



City of Fairfax, Virginia  
City Council Work Session

Agenda Item # 8a  
City Council Meeting 7/11/2017

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TO: Honorable Mayor and Members of City Council

FROM: Robert Sisson, City Manager *RS*

SUBJECT: Public hearing and Council action on a request of Regency Centers, LLC for five (5) special exceptions, an administrative appeal to the subdivision ordinance, and issuance of a Certificate of Appropriateness by City Council on the premises known as 10334-10406 Fairfax Boulevard and more particularly described as tax map parcel(s) 57-2-02-028 through 57-2-02-031.

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ISSUE(S): City Council public hearing regarding the requested special exceptions pertaining to a front yard setback, sidewalk width, interior landscaping, parking lot perimeter landscaping and street trees; the requested appeal regarding determination by the Zoning Administrator that variations and exceptions may not be granted for sidewalk standards of the Subdivision Ordinance; support for a waiver to the standard for sidewalk buffers in the Public Facilities Manual; and issuance of a Certificate of Appropriateness for architectural design and landscaping.

SUMMARY: The applicant proposes to replace the existing 68,500 square foot shopping center with a new 48,199 square foot shopping center, including a 29,999 square foot grocery store and 18,200 of supporting retail.

FISCAL IMPACT: Staff anticipates an annual positive fiscal impact of \$574,000 to \$737,000 as a result of the proposed redevelopment.

RECOMMENDATION: Staff recommends approval subject to conditions.

ALTERNATIVE COURSE OF ACTION: City Council may approve, approve with conditions, or deny the subject applications.

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

COORDINATION: Community Development and Planning      Building and Fire Code  
Public Works      Fairfax Water  
City Attorney      Fairfax County DPZ  
Real Estate      Police

ATTACHMENTS: Staff Report.



# CITY OF FAIRFAX

## Department of Community Development & Planning

### Special Exception Requests

SE-16120067

#### CITY COUNCIL PUBLIC HEARING DATE

July 11, 2017

#### APPLICANT

Regency Centers, LLC

#### AGENT

Evan Pritchard, attorney-in-fact

#### PARCEL DATA

*Tax Map IDs*

57-2-02-028 through 57-2-02-031

*Street Addresses*

10334-10406 Fairfax Boulevard

*Zoning Districts*

CR Commercial Retail

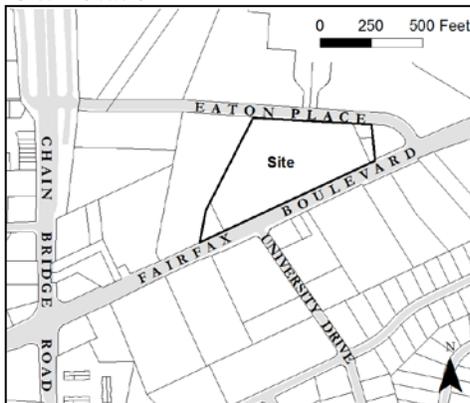
#### APPLICATION SUMMARY

The applicant requests five (5) special exceptions to allow redevelopment of the existing 68,500 square foot shopping center with a new 48,199 square foot shopping center.

The applicant seeks approval of an Administrative Appeal to a determination by the Zoning Administrator that the sidewalk widths required by the Subdivision Ordinance must be satisfied as applicable.

The applicant seeks approval of a Certificate of Appropriateness by City Council.

#### Site Location:

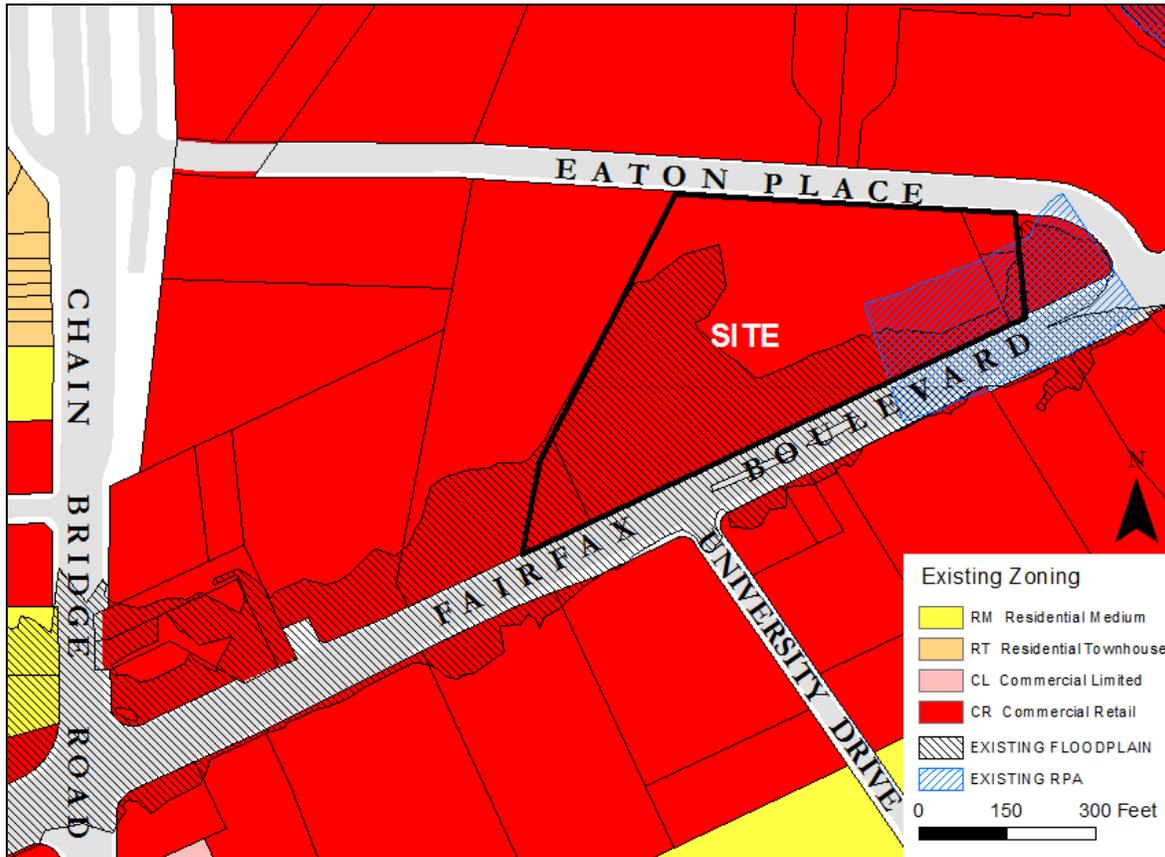


#### STAFF RECOMMENDATION

Staff recommends approval of the special exception requests, the administrative appeal to the Subdivision Ordinance and the Certificate of Appropriateness, subject to the conditions listed on pages 7 to 8 of this report.

**Background**

The subject site is located near the northwest corner of Fairfax Boulevard and Eaton Place. It consists of four parcels totaling approximately 6.27 acres as shown in Figure 1. The entirety of the site is zoned CR Commercial Retail and is located in the Architectural Control Overlay District. Approximately 51% of the site is currently encumbered by flood plain. A Resource Protection Area is also currently located in the south eastern corner.



**Figure 1: Existing Site and Zoning**

The site is located within the Northfax Center as designated in the Comprehensive Plan and the Fairfax Boulevard Vision Summary, making up approximately 30 percent of the eastern portion of that Center (bounded by Chain Bridge Road, Fairfax Boulevard and Eaton Place). It is designated as Mixed Use on the Comprehensive Plan Future Land Use Map as shown in Figure 2. All surrounding properties are zoned CR – Commercial Retail and are designated as Business Commercial or Mixed Use on the Future Land Use Map. The exception is the parcel immediately east of the site, at the northwest corner of Fairfax Boulevard and Eaton Place. This parcel is owned by the representative of the Willow Wood Office Complex north of Eaton Place and is designated as Open Space-Conservation on the Future Land Use Map. A summary of existing zoning, land uses and future land uses for the subject site and surrounding properties is provided in Table 1. Staff analysis of the conformance of the application with the Comprehensive Plan is provided in Part C of Attachment 1.

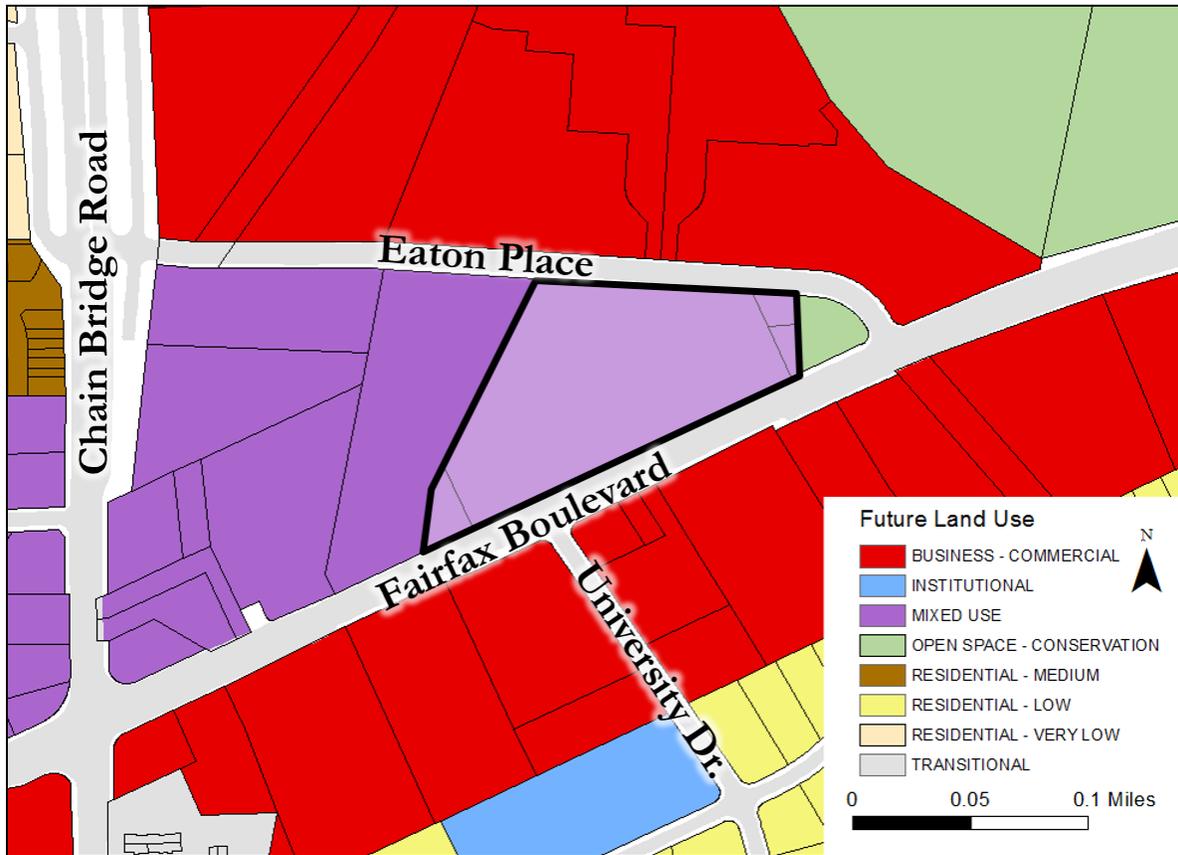


Figure 2: Comprehensive Plan Future Land Use

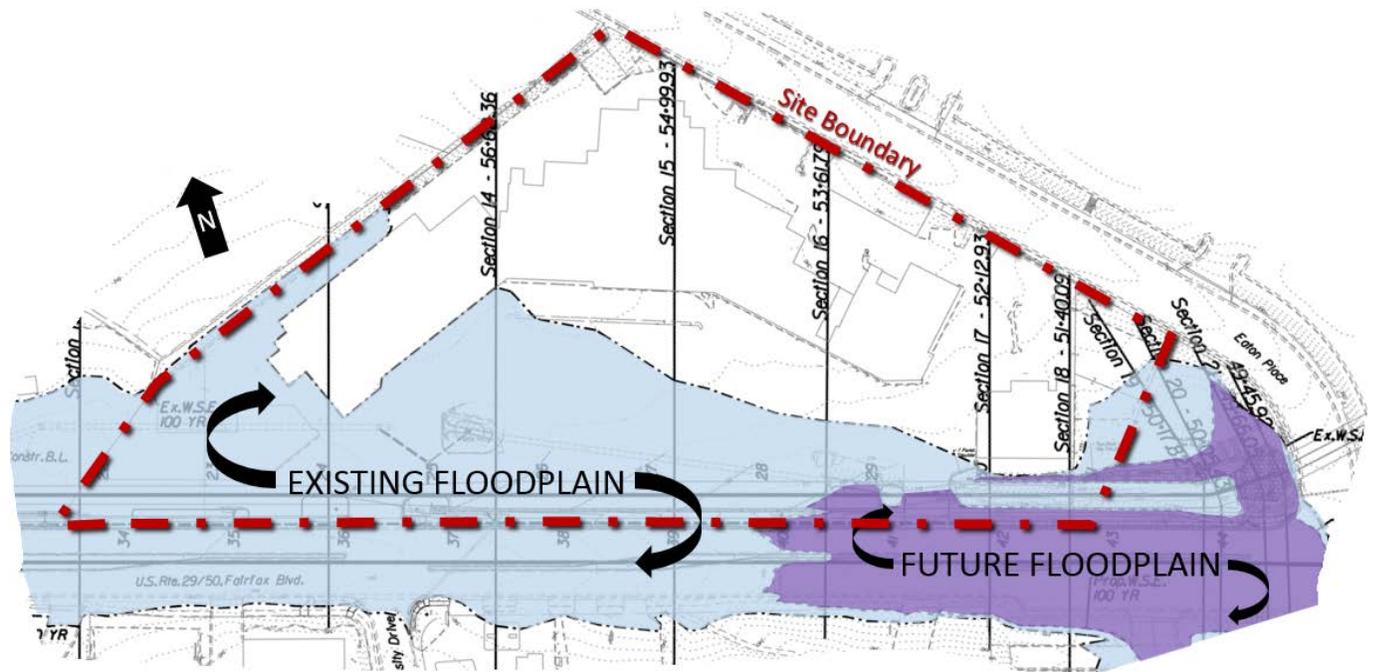
	Existing Zoning	Existing Land Use	Existing Description	Future Land Use
Site	CR – Commercial Retail	Commercial/Retail	Shopping Center	Mixed Use
North	CR – Commercial Retail	Commercial/Office	Office Park	Business - Commercial
South	CR – Commercial Retail	Commercial/Retail	Retail, Auto Service	Business - Commercial
East	CR – Commercial Retail	Open Space	Open Space	Business – Commercial, Open Space - Conservation
West	CR – Commercial Retail	Commercial/Retail	Vehicle Storage	Mixed Use

Table 1: Surrounding Property Descriptions

**Public Projects**

The potential redevelopment of this site is heavily influenced by two public infrastructure projects that are intended to improve transportation and stormwater in the immediate area; The Northfax Transportation and Storm Drainage Project (Northfax Project) and the University Drive extension. An explanation of each of these projects, and their impact on the potential redevelopment of the site is provided below.

Northfax: The Northfax Project includes transportation improvements around the Fairfax Boulevard and Chain Bridge Road intersection, as well as a stormwater culvert that will remove a significant area from the flood plain. The culvert would traverse the southern portion of the subject site resulting in a wide easement where certain future improvements, such as structures, vertical elements and trees would be restricted. The overall impact of the flood plain on the site would be significantly reduced. Figure 3 shows the anticipated extent of the floodplain once the Northfax Project is complete as compared to existing conditions. The location of easements along Fairfax Boulevard are provided in Figure 4. The property owner has the right to make improvements in these easement areas, though inclusion of structures, vertical elements and trees are limited.



**Figure 3: Existing and Future Floodplain**

University Drive Extension: This public project would provide a portion of the street grid envisioned for the Northfax “Center” in the Fairfax Boulevard Vision and Summary portion of the Comprehensive Plan. It would improve access to the site by providing a direct connection to Eaton Place as well as sites to the west, allowing for a redevelopment opportunity should those sites become subject to redevelopment. The plan as supported by City Council on June 13, 2017 includes a 65 foot right-of-way that traverses the subject site, and a traffic circle that may partially impact the site. The general location of the anticipated right-of-way necessary for the University Drive Extension is included in Figure 4. The applicant does not propose to dedicate land or provide an access easement to support the University Drive project through this proposal.

**Proposal Summary**

The applicant proposes to replace the existing approximately 68,000 square foot shopping center with 48,199 square feet of retail space, including a grocery store under 30,000 square feet and 18,000 square feet of additional retail/restaurant space. The site plan is provided in Figure 5 for reference. The full-scale plan, as submitted by the applicant, is provided in Attachment 5.

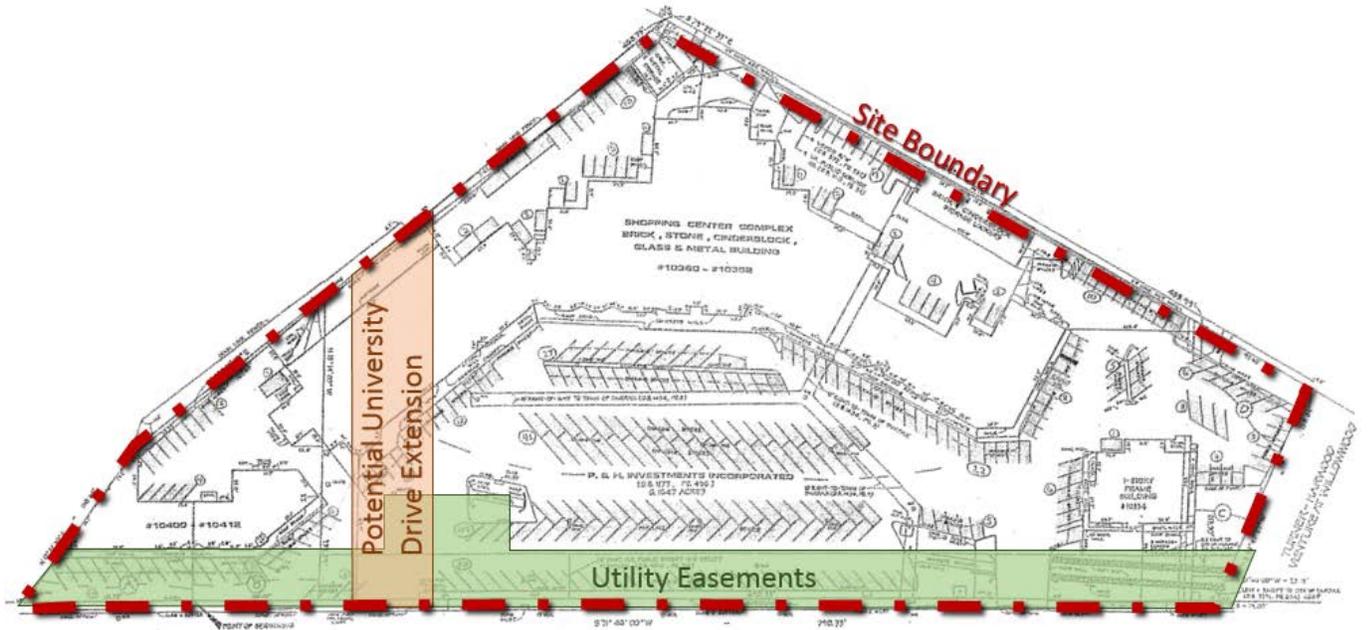


Figure 4: Easements and Restrictions

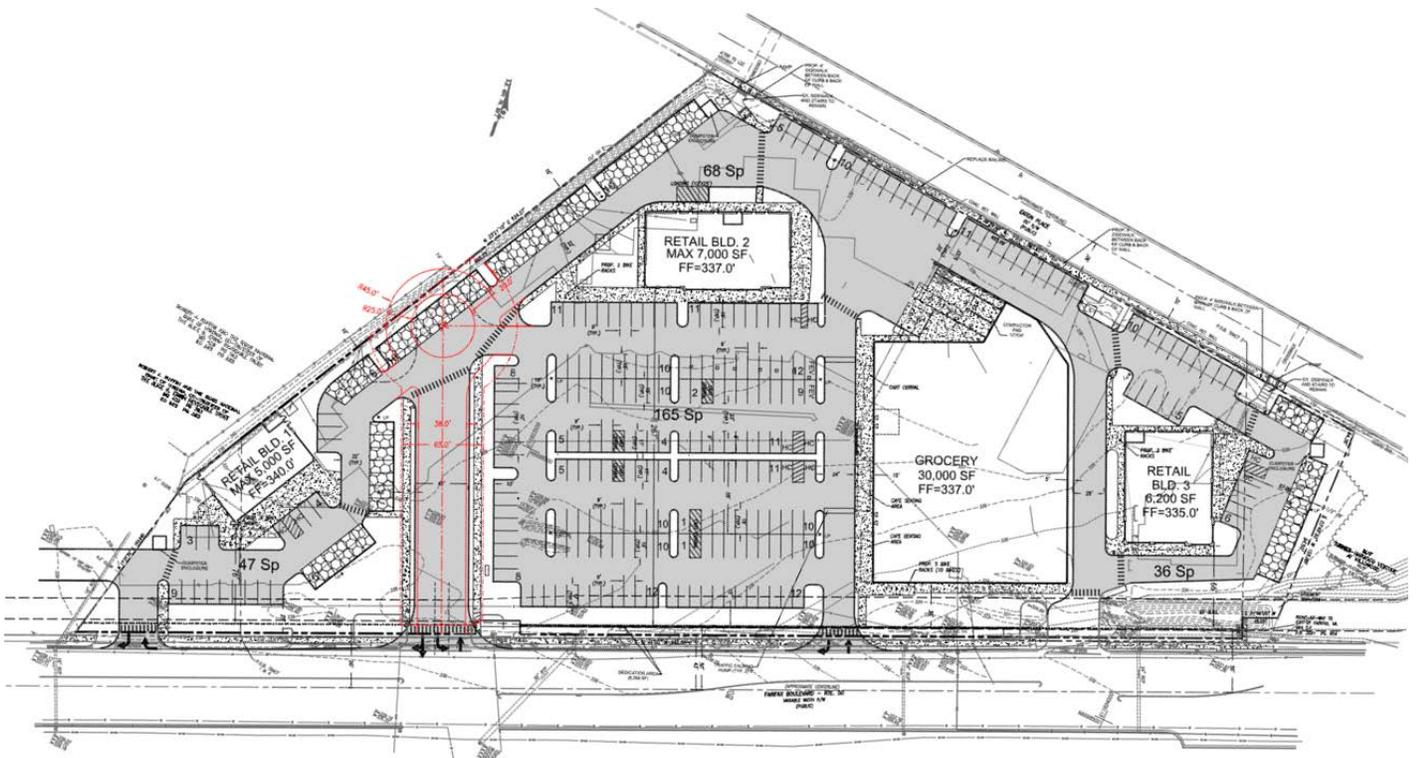


Figure 5: Site Plan

A summary of certain site tabulations as compared to the requirements of the Zoning Ordinance is provided in Table 2.

	Proposed	Required
Retail Area	48,199 sf	NA
Parking Quantity	325 spaces	244 min., 268 max. spaces
Parking Ratio	1/148 sf	1/200 sf min., 1/180 sf max.
Building Coverage	18%	60% max.
Lot Coverage	82%	85% max.
Tree Canopy Coverage	10%	10% min.

**Table 2: Program Summary**

The proposal accommodates the approved design for the University Drive project as a primary entrance to the site and refrains from including buildings within the potential right-of-way. No buildings, other vertical elements or trees are shown within the utility easements along Fairfax Boulevard.

**LAND USE REQUESTS**

The proposed uses are permitted in the CR – Commercial Retail District, though the proposed site plan is dependent on several special exceptions to the Zoning Ordinance as follows:

1. Special Exception to allow a sidewalk that does not meet the minimum width required by Section 4.4.4.A.1;
2. Special Exception to allow property street frontages without a 10 foot wide landscape strip or street trees where required by Section 4.5.6.B;
3. Special Exception to reduce the minimum width of parking islands from eight feet to six feet as required by Section 4.5.7.D.1;
4. Special Exception to provide no parking lot perimeter landscaping in certain areas where required per Section 4.5.7.C.1;
5. Special Exception to reduce the minimum front yard with from 20 feet to 15 feet as required by Section 3.6.2.

In addition to the above requests, the applicant requests the following actions by City Council that are not related to the Zoning Ordinance:

6. Support for a Waiver to be authorized by the Director of Public Works to allow a sidewalk without a minimum 3 foot wide buffer along a collector street as required by the Public Facilities Manual. No separate action is required for this request. Support of the resolution to approve the special exception requests, as provided in Attachment 11A subject to Condition 1, indicates support for this Waiver. Denial of this resolution indicates non-support for the Waiver.
7. Appeal to a determination by the Zoning Administrator that a variance or modification cannot be granted to allow a sidewalk width that does not meet the minimum requirements as required by Section 2.3.3.A of the Subdivision Ordinance.
8. Issuance of a Certificate of Appropriateness based on the recommendations of the Board of Architectural Review.

**ANALYSIS**

Staff analysis on the proposed land use requests is provided in Attachment 1. The analysis is broken into three parts as follows:

- Part A: General Plan Review
- Part B: Applicable Code Citations
- Part C: Applicable Comprehensive Plan Citations

**STAFF RECOMMENDATION**

Staff recommends **approval** of the applicant’s land use requests subject to the following conditions:

1. Final plans shall be in substantial conformance with the General Development Plan dated June 27, 2017 and as modified through the following conditions.
2. Approval of these land use requests shall be subject to issuance of a Letter of Map Revision (LOMR) by the Federal Emergency Management Agency declaring that the extent of the flood plain on the site has been modified as a result of the Northfax Transportation and Stormwater Improvements Project (Northfax Project). The applicant may be required to request a Special Use Permit for disturbance in the floodplain if any areas proposed for disturbance are located within the revised floodplain boundary identified in the LOMR.
3. Approval of these land use requests shall be subject to the results of a Resource Protection Area (RPA) delineation study indicating that no proposed areas of disturbance encroach into the revised RPA resulting from the Northfax Project. Any such encroachments may be subject to an additional Special Use Permit contingent on the requirements of the Zoning Ordinance.
4. The applicant shall relocate the existing bus stop and shelter to an alternate location within general proximity to the existing location should relocation be necessary due to other modifications to the site. The new bus stop location shall be improved to meet all local and federal design standards.
5. Left turn access from the eastern-most driveway to eastbound Fairfax Boulevard shall be restricted through a combination of signage and/or physical elements.
6. An additional pedestrian accessway shall be provided near the eastern-most driveway connecting the Fairfax Boulevard sidewalk to Building 3. The specific location of this accessway shall be determined during the administrative site plan review period.
7. The design of the eastern driveway shall be revised to provide a layout that is functional and reasonable to the satisfaction of the Director of Public Works. Should this revision require disturbance in the floodplain, the applicant shall apply for a Special Use Permit to City Council.
8. Where provided, tree cells shall be sized to adequately support the type of tree planted subject to manufacturer recommendations.
9. Additional ornamental trees shall be provided along the site’s Fairfax Boulevard frontage if where approved by the Director of Public Works.
10. All hollies proposed along the site’s Eaton Place frontage, except those used for screening transformers or other mechanical equipment, shall be replaced with ornamental trees.
11. Additional ornamental trees shall be provided within 20 feet of the property line along the site’s Eaton Place frontage so that all ornamental trees are spaced a maximum of 50 feet apart from the existing bus shelter to the proposed parking lot island approximately 220 feet to the west. Any resulting loss of parking spaces to accommodate this condition shall be deemed in conformance with the approved plan.
12. A handrail, barrier or low fencing shall be provided along Eaton Place with a design that exhibits characteristics of demonstrated architectural aesthetic durability, subject to approval by the Director of Community Development and Planning. The handrail may include masonry piers, lighting features, vegetation or other elements that provide high quality screening of adjacent parking and service areas on the site in place of otherwise required landscaping elements.

