.” (Narrative, Page 9).

The applicant is also requesting a special exception to allow a reduction in the maximum 50-foot tree spacing requirement for a portion of the street frontage (southeast corner of the building) on Main Street and the future East/West Road to allow on-street parking. The applicant states, “The modification is necessary in order to provide on-street parking spaces along the future street, which will be used for retail parking and, potentially, short-term parking for deliveries, drop offs, and pick-ups. Since this the maximum spacing requirement is met along the remainder of the frontage, the requested special exception is appropriate.” (Narrative, Page 9).

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). The applicant states that all existing utilities

along Main Street frontage will be either removed or relocated underground. Staff requests that the applicant provide a utility plan to show how the utilities will be handled on-site, and once those utilities are removed what will be the impacts to overhead utilities on Main Street. Also, the existing utilities are not shown on the County parcels to the south and east of the site.

Transportation: The proposed development is bound by Main Street, Page Avenue to the south, West Street to the east, and Judicial Drive to the east. Main Street is classified as an arterial street with four lanes and 38,000 average daily trips. Judicial Drive is a collector street with four lanes and 11,000 average daily trips. West Street is a three-lane local road with 2,310 average daily trips. There are additional existing roads like Page Avenue, Massey Drive, Chain Bridge Road, and North Street that should be evaluated in the Transportation Impact Study. Table 5 (below) provides a summary of proposed trips:

Table 5: Trip Generation

City Centre West Traffic Impact Analysis										
Land Use	ITE Code	Size	Units	AM Peak Hour			PM Peak Hour			Daily Total
				In	Out	Total	In	Out	Total	
Proposed Uses										
Multifamily	221	84	DU	8	21	29	23	14	37	456
General Office	710	68,905	Sq. Ft.	78	13	91	13	67	80	739
Medical-Dental Office	720	12,649	Sq. Ft.	27	8	35	13	32	45	398
Retail-Shopping Center	820	10,010	Sq. Ft.	6	3	9	48	51	99	1,257
Bank with drive-through	912	3,328	Sq. Ft.	19	13	32	34	34	68	393
Restaurant	932	3,662	Sq. Ft.	20	16	36	22	14	36	411
Total				214	108	323	112	167	279	2,600

Staff has provided high-level comments related to traffic and street design that need to be addressed:

- Intersection design at Main Street and the proposed private street.
- The applicant needs to get concurrence from the County on the proposed East/West Road, which is partially located on county property and jurisdiction.
- The plan should demonstrate that the proposal can accommodate a Public Facilities Manual (PFM) compliant design of the right turn lane on West Street.
- Transportation Demand Management (TDM) program in the proffers/commitments. The TDM section of the Transportation Impact Statement (TIS) does not make any meaningful recommendations, nor are there any TDM measures mentioned in the draft proffers.
- The TIS was submitted on September 30, 2022 and is still under review by City staff and County staff.
- The City’s potential participation in the development of new roads for the benefit of this site is a separate agreement from the development application, and the city cannot be committed to this in the applicant’s proffers.

Circulation/Pedestrian Access: The applicant proposes to consolidate four access points on Main Street into one access point on the western edge of the site. The applicant proposes a new private street (Connector Road) from Main Street in a north-south direction that connects to a new east-west private street to West

Street along the southern property line. The proposed private streets are 26 feet in width with 13-foot travel lanes. The applicant proposes to install a new traffic signal on Main Street at the new north-south private street. The new east-west road, supported by the new north-south street and the existing West Street, provides access to the parking garage with two entrances in the rear of the upper story residential/mixed use building including the bank with a drive-through on parking level two. A third entrance is proposed as loading area to serve the residential and commercial uses. A portion of the east-west road is on the subject site and a portion is on county-owned land. The east-west road has proposed on street parking. Coordination between the applicant, city staff and county staff are required since the proposed private streets are in two jurisdictions.

The Multi-Modal Transportation Plan and the Zoning Ordinance requires a 10-foot wide sidewalk on Main Street. The applicant is proposing an 8-foot sidewalk on Main Street from the west property line to the recessed portion of the building on the eastern edge of the site. A proposed 10-foot sidewalk continues to the corner of Main Street and West Street. The proposed sidewalk on the west side of West Street is proposed at 8 feet and is entirely on the county-owned property as part of the proposed pocket park. A five-foot wide sidewalk is proposed on the west side of the building between the connector road and the building. This sidewalk is planned to extend to the rear of the building on the north side of the east-west private road. However, the general development plan does not show a sidewalk on the south side of the east-west road necessitating a special exception for sidewalks on both sides of the street.

Parking: The subject site is in the Old Town Fairfax Transitional Overlay District and the minimum required parking shall be reduced by 50 percent for all uses, provided that each dwelling unit shall have no less than 1.50 spaces. Table 6 (below) summarizes the required parking requirements and proposed parking spaces provided by the applicant.

Table 6: Parking Requirements

Use	Units	Zoning Requirement	Required Spaces	TOD Reduction	Provided Spaces
Upper story residential/mixed use					The applicant should show how parking spaces are allocated between residential and commercial uses.
1-bedroom	4	1.5 spaces per 1 bed unit	6	6	
2-bedroom	55	2 spaces per 2 bed unit	110	83	
3-bedroom	25	2 spaces per 2 bed unit	50	38	
Bank	3,328 sf	1 space/300 sf	11	6	
Office, General	68,905 sf	1 space/300 sf	230	115	
Office, Medical	12,649 sf	1 space/200 sf	32	16	
Restaurant	3,662 sf	1 space/200 sf	18	9	
Retail	3,662 sf	1 space/200 sf	18	9	
Total			475	281	

The applicant has provided the number of parking spaces (Sheet 2 of GDP) on each floor of the four-level parking garage. However, staff needs additional information to explain how parking is allocated between residential units and commercial uses. Staff also notes that off-site parking spaces cannot be counted towards the overall parking numbers for this application. There are two surface spaces on county-owned property that cannot be counted.



Loading Zone: The applicant proposes commercial uses that exceed 50,000 sf, which requires a minimum of two loading spaces. The overall loading space requirement is three spaces including a one space for 50+ units in an upper story residential/mixed use building (4+ stories). The applicant has proposed one loading space to the rear of the building.

Bicycle Parking: Section 4.2.8.C of the Zoning Ordinance states that bicycle parking shall be in a visible, well-illuminated area that does not conflict with automobile or pedestrian traffic. The requirement is 20 spaces. The applicant has proposed a bicycle rack on level one of the garage and an off-site bicycle rack on the proposed pocket park on county-owned land. The applicant cannot count off-site bicycle parking spaces towards the overall amount of bicycle parking spaces for the land use application.

Inter-parcel connection: The applicant is seeking a special exception to allow a waiver of the inter-parcel vehicular access requirement to the property to the west (10533 Main Street). There is an existing easement for ingress and egress that provides access to the office buildings at 10533 Main Street and 10523 Main Street. The applicant states that they have “previously contacted the adjacent owner about the possibility of consolidating access points, the owner has not been interested in doing so. While the proposed development does not preclude an inter-parcel connection from being made in the future, the Applicant requests a waiver of this requirement. The Applicant has included a proffer commitment to reserving an area along the western property line to allow the construction of an inter-parcel access in the future at such time as the adjacent property redevelops.” (Narrative, Page 9). Staff believes a single access shared drive or street would eliminate the need to request a waiver for inter-parcel vehicular access requirement and further coordination with the adjacent property owner should be sought.

Stormwater Management: Stormwater BMPs, on-site detention facilities, and on-site drainage facilities shall be designed and maintained in such a manner as to minimize economic and environmental costs to the city and its inhabitants (Zoning Ordinance, Section 4.16.2, Page 4-77). The applicant has proposed on-site stormwater management and best management practices consistent with city and state regulations. The applicant has stated that there may be opportunities for green roof areas to enhance the on-site stormwater management.

### Development Impacts

Building/Fire Code: The second submission is still under review. The plans need to demonstrate the apparatus can maneuver into and around the site.

City Schools: Students living in the City Center West development will go to the following City Schools: Providence ES, Katherine Johnson MS, and Fairfax HS. According to City staff's projections, the City Center West project will generate 5 students. While that number appears manageable, the combined yields of other planned residential projects potentially will increase the need for 2-3 additional classrooms. While Providence's capacity deficit has decreased and is in a more manageable capacity status, Katherine Johnson MS (KJMS) and Fairfax HS (FHS) are approaching capacity at 95% and 96% respectively. For FHS, this exacerbates the continued need for trailers. For KJMS, there will likely be a need to add trailers onsite. City Schools staff and Board welcome City students and families and remain concerned with the residential planning projects attribution to capacity deficits for our schools.

Fiscal Impact: The fiscal impact analysis is under review and staff estimates that this proposal would bring a net fiscal benefit of between \$872,000 and \$1,154,000 annually (avg. = \$1,013,000).

In addition to the rezoning request from CG, Commercial General and CR, Commercial Retail to CG, Commercial General in the Old Town Fairfax Transition Overlay District (TOD), the applicant proposes the following land use requests for City Council action; however, formal action and recommendations by the Planning Commission are not required for the following items:

- **Special Use Permit** for a bank with a drive through

The applicant states “The drive-through facilities are located completely within the proposed parking garage and will not be visible from the public right of way. The drive-through lanes provide the required number of stacking spaces set forth in Section 4.2 of the Zoning Ordinance, and the lanes will be clearly marked to direct the flow of traffic. As the lanes are located within the parking garage, the facility will not impede the flow of pedestrian traffic into the main entrance of the bank on Main Street.” (Narrative, Pages 6-7). Staff notes that the bank drive-thru turning movements (Sheet 17A) appear inconsistent with proposed circulation (Sheet 24). The turn movements appear to depict multiple conflict points with entering and exiting vehicles. The applicant should show vehicles following the correct path and consider using larger vehicle for turning analysis as many vehicles using this drive through may be larger than a sedan.

- **Special Exceptions** to allow the building height to exceed for 48 feet in the Transition Overlay District (TOD), to allow the maximum density to exceed the permitted density, to exceed the maximum build-to line and maximum front yard requirements, to allow a waiver to the inter-parcel vehicular access requirement, to allow a reduction in the 10% tree canopy requirement, to allow a reduction of maximum street tree spacing requirement and to allow reduction in the sidewalk width in the TOD. Staff also believes the applicant would be required to submit a special exception for the sidewalk width on Main Street as the requirement is a 10-foot wide sidewalk in the TOD and submit a special exception for sidewalks on both sides of a street.
- **Major Certificate of Appropriateness** for architecture and landscaping

#### Architecture and Landscaping:

On November 2, 2022, the applicant has a scheduled work session to discuss the architecture and landscaping for the proposed upper-story residential/mixed use building with the Board of Architectural Review. This land use application is subject to a Major Certificate of Appropriateness for architecture and landscaping with a recommendation to City Council from the Board of Architectural Review. The BAR also provides a recommendation on the Special Exceptions as the subject site is in the Transition Overlay District.

Attachments

A1 – Narrative

A2 – SUP Plat

A3 – Traffic Impact Statement

A4 – Draft Commitments

A5 – BAR Submission

**PREPARED BY:**



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Albert Frederick  
Senior Planner

10/20/22

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DATE



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Jason D. Sutphin  
Community Development Division Chief

10/20/22

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DATE



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Brooke Hardin  
Director, Community Development & Planning

10/20/22

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DATE



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**WALSH COLUCCI  
LUBELEY & WALSH PC**

August 31, 2022

**Via E-Mail and U.S. Mail**

Anna Kohlbrenner  
City of Fairfax  
Department of Community Development & Planning  
10455 Armstrong Street, Suite 207  
Fairfax, Virginia 22030

Re: Certificate of Appropriateness and Request for Board of Architectural Review  
Work Session  
Project #: Z-22-00054  
City Center West  
Applicant: Ox Hill Realty, LLC

Dear Ms. Scibilia:

On behalf of Ox Hill Realty, LLC (“the Applicant”), I am submitting this letter and the concurrently submitted materials as a request for a work session with the City of Fairfax Board of Architectural Review (BAR). The Applicant is the contract purchaser of the properties located at 10501, 10515 and 10523 in the City of Fairfax (collectively, the “Subject Property”).

The Subject Property is an assemblage of three parcels zoned to the CR, CG and TOD Districts, that consist of approximately 1.78 acres in the aggregate. Existing improvements on the Subject Property include a currently vacant drive-through bank, a restaurant, and a low-rise office building. The Subject Property is surrounded by Truro Church to the north, commercial uses to the northeast and west, and the Fairfax County Judicial Complex to the south and east.

