



City of Fairfax, Virginia

City Council Regular Meeting

Agenda Item # 8a

City Council Meeting 7/9/2024

TO: Honorable Mayor and Members of City Council

FROM: Laszlo A. Palko, City Manager *Laszlo A. Palko*

SUBJECT: Public hearing and Council action on a request of Capital City Real Estate, LLC, applicant, by Cozen O'Connor, agent/attorney, for a Zoning Map Amendment (Rezoning) from CR Commercial Retail to CU Commercial Urban while retaining the Architectural Control Overlay District (ACOD) with a general development plan and proffers; a Special Use Permit and a Major Certificate of Appropriateness pursuant to City Code Section 110-6.5 for architecture and landscaping on the premises known as "N29 Apartments (WillowWood Phase I)" and identified as 10306 Eaton Place (Tax Map 57-4-02-02-002A).

ISSUE(S): City Council public hearing regarding a Zoning Map Amendment (Rezoning) from CG Commercial General and CR Commercial Retail to CU Commercial Urban in while retaining the Architectural Control Overlay District (ACOD) with a general development plan and proffers; a Special Use Permit to allow an upper story residential/mixed use building; and Special Exceptions, and issuance of a Major Certificate of Appropriateness for architecture and landscaping.

SUMMARY: The applicant proposes to replace an existing surface parking lot with a seven-story building that consists of up to 260 units, approximately 5,000 square feet of ground floor retail, and a 10-level parking garage (one level is below grade) on 2.96 +/- acres. The applicant is requesting for a Zoning Map Amendment (Rezoning) from CR Commercial Retail to CU Commercial Urban while retaining the Architectural Control Overlay District (ACOD) with a general development plan and proffers; a Special Use Permit to allow an upper story residential/mixed use building; and Special Exceptions to allow a reduction to the minimum square foot area of 75% on the ground floor with a nonresidential use in a mixed use building, to allow the maximum density to exceed 24 du/acre, to allow the building height to exceed 5-stories/60 feet, to exceed the 50% mandatory build-to line, to vary from the maximum front yard and side yard setback requirement, to eliminate the construction of sidewalks on both sides of all streets, to allow the site to not meet the tree canopy requirement in CU Commercial Urban, and eliminate cross-access to the adjacent property; and a waiver to the Public Facilities Manual Section 401-01 to allow a street width of less than 30 feet and for a Major Certificate of Appropriateness pursuant to City Code Section 110-6.5 for architecture and landscaping.

FISCAL IMPACT: The anticipated fiscal impact estimate for the proposed redevelopment project ranges from -\$250,000 and +\$306,000 annually with an average of \$56,000.

RECOMMENDATION: Staff recommends approval of the Zoning Map Amendment, General Development Plan, and proffers; approval of the special use permit; approval of special exceptions to allow a 75% on the ground floor in a mixed use building, height, density, build-to line, front and side yard setback requirement, sidewalks, tree canopy requirement, and inter-parcel vehicular connection; approval with conditions of a Major Certificate of Appropriateness.

ALTERNATIVE ACTION: City Council may approve or deny the subject applications or defer the decision on all the subject applications to a later date.

RESPONSIBLE STAFF/POC: Albert Frederick, Senior Planner
Jason Sutphin, Community Development Division Chief
Brooke Hardin, Director, Community Development & Planning

COORDINATION:

Community Development and Planning	Code Administration	Human Services
Public Works	Fairfax Water	Police
City Attorney	Historic Resources	Real Estate
Parks and Recreation	City Schools	

ATTACHMENTS:

Staff Report, Analysis, Land Use Applications, Zoning Summary, Statement of Support, Plat, General Development Plan, Proffers, Traffic Impact Study, Parking Reduction Study, Fiscal Impact analysis, Board of Architectural Review Staff Report, Posting and Notices, Order and List, Sample Motions, and Ordinance



CITY OF FAIRFAX

Department of Community Development & Planning

Zoning Map Amendment (Z-22-00583)

Special Use Permit (SU-22-00584)

Special Exception (SE-22-00585)

Major Certificate of Appropriateness (BAR-23-00041)

PUBLIC HEARING DATE

July 9, 2024

APPLICANT

Capital City Real Estate, LLC

AGENT

G. Evan Pritchard, Attorney
Cozen O'Connor
1200 19th Street NW
Washington, DC 20036

PARCEL DATA

Tax Map ID

◇ 47-4-02-02-002A

Street Address

◇ 10306 Eaton Place

Zoning District

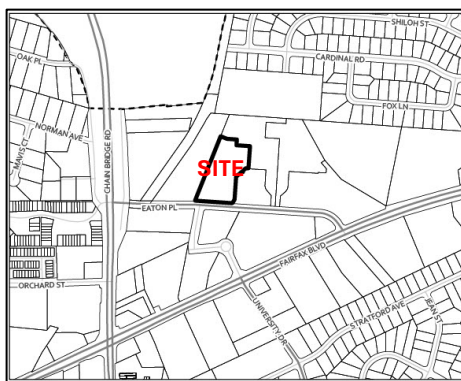
- ◇ CR Commercial Retail
- ◇ Architectural Control Overlay District (ACOD)

APPLICATION SUMMARY

The applicant is requesting a Zoning Map Amendment (Rezoning) from CR Commercial Retail to CU Commercial Urban with proffers while retaining the Architectural Control Overlay District (ACOD); a Special Use Permit to allow an upper story residential/mixed use building; Special Exceptions to allow a reduction to the minimum square foot area of 75% on the ground floor with a nonresidential use in a mixed use building, to allow the maximum density to exceed 24 du/acre, to allow the building height to exceed 5-stories/60 feet, to exceed the 50% mandatory build-to line, to vary from the maximum front yard and side yard setback requirement, to eliminate the construction of sidewalks on both sides of all streets, and to allow the site to not meet the tree canopy requirement in CU Commercial Urban, and eliminate cross-access to the adjacent property; and a waiver to the Public Facilities Manual Section 401-01 to allow a street width of less than 30 feet. The applicant proposes to replace the existing surface parking at 10306 Eaton Place (WillowWood Office Plaza) with a proposed upper story/mixed-use seven story building that consist of 260 units and up to 5,000 square feet of ground floor retail with a 10-level parking garage on 2.96 +/- acres. The subject property is in the Northfax Small Area Plan.

STAFF RECOMMENDATIONS:

See Pages 34-35 for staff recommendations.



BACKGROUND INFORMATION

The applicant, Capital City Real Estate LLC, is the contract purchaser and applicant for 2.96-acres of the 4.49-acre site. According to Section 2.2.2 of the Zoning Ordinance, “lots may not be divided to create a split-zoned lot of land (into more than one general zoning district classification).” Parcel 47-4-02-02-002A (Lot 2A) was recorded and created on May 15, 2024. The 4.49-acre parcel owned by WillowWood Office Owner LLC C/O Ares US Real Estate Fund IX LP. The five-story office building located at 10306 Eaton Place was constructed around 1987 and is approximately 138,860 square feet. The office building has 381 parking spaces including seven (7) handicap accessible spaces on Lot 2. The subject site is located north of Fairfax Boulevard, east of Chain Bridge Road, south of Shiloh Street Park, west and south of Accotink Creek and north of Eaton Place. Table 1 (below) summarizes the subject property:

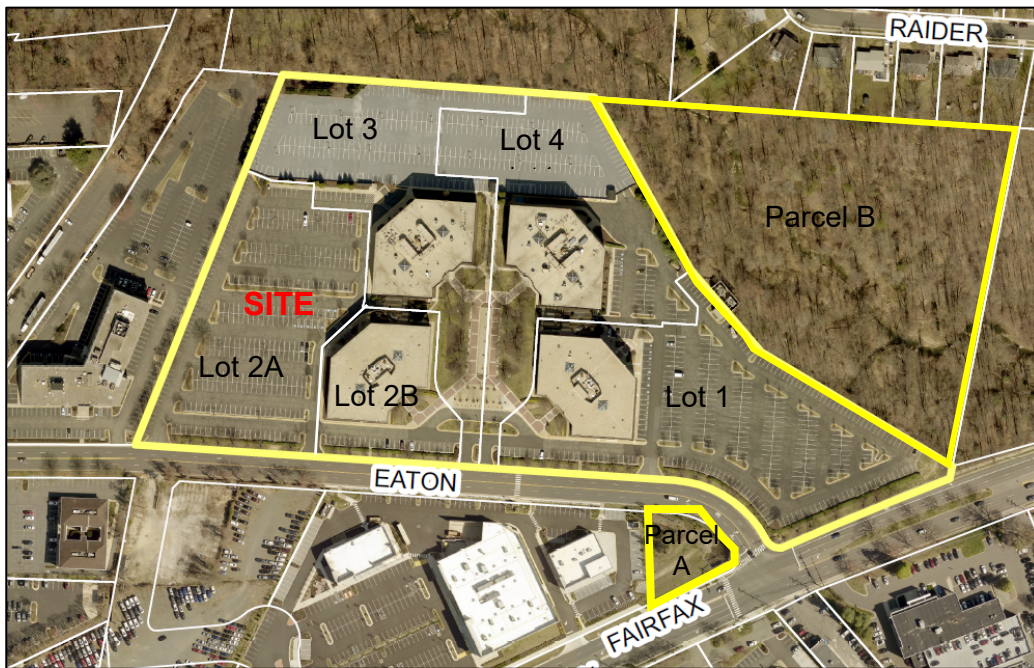
Table 1: Property Information

Address	Description	Area
Lot 2B (10306 Eaton Place)	Office building	4.49 +/- acres (before parcel split) 1.52 +/- acres (after parcel split)
Lot 2A (Subject Site)	Proposed upper story/mixed-use building	2.96 +/- acres (after parcel split)

- 10306 Eaton Place: Office building was constructed in 1987.
- The existing five-story office building would remain.

The applicant, Capital City Real Estate, LLC, proposes to redevelop the existing parking lot and the newly created Lot 2A into a mixed-use building with 260 apartments, 5,000 square feet of ground floor retail and a 10-level parking garage with one level below grade. Figure 1 (below) shows the parcels for the WillowWood Office complex:

Figure 1: Lots in WillowWood Office Complex



The subject property is currently a part of a larger office complex with five (5) vehicular access points from Eaton Place. Lot 2, the parent parcel, has 381 existing parking spaces including seven (7) handicap accessible

spaces. Lot 2 (4.49 acres) has been split, creating a new parcel in Lot 2A (2.96 acres). The area for the newly created Lot 2A has 328 existing parking spaces. There are 57 existing trees on Lot 2, and after subdivision 50 trees would be removed on Lot 5 due to redevelopment. The site also has infrastructure improvements, such as an existing storm drain structure, sanitary sewer line, water line, signs, streetlights, and parking lot lights. Along the perimeter of the site is a 5-foot sidewalk on Eaton Place. Further information on the subject property and the adjacent properties is provided in Table 2 (below):

Table 2: Surrounding Land Use and Zoning

	Existing Zoning	Existing Land Use	Future Land Use
Site	CR, Commercial Retail/Architectural Control Overlay District (ACOD)	Parking Lot	Activity Center/ Northfax Small Area Plan
North	CR, Commercial Retail/Architectural Control Overlay District (ACOD)	Parking Structure City Park Single-family homes	Activity Center/ Northfax Small Area Plan
South	CR, Commercial Retail/Architectural Control Overlay District (ACOD)	Shopping Center University Drive Extension	Activity Center/ Northfax Small Area Plan
East	CR, Commercial Retail/Architectural Control Overlay District (ACOD)	Office with parking lot	Activity Center/ Northfax Small Area Plan
West	CR, Commercial Retail/Architectural Control Overlay District (ACOD)	Office	Activity Center/ Northfax Small Area Plan

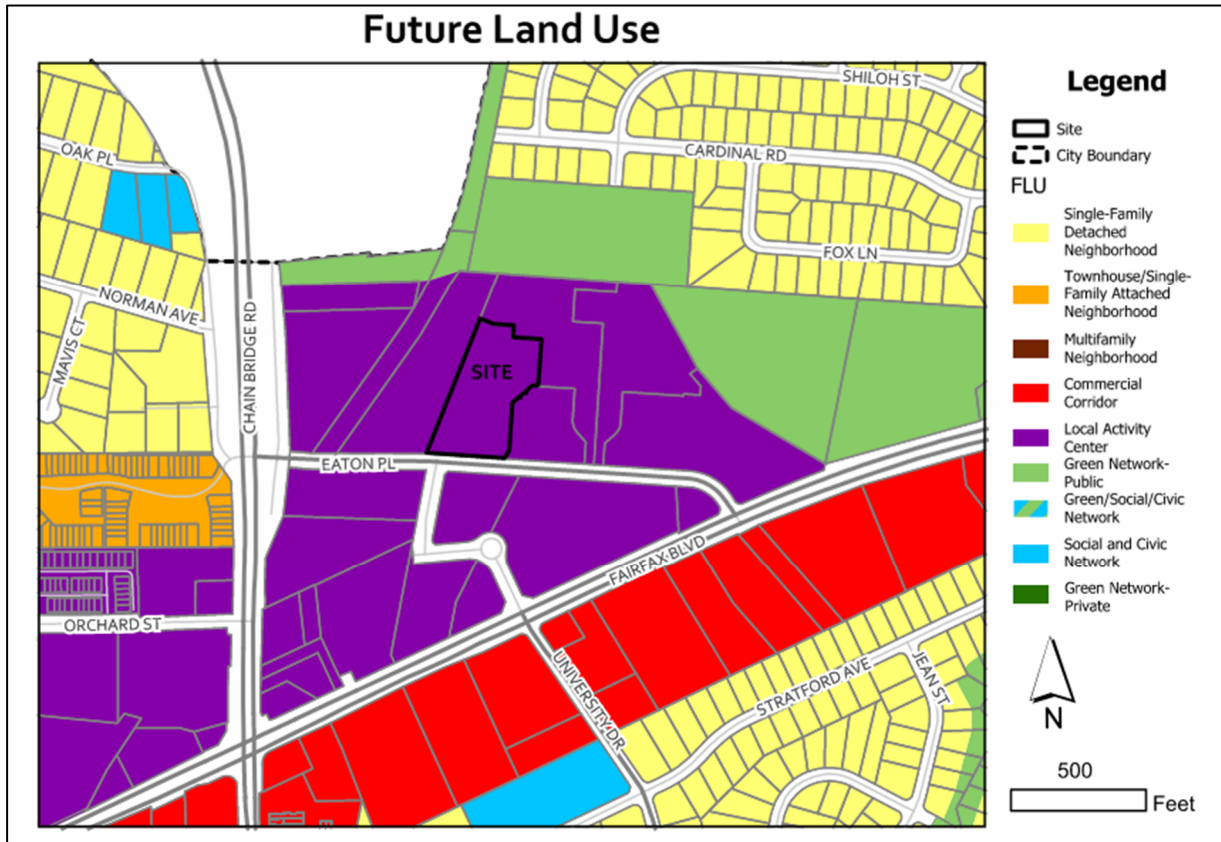
The Future Land Use designation for the subject site is Activity Center. The surrounding land use designation immediate to the site is Activity Center Place Type. The subject site has uses that range from office buildings, shopping center, and a parking garage. To the north of the site is a parking structure that serves the existing offices at WillowWood Plaza, Shiloh Street Park, and Mosby Woods, a single-family detached subdivision. On the south side of Eaton Place is a retail shopping center, Point 50, University Drive extension, and a two-story office complex. To the west of the site is a five-story office building and to the east of the site are the existing four five-story buildings in WillowWood Office Plaza.

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. 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 the 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>). 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. The Northfax Small Area Plan was adopted in June 2020, which includes the subject site. Figure 2 (below) illustrates the Future Land Use Map for the subject site and surrounding area.

Figure 2: Future Land Use Map



Neighborhoods: The City’s neighborhoods each have their own unique character and offer a variety of housing and lifestyle opportunities. Well designed and properly scaled infill can be an appropriate strategy to foster walkability, better amenities, and housing affordability (City of Fairfax 2035 Comprehensive Plan, Page 46).

Neighborhoods Goal 1

Enhance neighborhood character.

Outcome N1.1: Infill housing that complements the character of surrounding homes in existing neighborhoods.

Action N.1.1.1: Maintain regulatory standards to ensure infill housing fits in with the surrounding neighborhood context.

Outcome N1.2: Residents have regular communication and positive interactions with other members of their neighborhood as well as the larger City community.

Action N1.2.1: Encourage and support community engagement through homeowners, condominium, and civic associations.

Action N1.2.2: Establish regular communication with homeowners, condominium and civic associations, and residential property managers as a means to keep individual citizens informed about City business.

The applicant proposes to replace existing surface parking lot with a seven-story building that consist of 260 units, approximately 5,000 square feet of ground floor retail, 676 parking spaces in a 10-level parking garage, and 8 surface parking spaces on 2.96 +/- acres. The Northfax Small Area Plan promotes the replacement of surface parking lots with eco-friendly designs that incorporate new buildings and green spaces.

Neighborhoods Goal 2

Provide neighborhood pedestrian connections.

Outcome N2.1: Residents of all abilities safely and easily move about the community.

Action N.2.1.1: Identify opportunities for future open space and trails in neighborhoods that are currently deficient in offering these amenities.

Action N2.1.2: Expand existing pedestrian network to increase connectivity within neighborhoods and to other destinations.

There are existing sidewalks along both sides of Eaton Place that extend to Fairfax Boulevard. Likewise, sidewalks are on both sides of University Drive. The pedestrian network provided in the General Development Plan is consistent with the Small Area Plan, Comprehensive Plan, and the Zoning Ordinance. The applicant is proposing pedestrian improvements all around the site. The applicant has proposed a 10-foot sidewalk on Eaton Place, a 10-foot sidewalk on the north side of the building that carries around the garage and tapers down to a six-foot sidewalk that extends to the south side of the building. The six-foot sidewalk continues toward Eaton Place where it becomes an eight-foot sidewalk. The applicant has proposed installing crosswalks at the two access points for the site extending across Eaton Place.

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.

Action H1.1.2: Support development of housing types that are not heavily represented in the City's housing stock, as identified in the housing assessment, where reasonable.

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).

The applicant is proposing to develop an upper story/mixed-use building with 260 rental apartments and 5,000 square feet of ground floor retail. Figure 12 in the 2035 Comprehensive Plan shows that 39.2% (4,396 units) of the housing units (including approved and unbuilt units) in the city are multifamily (2024 City of Fairfax Fact Book). The Northfax Small Area Plan in the near-term horizon (next 15 years) suggests that an increase of 1,400 residential units (includes townhouses, condos, market-rate apartments, senior living, and affordable housing units).

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).

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 Section 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. The applicant has proposed 16 affordable dwelling units at 60% AMI or 6% of the total number of units. The applicant is required to intersperse affordable dwelling units throughout the proposed building and not concentrate these units on the same floor of the proposed building (Zoning Ordinance, Section 3.9.6H, Page 3-80). The applicant states, "the project will incorporate 16 residential units that are in compliance with all zoning requirements for affordable dwelling units. The 16 affordable will range in size from 1 bedroom to 2 bedrooms" (Sheet PI_400, Entitlement GDP).

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

Multimodal Transportation Goal 1

Connect with the region.

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

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

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

The site has direct access to Eaton Place. The applicant has proposed using two existing access points. The driveway aisles for the northern access point have been shifted slightly to provide a better alignment with the newly constructed extension of University Drive. The newly proposed street has ten-foot travel lanes in both directions and three on-street parallel spaces within 100 feet of the intersection of Eaton Place and the proposed street. The applicant has proposed a 17-foot sidewalk with tree grates on Eaton Place, a 10-foot sidewalk on the west side of the building that carries around the garage and tapers down to a six-foot sidewalk that extends to the east side of the building. The six-foot sidewalk continues toward Eaton Place where it becomes an eight-foot sidewalk. The applicant has proposed installing crosswalks at the two access points for the site extending across Eaton Place. The proposed building is approximately 47 feet from the existing office building at 10306 Eaton Place.

Multimodal Transportation Goal 2

Provide viable and attractive mobility choices.

Outcome MM2.1: Pedestrian safety is improved.

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

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

Action MM2.1.5: Expand the sidewalk network. Sidewalks should be provided with any significant street maintenance, rehabilitation, or reconstruction project and may be constructed independent of a street project.

There are existing sidewalks along both sides of Eaton Place that extend to Fairfax Boulevard. Likewise, sidewalks are on both sides of University Drive. The pedestrian network provided in the General Development Plan is consistent with the Comprehensive Plan and the Zoning Ordinance. The applicant has proposed installing crosswalks at the two access points for the site extending across Eaton Place.

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

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

Bicycle parking and storage facilities shall be required for all multifamily and nonresidential uses (Zoning Ordinance, Section 4.2.8, Page 4-91). The applicant is required to have 6 plus 1 for each 20 parking spaces of over 100, provided that the maximum number of required bicycle spaces shall not exceed 20 since the proposal requires more than 100 parking spaces. The applicant is proposing 23 bicycle spaces interior to the

building on the first floor and 12 bicycle spaces parking between the sidewalk and proposed street on the west side of the building.

Multimodal Transportation Goal 3

Integrate transportation with land use.

Outcome MM3.2: Walkability to and within Activity Centers and between neighborhoods is increased.

Action MM3.2.1: Whenever possible, increase connections – particularly non-motorized connections – between neighborhoods, community facilities, and Activity Center.

Action MM3.2.4: Improve the overall pedestrian environment, including pedestrian crossings, street trees, furnishing zones; buffering sidewalk from vehicle travel lanes; improved pedestrian scale lighting; and active ground floor uses along street edges.

There is an existing sidewalk network on both sides of Eaton Place from Fairfax Boulevard to Chain Bridge Road. The sidewalk on the west side of Eaton Place terminates at Point 50. The sidewalk continues along the west side of Eaton Place to Chain Bridge Road with a signalized intersection and crosswalk to The Assembly neighborhood. On the south side of Eaton Place and abutting the site, sidewalks extend to Fairfax Boulevard and towards Chain Bridge Road until the Best Western entrance.

The pedestrian network provided in the General Development Plan is consistent with the Comprehensive Plan and the Zoning Ordinance. The applicant is proposing pedestrian improvements all around the site. The applicant has proposed installing crosswalks at the two access points for the site. There is a mid-block crosswalk near the site that connects to the bus stops on both sides of Eaton Place. The CUE Bus System Green Route (from Fairfax Boulevard to Chain Bridge Road) provides daily service to the site. The Gold Route on Fairfax Boulevard is also in proximity to the site. Likewise, the Metrobus Route 1C provides service between Fair Oaks Mall and Dunn Loring Metrorail Station. The applicant has proposed to improve the overall pedestrian environment by meeting the elements outline in Action MM3.2.4.

Parks: A diverse network of public parks and open space areas, including recreation fields, natural areas, informal open spaces, and a trail system is provided throughout the city (2035 Comprehensive Plan, Page 124).

Parks and Recreation Goal 1

Develop high-quality park infrastructure.

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

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

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

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

The most important design feature in the Northfax vision is a new linear park that spans from Northfax West to Northfax East and connects north with the Accotink Creek. The linear park serves as public open space, a connector of neighborhoods, and green infrastructure for stormwater capture. The main intent of the linear park is to connect all the Northfax community with nature. The park will be generously planted with tree canopy and ground cover and will have park furnishings and places to relax and enjoy a natural, yet urban, setting. The linear park will also have a functional aspect - it will serve as a stormwater management and retention strategy, while also filtering runoff from impervious surfaces (Northfax Small Area Plan, Page 7). The requirement for maximum lot coverage in the CU Commercial Urban district is 100%. The general development plan shows the proposed lot coverage is 87% (112,083 square feet).

Environment: One of the characteristics of the city that makes it a desirable and healthy place in which to live is the extent, diversity, and quality of its environmental resources. The City's main environmental resources include wetlands, ponds, streams, public parks, open space, and urban forests. As the City continues to grow and redevelop, these resources are at risk of being impaired. Growth and development often cause pollution to the water, air, and soil; degradation to ecosystems; and loss of natural areas that contribute to residents' quality of life. Continuing to preserve and restore our environmental resources ensures a healthy environment by providing access to clean air, clean water, healthy ecosystems, and high-quality recreation areas (2035 Comprehensive Plan, Page 105).

Environmental Goal 1

Preserve, promote, and enhance a healthy environment.

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

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

The applicant is proposing to replace an existing parking lot with an upper story residential/mixed use building. The requirement for maximum building coverage in the CU district is 80%. The general development plan shows the proposed building coverage is 50% (64,825 square feet). The requirement for maximum lot coverage in the CU Commercial Urban district is 100%. The general development plan shows the proposed lot coverage is 85% (110,344 square feet). The existing tree canopy is 20,076 square feet with 50 trees on site. The applicant is proposing a tree canopy of 7,950 square feet with 62 plantings (including trees, understory, and shrubs). The proposed CU Commercial Urban district has a 10-year tree canopy requirement of 10%. The applicant seeks a Special Exception to the tree canopy requirement and provides a voluntary contribution in lieu of the difference in required tree canopy. The applicant proposes a contribution of \$21,860, which represents the current pricing index of twenty (20) 2" caliper deciduous trees. The applicant is proposing to provide streetscape and stormwater improvements that are designed to meet the intent of the Northfax Small Area Plan.

Sustainability Initiatives Goal 2

Support physical activity and healthy lifestyles.

Outcome SI2.2: Access to parks, recreation, community facilities, trails, and open space.

Action SI2.2.1: Promote walking and trail use as part of healthy community initiative.

The applicant is proposing pedestrian improvements all around the site. The applicant has proposed installing crosswalks at the two access points for the site. There is a mid-block crosswalk near the site that connects to the bus stops on both sides of Eaton Place.

NORTHFAX SMALL AREA PLAN

In June 2020, the City Council adopted the Northfax 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 (Northfax Small Area Plan, Introduction, Page 2). The development plan for Northfax focuses on four key ideas: New Identity, Linear Park, A Balanced Activity Center, and Bridging Community to Nature.

Key Idea #1: New Identity – An Ecologically Sensitive Place

New ideas for Northfax include: a new linear park that connects the community with the Accotink Creek watershed and nature, transforming existing “superblocks” into a connected street and block grid, new public open space for outdoor activities including plazas and greens, a new retail center with restaurants and other social gathering spaces, housing typologies that are not well represented in Fairfax, such as senior living, market rate apartments, condominiums and affordable housing, and a proactive city involvement in the planning and development process, including public amenities and balanced regulations for better environmental outcomes (Northfax Small Area Plan, Page 6). The vision plan for Northfax ultimately prescribes a comprehensive approach to providing public open space and green space. A part of reimagining Northfax is redeveloping surface parking lots to green spaces and buildings with stormwater improvements.

The applicant is proposing to redevelop an existing parking lot by constructing a new 7-story building with 5,000 square feet of retail space on the ground floor and 260 multifamily units, and a 10-level parking structure to the rear of the building. The applicant has proposed sidewalks around the entire building and along Eaton Place. The applicant has proposed a multi-tier stormwater improvement system that is integrated into the streetscape and overall project design. First, the applicant proposes to design an at-grade bioretention system by using native plantings and 10-foot stormwater planters at the corner of the proposed new street and Eaton Place that flows to the main storm system. Second, the applicant has proposed to capture turf flow directly to the hydrodynamic separator system (a manufactured treatment device) that sends water out to the main water system. Third, a second at-grade bio-retention BMP adjacent to the parking deck is proposed to manage rooftop drainage, which is then piped to the hydrodynamic separator. Finally, the applicant proposes an urban bioretention (planter box) adjacent to the second at-grade bio-retention to capture rooftop area runoff that is piped to the hydrodynamic separator.

Key Idea #2: The Linear Park – Linking Placemaking + Sustainability + History

The most important design feature in the Northfax vision is a new linear park that spans from Northfax West to Northfax East and connects north with the Accotink Creek. The linear park serves as public open space, a connector of neighborhoods, and green infrastructure for stormwater capture (Northfax Small Area Plan, Page 7).

The applicant has proposed to construct the streetscape including roadway width, three on-street parking spaces, 10-foot sidewalks, area for outdoor seating at the corner of Eaton Place and the new street, and landscape street to establish the western edge of the site for the public park in Northfax East. The applicant is proposing to install stormwater management system that is integrated into the streetscape and overall project design. The applicant has proposed to construct a building that is based on the Green Globes™ rating and certification. Green Globes™ is a comprehensive, science-based, three-in-one certification system that evaluates the environmental sustainability, health and wellness, and resilience of all types of commercial real

estate. Specifically, the project will be built to the Green Globes™ for New Construction (NC) standard. This encourages opportunities to assess opportunities for energy savings and reduced environmental impacts. The rating system affords up to 1000 points, across the following categories: Project Management, Site, Energy, Water Efficiency, Materials, and Indoor Environment.

Key Idea #3: A Balanced Activity Center – Transitioning to a Mix of Uses

Northfax is a huge opportunity to transform into a mixed-use Activity Center that centers and anchors the surrounding communities. Transitioning to a more balanced mix of uses will help create a better sense of place, bring more activity around the clock, potentially reduce single-use peak traffic, and help create more dynamic public spaces. The existing offices and hotels would be greatly enhanced by additional daytime retail, including restaurants, and a larger nearby residential population. In the medium-term of 15 years, the plan expects a sizable infusion on residential and retail uses that will help bolster Northfax and bring public benefits and amenities (Northfax Small Area Plan, Page 9).

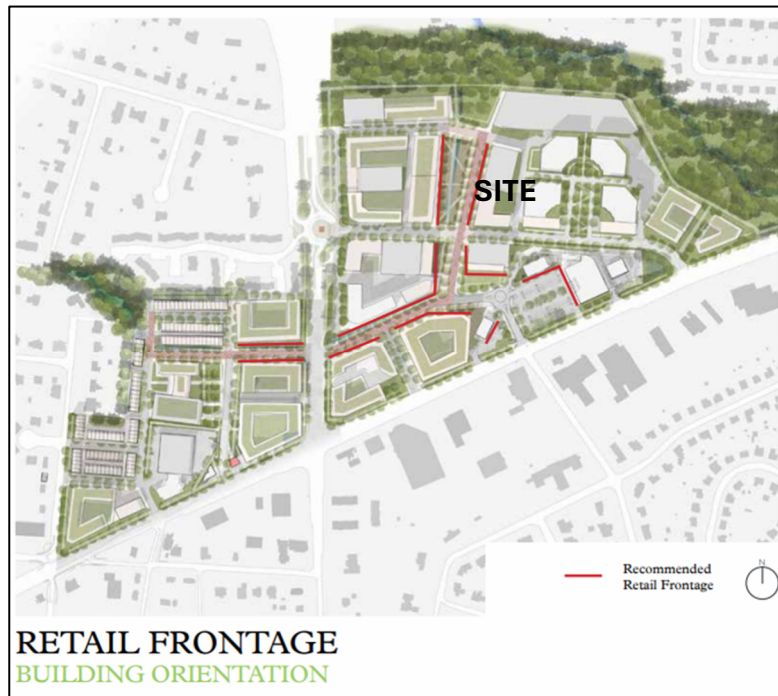
Density is not prescribed on a parcel-by-parcel basis. For a near term horizon of 15 years, it is estimated that Northfax will bring in substantial new development and land use changes, including:

- Residential: Increase of 1,400 residential units (includes townhouses, condos, market-rate apartments, senior living, student, and affordable housing units)
- Office: Retention and re-tenanting of existing supply and the repositioning of key properties
- Office: Potential replacement of older buildings
- Retail: Increase of at least 50,000 GSF new retail space (excluding the Point 50 development)
- Retail: Net loss of parking lot car storage and parking
- Hotel: Retention and renovation of existing hotel properties
- Recommended up to seven (7) stories for the subject property.

The applicant is proposing to redevelop an existing parking lot by constructing a new 7-story building with 5,000 square feet of retail space on the ground floor and up to 260 multifamily units, and a 10-level parking structure to the rear of the building. The applicant has proposed 16 affordable dwelling units at 60% AMI or 6% of the total number of units. The proposed density is 87.8 units per acre and the applicant is seeking a special exception to exceed the maximum density of 24 units per acre in the CU Commercial Urban district. The applicant is proposing a building with the maximum height of 87+/- feet and is seeking a special exception to exceed the maximum height of 5-stories/60 feet in the CU Commercial Urban district. The proposal would eliminate approximately 355 existing surface parking spaces.

The vision plan recommends a retail frontage with a pedestrian zone along the western edge of the building facing a linear park street. Linear park streets are the major connections through Northfax and contain the linear park greenway. Retail frontage is prescribed at this location along the linear park. Linear Park Streets: These streets are the major connections through Northfax and contain the Linear Park greenway. The street has a curb-less design, two-way traffic, bicycle facilities, on-street parking, and generous sidewalks. Retail frontage and primary building facades are expected on these streets (Northfax Small Area Pla, Page 12). Figure 3 (next page) illustrates the recommended retail locations for the Northfax Small Area Plan.

Figure 3: Recommended Retail Frontage



The applicant has proposed to provide 5,000 sf of ground floor retail in an upper-story residential mixed-use building. The applicant has requested a special exception to Section 3.5.1.D to permit less than 75% ground floor nonresidential use in a mixed-use building. At least 75 percent of the ground floor (floor area) of upper story residential/mixed use buildings shall be used solely for nonresidential uses. The remaining 25 percent of the first floor may be used for residential uses and/or residential accessory uses, such as entry lobbies and amenities (Zoning Ordinance, Section 3.5.1.D.1.b, Page 3-15). The applicant is proposing to develop approximately 5,000 square feet of retail space on the ground floor, which is below the required 75 percent requirement. The requirement is approximately 30,695 square feet. The applicant states, “75% ground floor nonresidential use would entail more retail than the surrounding area could support, particularly given recent market trends and nearby retail centers such as the American grocery that have captured nearly all retail demand in the market.” (Statement of Support, Page 3).