13. The required Construction Management Plan shall include requirements for an opaque wrap of construction fencing and signage identifying the project and providing contact information for the developer and/or general contractor. All signage and fencing wrap shall be approved by the Director of Community Development and Planning.
14. All trees and shrub sizes shall meet the standards of the Zoning Ordinance at the time of planting.

Staff further recommends **approval** of the Appeal to a determination by the Zoning Administrator that the sidewalk width required by Section 2.3.3.A of the Subdivision Ordinance must be satisfied as applicable.

Staff further recommends **approval** of the Issuance of a Certificate of Appropriateness subject to the recommended conditions of the Board of Architectural Review.

### **ATTACHMENTS**

1. Analysis
2. Summary of Zoning Districts and Overlays
3. Application
4. Statement of Justification
5. Plans
6. Trip Generation Memo
7. Board of Architectural Review Recommendations
8. Board of Architectural Review Staff Report
9. Public Hearing Notifications
10. Special Exception Resolution
11. Sample Motions

**PREPARED BY:**

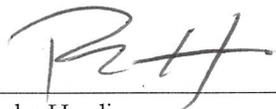
  
\_\_\_\_\_  
Paul Nabti  
Planner

7/6/17  
\_\_\_\_\_  
DATE

**REVIEWED AND APPROVED:**

  
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Jason Sutphin  
Community Development Division Chief

7/6/17  
\_\_\_\_\_  
DATE

  
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Brooke Hardin  
Director, Community Development & Planning

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## STAFF ANALYSIS

**Fairfax Shopping Center – Special Exceptions  
SE-16120067****PART A: GENERAL PLAN REVIEW**Site Layout:

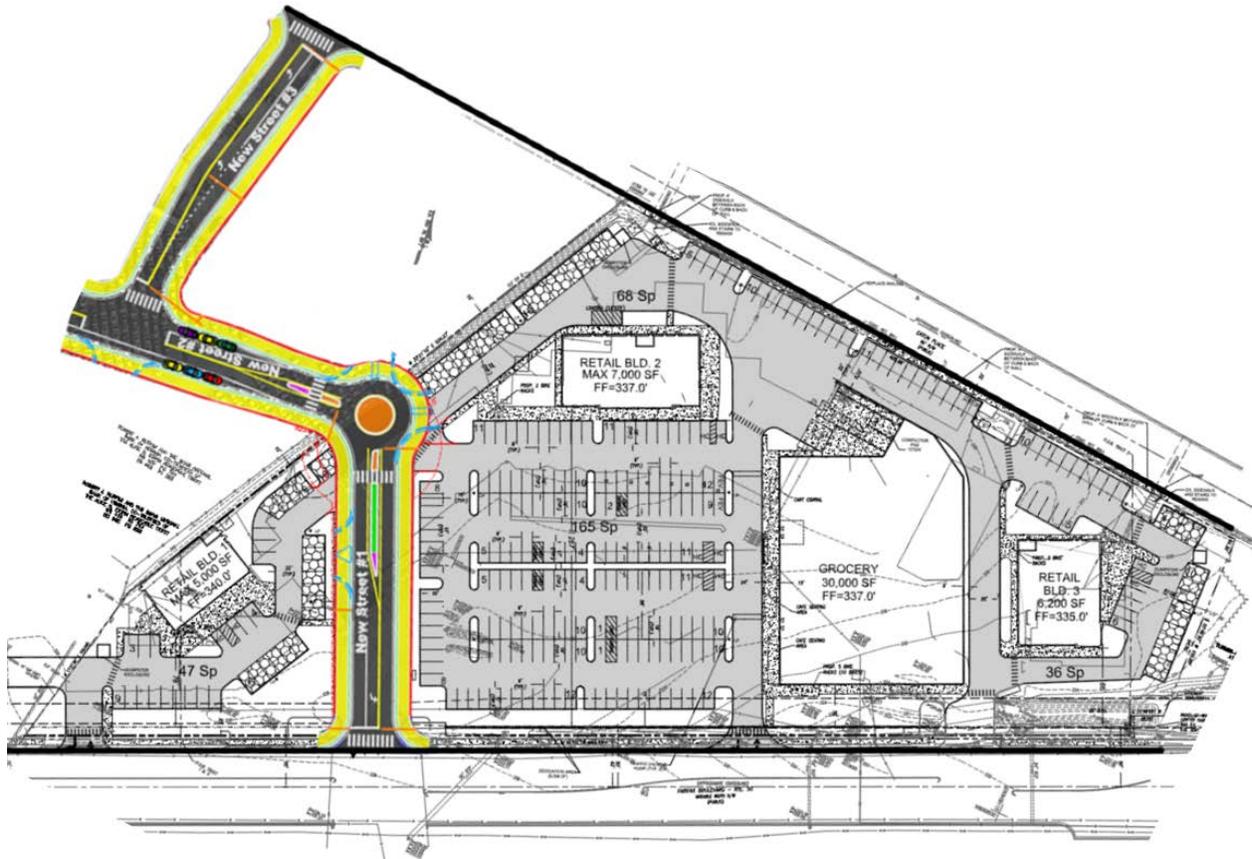
The site is arranged with the grocery store located in a stand-alone building and other retail uses located in three separate buildings of 5,000 square feet, 7,000 square feet and 6,200 square feet organized as a standard strip retail center. The grocery store is oriented perpendicular to Fairfax Boulevard with the southern edge of the building just outside the utility easement (approximately 40 feet from the Fairfax Boulevard curb). A surface parking lot with 165 spaces in four parking bays sits in front of the grocery store, fronting on Fairfax Boulevard as well as the future University Drive Extension. The largest retail building shares the parking lot with the grocery store. The other two buildings are located on the opposite side of the potential University Drive Extension and behind the grocery store, functioning as pad sites.

Vehicular Access:

The site is currently bounded by Fairfax Boulevard to the south and Eaton Place to the north with vehicular access from four points along Fairfax Boulevard only. The applicant proposes to maintain four access point along Fairfax Boulevard but replace one access point near the western edge of the site with a new access point with right-in right-out access adjacent to the proposed grocery store. The primary access point would be at the existing traffic signal at University Drive and Fairfax Boulevard. During the application review, staff indicated a safety concern with the continued full access use of the eastern most access point which is unsignalized. Staff has recommended that left turn access be prohibited from this driveway to eastbound Fairfax Boulevard, though this has not been provided on the plans. Condition 5 on the sample motion to approve (Attachment 11A) clarifies that left turn access must be prohibited from this driveway.

The eastern driveway is designed to avoid any new impacts to the ultimate floodplain resulting from the Northfax Transportation and Stormwater Improvements Project (Northfax Project). This is further described under the Natural Resources section of this Analysis. This design results in a driveway apron over 40 feet in width to access a driveway that is just 25 feet in width. The applicant has not provided any explanation of how access would be managed to avoid confusion with this condition. Condition 8 on the sample motion to approve (Attachment 11A) states that this driveway should be modified with a reasonable driveway width during the site plan review phase and that the applicant shall apply for a Special Use Permit to City Council for disturbance in the floodplain should this need arise.

On June 13, 2017, City Council supported continued design of the University Drive Extension Project (University Drive Project), which provides a portion of the envisioned street grid for the Northfax Center, including new access to the site from Eaton Place. The approved plan for the University Drive Project as it relates to the proposed site plan is provided in Figure A-1. Notes 18 and 19 on Sheet 1 of the plans indicate that the applicant will coordinate with the City and it's consultants on the design of the University Drive Project, and may make reasonable modifications to the plans to accommodate the project during the administrative site plan review phase. Although the exact dates for construction and occupancy of the shopping center are unknown, it is anticipated that the shopping center would be in operation before the University Drive project is complete.



**FIGURE A-1: Proposed University Drive project with the proposed Fairfax Shopping Center site plan**

Truck access is provided by restricting entrances for larger trucks to the eastern most driveway and exits to the University Drive driveway. This allows service to the grocery store without disrupting the primary parking field. A truck moving diagram is provided in the full plan set in Attachment 5. Additional coordination will be required with the University Drive project to ensure the intended truck route remains viable.

Anticipated vehicular trips generated from the site are anticipated to decrease from the by-right standards, which would allow general improvements and re-tenanting of the existing buildings. The reduction in trips is a result in the overall decrease in area for commercial uses on the site. The applicant has submitted a trip generation memo summarizing this analysis, as provided in Attachment 6.

#### Parking:

A total of 325 parking spaces are proposed to serve the site where a minimum of 244 parking spaces are required by the zoning ordinance. The resulting parking ratio for this proposal as compared to the parking ratio for other shopping centers in the City is provided in the table below.

Shopping Center Name	Commercial Area (gsf)	Parking Spaces	Parking Spaces per 1,000 gsf	Parking Ratio (1 space per X sf)
<b>Fairfax Shopping Center (Proposed)</b>	<b>48,199</b>	<b>325</b>	<b>6.74</b>	<b>148</b>
Newer Centers (After 2000)				
Main Street Marketplace	104,400	395	3.78	264
Boulevard Marketplace	22,680	122	5.38	186
Fairfax Point	10,928	52	4.76	210
Fairfax Marketplace	23,095	112	4.85	206
Older Centers (Before 2000)				
Fairfax Junction	75,632	394	5.21	192
Kamp Washington	71,825	377	5.25	191
Courthouse Plaza	83,170	528	6.35	158
Stryker Square	26,817	165	6.15	163
Main Street Center	41,709	191	4.58	218

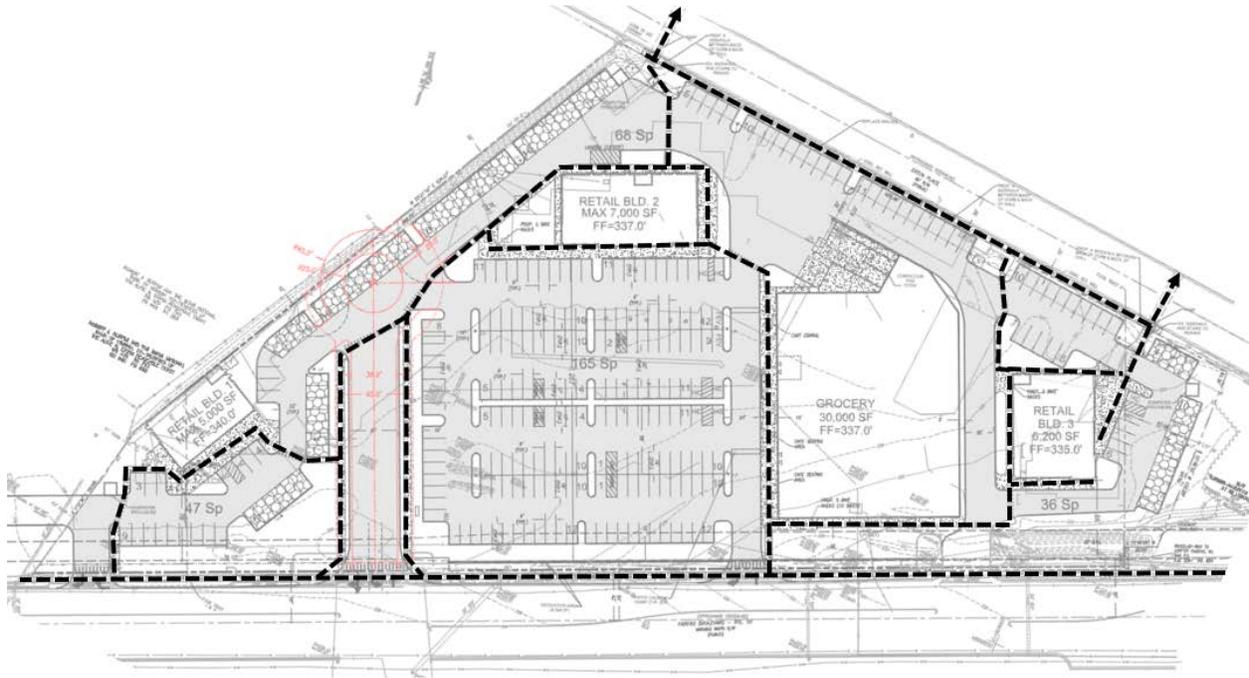
The zoning ordinance also has maximum parking requirement of 110% of the minimum requirement or 268 spaces. Even though the proposed parking quantity exceeds the maximum parking quantity by 57 parking spaces, the ordinance allows the maximum quantity to be exceeded where each space over the maximum is provided with a pervious surface. With 61 parking spaces provided with pervious surfaces, the parking quantity meets the requirements of the zoning ordinance.

Although the parking meets the requirements of the Zoning Ordinance, the excessive parking quantity proposed with this application indirectly impacts other aspects of the site, such as landscaped areas, pedestrian amenities and setbacks. While the applicant has made modifications to the plan to reduce the extent of special exceptions, staff believes that none of the special exception requests included in this application, except for the request pertaining to street trees, would be necessary if the number of parking spaces proposed did not exceed the maximum parking quantity as defined in the zoning ordinance. Staff further believes that an additional reduction in parking to accommodate the future University Drive Project would result in a parking quantity that still exceeds the minimum requirement specified in the Zoning Ordinance.

#### Pedestrian Access:

The proposed pedestrian network is generally improved from the existing condition with the addition of multiple pedestrian access points into the site from Fairfax Boulevard and cross-site access to Eaton Place. The existing access points on Eaton Place would remain. The zoning ordinance requires that mid-block connections be provided through all blocks over 600 feet in length. With the completion of the University Drive project, the subject site would make up the majority of a new block bounded by Fairfax Boulevard, University Drive and Eaton Place. This block length would be approximately 800 feet along Fairfax Boulevard and over 1,000 feet along Eaton Place. With this application, the maximum distance between mid-block connections would be approximately 500 feet along Fairfax Boulevard and 300 feet on Eaton Place. While the maximum length between pedestrian connections along Fairfax Boulevard is acceptable per the zoning ordinance, the submitted plan omits adequate pedestrian access between Fairfax Boulevard and

Building 3. Condition 6 in the sample motion to approve (Attachment 11A) requires pedestrian access near the eastern driveway entrance to serve Building 3.



**FIGURE A-3: Proposed pedestrian network**

In addition to providing new mid-block pedestrian connections, the applicant proposes new pedestrian amenities along Eaton Place. Along Eaton Place, a four-foot wide sidewalk is proposed across the length of the north property line where an existing retaining wall limits the ability for a wider sidewalk. This width does not meet the minimum width requirements of the Zoning Ordinance, or the Subdivision Ordinance, nor does it provide for a grass buffer between the sidewalk and the curb as required in the Public Facilities Manual. The land use requests and staff analysis for these issues are discussed in more detail in the “Applicable Sections of the Zoning Ordinance” section of this analysis. It should be noted that there is currently no sidewalk along the south side of Eaton Place within 700 feet to the west of the subject site or within 180 feet to the east (at the intersection of Eaton Place and Fairfax Boulevard).

A five foot wide sidewalk along the north side of Fairfax Boulevard will be installed as a component of the Northfax Project. Through the Northfax Project, the City will relocate the existing bus shelter located near the northeast corner of Fairfax Boulevard and University Drive to the back side of the proposed five foot sidewalk. Condition 4 in the sample motion to approve requires the applicant to relocate the shelter as necessary to accommodate changes to the intersection or the pedestrian network in the vicinity.

#### Natural Resources:

The site is currently impacted by the 100 year flood plain and the Chesapeake Bay Resource Protection Area. Both of these areas will be significantly diminished on the site as a byproduct of the Northfax project. Floodplain coverage is expected to be reduced from over 50% of the site area to just over 1% of the site area. The applicant does not propose any disturbance within the modified floodplain boundary once the Northfax project is complete. Construction and occupancy for areas within the existing floodplain would need to be coordinated with the timing of the Northfax project and issuance of a final Letter of Map Revision (LOMR)

from the Federal Emergency Management Agency (FEMA) confirming the change to the flood plain boundary. Condition 2 of the sample motion to approve (Attachment 11A) confirms that approval of land use requests associated with this application are subject to receipt of the LOMR for the Northfax project from FEMA.

The site is also impacted by the Chesapeake Bay Resource Protection Area (RPA) surrounding the existing open section of the stream. Through the Northfax project, the majority of this stream will be relocated into an underground culvert and the extent of the RPA is no longer anticipated to impact the subject site. Once the Northfax project is complete, an RPA delineation study will be conducted to determine the modified extent of the RPA. If the ultimate RPA impacts areas within the subject site where the applicant proposes site modifications, an additional special exception may be required from City Council, or the applicant may have to modify the plan to minimize such disturbance. Condition 3 of the sample motion to approve (Attachment 11A) confirms that approval of land use requests associated with this application are subject to the results of the RPA delineation study and do not guarantee conformance with zoning ordinance requirements pertaining to RPAs.

### Landscaping and Open Space:

The primary areas of open space in the proposed plan are an approximately 2,500 square foot area adjacent to Building 2, an approximately 2,500 square foot area at the northwest corner of Fairfax Boulevard and University Drive, and the 40 foot wide utility easement that runs across the property's Fairfax Boulevard frontage. Among those three areas, the space adjacent to Building 2 has the most potential to serve as a usable open space, though specific uses and designs for that area have not been programmed. It should be noted that this is not a viable area for outdoor dining because restaurant uses are prohibited in Building 2 through the applicant's lease agreements. The Board of Architectural Review has recommended that the applicant return to them for review of the final design and programming for this area as included in Attachment 8.

Landscaping is provided to meet code requirements for landscaped parking islands, tree canopy requirements and parking lot screening in portions of the site. It should be noted that three of the five special exception requests associated with this application pertain to the landscaping section of the zoning ordinance. This is primarily a result of limited space for landscaping and the amount of area consumed by excess parking. Staff estimates that an additional 20,000 square feet of landscaping or open space could be provided on the site and the site plan could be revised so that no special exceptions to landscaping requirements, except for the requirement for street trees, would be necessary if the parking quantity were limited to the maximum requirement as provided in the zoning ordinance. This is further discussed in the parking section of this analysis.

### Architecture:

As a commercial use, this proposal is subject to the provisions of the Architectural Control Overlay District including review and recommendation by the Board of Architectural Review (BAR) and issuance of a Certificate of Appropriateness by City Council. Guidance on architecture and landscaping for new development along the Fairfax Boulevard Corridor is provided in the Community Appearance Plan. The BAR reviewed the submitted plans and materials with this application at a meeting on July 5, 2017 and provided a recommendation of support to City Council for a Certificate of Appropriateness subject to conditions. The recommended conditions are provided in Attachment 7 along with the full staff report for the BAR meeting in Attachment 8.

**PART B: APPLICABLE CODE CITATIONS**

**APPLICABLE SECTIONS OF THE ZONING ORDINANCE**

**§6.17.7. Special exception approval criteria**

**A.** In approving a special exception, decision-making bodies shall consider additional mitigation measures offered in support of the application, if any, and whether granting the special exception will:

1. Ensure the same general level of land use compatibility as the otherwise applicable standards;
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;
3. Be generally consistent with the purposes and intent of this chapter and the comprehensive plan; and
4. Be based on the physical constraints and land use specifics, rather than on economic hardship of the applicant.

**B.** Decision-making bodies may consider any special efforts by the applicant to promote compatibility with neighboring properties, such as the installation of additional walls, fences, landscaping or screening, beyond that otherwise required, or other site design trade-offs.

Staff Analysis:

The above criteria for special exception approvals will be discussed for each individual special exception request as provided below.

**§3.2.1.B.1(c) District purpose statement - CR, Commercial Retail**

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

Staff Analysis:

The proposed uses are retail type establishments which are consistent with the purpose statement for the CR, Commercial Retail District.

**§3.6.2. Nonresidential district dimensional standards**

<b>Yard Requirement</b>	<b>CR</b>
Front Yard Maximum	88
Front Yard Minimum	20
Side (interior), min. adjacent to a residential district	25
Side (interior), min. not adjacent to a residential district	0/10
Rear, min. adjacent to a residential district	25
Rear, min. not adjacent to a residential district	0

Staff Analysis:

The site is considered a “through lot” in the context of the Zoning Ordinance, which defines the yard along the Fairfax Boulevard frontage as a “front yard”, the yard along the Eaton Place frontage as a “rear yard” and

the yards along the east and west property boundaries as “side (interior)” yards that are not adjacent to a residential district. The proposed plan is in conformance with all of the above yard requirements except for the front yard minimum requirement along the property’s Fairfax Boulevard frontage. The applicant requests a special exception to this section of the Zoning Ordinance to allow the front yard along Fairfax Boulevard to be reduced to a minimum of 15 feet for a portion of the frontage, where 20 feet is required. It should be noted that the applicant also proposes to provide a dedication of approximately seven feet from the existing property line to allow the required right-of-way width of 50 feet from the centerline of Fairfax Boulevard. Without this dedication, the minimum front yard width along this frontage would be 22 feet. The minimum total setback as measured to the curb is approximately 34 feet.

It should be noted that improvements in front yard along Fairfax Boulevard are limited due to the presence of the stormwater and sanitary easements along this frontage, potentially restricting tree plantings typically provided in front yards. The 15 foot minimum width would not otherwise prevent such plantings.

While the overall layout of this portion of the site is not in conformance with the Comprehensive Plan, as discussed in Part C of this Analysis, a reduction in the front yard width is not necessarily in conflict.

*Recommendation:* Staff supports the special exception request to decrease the minimum front yard requirement because the request meets all of the review criteria for special exceptions as provided above.

#### **§4.4.3. Types of pedestrian facilities**

All pedestrian facilities shall comply with ADA requirements and the following:

##### **A. Sidewalks**

Sidewalks are strips or sections of hard surface material that provide an appropriate surface a minimum of five feet in width, typically located adjacent and parallel to vehicle roadways, intended for use as a walkway for pedestrians. Sidewalks are located within a dedicated right-of-way or public easement.

#### **§4.4.4. Sidewalks**

Sidewalks shall be placed within the right-of-way as specified below.

##### **A. Where required**

1. Unless otherwise specified below, sidewalks shall be required on both sides of all arterial, collector and local streets.

##### Staff Analysis:

The subject property of this application has frontage on two streets; Fairfax Boulevard along the south property line and Eaton Place along the north property line. The Fairfax Boulevard frontage is currently impacted by construction for the Northfax Project. This project includes the installation of a five foot wide sidewalk that meets the above standard. The applicant does not propose any modifications to the sidewalk that will be constructed with the Northfax Project.

The Eaton Place frontage is not currently improved with a sidewalk. Due to the limited space between an existing retaining wall and the curb, the applicant proposes to install a four foot wide sidewalk along the entire length of their frontage for Eaton Place. This sidewalk would not meet the minimum width requirement for this section of the Zoning Ordinance or the five foot width requirement of the Subdivision Ordinance. The sidewalk does meet the minimum four foot width requirement of the Public Facilities Manual though it does not provide a grass strip between the sidewalk and the road, where a minimum three foot wide grass strip is required adjacent to collector roads.

For this reason, the applicant requests a special exception from the Zoning Ordinance, an administrative appeal to a determination of the Zoning Administrator regarding variations to the sidewalk requirements of

the Subdivision Ordinance, and support for a waiver to the Public Facilities Manual from the Director of Public Works. Following is a staff recommendation regarding the special exception to the Zoning Ordinance. Further explanation and recommendations for the other two requests are provided under their respective sections of this analysis.

As provided in Part C of this Analysis, the Comprehensive Plan envisions Eaton Place as a Main Street with enhanced pedestrian elements and active building frontages along the road. While the overall site plan does not contribute toward this vision, this land use request supports the Comprehensive Plan because it allows improvement the pedestrian environment from existing conditions to the extent reasonable.

*Recommendation: Staff supports the applicant's request for a special exception because the request meets all of the review criteria for special exceptions as provided above.*

#### **§4.5.6.B. Street trees**

In all general districts except the CU district, a minimum ten foot wide landscaped strip shall be provided along all streets. Street trees shall be required along all streets at the rate of one canopy tree for every 40 linear feet and spaced a maximum of 50 feet part.

1. All street trees shall be planted no less than three feet or more than 15 feet from the back of the curb or edge of pavement.

#### Staff Analysis:

The submitted application does not provide street trees on either the Fairfax Boulevard street frontage or the Eaton Place frontage. Along Fairfax Boulevard, the combination of a stormwater easement in association with the Northfax Project and a sanitary easement prevent planting of overstory trees within a distance of 28 feet from the property line (post dedication). This necessitates the special exception request for the Fairfax Boulevard street frontage. The applicant has been asked by the Department of Public Works to submit a plan showing street trees on this frontage, indicating specific species and locations, including potential incorporation of planters. This would allow a determination on whether such improvements could be incorporated into the easement area. The applicant has not submitted any such plans to date.

Along Eaton Place, a total of 15 canopy trees would be required to meet the standards of the zoning ordinance. The applicant proposes a total of 12 Holly trees, which do not meet the spacing standards of the ordinance, nor are they classified as overstory trees. While this application does not propose buildings along Eaton Place, as envisioned in the Comprehensive Plan, staff believes improved landscaping adjacent to parking areas would contribute toward the vision for Eaton Place as a Main Street.

An existing retaining wall is located four feet from the back of the curb and less than one foot from the property line along Eaton Place. Parking spaces are provided directly behind the retaining wall on the subject site. The location of the retaining wall prevents the ten foot wide landscape strip and overstory street trees from being accommodated in this area. It should also be noted that existing overhead utility lines would further prohibit overstory trees from being planted in this area.

Despite this, staff believes that the proposed plan minimizes landscaping and screening along this frontage, where it is most critical adjacent to the loading dock for the grocery store and other service areas. Smaller ornamental trees could be planted in parking lot islands, which would not necessarily meet the requirements of Zoning Ordinance, but would improve the presence of the site as experienced from Eaton Place.

*Recommendation: Staff supports the special exception request to omit the requirement for a ten foot landscaped strip and street trees because the request is based on physical constraints and land use specifics, though improvements to the landscaping along*

*Eaton Place would make the plan more consistent with the purposes and intent of the Zoning Ordinance. Staff recommends the following conditions pertaining to this special exception request:*

1. *Additional ornamental trees shall be provided along the site's Fairfax Boulevard frontage if where approved by the Director of Public Works.*
2. *All bollies proposed along the site's Eaton Place frontage, except those used for screening transformers or other mechanical equipment, shall be replaced with ornamental trees.*
3. *Additional ornamental trees shall be provided within 20 feet of the property line along the site's Eaton Place frontage so that they are spaced a maximum of 50 feet apart from the existing bus shelter to the proposed parking lot island approximately 220 feet to the west. Any resulting loss of parking spaces to accommodate this condition shall be deemed in conformance with the approved plan.*

#### **§4.5.7.C. Parking lot landscaping - perimeter**

1. The perimeter of all parking lots with frontage on any portion of a public right-of way shall be screened by a continuous landscaped hedge, a wall, or fence supported by masonry piers. Perimeter screening shall be at least 30 inches in height at the time of installation, and any planted screening shall reach a minimum height of 36 inches within two years of planting.

#### Staff Analysis:

This requirement is met along the site's Fairfax Boulevard street frontage, but not along the Eaton Place frontage. While this application does not propose buildings along Eaton Place, as envisioned in the Comprehensive Plan, staff believes adequate landscaping and screening of parking areas would contribute toward the vision for Eaton Place as a Main Street. An existing retaining wall is located four feet from the back of the curb and less than one foot from the property line. Parking spaces are provided directly behind the retaining wall on the subject site. With a sidewalk proposed on the high side of the retaining wall, any vegetative screening would be located on the low side of the retaining wall, which while meeting the requirements of the Zoning Ordinance, would not meet the intent.

Rather than relying on plantings, staff believes the intent of this section of the Zoning Ordinance could be satisfied by providing a high quality structural element to supplement the retaining wall along Eaton Place.

