Meeting Date: 04/23/2018
Agenda Item: 7a

MEMORANDUM

To: **Chairman Cunningham and Members of the Planning Commission**

From: **Paul Nabti, Senior Planner**

Through: **Jason D. Sutphin, Community Development Division Chief**
Brooke Hardin, Director of Community Development and Planning

Subject: **Public Hearing – Paul VI Redevelopment Proposal**
10675 Fairfax Boulevard, 10600 & 10606 Cedar Ave
Z-17-00142

Meeting Date: **April 23, 2018**

The attached documents are inclusive of all materials for the public hearing on the above-referenced items, and include the entire application for both the Planning Commission and the City Council Public Hearings. This memorandum serves to provide explanation of these materials, actions required by the Planning Commission and additional actions to be considered by City Council.

The applicant requests a Comprehensive Plan Amendment and a Planned Development Review subject to Section 6.6 of the Zoning Ordinance. City Code requires that the Planning Commission review the proposed Comprehensive Plan Amendment and the proposed planned development at a public hearing and provide a recommendation to the City Council.

Sample motions will be provided under separate cover for Planning Commission action.

CITY OF FAIRFAX

Department of Community Development & Planning

Zoning Map Amendment (Z-17040060)

PUBLIC HEARING DATE

April 23, 2018

APPLICANT/ OWNER

IDI Fairfax L.C.

AGENT

Enrico C. Cecchi
Manager of IDI

PARCEL DATA

Tax Map ID

- 57 1 02 112, 113 & 114

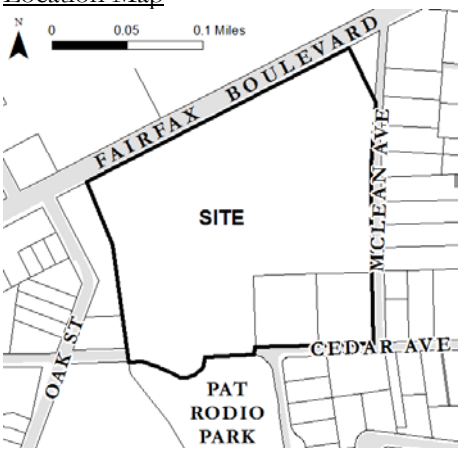
Street Address

- 10675 Fairfax Boulevard, 10600 & 10606 Cedar Ave

Zoning District

- CR – Commercial Retail, RM – Residential Medium, John C Wood House Historic District, Architectural Control Overlay District

Location Map



APPLICATION SUMMARY

The applicant requests to rezone the subject site from CR – Commercial Retail, RM – Residential Medium and John C. Wood House Historic District to PDM – Planned Development Mixed Use, to allow development of 164 multifamily condominiums, 137 townhomes, 20,000 sf of retail space and 24,000 sf of commercial and/or community space to be located within a retained portion of the original school building.

In addition to the rezoning, the applicant is seeking a Comprehensive Plan Amendment to modify the future land use map designation from Institutional to Business Commercial, Transitional and Residential - High.

The following applications are also proposed which do not require action or recommendation from the Planning Commission:

1. Special Use Permit for disturbance in the floodplain;
2. Support for Waivers from the Public Facilities Manual as listed in the Master Development Plan;
3. Certificate of Appropriateness.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission provide a recommendation for approval of the Zoning Map Amendment and Comprehensive Plan Amendment subject to the revisions provided on Page 5 of this staff report.

Background

The subject site is located within the block bounded by Fairfax Boulevard, Oak Street, Cedar Avenue and McLean Avenue. It is a consolidation of three parcels for a total of 18.50 acres as summarized in Table 1.

Address	Description	Area	Current Zoning
10675 Fairfax Blvd.	Paul VI Catholic High School	16.10 acres	CR – Commercial Retail and RM – Residential Medium Architectural Control Overlay District (ACOD)
10606 Cedar Avenue	John C. Wood House	1.25 acres	RM – Residential Medium/John C. Wood House Historic Overlay District
10600 Cedar Avenue	Single Family Home	1.15 acres	RM – Residential Medium
Total Area:		**18.50 acres**	

Table 1: Parcel Summary

The parcels that are included within the consolidation for this application, along with their current zoning designations, are shown in Figure 1.

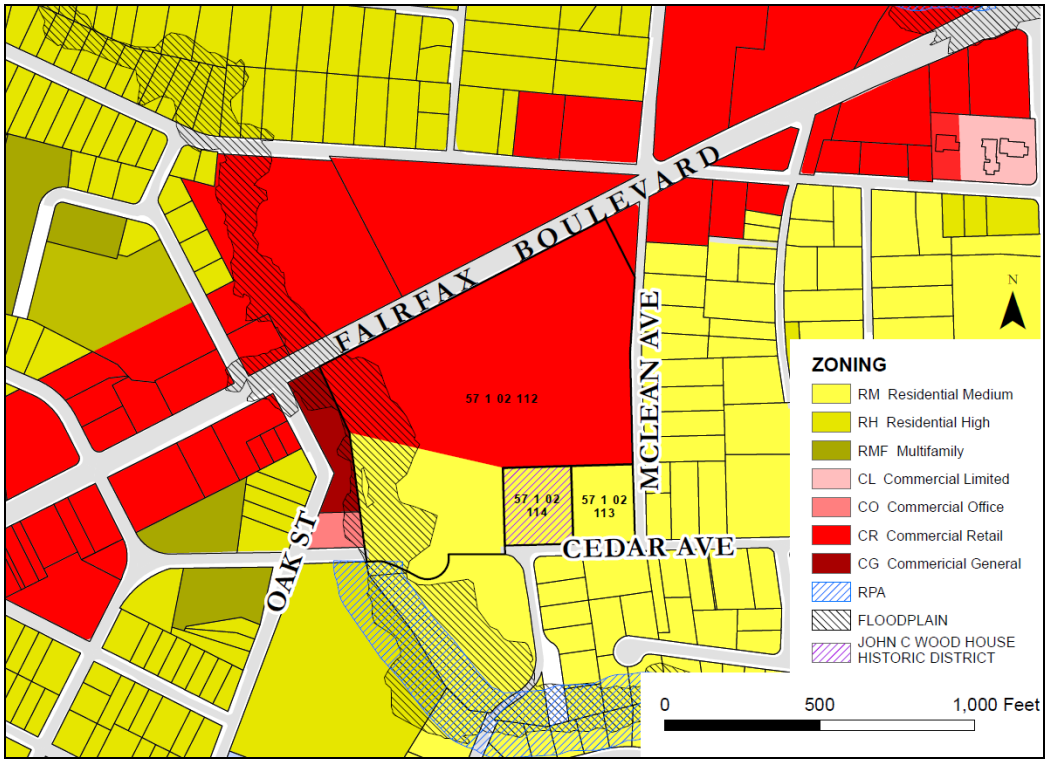


Figure 1: Existing Zoning

The current Paul VI property is split zoned with a commercial designation along Fairfax Boulevard and McLean Avenue, encompassing approximately 12.19 acres, and a residential designation closer to Pat Rodio Park, encompassing the remaining 3.91 acres. The other two parcels are entirely zoned with residential designations. In total, 66% of the site is designated as CR – Commercial Retail, with the remaining 34% designated as RM – Residential Medium.

The parcel at 10606 Cedar Avenue is overlaid by the John C. Wood House Historic Overlay District, which provides additional restrictions, including the requirement for a Certificate of Appropriateness issued by the Board of Architectural Review or City Council for any demolition, relocation or alteration of the existing structure on that parcel.

The character of surrounding properties transition from primarily commercial uses along Fairfax Boulevard to primarily single-family residential within the Historic Triangle Neighborhood to the south. Table 2 provides a summary of surrounding land uses.

	Existing Zoning	Existing Land Use	Existing Description	Future Land Use
Site	CR – Commercial Retail, RM – Residential Medium, JCWHOD	Institutional - General, Residential – Single Detached	Paul VI Catholic High School, John C. Wood House, Single Family Residence	Institutional, Residential Low
North	CR – Commercial Retail, ACOD	Commercial/Retail	The Shops at Fairfax	Business - Commercial
South	RM – Residential Medium	Open Space – Recreation & Historic, Residential – Single Detached	Pat Rodio Park, Historic Fairfax Neighborhood	Open Space – Recreation, Residential - Low
East	CR – Commercial Retail, RM - Residential Medium, ACOD	Commercial/Retail, Residential – Single Detached	Various Commercial, Fairfax Fairfax Neighborhood	Residential – Low, Business - Commercial
West	CO - Commercial Office, CG – Commercial General, ACOD	Commercial/Office	Fast Food, Child Care	Business-Commercial, Transitional

Table 2: Surrounding Property Descriptions

Proposal History

In October 2015, the Catholic Diocese of Arlington announced that the IDI Group Companies (IDI) had been selected as the master developer for the Diocese-owned Paul VI Catholic High School (Paul VI) site. The Diocese had previously announced its intention to relocate the high school to a property in Loudoun County. IDI was tasked by the Diocese with creating a development plan for the existing site and obtaining the necessary zoning approvals. IDI began meeting with stakeholders and held community meetings in February and March 2016 to gather initial feedback from the community and identify planning principles.

In September 2016, the applicant team presented two plan concepts to City Council and held community meetings regarding those concepts in October. Both schemes proposed a mixture of townhomes, multifamily apartments, multifamily condominiums and some commercial space/community space and included demolition of the John C. Wood House. The layout for both of these schemes was generally consistent with the guiding factors presented at a community meeting in March 2016. Among others, these factors included a potential street and pedestrian access network, and prescribed land use intensities. The primary difference between the two schemes was that the original

portion of the existing school building (approximately 24,000 square feet) was retained at it's current location in one scheme and was demolished with a reproduction building proposed elsewhere on the site in the other scheme.

An application was officially filed in April 2017, primarily based on the scheme that retained the original portion of the school building at it's current location. The initial application included a total of 550 residential units, 10,000 square feet of retail space and 24,000 square feet of undefined community space. Following feedback from staff and a joint work session with the Planning Commission and City Council in October 2017, the plan was revised to remove a multifamily apartment building, add commercial space and revise portions of the site layout.

Proposal Summary

The current proposal includes a total of 301 residential units, including 137 townhomes and 164 multifamily residential condominiums, 20,000 square feet of retail space and the 24,000 square foot retained portion of the school building, which may contain a mix of commercial and/or undefined community uses. The current site plan is shown in Figure 2.

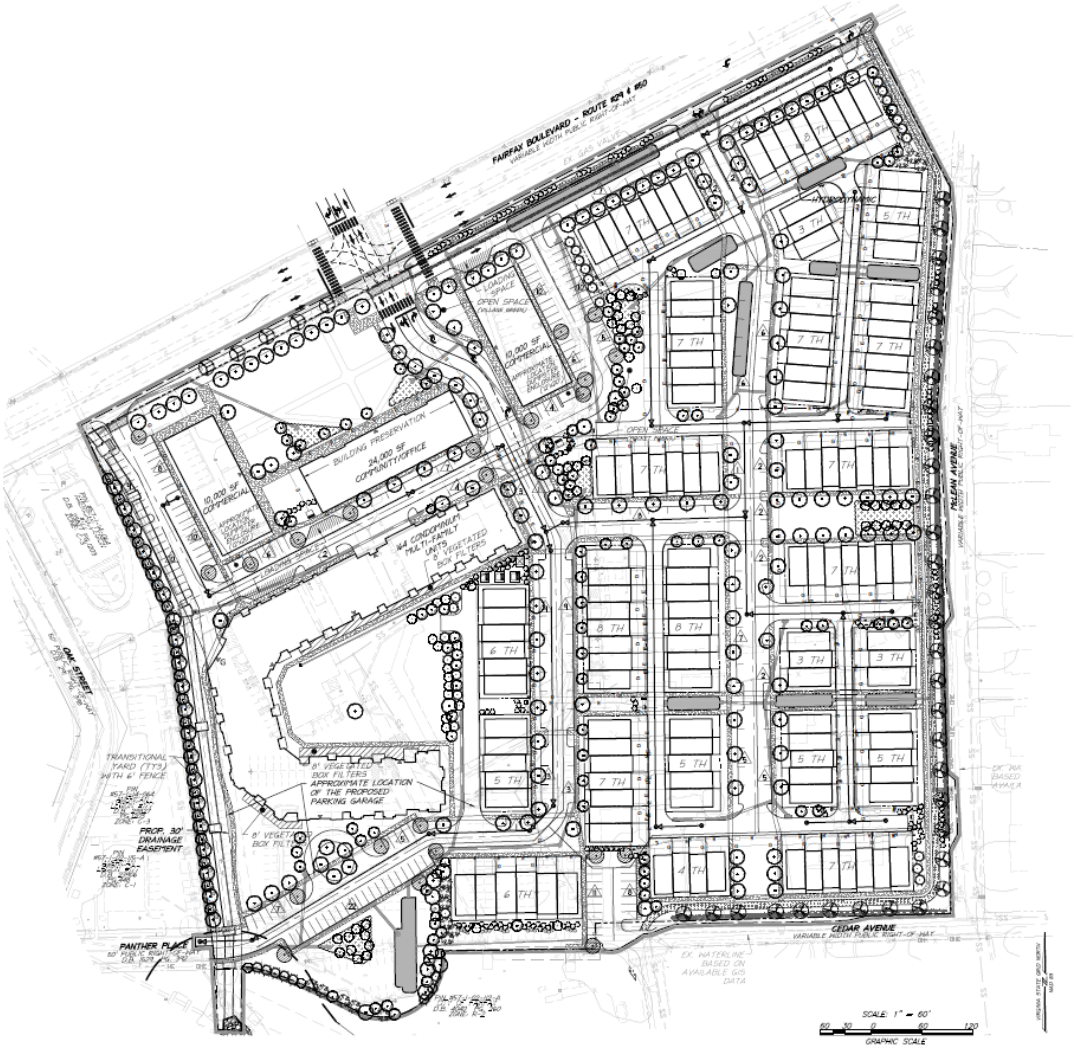


Figure 2: Proposed Site Plan

Vehicular access is provided with one access point from Oak Street and four access points from Fairfax Boulevard. Signalized access is provided at an existing traffic signal. Although no vehicular access is provided from the east side of the site, pedestrian access is provided at multiple locations. Approximately 22 percent of the site area is designated as recreation and open space.

REQUESTS

In order to fully execute the aforementioned improvements, the applicant proposes the following land use requests for Planning Commission recommendation and City Council action:

- **Comprehensive Plan Amendment** to change the Future Land Use Map from Institutional to Business Commercial, Transitional and Residential – High.
- **Rezoning** CR – Commercial Retail, RM – Residential Medium and John C Wood House Historic District to PDM - Planned Development Mixed Use;

With a proposed Planned Development – Mixed Use zoning district, this application is reviewed for compliance with the standards of Planned Developments as specified in Section 3.8 of the Zoning Ordinance.

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

- **Special Use Permit** to allow disturbance in the floodplain;
- **Support for Waivers** from the Public Facilities Manual as listed in the Master Development Plan;
- **Certificate of Appropriateness**.

RECOMMENDATION

Staff recommends the Planning Commission provide a recommendation for approval of the request for a Comprehensive Plan Amendment to change the Future Land Use Map designation for the site from Institutional to Business Commercial, Transitional and Residential – High.

Staff recommends the Planning Commission provide a recommendation for approval of the request for a Zoning Map Amendment (rezoning) provided the following revisions are incorporated into the Master Development Plan (MDP):

1. Provide a statement in the MDP Narrative that clarifies that the narrative is a part of the MDP and should be read in coordination with the MDP;
2. Remove the statement from the MDP Narrative that suggests and/or relies upon City participation in the floodplain control project;
3. Revise the landscape plan in the area near the southwest corner of the site, near Pat Rodio Park to provide overstory and ornamental trees in place of evergreen trees;
4. Provide at least one crosswalk across the private street near the southwest corner of the site, allowing a connection between the open spaces on the north and south sides of that street.

5. Extend the multi-use trail along the southern property line from the Cedar/Keith intersection to the southwest property line near Panther Place and provide a connection between the trail and the intersection of Mclean Avenue and Cedar Avenue;
6. Comply with the Zoning Ordinance by adding a request for a modification to Section 3.5.1.D.1(b) pertaining to the required percentage of ground floor area allocated to non-residential uses in an upper-story residential mixed use building;
7. Specify the limited non-residential uses that would be permitted on the ground floor of the upper-story residential mixed use buildings considering potential adverse impacts to the community;
8. Comply with the Zoning Ordinance by adding a request for a modification to Section 4.4.4.A.1, which requires that sidewalks must be located on both sides of all streets;
9. Provide a phasing plan to clarify when project improvements such as public amenities and infrastructure would be constructed in relation to the timeframe for the overall development, in accordance with the requirements of Section 3.8.2.H of the Zoning Ordinance;
10. Indicate on the MDP whether accessible units or universal design strategies will be provided;
11. Adjust parking calculations and discussion on parking for the MDP as follows:
    a. Remove modifications requests pertaining to requirements for parking quanitites in the Zoning Ordinance. Such modifications are not necessary based on the proposed parking quantities indicated in the MDP;
    b. If the applicant intends to provide parking in support of Pat Rodio Park, such parking must be identified on the MDP and considered in the parking calculations;
    c. Provide a shared parking analysis inclusive of commercial and appropriate residential uses to support inclusion of commercial parking spaces within the multifamily parking garage;
    d. Indicate that time restrictions will be applicable to all on-street parking to ensure turn-over during daytime hours. Indicate that amendment to such parking restrictions may be approved by the Director of Community Development and Planning subject to supporting analysis by the applicant or Community Association.
12. Clarify how utility service would be continued to existing residences on the east side of McLean Avenue if existing utilities are relocated underground;
13. Provide a preliminary sanitary capacity analysis prior to City Council hearings as specified by the Department of Public Works;
14. Include a provision in the MDP that addresses the City's goals and objectives as they pertain to affordable housing, including those set forth in the Comprehensive Plan;
15. Provide for community benefits in the MDP as they pertain to schools, public parks and transportation;
16. Provide for temporary signage identifying the project in the Construction Management Plan;
17. Identify measures to protect the existing historical marker along Fairfax Boulevard in the Construction Management Plan;
18. Add a note to the MDP stating that any realignment of the private accessway near the southwest corner of the site that results from an approved plan for the relocation of Panther Place, which is not a part of this application, shall be deemed in conformance with the approved MPD provided there is no decrease in recreation and open space, no decrease in the quantity of parking spaces and there are no other significant modifications to the plan.

ANALYSIS

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

ATTACHMENTS

1. Analysis
2. Summary of Zoning Districts
3. Planned Development Application
4. Master Development Plan - Narrative
5. Master Development Plan – Plan Set
6. Traffic Impact Study
7. Parking Analysis
    a. Residential
    b. Commercial
8. Fiscal Impact Analysis
9. Board of Architectural Review Staff Report and Recommendations
    a. Staff report
    b. Applicant submission
    c. Letter from Historic Resources Director
    d. Historic Structure Report – Paul VI Catholic High School
    e. Historic Structure Report – John C. Wood House
    f. Certificate of Appropriateness recommendation
10. Postings and Notices
11. Comprehensive Plan Amendment Resolution
12. Sample Motions

PREPARED BY:

Paul Nabti, AICP
Planner

DATE 4/18/18

REVIEWED AND APPROVED:

Jason Sutphin
Community Development Division Chief

DATE 4/18/18

Brooke Hardin
Director, Community Development & Planning

DATE 4/18/18

ATTACHMENT 1
ANALYSIS

This attachment contains staff analysis on the submitted proposal for the redevelopment of the Paul VI site. It is divided into three primary sections:

A. Comprehensive Plan Amendment: Analysis of the applicants request for an amendment to the Comprehensive Plan Future Land Use Map.
B. City Policy: Analysis of the conformance of the application with the Comprehensive Plan, general requirements of the Zoning Ordinance and other City goals and policy.
C. Procedural Requirements and Review Criteria: Analysis of conformance of the plan with specific citations from the Zoning Ordinance.

