



City of Fairfax, Virginia

City Council Work Session

Agenda Item # 8a

City Council Meeting 6/12/2018

TO: Honorable Mayor and Members of City Council

FROM: Robert Sisson, City Manager

SUBJECT: Request of Paradigm Development Co., for a second deferral of the public hearing for a Zoning Map Amendment (Rezoning), two (2) special exceptions, and issuance of a Certificate of Appropriateness by City Council on the premises known as 4131 Chain Bridge Road and more particularly described as tax map parcel 57-4-02-040.

ISSUE(S): City Council deferral of the public hearing for the rezoning, special exceptions and Certificate of Appropriateness.

SUMMARY: At the February 13, 2018 meeting, City Council deferred the public hearing for the subject proposal for a date certain of June 12, 2018 at the request of the applicant. The deferral motion stated that the applicant would be required to return to the Planning Commission for a new recommendation if the proposal changes from that on which the Planning Commission provided a recommendation of denial on January 22, 2018. No submissions have been received by the Department of Community Development and Planning from the applicant since that time. Based on changes to the Zoning Ordinance which were adopted by the City Council in March, the existing Master Development Plan for which a recommendation of denial was provided by the Planning Commission, is no longer valid. For this reason, no action can be taken on the application by the City Council at this time. In addition, on May 22, 2018 the applicant submitted a request for a second deferral of the public hearing from June 12, 2018 to a date uncertain. That letter is attached.

FISCAL IMPACT: There is no fiscal impact from this decision. If the proposal is heard by City Council at a later date, a fiscal impact estimate will be provided.

RECOMMENDATION: Staff recommends City Council defer the public hearing to a date uncertain and that it be referred back to the Planning Commission for review and a new recommendation.

ALTERNATIVE COURSE OF ACTION: There is no alternative course of action based on the current invalid status of the application.

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

COORDINATION: City Attorney

ATTACHMENTS: Deferral request letter.

May 22, 2018

VIA EMAIL AND REGULAR MAIL

Brooke Hardin, AICP
Director, Community Development
& Planning
City Hall Annex, Room 207
10455 Armstrong Street
Fairfax, VA 22030

**RE: 4131 Chain Bridge Road
Paradigm Development Company (“Applicant”)
Z-17-00142**

Dear Mr. Hardin,

The Applicant requests a deferral of the City Council’s June 12, 2018 public hearing on Z-17-00142 to a date to be determined. In light of this request, the Applicant hereby waives the requirements of Virginia Code § 15.2-2286(7) that the rezoning be acted upon within 12 months.

The Applicant requests this deferral to have additional time to address various issues, including site density, site layout, off-site tree removal, and similar issues. Granting this additional time will provide the Applicant with greater opportunity to improve the proposal. We understand that any changes that may result will likely require reconsideration by the Board of Architectural Review and the Planning Commission.

To that end, we are requesting a joint work session with the Planning Commission and City Council to address the above issues and provide greater clarity on the current direction of the project. The Applicant intends to present current plans at such a joint work session to obtain direction and feedback on the proposal.

We respectfully request that the City Council consider and approve a motion to that effect. Thank you for your time and attention to this matter.

Very truly yours,



Matthew G. Roberts, Esq.
Counsel for Applicant

Sample Motion – Deferral Z-17-00142, SE-17-00138, BAR-17-00037

WITH RESPECT TO REZONING APPLICATION Z-17-00142 AND ASSOCIATED SPECIAL EXCEPTION APPLICATION AND CERTIFICATE OF APPROPRIATENESS REQUESTS, FILED BY PARADIGM DEVELOPMENT COMPANY, APPLICANT, FOR THE LAND KNOWN AS 4131 CHAIN BRIDGE ROAD AND MORE PARTICULARLY DESCRIBED AS TAX MAP 57-4-02-040, AND SPECIFICALLY WITH RESPECT TO A WRITTEN REQUEST FOR DEFERRAL RECEIVED FROM THE APPLICANT ON MAY 22, 2018, I MOVE THAT THE CITY COUNCIL DEFER PUBLIC HEARING AND CONSIDERATION OF THIS MATTER TO A DATE UNCERTAIN. I FURTHER MOVE THAT THIS MATTER BE REFERRED BACK TO THE PLANNING COMMISSION FOR APPROPRIATE ACTION AND RECOMMENDATION.