Recommendation: *Staff believes the special exception request to omit parking lot perimeter landscaping is based on physical constraints or land use specifics though it does not ensure the same general level of land use compatibility as otherwise applicable standards, and is not generally consistent with the purposes and intent of the Comprehensive Plan. Staff supports the special exception request provided the last two review criteria mentioned above are accommodated through the following condition:*

1. *A handrail, barrier or low fencing shall be provided along Eaton Place with a design that exhibits characteristics of demonstrated architectural aesthetic durability, subject to approval by the Director of Community Development and Planning. The handrail may include masonry piers, lighting features, vegetation or other elements that provide high quality screening of adjacent parking and service areas of the site in place of otherwise required landscaping elements.*

#### **§4.5.7.D. Parking lot landscaping – Interior**

##### **1. Interior islands**

An interior landscaped island shall be provided for every ten spaces. Each island shall contain a minimum of 200 square feet with a minimum width of eight feet inside the curb and include a minimum of one canopy tree; provided that, where an island includes a sidewalk, such islands shall contain a minimum of 400 square feet with a minimum of 15 feet inside the curb. Planting islands shall be evenly distributed throughout the parking lot; with no parking space located more than 50 feet from a planting island. Interior islands may be

consolidated or intervals may be expanded in order to preserve existing trees, where approved by the zoning administrator.

**2. Terminal islands**

All rows of spaces shall terminate in a curbed landscaped island. Each island shall conform to the specifications described in §4.5.7.D.1, above.

**3. Median islands**

A median island with a minimum width of eight feet inside the curb shall be sited between every six single parking rows. Median intervals may be expanded in order to preserve existing trees, where approved by the zoning administrator.

Staff Analysis:

The applicant requests a special exception to modify the size of interior parking lot islands as required above. This request applies to interior islands, terminal islands and median islands. The table below provides a list of the modifications requested through this special exception.

Standard	Requirement	Request
Interior/Terminal Island Area	200 sf	105 sf (approx.)
Interior/Terminal Island Width	8 ft	6 ft
Median Island Width	8 ft.	6 ft.

One of the primary benefits of the width and area requirements for interior and terminal landscape islands in the Zoning Ordinance is to allow each island to be planted with an overstory tree and allow ample area for the root structure of that tree to establish. The applicant recognizes this benefit by offering to provide tree cells for every tree planted in an island in the primary parking field that does not meet the dimensional standards of the Zoning Ordinance. Tree cells provide structural support to on-grade improvements, such as parking spaces, curbing and drive aisles, which allows tree roots to expand below these improvements without the threat of compaction.

It should also be noted that while the applicant proposes parking lot islands that do not meet the dimensional standards of the Zoning Ordinance, the proposed plan includes 45 islands where 33 are required by the Zoning Ordinance and some islands with dimensions that are greater than requirements of the Zoning Ordinance.

*Recommendation: Staff supports special exception request to modify parking lot interior landscaping requirements because the proposal generally meets the review criteria of Section 6.17.7 of the Zoning Ordinance, and the applicant provides additional mitigation measures with more islands beyond the requirement of the ordinance, larger individual islands, and tree cells.*

## APPLICABLE SECTIONS OF THE SUBDIVISION ORDINANCE

### §3.4. Administrative Appeals

Any final decision by the zoning administrator, including but not limited to decisions to deny a variation or exception request, may be appealed to the city council within 30 days of the decision. In reviewing the request, the city council may approve or disapprove the request based on the applicable requirements of this article.

### §2.3.3 Types of pedestrian facilities

All pedestrian facilities shall comply with ADA requirements and the following:

#### A. Sidewalks

Sidewalks are strips or sections of hard surface material that provides an appropriate surface a minimum of five feet in width, typically located adjacent and parallel to vehicle roadways, intended for use as a walkway for pedestrians. Sidewalks are located within a dedicated road right-of-way or public easement.

#### Staff Analysis:

The proposed sidewalk along Eaton Place, as described above, would be four feet in width and would not meet this definition for a sidewalk. The applicant requested and received confirmation from the Zoning Administrator that a subdivision application with the proposed sidewalk design would be denied because the proposed sidewalk does not meet the minimum width of five feet as specified in this section of the Subdivision Ordinance. The applicant requests an administrative appeal from City Council to the Zoning Administrator's determination in conjunction with the special exception request of the same. Such an appeal would allow the Zoning Administrator to approve a subdivision application presuming all other criteria are met. Sample language for a motion for this appeal is provided in Attachment 11C.

*Recommendation: Staff supports the applicants request for an administrative appeal to the Subdivision Ordinance pertaining to sidewalk width requirements for the same reason staff supports the special exemption request for a reduction in the minimum sidewalk width per Section 4.4.3.A of the Zoning Ordinance as described above.*

### §2.3.4 Sidewalks

Sidewalks shall be placed within the right-of-way adjacent to the building lot or parcel as determined by the zoning administrator and as specified below.

#### A. Where required

1. Unless otherwise specified below, sidewalks shall be required on both sides of all arterial, collector, and local streets, and adjacent to all sites.

### 3.3.2.B. Action by the zoning administrator

1. Upon submission of a completed application, the zoning administrator shall review the application in accordance with §3.1.8 and for compliance with the approval criteria of §3.3.2.D.

### 3.3.2.D. Approval criteria

Preliminary plat applications shall be approved when the plat, including all new and residual parcels, complies with the design and improvement standards of Article 2 and any other applicable regulations.

**APPLICABLE SECTIONS OF THE PUBLIC FACILITIES MANUAL**

Typical curb and gutter street section:

CLASSIFICATION	FACE TO FACE CURB OR EDGE PAVEMENT MINIMUM	EDGE S/W TO BACK CURB OR EDGE PAVEMENT MINIMUM	PAVEMENT SECTION			R.O.W. (Ft.) (MINIMUM)
			RIDING SURFACE	BASE	AGGREGATE BASE *	
	A	B	①	②	③	C
RESIDENTIAL	36'-0"	2'-0"	2" SM-9.5A	4" BM-25.0	8" No. 21A	50'
COLLECTOR	44'-0"	3'-0"	2" SM-9.5A	4" BM-25.0	8" No. 21A	60'

Staff Analysis:

Eaton Place is defined as a “collector” which requires a distance of three feet from the edge of the sidewalk to the back of the curb. The applicant proposes a distance of 0 feet from the edge of the sidewalk to the curb. It should be noted that this requirement differs from the requirements of the zoning ordinance, which would otherwise allow sidewalks to be located adjacent to the curb in certain conditions. The applicant is unable to meet this standard due to the existing retaining wall located approximately four feet from the Eaton Place curb.

Recommendation: While no City Council action is necessary for the above request, staff recommends support for a waiver from the Public Facilities Manual because of the existing land use constraints on the site.

**PART C: APPLICABLE COMPREHENSIVE PLAN CITATIONS****Review of Applicable Guidance from the Comprehensive Plan and the Community Appearance Plan**Land Use

The site is designated as Mixed Use on the Comprehensive Plan Future Land Use Map. A description of anticipated development in Mixed Use Districts as indicated in the Comprehensive Plan is provided below:

Certain locations in the City call for a flexible land use category that will support development with a mixture of appropriate uses. The Mixed Use category supports a combination of commercial, residential and institutional development to be tailored to specific site conditions and transition needs. The “centers” along Fairfax Boulevard (Kamp Washington, Northfax, and Fairfax Circle) are designated as mixed use, which is reflective of the Fairfax Boulevard Master Plan effort and other previous plans and studies.

Open space that provides uninterrupted pedestrian connections within the mixed use area and to adjacent areas, and can accommodate public gathering should be integrated within the project(s).

The types of uses and phasing of the project should acknowledge market conditions, but the mix of uses must nevertheless be mutually supportive and not haphazard. For smaller sites, or those in which a planned mix of uses among multiple buildings isn’t otherwise feasible, a vertical mix of uses within a single structure is preferred. For larger development sites, mixed use structures are still preferred, but single-use structures may be appropriate as long as the overall project adheres to the characteristics described in this section. [Comprehensive Plan, page 164]

With a location directly fronting onto Fairfax Boulevard, guidance for the site is further provided through the Fairfax Boulevard section of the Land Use Chapter and by the Fairfax Boulevard Vision Summary as provided in Appendix D of the Comprehensive Plan. All areas along the Fairfax Boulevard corridor are either defined as “Centers” or “Connectors” with Centers being targeted for relatively higher intensity, pedestrian oriented development and Connectors targeted for more moderate intensity development with appropriate transitions to adjacent neighborhoods. This site is located in the Northfax Center.

General guidance for Centers as provided in the Comprehensive Plan is stated below:

**Centers:** Within the Fairfax Boulevard Corridor, Centers would become mixed-use environments with short, walkable blocks for pedestrian activity. Scale would be moderate with building heights predominantly 2 to 5 stories.

Office, retail, lodging, and in some cases residential uses may be appropriate in these Mixed Use centers. Building and landscape design, decorative street lighting and pedestrian/ street level activity within these areas should be urban in nature. [Comprehensive Plan, page 169]

The Comprehensive Plan provides the following description specific to the Northfax Center:

During the 1990s, the City planned a project known as Northfax Gateway at the intersection of Routes 123 and 50 as the City’s entrance from I-66 along Chain Bridge

Road. The City recognized that the location is the primary gateway to the City from the north and that it should be developed as a signature project that visually reflects its importance. This Center, which includes properties on both the east and west sides of Chain Bridge Road, has become one of the City's premier potential economic development sites.

Considering the importance of this expanded redevelopment area, the City should continue to build upon the master plan Vision and Summary by refining the mix of uses and the design of the supporting street network. Important considerations in the redevelopment of Northfax should include architectural character, streetscape, pedestrian amenities, the stream/structure interface, open space, and connectivity between areas east and west of Chain Bridge Road and north and south of Fairfax Boulevard. [Comprehensive Plan, page 171]

The Illustrative Plan of the Fairfax Boulevard Masterplan Vision and Summary, included in Appendix D of the Comprehensive Plan, includes the following description for Eaton Place:

A main street is formed along Eaton Place with street-oriented buildings along both sides of the street.

The Community Appearance Plan also provides general guidance on the layout of buildings and parking areas within sites along corridors as follows:

Buildings should be placed as close to the minimum required building setback as possible to limit the amount of negative space (typically parking lots) that currently lines the corridor. Together with massing buildings along a defined setback line, distinct pedestrian entryways should be incorporated into buildings designs to encourage walking, bicycle and transit use and enhance building detail.

If parking cannot be placed to the rear or side of a building, it should be attractively landscaped with quality plant materials.

*Staff Analysis: Although the proposal does not contain multiple uses, as would be preferred in a mixed use district, the Comprehensive Plan acknowledges that the types of uses that are generally considered acceptable should be flexible to accommodate market conditions provided that they contribute toward the cohesive vision of the plan. Retail is a supported use in mixed use districts and an entirely retail development may be appropriate; however, it should be designed to accommodate the physical characteristics described above that contribute toward the comprehensive vision for the Northfax Center, including buildings that are oriented toward streets, walkable block sizes, and inclusion of open spaces and public gathering areas. In addition, the site should be arranged to allow potential future development within the Northfax Center to function along with this site in a cohesive manner. The proposed site layout is more consistent with that of a typical shopping center.*

*The Comprehensive Plan vision supports an active street presence for all three of the largest street frontages for this site at Eaton Place, Fairfax Boulevard and University Drive which should be acknowledged as a goal that is would be a challenge to achieve. Despite this, the proposed plan doesn't address any of the three frontages and generally directs active engagement inward and toward surface parking areas.*

*It is noted that the submitted application primarily relates to individual site features such as landscaping and sidewalks, with no overarching special use permit or rezoning request. As such, the staff recommendation on the application is based on Zoning Ordinance criteria for those individual aspects, rather than the overall site arrangement as it relates to the Comprehensive Plan language cited above.*

### Circulation

The Transportation Chapter of the Comprehensive Plan provides the following guidance for consideration of redevelopment activity along the Fairfax Boulevard Corridor:

The redevelopment of the Fairfax Boulevard corridor has been established as one of the City's priority economic development projects. One of the redevelopment goals for Fairfax Boulevard is to create a tree-lined boulevard that will improve its appearance and create a more pedestrian friendly and inviting shopping and business environment. Fairfax Boulevard would be configured with landscaped medians, where possible, and enhanced streetscape features to encourage pedestrian activity. Slow lanes (with on-street parking), separated from the main travel lanes by landscaped medians, while not intended to be a consistent feature throughout the corridor, should be considered within or adjacent to portions of the Centers if the nature of adjacent redevelopment activity is such that those features would be appropriate. Recognizing the importance of Fairfax Boulevard as a major arterial in the City, and its role as an east/west commuter route, redevelopment plans will attempt to control direct access from individual properties and improve public transit while emphasizing pedestrian accessibility and shared automobile connections to businesses as well as compliance with the aesthetic guidelines of the Community Appearance Plan. [Comprehensive Plan, page 126]

In addition, the following guidance related to circulation is provided in the Comprehensive Plan Land Use Chapter description for the Northfax Center:

Vehicular access should be designed to enhance circulation within the Center through an interconnected series of small blocks with on-street parking, but should not promote pass-through traffic in the adjacent neighborhoods. [Comprehensive Plan, page 171]

*Staff Analysis: A summary of staff analysis regarding the circulation citations from the Comprehensive Plan as they pertain to the submitted plan is provided below:*

- *The proposal contributes toward the creation of an "interconnected series of small blocks" by accommodating the potential University Drive Extension though it does not consolidate access points along Fairfax Boulevard.*
- *Due to the utility easements along Fairfax Boulevard, which generally do not allow for tree plantings, the ability for any kind of redevelopment on the subject site to contribute toward "a tree-lined boulevard" is limited. The proposed plan includes smaller plantings within the easement but does not allow for larger plantings outside of the easements which could soften the appearance of the building and parking areas of the site toward Fairfax Boulevard. The plan does not provide adequate space for appropriate plantings of street trees along Eaton Place.*
- *The plan does not include a provision for slow-lanes, though it does allow for inter-parcel connectivity to the west. The slow-lane component of the Fairfax Boulevard Master Plan could support bringing retail uses closer to the Boulevard while allowing for convenient, accessible parking, though it would provide limited functional benefit due to the site location at a terminal end of the Northfax Center and would need to be coordinated with the proposed University Drive extension project.*

- *The resulting block length between University Drive and Eaton Place along Fairfax Boulevard is over 800 feet. Multiple mid-block pedestrian crossing help make the block length more manageable to pedestrians and enhance connections to Willow Wood Plaza.*

#### Open Space:

The Comprehensive Plan identifies the following strategies to improve open space for the City while reviewing development proposals:

**PRO-2.2 Facilitate the creation of vest pocket parks in areas of high pedestrian traffic or visual interest.**

One manner of enhancing the City's mixed-use areas, particularly Old Town and the three major centers along the Fairfax Boulevard corridor, is to create vest-pocket parks. These parks can serve two major functions: adding green space to relieve the congesting effects of intensive development and providing places for people to relax or visit near areas of employment or shopping. When possible, the City should encourage the inclusion of vest pocket parks during the processes of reviewing plans involving the redevelopment of focal areas within the City. [Comprehensive Plan, page 93]

**PRO-4.1 Incorporate facilities such as trails and small parks or open space areas within and adjacent to residential and commercial developments.**

Through the rezoning and special permit processes, the City should seek proffers to enhance connectivity through local trails and parks and to provide open space areas throughout the City. Where feasible, those proffers may also include maintenance and replacement funds when trail and park facilities are being proffered. [Comprehensive Plan, page 94]

*Staff Analysis: The amount of area on the site that is dedicated to building footprint, parking and accessways minimizes the amount of space available to create vest pocket parks or other open spaces as encouraged through strategy PRO-2.2. With a location in one of the Fairfax Boulevard Centers, inclusion of such spaces in redevelopment proposals is critical in order to contribute toward a higher quality active environment for the Center as a whole.*



## 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.
- **JOHN C. WOOD HOUSE HISTORIC DISTRICT:** Includes the former residence of John C. Wood, the first Mayor of the City of Fairfax; the district prohibits certain uses and structures 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).

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ATTACHMENT 3

DEC 27 2016

Community Dev & Planning

Application No. SU-17040076  
SE-16120067

**SPECIAL USE, SPECIAL EXCEPTION AND VARIANCE  
CITY OF FAIRFAX**

I/We Fairfax Regency, LLC by Nathan Bath & Devin Corini  
(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)

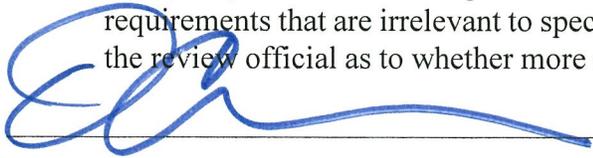
of 10334 Fairfax Blvd Fairfax VA 22030 / Tax Map# see Statement of Justification  
(address)

Application for a ~~Special Use Permit~~ Special Exception / Variance (circle one) pursuant to  
Section \_\_\_\_\_ of the City Code to allow (describe request) see Statement of Justification

City Code References: see statement of justification

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)

VP INVESTMENTS  
(title or relationship)

Address 1919 GALLONS RD, STE 1000 Phone: 703-442-4324  
VIENNA, VA 22182

Email: DEVINCORINI@REGENCYCENTERS.COM

**THE FOLLOWING MUST BE COMPLETED BY THE PROPERTY OWNER**

I/We Fairfax Regency, LLC by Nathan Bath & Devin Carini hereby certify that the applicant named above has the authority vested by me to make this application.

 Vice President, Investments  
(signature of owner or authorized agent) (title or relationship)

Address 1919 Gallows Rd. Ste 1000 Vienna VA 22182 Phone: 703-442-4324

**FOR OFFICE USE ONLY**

Proposal filed: \_\_\_\_\_ Received by: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_ Receipt No. \_\_\_\_\_  
Previous Cases: \_\_\_\_\_

Current status of business license and fees:

Treasurer: Fairfax Regency LLC has no outstanding taxes owed. Rebecca [Signature] 1-3-17

Commissioner of Revenue: Fairfax Regency LLC has met the filing requirements of this office. Leda L. Keightley 12-30-16

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DEC 12 2016

Community Dev & Planning

**AFFIDAVIT  
CITY OF FAIRFAX**

I, Fairfax Regency LLC, by G. Evan Pritchard, attorney-in-fact do hereby make oath or affirmation that  
(name of applicant or agent)

I am an applicant in Application Number \_\_\_\_\_ and that to the best of my knowledge and belief, the following information is true:

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):

See Attachment A

Name	Address	Relationship

(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):

See Attachment B

Corporation Name: \_\_\_\_\_

Name	Address	Relationship

(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):

N/A

Partnership Name: \_\_\_\_\_

Name	Address	Relationship

2. That no 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.)

None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

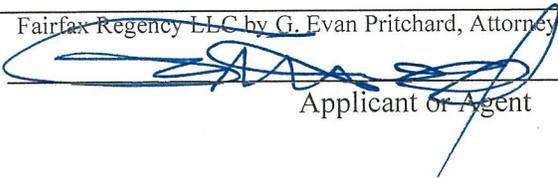
3. That within five (5) years prior to the filing of this application, no member of the City Council, Planning Commission, BZA, or BAR or any member of his or her immediate household and family, either directly or by way of a corporation or a partnership in which anyone of them is an officer, director, 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.)

None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fairfax Regency LLC by G. Evan Pritchard, Attorney-in-Fact

WITNESS the following signature:

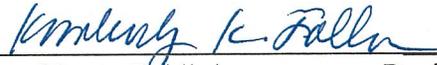


Applicant or Agent

ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 6 day of December, 2016, in the State of Virginia, County of Arlington

My commission expires: 11/30/2019



Notary Public/

Registration #

KIMBERLY K. FOLLIN  
Registration # 283945  
Notary Public  
COMMONWEALTH OF VIRGINIA

DEC 12 2016

## ATTACHMENT A

Community Dev &amp; Planning

Fairfax Regency LLC  
1919 Gallows Road, Suite 1000  
Vienna, VA 22182  
Agents: Nathan Bath  
D. Devin Corini

Applicant/Title Owner of Tax Map  
057-2-02-028, -029, -030, -031,

Johnson Bernat Associates Inc.  
205 N. Frederick Avenue, Suite 100  
Gaithersburg, MD 20877  
Agent: Kevin J. Johnson

Engineer/Agent

Bignell Watkins Hasser Architects P.A.  
One Park Place, Suite 250  
Annapolis, Maryland 21401  
Agent: Adel A. Nur

Architect/Agent

TWS Design Inc.  
1835 Clovermeadow Drive  
Vienna, VA 22182  
Agent: Tina Woods-Smith

Landscape Architect/Agent

Walsh, Colucci, Lubeley & Walsh, P.C.  
2200 Clarendon Boulevard, Suite 1300  
Arlington, Virginia 22201

Attorneys/Planners/Agent

Agents: Martin D. Walsh  
M. Catharine Puskar  
G. Evan Pritchard  
Elizabeth D. Baker

Lynne J. Strobel  
Sara V. Mariska  
Matthew J. Allman  
Inda E. Stagg

**ATTACHMENT B**

**RECEIVED**

**DEC 12 2016**

**Fairfax Regency LLC**  
Sole Member: Regency Centers, L.P.

**Community Dev & Planning**

**Regency Centers, L.P.**  
General Partner: Regency Centers Corporation

**Regency Centers Corporation**  
Publicly traded

*D. Devin Corini, VP, Investments*

**Johnson Bernat Associates, Inc.**  
Shareholders: Kevin J. Johnson, Adam S. Bernat

**Bignell Watkins Hasser Architects P.A.**  
Shareholders: Francis X. Watkins, George L. Hasser, Adil A. Nour, Richard J. Loeschke, Jr, Adeniyi A. Paul

**TWS Design Inc.**  
Shareholder: Tina Woods-Smith

**Walsh, Colucci, Lubeley & Walsh, P.C.**  
Shareholders:  
Wendy A. Alexander, David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Michael J. Coughlin, Peter M. Dolan, Jr., Jay du Von, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael J. Kalish, J. Randall Minchew, Andrew A. Painter, G. Evan Pritchard, M. Catharine Puskar, John E. Rinaldi, Kathleen H. Smith, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh  
*Effective January 1, 2017, additional shareholders: Sara V. Mariska, Charles E. McWilliams*

RECEIVED

DEC 12 2016

Community Dev & Planning

SPECIAL LIMITED POWER OF ATTORNEY

Know All Men By These Presents:

Fairfax Regency LLC hereby makes, constitutes and appoints Martin D. Walsh, Lynne J. Strobel, M. Catharine Puskar, Sara V. Mariska, G. Evan Pritchard, Andrew A. Painter, Matthew J. Allman, Robert D. Brant, Elizabeth D. Baker, and Inda E. Stagg, (Telephone 703-528-4700) of 2200 Clarendon Boulevard, Suite 1300, Arlington, Virginia 22201, to act as the agents in connection with the filing and processing of zoning map amendments, special exceptions, variances and special use permits, BAR applications, and any related applications, associated with the property identified as 058-1-02-018.



By: D. Devin Corini

Its: Vice President, Investments

STATE OF Virginia :  
COUNTY OF Fairfax : to-wit

The foregoing instrument was acknowledged before this 21<sup>st</sup> day of November, 2016  
by D. Devin Corini.



Notary Public

My Commission Expires: 12/31/17  
Registration #: 299548

Sarah Elizabeth Espinoza  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. # 299548  
My Commission Expires Dec. 31, 2017

**STATEMENT OF JUSTIFICATION****Revised July 3, 2017**

Fairfax Regency LLC (the "Applicant") is the owner of the Fairfax Shopping Center consisting of approximately 6.20 acres located between Fairfax Boulevard and Eaton Place and identified as tax parcels 57-2 ((2)) 028, -029, -030, and -031 (the "Property"). The Property is zoned to the CR Commercial Retail District and located within the Architectural Control Overlay District. Approximately 51% of the Property is currently located within a floodplain and the Resource Protection Area (RPA) located in the southeastern corner of the Property. Constructed in 1951, Fairfax Shopping Center consists of approximately 77,000 square feet of retail space with approximately 5,000 SF lost in a fire, configured in a manner that is no longer conducive to today's retail tenants from a parking and layout standpoint.

The Applicant is proposing a redevelopment of the Property to raze the existing shopping center and replace it with a new 48,200 square foot retail project. The new project would include a 30,000 square foot Whole Foods 365 grocery store building plus three smaller buildings that will provide 18,200 square feet of additional retail and restaurant space. Ornamental and deciduous trees and attractive landscaping will be added throughout the Property, resulting in a dramatic improvement over existing conditions. Outdoor amenity areas will be incorporated into the project. In addition, the Whole Foods 365 proposes to incorporate an outdoor seating and dining area adjacent to the grocery store. Connectivity will be enhanced to create a welcoming and inviting experience for pedestrians. The new parking field creates better quality parking than the current design to ensure a better customer experience. New landscaping will be implemented to break up the parking field. This is a major improvement from the existing conditions.

Whole Foods 365 is a new, smaller store format concept introduced by Whole Foods in 2015 intended to offer the same high quality organic foods as Whole Foods stores but at lower prices. The lower prices are achieved through a smaller footprint of approximately 30,000 square feet as compared to an average Whole Foods store of approximately 43,000 square feet as well as innovative energy-saving product cases and displays. These features create an experience for the shopper that is very similar in style, quality, and price to Trader Joe's. The Applicant is excited to have Whole Foods 365 be part of its proposal as it will provide vitality for the Property as well as serve as an important catalyst for redevelopment of the surrounding area.

The development would also accommodate two important public projects that are intended to improve circulation and stormwater conditions on the Property and surrounding area. First, the Property is designed to accommodate a stormwater culvert to be constructed across its southern portion as part of the Northfax project. This culvert will significantly reduce the flood plain area on and around the Property but also precludes the placement of trees and buildings around within the culvert easement area. In the near term, the project will require demolition of 8,089 square feet of existing retail space.

The second major public project potentially impacting the Property is the proposed extension of University Drive from Fairfax Boulevard north to Eaton Place. The Applicant's proposed development layout will accommodate this future extension into the development as part of a future action by the City, assuming a 60-foot right-of-way width in a fashion that will improve access and circulation through and around the Property for both vehicles and pedestrians.

The Applicant's proposal is detailed on the enclosed special exception plan prepared by Johnson Bernat Associates, Inc. (JBA). As shown on the plan, the redevelopment proposed will be compatible with surrounding development and enhance the appearance of the Property. Landscaping will be provided along the entire frontages of Fairfax Boulevard and Eaton Place. Although the new stormwater culvert will preclude the planting of trees adjacent to Fairfax Boulevard, trees will be planted throughout the site in the parking areas, along the Property's western and eastern boundaries, on either side of University Drive, and along Eaton Place. Access to the Property will be provided via four entrances along Fairfax Boulevard. The proposed layout will also allow for the future expansion of University Drive further north to fully connect Fairfax Boulevard and Eaton Place. New sidewalks will be constructed along Fairfax Boulevard.

The Applicant will design and construct the retail buildings with quality materials to meet The City's Community Appearance Plan recommendations. The retail buildings are shown on the enclosed elevations that are being submitted to the Board of Architectural Review.

As shown on the City's Comprehensive Plan Future Land Use Map, the Property and adjoining parcels to the west are planned for mixed use development. However, the Comprehensive Plan acknowledges that flexibility in land use is needed and must be tailored to specific site conditions. Furthermore, the Comprehensive Plan recognizes that the types of uses and phases of a project must be responsive to market conditions. Although no residential use is proposed on the Property at this time, the proposed layout could easily incorporate such use as part of a future phase through consolidation of the Property with neighboring properties, conversion of surface parking to buildings with structured parking, or expansion of the proposed buildings. The proposed redevelopment is therefore in harmony with the goals and objectives of the Comprehensive Plan.