PART A: COMPREHENSIVE PLAN AMENDMENT

The existing school property is designated as Institutional on the Comprehensive Plan Future Land Use Map and the two single family parcels are designated as Residential – Low as indicated in Figure 1-1A. The relocation of the existing school was not anticipated at the time that the current Comprehensive Plan was adopted. The applicant requests a Comprehensive Plan Amendment to change the designation of the site on the future land use map from Institutional and Residential – Low to Business – Commercial, Transitional and Residential - High, as shown in Figure 1-1B in order to allow the proposed development to be reviewed based on the Comprehensive Plan Guidance for those land use designations.

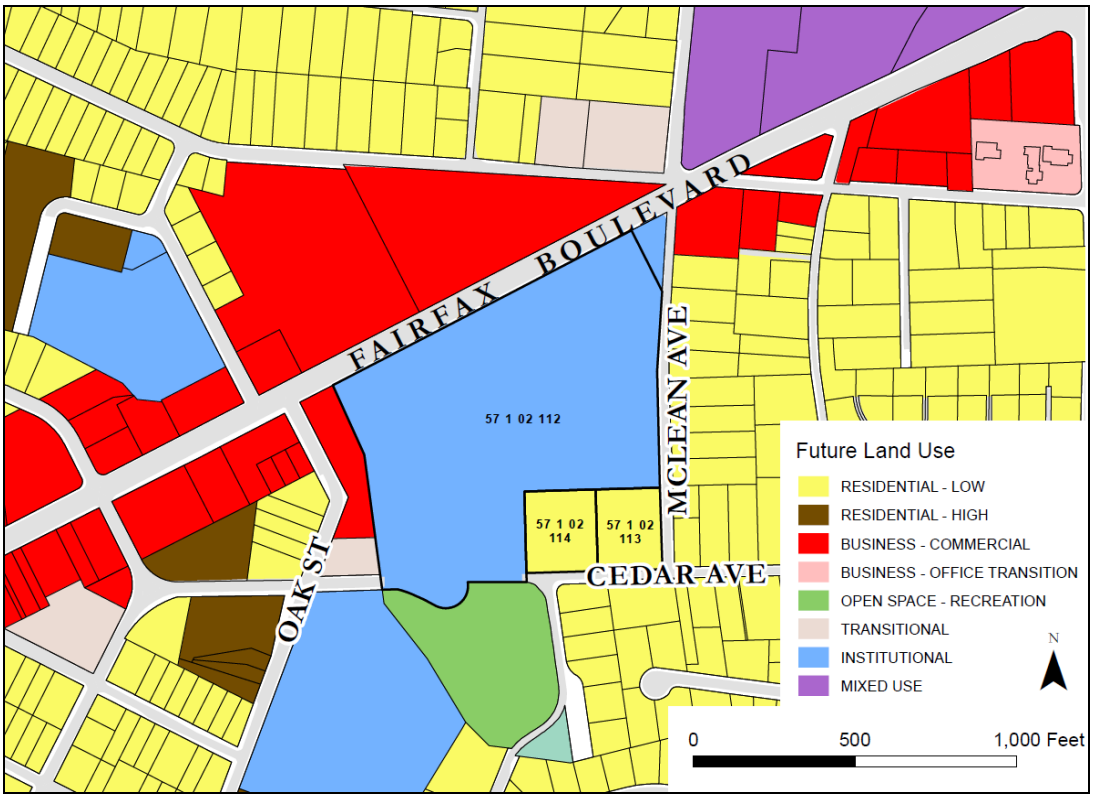


Figure 1-1A: Future Land Use

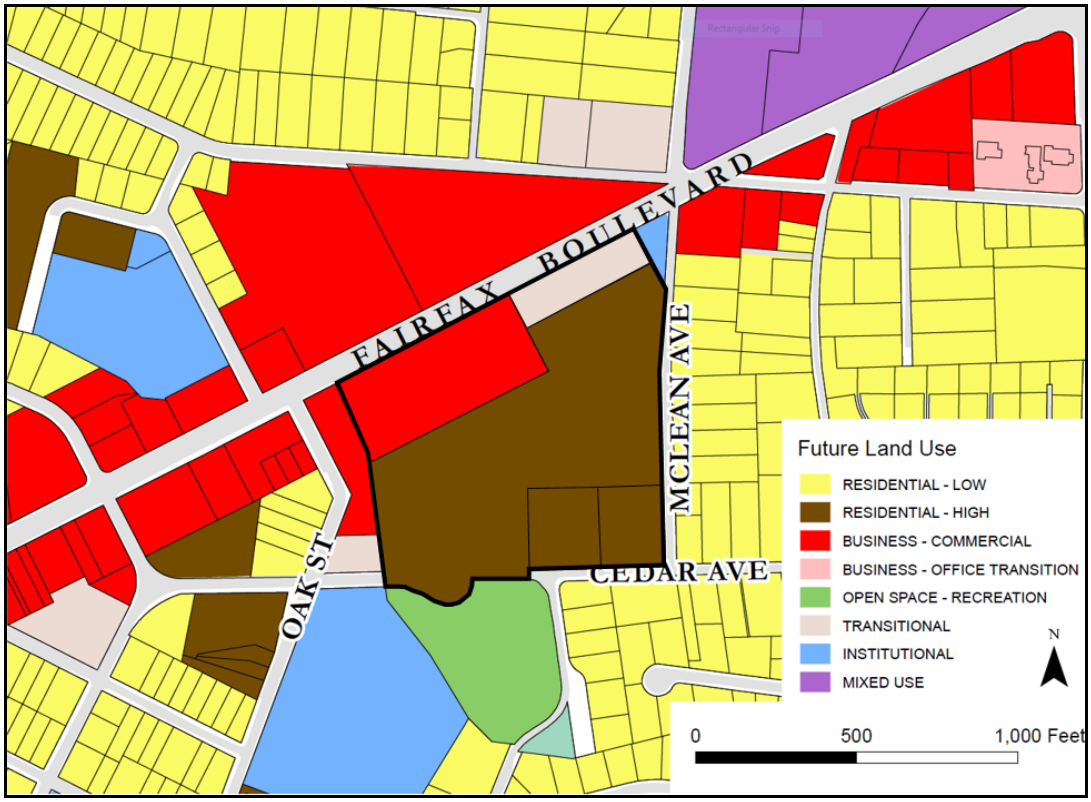


Figure 1-1B: Applicant's Proposed Future Land Use

Guidance for consideration of amendments to the Comprehensive Plan Future Land Use Map is provided by the Land Use Strategy provided below:

> **LU2.1 Require an applicant to submit a formal request for a Plan amendment concurrent with a requested rezoning when the rezoning would be inconsistent with the Future Land Use Map.**
> The future land use designations contained in this Plan are based on the City's best assessment of current and projected conditions. However, unforeseen situations may develop that make amendment of the Plan necessary to ensure its integrity. Consideration of an interim Plan amendment will entail a review of criteria articulated in the City Code, including consistency with the goals and objectives established in the Comprehensive Plan. However, it is important to recognize that strict, literal adherence to each provision in the Plan is not required in development proposals, because different sections of the Plan, as applied, may compete with, rather than complement, one another. Rather, development should be evaluated based on its consistency with the guidance provided in the Plan as a whole.

Per the above guidance, the proposed Comprehensive Plan Future Land Use Map amendment is reviewed based on its consistency with the Comprehensive Plan as a whole. Descriptions of specific Comprehensive Plan strategies and other language that influence the staff recommendations on the requested Comprehensive Plan Amendment are provided below.

The property lines for the site abut a variety of land use types with different characteristics. The north side of the site is adjacent to Fairfax Boulevard, where adjacent land uses are primarily commercial in nature. The south and east sides of the site are adjacent to single-family residential neighborhoods. The south end of the site is also adjacent to Pat Rodio Park. With this variety in adjacent land use types, the following guidance for new development is provided in the Comprehensive Plan.

> **LU-1.1 Encourage the establishment of appropriate transitions between commercial uses and residential uses.**
> Certain land uses, such as apartments, townhouses, single-family detached homes on small lots and limited office uses, have attributes of both more intensive and less intensive uses. The City should encourage the location of such uses between commercial uses and low density residential uses, where appropriate, to establish logical transitions which minimize land use incompatibilities. Alternatively, substantial buffering may be designed to provide an effective transition between uses of different intensity without intermediate land uses. Efficient, safe and convenient pedestrian and vehicular access to commercial uses from adjacent residential areas should be encouraged. [Comprehensive Plan, page 155]

The future land use designations proposed for the site by the applicant are consistent with the above Land Use Strategy because they include Business – Commercial and Transitional land uses along Fairfax Boulevard with Residential – High land uses establishing logical transitions between commercial uses and low density residential uses.

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. Future development along Fairfax Boulevard is primarily envisioned as commercial in the Comprehensive Plan as stated below:

> Appropriate land uses along the corridor are primarily commercial, with opportunities for substantial levels of development in key areas. The mix and design of future development and redevelopment along the Fairfax Boulevard corridor should support the City's vision for its economic future and reflect the importance of this centrally located area within the region. [Comprehensive Plan, page 169]

The proposed Comprehensive Plan Amendment is consistent with the Comprehensive Plan vision for primarily commercial land uses along the Fairfax Boulevard corridor by providing Business – Commercial and Transitional land uses along the property's Fairfax Boulevard frontage. No stand-alone residential land uses are proposed adjacent to Fairfax Boulevard.

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 West Connector generally encompassing the area along Fairfax Boulevard between Kamp Washington and Chain Bridge Road, as shown in Figure 1-2.

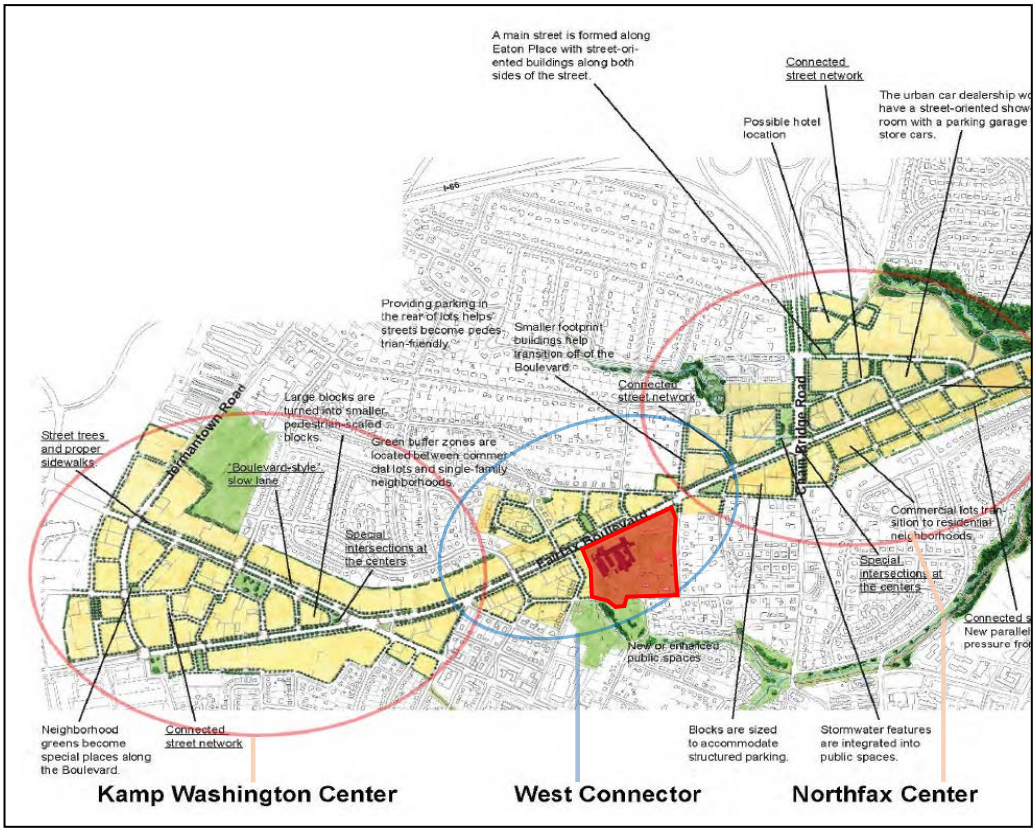


Figure 1-2: Site location along the Fairfax Boulevard corridor

Specific guidance from the Comprehensive Plan for development within "connectors" is provided below:

> Connectors: Connectors should take the form of a linear, aesthetically enhanced boulevard. Most of these areas do not have the proper depth or potential for unified, coordinated development. Their focus would be on lower scale buildings (predominantly 1 to 3 stories) with emphasis on accessibility, improvements in architectural and site design, and appropriate "interface" between the commercial boulevard and existing neighborhoods, such as appropriate land use transitions and green space buffers. [Comprehensive Plan page 169]

While consideration of the application is focused on the more restrictive guidance of "connectors", as opposed to "centers", some flexibility should be afforded because the overall size and depth of the site does provide potential for a unified, coordinated development.

<u>Staff Analysis:</u>
Staff believes the applicant's proposal to amend the future land use map from "Institutional" and "Residential – Low" to "Business – Commercial, Transitional and Residential - High" is consistent with the recommendations for connectors along the Fairfax Boulevard corridor. No stand-alone residential land uses are provided adjacent to Fairfax Boulevard. Residential – High land uses provide a logical transition to adjacent Residential – Low land uses.

PART B: CITY POLICY

This section is divided into the following subjects:

1. Land Use
2. Scale
3. Circulation (including vehicular circulation, pedestrian circulation and parking)
4. Architecture and Landscaping
5. Historic Resources
6. Stormwater Management
7. Dry Utilities
8. Open Space
9. Tree Coverage
10. Fiscal Impact

Land Uses

The applicant proposes three land use categories for the site: Business Commercial, Transitional and Residential – High. Guidance from the Comprehensive Plan for each of these land uses is provided below followed by a description of the conformance of the development proposal with that guidance.

> Business – Commercial
> Retail, office and hotel uses are appropriate in this category. The broad nature of this category allows for a mixture of nonresidential uses in addition to the typical single-use shopping center or office park developments commonly found along a commercial strip. (Comprehensive Plan, Page 162)

Retail, office and potential community uses are proposed in the portion of the site designated as Business Commercial in the applicant's Comprehensive Plan Amendment request. While retail and office uses are specifically stated as appropriate uses in the statement above, community uses listed as Public, Civic and Institutional uses in the Zoning Ordinance are generally permitted in commercial districts.

> Transitional
> This category is established to recognize specific areas, generally along arterial corridors, that provide a transition between office and commercial uses and less densely developed residential areas. These parcels may be suited to either commercial or residential development depending on the site-specific development potential and impacts on surrounding land uses. Where commercial use is chosen, the plan calls for low profile, small-scale office development with a floor area ratio (FAR) of up to 0.35. The small office buildings and generous landscaping and screening that are characteristic of this category are intended to result in suitable transitions between existing residential uses and more intensive uses or arterial streets. Where residential use is chosen, the plan calls for small infill single-family residential developments at densities approaching the midpoint of the medium density residential category. (Comprehensive Plan, Page 164)

Within the area of the site proposed to be designated as Transitional, the applicant proposes residential townhouse units that can function as live-work type townhouse units with optional commercial space on the ground floor of each unit. These units would be defined as upper-story mixed use in the Zoning Ordinance, which requires 75 percent of the ground floor area to be uses solely for non-residential uses. If individual owners are anticipated to have an option to use the ground floor for residential uses, a modification to the Zoning Ordinance would be required. Commercial and residential uses are both considered appropriate uses under this land use category. The proposed commercial uses are anticipated to be small in scale as described in the above language, though the specific commercial uses that would be permitted in the units has not been clarified. The townhouse units have a similar character to small scale office uses and generally provide an appropriate transition to surrounding residential uses. Residential uses in the Transitional land use category are described as "small infill single-family residential developments at densities approaching the midpoint of the medium density residential category." This suggests a density of around 10 dwelling units per acre where an estimated 13 units per acre are proposed.

Residential – High
Generally supporting a residential density greater than 12 units per acre, this category is typically applied to apartment or condominium developments. Providence Park apartments, located between Chain Bridge Road and Providence Park, is an example of high density development. (Comprehensive Plan, Page 161)

Residential condominiums and townhomes are both indicated on the MDP for the proposed Residential – High portion of the site. The overall density for this area is estimated at 20.9 units per acre, as proposed by the applicant.

Staff Analysis:
Staff believes the uses shown on the MDP are generally in conformance with the land use categories proposed through the Comprehensive Plan Amendment, though staff recommends that the commercial uses permitted in the live/work units be limited considering potential adverse impacts to the community. Staff notes that a modification to Section 3.5.1.D.1(b) of the Zoning Ordinance would be required if the applicant intends to provide individual owners the option of using ground floor areas for residential uses.

Scale
Density: Although the Comprehensive Plan does not specifically recommended densities for the various types of potential uses along the Fairfax Boulevard Corridor, the descriptions for recommended building height locate the highest intensity uses within the three "Centers" with more moderate intensities occurring within the "Connectors". Since the incorporation of the Fairfax Boulevard Vision and Summary into the Comprehensive Plan, there have been two land use approvals for mixed-use/multifamily developments within "Centers". No proposals for development with residential uses within Connectors have been approved to date. Other recently approved residential developments with multifamily components have had varying densities, reflective of their locations within the City. For the purpose of comparison, the overall residential densities for all recently approved multifamily residential development applications as compared to the subject proposal are provided in Table 1-1.

Project	Site Area	Number of Units	Residential Density/Acre	Non-Residential Area	Comprehensive Plan Area Designation
Paul VI Redevelopment	18.51 acres	301	16.26	44,000	Fairfax Boulevard Connector
Fairfax Circle Plaza	9.18 acres	400	43.57	88,000	Fairfax Boulevard Center
Novus Fairfax Gateway	8.32 acres	403	48.44	29,000	Fairfax Boulevard Center
Mount Vineyard	6.11 acres	132	21.60	0	Undesignated Main Street
The Enclave	3.76 acres	80	21.28	0	Undesignated Pickett Road
Layton Hall	7.81 acres	360	46.09	0	Transition District

Table 1-1: Comparison with approved developments

Height: The submitted MDP indicates building heights of up to five stories for portions of multifamily building at the core of the site, and as low as one story for retail buildings along Fairfax Boulevard. Building heights for the townhomes range from three to four stories, with three story units located in portions of the site that are closest to existing single-family residential neighborhoods.

Some building heights in the proposal exceed the Comprehensive Plan recommendation for buildings that are "predominantly 1 to 3 stories" in Fairfax Boulevard Connectors as cited above. It should be noted that the Comprehensive Plan height recommendation is based on typical commercial lot sizes along Fairfax Boulevard, which are generally somewhat smaller than the subject site and "do not have the proper depth or potential for unified,

coordinated development". The zoning ordinance also permits a height of 5 stories or 60 feet in the CR – Commercial Retail district, which is the predominant zoning classification for properties along the length of Fairfax Boulevard.