Key Idea #4: Bridging Community to Nature

A key idea of the Northfax vision is to bridge the divides between Northfax and the surrounding neighborhoods and to connect with the Accotink Creek watershed. The vision recommends new pedestrian crossings at Chain Bridge Road and Fairfax Boulevard, as well as better pedestrian and bicycle facilities on major streets. The vision also proposes a new street and block plan and brings in new public streets and open spaces to interconnect the broader context (Northfax Small Area Plan, Page 10). The plan proposes an increase in buildings - replacing mostly surface parking in the plan. These new buildings have the potential to better direct water, have green roofs, and other eco-friendly designs that improve the ecology of the study area (Northfax Small Area Plan, Page 14). The applicant proposes to redevelop an existing surface parking lot with a mixed-use building and structured parking garage with a multi-tier stormwater improvement system that is integrated into the streetscape and overall project design.

PROJECT HISTORY

Pre-Application Briefings

On April 25, 2022, the Planning Commission held a pre-application briefing to review a proposal for the redevelopment of two surface parking lots in the WillowWood Plaza Office Center at 10300 Eaton Place and 10306 Eaton Place. The applicant proposed to create two new lots, Lot 5 (2.92 acres) and Lot 6 (2.12 acres). Phase One (Lot 5) was proposed as 282 multifamily units and 2,100 square feet of ground floor retail. The proposed density was 96 units/acre with a proposed building height of approximately 74 feet and seven stories. To replace the removal of existing surface parking, a structured garage with 644 parking spaces was planned to support the proposed residential dwellings and existing office space. Lot 5 is proposed as 2.92 acres (127,315 sf) with road frontage and access to Eaton Place. Phase Two (Lot 6) was proposed as 64 multifamily units with two parking spaces per unit for a total of 128 spaces. The proposed density was 30.2 units/acre with a building height of approximately 44 feet and four stories. To replace the removal of existing surface parking, a structured garage with 375 parking spaces was planned for approximately 54 feet and 5-stories to serve the existing offices at 10300 Eaton Place (Lot 1). Lot 6 is proposed as 2.12 acres (92,530 sf) with road frontage and access to Eaton Place via an existing internal private street. During the Planning Commission meeting, the Commissioners discussed several issues related to the concept plan:

- Which zoning district is appropriate for the redevelopment of the site.
- The linear park, building placement and road placement along the west side of the site.
- Open space and pedestrian access are important elements to meeting the Small Area Plan vision.
- Opportunity for more commercial retail shown on concept plan.
- Connection to George Snyder Trail.
- More green space, a planned development district may create more open space.
- Fire and emergency access.
- Parking requirements for proposed and existing uses.
- Multimodal plan and transportation demand management measures.
- Transportation Impact Study (TIS)
- Long-term residential and population growth.
- Overall, concept plan is consistent with Small Area Plan.

On May 10, 2022, the City Council held a pre-application briefing to review the same concept plan that was shared with the Planning Commission. City Council provided the following feedback on the concept plan:

- Housing should be well-integrated with access to open spaces and trails.
- Opportunity for more commercial and retail space on the ground floor of the upper-story mixed-use building.
- Consideration and evaluation of traffic signals and vehicle access along Eaton Place.
- The proposal appears to have benefits for stormwater management, including a reduction in surface parking.
- More information on the number of parking spaces and reduction of surface parking is needed.
- Integration of green space and connecting green space is important, give creative thought as to how that could support people in this area.
- This should be viewed as a destination and designed with that intent from a commercial and residential standpoint.

After the work sessions, staff met with the applicant to discuss the process and types of land use applications required for the desired redevelopment activity. On June 24, 2022, staff determined that the proposal to submit one application with multiple phases was not acceptable because the two parcels in question were not contiguous. Therefore, the applicant would be required to submit two stand-alone applications as each

redevelopment portion constitutes a separate site. Each site is required to have a separate Zoning Map Amendment (Rezoning) application with fees, general development plan, special use permits for upper story residential/mixed use buildings and/or multifamily, and special exceptions. Both applications are subject to Section 3.9 (Affordable Dwelling Unit) of the Zoning Ordinance.

Post-Submission Work Sessions

On June 12, 2023, the Planning Commission held a post-submission work session to discuss the Zoning Map Amendment (Rezoning) and General Development Plan. Prior to the discussion, there was a citizen during the portion of the agenda not requiring a public hearing that stated that the architecture needs improvements. The following comments below highlights the discussion from the Planning Commission with city staff and the applicant's representative:

- The applicant has provided a high degree of conformance to the Northfax Small Area Plan.
- Some special exceptions reflect that the land use application is moving forward ahead of zoning amendments to complement the Small Area Plans.
- The applicant should design the six residential spaces fronting on the west side of the building for retail uses and be clear about the commitment to provide it.
- The applicant should be more rigorous in providing green building standards and practices including electric vehicle stations.
- Supportive of the applicant's commitment to meet the city's Affordable Dwelling Unit ordinance.
- Revisit what is being provided for green space and recreation.
- Student generation from the proposal should be evaluated.
- Architecture design will be discussed at the work session on June 21, 2023
- A parking plan is important for this proposal, neighbors are concerned that parking may overflow into Mosby Woods subdivision.

On June 21, 2023, the Board of Architectural Review held a work session to discuss the construction of a mixed-use building (BAR-23-0041) located at 10306 Eaton Place. Staff introduced the case and presented the staff report, which was incorporated into the record by reference. The following comments below highlights the discussion from the Board of Architectural Review with city staff and the applicant's representative:

- Explanation of the proposed street design and the incorporation of rain garden features.
- Scale appears to be appropriate; however, the renderings provided need work as it reads as a conceptual plan.
- Preference to see heavier coping on the roofline, brick on lower levels of the building does not show well in the renderings. The tall lobby area is a plus, but the white pillar area needs to be improved to add to the sense of place at the pedestrian level.
- More variation in the fenestration like linear windows, provide warmer tones on the underside of the balconies and canopy over the top balcony.
- Discussion regarding traffic lights or ways to calm traffic for pedestrians to cross Eaton Place to the Point 50 shopping center.
- Large building that lacks character, needs to address the fenestration, materials, and façade. The roofline needs to be addressed.
- Additional green space is needed; and we are concerned that the stormwater might be insufficient.
- Are there opportunities for electric vehicle stations and solar panels?
- Rooftop mechanical needs to be screened from other viewpoints including Fairfax Boulevard.

On June 27, 2023, the City Council held a post-submission work session to discuss the Zoning Map Amendment (Rezoning) and General Development Plan. The following comments below highlights the discussion from the City Council with city staff and the applicant's representative:

- What are the widths of the proposed sidewalks?
- What is the City's definition of a multi-use building?
- Why wait to provide the full commercial frontage? The concept should be future proof.
- The Small Area Plan envisions commercial /retail across the street frontage along the linear park.
- Sidewalks are important for this area to connect to the remaining areas of the Small Area Plan.
- Density is a concern for some residents in the area; the applicant should reach out to the Cobbdale and The Assembly neighborhoods.
- Incorporate design features that address monolithic nature to reflect the Small Area Plan recommendations.
- Discussion on the total number of units planned for the near-term horizon (next 15 years).
- Challenges to being the first applicant in the Northfax Small Area Plan.
- Important to bring residential units into this area.
- Brief discussion on land use application approval process.

On November 15, 2023, the Board of Architectural Review held a second work session to discuss the construction of a mixed-use building (BAR-23-0041) located at 10306 Eaton Place. Staff introduced the case and presented the staff report, which was incorporated into the record by reference. The following comments below highlights the discussion from the Board of Architectural Review with city staff and the applicant's representative:

- The board asked if the materials are the same from the previous work session and staff responded yes, but the applicant added a new lap siding color.
- The quality of the renderings provided is an improvement on the previous submission.
- The building lacks mounted lighting, there are opportunities to use linear LEDs to capture the roofline or other types of lighting could enhance the building.
- Provide an explanation of the material used at the front entrance in the green wall area.
- The applicant was encouraged to incorporate water features.
- The applicant should be bold and imaginative, as the roofline, lighting and eastern wall need some work to make the building more interesting.
- The landscaping plan lacks a wow factor and seeing landscaping improvements would be beneficial.
- The applicant should consider ways to improve or break up the corner of the wall along Eaton Place and facing the office.
- South elevation is too flat from a plane perspective. Perhaps, a material change from fiber cement paneling to metal paneling on the east panel to complement the mural and provide enhancement to that wall without fenestration. Provide the type of seam that the board and batten would have.
- West elevation is an improvement, but more variation is needed.
- Provide an example of the vegetation wall.
- Is there an amenity space on the rooftop?

On December 20, 2023, the Board of Architectural Review held a public hearing to discuss the construction of a mixed-use building (BAR-23-0041) located at 10306 Eaton Place. Staff introduced the case and presented the staff report, which was incorporated into the record by reference. The following comments below highlights the discussion from the Board of Architectural Review with city staff and the applicant's representative:

- Will the applicant install solar panels on the rooftop?

- Which section of the Zoning Ordinance is referenced in the staff recommendation? Staff responded that the Design Guidelines and overlays exist in the city and provide for design review. Staff interpret the guidelines and make recommendations based upon their interpretations and identify what is fundamental to those guidelines and the board makes the same interpretation. Staff position thus far is that the design has not met the fundamentals of the Design Guidelines. The board can take any action.
- What are the foundation materials being referred to in the staff report? Staff recommend that there is a change in the material a few feet up from the foundation line.
- Nice to maintain a datum line on the retail storefront on the west elevation because it looks like it drops down.
- The applicant is starting to break up the façade more with the east elevation.
- The south and east elevation have improved since the initial presentation.
- Maintenance and appearance of the green wall is a concern.
- The addition of the building mounted lighting is an improvement.
- The building is missing character and does not have an architectural appeal due to its size and scale.
- How does the building integrate with the surrounding buildings?
- The west elevation needs work to break up the building with the precast concrete parking garage.
- Some changes like variation in color to the west elevation could bring it to a possible approval in the future.
- The Board suggested a targeted hearing date in February 2024.

Motion to defer the request until a date in February 2024 to address the architectural elements on the western façade. The motion passed unanimously (6-0).

On February 7, 2024, the Board of Architectural Review held a public hearing to discuss the construction of a mixed-use building (BAR-23-0041) located at 10306 Eaton Place. Staff introduced the case and presented the staff report, which was incorporated into the record by reference. The following comments below highlights the discussion from the Board of Architectural Review with city staff and the applicant's representative:

- Which balconies are inset by 1-foot? Staff stated two section bays closest to Eaton on the western elevation and a vertical line along on the western side of the front elevation.
- The Board liked the proposed changes made since the meeting in December 2023. The changes help with the massing and the western side of the building has been greatly improved.
- Will the parking garage be cast-in concrete? Yes, and the stained samples were provided at the meeting.
- Elevation changes enhance the project.
- No public comments.

A motion to recommend approval of the request of Evan Pritchard, representative of Capital City Real Estate LLC, for the construction of a mixed-use building, at the property located at 10306 Eaton Place, Case Number BAR-23-00041, with the following conditions:

1. The proposed development shall be in general conformance with the plans and renderings received by staff in January 2024 and recommended for approval by the Board of Architectural Review as of February 7, 2024.
2. The applicant shall secure all required zoning approvals and permits prior to construction.
3. Landscaping is subject to change per urban forester comments at site plan approval stage.

The motion passed unanimously (5-0).

The Board of Architectural Review plan set, specifically the landscape plan, was updated after the Planning Commission hearing to match the General Development Plan.

Planning Commission Public Hearing

On April 22, 2024, the Planning Commission held a public hearing on the Zoning Map Amendment (Rezoning) from CR Commercial Retail to CU Commercial Urban while retaining the Architectural Control Overlay District (ACOD) to develop a mixed-use building with up to 260 apartments and 5,000 square feet of ground floor retail, and a 10-level parking garage (one level is below grade) with 676 parking spaces and 7 surface parking spaces on 2.96 +/- acres. Planning Commission provided comments and questions that covered several issues such as:

- The project has improved stormwater facilities.
- Height may not be a problem, but the applicant is recommended to go to Shiloh Street Park to see if the garage would be visible.
- Too many mixed-used projects do not have enough commercial space on the ground floor as this proposal only 16% on the ground floor.
- Are the existing sites in conformance with the zoning ordinance, need to subdivide are we creating any nonconforming parcels?
- Does putting a 7-story building next to the existing Class A office complement that building?
- Need to see how the street connection would work to the west across the linear park; putting in a lot of residential without meeting mixed use aspect of what was planned, we're giving up future commercial space in this, not sure how the pieces of this would work out.
- Increase residential will help support retail, but the amount of retail space needs to be increased.
- The amenity space is nice, but more retail would be more appealing.
- This project could be a catalyst for this area.
- Could lose the ability to bring back open space, still a little concerned about density beyond what was envisioned. The project feels tight but understands the economic environment.
- How many spaces are outside and not in the parking garage? Commercial space should be larger and have more parking spaces outside of the parking garage.
- Is there a new standard to handle the weight of electric vehicles in parking garages?
- Important to think about the future and the number of EV chargers in the parking garage.
- Could a playground and a dog walking area be included in the project?

During the public hearing, one resident spoke regarding a range of issues such as, potential of the community impacts and walkability, bike safety and emergency vehicles, accessibility for all ages and bringing in more natural greenery (as opposed to plastic greenery on front of building), and a community garden and light pollution.

The Planning Commission voted to approve (4-1-1) the request to rezone the property.

REZONING REQUEST

The applicant is requesting a Zoning Map Amendment (Rezoning) from CR, Commercial Retail to CU, Commercial Urban while retaining the Architectural Control Overlay District (ACOD).

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

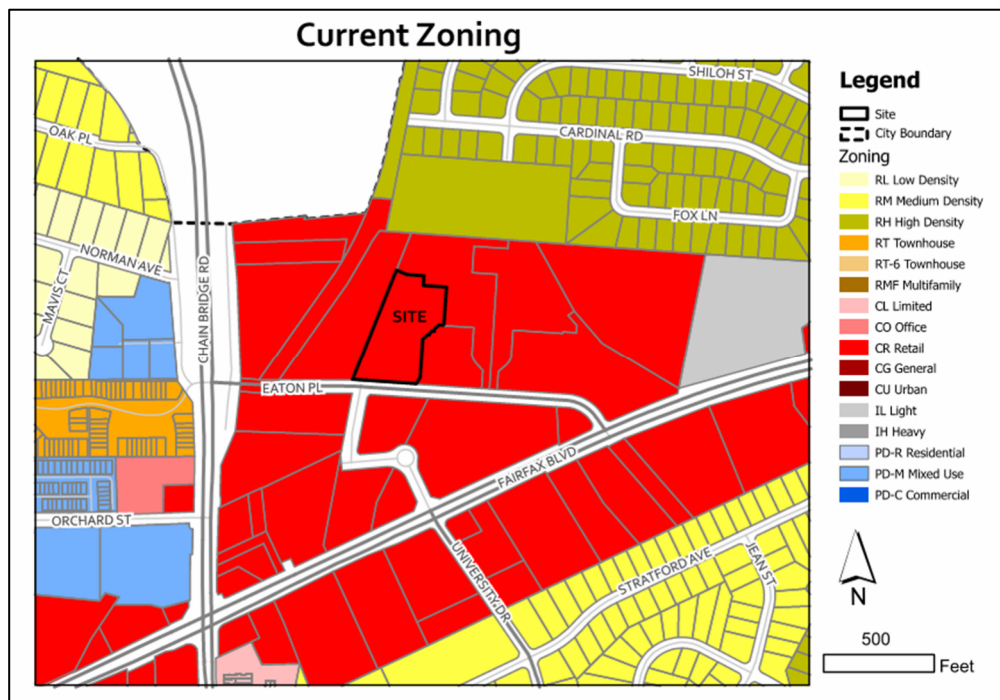
The Architectural Control Overlay District is established to encourage the construction of attractive buildings, to protect and promote the general welfare and to prevent deterioration of the appearance of the city, to make the city more attractive for the development of business and industry, and to protect land values. (City of Fairfax, Zoning Ordinance, Section 3.2.2.B.2., Page 3-3).

Under the current configuration, the proposal could not be developed, and the site would remain with commercial uses as residential uses are not intended in CR Commercial Retail. Therefore, the applicant requested to rezone the property from CR Commercial Retail to CU Commercial Urban while retaining the Architectural Control Overlay District (ACOD).

§3.2.1.B.1.d. 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 [Blenheim Boulevard], or as may be more precisely specified by a current or future adopted plan.

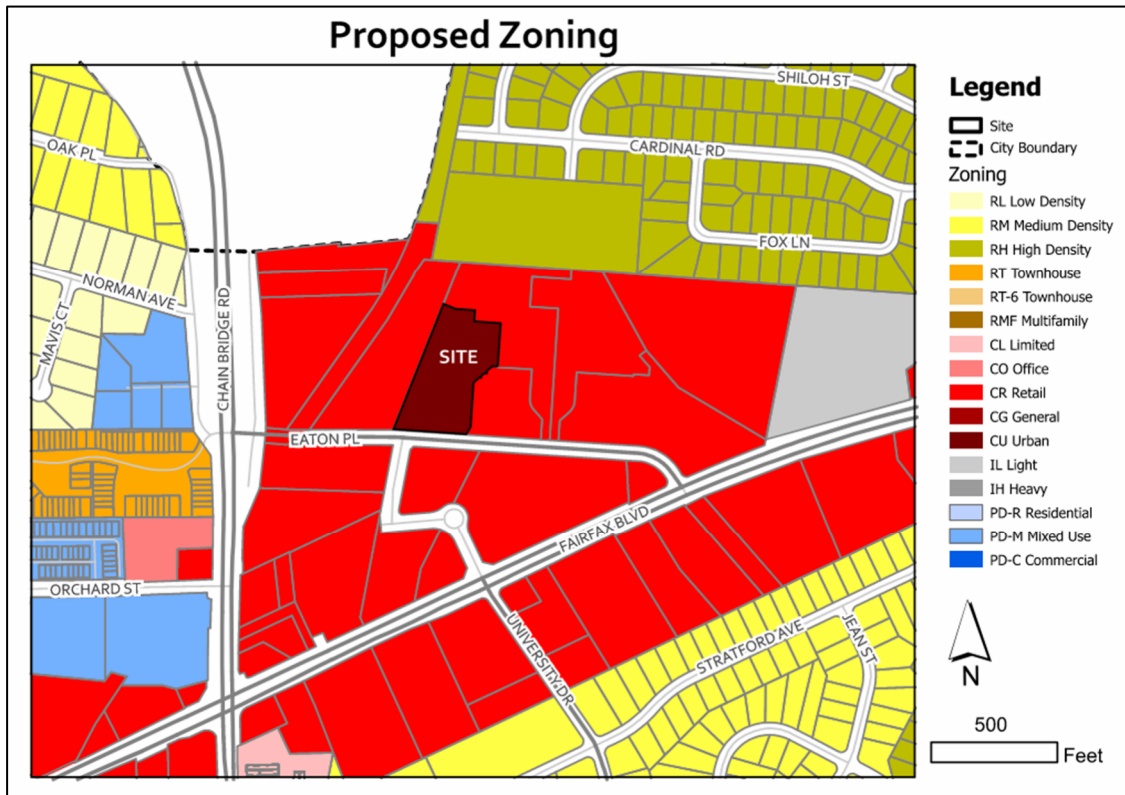
Figure 4 (below) illustrates the zoning districts for the subject site and the surrounding properties.

Figure 4: Current Zoning Map



The applicant is requesting a Zoning Map Amendment (Rezoning) from CR, Commercial Retail to CU, Commercial Urban in the Architectural Control Overlay District (ACOD). Section 3.2.1.B.1.c of the Zoning Ordinance states the CR, Commercial Retail District is established to provide areas for office and general business and retail establishments and uses accessory or complementary thereto (Zoning Ordinance, Page 3-2). The surrounding zoning district is CR Commercial Retail with uses that range from office buildings, a shopping center, and a parking garage. To the north of the WillowWood Office Park is Mosby Woods, a single-family detached subdivision, and Shiloh Street Park. On the south side of Eaton Place is an auto dealership and a retail shopping center, Point 50. Figure 5 (next page) shows the proposed CU Commercial Urban district and the zoning designations of the surrounding area.

Figure 5: Proposed Zoning Map



Most of Northfax is zoned CR Commercial Retail, which does not permit residential, and hotel use without a special use permit. The plan recommends that all properties in the study area be rezoned to also allow for residential, hotel and mixed-use. The CU Commercial Urban district is a potential solution for the study area, as it has more flexibility in allowable land uses (Northfax Small Area Plan, Page 43). Like the Northfax Small Area Plan, the Activity Center Place Type recommends four appropriate zoning districts: CU Commercial Urban, PD-R Planned Development Residential, PD-C Planned Development Commercial, PD-M Planned Development Mixed Use. 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 [Blenheim Boulevard], or as may be more precisely specified by a current or future adopted plan in the downtown area. The proposed rezoning from CR Commercial Retail to CU Commercial Urban could allow for the site to be developed with commercial uses. The CU Commercial Urban zoning district requires a special use permit for upper-story residential/mixed uses.

DESCRIPTION OF THE GENERAL DEVELOPMENT PLAN

The applicant proposes to develop a mixed-use building with up to 260 apartments and 5,00 square feet of ground floor retail, and a 10-level parking garage (one level is below grade) with 676 parking spaces and 8 surface parking spaces on 2.96 +/- acres. The proposal consists of a building that is approximately 201 feet in length on the southern exterior, approximately 275 feet in length along the east side, and approximately 300 feet on the west side. The 10-level garage is attached to the rear (east) of the building. The proposed garage structure is approximately 192 feet in length on the east side, the southern face is approximately 122 feet in length with the primary vehicular access point into the garage, the western wall is approximately 205 feet in length and the northern wall is approximately 122 feet in length with a pedestrian access point leading to a stairwell. The proposed maximum height is approximately 87 feet.

The ground floor retail of approximately 5,000 square feet is located at the corner of Eaton Place and the newly proposed street on the northern edge of the site. The proposed retail space is approximately 158 feet in length, depth of 35 feet, and height of approximately 21 feet. The applicant proposes five entry points for the ground floor retail. In addition to the ground floor retail on the north side of the building, the applicant proposes two entry points for residential units between the retail space and loading dock area. The main entrance to the building has a large recess and is located on Eaton Place. The applicant proposes a first-floor amenity space that includes a lobby and leasing area, mail package center, fitness area and a lounge. Interior to the building, the applicant has proposed a courtyard and pool with units surrounding the pool area on three sides. The applicant proposes a small open space area (88 feet x 96 feet) near the proposed garage entrance.

The General Development Plan has two access points that will continue to be operational and will be improved with the proposed redevelopment activity. The applicant proposes to use the existing curb cut on the southern edge of the site and plans to shift the existing curb cut on the northern edge to align with the University Drive Extension. The access points are located approximately 285 feet apart (from centerline to centerline). The proposed street on the western edge of the site provides access to an existing two-story parking garage and wraps around the building to provide access to the proposed parking structure for this upper-story residential/mixed use building. The street continues along the eastern edge between the proposed building and the existing office building at 10306 Eaton Place. The proposed street on the western edge has on-street parking to serve the proposed ground floor retail. The proposed western street is 30 feet in width at Eaton Place with 10-foot travel lanes. The roadway width tapers down to 20 feet with 10-foot travel lanes that circulate around the building. The proposed 10-level garage has one vehicular access point on the south side of the building from a proposed interior street between the existing office building at 10306 Eaton Place and the proposed building. The proposed interior street has 10-foot travel lanes, a landscape strip, and a sidewalk adjacent to the proposed building that wraps around the parking structure and continues in westerly direction to Eaton Place. This section of the proposed street has 10-foot travel lanes, 6-foot landscape strip, three parallel parking spaces and a 10-foot sidewalk.

The applicant has proposed a 17-foot sidewalk with tree grates on Eaton Place, a 10-foot sidewalk on the west side of the building that carries around the garage and tapers down to a six-foot sidewalk that extends to the east side of the building. The six-foot sidewalk continues toward Eaton Place where it becomes an eight-foot sidewalk. The applicant has proposed installing crosswalks at the two access points for the site. There is a mid-block crosswalk near the site that connects to the bus stops on both sides of Eaton Place.

The applicant has proposed a multi-tier stormwater improvement system that is integrated into the streetscape and overall project design. First, the applicant proposes to design an at-grade bioretention system by using native plantings and 10-foot stormwater planters at the corner of the proposed new street and Eaton Place that flows to the main storm system. Second, the applicant has proposed to capture turf flow directly to the hydrodynamic separator system (a manufactured treatment device) that sends water out to the main water system. Third, a second at-grade bio-retention BMP adjacent to the parking deck is proposed to manage rooftop drainage, which is then piped to the hydrodynamic separator. Finally, the applicant proposes an urban bioretention (planter box) adjacent to the second at-grade bio-retention to capture rooftop area runoff that is piped to the hydrodynamic separator.

Figure 6 (next page) shows the building footprint and road improvements with a connected pedestrian zone around the proposed site.

(Northfax Small Area Plan, Page 23). The subject property is in the neighborhood core, with the typical uses of multifamily residential, mixed use, retail/offices, parks and green space, and hotel. Since these areas are not immediately adjacent to residential structures, the neighborhood core is recommended to have a 7-story height limit. Figure 7 (below) illustrates the building height and setbacks in the Northfax Small Area Plan. The subject property has a suggested maximum height of 7-stories.

Figure 7: Suggested Building Heights

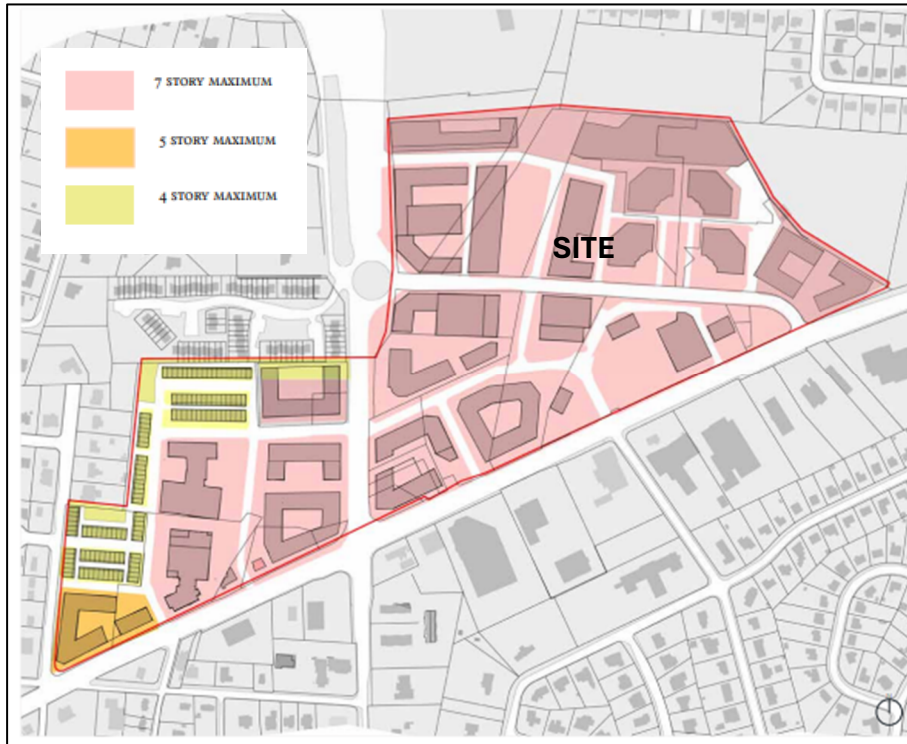


Table 3 (below) provides a comparison of building heights and density for the proposed development and other buildings in the city.

Table 3: Project Comparisons

Project	Site Area (Acres)	Number of Units	Density	Building Height
N29 Apartments Phase I	2.96	260	87.8	87 +/- feet (parking garage) 81 +/- feet (building) (74 +/- feet for existing office buildings)
City Centre West	1.78	79	46.1	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
Davies Property*	2.68	355	121.7	77 +/- feet

*Land use application under review

The applicant has requested a special exception to Section 3.6.2. (Nonresidential districts) to allow the building height to exceed 5-stories/60 feet in the CU Commercial Urban district. The Northfax Small Area Plan recommends a building height of up to seven stories at this location. At the eastern end of the development site, the applicant has designed a parking garage that would be 10 levels (one level is below grade) and approximately 87 feet based on the proposed average grade plane and the mixed use-use building would be constructed at approximately 81 feet. Figure 8 (below) shows the west elevation with the proposed building height for the mixed-use building and the parking garage.

Figure 8: West Elevation



The Northfax Small Area Plan shows the site as a recommended building height of 7 stories. As articulated in the 2035 Comprehensive Plan and other market research, quality mixed-use developments that are appropriate for Activity Centers need a critical mass of height, density, and public amenities to be achievable. Based on development history within the region, it is generally expected that a fraction of the study area will redevelop at higher heights and densities over the next 15 years (Small Area Plan, Page 22).

In addition to a special exception for height, the applicant has requested a special exception to exceed the maximum number of units per acre in the CU Commercial Urban district (24 du/acre). The general development plan proposes 260 total units with a density of 87.8 dwelling units per acre. The applicant states, “that the density is in line with the building form and planning goals for Northfax specified in the SAP” (Statement of Support, Page 3). The applicant has requested a special exception to Section 3.6.2. (Nonresidential districts) to allow the maximum density to exceed the permitted density in CU Commercial. Density is calculated as the number of dwelling units per gross acre located within the development site (Zoning Ordinance, Section 1.5.8A, Page 1-6). The maximum density in CU Commercial Urban is 24 du/acre (Section 3.6.2 – Nonresidential districts) for developments that are subject to the Affordable Dwelling Unit Ordinance (Section 3.9). As articulated in the 2035 Comprehensive Plan and other market research, quality mixed-use developments that are appropriate for Activity Centers need a critical mass of height, density, and public amenities to be achievable. Based on development history within the region, it is generally expected that a fraction of the study area will redevelop at higher heights and densities over the next 15 years (Northfax Small Area Plan, Page 22). While the general development plan exceeds the density of the desired zoning district, the building is generally consistent with the recommended form and scale. The proposal consists of a building that is approximately 201 feet in length on the southern exterior, approximately 275 feet in length on the east side, and approximately 300 feet on the west side fronting Eaton Place. The 10-level garage (one level is below grade) is attached to the rear of the building. The proposed garage structure is approximately 192 feet in length on the east side, the southern face is approximately 122 feet in length, the western wall is approximately 205 feet in length and the northern wall is approximately 122 feet in length. Density is not

prescribed on a parcel-by-parcel basis. The applicant states, “The proposed density is in line with the building form and planning goals for Northfax specified in the SAP.” (Statement of Support, Page 3).

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 CU Commercial Urban district is 50% with a front and side yard setback of 15 feet. In applying this requirement, 50% of the building face must be within 15 feet of the property line. The applicant is requesting a special exception to Section 3.6.2 to permit a front yard that is greater than the maximum fifteen (15) feet to provide “a 17-foot front yard rather than the maximum 15-foot yard in order to provide a better sidewalk and streetscape treatment in keeping with the SAP. This approach will also provide a better transition to the building line of adjacent office building (Statement of Support, Page 3). Therefore, the applicant requests a special exception to the build-to line requirement of the maximum 15-foot front yard requirements.

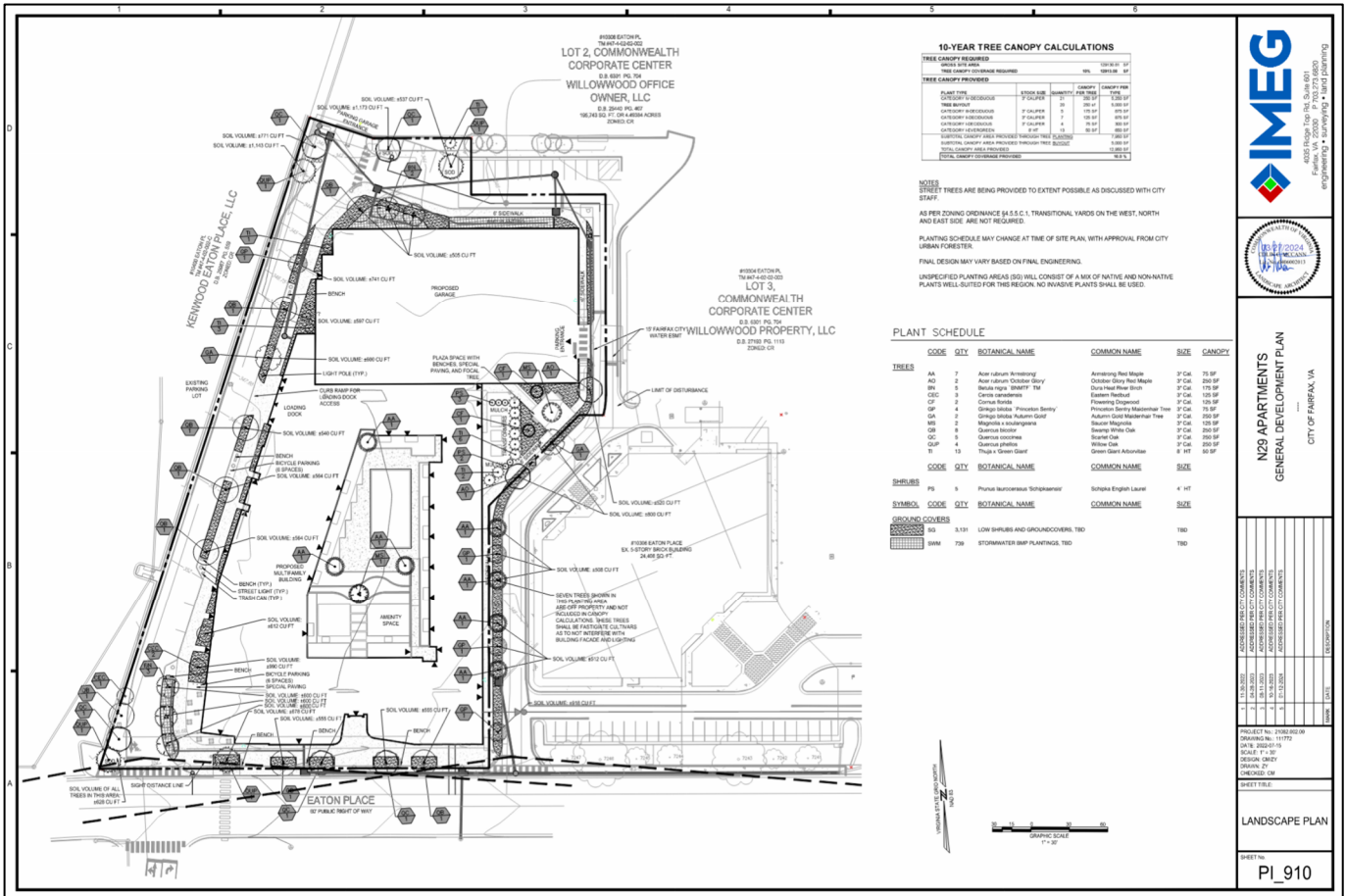
The applicant seeks a special exception to Section 3.6.2 to permit a side yard that is less than the minimum ten (10) feet. The applicant is requesting relief for both side yards. On the east side of the building, the applicant has provided a setback in the range of 5-foot near the interior private street and Eaton Place to 76 feet near the parking garage and open space area to the private street. The applicant states “the project will have a 5-foot side yard along the southeastern portion of the project rather than the minimum 10-foot side yard. The 5-foot-wide portion of the side yard is needed to ensure the neighboring parcel to the east is compliant following subdivision of the application property. Nonetheless, the project’s side yard meets the minimum required 10 feet for the remainder of the site” (Statement of Support, Page 4).