Given site specific constraints and the on-site parking needs of the Whole Foods 365 and other tenants a number of special exceptions to the City's by-right zoning regulations for the CR District are requested:

1. Pursuant to §6.17 of the City of Fairfax Zoning Ordinance, a special exception to allow a sidewalk that does not meet the minimum width required by §4.4.4.A.1. The existing topography of the site makes it impossible to construct a five-foot sidewalk in this location without adjusting travel lane width on Eaton Place. A four-foot sidewalk between the two existing pedestrian crossings on Eaton Place is proposed between the back of curb and the existing retaining wall.
2. Pursuant to §6.17 of the City of Fairfax Zoning Ordinance, a special exception to allow property street frontages without a ten foot wide landscape strip or street trees as required by §4.5.6.B. This modification is necessary because no trees may be planted in the area to be encumbered by the stormwater culvert. While still providing a sizeable landscape buffer, due to the easement requirements, large trees may not be planted within the easement area along Fairfax Boulevard. The existing retaining wall along Eaton Place restricts the planting of street trees, yet we are still setback from the curb line ten feet.
3. Pursuant to §6.17 of the City of Fairfax Zoning Ordinance, a special exception to modify the minimum width of parking islands from eight feet to six feet as required by §4.5.7.D.1. This modification is necessary to reduce the minimum width of the islands to six feet and increase the number of parking spaces between interior islands to 11 or 12 in order to provide the surface parking area needed to properly service the grocery store and other retail uses on the Property. A tree cell (Silva Cell) or other suitable measures will be proposed to ensure the survival of the trees. Additionally, to reduce the width of the median island

required by §4.5.7.D.3 in the Whole Foods 365 primary parking field to six feet from the required eight feet.

4. Pursuant to §6.17 of the City of Fairfax Zoning Ordinance, a special exception to provide no parking lot perimeter landscape areas where required by §4.5.7.C.1. The existing retaining wall along Eaton Place will effectively screen the parking area along Eaton Place.
5. Pursuant to §6.17 of the City of Fairfax Zoning Ordinance, a special exception to reduce the minimum front yard width from twenty feet to fifteen feet as required by §3.6.2. A reduction of five feet to fifteen feet will allow the proposed median island listed above in number 3 above.

Since the Property is partially located within a floodplain, the Applicant may request a Special Use Permit to allow revision to the proposed redevelopment pursuant to §4.15.7.C.2(b). It is understood that the project cannot obtain site plan approval until the final LOMAR is received from FEMA, and at that time a Special Use Permit for any requirements associated with the new floodplain boundary will be addressed.

Finally, the specifics of the proposal require determination by the City Council on several items that are not considered land use actions:

1. Support for a Waiver to be authorized by the Director of Public Works to allow a sidewalk without a minimum three foot wide buffer along a collector street as required by the Public Facilities Manual. No separate action is required for this request. Support of the resolution to approve the special exception requests indicates support for this Waiver. Denial of this resolution indicates non-support for the Waiver.
2. Appeal to a determination by the Zoning Administrator that a variance or modification cannot be granted to allow a sidewalk width that does not meet the minimum requirements as required by §2.3.3.A of the Subdivision Ordinance.
3. Issuance of a Certificate of Appropriateness based on the recommendations of the Board of Architectural Review.

The Applicant's proposal is an opportunity to redevelop an aging shopping center in accordance with the recommendations of the Comprehensive Plan. The proposed new center and grocery store will be a welcome addition to the City and help achieve the vision for Northfax and Fairfax Boulevard.

**WELLS + ASSOCIATES**

## MEMORANDUM

To: Nathan Bath  
Regency Centers

From: William F. Johnson, P.E.  
August W. Steinhilber

Re: Fairfax Shopping Center Special Exceptions  
City of Fairfax, Virginia

Subject: Trip Generation

Date: December 21, 2016

1420 Spring Hill Road  
Suite 610  
Tysons, Virginia 22102  
703-917-6620  
703-917-0739 FAX  
www.mjwells.com

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This memorandum provides the results of a trip generation analysis performed for the Fairfax Shopping Center site located in the City of Fairfax, Virginia. The site is specifically located north of Fairfax Boulevard (Route 29/50), south of Eaton Place, and east of Chain Bridge Road (Route 123). The site is currently developed by-right with a strip retail shopping center along with a restaurant pad use. The total approved by-right gross floor area (GFA) for the center is approximately 82,268 square feet (SF). Access to the site is currently provided via four curb cuts along Fairfax Boulevard: one full movement signalized intersection opposite University Drive, one full movement unsignalized median break, and two right-in/right-out entrances.

Regency Centers plans to raze and redevelop the site as a retail center consisting of up to approximately 48,200 gross SF. This proposed redevelopment represents a substantial decrease of the currently approved by-right GFA. To that end, special exceptions have been filed to address certain requirements in the Zoning Ordinance pertaining to the Statement of Justification dated December 21, 2016 attached hereto. However, the special exceptions do not pertain to any specific land use currently proposed. The retail uses proposed are permitted by-right and the applicant intends to submit a site plan in the near future to proceed with the proposed redevelopment.

Wells + Associates completed a trip generation analysis comparing the by-right potential of the property to the redevelopment proposed by the Applicant. The analysis was performed using standard Institute of Transportation Engineers (ITE) Trip Generation Manual, 9<sup>th</sup> Edition rates/equations. The results of the analysis are summarized in Table 1. As shown, the proposed redevelopment would *reduce* the trip generation potential of the site by 38 weekday AM peak hour, 159 weekday PM



## WELLS + ASSOCIATES

### MEMORANDUM

peak hour, and 1,756 weekday daily trips.

Based on the results summarized herein, it can be concluded that the proposed redevelopment of the Fairfax Shopping Center would not result in any traffic impacts on the surrounding roadway network above and beyond the currently approved retail uses on the property.

If you have any questions on this analysis or require additional information, please contact Will Johnson at 703.365.9262 or [wjohnson@wellsandassociates.com](mailto:wjohnson@wellsandassociates.com).

Attachments: a/s

Table I  
 Fairfax Shopping Center  
 Trip Generation Analysis <sup>(1)</sup>

Scenario	Land Use		Units	AM Peak Hour			PM Peak Hour			Weekday Average Daily Trips
	Code	Amount		In	Out	Total	In	Out	Total	
<u>Existing Approved (By-Right)</u>										
Shopping Center	820	82,268	GSF	86	52	138	252	274	526	5,982
<u>Proposed Program</u>										
Shopping Center	820	48,200	GSF	62	38	100	176	191	367	4,226
<b>Net New Trips</b>				<b>-24</b>	<b>-14</b>	<b>-38</b>	<b>-76</b>	<b>-83</b>	<b>-159</b>	<b>-1,756</b>

Note(s):

(1) Trip generation based on the Institute of Transportation Engineers' Trip Generation, 9th Edition equations and/or rates.

**RECOMMENDED CONDITIONS FOR ISSUANCE OF THE  
CERTIFICATE OF APPROPRIATENESS**

1. The dumpster enclosure and trash compactor area for the grocery store shall be dark gray, smooth, aggregate CMU block with precast caps and composite wood slat doors, to match those of the three retail buildings. The enclosure height or evergreen trees shall accommodate for required screening of the elevated sightline along Eaton Place.
  2. If possible, a landscape area planted with evergreen trees shall be added north of the trash compactor area of the grocery store to better screen this area from view on Eaton place.
  3. Where practicable, evergreens shall be planted north of the transformers in the northwest corner of the site and beside Retail Building 3 to better screen them from view on Eaton Place.
  4. Where practicable, evergreens shall be planted along the west edge of the site to supplement the proposed deciduous trees.
  5. Where practicable, shrubs shall be planted between the trees along the entrance opposite University drive, in all parking islands, and beneath the trees around the three retail buildings.
  6. Where practicable, small ornamental trees shall be planted within the storm water easement along Fairfax Boulevard to supplement the proposed shrubs, in combination with a wall structure, locations to be coordinated with the Department of Public Works, and to be reviewed and approved by the Board of Architectural Review at a later date.
  7. The Applicant shall secure any required code administration and zoning approvals before commencing work.
  8. The proposed modifications shall be in general conformance with the application package received by staff on June 14, 2017, and as updated through June 29 2017, except as may be modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.
  9. The applicant shall propose a mural to be painted on the east façade of the grocery store, to be reviewed and approved by the Board of Architectural Review at a later date.
  10. The applicant shall return to the Board of Architectural Review with revised plans reflecting the amenity area to the west of Retail Building 2 for review and approval.
  11. The applicant shall return to the Board of Architectural Review with revised plans reflecting the Whole Foods 365 extended seating area to wrap around the Fairfax Boulevard south side of the grocery building for review and approval.
-



**Board of Architectural Review**

DATE: July 5, 2017  
TO: Board of Architectural Review Chair and Members  
THROUGH: Jason Sutphin, Community Development Division Chief **JDS**  
FROM: Tommy Scibilia, BAR Liaison **TS**  
SUBJECT: **Fairfax Shopping Center**

- ATTACHMENTS:
- 1. Relevant Code Sections
  - 2. Architectural Review Exhibits 6/14/17
  - 3. Landscape Plan 6/27/17
  - 4. Previous Grocery Store Elevations

**Nature of Request**

- 1. Case Number: BAR-17010015
- 2. Address: 10334-10406 Fairfax Boulevard
- 3. Request: New shopping center and grocery store
- 4. Applicant: Fairfax Regency, LLC
- 5. Applicant's Representative: Nathan Bath
- 6. Status of Representative: Agent
- 7. Zoning: CR Commercial Retail

**STAFF COMMENTS**

**Background:**

The property is centrally located in the City in Northfax between Fairfax Boulevard and Eaton Place. It is triangular with frontage along both rights-of-way, and University Drive lines up with the western portion of the site. The south and north edges of the site are bound by Fairfax Boulevard and Eaton Place respectively. The western property line runs southwest-northeast diagonally from Fairfax Boulevard to Eaton Place, separating it from a vehicle storage lot to the west. The site was developed as a retail strip center around 1950, with two multi-tenant retail strips and a standalone restaurant building. The retail buildings were primarily red brick with wood shingle roofs, ample storefront fenestration, and a covered concrete sidewalk in front. The restaurant is located on the east end of the

site, is primarily sided in wooden shingles, and contains a covered porch along the side of the restaurant facing Fairfax Boulevard. The entire strip center was and still is serviced by a large surface parking lot that spans the Fairfax Boulevard side of the site. In 2012, the BAR approved a temporary wall that screened the remains of a fire that destroyed a portion of the larger multi-tenant building. The smaller retail building has since been demolished, and today the shopping center retains only a handful of tenants. The Department of Public Works has begun work on a major Northfax roadway and storm water improvement project that has shut down the portion of Chain Bridge Road between Fairfax Boulevard and Eaton Place, and work is currently taking place along the southern border of the site in question along Fairfax Boulevard. Completed work will result in a 42-foot storm water and sanitary sewer easement along the southern edge of the property, on which no building construction is to take place, and in which no large trees may be planted due to root systems interfering with the infrastructure below. On June 13, City Council voted to move ahead with the University Drive extension project spearheaded by the Department of Public Works, which would effectively connect University Drive at Fairfax Boulevard to Eaton Place through Northfax.

The property will be reviewed by City Council on July 11, 2017 for five special exception requests:

- 1) Allow a sidewalk that does not meet the minimum width required by §4.4.4.A.1.
- 2) Allow property street frontages without a 10 foot wide landscape strip or street trees as required by §4.5.6.B.
- 3) Reduce the minimum dimensions for parking islands permitted by §4.5.7.D.1.
- 4) Provide no parking lot perimeter landscaping in certain areas where required per §4.5.7.C.1.
- 5) Reduce the minimum front yard with from 20 feet to 15 feet as required by §3.6.2.

All code sections referenced above can be found in Attachment 1.

Under the current zoning ordinance, per §6.5.6.B.1., projects that are to appear before City Council for special exceptions and special uses that also require a certificate of appropriateness are required to be reviewed by the BAR for a recommendation prior to the Council hearing. The BAR is asked to render a recommendation on the major certificate of appropriateness application. Review should include architecture, landscaping, lighting, appurtenances, and accessory furnishings. Site layout, the road, and signage do not fall under the BAR's scope of authority. City Council may take final action on the certificate of appropriateness with the BAR's input, or may defer final action back to the BAR following the Council hearing.

**Proposal:**

*Site Design:*

The proposed site design includes three retail pad buildings and a grocery store. The site would have four access points along Fairfax Boulevard, two of which would be right-in, right-out. Retail building 1 (5,000 square feet) on the west end of the site would be situated diagonally with its rear parallel to the

western property line. A handful of parking spaces would surround the front of this building along Fairfax Boulevard. Retail building 2 (7,000 square feet) and the grocery store (29,999 square feet) would be situated around a large rectangular parking lot with frontage on Fairfax Boulevard. Both buildings would have high visibility from both Fairfax Boulevard and Eaton Place. Retail building 3 (6,200 square feet) would be situated at the east end of the site oriented toward Fairfax Boulevard, but with high visibility of its east and north elevations from Eaton Place. The service areas for all four buildings are oriented toward Eaton Place. A single row of parking can be found along all sides of the site. The easement along Fairfax Boulevard would contain a sidewalk and landscaping, with some parking spilling into the easement mentioned above. The eastern corner of the site would remain undeveloped. A large portion of this is located in a 100-year floodplain and would remain vegetated with a day-lit portion of a branch of the Accotink Creek.

*Architecture:*

The proposed architecture for the shopping center includes a variety of materials and colors. The overall aesthetic is unified between the four buildings. The three retail buildings feature floor-to-ceiling storefront across their front elevations and on the front portion of their side elevations. The material palette is the same for the three buildings, but their architecture varies, giving each a distinct look. The grocery store incorporates some of the materials of the retail buildings, but retains a unique aesthetic that both blends with the shopping center and remains loyal to the grocery store brand. Elevations, material information, lighting details, and amenities information can all be found in Attachment 2.

Retail Building 1:

This retail building is the farthest east and smallest of the three, containing 5,000 square feet of space for multiple retail tenants. The front elevation would be visually broken into three sections:

- 1) The leftmost section would be primarily a light tan colored brick, "Confederate Blend" by Acme Brick, with an elevated portion clad in woodgrain maple-colored fiber cement panel, recessed from the main façade slightly, creating a tower element. The top of the tower would have a flat silver-colored metal cornice. The tower element and material language continue around the south side of this building facing Fairfax Boulevard. A silver colored flat aluminum canopy would be located above the storefront on the front and sides of this space.
- 2) The middle portion of this building would incorporate a silver-colored metal grill on the façade in the sign band area above the clear anodized storefront with a steel trellis awning painted a maple color to match the woodgrain fiber cement paneling proposed on the other buildings onsite.
- 3) The rightmost section would be primarily a dark red brick, "Royal Salisbury" by Taylor Brick, with a darker brown brick, "Dark Ironspot Velour" by Yankee Hill Brick & Tile, as an accent above the storefront.

Both the middle and rightmost sections of the building would have a white EIFS parapet, lower than the tower element on the left side, with silver colored metal coping.

The rear portions of the side elevations, and the entire rear elevation would be composed of two grey tones of smooth aggregate CMU block, “Royal Salisbury” red brick, scored white EIFS, and silver metal coping. The rear elevation is the most reserved architecturally, with no roofline variation and less material variation than the other three sides of the building.

The service entrances to this building are on the rear portions of the side elevations, facing both Fairfax Boulevard and Eaton Place.

Retail Building 2:

Similarly to Retail Building 1, Retail Building 2, located centrally in the shopping center and the biggest of the three retail buildings at 7,000 square feet, would be visually broken into three sections across the front elevation:

- 1) The leftmost section would be primarily the light tan “Confederate Blend” brick, with silver metal Bahama-style awnings above clear anodized storefront. This portion of the building is built higher than the rest, creating a tower element with a row of “Dark Ironspot Velour” brick below a white EIFS decorative cornice. The tower element and material language continue around to the west side of the building.
- 2) The middle portion of this building would project from the main façade of the building, and would be primarily “Dark Ironspot Velour” brick with “Confederate Blend” tan brick as an accent above the dark bronze storefront. This is the shortest section of the building, capped with silver metal coping. A ground-supported silver metal trellis would span this middle section.
- 3) The rightmost section would be primarily “Royal Salisbury” brick at and below the level of the clear anodized storefront, and woodgrain fiber-cement panel above. This portion of the building would be elevated above the middle portion, but not to the height of the leftmost portion. It would be capped with a simple flat silver metal cornice. The tower element and material language continue around to the east side of the building. A ground-supported silver metal canopy, distinct from the trellis in the middle section, would span the front and sides of this section of the building and wrap the corner.

The rear portions of the side elevations, and the entire rear elevation would be composed of two grey tones of smooth aggregate CMU block, “Royal Salisbury” red brick, and silver metal coping. Again, the rear elevation is the most reserved architecturally, with no roofline variation and less material variation than the other three sides of the building.

The service entrances to this building are located in the rear, facing Eaton Place.

Retail Building 3:

Similarly to Retail Buildings 1 and 2, Retail Building 3, located at the east end of the site, containing 6,200 square feet, would be visually broken into three sections across the front elevation:

- 1) The leftmost section would be primarily the light tan “Confederate Blend” brick with “Dark Ironspot Velour” brick as an accent above the clear anodized storefront. A steel trellis awning painted a maple color to match the woodgrain fiber cement paneling would be located above the storefront on the front elevation. This portion of the building creates a tower element with a row of “Dark Ironspot Velour” brick below a white EIFS decorative cornice. The tower element and material language continue around to the west side of the building facing the rear of the grocery store.
- 2) The middle portion of this building would be primarily woodgrain fiber cement panels with dark gray CMU aggregate block as an accent above the dark bronze storefront. This is the shortest section of the building, capped with silver metal coping. The steel trellis awning continues from the leftmost section of the building across this middle section of the building.
- 3) The rightmost section would be the tallest portion of the building creating a tower element, would project forward from the main elevation of the building, and would be primarily “Royal Salisbury” brick. It would be capped with a flat silver metal cornice and have silver metal Bahama-style awnings above clear anodized storefront. The tower element and material language continue around to the east side of the building.

The rear portion of the west side elevation, and the entire rear elevation would be composed of two grey tones of smooth CMU aggregate blocks, scored white EIFS, and silver metal coping. These two elevations are the most reserved architecturally, with no roofline variation and less material variation than the other two sides of the building.

The east side elevation which faces Eaton Place is decidedly more architecturally varied, with “Royal Salisbury” brick from the tower element discussed above, and also woodgrain fiber cement panels, “Confederate Blend” brick, dark gray CMU aggregate block, and steel trellis awnings painted a maple color to match the woodgrain fiber cement paneling.

The service entrances to this building are located in the rear, facing Eaton Place.

Grocery:

Whole Foods 365 is slated to be the anchor tenant for this shopping center. It is a smaller and different model of the Whole Foods franchise, at 29,999 square feet. The grocery store is oriented inward toward the main surface lot, with its rear elevation facing Retail Building 3 and Eaton Place, and it would be prominently visible from Fairfax Boulevard.

The design of this building has changed drastically from what the applicant first brought to staff. The original design was monolithic in nature with large swaths of CMU, stucco, and resin panel with a muted color palette of whites and grays, little material differentiation, and little architectural articulation aside from the main entrance. The original proposal can be seen in Attachment 4.

The revised design is much more fitting for the shopping center, with a warmer material palette, more articulation, and varied forms that better reflect the architecture of the three retail buildings. The main body of the building is proposed to be warm “Oyster Gray” brick by Taylor Brick with projecting horizontal accent bands. Above the brick would be the woodgrain fiber cement panel used extensively on the retail buildings. “Confederate Blend” light tan brick pilasters would be used to add articulation to the four elevations, and would be incorporated into a tower element at the southwest corner of the building, crowned with a decorative white EIFS cornice like those found on Retail Buildings 2 and 3. Planes of scored white EIFS are proposed on the rear and side elevations, but in limited quantities and framed by brick. The front elevation makes extensive use of glazing in clear anodized framing with colored glazing film in green, blue, and red, used to punctuate certain windows. This language is repeated on the side elevation facing Fairfax Boulevard with “ghost” windows, or decorative spandrel glass used to mimic actual windows. A simple white EIFS cornice lines the roofline all the way around the grocery store.

The main entrance to the grocery store is articulated with a projecting entry tower clad in large tan composite resin panels. This is the only place on this building where this material is used in order to give the entrance more visual prominence. A blue corrugated metal eyebrow canopy creates an interesting geometric configuration above the entrance doors and fenestration. Flat blue corrugated metal canopies are found to the right of the entrance and also on the side elevation facing Fairfax Boulevard above the spandrel glass. See pages 15 and 16 of Attachment 2 for the proposed grocery store elevations.

*Lighting:*

Nine types of lighting are proposed with this application. Details can be found on page 13 of Attachment 2.

- 1) Silver LED cobra head lights in the parking lot islands
- 2) Large, dark bronze downcast wall pack lights above the service areas of the retail buildings
- 3) Decorative silver sconces on the front and sides of the retail buildings
- 4) Modern silver 12’ street lights beside sidewalks, in parking islands, and around the edges of parking areas
- 5) Small, dark bronze downcast wall pack lights above the service entrances of the retail buildings
- 6) Dark bronze, building-mounted cylindrical lights on the upper portions of the front and side elevations of the retail buildings for illuminating signage.
- 7) Silver-framed accent lights along the ground-supported silver metal canopy on the rightmost section of Retail Building 2
- 8) Decorative, wall-mounted, projecting, hanging silver metal fixtures on the front and sides of the retail buildings
- 9) String lights with a black finish beneath the ground-supported silver metal trellis on the middle portion of Retail Building 2

*Landscaping:*

A variety of landscaping can be found throughout the site, including trees, evergreens, and shrubs. The landscape plan is included as Attachment 3.

- Trees include red maple, birch, maidenhair, honey locust, oak, and elm. The proposed trees are three-inch caliper and would be located primarily in the parking islands, along the main drive aisle across from University Drive, behind Retail Buildings 2 and 3, and along the east and west edges of the site.
- The only evergreen species proposed is a holly that would mature at between eight and ten feet in height. It is proposed primarily in the six parking islands along Eaton Place, as well as around the various dumpster enclosures onsite.
- Shrubs include distylium, silverberry, holly, crepe myrtle, rose, and viburnum. They are proposed within the stormwater easement on Fairfax Boulevard where trees with deep root spreads cannot be planted.

The landscaping along Eaton Place is by far the sparsest onsite. Because of the retaining wall here, it is difficult to recommend more landscaping along this frontage without eliminating parking.

Staff believes the main entrance across from University should incorporate more ground plantings around the base of the trees here, in order to add greenery and celebrate this main point of entry. Shrubs are also encouraged wherever practicable between the trees planted on the edges of the site and in the parking islands.

Because large trees cannot be planted in the storm water easement and culvert along Fairfax Boulevard, staff also recommends adding small ornamental trees wherever possible whose root systems may not interfere with the function of this space. Because only shrubs are proposed across the entirety of this frontage, and because the majority of this frontage is dominated by a surface parking lot, staff believes more screening is necessary here. Final design would require approval from the Department of Public Works.

*Appurtenances:*

The mechanical units for all four buildings are to be roof-mounted. All four buildings contain parapets in their design that effectively screen these from view in the rights-of-way. See page 9 of Attachment 2 for sightline elevations.

All three retail buildings have dumpster enclosures that are fairly well-screened with strategically placed evergreens. The dumpster enclosures servicing Retail Buildings 1 and 2 have space for ground plantings that may better screen these from view, however. These enclosures are dark gray smooth aggregate CMU block with precast caps, and composite wooden slat doors. They are generally compatible with the materials of the retail buildings.

The grocery store trash compactor and dumpster enclosure areas are located to the rear of the building and are primarily blue corrugated metal enclosures to match the canopies. Staff believes CMU with

precast caps and wooden slat doors to match the enclosures of the retail buildings is a more appropriate design, however. Additionally, these areas are not well-screened from Eaton Place, and are in need of additional plantings if possible.

Transformers are located mostly toward the Eaton Place side of the development. There is some landscape screening proposed for these, but staff recommends increasing the plantings to better screen these.

#### *Amenities*

Outdoor seating areas are proposed for Retail Buildings 2 and 3 as well as the grocery store. Exact locations have still yet to be determined. Some of these areas would be demarcated by silver patio railings seen on page 14 of Attachment 2 for the retail buildings, and page 18 for the grocery store. Seating areas would contain silver metal chairs and café tables as well as longer metal and wood tables with matching square stools. The materials are consistent with those used on the buildings themselves.

Two circular silver metal back racks are proposed outside each of the three retail buildings, and five of the same style but in blue are proposed outside of the grocery store. The corresponding finishes are appropriate for their respective proposed locations.

Modern trashcans and benches in silver metal would be found in front of all four buildings. Again, exact placement of these items is not yet determined.

Finally, simple cart corrals of dark gray metal are proposed throughout the parking lot and in front of the grocery store.

#### *Signage:*

Signage is not within the BAR's purview in this part of the City.

#### **Analysis:**

The following excerpts from the Community Appearance Plan are relevant to this application:

*Tree canopies should be established along the length of the corridors through the introduction of a variety of species (39).*

As stated in the landscaping section above, staff encourages the applicant to incorporate small ornamental trees in as many places as possible along Fairfax Boulevard in the storm water easement where larger trees cannot be planted. This will require review and approval by the Department of Public Works.

*Evergreen trees should be used in conjunction with deciduous trees where an effective vegetative screen is needed (41).*

This is proposed in some locations, such as the dumpster enclosures servicing Retail Buildings 1 and 2, but could be used elsewhere onsite to strengthen screening efforts. Recommendations include:

- North of the transformer in the northwest corner of the site along Eaton Place
- North of the transformer beside Retail Building 3 to screen it from Eaton Place
- A new planting area, if possible, north of the grocery store to better screen the trash areas from Eaton Place
- Between the trees proposed on the east and west edges of the site to better screen the parking lots from the right-of-way and adjacent properties

Smaller shrubs may be more appropriate for screening in tighter places, and for added pedestrian-scale greenery throughout the site. Recommendations include:

- Between the sidewalk and dumpster enclosure servicing Retail Building 1
- Between the trees proposed along the main entrance across from University Drive
- In parking islands between trees
- Beneath the trees proposed around the retail buildings
- In the parking islands along Eaton Place

*Developers are encouraged to place existing overhead utilities underground through rezoning, special use permit, and special exception processes (45).*

While the zoning ordinance does not require undergrounding of existing utilities, staff encourages this action be taken as part of the redevelopment.

*Because of the variety of existing styles and the lack of an historical architectural reference along the corridors, no single architectural style is favored over others. Both modern styles and traditional architecture are appropriate – if well-designed and appropriately sited (50).*

The materials and architectural elements proposed for this development are modern with traditional elements worked in relatively seamlessly. The silver metal awnings, light fixtures, and amenities add modern flair, while the use of bricks, woodgrain panel, masonry, and architectural elements such as cornices retain traditional architectural styles found throughout the City.

*Traditional materials such as brick, wood, and stone have survived the various architectural trends over time and exhibit longevity and quality. These materials are recommended in future developments within the corridor in lieu of the more modern glass, metal and concrete panel construction (51).*

As stated above, the proposal effectively mixes modern materials with traditional materials, creating a tasteful and engaging hybrid style that staff finds appropriate for the Northfax area. Staff would like the BAR's input on the amount of woodgrain fiber cement panel proposed throughout the development, because it is fairly significant.

*Colors for use on buildings and signs should be selected for their compatibility with the natural features and existing development found in and adjacent to the corridors. Conversely, colors intended to attract attention detract from efforts to improve the appearance of the streetscape, and should be used sparingly, perhaps as accent colors (51).*

The color palette is warm and neutral, and would be consistent throughout the development. Colors will likely be introduced with signage on the retail buildings, while the corporate blues, greens, and reds of the grocery store add visual accents that do not overwhelm the material palette.