The applicant has submitted a number of land use applications to allow the re-development of the Subject Property with an upper story residential/mixed-use building. The proposed eight (8) story building will include a mix of uses including ground floor restaurant/retail uses, general and medical office uses, a drive-through bank, and 84 high-end luxury condominium multifamily dwelling units. The Applicant has identified tenants for a significant portion of the office space – Truist Bank and Infinite Technologies, LLC. Both tenants currently occupy office space in the City, and wish to remain in Old Town Fairfax. The proposed development will allow the City to retain these businesses and employers within the City, while also introducing new retail/restaurant businesses, office tenants, and residents to the rapidly growing downtown Fairfax.

**ATTORNEYS AT LAW**

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The proposed mix of uses will be located in an eight (8) story building that is oriented to Main Street. The first two floors of the building will be occupied by the restaurant/retail and office uses, while the upper floors will be occupied by the residential condominium uses. The penthouse level of the building will include an amenity space for future residents, including a pool area, as well as loft units. The building will be served by a four-level parking garage that is predominantly below-grade. Due to site topography, portions of the parking garage will be above-grade and partially visible from the south and west, but the visible portions of the garage will be screened and architecturally treated to minimize impacts.

The traditional-style building is characterized by the use of high-quality materials and architectural design that will complement the surrounding area and enhance the City's downtown. The Applicant has emphasized the use of brick on each façade. Other materials include architectural precast masonry, metal panel, an aluminum storefront window system, and a selective use of fiber cement on limited portions of the building. Through the use of these various materials and colors, and the incorporation of elevated courtyards, residential balconies, and stepbacks, the Applicant has created a dynamic composition characterized by a high degree of articulation.

The main entrance to the building is located on Main Street adjacent to the retail/restaurant uses on ground floor. These uses are oriented toward Main Street and a public plaza that the Applicant intends to construct at the intersection of Main Street and West Street. The public plaza is located on property owned by Fairfax County – and is therefore subject to review and approval by the County – but the Applicant intends to activate this area through the provision of publicly accessible open space and outdoor dining for the restaurant uses. In addition to the landscaped public plaza, the development will provide new sidewalks, streetscape and landscaping along each of the street frontages. All overhead utilities along Main Street will be removed or relocated underground, resulting in a significant improvement to the pedestrian experience along Main Street.

In addition to generating a significant amount of activity on the west end of Old Town Fairfax, the building will serve as a transition between the downtown and the Fairfax County Judicial Complex. This signature building for the City will serve as a gateway into the downtown, and will provide a much more aesthetically pleasing entrance to the Judicial Complex. Additionally, the building will serve as a screen to the parking garage that exists on the County's Judicial Complex today. While the eight-story building will be one of the taller structures in the City, its unique location adjacent to the Judicial Complex – for which the County has plans for future development – and the absence of residential neighborhoods in the immediate vicinity, makes it particularly well-suited for the additional height.

Finally, the Applicant is committed to sustainability. Accordingly, as part of its rezoning application, the Applicant has included a commitment to pursuing LEED certification for the building.

For the BAR's consideration, the Applicant has included the following materials in the recently resubmitted Master Development Plan/Special Use Permit Plat:

- Elevations of all four facades of the proposed building, including proposed building materials, along with three-dimensional perspectives of all four facades;
- Perspective views of the building from various points throughout the surrounding area, which were requested by staff following its initial review. These views demonstrate how the building will appear from afar from locations throughout the City.
- Building section diagrams to demonstrate the height and mix of uses throughout the building;
- While not within the BAR's purview, floor plans of the proposed building are included to demonstrate the location of the mix of uses throughout the building, and indicate how the ground floor will be activated through the provision of retail/restaurant space; and
- A street section along Main Street, demonstrating the height of the building in the context of adjacent structures.

I would appreciate the scheduling of a work session with the BAR at its earliest convenience to discuss this proposal and obtain feedback prior to further advancing the architectural design of the building. Should you have any questions regarding the submitted materials, or if I can provide additional information to facilitate your review, please do not hesitate to contact me.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.



Robert D. Brant

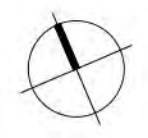
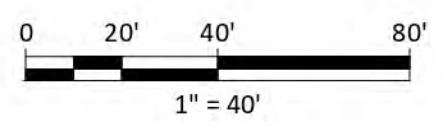
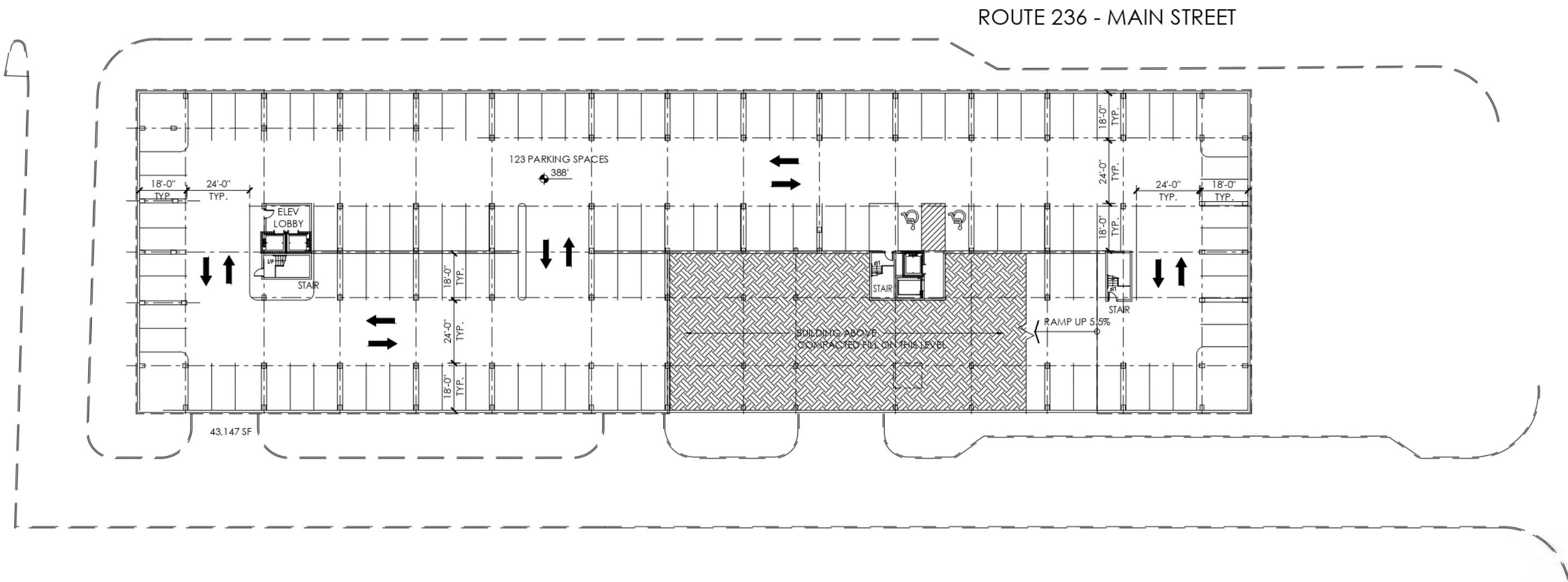
cc:	Chris Smith	Clayton Tock	Thomas Dinneny
	Shelley Kuras	Madeline Baldwin	Kim Silva
	Mike Matz	John Lightle	Jasna Bijelic
	Flip Wallen	Maria Lashing	Wael Fahmy
	Deirdre Smith	Ariel Jarvis	

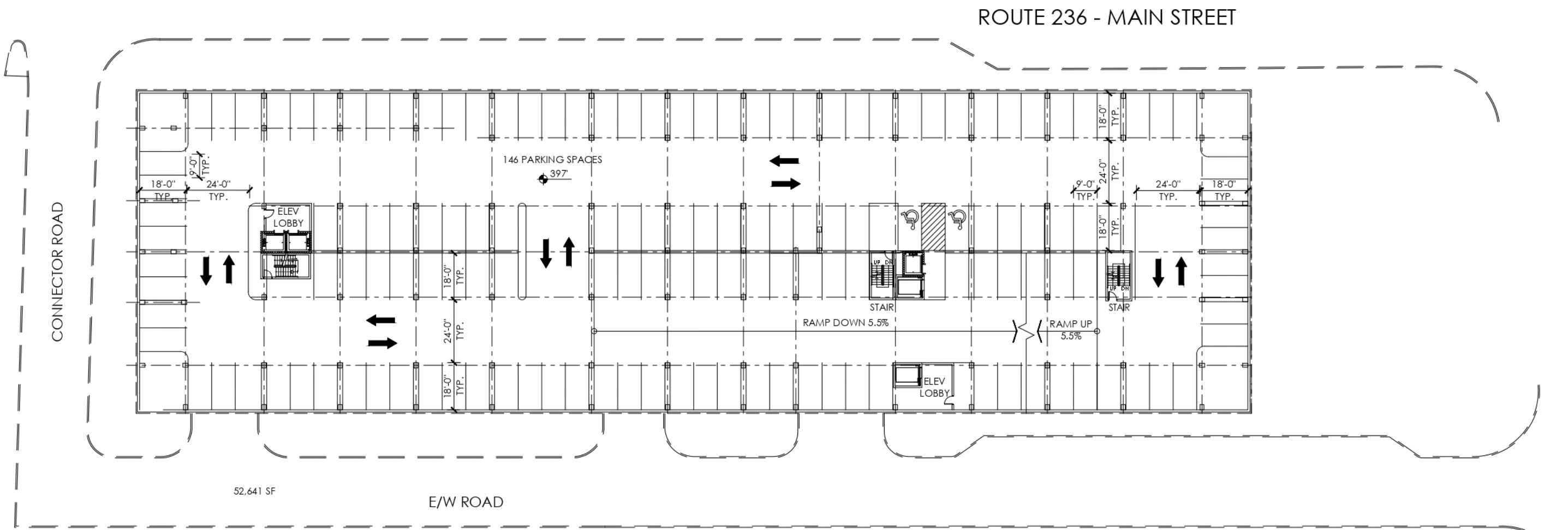
# CITY CENTRE WEST

BAR SUBMISSION #1

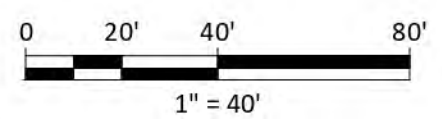


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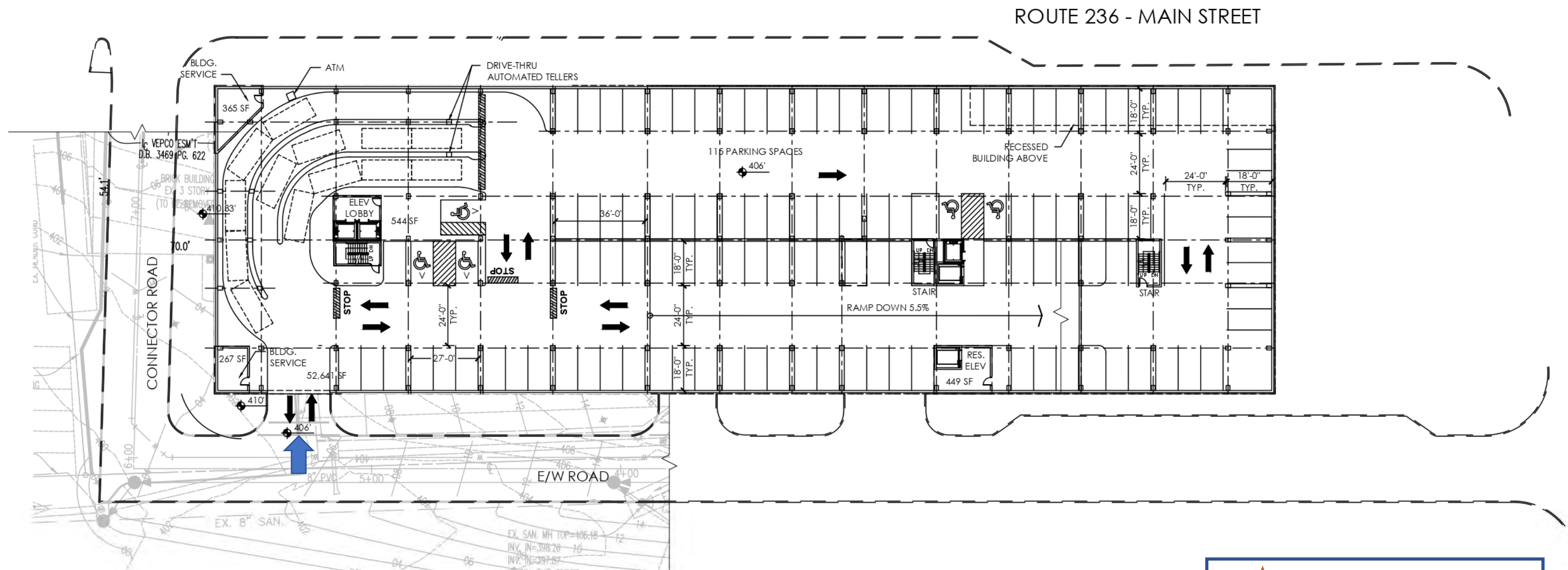