Staff Analysis:
Staff believes that the overall density of the proposed development is appropriate given it's location within a Fairfax Boulevard "connector". Staff believes the proposed height of 3 stories is appropriate for buildings located adjacent to lower density residential neighborhoods, which have a permitted height of 3 stories. Staff further believes that building heights of 4 and 5 stories are appropriate at the specific locations shown in the Master Development Plan with lower buildings contributing toward logical transitions to adjacent lower density neighborhoods.

Circulation

Vehicular Network: Vehicular access is provided to the site through an existing access point from Oak Street and multiple access points along Fairfax Boulevard. No vehicular connections are proposed between the site and McLean Avenue, Cedar Avenue or Keith Avenue to the east. The omission of access points on that side of the site results in conflict with the standards of the Subdivision Ordinance, which requires a maximum block length of 600 feet. The overall block length along McLean Avenue between Fairfax Boulevard and Cedar Avenue is over 1,100 feet. The block length between McLean Avenue and Oak Street along the southern property line is over 1,000 feet. The applicant is requesting a modification to this requirement through this application.

While direct vehicular connections to McLean and Cedar Avenues are preferred, the proposed plan includes several pedestrian connections to those street frontages that serve some of the transportation needs of the immediate community. This pedestrian network can be improved with the revisions stated under the "Pedestrian Network" section of this Analysis.

Along Fairfax Boulevard, access is provided to the existing signalized intersection across from Boulevard Shopping Center (Petco). A Boulevard style slow-lane is provided along the length of the Fairfax Boulevard frontage for the site. The Comprehensive Plan suggests that slow lanes should be considered along Fairfax Boulevard in certain circumstances as stated below:

> 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, they 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 [Comprehensive Plan, page 126].

Although the site is not located within an area designated as a Center, the size of the site and the nature of the development proposal lend themselves to inclusion of slow lanes. The benefit of slow lanes in this situation is that they allow for on-street parking, which improves access to commercial uses and provides a buffer between the streetscape, including open spaces on the site and traffic along Fairfax Boulevard. In particular, the slow-lane in this proposal provides direct access and parking in support of the proposed "live/work" units. The applicant requests a modification to Section 4.2.6.B.3 of the Zoning Ordinance to allow paving within six feet of a right-of-way in order to allow the slow lane to be constructed as shown. The distance from the edge of pavement on-site to the Fairfax Boulevard curb is approximately 10 feet.

A traffic impact study submitted by the applicant, as provided in Attachment 6 indicates a net increase of 1,691 trips per day as compared to the existing institutional use. These trips are distributed with different peak periods from existing conditions. Table 6-1 from the study shows a decrease of 789 trips during the morning peak hour and an increase of 294 trips during the afternoon peak hour. About 60% of the afternoon peak hour trips are attributed to the commercial and community uses on the site. The submitted analysis, as reviewed by the City Traffic Engineer, indicates that levels of service for all studied intersections would remain generally consistent with existing conditions. Studied intersections include all access points for the site, all signalized intersections along Fairfax Boulevard from Main Street to McLean Avenue, Cedar Avenue at Walnut Street, Cedar Avenue and Oak Street and Cedar Avenue at McLean Avenue.

Staff Analysis:
Staff believes the internal vehicular circulation network is generally in conformance with the Comprehensive Plan for development in Fairfax Boulevard Connectors, including the incorporation of a "slow lane" along Fairfax Boulevard, and allows studied intersections to operate at

levels of service that are generally consistent with existing conditions. Staff is supportive of the applicant's request for a modification to the requirements of the subdivision ordinance for minimum block sizes, provided the pedestrian network in the areas of the site that are impacted by this request is revised as described in the Pedestrian Network section of this Analysis.

Pedestrian Network: With internal streets designed with narrow cross sections, on street parking, landscaping and other pedestrian amenities, the overall vehicular network in the proposed plan generally accommodates pedestrians as well. In addition, internal open spaces and mid-block pedestrian accessways provide connections for pedestrians, including connections to the street network east of the site.

A shared use path is proposed along McLean Avenue as recommended by the Comprehensive Plan trails map (page 89). This path extends to the west along Cedar Avenue to connect to the existing trail along Keith Avenue. Non-vehicular access could generally be improved in and around the site if the shared use path extended along the southern property line for the site. This would provide a direct east-west link across the block as well as improve access to Pat Rodio Park. The following three recommendations for design revisions are included in the recommendations in the Staff Report.

1. Extend the multi-use trail along the southern property line from the Cedar/Keith intersection to the southwest property line near Panther Place;
2. Provide a connection between the multi-use trail and the street intersection at McLean and Cedar;
3. Provide at least one crosswalk across the private street near the southwest corner of the site, connecting the open spaces and pedestrian paths on the north and south sides of that street.

A shared use path is also proposed along the site's Fairfax Boulevard frontage. This trail is designed as a typical stand-alone trail from the western property line to the signalized entrance to the site. To the east of the signalized entrance, the shared use path is located adjacent to and flush with the "slow-lane". This design measure is provided to allow the shared-use path to accommodate emergency vehicles when necessary and is supported by the Fire Marshal.

The overall pedestrian network supports additional linkages between adjacent neighborhoods, open spaces and commercial areas as supported in Comprehensive Plan strategy T-7.2.1 cited below:

> **T-7.2.1 Examine roadway segments near schools, churches, parks, shopping areas, and neighborhoods to provide safe pedestrian routes.**
> At appropriate locations along the City's streets, the provision of sidewalks, trails, pedestrian signals and crosswalks will help facilitate the safe travel of pedestrians. It is especially critical to connect residential areas with one another and with public facilities, businesses and services that residents need. [Comprehensive Plan, page 133]

In general, pedestrian accessible accessways within the site create block faces that range from 200 feet to 500 feet in length. These dimensions are consistent with existing block lengths in Old Town Fairfax and at recently approved mixed-use developments at Fairfax Circle Plaza and Fairfax Gateway and are considered appropriate for pedestrian oriented environments. Sidewalks or other pedestrian accessways are provided on both sides of all proposed streets except for alleyways. Alleyways are not exempt from the requirements of the Zoning Ordinance and Subdivision Ordinance for sidewalks to be located on both sides of all streets. In general, sidewalks are not encouraged along alleyways, though a modification to these provisions is still required.

Staff Analysis:
Staff believes the pedestrian network provided in the submitted plan is appropriate subject to the recommended revisions stated above as listed in the Recommendations section of the staff report. In addition, a modification requirements of the Zoning Ordinance and Subdivision Ordinance for sidewalks to be located on both sides of all streets is necessary for this application to be considered.

Parking: Parking is provided through a combination of parking structures, on-street parallel spaces, individual garages, private driveways and in some cases, small surface lots. Parking for all residential uses would be provided in shared or individual garages. Parking for all other uses is provided with parallel on-street spaces or in surface lots. The applicant

requests a modification to allow a reduction in the parking requirement of the multifamily condominium uses and commercial uses. Despite the parking reduction requests, the overall quantity of parking spaces proposed for the site exceeds the requirements of the Zoning Ordinance for the combined uses. Provided that none of the use types proposed for the site are restricted from the excess parking spaces, the requested parking modifications are not necessary for this application. The overall proposed parking ratios as considered by staff are provided in Table 1-2.

Use Type	Quantity	Requirement Ratio	Parking Required	Parking Provided	Delta from Required
Multifamily Condominium	164 units	1.79/unit[1]	293	263	(30)
Townhomes	137 units	2.0/unit	274	454[2]	0
Commercial Space	32,000 sf	1/200 sf	160	127	(73)
Community/Office Space	12,000 sf	1/300 sf	40		
Live/Work Commercial	4,500 sf	1/300 sf	15	0	(15)
Other Parking			0	141	141
Total			**767**	**985**	**23**

1. Multifamily parking requirements are based on the number of bedrooms in each unit. See Table 1-3 for parking requirement calculations for multifamily units.
2. All parking spaces shown in this table that are above the minimum requirement for townhouses are located on private driveways. They are not considered in the total comparison because, while they are considered excess spaces, they are only available for use by individual townhouse owners and guests.

Table 1-2: Proposed Parking Ratios

Based on the above table, the quantity of parking spaces proposed for the site is sufficient to meet the demand for all proposed uses. Although not included in the parking summary, the MDP Narrative states that "public parking serving the park" would be provided with no specific quantity stated. Depending on the quantity of parking spaces intended for that purpose, modifications to the parking requirements for other uses may be needed. In addition, while there are a sufficient quantity of commercial parking spaces provided, they are not necessarily concentrated in the commercial area. If a shared parking analysis for residential and commercial uses is provided, some commercial parking spaces can be accommodated within the condominium parking garage, which is directly accessible to the commercial uses.

While a shared parking analysis is more appropriate for the proposed conditions on the site, the applicant has submitted parking analyses to justify proposed parking reductions for multifamily and commercial uses. In general, the overall parking reductions requests are not supported based on these analyses. A description of each analysis is provided below:

Multifamily Parking Analysis: Parking requirements for multifamily units are calculated based on the number of bedrooms in each unit with 1.5 spaces required for each one-bedroom unit and 2.0 spaces required for each two-bedroom unit. A breakdown of the parking requirement calculations for multifamily units is provided in Table 1-3.

Condominiums	Quantity of unit type	Spaces per unit required	Total Spaces Required for Unit Type
1 Bedroom Units	71	1.5	107
2 Bedroom Units	93	2.0	186
Total	164	**1.79**	**293**
Total Provided		**1.6**	**263**

Table 1-3: Multifamily Parking Ratios

The applicant requests a modification from the Zoning Ordinance requirement of 1.79 parking spaces per unit to allow a parking ratio of 1.6 parking spaces per unit. . This equates to a reduction of 30 parking spaces, or 10.2 percent of the requirement. A residential parking analysis was submitted by the applicant and is provided in Attachment 7A for reference. This analysis provides three reasons to justify the parking reduction request: previously approved projects in the City with a parking ratio of 1.6 spaces per unit; parking observations from the Institute for Transportation Engineers Parking Generation Manual (ITE Parking); and experience of the applicant on other properties. ITE Parking standards and previous approvals within the City were often referenced to support parking reduction requests under

parking reduction requirements of the former Zoning Ordinance. With more reasonable standards included in the current Zoning Ordinance as adopted in 2016, such references are no longer suggested.

Commercial Parking Analysis: The applicant also requests a modification to the number of parking spaces required for commercial/community uses proposed to the north of the multifamily building. Two calculations for the quantity of non-residential parking spaces required by the Zoning Ordinance have been provided. The difference between the two calculations is reflective of the amount of space used for retail, office and community uses. For the purpose of this analysis, staff will refer to the more intensive calculation. It should be noted that despite the request for a parking reduction for commercial uses, the submitted MDP indicates that 237 parking spaces would be provided to serve those uses, which exceeds the maximum requirement for those uses.

A shared parking analysis has been submitted to support this reduction request, as provided in Attachment 7B. This analysis, as summarized in Table 1-4, claims a peak demand of 127 parking spaces where 200 parking spaces are required by the Zoning Ordinance. This claim is based on three factors: transit trip reductions; internal capture; and shared parking spaces among commercial uses with different peak demands. While shared parking among uses with different peak demands is encouraged through the Zoning Ordinance there is no guidance through City policy for parking reductions due to transit usage or internal capture.

Zoning Ordinance Requirement	200
Transit Reduction	-34
Internal Capture	-40
Shared Parking	-5
Peak Demand	**127**

Table 1-4: Parking Reduction Proposal from Applicant

Transit mode share is not unique to the site and is considered to be factored in to the parking requirement for the Zoning Ordinance. The transit reduction methodology in the analysis is based on census data for primary transportation mode for work trips within the census tract where the project is located. This data is not considered for the staff recommendation because while over 14% of commuters within the census tract state public transportation as their primary mode for work trips, over 9% state "subway" or "railroad" as that type of transit. Since a secondary mode is not listed, it is impossible to determine what percentage of transit users simply drive to the Metro for their commute trips.

Internal capture considers the number of users of the commercial space that would come from residential buildings within the site, who would be more likely to walk and less likely to consume a commercial parking space. While internal capture is considered a valid justification for parking reductions, the basis behind number inputs in the submitted analysis is unclear. Given the dependence on shared parking for the site, a shared parking analysis would be preferred to an internal capture analysis.

The submitted shared parking analysis is based on variations in peak demand for the different uses proposed in the commercial land use area. Most notably, community and office uses have different peak demands than retail uses. While the exact impact of the difference in peak demands is not specifically stated in the submitted parking analysis, it appears to support a reduction of five parking spaces.

Staff Analysis:
Staff does not believe modifications to the parking requirements of the Zoning Ordinance for multifamily and commercial uses are necessary for this application. Staff recommends, however, that a shared parking analysis that includes residential and commercial uses be submitted to support inclusion of commercial parking spaces within the multifamily parking garage. While the suggested reductions from the submitted parking analyses are not generally supported, reductions based on shared parking between uses may be supported. Complete recommendations considering parking are provided in the Recommendations section of the Staff Report.

Architecture and Landscaping:
This proposal is subject to the provisions of the Architectural Control Overlay District (ACOD) pertaining to townhomes at initial construction, multifamily and all non-residential land uses. The requirements of the ACOD include review and recommendation by the Board of Architectural Review (BAR) and issuance of a Certificate of Appropriateness for architecture and landscaping by City Council. Guidance on architecture and landscaping for new development within the ACOD is provided in the Community Appearance Plan. The BAR reviewed the submitted plans and materials with this application at a public hearing on March 28, 2018 and provided a recommendation of support to City Council for a Certificate of Appropriateness subject to conditions for architecture only. At the time of the BAR public hearing, sufficient material for review of landscaping and site elements had not been provided. The decision on this portion of the Certificate of Appropriateness will be made at a future hearing with the BAR. In addition, the BAR recommended that the applicant revise designs for the two retail buildings adjacent to the retained school building and provide them for further review.

Staff Analysis:
While the Planning Commission is not required to provide a recommendation on the Certificate of Appropriateness to City Council, the full staff report for the BAR meeting is provided in Attachment 9 for reference.

Historic Resources
Although there are no structures on the site that are currently included on the National Register of Historic Places, the site does include Paul VI High School (formerly Fairfax High School) and the John C. Wood House. The John C. Wood House is located within the John C. Wood House Historic Overlay District. Paul VI High School is not included within a historic overlay district as defined by the Zoning Ordinance. The original portion of Paul VI High School was constructed in 1935 and contains exemplary architectural elements of that time period. The Comprehensive Plan considers further protection of these types of buildings through the following Historic Resources Strategy:

> **HR-1.8 Seek National Register nomination of additional historic resources, as appropriate.**
> The City should support individual property owners in seeking National Register designation for their properties. In addition, the City should initiate designation for publicly held properties, as appropriate. Examples of sites that may now or soon meet the designation criteria include Paul VI High School (formerly Fairfax High School), the Farr property, the Sisson House (currently used for School Board and Voter Registrar offices) on the City Hall grounds, and a potential residential historic district in the Fairfax Triangle area. [Comprehensive Plan page 114]

The applicant proposes to retain and modify the original center portion of the high school for adaptive reuse (area shaded in Figure 1-3). Since construction of that portion of the building, multiple additions and modifications have occurred. It is anticipated that substantial restorative work and modifications would be required to the structure in order to retain it.

The applicant has submitted a Historic Structure Report for the building, as provided in Attachment 9B, claiming that as it stands, it would not be eligible for consideration for inclusion on the National Register due to its alleged loss of "physical integrity". The City disagrees with this claim, but the Department of Historic Resources and Historic Fairfax City, Inc. (HFCI) are agreeable with the proposed retention of the existing front façade of the 1935 building. They have commented that this treatment satisfies the spirit of the community desire for the retention of this structure. Staff believes that the proposed work would deem the building ineligible for consideration for inclusion on the National Register due to the substantial amount of proposed change to the building's fabric.

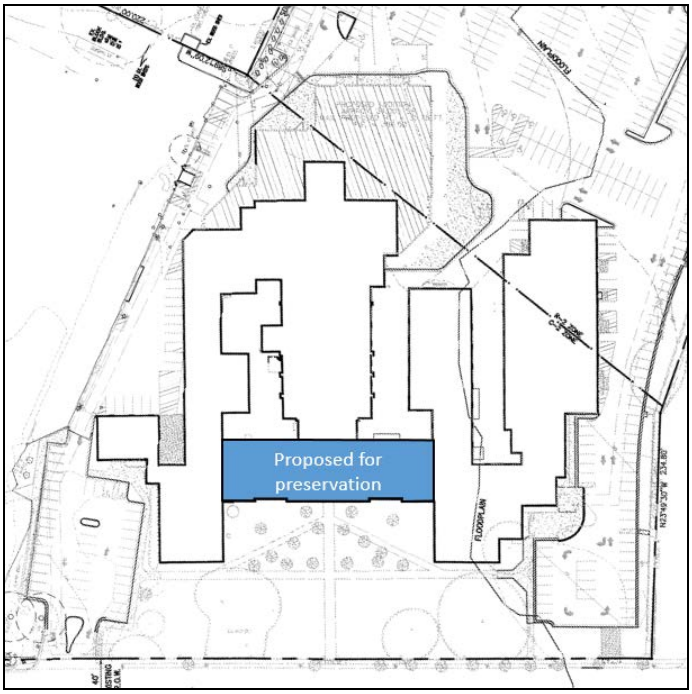


Figure 1-3: Building area proposed to be retained

The applicant proposes to rezone the John C. Wood House as a part of the submitted plan, and requests that the John C. Wood House Historic Overlay District be removed. This district was established by City Council in 2010 on the site of the former home of John C. Wood, the first Mayor of The City of Fairfax based on the following criteria:

1. The age of the building and its ties to the Cedar Avenue neighborhood, which is the oldest residential subdivision in the City;
2. The association with the honorable John C. Wood, a prominent local figure.

The applicant has submitted a Historic Structure Report for the John C. Wood House, as provided in Attachment 9C. The report indicates that the house is in an ongoing state of disrepair and has lost, and would continue to lose material integrity with the work needed to bring the house back to a usable condition. The recommendations in the report are to demolish the building as proposed by the applicant, but prior to this, document the property with scaled plans and photographs, much of which is already included in the report. The Director of Historic Resources has agreed with this treatment recommendation by the preservation consultant, and recommends a list of several more items to be added to this report for the property to be deemed sufficiently documented as indicated in the recommended approval conditions for the Certificate of Appropriateness. If the rezoning is approved, the John C. Wood House Historic Overlay District would be removed, and a certificate of appropriateness for demolition would not be required, though the conditions of the Certificate of Appropriateness for the overall proposal would still be applicable.

Staff Analysis:
While the Planning Commission is not required to provide a recommendation on the application for a Certificate of Appropriateness to City Council, the staff report from the BAR hearing on that application is provided in Attachment 9 for reference. Staff supports the applicant's proposal to retain the original portion of the school building. Staff also supports the proposal to remove the John C. Wood House Historic Overlay District and rezone the property given the condition of the building and the substantial modifications that would be required to exterior elements of the building in order to preserve it.

Stormwater Management:
Although stormwater management typically is not fully designed until the administrative site plan review period of a project, this proposal will be required to meet the requirements of state code and the City stormwater ordinance. This requires peak discharge to be reduced from current conditions for the 1-year and 10-year 24 hours storm event. The

applicant proposes to meet these requirements primarily by installing a series of underground detention facilities. Preliminary locations for these facilities are indicated on the submitted MDP.

