



# City of Fairfax, Virginia

## City Council Regular Meeting

Agenda Item # 4b

City Council Meeting 6/23/2020

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TO: Honorable Mayor and Members of City Council

FROM: Robert A. Stalzer, City Manager *RA Stalzer*

SUBJECT: Public hearing and Council actions on a request of Brown's Fairfax Realty LLC for approval of two Special Use Permits, six Special Exceptions, and a Major Certificate of Appropriateness for the redevelopment of Brown's Fairfax Mazda as a reconfigured dealership, located at 10570 and 10590 Fairfax Boulevard, Tax Map 57-2-02-009 and 57-2-02-010.

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ISSUE(S): Consideration by City Council of the applicant's request for two special use permits, six special exceptions, and a major certificate of appropriateness to allow redevelopment of a car dealership facility.

SUMMARY: The applicant proposes to redevelop the subject property with a new car dealership building comprising a showroom, offices, vehicle service and repair bays, and structured parking. Cosmetic improvements are proposed to an existing used vehicles sales building. Site improvements include new vehicular entrances, circulation, and parking areas.

FISCAL IMPACT: Based on comparable projects, City staff anticipates approximately an annual increase in revenue of approximately \$158,200 due to the proposed building and garage.

RECOMMENDATION: Approval of all requests with conditions.

ALTERNATIVE COURSE OF ACTION: City Council may choose to defer action on the requests or deny them.

RESPONSIBLE STAFF/ Jason Sutphin, Community Development Division Chief  
Brooke Hardin, Director, Community Development & Planning

POC: Tommy Scibilia, Planner II

COORDINATION: Community Development and Planning Building and Fire Code  
Human Services Public Works  
Fairfax Water Police  
City Attorney Historic Resources  
Real Estate Commissioner of Revenue  
Treasurer

ATTACHMENTS: Staff Report



# CITY OF FAIRFAX

## Department of Community Development & Planning

SU-19-00783, SE-19-00784, and BAR-19-00788

### City Council Regular Meeting

#### **PUBLIC HEARING DATE**

June 23, 2020

#### **APPLICANT**

Brown's Fairfax Realty LLC

#### **OWNER**

Alpine Schuling T., Inc.

#### **AGENT**

John L. McBride

#### **PARCEL DATA**

*Tax Map ID*

57-2-02-009 and 57-2-02-010

*Street Addresses*

10570 and 10590 Fairfax Boulevard

*Zoning District*

CR, Commercial Retail

*Overlay District*

Architectural Control Overlay District

#### **PROPOSAL SUMMARY**

The applicant is proposing to construct a new 39,497 square foot car dealership facility. The following land use approvals are required:

Special Use Permits pursuant to Code Section 110-6.7:

1. Vehicle sales and leasing
2. Vehicle service

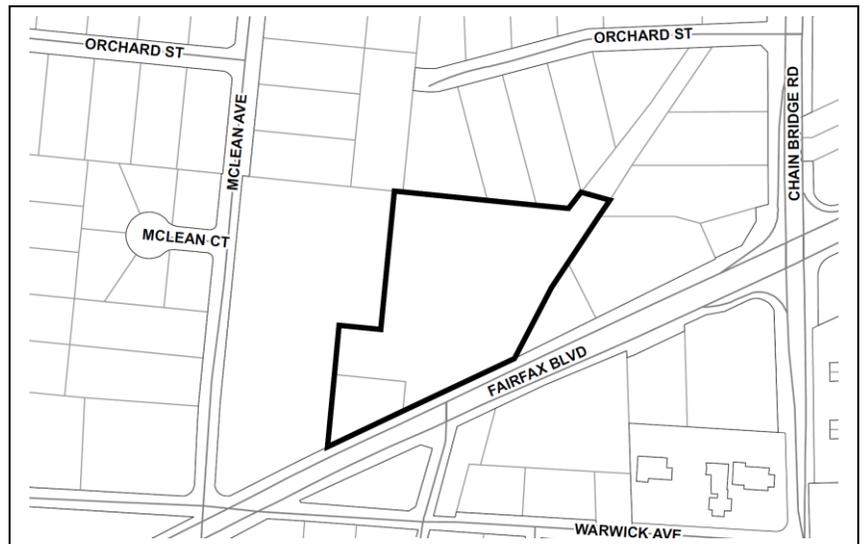
Special Exceptions pursuant to City Code Section 110-6.17:

1. Modify the required minimum front yard setback.
2. Modify the required minimum rear yard setback.
3. Modify the required Transitional Yard along a property line.
4. Modify street tree requirements.
5. Modify screening requirements for outdoor storage.
6. Modify the general performance criteria for resource management and resource protection areas.

Major Certificate of Appropriateness pursuant to City Code Section 110-6.5.3.B

#### **RECOMMENDATION**

Staff recommends approval of all requests with conditions.



**BACKGROUND INFORMATION**

The subject site is located on the north side of Fairfax Boulevard, on the block between Chain Bridge Road and McLean Avenue. The total site area is approximately 3.91 acres. The entirety of the site is zoned CR Retail Commercial and Architectural Control Overlay District. A portion in the northeastern corner of the site is impacted by the 100-year flood plain and by the Chesapeake Bay Resource Protection Area (RPA) as shown in Figure 1.

The site was developed in 1961 and changed ownership in 1993, but has continually operated as a car dealership with vehicle service and repair uses. Additions to the main building were approved in 1968, 1981, and 1993.

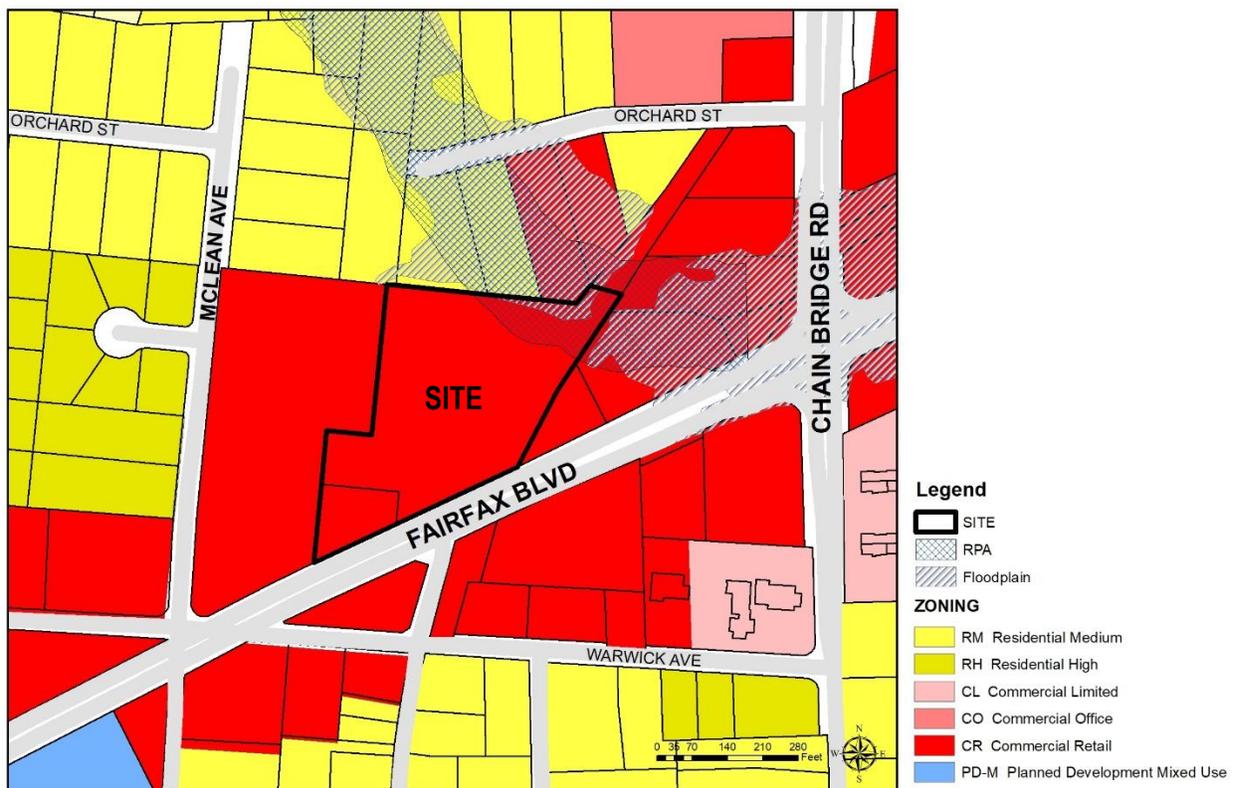


Figure 1: Zoning of subject site and location of floodplain and RPA

The site is located within the Northfax Activity Center as designated in the Comprehensive Plan Future Land Use Map as shown in Figure 2. Properties to the east, west, and south are zoned CR Commercial Retail. Three adjacent properties to the north are currently zoned RM Residential Medium and CR Commercial Retail. All adjacent properties on the north side of Fairfax Boulevard, including the three residential properties, are designated as Activity Center on the Future Land Use Map. Adjacent properties on the south side of Fairfax Boulevard are designated as Commercial Corridor. A summary of existing zoning, land uses and future land uses for the subject site and surrounding properties is provided in Table 1.

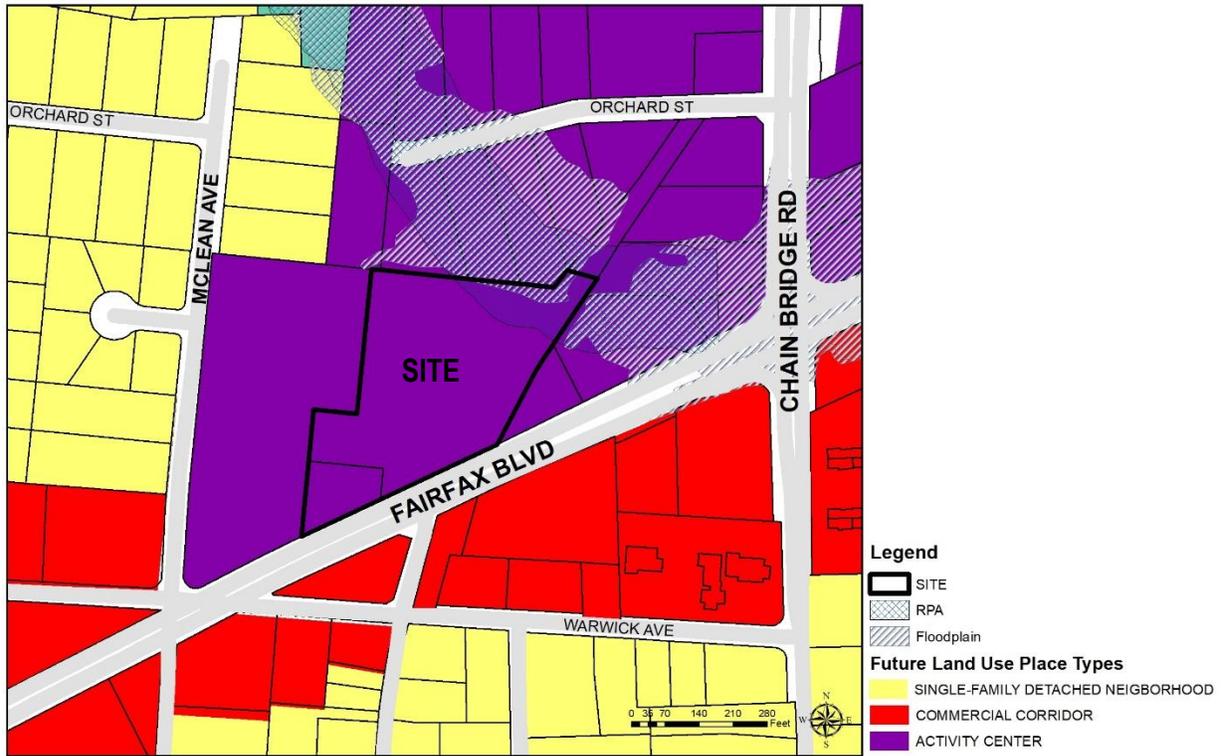


Figure 2: Future land use designations

	Existing Zoning	Existing Land Use	Existing Description	Future Land Use
Site	CR Commercial Retail, ACOD	Commercial/ Retail	Auto Dealer	Activity Center
North	CR Commercial Retail, RM Residential Medium, ACOD	Residential/ Vacant	Auto Storage, Single Family Home, Vacant	Activity Center
South	CR Commercial Retail, ACOD	Commercial/ Retail, Commercial/ Office	Auto Dealer, Commercial - Retail, Commercial - Office	Commercial Corridor
East	CR Commercial Retail, ACOD	Commercial/ Retail	Auto Repair, Commercial - Retail	Activity Center
West	CR Commercial Retail, ACOD	Commercial/ Retail	Auto Dealer	Activity Center