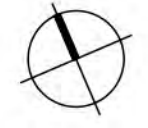
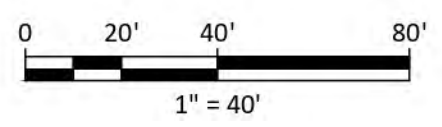
-  BUILDING ENTRANCE
-  GARAGE ENTRANCE
-  LOADING / SERVICE

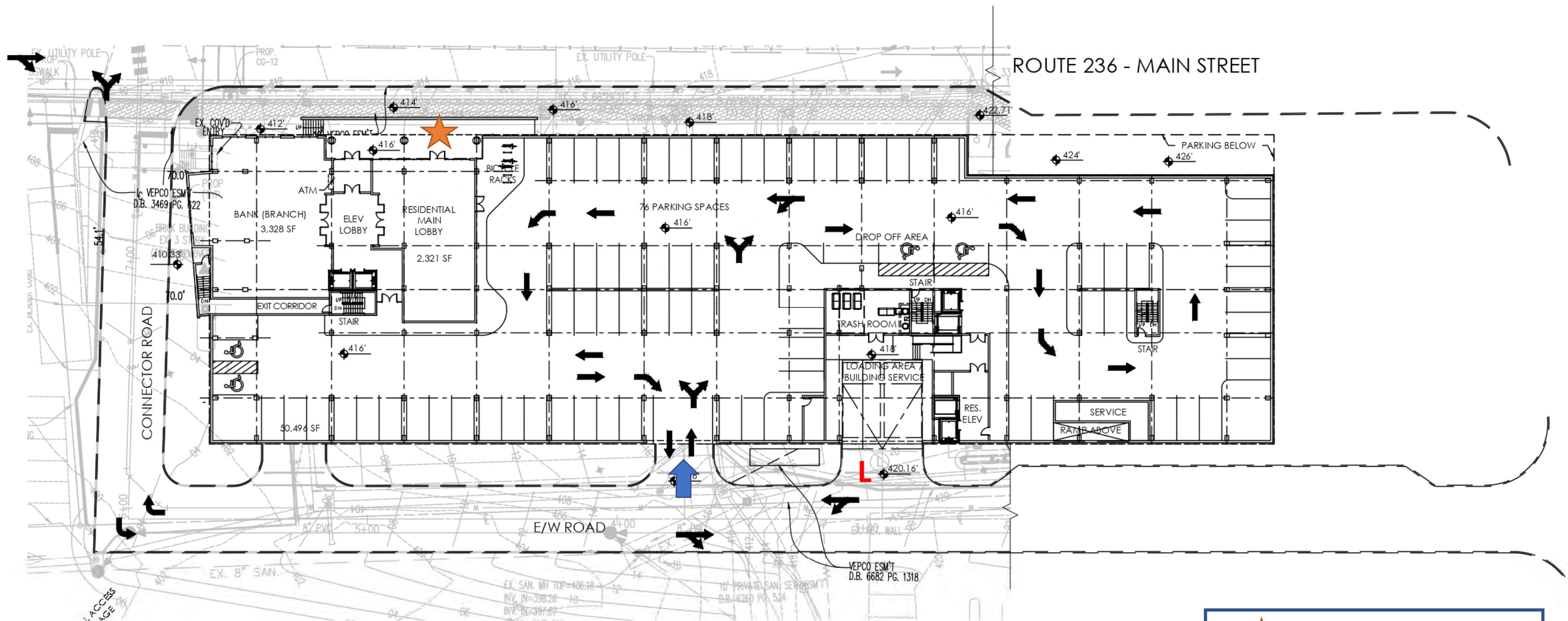


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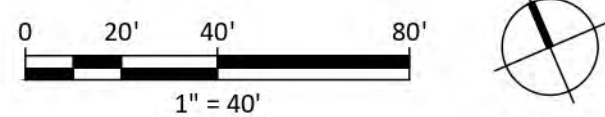


	<b>BUILDING ENTRANCE</b>
	<b>GARAGE ENTRANCE</b>
	<b>LOADING / SERVICE</b>

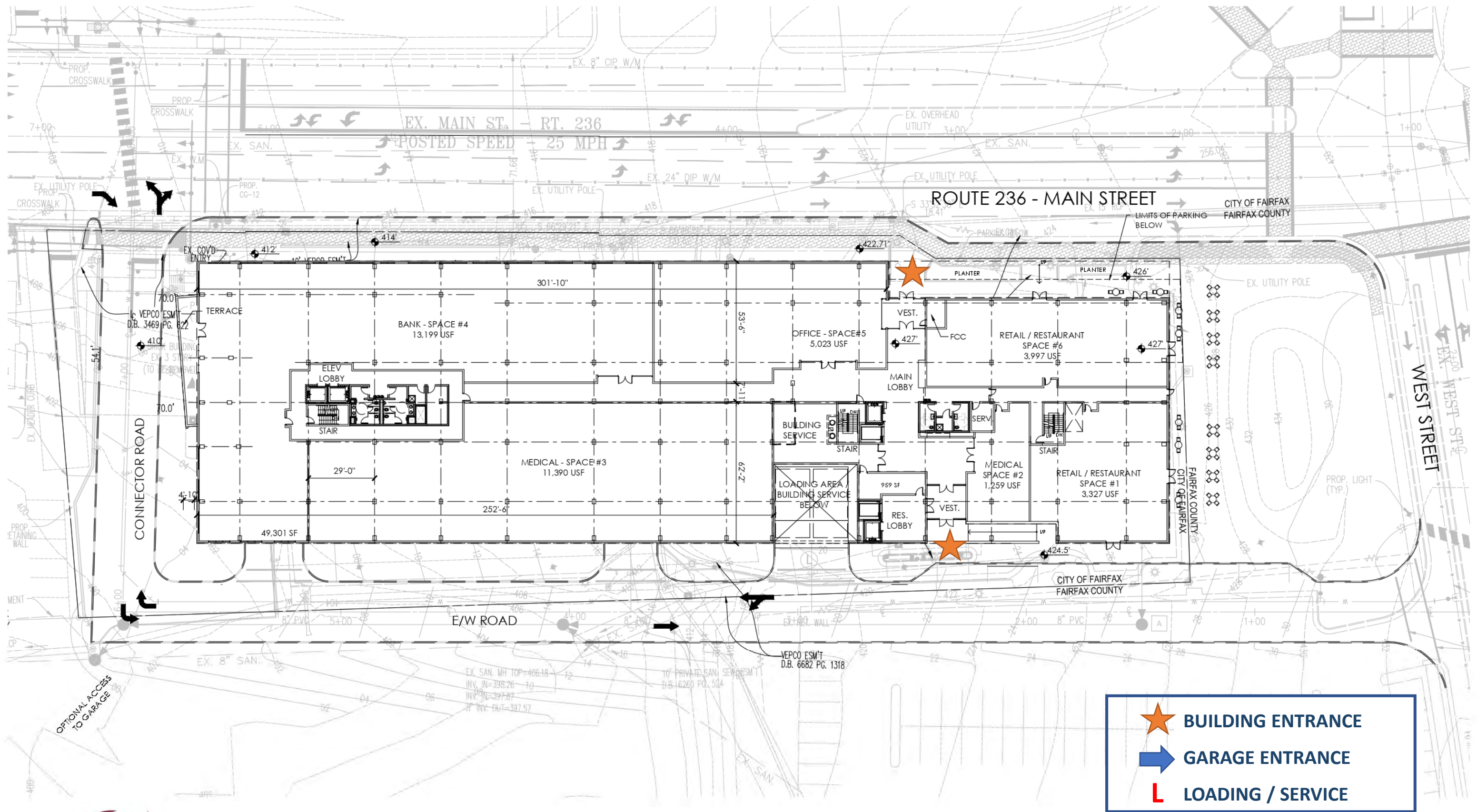




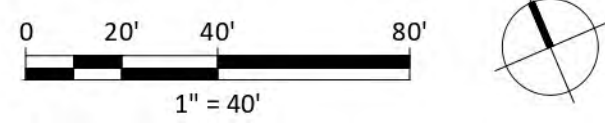
- BUILDING ENTRANCE**
- GARAGE ENTRANCE**
- LOADING / SERVICE**



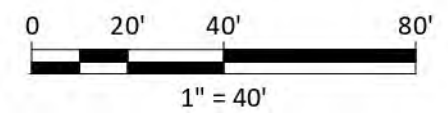
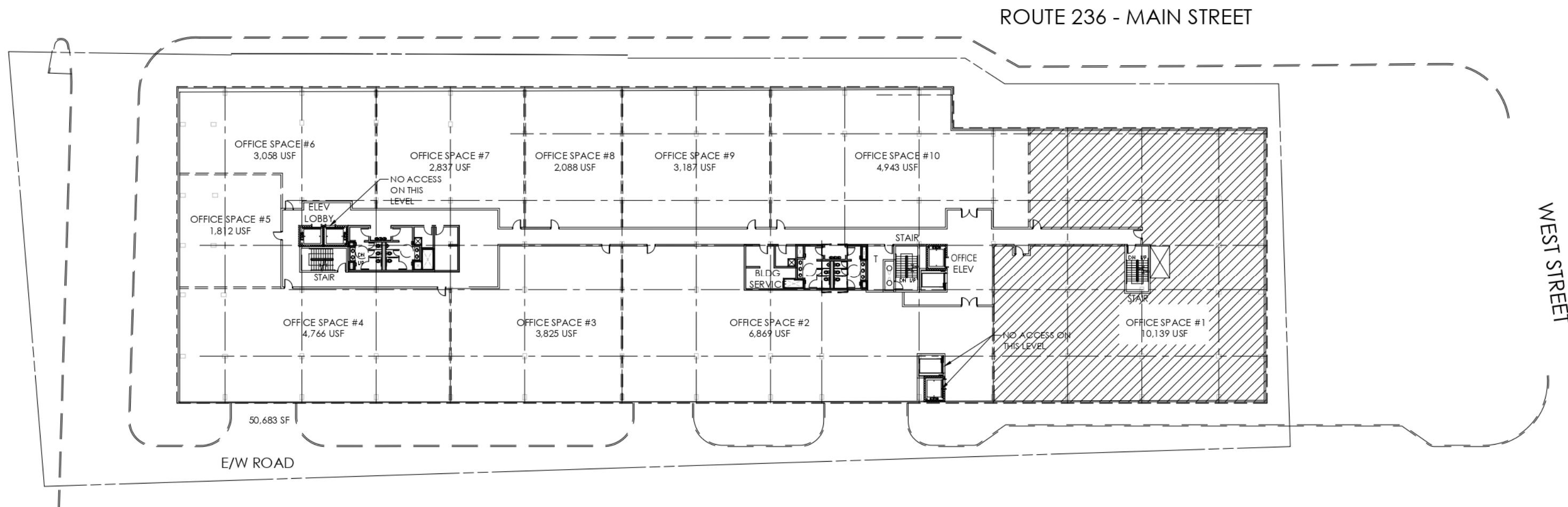
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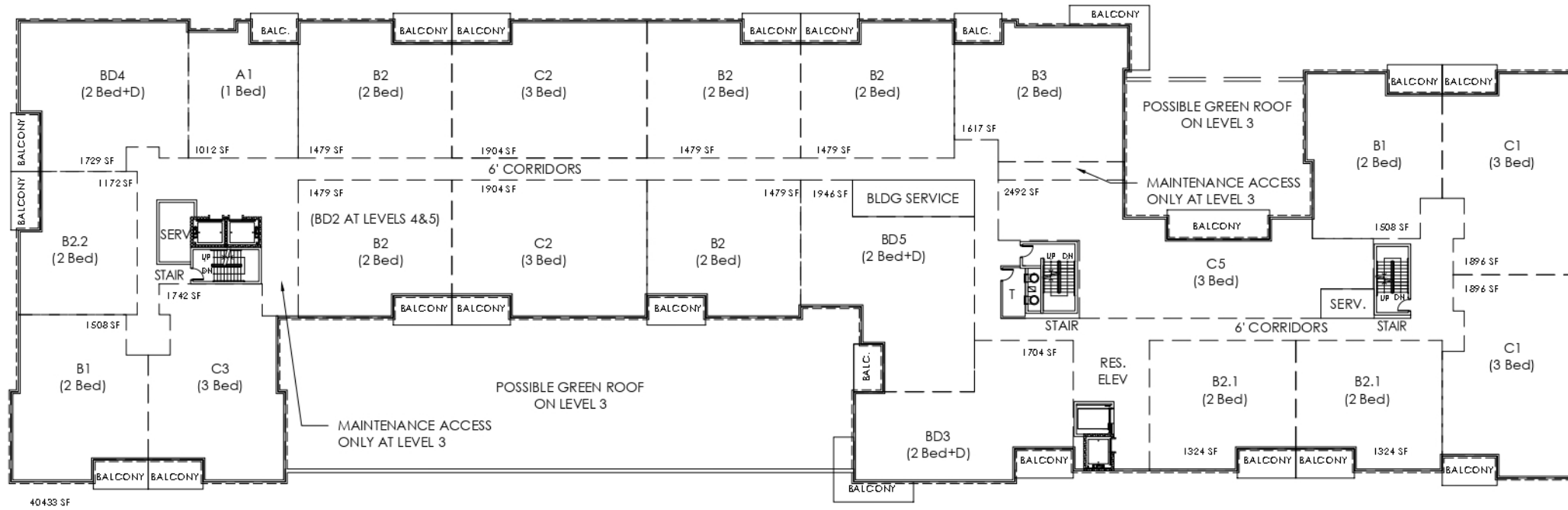