Much of the western portion of the site is located in the floodplain as shown in Figure 1-4. The City has recently constructed stormwater improvements at the intersection of Fairfax Boulevard and Oak Street, which is located upstream from, but would have a minimal impact on the site. In order for the applicant to maximize development potential in this portion of the site, further improvements for the length of the stormwater pipe that runs along the western property line, removing or reducing the floodplain on the site, would be necessary. The applicant intends to make such improvements in order to receive a Letter of Map Revision (LOMR) from FEMA to officially modify the boundaries of the floodplain based on stormwater improvement on the site. The applicant has applied for a Special Use Permit for disturbance in the floodplain to allow them to make the improvements that would modify the floodplain boundary, as well as a Conditional Letter of Map Revision (CLOMR) from FEMA. A CLOMR to be issued from FEMA has not yet been received by the City for review and is required before the Special Use Permit can be authorized by City Council.

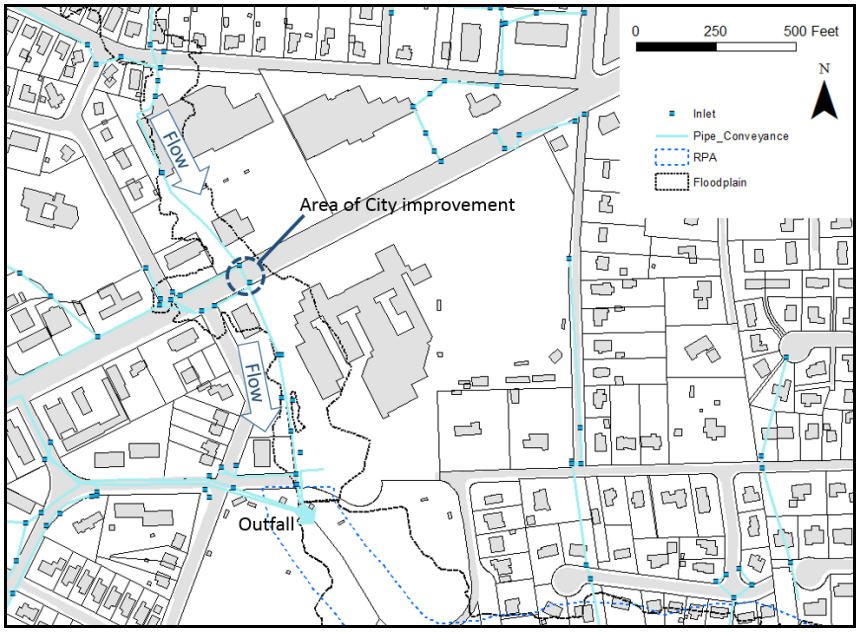


Figure 1-4: Existing Floodplain Conditions

In the MDP Narrative, the applicant proposes to advance the costs of upgrading the stormwater culvert that runs along the west end of the site and to be reimbursed by the City through tap fees generated by the development. Any financial commitment by the City would require separate action from City Council and would not be associated with land use actions in the subject application. For this reason, staff recommends a plan revision to remove this language from the MDP Narrative to avoid the implication that City participation in this proposal is agreed upon through approval of the application.

Staff Analysis:
Staff is awaiting a modified floodplain study from the applicant and issuance of a CLOMR from FEMA before providing a recommendation on the proposed modifications to the floodplain boundary and the Special Use Permit for disturbance in the floodplain. Staff recommends the MDP Narrative be revised to remove any discussion of an agreement between the City and the applicant for on-site stormwater improvements, as none has been agreed to by the City.

Dry Utilities:
Section 4.11 of the Zoning Ordinance requires all on-site above-ground utilities to be relocated underground for any development that will require administrative site plan approval. Overhead utility lines currently run along the eastern property line for the entire length of the property's McLean Avenue frontage with direct service to each single family residential lot on the east side of the street. Some of the poles for these overhead lines are located on the applicant

property. There are no other above ground utilities on the site except for those that only serve existing uses on the site. The MDP indicates that the lines on McLean Avenue will be relocated underground in accordance with the requirements of the Zoning Ordinance. The applicant has not clarified how service would be continued for the residential properties across the street.

Staff Analysis:
Staff supports the applicant's proposal to relocate the existing overhead utilities underground per the requirements of the Zoning Ordinance. Staff recommends that more information be provided on continuing service to single family residences that are directly served by those overhead utilities while maintaining compliance with the requirements of the Zoning Ordinance.

Parks and Open Space:
As a Planned Development, this application is required to meet the recreation and open space coverage requirement of the Planned Development as provided in Section 3.8.2.G of the Zoning Ordinance and stated below:

> §3.8.2.G. Recreation and open space
> The master development plan shall provide recreation and open space in accordance with the requirements of §3.8.7. At least 20 percent of each planned development site shall be designated as recreation and open space for use and enjoyment of the residents and occupants of the Planned Development.

An open space plan is provided in Sheet 7 of the MDP identifying those areas of the site considered by that the applicant to qualify as recreation and open space per the requirements of the Zoning Ordinance. The plan states that applicant is meeting this requirement by providing approximately 22% coverage for open space. Specific requirements for an area to qualify as recreation and open space are provided in Section 3.8.7 of the Zoning Ordinance. These requirements, along with staff analysis of the open space plan in the MDP are provided below.

> §3.8.7. Recreation and Open Space
> A. General
> 1. Recreation and open space is an integral part of planned developments (residential, commercial, industrial and mixed use).
> 2. Where recreation and open space is included in a planned development in addition to the individual lots, such lands must be in one or more parcels dedicated to or otherwise protected as permanent (active or passive) recreation and open space.
> 3. Any city-accepted parks, schools and other public land dedication made as part of a planned development will be counted towards complying with the requirements of §3.8.7.

The applicant does not propose to dedicate any open space to be owned and managed by the City, nor has the City indicated that such dedications would be desired. All open space is permanently protected through the adoption of a MDP. The MDP states that permanent public access easements will be provided for pedestrian accessways.

> B. Configuration and use
> 1. The location, size, character and shape of required recreation and open space in a planned development district must be appropriate for its intended use. Recreation and open space land must be useable for recreational purposes.

The MDP indicates that private recreation space, publicly accessible recreation space, cultural amenities and programmable gathering spaces would be included in the required recreation and open space areas. The location, size, character and shape of the applicable open spaces are appropriate for each of their intended uses.

> 2. No more than 50 percent of any area otherwise containing development challenges, such as the presence of the 100-year floodplain, open water, jurisdictional wetlands, a slope greater than or equal to 25 percent grade or geological hazards, may be considered to comply with the recreation and open space requirement.

The stormwater easements along the western property line is considered by staff to be an obvious development challenge for which no more than 50 percent of the challenge area may count toward required open space. Staff estimates that 8,500 square feet of the area of the easement may count toward the open space requirements as opposed to around 11,000 square feet as indicated by the applicant. This results in a total reduction of around 2,500 square feet of total open space from the applicant calculation, though the overall percentage coverage still falls within the 22 percent range.

3. The minimum width for any required recreation and open space shall be 50 feet. The zoning administrator may grant exceptions for items such as trail easements and mid-block crossings, when their purpose meets the intent of §3.8.7.

All open space areas indicated on the MDP provide a width of at least 50 feet or provide a pedestrian trail. In order for the trail areas to count toward the open space requirement, access easements must be provided for the trails. The MDP Narrative states that public access easements will be provided over the "private streets, trails, sidewalks and open space areas generally shown on the MDP".

4. At least 60 percent of the required recreation and open space shall be contiguous. For the purposes of §3.8.7, the term contiguous shall include any recreation and open space bisected by a local street, provided that:
   (a) A pedestrian crosswalk or underpass is constructed to provide safe and adequate access to the recreation and open space from both sides of the street;
   (b) The right-of-way area is not included in the minimum recreation and open space calculation;
   (c) The recreation and open space shall adjoin any neighboring recreation and open spaces, protected lands, and non-protected natural lands that would be candidates for inclusion as part of future recreation and open spaces or protected lands;
   (d) Adopted city plans shall be taken into consideration when evaluating land use and development applications;
   (e) Where appropriate, the required recreation and open space shall be directly accessible to the largest practicable number of lots within the planned development. Non-adjoining lots shall be provided with safe, convenient access to the recreation and open space (i.e. mid-block connections in logical locations);
   (f) Access to the recreation and open space shall be provided either by an abutting street or easement. Any such easement shall be at least 30 feet wide for its entire length;
   (g) Trails may be developed in recreation and open space; and
   (h) At least 20 percent of the recreation and open space shall be improved in accordance with the options set forth below. The shape, topography and subsoil shall be appropriate to the improvements proposed. (see Zoning Ordinance for specific options)

Open space area considered by staff to be contiguous per the requirements of the Zoning Ordinance are provided in Figure 1-5. This includes approximately 71 percent of the total open space area and is inclusive of trail areas where public access easements will be provided as clarified in the MDP Narrative. This calculation is subject to the recommended trail extension along the south property line and additional of a crosswalk across the private street in the southwest corner of the site, connecting the open spaces on the north and south sides of this street.

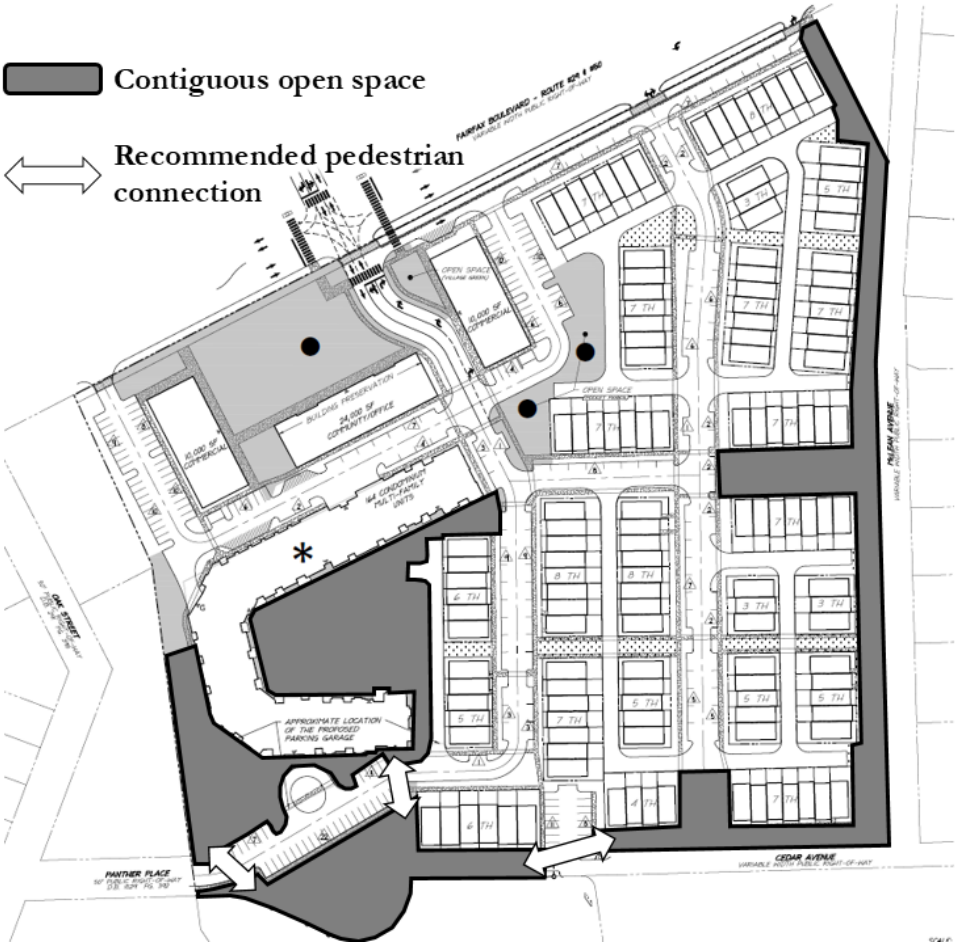


Figure 1-5: Open space areas considered to be contiguous

A summary of the staff calculation of open space is provided in Table 1-5.

Total Site Area	806,332 sf
20% Open Space Requirement	161,266 sf
Area Provided	171,500 sf
Percent Provided	22%
Continuous Area	122,000 sf
Percentage of Total	71%

Table 1-5: Open Space Calculations

The submitted plan provides a mixture of publicly accessible open spaces, private open spaces and linear open spaces along accessways and rights of way. The Fairfax Boulevard Master Plan Vision and Summary provided in Appendix D of the Comprehensive Plan particularly encourages the inclusion of "new and enhanced public spaces" and "green buffer zones located between commercial lots and single family neighborhoods".

Staff Analysis:

Staff supports the general concept of a network of open spaces, including larger open space, linear open space and pocket parks, as included in the submitted plans. Staff believes the open space network as provided in the MDP is in conformance with the recreation and open space requirements for planned development in the Zoning Ordinance, subject a crosswalk being added across the private street near the southwest corner of the site, connecting the open spaces on the north and south sides of that street .

Tree Coverage:
The following two environmental strategies from the Comprehensive Plan should be considered as the site design for this proposal is refined:

> **ENV-1.1 Continue to enforce and refine the City's regulations that require new development to preserve existing natural features to the extent practical.**
> Special protection is provided for trees, floodplains, and watersheds through zoning regulations. Although it is not possible to develop wooded property without removing trees, significant stands of trees should receive considerable attention in the development review process to ensure that all practical and reasonable attempts at preservation have been made. Through the review of development plans and in the process of negotiated rezoning, special use permit and special exception requests, the City can ensure that natural resources are protected.
>
> **ENV-1.2 Encourage planned development that maximizes the retention of natural features.**
> Conventional development often results in the destruction of a site's natural features. Sites are often completely denuded of tree cover, the topography is leveled, and streams are piped and covered. Planned developments, however, can be used to encourage buildings, roads and utilities to be arranged in clusters, resulting in the preservation of significant natural features. [Comprehensive Plan, page 33]

The applicant proposes to remove all existing trees on the site. As a previously developed site, there are no natural resource areas or significant stands of trees. The portion of the site that is currently occupied by the two single family lots was identified by staff as an area for further consideration for potential tree protection, particularly three potential monumental trees based on the submitted tree survey. The applicant conducted further analysis of those trees indicating specific conditions that could complicate tree preservation efforts and create potential hazards.

The proposed landscape plan results in an ultimate tree coverage of 10.67% where 10% is required in the Planned Development Mixed Use district. The applicant requests a modification to Section 4.5.6.B of the Zoning Ordinance which requires street trees along all streets, including private internal streets. Street trees, as indicated on the MDP are generally in conformance with the requirements of the Zoning Ordinance except along alleyways, certain segments of internal streets with utility conflicts and along a portion of Fairfax Boulevard where an existing utility easement prohibits trees from being planted. A note on the landscape sheet indicates that trees will be planted along Fairfax Boulevard if supported by final utility surveys. The applicant also proposes a modification to Section 4.5.7.D.1 of the Zoning Ordinance pertaining to parking lot island requirements. This modification is requested for the parking lot near the southwest corner of the site and is intended to allow landscaped pervious area surrounding the parking lot to be consolidated in the adjacent Resource Protection Area.

As provided in Section 4.5.5.C.2 of the Zoning Ordinance, transitional yards TY3 are required in certain circumstances in Planned Development Mixed-Use districts. Section 4.5.5.D states the requirements for a transitional yard TY3 including a 15 foot wide landscape strip, six foot fence and four canopy trees, four understory trees and four shrubs per 100 linear feet. The applicant requests a modification to this section of the Zoning Ordinance along all property lines, though the transitional yard requirement is only applicable along the west property line and along the south property line adjacent to Pat Rodio Park. Per the applicability description of transitional yards in Section 4.5.5.A, transitional yards are not required along property lines that abut right-of-way. The easement for the proposed stormwater culvert along the west side of the site only allows six feet of planting area between the edge of the easement and the property line. While tree locations are limited in that area, shrub plantings are typically permitted in utility easements. The applicant intends to provide tree plantings within the six-foot plantable area and shrub plantings extending into the easement as permitted. Adjacent to Pat Rodio Park, the design intent is to allow the open spaces within the proposed development to complement the park. In this area, providing the required transitional yard would conflict with this intent.

Staff Analysis:
Staff believes the submitted MDP is generally in conformance with the environmental strategies of the Comprehensive Plan. Staff supports the applicant's request for modifications to the Zoning Ordinance pertaining to street tree requirements and transitional yard requirements.

Fiscal Impact

An estimate of fiscal impacts to the City based on revue generated and expenses required to serve the proposed development is provided in Table 1-6. The applicant conducted a separate fiscal impact analysis based on the City standard model, which resulted in similar total impacts. The applicant also estimated total costs to the City to serve the existing school use on the site.

	Potential Redevelopment LOW	Potential Redevelopment HIGH
RESIDENTIAL REVENUES		
Real Estate Tax	$1,657,000	$1,838,000
BPOL (Rental Tax)	$0	$0
Personal Property Tax	$240,000	$266,000
Retail Sales Tax (1%)	$21,000	$23,000
Restaurant Tax (1% + 4%)	$23,000	$25,000
TOTAL	**$1,941,000**	**$2,152,000**
RESIDENTIAL EXPENSES		
Education	$620,000	$686,000
Police/Fire	$290,000	$320,000
Misc. Gov't	$452,000	$500,000
TOTAL	**$1,362,000**	**$1,506,000**
COMMERCIAL REVENUES		
Real Estate Tax	$105,000	$128,000
BPOL (Rental Tax)	$1,000	$1,000
Retail Sales Tax (1%)	$32,000	$38,000
Restaurant Tax (4%)	$76,000	$88,000
(Less ⅛ resident spending)	($6,000)	($6,000)
Retail/Restaurant BPOL/BPP	$7,000	$8,000
Office BPOL/BPP	$4,000	$4,000
TOTAL	**$219,000**	**$261,000**
COMMERCIAL EXPENSES		
Police/Fire	$14,000	$16,000
Misc. Gov't	$15,000	$17,000
TOTAL	**$29,000**	**$33,000**
BALANCE	**$621,000**	**$1,022,000**

Table 1-6: Fiscal Impact Summary

A breakdown of estimated public school student generation from the proposal is provided in Table 1-7. It should be noted that further increases in public school students could result from the existing private school relocating, though such impacts would occur regardless of the proposed redevelopment.

	Units	Yield Ratio	Students
Townhouse	137	0.239	33
Condo	164	0.067	11
TOTAL OF ABOVE			**42**

Table 1-7: Estimated Student Generation

Staff Analysis
The proposed development is anticipated to result in an annual increase in net revenue of $706,000 to $1,107,000 based on the City's standard fiscal impact analysis. Staff recommends that the applicant address impacts to City schools, public parks and transportation.

PART C: PROCEDURAL REQUIREMENTS AND REVIEW CRITERIA

Following is an analysis of citations from the Zoning Ordinance related to procedural requirements and review criteria derived from the proposed PD-M Planned Development Mixed Use zoning designation, for which a Planned Development Review is required.

§3.2. Districts Established/Purpose Statements

§3.2.3. Planned development districts

B. PD-M, Planned Development Mixed Use

The PD-M, Planned Development Mixed Use District, is intended to provide for coordinated mixed use developments which may include general residential and nonresidential uses within a planned development. The variety of land uses available in this district allows greater flexibility to respond to market demands and the needs of tenants, thereby providing for a variety of physically and functionally integrated land uses.

Staff Analysis
The proposed development meets the purpose statement for the Planned Development Mixed Use district by providing a coordinated mixed use development with physically and functionally integrated residential and non-residential uses.