## **RECOMMENDATIONS**

Staff believes that the proposal is generally consistent with the City's zoning ordinance and design criteria, and therefore recommends the BAR recommend approval of the request to City Council, with the following conditions:

1. The dumpster enclosure and trash compactor area for the grocery store shall be dark gray, smooth, aggregate CMU block with precast caps and composite wood slat doors, to match those of the three retail buildings.
2. If possible, a landscape area planted with evergreen trees shall be added north of the trash compactor area of the grocery store to better screen this area from view on Eaton place.
3. Evergreens shall be planted north of the transformers in the northwest corner of the site and beside Retail Building 3 to better screen them from view on Eaton Place.
4. Where practicable, evergreens shall be planted along the east and west edges of the site to supplement the proposed deciduous trees.
5. Where practicable, shrubs shall be planted between the trees along the entrance opposite University drive, in all parking islands, and beneath the trees around the three retail buildings.
6. Where practicable, small ornamental trees shall be planted within the storm water easement along Fairfax Boulevard to supplement the proposed shrubs.
7. The Applicant shall secure any required code administration and zoning approvals before commencing work.
8. The proposed modifications shall be in general conformance with the application package received by staff on June 14, 2017, and as updated through June 29 2017, except as may be modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

## Relevant Regulations

### §3.6.2. Nonresidential districts

NONRESIDENTIAL DISTRICTS DIMENSIONAL STANDARDS	CL	CO	CR	CU	CG	IL	IH
DENSITY (UNITS/ACRE), MAXIMUM	RESERVED						
LOT AREA, MIN. (SQ. FT.)	--	20,000	20,000	30,000	22,000	--	--
REQUIRED YARDS (FT.)							
Front and side (street)							
Maximum	--	--	88[1]	15[1]	--	--	--
Minimum	20	20	20[1]	0[1]	20	20	25
Side (interior), min. adjacent to a residential district	25	25	25	25	25	50	50
Side (interior), min. not adjacent to a residential district	12	0/10[2]	0/10[2]	0/10[2]	25	0	0
Rear, min. adjacent to a residential district	25	25	25	25	25	50	50
Rear, min. not adjacent to a residential district	0	0	0	0	25	0	0

### §3.7.4. Architectural control overlay district

#### B. Certificate of appropriateness required

Except as specified in §3.7.4.C, below, all development in the architectural control overlay district shall be subject to the approval of a certificate of appropriateness in accordance with the provisions of §6.5.

#### C. Exceptions

The architectural control overlay district shall not apply to signs, unless otherwise specified, or to the following uses:

1. Single-family detached;
2. Duplex dwellings, after initial approval and construction; and
3. Townhouses, after initial approval and construction.

### §4.4.4. Sidewalks

Sidewalks shall be placed within the right-of-way as specified below.

#### A. Where required

1. Unless otherwise specified below, sidewalks shall be required on both sides of all arterial, collector and local streets.

### §4.5.6. Tree requirements

#### B. Street trees

In all general districts except the CU district, a minimum ten foot wide landscaped strip shall be provided along all streets. Street trees shall be required along all streets at the rate of one canopy tree for every 40 linear feet and spaced a maximum of 50 feet part.

1. All street trees shall be planted no less than three feet or more than 15 feet from the back of the curb or edge of pavement.
2. No tree shall be planted within a safe sight triangle (§4.3.4) or closer than 10 feet from any fire hydrant.

#### §4.5.7. Parking lot landscaping

##### C. Perimeter

1. The perimeter of all parking lots with frontage on any portion of a public right-of way shall be screened by a continuous landscaped hedge, a wall, or fence supported by masonry piers. Perimeter screening shall be at least 30 inches in height at the time of installation, and any planted screening shall reach a minimum height of 36 inches within two years of planting.

##### D. Interior

###### 1. Interior islands

An interior landscaped island shall be provided for every ten spaces. Each island shall contain a minimum of 200 square feet with a minimum width of eight feet inside the curb and include a minimum of one canopy tree; provided that, where an island includes a sidewalk, such islands shall contain a minimum of 400 square feet with a minimum of 15 feet inside the curb. Planting islands shall be evenly distributed throughout the parking lot; with no parking space located more than 50 feet from a planting island. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees, where approved by the zoning administrator.

#### §5.4.5. Powers and duties

##### B. Final decisions

The board of architectural review shall be responsible for final decisions regarding the following:

1. Certificates of appropriateness, major (§6.5)

#### §6.5.1. Applicability

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

##### A. A certificate of appropriateness shall be required:

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

#### §6.5.3. Certificate of appropriateness types

##### A. Major certificates of appropriateness

###### 1. Approval authority

###### (a) General

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

###### (b) Alternative (in conjunction with other reviews)

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

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

##### A. General (involving other review by city council)

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

##### B. Other reviews

1. Prior to taking action on special use reviews, planned development reviews, and map amendments (rezoning), the city council shall refer proposed certificates of appropriateness to the BAR for review in accordance with the approval criteria of §6.5.7.
2. In conjunction with special use reviews, planned development reviews, special exceptions and map amendments (rezoning), the city council may review the proposed certificate of appropriateness in accordance with the approval criteria of §6.5.7. The city council may request modifications of applications in order that the proposal may better comply with the approval criteria. Following such review, the city council may approve, approve with modifications or conditions, or disapprove the certificate of appropriateness application, or it may table or defer the application.

#### §6.5.7. Approval criteria

##### A. General

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

#### §6.5.9. Action following approval

A. Approval of any certificate of appropriateness shall be evidenced by issuance of a certificate of appropriateness, including any conditions, signed by the director or the chairman of the board of architectural review. The director shall keep a record of decisions rendered.

B. The applicant shall be issued the original of the certificate, and a copy shall be maintained on file in the director's office.

#### §6.5.10. Period of validity

A certificate of appropriateness shall become null and void if no significant improvement or alteration is made in accordance with the approved application within 18 months from the date of approval. On written request from an applicant, the director may grant a single extension for a period of up to six

months if, based upon submissions from the applicant, the director finds that conditions on the site and in the area of the proposed project are essentially the same as when approval originally was granted.

§6.5.11. Time lapse between similar applications

A. The director will not accept, hear or consider substantially the same application for a proposed certificate of appropriateness within a period of 12 months from the date a similar application was denied, except as provided in §6.5.11.B, below.

B. Upon disapproval of an application, the director and/or board of architectural review may make recommendations pertaining to design, texture, material, color, line, mass, dimensions or lighting. The director and/or board of architectural review may again consider a disapproved application if within 90 days of the decision to disapprove the applicant has amended his application in substantial accordance with such recommendations.

§6.5.12. Transfer of certificates of appropriateness

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

§6.5.13. Appeals

A. Appeals to city council

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

B. Appeals to court

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



# Fairfax Shopping Center

Architectural Review Exhibits

6.30.2017

Fairfax, Virginia

**Regency  
Centers.**

**Bignell | Watkins | Hasser**  
ARCHITECTS P.C.

**J·B·A**  
Johnson • Bernat • Associates, Inc.

**TWSDesign Inc.**  
*Landscape Architecture*

1835 Clovermeadow Drive

**WLS LIGHTING SYSTEMS**

## Statement of Design Intent

### Fairfax Shopping Center

Fairfax Boulevard and Eaton Place

Fairfax Shopping center is located in the northwest quadrant of Fairfax Boulevard and Eaton Place. The existing site is a retail shopping center which consists of a multi-tenant retail building including a two story portion and a restaurant pad building. The existing multi-tenant building was damaged by fire, that portion of the project was demolished. Another original building has been demolished to allow for the improvements to Fairfax Boulevard.

The site is surrounded on all sides by commercial buildings and parking/car storage lots.

The proposed redevelopment involves the demolition of all existing buildings and the construction of four new retail buildings including two pad buildings which may house multiple tenants (Building 1 at 5,000 sf and Building 3 at 6,200 sf) a multi-tenant building totaling 7,000 square feet; and a food store anchor building of 29,999 square feet.

The architectural design for the proposed retail buildings includes a wide variety of materials. Building massing incorporates corner and tower features with varying heights; layered wall treatments; and an assortment of canopy treatments. Storefronts and building entrances are arranged along wide sidewalks with ample room for seating. Large building masses are reduced by the incorporation of a number of bays and fields of materials providing an assortment of color, texture, and scale.



## Fairfax Shopping Center

Fairfax, Virginia

*Note: For illustration of conceptual design intent only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*

Regency  
Centers.

Page 2

6.30.17 | 07093.11

**Bignell** **Watkins** **Hasser**  
ARCHITECTS P.C.  
[www.bigwaha.com](http://www.bigwaha.com)



View A



View B



View C



Key Plan  
Not to scale

# Fairfax Shopping Center

Fairfax, Virginia

*Note: For illustration of conceptual design intent only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*





View D



View E



View F



Key Plan  
Not to scale

# Fairfax Shopping Center

Fairfax, Virginia

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View G



View H



View I



Key Plan  
Not to scale

# Fairfax Shopping Center

Fairfax, Virginia

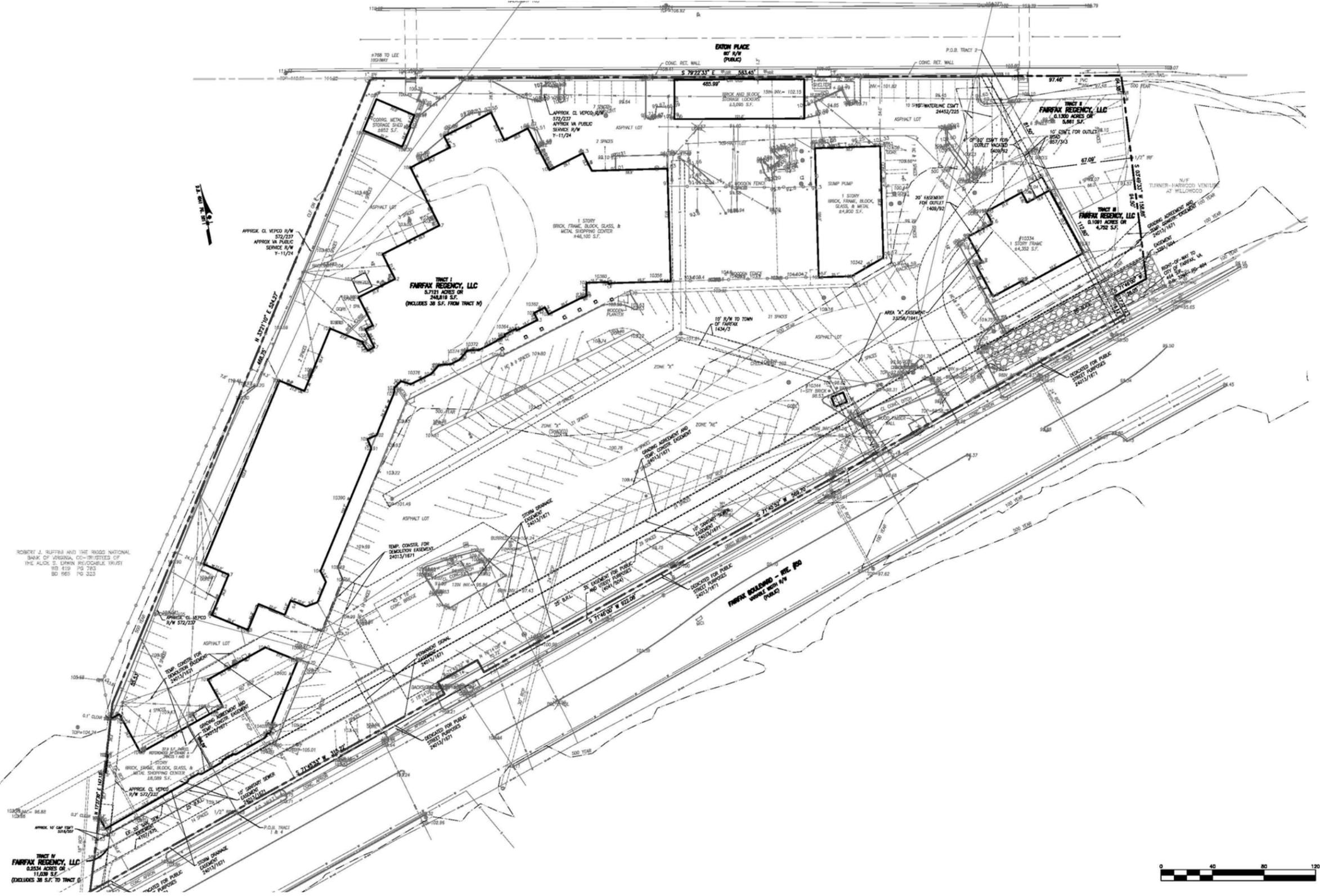
*Note: For illustration of conceptual design intent only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*

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Page 5  
6.14.17 | 07093.11

**Bignell Watkins Hasser**  
ARCHITECTS P.C.  
[www.bigwaha.com](http://www.bigwaha.com)

- LEGEND**
- SIGN
  - FIRE HYDRANT
  - MONITORING WELL
  - WATER METER
  - IRRIGATION VALVE
  - WATER VALVE
  - WATER MH
  - TRAF. SIGNAL POLE
  - TELE. MH
  - STORM MH
  - CLEAN OUT
  - SANITARY MH
  - GAS METER
  - GAS VALVE
  - GAS BOX
  - GROUND LIGHT
  - ELEC. METER
  - GUY WIRE
  - GUY POLE
  - LIGHT POLE
  - POWER POLE
  - A/C UNIT
  - DOOR
  - BOLLARD
  - P.K. NAIL
  - IRON ROD FOUND
  - IRON PIPE FOUND
  - CURB & CUTTER
  - OVERHEAD TELE.
  - UNDG. PHONE
  - GAS LINE
  - UNDERGROUND UTILITY
  - OVERHEAD UTILITY
  - OVERHEAD ELEC.
  - OVERHANG
  - CHAIN LINK FENCE
  - HAND RAIL
  - FENCE



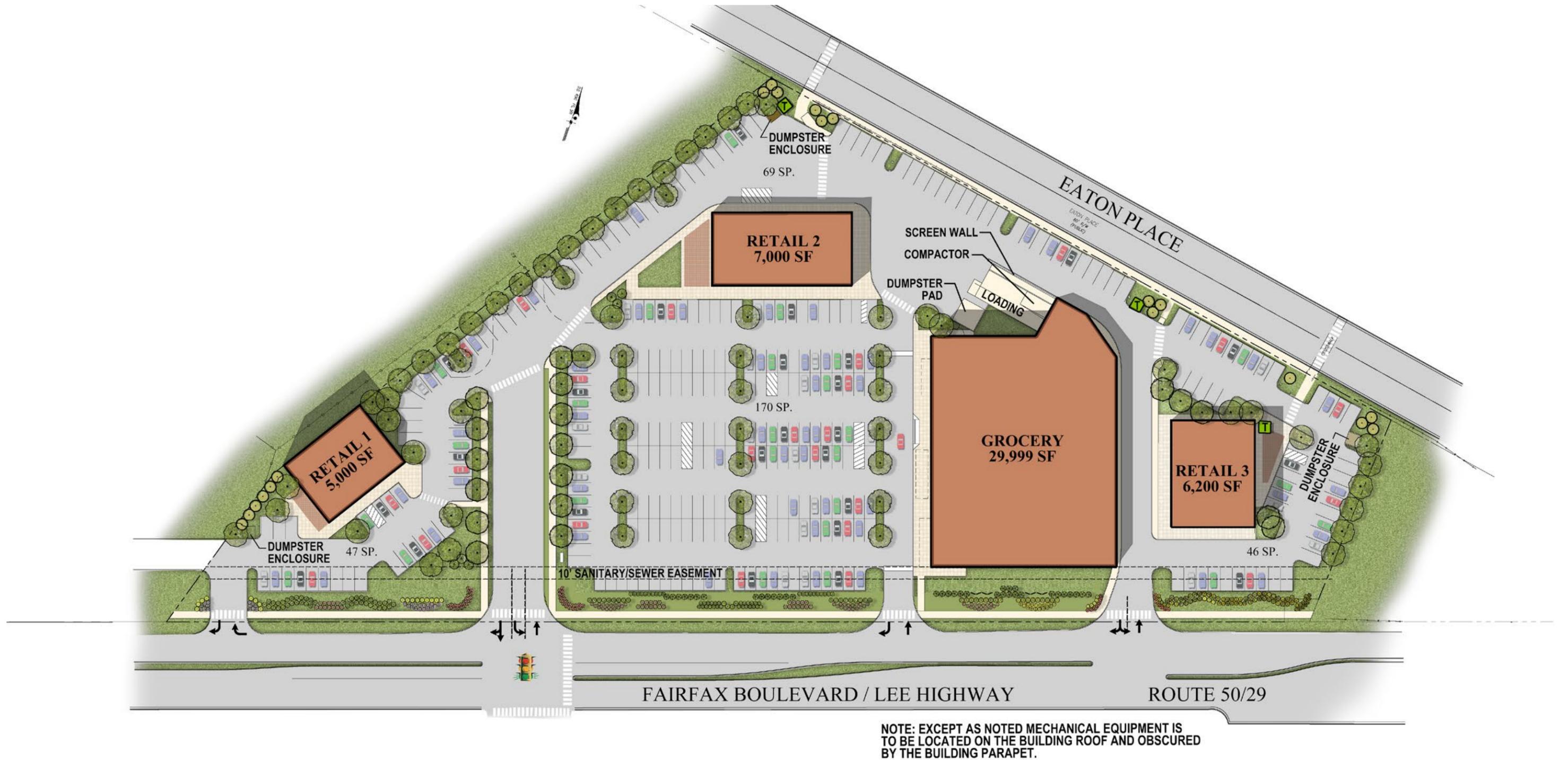
**Existing Site Plan**  
Approx. Scale 1"=80'

# Fairfax Shopping Center

Fairfax, Virginia

*Note: For illustration of conceptual design intent only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*





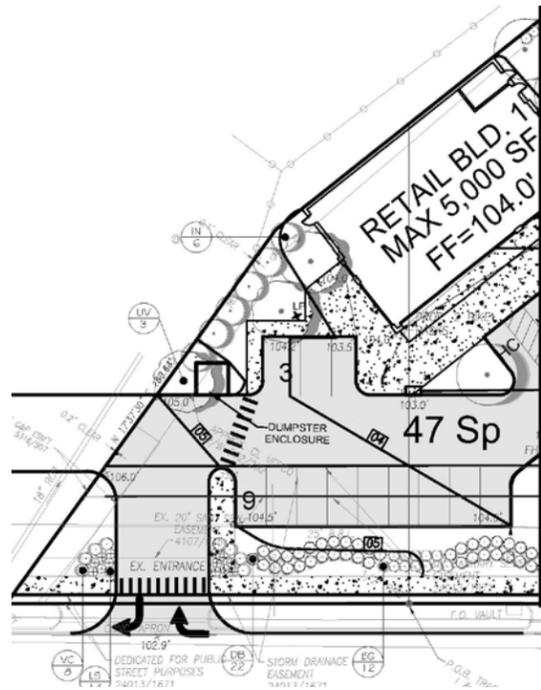
**Site / Landscape Plan**  
 Approx. Scale 1"=80'

# Fairfax Shopping Center

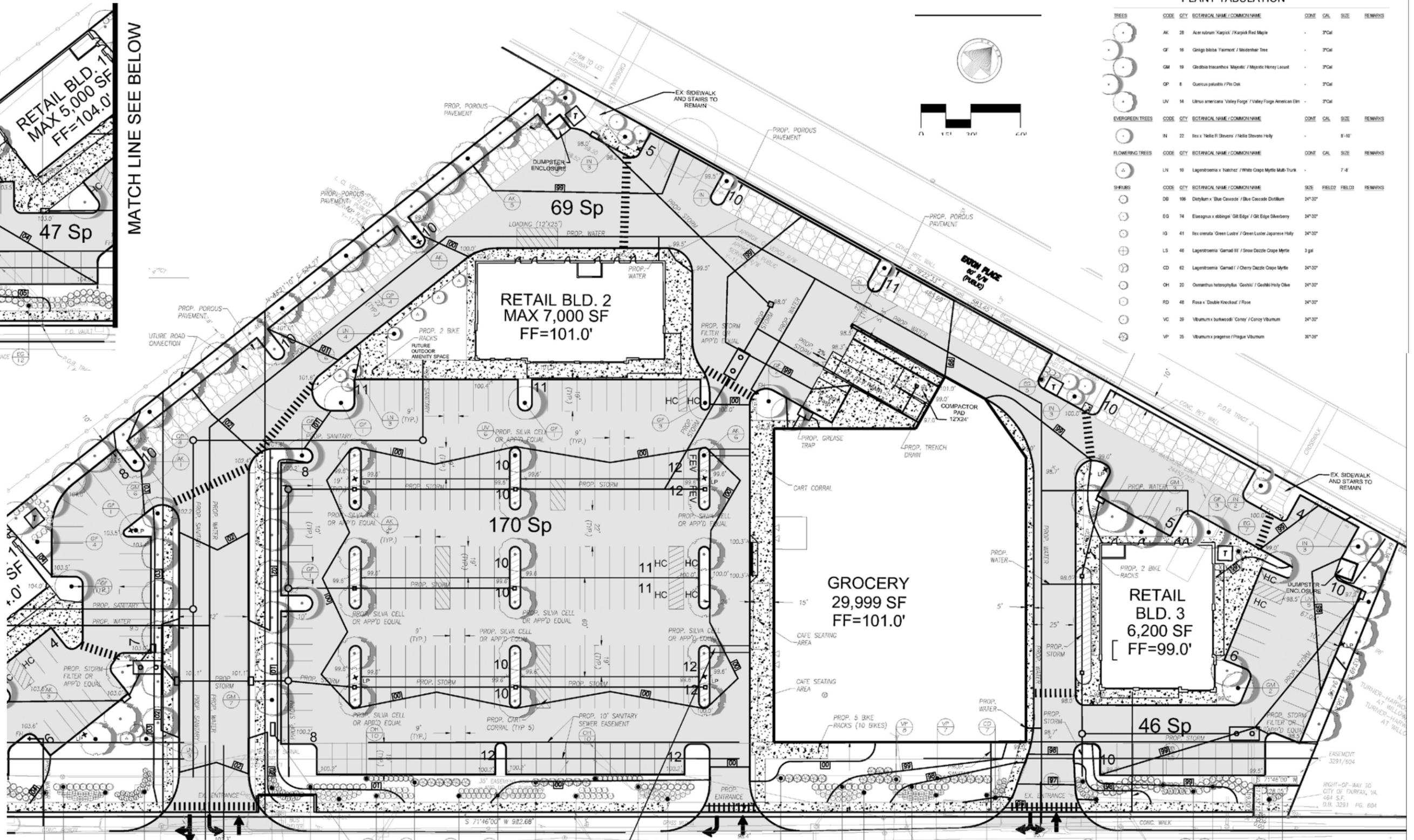
Fairfax, Virginia

*Note: For illustration of conceptual design intent only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*





MATCH LINE SEE BELOW



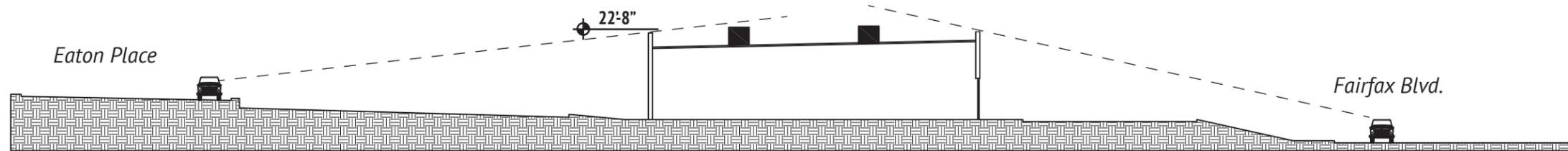
**PLANT TABULATION**

TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	CONT.	CAL.	SIZE	REMARKS
	AK	28	Acer rubrum 'Karpis' / Karpis Red Maple	-	3" Cal		
	GF	16	Quercus bicolor 'Falcon' / Falcon Oak	-	3" Cal		
	GM	19	Quercus macrocarpa 'Majestic' / Majestic Honey Locust	-	3" Cal		
	QP	8	Quercus prinus / Pin Oak	-	3" Cal		
	UV	14	Ulmus americana 'Valley Forge' / Valley Forge American Elm	-	3" Cal		
EVERGREEN TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	CONT.	CAL.	SIZE	REMARKS
	IN	22	Ilex x 'Helle R. Stevens' / Helle Stevens Holly	-	8-10"		
FLOWERING TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	CONT.	CAL.	SIZE	REMARKS
	LN	19	Lagerstroemia x 'Natchez' / White Cape Myrtle Multi-Trunk	-	7-8"		
SHRUBS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	FIELD	FIELD	REMARKS
	DB	106	Dialium x 'Blue Cascade' / Blue Cascade Dogwood	24" 30"			
	EG	74	Elaeagnus x 'ebbing' / Old Edge / Old Edge Silverberry	24" 30"			
	IG	41	Ilex crenata 'Green Lustre' / Green Lustre Japanese Holly	24" 30"			
	LS	46	Lagerstroemia 'Garnet III' / Snow Dazzle Crapemyrtle	3 gal			
	CD	62	Lagerstroemia 'Garnet I' / Cherry Dazzle Crapemyrtle	24" 30"			
	OH	20	Oenanthe tetraphyllus 'Goshal' / Goshal Holy Olive	24" 30"			
	RD	48	Rosa x 'Double Knockout' / Rose	24" 30"			
	VC	28	Viburnum x burkwoodii 'Conroy' / Conroy Viburnum	24" 30"			
	VP	25	Viburnum x pagense / Prague Viburnum	30" 38"			

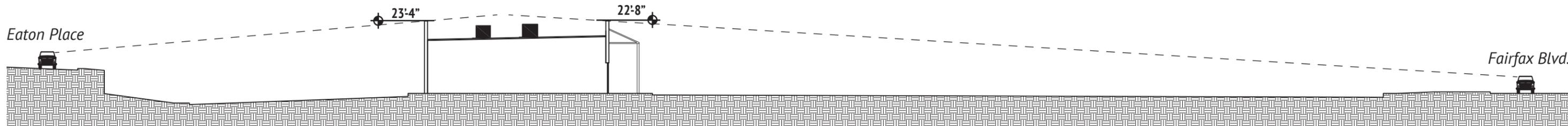
Note: See submitted full size sheet for Details

**Landscape Plan**

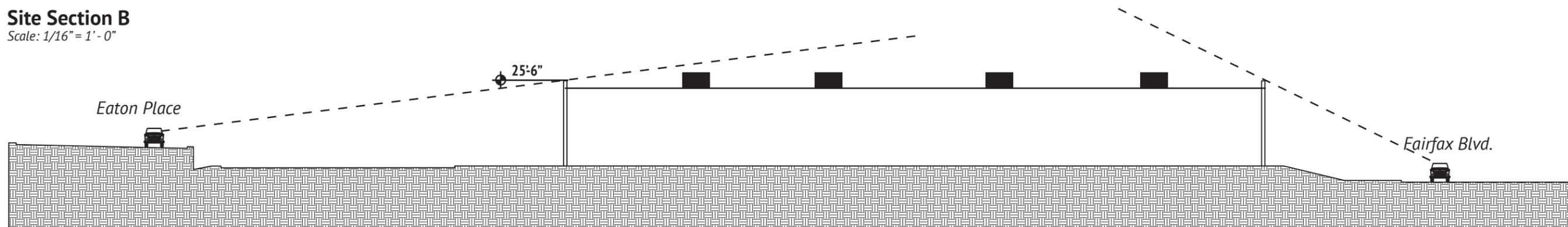
Note: For illustration of conceptual design intent only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.