- BUILDING ENTRANCE**
- GARAGE ENTRANCE**
- LOADING / SERVICE**

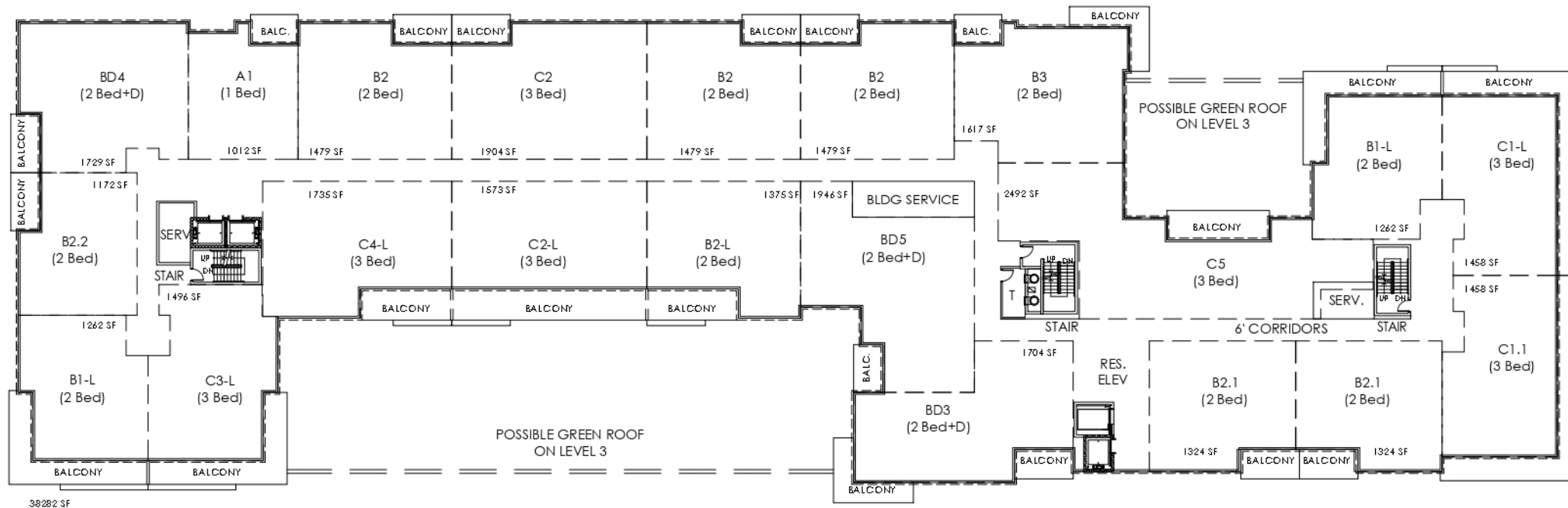


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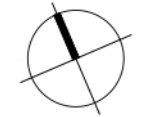
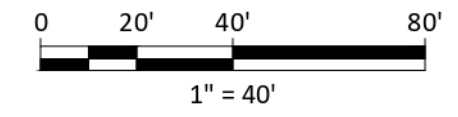




**L3 TO L5 TYPICAL FLOOR PLAN (RESIDENTIAL)**



**L6 FLOOR PLAN (RESIDENTIAL)**

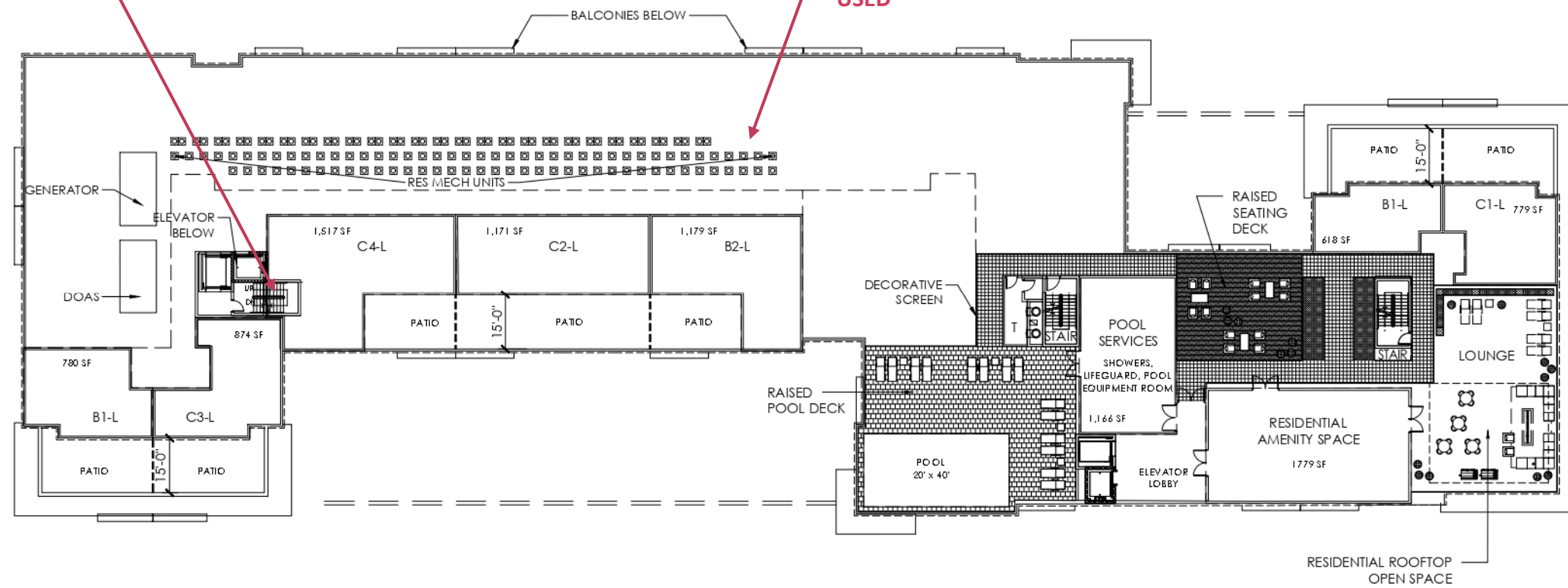


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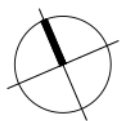
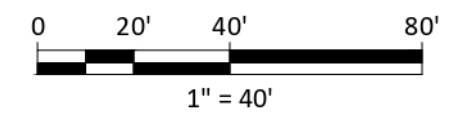
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STAIR / ELEVATOR ROOFS MAY BE DRAINED BY SCUPPER AND DOWNSPOUTS, NO GUTTERS WILL BE USED

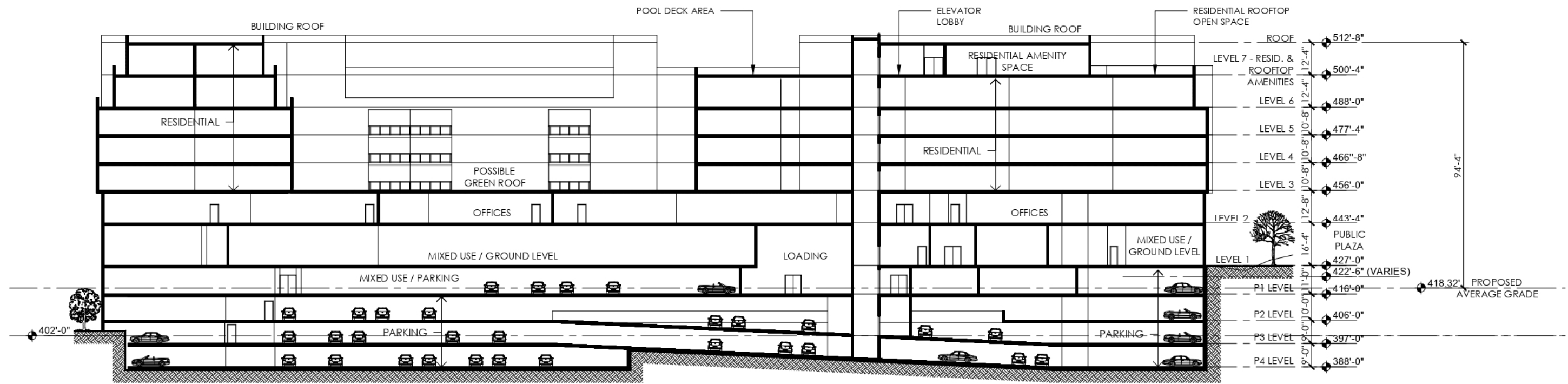
MAIN ROOF WILL HAVE ROOF DRAINS, NO GUTTERS WILL BE USED



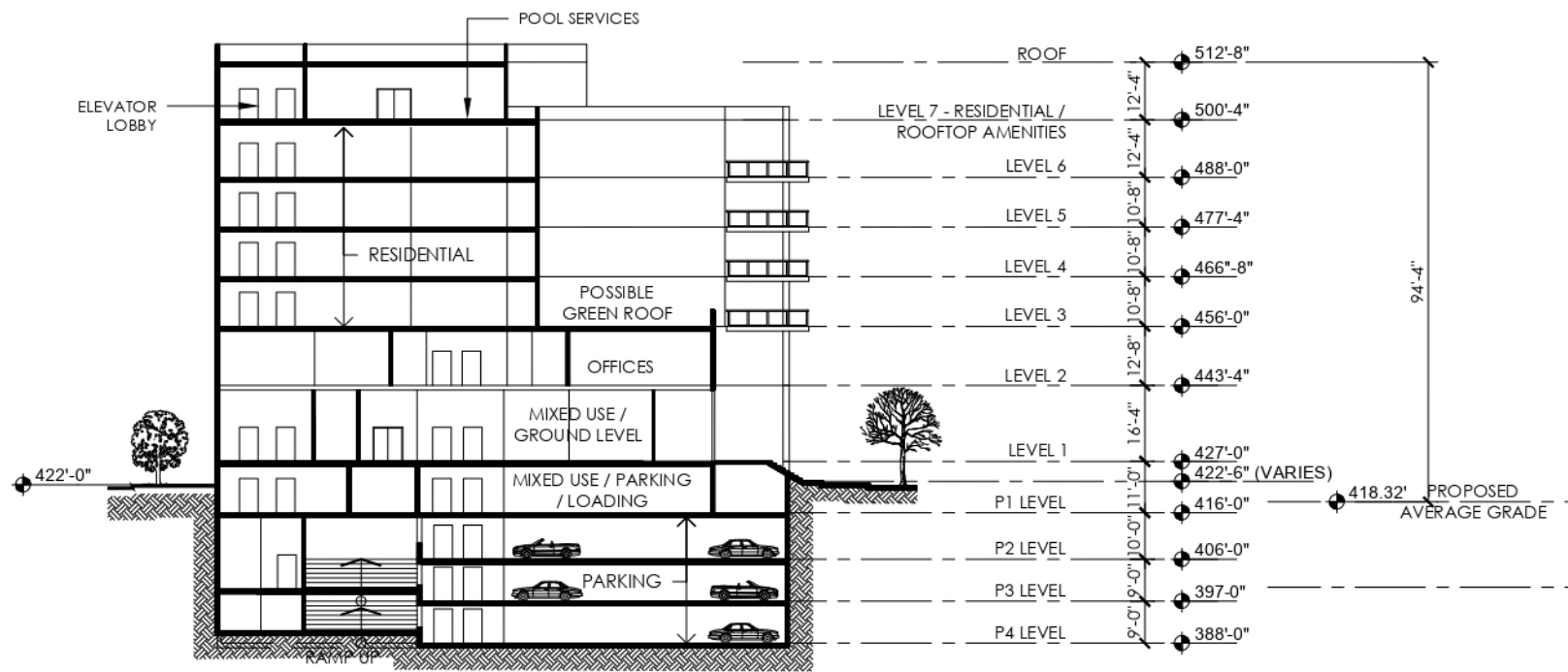
**L7 - LOFT LEVEL (RESIDENTIAL UNITS & AMENITIES)**