On the west side of the site, the building has a setback range of 44 feet to 70 feet on the west side to accommodate for the private road running parallel with the side yard. The applicant has proposed a road design that is consistent with the Northfax Small Area Plan recommendation. However, Section 1.5.12(E) prohibits a driveway from encroaching into the required side yard. Therefore, the applicant seeks a special exception to the required minimum side yard setback of ten feet.

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 CU district is 80%. The general development plan shows the proposed building coverage is 50%.

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 CU Commercial Urban district is 100%. The general development plan shows the proposed lot coverage is 85% (110,344 square feet). Figure 9 (next page) shows the building footprint and road improvements with a connected pedestrian zone around the proposed site.

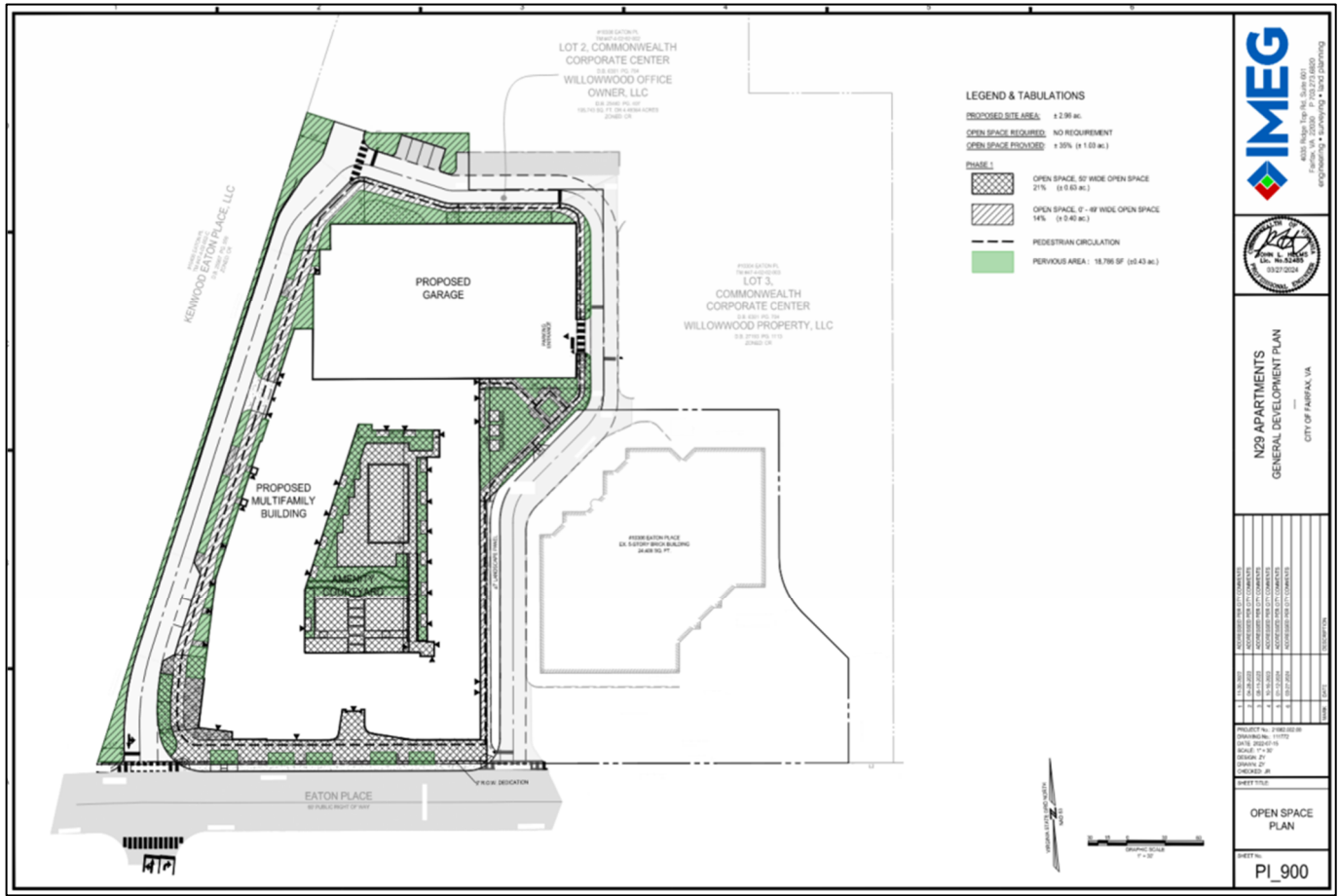
Figure 10: Proposed Landscape Plan



The applicant is proposing to provide streetscape and stormwater improvements that are designed to meet the intent of the Northfax Small Area Plan.

Open Space: In the CU Commercial Urban district, there is no requirement to provide open space. However, the applicant has provided an open space plan as part of the general development plan. The applicant has provided 18,786 square feet (0.43 +/- acres) of pervious area. The applicant proposes a courtyard and amenity area with other areas on site of a width of 50 feet (27,443 square feet/0.63 +/- acres). Figure 11 (next page) illustrates the open space plan.

Figure 11: Proposed Open Space Plan

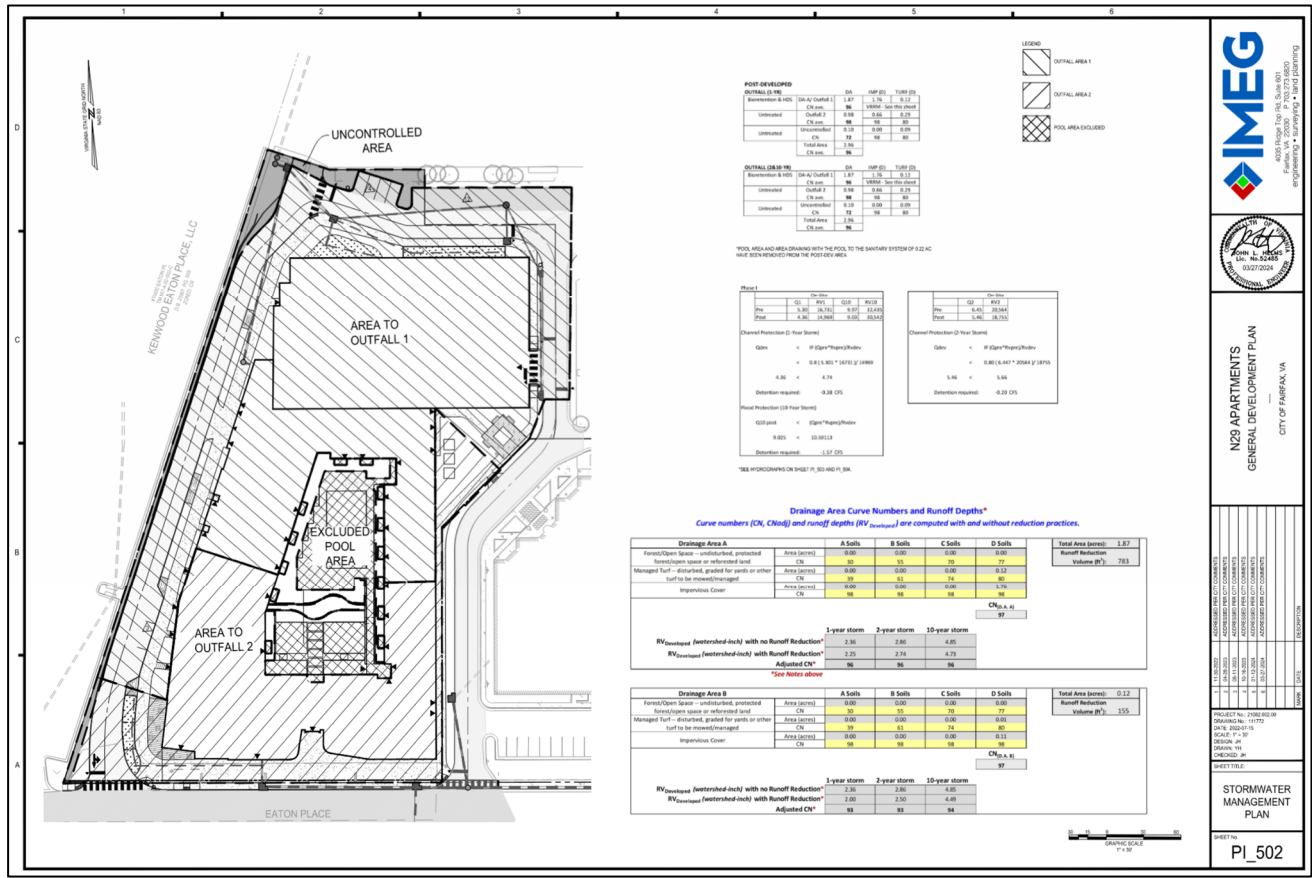


The applicant has proposed recreational amenities on site for the future residents, such as a swimming pool, courtyard, lounge, and amenity center. The applicant has provided a voluntary contribution of \$376.00 per residential unit or \$97,760 for use in the planning, design and/or construction of recreational amenities.

Stormwater Management: With Northfax sited on top of an important watershed, stormwater management is one of the most critical aspects of redevelopment. The plan recommends increasing stormwater requirement metrics by 15% beyond state minimums in both quantity and quality for all development within Northfax. Additionally, developments are strongly recommended to utilize green stormwater infrastructure technologies that are visible to the public, so they can be used as educational pieces about how the areas are helping the city achieve their sustainability goals in Northfax (Northfax Small Area Plan, Page 44). 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 as shown on Sheets PI_500 through PI_504. The applicant has proposed a multi-tier stormwater improvement system that is integrated into the streetscape and overall project design. First, the applicant proposes to design an at-grade bioretention system by using native plantings and 10-foot stormwater planters at the corner of the proposed new street and Eaton Place that flows to the main storm system. Second, the applicant has proposed to capture turf flow directly to the hydrodynamic separator system (a manufactured treatment device) that sends water out to the main water system. Third, a second at-grade bio-retention BMP adjacent to the parking deck is proposed to manage rooftop drainage, which is then piped to the hydrodynamic separator. Finally, the applicant proposes an urban bioretention (planter box) adjacent to the second at-grade

bio-retention to capture rooftop area runoff that is piped to the hydrodynamic separator. Figure 12 (below) illustrates the proposed stormwater management plan for the proposed development activity.

Figure 12: Stormwater Management Plan



Transportation

On October 7, 2022, the City’s Transportation Division held a scoping meeting with the applicant’s transportation engineer to discuss the methodology and ITE data for the Traffic Impact Study (TIS). The applicant submitted a TIS Report, dated April 28, 2023, on May 1, 2023. A revised TIS Report was revised in August 2023. The final TIS Report, dated January 12, 2024, was submitted on January 24, 2024. The TIS Report studied several roadways and intersections that could be impacted by the proposed development such as: Chain Bridge Road/Eaton Place/Service Roads, Chain Bridge Road/New Road, Fairfax Boulevard/Eaton Place, and Eaton Place/WillowWood Plaza Office Park site driveways (four locations)/University Drive Extension. The site has direct access to Eaton Place and is bound by Eaton Place and Fairfax Boulevard. There are two existing access points to the parent parcel from Eaton Place and one access point through inter-parcel connection to the existing WillowWood Plaza Office Park. Eaton Place is a four-lane local street with a posted 25-mph speed limit. Eaton Place provides four access driveways that currently serve the WillowWood Plaza Office Plaza. Chain Bridge Road is classified as a six-lane, divided arterial roadway with a 30-mph speed limit. Chain Bridge Road has traffic signals at Fairfax Boulevard and Eaton Place. Service roads are provided on both sides of the intersection at Eaton Place. Chain Bridge Road has approximately 31,000 vehicles per day (VPD). Fairfax Boulevard is classified as a four-lane divided arterial road with a 35-mph speed limit in the vicinity of the subject property. Fairfax Boulevard east of Chain Bridge Road has approximately 27,000 vehicles per day (VPD). A traffic signal is located at the intersection of Eaton Place and Fairfax Boulevard.

The proposal has two access points that will continue to be operational and will be improved with the proposed redevelopment activity. The applicant proposes to use the existing curb cut on the southern edge of the site and plans to shift the existing curb cut on the northern edge to align with the University Drive Extension. The access points are located approximately 285 feet apart (from centerline to centerline). The proposed street on the western edge of the site provides access to an existing two-story parking garage and wraps around the building to provide access to the proposed parking structure for this upper-story residential/mixed use building. The street continues along the eastern edge between the proposed building and the existing office building at 10306 Eaton Place. The proposed street on the western edge has on-street parking to serve the proposed ground floor retail. The proposed western street is 30 feet in width at Eaton Place with 10-foot travel lanes. The roadway width tapers down to 20 feet with 10-foot travel lanes that circulate around the building. The proposed 10-story parking garage (one level is below grade) has one vehicular access point on the south side of the building from a proposed interior street between the existing office building at 10306 Eaton Place and the proposed building. The proposed interior street has 10-foot travel lanes, a landscape strip, and a sidewalk adjacent to the proposed building that wraps around the parking structure and continues in westerly direction to Eaton Place. This section of the proposed street has 10-foot travel lanes, 6-foot landscape strip, three parallel parking spaces and a 10-foot sidewalk.

The applicant has proposed a 17-foot sidewalk with tree grates on Eaton Place, a 10-foot sidewalk on the west side of the building that carries around the garage and tapers down to a six-foot sidewalk that extends to the east side of the building. The six-foot sidewalk continues toward Eaton Place where it becomes an eight-foot sidewalk. The applicant has proposed installing crosswalks at the two access points for the site. There is a mid-block crosswalk near the site that connects to the bus stops on both sides of Eaton Place.

The applicant has provided a Traffic Impact Study estimating an increase of 119 AM peak hour trips, 142 AM peak hour trips, and 1,503 daily trips upon buildout of the development. Table 5 (below) provides a summary of existing and proposed trips:

Table 5: Trip Generation

Land Use	ITE Code	Units	AM Peak Hour			PM Peak Hour			Daily Total
			In	Out	Total	In	Out	Total	
Proposed Uses									
Multifamily Residential	221	260	24	78	102	60	38	98	1,128
Retail	822	5,000 sf	10	7	17	22	22	44	375
Total			34	85	119	82	60	142	1,503

Trip Generation based on ITE's Trip Generation, 11th Edition

Mass Transportation

The CUE Bus System Green Route (from Fairfax Boulevard to Chain Bridge Road) provides daily service to the site. The CUE Bus System Gold Route on Fairfax Boulevard is also in proximity to the site. Likewise, the Metrobus Route 1C provides service between Fair Oaks Mall and Dunn Loring Metrorail Station with bus stops at the intersection of Eaton Place and Fairfax Boulevard.

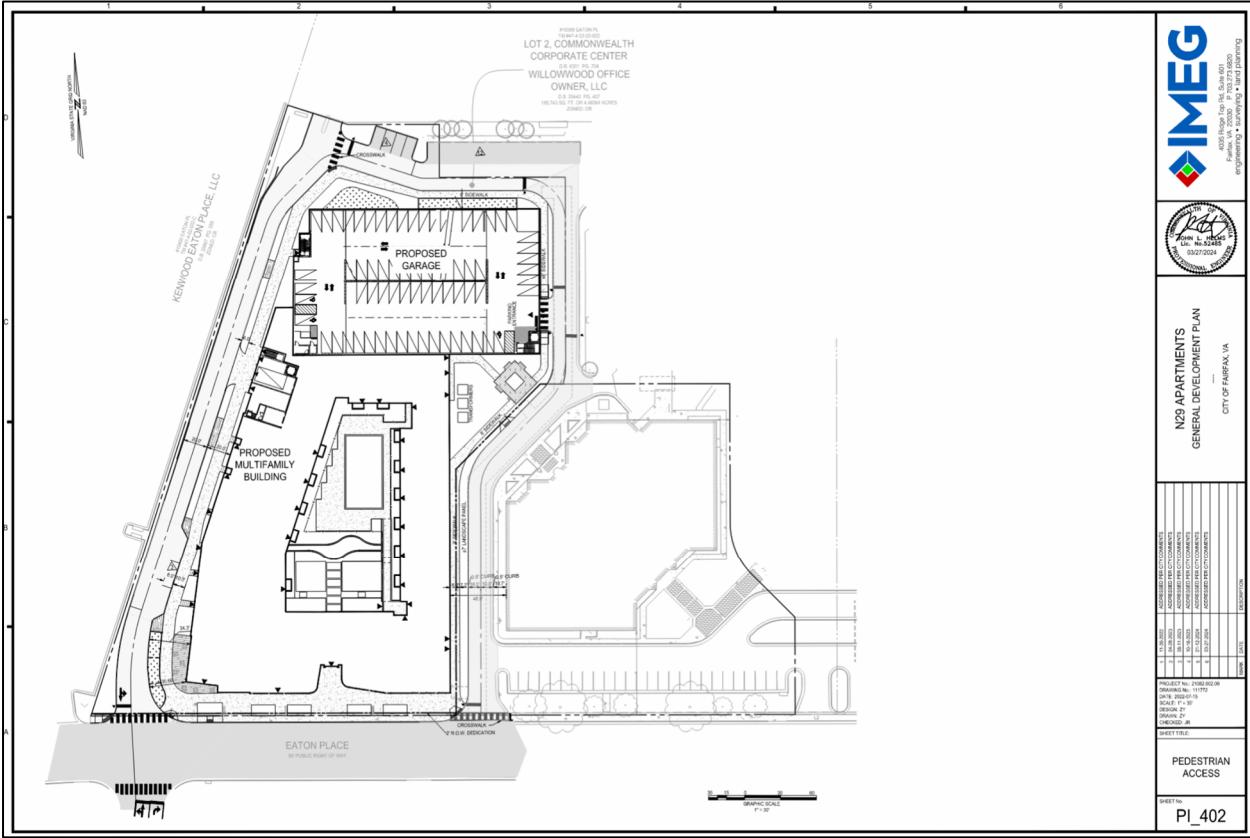
Transportation Demand Management

The applicant has proposed Transportation Demand Management (TDM) strategies to help reduce the number of trips generated by the development. The applicant has proposed to provide information on ridesharing, local transit services and carpooling, as well as provide a one-time transit card with a value of twenty-five dollars (\$25.00) per unit at the initial occupancy. The applicant has proposed an on-site bicycle parking area for residents and employees of the building. The applicant has proposed two electric vehicle

(EV) charging stations on each level of the proposed parking garage from Level 2 to Level 8. For the full list of TDM strategies, see Attachment 7 – Proffers.

Circulation/Pedestrian Access: The site has two access points that will continue to be operational and will be improved with the proposed redevelopment activity. The applicant proposes to use the existing curb cut on the eastern edge of the site and plans to shift the existing curb cut on the western edge to align with the University Drive Extension. The access points are located approximately 285 feet apart (from centerline to centerline). The proposed street on the western edge of the site provides access to an existing two-story parking garage and wraps around the building to provide access to the proposed parking structure for this upper-story residential/mixed use building. The street continues along the eastern edge between the proposed building and the existing office building at 10306 Eaton Place. The proposed street on the western edge has on-street parking to serve the proposed ground floor retail. The proposed western street is 30 feet in width at Eaton Place with 10-foot travel lanes. The roadway width tapers down to 20 feet with 10-foot travel lanes that circulate around the building. The full extent of the streetscape would not be implemented along the new road and the area as designed would be limited for future commercial furnishings. Figure 13 (below) shows the proposed pedestrian access for the general development plan.

Figure 13: Pedestrian Plan



The Multi-Modal Transportation Plan and the Zoning Ordinance requires a 10-foot wide sidewalk on Eaton Place. The applicant is proposing pedestrian improvements all around the site. The applicant has proposed a 17-foot sidewalk with tree grates on Eaton Place, a 10-foot sidewalk on the west side of the building that carries around the garage and tapers down to a six-foot sidewalk that extends to the east side of the building. The six-foot sidewalk continues toward Eaton Place where it becomes an eight-foot sidewalk. The applicant has proposed installing crosswalks at the two access points for the site. There is a mid-block crosswalk near

the site that connects to the bus stops on both sides of Eaton Place. The applicant will not be required to provide a connection to George T. Snyder Trail as this parcel is not adjacent to the trail.

A right-of-way dedication is required by the Comprehensive Plan and the Public Facilities Manual along the property frontage to Eaton Place. The applicant proposes a 2-foot right-of-way dedication. Eaton Place is an active street. Active Streets connect multiple destinations and are more mixed-use or commercial in nature than residential streets. They are generally the street type for new streets within Activity Centers and are the primary location for commercial property access. Active Streets should be designed to create a comfortable environment for walking while at the same time accommodating circulation by bicyclists, cars, and trucks, and in some cases transit vehicles (2035 Comprehensive Plan, Multimodal Transportation, Page 91).

The applicant is seeking a special exception to Section 4.4.4 for sidewalks on both sides of all streets. The applicant has designed a private road entirely on the subject property with a sidewalk on the east side of the private street. The west side of the private street would not have a sidewalk until the property to the west is redeveloped. The applicant has planned a sidewalk around the entire site between the building and the private street. Pedestrian access to the building and parking garage in the rear would be provided via a sidewalk.

The applicant has requested a waiver to Section 401-01 of the Public Facilities Manual for a typical curb and gutter street (private street) that is less than thirty (30) feet from face of curb to face to curb. The proposed street on the west side of the site has a twenty-foot section, the section of the private street north of the proposed parking garage is a 22-foot section and the section of the private street at the entrance to the proposed parking garage is a 20-foot section.

Parking: The applicant is proposing to develop within the proposed CU Commercial Urban district, which has a 10 percent reduction where structured parking is provided (Section 4.2.3.D.1.c of the Zoning Ordinance). The applicant proposes to remove 355 surface parking space to construct a 7-story upper story residential/mixed use building with a 10-level parking garage (one level is below grade). Table 6 (below) summarizes the required parking requirements.

Table 6: Parking Requirements

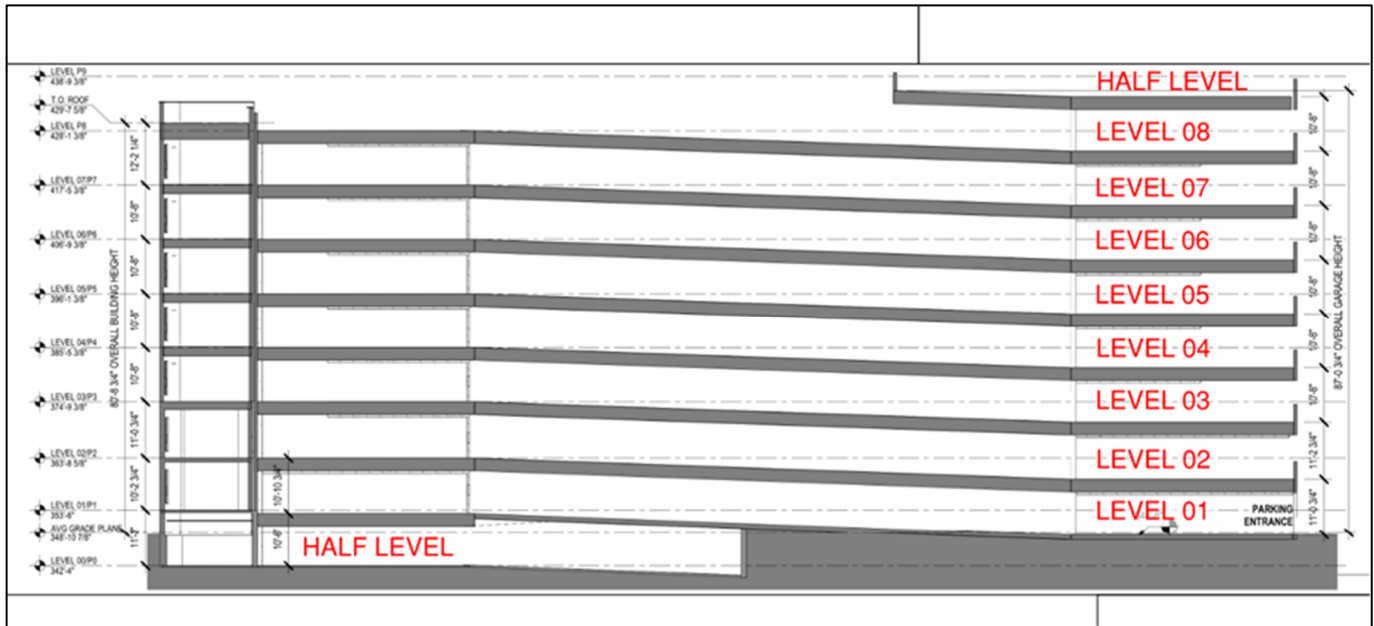
Use	Units	Zoning Requirement	Required Spaces	CU Reduction	Total Required After Reductions
1-bedroom	164	1.5 spaces per 1 bed unit	246	25	221
2-bedroom/3-bedroom	96	2 spaces per 2 bed unit	192	19	173
Retail	5,000 sf	1 space/200 sf	25	2	23
Total			463	46	417

The applicant has provided the 417 spaces with on-site parking to accommodate the proposed mixed-use building. The applicant is also seeking to accommodate parking existing off-site office building that require 379 spaces based existing conditions and previous approvals. The overall parking required between the existing offices and the proposed mixed-use building would be 796 spaces. The applicant has proposed 710 spaces resulting in a reduction of 86 spaces (10.8%) to park the existing offices and the proposed building. The applicant has submitted a Parking Reduction Study (See Attachment 09) requesting to reduce the overall parking requirement for the subject site and the existing office building.

The applicant has proposed 10 levels of structured parking with 23-foot travel lanes. A typical parking space in the garage is proposed at 18 feet (length) and 9 feet (width). The applicant has proposed two electric

vehicle stations per level on Level 2 through Level 8. Figure 14 (below) illustrates the number of levels of the proposed structured parking garage.

Figure 14: Proposed Structured Parking Garage



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 is proposing 23 bicycle spaces interior to the building on the first floor and 12 bicycle spaces parking between the sidewalk and proposed street on the west side of the building.

Loading Zone: The loading space requirement is one space for 50+ units in an upper story residential/mixed use building (4+ stories) and does not require a loading space for commercial uses under 10,000 square feet. The applicant has proposed one (1) loading space on the west side of the building.

Inter-parcel connection: Vehicular access shall be required between abutting nonresidential lots fronting on arterial and collector streets prior to the erection or establishment of a principal building on one of the lots to facilitate traffic flow between lots, except where topography or other physical conditions make such access unreasonable (Zoning Ordinance, Section 4.3.3 – Cross-access, Page 4-11). The applicant has provided inter-parcel connection to the existing office buildings in WillowWood Office Park to the east and the existing parking structure to the south. The applicant has designed the proposed road on the west side of the site to help facilitate the future development of the linear park north of Eaton Place. However, the applicant has not provided an inter-parcel connection to the property immediately to the west of the site “due to the creation of the new private road on the western edge of the application property, an easement for cross-access to the neighboring parcel, which is improved with an office building, is needed. In the event that parcel is redeveloped, road expansion would likely be completed, and cross-access easement would not be necessary” (Statement of Support, Page 4). Therefore, the applicant is seeking a special exception to Section 4.3.3 to provide cross-access to the adjacent parcel. The Applicant has proffered to provide a public ingress/egress easement that extends to the property line to permit the extension of the private streets and accessways in the future.

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). There are no overhead utilities on-site and the applicant has stated that no new poles or utilities will be installed above ground as part of the redevelopment of this site (See Sheet 03 for notes on utilities).

In addition to the rezoning request from CR Commercial Retail to CU Commercial Urban while retaining the Architectural Control Overlay District (ACOD), the applicant proposes the following land use request for City Council action.

- **Special Use Permit** for an upper-story residential/mixed-use building

The CU Commercial Urban district requires a special use permit with approval from the City Council for upper-story residential/mixed-use buildings. The development standards for upper story residential/mixed uses (Section 3.5.1.D of the Zoning Ordinance) are outlined below:

D. Upper story residential/mixed uses

1. Use

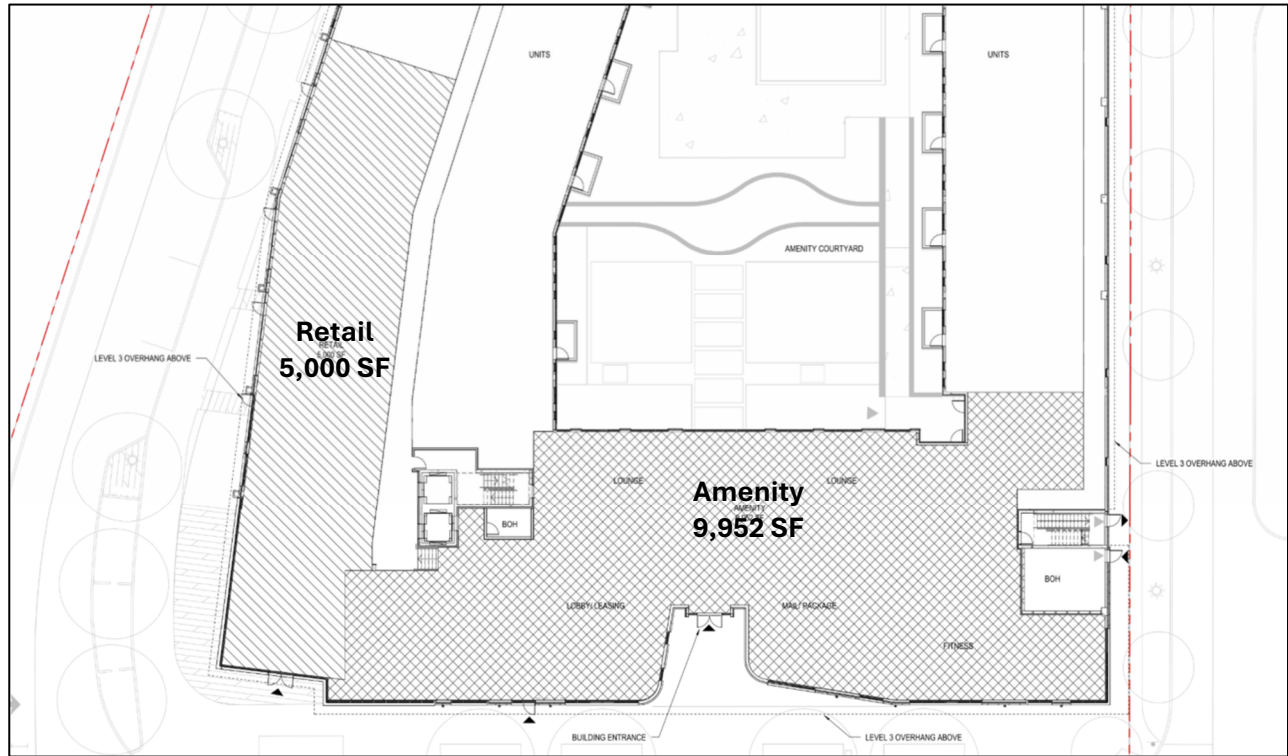
- (a) Upper story residential units are allowed above the ground floor of an upper story residential/mixed use building as set forth in principal use table (See Section 3.3.1).

The applicant has proposed up to 238 units above the ground floor and 22 units on the ground floor.

- (b) At least 75 percent of the ground floor (floor area) of upper story residential/mixed use buildings shall be used solely for nonresidential uses. The remaining 25 percent of the first floor may be used for residential uses and/or residential accessory uses, such as entry lobbies and amenities.

The applicant has proposed 5,000 square feet of retail with a total gross floor area of 40,927 on the ground floor. The applicant is seeking a special exception to Section 3.5.1.D to permit less than 75% ground floor nonresidential use in a mixed-use building. Figure 15 (next page) provides the first-floor plan with non-residential uses.

Figure 15: Proposed ground floor non-residential uses



(c) Lobby and similar areas on the first floor, which serve upper story residential uses, shall be considered residential accessory uses.

The applicant has proposed approximately 9,952 square feet to provide a residential lobby area, amenity, package storage and mail area for the upper story residential building.

2. Dimensional standards

Upper-story residential/mixed use buildings shall adhere to all dimensional standards of the nonresidential use specified in Section 3.6.2.

The applicant has submitted special exceptions to the required yard requirement, maximum height, and maximum density.

3. Floor height

(a) Ground floor

- (1) The ground floor shall have at least 12 feet of clear interior height (floor to ceiling) contiguous to the required building line frontage, if any, for a minimum depth of at least 25 feet.

