

**ABTB Mid-Atlantic, LLC**

**STATEMENT OF INTENT**

**January 18, 2024**

Please accept the following as a Statement of Intent in support of the submitted Major Certificate of Appropriateness application to allow for the development of 10120 Fairfax Boulevard with an approximately 2,256 square foot restaurant with a drive-through window/facility. This Statement of Intent is submitted in conjunction with the Certificate of Appropriateness design package, consisting of thirty-one (31) sheets, and other submitted supporting materials. The contents of this Statement of Intent address the approval considerations for certificates of appropriateness, as set forth in Section 6.5.7.A of the City of Fairfax Zoning Ordinance (the “Zoning Ordinance”).

ABTB Mid-Atlantic, LLC (the “Applicant”) is the contract lessee of an approximately 0.66 acre property located in the City of Fairfax. The property consists of one (1) tax parcel identified among the City of Fairfax’s tax assessment records as 47-4-23-000-D (the “Subject Property”). The Subject Property is currently a vacant pad site that is part of the Boulevard Marketplace Shopping Center (the “Shopping Center”). Zoned to the CR (Commercial Retail) District, the Subject Property is included in a Generalized Development Plan (“GDP”) that was approved in conjunction with a rezoning in 2008, allowing a total of 17,300 square feet of commercial space, including a 4,300 square foot bank building with drive-through on the Subject Property. In 2011, the Shopping Center was subdivided into two separate parcels, including the Subject Property and the adjacent parcel identified as 47-4-23-000-A (“Parcel A”). In 2017, City Council approved a GDP amendment, which converted the previously approved drive-through bank on the Subject Property to an approximately 5,100 square foot retail building. To date, the approved retail building has not been constructed, and the Subject Property remains vacant.

**PROPOSED DEVELOPMENT**

The Applicant proposes to redevelop the Subject Property with a drive-through Taco Bell restaurant. No modifications or improvements are proposed to Parcel A nor its existing buildings. The proposed drive-through restaurant is a commercial use that is consistent with the recommendations of the Comprehensive Plan and compatible with the commercial character of the surrounding area. The proposed restaurant will consist of an approximately 2,256 square-foot, one story building with a proposed parking area oriented towards the rear of the Subject Property. The proposed drive-through lane will wrap around the new building and proposed parking area. In addition, bicycle parking and a small outdoor dining patio area will be provided proximate to the restaurant’s main entrance. As shown on the submitted materials, the proposed restaurant building will be architecturally compatible with the adjacent buildings in the Shopping Center and will be constructed of high-quality materials.

## CITY OF FAIRFAX DESIGN GUIDELINES

As illustrated in the submitted materials, the overall design of the proposed development is consistent with the City of Fairfax Design Guidelines. The proposed development is characterized by the installation of attractive architecture, the provision of quality landscaping, and a reduction of impervious surface. To ensure compatibility with the existing design of the Shopping Center, the proposed restaurant will include the use of masonry and cornice details that are consistent with the materials of the two existing buildings on Parcel A. Building materials may include, but are not limited to brick, Hardie cement board panels, E.I.F.S, and other quality materials. The proposed restaurant building will be a maximum height of twenty-five (25) feet. As such, the mass, scale, height, and architectural style of the proposed building will be compatible and proportionate to the remainder of the Shopping Center.

Quality landscaping is also proposed, including a mix of shade, ornamental, and evergreen trees in combination with evergreen and deciduous shrubs as well as ground cover, perennials, and ornamental grasses along the perimeter of the parking lot and the drive-through lane. The proposed landscaping will provide more vegetation on-site compatible to what is provided on the parcels adjacent to the Subject Property. In addition to the proposed landscaping, the Applicant is proposing to retain all of the existing street trees and other landscaping along Fairfax Boulevard. In the end, the proposed development will result in increased open space and an overall decrease of impervious surface.

The proposed site lighting is shown on Sheets 7 and 8 of the design package. All proposed site lighting will comply with Zoning Ordinance requirements. Lighting surrounding the building will consist of LED lighting on 25'-0" bronze posts and LED fixtures, consistent with the Zoning Ordinance. All light fixtures will be located and aimed to minimize glare and stray light trespassing across lot lines and into the public right-of-way. All of the existing street lights along Fairfax Boulevard will remain. Overall, the Applicant's lighting plan will illuminate the proposed parking lot and pedestrian pathways to provide safe vehicular and pedestrian circulation as well as minimize pedestrian/vehicular conflicts.

As to additional appurtenances associated with the proposed development, the Applicant has included an enclosed dumpster that will be located in the northern area of the proposed parking lot on the Subject Property. The proposed dumpsters will be screened by a combination of evergreen trees, evergreen shrubs, and a shade tree surrounding a brick enclosure with painted solid metal gates to match the building in order to minimize visual impact. Additionally, bicycle parking is proposed in accordance with the Zoning Ordinance requirements. Lastly, any rooftop mechanical equipment installed on the roof of the proposed restaurant building will be screened.

The proposed improvements will encourage and foster enhanced pedestrian connectivity within the site as well as with the surrounding community. To accommodate adequate pedestrian circulation, the Applicant will incorporate a 6-foot wide sidewalk between the proposed building and parking areas. In addition, the Applicant proposes to maintain an existing 8-foot wide trail along the western property line that connects to the George Snyder Trail to the north of the site. A 3.5-wide landscape strip is proposed between the drive-through lane and the 8-foot wide trail as shown on the submitted materials of the design package to provide an additional vegetated buffer

between pedestrians and vehicles in the drive-through lane. These new sidewalks and connections will contribute to the enhancement of the pedestrian experience along this stretch of the Fairfax Boulevard corridor.

In conclusion, the Applicant's proposal presents an opportunity to redevelop and activate an underutilized parcel with a vibrant, high-quality community-serving use that advances the Comprehensive Plan's objectives of enhancing commercial activities along the Fairfax Boulevard commercial corridor. The proposed site design consists of high-quality architecture, landscaping, and pedestrian improvements that are consistent with the City's Design Guidelines and will enhance the quality of one of the City's primary commercial corridors. The Applicant is eager to bring the first Taco Bell to the City and is committed to ensuring that the proposed development fits into the fabric of Fairfax.