§3.8 Planned Development Districts

§3.8.1. General purposes

The planned development districts of this article are intended to allow the city, at the request of an applicant, to set aside rigid zoning rules in order to allow applicants to create special and unique developments by mixing and clustering, where appropriate, land uses and/or dwelling types and providing more usable recreation and open space in a master development plan proposed by the applicant and approved by the city council. Planned developments should create a more livable, affordable and sustainable community. Starting from the baseline, which is current zoning, applicants may be given increased development rights, such as increased density and height, as well as increased flexibility, in return for providing benefits that make the project "superior" and the community better in accordance with the goals and objectives of the city, including, but not limited to, those set forth in the comprehensive plan.

Staff Analysis
The general standards for planned developments are utilized in this proposal to mix and cluster land uses and associated infrastructure, providing usable recreation and open space at key areas throughout the site. The proposal also creates a more livable community by establishing a pedestrian oriented street network with an integrated mix of uses.

§3.8.2. General provisions

A. Review process

All planned developments shall be reviewed and approved in accordance with the procedures of §6.6. A planned development can only be applied for by an applicant; the city cannot and will not unilaterally rezone any property to a planned development district without the submission of an application by an applicant, including the applicant's proposed master development plan. No proffers will be allowed in a planned development, as the master development plan and the applicable provisions of the zoning ordinance will control what may be created in an approved planned development.

B. Minimum requirements

1. In approving a rezoning for a planned development, the city council shall find the proposed district designation and master development plan comply with the general provisions for all planned development in §3.8.2 and the specific standards for the planned development listed in §3.8.3 through §3.8.6, below, respectively.
2. Planned development district rezonings may be approved only when the applicant demonstrates to the satisfaction of the city council that a proposed planned development project would result in a greater benefit to the city than would a development under general zoning district regulations.

Staff Analysis
Discussion of the procedures of Section 6.6 and provisions of Section 3.8.4 pertaining to Planned Development Mixed Use districts, is provided below. As required by the Zoning Ordinance, no proffers are submitted with this application. The applicant has submitted a Master Development Plan (MDP) inclusive of all necessary components, including a plan set and narrative. The applicant has provided discussion of how the proposed planned development project would result in greater benefit to the city than would development under general district regulations within the submitted MDP Narrative.

C. Master development plan
The development proposed in the master development plan shall be in substantial conformance with the comprehensive plan. A master development plan shall be filed by the applicant and approved by the city council as part of the approval of each planned development rezoning. After a master development plan has been submitted by an applicant and approved by the city council, development of the property that is the subject of that plan shall be in substantial conformance with the approved master development plan. In the event the owner of a property that has been approved for a planned development wishes to make any changes to the master development plan for that property, said owner may request that the city council approve an amendment to the master development plan. In the event the owner of a property that has been approved for a planned development wishes to abandon that planned development, said owner may apply for a rezoning to the same or a different zoning district. At a minimum, such required plan shall set forth the following:
1. A narrative addressing the proposed development that includes, but is not limited to, the following:
   (a) A statement of how the proposed development is in substantial conformance with the comprehensive plan;
   (b) A description of how the proposed development provides greater benefits to the city than would a development carried out in accordance with general zoning district regulations;
   (c) An identification of site planning features designed to ensure compatibility between on-site residential and nonresidential uses, and with the surrounding neighborhood and land uses; and
   (d) An explanation of the relationship of the proposed development to existing development in the area.
2. A plan depicting the proposed development that includes, but is not limited to, the following:
   (a) An existing conditions plan, proposed layout plan with applicable dimensions, grading plan, conceptual utilities plan, tree survey, landscaping plan with tree coverage and impervious coverage, architectural elevations showing exterior building materials, site sections showing building heights, and recreation and open space plan;
   (b) A tabulation of land uses by acreage, total number and square footage of dwelling units by housing type, residential density and/or square footage of nonresidential uses per acre, and recreation and open space acreage; and
   (c) General zoning district uses and standards to be applicable within the planned development, including requests for modifications under §3.8.2.D, §3.8.2.E, and/or §3.8.2.F.
3. Other relevant information as may be deemed necessary by the city council to demonstrate conformance with the goals and policies of the city, including the comprehensive plan.

Staff Analysis
All of the above information has been provided by the applicant through one of the components of the submitted Master Development Plan, including the plan set and narrative.

D. Specific use standards

At the request of an applicant requesting approval of a planned development, the specific use standards of §3.5 may be modified by city council in the approval of a master development plan. Any such modifications of the specific use standards of §3.5 requested by the applicant shall be clearly noted on the master development plan. Unless specifically modified by the city council as requested by an applicant in the approval of a master development plan, all specific use standards specified in §3.5 shall apply.

Staff Analysis

While the applicant does not propose any modifications from the use standards of Section 3.5 of the Zoning Ordinance, a modification may be required to Section 3.5.1.D.1(b) to allow upper story residential/mixed use buildings with less than 75% of the ground floor area solely used for non-residential uses. Further discussion is provided in Part B of this analysis.

E. Site development standards

3. At the request of an applicant requesting approval of a planned development, the site development standards of Article 4 and the streets, pedestrian facilities, and lots and blocks design and improvement standards (See Subdivision Ordinance, Sections 2.2, 2.3 and 2.4) may be modified by the city council in the approval of a master development plan. Any such modifications requested by the applicant shall be clearly stated on the master development plan. Unless specifically modified by the city council in the approval of a master development plan, all site development standards specified in Article 4 shall apply.

Staff Analysis

The applicant proposes to modify the following site development standards of Article 4 of the Zoning Ordinance as part of this planned development review:

1. *Section 4.2.3.E pertaining to parking requirements for the multifamily condominium building and commercial uses.*
2. *Section 4.2.6.B.3 to allow paving within six feet of a right-of-way.*
3. *Section 4.5.5.D pertaining to transitional yard requirements along certain property boundaries.*
4. *Section 4.5.6.B requiring street trees along all street, including private internal streets.*
5. *Section 4.5.7.D.1 pertaining to parking lot island requirements.*
6. *Section 2.4.2 of the subdivision ordinance pertaining to the maximum permitted block length.*

In addition, modifications are required to Sections 4.4.4.A.1 of the Zoning Ordinance and 2.3.4.A.1 of the Subdivision Ordinance, which require sidewalks to be located on both sides of all streets. Discussion of each of the above modification requests is provided in the appropriate sections of Part B of this analysis.

F. Design guidelines and dimensional standards

1. Each planned development shall provide a comprehensive set of design guidelines as part of the master development plan that demonstrate the project will be in substantial conformance with the comprehensive plan. All dimensional standards shall be established in the master development plan when it is approved by the city council.
2. All master development plans shall include design guidelines and all modifications to the dimensional standards of §3.6 requested by the applicant. Once a master development plan is approved by the city council, all design guidelines and all modifications stated in the master development plan will be binding on the applicant.

Staff Analysis:

Dimensional standards are provided on Sheet 10 of the submitted MDP. Approval of the Planned Development by City Council would incorporate these standards which then become binding on the applicant. Design guidelines are accomplished through the application for a Certificate of Appropriateness and through the verbal description of site plan features provided in the MDP Narrative. Analysis of specific dimensional standards and design features are discussed in Part B of this Analysis.

G. Recreation and open space
The master development plan shall provide recreation and open space in accordance with the requirements of §3.8.7. At least 20 percent of each planned development site shall be designated and provided as recreation and open space.

Staff Analysis:
Discussion of the conformance of this application with the Recreation and Open Space requirements of Section 3.8.7 of the Zoning Ordinance are provided Part B of this Analysis.

H. Phasing
If development is proposed to occur in phases, the master development plan shall include a phasing plan for the development, and if appropriate, shall include specific build-out dates. Guarantees shall be provided by the applicant in the master development plan that project improvements and amenities that are necessary and desirable for residents and occupants of the project or that are of benefit to the city, shall be constructed and provided as part of the first phase of the project, or, if this is not possible, specific deadlines as early in the project as may be feasible shall be provided by the applicant.

Staff Analysis
In the MDP Narrative, the applicant states that the project is intended to be constructed in one continuous phase, subject to market conditions. The application for the Certificate of Appropriateness, however, states that the condominium building may be delivered in two phase. The Board of Architectural Review has provided a condition on the Certificate of Appropriateness recommendation that the applicant shall return for final approval on interim landscape and site design conditions should this occur. In addition, the mix of uses proposed for the site suggest the development could occur under different entities. While a phasing timeline may not be achievable, staff recommends a phasing plan be provided to clarify when project improvements such as public amenities and infrastructure would be constructed in relation to specific elements of the plan.

§3.8.4. PD-M, Planned Development Mixed Use District
The purpose of the district shall be consistent with the provisions set forth in §3.2.3.B and §3.8.1.

A. Minimum Requirements: The PD-M district is permissible only on sites of at least two contiguous acres unless the city council waives this requirement in the approval of a master development plan.
B. Permitted Uses: All uses permitted or listed as special uses in those permitted in the R districts and in the C districts may be permitted in a PD-M district (see §3.3.1), subject to approval by the city council when it approves a master development plan.
C. Signs: Signs allowed in the PD-M district shall be the same as signs allowed in the general residential and nonresidential districts, respectively, in accordance with §4.6.8.

Staff Analysis
The site is greater than two contiguous acres as required. The mixture of residential, commercial and potential community uses proposed in this application are permitted in the R and C districts in Section 3.3.1 of the Zoning Ordinance and are thus permitted in the PD-M district. The applicant has not requested any modification from the sign requirements of the Zoning Ordinance.

§6.6.8. Planned Development Review approval considerations
In determining whether to approve, approve with modifications or conditions, or disapprove a planned development, planning commission and city council shall consider the following:

A. Substantial conformance with the comprehensive plan;

Staff Analysis:
Staff believes the MDP is in substantial conformance with the comprehensive plan, subject to approval of an amendment to the Comprehensive Plan Future Land Use Map as requested by the applicant. Discussion of this amendment and general conformance of the proposal with the Comprehensive Plan are discussed in Parts A and B of this Analysis.

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

Staff Analysis:
The proposed development generally provides greater benefits to the city than would a development carried out in accordance with the current zoning districts or other general zoning district by allowing a mixture of uses within a single development that respond to surrounding land use characteristics. Further discussion of the mix of uses and transitions is provided in Part A of this Analysis.

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

Staff Analysis:
The site is currently zoned Commercial-Retail and Residential- Medium. While these uses are generally suitable for the site given the commercial nature of the north end of the site near Fairfax Boulevard and the residential nature of the south end of the site, existing zoning does not accommodate a transition of uses by permitting commercial development deeper into the neighborhood than is typical for this portion of the Fairfax Boulevard corridor. The submitted application proposes commercial and residential uses which are suitable for their respective locations on the site and provide appropriate transitions between the uses accommodated within the plan. The Planned Development provides for restrictions and compatibility measures not required by the general zoning district.

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

Staff Analysis:
Staff recommends the applicant consider community benefits in the MDP as they pertain to City schools, public parks and transportation.

E. Adequacy of existing and proposed public utility infrastructure;

Staff Analysis:
This application has been reviewed by the appropriate departments within the City for impacts to public utility infrastructure. Any areas of concern have been addressed through plan modifications or are discussed in the appropriate section of this Analysis. The Department of Public Works notes that there are capacity limitations for sanitary sewer in areas around the site and recommends that the applicant conduct a preliminary capacity analysis prior to City Council public hearing. If capacity issues are identified during the administrative site plan review period, the applicant may not be able to obtain approvals for sanitary connections.

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

Staff Analysis:
The proposal is consistent with the applicable requirements of the Zoning Ordinance chapter of the City Code, including the General Provisions for Planned Development Districts. Further discussion of consistency of the plan with Section 3.8.2, pertaining to Planned Development requirements, is discussed above. In addition to Planned Development Review, the applicant has requested a Special Use Permit to allow disturbance in a floodplain. While the Planning Commission is not required to provide a recommendation to City Council on Special Use Permits, information on the applicant's proposed improvements is provided in Part B of this Analysis.

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

Staff Analysis:
As discussed in Parts A and B of this Analysis, the proposal is generally consistent with the Comprehensive Plan goal of providing transitional uses between the commercial nature of Fairfax Boulevard and adjacent residential neighborhoods, and building heights are further used to provide a transition in scale.

H. Consistency with the stated purpose of the respective planned development district in §3.8.1 and the general purposes of §3.2.3;

Staff Analysis:
Consistency with the stated purpose of the Planned Development Mixed Use district and Planned Development districts in general is provided under the discussion of Section 3.2.3 and 3.8.1 above.

I. Compatibility of each component of the overall development with all other components of the proposed planned development;

Staff Analysis:
The general components of the proposed development include the residential uses, commercial uses, open space area, vehicular network, pedestrian network and landscaped areas. Staff believes the overall design of the site provides compatible relationships between each of these components as further described in Part B of this Analysis.

J. The quality of design intended for each component of the project and the ability of the overall master development plan to ensure a unified, cohesive environment at full build-out;

Staff Analysis:
Staff believes adequate quality of design and unified cohesive environment are provided as further discussed in the attached Certificate of Appropriateness staff report.

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

Staff Analysis:
The applicant states that the project would be developed in one continuous phase subject to market conditions. Staff notes that the three use types in the proposal (townhomes, multifamily residential and commercial) could be developed by separate entities and should therefore have the ability to function independently. Based on the proposed access points and street network, staff believes that each of these uses could function independently.

The applicant also notes that the condominium building could be constructed in two phases, though a timeline is uncertain. Through the review of the Certificate of Appropriateness, the Board of Architectural Review has provided a condition that the applicant return for review of interim site and landscape conditions should the condominium building be constructed in two phases.

L. The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development;

Staff Analysis:
A portion of the southwest corner of the site is identified as Chesapeake Bay Resource Protection Area, as confirmed by an RPA delineation study conducted by the applicant. Part of this area is impacted by the entrance location for the site from Panther Place. It should be noted that this entrance location is based on existing right-of-way and cannot be relocated by the applicant. No impervious surface beyond what is required for access to the site is proposed within the RPA area. The proposed plan also results in a reduction of impervious surface within the RPA from existing conditions.

M. The extent to which the residential component of the proposed planned development promotes the creation and preservation of affordable housing suitable for supporting the current and future needs of the city.

Staff Analysis:

Although the proposal provides a range of units types and anticipated price points, staff recommends consideration be given to City goals and objectives pertaining to affordable housing as specified in the Comprehensive Plan.

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).

Application No. _____

CITY OF FAIRFAX
PLANNED DEVELOPMENT APPLICATION

I/We IDI Fairfax, L.C. by Enrico C. Cecchi, Manager of IDI Manager, L.C., Manager
(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 *limited liability company*

property owner / contract purchaser / lessee (circle one) *master developer*

of Lots 112, 113, 114, Block 57-1, Section 02 of the _____ Subdivision containing 806,332 (Sq. Ft.) on the premises known as Paul VI High School requests that the property currently zoned CR, RM be rezoned to PD-M. This property is recorded in the land records of Fairfax County in the name of Catholic Diocese of Arlington, 10675 Fairfax Blvd., 10600 & 10606 Cedar Ave. in Deed Book 5784, Page 1821.*

(Name and address of subject property) *Deed Book 6146, Page 146, and Deed Book 13634, Page 139.*

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] MANAGER
(Signature of applicant or authorized agent) (Title or relationship)

Address 1700 N. Moore St., Suite 2020, Arlington, VA 22209 Phone (703) 558-7348

Email ECecchi@idigroup.com

STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 31st day of December, 2018, do hereby certify that this day personally appeared before me in the State aforesaid Enrico C. Cecchi, Manager of IDI Manager, L.C., Manager of IDI Fairfax, L.C.
(Name) (Title)

whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the _____ day of April, 2017, and acknowledged the same before me.

GIVEN under my hand and seal this 13th day of April, 2017.

[signature] 239[illegible]
Notary Public Registration #

ESTEBAN PALOMINO COMMONWEALTH OF VIRGINIA NOTARY PUBLIC

THE FOLLOWING MUST BE COMPLETED BY THE PROPERTY OWNER

I/We Catholic Diocese of Arlington by Most Rev. Michael F. Burbidge, Bishop hereby certify that the applicant named above has the authority vested by me to make this application.

Michael F. Burbidge — Bishop

(Signature of owner or authorized agent) (Title or relationship)

Address 200 N. Glebe Rd., Suite 914, Arlington, VA 22203 Phone: (703) 841-2500

STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 31st day of December, 2017, do hereby certify that this day personally appeared before me in the State aforesaid Most Rev. Michael F. Burbidge, Bishop

(Name) (Title)

whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the _____ day of April 12, 2017, and acknowledged the same before me.

GIVEN under my hand and seal this 12th day of April, 2017.

Bonny Rungon / 7567781

Notary Public Registration #

BONNY CHONG-WAI WONG
COMMONWEALTH OF VIRGINIA
REGISTRATION NO. 7567781
MY COMM. EXPIRES 12/31/2017
NOTARY PUBLIC

I was commissioned a notary public as Bonny Chong-Wai Wong.

FOR OFFICE USE ONLY

Proposal filed: _____ Received by: _____

Fee Paid: _____ Receipt No: _____

Previous Cases: _____

Current status of business license and fees:

Treasurer: _____

Commissioner of Revenue: _____

City of Fairfax – Community Development and Planning
10455 Armstrong Street #207A Fairfax, VA 22030
Phone 703-385-7820

Application #:_____
Receipt #:_____

LAND USE APPLICATION

- NON REFUNDABLE FEE –

☒ Special Use ☐ Special Exception ☐ Variance ☐ Amendment ☐ Renewal

1. PROPERTY LOCATION INFORMATION

Property Address 10675 Fairfax Blvd.; 10600 & 10606 Cedar Avenue Tax Map # 57-1-02-112, 113 and 114

Project Name Paul VI High School Project Description Redevelopment of existing private school property with a mixed use development in conjunction with a concurrent rezoning application and comprehensive plan map amendment. A special permit is required for a modification to the Floodplain.

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

Applicant Name IDI Fairfax, L.C. (circle one): Corporation / Gen Partnership / Ltd Partnership / Sole Proprietorship / Individual LLC

Applicant Address 1700 N. Moore St., Suite 2020, Arlington, VA 22209

Phone (o) (703) 558-7348 (c) _____ Email _____

Applicant or Authorized Agent Signature _____

Relationship to project (circle one): Property owner / Contract purchaser / Lessee / Agent MASTER DEVELOPER

3. APPLICANT CERTIFICATION STATEMENT Section 110-6.2.3

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

Applicant or Authorized Agent Signature **(REQUIRED)** _____ Date April 12, 2017

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

Licensed Professional's Name Andrew Gorecki, Christopher Consultants

Licensed Professional's Address 9900 Main Street, 4th Floor, Fairfax, VA 22031

Phone (o) (703) 273-6820 (c) _____ Email andygorecki@ccl-eng.com

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

Current status of business license and fees
Treasurer: _____

Commissioner of Revenue: _____

City of Fairfax – Community Development and Planning
10455 Armstrong Street #207A Fairfax, VA 22030
Phone: 703-385-7820

Application #:_____
Receipt #:_____

APPLICANT AUTHORIZATION LETTER
(Signed by property owner/s)

To Whom IT May Concern:
I/We, Most Rev. Michael F. Burbidge, Bishop of the Catholic Diocese of Arlington, the undersigned title owner(s) of the property identified below do hereby authorize Enrico C. Cecchi of IDI Fairfax, L.C., to act on my/our behalf in the furtherance of an application for a Special Use Permit on my/our property located at:

10675 Fairfax Boulevard and 10600 and 10606 Cedar Avenue

Tax Map No: 57-1-02-112, 113 and 114

Thank you in advance for your cooperation.