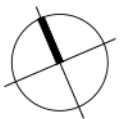
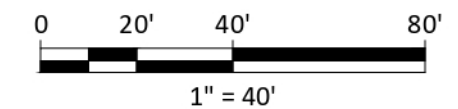
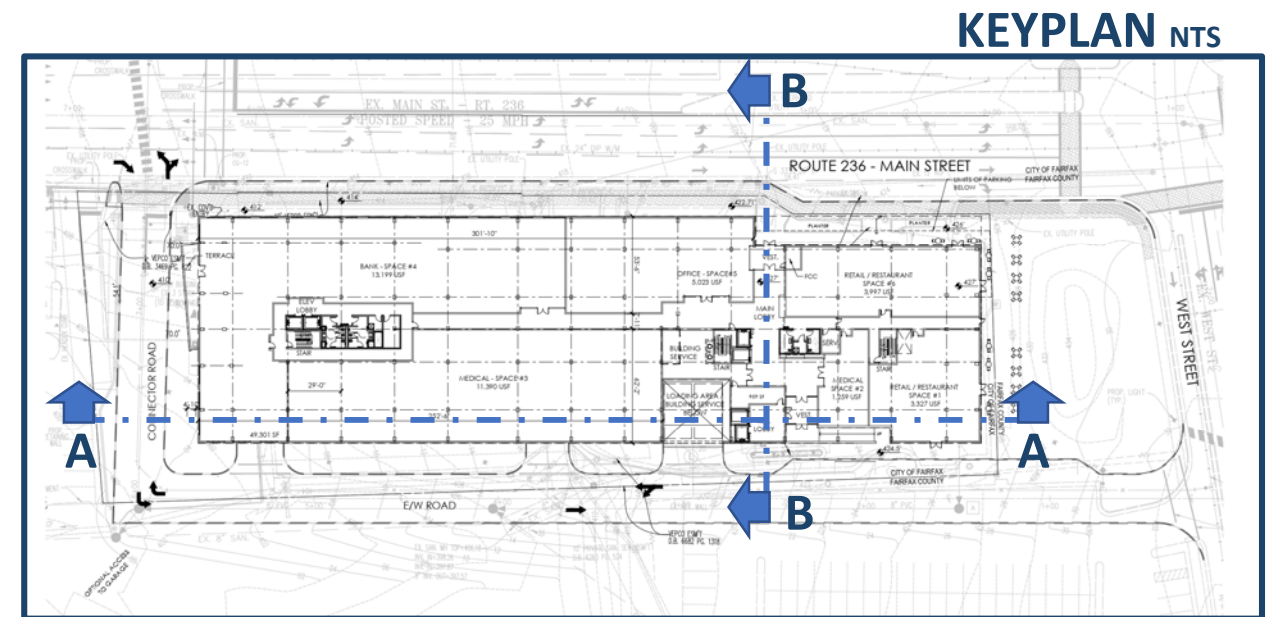


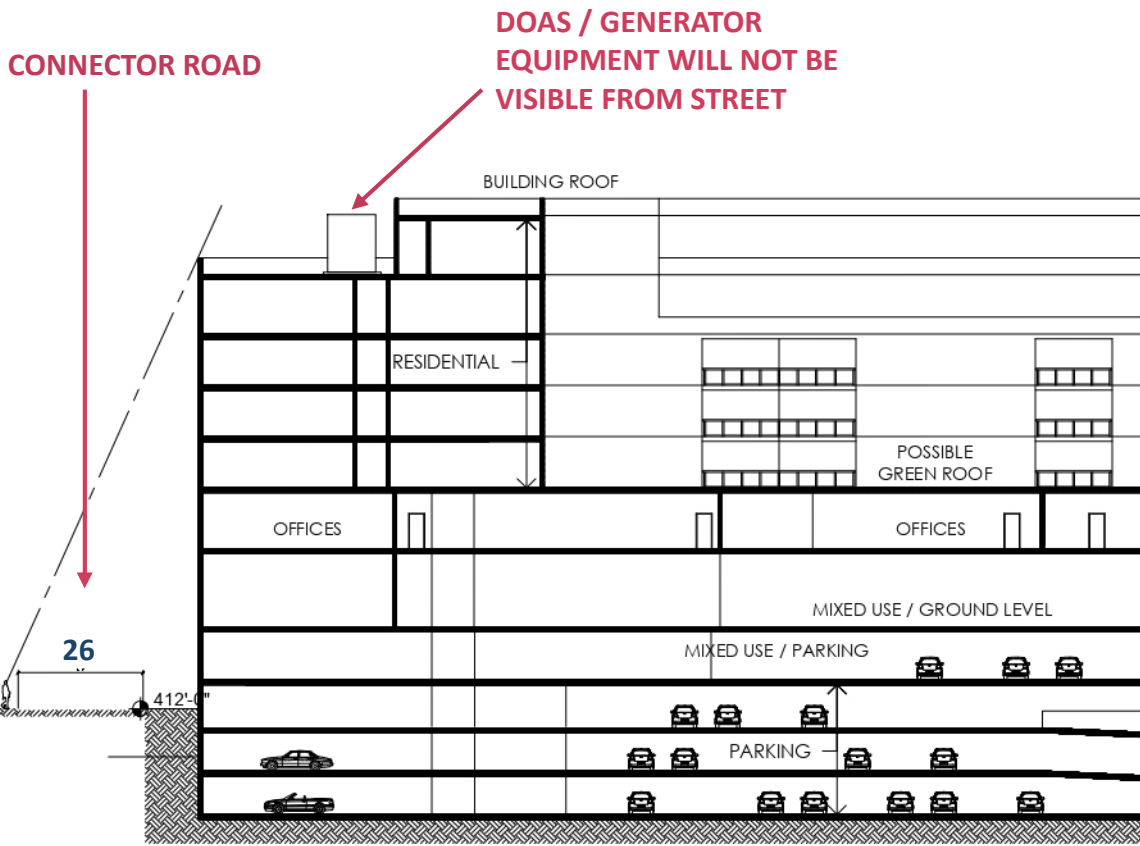


**A** BUILDING SECTION A - A  
1" = 40'-0"



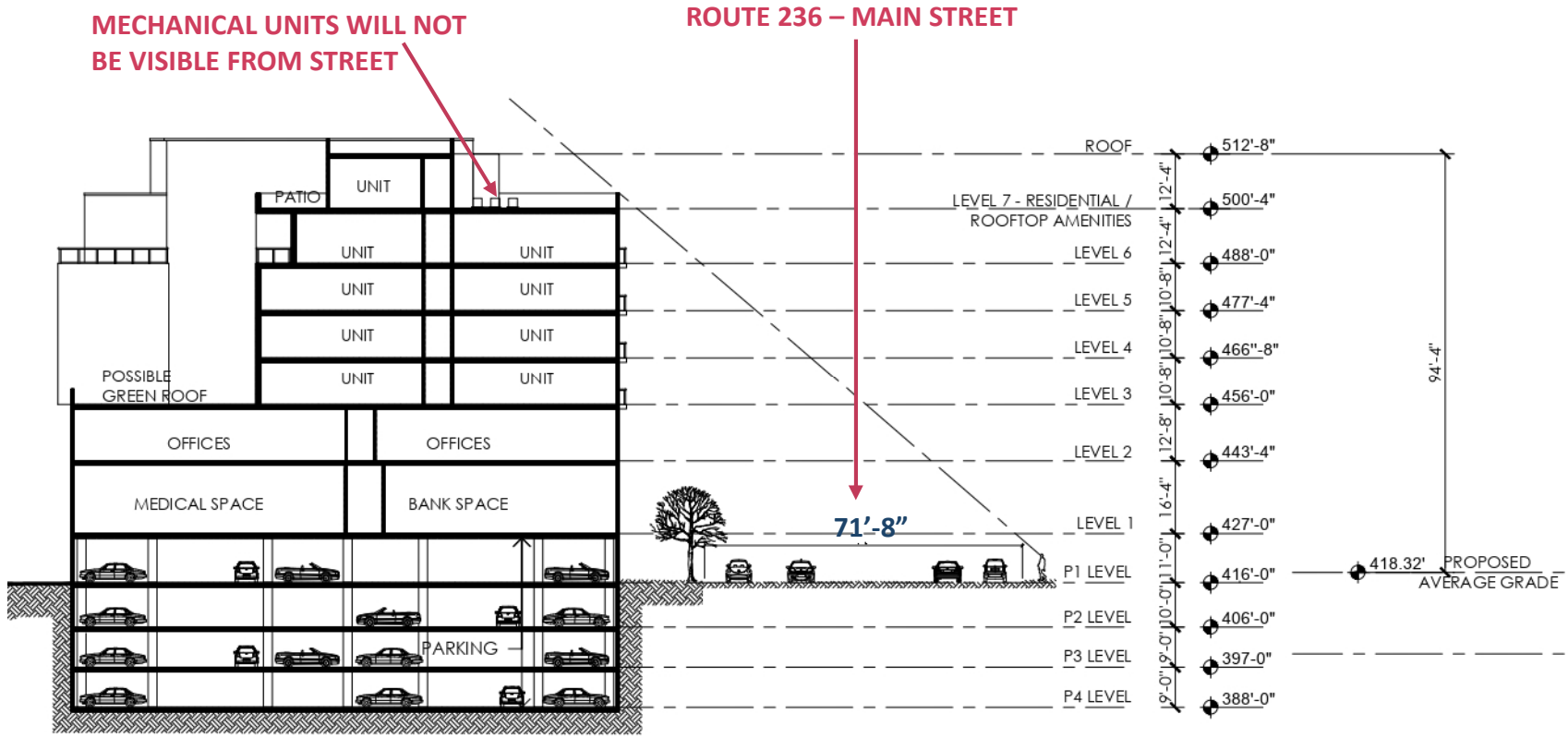
**B** BUILDING SECTION B - B  
1" = 40'-0"



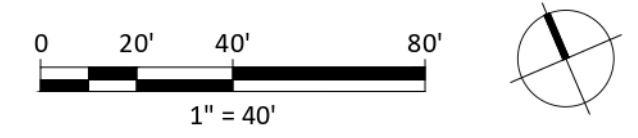
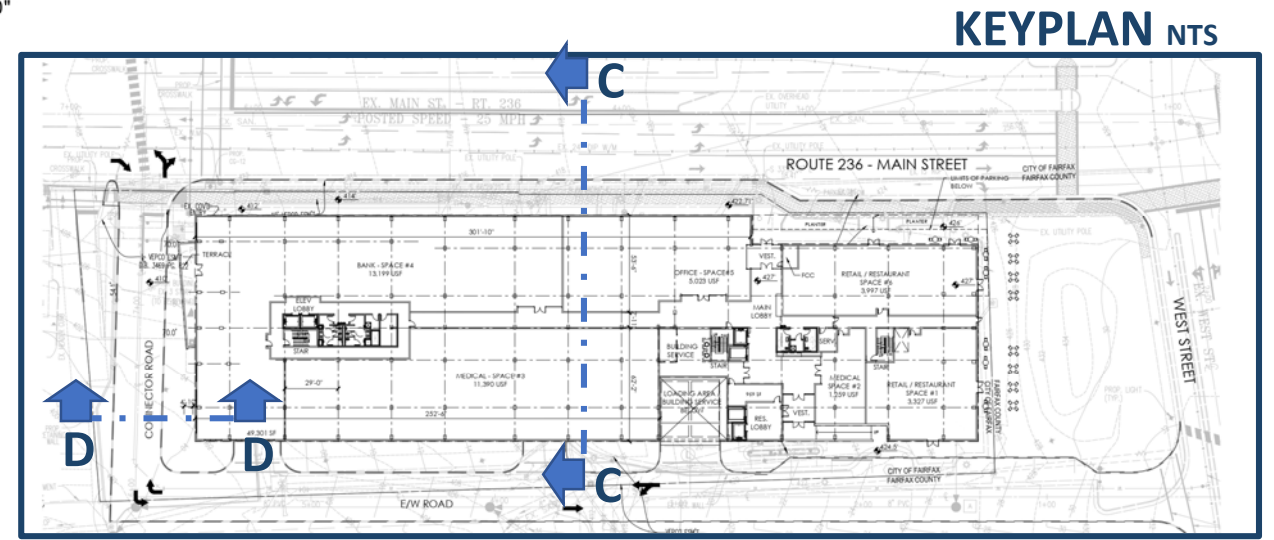