Table 1: Information on surrounding properties

The properties to the north of the subject site are held in common ownership with commercial properties along Chain Bridge Road, and are the subject of a rezoning proposal, Northfax West, wherein all properties would be rezoned to PD-M Planned Development Mixed-Use. The Northfax West proposal was discussed with City Council in work sessions on January 7, 2020 and May 13, 2020. It will be discussed for final consideration at the same City Council hearing this land use proposal, June 23, 2020. The Northfax West proposal includes realignment and extension of

Orchard Street through the site to connect to an extension of Farr Avenue from the south, and construction of 56 townhouses and a seven-story senior living facility with structured parking. The Northfax West proposal would also route a portion of the Accotink Creek on that site through a box culvert. If approved, this would entirely remove floodplain and RPA from the Brown's subject site.

The subject site is currently improved with two buildings, the primary building of 33,104 square feet which contains the showroom and vehicle repair and service areas, and a secondary building for used car sales of approximately 3,000 square feet. The existing site is 93.35% impervious surface.

Below are recorded land use actions on the property:

- 1967: Variance to allow three freestanding signs in addition to the two allowed
- 1968: Variance to allow a waiver from the requirement to submit a site plan
- December 9, 1980: Variance for parking
- June 23, 1993: SUP to expand the existing motor vehicle dealership (paint booth, canopy, loading dock enclosure)

### **PROPOSAL**

The applicant is proposing to construct a new dealership building on the eastern portion of the site. This new building would comprise a showroom oriented along Fairfax Boulevard with two outdoor seating areas, sales offices, a drive-through service bay, and a three-story parking structure for vehicle storage constructed over ground-floor vehicle service areas. Vehicle repair uses, such as body work, vehicle disassembly, and painting, are nonconforming uses onsite which are now only allowed in industrial zoning districts under the current Zoning Ordinance, would be relocated offsite. Less intensive vehicle service activities, such as oil changes and interval service, would remain as part of the day-to-day operations. The floor area of the new dealership building would be 39,497 square feet, which includes the showroom, offices, and vehicle service areas.

The architecture of the new building would be contemporary with materials including gray and white metal panel, black painted brick, gray split-face block, and precast concrete. Large white panels intended for murals would be incorporated into the façades of the parking garage.

New surface parking would be located on the west, north, and east sides of the new dealership building and in front of the used cars sales building. 69 spaces would be provided where 66 are required based on square footage of the buildings and the number of service bays proposed. Certain surface areas would be reserved for vehicle storage, which are shown hatched on the plan, and would be partially screened by six-foot board-on-board fencing. Bike parking would be located on the west side of the showroom. Cosmetic changes are proposed to the used cars sales building that would relate to the colors and materials of the new building.

The site layout would be modified in the following ways:

- Two of the four existing curb cuts would be closed off.
- A new 10-foot sidewalk would be constructed along Fairfax Boulevard, which includes a 7.5-foot dedication along Fairfax Boulevard.

- Driveway near center of site would be widened to accommodate an anticipated extension of Farr Avenue through the site to the north, a Department of Public Works project, and would include two travel lanes, bike lanes, and sidewalks.
- The pavement in the area north of the widened center driveway where right-of-way acquisition is anticipated would be removed and this area would be sodded during any time lapse before construction of Farr Avenue extended.
- New landscaping would include street trees and a hedge inside the sidewalk on Fairfax Boulevard, trees along the new center driveway, parking island trees, hedges lining surface parking areas, a row of trees and shrubs along the northern property line, and understory trees and shrubs around the showroom seating areas.
- Impervious surface would be reduced by 0.62 acres (16.99%).
- New storm water management BMP facilities would be installed onsite including two hydrodynamic separators and two modular wetlands systems.
- Tree canopy coverage would be increased from approximately 7,000 square feet to 19,975 square feet (an increase of 185%, and 11.63% of total site area where 10% is required).
- Aboveground utility lines along the northern edge of the site would be undergrounded.

Waste removal would take place from a dumpster enclosure in the northeast portion of the property. Large delivery trucks dropping off vehicles onsite would utilize the used cars parking area in the southwest portion of the site.

The applicant has included an interim condition plan in the event that the Accotink Creek is not undergrounded as part of the Northfax West proposal, in which case the floodplain and RPA would remain in the northeast portion of the subject site. This condition would not include new development within the limits of the floodplain, but would still include encroachment into the landward 50 feet of the RPA totaling 0.06 acres, including a small portion of the new dealership building, impervious pavement, and portions of a retaining wall. In this plan, the applicant is proposing to remove 0.26 acres of impervious pavement from the limits of the floodplain and enhance this area with new tree and shrub plantings. A 0.05-acre section of the vehicle storage area in the eastern portion of the site would utilize permeable pavement to help offset the effects of encroachment. In this plan, additional vehicle surface storage would be introduced to the area of anticipated right-of-way acquisition with supplemental landscaping, and the dumpster enclosure would be moved to the north side of the parking structure. The interim condition would have 71 parking spaces where 66 are required.

#### *Work Session and Changes Made*

The applicant appeared before City Council for a work session on January 7, 2019. Councilmembers had questions relating to reduction in impervious surface, continuance of operations during construction, development within the floodplain, street tree requirements, and vehicle storage.

The applicant has made the following changes to the proposal since the work session:

- Enhanced landscaping
- Relocation of bike parking
- Clarification in storm water calculations
- Clarification of interim condition plan
- New exhibits for fire and trash truck turning movements

**LAND USE REQUESTS**

The applicant has requested approval of two special use permits, six special exceptions, and a major certificate of appropriateness.

Special Use Permits, pursuant to City Code Section 110-6.7:

1. Special use permit to allow vehicle sales and leasing in the CR zoning district as required by Sections 110-3.3.1 and 110-3.5.3.I
  - The applicant requires a waiver from Section 110-3.5.3.I.8 which requires that vehicle sales establishments be spaced 500 feet from other vehicle sales establishments.
2. Special use permit to allow vehicle service in the CR zoning district as required by Section 110-3.3.1 and 110-3.5.3.J

Special Exceptions, Pursuant to City Code Section 110-6.17:

1. Modify the minimum front yard setback as required by Section 110-3.6.2
  - Parking spaces in the southwest portion of the property would be located within the required 20-foot front yard.
2. Modify the minimum rear yard setback as required by Section 110-3.6.2
  - Parking spaces in the interim condition plan would be located in the required 25-foot rear yard.
3. Modify the required Transitional Yard along a property line as required by Sections 110-4.5.5.C.3(c), 110-4.5.7.C.2, and 110-4.5.7.E.2
  - A Transitional Yard 3 is required between the subject site and the residentially-zoned properties to the north. The plan does not meet the setback requirement, planting standards, or the requirement for a six-foot fence or wall.
4. Modify the street tree requirements of Section 110-4.5.6.B
  - The number of street trees meets the zoning requirements, but they would be located more than 15 feet from the back of the curb along Fairfax Boulevard.
5. Modify screening for outdoor storage as required by Section 110-4.5.8.D.1
  - The vehicle storage areas proposed along the northern property line would not be screened by a six-foot opaque fence, and the vehicle storage area in the southwestern portion of the site would be visible to the east of the property.
6. Modify the general performance criteria for resource management and resource protection areas as required by Section 110-4.18.11.B
  - In the interim development condition, a portion of the new dealership building, pavement, and retaining walls would be located within the 50-foot landward RPA.

Major Certificate of Appropriateness, Pursuant to City Code Section 110-6.5.3.B

The Board of Architectural Review (BAR) made a recommendation of approval with conditions for the Major Certificate of Appropriateness at its public hearing on May 6, 2020.

**RECOMMENDATIONS**

Special Use Permits:

Staff recommends **approval** of the request for two Special Use Permits with the following conditions:

1. At the time of site plan review, the applicant shall include a turning movement exhibit for vehicle delivery trucks that demonstrates that traffic along Fairfax Boulevard will not be significantly impeded by trucks making vehicle deliveries.
2. At the time of site plan review, the applicant shall show left turning movements for vehicles entering the site traveling eastbound on Fairfax Boulevard.
3. The applicant shall work with the Zoning Administrator to provide an operational plan at the time of occupancy of the new building that outlines procedures for test drives to ensure that there are no trips through McLean Avenue and the surrounding neighborhoods.
4. Development shall be in conformance with land use plans submitted on June 12, 2020.

Special Exceptions:

Staff recommends **approval** of the request for six Special Exceptions with the following condition:

1. Development shall be in conformance with land use plans submitted on June 12, 2020.

Major Certificate of Appropriateness:

Staff recommends **approval** of the request for a Major Certificate of Appropriateness with the following conditions:

1. Black metal coping shall be installed along the top wall of the parking structure.
2. Evergreen shrubs maturing at a height of three to four feet shall be planted at the outside bases of the retaining walls and fences along the east and west property lines on the subject property where practicable.
3. Board-on-board fence posts shall be enlarged and capped with black metal, and all wood shall be stained a dark brown color.
4. The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

The BAR recommendation included two additional conditions that staff feels have been adequately addressed since the BAR hearing on May 6, 2020.

**STAFF ANALYSIS**

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

**ATTACHMENTS:**

1. Analysis
2. Relevant Code Section
3. Zoning Districts Summary
4. Statement of Support
5. Land Use Plans

6. Board of Architectural Review Staff Report
7. Application
8. Notifications
9. Sample Motions
10. Special Exception Resolutions

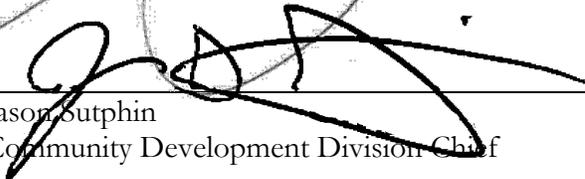
**PREPARED BY:**

  
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Tommy Scibilia  
Planner, Community Development & Planning

6/17/20

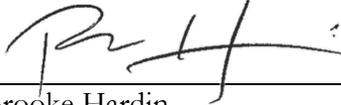
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**REVIEWED AND APPROVED:**

  
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Jason Sutphin  
Community Development Division Chief

6/17/20

\_\_\_\_\_  
DATE

  
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Brooke Hardin  
Director, Community Development and Planning

6/17/20

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**STAFF ANALYSIS**  
**Brown's Fairfax Mazda**  
**SU-19-00783, SE-19-00784, BAR-19-00788**

**Consistency with the Comprehensive Plan**

Chapter 2: Land Use

Land Use Strategies

The Activity Center Place Type, identified in purple on the Future Land Use Map, applies to locations in the City where pedestrian-oriented, mixed-use development is strongly encouraged. Mixed-use development is defined as pedestrian-oriented development that allows multiple activities to take place by layering compatible land uses, public amenities, and active streets accommodating multimodal transportation, and community-serving commercial. Uses should be integrated as a mix of commercial uses, multifamily housing, and townhouses, either in the same building (i.e., vertical mixed-use) or as a combination of single-use buildings featuring a range of complementary uses within the Activity Center (i.e., horizontal mixed-use).