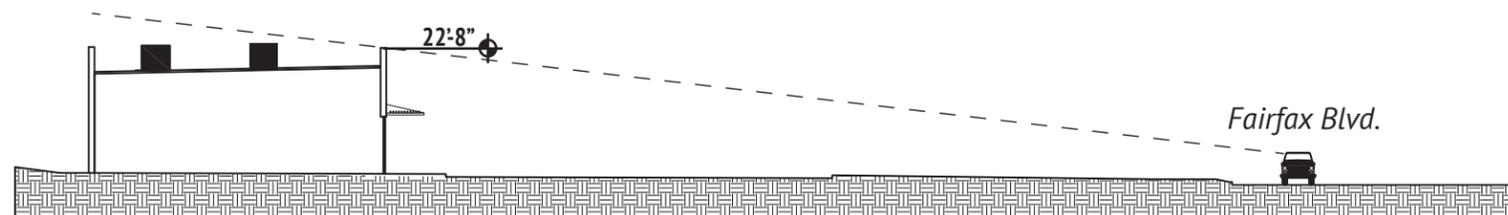
**Site Section A**  
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**Site Section B**  
Scale: 1/16" = 1' - 0"



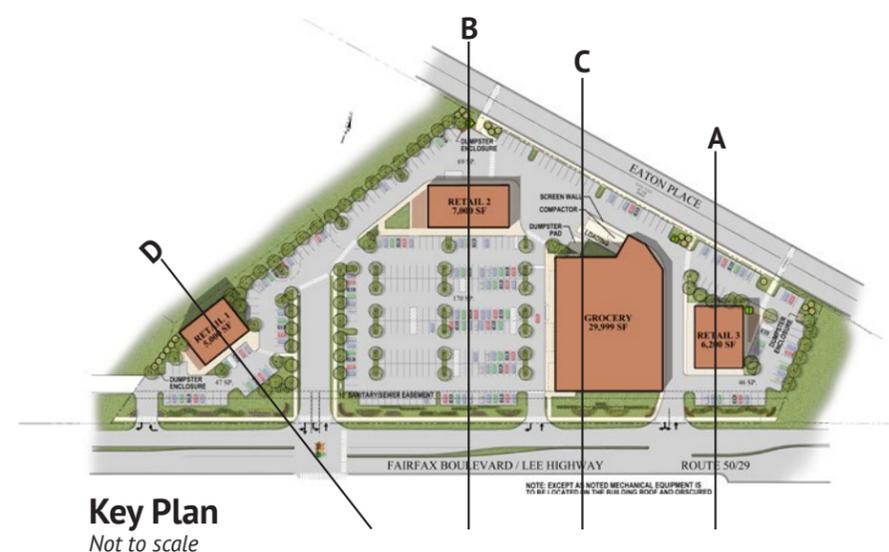
**Site Section C**  
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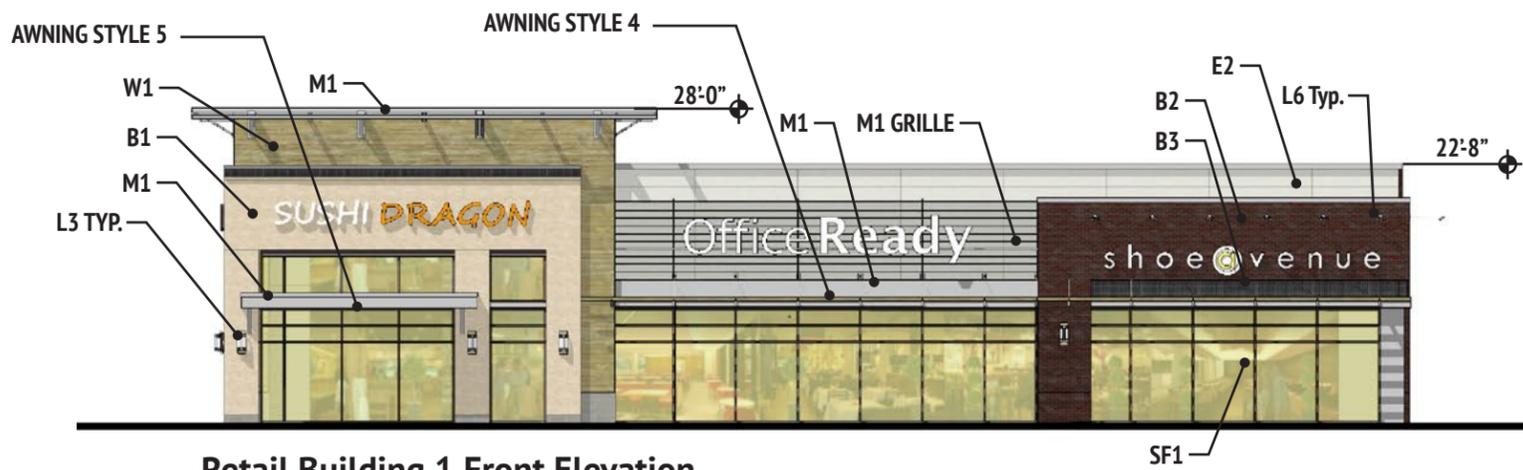
**Site Section D**  
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**Rooftop Equipment Screening**

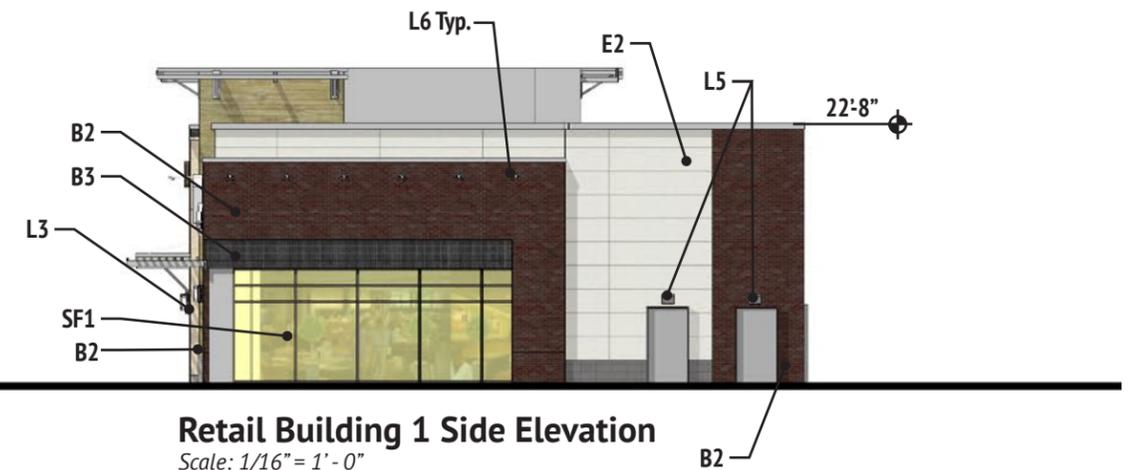
*Note: For illustration only.  
Final Equipment Size & Location per Tenant Requirements*



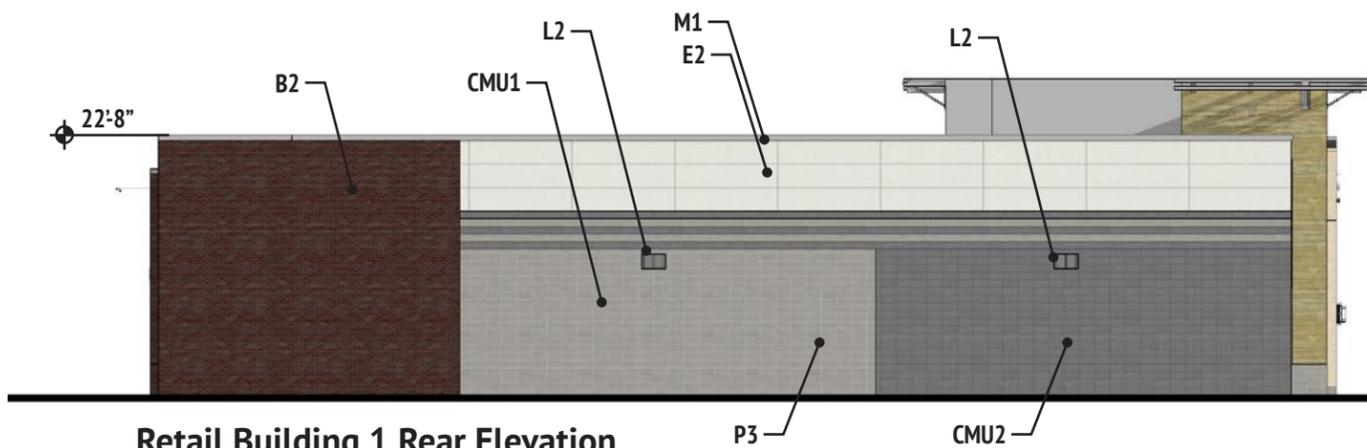
**Key Plan**  
Not to scale



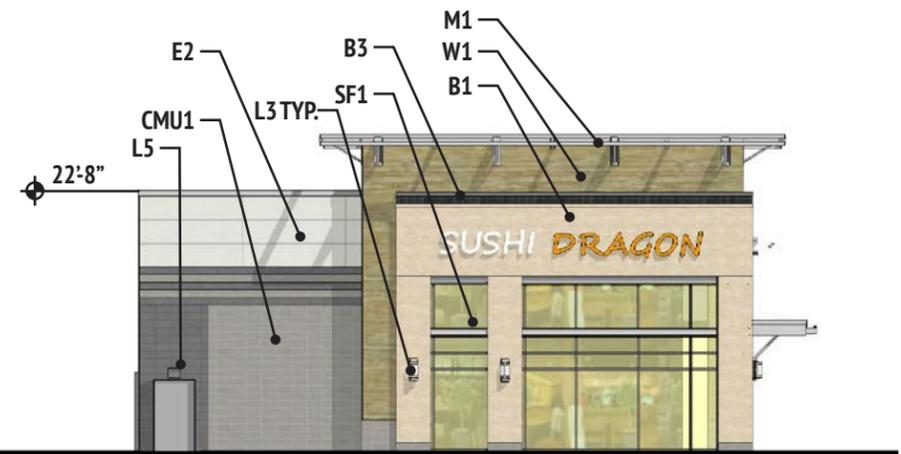
**Retail Building 1 Front Elevation**  
Scale: 1/16" = 1' - 0"



**Retail Building 1 Side Elevation**  
Scale: 1/16" = 1' - 0"



**Retail Building 1 Rear Elevation**  
Scale: 1/16" = 1' - 0"



**Retail Building 1 Side Elevation**  
Scale: 1/16" = 1' - 0"

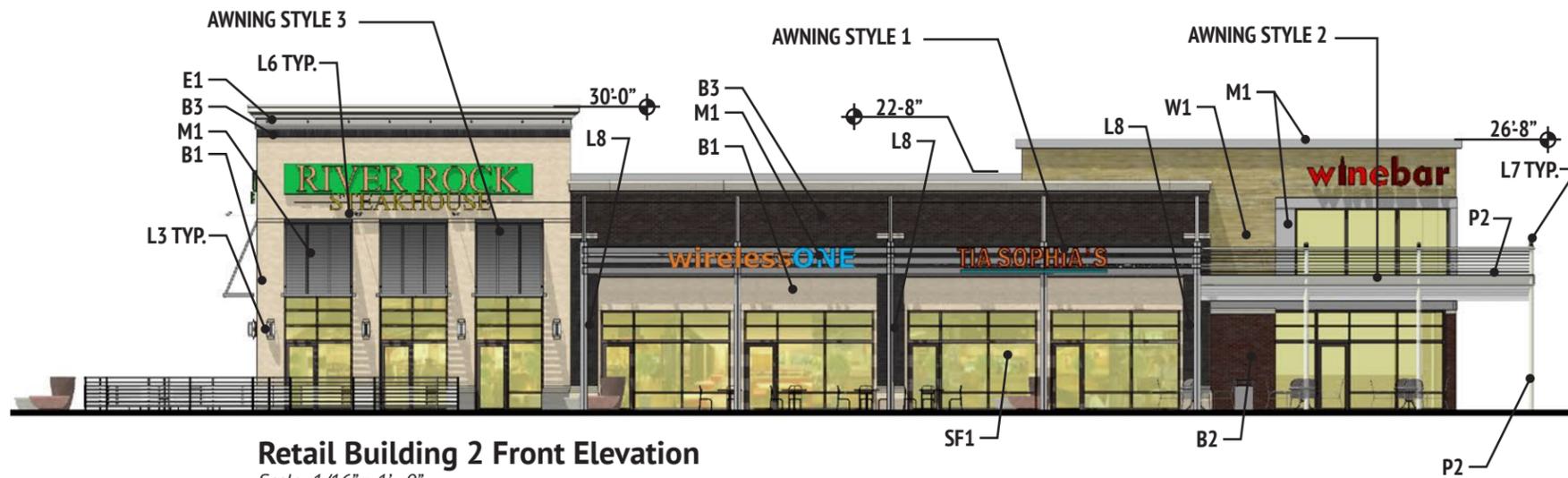
	MATERIAL/MANUFACTURER	FINISH
B-1	ACME BRICK	CONFEDERATE BLEND
B-2	TAYLOR BRICK	ROYAL SALISBURY
B-3	YANKEE HILL BRICK & TILE	DARK IRONSPOT VELOUR
CMU-1	TRENDSTONE GROUNDFACE CMU	SILVER
CMU-2	TRENDSTONE GROUNDFACE CMU	RAVENSTONE
M-1	PREFINISHED METAL	SILVER
M-2	PREFINISHED METAL	DARK BRONZE
SF-1	STOREFRONT	DARK BRONZE
SF-2	STOREFRONT	CLEAR ANODIZED
W-1	FIBER CEMENT SIDING	Allura - Stained Finish - Maple
P-1	PAINT - Benjamin Moore	Glacier White OC-37
P-2	PAINT - Sherman Williams	Agreeable Gray SW 7029
P-3	PAINT - Sherman Williams	Gauntlet Gray SW 7019

	MATERIAL/MANUFACTURER	FINISH
P-4	PAINT - Benjamin Moore	Bleeker Beige HC-80
E-1	EIFS	MATCH P-1
E-2	EIFS	MATCH P-2
L-1	WLS Lighting System	OSQ Series
L-2	INVUE Wall Mount	Dark Bronze
L-3	USALTG Camber Sconce	Silver
L-4	Ashbery Pedestrian Light	Silver
L-5	WLS Lighting WMEL Series	Dark Bronze
L-6	BK Lighting Sign Star Light	Silver/Dark Bronze
L-7	Pace Illumination Accent Light	Silver
L-8	Rebelle Orchestra	Silver
L-9	Tokistar Exhibitor Festoon Light	Light Black - 12.5 Lumens

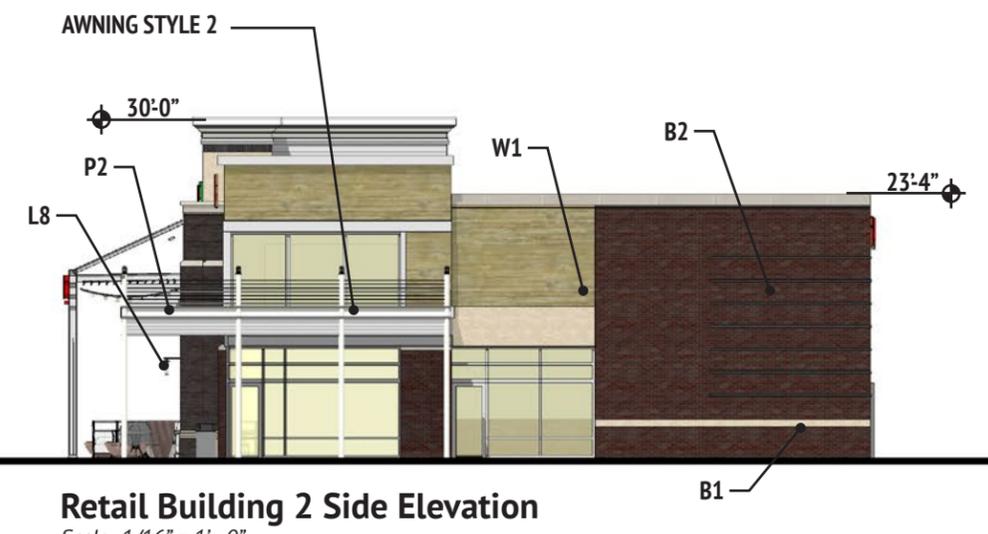
Note: All Materials are for illustration of concept only and are subject to substitution



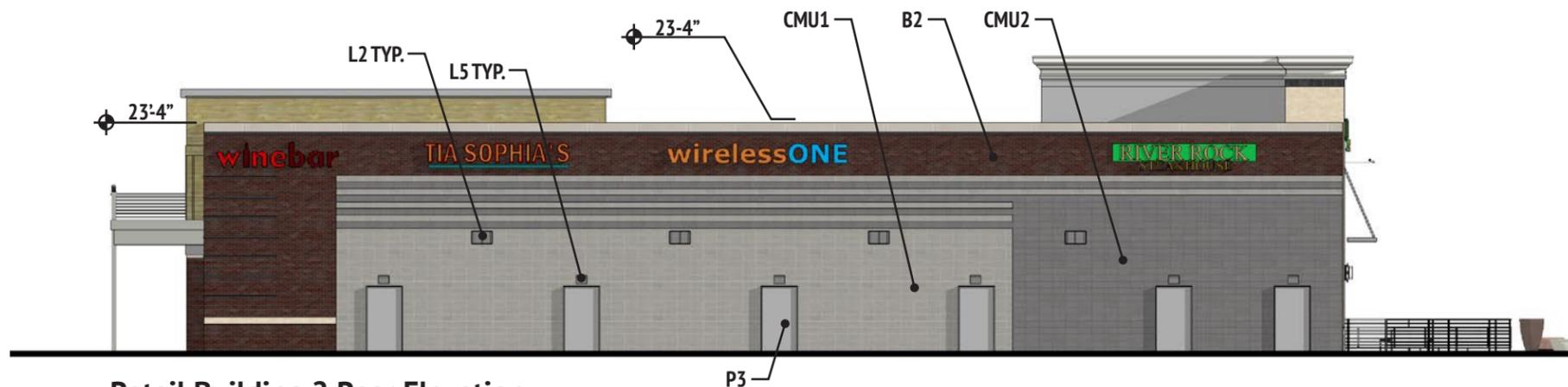
**Key Plan**  
Not to scale



**Retail Building 2 Front Elevation**  
Scale: 1/16" = 1' - 0"



**Retail Building 2 Side Elevation**  
Scale: 1/16" = 1' - 0"



**Retail Building 2 Rear Elevation**  
Scale: 1/16" = 1' - 0"



**Retail Building 2 Side Elevation**  
Scale: 1/16" = 1' - 0"

	MATERIAL/MANUFACTURER	FINISH
B-1	ACME BRICK	CONFEDERATE BLEND
B-2	TAYLOR BRICK	ROYAL SALISBURY
B-3	YANKEE HILL BRICK & TILE	DARK IRONSPOT VELOUR
CMU-1	TRENDSTONE GROUNDFACE CMU	SILVER
CMU-2	TRENDSTONE GROUNDFACE CMU	RAVENSTONE
M-1	PREFINISHED METAL	SILVER
M-2	PREFINISHED METAL	DARK BRONZE
SF-1	STOREFRONT	DARK BRONZE
SF-2	STOREFRONT	CLEAR ANODIZED
W-1	FIBER CEMENT SIDING	Allura - Stained Finish - Maple
P-1	PAINT - Benjamin Moore	Glacier White OC-37
P-2	PAINT - Sherman Williams	Agreeable Gray SW 7029
P-3	PAINT - Sherman Williams	Gauntlet Gray SW 7019

	MATERIAL/MANUFACTURER	FINISH
P-4	PAINT - Benjamin Moore	Bleeker Beige HC-80
E-1	EIFS	MATCH P-1
E-2	EIFS	MATCH P-2
L-1	WLS Lighting System	OSQ Series
L-2	INVUE Wall Mount	Dark Bronze
L-3	USALTG Camber Sconce	Silver
L-4	Ashbery Pedestrian Light	Silver
L-5	WLS Lighting WMEL Series	Dark Bronze
L-6	BK Lighting Sign Star Light	Silver/Dark Bronze
L-7	Pace Illumination Accent Light	Silver
L-8	Rebelle Orchestra	Silver
L-9	Tokistar Exhibitor Festoon Light	Light Black - 12.5 Lumens

Note: All Materials are for illustration of concept only and are subject to substitution



**Key Plan**  
Not to scale



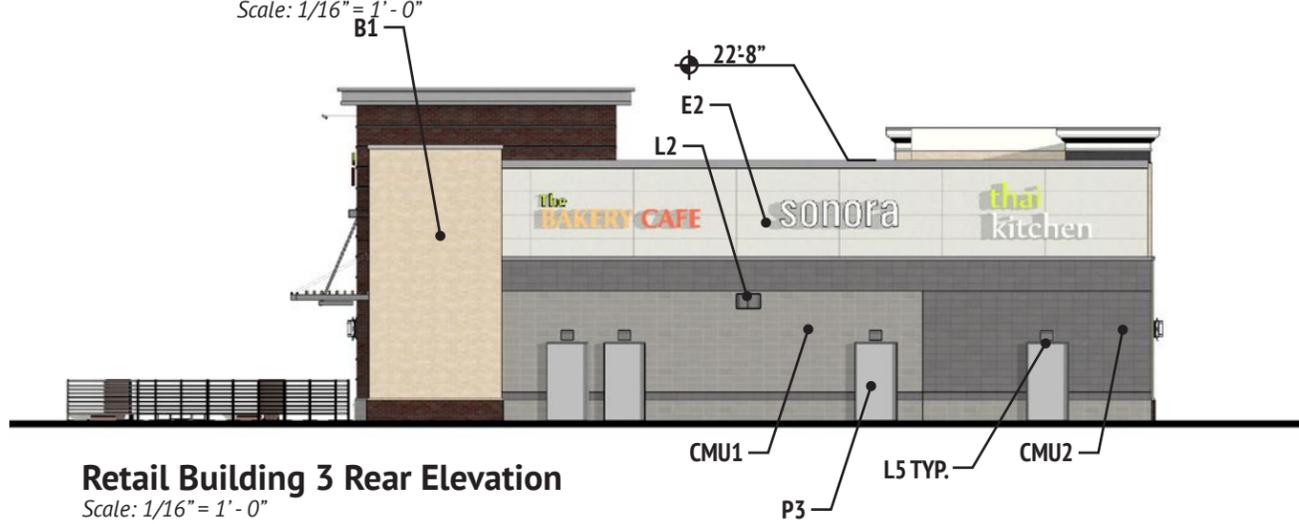
**Retail Building 3 Front Elevation**

Scale: 1/16" = 1' - 0"



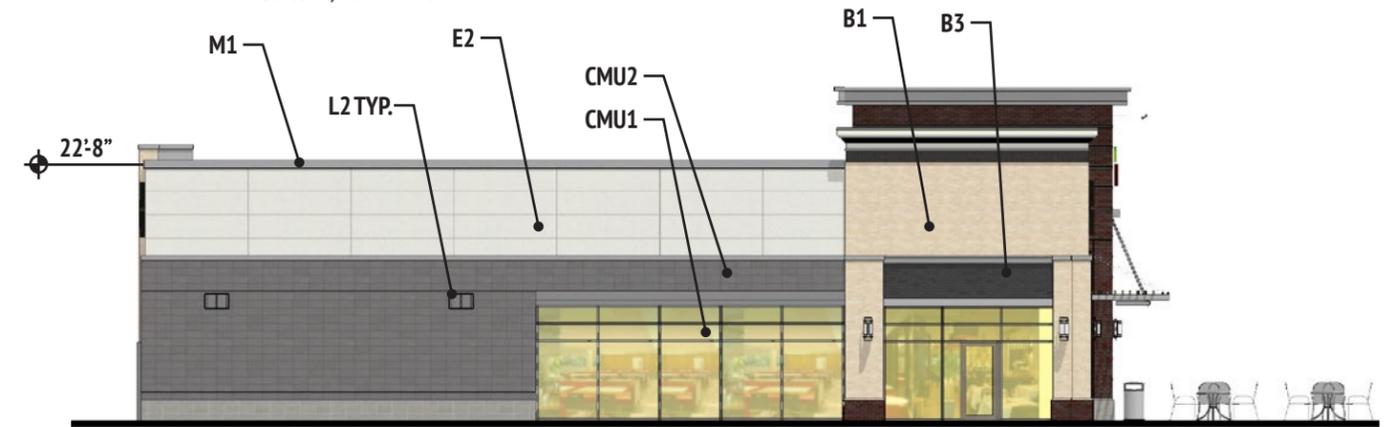
**Retail Building 3 Side Elevation**

Scale: 1/16" = 1' - 0"



**Retail Building 3 Rear Elevation**

Scale: 1/16" = 1' - 0"



**Retail Building 3 Side Elevation**

Scale: 1/16" = 1' - 0"

	MATERIAL/MANUFACTURER	FINISH
B-1	ACME BRICK	CONFEDERATE BLEND
B-2	TAYLOR BRICK	ROYAL SALISBURY
B-3	YANKEE HILL BRICK & TILE	DARK IRONSPOT VELOUR
CMU-1	TRENDSTONE GROUNDFACE CMU	SILVER
CMU-2	TRENDSTONE GROUNDFACE CMU	RAVENSTONE
M-1	PREFINISHED METAL	SILVER
M-2	PREFINISHED METAL	DARK BRONZE
SF-1	STOREFRONT	DARK BRONZE
SF-2	STOREFRONT	CLEAR ANODIZED
W-1	FIBER CEMENT SIDING	Allura - Stained Finish - Maple
P-1	PAINT - Benjamin Moore	Glacier White OC-37
P-2	PAINT - Sherman Williams	Agreeable Gray SW 7029
P-3	PAINT - Sherman Williams	Gauntlet Gray SW 7019

	MATERIAL/MANUFACTURER	FINISH
P-4	PAINT - Benjamin Moore	Bleeker Beige HC-80
E-1	EIFS	MATCH P-1
E-2	EIFS	MATCH P-2
L-1	WLS Lighting System	OSQ Series
L-2	INVUE Wall Mount	Dark Bronze
L-3	USALTG Camber Sconce	Silver
L-4	Ashbery Pedestrian Light	Silver
L-5	WLS Lighting WMEL Series	Dark Bronze
L-6	BK Lighting Sign Star Light	Silver/Dark Bronze
L-7	Pace Illumination Accent Light	Silver
L-8	Rebelle Orchestra	Silver
L-9	Tokistar Exhibitor Festoon Light	Light Black - 12.5 Lumens



**Key Plan**  
Not to scale

Note: All Materials are for illustration of concept only and are subject to substitution

# Materials & Site Amenities

Note: Selections are for Illustration of Concept only and are subject to Change or Substitution.



L-1 WLS Lighting Systems OSQ Series



L-2 INVUE wall mount Dark Bronze Finish



L-3 USALTG Camber Sconce Silver Finish



L-4 Landscape Forms Ashbery Pedestrian Light Silver Finish



L-5 WLS Lighting Systems WMEL Series Dark Bronze Finish



L-6 BK Lighting Sign Star Light Silver/Dark Bronze



L-7 Pace Illumination Accent Light Silver Finish



B-1 Brick Acme Confederate Blend



B-2 Taylor Brick Royal Salisbury



B-3 Yankee Hill Brick Dark Iron Spot Velour



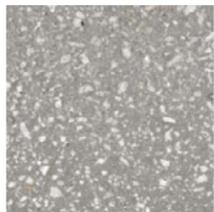
B-4 Taylor Brick Oyster Gray



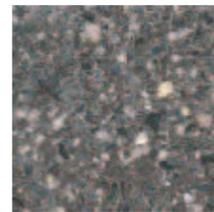
L-8 Rebelle Orchestra Silver Finish



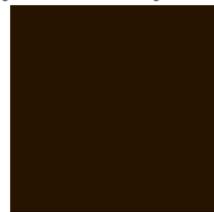
L-9 Tokistar Exhibitor Warm White Festoon Light Black Finish 12.5 Lumens BK-12-WW-G14-C



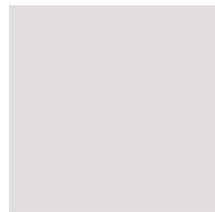
CMU-1 Trendstone Silver Ground Face



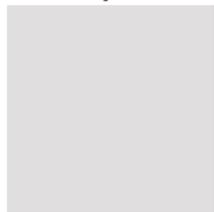
CMU-2 Trendstone Ravenstone Ground Face



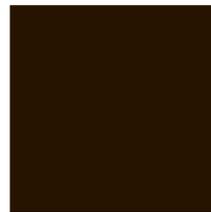
ST-1 Storefront Dark Bronze



ST-2 Storefront Clear Anodized



M-1 Metal Clear Anodized



M-2 Metal Dark Bronze



Landscape Forms Parc Vue Bench Silver Finish



Landscape Forms Morrison Seating



Grocer Marquee Composite Resin Panel Trespa NA 13 Silver Quartzite



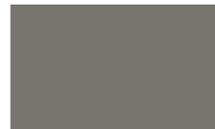
W-1 Allura Fiber Cement Maple



P-1 Paint BM Glacier White



P-2 Paint SW Agreeable Gray



P-3 Paint SW Gauntlet Gray



P-4 Paint BM Bleeker Beige



Landscape Forms Presidio Litter Silver Finish



Belson Bike Rack Silver Finish



Wausau Concrete Planters



Landscape Forms Parc Center Seating

## Fairfax Shopping Center

Fairfax, Virginia

Note: For illustration of conceptual design intent only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.