The applicant states the height of the first floor will be at least 12 feet of clear interior height. The retail portion of the building has a floor-to-ceiling height of 21 feet to a depth of 32 feet, and the residential portion has a floor-to-ceiling height of 13 feet.

(b) Upper story residential/mixed use

- At least 80 percent of each upper story shall have an interior clear height (floor to ceiling of at least nine feet).

The applicant states that at least 80% of each upper story level has a floor-to-ceiling height of 9 feet.

City Schools: Students living in the N29 Apartments development would go to the following City Schools: Providence ES, Katherine Johnson MS, and Fairfax HS. According to the city staff's projections, the N29 Apartments project would generate 28 students. The capacity at Providence ES is approaching 91%, while Katherine Johnson Middle School (KJMS) and Fairfax High School (FHS) are approaching capacity at 100% and 97%, respectively.

The applicant has proffered funds to City Schools for mitigation of impacts caused by the proposed development activity in the amount of \$1,500 per dwelling unit for a total of \$390,000.

Fiscal Impact: Staff estimates that this proposal would bring a net fiscal benefit of between -\$250,000 and +\$306,000 annually with an average of \$56,000.

The applicant also requests action from the City Council on the following land use requests, for which a recommendation from the Planning Commission is not required:

- **Special Use Permit** to allow for an upper story residential/mixed-use building;
- **Major Certificate of Appropriateness** for architecture and landscaping; and
- **Support for Waivers** from the Public Facilities Manual as listed in the General Development Plan

Staff recommended that the Planning Commission provide a recommendation of **approval** of the Zoning Map Amendment (Rezoning) provided the following revisions are incorporated into the General Development Plan (GDP) and associated application material:

1. Revise the GDP to accurately reflect the number of levels for the proposed structured parking garage.
2. Revise Sheet PI_900 (Open Space) to reflect areas on the site that are not covered by an impervious surface, such as pavements that are covered by water-resistant materials such as asphalt, concrete, brick, stone, and rooftops.
3. Landscaping is subject to change per urban forester comments at site plan approval stage.

The Planning Commission voted to approve (4-1-1) the request to rezone the property.

STAFF RECOMMENDATIONS:

Zoning Map Amendment (Rezoning)

Staff recommends the City Council **approve** the request for a Zoning Map Amendment from CG Commercial General and CR Commercial Retail to CU Commercial Urban with the general development plan and proffers in the Architectural Control Overlay District (ACOD).

Special Use Permit

Staff recommends the City Council **approve with conditions** to the request for a Special Use Permit for an upper story residential/mixed use building in the CU Commercial Urban District:

1. Development shall be in conformance with the General Development Plan and proffers

Special Exceptions

Staff recommends the City Council **approve with conditions** to the request for Special Exceptions to allow a reduction to the minimum square foot area of 75% on the ground floor with a nonresidential use in a mixed use building, to allow the maximum density to exceed 24 du/acre, to allow the building height to exceed 5-stories/60 feet, to exceed the 50% mandatory build-to line, to vary from the maximum front yard and side

yard setback requirement, to eliminate the construction of sidewalks on both sides of all streets, to allow the site to not meet the tree canopy requirement in CU Commercial Urban, and eliminate cross-access to the adjacent property:

1. Development shall be in conformance with the General Development Plan and proffers

Certificate of Appropriateness

Staff recommends that the City Council **approve with conditions** the request for a Major Certificate of Appropriateness for architecture and landscaping:

1. The proposed development shall be in general conformance with the plans and renderings received by staff in January 2024 and recommended for approval by the Board of Architectural Review as of February 7, 2024.
2. The applicant shall secure all required zoning approvals and permits prior to construction.
3. Landscaping is subject to change per urban forester comments at site plan approval stage.

Analysis

Staff analysis of the compliance of this proposal with the Comprehensive Plan, Zoning Ordinance and other City goals and policy is provided in Attachment 1 – Analysis.

Attachments

- A1 – Analysis
- A2 – Land Use Applications
- A3 – Zoning Summary
- A4 – Statement of Support
- A5 – Plat
- A6 – General Development Plan
- A7 – Proffers
- A8 – Traffic Impact Study
- A9 – Parking Reduction Study
- A10 – Fiscal Impact Analysis
- A11 – Board of Architectural Review Staff Report
- A11a – BAR Phase I update
- A12 – Posting and Notices
- A13 – Order and list
- A14 – Sample Motions
- A15 – Ordinance

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Director, Community Development & Planning

06/27/24

DATE

ATTACHMENT 1
ANALYSIS
Zoning Map Amendment (Z-22-00583)
Special Use Permit (SU-22-00584)
Special Exceptions (SE-22-00585)
Board of Architectural Review (BAR-23-00041)

This attachment contains staff analysis on the submitted proposal for the redevelopment of Lot 2A (10306 Eaton Place). It is divided into three primary sections:

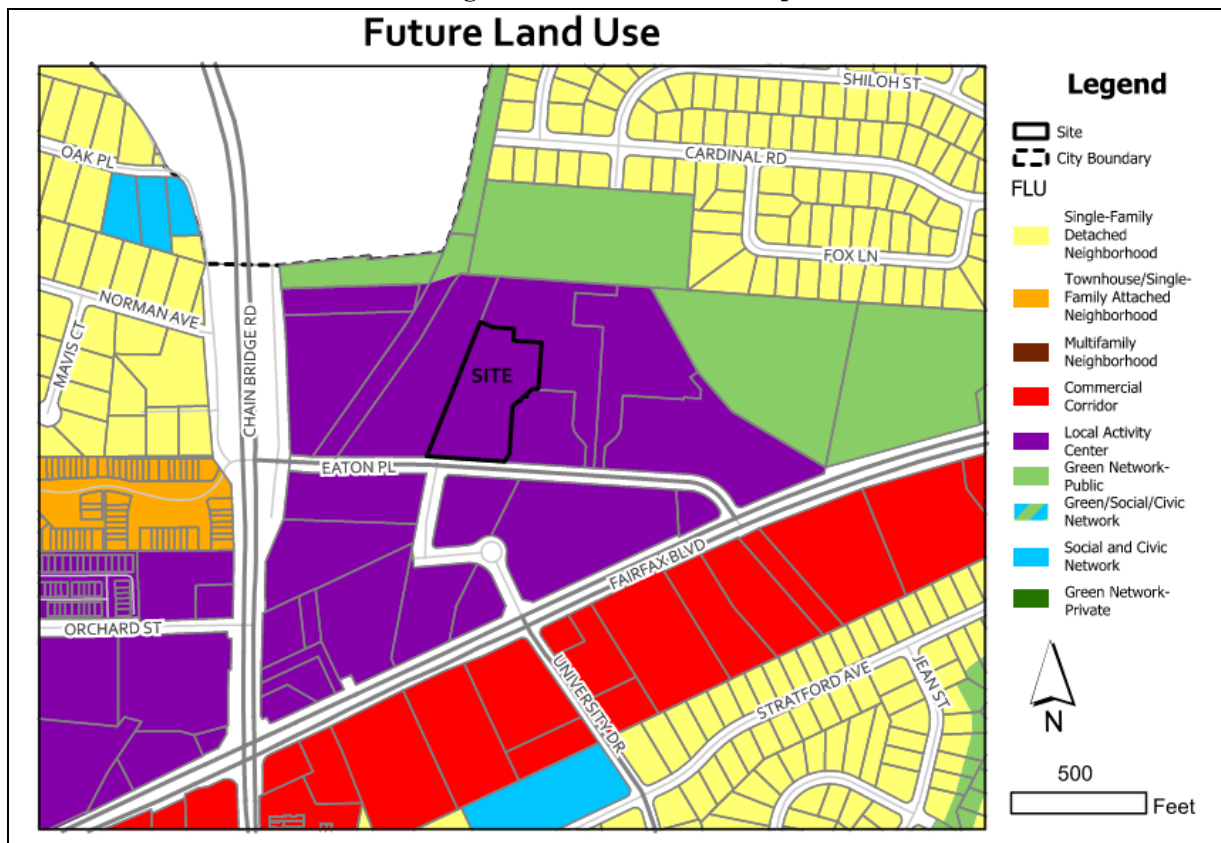
- A. Comprehensive Plan: Analysis of the conformance of the application with the Comprehensive Plan and the Future Land Use Map.
- B. City Policy: Analysis of the conformance of the application with general requirements of the Zoning Ordinance and other City goals and policy.
- C. Procedural Requirements and Review Criteria: Analysis of conformance of the plan with specific citations from the Zoning Ordinance.

PART A: CONSISTENCY WITH COMPREHENSIVE PLAN

The subject property is designated as Activity Center Place Type on the Comprehensive Plan Future Land Use Map. The site is developed with a 1987 office building with 388 parking spaces. 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).

Figure 1 illustrates the Activity Center Place Type for the subject property:

Figure 1: Future Land Use Map



Activity Center

The Activity Center Place Type, identified in purple on the Future Land Use Map, 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, and active streets accommodating multimodal transportation, and community-serving commercial.) Uses should be integrated as a mix of commercial uses, multifamily housing, and townhouses, either in the same building (i.e., vertical mixed-use) or as a combination of single-use buildings featuring a range of complementary uses within the Activity Center (i.e., horizontal mixed-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. 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>). The Northfax Small Area Plan was adopted in 2020, which includes the subject site. 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.

The proposed applications are reviewed based on consistency with the Comprehensive Plan as a whole. Descriptions of specific Comprehensive Plan strategies and other language that influence the staff recommendations are provided below.

Neighborhoods

Goal 1 – Enhance neighborhood character.

Outcome N1.1: Infill housing that complements the character of surrounding homes in existing neighborhoods.

Action N1.1.1: Maintain regulatory standards to ensure infill housing fits in with the surrounding neighborhood context.

Outcome N1.2: Residents have regular communication and positive interactions with other members of their neighborhood as well as the larger City community.

Action N1.2.1: Encourage and support community engagement through homeowners, condominium, and civic associations.

Action N1.2.2: Establish regular communication with homeowners, condominium, and civic associations and residential property managers as a means to keep individual citizens informed about City business.

Staff Analysis:

The applicant is proposing to redevelop an existing parking lot by constructing a new 7-story building with 5,000 square feet of retail space on the ground floor, up to 260 multifamily units, and a 10-story parking structure (one level is below grade) to the rear of the building.

Goal 2 – Provide neighborhood pedestrian connections.

Outcome N2.1: Residents of all abilities safely and easily move about the community.

Action N2.1.1 Identify opportunities for future open space and trails in neighborhoods that are currently deficient in offering these amenities.

Action N2.1.2 Expand existing pedestrian network to increase connectivity within neighborhoods and to other destinations.

Staff Analysis:

The Multi-Modal Transportation Plan recommends, and the Zoning Ordinance requires a 10-foot wide sidewalk on Eaton Place. The applicant has proposed a 17-foot sidewalk with tree grates on Eaton Place, a 10-foot sidewalk on the west side of the building that carries around the garage and tapers down to a six-foot sidewalk that extends to the east side of the building. The six-foot sidewalk continues toward Eaton Place where it becomes an eight-foot sidewalk. The applicant has proposed installing crosswalks at the two access points for the site. There is a mid-block crosswalk near the site that connects to the bus stops on both sides of Eaton Place.

Housing

Goal 1 – Support a wide range of housing types.

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

Action 1.1.1.2 Support development of housing types that are not heavily represented in the City’s housing stock, as identified in the housing assessment, where reasonable.

Staff Analysis:

The applicant proposes to develop up to 260 multifamily units (rental apartments) in an upper story residential/mixed-use building providing a type of housing that is underdeveloped in the City of Fairfax. According to the Comprehensive Plan, 39.2% (4,396 units) of the housing units (including approved and unbuilt units) in the city are multifamily (2024 City of Fairfax Fact Book). The Northfax Small Area Plan in the near-term horizon (next 15 years) suggests that an increase of 1,400 residential units (includes townhouses, condos, market-rate apartments, senior living, and affordable housing units).

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.

Action H2.1.2 Provide regulatory and financial incentives to increase the supply of affordable housing, including amending the City's Zoning Ordinance to include an Affordable Dwelling Unit ordinance.

Staff Analysis:

The applicant is required to set aside a minimum of 6% (16 units) of the total units in this upper story mixed-use residential development for affordable dwelling units. The applicant is required to intersperse affordable dwelling units throughout the proposed building and not concentrate these units on the same floor of the proposed building (Zoning Ordinance, Section 3.9.6H, Page 3-80).

Multimodal Transportation

Goal 1 – Connect with the region.

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

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

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

Staff Analysis:

The site has direct access to Eaton Place. The applicant has proposed using two existing access points. The driveway aisles for the northern access point have been shifted slightly to provide a better alignment with the newly constructed extension of University Drive. The newly proposed street has ten-foot travel lanes in both directions and three on-street parallel spaces within 100 feet of the intersection of Eaton Place and the proposed street. The applicant has proposed a 17-foot sidewalk with tree grates on Eaton Place, a 10-foot sidewalk on the west side of the building that carries around the garage and tapers down to a six-foot sidewalk that extends to the east side of the building. The six-foot sidewalk continues toward Eaton Place where it becomes an eight-foot sidewalk. The applicant has proposed installing crosswalks at the two access points for the site extending across Eaton Place. The proposed building is approximately 46 feet from the existing office building at 10306 Eaton Place.

Goal 2 – Provide viable and attractive mobility choices.

Outcome MM2.1: Pedestrian safety is improved.

Action MM2.1.1 Fill critical gaps in the pedestrian network. Develop and act on a prioritized list of sidewalk improvements in the commercial areas and provide sidewalks on at least one side of every residential street in neighborhoods that are in agreement.

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

Action MM2.1.5 Expand the sidewalk network. Sidewalks should be provided with any significant street maintenance, rehabilitation, or reconstruction project and may be constructed independent of a street project.

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

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

Staff Analysis:

There are existing sidewalks along both sides of Eaton Place that extend to Fairfax Boulevard. Likewise, sidewalks are on both sides of University Drive. The pedestrian network provided in the General Development Plan is consistent with the Comprehensive Plan and the Zoning Ordinance except for the west side of the proposed road. The applicant has proposed installing crosswalks at the two access points for the site extending across Eaton Place. The applicant is proposing 23 bicycle spaces interior to the building on the first floor and 12 bicycle spaces parking between the sidewalk and proposed street on the west side of the building.

Goal 3 – Integrate transportation with land use.

Outcome MM3.2: Walkability to and within Activity Centers and between neighborhoods is increased.

Action MM3.2.1: Whenever possible, increase connections – particularly non-motorized connections – between neighborhoods, community facilities, and Activity Center.

Action MM3.2.4: Improve the overall pedestrian environment, including pedestrian crossings, street trees, furnishing zones; buffering sidewalk from vehicle travel lanes; improved pedestrian scale lighting; and active ground floor uses along street edges.

Staff Analysis:

There is an existing sidewalk network on both sides of Eaton Place from Fairfax Boulevard to Chain Bridge Road. The sidewalk on the west side of Eaton Place terminates at Point 50. The sidewalk continues along the west side of Eaton Place to Chain Bridge Road with a signalized intersection and crosswalk to The Assembly neighborhood. On the south side of Eaton Place and abutting the site, sidewalks extend to Fairfax Boulevard and towards Chain Bridge Road until the Best Western entrance. The pedestrian network provided in the General Development Plan is consistent with the Comprehensive Plan and the Zoning Ordinance. The applicant is proposing pedestrian improvements all around the site. The applicant has proposed installing crosswalks at the two access points for the site. There is a mid-block crosswalk near the site that connects to the bus stops on both sides of Eaton Place. The CUE Bus System Green Route (from Fairfax Boulevard to Chain Bridge Road) provides daily service to the site. The gold route on Fairfax Boulevard is also in proximity to the site. Likewise, the Metrobus Route 1C provides service between Fair Oaks Mall and Dunn Loring Metrorail Station. The applicant has proposed to improve the overall pedestrian environment by meeting the elements outline in Action MM3.2.4.

Parks and Recreation

Goal 1 – Develop high-quality park infrastructure.

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

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

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

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

Staff Analysis:

In the CU Commercial Urban district, there is no requirement to provide open space. However, the applicant has provided an open space plan as part of the general development plan. The applicant has provided 18,786 square feet (0.43 +/- acres) of pervious area. The applicant proposes a courtyard and amenity area with other areas on site of a width of 50 feet (27,443 square

feet/0.63 +/- acres). The applicant has provided a voluntary contribution of \$376.00 per residential unit or \$97,760 for use in the planning, design and/or construction of recreational amenities.

Environment

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

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

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

Staff Analysis:

The applicant is proposing to replace an existing parking lot with an upper story residential/mixed use building. The requirement for maximum building coverage in the CU district is 80%. The general development plan shows the proposed building coverage is 50%. The requirement for maximum lot coverage in the CU Commercial Urban district is 100%. The general development plan shows the proposed lot coverage is 85% (110,344 square feet). The existing tree canopy is 20,076 square feet with 50 trees on site. The applicant is proposing a tree canopy of 7,950 square feet with 62 plantings (including trees, understory, and shrubs). The proposed CU Commercial Urban district has a 10-year tree canopy requirement of 10%. The applicant seeks a Special Exception to the tree canopy requirement and provides a voluntary contribution in lieu of the difference in required tree canopy. The applicant proposes a contribution of \$21,860, which represents the current pricing index of twenty (20) 2" caliber deciduous trees. The applicant is proposing to provide streetscape and stormwater improvements that are designed to meet the intent of the Northfax Small Area Plan.

Sustainability

Goal 2 – Support physical activity and healthy lifestyles.

Outcome SI2.2: Access to parks, recreation, community facilities, trails, and open space.

Action SI2.2.1: Promote walking and trail use as part of healthy community initiative.

Staff Analysis:

The applicant is proposing pedestrian improvements all around the site. The applicant has proposed installing crosswalks at the two access points for the site. There is a mid-block crosswalk near the site that connects to the bus stops on both sides of Eaton Place. The applicant has proposed to construct a building that is based on the Green Globes™ rating and certification. Green Globes™ is a comprehensive, science-based, three-in-one certification system that evaluates the environmental sustainability, health and wellness, and resilience of all types of commercial real estate. Specifically, the project will be built to the Green Globes™ for New Construction (NC) standard. This encourages opportunities to assess opportunities for energy savings and reduced environmental impacts. The rating system affords up to 1000 points, across the following categories: Project Management, Site, Energy, Water Efficiency, Materials, and Indoor Environment.

PART B: CITY POLICY

This section is divided into the following subjects:

1. Land Use
2. Scale
3. Circulation (including vehicular circulation, pedestrian circulation, and parking)

4. Architecture and Landscaping
5. Historic Resources
6. Stormwater Management
7. Dry Utilities
8. Open Space
9. Tree Coverage
10. Fiscal Impact

Land Use

The land use designation for the site is Activity Center. Guidance from the Comprehensive Plan for this land use is provided below followed by a physical characteristic of the conformance of the development proposal with that guidance.

Activity Center

The Activity Center Place Type, identified in purple on the Future Land Use Map, 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, and active streets accommodating multimodal transportation, and community-serving commercial.) Uses should be integrated as a mix of commercial uses, multifamily housing, and townhouses, either in the same building (i.e., vertical mixed-use) or as a combination of single-use buildings featuring a range of complementary uses within the Activity Center (i.e., horizontal mixed-use).

Activity Centers can accommodate a variety of building types based on the different uses permitted and varying characteristics among individual Activity Centers. Recommended physical characteristics for specific uses are provided under Use Characteristics (p. 33) and more specific recommendations are provided for the Old Town Fairfax and Northfax Activity Centers on the following pages. The Comprehensive Plan also recommends Small Area Plans be developed for each of the City's five Activity Centers. As each of these plans is completed and adopted, the recommendations will supersede the pre-existing guidance of this Comprehensive Plan.

In general, new development in Activity Centers should support a connected street network as recommended in the Multimodal Transportation Chapter of the Comprehensive Plan; provide an improved streetscape and pedestrian connections to surrounding uses, including links to the existing pedestrian network; and include inviting public and/or private open spaces. Buildings should be oriented toward streets or open spaces with direct pedestrian access to these areas. Parking should be provided in structured or below-grade facilities where reasonable.

Development in Activity Centers must meet the Code of Virginia definition for an Urban Development Area (Virginia Code § 15.2-2223.1) and follow the recommendations for Private Site Design and Elements in the applicable district of the City of Fairfax Design Guidelines. Predicated on the underlying zoning district, the Activity Center Place Type supports a density of a minimum FAR of 0.4; at least six townhouses or at least 12 multifamily dwelling units per acre; or any proportional combination of residential and commercial densities with building heights predominantly five stories or less, unless otherwise specified in an adopted Small Area Plan (Comprehensive Plan, Page 32).

Staff Analysis:

Staff believes the use shown on the GDP is generally in conformance with the Future Land Use Map category, the Comprehensive Plan, and the Northfax Small Area Plan. The applicant proposes to replace existing surface parking lot with a

seven-story building that consist of up to 260 units, approximately 5,000 square feet of ground floor retail, 676 parking spaces in a 10-level parking garage (one level is below grade), and 8 surface parking spaces on 2.96 +/- acres. The Northfax Small Area Plan promotes the replacement of surface parking lots with eco-friendly designs that incorporate new buildings and green spaces.

Scale

Density: 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 types 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. Density is not prescribed on a parcel-by-parcel basis in the Northfax Small Area Plan. However, the desired zoning district, CU Commercial Urban, has a maximum density requirement of 24 du/acre.

Staff Analysis:

The applicant has requested a special exception for density to exceed the maximum number of units per acre in the CU Commercial Urban district (24 du/acre). The applicant proposes up to 260 total units in a general development plan by replacing a large parking lot. The proposed general development would add a residential and retail project component to an existing office complex. The density for the proposed project is 87.8 dwelling units per acre. The residential density for the subject application as compared to the other approved developments in the city is provided in Table 1 (below):

Table 1: Residential Density Comparisons

Project	Site Area (Acres)	Number of Units	Density
N29 Apartments Phase I	2.96	260	87.8
City Centre West	1.78	79	46.1
Capstone Collegiate	6.15	275	44.7
Fairfield at Gateway (The Moxley)	8.32	403	48.4
Providence Square	2.21	96	43.4
Scout on the Circle	8.69	400	46
Davies Property*	2.67	355	121.7

*Land use application under review

Staff believes the proposed density is in line with the adopted vision of the Northfax Small Area Plan.

Height: The Northfax Small Area Plan is sensitive to the neighboring existing uses and prescribes heights and land uses in relation to the existing neighborhoods. As Northfax is designed as a mixed-use center for the city, the bulk of the plan focuses on the neighborhood core use. A variety of uses from office to multifamily to retail to hotel uses are proposed. The height limit here will range from 5-7 stories. The bulk of parcels with this designation are in the Northfax east area – away from existing adjacent residential neighborhoods. The character of these zones will focus on Northfax’s role as a mixed-use neighborhood core and retail hub (Northfax Small Area Plan, Page 23). The subject property is in the neighborhood core, with the typical uses of multifamily residential, mixed use, retail/offices, parks and green space, and hotel. Since these areas are not immediately adjacent to residential structures, the neighborhood core is recommended to have a 7-story height limit. Figure 7 illustrates the building height and setbacks in the Northfax Small Area Plan. The subject property has a suggested maximum height of 7-stories.

Staff Analysis:

The applicant is proposing to exceed the recommended height of the small area plan and the maximum height requirement of 5-stories/60 feet in the CU Commercial Urban district. The proposal consists of a building that is approximately 201 feet in length on the southern exterior, approximately 275 feet in length along the east side, and approximately 300 feet on the west side. The applicant proposes a seven-story building measured at approximately 81 feet. The 10-level garage (one level is below grade) is attached to the rear of the building. The proposed garage structure is approximately 192 feet in length on the east side, the southern face is approximately 122 feet in length with the primary vehicular access point into the garage, the western wall is approximately 205 feet in length and the northern wall is approximately 122 feet in length with a pedestrian access point leading to a stairwell. The proposed maximum height is approximately 87 feet for the parking garage. Table 2 (below) provides a comparison of building heights for the proposed development and other buildings in the city and general vicinity of the site.

Table 2: Building Height Comparison

Name	Number of Floors	Height
N29 Apartments Phase I	10-level (parking garage) 7-stories (building)	87 +/- feet (parking garage); 81 +/- feet (building) (74 +/- feet for existing office buildings)
City Centre West	8	94 +/- feet
Capstone Collegiate	5	64 +/- feet
Fairfax at Gateway (The Moxley)	5	69 +/- feet
Providence Square	4-5	60 +/- feet
Scout on the Circle	6	85 +/- feet
Davies Property*	7	77 +/- feet

*Land use application under review

Staff believe the proposed building height is consistent with the height and bulk adopted in the Northfax Small Area Plan.

Circulation

Vehicular Network: The proposal has two access points that will continue to be operational and will be improved with the proposed redevelopment activity. The applicant proposes to use the existing curb cut on the southern edge of the site and plans to shift the existing curb cut on the northern edge to align with the University Drive Extension. The access points are located approximately 285 feet apart (from centerline to centerline). The proposed street on the western edge of the site provides access to an existing two-story parking garage and wraps around the building to provide access to the proposed parking structure for this upper-story residential/mixed use building. The street continues along the eastern edge between the proposed building and the existing office building at 10306 Eaton Place. The proposed street on the western edge has on-street parking to serve the proposed ground floor retail. The proposed western street is 30 feet in width at Eaton Place with 10-foot travel lanes. The roadway width tapers down to 20 feet with 10-foot travel lanes that circulate around the building. The proposed 10-story parking garage has one vehicular access point on the south side of the building from a proposed interior street between the existing office building at 10306 Eaton Place and the proposed building. The proposed interior street has 10-foot travel lanes, a landscape strip, and a sidewalk adjacent to the proposed building that wraps around the parking structure and continues in westerly direction to Eaton Place. This section of the proposed street has 10-foot travel lanes, 6-foot landscape strip, three parallel parking spaces and a 10-foot sidewalk.

Staff Analysis:

The proposal is consistent with the Northfax Small Area Plan and the Multi-Modal Plan. A right-of-way dedication is required by the Comprehensive Plan and the Public Facilities Manual along the property frontage to Eaton Place. The applicant proposes a 2-foot right-of-way dedication. The applicant has requested a waiver to Section 401-01 of the Public Facilities Manual for a

typical curb and gutter street (private street) that is less than thirty (30) feet from face of curb to face to curb. The proposed street on the west side of the site has a twenty-foot section, the section of the private street north of the proposed parking garage is a 22-foot section and the section of the private street at the entrance to the proposed parking garage is a 20-foot section.

Pedestrian Network: The Multi-Modal Transportation Plan and the Zoning Ordinance requires a 10-foot wide sidewalk on Eaton Place. Likewise, all new developments and subdivisions shall provide pedestrian facilities and access in accordance with the requirements of Section 4.4.

Staff Analysis:

The applicant is proposing pedestrian improvements all around the site except for on the west side of the private street on the west side of the site. The applicant has proposed a 17-foot sidewalk with tree grates on Eaton Place, a 10-foot sidewalk on the west side of the building that carries around the garage and tapers down to a six-foot sidewalk that extends to the east side of the building. The six-foot sidewalk continues toward Eaton Place where it becomes an eight-foot sidewalk. The applicant has proposed installing crosswalks at the two access points for the site. There is a mid-block crosswalk near the site that connects to the bus stops on both sides of Eaton Place.

The applicant is seeking a special exception to Section 4.4.4 for sidewalks on both sides of all streets. The applicant has designed a private road entirely on the subject property with a sidewalk on the east side of the private street. The west side of the private street would not have a sidewalk until the property to the west is redeveloped. The applicant has planned a sidewalk around the entire site between the building and the private street. Pedestrian access to the building and parking garage in the rear would be provided via a sidewalk.

Parking: The applicant is proposing to develop within the proposed CU Commercial Urban district, which has a 10 percent reduction where structured parking is provided (Section 4.2.3.D.1.c of the Zoning Ordinance). Table 3 (below) summarizes the required parking requirements for the proposal:

Table 3: Parking Requirements

Use	Units	Zoning Requirement	Required Spaces	CU Reduction	Total Required After Reductions
1-bedroom	164	1.5 spaces per 1 bed unit	246	25	221
2-bedroom/3-bedroom	96	2 spaces per 2 bed unit	192	19	173
Retail	5,000 sf	1 space/200 sf	25	2	23
Total			463	46	417

Staff Analysis:

The applicant is proposing to develop within the CU Commercial Urban district, which has a ten percent reduction where structured parking is provided (Section 4.2.3.D.1.c of the Zoning Ordinance). The applicant has provided 417 spaces with on-site parking to accommodate the proposed mixed-use building. The applicant is also seeking to accommodate parking existing off-site office building that require 379 spaces based existing conditions and previous approvals. The overall parking required between the existing offices and the proposed mixed-use building would be 796 spaces. The applicant has proposed 710 spaces resulting in a reduction of 86 spaces (10.8%) to park the existing offices and the proposed building. The applicant has submitted a Parking Reduction Study (See Attachment 09) requesting to reduce the overall parking requirement for the subject site and the existing office building.

Architecture and Landscaping: The Architectural Control Overlay District (ACOD) is established to encourage the construction of attractive buildings, to protect and promote the general welfare and to prevent deterioration of the appearance of the city, to make the city more attractive for the development of business

and industry, and to protect land values (Zoning Ordinance, Section 3.2.2.B.2, Pg. 3-3). The ACOD shall apply city-wide to all development outside of the historic and transition districts. The requirements of the ACOD include review and recommendation by the Board of Architectural Review (BAR) and issuance of a Certificate of Appropriateness for architecture and landscaping for City Council. Guidance on architecture and landscaping for new development in the ACOD is provided in the Design Guidelines.

Staff Analysis:

The applicant held a public hearing on February 7, 2024, with the Board of Architectural Review to provide a recommendation on the architecture and landscaping. Staff supports the recommendations made by the Board of Architectural Review.

Stormwater Management:

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

Staff Analysis:

The applicant has proposed on-site stormwater management as shown on Sheets Pl_500 through Pl_504. The applicant has proposed a multi-tier stormwater improvement system that is integrated into the streetscape and overall project design. First, the applicant proposes to design an at-grade bioretention system by using native plantings and 10-foot stormwater planters at the corner of the proposed new street and Eaton Place that flows to the main storm system. Second, the applicant has proposed to capture turf flow directly to the hydrodynamic separator system (a manufactured treatment device) that sends water out to the main water system. Third, a second at-grade bio-retention BMP adjacent to the parking deck is proposed to manage rooftop drainage, which is then piped to the hydrodynamic separator. Finally, the applicant proposes an urban bioretention (planter box) adjacent to the second at-grade bio-retention to capture rooftop area runoff that is piped to the hydrodynamic separator.

Utilities:

Section 4.11 of the Zoning Ordinance requires all on-site above-ground utilities to be relocated underground for any development that will require site plan approval.

Staff Analysis:

There are no overhead utilities on-site and the applicant has stated that no new poles or utilities will be installed above ground as part of the redevelopment of this site.

Parks and Open Space:

In the CU Commercial Urban district, there is no requirement to provide open space.

Staff Analysis:

The CU Commercial Urban district does not have an open space requirement. However, the applicant has provided an open space plan as part of the general development plan. The applicant has provided 18,786 square feet (0.43 +/- acres) of pervious area. The applicant proposes a courtyard and amenity area with other areas on site of a width of 50 feet (27,443 square feet/0.63 +/- acres). The applicant has provided a voluntary contribution of \$376.00 per residential unit or \$97,760 for use in the planning, design and/or construction of recreational amenities.

Tree Coverage:

Section 4.5.6 of the Zoning Ordinance prescribes a 10-year minimum tree canopy requirement by district. The proposed CU Commercial Urban district has a 10-year tree canopy requirement of 10%.

Staff Analysis:

The applicant is proposing a tree canopy of 6,475 square feet with 46 trees. The proposed tree canopy is approximately 6.1%. The applicant seeks a special exception to Section 4.5.6 to the tree canopy requirement to be less than the required 10% in the

CU Commercial Urban district. The applicant has proffered a monetary contribution of \$21,860 in lieu of the difference (3.9%) to the required tree canopy.

Fiscal Impact:

Staff estimates that this proposal would bring a net fiscal benefit of between -\$250,000 and +\$306,000 annually with an average of \$56,000.

PART C: PROCEDURAL REQUIREMENTS AND REVIEW CRITERIA

In determining whether to approve or disapprove a proposed rezoning to any district other than a rezoning requesting a planned development district (Section 6.4.9 of the Zoning Ordinance), the planning commission and city council shall consider any proffers, and the following:

A. Substantial conformance with the comprehensive plan;

The proposed general development plan is consistent with the comprehensive plan and the adopted Northfax Small Area Plan in terms of bulk, size, and height. Density is not prescribed on a parcel-by-parcel basis. The Activity Center Place Type applies to locations in the city where pedestrian-oriented, mixed-use development is strongly encouraged. The applicant proposes to replace an existing surface parking lot with a seven-story building that consist of 260 units, approximately 5,000 square feet of ground floor retail and 676 parking spaces in a 10-level parking garage, and 8 surface parking spaces on 2.96 +/- acres. While the general development plan exceeds the density of the desired zoning district, the building is generally consistent with the recommended form and scale. The proposal consists of a building that is approximately 201 feet in length on the southern exterior, approximately 275 feet in length on the east side, and approximately 300 feet on the west side fronting Eaton Place. The 10-level garage (one level is below grade) is attached to the rear of the building. The proposed garage structure is approximately 192 feet in length on the east side, the southern face is approximately 122 feet in length, the western wall is approximately 205 feet in length and the northern wall is approximately 122 feet in length.

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

The proposed CU Commercial Urban is considered an appropriate zoning district for development activity in the Activity Center Place Type and the Northfax Small Area Plan. The current zoning district of CR Commercial Retail does not permit residential uses. The applicant has also submitted a subdivision application, and the plat has been recorded.