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

Retail uses may be provided on the ground floor of mixed-use buildings, as stand-alone buildings, or on upper floors of buildings where larger tenant floor area requirements would detract from an active presence on the first floor. Retail uses are preferred along Commercial Mains but may be provided at other locations within an Activity Center.

The Northfax Activity Center (“Northfax”) is considered the most appropriate location in the City to accommodate a regional mixed-use destination. Its location at the intersection of Fairfax Boulevard and Chain Bridge Road, with immediate access to Interstate 66 and a potential future Metro station, is more accessible than other Activity Centers. It is also equidistant from existing regional mixed-use destinations at Merrifield and Fairfax Corner.

Unlike many suburban mixed-use destinations, which are developed by a single land owner, development of a successful mixed-use destination in Northfax is dependent on cooperation between several land owners. Lot consolidation is encouraged where feasible. A Small Area Plan for Northfax should identify areas for concentrations of retail streets so retail uses can be integrated between multiple development projects. Retail streets may be existing or proposed streets. A Small

Area Plan should also identify locations for future streets and open spaces, opportunities for pedestrian connections across Commercial Mains (as defined under Multimodal Transportation Goal 2), building form (including appropriate locations for more or less restrictive building heights from the Activity Center standards), and general land uses.

*Staff believes that the continued operation of the car dealership under conforming status would be an appropriate use for the Northfax Activity Center, and that the new design would benefit the overall design of the Activity Center in concert with the drafted Small Area Plan for Northfax.*

## Commercial Corridors and Activity Centers

Goal 2 – Promote redevelopment in the City’s Activity Centers.

The City will promote redevelopment in Activity Centers to strengthen economic vitality; provide retail, office, and residential opportunities for sustained demand; and reinforce the City’s regional appeal.

OUTCOME CCAC2.3 Old Town Fairfax, Northfax, and the other Activity Centers are well-designed and desirable places to live, work, shop, and dine.

ACTION CCAC2.3.1 Encourage structured parking and minimize surface parking, particularly adjacent to public rights-of-way.

ACTION CCAC2.3.2 Promote the orientation of buildings facing toward streets with architecture that engages street-level activity.

ACTION CCAC2.3.3 Promote active streetscapes with minimal building setbacks, pedestrian amenities, street furniture, on-street parking, landscaping, and other features.

ACTION CCAC2.3.4 Support land planning that balances connectivity for pedestrians, bicyclists, and motorists.

ACTION CCAC2.3.5 Prepare individual Small Area Plans, as defined in Section 15.2- 2303.4 of the Code of Virginia, for each of the Activity Centers that clearly demonstrate the desired mix of uses, residential density, building intensity, design aesthetic, specific street locations and multimodal connections, infrastructure improvements, parking, and open space (52).

*Staff finds the proposed development to be consistent with the above provisions of the Comprehensive Plan. The new dealership would be constructed with a street front orientation along Fairfax Boulevard and pedestrian-engaging design elements such as high transparency to the showroom, outdoor seating areas, a 10-foot sidewalk, and significantly*

*improved landscaping. Much of the vehicle storage onsite would be transferred to the three-story parking structure. The 10-foot sidewalk as well as the bike racks would encourage multimodal access to the site as well as enhanced connectivity to neighboring properties. The ongoing Small Area Plan for Northfax has thus far included this redevelopment as part of the overall plan.*

## Community Design and Historic Preservation

Goal 1 – Require high-quality, sustainable design.

OUTCOME CDHP1.2: Attractive buildings, inviting public spaces, and welcoming gateways that contribute to our economic vitality and unique character.

*Staff finds that the proposed architecture of the project utilizes high-quality materials and contemporary design features appropriate for use in the Northfax Activity Center. The new dealership building would utilize flat rooflines, varying materials, high transparency, street-engaging architecture, and enhanced parking garage façades that would allow incorporation of public art into the design of the building. The used cars sales building would also be renovated with new façade treatments, storefront, and materials that relate to the design of the new dealership building to give the site a cohesive aesthetic. The BAR has recommended approval of the major certificate of appropriateness with conditions and staff concurs.*

## Chapter 3: Multimodal Transportation

Goal 1 – Connect with the region.

OUTCOME MM1.1: Corridors for regional travel and better connections to regional networks and destinations are enhanced and improved.

Goal 2 – Provide viable and attractive mobility choices.

OUTCOME MM2.1: Pedestrian safety is improved.

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

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

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

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

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

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

OUTCOME MM2.5: Vehicular travel and facilities are effectively managed and maintained.

ACTION MM2.5.4 Evaluate opportunities to increase street grid connectivity to distribute traffic and to improve network resiliency. Opportunities for additional connections may be identified at any time but particularly as redevelopment occurs.

Goal 3 – Integrate transportation with land use

OUTCOME MM3.1: On- and off-street parking and curbside uses are effectively managed.

ACTION MM3.1.1 Effectively locate, design, and manage parking facilities to provide context-appropriate parking availability and accessibility to the surrounding destinations.

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

ACTION MM3.2.1 Whenever possible, increase connections – particularly non-motorized connections – between neighborhoods, community facilities, and Activity Centers.

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

OUTCOME MM3.3: Streets are designed to accommodate context and function.

ACTION MM3.3.1 Develop and adopt a “Link + Place” street typology to guide street design and management for public and private streets.

*Staff finds the enhanced and widened shared-use path along Fairfax Boulevard to be consistent with the above sections of the Multimodal Goals of the City. The proposal includes bike racks visible from the right-of-way which may encourage biking to and within the Northfax Activity Center.*

*The widened center driveway would be designed to accommodate a future extension of Farr Avenue through the site to the north as part of a new street network within the block bounded by Chain Bridge Road, Fairfax Boulevard, and McLean Avenue. The preliminary design would accommodate two travel lanes, two bike lanes, and sidewalks.*

*Much of the vehicle storage onsite would be transferred to a three-story parking structure, while surface storage would be partially screened from view, and all surface parking would be softened by proposed landscaping.*

*The “Link + Place” classification of Fairfax Boulevard is Commercial Main, which calls for a 10-foot shared use path, which the proposal includes.*

#### Chapter 4: Environment & Sustainability

##### Natural Environment

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

OUTCOME NE1.1: Clean and protected water resources and watersheds in the City.

ACTION NE1.1.1 Reaffirm and implement the City’s Chesapeake Bay Preservation Plan (Appendix A) and zoning regulations.

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

ACTION NE1.5.1 Restore disturbed areas along streams and in conservation easements with native species.

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

*Staff finds the proposal to generally conform to the provisions of the Comprehensive Plan dealing with the natural environment. New storm water BMP facilities are proposed onsite to reduce and filter runoff. The interim plan avoids new construction in the floodplain altogether, and in fact enhances this area with the proposed removal of 0.26 acres of impervious pavement within the RPA and planting of trees and shrubs in this area. In the interim plan, the total encroachment into the RPA would total 0.06 acres, and 0.05 acres of permeable pavement would be introduced in the vicinity. The tree canopy coverage would increase by 185% in the full buildout option (7,000 square feet to 19,975 square feet) and 176% in the interim condition plan (7,000 square feet to 19,325 square feet).*

## Chapter 5: Economic Vitality

Goal 1 – Increase the City’s ratio of commercial to residential real estate.

OUTCOME EV1.1: New development and redevelopment that maximize revenue generation from nonresidential buildings and uses.

ACTION EV1.1.1 Attract new commercial businesses while supporting and retaining existing businesses.

Goal 2 – Support diversification of the retail, service, and office sectors.

OUTCOME EV2.1: The retail and service sectors more effectively compete with other regional commercial sectors, resulting in increased desirability as a destination.

Goal 3 – Transform the Commercial Corridors and Activity Centers

OUTCOME EV3.1: Redevelopment projects in the Commercial Corridors and Activity Centers create destinations that attract tenants, customers, and residents.

*Staff believes that the continued operation of the vehicle sales and vehicle service uses (e.g. oil changes, interval service) on the site is appropriate and helps accomplish the goals of the Comprehensive Plan identified above related to economic vitality. The removal of the more intensive vehicle repair uses (e.g. body work, vehicle disassembly, painting) from the site would bring the site into conformance with zoning standards. The proposed redevelopment would likely result in a significantly higher real estate value for the site, which would in turn generate greater revenue for the City. Based on comparable projects, staff anticipates approximately an annual increase in revenue of approximately \$158,200 due to the proposed building and garage.*

## Chapter 6: Community Services

Infrastructure and Utilities

Goal 1 – Provide quality utility services and infrastructure systems.

OUTCOME IU1.4: Access to reliable energy and telecommunications infrastructure.

ACTION IU1.4.3 Work with utilities, developers, and state agencies to relocate aboveground utility lines underground, where feasible, with an emphasis on major corridors.

*The proposal includes undergrounding of all above ground utilities currently onsite.*

### **Conformance with the Zoning Ordinance**

See Attachment 2 for relevant provisions of the Zoning Ordinance.

*Staff supports the requests for Special Exceptions from the front and rear yard setback requirements because the locations of parking in the two encroaching areas are not detrimental to the proposal overall, especially with the well-developed landscape buffers proposed. Site grading and design to accommodate the future extension of Farr Avenue also added limiting factors that contributed to these reduction requests.*

*Staff supports the request for a modification to the transitional yard requirements along the northern property line. The western half was designed without tree and shrub plantings in order to accommodate the future extension of Farr Avenue through the site. The eastern portion would be well landscaped but would lack the required fence or wall. As part of the Northfax West proposal, the neighboring properties to the north would be developed with a five-foot shared pedestrian path along that property line. Staff agree with the applicant that the installation of a fence along the northern property line would restrict visual access to this path and create an alley-like condition between the subject property and the proposed parking structure on the Northfax site.*

*Staff supports the request for a Special Exception to the street trees requirement because, although the street trees are not proposed to be within 15 feet of the curb along Fairfax Boulevard as required per Section 4.5.6.B, the required number of street trees is met. Staff believes that including a three-foot landscape strip between the sidewalk and curb is prudent due to the high level of vehicular traffic along Fairfax Boulevard. The applicant has provided the recommended 10-foot sidewalk, and in order to plant the large canopy trees proposed without interfering with the safe sight triangle or risking damaging the sidewalk with root growth, the trees are proposed to be set back greater than 15 feet from the curb.*

*Staff supports the request for a Special Exception to modify the outdoor storage screening requirements. The applicant is meeting the screening requirements for the largest storage area on the eastern portion of the site and partially meeting them for the smaller area on the western portion of the site. No fence is proposed along the northern property line to screen the rear row of storage from view for the properties to the north for the same reason a transitional yard fence is not proposed in this area, in order not to create an alley-like condition on the neighboring property. In the interim*

*condition plan, vehicle storage areas are shown within the future right-of-way acquisition area, and these would not be screened. Should the right-of-way be acquired, these storage spaces would have to be removed.*