Regency Centers.

Page 13

6.30.17 | 07093.11

Bignell Watkins Hasser ARCHITECTS P.C. www.bigwaha.com

# Retail Buildings 1-3 Details

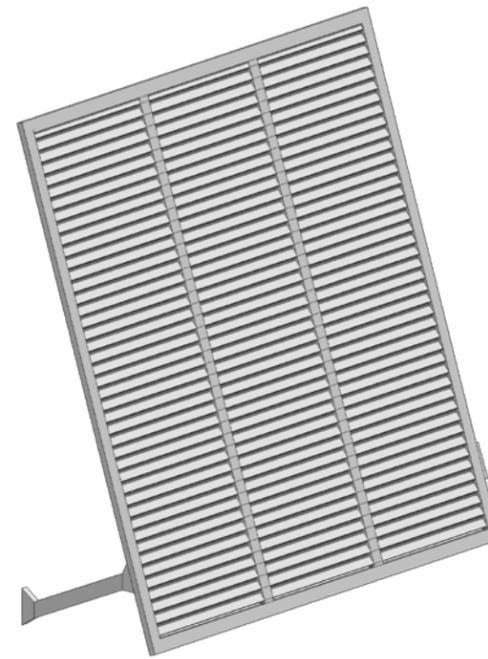
## Awning Details



**Style 1: Ground Supported Metal Trellis - Silver Finish with L-9 Festoon Lights**



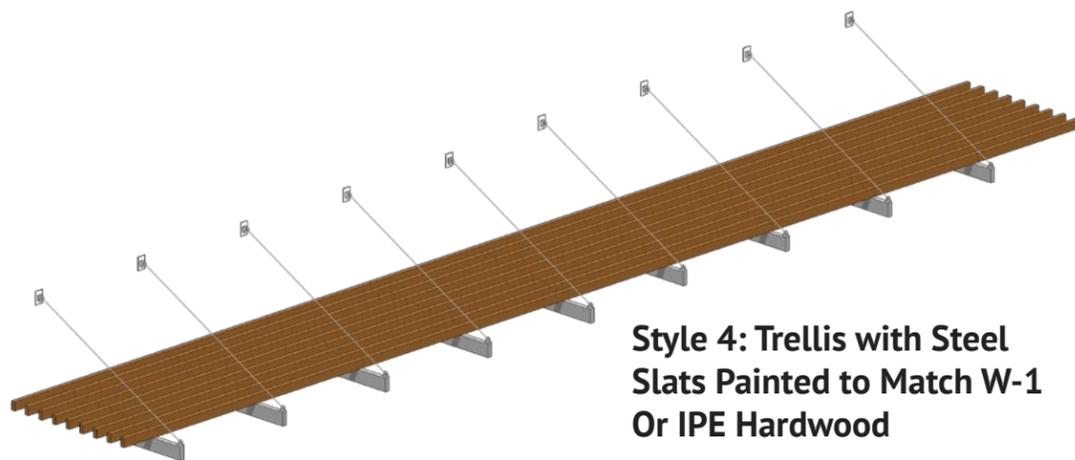
**Style 2: Ground Supported Canopy - Silver Finish with L-7 Accent Lights**



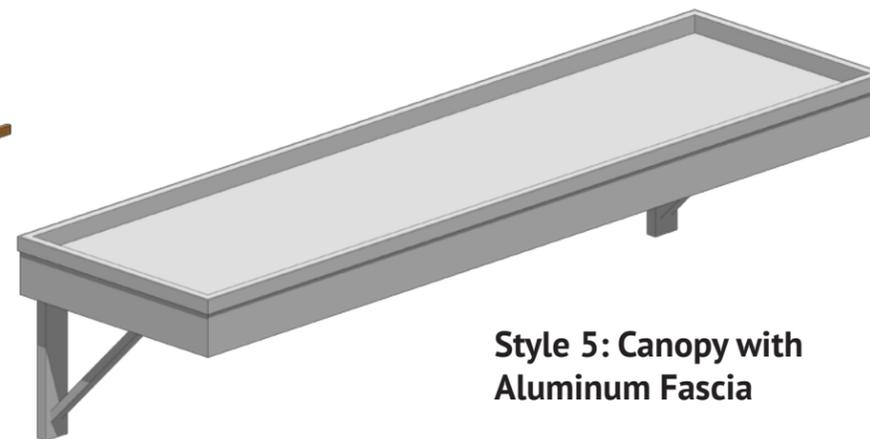
**Style 3: Aluminum Bahama Shutter - Silver Finish**



**Patio Railing Detail Silver Finish**



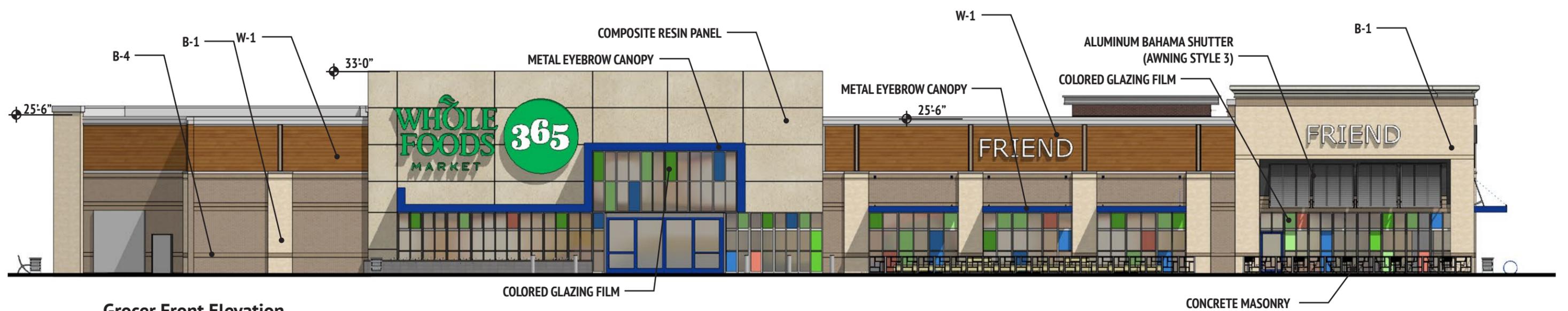
**Style 4: Trellis with Steel Slats Painted to Match W-1 Or IPE Hardwood**



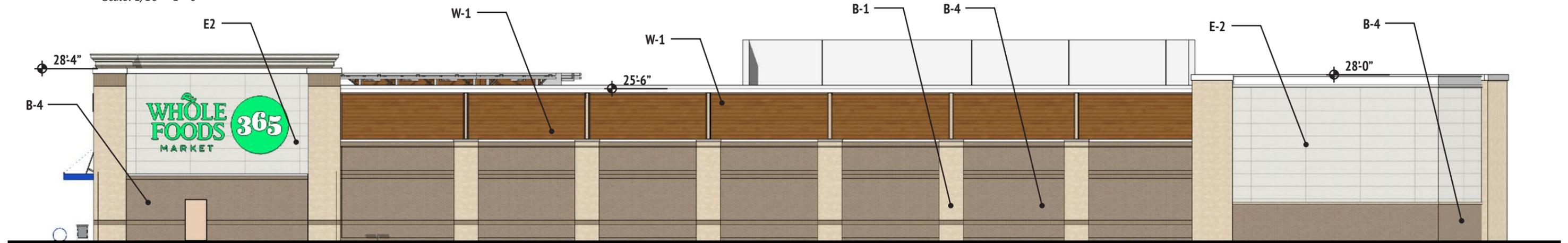
**Style 5: Canopy with Aluminum Fascia**



**Dumpster Enclosure - Approximately 12'Wx12'Dx8'H Ground Face Block with Precast Cap and Wood Composite Doors to Match W-1**



**Grocer Front Elevation**  
Scale: 1/16" = 1' - 0"

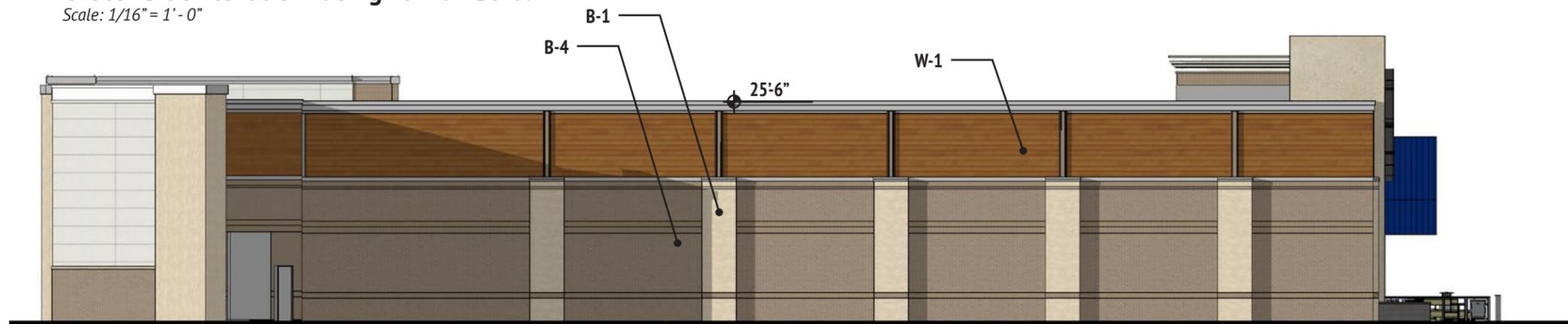


**Grocer Rear Elevation**  
Scale: 1/16" = 1' - 0"



**Grocer Side Elevation facing Fairfax Blvd.**

Scale: 1/16" = 1' - 0"



**Grocer Side Elevation facing Eaton Place**

Scale: 1/16" = 1' - 0"

# Fairfax Shopping Center

Fairfax, Virginia

*Note: For illustration of conceptual design intent only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*

**Regency<sup>®</sup>  
Centers.**

Page 16

6.30.17 | 07093.11



# Materials Details - Grocery Building



## MARQUEE: COMPOSITE RESIN PANEL

Trespa NA 13 Silver Quartzite; rock texture



## MULLION COLOR + STOREFRONT SYSTEM

Natural anodized aluminum mullions.  
Clear glazing.



## COLORED GLAZING FILM

3M  
Colors to match 365 logo + arrow red



## AUTOMATIC SLIDING DOOR

TORMAX: TX9430 Full breakout telescoping  
slider RH, SX-SX-SO Conf: color: PMS 2188



## EYEBROW - DARK BLUE

Morin: metal panels. Dark blue custom color, PMS  
2188 part solid / part perforated.

Gensler

# Fairfax Shopping Center

Fairfax, Virginia

*Note: For illustration of conceptual design intent only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*

Regency<sup>®</sup>  
Centers.

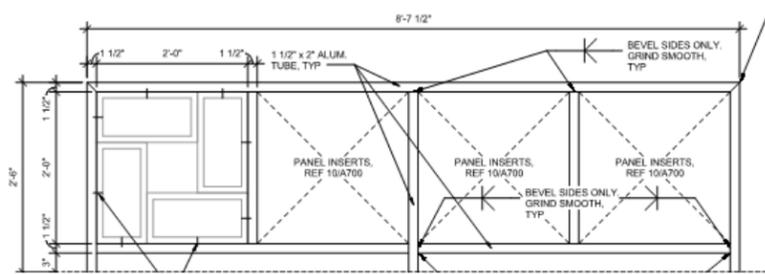
Page 17

6.30.17 | 07093.11

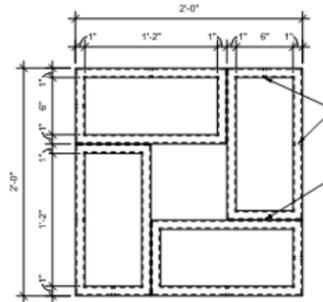
**Bignell** **Watkins** **Hasser**  
ARCHITECTS P.C.  
[www.bigwaha.com](http://www.bigwaha.com)

# Grocery Building Site Amenities

Note: Selections are for illustration of concept only and are subject to change or substitution.

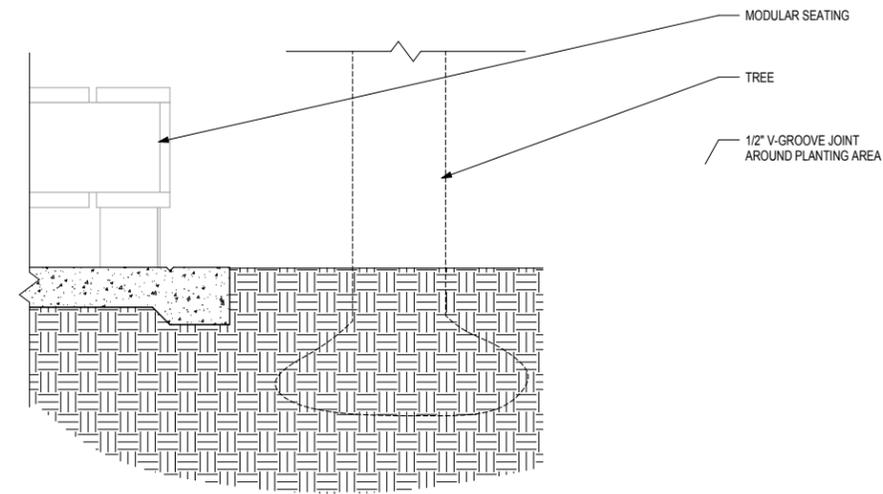


RAILING AT OUTDOOR SEATING



RAILING DETAIL

## PLANTER DETAIL



## BOLLARD

Manufacturer: Calpipe  
 Product Name: Heavy Security Bollard  
 Product ID: SSF08080  
 Finishes: Stainless Steel



## TRASH COMPACTOR SCREEN WALL

Manufacturer: Morin  
 Product Name: X-16 Concealed Fastener Perforated  
 10% open; 1/8\"/>



## BICYCLE RACK

Manufacturer: Belson Outdoors  
 Product Name: Orion Bike Rack with Round Tubing  
 Product ID: ORN  
 Finishes: Galvanized Steel

Galvanized Finish



## SITE DETAILS CART CORRAL



Single-sided



Double-sided

**REVISIONS**

REV #	DATE	BY:
1	6/16/17	TO

1919 WINDSOR PLAGE  
FORT WORTH, TX 76110  
WWW.WLSLIGHTING.COM

**WLS LIGHTING SYSTEMS**  
Consider the Impact!

BY: J.P. SHEET 1 OF 1

PM:HOLLY

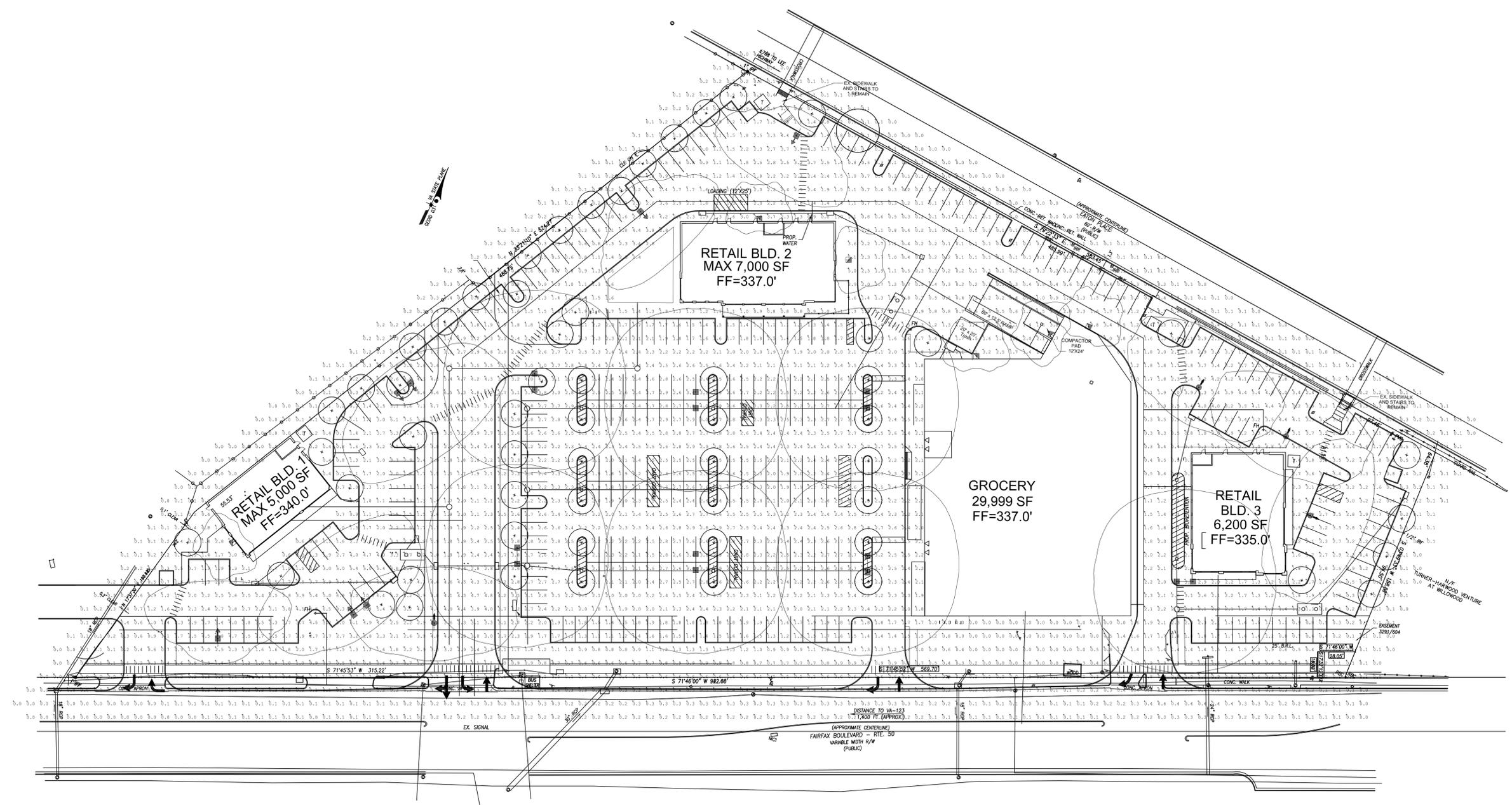
800-633-8711

SCALE: 1"=40'

DATE - 1/5/17

WLS-15031

FAIRFAX SHOPPING CENTER  
WHOLE FOODS  
FAIRFAX, VA



Calculation Summary

Label	Units	Avg	Max	Min	Avg/Min	Max/Min	PtSpClt	PtSpCtB
OVERALL MAIN PARKING	Fc	2.51	10.3	0.2	12.55	51.50	10	10
RETAIL 2 REAR	Fc	1.51	4.4	0.1	15.10	44.00	10	10
RETAIL 3 SUMMARY	Fc	2.24	5.4	0.1	22.40	54.00	10	10
WHOLE FOODS REAR	Fc	0.86	4.7	0.0	N.A.	N.A.	10	10
WHOLE FOODS PARKING	Fc	2.33	4.0	0.8	2.91	5.00	10	10

Luminaire Schedule

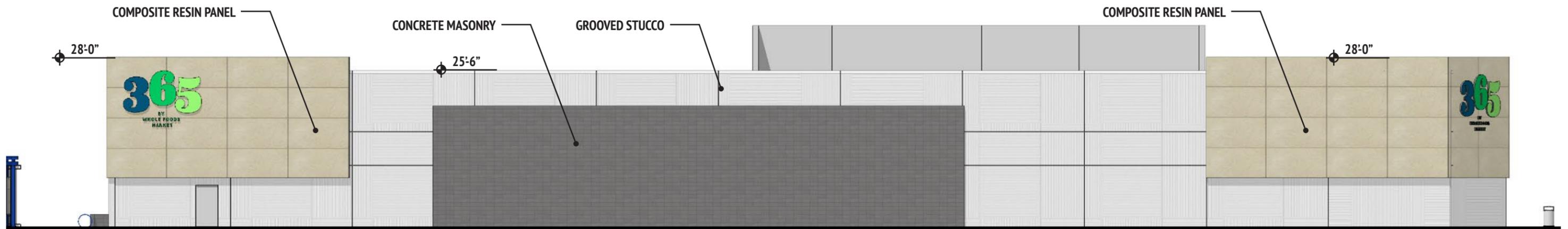
Symbol	Qty	Label	Lumens	LLF	Description	Lum. Watts
[Symbol]	7	A	N.A.	0.900	WLS-OSQ-M-A-NM-SSH-T-40K 30' MOUNTING HEIGHT	166
[Symbol]	2	C	N.A.	0.900	(1) WLS-OSQ-M-A-NM-3ME-T-40K-BLSLR-RR & (1) WLS-OSQ-M-A-NM-3	166
[Symbol]	3	D	N.A.	0.900	WLS-OSQ-M-A-NM-3ME-T-40K-BLSLF 30' MOUNTING HEIGHT	166
[Symbol]	4	E	N.A.	0.900	WLS-OSQ-M-A-NM-2ME-T-40K 30' MOUNTING HEIGHT	166
[Symbol]	6	F	N.A.	0.900	WLS-WMEL-FP-LED-48-450-NW 16' MOUNTING HEIGHT	72

BASED ON THE INFORMATION PROVIDED, ALL DIMENSIONS AND LUMINAIRE LOCATIONS SHOWN REPRESENT RECOMMENDED POSITIONS. THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING OR FUTURE FIELD CONDITIONS.  
THIS LIGHTING PATTERN REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS UTILIZING CURRENT INDUSTRY STANDARD LAMP RATINGS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS AND OTHER VARIABLE FIELD CONDITIONS.





**Grocer Front Elevation**  
 Scale: 1/16" = 1' - 0"



**Grocer Rear Elevation**  
 Scale: 1/16" = 1' - 0"

**CONSTRUCTION MATERIALS**



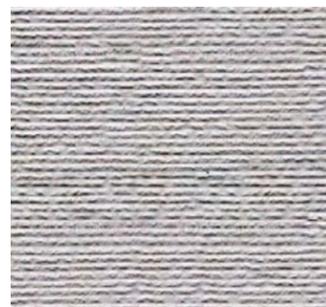
**MARQUEE: COMPOSITE RESIN PANEL**  
 Trespa NA 13 Silver Quartzite; rock texture



**BASE BUILDING: PRECAST PANEL**  
 Gate Precast; Color 152  
 Sandblasted white w/ granite aggregate.



**BASE BUILDING AND LOW WALLS: MASONRY**  
 Surface Matters masonry; color: Fire Ash,  
 dry block. Stack bond.



**BASE BUILDING: GROOVED STUCCO**  
 Horizontal and vertical parallel grooved stucco, w/  
 4'-0" O.C. black expansion joints. Color: Benjamin  
 Moore (low VOC) - Snow White 2212-70.



**MULLION COLOR + STOREFRONT SYSTEM**  
 Natural anodized aluminum mullions.  
 Clear glazing.



**COLORED GLAZING FILM**  
 3M  
 Colors to match 365 logo + arrow red



**AUTOMATIC SLIDING DOOR**  
 TORMAX: TX9430 Full breakout telescoping  
 slider RH, SX-SX-SO Conf. color: PMS 2188



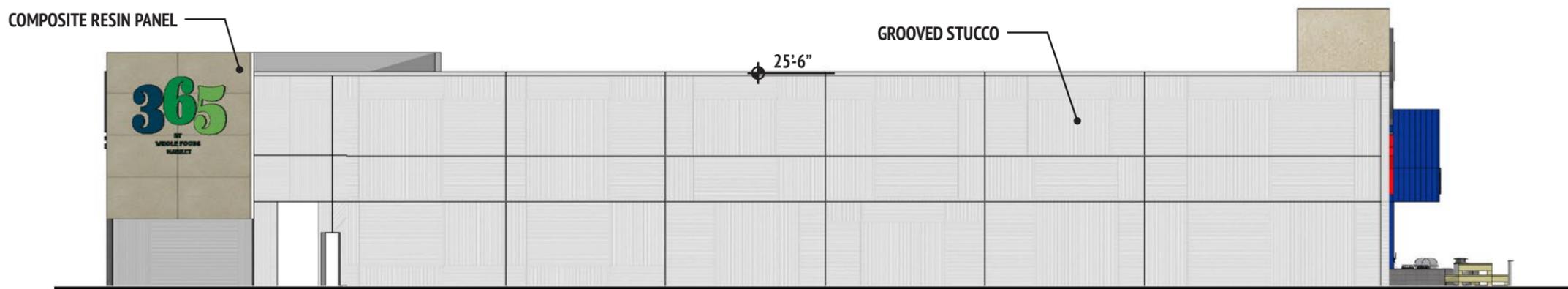
**EYEBROW - DARK BLUE**  
 Morin; metal panels. Dark blue custom color, PMS  
 2188 part solid / part perforated.

Gensler



**Grocer Side Elevation facing Fairfax Blvd.**

Scale: 1/16" = 1' - 0"



**Grocer Side Elevation facing Eaton Place**

Scale: 1/16" = 1' - 0"

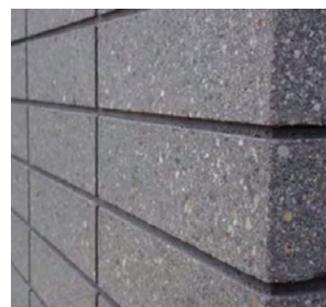
**CONSTRUCTION MATERIALS**



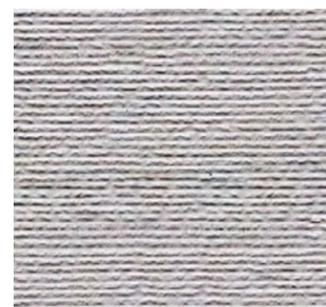
**MARQUEE: COMPOSITE RESIN PANEL**  
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Surface Matters masonry; color: Fire Ash,  
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Horizontal and vertical parallel grooved stucco, w/  
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**EYEBROW - DARK BLUE**  
Morin: metal panels. Dark blue custom color, PMS  
2188 part solid / part perforated.

Gensler

AFFIDAVIT

I hereby affirm that the City has adequately complied with the written notification procedures defined in §15.2-2204 (amended) of the Code of Virginia and §110-6.B.2 of the Code of the City of Fairfax, Virginia. These notices were sent by first-class mail on June 30, 2017, to the last known address of each abutting property owner (including those located across rights-of-way) shown in the current real estate tax assessment records. A list of these addresses is attached and their accuracy as of June 28, 2017, is certified by the City Real Estate Assessor.

A copy of the notice, pertaining to date, time and location of the City Council meeting for Special Exceptions for property located at 10334-10406 Fairfax Boulevard (Fairfax Shopping Center) and more particularly described as Tax Map Parcel(s) 57-2-02-028 through 57-2-02-031, is attached.