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

The proposed type of development is appropriate at this location given its Activity Center Place Type designation and the Northfax Small Area Plan. The proposed uses are permitted in the CU Commercial Urban district, except for the upper-story mixed use buildings. Therefore, the applicant has requested a special use permit for the upper-story mixed use building.

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

The site has direct access to Eaton Place. The applicant has proposed using two existing access points. The driveway aisles for the northern access point have been shifted slightly to provide a better alignment with the newly constructed extension of University Drive. The newly proposed street has ten-foot travel lanes in both directions and three on-street parallel spaces within 100 feet of the intersection of Eaton Place and the proposed street. The CUE Bus System Green Route (from Fairfax Boulevard to Chain Bridge Road) provides daily service to the site. The Gold Route on Fairfax Boulevard is also in proximity to the site. Likewise, the Metrobus Route 1C provides service between Fair Oaks Mall and Dunn Loring Metrorail Station. City Police has provided

the applicant guidance on this proposal based on the principles of Crime Prevention Through Environmental Design (CPTED). According to the city staff's projections, this proposal would generate 28 students. The capacity at Providence ES is approaching 91%, while Katherine Johnson Middle School (KJMS) and Fairfax High School (FHS) are approaching capacity at 100% and 97%, respectively. The applicant has proffered funds to City Schools for mitigation of impacts caused by the proposed development activity in the amount of \$1,500 per dwelling unit for a total of \$390,000. The applicant has proposed recreational amenities on site for the future residents, such as a swimming pool, courtyard, lounge, and amenity center. The applicant has provided a voluntary contribution of \$376.00 per residential unit or \$97,760 for use in the planning, design and/or construction of recreational amenities.

E. Adequacy of existing and proposed public utility infrastructure;

The applicant is providing stormwater management on-site that meets the intent of the Northfax Small Area Plan. There are no overhead utilities on-site and the applicant has stated that no new poles or utilities will be installed above ground as part of the redevelopment of this site.

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

The applicant proposes to replace an existing surface parking lot with a seven-story building that consist of 260 units, approximately 5,000 square feet of ground floor retail and 676 parking spaces in a 10-level parking garage (one level is below grade), and 8 surface parking spaces on 2.96 +/- acres. The building is generally consistent with the recommended form and scale. The proposal consists of a building that is approximately 201 feet in length on the southern exterior, approximately 275 feet in length on the east side, and approximately 300 feet on the west side fronting Eaton Place. The 10-level garage is attached to the rear of the building. The proposed garage structure is approximately 192 feet in length on the east side, the southern face is approximately 122 feet in length, the western wall is approximately 205 feet in length and the northern wall is approximately 122 feet in length. The subject site has uses that range from office buildings, shopping center, and a parking garage. To the north of the site is a parking structure that serves the existing offices at WillowWood Plaza, Shiloh Street Park, and Mosby Woods, a single-family detached subdivision. On the south side of Eaton Place is a retail shopping center, Point 50, University Drive extension, and a two-story office complex. To the west of the site is a five-story office building and to the east of the site are the existing four five-story buildings in WillowWood Office Plaza.

G. Consistency with the stated purpose of the proposed 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 (Section 3.2.1.B.1.d. of the Zoning Ordinance, Page 3-2). The applicant proposes to replace an existing surface parking lot with a seven-story building that consist of 260 units, approximately 5,000 square feet of ground floor retail and 676 parking spaces in a 10-level parking garage (one level is below grade), and 8 surface parking spaces on 2.96 +/- acres.



Application #: _____
Receipt #: _____

Z-22-00583, SU-22-00584 & SE-22-00585

LAND USE APPLICATION

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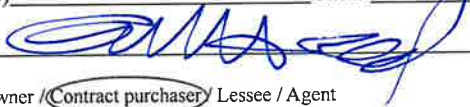
- NON REFUNDABLE FEE -

Special Use Special Exception Variance Amendment Renewal

1. PROPERTY LOCATION INFORMATION

Property Address 10306 Eaton Place Tax Map # 47-4-02-02-002A1
Project Name N29 WillowWood Plaza Residential Phase I Project Description To permit mixed-use infill development on existing surface parking lots in WillowWood Office complex. Proposal is for a multi-family building with ground level retail and accessory parking garage.

2. APPLICANT or AUTHORIZED AGENT INFORMATION (check as appropriate)

Applicant Name Capital City Real Estate LLC (circle one): Corporation Gen Partnership / Ltd Partnership / Sole Proprietorship / Individual
Applicant Address c/o Cozen O'Connor, 1200 19th Street NW, Washington, DC 20036
Phone (o) 703-304-0430 (c) _____ Email epritchard@cozen.com
Applicant or Authorized Agent Signature 
Relationship to project (circle one): Property owner / Contract purchaser / Lessee / Agent

3. APPLICANT CERTIFICATION STATEMENT Section 110-6.2.3

I certify that I have read and understand my application to comply with Zoning Ordinance Section 6.2.3 which states that an application shall be sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with the applicable requirements of this chapter; that the burden of demonstrating that an application complies with applicable review and approval criteria is on the applicant; that each application is unique and, therefore, more or less information may be required according to the needs of the particular case; that staff has the flexibility to specify submission requirements for each application and to waive requirements as appropriate; and that the applicant shall rely on the review official as to whether more or less information should be submitted.

Applicant or Authorized Agent Signature (REQUIRED)  Date 6/2/21

4. ENGINEER, ARCHITECT, SURVEYOR or LANDSCAPE ARCHITECT (Same as Applicant)

Licensed Professional's Name John Rinaldi
Licensed Professional's Address IMEG Corp., 9900 Main Street, Ste. 400, Fairfax, VA
Phone (o) 703-766-3912 (c) _____ Email john.b.rinaldi@imegcorp.com



Application #: _____
Receipt #: _____

LAND USE APPLICATION

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5. BUSINESS DETAILS – For commercial uses only, excluding home occupations

Note: This information is collected in order to issue a Commercial Use and Occupancy Permit after a Special Use Permit approval for a commercial use. If you do not have the following information at this time, note that it will be required prior to issuance of the Commercial Use and Occupancy Permit. Applicants with an approved Special Use Permit for a Major Home Occupation need only fill out number 1 below.

Name of Business (as advertised): _____

Name of Business (if incorporated): _____

Name of Business Owner: _____

Business Phone Number: _____ Business Email: _____

Total square footage used by the business: _____ SF Business website: _____

Is this Business (check one):

- A New Business in the City
- An Existing City Business – **New Owner Only** (If Federal ID changing please provide evidence)
- An Existing City Business – **Name Change Only** (Provide State Corp. Commission or Trade Name Registration)
- An Existing City Business that is **expanding** within the City
- An Existing City Business that is **relocating** within the City

Business Use (check one):

- | | | |
|--|--|---|
| <input type="checkbox"/> Convenience Store | <input type="checkbox"/> Vehicle repair | <input type="checkbox"/> Office, general |
| <input type="checkbox"/> Retail, general | <input type="checkbox"/> Vehicle sales and leasing | <input type="checkbox"/> Office, medical Manufacturing, General |
| <input type="checkbox"/> Daycare Center | <input type="checkbox"/> Vehicle service | <input type="checkbox"/> Research & Development |
| <input type="checkbox"/> Grocery store | <input type="checkbox"/> Vehicle repair | <input type="checkbox"/> Tobacco & smoke shops |
| <input type="checkbox"/> Schools, technical, trade, business | <input type="checkbox"/> Medical Care Facility | |
| <input type="checkbox"/> Indoor recreation | <input type="checkbox"/> Service, General | |
| <input type="checkbox"/> Restaurant or food service | <input type="checkbox"/> Service, personal | |
| <input type="checkbox"/> Other: _____ | | |

*****OFFICE USE ONLY****

Current status of business license and fees

Treasurer: _____

Commissioner of Revenue: _____

rev. 20240119

**CITY OF FAIRFAX
ZONING MAP AMENDMENT, PROFFER AMENDMENT,
OR MASTER DEVELOPMENT PLAN AMENDMENT APPLICATION**

I/We Capital City Real Estate LLC by G. Evan Pritchard, Attorney/Agent
(Name of applicant) (Authorized agent's name and relationship to applicant)

a corporation / general partnership / limited partnership / sole proprietorship/individual (circle one) which is the

property owner / contract purchaser / lessee (circle one)

of Lots 2A1, Block _____, Section _____ of the

Commwlth Corp Ctr Subdivision containing 128,980 (Sq. Ft.) on the premises known as

Willowwood requests that the property currently zoned CR be

rezoned to CU. This property is recorded in the land records of Fairfax County in the name of

WillowWood Office Owner LLC in Deed Book 25440, Page 0407.

(Name and address of subject property)

I certify that I have read and understand my application to comply with Zoning Ordinance Section 6.2.3.C Application Requirements, which states:

1. An application shall be sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with the applicable requirements of this chapter.
2. The burden of demonstrating that an application complies with applicable review and approval criteria is on the applicant. The burden is not on the city or other parties to show that the standards or criteria have not been met.
3. Each application is unique and, therefore, more or less information may be required according to the needs of the particular case. Information needs tend to vary substantially from application to application and to change over time as result of code amendments and review procedure changes. Staff has the flexibility to specify submission requirements for each application and to waive requirements that are irrelevant to specific situations. The applicant shall rely on the review official as to whether more or less information should be submitted."

(Signature of applicant or authorized agent)

Attorney/Agent

(Title or relationship)

Address Cozen O'Connor, 1200 19th Street NW, Washington, DC 20036

Phone 703-304-0430

Email epritchard@cozen.com

District of Columbia
STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 14th day of July, 2026, do hereby certify that this day personally appeared before me in the State aforesaid G. Evan Pritchard, Attorney/Agent
(Name) (Title)

whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 21st day of June, 2024, and acknowledged the same before me.

GIVEN under my hand and seal this 21st day of June, 2024.

Catherine M.K. Rodriguez
Notary Public

Registration #



CATHERINE M.K. RODRIGUEZ
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires July 14, 2026

THE FOLLOWING MUST BE COMPLETED BY THE PROPERTY OWNER

I/We WillowWood Office Owner LLC by G. Evan Pritchard hereby certify that the applicant named above has the authority vested by me to make this application.

[Handwritten Signature]

(Signature of owner or authorized agent)

Attorney/Agent

(Title or relationship)

Address Cozen O'Connor, 1200 19th Street NW, Washington, DC 20036

Phone: 703-304-0430

District of Columbia
STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 14th day of July, 2026, do hereby certify that this day personally appeared before me in the State aforesaid G. Evan Pritchard, Attorney/Agent
(Name) (Title)
whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 21st day of June, 2024, and acknowledged the same before me.

GIVEN under my hand and seal this 21st day of June, 2024.

[Handwritten Signature]
Notary Public Registration #

CATHERINE M.K. RODRIGUEZ
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires July 14, 2026



FOR OFFICE USE ONLY

Proposal filed: _____ Received by: _____
Fee Paid: _____ Receipt No. _____
Previous Cases: _____
Current status of business license and fees: _____
Treasurer: _____
Commissioner of Revenue: _____

**AFFIDAVIT
CITY OF FAIRFAX**

I, Capital City Real Estate LLC, by G. Evan Pritchard, Attorney/Agent do hereby make oath or affirmation that
(Name of applicant or agent)

I am an applicant in Application Number 22-00583 and that to the best of my knowledge and belief, the following information is true: SU-22-0084, SE-22-0058

1. (a) That the following is a list of names and addresses of all applicants, title owners, contract purchasers, and lessees of the property described in the application, and if any of the foregoing is a trustee, each beneficiary having an interest in such land, and all attorneys, real estate brokers, architects, engineers, planners, surveyors, and all other agents who have acted on behalf of any of the foregoing with respect to the application (attach additional pages if necessary):

Name	Address	Relationship
Capital City Real Estate LLC	- 300 K Street NW, Ste. 270, Washington, DC 20007,	Applicant/Contract Purchaser
WillowWood Office Owner LLC	- c/o Areas US Real Estate Fund IX LP, 245 Park Avenue, 42nd Floor, NY, NY,	Owner
Cozen O'Connor	- 1200 19th Street NW, Washington, DC 20036	- Attorney

(b) That the following is a list of the stockholders of all corporations of the foregoing who own ten (10) percent or more of any class of stock issued by said corporation, and where such corporation has ten (10) or less stockholders, a listing of all the stockholders (attach additional pages if necessary):

Corporation Name: _____

Name	Address	Relationship
*See attachment		

(c) That the following is a list of all partners, both general and limited, in any partnership of the foregoing (attach additional pages if necessary):

Partnership Name: _____

Name	Address	Relationship

2. That neither the Mayor nor any member of the City Council, Planning Commission, BZA, or BAR has any interest in the outcome of the decision. EXCEPT AS FOLLOWS: (If none, so state).

3. That within five (5) years prior to the filing of this application, neither the Mayor nor any member of the City Council, Mayor, Planning Commission, BZA, or BAR or any member of his or her immediate household and family, either directly or by way of a corporation or a partnership in which anyone of them is an officer, director, employee, agent, attorney, or investor has received any gift or political contribution in excess of \$100 from any person or entity listed in paragraph one. EXCEPT AS FOLLOWS: (If none, so state).

WITNESS the following signature:


Applicant or Agent

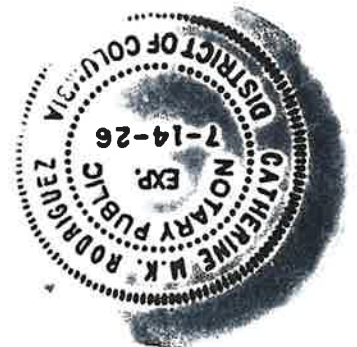
ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 21st day of June, 2024, in the State of District of Columbia

My commission expires:

CATHERINE M.K. RODRIGUEZ
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires July 14, 2026


Notary Public Registration #



EQUITABLE OWNERSHIP DISCLOSURE STATEMENT

I. GENERAL DISCLOSURE REQUIREMENTS

In accordance with § 6.2.3.B of the Zoning Ordinance, any application for a change in zoning shall include as part of the application a statement on a form provided by the zoning administrator providing complete disclosure of the legal and equitable ownership in any real estate to be affected by the requested change in zoning.

In the case of corporate ownership of real estate, the disclosure shall include the names of stockholders, officers and directors and in any case the names and addresses of all the real parties in interest; provided, however, that the requirement of listing the names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. Such disclosure shall be sworn to under oath before a notary public or other official before whom oaths may be taken.

II. IDENTIFICATION OF REAL PROPERTY AFFECTED

<u>Map Number</u>	<u>Parcel Number</u>	<u>Street Address</u>	<u>Current Owner of Record</u>
47-4-02-02-002A1		10306 Eaton Place	WillowWood Office Owner LLC

III. DESCRIPTION OF CHANGE IN ZONING REQUESTED

Completely describe the action being requested, attach narrative if desired.
Rezone the property from CR to CU zone to permit mixed-use development with multi-family residential and retail space. See statement of support.

IV. SPECIFIC EQUITABLE OWNERSHIP DISCLOSURE

The following individuals have legal and equitable ownership in the real estate to be affected by the requested change in zoning. (Include name, address and telephone number)
WillowWood Office Owner LLC c/o Ares US Real Estate Fund IX LP, 245 Park Avenue, 42nd Floor, NY, NY 10167

THE DISCLOSURE MADE ON THIS FORM IS IN ACCORDANCE WITH § 110-5 (D) OF THE CODE OF THE CITY OF FAIRFAX MUST BE SWORN UNDER OATH BEFORE A NOTARY PUBLIC OR OTHER OFFICER BEFORE WHOM OATHS MAY BE TAKEN. ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURE NOTARIZED. ATTACH A SEPARATE SHEET IF NECESSARY.

I hereby swear to the best of my knowledge that the information provided in this statement is true and complete.


Signature

Subscribed and sworn before me this 21st day of June, 2024
My commission expires: July 14, 2026


Notary Public Registration

CATHERINE M.K. RODRIGUEZ
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires July 14, 2026



Capital City Real Estate LLC
 Zoning Map Amendment
 Affidavit Attachment to p. 7

1(a) cont:

Name	Address	Relationship
Capital City Real Estate LLC, Agents: Chris Love, Bryan Jacob, Scott Zimmerman	3000 K street, NW Suite 270 Washington, DC 20007	Applicant/Contract Purchaser
WillowWood Office Owner LLC c/o Ares US Real Estate Fund IX, LP	245 Park Avenue, 42 nd Floor New York, NY 10167	Owner
Cozen O'Connor Agents: G. Evan Pritchard, Meridith H. Moldenhauer, Eric J. DeBear, Madeline S. Williams	1200 19 th Street, NW Washington, DC 20036	Attorney
IMEG Corp. d/b/a Christopher Consultants Ltd. Agents: Giovanni (John) B. Rinaldi, John Helms, Laurie Beth Donnachie	4035 Ridge Top Road Suite 601 Fairfax, VA 22030	Civil Engineer
Hickok Cole Architects, Inc. Agents: John Lang, Starr Ashcraft	1023 31 st Street, NW Washington, DC 20007	Architect
Wells + Associates Agents: Michael J. Workosky, John F. Cavan	1420 Spring Hill Road, Suite 610, Tysons, VA 22102	Traffic Engineer

1(b) That the following is a list of the stockholders of all corporations of the foregoing who own ten (10) percent or more of any class of stock issued by said corporation, and where such corporation has ten (10) or less stockholders, a listing of all the stockholders:

Corporation Name: Capital City Real Estate LLC

Name	Address	Relationship
Scott Zimmerman	3000 K street, NW Suite 270 Washington, DC 20007	Applicant/Contract Purchaser

Corporation Name: WillowWood Office Owner LLC

Name	Address	Relationship
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Polinger Development Company; Ares US Real Estate Fund IX, LP	245 Park Avenue, 42 nd Floor New York, NY 10167	Owner
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Corporation Name: Cozen O'Connor PC

Name	Address	Relationship
There are more than 10 stockholders, none of which owns 10% or more of any class of stock	1200 19 th Street, NW Washington, DC 20036	Attorney

Corporation Name: IMEG Corp. d/b/a Christopher Consultants Ltd.

Name	Address	Relationship
There are more than 10 stockholders. See below for stockholders that own more than 10% or more of any class of stock. IMEG ESOP (employee stock ownership plan)	623 26 th Avenue Rock Island, Illinois 61201	Civil Engineer

Corporation Name: IMEG ESOP

Name	Address	Relationship
All employees are eligible participants, none of whom owns 10% or more of any class of stock	623 26 th Avenue Rock Island, Illinois 61201	Civil Engineer

Corporation Name: Hickok Cole Architects, Inc.

Name	Address	Relationship
Michael E. Hickok Yolanda L. Cole	1023 31 st Street, NW Washington, DC 20007	Architect

Corporation Name: Wells + Associates

Name	Address	Relationship
Employee Stock Ownership Plan (ESOP). All employees are eligible participants, none	1420 Spring Hill Road, Suite 610, Tysons, VA 22102	Traffic Engineer

of whom owns 10% or more of any class of stock		
---	--	--



SUMMARY OF ZONING DISTRICTS AND OVERLAYS

GENERAL ZONING DISTRICTS: Unless within a planned development district, each property in the City belongs to one of the following zoning districts, which spells out permitted uses and types of development for all parcels within each district, as summarized below:

RL, RM & RH RESIDENTIAL DISTRICTS: Permits single-family detached housing and select types of supportive, complementary uses that create quiet and comfortable neighborhoods. Development must be consistent with the character of a residential neighborhood and fit within certain parameters, including:

- **RL RESIDENTIAL LOW:** 20,000 minimum lot size and 40' front setback from the street;
- **RM RESIDENTIAL MEDIUM:** 7,500 minimum lot size and 25' front setback from the street;
- **RH RESIDENTIAL HIGH:** 6,000 minimum lot size and 20' front setback from the street.

RT & RT-6 TOWNHOUSE DISTRICTS: Provides townhouses in both districts, as well as duplexes, single-family attached, and single-family detached housing in the RT district.

- **RT-6:** Limited to 6 units per acre;
- **RT:** Limited to 12 units per acre.

RMF MULTIFAMILY DISTRICT: Provides for multifamily housing as well as townhouses, duplexes, single-family attached, and single-family detached housing. Buildings may be no taller than 3 stories and 35' or 4 stories and 45' (where not adjacent to a single-family detached district) with a density limited to 20 units per acre. Permitted uses also include nursing homes, assisted living facilities, congregate living facilities and select directly related, complementary uses.

CL COMMERCIAL LIMITED DISTRICT: Provides for limited, low intensity office development as a transitional use between residential and commercial areas with buildings limited to 3 stories and 35' in height that may not exceed 17,500 sq. ft. in floor area.

CO COMMERCIAL OFFICE DISTRICT: Provides for offices for business, governmental and professional uses, and uses accessory or complementary thereto. Buildings may be up to 5 stories and 60'.

CR COMMERCIAL RETAIL DISTRICT: Provides for office and general business and retail establishments, and uses accessory or complementary thereto. Buildings may be up to 5 stories and 60'.

CU COMMERCIAL URBAN DISTRICT: Provides 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. Buildings may be up to 5 stories and 60'.

CG COMMERCIAL GENERAL DISTRICT: Provides areas for office, general retail, automobile-related uses, and uses accessory or complementary thereto. Buildings may be up to 5 stories and 60'.

IL INDUSTRIAL LIGHT DISTRICT: Provides areas for light industrial uses. Buildings may be up to 3 stories and 35'.

IH INDUSTRIAL HEAVY DISTRICT: Provides areas for general industrial uses. Building may be up to 6 stories and 60'.

PLANNED DEVELOPMENT DISTRICTS AND ZONING OVERLAYS: Some properties are included in planned development districts and/or are governed by regulations that exceed that of the underlying general zoning district through overlays and other development standards. These are summarized below:

PD-R, PD-M, PD-C & PD-I PLANNED DEVELOPMENT DISTRICTS: Provides for coordinated developments and communities with appropriate boundary transitional yards and recreation and open space. The districts provide additional flexibility not available in general zoning districts and allows for innovations and special features in site development that make the community better.

- **PD-R PLANNED DEVELOPMENT RESIDENTIAL:** Allows for permitted/special uses in the R districts;
- **PD-M PLANNED DEVELOPMENT MIXED USE:** Allows for permitted/special uses in the R and C districts;
- **PD-C PLANNED DEVELOPMENT COMMERCIAL:** Allows for permitted/special uses in the C districts;
- **PD-I PLANNED DEVELOPMENT INDUSTRIAL:** Allows for permitted/special uses in the CG, IL, and IH districts.

HISTORIC OVERLAY DISTRICTS: Provide additional protection to areas of historic interest in the City in order to ensure that development or building modifications do not alter or diminish the historic quality of the district:

- **OLD TOWN FAIRFAX HISTORIC DISTRICT:** Encourages a compatible mixture of residential, retail and office uses within the district.
- **FAIRFAX PUBLIC SCHOOL HISTORIC DISTRICT:** Includes the property containing the Fairfax Museum & Visitor Center; the district controls uses and structures built on the property.
- **BLenheim HISTORIC DISTRICT:** Includes the property at Historic Blenheim; the district preserves Blenheim mansion and controls uses and structures built on the property.

OLD TOWN FAIRFAX TRANSITION OVERLAY DISTRICT: Established to encourage a compatible mixture of residential, retail and office uses in areas close to the Old Town Fairfax Historic District. New development must complement the scale, siting and design of the Historic District.

ARCHITECTURAL CONTROL OVERLAY DISTRICT: Includes all land in the city which is located outside of an historic district and zoned and used for anything other than a single-family detached residence. This district seeks to encourage the construction of attractive buildings, to protect and promote the general welfare and to prevent deterioration of the appearance of the city, to make the city more attractive for the development of business and industry, and to protect land values.

RESOURCE PROTECTION AREA (RPA): Includes land within 100 feet of water bodies that have perennial flow, as well as other natural features such as wetlands and intermittent streams. The RPA seeks to protect these waters from significant degradation due to land disturbances.

RESOURCE MANAGEMENT AREA (RMA): Includes all land in the City that is not part of an RPA. Land disturbances in the RMA can have cause water quality degradation and diminish the functionality of RPA lands. Together, the RMA and RPA form the Chesapeake Bay Preservation Area, which encompasses all of the City.

100-YEAR FLOODPLAIN: Includes land subject to inundation by the “100-year flood” as on FEMA flood maps (a flood that has a 1% chance of occurring each year).

**G. Evan Pritchard**Direct Phone 202-280-6482
epritchard@cozen.com

MEMORANDUM

TO: Albert Frederick

FROM: G. Evan Pritchard

DATE: June 21, 2024

RE: Revised Statement of Support for Zoning Map Amendment, Special Use Permit, and Special Exception Applications for N29 WillowWood Plaza Residential Development Phase I

My client, Capital City Real Estate (the “Applicant”), proposes an infill residential project (“Project”) at the WillowWood Plaza office center located on Eaton Place near Fairfax Drive. As shown on the enclosed plans dated June 19, 2024 and prepared by IMEG Corp. d/b/a Christopher Consultants Ltd. (“General Development Plan”), the Project would consist of a new mixed-use multifamily building to be constructed on a surface parking lot located on Eaton Place immediately west of the office building located at 10306 Eaton Place. A parking deck would also be constructed to the north of the new building.

The application property (the “Application Property”) is a 2.96-acre portion of the parcel assigned tax Parcel ID 47-4-02-002A1, and is zoned to the CR Commercial Retail District. The entire WillowWood Plaza area is identified in the Comprehensive Plan for the City of Fairfax (the “Comprehensive Plan”) as part of the Northfax Activity Center, which the Northfax Small Area Plan (the “SAP”) describes as being “marked by suburban commercial development, substantial impervious paving and a lack of sense of place.” The Northfax of the future is envisioned as a “dynamic, mixed-use center” whose existing commercial uses “can be greatly enhanced by additional uses” to include new residential typologies. Recommended building heights of up to seven (7) stories are recommended for the “Neighborhood Core” of Northfax, which includes the Application Property.

We propose to rezone the Application Property to the CU Commercial Urban District and construct a seven (7)-story multifamily building along with a parking structure. The Project will consist of 260 total units and approximately 5,000 square feet of retail space located along the southwestern and western sides of the building. The parking structure will include a total of 676 spaces to serve existing office uses, residential occupants and retail patrons. As reflected in the “Shared Parking Reduction Request” memorandum prepared by Wells + Associates, 174 spaces will be dedicated

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to office, 234 spaces will be dedicated to the residential, and 268 spaces will be shared. The Wells + Associates memorandum supports the administrative shared parking reduction request.

Based on feedback from staff, the Applicant has added 3,020 sq. ft. for commercial uses along the Project's western frontage for a total of 5,000 sq. ft. of commercial space in the Project. The Applicant previously incorporated changes to the streetscape along the Project's western frontage. These revisions are intended to ensure consistency with the SAP. The western part of the Project will help activate the site and create a sense of place for the community and the public plaza ultimately envisioned to the west of the Application Property while accommodating current and projected retail market conditions.

Finally, the Project will comply with the Affordable Dwelling Unit requirements under § 3.9.6 of the Zoning Ordinance. As required, the Project will set aside 6% of total units as affordable, which has been notated on the General Development Plan. The affordable dwelling units will consist of 11 one-bedroom units and 5 two-bedroom units based on current unit count of the Project.

Rezoning Considerations, § 6.4.9 of the Zoning Ordinance

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

- A. Substantial conformance with the comprehensive plan.

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

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

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

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

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

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

The Application Property is well-served by public transportation facilities, including the CUE Bus Green Routes 1 and 2 that provide service to the Vienna/Fairfax-GMU Metro Station. Existing public safety facilities, public school facilities, and public parks will all be adequate to serve existing community needs and the proposed development.

E. Adequacy of existing and proposed public utility infrastructure.

Existing public utility infrastructure has been deemed adequate for the proposed development.

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

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

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

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

Special Exception Approval Criteria, § 6.17.7.A

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

1. A modification of § 3.5.1.D to permit less than 75% ground floor nonresidential use in a mixed use building;

75% ground floor nonresidential use would entail more retail than the surrounding area could support, particularly given recent market trends and nearby retail centers such as the Amazon grocery that have captured nearly all retail demand in the market.

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

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

3. A modification of § 3.6.2 to permit a front yard that is greater than the maximum fifteen (15) feet;

We are seeking to provide a 17-foot front yard rather than the maximum 15-foot yard in order to provide a better sidewalk and streetscape treatment in keeping with the SAP. This approach will also provide a better transition to the building line of adjacent office building.

4. A modification of § 3.6.2 to permit a side yard that is less than the minimum ten (10) feet;

The Applicant is requesting relief for both side yards. The Project will have a 5-foot side yard along the southeastern portion of the Project rather than the minimum 10-foot side yard. The 5-foot-wide portion of the side yard is needed to ensure the neighboring parcel

to the east is compliant following subdivision of the Application Property. Nonetheless, the Project's side yard meets the minimum required 10 feet for the remainder of the site.

Further, the Project's western side yard is approximately 2.3-feet-wide due to the private road running parallel with the side yard. The private road is being provided pursuant to the recommendations in the Northfax Small Area Plan. However, under § 1.5.12(E), a driveway may not encroach along a required side yard. Here, the private road encroaches on the western side yard. Nonetheless, there remains between 40 and 60 feet of separation between the project and the western lot line providing ample space in the event the parcel to the west is redeveloped.

5. A modification of § 3.6.2 to permit height greater than five (5) stories or sixty (60) feet;

The proposed height relief is necessary to achieve the vision for the area specified in the SAP.

6. A modification of § 4.4.4 to permit one sidewalk along a street.

We are proposing one sidewalk along the private road to the west of the Project. The proposal includes only one sidewalk because the parcel to the west of the Application Property has not been redeveloped. In the event that parcel is redeveloped, a sidewalk would be added.

7. A modification of § 4.3.3 to provide cross-access to the adjacent parcel.

Due to the creation of the new private road on the western edge of the Application Property, an easement for cross-access to the neighboring parcel, which is improved with an office building, is needed. In the event that parcel is redeveloped, a road expansion would likely be completed and the cross-access easement would not be necessary.

8. A modification of § 4.5.6 to allow less than 10% of 10-year tree canopy

The City Council recently adopted an amendment to the Zoning Ordinance to require a 10% 10-year tree canopy in the CU zone. The project will have a 10-year tree canopy of 6.1%. The tree canopy provided has been increased to the amount feasible given the site design. The spaces between landscaped areas in the streetscape along the western edge of the building were designed at the direction of the city fire marshal in order to provide access for fire/rescue equipment. In other areas, the required soil volumes and proximity to building facades limited the number of trees. The Applicant is providing a monetary contribution toward tree planting to meet the remaining 3.9% requirement.

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

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

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

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

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

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

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

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

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

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

The proposed development is designed to be an urban community that is more compact and integrated with reduced roadway widths. For the street along the western edge of the property, we have showed how the future layout of the street will allow for a full street section once the property to the west is developed. For the interior street to the east, we are providing a layout that allows for landscaping and a sidewalk. Therefore, support of this waiver is appropriate in consideration of the intended urban design of the proposed development.