*The applicant has shown two development options. The full buildout option assumes the Northfax West development proposal and partial stream piping are approved by City Council, in which case the requested Special Exception to allow encroachment into the landward 50 feet of the RPA in the northeast portion of the site would not be needed because the RPA would be removed from the subject site entirely. The interim condition plan assumes the stream piping is not approved and the RPA remains on the property. The applicant is required to request this Special Exception because the piping is part of an independent land use proposal, separate from this one. Assuming the Northfax West redevelopment proposal and stream piping are not approved, staff supports the request for this Special Exception because the interim condition plan sufficiently addresses environmental concerns with reduced impervious surface in the RPA, increased open space and tree canopy coverage, and installation of pervious pavement and storm water BMP facilities. While portions of the building, impervious pavement, and retaining walls would remain in the RPA, the accommodation of Farr Avenue extended precludes further reductions.*

*Staff finds the proposal for two Special Use Permits to meet the approval criteria in Section 6.7.7, because with the enhanced site design including reduced surface storage, reduced impervious surface, garage storage, the new contemporary dealership building, and enhancements to the exterior of the used car sales building, there would be no negative effect on the health or safety of persons residing or working in the neighborhood of the proposed use or on public welfare, property, and improvements in the neighborhood. The proposal also meets the specific use standards for vehicle sales and leasing, and vehicle service (Sections 3.5.3.I and 3.5.3.J), with the exception of the requirement that vehicle sales and leasing establishments be spaced 500 feet from like uses. Because this dealership and neighboring dealerships have been in operation in the City for decades, and because the applicant is removing a nonconforming repair use from their onsite operations, staff is not concerned about this and supports a waiver from this requirement.*

*Staff finds the proposal to meet the approval criteria for Special Exceptions per Section 6.17.7 because the proposal would not materially or adversely affect adjacent land uses or the physical character of uses in the immediate vicinity of the proposed development. Staff finds that the intents of the Zoning Ordinance and Comprehensive Plan are met with the proposal, even though exceptions are requested. Staff finds the requests to be based on the physical constraints and land use specifics, rather than on economic hardship of the applicant.*

**RELEVANT CODE SECTIONS**  
**Brown's Fairfax Mazda**  
**SU-19-00783, SE-19-00784, and BAR-19-00788**

**§3.3.1 Principle use table**

USE TYPES/USE GROUPS*	RESIDENTIAL						NONRESIDENTIAL						SPECIFIC USE STANDARDS	
	R L	R M	R H	RT -6	R T	R MF	C L	C O	C R	C U	C G	I L		I H
<b>P = PERMITTED / S = SPECIAL USE (§6.7) / * = GROUP OF USES (§3.4.1)</b>														
Building supplies and lumber sales									P	S	P	P	P	
Catering and delivery									P		P	P	P	
Convenience stores								S	P	P	P	P	P	
Fuel stations									S		P	P	P	
Funeral homes								P	P		P	P		
Furniture, appliance or carpet/flooring stores									P	P	P	P		
Grocery stores									P	S	P	S		
Hotels, extended-stay									S	P	S			§3.5.3.E
Hotels/motels									S	P	S			
Offices, general*								P	P	P	P	P	P	
Offices, medical*								P	P	P	P	P	P	
Parking, commercial									S	S	S			
Parking, municipal									P	P	P	P		
Plant nurseries and greenhouses	S	S	S									P	P	
Private clubs	S	S	S						S	S	S			
Recreation, indoor*									S	S	S	S	S	
Recreation, outdoor*									S	S	S	S	S	
Restaurants or food services								P	P	P	P	P	P	§3.5.3.F
Retail, general*									P	P	P	P	P	
Schools, technical, trade, business								P	P	P	P	P	P	§3.5.3.G
Services, general*									P	P	P	P	P	
Services, personal*								P	P	P	P	P	P	
Theaters									S	S	S			
Tobacco and smoke shops								P	P	P	P	P	P	§3.5.3.H
Vehicle repair*											P	P	P	§3.5.3.J
Vehicle sales and leasing*										S		S	S	§3.5.3.I
Vehicle service*										S		P	P	§3.5.3.J

**§3.5.3.I Specific use standards, vehicle sales and leasing**

1. Each vehicle displayed for sales, lease or rent shall be parked within an enclosed structure or upon a parking space that complies with the requirements contained in §4.2.
2. The sales, rental or leasing office for such establishment shall be a permanent structure.
3. Each parking space for customers and employees shall be so designated with pavement marking or other appropriate signage.
4. Where a vehicle display area is adjacent to commercially zoned property, the perimeter of such area shall be landscaped with a continuous hedge or landscaped berm at least 30 inches in height.

5. Each vehicle awaiting repair or maintenance shall be parked within a parking space that complies with the requirements contained in §4.2 within an enclosed structure or within an area screened on all sides by a solid fence or wall at least six feet in height. Such fence or wall shall be located no closer than 10 feet from any property line adjacent to a C or I district. Where adjacent to any residential district, a TY2 transitional yard shall be provided in accordance with §4.5.5.
6. Each vehicle on such lot not parked upon a parking space meeting the requirements of §4.2, or within a structure, shall be screened in accordance with §3.5.3.I.5, above.
7. Exterior speakers used in conjunction with any such facility shall not be audible beyond the property boundaries of such establishment.
8. Unless waived or modified by the city council, there shall be no less than 500 feet measured between the nearest property lines between each vehicle sales and leasing establishment, and any other such establishment.

**§3.5.3.J Specific use standards, vehicle service and vehicle repair**

Vehicle service and vehicle repair uses and shall comply with the following requirements:

1. A transitional yard TY3 in accordance with §4.5.5 shall be established along any side of the property adjacent to a residential use;
2. Service bay doors shall not be oriented toward the right-of-way or a residential use, or the service bays shall be screened from view from the right-of-way or adjacent property using landscaping;
3. All repair or service operations, including washing, shall be conducted entirely within a fully-enclosed building;
4. The storage of merchandise and supplies shall be within a fully-enclosed building;
5. Operable vehicles may be parked on-site during business hours. All vehicle parking shall be accomplished on the site, and in no case shall a parked vehicle encroach into the right-of-way;
6. The outdoor overnight storage of vehicles may be allowed subject to §4.10;
7. There shall be no dismantling of vehicles for salvage; and
8. The storage of impounded vehicles shall not be permitted.

**§3.6.2 Dimensional standards, non-residential districts**

NONRESIDENTIAL DISTRICTS DIMENSIONAL STANDARDS	CL	CO	CR	CU	CG	IL	IH
DENSITY (UNITS/ACRE), MAXIMUM	RESERVED						
LOT AREA, MIN. (SQ. FT.)	--	20,000	20,000	30,000	22,000	--	--
REQUIRED YARDS (FT.)							
Front and side (street)							
Maximum	--	--	93[1]	15	--	--	--
Minimum	20[1]	20[1]	20[1]	0	20	20	25
Side (interior), min. adjacent to a residential district	25	25	25	25	25	50	50
Side (interior), min. not adjacent to a residential district	12	0/10[2]	0/10[2]	0/10[2]	25	0	0
Rear, min. adjacent to a residential district	25	25	25	25	25	50	50
Rear, min. not adjacent to a residential district	0	0	0	0	25	0	0
BUILD-TO LINE, MANDATORY (PERCENT)	--	--	--	50	--	--	--
LOT WIDTH, MINIMUM (FT.)	--	--	--	--	150	--	--
BULK PLANE REQUIREMENTS (DEGREES)							
Front	--	--	--	--	--	--	--
Side (interior), adjacent to a residential district	--	45	45	45	45	45	45
Side (interior), not adjacent to a residential district	--	--	--	--	--	30	30
Rear, adjacent to a residential district	--	45	45	45	45	45	45
Rear, not adjacent to a residential district	--	--	--	--	--	30	30
HEIGHT, MAXIMUM (STORIES/FEET)	3/35	5/60	5/60	5/60	5/60	3/35	6/60
BUILDING COVERAGE, MAXIMUM (%)	25	50	60	80	--	50	50
LOT COVERAGE, MAXIMUM	50	85	85	100	90	90	90
FLOOR AREA, MAXIMUM (SQ. FT.)	17,500	--	--	--	--	--	--

NOTES:

[1] Special building line requirements apply where narrow right-of-way areas are found, see §1.5.12.F.1(a).

[2] No side (interior) yard is required, but if a building is not built to the lot line, a minimum 10 foot side (interior) yard shall be required.

**§3.7.4. Architectural control overlay district**

B. Certificate of appropriateness required

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

**§4.5.5. Transitional yards**

C. Transitional yard types

There are three types of required transitional yards that may occur on any given parcel (for the specific width and plant material for each transitional yard classification see §4.5.5.D).

3. Use boundary transitional yards

(c) Where commercial developments occur adjacent to single-family attached, single-family detached, duplex, townhouse, or multifamily dwellings, TY3 transitional yards shall be provided in accordance with §4.5.5.D, below.

**§4.5.6.B. Street trees**

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

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

**§4.5.7. Parking lot landscaping**

## C. Perimeter

2. The perimeter of all parking lots adjacent to residentially zoned property shall provide a transitional yard TY3 (See §4.5.5).

## E. Parking structures

## 2. Perimeter landscaping

Structured parking above finished grade shall comply with building setback requirements.

Landscaping for parking structures shall be provided in all yards pursuant to perimeter landscaping requirements for surface parking. However, where the location of such structure with respect to property boundary and adjacent structures will substantially inhibit the growth of the required trees, such trees may be located along another perimeter of the site in a manner approved by the zoning administrator.

**§4.5.8. Screening**

## A. Features to be screened

The following features must be screened from view of public rights-of-way, public open spaces and from lots used or zoned for residential purposes, as specified in §4.5.8.

3. Outdoor storage of materials, supplies, vehicles and equipment, subject to §4.5.8.D;

## D. Outdoor storage of materials, supplies, vehicles and equipment

1. On nonresidential lots, all stored materials, supplies, merchandise, vehicles, commercial vehicles, boats (or similar), trailers, recreational vehicles, equipment, or other similar materials that are not on display for direct sale, rental or lease to the ultimate consumer or user must be screened by landscaping or solid fencing or wall, with a minimum height of six feet at the time of installation.

**§4.18. Chesapeake Bay preservation**

## §4.18.11. Administrative waivers and special exceptions

## B. Special exceptions

Special exceptions to the general performance criteria for resource management and resource protection areas detailed in §4.18.7 may be granted by the city council provided the findings of §4.18.11.D are made.

## D. Required findings

In granting an administrative waiver or a special exception, the zoning administrator or the city council shall make a written finding that:

1. The request is the minimum necessary to afford relief;
2. Granting the request will not confer upon the applicant any special privileges that are denied by §4.18 to other property owners who are subject to its provisions and who are similarly situated;
3. The request is in harmony with the purpose and intent of this §4.18 and is not of substantial detriment to water quality;
4. The request is not based upon conditions or circumstances that are self-created or self-imposed; and
5. Reasonable and appropriate conditions shall be imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality.

**§6.7.7. Approval criteria**

In determining whether to approve a special use permit, the city council shall consider the following:

- A. Consistency with the comprehensive plan;
- B. Compliance with all applicable requirements of this chapter;
- C. The effect on the health or safety of persons residing or working in the neighborhood of the proposed use; and
- D. The effect on public welfare, property and improvements in the neighborhood.

**§6.17.7. Approval criteria**

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

1. Ensure the same general level of land use compatibility as the otherwise applicable standards;
2. Not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate transition, screening, setbacks and other land use considerations;
3. Be generally consistent with the purposes and intent of this chapter and the comprehensive plan; and
4. Be based on the physical constraints and land use specifics, rather than on economic hardship of the applicant.

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



## SUMMARY OF ZONING DISTRICTS AND OVERLAYS

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

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

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

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

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

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

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

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

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

**CU COMMERCIAL URBAN DISTRICT:** Provides an urban, mixed use development option for appropriate parts of the downtown area and sites in the general vicinity of the three key Fairfax Boulevard intersections: Main Street, Chain Bridge Road, and Old Lee Highway, or as may be more precisely specified by a current or future adopted plan. Buildings may be up to 5 stories and 60'.