**BUILDING SECTION D - D**  
1" = 40'-0"

ROOF - RESID. & ROOFTOP AMENITIES	512'-8"
LEVEL 7	500'-4"
LEVEL 6	488'-0"
LEVEL 5	477'-4"
LEVEL 4	466'-8"
LEVEL 3	456'-0"
PUBLIC PLAZA	443'-4"
MIXED USE / GROUND LEVEL	427'-0"
MIXED USE / PARKING	422'-6" (VARIES)
P1 LEVEL	416'-0"
P2 LEVEL	406'-0"
P3 LEVEL	397'-0"
P4 LEVEL	388'-0"



**BUILDING SECTION C - C**  
1" = 40'-0"



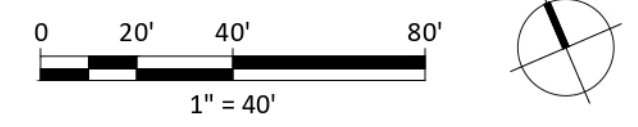
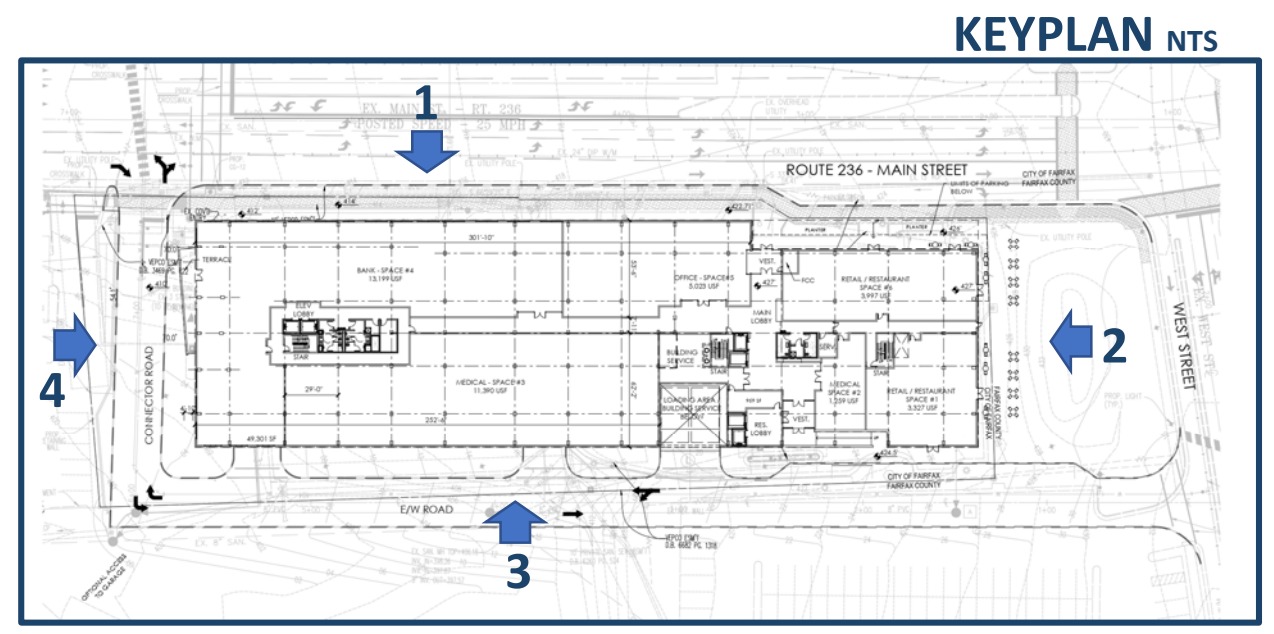


1 NORTH ELEVATION (MAIN STREET)  
1" = 40'-0"



2 EAST ELEVATION (PARK)  
1" = 40'-0"

**NOTE:** ELEVATIONS ON THIS SHEET ARE ILLUSTRATIVE IN NATURE AND ARE INTENDED TO DEMONSTRATE THE HEIGHT AND GENERAL ARCHITECTURAL CHARACTER OF THE PROPOSED BUILDING. FINAL ARCHITECTURAL DETAILS AND LANDSCAPING ARE SUBJECT TO CONFORMANCE WITH THE CERTIFICATE OF APPROPRIATENESS TO BE SUBMITTED UNDER SEPARATE COVER.



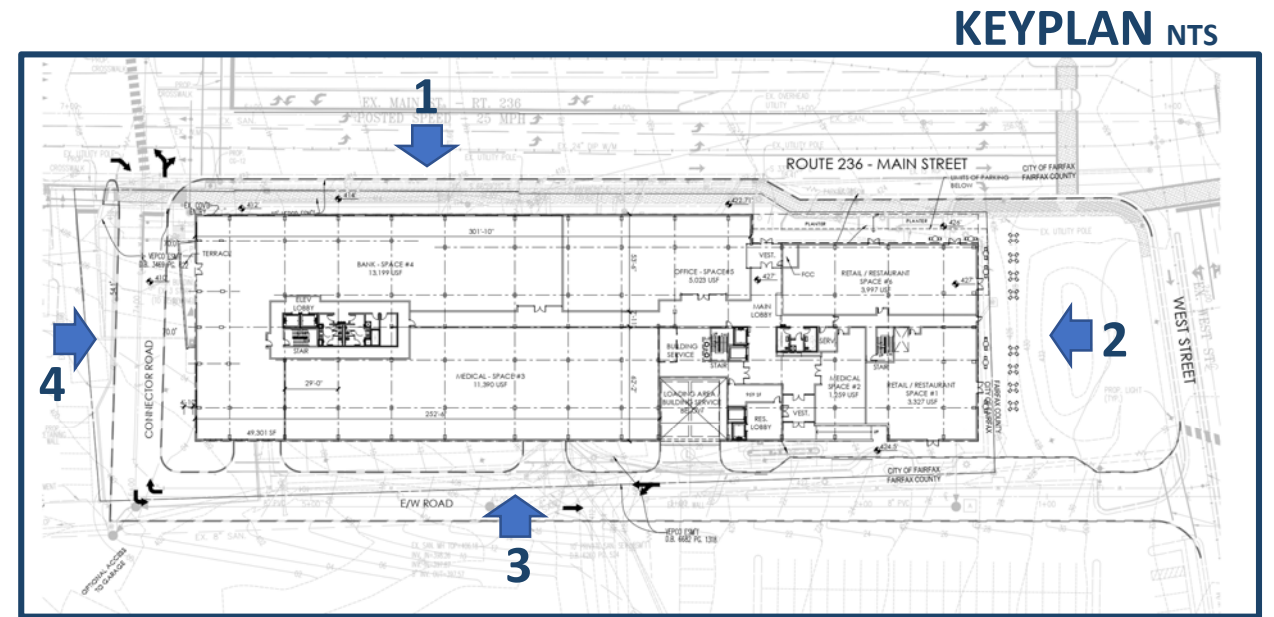


3 SOUTH ELEVATION  
1" = 40'-0"

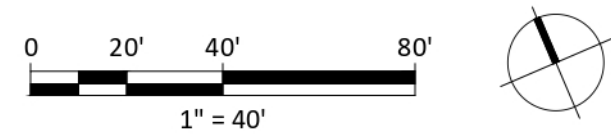


4 WEST ELEVATION  
1" = 40'-0"

**NOTE:** ELEVATIONS ON THIS SHEET ARE ILLUSTRATIVE IN NATURE AND ARE INTENDED TO DEMONSTRATE THE HEIGHT AND GENERAL ARCHITECTURAL CHARACTER OF THE PROPOSED BUILDING. FINAL ARCHITECTURAL DETAILS AND LANDSCAPING ARE SUBJECT TO CONFORMANCE WITH THE CERTIFICATE OF APPROPRIATENESS TO BE SUBMITTED UNDER SEPARATE COVER.



KEYPLAN NTS





**BRICK 1**



**BRICK 2**



**BRICK 3**



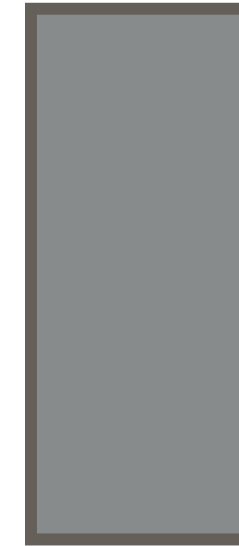
**FIBER CEMENT PANEL (FC)**



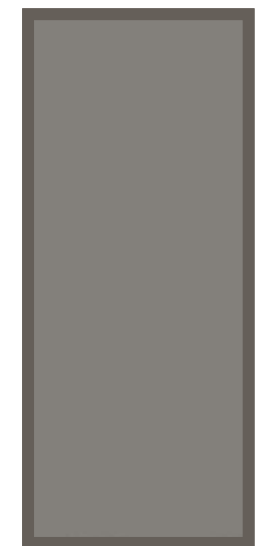
**ARCHITECTURAL  
PRECAST / MASONRY**



**ALUMINUM  
STOREFRONT  
SYSTEM**



**METAL PANEL  
#1 – (MP#1)**



**METAL PANEL  
#2**



*NOTE: PHYSICAL SAMPLES DELIVERED TO BAR ON SEPTEMBER 23, 2022.*

**ALTERNATE OPTION**



**BRICK 1**



**BRICK 2**



**BRICK 3**



**FIBER CEMENT PANEL (FC)**



**ARCHITECTURAL  
PRECAST / MASONRY**



**ALUMINUM  
STOREFRONT  
SYSTEM**



**METAL PANEL  
#1 – (MP#1)**

**METAL PANEL  
#2**



NOTE: PHYSICAL SAMPLES AVAILABLE UPON REQUEST.