Date: April , 2017 By: Michael F. Burbidge

COMMONWEALTH/STATE OF: Virginia

CITY/COUNTY: Arlington, TO WIT:

The forgoing instrument was acknowledged before me this 12th day of April, 2017, by Most Rev. Michael F. Burbidge, Bishop of the Catholic Diocese of Arlington.

Bonny Bunson
Notary Public (Signature)

AFFIX NOTARY SEAL/STAMP

Notary Registration No: 7567781

My Commission Expires: 12/31/2017

BONNY CHONG-WAI WONG
COMMONWEALTH OF VIRGINIA
REGISTRATION NO. 7567781
MY COMM. EXPIRES 12/31/2017
NOTARY PUBLIC

I was commissioned a notary public as Bonny Chong-Wai Wong.

ALL TITLE OWNERS MUST SIGN IN PRESENCE OF NOTARY. IF THERE IS MORE THAN ONE TITLE OWNER, FILL OUT MULTIPLE APPLICATIONS.

City of Fairfax – Community Development and Planning
10455 Armstrong Street #207A Fairfax, VA 22030
Phone 703-385-7820

Application #:_____
Receipt #:_____

AGENT AUTHORIZATION LETTER
(Signed by applicant)

To Whom IT May Concern:
I/We, Enrico C. Cecchi, the undersigned authorized applicant(s) of the property identified below do hereby authorize David S. Houston of Blank Rome, LLP, to act as my/our agent(s) in the furtherance of an application for a rezoning, special use permit and comprehensive plan map amendment on my/our property located at: 10675 Fairfax Boulevard and 10600 and 10606 Cedar Avenue

Tax Map No: 57-1-02-112, 113 and 114

Thank you in advance for your cooperation.

Date: April , 2017 By: _____

COMMONWEALTH/STATE OF: Virginia

CITY/COUNTY: Arlington, TO WIT:

The forgoing instrument was acknowledged before me this 13th day of April, 2017, by Enrico C. Cecchi, Manager of IDI, Manager, L.C., as Manager of IDI Fairfax, L.C.

_____
Notary Public (Signature)

AFFIX NOTARY SEAL/STAMP

ESTEBAN PALOMINO
COMMONWEALTH OF VIRGINIA
NOTARY PUBLIC

Notary Registration No: 239167

My Commission Expires: 12/31/2018

ALL AUTHORIZED APPLICANTS MUST SIGN IN PRESENCE OF NOTARY. IF THERE IS MORE THAN ONE AUTHORIZED APPLICANT, FILL OUT MULTIPLE APPLICATIONS.

RECEIVED

APR 19 2017

Community Dev & Planning

AFFIDAVIT
CITY OF FAIRFAX

I, IDI Fairfax, L.C., by David S. Houston, Agent 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):

Name	Address	Relationship
See Attachment 1(a).		

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

Corporation Name: _____

Name	Address	Relationship
See Attachment 1(b).		

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

Partnership Name: _____

Name	Address	Relationship
See Attachment 1(c).		

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

None.

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

Thomas Greeson, a partner at Reed Smith LLP, and his wife gave a political donation in excess of $100 to the "Ellie Schmidt for Mayor" campaign.

WITNESS the following signature: _____, AGENT
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 18th day of April, 2017, in the State of Maryland, Anne Arundel County

My commission expires:

_____
Notary Public Registration #

CHRISTINE E. THOMAS NOTARY PUBLIC ANNE COUNTY, MD

Christine E. Thomas
NOTARY PUBLIC
Anne Arundel County
State of Maryland
My Commission Expires
January 2, 2019

RECEIVED
APR 19 2017
Community Dev & Planning

EQUITABLE OWNERSHIP DISCLOSURE STATEMENT

I. GENERAL DISCLOSURE REQUIREMENTS

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

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

II. IDENTIFICATION OF REAL PROPERTY AFFECTED

Map Number	Parcel Number	Street Address	Current Owner of Record
57-1-02-	112	10675 Fairfax Blvd.	Catholic Diocese of Arlington
57-1-02-	113	10600 Cedar Ave.	Catholic Diocese of Arlington
57-1-02-	114	10606 Cedar Ave.	Catholic Diocese of Arlington

III. DESCRIPTION OF CHANGE IN ZONING REQUESTED

Completely describe the action being requested, attach narrative if desired.

Rezone real property affected from CR and RM to PD-M. Application also requested an amendment to the Comprehensive Plan Map, a Special Use Permit to modify the floodplain, and relief from the John C. Wood House Historic Overlay District.

IV. SPECIFIC EQUITABLE OWNERSHIP DISCLOSURE

The following individuals have legal and equitable ownership in the real estate to be affected by the requested change in zoning. (Include name, address and telephone number)

Most Rev. Michael F. Burbidge, Bishop of the Catholic Diocese of Arlington
200 N. Glebe Road, Suite 914
Arlington, VA 22203
(703) 841-2500

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

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

, AGENT
Signature

Subscribed and sworn before me this 17th day of APRIL, 2017.
My commission expires:

Notary Public Registration #

CHRISTINE E. THOMAS NOTARY PUBLIC ANNE COUNTY, MD

Christine E. Thomas
NOTARY PUBLIC
Anne Arundel County
State of Maryland
My Commission Expires
January 2, 2019

Attachment 1(a):

Name	Address	Relationship
Catholic Diocese of Arlington, Virginia Agents: Most Rev. Michael F. Burbidge, Bishop Mark Herrmann J. Reid Herlihy Rev. Robert J. Wagner	200 North Glebe Road Suite 704 Arlington, Virginia 22203	Property Title Owner
IDI Fairfax, L.C. Agents: Enrico Cecchi Carlos Cecchi Patrick Rhodes	1700 N. Moore Street Suite 2020 Arlington, VA 22209	Applicant/Master Developer
Blank Rome LLP Agent: David Houston	1825 I Street, N.W. Washington, D.C. 20006	Applicant's Attorney/Agent
Reed Smith LLP Agent: Grayson Hanes	7900 Tysons One Place Suite 500 McLean, VA 22102	Applicant's Attorney/Agent
christopher consultants, ltd. Agents: William Zink John Rinaldi Jana Morgan Tucker Travis	9900 Main Street Fourth Floor Fairfax, Virginia 22031	Applicant's Engineer/Agent
M. J. Wells & Associates, Inc. Agents: Christopher Turnbull John Andrus Julian Coles	1420 Spring Hill Road Suite 610 Tysons, VA 22102	Applicant's Traffic Engineer/Agent

Streetsense Consulting LLC Agents: Bruce Leonard Colin Greene	3 Bethesda Metro Suite 140 Bethesda, MD 20814	Applicant's Urban Design and Land Planner/Agent
Wetland Studies and Solutions, Inc. Agent: Anna Maas	5300 Wellington Branch Dr. Suite 100 Gainesville, VA 20155	Applicant's Architectural Historian and Archeologist/Agent
Commonwealth Consultants of Virginia, Inc. Agents: Jim Lamb Bruce McLeod	8321 Old Courthouse Road Suite 250 Vienna, VA 22182	Applicant's Community and Media Liaison/Agent

Attachment 1(b):

1. Corporation Name: IDI Fairfax, L.C.

The following is a list of all stockholders where such corporation has 10 or less stockholders:

IDI Virginia Holdings, L.C.

(Note: IDI Manager, L.C. is Manager of IDI Fairfax, L.C., but not a stockholder)

2. Corporation Name: IDI Virginia Holdings, L.C.

The following is a list of stockholders where such corporation has 10 or less stockholders:

Cecchi Investments, L.C.

3. Corporation Name: IDI Manager, L.C.

The following is a list of all stockholders where such corporation has 10 or less stockholders:

Cecchi Investments, L.C.

4. Corporation Name: Cecchi Investments, L.C.

The following is a list of all stockholders where such corporation has 10 or less stockholders:

Giuseppe Cecchi, Mercedes Cecchi, Antonio Cecchi, Enrico Cecchi, Carlos Cecchi, G. John Cecchi, and The Cecchi Family Trust (Giuseppe Cecchi and Mercedes Cecchi, Trustees)

5. Corporation Name: christopher consultants, ltd.

The following is a list of stockholders ownings 10% or more of any class of stock where such corporation has more than 10 stockholders:

William R. Zink, Jeffrey S. Smith and William R. Goldsmith, Jr.

6. Corporation Name: M. J. Wells & Associates, Inc.

The following is a list of stockholders ownings 10% or more of any class of stock where such corporation has more than 10 stockholders:

M. J. Wells & Associates, Inc. Employee Stock Ownership Trust (ESOT). All employees are eligible plan participants; however, no one employee owns 10% or more of any class of stock.

7. Corporation Name: Streetsense Consulting LLC

The following is a list of stockholders ownings 10% or more of any class of stock where such corporation has more than 10 stockholders:

Marc. S. Ratner, Guy Silverman, and Herb A. Heiserman

8. Corporation Name: Wetland Studies and Solutions, Inc.

The following is a list all stockholders where such corporation has 10 or less stockholders:

The Davey Tree Expert Company

9. Corporation Name: The Davey Tree Expert Company

The following is a list of stockholders ownings 10% or more of any class of stock where such corporation has more than 10 stockholders:

The Davey Tree Expert Company is an employee-owned company with the only shareholder that owns 10% or more of any class of stock being The Reliance Trust Company, as trustee for the Davey 401(k) SOP and ESOP. There are thousands of members in this pension fund, none of whom 10% or more of the company.

10. Corporation Name: Commonwealth Consultants of Virginia, Inc.

The following is a list of all stockholders where such corporation has 10 or less stockholders:

James G. Lamb

Attachment 1(c):

1. Partnership Name: Blank Rome LLP

The following is a list of all general and limited partners:

Abrams, Barry
Adler, Emanuel J.
Antonoff, Rick
Arnold, Scott
Barrette, Amy
Barnes, James
Barson, Leon R.
Baum, Kevin J.
Beard, W. Cameron
Becker, Samuel H.
Belknap, Thomas H.
Bell, Michael K.
Bennett, William R.
Bernstein, Jerry D.
Bickley, Susan L.
Boggs, George T
Bordo, Gregory M.
Bozzelli, Linsey B.
Brady, James W
Bressler, Kenneth L.
Brucculeri, Louis
Bruno, Kevin J.
Buerstetta, Grant E.
Cabello, J. David
Caulfield, Marianne T.
Cavanaugh, Patrick O.
Chane, Lawrence S.
Chiarodo, Justin
Chinitz, Marilyn B.
Clark, Jonathan
Cogan, Harris N.
Cohen, Kipp B.
Coll, Pelayo
Comisky, Matthew J.
Conway, Richard J.
Cooper, Scott F.
Corwin, Leslie D.
Cunningham, Kathleen A.
Delaney, Brendan

Delancey, Merle
Doloboff, Joseph M.
Doshi, Dipu
Dubow, Steven
Eig, Jason
Esber, Brett M.
Faust, Emmanuel
Feinman, Michael J.
Feldman, Howard
Flick, Lawrence F.
Flohr, Susan B.
Frank, Donald
Frank, Ronald
Franzblau, Deborah A.
Genkin, Barry H.
Gibbons, John
Goldenberg, Gary R.
Grasso, Jeanne M
Graziano, Michael C.
Green, Michael G.
Greenbaum, Michael C.
Greenspan, Deborah
Gregory, Donald A.
Grossman, Jon D.
Gulant, Joseph T.
Haddad, Gerard
Haller, Anthony B.
Harbist, Nicholas C.
Helfgott, Eliezer M.
Heller, Norman S.
Herman, Ira
Henry, Terry M.
Hill, Margaret A.
Hoch, Lewis J.
Hoffman, Alan J.
Ivler, Daniel J.
Jacobs, Cory G.
Johnson, Jeffrey M.
Kaplan, Frank M.
Kelbon, Regina Stango
Kelly, James
Kelsen, Peter F.
Kenney, Robert J.
Kimball, John D.
Korn, Jonathan M.
Knee, Howard M.

Krachman, Albert B.
Krauss-Browne, Caroline
Lapidow, Seth J.
Laupheimer, Ann B.
Lavalleye, JP
Lessler, Jay P.
Letourneau, Keith B.
Lewis, Christopher A.
Levy, Samuel
Liberman, Lois J.
Lieblich, Alan H.
Linsin, Gregory F.
Loeb, Jonathan A.
Lowther, Frederick
Luskin, Martin
Lutsch, Keith
Margolis, Mike B.
McMahon, Richard J.
Medved, George M.
Mercer, Jeremy
Miles, Coe F.
Mittman, Robert J.
Moller, Jeffrey S.
Morgan, Daniel
Morgan, Peter W.
Morrow, Kenneth
Mullman, Michael S.
Murray, James R.
Nadler, David M.
Orlofsky, Stephen M.
Ortiz, Carlos F.
Palmer, Grant S.
Pecsenye, Timothy D.
Perry, David M.
Phillips, Stacy
Proujansky, Adam
Rabinowitz, Mark I.
Rappaport, Louis M.
Reisman, Jason E.
Rhodes, Jeffrey
Rhynhart, Daniel E.
Riesel, Sheila G.
Roberts, William H.
Roman, Steven
Rosenfeldt, Philip R.
Ross, Malcolm

Rudolph, Andrew
Rutherford, Keith A.
Saber, Charles W.
Salgado, R. Anthony
Sanders, Michael I.
Sandilands, Malcolm T.
Schaedle, Michael B.
Scheffler, Michael A.
Schnur, Peter
Schrier, Stephen D.
Scott, Robert P.
Seidel, Barry
Shapiro, Joel C.
Sherwood, Jeffrey
Shoumer, Steven A.
Shtasel, Laurence S.
Singleton, Richard V.
Skakel, Deborah
Smith, James T.
Snyderman, Jason A.
Soffen, Stephen
Soloff, Peter J.
Staiger, James R.
Stein, Robert B.
Streibich, Wayne
Tagvoryan, Ana
Tamburo, Salvatore P.
Thronson, Mark
Valente, Peter C.
Vidas, Mary T.
Waldron, Jonathan K.
Walker, Samuel M.
Wallach, Jason
Ward, Brett S.
Westle, Thomas R.
Wessely, Robert
Whelan, Stephen T.
Wolfe, Charles R.
Wong, Russell T.
Wood, Larry R.
Wright, Shawn M.
Zeiger, Alan L.
Zola, Jared

2. Partnership Name: Reed Smith LLP

The following is a list of all general and limited partners:

Abdalla, Tarek F.
Alexander, Eric L.
Allen, Thomas Lee
Amdor, Gareth
Andrews, Alexander Tudor Collella
Arnold, Roy W.
Astigarraga, Jose Ignacio
Atallah, Ana
Barber, William James Gresham
Barzoukas, Nicolas G
Begley, Sara A.
Beiersdorf, Oliver K.
Beilke, Michele Jane
Berman, Patricia
Bernstein, Leonard A.
Bettino, Diane A.
Bhattacharyya, Gautam
Bickham, J. David
Binder, Justus
Binis, Barbara R.
Birt, Steven James
Bishop, Martin J
Blasier, Peter C.
Blefeld, Bruce A.
Bolden, A. Scott
Booker, Daniel I.
Boranian, Steven James
Borg, Christopher
Boutcher, David John
Bovich, John P.
Box, Mary Tamara
Bradley, Patrick E.
Breene, Paul Evan
Brennan, James C.
Brocklesby, Nicholas
Broughton, Kenneth Eugene
Brown, Bryan Keith
Brown, Charles Anthony
Brown, Claude
Brown, Jon Michael
Brown, Michael K.
Burke, Carol Martin

Cahn, Jonathan Daniel
Calligan, David Andrew
Cameron, Douglas E.
Cardozo, Raymond A.
Charot, Benoît
Chassman, Peter J
Cheung, Bo Chun Janet
Clark, Peter S.
Clulow, Jeb
Cohen, David R
Collet, Jean-Pierre
Colman, Abraham Joshua
Combourieu, Fanny
Cooper, Steven
Cousté, Marina
Cullis, John Anthony
Currie, Delphine
Daubert, Gail L
Davis, James Matthew
Dentice, Nathan Paul Wilmor
Dermody, Debra H.
Diana, Anthony Joseph
DiFiore, Gerard S.
Dillon, Lee Ann
Dolan, Timothy Patrick
Drew, Jeffery Ross
Dubelier, Eric A.
Duronio, Carolyn D.
Ellis, Peter M
Ellison, John Norig
Enochs, Craig Richard
Eskilson, James
Estrada, Edward J.
Evagora, Kyriacos
Falkner, Robert Pearce
Fawcett, David B
Fogel, Paul David
Fosh, Michael
Fox, Caspar Lloyd
Francis, Ronald L.
Frenier, Diane M.
Fritton, Karl A.
Gallo, Frank J.
Gasparetti, Lorenzo E.
Geist, Melissa A.
Gentile, Pasquale D.