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

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

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

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

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

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

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

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

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

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

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

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

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

RECEIVED

June 16, 2020

Community Dev &amp; Planning

**BROWN'S FAIRFAX MAZDA PROJECT  
SU-19-00793 AND SE-19-00794**

**STATEMENT OF SUPPORT FOR SPECIAL USE REQUEST  
ON BEHALF OF  
BROWN'S FAIRFAX REALTY, LLC (APPLICANT)**

**June 15, 2020**

**The Existing Situation**

Brown's Prestige Car Sales and Leasing, Inc. trades as Brown's Fairfax Mazda dealership at 10570 and 10590 Fairfax Boulevard. The Applicant is the contract purchaser and Leasee of the property from Alpine Schuiling T, Inc. (the "Owner"). The current Brown's automobile sales and service business operations have been in existence at this location since the mid-1980s. The site is located on the north side of Fairfax Boulevard between Chain Bridge Road and McLean Avenue, in the area identified as Northfax Center in the Comprehensive Plan and the Fairfax Boulevard Visionary Summary. The site area is approximately 3.55 acres (the "Property"). Car dealership site improvements were first built in the 1960s on the site; therefore, the site development contains many legal non-conformities from the requirements of the City's current CR zoning district. The development on the site was lawful when done, but has never fully complied with newer, current Zoning Ordinance requirements concerning screening, parking layout, transitional screening, landscaping, and setbacks. A full service car dealership constitutes three principal uses under the City's current Zoning Ordinance – vehicle sales and leasing, vehicle service, and vehicle repair (major repair and auto body work) – are all legal non-conforming uses which were established on the Property in a lawful manner prior to current ordinance requirements. A recent aerial of the property is attached.

The Property was first developed *by-right* as a full service new and used car dealership/service (now classified in the current ZO as a vehicle sales and leasing use, with vehicle service and vehicle repair uses) in 1961 by Ted Britt Ford. The Property has been continuously used and remained developed for these purposes from 1961 to the present day. In the mid-1980s, the Ford dealership was relocated and the Property became the Ted Britt Mazda full service new and used car dealership. As with the most full service car dealerships, there is a used car operation, which is integral to the new car dealership. In 1991, Brown's Prestige Car Sales and Leasing, Inc. purchased the Ted Britt Mazda dealership and all its assets – including the Property. Since that time, the Property has remained developed and used continuously as Brown's Fairfax Mazda full service new and used car dealership. Within 500 feet of the Property, other long-established and (presumably) similarly grandfathered vehicle sales and leasing, vehicle service/or and vehicle repair uses are located. These uses now require SUP approval per the current Zoning Ordinance.

## **The Proposed Project**

The Applicant proposes to redevelop the site by replacing outdated facilities, as well as, relocating the vehicle repair use (major repair and auto body operations) and removing this non-conforming use which has been located on the Property for many years. The major vehicle repair and auto body shop will be relocated off the premises. The vehicle repair use (with its customer waiting area) will be expanded to meet demand. Approval of the proposed Project's SUP application will cause the non-conforming (i) vehicle sales and leasing, and (ii) vehicle service uses, to become conforming uses. Once the Fairfax Mazda Project is approved and implemented, all uses located on the Property will be conforming. In addition, the many site design and layout non-conformities (lawfully pre-existing) will be significantly reduced. Most of the surface parking will be replaced with structured parking that is integrated with the new dealership building. The Farr Avenue extended alignment through the Property severs the used car sales operation from the rest of the dealership, greatly restricting its area, yet provides a reasonable separation between like uses. Any significant redevelopment of this used car sales area is better left for a later time – when redevelopment plans for the abutting Darcars Property (currently utilized as a limited service used car dealership) become known. This abutting property's redevelopment should influence the redevelopment of Brown's used car sales area more so than the Brown's Fairfax Mazda principal new car sales dealership area located on the other side of the future public street. Moreover, current ordinance-required solid fence screening between the vehicle storage and display areas of the Brown's Fairfax Mazda property and the abutting used car dealership to the west serve no purpose and is contrary to an "active" urban street frontage.

The applicant seeks to implement the *Mazda Retail Evolution* for its Fairfax City dealership. This Mazda sponsored retail evolution concept creates a premium dealership experience for both customers and pass-by potential customers. It creates open, inviting and interesting places and streetscapes. The dealership building is located close to Fairfax Boulevard to "activate" the street corridor. The dealership is a perfect fit with the draft Northfax Activity Center's Small Area Plan recommendations and is even shown on future concept plan illustrations. A copy of the basic elements of the *Mazda Retail Evolution* is attached.

The Applicant has agreed to design the new dealership facilities in a manner which does not encumber or block the preferred City alignment of the Farr Avenue and Orchard Street extension projects. This decision greatly constrains the site, and results in some of the new ordinance standards not being fully met. However, the revised SUP Plan and May 6, 2020 Board of Architectural Review recommendation of approval clearly show that the intent of both the Northfax Activity Center recommendations and the CR Zoning District regulations are met in the Fairfax Mazda Project revised applications.

The current business operations will continue, but without the major repair/autobody operations. No other new or changed business operations are proposed.

## **Benefits to the City**

- Continuation of a critical commercial tax base, revenue-positive use.
- Long standing non-conforming uses are removed or made conforming.
- The commercial use building, which is blocking the City's preferred Farr Avenue extension and Orchard Street extension project alignments, will be removed. The implementation of these two City projects will provide major, vehicular, bicycle and pedestrian connections which are critical to the implementation of the City's Northfax Urban Center vision.
- 250+ surface parking spaces within the Northfax urban activity area will be converted to structured parking. This will significantly reduce the extent of current site development non-conformities for the landscaping and screening of vehicle storage and display areas.
- One of the oldest car dealership sites in the City will be converted to a new, modern and vibrant urban car dealership – providing a destination draw that "activates" the Northfax area and enhances nearby business activity.
- The new Fairfax Mazda dealership facilities constitute a significant private reinvestment in the Northfax Urban Center. In combination with the City's significant investment in the Farr Avenue and Orchard Street extension projects, these new facilities will result in an important daytime draw/destination for customers, which will help activate the nearly urban commercial portion of the mixed-use area planned for the Northfax Activity Center. We anticipate more than 1,300 customer families (one or more persons) per month will be drawn to the site for period of between 1/2-2 hours. This represents a significant opportunity and catalyst for surrounding commercial retail, restaurant and personal service uses.

## **Approval Criteria (Section 6.7.7 of the Zoning Ordinance)**

### **A. Consistency with the comprehensive plan;**

Brown's Fairfax Mazda is a perfect fit with the draft Northfax Activity Center's Small Area Plan recommendations.

### **B. Compliance with all applicable requirements of this chapter;**

Brown's Fairfax Mazda comprises lawful non-conforming uses that have occupied the site since the mid-1980s. The proposed redevelopment of the site will remove many legal non-conformities that currently exist and bring it into greater compliance with the current Zoning Ordinance. This includes meeting the use standards for vehicle sales, leasing and vehicle service as provided in Sections 3.5.3.I and 3.5.3.J of the Zoning Ordinance, except for the standard requiring a minimum of 500-foot separation between dealerships. The design of the new Brown's Fairfax Mazda uses a new road connection and extensive landscaping to separate itself from nearby dealerships, which themselves have for years existed as legal non-conforming uses.

### **C. The effect on the health or safety of persons residing or working in the neighborhood of the proposed use; and**

The proposed redevelopment implements the City's planning policy to develop an Activity Center at this location that is safe and accessible to its neighboring residential communities. The new urban dealership is more aesthetically pleasing and will include

new street connections, wider sidewalks, a furnished public space, enhanced landscaping and future bike lanes.

**D. The effect on public welfare, property and improvements in the neighborhood.**

The proposed redevelopment will allow the continuation of a critical commercial tax base. Its design will provide the right-of-way needed to implement the City's projects for a wider Fairfax Boulevard and the northward extension of Farr Avenue.

**BROWN'S FAIRFAX MAZDA PROJECT  
SU-19-00793 AND SE-19-00794**

**STATEMENT OF SUPPORT FOR SPECIAL EXCEPTION REQUESTS  
ON BEHALF OF  
BROWN'S FAIRFAX REALTY LLC (APPLICANT)**

**March 2, 2020**

**June 9, 2020**

1. *Special Exception from transitional screening yard 3 along the northern property line as required by Zoning Ordinance Sections 4.5.5.C.3(c), 4.5.7.C.2, and 4.5.7.E.2.*

The assemblage of abutting parcels to the north are owned by a developer, are planned for a commercial mixed use development, and are subject of a mixed-use rezoning application (i.e. Northfax West) to implement the Comprehensive Plan. Only one abutting parcel is developed and rented as a single family home. The others are vacant land. The residential use of this one parcel is an interim use. Nevertheless, six foot high solid wood fence will be placed along the northern property line in the event the pending Northfax West rezoning is not approved.

2. *Special Exception from requirement to screen outdoor storage along the northern property line as required by Section 4.5.8.D.1.*

The required screening of inventory by landscaping or solid fencing or wall along the northern property line will contradict the public safety for pedestrians along the walkway that is jointly proposed by the Applicant with the adjoining developer of Northfax West. The jointly planned walkway is part of a modified transitional yard that is requested by City staff, from a meeting on February 7, 2020. A Pedestrian Corridor Illustrative is included in the approved Special Use Plan set.

3. *Special Exception from street tree landscaping along Fairfax Boulevard as required by Section 4.5.6.B.*

While a ten foot landscaped area and setback will be provided, the presence of existing utilities, drainage facilities and fiber optics preclude the required number and spacing of shade trees.

4. *Special Exception to permit encroachment into the landward 50 feet of the buffer component of the existing RPA, pursuant to Section 4.18.11.*

This RPA will be removed when the existing drainage channel is relocated pursuant to approved Corps of Engineers and City permits (Virginia Water Protection Individual Permit #18-1003). Moreover, there are no downstream adverse impacts (erosion or flooding) of this small encroachment, because of the City's recently completed major storm

drainage project. In the event the existing drainage channel is not relocated in time for full build out, an Interim Condition – RPA Encroachment Exhibit (with narrative) is included in the approved Special Use Plan set.

5. *Special Exception to modify the required minimum front yard setback, pursuant to Section 3.6.2.*

A modification of the minimum front yard setback to 10-feet is intended for parking spaces to be located adjacent to the existing dealership's used vehicle facility. The modification provides the critical space needed to maintain its used vehicle operations, since the redevelopment of the site will be severed from the rest of the dealership by the full right-of-way accommodations to extend Farr Avenue. This is still an improvement to the current setback conditions of under 10-feet. The modification has no impact to adjacent properties.

6. *Special Exception to modify the required minimum rear yard setback, pursuant to Section 3.6.2.*

A modification of the minimum rear yard setback to 10-feet is intended for parking located along the north property line. This will allow for safer onsite circulation of inventory and customers without lessening the project's ability to exceed landscaping requirements. This modification does not impact, but was in fact designed in conjunction with the jointly planned walkway described in above Request No. 2.