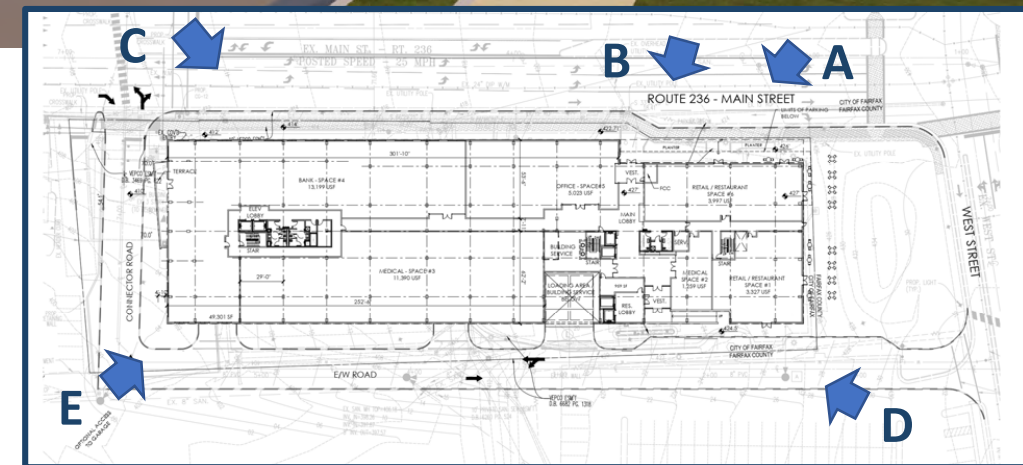


VIEW A



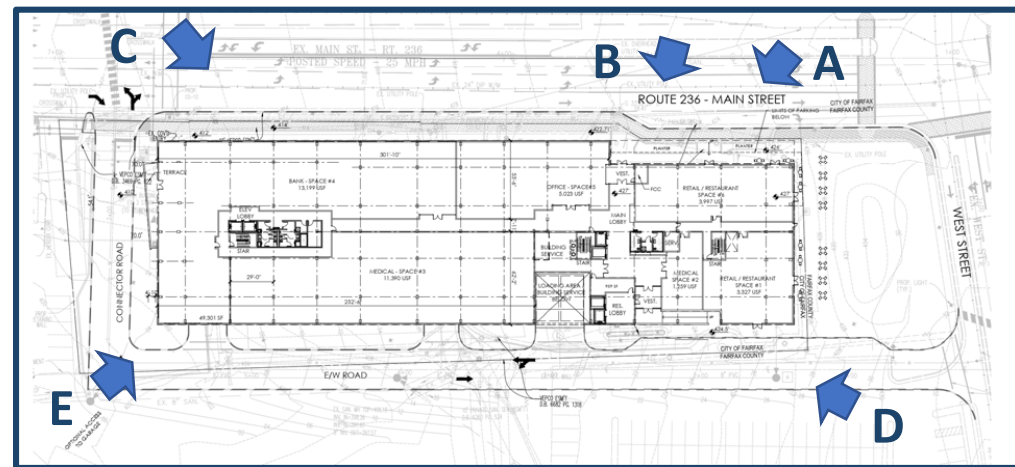
CITY CENTRE WEST CITY OF FAIRFAX

KEYPLAN NTS



3D VIEWS

VIEW B



KEYPLAN NTS

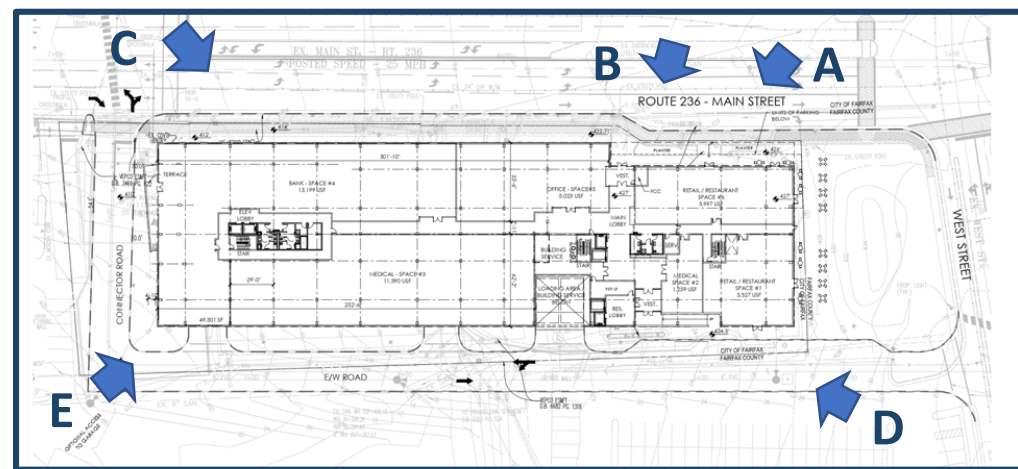


VIEW C

CITY CENTRE WEST CITY OF FAIRFAX

3D VIEWS





KEYPLAN NTS



VIEW E



CITY CENTRE WEST CITY OF FAIRFAX



**PROGRESS LIGHTING**

**Progress Lighting 5" LED Recessed Trim - 3000K - 700 Lumens - Triac Dimming**  
 Model: P8061-20-30K  
**\$42.48** ★★★★★ 1 Review  
 Finish: Antique Bronze - 103 In Stock

Free Shipping on orders over \$49.00!  
 Leaves the Warehouse Tomorrow, October 13th - Shipping to 20164

1







**Key Specifications**

- Trim Size: 5 in.
- Bulb Base: Integrated LED
- Trim Style: Open Trims, Shower Trims, Reflector Trims
- Watts Per Bulb: 10
- Location Rating: Wet Location

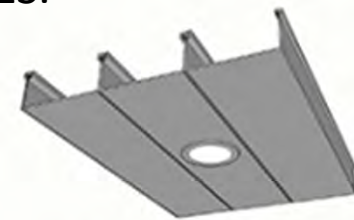
**Recommended for You**



**SURFACE MOUNT LIGHT FIXTURES.**

 Progress Lighting 5 inch LED Recessed Trim - 3000K - 650 Lumens - ELV Dimming \$58.59	 Progress Lighting Intrinsic 6" LED Smooth Recessed Trim - 3000K \$17.60	 Nora Lighting Two-Toned 6" Baffle Recessed Trim \$10.17	 American Lighting Advantage Select 5" / 6" LED Downlight - Adjustabl... \$219.69	 Progress Lighting 6" LED Recessed Trim - 3000K - 700 Lumens - Triac Dimming \$45.81	 Progress Lighting Edgellit 5" LED Recessed Fixture - 3000K and 866 Lumens \$46.00
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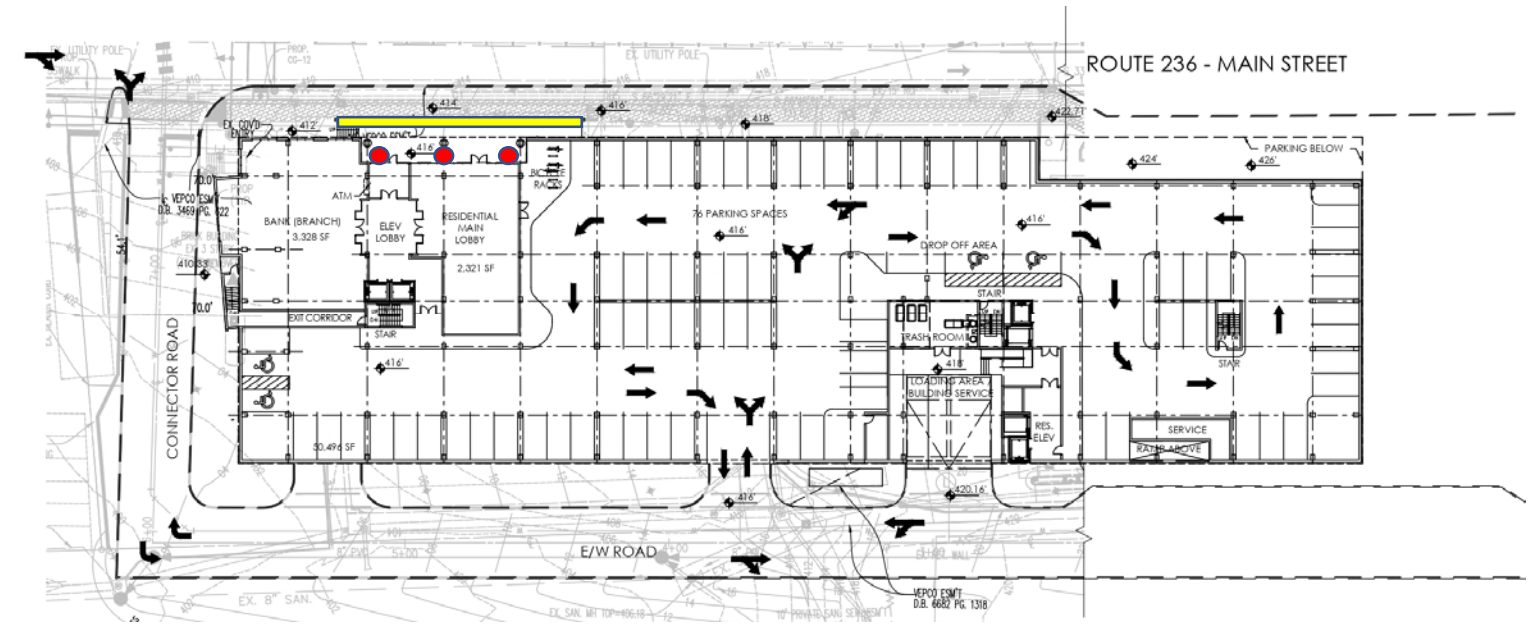
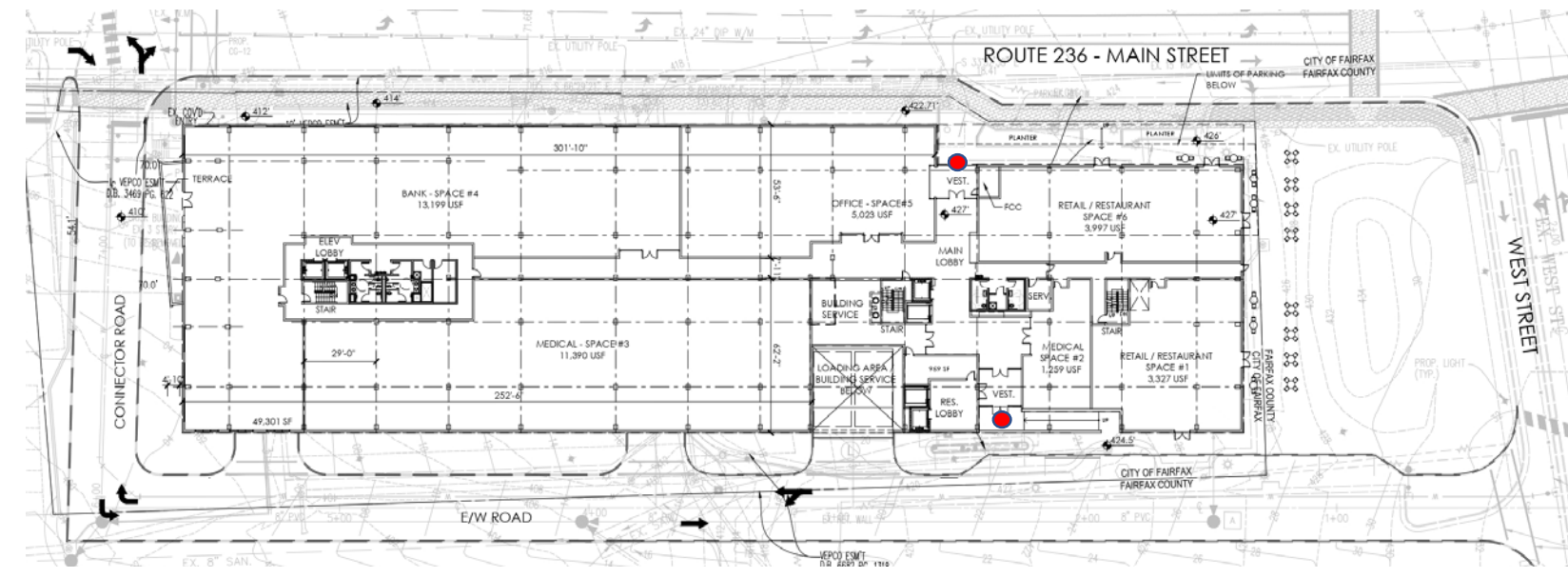
**RECESSED LIGHT FIXTURES.**



**Light Box Round**

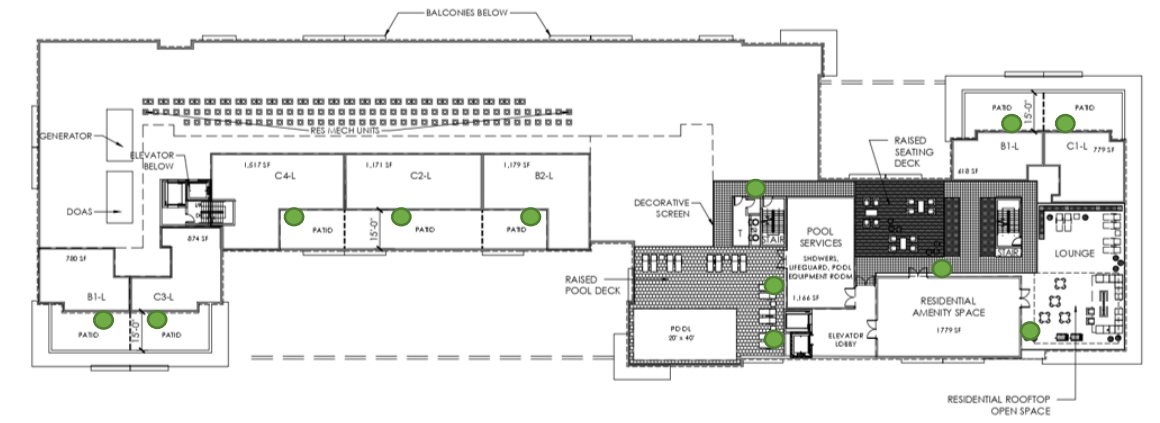


RECESSED OR SURFACE MOUNTED EXTERIOR LIGHT FIXTURES FOR CANOPIES.