Consistency with the Comprehensive Plan

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

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

		will also improve the walkability of the area for pedestrians with improved sidewalks and streetscape.
SAP, p. 6, A New Identity	A new identity for Northfax includes “housing typologies that are not well represented in Fairfax, such as senior, living, market-rate apartments, condominiums and affordable housing....”	The proposed development will include market-rate and affordable apartments, which are currently under-represented in the City. A total of 16 affordable dwelling units (“ADUs”) affordable at 60% AMI, or 6% of the total number of units, will be provided. These units have been identified on the plans.
SAP, p. 7, The Linear Park	“The most important design feature in the Northfax vision is a new linear park that spans from Northfax West to Northfax East, and connects north with Accotink Creek.”	The proposed development will help create the eastern edge of the linear park by improving the sidewalk and streetscape. In addition, the proposed development will introduce retail units at the corner that will help encourage redevelopment and creation of a proposed new community green to the west. The Project’s western side is designed to allow for future conversion to more retail as well. The Project will also help provide a pedestrian connection to Accotink Creek.
SAP, p. 9, A Balanced Activity Center	“Northfax is a huge opportunity to transform into a mixed-use Activity Center that centers and anchors the surrounding communities. Transitioning to a more balanced mix of uses will help create a better sense of place, bring more activity around the clock, potentially reduce single-use peak traffic, and help create more dynamic public spaces. The existing offices and hotels would be	The introduction of apartments will help balance the mix of uses in Northfax. New residents will help support existing and future retail in the area as well as hotels and office by generating daytime pedestrian activity.

	greatly enhanced by additional daytime retail, including restaurants, and a larger nearby residential population.”	
SAP, p. 12, Retail Frontage	<p>“While the Northfax study area has capacity for dynamic retail, there are limitations on the quantity and location of retail frontage in the study area. Studies have shown that retail works best in concentrated 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.”</p> <p>***</p> <p>“Due to the limited amount of sustainable retail possible, it is important that retail is generally not spread out and fragmented across the entire study area.”</p>	There will be 5,000 sq. ft. of retail along the western frontage and southwestern edge of the Application Property that will complement existing retail at Point 50 and be appropriate for existing market conditions. In the future, once the property to the west redevelops and the community green is created, more retail may be sustainable in this part of Northfax. To that end, the Project’s western side is designed to allow for conversion of units to retail space in the future.
SAP, p. 14, Surface Parking to Green Space	“...[T]he plan proposes an increase in buildings - replacing mostly surface parking in the plan. These new buildings have the potential to better direct water, have green roofs, and other eco-friendly designs that improve the ecology of the study area.”	The proposed residential building and open space areas will replace existing surface parking lots. As a result, stormwater will be treated much more efficiently and in a more ecologically-friendly manner.
SAP, p. 14, Connected Green Spaces	<p>“The proposed green space diagram demonstrates potential green spaces in a total build out of the plan.</p> <p>The goal of this green space approach is to create 1)</p>	The proposed development will help create the eastern edge of the linear park proposed to the west of the Application Property by improving the sidewalk and streetscape.

	interconnected green spaces to facilitate movement of people and wildlife 2) A variety of park sizes and spaces to support different activities and 3) connecting green spaces within the study area to active trail systems and cultural resources.”	
SAP, p. 20, Commercial Uses in Northfax	<p>“Northfax is home to a large office complex (Willow Wood Plaza) and a cluster of hotels serving a range of guests. What is absent in the overall setting is access to convenient / walkable amenities, such as restaurant and retail.</p> <p>Including providing enhanced neighborhood conveniences for nearby city residents, the redevelopment of the Fairfax Shopping Center into Point 50 will help address this commercial user serving gap. Adding further retailing offerings and other user amenities elsewhere in Northfax (i.e. green space) is key to strengthening these background existing commercial land uses.”</p>	The proposed retail will complement the retail at Point 50 and the City’s business incubator space at 10300 Eaton Place.
SAP, p. 22, Residential Uses in Northfax	<p>“Residential uses are key to supporting new development in the activity centers, both of which are currently dominated by office space. New residential construction also provides diversification of residential product type since most of the City’s existing residential inventory comprises older single family homes and apartment complexes.”</p>	The proposed residential development will help diversify the City’s housing stock and bring much needed residential uses to Northfax.
SAP, p. 22, Building Height and Setbacks	“Areas not close to adjacent residential structures	We are proposing 7 stories.

	are recommended to have a (7 story) height limit.”	
SAP, p. 23, Building Heights and Land Use	“As Northfax is designed as a mixed use center for the city, the bulk of the plan focuses on the neighborhood core use. Here, a variety of uses from office to multifamily to retail to hotel uses are proposed.”	The multifamily uses proposed are consistent with the Neighborhood Core uses envisioned in the SAP.
SAP, pg. 38, Sustainability	“Stormwater & Landscape” sustainability features	<p>The Northfax Small Area Plan identifies the following five sustainability measures: (1) Green infrastructure; (2) Building efficiency; (3) Energy Production; (4) Green Roofs and (5) Native Plants and Erosion Control.</p> <p>With respect to measure (1), the proposed development will incorporate bioretention planters and new grass landscaping along all four frontages of the building, including on both sides of the new private road. With respect to measure (2), the project will be built subject to a Green Globes™ rating and certification. Green Globes™ is a comprehensive, science-based, three-in-one certification system that evaluates the environmental sustainability, health and wellness, and resilience of all types of commercial real estate. Specifically, the project will be built to the Green Globes™ for New Construction (NC) standard. This encourages opportunities to assess opportunities for energy savings and reduced environmental impacts. The rating system affords up to 1000 points, across the</p>

		<p>following categories: Project Management, Site, Energy, Water Efficiency, Materials, and Indoor Environment.” Green Globes™ project checklist will be provided to staff under separate cover. The project will not incorporate solar energy panels as identified in measure (3); however, the applicant is designing the building to meet Green Globes certification that will achieve energy efficiencies. The project will not have a green roof as identified in measure (4); however, the applicant believes the proposed stormwater management infrastructure is sufficient to meet the intent of this sustainability measure. With respect to measure (5), the project will incorporate new native trees, landscaping and planters in addition to non-native trees and landscaping. In particular, the proposal includes new canopy trees and shrubs along both the western and eastern frontages. There will also be four canopy trees on the southern frontage along Eaton Place and three new trees along the northern frontage</p>
<p>SAP, p. 43, Zoning and Regulatory Recommendations</p>	<p>“Zoning (Land Use) – Currently, most of Northfax is zoned CR (Commercial Retail), which does not permit residential and hotel uses without special exception. The plan recommends that all properties in the study area be rezoned to also allow for residential, hotel and mixed-</p>	<p>Consistent with this recommendation in the SAP, we are proposing to rezone to the Commercial Urban (CU) zone.</p>

	use. The Commercial Urban (CU) zone is a potential solution for the study area, as it has more flexibility in allowable land uses.”	
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PROFFERS

CAPITAL CITY REAL ESTATE LLC

ZONING MAP AMENDMENT – N29 WillowWood Plaza Residential Phase I

June 21, 2024

Pursuant to Section 15.2-2303.A of the *Code of Virginia*, 1950, as amended, and § 6.4.10 of the Zoning Ordinance of the City of Fairfax, Virginia, Capital City Real Estate, LLC, for the owner, and successors and/or assigns (hereinafter referred to as the “Applicant”) in Z-22-00583 filed on property identified on the City of Fairfax tax map as part of 47-4-02-02-002A1 (hereinafter referred to as the “Application Property”) hereby proffers the following, provided that the Fairfax City Council approves a zoning map amendment for the Application Property in conjunction with a general development plan for residential and commercial development. These proffers shall replace and supersede all previous proffers approved for the Application Property. In the event the zoning map amendment is denied by the Council, these proffers shall immediately be null and void.

1. GENERAL DEVELOPMENT PLAN

Development of the Application Property shall be in substantial conformance with the General Development Plan (“GDP”) prepared by IMEG Corp. d/b/a Christopher Consultants, Ltd. and Hickok Cole consisting of 36 sheets, dated June 19, 2024. The Applicant shall have the flexibility to make minor modifications to site design and improvements shown on the GDP based on final engineering and design subject to the approval of the Director of Community Development and Planning.

2. USES

The following uses shall be permitted on the Application Property:

- A. Upper-story residential with up to a maximum of 260 dwelling units;
- B. Approximately 5,000 square feet of gross floor area for retail and/or any other commercial use permitted in the CU, Commercial Urban District.
- C. A parking garage accessory to the above-stated uses.

3. TRANSPORTATION

- A. Eaton Place. Prior to the issuance of the first Zoning Permit for a residential use (“Residential Zoning Permit”) or Zoning Permit for a commercial use (“Commercial Zoning Permit”) for the Application Property, the Applicant shall construct road improvements to enable vehicular access from Eaton Place, as shown on the GDP.
- B. New Streets. Prior to the issuance of any Residential Zoning Permit or Commercial Zoning Permit for the Application Property, the Applicant shall construct at its sole

expense the streets, accessways, and sidewalks on the Application Property as shown on the GDP that are required to provide access to the new building and maintain access for the existing office use. Such streets shall be maintained by the Applicant as private streets. The Applicant shall install signs and/or pavement markings for bicycles, subject to the approval of the Department of Public Works. The Applicant shall provide a public ingress/egress easement for all private streets, accessways, and adjacent sidewalks. Such easements shall extend to the peripheral boundaries of the Application Property to permit extension of the private streets and accessways in the future. In the event the City requests that any right-of-way be converted to a public street or sidewalk, then the Applicant may dedicate such right-of-way no sooner than completion of all improvements on the Application Property. Once dedicated, the entirety of the project as designed and constructed will remain a legally conforming use in accordance with zoning approval, Board of Architectural Review (“BAR”) approval, site plan approval, and building permits. The Applicant shall not be obligated to obtain off-site easements or right-of-way to facilitate extensions. Prior to the issuance of the final Residential Zoning Permit or Commercial Zoning Permit for the Application Property, all streets, accessways, and sidewalks shall have final paving and shall be complete in substantial conformance with the GDP.

- C. Sidewalks. The Applicant shall provide ADA compliant sidewalks as shown on the GDP.
- D. Maintenance. The Applicant shall maintain the streets and sidewalks as private until such time as the City may demand dedication.
- E. Construction Timing. The Applicant shall coordinate phasing of transportation improvements with the Department of Public Works at time of site plan.

4. STORMWATER MANAGEMENT

Design and construction of Stormwater management facilities shall comply with 4VAC50-60 Virginia Stormwater Management Program (“VSMP”) Permit Regulations, as may be amended, or other relevant standard in place at the time of building permit submission. At the time of site plan, the Applicant shall consider low impact development techniques to the extent feasible which may include, but not be limited to, permeable pavers, infiltration, and/or bio-retention.

5. STREETSCAPE

Prior to the issuance of the first Residential Zoning Permit or Commercial Zoning Permit for the Application Property, the Applicant shall install a streetscape generally consisting of landscaping and sidewalk as shown on the GDP and in accordance with the City’s Public Facilities Manual standards. The Applicant shall grant access easements for maintenance, if required. The final streetscape design shall be approved at the time of site plan.

6. LANDSCAPING AND OPEN SPACE

- A. General. Landscaping on the Application Property shall be in general conformance with the landscape design shown on the GDP. Final selection of the type and location of vegetation and the design of landscaped areas and streetscape improvements/plantings shall be made as a component of the site plan approval process.
- B. Construction Timing. The Applicant shall coordinate phasing of landscaping and open space improvements with the Department of Public Works at time of site plan.
- C. In-Lieu Tree Canopy Contribution. Prior to the issuance of the first Residential Zoning Permit, the Applicant shall contribute an amount equal to \$21,860, representing the current pricing index for twenty (20) 2” caliper deciduous trees, for use in tree planting and maintenance in the City of Fairfax.

7. RECREATIONAL AMENITIES

- A. The Applicant shall provide up to 23,200 square feet of on-site recreational facilities to serve the residences of the Application Property that may include, but not be limited to, a fitness center, clubroom, lounge, pool, and amenity courtyard.
- B. Following commencement of construction but prior to the issuance of the first Residential Zoning Permit, the Applicant shall contribute an amount equivalent to \$376.00 per residential unit to the City of Fairfax for use in the planning, design and/or construction of recreational amenities.

8. RESIDENTIAL UNIT MIX

The proposed development shall consist of one-bedroom, two-bedroom, and three-bedroom units as shown on the GDP. Notwithstanding the unit mix provided on the GDP, the Applicant shall have the ability to modify the final unit mix at time of site plan, provided that such modification shall not apply to more than five percent (5%) of the total number of units, and provided that the minimum parking ratios provided on PI_400 of the GDP are met for each unit type.

9. SUSTAINABLE DESIGN

- A. In order to promote energy conservation and green building techniques, the Applicant shall incorporate energy saving devices which may include, but not be limited to, use of ENERGY STAR® appliances, energy efficient mechanical systems, recycling for occupant refuse, energy efficient lighting and insulation that meets or exceeds applicable energy code requirements.
- B. At the time of site plan submission, the Applicant shall submit a LEED or equivalent rating system (e.g., Green Globes) checklist to demonstrate the incorporation of energy saving components as described above and as generally available in the marketplace.

10. PARKING MANAGEMENT

- A. The Applicant shall provide parking in conformance with the GDP. Notwithstanding the number of parking spaces indicated on the GDP, the Applicant may increase the final number of parking spaces provided at time of final site plan provided that any additional parking spaces are located within the parking garage, that the minimum parking rates as depicted on the GDP are provided, and that open space is not decreased and the distance to peripheral lot lines is not decreased.
- B. The Applicant shall assign parking management as one of the duties of its property manager. Parking management shall entail the efficient use of available constructed parking spaces, including the assignment of parking spaces to residents within the parking garage and designation of guest parking as identified by signage.
- C. Guest and commercial parking shall be clearly designated on the Application Property and distributed throughout the site. Code required parking for commercial uses shall be located either on the first or second level of the parking structures.

11. TRANSPORTATION DEMAND MANAGEMENT STRATEGIES

In an effort to reduce the numbers of vehicle trips generated by the Application Property, the Applicant shall implement Transportation Demand Management (“TDM”) strategies. These strategies apply to both existing office uses and the proposed mixed-use building on the Application Property and will include, but not be limited to, the following:

- A. Designate a Transportation Management Coordinator (TMC) for the property. The TMC would implement the TDM program. The position may be part of other duties assigned to the property manager. Duties of the Transportation Management Coordinator would include the following:
 - 1. Assist residents and employees in making effective and efficient commuting choices.
 - 2. Disseminate bus, ridesharing, bicycle route maps, trail maps, and other relevant transit options to new residents.
 - 3. Solicit support from the Metropolitan Washington Council of Governments (MWCOC) Commuter Connections program, the Washington Metropolitan Area Transit Authority (WMATA), OmniRide, and others.
 - 4. Provide on-site assistance to residents and employees in forming and maintaining carpools and vanpools.
 - 5. Disseminate park-and-ride lot information to prospective carpoolers.
 - 6. Register carpool participants, transit users, bicyclists, and walkers in the Guaranteed Ride Home (GRH) program.
 - 7. Encourage residents to ride bikes.
 - 8. Market and promote the TDM Program among residents and employees through printed materials and web sites (if available).
 - 9. Meet annually with the City’s TDM program manager to evaluate and adjust strategies based on TDM surveys and other considerations.

B. Commuter Center

1. Designate a centralized space on-site (within one or more buildings) as a Commuter Center where TMC functions would take place.
2. Install an electronic display in the Application Property's leasing office that would provide information on the various aspects of the TDM Program.
3. Sell transit fare media, such as OmniRide bus passes, SmarTrip cards, Metro fare cards, and Metrobus passes.
4. Allow residents and employees to purchase transit fare media.

C. Incentives to use transit or alternatives to automobiles, including:

1. Provide information on OmniRide, Metrorail, Metrobus, Trail Access, and other public transportation facilities, services, routes, schedules, and fares.
2. Disseminate information to transit users regarding free guaranteed rides home in cases of emergency.
3. Provide convenient, comfortable, and attractive pedestrian connections on and off-site.
4. At the time of initial occupancy only for each dwelling unit on the Application Property, the Applicant shall provide one (1) resident of the unit with a one-time prepaid transit card (SmarTrip Card) with a value of twenty-five dollars (\$25.00).

D. Carpool programs, including:

1. Provide personalized assistance and ride-matching services among residents and employees through the Commuter Center and TMC.
2. Provide ride-matching assistance and services among the site's residents and employees and other area residents and employees through the Commuter Connections program of MWCOG.
3. Disseminate information to carpoolers regarding free guaranteed rides home in cases of emergency.

E. Parking management, including:

1. Assign parking management as one of the duties of the property manager. Parking management may include the assignment of parking spaces to residents within the parking garage and designation of guest parking as identified by signage.
2. Clearly designate guest and commercial parking throughout the site.
3. Provide secure bicycle parking for residents and employees.
4. Install at least one interior or exterior electric vehicle charging station on the Application Property.
5. Actively market to low- or no-car households.

F. Pedestrian and Bicycle Programming and Support, including:

1. Provide bicycle storage. Note that storage for 23 bicycles will be provided in the bike storage room within the central building.
2. Provide pedestrian connections to adjacent properties where available.

G. Monitoring Program

1. Applicant to provide City staff with information obtained by resident and employee surveys regarding use of public transportation, carpooling, bikes, teleworking, and any other transportation options on an annual basis.

12. SCHOOL CONTRIBUTION

Prior to the issuance of the first Residential Zoning Permit, the Applicant shall contribute \$1,500 per dwelling unit in the Project to the City of Fairfax to mitigate impacts to City schools.

13. CONSTRUCTION MANAGEMENT

A. Prior to site plan approval, the Applicant shall submit a Construction Management Plan for approval by the City Manager or his designee. The Construction Management Plan shall address items including, but not limited to, the following:

- (i) Hours of construction;
- (ii) Truck routes to and from entrances to the Application Property;
- (iii) Location of parking areas for construction employees;
- (iv) Truck staging areas;
- (v) Storage areas;
- (vi) Traffic control measures; and
- (vii) Fencing details, including specifications for an opaque construction fencing and/or wrap that identifies the project and provides contact information for the developer and/or general contractor.

B. Prior to commencement of construction, the Applicant shall provide the Department of Community Development and Planning with the name and telephone number of a community liaison who will be available throughout the duration of construction on the Application Property.

14. MISCELLANEOUS

A. Occupancy Restrictions. To the extent permitted by State and Federal Fair Housing regulations, the occupancy of each dwelling unit in the development shall be limited to no more than two (2) persons per bedroom plus one (1) additional person per unit.

- B. Counterparts. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which when taken together shall constitute but one in the same document.
- C. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and its successors and assigns.

OWNER

WillowWood Office Owner LLC
A Virginia Limited Liability Company

By:
Its:

[SIGNATURES CONTINUE]

CONTRACT PURCHASER

Capital City Real Estate LLC

By:
Its:

WELLS + ASSOCIATES**MEMORANDUM**

1420 Spring Hill Road,
Suite 610,
Tysons, VA 22102
703-917-6620
WellsandAssociates.com

To: City of Fairfax Zoning Department

From: Michael J. Workosky, PTP, TOPS, TSOS
John F. Cavan, P.E., PTOE

Re: Willowwood Plaza
N29 Apartments Phase 1
Fairfax, Virginia

Subject: Shared Parking Reduction Request

Date: Revised March 29, 2024

INTRODUCTION

This memorandum presents the results of a parking reduction study conducted for the N29 Apartments. The site (noted as Tax Map number 47-4-02-02-002) is located within the existing Willowwood Plaza office development on the north side of Eaton Place, north of Fairfax Boulevard (U.S. Route 29/50) and east of Chain Bridge Road (Route 123) as shown on Figure 1. Based on an ALTA survey conducted by IMEG, the Phase 1 portion of Willowwood Plaza is currently developed with one (1) office building that consists of 122,040 S.F. of general office uses and served by 379 surface parking spaces as shown on Figure 2.

The Applicant, Capital City Real Estate, has filed an application to rezone the property from CR (Commercial Retail) to CU (Commercial Urban) and develop the western portion of the site with 260 multifamily residential units and 5,000 S.F. of retail space (Phase 1). This portion of the site would be served by a new structured parking garage. The parking reduction request is applicable to the Phase 1 portion of the site through the use of shared parking. A copy of the site plan is shown on Figure 3.

The Applicant is requesting an overall parking reduction of 10.8 percent (or up to 86 fewer spaces) than the 796 spaces that would be required by the Ordinance for the Phase 1 uses and the existing office building. A parking supply of 710 spaces is proposed. The parking reduction is based on the sharing of spaces between the Phase 1 uses and the existing office building. A license agreement for sharing parking between the Applicant and the owner of the office building is included in the shared parking reduction application.

Sources of data for this analysis include, but are not limited to, the files and library of Wells + Associates (W+A), christopher consultants, Cozen O'Connor, Capital City Real Estate, the Institute of Transportation Engineers (ITE), Urban Land Institute (ULI), and City of Fairfax.

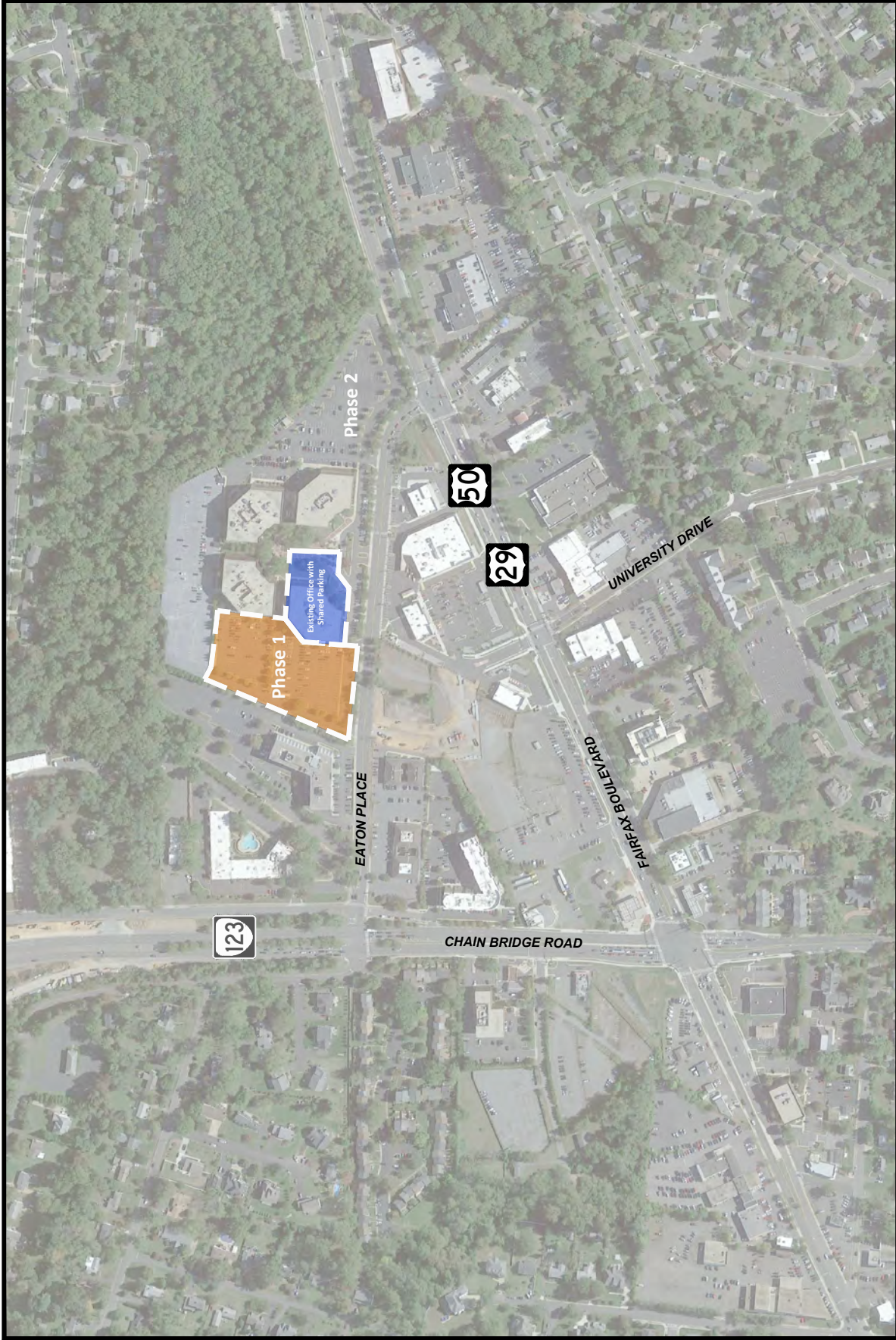


Figure 1
Site Location



NORTH
Willowwood Plaza
City of Fairfax, Virginia



NORTH
N29 Willowwood
City of Fairfax, Virginia

Figure 2
Existing Conditions Plan



PLAN PROVIDED BY: HICKOK COLE

Figure 3

Proposed Development Plan



NORTH
N29 Willowwood
City of Fairfax, Virginia

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MEMORANDUM

BACKGROUND INFORMATION

The site is currently zoned CR (Commercial Retail) and a rezoning application has been submitted to rezone the property to CU (Commercial Urban). As mentioned previously, Phase 1 would consist of 260 multifamily residential units and 5,000 S.F. of retail space.

Residential Unit Mix

Multifamily Units. The Applicant is intending to provide the following unit type ratios:

■ One (1) Bedroom Units:	164 Units (63 percent)
■ Two (2)/Three (3) Bedroom Units:	<u>96 Units (37 percent)</u>
Total	260 units

As shown above, the proposed project would provide a majority of one-bedroom units.

Proposed Mix of Uses

This parking reduction request is associated with the Phase 1 development on western portion of the site. These uses would include the multifamily residential and retail spaces. It is noted that the Phase 1 uses would share parking with the existing office building as outlined later in the report.

Proposed Parking Supply

A future parking supply of 710 parking spaces is proposed and includes the following:

- 26 existing surface spaces (dedicated to office) on off-site Parcel 47-4-02-02-002, located directly adjacent to the existing office building
- 676 spaces within proposed parking structure for this subject application of which:
 - 174 spaces dedicated to office
 - 234 spaces dedicated to multifamily (0.9 spaces per unit)
 - 268 shared spaces
- An additional eight (8) surface spaces are proposed within the subject site

TOTAL PARKING PROVIDED – 710 SPACES

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MEMORANDUM

CITY OF FAIRFAX PARKING REQUIREMENTS

Chapter 110, Article 4, Section 4.2.3.E of the Zoning Ordinance (see **Attachment III**) outlines the parking requirements for multifamily residential uses as follows:

- 1 bedrooms – “1.5 spaces per unit”
- 2 or more bedrooms – “2 spaces per unit”

In addition, Section 4.2.3.D.1.c allows for a ten percent parking reduction within the CU district where structured parking is provided.

Based on the proposed unit mix, the 260 multifamily units would require 394 spaces.

For retail uses, the required parking would be “1 space per 200 sq. ft. of floor area” with a ten percent reduction for being within the CU district. Therefore, the proposed 5,000 square feet (S.F.) of retail space would require 23 parking spaces based on the code ratios. The existing office building is currently served by 379 parking spaces. Based on the April 2018 determination from City staff, the existing office buildings are in conformance to City standards (see Attachment I). Therefore, the existing parking supply of 379 spaces was assumed for purposes of the office parking requirement.

Based on a strict application of the Zoning Ordinance, 796 spaces are required for the proposed Phase 1 uses as well as the existing off-site office building.

It is noted that based on the Applicant’s proffers, up to 3,020 sq. ft. of retail could be converted to up to three (3) loft-style apartment units. Under such a scenario, the Code parking requirements for the residential and retail uses would be reduced from 796 to 787 spaces and, therefore, the analysis in this memorandum would still apply. See Attachment II for additional information.

REQUESTED PARKING REDUCTION

As outlined above, Phase 1 of the planned development and existing office building would require a minimum of 796 parking spaces to meet a strict application of the Zoning Ordinance parking requirements (see Table 1). The Applicant is requesting an overall parking reduction of 10.8 percent (or up to 86 fewer spaces) than would be required by the Ordinance based on a proposed parking supply of 710 spaces.

MEMORANDUM

Specifically, the parking reduction considers the shared parking between a portion of the residential and office uses. Section 4.2.5.C.3 allows for a reduction of up to 50 percent of the residential requirement when residential and office parking are shared. Based on a residential requirement of 394 spaces, this provision would allow for a reduction of up to 197 spaces. **Thus, the proposed reduction of 86 spaces is within the limits of this provision.**

SHARED PARKING REDUCTION ANALYSIS

Shared parking is defined as “a parking space that can be used to serve two or more individual land uses without conflict or encroachment.” The approach to managing the parking demand at the Willowood Plaza is to provide a portion of dedicated parking for residents within the parking garage and take advantage of the variations in parking accumulation by residents, visitors, office workers and retail patrons.

Applying shared parking techniques provides a systematic way to apply appropriate adjustments for variations in parking demand patterns. Sharing parking resources attempts to provide a balance between providing adequate parking to support a development from a commercial viewpoint, while avoiding excessive costs, over building parking, and storm drainage and other environmental impacts.

A shared parking analysis employs the following steps as identified in the *Shared Parking, Third Edition* Manual:

1. Gather and review project data.
2. Select parking ratios.
3. Select factors and analyze differences in activity patterns.
4. Develop scenarios for critical parking need periods.
5. Adjust ratios for mode split and persons per car for each scenario.
6. Apply captive market adjustments for each scenario.
7. Calculate required parking spaces for each scenario.
8. Determine if the scenarios reflect all critical parking needs and management concerns.
9. Recommend a parking plan.

The ULI methodology has established recommended parking indices, hourly accumulations, and seasonal variations in parking for various land uses.

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MEMORANDUM

Table 1
N29 Willowwood
Development Program and Code Parking Summary ⁽¹⁾

Land Use	Buildout Conditions	
	Size	Units
Retail	5,000	SF GLA
Studio/1-Bedroom	164	D.U.
2 -Bedroom or more	96	D.U.
<i>Total Residential Apartments</i>	<i>260</i>	<i>D.U.</i>

Code Parking Required	Units/Size	Ratio (min)	Adjustment Factor	Parking Required
Retail (GFA)	5,000	1.0 per 200 SF	90%	23
Office	122,040	See Footnote 2	n/a	<u>379</u>
Commercial Parking Required				402
Phase 1 Residential Apartments				
1-Bedroom	164	1.50	90%	221
2 -Bedroom or more	<u>96</u>	2.00	90%	<u>173</u>
Apartment Parking Required	260	1.52		394
Total Parking Required	796	spaces		
Total Parking Provided	710	spaces		
Difference	(86)	spaces		
Percent	-10.8%			

Notes: (1) Based on Chapter 110, Article 4 of the City of Fairfax Zoning Ordinance.

(2) Based on the existing parking supply of 379 spaces

MEMORANDUM

Parking Analysis Assumptions

The shared parking assumptions are summarized below:

- The proposed 260 multifamily units would require 394 parking spaces based on the code ratios (1.5 spaces per 1-bedroom unit and 2.0 spaces for 2- or 3-bedroom unit) and applying a ten percent reduction for being within the CU zoning district.
- The proposed 5,000 square feet (S.F.) of retail space would require 23 parking spaces based on the code ratio of one (1) space per 200 S.F. floor area and applying a ten percent reduction being within for the CU zoning district.
- The existing office building requires 379 spaces based on the existing parking supply.
- A future parking supply of 710 parking spaces is proposed and includes the following:
 - 26 existing surface spaces (dedicated to office) on off-site Parcel 47-4-02-02-002
 - 676 spaces within proposed parking structure for this subject application of which:
 - 174 spaces dedicated to office
 - 234 spaces dedicated to multifamily units (0.9 spaces per unit)
 - 268 shared spaces
 - An additional eight (8) surface spaces are proposed within the subject site
- A minimum of 200 spaces would be required at all times to serve office users. It was assumed that office users would use the dedicated spaces first given the location adjacent to the office buildings. If office demand exceeded 200 spaces, the additional demand would be accommodated by the shared spaces.
- Up to 0.90 spaces per multifamily unit would be reserved at all times for each multifamily residential unit. The remaining 0.62 spaces per multifamily unit would be served by the shared parking spaces and would include surplus resident parking and visitors.
- The 23 retail parking spaces would be served by the shared parking spaces.

Shared Parking Methodology

The hourly parking demands for uses served by the shared spaces were calculated using the base rates described above and the hourly adjustment factors presented in the Urban Land Institute's (ULI) Shared Parking, Third Edition. Reserved parking spaces were treated as occupied during all hours. No additional adjustments for non-auto mode share or internal capture were assumed.

MEMORANDUM

Results

A summary of the hourly parking demands is shown in Table 2 and Figure 4. Based on the assumptions described above, a maximum of 700 parking spaces would be needed to accommodate the peak weekday parking requirement expected to occur at 10:00 AM. **The proposed parking supply of 710 spaces would provide a surplus of ten (10) parking spaces during this period. Thus, the proposed parking supply would adequately serve the site.**

As shown in Figure 3, parking would be available for residents in the evening and early morning when office parking demand is low. In addition, parking spaces would be available on weekends when there is low office parking demand.

As noted previously, based on the Applicant's proffers, up to 3,020 sq. ft. of retail could be converted to up to three (3) loft-style apartment units. Under such a scenario, the 1,080 spaces would be required to accommodate weekday parking demands, four (4) fewer spaces than the results described above. See Attachment I for additional information.