## Board of Architectural Review

DATE: May 6, 2020  
 TO: Board of Architectural Review Chair and Members  
 THROUGH: Jason Sutphin, Community Development Division Chief *JDS*  
 FROM: Tommy Scibilia, BAR Liaison *TS*  
 SUBJECT: **Brown's Mazda**

ATTACHMENTS: 1. Relevant Regulations  
 2. Meeting Minutes January 15, 2020  
 3. Plans Package  
 4. Northfax West Plans

### **Nature of Request**

1. Case Number:	BAR-19-00788
2. Addresses:	10570 Fairfax Boulevard, tax map parcels 57 2 02 010 and 57 2 02 009
3. Request:	Dealership redevelopment and site improvements
4. Applicant:	Gordon Riddle
5. Applicant's Representative:	John L. McBride
6. Status of Representative:	Agent
7. Zoning:	CR Commercial Retail, Architectural Control Overlay District

## **BACKGROUND**

The two properties making up the subject site are located on the north side of Fairfax Boulevard in the Northfax Activity Center as defined by the 2035 Comprehensive Plan. Brown's Fairfax Mazda car dealership and vehicle service garages operate at this location. The site was developed in 1961 and changed ownership in 1993, but has continually operated as a car dealership. Additions to the main building and new freestanding buildings were constructed onsite in 1968, 1981, and 1993. In 2004, the BAR approved modifications to update the exterior of the main dealership building, including an enhanced roofline, façade materials, and colors, but the modifications were never implemented. Photos of the existing site and structures can be found in Attachment 3.

The applicant is seeking special use permits and special exceptions in a concurrent land use case to allow redevelopment of the site to include a new car dealership and vehicle service building with an

integrated parking structure, as well as landscape improvements, lighting, and outdoor furniture. The architecture and landscaping must be reviewed by the BAR for a recommendation to City Council on the major certificate of appropriateness.

Staff made several preliminary comments and recommendations to the applicant on their work session submission, which included:

- Provide perspective renderings and massing exhibits.
- Explore varying the roofline of the showroom.
- Incorporate masonry into the design of the front of the building.
- Consider architectural treatments to enhance the appearance of the parking structure, such as cladding in various masonry veneers or incorporating public art.

The applicant held work sessions with City Council on January 7, 2020 and the BAR on January 15, 2020. The Board made the following remarks and recommendations relevant to the review of the major certificate of appropriateness:

- Board members generally agreed that the proposed redevelopment would be a great improvement to the property.
- Consideration should be given to incorporating a mural into the design of the north elevation of the parking structure.
- A higher proportion of masonry should be used on the front portion of the building.
- Use quality materials on the parking garage façade.
- Provide renderings of the garage from the east and west along Fairfax Boulevard with existing buildings blocked in to understand what portions of the structure would be visible.
- Use new EZ Storage facilities in the City as examples of how to break up the massing of large buildings.
- Provide material and color samples.

The full meeting minutes from January 15, 2020 are included as Attachment 2.

There is an active land use application for redevelopment of a site that comprises 17 parcels/11.32 acres to the north and east of the subject site, known as Northfax West. Land use requests include a rezoning to the Planned Development Mixed Use (PD-M) zoning district. See below for a description of that proposal and how it relates to the subject of this application.

## **PROPOSAL**

### *Site*

Although the site layout and design are not within the purview of the BAR, a description follows for context. The applicant is proposing to maintain driveway access at the existing location across from Farr Avenue, which is anticipated to be acquired by the City at a point in the future and converted into

a public right-of-way. This new right-of-way (“Farr Avenue extended”) would extend north through the site to connect to an anticipated westward extension of Orchard Street. In the interim, the existing pavement beyond the new driveway would remain paved but unused in the operations of the dealership.

The proposed dealership building would be oriented toward the south edge of the property along Fairfax Boulevard. The front portion of the building would house the showroom and sales offices, and would have concrete sidewalks and seating areas on the east and west sides, as well as a walkway and stairs extending from the Fairfax Boulevard sidewalk to the front entrance. A drive-through service bay would connect the showroom to the rear section of the building, which would comprise vehicle service areas on the ground floor, with three stories of structured parking above. Surface parking would be located on the west and north sides of the rear portion of the building, while the paved area to the east would be used for vehicle storage and screened by a six-foot board-on-board wood fence as required by the Zoning Ordinance.

The applicant has included an interim condition plan where the northeast portion of the site including surface vehicle storage and new retaining walls would not be developed to avoid direct impact to the existing floodplain. Existing pavement within the floodplain limits would be removed and the underlying land would be landscaped (see interim landscaping description below). The floodplain limits are expected to change as part of the Northfax West development proposal, described in more depth below, which would allow full development of this section of the site.

In the southwest portion of the site, the applicant is proposing to retain the footprint of the standalone used vehicles sales building (see more information on the proposed architectural modifications below), which would be fronted by surface parking, with vehicle storage on the north side of the building. The vehicle storage area would be screened from the neighboring property to the west with a six-foot board-on-board wood fence like that proposed for use in the northeastern portion of the site.

The northeast corner of the property would remain undeveloped. It currently consists of forestland, undergrowth, a stream, and a remnant of a concrete bridge that once supported the electric trolley line that connected the City of Fairfax to Washington D.C.

#### *Northfax West Proposal*

The land use proposal for the site to the north and east of the subject site, known currently as Northfax West, would include a rezoning of the property. Proposed development includes townhouses at the north and west perimeters of the site and a seven-story senior living facility with an integrated parking structure on the portion of the site immediately north of the Brown’s site. The portion of the site southwest of the intersection of Chain Bridge Road and Orchard Street is not yet programmed. The plan on sheet P-0401 of Attachment 3 show the footprints of proposed structures on the neighboring site, as well as the extension of Farr Avenue onto the neighboring site which would connect to a westward extension of Orchard Street. See Attachment 4 for the most recent plan of the Northfax West development.

An existing branch of the Accotink Creek on the Northfax West site is proposed to be piped underground starting at the northwest corner of the site and tying into a recently-completed stormwater infrastructure system constructed by the City and VDOT. The floodplain and RPA would be greatly reduced, thus allowing full redevelopment of the Brown's site without any encroachment into the floodplain. As discussed above, the interim condition plan in Attachment 3 (sheet P-0402) shows how the Brown's site would be developed to avoid the floodplain in the event they begin construction before the stream is piped, or if the Northfax West project is not approved as currently proposed.

The Northfax West senior living building would be constructed at a lower grade than the subject site, but overall would be taller than the Brown's Mazda parking structure, as illustrated in the massing exhibits of Attachment 3 (sheet P-2). The portion of the senior living facility closest to the Brown's site would comprise parking garage on levels one and two, indoor and outdoor amenity space on level three, and residential units on floors four through seven. An elevation and rendering that show the north elevation of the senior living facility from most recent Northfax West BAR submission have been included in Attachment 4. The south wall of the senior living facility would be between zero and 10 feet from the property line, and 54 to 64 feet from the north wall of the Brown's garage structure. The applicant has been working alongside the applicant of Northfax West to ensure their proposals will integrate with one another, for instance in the preliminary design of Farr Avenue extended as well as a pedestrian pathway along the southern façade of the senior living facility. This pathway, which would be partially on the Brown's site and partially on the Northfax West site, would be five feet in width and would connect Farr Avenue extended to a private drive on the east side of the senior living facility, and potentially to the unprogrammed portion of the site to the east as well. The path would be at the same elevation as the base of the senior living facility, and the applicant for the Brown's Mazda project has coordinated grading at the north end of the subject site to ensure a smooth transition. A cross section that demonstrates the relationship between the Brown's site and the Northfax West site can be found on sheet P-2 of Attachment 3 along with the massing exhibits.

#### *Architecture*

The proposed material palette includes face brick painted black, dark gray split-face CMU, white EIFS, and metal panel in white, dark gray, and medium gray. See sheet A-3 of Attachment 3 for images of the colors and materials.

The right side of the showroom would contain a double-height space with black storefront surrounded by black metal panel. To the left would be a double-height space lined with black storefront at ground level surrounded by black painted face brick with a grid of rectangular white metal panels above. The right side of the building would have a lower roofline than the left side, with the black and white metal panels overlapping.

The side elevations of the showroom and the service bay elevations on the east and west sides of the building would include black painted brick on the bottom portion of the wall with a grid of white metal panel above. Medium gray metal panel would be used in only one location, on the east façade in the

corner section connecting the windowed front portion of the showroom to the stairwell. The rollup doors and pedestrian entrances to the drive-through service bay would be in a clear anodized finish.

The lower level of the rear portion of the building where the vehicle service work would be performed, as well as the stair tower in the northeast corner would be faced in dark gray split-face CMU. Entrances to the structure would include steel doors and a variety of rollup doors with and without windows, all painted the same medium gray color. Large openings for vehicular access to the lower level are located toward the rear of the side elevations, and a large ramp along the rear elevation would provide vehicular access to the first level of the parking structure above. The east and west façades of the parking structure would be scored precast concrete with openings containing black storefront to mimic windows (no glass is proposed in these openings). The north elevation of the parking structure would have standard unadorned precast concrete. Large white EIFS panels would be located on the east, west, and north elevations of the garage structure, intended to be used for mural artwork. See sheets A-1 and A-2 of Attachment 3 for elevations of the new dealership building and parking structure.

While the footprint of the used vehicles sales building would not change, modifications to the exterior are proposed to update its appearance to be consistent with the materials and colors of the new dealership building. Brick that is currently painted white would be painted black, window frames would be replaced with new black storefront, and the mansard roof would be removed, and in its place gridded white metal panel would be installed. See sheet A-8 of Attachment 3 for elevations of the used car building.

#### *Landscaping and Retaining Walls*

Willow oak canopy trees are proposed along Fairfax Boulevard inside the sidewalk. London planetree canopy trees are proposed on both sides of the entrance drive. The various landscape islands within and around the surface parking areas would be planted with black gum, bald cypress, and Valley Forge American elm canopy trees. Black gums would be planted along the path shared with the Northfax West development on the north property line. Understory trees, including forest pansy redbuds and sweet bay magnolias are proposed around the seating area on the east side of the showroom. Shrubs would be planted in clusters along Fairfax Boulevard, around the two outdoor seating areas for the showroom, at the edges of certain surface parking areas, and along the path shared with the Northfax West development on the north property line. Shrub species would include snow queen oakleaf hydrangea, peewee oakleaf hydrangea, shamrock inkberry, little Henry sweetspire, Henry's garnet sweetspire, southern bayberry, and blue muffin arrowwood viburnum. The plans note that perennials will be planted throughout the development, to be determined at the time of site plan review, although specific locations and species are not shown.

Retaining walls would be constructed in front of the showroom, on the east edge of the site, and around the rear portion of the vehicle storage area in the southwest portion of the site. The walls visible from the right-of-way would be faced in dark gray split-face CMU to match that used on the building. The retaining walls toward the rear of the site and facing away from Fairfax Boulevard would likely not be

visible from the right-of-way and would be either poured concrete or segmented block in a brown or beige color.

The interim condition landscape plan on sheet P-0402 of Attachment 3 shows the removal of the pavement from the limits of the floodplain in the northeastern portion of the site, and new plantings including canopy trees, shrubs, and perennials.

#### *Lighting*

Site lighting would include pole-mounted LED shoebox fixtures in a silver finish to be located throughout the surface parking areas. Building-mounted lighting would be LED wall pack lights in a silver finish. Lighting details can be seen on sheet A-6 of Attachment 3.

#### *Amenities*

Site furniture would include square wood tables with metal framing and integrated seating, metal ribbon trash cans in a silver finish, and contemporary backless benches in a silver finish. Furniture would be located in the hardscape areas on the east and west sides of the showroom portion of the building. Steel tube bike racks in a black painted finish are proposed beside the eastern seating area. Furniture details can be seen on sheet A-6 of Attachment 3.

#### *Appurtenances*

A dumpster enclosure would be located in the northeast portion of the site and would comprise dark gray CMU walls to match that used on the main building, a dark gray precast concrete cap, and steel frame swing gates faced in board-on-board wood painted medium gray. Dumpster enclosure details can be seen on sheet A-7 of Attachment 3. Mechanical equipment would be located both inside the parking structure and mounted to the roof of the showroom screened from view by parapet walls.

## ANALYSIS

#### *City of Fairfax Design Guidelines:*

The following excerpts from the Design Guidelines are relevant to this application.