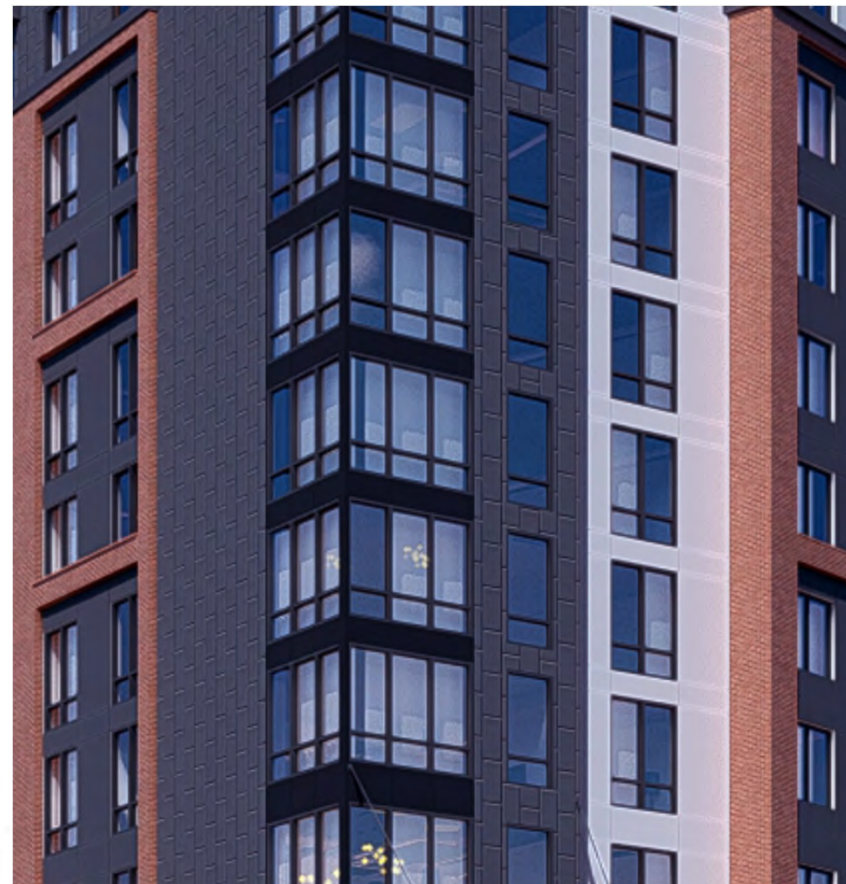
**BUILDING EXTERIOR LIGHT FIXTURE**  
**HIGH MATTE BLACK OUTDOOR LED**  
**LIGHT FIXTURE**

**PATIO EXTERIOR LIGHT FIXTURE**  
**HIGH MATTE BLACK OUTDOOR LED**  
**LIGHT FIXTURE**





Black



FIBERGLASS WINDOWS BLACK COLOR.  
MANUFACTURER: PELLA IMPERVIA WINDOWS OR  
SIMILAR.



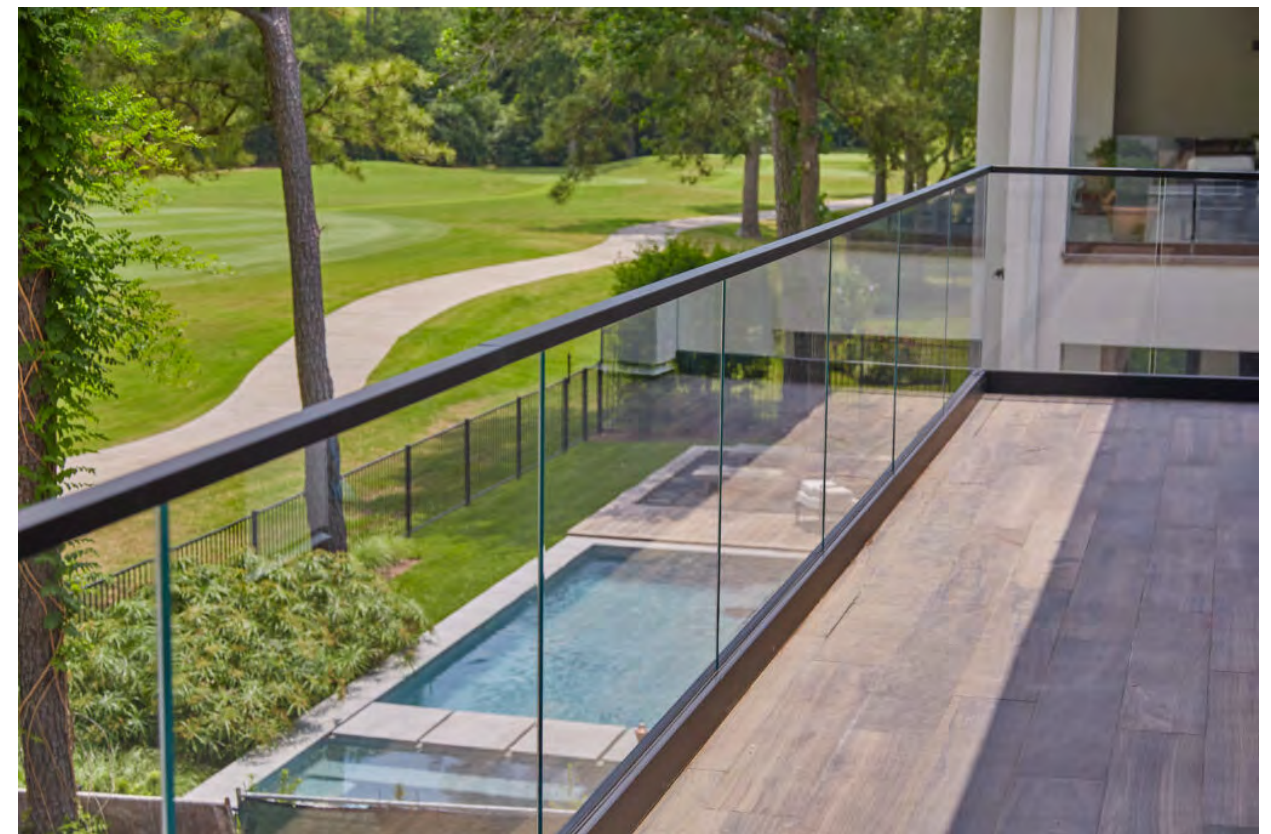


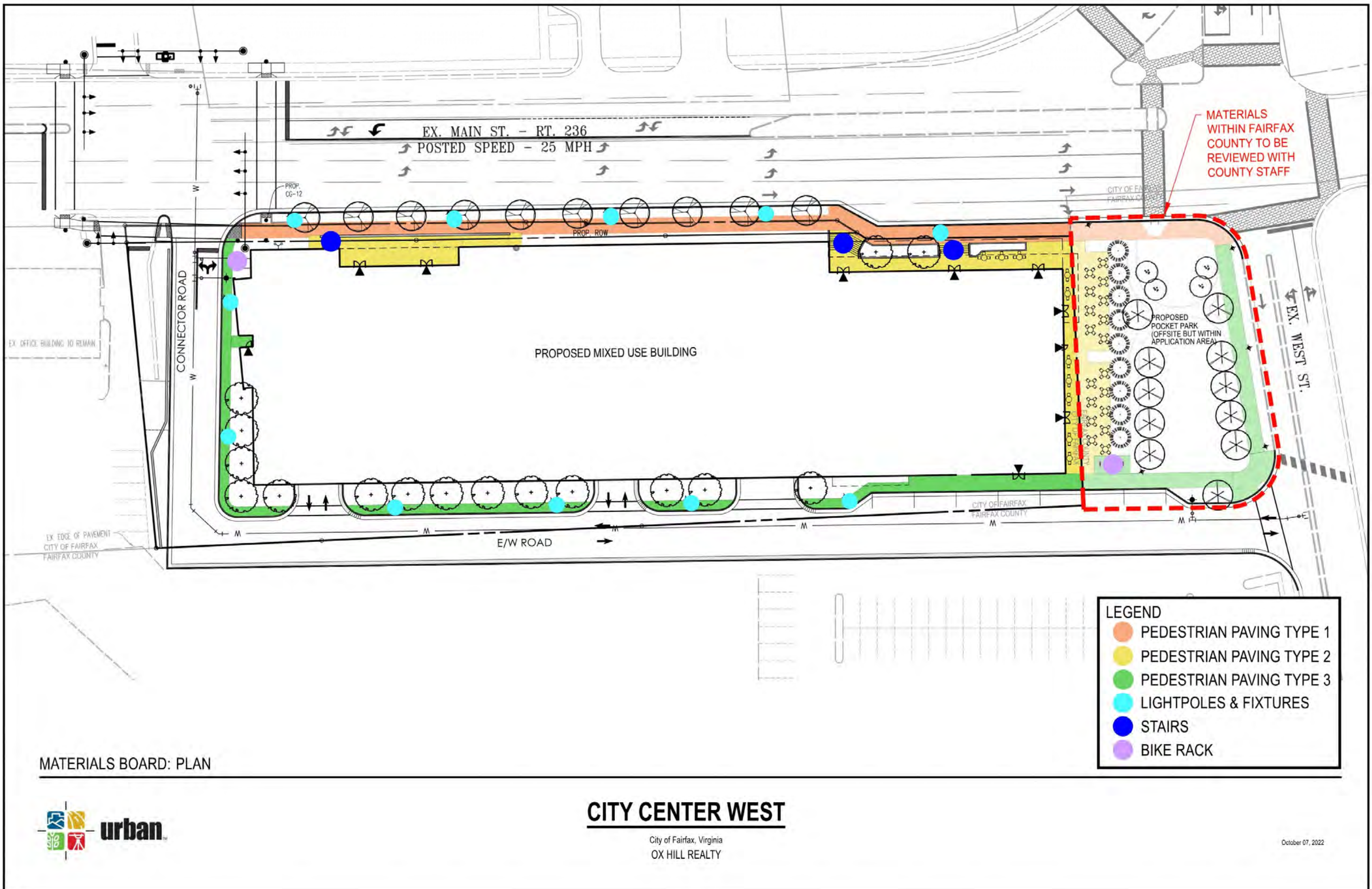
ALUMINUM STOREFRONT, COLOR BRONZE.  
MANUFACTURER: KAWNEER STOREFRONTS OR SIMILAR.





BALCONY GLASS RAILING WITH LOW PROFILE HANDRAIL.  
MANUFACTURER: VIEWRAIL OR ARCHITECTURAL RAILING  
SYSTEM OR GLASS RAILING OR SIMILAR.





MATERIALS BOARD: PLAN



### CITY CENTER WEST

City of Fairfax, Virginia  
OX HILL REALTY

October 07, 2022

PEDESTRIAN PAVING



Pedestrian Paving Type 1



Pedestrian Paving Type 2



Pedestrian Paving Type 3

LIGHTPOLES & FIXTURES



Hanging Basket



Light Pole Fixture



Hayrack Basket



Light Pole Base

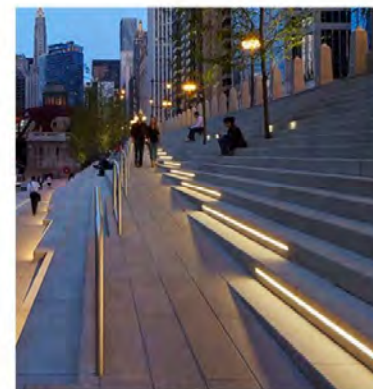


Banner Arm

STAIRS



Handrail



Step Lights

ADDITIONAL FEATURES



Bullet Light



Planter Pot



Bollard Lights



Trash Receptacle



Bike Rack



Bench

MATERIALS BOARD: GROUND LEVEL



**CITY CENTER WEST**

City of Fairfax, Virginia  
OX HILL REALTY

October 07, 2022



### STREET TREES



October Glory  
Red Maple



American Hornbeam



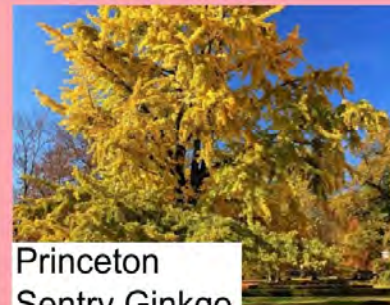
Blackgum



Hophornbeam



Sourwood



Princeton  
Sentry Ginkgo



Valley Forge Elm



London Planetree

### GROUNDCOVERS



Snow-in-Summer



Wild Ginger



Sweet Woodruff



Creeping  
St. John's Wort

### SHRUBS



Summersweet



Winterberry



Virginia Sweetspire



Dwarf Fothergilla

### PLANTS FOR PLANTER POTS



Crocus



Persian Shield



Ornamental Kale



Aromatic Aster

### PLANTS FOR HANGING/HAYRACK BASKETS



Pansies



Chrysanthemum



Lantana



Petunia

MATERIALS BOARD: PLANT PALETTE



## CITY CENTER WEST

City of Fairfax, Virginia  
OX HILL REALTY

October 07, 2022



**dcs**

D E S I G N

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Tysons, VA 22182  
+1 703 556 9275

[dcsdesign.com](http://dcsdesign.com)