\_\_\_\_\_  
Director of Community  
Development and Planning

Commonwealth of Virginia  
City of Fairfax

Subscribed and sworn before me this 30 day of June, 2017,



\_\_\_\_\_  
Notary Public

My commission expires: 11/30/19



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, July 11, 2017 at 7:00 p.m. in the City Hall Annex, Room 100, 10455 Armstrong Street, will hold a Public Hearing to consider the following:

**SE-16120067**

Request from Regency Centers, LLC, applicant, by Evan Pritchard, attorney-in-fact, for consideration of a request for Special Exceptions to allow a sidewalk that does not meet the minimum requirements of City Code Section 110-4.4.4., to allow property street frontages without a ten-foot wide landscape strip and without street trees as required by City Code Section 110-4.5.6.B, to reduce the minimum width of parking islands from eight feet to six feet and to reduce the total number of parking islands required per City Code Section 110-4.5.7.D, to provide no parking lot perimeter landscaping in certain areas where perimeter landscaping is required per City Code Section 110-4.5.7.C.1, to reduce the minimum tree canopy required by City Code Section 110-4.5.6.A, and to allow a reduction in the minimum front yard as required by City Code Section 110-3.6.2., on the premises known as 10334-10406 Fairfax Boulevard (Fairfax Shopping Center) and more particularly described as Tax Map Parcel(s) 57-2-02-028 through 57-2-02-031.

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.

Melanie Crowder, City Clerk

6/29/2017

7/6/2017



**City of Fairfax, Virginia**  
10455 Armstrong Street · Fairfax, VA 22030-3630  
703-385-7930 · www.fairfaxva.gov

June 30, 2017

Re: 10334-10406 Fairfax Blvd

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, July 11, 2017 at 7:00 p.m. in City Hall Annex, Room 100, 10455 Armstrong Street, will hold a public hearing to consider the following:**

**SE-16120067**

Request from Regency Centers, LLC, applicant, by Evan Pritchard, attorney-in-fact, for consideration of a request for Special Exceptions to allow a sidewalk that does not meet the minimum requirements of City Code Section 110-4.4.4., to allow property street frontages without a ten-foot wide landscape strip and without street trees as required by City Code Section 110-4.5.6.B, to reduce the minimum width of parking islands from eight feet to six feet and to reduce the total number of parking islands required per City Code Section 110-4.5.7.D, to provide no parking lot perimeter landscaping in certain areas where perimeter landscaping is required per City Code Section 110-4.5.7.C.1, to reduce the minimum tree canopy required by City Code Section 110-4.5.6.A, and to allow a reduction in the minimum front yard as required by City Code Section 110-3.6.2., on the premises known as 10334-10406 Fairfax Boulevard (Fairfax Shopping Center) and more particularly described as Tax Map Parcel(s) 57-2-02-028 through 57-2-02-031.

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,

Paul Nabti  
Planner III

cc: Jason Sutphin



**City of Fairfax, Virginia**

10455 Armstrong Street · Fairfax, VA 22030-3630  
703-385-7930 · [www.fairfaxva.gov](http://www.fairfaxva.gov)

June 30, 2017

Marianne Gardner  
Planning Division  
Fairfax County Dept. of Planning and Zoning  
12055 Government Center Pkwy, Suite 730  
Fairfax, Virginia 22035

Re: 10334-10406 Fairfax Blvd

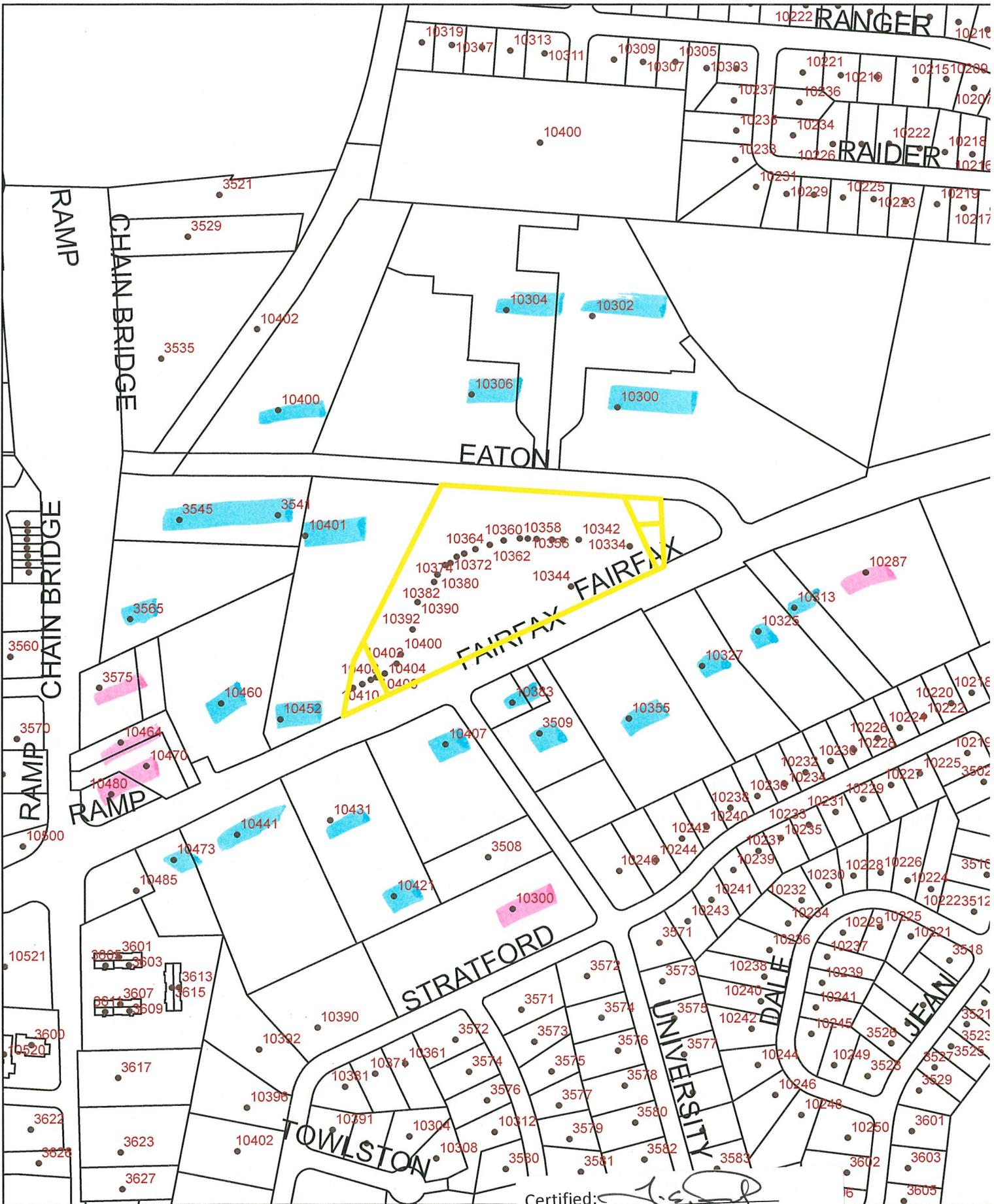
Pursuant to Section 15.2-2204 (amended) of the Code of Virginia, enclosed is the legal notification for the above-referenced application. For additional information, please call the Department of Community Development and Planning at 703-385-7820 or Alexis El-Hage at [alexis.el-hage@fairfaxva.gov](mailto:alexis.el-hage@fairfaxva.gov)

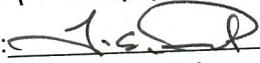
Sincerely,

A handwritten signature in cursive script that reads 'Paul Nabti'.

Paul Nabti  
Planner III

Enclosure



Certified:   
 Thomas E. Reed, CAE, SRA  
 Real Estate Assessment Director  
 6/28, 2017



10245 FAIRFAX BLVD LLC  
6129 RICHMOND HWY  
ALEXANDRIA VA 22303

WILLOWWOOD EATON LLC  
C/O MARVIN F POER & CO  
3520 PIEDMONT RD NE #410  
ATLANTA GA 30305

HOWARD SHARPE JR  
MARILYN COLLOM  
PO BOX 101090  
ARLINGTON VA 22210

MCKAY FAMILY INVESTMENT CO LLC  
C/O CHRIS SWAN ESQ  
1318 ROCKLAND TER  
MCLEAN VA 22101

ASSEMBLY HOA  
MATT MOORE  
10506 ASSEMBLY DR  
FAIRFAX VA 22030

JAKS LLC  
16607 HARBOR TOWNE DR  
SILVER SPRING MD 20905

WPPI FAIRFAX RI, LLC  
C/O WHITE/PETERMAN PROPERTIES  
1000 E 80<sup>TH</sup> PL # 700 NORTH  
MERRILLVILLE IN 46410

LIMEWOOD MEWS HOA  
VALERIE PARKS  
3707 JENNY LYNNE LN  
FAIRFAX VA 22030

BORNEO PROPERTIES LLC  
801 BROAD AVE  
RIDGEFIELD NJ 07657-1001

FAIRFAX LTD II, LLC  
5500 MACARTHUR BLVD NW  
WASHINGTON DC 20016

MOSBY WOODS CONDO ASSOC  
R. JEROME BROWN  
10173 MOSBY WOODS DR  
FAIRFAX VA 22030

UNIVERSAL INVESTMENT CORP  
4703 WESTERN ST  
FAIRFAX VA 22030

CARMEL LODGING LLC  
7871 BELLE POINT DR  
GREENBELT MD 20770

MOSBY WOODS COMMUNITY ASSOC  
ROBERT RINSEL  
3134 SINGLETON CIR  
FAIRFAX VA 22030

FARRISH REALTY FOUR LLC  
9610 FAIRFAX BLVD  
FAIRFAX VA 22030

FORREST & THOMAS HIGGINBOTHAM  
KATHERINE BROWN  
13418 COLLEGE VALLEY LN  
RICHMOND VA 23233

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

PDC EATON PLACE LLC  
5530 WISCONSIN AVE #1000  
CHEVY CHASE MD 20815

ERWIN FOUR ACRES LLC  
823 WALKER STONE DR #104  
CARY NC 27513

NICK CAINE  
DIRECTOR OF MARKET RESEARCH  
1029 NORTH ROYAL STREET STE 301  
ALEXANDRIA VA 22314

US BANK NATIONAL ASSOCIATION  
C/O C-III ASSET MANAGEMENT LLC  
5521 N O CONNER BLVD STE 600  
IRVING TX 75039

MCKAY CHEVEROLET INC  
3509 UNIVERSITY DR  
FAIRFAX VA 22030

WESTMORE CITIZENS ASSOC  
GARY PERRYMAN  
11008 WESTMORE DR  
FAIRFAX VA 22030

WILLOWWOOD EATON LLC  
C/O CORNERSTONE RE ADVISERS  
ONE FINANCIAL WAY  
HARTFORD CT 06103

J & J TEAM OF FAIRFAX LLC  
6820-B COMMERCIAL DR  
SPRINGFIELD VA 22151

MARIANNE GARDNER  
PLANNING DIVISION  
FAIRFAX COUNTY PLANNING  
12055 GOVERNMENT CENTER PKWY, 730  
FAIRFAX VA 22030





RECEIVED  
JUN 29 2017  
Community Dev & Planning

**AFFIDAVIT FOR POSTED NOTICE (SIGN)**

I, Nathan Bath hereby affirm that I have received, read, understand and agree to abide by the 'Posted Notice Instructions to the Applicant' and location map depicting sign placement given to me on 6/29/17 as required by City Code, Chapter 110, Article 6.2.5.B.3.  
Applicant/Agent Name  
Date

The subject property will be posted visibly and securely with **four (4)** signs, from **Friday, June 30, 2017** to **Wednesday, July 12, 2017**, 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 **July 22, 2017**.

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

[Signature]  
Applicant/Agent Signature

6/29/17  
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 29 day of June, 20 17, in the State of Virginia.

My commission expires 11/30/19.



[Signature] 7832704  
Notary Public/Registration No.

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

Receipt # 38711 Date Paid 6/29/17 Fee Paid 300.00  
Associated Case # SE-16120067 Staff Initials acw





City Council  
City of Fairfax

**PROPOSED RESOLUTION 2017 - \_\_\_\_\_**  
**APPROVAL**

RESOLUTION TO APPROVE THE REQUEST OF REGENCY CENTERS LLC, BY EVAN PRITCHARD, ATTORNEY-IN-FACT, FOR SPECIAL EXCEPTIONS TO CITY CODE TO:

1. ALLOW A SIDEWALK THAT DOES NOT MEET THE MINIMUM WIDTH REQUIRED BY SECTION 110-4.4.4.A.1;
2. ALLOW PROPERTY STREET FRONTAGES WITHOUT A 10 FOOT WIDE LANDSCAPE STRIP OR STREET TREES AS REQUIRED BY SECTION 110-4.5.6.B;
3. REDUCE THE MINIMUM DIMENSIONS FOR PARKING ISLANDS PERMITTED BY SECTION 110-4.5.7.D;
4. PROVIDE NO PARKING LOT PERIMETER LANDSCAPING IN AREAS WHERE REQUIRED BY SECTION 110-4.5.7.C.1;
5. REDUCE THE MINIMUM FRONT YARD WIDTH REQUIRED BY SECTION 110-3.6.2

ON THE PREMISES KNOWN AS 10334-10406 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL(S) 57-2-02-028 THROUGH 57-2-02-031.

WHEREAS, Regency Centers LLC, by Evan Pritchard, attorney-in-fact, has submitted Application No. SE-16120067 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 11<sup>TH</sup> day of July, 2017, that Application No. SE-16120067 be and hereby is APPROVED, as requested, with the following conditions (as may be amended by City Council).

1. Final plans shall be in substantial conformance with the General Development Plan dated June 27, 2017 and as modified through the following conditions.
2. Approval of these land use requests shall be subject to issuance of a Letter of Map Revision (LOMR) by the Federal Emergency Management Agency declaring that the extent of the flood plain on the site has been modified as a result of the Northfax Transportation and Stormwater Improvements Project (Northfax Project). The applicant may be required to request a Special Use Permit for disturbance in the floodplain if any areas proposed for disturbance are located within the revised floodplain boundary identified in the LOMR.
3. Approval of these land use requests shall be subject to the results of a Resource Protection Area (RPA) delineation study indicating that no proposed areas of disturbance encroach into the revised RPA resulting from the Northfax Project. Any such encroachments may be subject to an additional Special Use Permit contingent on the requirements of the Zoning Ordinance.
4. The applicant shall relocate the existing bus stop and shelter to an alternate location within general proximity to the existing location should relocation be necessary due to other modifications to the site. The new bus stop location shall be improved to meet all local and federal design standards.
5. Left turn access from the eastern-most driveway to eastbound Fairfax Boulevard shall be restricted through a combination of signage and/or physical elements.
6. An additional pedestrian accessway shall be provided near the eastern-most driveway connecting the Fairfax Boulevard sidewalk to Building 3. The specific location of this accessway shall be determined during the administrative site plan review period.
7. The design of the eastern driveway shall be revised to provide a layout that is functional and reasonable to the satisfaction of the Director of Public Works. Should this revision require disturbance in the floodplain, the applicant shall apply for a Special Use Permit to City Council.
8. Where provided, tree cells shall be sized to adequately support the type of tree planted subject to manufacturer recommendations.
9. Additional ornamental trees shall be provided along the site's Fairfax Boulevard frontage if where approved by the Director of Public Works.
10. All hollies proposed along the site's Eaton Place frontage, except those used for screening transformers or other mechanical equipment, shall be replaced with ornamental trees.
11. Additional ornamental trees shall be provided within 20 feet of the property line along the site's Eaton Place frontage so that all ornamental trees are spaced a maximum of 50 feet apart from the existing bus shelter to the proposed parking lot island approximately 220 feet to the west. Any resulting loss of parking spaces to accommodate this condition shall be deemed in conformance with the approved plan.
12. A handrail, barrier or low fencing shall be provided along Eaton Place with a design that exhibits characteristics of demonstrated architectural aesthetic durability, subject to approval by the Director of Community Development and Planning. The handrail may include masonry piers, lighting features, vegetation or other elements that provide high quality screening of adjacent parking and service areas on the site in place of otherwise required landscaping elements.
13. The required Construction Management Plan shall include requirements for an opaque wrap of construction fencing and signage identifying the project and providing contact information for the developer and/or general contractor. All signage and fencing wrap shall be approved by the Director of Community Development and Planning.
14. All trees and shrub sizes shall meet the standards of the Zoning Ordinance at the time of planting.

The motion to adopt the resolution was approved \_\_\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Votes

- Councilman DeMarco \_\_\_\_\_
- Councilman Drummond \_\_\_\_\_
- Councilman Greenfield \_\_\_\_\_
- Councilmember Miller \_\_\_\_\_
- Councilmember Schmidt \_\_\_\_\_
- Councilman Stehle \_\_\_\_\_

City Council  
City of Fairfax

**PROPOSED RESOLUTION 2017 - \_\_\_\_\_**  
**DENIAL**

RESOLUTION TO DENY THE REQUEST OF REGENCY CENTERS LLC, BY EVAN PRITCHARD, ATTORNEY-IN-FACT, FOR SPECIAL EXCEPTIONS TO CITY CODE TO:

1. ALLOW A SIDEWALK THAT DOES NOT MEET THE MINIMUM WIDTH REQUIRED BY SECTION 110-4.4.4.A.1;
2. ALLOW PROPERTY STREET FRONTAGES WITHOUT A 10 FOOT WIDE LANDSCAPE STRIP OR STREET TREES AS REQUIRED BY SECTION 110-4.5.6.B;
3. REDUCE THE MINIMUM DIMENSIONS FOR PARKING ISLANDS PERMITTED BY SECTION 110-4.5.7.D;
4. PROVIDE NO PARKING LOT PERIMETER LANDSCAPING IN AREAS WHERE REQUIRED BY SECTION 110-4.5.7.C.1;
5. REDUCE THE MINIMUM FRONT YARD WITH REQUIRED BY SECTION 110-3.6.2.

ON THE PREMISES KNOWN AS 10334-10406 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL(S) 57-2-02-028 THROUGH 57-2-02-031.

WHEREAS, Regency Centers LLC, by Evan Pritchard, attorney-in-fact, has submitted Application No. SE-16120067 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 11<sup>th</sup> day of July, 2017, that Application No. SE-16120067 be and hereby is DENIED.

The motion to adopt the resolution was approved \_\_\_\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Votes

Councilman DeMarco	_____
Councilman Drummond	_____
Councilman Greenfield	_____
Councilmember Miller	_____
Councilmember Schmidt	_____
Councilman Stehle	_____

**11. MOTIONS:**

**ATTACHMENTS: [City Council should act first on the Special Exception requests, followed by the Subdivision Appeal, then the Certificate of Appropriateness. If City Council agrees with the staff recommendations for approval, then Motions 11A, 11C and 11E are appropriate.]**

- 11A. Motion to approve special exceptions.
- 11B. Motion to deny special exceptions.
  
- 11C. Motion to approve the administrative appeal to the Zoning Administrator's determination regarding variations and exceptions to sidewalk width.
- 11D. Motion to deny the administrative appeal to the Zoning Administrator's determination regarding variations and exceptions to sidewalk width.
  
- 11E. Motion to approve issuance of a Certificate of Appropriateness.
- 11F. Motion to deny issuance of a Certificate of Appropriateness.

**APPROVAL OF  
SPECIAL EXCEPTIONS SE-16120067  
(Recommended by Staff)**

I MOVE THAT THE CITY COUNCIL ADOPT THE ATTACHED RESOLUTION TO APPROVE THE REQUEST REGENCY CENTERS LLC, APPLICANT, BY EVAN PRITCHARD, ATTORNEY-IN-FACT, FOR SPECIAL EXCEPTIONS TO ALLOW A SIDEWALK THAT DOES NOT MEET THE MINIMUM REQUIREMENTS OF CITY CODE SECTION 110-4.4.4., TO ALLOW PROPERTY STREET FRONTAGES WITHOUT A TEN-FOOT WIDE LANDSCAPE STRIP AND WITHOUT STREET TREES AS REQUIRED BY CITY CODE SECTION 110-4.5.6.B, TO REDUCE THE DIMENSIONS FOR PARKING LOT ISLANDS REQUIRED BY CITY CODE SECTION 110-4.5.7.D, TO PROVIDE NO PARKING LOT PERIMETER LANDSCAPING WHERE REQUIRED BY CITY CODE SECTION 110-4.5.7.C.1, AND TO ALLOW A REDUCTION IN THE MINIMUM FRONT YARD WIDTH REQUIRED BY CITY CODE SECTION 110-3.6.2., ON THE PREMISES KNOWN AS 10334-10406 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL(S) 57-2-02-028 THROUGH 57-2-02-031 SUBJECT TO THE FOLLOWING CONDITIONS:

1. Final plans shall be in substantial conformance with the General Development Plan dated June 27, 2017 and as modified through the following conditions.
2. Approval of these land use requests shall be subject to issuance of a Letter of Map Revision (LOMR) by the Federal Emergency Management Agency declaring that the extent of the flood plain on the site has been modified as a result of the Northfax Transportation and Stormwater Improvements Project (Northfax Project). The applicant may be required to request a Special Use Permit for disturbance in the floodplain if any areas proposed for disturbance are located within the revised floodplain boundary identified in the LOMR.
3. Approval of these land use requests shall be subject to the results of a Resource Protection Area (RPA) delineation study indicating that no proposed areas of disturbance encroach into the revised RPA resulting from the Northfax Project. Any such encroachments may be subject to an additional Special Use Permit contingent on the requirements of the Zoning Ordinance.
4. The applicant shall relocate the existing bus stop and shelter to an alternate location within general proximity to the existing location should relocation be necessary due to other modifications to the site. The new bus stop location shall be improved to meet all local and federal design standards.
5. Left turn access from the eastern-most driveway to eastbound Fairfax Boulevard shall be restricted through a combination of signage and/or physical elements.

## Sample Motion – Special Exception

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6. An additional pedestrian accessway shall be provided near the eastern-most driveway connecting the Fairfax Boulevard sidewalk to Building 3. The specific location of this accessway shall be determined during the administrative site plan review period.
  7. The design of the eastern driveway shall be revised to provide a layout that is functional and reasonable to the satisfaction of the Director of Public Works. Should this revision require disturbance in the floodplain, the applicant shall apply for a Special Use Permit to City Council.
  8. Where provided, tree cells shall be sized to adequately support the type of tree planted subject to manufacturer recommendations.
  9. Additional ornamental trees shall be provided along the site's Fairfax Boulevard frontage if where approved by the Director of Public Works.
  10. All hollies proposed along the site's Eaton Place frontage, except those used for screening transformers or other mechanical equipment, shall be replaced with ornamental trees.
  11. Additional ornamental trees shall be provided within 20 feet of the property line along the site's Eaton Place frontage so that all ornamental trees are spaced a maximum of 50 feet apart from the existing bus shelter to the proposed parking lot island approximately 220 feet to the west. Any resulting loss of parking spaces to accommodate this condition shall be deemed in conformance with the approved plan.
  12. A handrail, barrier or low fencing shall be provided along Eaton Place with a design that exhibits characteristics of demonstrated architectural aesthetic durability, subject to approval by the Director of Community Development and Planning. The handrail may include masonry piers, lighting features, vegetation or other elements that provide high quality screening of adjacent parking and service areas on the site in place of otherwise required landscaping elements.
  13. The required Construction Management Plan shall include requirements for an opaque wrap of construction fencing and signage identifying the project and providing contact information for the developer and/or general contractor. All signage and fencing wrap shall be approved by the Director of Community Development and Planning.
  14. All trees and shrub sizes shall meet the standards of the Zoning Ordinance at the time of planting.
-

**DENIAL OF  
SPECIAL EXCEPTIONS SE-16120067**

I MOVE THAT THE CITY COUNCIL ADOPT THE ATTACHED RESOLUTION TO DENY THE REQUEST OF REGENCY CENTERS LLC, APPLICANT, BY EVAN PRITCHARD, ATTORNEY-IN-FACT, FOR SPECIAL EXCEPTIONS TO ALLOW A SIDEWALK THAT DOES NOT MEET THE MINIMUM REQUIREMENTS OF CITY CODE SECTION 110-4.4.4., TO ALLOW PROPERTY STREET FRONTAGES WITHOUT A TEN-FOOT WIDE LANDSCAPE STRIP AND WITHOUT STREET TREES AS REQUIRED BY CITY CODE SECTION 110-4.5.6.B, TO REDUCE THE DIMENSIONS FOR PARKING LOT ISLANDS REQUIRED BY CITY CODE SECTION 110-4.5.7.D, TO PROVIDE NO PARKING LOT PERIMETER LANDSCAPING WHERE REQUIRED BY CITY CODE SECTION 110-4.5.7.C.1, AND TO ALLOW A REDUCTION IN THE MINIMUM FRONT YARD WIDTH REQUIRED BY CITY CODE SECTION 110-3.6.2., ON THE PREMISES KNOWN AS 10334-10406 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL(S) 57-2-02-028 THROUGH 57-2-02-031 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 this chapter 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.
-

**APPROVAL OF  
SUBDIVISION APPEAL  
(Recommended by Staff)**

I MOVE THAT THE CITY COUNCIL APPROVE THE REQUEST BY EVAN PRITCHARD, ATTORNEY-IN-FACT, ON BEHALF OF REGENCY CENTERS LLC, APPLICANT, TO APPEAL THE DETERMINATION BY THE ZONING ADMINISTRATOR THAT THE SIDEWALK WIDTHS REQUIRED BY SECTION 2.3 OF THE SUBDIVISION ORDINANCE MUST BE SATISFIED AS APPLICABLE, SUBJECT TO THE FOLLOWING CONDITION:

1. Final plans shall be in substantial conformance with the General Development Plan dated June 27, 2017 as approved by the City Council on July 11, 2017 in accordance with the Zoning Ordinance and any special exceptions authorized therewith.
2. This appeal shall only be valid for the subdivision application associated with special exception application SE-16120067 for the premises known as 10334-10406 Fairfax Boulevard and more particularly described as tax map parcel(s) 57-2-02-028 through 57-2-02-031

**DENIAL OF  
SUBDIVISION APPEAL**

I MOVE THAT THE CITY COUNCIL DENY THE REQUEST BY EVAN PRITCHARD, ATTORNEY-IN-FACT, ON BEHALF OF REGENCY CENTERS LLC, APPLICANT, TO APPEAL THE DETERMINATION BY THE ZONING ADMINISTRATOR THAT THE SIDEWALK WIDTHS REQUIRED BY SECTION 2.3 OF THE SUBDIVISION ORDINANCE MUST BE SATISFIED AS APPLICABLE 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 this chapter 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.
-

**APPROVAL OF  
CERTIFICATE OF APPROPRIATENESS  
(Recommended by Staff)**

I MOVE THAT THE CITY COUNCIL APPROVE THE REQUEST BY NATHAN BATH, ON BEHALF OF REGENCY CENTERS LLC, APPLICANT, REGARDING CASE NUMBER BAR-17010015, FOR A CERTIFICATE OF APPROPRIATENESS, IN ACCORDANCE WITH SECTION 110-6.5.6.B OF THE CITY CODE, ON THE PREMISES KNOWN AS 10334-10406 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL(S) 57-2-02-028 THROUGH 57-2-02-031, SUBJECT TO THE FOLLOWING CONDITIONS (AS MAY BE AMENDED BY CITY COUNCIL):

1. The proposed modifications shall be subject to the conditions recommended by the Board of Architectural Review on July 5, 2017.
2. The Applicant shall secure any required code administration and zoning approvals before commencing work.
3. The proposed modifications shall be in general conformance with the application package received by staff on June 14, 2017, and as updated through June 29, 2017, except as may be modified by the City Council, the Director of Community Development and Planning, Zoning, or the Building Official.

**DENIAL OF  
CERTIFICATE OF APPROPRIATENESS**

I MOVE THAT THE CITY COUNCIL APPROVE THE REQUEST BY NATHAN BATH, ON BEHALF OF REGENCY CENTERS LLC, APPLICANT, REGARDING CASE NUMBER BAR-17010015, FOR A CERTIFICATE OF APPROPRIATENESS, IN ACCORDANCE WITH SECTION 110-6.5.6.B OF THE CITY CODE, ON THE PREMISES KNOWN AS 10334-10406 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL(S) 57-2-02-028 THROUGH 57-2-02-031 FOR THE FOLLOWING REASONS:

**[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, any adopted design guidelines or the Community Appearance Plan;
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.