Gordon, Vincent Roy
Graumlich, Betty Sinclaire Wommack
Green, Graham Andrew
Green-Kelly, Diane
Grimes, David M.
Gunn, Richard Malcolm
Gutowski, David J.
Gwynne, Kurt F.
Hagan, John F.
Halbreich, David Martin
Hansson, Leigh T.
Hardin, Julie Alleen
Hardy, Peter Alec
Hartley, Simon Peace
Hartman, Ronald G.
Hasselman, Scot T.
Hatfield, Jacqueline Ann
Hawley, Terence N.
Healy, Christopher W.
Heffler, Curt L.
Hemming, Seth M.
Hewetson, Charles Michael
Hill, Robert J.
Hill, Thomas Edward
Hirsch, Austin L.
Hitt, Leo N.
Ho, Delpha
Hofmeister Jr., Daniel J.
Hooper, John P.
Horrigan, Courtney C.T.
Houston, Marsha Ann
Howes, Dwight A.
Hryck, David M
Huenermann, Rolf
Hultquist, James T.
Husar, Linda Stephanie
Iino, John M.
Izower, Aron S.
Jaskot, Paul J.
Jeffcott, Robin Bryan
Jenkinson, Andrew Philip
Johnson, Gary Craig
Jones, Tyree P.
Jong, Denise
Juergens, Andreas
Kammel, Volker

Karides, Constantine
Katsambas, Panagiotis
Kaung, Alexander Wai Ming
Kay, Rosanne Mary Beatrix
Kirk, Dusty Elias
Kirkpatrick, Stephen Andrew
Klett, Alexander
Korenblatt, Jeffrey Samuel
Kozlov, Herbert F.
Kugler, Stefan
Kwuon, Janet H.
Lai, Ivy
Landers, Daniella Denise
Lee, Michael P.
Leiderman, Harvey L.
Lévy, Marc
Li, Lianjun
Loepere, Carol Colborn
LoVallo, Michael A.
Lowenstein, Michael E.
Lyons, Stephen M.
MacElhone, Isabelle
Maiden, Todd O.
Martin, James C.
Martini, John D.
Mateo, Daniel
Maurer, Christopher J.
McAllister, David J.
McCarroll, James C.
McConnell, Stephen J
McDavid, George E.
McGarrigle, Thomas J.
McIntyre, John M.
McNair, James Egbert
Meissner, Martin
Melodia, Mark S.
Mercadante, James A
Metro, Joseph W.
Miller, Edward Samuel
Miller, Jesse L.
Miller, Steven A.
Min, Catharina Yoosun
Minniti, Cindy Schmitt
Mitchell, Jonah Dylan
Moberg, Marilyn A.
Mok, Kar Chung

Moll, Stephen L
Moller, Charlotte
Moore, Michelle L.
Morrison, Alexander David
Mullins, Edward Maurice
Munsch, Martha H
Napolitano, Perry A.
Nicholas, Robert A.
O'Brien, Kathyleen A.
O'Donoghue, Cynthia
O'Neil, Michael
Page, Jeffrey S
Paisley, Belinda Louise
Parker, Roger John
Peck, Daniel F.
Pedretti, Mark G.
Pepper, Michael Ross David
Petersen, Matthew J.
Peterson, Kurt C.
Phillips, Robert N
Pike, Jonathan Richard
Pollack, Michael B.
Pryor, Gregor John
Quenby, Georgia Margaret
Radley, Lawrence Jeremy
Rammelt, David A
Raven, Ricky Anthony
Rawles, Douglas C.
Reck, Belynda Suzanne
Reid, Graham Matthew
Reinke, Donald C.
Richthammer, Etienne
Rivero, Francisco
Roberts, Diane
Roberts, Ronald Gregory
Roberts, Samantha Heloise
Roche, Brian D.
Rock, Nicholas J
Rogan, Edward G.
Rosen, Barry S.
Rosenberg, Carolyn H.
Roth, Robert A.
Rowan, Vincent Bernard
Ryan, Catherine S.
Rydstrom, Kirsten R.
Rymer, Philip Richard

Samant, Prajakt Kamalnath
Sanders, James Lohman
Sanders, Mark Richard John
Sanders, Michael
Sarcinella, Joseph A
Schaffer, Eric A.
Scheve, Stephen Edward
Schlecker, David Matthew
Schmarak, Bradley S.
Schryber, John W
Schwimmer, Jodi Eryn
Scott, Michael T.
Seaman, Charles H.
Sedlack, Joseph M.
Sessa, Stephen E.
Shapiro, Edward Henri
Sharma, Asha Rani
Shaw, Nicholas John Ashley
Sher, Lawrence S.
Short, Carolyn P.
Shugrue, John Daniel
Siev, Jordan W
Simons, Robert P.
s'Jacob, Oliver Piers
Skrein, Stephen Peter Michael
Smersfelt, Kenneth N.
Smith, Robert M.
Snyder Bagnell, Nicolle R
Sollie, Kyle O.
Solomon, Jonathan
Spafford, Richard Anthony Beaumont
Springer, Claudia Z.
Stainthorpe, Nick John
Stanley, David E.
Stansfield, Wayne C.
Stephenson, Leon
Stewart, George L.
Stimpson, Barry Philip
Suddath, Thomas H.
Suleman, Sakil Adam
Süss, Philipp T
Swinburn, Richard George
Tandler, James R.
Tardif, Natasha
Tashman, Matthew E.
Taylor, Andrew David

Taylor, Philip Minchinton
Teare, Peter Anthony Douglas
Temple, Mark Douglas
Thallner, Karl A.
Theodorou, Demitris Charalambou
Thomas, Alexander Y.
Thompson, Gary S.
Tompkins, Benjamin F.
Toms, Jason Marc
Turner, Paul B
Vallejo, Andres
Vansteenkiste, Sylvie
Vishneski, John S.
Vitsas, John Louis
von Waldow, Arnd N.
Walker, Gary R.
Watt, Christopher Brian
Watterson, Kim M
Weiss, David E.
Weissman, Sonja S.
Weller, Charles Grainger
Wells, Kristin Ifft
Wilkins, Robert Ashley
Wilkinson, James Frederick
Winterfeldt, Daniel Kamin
Wong, Ho Yin Patrick
Woo, Anthony
Wood, Douglas J.
Yan, Betty
Yan, Jay J.
Yoo, Thomas J.
Young, Michael John Garne
Yu, Cheuk Lun Desmond
Zaman, Peter O
Zoeller, Lee A.
Zurzolo, Tracy Leigh

APPLICATION OF IDI FAIRFAX, L.C.

PAUL VI HIGH SCHOOL REDEVELOPMENT

NARRATIVE TO MASTER DEVELOPMENT PLAN

March 28, 2018

I. INTRODUCTION

IDI Fairfax, L.C. ("Applicant" or "IDI"), as master developer for the Catholic Diocese of Arlington ("Owner" or "Diocese"), has submitted an application to rezone the existing Paul VI High School and two other properties (collectively, the "Property") owned by the Diocese, to the Planned Development – Mixed Use ("PD-M") zoning district to permit the redevelopment of the Property with a vibrant, mixed use community that provides distinctive, diverse and affordable housing options, generates significant fiscal benefits to the City, and preserves and respects the unique qualities and character of the neighborhood. The Property is located within the block bounded by Fairfax Boulevard, Oak Street, Cedar Avenue and McLean Avenue. It is a consolidation of three parcels for a total of 18.51 acres. The parcels are located at 10675 Fairfax Boulevard (Paul VI High School, 16.1 acres), 10600 Cedar Avenue (1.15 acres) and 10606 Cedar Avenue (John C. Wood House, 1.25 acres).

The Property's 18.51 acres are currently split zoned with approximately 12.2 acres zoned Commercial Retail ("CR") and approximately 6.3 acres zoned Residential – Medium Density ("RM"). The John C. Wood House Historic Overlay District regulates only 10606 Cedar Avenue. The current Comprehensive Plan Future Land Use Map designates the existing school for Institutional use and the residentially zoned parcels for Residential – Low development. As part of the rezoning application, the Applicant is requesting an amendment to the Comprehensive Plan's Future Land Use Map to change the designation of the Property to a combination of "Business-Commercial," "Transitional" and "Residential High."

II. PROJECT DESCRIPTION SUMMARY

The Applicant has carefully planned the Property and the project to strengthen the Fairfax Boulevard corridor, while respecting the existing neighborhoods. The Master Development Plan calls for a vibrant, attractive mixed use active community with generally low/medium building heights tapering to adjacent residences. A range of new housing options will be offered that are affordable, and will serve all ages to meet the housing needs of families, first time buyers, and older adults who wish to stay in place in the City. The project will encourage and support historic preservation, and will support preservation of the original Fairfax High School building, while also offering opportunities for increasing public understanding and appreciation for the Property's architectural and cultural history. Improvements to the transportation system on site will open the Property to the public and enable safe access for all users, including pedestrians, bicyclists, transit riders, and motorists of all ages. A major City public drainage improvement project will also be completed without the expenditure of new City funds.

III. COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

In order to proceed with the proposed redevelopment, the Owner and the Applicant request the City Council and the Planning Commission to amend the Comprehensive Plan Future Land Use Map to change the designation of the Property from Institutional and Residential to a combination of "Business-Commercial" (3.71 acres), Transitional" (1.15 acres) and "Residential High" (13.65 acres). Land Use Objective 2 encourages applicants to submit map amendment requests when necessary.

While the Comprehensive Plan's legal status is advisory only and serves merely as a guide in the zoning decision making process, an amendment to the Future Land Use Map is appropriate in this instance because the Owner has no intention of retaining the Property for institutional uses. For purposes of the Owner's long range educational mission, the Property was not large enough land-wise to meet the space needs and the facilities were not modern enough to further justify the extraordinary operating expenses necessary to maintain them.

The reasons why the Owner chose to relocate are the very same reasons why the City chose to relocate Fairfax High School from the Property over forty (40) years ago. And why George Mason University was willing to sell the Property after a short period of ownership. Further, Fairfax Boulevard is currently not as competitive as areas in neighboring jurisdictions because its buildings are old, set back from the roadway and have many vacancies or are filled will non-"A" tenants. All of these reasons contribute to why the Property's current Plan designation on the Future Land Use Map is no longer appropriate and viable.

The Property's Institutional designation on the current Future Land Use Map is a detriment and burdensome in the promotion of future uses for the Property. There are very few uses that fall within an institutional use category, and even fewer that would impact the community less than the existing school. Examples of alternative Institutional uses recognized under the City's Zoning Ordinance include sports arenas, detention facilities, hospitals and religious institutions. These and the other institutional uses are not typically able and willing to spend the amounts necessary to acquire, develop and maintain large parcels such as the Property. Many would also require City Council approval.

The initial vision of Institutional development is unlikely to be realized again. Because of the age, configuration and condition of the existing buildings on the Property, the existing use is not one that could be easily replaced. Based on the City's own demographic and economic studies, neither the current Comprehensive Plan designation nor the existing zoning classifications offer incentives for redevelopment in a manner that serve the City's long term interests and the viability of the commercial businesses along the Boulevard.

Land Use Objective 3 in the Comprehensive Plan encourages the promotion of the Fairfax Boulevard corridor. This project achieves that objective by activating this area with new commercial, retail and community uses, plus the addition of much needed new residents to fill in missing demographic groups from the City. The City will be more competitive with neighboring jurisdictions if it can attract new housing and a younger population.

The combination of Business-Commercial for the commercial buildings and the adaptively reused school building, Transitional for the fifteen (15) proposed live/work units along Fairfax Boulevard, and Residential High for the townhouses and multifamily building on the remainder of the Property is now suitable for the Property because they will support the proposed mixture of appropriate uses. These categories are designed to attract a combination of residential, commercial and institutional/community development. The Master Development Plan maintains the Comprehensive Plan's "Connector" feel along the Boulevard, while still enabling ample land necessary for a successful project and the ability to plan appropriate transitions. As desired in the City's designated mixed use areas, this project yields open space opportunities and areas with new, uninterrupted pedestrian and bicycle connectivity both within and adjacent to the Property, all in conformance with the City's Community Appearance Plan and Bicycle Master Plan.

Also, large open areas are being created for public use in front of the preserved school building and adjacent to Pat Rodio Park. Overall, the Master Development Plan bolster the goal of providing an active street presence along the Boulevard with the increase in commercial space designed around the large green area serving as a focal point.

IV. NARRATIVE PROVISIONS FOR PLANNED DEVELOPMENT DISTRICT

A. SECTION 3.8.2.C.1.(a) - STATEMENT OF HOW THE PROPOSED DEVELOPMENT IS IN SUBSTANTIAL CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Applicant believes the project as depicted on the Master Development Plan is in harmony with the guidance from the City's Comprehensive Plan, including the Fairfax Boulevard Vision Summary. As noted in the First Principles of the Plan contained as Appendix D in the Comprehensive Plan, the vision and plan for Fairfax Boulevard "… needs to be a 'living document' that grows in response to changes in the City and region." The relocation of the current school use out of the City is an event that requires such a change, but also affords an opportunity for IDI to create a signature community that is vibrant, accessible and walkable. A community that will capture a missing segment of the City's housing market and one that adds new residents to the community to patronize existing businesses along the Corridor and establish roots in the City for the long term. The proposed amendment to the Future Land Use Map will further permit implementation in substantial conformance with the Comprehensive Plan textual goals and objectives.

At the time the Fairfax Boulevard planning efforts were being performed in 2007, there was never any consideration that the Diocese might relocate Paul VI from its current campus. Therefore, although the Property was the largest single parcel of land along the Boulevard, the designation for Institutional use was not contemplated for change. In fact, nowhere in the City's Comprehensive Plan is there reference to a possible change of the existing use. The change in circumstances resulting from the School's decision in 2015 to relocate to a larger location outside of the City offers a unique opportunity.

The Property is approximately 18.5 acres, two-thirds of which is zoned CR Commercial (60 foot height limit, without proffers or other land restrictions). The site is fortunate in that it is

very deep, flat and has existing access to several public roads. The Property is located in an area deemed a "Connector" in the Comprehensive Plan, and as such, the Master Development Plan has been designed to reflect some of the guidance targeted for these areas.

The final version of the Master Development Plan focuses on many key elements in the Comprehensive Plan for the Connector areas. These include reducing height along the Boulevard from five (5) stories, as originally proposed, to three (3) stories by eliminating the mixed use retail and multi-family rental building from the original plan and by adding two (2) new one-story commercial retail buildings to complement the preserved two (2) story school building. The mix of commercial uses proposed is in keeping with "smaller scale" more neighborhood serving retail, restaurant and personal service uses recommended in the Comprehensive Plan for Connector areas.

Overall, the focus is now lower scale buildings along the Boulevard, including some three (3) story townhomes. The remaining partially four (4) story and partially five (5) story condominium building has been re-oriented further away from neighboring properties and is farther removed from Fairfax Boulevard. This configuration of buildings is in conformance with the Plan's language that buildings should be "predominantly 1 to 3 stories."

While the Property is located in the West Connector along the Boulevard, it also has many characteristics and defining features of a "Unified Mixed Use Project" in the Comprehensive Plan that support and foster the proposal, including the amendment to the Plan's Future Land Use Map (as discussed above). These characteristics include:

- Large land area (approximately twice the size of the Fairfax Circle and Kamp Washington redevelopments approved by the City at a much higher density, but not yet under construction).

- Depth away from Fairfax Boulevard (not linear) such that the property is sized to achieve a unified, cohesive and coordinated development of an urban street character with town blocks, rather than a strip retail character.

- Streetscape and Boulevard improvements such as a landscaped median along Fairfax Boulevard, provision of a "slow" local lane with on-street parking, pedestrian sidewalks and other features both inside the development and along its boundaries.

- Proposed building heights of between one and five stories with potential for step up transitions and tapering. These heights conform to the current Zoning Ordinance requirements for the CR zone.

- Ability to provide a variety of multimodal and pedestrian friendly travel options, including sidewalks and a trail that conforms to the City's trails plan.

- A network of large open areas suitable for public gatherings, along with smaller pocket parks and public spaces. Currently the Property is closed off to the neighborhood and general public.

Overall, the size of the Property is unique among all of the other properties located in the West Connector along Fairfax Boulevard and the project as revised should be considered in conformance with both the guidance for Connectors and as a "Unified Mixed Use Project" which justifies the wide variety of proposed housing types.

While none currently exist, the City's Comprehensive Plan recognizes the need to consider the establishment of new residential uses on Fairfax Boulevard on a case-by-case basis in support of high-quality development. (Economy Objective EC-1.4). The Fairfax Boulevard Master Plan Vision and Summary Appendix in the Comprehensive Plan also states

> A mix of uses is essential to conquering transportation problems and creating sustainable, interesting and successful addresses. The corridor <u>should support</u> not just retail, car dealerships and hotels, but also <u>housing, workplaces, green spaces and civic uses</u>. *(Emphasis supplied)*

As noted by the City Council and Planning Staff in its deliberations of the recent Fairfax Shopping Center (Regency) zoning application, the Comprehensive Plan acknowledges that the types of uses that are acceptable should be flexible to accommodate market conditions provided that they contribute towards the vision of the Plan (e.g., active street presence, buildings oriented on the Boulevard, walkable, provision of open space and public gathering areas). In fact, Land Use Objective 1.1 in the Comprehensive Plan states that apartments and townhouses should be encouraged between commercial uses and low density uses to establish logical transitions. In the Plan's discussion of Land Use along the Corridor, several instances are mentioned when residential use may be appropriate to fulfill the benefits of commercial development. Residential is also appropriate along the Corridor as a means to avoid undesirable uses or situations (such as vacant buildings).

These objectives are consistent with the Streetsense market study prepared for the City in 2014, and updated by Streetsense at IDI's request in the master planning for the Property. In order to continue to support the City's desire to strengthen the designated nodes (i.e., Centers) at Kamp Washington, Northfax and Fairfax Circle, the City needs to strategically limit the amount of new retail supply in other locations along the Corridor, including the Property. Streetsense concluded that, both in 2014 and now, that the Corridor is over-supplied with unfocused, linear retail in a suburban format that does not further (and actually harms) the City's efforts to create concentrated, walkable, vibrant retail nodes within reasonable walking distance of the existing Fairfax Boulevard neighborhoods.

Therefore, Streetsense continues to recommend limiting retail development in areas outside of the three nodes and suggests that the City should view the Corridor (and the Property) holistically, and balance population, supply and demand with an understanding some projects should deliver new residential supply to support the existing retail, rather than require additional retail when there is no market demand for it. Similar to other streets throughout the region with notable retail conditions (e.g., Wisconsin Avenue, Connecticut Avenue, Columbia Pike), when retail demand is insufficient to line the frontage with retail space, then office or residential development are appropriate and necessary uses for the road's frontage. While such uses are not

traditional retail shops, they still are useful in creating active building faces on the road that contribute to an enlivened sidewalk environment.

IDI believes that the Master Development Plan strikes the proper balance among use allocation to meet an unmet demand for walkable and neighborhood serving space that is flexible, appropriately-scaled and offers a memorable experience for the surrounding neighborhoods. All in conformance with the objectives contained in the Comprehensive Plan referenced above. The proposed development will contribute to, rather than hinder, the future success of the Comprehensive Plan's designated node areas. The proposal also conforms to the Comprehensive Plan objectives in regard to community appearance, recognizing historic or important buildings, transportation, land use and the promotion of economic development.

Further, development of the Property under the existing zoning without a Plan Amendment would inevitably lead to a large strip shopping center and office development with one or more "big box" users, similar to what is already across Fairfax Boulevard from the school and typical of the type of oversaturated existing commercial retail/office development described by the City's consultant in its recent Market Analysis. Such a scheme would lead to buildings set back far from the Boulevard, open parking areas, more vehicle trips and isolation from the community. The end result under either scenario would not meet the Comprehensive Plan's goals and objectives for a vibrant, walkable development that would revitalize the Boulevard.

In summary, the Master Development Plan conforms to or is in harmony with both the "Connector" designation and the Fairfax Boulevard Vision Summary's goals and objectives of transforming the Boulevard into a multi-modal and safer place, encouraging new development that is appropriately sized and scaled containing a mixture of uses including community and green spaces, and having an urban street character. The Applicant's proposal is best suited for a mixed use, place-oriented development - similar to projects in Reston Town Center, Pentagon Row and Clarendon – and not the typical suburban strip center that its existing zoning would suggest.

B. <u>SECTION 3.8.2.C.1.(b)</u> - DESCRIPTION OF HOW THE PROPOSED DEVELOPMENT PROVIDES GREATER BENEFITS TO THE CITY THAN WOULD A DEVELOPMENT CARRIED OUT IN ACCORDANCE WITH GENERAL DISTRICT REGULATIONS

Under the Master Development Plan, and in addition to the project's key features listed above, the proposed development would offer the following greater benefits to the City:

- <u>Housing Types</u>. Construction of a variety of housing types with new owner occupied townhomes and condominiums. No rental units will be developed or offered. Overall, as stated in the Master Development Plan, the Property shall be used for the following uses: business commercial, live/work units, community, multifamily residential and townhouse residential.

- <u>Senior Buyer Options</u>. The provision of multifamily condominium units will fill a significant demand from the move down senior market and first time home buyers that desire to remain in the City. Marketing data from IDI indicates that approximately 108

(65%) of the project's condominium units will be purchased by move down senior buyers.

- Affordable Options. The promotion of housing options that may not qualify as "ADU's," but which are still affordable to existing and future residents so that they may age in place in the City.

- Retention and Preservation of Original School Building. Retention and preservation of the original school building on the Property. The Applicant shall be permitted to adapt the design and use of the school building. The Applicant intends to perform necessary renovations to ensure the original school complies with current building codes and regulations. In addition, any existing additions to the original school may be removed at the discretion of the Applicant. Any exterior stabilization or reuse of the original school may or may not comply with the SOI Standards for Treatment of Historic Properties

- Transition to Neighborhoods. Development of compatible townhomes on the periphery of the Property adjacent to existing single family housing in terms of size, height, setback and design.