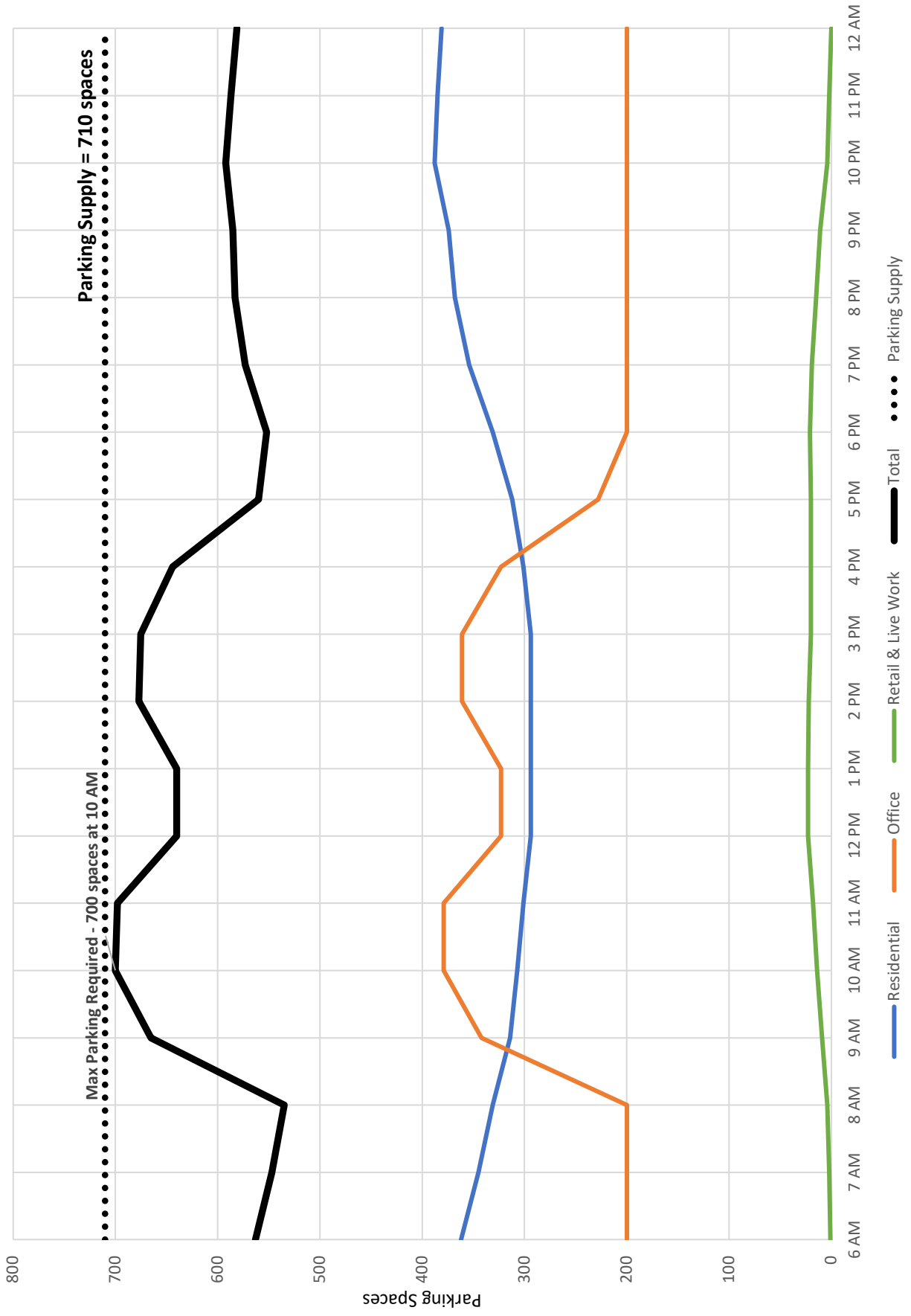
MEMORANDUM

Table 2
N29 Willowwood
Weekday Shared Parking Demand

	Hour of Day																		
	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Retail	1%	5%	15%	35%	60%	75%	100%	100%	95%	85%	85%	85%	90%	80%	65%	45%	15%	5%	0%
Visitors																			
Employee	3%	15%	50%	90%	100%	100%	85%	85%	95%	95%	85%	60%	25%	15%	5%	3%	1%	0%	0%
Residential Apartments	0%	10%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%
Visitors																			
Residents	95%	80%	67%	55%	50%	45%	40%	40%	40%	40%	45%	50%	60%	70%	80%	85%	95%	97%	100%
Retail - Within Shared Spaces	1	2	4	9	14	18	23	23	22	20	20	20	21	19	15	11	4	2	-
Employee	-	-	-	142	179	179	123	123	161	161	123	28	-	-	-	-	-	-	-
Office - Within Dedicated Spaces	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200
Visitors	-	3	6	6	6	6	6	6	6	6	6	6	11	16	26	26	26	21	13
Residential - Shared Spaces	128	108	91	74	67	61	54	54	54	54	61	67	81	94	108	114	128	130	134
Residents	234	234	234	234	234	234	234	234	234	234	234	234	234	234	234	234	234	234	234
Totals Parking Required	563	547	535	665	700	698	640	640	640	677	675	644	560	552	573	583	585	587	581
Difference	147	163	175	45	10	12	70	70	70	33	35	66	150	158	137	127	125	118	123

Office Parking Summary	
Spaces Required by Office	379 spaces
Dedicated Garage Spaces	200 spaces
Balance in Shared Area	179 spaces
Assumed to be in shared area 23 spaces	
Retail Parking Summary	
Assumed to be in shared area 23 spaces	
Multifamily Residential Parking Summary	
Number of Units	260 units
Total Parking Required	394 spaces
Dedicated Residential Spaces	234 spaces
Balance in Shared Area	160 spaces
Visitors in Shared in Shared Area	26 spaces
Residents in Shared in Shared Area	134 spaces
0.9 Reserved Spaces per Unit	
Summary	
Parking Supply	710 spaces
Maximum Parking Demand (10 AM)	700 spaces
Difference	10 spaces

Figure 4 - Hourly Parking Requirements



MEMORANDUM

CONCLUSIONS

Based on the documentation provided herein, the following can be concluded:

1. A parking reduction is proposed for the Phase 1 uses which include 260 multifamily residential units and 5,000 S.F. of retail space. The parking reduction is based on the nature of the proposed residential uses and the sharing of spaces between Phase 1 uses and the existing office building.
2. Based on a strict application of the Zoning Ordinance, 796 spaces are required for the proposed Phase 1 uses as well as the existing off-site office building.
3. A future parking supply of 710 parking spaces is proposed and includes parking within the subject site as well as parking on the office parcel.
4. The Applicant is requesting an overall parking reduction of 10.8 percent reduction (or up to 88 fewer spaces) than would be required by the Ordinance.
5. Based on the shared parking analysis, a maximum of 700 parking spaces would be needed to accommodate the peak weekday parking requirement expected to occur at 10:00 AM. Parking would be available for residents in the evening and early morning when office parking demand is low. In addition, parking spaces would be available on weekends when there is low office parking demand.
6. The proposed parking reduction is compatible with parking reduction criteria outlined in Zoning Ordinance Section 4.2.5.C.3.

Questions regarding this document should be directed to Wells + Associates.

At achment I
April 2018 Parking Determination

ZONING LETTER



City of Fairfax, Virginia

10455 Armstrong Street • Fairfax, VA 22030-3630
703-385-7930 • www.fairfaxva.gov

April 12, 2018

JoAnna L. Ball, Paralegal
Grossberg, Yochelson, Fox & Beyda LLP
1200 New Hampshire Avenue NW, Suite 555
Washington, DC 20036-6814

RE: 10300 and 10306 Eaton Place
Tax Map Parcels 47-4-02-02-000A & 001; 47-4-02-02-002

Dear Ms. Ball:

In response to your request for information regarding the compliance of the above-referenced property with the applicable sections of the Zoning Ordinance for the City of Fairfax, I have prepared the following summary:

The subject property is located within the CR Commercial Retail District and the Architectural Control Overlay District. The CR District allows for offices, general business and retail establishments and applicable accessory uses. The Principal Use Table (enclosed) lists uses allowed in each zoning district. Please follow the column title "CR" to find all uses that are either permitted by-right (P) or with a special use approval (S). The regulations regarding the allowed uses in the CR District, and the use standards, can be found in the Code of the City of Fairfax, Chapter 110 Article 3. The standards for site development, including minimum required parking (enclosed), can be found in Article 4.

Development on the property is also subject to review under the Erosion and Sediment Control regulations of City Code Section 110-6.12 and the Storm Drainage Facility requirements of Section 110-4.16. There is a portion of the property (south of Eaton Place, parcel 000A) within the bounds of the Resource Protection Area and that would be subject to Chesapeake Bay Preservation Area regulations of Section 110-6.13. The same area is also within the bounds of the official city floodplain that is subject to Section 110-4.15. The City's Zoning Ordinance in its entirety may be accessed online at www.fairfaxva.gov.

The following land use approvals have been granted for the subject site and the approval documents are enclosed:

V-949-84-1 Variance to the parking setback requirement subject to the condition that 1,576 parking spaces be provided.
Approved 11/6/84.

- V-953-84-1 Variance to allow building height at 74 feet instead of 60 feet.
Approved 12/11/84.
- V-974-85-1 Variance to allow fill and parking in a portion of the floodplain.
Approved 3/6/85.

Architectural review approvals have been provided as follows and the approval documents are enclosed:


- #499-85-1 Construction of two office buildings (phase 1), 7/31/85.
 #504-85-1 Construction of Commonwealth Corporate Center (phase 2), 9/4/85.
 #537-86-1 Construction of four, five-story office buildings in two phases, 6/18/86.
 #537-86-2 Changes to rear facades of four office buildings, 2/3/86.
 #537-87-2 Alter exterior facades of four office buildings, 3/18/87.
 #537-88-5 Build a new entrance, 4/20/88.
 #537-88-4 Amend approved landscape design to include the rear of Fairfax Shopping Center, 1/6/88.
 #537-12-9 Approved Master Sign Plan, 5/23/12.
 #A-537-12-10 Approved change from revolving to swinging doors.
 #14100115 Installation of LED lighting fixtures in parking lot.

The site plan (#1267) was approved for Commonwealth Corporate Center on April 7, 1986 (excerpts enclosed) to allow office uses. Subsequent changes to the zoning ordinance may have rendered aspects of the development legally nonconforming. The current zoning regulations regarding legal nonconformities may be found in Article 7 of the zoning ordinance, and a copy is enclosed.

Currently, there are no known zoning violations on the subject site.

If you have any further questions or concerns, please contact me at (703) 385-7820.

Sincerely,


Michelle D. Coleman
Zoning Administrator

Enclosures

Bonnie Griggs

From: Coleman, Michelle <michelle.coleman@fairfaxva.gov>
Sent: Friday, March 30, 2018 2:11 PM
To: Bonnie Griggs
Subject: RE: 10300 Eaton Pl & 10316 Eaton Pl, Fairfax VA
Attachments: Xerox Scan

Hello Bonnie,
There isn't an expedited process for responding to requests for compliance letters.

Here is a little information, although this is not the final ZCL response:
Willowood I & II – located at 10300 and 10306 Eaton Place is zoned for commercial use which includes office and retail. As I mentioned on the phone I haven't yet found any approved changes to the site plans that have occurred since the last compliance letter that was produced in 2006. Attached are the certificates for the "building shell" that were issued in 1988 (very poor quality in the original documents). Although there may be some nonconforming site features, the City is unaware of any known zoning violations at this time.

Intend to have the final formal letters to you by end of next week.
Have a great Easter weekend!



Michelle Coleman
Zoning Administrator/Deputy Director
Community Development and Planning

703.385.7820 **Office**

From: Bonnie Griggs [mailto:bgriggs@bockandclark.com]
Sent: Friday, March 30, 2018 11:15 AM
To: Coleman, Michelle <michelle.coleman@fairfaxva.gov>
Subject: FW: 10300 Eaton Pl & 10316 Eaton Pl, Fairfax VA

Ms. Coleman,

I hope you are well today. I have question regarding ZCL #18-00181 & 18-00182. I was wondering if there is a way to expedite the request and what the fee would be? Also can you provide a copy of the certificate of occupancies for both properties. If a copy is not available can you tell me if the lack of a copy will cause any adverse or enforcement action against the property?

Respectfully,

Bonnie Griggs
Research Assistant
Bock & Clark Corporation - an NV5 Company
3000 S. Berry Rd, Ste 150
Norman OK 73072

Bonnie Griggs

From: Coleman, Michelle <michelle.coleman@fairfaxva.gov>
Sent: Monday, April 16, 2018 12:47 PM
To: Bonnie Griggs
Cc: ball@gyfb.com
Subject: RE: Zoning Compliance Letter 10300 & 10306 Eaton Place
Attachments: willowwood ZCL ltr supplement plat SP384.pdf; willowwood ZCL ltr supplement SP455.pdf; willowwood ZCL ltr supplement variance plan.pdf; willowwood ZCL ltr supplement variance.pdf

Good afternoon Bonnie,

The variance approved on November 6, 1984 included a condition that 1,576 parking spaces would be provided on the subject property to satisfy the total required parking for the proposed development on 24.4864 acres. The application form for the variance includes the total acreage of the subject property and will be sent along with the mailed hard copy. This was not included in last week's emailed Zoning Compliance Letter (ZCL) response. Unfortunately the tabulation on the variance plan that appears to represent the parking tabulation is not easy to read and there isn't a clearer copy. The zoomed-image of the tabulation is included with the hard copy. However, there are better tabulations on the plats and site plan that were part of the ZCL response and the 11x17s being mailed should be a little easier to read.

The plats and site plan approved in 1985 show that based on net floor area a total of 1,472 ps were required and a total of 1,576 parking spaces were provided which satisfied the variance condition and yielded 394 parking spaces per building where 368 spaces were required. Consequently, in order to achieve full compliance the existing parking must provide the minimum required number of parking spaces on each parcel and for the overall development total as shown on the plat/plan.

The site plan pages that I numbered 13 thru 18 in last week's emailed response will be sent in 11x17-sized pages with the ZCL hard copy to you and Ms. Ball. The information is also attached to this message for reference.

Hope this answers your question.



Michelle Coleman
Zoning Administrator/Deputy Director
Community Development and Planning

703.385.7820 Office

From: Bonnie Griggs [mailto:bgriggs@bockandclark.com]
Sent: Friday, April 13, 2018 12:25 PM
To: Coleman, Michelle <michelle.coleman@fairfaxva.gov>
Subject: RE: Zoning Compliance Letter 10300 & 10306 Eaton Place

Michelle,

Can you tell me is it clear that so long as the buildings we are researching have the required amount of parking there is no issue if the other buildings do not have theirs?

At achment II
Supplemental Parking Analysis
(Residential Option)

Table II-1
 N29 Willowwood
 Development Program and Code Parking Summary ⁽¹⁾

Land Use	Buildout Conditions	
	Size	Units
Retail	1,980	SF GLA
Studio/1-Bedroom	164	D.U.
2 -Bedroom or more	99	D.U.
<i>Total Residential Apartments</i>	<i>263</i>	<i>D.U.</i>

Code Parking Required	Units/Size	Ratio (min)	Adjustment Factor	Parking Required
Retail (GFA)	1,980	1.0 per 200 SF	90%	9
Office	122,040	See Footnote 2	n/a	<u>379</u>
Commercial Parking Required				388
Phase 1 Residential Apartments				
1-Bedroom	164	1.50	90%	221
2 -Bedroom or more	<u>99</u>	2.00	90%	<u>178</u>
Apartment Parking Required	263	1.52		399
Total Parking Required	787	spaces		
Total Parking Provided	710	spaces		
Difference	(77)	spaces		
Percent	-9.8%			

Notes: (1) Based on Chapter 110, Article 4 of the City of Fairfax Zoning Ordinance.

(2) Based on the existing parking supply of 379 spaces

Table II-2
N29 Willowwood
Weekday Shared Parking Demand

	Hour of Day																		
	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Retail	1%	5%	15%	35%	60%	75%	100%	100%	95%	85%	85%	85%	90%	80%	65%	45%	15%	5%	0%
Visitors																			
Employee	3%	15%	50%	90%	100%	100%	85%	85%	95%	95%	85%	60%	25%	15%	5%	3%	1%	0%	0%
Residential Apartments	0%	10%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%
Visitors																			
Residents	95%	80%	67%	55%	50%	45%	40%	40%	40%	40%	45%	50%	60%	70%	80%	85%	95%	97%	100%
Retail - Within Shared Spaces	1	1	2	4	6	6	7	9	9	8	8	8	8	8	6	5	2	1	-
Office - Within Shared Spaces	-	-	-	142	179	179	179	123	123	161	123	28	-	-	-	-	-	-	-
Office - Within Dedicated Spaces	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200
Residential	-	3	6	6	6	6	6	6	6	6	6	11	16	26	26	26	26	21	13
Residential - Shared Spaces	130	109	92	75	68	62	55	55	55	55	62	68	82	96	109	116	130	132	136
Residents	237	237	237	237	237	237	237	237	237	237	237	237	237	237	237	237	237	237	237
Totals Parking Required	568	550	537	664	696	691	630	630	668	667	636	552	544	567	578	584	595	591	586
Difference	142	160	173	46	14	19	80	80	42	43	74	158	166	143	132	126	115	119	124

Office Parking Summary

Spaces Required by Office 379 spaces
 Dedicated Garage Spaces 200 spaces
 Balance in Shared Area 179 spaces

Retail Parking Summary

Assumed to be in shared area 9 spaces

Multifamily Residential Parking Summary

Number of Units 263 units
 Total Parking Required 399 spaces
 Dedicated Residential Spaces 237 spaces
 Balance in Shared Area 162 spaces
 Visitors in Shared in Shared Area 26 spaces
 Residents in Shared in Shared Area 136 spaces

Summary

Parking Supply 710 spaces
 Maximum Parking Demand (10 AM) 696 spaces
 Difference 14 spaces

Fiscal Impact Estimate - N29 WillowWood Phase I SUMMARY

	Potential Redevelopment LOW	Potential Redevelopment HIGH
RESIDENTIAL REVENUES		
Real Estate Tax	\$895,000	\$1,093,000
BPOL (Rental Tax)	\$18,000	\$22,000
Personal Property Tax	\$257,000	\$315,000
Retail Sales Tax (1%)	\$14,000	\$18,000
Restaurant Tax (1% + 4%)	\$18,000	\$22,000
TOTAL	\$1,202,000	\$1,470,000
RESIDENTIAL EXPENSES		
Education	\$460,000	\$563,000
Police/Fire	\$287,000	\$351,000
Misc. Gov't	\$485,000	\$593,000
TOTAL	\$1,232,000	\$1,507,000
COMMERCIAL REVENUES		
Real Estate Tax	\$32,000	\$37,000
BPOL (Rental Tax)	\$1,000	\$1,000
Retail Sales Tax (1%)	\$13,000	\$15,000
Restaurant Tax (4%)	\$18,000	\$22,000
<i>(Less 1/8 resident spending)</i>	<i>(\$4,000)</i>	<i>(\$5,000)</i>
Retail/Restaurant BPOL/BPP	\$4,000	\$4,000
Office BPOL/BPP	\$2,000	\$3,000
TOTAL	\$66,000	\$77,000
COMMERCIAL EXPENSES		
Police/Fire	\$4,000	\$5,000
Misc. Gov't	\$5,000	\$6,000
TOTAL	\$9,000	\$11,000
BALANCE	-\$250,000	\$306,000



City of Fairfax, Virginia

10455 Armstrong Street · Fairfax, VA 22030-3630

703-385-7930 · www.fairfaxva.gov

May 3, 2024

VIA CERTIFIED MAIL

Re: Public Hearing / Z-22-00583

Dear Property Owner:

Current City real estate records indicate that you are the owner of land near or adjacent to the property which is the subject of the above-referenced application. Pursuant to City Code Section 110-6.B.2 you are **hereby notified that the City Council at its meeting on Tuesday, May 14, 2024 at 7:00 p.m. in City Hall Annex, Room 100, 10455 Armstrong Street, will hold a public hearing to consider the following:**

Z-22-00583

Request from Capital City Real Estate, LLC, applicant, by Cozen O'Connor, agent/attorney, for consideration of a Zoning Map Amendment (Rezoning) pursuant to City Code Section 110-6.4 from CR Commercial Retail to CU Commercial Urban with proffers while retaining the Architectural Control Overlay District (ACOD); special use permit to allow an upper-story mixed use building that consists of up to 260 multifamily units with 5,000 square feet of retail space; special exceptions and a major certificate of appropriateness for architecture and landscaping on the premises identified as 10306 Eaton Place (on a portion of Tax Map 47-4-02-02-002).

You are entitled to speak at the public hearing, or you may submit written testimony. A copy of the application is available for review in the Department of Community Development and Planning, Annex Room 207, City Hall.

If you have questions regarding the application, please call the Zoning Office at 703-385-7820.

Sincerely,

Albert Frederick
Planner III

cc: Jason Sutphin



City of Fairfax, Virginia

10455 Armstrong Street · Fairfax, VA 22030-3630

703-385-7930 · www.fairfaxva.gov

May 3, 2024

VIA CERTIFIED MAIL AND EMAIL TO: tracy.strunk@fairfaxcounty.gov
VIA EMAIL: dpzmailforzprb@fairfaxcounty.gov, kelly.atkinson@fairfaxcounty.gov

Tracy Strunk, Director
Department of Planning and Development
12055 Government Center Parkway, Suite 1048
Fairfax, Virginia 22035

Re: Public Hearing / Z-22-00583

Pursuant to Section 15.2-2204 (amended) of the Code of Virginia, enclosed is the legal notification for the above-referenced application. For additional information, please call the Department of Community Development and Planning at 703-385-7930 or Jason Sutphin at jason.sutphin@fairfaxva.gov

Sincerely,

A handwritten signature in black ink that reads "Jason D. Sutphin".

Jason D. Sutphin
Division Chief, Community Development
Department of Community Development and Planning
(703) 293-7155
jason.sutphin@fairfaxva.gov

Enclosure

NOTICE OF PUBLIC HEARING
CITY OF FAIRFAX, VIRGINIA

Notice is hereby given that the City Council of the City of Fairfax at its meeting on Tuesday, May 14, 2024, at 7 p.m. in City Hall Annex, Room 100, 10455 Armstrong Street, Fairfax, Virginia, 22030, will hold a public hearing to consider the following:

Z-22-00583

Request from Capital City Real Estate, LLC, applicant, by Cozen O'Connor, agent/attorney, for consideration of a Zoning Map Amendment (Rezoning) pursuant to City Code Section 110-6.4 from CR Commercial Retail to CU Commercial Urban with proffers while retaining the Architectural Control Overlay District (ACOD); special use permit to allow an upper-story mixed use building that consists of up to 260 multifamily units with 5,000 square feet of retail space; special exceptions and a major certificate of appropriateness for architecture and landscaping on the premises identified as 10306 Eaton Place (on a portion of Tax Map 47-4-02-02-002).

All interested parties are invited to attend the public hearing and express their views. Staff reports will be available five (5) days prior to the meeting date in the Office of Community Development & Planning, Annex Room 207, City Hall, 10455 Armstrong Street, and on the City of Fairfax webpage at www.fairfaxva.gov. The City will make reasonable accommodations for the disabled upon request received at least five days prior to the meeting; please call 703-385-7930, (TTY 711) for assistance.

Melissa Shinaberry, Clerk

May 3, 2024

May 10, 2024

TRACY STRUNK, DIRECTOR
DEPARTMENT OF PLANNING &
DEVELOPMENT
12055 GOVERNMENT CENTER PKWY STE
1048
FAIRFAX VA 22035

COUNTRY CLUB HILLS CIVIC ASSOC
KATY JOHNSON
10232 SPRING LAKE TER
FAIRFAX VA 22030

NICK CAINE **VIA EMAIL**
MCWILLIAMS BALLARD
1029 N. ROYAL ST, STE 301
ALEXANDRIA VA 22314

LIMEWOOD MEWS HOA
ERIC WILSON
3707 JENNY LYNNE LN
FAIRFAX VA 22030

WILLOWWOOD OFFICE OWNER LLC
C/O ARES US REAL ESTATE FUND IX LP
245 PARK AVENUE 42ND FLOOR
NEW YORK NY 10167

MOSBY WOODS COMMUNITY ASSOC
ROBERT REINSEL
3134 CONCORD CIR
FAIRFAX VA 22030

GI ETS FAIRFAX LLC
C/O GI PARTNERS
6720 N SCOTTSDALE RD STE 35
PARADISE VALLEY AZ 85253-4456

MOSBY WOODS CONDO ASSOC
R. JEROME BROWN
10129 FAIR WOODS DR
FAIRFAX VA 22030

KENWOOD EATON PLACE LLC
5272 RIVER RD STE 725
BETHESDA MD 20816

WINDY HILL OWNERS ASSOC
MARK MACHEN
3571 SHARPES MEADOW LN
FAIRFAX VA 22030

FAIRFAX LTD II, LLC
5500 MACARTHUR BLVD N.W.
WASHINGTON DC 20016

FAIRFAX REGENCY LLC
C/O PROPERTY TAX DEPT
P.O. BOX 790830
SAN ANTONIO TX 78279-0830

ERWIN FOUR ACRES LLC
1584 MAYFLOWER CT
WINTER PARK FL 32792

ASSEMBLY HOMEOWNERS ASSOC
MATT MOORE
10506 ASSEMBLY DR
FAIRFAX VA 22030

COBBDALE CIVIC ASSOCIATION, INC
ASHLEY WILCOX-ROSENLUND
3513 WILSON ST
FAIRFAX VA 22030

Unofficial Property Record Card - Fairfax, VA

General Property Data

Parcel ID 47 4 02 02 001	Account Number 70446
Property Owner WILLOWWOOD OFFICE OWNER LLC C/O ARES US REAL ESTATE FUND IX LP	Property Location 10300 EATON PL FAIRFAX
Mailing Address 245 PARK AVENUE 42ND FLOOR	Property Use
City NEW YORK	Most Recent Sale Date 6/8/2018
Mailing State NY Zip 10167	Legal Reference 25440-0407
ParcelZoning Commercial Retail	Grantor U.S. BANK NATIONAL ASSOCIATION
Tax Exempt No	Sale Price 22,300,000
	Land Area 4.495 acres
	Type Commerical Multiparcel Bank Sale

Current Property Assessment

Card 1 Value	Land Value 7,342,900	Building Value 10,577,300	Total Value 17,920,200
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Building Description

Building Style OFFICE	# of Living Units 0	Flooring Type N/A
Year Built 1987	Roof Structure N/A	Heating Type N/A
Building Grade Average	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding Brick	Air Conditioning 0%
Above Grade Floor Area (SF) 138,860	Interior Walls Drywall	# of Fireplaces 0
Total Floor Area (SF) 138,860	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

Legal Description

COMNWLTH CORP CTR LOT 1 - 195810 SF 7144-389

Narrative Description of Property

This property contains 4.495 acres of land mainly classified as with a(n) OFFICE style building, built about 1987 , having Brick exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Disclaimer/Privacy Policy

Under Virginia State law these records are public information. Display of this information on the internet is specifically authorized by Va. Code 58.1-3122.2 (1998). See the [Virginia State Code](#) to read the pertinent enabling statute. Owner names will be withheld from the Internet record upon request.

While the City of Fairfax has attempted to ensure that the data contained in this file and displayed on this site is accurate and reflects the property's characteristics, the City of Fairfax makes no warranties, express or implied, concerning the accuracy, completeness, reliability, or suitability of this data. The City of Fairfax does not assume any liability associated with the use or misuse of this data.

Unofficial Property Record Card - Fairfax, VA

General Property Data

Parcel ID 47 4 02 02 004
Property Owner GI ETS FAIRFAX LLC
C/O GI PARTNERS
Mailing Address 6720 N SCOTTSDALE RD STE 35

City PARADISE VALLEY
Mailing State AZ Zip 85253-4456
Parcel Zoning Commercial Retail
Tax Exempt No

Account Number 70479
Property Location 10302 EATON PL FAIRFAX
Property Use
Most Recent Sale Date 8/1/2022
Legal Reference 27726-0251
Grantor WILLOWWOOD PROPERTY LLC
Sale Price 58,600,000
Land Area 3.381 acres
Type Comm. multi-parcel

Current Property Assessment

Card 1 Value Land Value 5,523,000 Building Value 18,078,700 Total Value 23,601,700

Building Description

Building Style OFFICE	# of Living Units 0	Flooring Type N/A
Year Built 2000	Roof Structure N/A	Heating Type N/A
Building Grade Average	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding Brick	Air Conditioning 0%
Above Grade Floor Area (SF) 142,648	Interior Walls Drywall	# of Fireplaces 0
Total Floor Area (SF) 142,648	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

Utilities Information

Water Public Water Available
Sewer Public Sewer Available

Legal Description

COMNWLTH CORP CTR LT 4 - 147279 SF 6382-552

Narrative Description of Property

This property contains 3.381 acres of land mainly classified as with a(n) OFFICE style building, built about 2000 , having Brick exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Disclaimer/Privacy Policy

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Unofficial Property Record Card - Fairfax, VA

General Property Data

Parcel ID 47 4 02 02 003
Property Owner GI ETS FAIRFAX LLC
C/O GI PARTNERS
Mailing Address 6720 N SCOTTSDALE RD STE 35

City PARADISE VALLEY
Mailing State AZ Zip 85253-4456
ParcelZoning Commercial Retail
Tax Exempt No

Account Number 70468
Property Location 10304 EATON PL FAIRFAX
Property Use
Most Recent Sale Date 8/1/2022
Legal Reference 27726-0251
Grantor WILLOWWOOD PROPERTY LLC
Sale Price 58,600,000
Land Area 3.278 acres
Type Comm. multi-parcel

Current Property Assessment

Card 1 Value Land Value 5,354,100 Building Value 15,414,900 Total Value 20,769,000

Building Description

Building Style OFFICE	# of Living Units 0	Flooring Type N/A
Year Built 2000	Roof Structure N/A	Heating Type N/A
Building Grade Average	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding Brick	Air Conditioning 0%
Above Grade Floor Area (SF) 135,942	Interior Walls Drywall	# of Fireplaces 0
Total Floor Area (SF) 135,942	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

Utilites Information

Water Public Water Available
Sewer Public Sewer Available

Legal Description

COMNWLTH CORP CTR LT 3 - 142776 SF 6382-552

Narrative Description of Property

This property contains 3.278 acres of land mainly classified as with a(n) OFFICE style building, built about 2000 , having Brick exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Disclaimer/Privacy Policy

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Unofficial Property Record Card - Fairfax, VA

General Property Data

Parcel ID 47 4 02 02 002	Account Number 70457
Property Owner WILLOWWOOD OFFICE OWNER LLC C/O ARES US REAL ESTATE FUND IX LP	Property Location 10306 EATON PL FAIRFAX
Mailing Address 245 PARK AVE 42ND FLOOR	Property Use
City NEW YORK	Most Recent Sale Date 6/8/2018
Mailing State NY Zip 10167	Legal Reference 25440-0407
ParcelZoning Commercial Retail	Grantor U.S. BANK NATIONAL ASSOCIATION
Tax Exempt No	Sale Price 22,300,000
	Land Area 4.494 acres
	Type Commerical Multiparcel Bank Sale

Current Property Assessment

Card 1 Value	Land Value 7,340,300	Building Value 10,077,200	Total Value 17,417,500
--------------	----------------------	---------------------------	------------------------

Building Description

Building Style OFFICE	# of Living Units 0	Flooring Type N/A
Year Built 1987	Roof Structure N/A	Heating Type N/A
Building Grade Average	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding Brick	Air Conditioning 0%
Above Grade Floor Area (SF) 138,860	Interior Walls Drywall	# of Fireplaces 0
Total Floor Area (SF) 138,860	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

Legal Description

COMNWLTH CORP CTR LT 2 - 195742 SF 7144-389

Narrative Description of Property

This property contains 4.494 acres of land mainly classified as with a(n) OFFICE style building, built about 1987 , having Brick exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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Unofficial Property Record Card - Fairfax, VA

General Property Data

Parcel ID 47 4 02 002 C
Property Owner KENWOOD EATON PLACE LLC

Account Number 339
Property Location 10400 EATON PL FAIRFAX
Property Use

Mailing Address 5272 RIVER RD STE 725

Most Recent Sale Date 11/5/2019
Legal Reference 25967-0559

City BETHESDA
Mailing State MD Zip 20816

Grantor PDC EATON PLACE LLC
Sale Price 10,516,963

Parcel Zoning Commercial Retail
Tax Exempt No

Land Area 3,531 acres
Type Commercial-General

Current Property Assessment

Card 1 Value Land Value 5,767,500 Building Value 7,524,200 Total Value 13,291,700

Building Description

Building Style OFFICE	# of Living Units 0	Flooring Type N/A
Year Built 1978	Roof Structure Flat	Heating Type N/A
Building Grade Average	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding Concrete	Air Conditioning 0%
Above Grade Floor Area (SF) 110,000	Interior Walls Drywall	# of Fireplaces 0
Total Floor Area (SF) 110,000	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

Utilities Information

Water Public Water Available
Sewer Public Sewer Available

Legal Description

EATON PROP, PCL 1A,1B-174240 SF (9593-1665); LESS DEDICATION (21249-1172) [153,800 SF/3.53 AC (NEW AREA)]

Narrative Description of Property

This property contains 3.531 acres of land mainly classified as with a(n) OFFICE style building, built about 1978 , having Concrete exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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Unofficial Property Record Card - Fairfax, VA

General Property Data

Parcel ID 57 2 02 002
Property Owner FAIRFAX LTD II, LLC

Mailing Address 5500 MACARTHUR BLVD N.W.

City WASHINGTON
Mailing State DC Zip 20016

ParcelZoning Commercial Retail
Tax Exempt No

Account Number 13925

Property Location 3541 CHAIN BRIDGE RD FAIRFAX

Property Use

Most Recent Sale Date 9/27/2012

Legal Reference 22589-1226

Grantor DANIEL HELENE C ETAL

Sale Price 0

Land Area 2.090 acres

Type No Consideration

Current Property Assessment

Card 1 Value

Land Value 3,868,600

Building Value 273,100

Total Value 4,141,700

Building Description

Building Style OFFICE
Year Built 1973
Building Grade Average
Building Condition N/A
Above Grade Floor Area (SF) 33,386
Total Floor Area (SF) 33,386
Number Rooms 0

of Living Units 0
Roof Structure Hip
Roof Cover Asphalt
Siding Brick
Interior Walls Drywall
of Bedrooms 0
of 1/2 Baths 0

Flooring Type N/A
Heating Type N/A
Heating Fuel N/A
Air Conditioning 0%
of Fireplaces 0
of Full Baths 0

Utilites Information

Water Public Water Available
Sewer Public Sewer Available

Legal Description

EATON TRACT PCL 1B - 91027 SF 4523-478

Narrative Description of Property

This property contains 2.090 acres of land mainly classified as with a(n) OFFICE style building, built about 1973 , having Brick exterior and Asphalt roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Disclaimer/Privacy Policy

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Unofficial Property Record Card - Fairfax, VA

General Property Data

Parcel ID 57 2 02 028 B
Property Owner FAIRFAX REGENCY LLC
C/O PROPERTY TAX DEPT
Mailing Address P.O. BOX 790830

City SAN ANTONIO
Mailing State TX Zip 78279-0830
Parcel Zoning Commercial Retail
Tax Exempt No

Account Number 702749
Property Location 10330 FAIRFAX BLVD FAIRFAX
Property Use
Most Recent Sale Date 5/20/2019
Legal Reference 25751-1368
Grantor FAIRFAX REGENCY LLC
Sale Price 0
Land Area 5.562 acres
Type New Subdivision (new parcel created from)
INFO

Current Property Assessment

Card 1 Value Land Value 9,084,800 Building Value 10,363,800 Total Value 19,448,600

Building Description

Building Style SHOP CTR	# of Living Units 0	Flooring Type N/A
Year Built 2019	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Above Grade Floor Area (SF) 38,767	Interior Walls Drywall	# of Fireplaces 0
Total Floor Area (SF) 38,767	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

Utilities Information

Water Public Water Available
Sewer Public Sewer Available

Legal Description

CONSOLIDATION 28,29,30,31 (POINT 50) LOT 28 B 264,085 SF DB 25751 PG 1368 LESS/EXCEPT (21,824 SF) PER DB 26483 PG 0620; NOW 242,261 SF

Narrative Description of Property

This property contains 5.562 acres of land mainly classified as with a(n) SHOP CTR style building, built about 2019, having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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Unofficial Property Record Card - Fairfax, VA

General Property Data

Parcel ID 57 2 02 027
Property Owner ERWIN FOUR ACRES LLC

Mailing Address 1584 MAYFLOWER CT

City WINTER PARK
Mailing State FL Zip 32792

ParcelZoning Commercial Retail
Tax Exempt No

Account Number 17623

Property Location 10450 FAIRFAX BLVD FAIRFAX

Property Use

Most Recent Sale Date 9/1/2015

Legal Reference 24273-0007

Grantor RUFFINI ROBERT J (TRS)

Sale Price 0

Land Area 3.085 acres

Type Quit Claim

Current Property Assessment

Card 1 Value

Land Value 5,712,200

Building Value 149,800

Total Value 5,862,000

Building Description

Building Style AUTO DEALR	# of Living Units 0	Flooring Type N/A
Year Built 1962	Roof Structure N/A	Heating Type N/A
Building Grade Average	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Above Grade Floor Area (SF) 0	Interior Walls Drywall	# of Fireplaces 0
Total Floor Area (SF) 0	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

Utilites Information

Water Public Water Available
Sewer Public Sewer Available

Legal Description

FAIRFAX 173,390 SF PER DEED BK 25235 PG 1859, LESS AND EXCEPT 38,986 SF (NOW 134,404 SF) PER CERTIFICATE OF TAKE AT DB 26483 PG 0605.