#### *Architectural Control Overlay District Overview, ACOD-1*

##### *ACOD Goals, ACOD-1.2*

- 1. Strengthen the street edge with buildings and landscape on major corridors.*
- 2. Maintain a human scale in building design and outdoor spaces.*
- 3. Where existing buildings or developments do not provide appropriate examples, new development should strive to implement the intended vision rather than repeat existing patterns.*

4. *Existing buildings or developments should be upgraded to a higher design quality as opportunities arise to reflect these guidelines.*
5. *Continue the emphasis on attractive and well maintained landscaping.*
6. *Preserve and enhance natural character of topography, streams, and mature trees.*
7. *Mask the utilitarian by screening equipment, loading areas, parking lots, and other uses that have adverse visual impacts.*
8. *Continue to create an inviting public streetscape realm with coordinated designs.*

Staff finds the proposal to conform to the above goals of the ACOD. The new building would be oriented to Fairfax Boulevard and would improve the pedestrian experience with regularly spaced street trees, hedgerows, outdoor seating areas, high transparency into the showroom, and high quality materials.

*New Construction, ACOD-3*

*Building Orientation, ACOD-3.3*

*Buildings should be sited so that their main entrances are facing the street on which they are located.*

*If a building has more than one orientation and needs more than one entrance façade, entrances should be designed to reflect this hierarchy. For instance, the prominent façade and the main entrance may face a major corridor while elevations facing local streets, parking, or adjoining developments can have secondary facades and entrances.*

*If a building and its main entry is oriented to a public space or a parking area, the street elevation should contain scale-reducing techniques for visual interest and should not be an unadorned blank wall. Its design should be integrated with the rest of the building.*

*Orient entrances for convenient access from adjacent buildings, sidewalks, parking, and bike paths.*

Staff finds the orientation of the showroom along Fairfax Boulevard with the main pedestrian entrance connected to the Fairfax Boulevard sidewalk to conform to the above guidelines.

*Building Form & Articulation, Building Scale, ACOD-3.4 – ACOD-3.5*

*Use forms in new construction that relate to those of existing neighboring buildings on the street that are of quality design.*

*Reinforce the human scale of new design in ACOD by including different materials, textures or colors within a large building and/ or by dividing large facades and other elevations into different bays with different heights and planes.*

*Use other techniques such as varying rooflines and window patterns, articulating entrances, and adding cornices and string and belt courses to separate floor levels, and using other decorative features. Corner articulation, balconies, canopies, marquees, and awnings can all also help create a human scale.*

Staff finds the varied heights of the showroom, drive-through service bay, and garage, as well as the use of varied materials, colors, and roofline heights within the showroom portion of the building itself to effectively add articulation. The scale of the rear portion of the building housing the parking garage would be compatible with the parking structure and overall seven-story height of the senior living facility of the proposed Northfax West redevelopment, and the use of window-proportion openings on its east and west elevations help relate this structure to nearby office building architecture, such as the building across the street at 10565 Fairfax Boulevard.

#### *Roof Form & Materials, ACOD-3.6*

*Large-scaled buildings should have a varied roofline to break up the mass of the design and to avoid a visible monolithic expanse of roof. Use gable and/ or hipped forms or different height of bays. Break the roof mass with elements such as gables, hipped forms, dormers, or parapets. Scale these features to the scale of the building.*

*Consider using a special roof feature on buildings located at a prominent corner or to highlight entry bays on larger structures.*

Staff finds the varied roofline to help add articulation to the showroom façade along Fairfax Boulevard, consistent with staff's recommendations at the work session stage.

#### *Opening Types & Patterns, ACOD-3.7*

*The size and proportion, or the ratio of width to height, of windows of new buildings' primary facades may be vertical, horizontal or square. Their arrangement may be laid out in a pattern or in a more random fashion depending on the building's use and its overall design.*

*Traditionally designed openings are generally recessed on masonry buildings and have a raised surround on frame buildings. New construction may use these methods in the ACOD, or they may have openings that are flush with the rest of the wall.*

*Door selection should be integrated into the overall design vocabulary of the building and should be part of an entry element that is articulated and a visible part of the façade.*

Staff finds the storefront of the showroom to be consistent with the above guidelines. Doors would be full light which would blend with the appearance of the storefront and maintain transparency. The doors and garage entrances at the drive-through service bay would be in a matching anodized finish, and the doors and garage entrances at the rear portion of the building would all be painted a matching medium gray color. Staff finds the use of openings that mimic the proportion of windows using storefront that matches that used in the building is an appropriate design intervention that would enhance the appearance of this utilitarian structure.

#### *Building Foundations, ACOD-3.9*

*Consider distinguishing the foundation from the rest of the structure by using different materials, patterns, or textures.*

*Brick or stone veneer may be used over a block or concrete foundation if the applied veneer appears as a masonry foundation. Do not leave foundations of plain concrete block or poured concrete exposed when visible from public places.*

Staff finds the use of brick and split-face CMU at the base of the new dealership building to be appropriate and consistent with the above guidelines.

#### *Materials & Textures, ACOD-3.9*

*The selection of materials and textures for a new building in the ACOD may include brick, stone, cast stone, wood or cementitious siding, metal, glass panels, or other materials as deemed appropriate by Staff and the BAR. In general, the use of stucco-like products such as EIFS should be limited and is most appropriate on higher elevations, not in the pedestrian realm.*

*Use quality materials consistently on all publicly visible sides of buildings in the district. These materials should be long lasting, durable, maintainable, and appropriate for environmental conditions.*

Staff finds the use of painted brick in place of the EIFS originally proposed for the showroom to be an appropriately high-quality material consistent with the above guidelines and with staff and Board recommendations at the work session. Metal panel is an appropriate material for use in contemporary settings in the ACOD, and consistent with materials approved by the BAR for

use on car dealerships in recent years. The materials are compatible with those proposed for use on the senior living facility of the Northfax West development, which would incorporate dark gray brick as well as gray and white metal panel (see Attachment 4). The proposed materials would work well with architecture found in the vicinity of the site, such as Tastee 29 Diner, a midcentury modern roadside diner with exterior metal panel.

*Architectural Details & Decorative Features, ACOD-3.9*

*Simple details such as brick patterns, varied materials, cornices, roof overhangs, window and door surrounds, belt or string-courses, and water tables can all add visual interest and human scale elements to new construction.*

Staff finds the use of varying wall materials, rooflines, and colors to add articulation and architectural interest to the design of the new dealership building.

*Building-Mounted Lighting, ACOD-3.12*

*Lighting for new structures should be designed to be an integral part of the overall design by relating to the style, material, and/ or color of the building.*

*Fixtures should utilize an incandescent, LED, fluorescent, metal halide, or color corrected high-pressure sodium lighting sources. Avoid overly bright or colored lights.*

*Fixtures should be the full cutoff variety to limit the impact of lighting on neighboring properties.*

*A combination of free-standing and wall-mounted fixtures is recommended to yield varied levels of lighting and to meet the intent of the zoning regulations.*

Staff finds the proposed LED wall pack fixtures to be appropriate, consistent with the design of the proposed site lighting, and consistent with the above guidelines.

*Appurtenances, ACOD-3.13*

*Building service, loading, and utility areas should not be visible from public streets or adjacent developments, or from access drives within large developments. Such service areas should be located behind the main structure in the least visible location possible or screened if otherwise visible from the right-of-way or other public places.*

*Mechanical equipment on roofs or sides of buildings should not be visible from streets. It should be screened from public view on all sides if otherwise visible. The screening should be consistent with the design, textures, materials, and colors of the building. Another method is to place the equipment in a nonvisible location behind a parapet.*

*Items such as roof ladders, railings, roll-up doors, and service doors should be located on building elevations that are the least visible from public streets/corridors and adjacent developments or from access drives within large developments. Their colors should be coordinated among all these elements and blend with the rest of the building.*

*Dumpster enclosures should be constructed of either an opaque fence or wall made of the same material as the building.*

Mechanical equipment would be located within the parking structure and on the rooftop of the showroom. Roof-mounted equipment would be screened from view in the right-of-way by parapet walls. See analysis on the dumpster enclosure in the site design appurtenances section below.

#### *Painting, Color & Finishes, ACOD-4*

##### *Guidelines, ACOD-4.2*

*Brick is intended to remain unpainted; however, if the brick has been painted in the past or the brick is aesthetically unattractive, use a masonry paint product. Masonry is intended to breathe and inappropriate paint coatings can cause moisture issues.*

*Select a coordinated palette of colors for each property that includes site elements in addition to the building itself.*

*Set the color theme by choosing the color for the material with the most visible area, such as a brick wall area or a metal roof, and relate other colors to it.*

*Select natural tones instead of overly bright and obtrusive colors.*

*Treat similar elements with the same color to achieve a unified rather than overly busy and disjointed appearance.*

*For most buildings, the numbers of paint colors are typically limited to three: a wall or field color, a trim color, and an accent color for signs, doors, etc.*

Staff finds the overall color palette to be contemporary and appropriate for this development. The colors would be compatible with those proposed for use on the senior living facility of the Northfax West development, which incorporates dark gray, medium gray, and white (see Attachment 4). The color palette would work well with midcentury modernist architecture found in the vicinity of the site, such as Tastee 29 Diner.

*Private Site Design & Elements, ACOD-6*

*Parking, ACOD-6.2*

*Hide or screen parking from view of the public right-of-way by locating it within the building mass.*

*Off-street parking lots should be designed, located, and buffered in order to minimize their negative visual impacts on surrounding areas. If parking lots cannot be screened from the public right-of-way by building mass, screen parking lots with berms, plant materials, or walls, or a combination of these materials. With any screening technique other than building massing, protect views from the public right-of-way into the site of building frontages and signage. Where needed, limb up canopy trees to open views. Limit the height of walls, berms, or shrub layer plantings to that of the height of the vehicles they are screening.*

*Break up the mass and scale of parking lots through physical separation of parking bays and the incorporation of landscaping, walls, or other features, within the parking lot.*

*Parking structures, garages or decks, fronting on public right-of-ways, or major pedestrian routes should contain storefronts or other forms of visual interest on the ground level. Consider incorporating public art, vertical plantings (green walls), or other architectural treatments to enliven the appearance of parking garage façades.*

The applicant is proposing a continuous landscape treatment of street trees along Fairfax Boulevard and Farr Avenue extended, and hedge rows of shrubs to soften views to surface parking areas. The vehicle storage area in the northeast portion of the site would be screened from Fairfax Boulevard by a wooden board-on-board fence and softened with a continuous row of shrubs at its base atop a retaining wall.

Much of the parking onsite would be located within the three-story parking structure in the rear portion of the building. The design of the parking structure with openings made to mimic the proportion of office building windows and using storefront that matches that used in the building is an appropriate treatment that would enhance the appearance of this utilitarian structure. Staff believes that the appearance would be further enhanced by the incorporation of black metal coping along the top of the parking structure's walls to give it a more finished appearance that borrows colors and materials from the showroom (see recommendation below).

*Paving, ACOD-6.2*

*Use materials that are stable, attractive, and reflect the adjacent building vocabulary and streetscape materials. Poured concrete is usually appropriate for sidewalks in the ACOD, though the use of brick, stone, or stamped concrete should be considered in areas of pedestrian interest as appropriate within the context of the site.*

Poured concrete is acceptable for hardscape onsite in the ACOD.