- Walkability. Development of a walkable neighborhood with a "Walk Score" of 80 (i.e., very walkable). As noted in a recent Washington Post article, walkable communities are easier to get around and foster a greater sense of community. They also offer opportunities to realize additional benefits for the environment, individuals' health, economic development and real estate property values. (Washington Post, October 9, 2017)

- Residents Impact on Existing Businesses. All of the project's new residents will patronize the City's existing and future restaurant and retail businesses, and make Fairfax Boulevard more competitive with projects outside of the City.

- Fewer Vehicle Trips. Based on the revised Wells + Associates traffic analysis submitted with the resubmission materials, the project will generate almost 80% fewer AM commuter peak hour trips and approximately 27% fewer PM school peak hour trips than the existing high school use. There will be more PM commuter peak hour trips than currently generated by the school, but less than the number from the original development proposal. As compared to a by right development, there are between 30% and 32% fewer peak hour trips and over 19% fewer daily trips. Overall future traffic impact will not change the level of service at the key intersections abutting the Property.

- Establishment of a Multi-Modal Transportation System. As a private high school, the Property is currently closed to the City's residents and the general public. IDI's multimodal transportation and land use planning will offer diverse choices for mobility: automobile (but with primary access on Fairfax Boulevard), public transit along the Boulevard, new bike paths, and pedestrian trails and sidewalks on all four (4) boundaries of the project. At the time of site plan approval, the Applicant shall cause to be recorded among the land records a public access easement running to the benefit of the City of

Fairfax, in a form acceptable to the City Attorney, over the private streets, trails, sidewalks and open space areas generally shown on the Master Development Plan.

- Positive Fiscal Impact. Significant positive financial impact, as described in the revised Fiscal Impact Analysis submitted concurrently with this Narrative. The existing use of the Property as a private not-for-profit school does not generate any fiscal benefit to the City because no revenue is raised in the form of real estate taxes, personal property taxes, retail and restaurant sales taxes, and business, professional, and occupational license (BPOL) taxes. Based on the Applicant's Fiscal Impact Analysis, the impact of the present condition is negative because it costs the City approximately $300,000 to provide government services to the Property. Therefore, the existing situation is an annual drain on the City's budget and economy. Under the Master Development Plan, the fiscal impact changes dramatically for the City annually generating positive revenues in range of approximately $733,000 (low estimate) to $1,145,000 (high estimate). The average positive impact is approximately $939,000 annually.

- Improvements to City's Stormwater Drainage System. Upgrades to the public infrastructure serving the Property in the form of a grid of streets, available public parking, floodplain improvements to manage the watershed both on-site and off-site, provision of public open space and bike lanes, and improved vehicular access and circulation patterns. Concurrently with this rezoning application, the Applicant is requesting a Special Use Permit to permit a modification to the floodplain on the western end of the Property. While this area is currently impervious and improved, a modification benefits the City for several reasons. First, the FEMA floodplain was not a studied floodplain, but rather an assumption of the maximum depth of water. As a result, the Applicant's engineer has prepared a detailed study that clearly and adequately depicts the existing FEMA floodplain boundary. Second, the existing stormwater pipe located under the western boundary of the Property is a City of Fairfax stormwater facility located in a City easement on the Property. The Applicant and the City's engineers concur that the existing stormwater pipe is inadequate, and in its current condition is failing and causing upstream flooding. The City is obligated to maintain and repair the existing stormwater pipe. Such work, the need for which is not generated by the current or proposed uses on the Property, would be in accordance with the City of Fairfax Capital Improvement Plan ("CIP"). The Applicant is proposing to advance the costs to upgrade the stormwater pipe as part of the development of the project and, thereafter, to be reimbursed by the City from new tap fees generated solely by the project. Therefore, the City will not have to expend any separate funds to accomplish the needed upgrade to its facilities. The Special Use Permit is specifically required to modify and disturb the floodplain in order to fix and upgrade the existing piping.

- Private Ownership, Maintenance and Management of Common Areas. Formation of a common interest community association or similar entity pursuant to Section 3.8.7.E. of the Zoning Ordinance. The Applicant shall establish a "Community Association" in accordance with Virginia law. Such Community Association may consist of an umbrella owners association for the entire Property, as well as individual sub-associations (e.g., homeowners association for the townhouse owners and commercial association for the retailers and restaurants) and a condominium owners' association ("COA") formed for

the multifamily building. The Community Association shall be established before any dwelling unit or lot in the subdivision or development is sold or any building in the development is occupied. In accordance with Section 3.8.7.F. of the Zoning Ordinance, the formation documents shall be submitted to, and approved by, the Zoning Administrator and the City Attorney before any plat for the development is recorded. The formation documents shall establish clear legal responsibility and authority to own, maintain, manage and otherwise exercise control over any recreation and open areas, private streets, private stormwater facilities or other facilities (common area and facilities) associated with the development, and the power to compel contributions from businesses and property owners to cover their proportionate share of the costs associated with the maintenance of the common area and facilities. References in this Narrative to specific maintenance, repairs and other duties being performed by the Community Association may be performed by one of the sub-associations or the COA. Specific duties of the Community Association shall include, but not be limited to, the following:

- Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicant of the maintenance responsibility for walkways, common area landscaping, stormwater management facilities, and any other open space amenities, and shall acknowledge receipt of this information in writing. The initial deeds of conveyance and Community Association, sub-association or COA governing documents shall expressly contain these disclosures.

- Each townhouse in the project shall have a two-car garage. Prospective purchasers shall be advised in writing prior to entering into, or as a part of, a contract of sale that any conversion of garages or use of garages that precludes the parking of vehicles within the garage shall be prohibited. This restriction shall also be disclosed in the homeowners' association documents.

- At the time of site plan approval, the open space and park areas depicted on the Master Development Plan shall be dedicated to and maintained by the Community Association.

- The Applicant, or the Community Association, may, in its sole discretion, establish rules, regulations and procedures for the residential and nonresidential parking areas and spaces to properly manage such spaces for their intended purpose. No parking space that is designated or allocated to be shared by different uses or users shall be reserved on a full time basis for a specific use, user or owner.

- The Community Association shall also oversee sponsoring events and activities in the open space area in front of the original school that further promote the project, the occupants of the nonresidential space and the City. Such events and activities may include outdoor dining, musical performances, public art display, street festival, public meetings or special promotions for charitable causes.

- The Community Association shall be responsible for the maintenance of the onsite private streets, alleys, trails and sidewalks. All prospective purchasers shall

be advised of this maintenance obligation prior to entering into a contract of sale and said obligation shall be disclosed in the Community Association documents.

- Energy Saving Techniques and Smart Growth. In order to promote energy conservation and green building techniques, the Applicant shall incorporate energy saving devices which may include, but not be limited to, use of ENERGY STAR® appliances, energy efficient mechanical systems, recycling for occupant refuse, energy efficient lighting and insulation that meets or exceeds applicable energy code requirements. At the time of site plan submission, the Applicant shall submit a LEED checklist to demonstrate the incorporation of energy saving components described above and as generally available in the marketplace. In addition, the Master Development Plan has incorporated and implemented numerous smart growth measures, as recommended and endorsed by the Fairfax City Citizens for Smarter Growth.

- Heritage Plan. Implementation of a Heritage Plan for the project that will commemorate and celebrate the Property's history. Specifically, the Applicant shall provide a Heritage Plan and street naming program based on historic themes identified in the Property History: Pre-Development, Agriculture & Recreation, Transportation & Community Development and Planning, and Education. The plan shall be implemented before the first Certificate of Occupancy is issued. The themes that will be represented in modern amenities and include:

    - Pre-Development - Use distinctive pervious surfaces and/or native landscaping outlining the historic stream course of the lost Tussica Creek. Also, use native landscaping to the extent practicable throughout the Property.

    - Agriculture & Recreation - Provide publicly accessible recreation, retail, and space for uses such as, but not limited to, events and activities referencing former farms and fairgrounds. Also, provide flowering fruit trees as alternative for residential landscaping referencing the site's use as an orchard.

    - Transportation & Community Development and Planning - Reintroduce public transit and create walking and bike trails referencing historic connection to neighborhood. Create a Veteran's Memorial in honor of the historic owners and users linked to the American Revolution, War of 1812, Civil War, World Wars, etc., including referencing Fairfax High School students to the WWII memorial plaque to their classmates. Create a pocket park celebrating the City of Fairfax 20th-century leaders.

    - Education - Maintain the school courtyard as a public open space. Create a permanent exhibit in front of or within the original school featuring historic imagery, or another appropriate location after consultation with the City.

- Transportation Demand Management. In an effort to reduce the number of vehicle trips generated by the Property, the Applicant shall implement Transportation Demand Management ("TDM") strategies. These measures shall include, but not be limited to, the following:

- Installation of the Bicycle Parking and Storage Facilities in accordance with the Zoning Ordinance requirements.

- Provide initial residential purchasers with information on local transit services and routes, carpool/vanpool programs and ridesharing programs.

- At the time of initial purchase of a multifamily dwelling unit, provide the initial purchaser of the unit with a single prepaid transit card having a value of twenty-five dollars ($25.00).

- Provide a business center in the multifamily building for its residents.

- Offer and market live/work units in the project.

- Construction Management. Implementation of specific construction management policies and procedures during the build-out of the project that are not typically offered in by right development. The features of the Applicant's construction management program may include, but not be limited to, the following:

  - The Applicant shall abide by all provisions of the City of Fairfax Noise Ordinance with respect to construction activities at that site which include, in part, that construction equipment may not be used outside before 7:00 a.m. and after 6:00 p.m. on weekdays, before 8:30 a.m. and after 5:00 p.m. on Saturdays and federal and state holidays, and at any time on Sundays, except in the case of urgent necessity in the interest of public health and safety, and then only when authorized by a City building official. Interior work which does not generate noise discernible at the property line shall not constitute a prohibited act.

  - Prior to site plan approval, the Applicant shall submit the construction management plan for approval by the City Manager, or designee, to be implemented during construction of each building, as appropriate, and to ensure safe and efficient pedestrian and vehicle circulation at all times on the Property and on the public roadways adjoining the Property. Prior to submitting the construction management plan to the City, the Applicant agrees to meet and consult with a designated representative of the Historic Fairfax Neighborhood Association and the Fairfax Heights Civic Association to coordinate with and receive their input on the Plan. The construction management plan shall:

    - Establish hours of construction;

    - Identify anticipated construction entrances;

    - Identify construction staging areas;

    - Identify construction vehicle routes;

    - Identify trailer and sanitary facility locations;

- Designate the location of parking areas for construction employees;
- Designate truck staging and cleaning areas;
- Develop procedures for coordination with the abutting communities concerning construction material deliveries, lane closures, or other construction related activities to minimize disturbance on the surrounding road network;
- Prohibit construction vehicles and construction worker vehicles from using any of the parking spaces subject to parking districts or restrictions;
- Prohibit construction workers from trespassing on private property;
- Require the installation of an attractive screening fence around the construction site;
- Establish a method for reasonable construction dust suppression on the Property and removal of mud from the internal roads prior to exiting the Property; and
- Agree to maintain the Property so that no construction debris (including trash and waste generated by the construction employees) litters the abutting properties and communities, and all such debris is regularly and promptly removed.

  - Prior to commencement of construction, the Applicant shall identify a community liaison that will be available throughout the duration of construction on the Property. The name and telephone number of the community liaison shall be provided to the Historic Fairfax Neighborhood Association, the Fairfax Heights Civic Association and the Department of Community Development and Planning. In addition, the community liaison or other designated representative of the Applicant agrees to meet with the designated representative of the abutting associations monthly during the construction process.

- IDI Group Completes Construction Projects – The Applicant is a master developer with over 40 years of experience, including in the City, and has a first class reputation to oversee the development to ensure it is created as a unified, cohesive environment, and in a timely manner.

C. SECTION 3.8.2.C.1.(c) - IDENTIFICATION OF SITE PLANNING FEATURES DESIGNED TO ENSURE COMPATIBILITY BETWEEN ON-SITE RESIDENTIAL AND NONRESIDENTIAL USES, AND WITH THE SURROUNDING NEIGHBORHOOD AND LAND USES

The project is intended to create a welcoming, vibrant, and attractive community containing neighborhood places of all types. As such, the Applicant proposes to replace the existing school use and single family homes with a mixture of residential, commercial and

community uses; open the property up for public use; preserve the original Fairfax High School building; and modify existing traffic patterns to reduce the impact on the surrounding neighborhoods. The breakdown of specific uses is depicted on the Master Development Plan, but is summarized as follows:

Description of Uses	**Density**
Townhomes	137 dwelling units*
Multifamily Condominium Units	164 dwelling units
Commercial/Retail Space	20,000 square feet
Preserved School Building for Adaptive Reuse/Community Space/Additional Commercial	24,000 square feet
Total	301 dwelling units (approximately 16.26 du/ac) and 44,000 SF of Retail, Commercial and Community Use *15 Townhomes located on Fairfax Boulevard are intended to be marketed with the option to be live/work units so that the purchaser may locate his or her work space or shop in the unit and integrate that with his or her dwelling.

Key features of the Master Development Plan include:

- The preservation of the original portion of the school building that was constructed in 1935 so that it may be adaptively reused as part of the project. The original school building shall be used for one or more business commercial or community uses, as such uses are permitted by the Zoning Ordinance. These uses may include one or more of the following business commercial uses: neighborhood full service restaurant, brewpub, food hall, brewery, craft beverage production establishment, retail sales and service establishment, general and personal service establishments, health club or boutique fitness establishment, collaborative and shared workspace environment, galleries and offices. Community uses may include one or more of the following public, civic and institutional uses: day care center, school or other educational program, community services (e.g., community center, library, museum or art gallery), government facilities, nursery school, religious institution and social service institution.

- All of the uses and structures are designed and tailored to be more compatible with each other, and with the surrounding uses and neighborhoods.

- The row of fifteen (15) townhouse units located on Fairfax Boulevard closest to the eastern retail building shall be marketed by the Applicant as units that may be purchased and completed as live/work units or as residential townhouse units. For purposes of this Narrative, a live/work unit consists of a work space or shop

that is integrated with a dwelling unit occupied by the owner of the work space or shop. Generally, the work unit will be separated from the living unit by walls and stories (e.g., the commercial/office use will be on the ground floor and the residential component will be on the upper floors).

- Vehicular access through multiple access points along Fairfax Boulevard, including an existing signalized intersection directly across from the Boulevard Shopping Center, and from an existing access point from Oak Street. The main entrance to the Property will be located at the existing signalized intersection on Fairfax Boulevard.

- Pursuant to the Comprehensive Plan, inclusion of a boulevard style slow-lane along the eastern half of the Fairfax Boulevard frontage. The slow-lane will be one-way eastbound and allows for on-street parking that will benefit the proposed business commercial, retail and community uses.

- Preservation of the large green open area in front of the school entrance, creation of an approximately 1.5 acre new green open space/recreation area adjacent to Pat Rodio Park, and the provision of numerous "vest pocket parks" open to the public, which contribute to overall combined open space within the project of approximately 5.46 acres.

- Removal or reduction of the floodplain along the western property line of the Property, and completion of a City public improvement project that began in 2017 at the Fairfax Boulevard and Oak Street intersection, that will benefit the community upstream and further downstream.

- As depicted on the Master Development Plan, the Applicant proposes to provide numerous recreational and cultural amenities on the Property to serve the residents, the employees, and the City at large. The proposed multifamily building shall also include both indoor and outdoor private recreational facilities and amenities to provide social, cultural and recreational opportunities for future residents of the building. These may include, but not be limited to, exercise rooms, gyms, club room, media centers and outdoor amenity areas.

- A phasing schedule has not been firmly established at this time. The existing school will not vacate the Property until mid-2019 at the earliest. The proposed development will likely commence immediately thereafter, provided all required site and building plan approvals have been secured. Subject to market conditions, construction will be accomplished in one continuous phase.

The Applicant reserves the right to request administrative adjustments and minor modifications to the Master Development Plan pursuant to the procedures permitted in the Zoning Ordinance, or as otherwise allowed in the approval of the application.

D. <u>SECTION 3.8.2.C.1.(d)</u> - EXPLANATION OF THE RELATIONSHIP OF THE PROPOSED DEVELOPMENT TO EXISTING DEVELOPMENT IN THE AREA

The Master Development Plan depicts a proposal that has been carefully designed after a tremendous amount of input from the abutting neighborhoods and other key stakeholders in the area. The result is a project that contains business commercial uses along Fairfax Boulevard, the opportunity for live/work townhouse units on the Boulevard transitioning to the McLean Avenue residences on land that is currently zoned commercial, compatible architectural styles in terms of size, height, setback and design along McLean Avenue and Cedar Avenue, provision of significant additional open space abutting the City's existing park, accommodation of public parking serving the park, development of a for sale condominium building with recessed building height from the Park to the Boulevard, adaptive reuse using private funds of the original Fairfax High School building (circa 1935), and creation of coordinated neighborhood serving retail, business service and community use establishments.

As previously stated, the proposed development will offer numerous community benefits that would otherwise result from the current use or from by right development under the existing zoning. With approximately two-thirds of the Property currently zoned Commercial Retail (CR) (60 foot height limit without any proffered development conditions), by right development would consist of a large shopping center and one or more 5-story office buildings with buildings significantly set back from Fairfax Boulevard, large areas of surface parking, additional access to road that are not currently open for vehicular traffic, and isolated from other development. Uses under such a scenario, in addition to general retail and office, include businesses that are not desirable or are repetitive of the existing over-supplied nearby commercial uses such as building supply stores, lumber yards, convenience stores, funeral homes and tobacco shops.

Land Use Objective 1.1 in the Comprehensive Plan states that apartments and townhouses should be encouraged between commercial uses and low density uses to establish logical transitions. In the Plan's discussion of Land Use along the Corridor, several instances are mentioned when residential use may be appropriate to fulfill the benefits of commercial development. Residential is also appropriate along the Corridor as a means to avoid undesirable uses or situations (such as vacant buildings).

The Master Development Plan has resulted in better accessibility and site design for the project. The Applicant is providing a compatible transition to the existing residential areas by committing to three (3) story traditionally designed townhomes along McLean Avenue and Cedar Avenue, with the fronts of the townhomes facing the existing residences. The majority building material is brick. No east-west or north-south vehicular connections are proposed between the Property and McLean Avenue, Cedar Avenue and Keith Avenue.

The project creates a pedestrian network throughout the Property, which is currently closed off to the public. A shared use path is also proposed along McLean Avenue in conformance with the City's Comprehensive Plan trails map and along Cedar Avenue to the connection at Keith Avenue. The network also includes sidewalks front the retail buildings and live/work units along Fairfax Boulevard, sidewalks along the internal private roads within the Property, a nature trail meandering through the southwestern portion of the Property near the

multifamily building, and sidewalks within the townhouse green linear park that traverses from McLean Avenue westward to the multifamily building.

The design and delivery of the project's open space will be equally varied and designed to comply with the Community Appearance Plan recommendations. The open spaces reflect a variety of scales – from a large plaza to vest pocket parks; uses – from vibrant social spaces near the plaza to quiet passages between blocks; and detailing – from hardscaped sidewalk to naturalistic plantings and corridors. The open spaces will also reflect the desire to better connect the streets, houses and people in the project to the abutting neighborhoods and properties.

The proposed vehicular trip generation provides improvements to both existing conditions and a by right development plan. As noted earlier, the project will generate almost 80% fewer AM commuter peak hour trips and approximately 27% fewer PM school peak hour trips than the existing high school use. As compared to a by right development, there are between 30% and 32% fewer peak hour trips and over 19% fewer daily trips. Overall future traffic impact will not change the level of service at the key intersections abutting the Property. The primary access points will be along Fairfax Boulevard, rather than from Oak Street along Panther Place.