Narrative Description of Property

This property contains 3.085 acres of land mainly classified as with a(n) AUTO DEALR style building, built about 1962, having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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Civic Associations

If your association has a new president, or if you would like to add your civic association to our listing, [click here for the online form](#).

Aspen Grove Community Association

Mr. Bryan Sullivan
10235 Aspen Willow Drive
Fairfax, VA 22032
[email](#)

Assembly Homeowners Association

Mr. Matt Moore
10506 Assembly Drive
Fairfax, VA 22030
[email](#)

Avery Park Fairfax Homeowner Association

Mrs. Sabeen Ahmed
10833 Linda St.
Fairfax, VA 22030
703-622-5358
[email](#)

Barrister's Keepe Homeowners Association [See website](#)

Mr. Frank McGann
3495 Barrister's Keepe Circle
Fairfax, VA 22031
703-352-7577
[email](#)

The Boltons Homeowners Association

Mr. Derek Heinbach
9823 Bolton Village Court
Fairfax, VA 22032
757-635-1339
[email](#)

Breckinridge Lane Homeowners Association [See website](#)

Dr. William Douglas Figg
10451 Breckinridge Lane
Fairfax, VA 22030
240-338-6898

703-591-6950

[email](#)

Clarks Corner Homeowner Association [See website](#)

Mr. Stephen Weis

4033 Colonel Mendez Way

Fairfax, VA 22032

703-772-9000

[email](#)

Cobbdale Civic Association, Inc. [See website](#)

Ashley Wilcox-Rosenlund

3513 Wilson St.

Fairfax, VA 22030

[email](#)

Comstock Homeowners Association [See website](#)

Mr. Keith Lattman

3859 Wilcoxson Drive

Fairfax, VA 22031

703-309-4443

[email](#)

Country Club Hills Civic Association [See website](#)

Ms. Katy Johnson

10232 Spring Lake Terrace

Fairfax, VA 22030

703-283-6272

[email](#)

Courthouse Square Civic Association (Section I)

Ms. Connie Mowdy

10434 Armstrong St.

Fairfax, VA 22030

703-352-0438

[email](#)

Crestmont Homeowners Association [See website](#)

Mr. Bill Bozin

4120 Trowbridge St.

Great Oaks Homeowners Association [See website](#)

Mr. David Mueller
3416 White Oaks Court
Fairfax, VA 22030
252-349-7037
[email](#)

Historic Fairfax Neighborhood Association

Julie Knight
3805 Keith Ave.
Fairfax, VA 22030
[email](#)

John Trammell Commons Homeowners Association

Ms. Jacki Ferry
4105 John Trammel Court
Fairfax, VA 22030
703-371-2632
[email](#)

Kirkwood Homeowners Association

Ms. Susan Barborek
9802 Kirktree Court
Fairfax, VA 22032
703-273-9723
[email](#)

Linewood Mews Homeowners Association

Mr. Eric Wilson
3707 Jenny Lynne Lane
Fairfax, VA 22030
[email](#)

Little River Hills Civic Association

Mrs. Zinta Rodgers-Rickert
3822 Mode St.
Fairfax, VA 22031
703-304-1150
[email](#)

Lyndhurst Condominium Association [See website](#)

Mr. Gurdeep Sohi

703-615-3668

[email](#)

Mosby Woods Community Association [See website](#)

Mr. Robert Reinsel

3134 Concord Circle

Fairfax, VA 22030

703-789-0509

[email](#)

Mosby Woods Condominium Association

Mr. R. Jerome Brown

10129 Fair Woods Drive

Fairfax, VA 22030

571-251-9179

[email](#)

Mount Vineyard Condominium UOA

Mrs. Natalie Daniel

3985 Norton Place, Unit 104

Fairfax, VA 22030

540-429-3527

[email](#)

Old Lee Hills Civic Association – please see Daniels Run Woods Civic Association

Olde Fairfax Mews Community Council, Inc.

Mrs. Melody Bentley

3864 University Drive

Fairfax, VA 22030

571-274-6058

[email](#)

Oxford Row Civic Association

Ms. Marie Lenker

11121 Rock Garden Drive

Fairfax, VA 22030

[email](#)

Pickett's Reserve [See website](#)

Mr. Richard Cardinale

Ms. Joan Shanahan
3890 Rust Hill Place
Fairfax, VA 22030
315-436-8741
[email](#)

Section Two Courthouse Square Homeowners Association

Mr. Clifford (Cliff) Diehl
10423 Courthouse Drive
Fairfax, VA 22030
703-273-7496
[email](#)

Sharon Court Homeowners' Association

Mr. Roy Burgess
9803 Sharon Court
Fairfax, VA 22032
703-599-4413
[email](#)

Stonewall Estates Homeowners Association

Mr. Mark Hawkins
9912 Stoughton Road
Fairfax, VA 22032
703-591-1102
[email](#)

Westmore Citizens' Association [See website](#)

(representing Autumn Woods, Joyce Heights, Pumpkin Place, Warren Woods & Westmore subdivisions)

Ms. Beth Iannetta
10916 Berry St.
Fairfax, VA 22030
571-235-8989
[email](#)

Windy Hill Owners Association

Mr. Mark Machen
3571 Sharpes Meadow Lane

Fairfax, VA 22030

703-385-8927

email

Wren's Courtyard

Mr. Tom Abbey

10203 Wrens Court

Fairfax, VA 22032

703-352-1234

email



AFFIDAVIT FOR POSTED NOTICE (SIGN)

I, Bryan Jacob hereby affirm that I have received, read, understand and
Applicant/Agent Name
agree to abide by the 'Posted Notice Instructions to the Applicant' and location map depicting sign
placement given to me on 5/3/24 as required by City Code, Chapter 110, Article
6.2.5.B.3. Date

The subject property will be posted visibly and securely with 2 signs, from Friday, May 3, 2024 to
Tuesday, May 14, 2024, including the date of the public hearing as given on the sign(s).

Notices will not be placed on trees, utility poles, or traffic control signs or elsewhere in the public right-
of-way. All posted notices will be removed no later than Friday, May 17, 2024 hearing.

A photo confirmation of the "Posted Notice" (sign) placement will be provided to the Zoning Office on
date of placement.

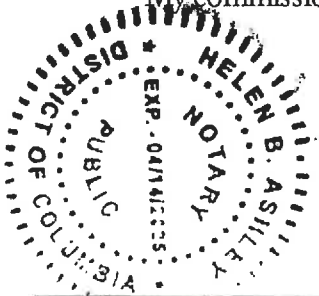
Bryan Jacob
Applicant/Agent Signature

5/3/24
Date

APPLICANT/AGENT MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 3rd
day of May, 2024, in the State of Virginia.

My commission expires 4/14/2025.



Helen B. Ashley
Notary Public/Registration No.

OFFICE USE ONLY

Associated Case # _____

Staff Initials _____

CITY OF FAIRFAX

PUBLIC HEARING NOTICE

City Council
meeting on

MAY 14, 2024

Notice is hereby given that a public hearing will be held
at 7 pm in City Hall Annex, Room 100, 10037
Arlowing Street, Fairfax, Virginia, 22030, to consider
the following:

(The text in this section is too small to read accurately.)

FOR ADDITIONAL INFORMATION:

Call 703-382-7820 or visit www.fairfaxva.gov to arrange an
appointment with staff Monday - Friday
between 8:00 am and 5:00 pm.

The notice shall not be removed or defaced under penalty of law.

NOTICE OF PUBLIC HEARING CITY OF FAIRFAX, VIRGINIA

Notice is hereby given that the City Council of the City of Fairfax at its meeting on May 14, 2024, at 7:00 p.m. in City Hall Annex, Room 100, 10455 Armstrong Street, Fairfax, Virginia, 22030, will hold a public hearing to consider the following:

SU-23-00659

Request from Ping Liang, applicant, for consideration of a Special Use Permit to allow the keeping of chickens pursuant to City Code Section 110-3.5.5. at 3820 Ren Road in RH (Residential High) Zoning District described as Tax Map 57-1-10-045.

Z-22-00583

Request from Capital City Real Estate, LLC, applicant, by Cozen O'Connor, agent/attorney, for consideration of a Zoning Map Amendment (Rezoning) pursuant to City Code Section 110-6.4 from CR Commercial Retail to CU Commercial Urban with proffers while retaining the Architectural Control Overlay District (ACOD); special use permit to allow an upper-story mixed use building that consists of up to 260 multifamily units with 5,000 square feet of retail space; special exceptions and a major certificate of appropriateness for architecture and landscaping on the premises identified as 10306 Eaton Place (on a portion of Tax Map 47-4-02-02-002).

All interested parties are invited to attend the public hearing and express their views. Staff reports will be available five (5) days prior to the meeting date in the Office of Community Development & Planning, Annex Room 207, City Hall, 10455 Armstrong Street, and on the City of Fairfax webpage at www.fairfaxva.gov. The City will make reasonable accommodations for the disabled upon request received at least five days prior to the meeting; please call 703-385-7930, (TTY 711) for assistance.

Melissa Shinaberry,
City Clerk

Run Dates: May 3rd, 2024
May 10th, 2024

AD#83162

ATTACHMENTS: [If City Council agrees with staff recommendations, then Attachment 14A (Motion A), Attachment 14C (Motion A), Attachment 14E (Motion A), Attachment 14G (Motion A), are appropriate]

- a. Attachment 14A. Motion A to approve the Zoning Map Amendment (Rezoning).
- b. Attachment 14B. Motion B to deny the Zoning Map Amendment (Rezoning).
- c. Attachment 14C. Motion A to approve Special Use Permit
- d. Attachment 14D. Motion B to deny Special Use Permit
- e. Attachment 14E. Motion A to approve Special Exceptions
- f. Attachment 14F. Motion B to deny Special Exceptions
- g. Attachment 14G. Motion A to approve Certificate of Appropriateness
- h. Attachment 14H. Motion B to deny Certificate of Appropriateness

Motion – A

**Rezoning (Z-22-00583)
(Recommended by Staff)**

APPROVAL

BASED ON THE PUBLIC CONVENIENCE, WELFARE AND GOOD ZONING PRACTICE, WITH RESPECT TO REZONING APPLICATION Z-22-00583, WHICH HAS BEEN FILED FOR THE LAND KNOWN AS N29 APARTMENTS WILLOWWOOD PHASE I AND MORE PARTICULARLY DESCRIBED AS AND IDENTIFIED AS 10306 EATON PLACE (TAX MAP 57-4-02-02-002A), I MOVE THAT THE CITY COUNCIL APPROVE THE ZONING APPLICATION Z-22-00583 TO REZONE THE SUBJECT PROPERTY FROM CR COMMERCIAL RETAIL TO CU COMMERCIAL URBAN WHILE RETAINING THE ARCHITECTURAL CONTROL OVERLAY DISTRICT (ACOD) AND APPROVAL OF THE GENERAL DEVELOPMENT PLAN WITH PROFFERS, WHICH HAS BEEN PREPARED AND SUBMITTED BY THE APPLICANT.

Motion – B

Rezoning (Z-22-00583)

DENIAL

BASED ON THE PUBLIC CONVENIENCE, WELFARE AND GOOD ZONING PRACTICE, WITH RESPECT TO REZONING APPLICATION Z-22-00583, WHICH HAS BEEN FILED FOR THE LAND KNOWN AS N29 APARTMENTS WILLOWWOD PHASE I AND MORE PARTICULARLY DESCRIBED AS AND IDENTIFIED AS 10306 EATON PLACE (TAX MAP 57-4-02-02-002A), I MOVE THAT THE CITY COUNCIL DENY THE REZONING APPLICATION Z-22-00583 TO REZONE THE SUBJECT PROPERTY FROM CR COMMERCIAL RETAIL TO CU COMMERCIAL URBAN WHILE RETAINING THE ARCHITECTURAL CONTROL OVERLAY DISTRICT (ACOD) AND APPROVAL OF THE GENERAL DEVELOPMENT PLAN WITH PROFFERS, WHICH HAS BEEN PREPARED AND SUBMITTED BY THE APPLICANT, FOR THE FOLLOWING REASONS:

(City Council may choose one or more grounds from the following sample reasons or may craft additional reasons supporting denial)

- The applicant's proposal, as set forth in the General Development Plan, is not in conformance with the Comprehensive Plan and other adopted City goals and policies;
 - The applicant's proposal, as set forth in the General Development Plan, will adversely impact the safety and movement of vehicular traffic upon adjacent streets;
 - The density of the applicant's proposal, as set forth the General Development Plan, is incompatible with and will adversely impact adjacent properties and the surrounding neighborhood;
 - The applicant's proposal, as set forth in the General Development Plan, will adversely impact the health, safety and welfare of residents living in the vicinity of the subject property.
-

MOTION – A

Special Use Permit (SUP-22-00584)

**APPROVAL
(Recommended by Staff)**

I MOVE THAT THE CITY COUNCIL APPROVE THE REQUEST OF CAPITAL CITY REAL ESTATE, LLC, FOR A SPECIAL USE PERMIT PURSUANT TO CITY CODE SECTION 3.3 (ALLOWED USES) FOR AN UPPER STORY RESIDENTIAL/MIXED USE IN CU COMMERCIAL URBAN DISTRICT IN THE ARCHITECTURAL CONTROL OVERLAY DISTRICT (ACOD) ON THE PREMISES KNOWN AS N29 APARTMENTS (WILLOWWOOD PHASE I) AND MORE PARTICULARLY DESCRIBED AS AND IDENTIFIED AS 10306 EATON PLACE (TAX MAP 57-4-02-02-002A), WITH THE FOLLOWING CONDITIONS:

1. DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE GENERAL DEVELOPMENT PLAN AND PROFFERS.

MOTION – B

Special Use Permit (SUP-22-00584)

DENIAL

I MOVE THAT THE CITY COUNCIL DENY THE REQUEST OF CAPITAL CITY REAL ESTATE, LLC, FOR A SPECIAL USE PERMIT PURSUANT TO CITY CODE SECTION 3.3 (ALLOWED USES) FOR AN UPPER STORY RESIDENTIAL/MIXED USE IN CU COMMERCIAL URBAN DISTRICT IN THE ARCHITECTURAL CONTROL OVERLAY DISTRICT (ACOD) ON THE PREMISES KNOWN AS N29 APARTMENTS (WILLOWWOOD PHASE I) AND MORE PARTICULARLY DESCRIBED AS AND IDENTIFIED AS 10306 EATON PLACE (TAX MAP 57-4-02-02-002A), WITH THE FOLLOWING REASON(S):

- A. NOT CONSISTENT WITH THE COMPREHENSIVE PLAN;
 - B. NOT COMPLIANT WITH ALL APPLICABLE REQUIREMENTS OF THIS CHAPTER;
 - C. NEGATIVE EFFECT ON THE HEALTH OR SAFETY OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE; OR
 - D. NEGATIVE EFFECT ON PUBLIC WELFARE, PROPERTY, AND IMPROVEMENTS IN THE NEIGHBORHOOD
-

MOTION – A

Special Exception (SE-22-00585)

**APPROVAL
(Recommended by Staff)**

I MOVE THAT THE CITY COUNCIL ADOPT THE ATTACHED RESOLUTION TO APPROVE THE REQUEST OF CAPITAL CITY REAL ESTATE, LLC, FOR A SPECIAL EXCEPTION TO ALLOW A REDUCTION TO THE MINIMUM SQUARE FOOT AREA OF 75% ON THE GROUND FLOOR WITH A NONRESIDENTIAL USE IN A MIXED USE BUILDING PER SECTION 3.5.1.D. (UPPER STORY RESIDENTIAL/MIXED USES); SPECIAL EXCEPTION PURSUANT TO CITY CODE SECTION 110-6.7 FROM THE REQUIREMENT TO ALLOW THE BUILDING HEIGHT TO EXCEED 5-STORIES/60 FEET PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS), A SPECIAL EXCEPTION PURSUANT TO CITY CODE SECTION 110-6.7 TO ALLOW THE DENSITY TO EXCEED THE MAXIMUM DENSITY OF 24 UNITS PER ACRE IN THE CU COMMERCIAL URBAN DISTRICT PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS), A SPECIAL EXCEPTION PURSUANT TO CITY CODE SECTION 110-6.7 TO ALLOW MODIFICATIONS OF THE 50% MANDATORY BUILD-TO LINE AND MAXIMUM FRONT YARD AND SIDE YARD REQUIREMENTS PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS); AND A SPECIAL EXCEPTION PURSUANT TO CITY CODE SECTION 110-6.7 TO ELIMINATE THE CONSTRUCTION OF SIDEWALKS ON BOTH SIDES OF ALL STREETS PER SECTION 4.4.4, AND TO ALLOW THE SITE TO REDUCE THE TREE CANOPY REQUIREMENT IN CU COMMERCIAL URBAN PER SECTION 4.5.6, AND TO MODIFY THE REQUIREMENT TO ALLOW A WAIVER TO THE INTER-PARCEL VEHICULAR ACCESS REQUIREMENT PER SECTION 4.3.3 (CROSS ACCESS); ON THE PREMISES KNOWN AS N29 APARTMENTS (WILLOWOOD PHASE I) AND MORE PARTICULARLY DESCRIBED AS AND IDENTIFIED AS 10306 EATON PLACE (TAX MAP 57-4-02-02-002A), WITH THE FOLLOWING CONDITIONS:

1. DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE GENERAL DEVELOPMENT PLAN AND PROFFERS;
-

MOTION – B

Special Exception (SE-22-00585)

DENIAL

I MOVE THAT THE CITY COUNCIL DENY THE ATTACHED RESOLUTION TO APPROVE THE REQUEST OF CAPITAL CITY REAL ESTATE, LLC, FOR A SPECIAL EXCEPTION TO ALLOW A REDUCTION TO THE MINIMUM SQUARE FOOT AREA OF 75% ON THE GROUND FLOOR WITH A NONRESIDENTIAL USE IN A MIXED USE BUILDING PER SECTION 3.5.1.D. (UPPER STORY RESIDENTIAL/MIXED USES); SPECIAL EXCEPTION PURSUANT TO CITY CODE SECTION 110-6.7 FROM THE REQUIREMENT TO ALLOW THE BUILDING HEIGHT TO EXCEED 5-STORIES/60 FEET PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS), A SPECIAL EXCEPTION PURSUANT TO CITY CODE SECTION 110-6.7 TO ALLOW THE DENSITY TO EXCEED THE MAXIMUM DENSITY OF 24 UNITS PER ACRE IN THE CU COMMERCIAL URBAN DISTRICT PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS), A SPECIAL EXCEPTION PURSUANT TO CITY CODE SECTION 110-6.7 TO ALLOW MODIFICATIONS OF THE 50% MANDATORY BUILD-TO LINE AND MAXIMUM FRONT YARD AND SIDE YARD REQUIREMENTS PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS); AND A SPECIAL EXCEPTION PURSUANT TO CITY CODE SECTION 110-6.7 TO ELIMINATE THE CONSTRUCTION OF SIDEWALKS ON BOTH SIDES OF ALL STREETS PER SECTION 4.4.4, AND TO ALLOW THE SITE TO REDUCE THE TREE CANOPY REQUIREMENT IN CU COMMERCIAL URBAN PER SECTION 4.5.6, AND TO MODIFY THE REQUIREMENT TO ALLOW A WAIVER TO THE INTER-PARCEL VEHICULAR ACCESS REQUIREMENT PER SECTION 4.3.3 (CROSS ACCESS); ON THE PREMISES KNOWN AS N29 APARTMENTS (WILLOWWOOD PHASE I) AND MORE PARTICULARLY DESCRIBED AS AND IDENTIFIED AS 10306 EATON PLACE (TAX MAP 57-4-02-02-002A), WITH THE FOLLOWING REASONS(S):

- A. DOES NOT ENSURE THE SAME GENERAL LEVEL OF LAND USE COMPATIBILITY AS THE OTHERWISE APPLICABLE STANDARDS;
 - B. MATERIALLY AND ADVERSELY AFFECTS ADJACENT LAND USES AND THE PHYSICAL CHARACTER OF USES IN THE IMMEDIATE VICINITY OF THE
-

City Council Sample Motion

PROPOSED DEVELOPMENT BECAUSE OF INADEQUATE TRANSITIONING, SCREENING, SETBACKS AND OTHER LAND USE CONSIDERATIONS;

C. INCONSISTENT WITH THE PURPOSES AND INTENT OF THIS CHAPTER AND THE COMPREHENSIVE PLAN; AND

D. NOT BASED ON THE PHYSICAL CONSTRAINTS AND LAND USE SPECIFICS.

MOTION – A
Certificate of Appropriateness (BAR-23-00041)

APPROVAL
(Recommended by Staff)

I MOVE THAT THE CITY COUNCIL APPROVE THE REQUEST OF CAPITAL CITY REAL ESTATE, LLC, FOR A CERTIFICATE OF APPROPRIATENESS, IN ACCORDANCE WITH SECTION 110-6.5.6.B OF THE CITY CODE; ON THE PREMISES KNOWN AS N29 APARTMENTS (WILLOWWOOD PHASE I) AND MORE PARTICULARLY DESCRIBED AS AND IDENTIFIED AS 10306 EATON PLACE (TAX MAP 57-4-02-02-002A), WITH THE FOLLOWING REASON(S) (AS MAY BE AMENDED BY CITY COUNCIL):

1. THE PROPOSED DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE PLANS AND RENDERINGS RECEIVED BY STAFF IN JANUARY 2024 AND RECOMMENDED FOR APPROVAL BY THE BOARD OF ARCHITECTURAL REVIEW AS OF FEBRUARY 7, 2024.
2. THE APPLICANT SHALL SECURE ALL REQUIRED ZONING APPROVALS AND PERMITS PRIOR TO CONSTRUCTION.
3. LANDSCAPING IS SUBJECT TO CHANGE PER URBAN FORESTER COMMENTS AT SITE PLAN APPROVAL STAGE.

MOTION – B
Certificate of Appropriateness (BAR-23-00041)

DENIAL

I MOVE THAT THE CITY COUNCIL DENY THE REQUEST OF CAPITAL CITY REAL ESTATE, LLC FOR A CERTIFICATE OF APPROPRIATENESS, IN ACCORDANCE WITH SECTION 110-6.5.6.B OF THE CITY CODE; ON THE PREMISES KNOWN AS N29 APARTMENTS (WILLOWWOOD PHASE I) AND MORE PARTICULARLY DESCRIBED AS AND IDENTIFIED AS 10306 EATON PLACE (TAX MAP 57-4-02-02-002A), WITH THE FOLLOWING REASON(S):

[City Council should choose one or more of the following as appropriate:]

1. THE PROPOSAL IS NOT CONSISTENT WITH THE APPLICABLE PROVISIONS OF THE CITY CODE OR THE CITY OF FAIRFAX DESIGN GUIDELINES.
2. THE PROPOSAL DOES NOT EXHIBIT A COMBINATION OF ARCHITECTURAL ELEMENTS, INCLUDING DESIGN, LINE, MASS, DIMENSION, COLOR, MATERIAL, TEXTURE, LIGHTING, LANDSCAPING, ROOF LINE, OR HEIGHT CONFORMING TO ACCEPTED ARCHITECTURAL PRINCIPLES OR EXHIBIT EXTERNAL CHARACTERISTICS OF DEMONSTRATED ARCHITECTURAL AESTHETIC DURABILITY.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF FAIRFAX, VIRGINIA TO REZONE CR COMMERCIAL RETAIL TO CU COMMERCIAL URBAN WITH PROFFERS WHILE RETAINING THE ARCHITECTURAL CONTROL OVERLAY DISTRICT (ACOD); ON THE LAND KNOWN AS N29 RESIDENTIAL PHASE 1 AND MORE PARTICULARLY DESCRIBED AS AND IDENTIFIED AS 10306 EATON PLACE (TAX MAP 47-4-02-02-002A).

WHEREAS, Capital City Real Estate, LLC, applicant, by Cozen O'Connor, agent/attorney, submitted application No. Z-22-00583 requesting a change in the zoning classification from CR Commercial Retail to CU Commercial Urban while retaining the Architectural Control Overlay District (ACOD), for the parcels identified above, and more specifically described as:

Commencing at a point on the northerly right-of-way line of Eaton Place, a 60-foot public right-of-way, said point also being the southwesterly corner of Lot 3, Commonwealth Corporate Center; thence, with the northerly right-of-way line of Eaton Place N 86°11'00" W a distance of 281.67 feet to the true point of beginning; thence, continuing with the northerly right-of-way line of Eaton Place the following two (2) courses and distances: N 86°11'00" W a distance of 304.11 feet to a point; N 89°38'52" W a distance of 1.94 feet to a point, said point being the southeasterly corner of the land of Kenwood Eaton Place, LLC; thence, departing the northerly right-of-way line of Eaton Place and with the easterly line of the land of Kenwood Eaton Place, LLC, N 21°47'35" E a distance of 535.74 feet to a point, a corner common with the aforementioned Lot 3, Commonwealth Corporate Center; thence, with Lot 3, Commonwealth Corporate Center the following six (6) courses and distances: S 68°12'25" E a distance of 52.51 feet to a point; S 86°11'00" E a distance of 76.44 feet to a point; S 03°49'00" W a distance of 44.26 feet to a point; S 86°11'00" E a distance of 105.00 feet to a point; S 03°49'00" W a distance of 157.20 feet to a point; with a curve to the right having a radius of 60.00 feet, an arc length of 15.81 feet, a central angle of 15°05'36", a chord bearing of S 11°21'55" W and a chord length of 15.76 feet to a point; thence, departing Lot 3 and continuing through Lot 2 the following three (3) courses and distances: N 86°11'00" W a distance of 17.45 feet to a point; S 48°41'51" W a distance of 100.21 feet to a point; S 03°56'26" W a distance of 205.17 feet to the point of beginning. Containing an area of 129,535 square feet or 2.97371 acres

WHEREAS, the City Council has carefully considered the application, the submitted General Development Plan, the recommendation of the Planning Commission, the recommendation of staff, and the testimony received at public hearing; and

WHEREAS, the City Council has determined that the proposed rezoning is proper and in accordance with the Comprehensive Plan as well as with the pertinent provisions set forth in the Code of Virginia and the Code of the City of Fairfax, Virginia;

NOW, THEREFORE BE IT ORDAINED that the above-described property be rezoned from CR Commercial Retail to CU Commercial Urban with proffers while retaining the Architectural Control Overlay District (ACOD), subject to the General Development Plan dated June 19, 2024;

BE IT FURTHER ORDAINED, that the above application package and General Development Plan be approved;

The Zoning Administrator of the City is hereby directed to modify the Zoning Map to show the changes in the zoning of these premises, and the Clerk of the Council is directed to transmit duly certified copies of this ordinance to the applicant, Zoning Administrator, and to the Planning Commission of this City as soon as possible.

This ordinance shall be effective as provided by law.

Planning Commission hearing: April 22, 2024
City Council hearing: July 9, 2024
Adopted: July 9, 2024

Mayor

Date

ATTEST:

City Clerk

The motion to adopt the ordinance was approved _____.

	Vote
Councilmember Bates	_____
Councilmember Doyle Feingold	_____
Councilmember Greenfield	_____
Councilmember Lim	_____
Councilmember Ross	_____
Councilmember Stehle	_____

City Council
City of Fairfax

RESOLUTION 2024 - _____
APPROVAL

RESOLUTION TO APPROVE THE REQUEST OF CAPITAL CITY REAL ESTATE, LLC, APPLICANT, BY COZEN O'CONNOR, AGENT/ATTORNEY, FOR SPECIAL EXCEPTIONS TO THE CITY CODE TO:

- TO ALLOW A REDUCTION TO THE MINIMUM SQUARE FOOT AREA OF 75% ON THE GROUND FLOOR WITH A NONRESIDENTIAL USE IN A MIXED-USE BUILDING,
- TO ALLOW THE BUILDING HEIGHT TO EXCEED 5-STORIES/60 FEET PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS),
- TO ALLOW THE DENSITY TO EXCEED THE MAXIMUM DENSITY OF 24 UNITS PER ACRE IN THE CU COMMERCIAL URBAN DISTRICT PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS),
- ALLOW MODIFICATIONS OF THE 50% MANDATORY BUILD-TO LINE AND MAXIMUM FRONT YARD AND SIDE YARD REQUIREMENTS PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS),
- TO ELIMINATE THE CONSTRUCTION OF SIDEWALKS ON BOTH SIDES OF ALL STREETS PER SECTION 4.4.4,
- TO ALLOW THE SITE TO REDUCE THE TREE CANOPY REQUIREMENT IN CU COMMERCIAL URBAN PER SECTION 4.5.6, AND
- TO ALLOW A WAIVER TO THE INTER-PARCEL VEHICULAR ACCESS REQUIREMENT PER SECTION 4.3.3 (CROSS ACCESS)

ON THE PROPERTY IDENTIFIED AS CITY OF FAIRFAX TAX MAP 57-4-02-02-002A.

WHEREAS, Capital City Real Estate, LLC, APPLICANT, by Cozen O'Connor, attorney/agent, has submitted Application No. SE-22-00585 requesting Special Exceptions to the City Code as listed above; and

WHEREAS, City Council has carefully considered the application, the recommendation from Staff, and testimony received at the public hearing; and

WHEREAS, City Council has determined that the proposed Special Exceptions are appropriate because the proposal meets the requisites established by City of Fairfax Code Section 110-6.17 for the following reasons:

1. The proposal ensures the same general level of land use compatibility as the otherwise applicable standards;
2. The proposal does not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate transitioning, screening, setbacks and other land use considerations;

- 3. The proposal is generally consistent with the purposes and intent of the city code and the comprehensive plan;
- 4. The proposal is based on the physical constraints and land use specifics, rather than on economic hardship of the applicant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairfax on this 9TH day of July 2024, that Application No. SE-22-00585 be and hereby is APPROVED, as requested, with the following condition:

- 1. DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE GENERAL DEVELOPMENT PLAN AND PROFFERS.

The motion to adopt the resolution was approved ____.

Mayor

Date

Votes

- Councilmember Bates _____
- Councilmember Doyle Feingold _____
- Councilmember Greenfield _____
- Councilmember Lim _____
- Councilmember Ross _____
- Councilmember Stehle _____

City Council
City of Fairfax

RESOLUTION 2024 - _____
DENIAL

RESOLUTION TO DENY THE REQUEST OF CAPITAL CITY REAL ESTATE, LLC, APPLICANT, BY COZEN O'CONNOR, AGENT/ATTORNEY, FOR SPECIAL EXCEPTIONS TO THE CITY CODE TO:

- TO ALLOW A REDUCTION TO THE MINIMUM SQUARE FOOT AREA OF 75% ON THE GROUND FLOOR WITH A NONRESIDENTIAL USE IN A MIXED-USE BUILDING,
- TO ALLOW THE BUILDING HEIGHT TO EXCEED 5-STORIES/60 FEET PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS),
- TO ALLOW THE DENSITY TO EXCEED THE MAXIMUM DENSITY OF 24 UNITS PER ACRE IN THE CU COMMERCIAL URBAN DISTRICT PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS),
- ALLOW MODIFICATIONS OF THE 50% MANDATORY BUILD-TO LINE AND MAXIMUM FRONT YARD AND SIDE YARD REQUIREMENTS PER SECTION 3.6.2 (NONRESIDENTIAL DISTRICTS),
- TO ELIMINATE THE CONSTRUCTION OF SIDEWALKS ON BOTH SIDES OF ALL STREETS PER SECTION 4.4.4,
- TO ALLOW THE SITE TO REDUCE THE TREE CANOPY REQUIREMENT IN CU COMMERCIAL URBAN PER SECTION 4.5.6, AND
- TO ALLOW A WAIVER TO THE INTER-PARCEL VEHICULAR ACCESS REQUIREMENT PER SECTION 4.3.3 (CROSS ACCESS)

ON THE PROPERTY IDENTIFIED AS CITY OF FAIRFAX TAX MAP 57-4-02-02-002A.

WHEREAS, Capital City Real Estate, LLC, APPLICANT, by Cozen O'Connor, attorney/agent, has submitted Application No. SE-22-00585 requesting Special Exceptions to the City Code as listed above; and

WHEREAS, City Council has carefully considered the application, the recommendation from Staff and testimony received at the public hearing; and

WHEREAS, City Council has determined that the proposed Special Exceptions are not appropriate because the proposal does not meet the requisites established by City of Fairfax Code Section 110-6.17 for the following reasons:

[City Council should choose one or more of the following as appropriate:]

1. The proposal does not ensure the same general level of land use compatibility as the otherwise applicable standards;

2. The proposal materially and adversely affects adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate transitioning, screening, setbacks and other land use considerations;
3. The proposal is not consistent with the purposes and intent of the city code and the comprehensive plan;
4. The proposal is not based on the physical constraints and land use specifics, rather than on economic hardship of the applicant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairfax on this 9TH day of July 2024, that Application No. SE-22-00585 be and hereby is DENIED.

The motion to adopt the resolution was approved _____.

Mayor

Date

Votes

- Councilmember Bates _____
- Councilmember Doyle Feingold _____
- Councilmember Greenfield _____
- Councilmember Lim _____
- Councilmember Ross _____
- Councilmember Stehle _____