*Landscaping, ACOD-6.3*

*Use plant materials that are appropriate and hardy to this region and to harsh urban conditions. Select materials with concern for their longevity and ease of maintenance. From these selections, create a distinctive and visually attractive outdoor space.*

*Use landscape edges such as a row of street trees. Where trees cannot be installed due to utility or other restrictions, use a shrub layer or herbaceous planting to create a unifying edge or seam between adjacent developments and their face on the public right-of-way.*

*Enhance the site's appearance by incorporating a layered landscape with a variety of plant materials. Consider color, texture, height, and mass of plant selections in a planting composition.*

*Create well-defined outdoor spaces, delineate pathways and entries, and create a sense of continuity from one site to the next.*

*Use plant materials to soften large buildings, hard edges, and paved surfaces.*

*Refer to the plant list included in Appendix III for recommended plants for use in various site conditions and uses.*

Staff finds the proposed landscaping to enhance the street edges, as well as add ornamentation to and soften the edges of parking and vehicle storage areas. As part of their land use case, the applicant is requesting a special exception from the transitional yard requirements of the Zoning Ordinance for the north property edge. The inclusion of understory trees is a requirement of transitional yards, and staff believes that the proposal would be brought into closer conformance with zoning provisions while enhancing the pedestrian experience along the shared path if understory trees were incorporated into the design of the northern property edge (see recommendation below). The majority of the species proposed can be found in Appendix III of the Design Guidelines.

Staff finds the design of the area within the floodplain in the interim development plan to be appropriate as a temporary treatment that could remain indefinitely and mature as needed.

*Fences & Walls, ACOD-6.4*

*Use brick or other natural stone materials for walls. When a wall is an integral part of, or an extension of a building, select wall materials that complement the building's materials.*

*Avoid the use of modern, mass-produced fence materials such as diamond lattice panels, or synthetic materials such as plastic or fiberglass timbers. Stained wood board-on-board is usually appropriate.*

*If a fence or wall spans an area longer than 1/3 of the property line, modulate and articulate the wall with techniques to provide visual interest from the public right-of-way. Examples to break up a long expanse include inserting vertical piers of a different material, height, or width in an intentional rhythm or by adding a vegetative layer(s).*

Staff finds the use of the same split-face CMU as the building for the retaining walls to be consistent with the above guidelines. Staff believes that the wood board-on-board fences proposed to screen the vehicle storage areas should be enhanced in design and color due to their visibility from the rights-of-way. Staff recommends that the fence posts be enlarged and capped to create a more permanent appearance, that the wood be stained a dark brown color that would blend better with the proposed color palette of the buildings onsite, and that tall evergreen shrubs be planted at the base of the retaining walls and fences on the east and west property lines to soften their appearance (see recommendation below).

#### *Lighting, ACOD-6.5*

*Select light posts and fixtures that are sympathetic to the design and materials of the building and its neighbors.*

*As a way to enhance design coherency on a private site in the ACOD, ensure that new exterior lighting elements—posts, fixtures, landscape, and other accent lights share at least one common element—color, material, form, or style, creating a coherent suite or assemblage of exterior lighting elements.*

*Consider making use of adaptive lighting controls, allowing lighting levels to be reduced during off-peak periods.*

*When possible, consider the use of LED lights for outdoor lighting of all types. Choose LED lighting with the lowest emission of blue light possible. Shield all lighting to minimize glare and its effect on wildlife. Dim when possible, or shut-off completely when not needed.*

*Colored lighting should generally not be used outside of temporary seasonal displays.*

*Do not attach lighting elements in any way that will damage living elements such as trees or shrubs.*

*Lighting should illuminate parking lots and pathways to provide safe vehicular and pedestrian circulation and to minimize pedestrian / vehicular conflicts.*

Staff finds the proposed pole-mounted site lighting fixtures to be appropriate, consistent with the design of the proposed building-mounted lighting, and consistent with the above guidelines.

*Furnishings, ACOD-6.6*

*Select site furnishings similar in appearance and quality to those at Old Town Square.*

*Encourage developments to brand their site through the use of select site furnishings and the use of color and materials, as long as their quality is comparable to those in Old Town Square.*

*Restaurants and other entities providing outdoor dining or table areas may select outdoor café tables and chairs that vary in color.*

*Private sites are encouraged to make individual choices as to the style and color of bollards, bike racks, and other site-specific furnishings.*

*All furnishings within a single private site or project should form a coherent suite or family of furnishings—with a consistent color, material, style, or form.*

*Furnishings should be of similar quality and value as those required for incorporation in the public right-of-way or similar to those located in Old Town Square.*

*Benches and trashcans should be located where useful—along pedestrian pathways, and at building entries, gathering areas, and plazas.*

*Bike racks should be placed near building entries and included in parking lots, garages, and structures.*

*The use of café seating and movable furnishings is highly encouraged in gathering spaces and plazas.*

Staff finds the proposed outdoor furniture including the outdoor tables, benches, and trashcans to be of a consistent design vocabulary that fits into the aesthetic of the architecture of the new dealership building. Their placement within the outdoor gathering areas outside the showroom would help activate the streetscape along Fairfax Boulevard and Farr Avenue extended. Staff believes that the bike racks would be more accessible if placed on the west side of the showroom, where they could be accessed from Farr Avenue extended (see recommendations below), and is consistent with a transportation comment made by staff as part of the land use review.

*Appurtenances, ACOD-6.7*

*Examples of architectural interventions that are appropriate for screening appurtenances include masonry walls, fences with gates, landscape, or wood screens.*

*Dumpster enclosures should reflect the surrounding building materials and design.*

Staff finds the proposed dumpster enclosure materials and colors to be consistent with the above guidelines and with the materials and colors proposed for use in the new dealership building.

*Gathering Spaces, ACOD-6.8*

*Incorporate a variety of small public spaces, ranging in size from 100 to 2,000 square feet, to provide opportunities for informal interactions and public outdoor access.*

*Smaller and less formal than a plaza as defined in the Zoning Ordinance, gathering spaces may vary widely in type, size and amenities. At a minimum, a gathering space should accommodate six seated individuals and allow for a variety of seating options such as benches, seat walls, tables/chairs, or seating directly on lawn areas. Other amenities in these spaces may include outdoor dining, game tables, public art, or water features.*

*Orient buildings to form gathering spaces rather than isolating them in forgotten, unattractive portions of the site. Use trees, walls, topography, and other site features to define gathering spaces and to lend a human scale to the area. Shade is an important component and could be provided by a shade structure, trees, or overhang from an adjacent building.*

Staff finds the outdoor seating areas on the east and west sides of the showroom to be consistent with these guidelines. The seating areas would be highly visible and surrounded by attractive landscaping. These areas would help activate the streetscapes along Fairfax Boulevard and Farr Avenue extended while giving customers and workers an outdoor space to gather.

*Private Roads, ACOD-6.9*

*Provide for a pedestrian scaled and shaded environment by planting street trees on both sides of private streets.*

*Provide pedestrian friendly sidewalks that are ADA compliant.*

*Use materials that are stable, attractive, and reflect the adjacent building vocabulary and streetscape materials.*

*Use sturdy benches, trashcans, and pedestrian amenities with materials, styles, and quality similar to those in quality and appearance required for the public streetscape.*

*Site furnishings provide the opportunity to 'brand' a development through the use of color, materials, and style of furnishing. All furnishings within a single project or site should be of a suite, with a consistent vocabulary in color, material, and form between various elements such as trash cans, benches, tables, chairs, bollards, etc. Branding is encouraged for large projects within the ACOD. No specific style, material, or vendor is required.*

While there are no private roads proposed as part of this redevelopment, the applicant, in partnership with the applicant for the neighboring Northfax West development, is proposing a shared pedestrian connection at the north edge of the Brown's site connecting Farr Avenue extended to a private roadway on the east side of the senior living facility on the Northfax site, as discussed above. Overall, staff finds the design of this path as it relates to the Brown's site to be adequate, although further discussion will likely be had as part of the review of the Northfax West project. Staff believes the area along the north side of the site would be enhanced with the addition of understory trees, consistent with the discussion of the landscaping above. The path's narrow width would not accommodate furniture such as benches or trashcans on the Brown's site and so staff finds the lack of furniture here to be acceptable.

***Comprehensive Plan:***

The following excerpts from the 2035 Comprehensive Plan are relevant to this application.

*Chapter 2 – Land Use*

*Activity Center*

*The Activity Center Place Type, identified in purple on the Future Land Use Map, applies to locations in the City where pedestrian-oriented, mixed-use development is strongly encouraged. (Mixed-use development is pedestrian-oriented development that allows multiple activities to take place by layering compatible land uses, public amenities, and active streets accommodating multimodal transportation, and community-serving commercial.) Uses should be integrated as a mix of commercial uses, multifamily housing, and townhouses, either in the same building (i.e., vertical mixed-use) or as a combination of single-use buildings featuring a range of complementary uses within the Activity Center (i.e., horizontal mixed-use).*

*Retail: Retail uses may be provided on the ground floor of mixed-use buildings, as stand-alone buildings, or on upper floors of buildings where larger tenant floor area requirements would detract from an active presence on the first floor. Retail uses are preferred along Commercial Mains but may be provided at other locations within an Activity Center.*

*Commercial Corridors and Activity Centers Goal 2 – Promote redevelopment in the City's Activity Centers.*

*OUTCOME CCAC2.3: Old Town Fairfax, Northfax, and the other Activity Centers are well-designed and desirable places to live, work, shop, and dine.*

*ACTION CCAC2.3.2 Promote the orientation of buildings facing toward streets with architecture that engages street-level activity.*

*ACTION CCAC2.3.3 Promote active streetscapes with minimal building setbacks, pedestrian amenities, street furniture, on-street parking, landscaping, and other features.*

*ACTION CCAC2.3.4 Support land planning that balances connectivity for pedestrians, bicyclists, and motorists.*

*Community Design and Historic Preservation Goal 1 – Require high-quality, sustainable design.*

*OUTCOME CDHP1.2: Attractive buildings, inviting public spaces, and welcoming gateways that contribute to our economic vitality and unique character. (64)*

Staff believes that the proposal is consistent with the considerations in the Comprehensive Plan dealing with the design of new development in the Activity Centers. The new design of this standalone commercial building brings the site into conformance with what the City envisions for Activity Centers without changing the use. With the new showroom building oriented along Fairfax Boulevard, there is better engagement of the street front and a more appealing pedestrian realm.

## **RECOMMENDATIONS**

Staff finds the proposal to be consistent with the provisions of the City's Design Guidelines and the Comprehensive Plan, and therefore recommends that the BAR recommend to City Council approval of the major certificate of appropriateness with the following conditions:

1. Black metal coping shall be installed along the top wall of the parking structure.
2. The applicant shall amend the landscape plan to incorporate understory trees along the northern property line.
3. Evergreen shrubs maturing at a height of three to four feet shall be planted at the outside bases of the retaining walls and fences along the east and west property lines on the subject property where practicable.
4. Board-on-board fence posts shall be enlarged and capped with black metal, and all wood shall be stained a dark brown color.
5. Bike racks shall be relocated to the west side of the showroom.
6. The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

## ATTACHMENT 1

### RELEVANT REGULATIONS

#### §3.7.4. Architectural control overlay district

##### A. Applicability

Except as specified in §3.7.4.C, below, the architectural control overlay district shall apply city-wide to all development, including significant landscape features associated with such improvements to be erected, reconstructed, substantially altered or restored, outside the historic overlay districts of §3.7.2 and the Old Town Fairfax Transition Overlay District (§3.7.3).

##### B. Certificate of appropriateness required

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

##### C. Exceptions

Unless otherwise specified, the architectural control overlay district shall not apply to the following:

1. Signs;
2. Demolition;
3. Single-family detached;
4. Single-family attached, after initial approval and construction;
5. Duplex dwellings, after initial approval and construction; and
6. Townhouses, after initial approval and construction.

##### D. Design guidelines and standards

1. All development regulated by the Architectural Control Overlay District shall be in accordance with the comprehensive plan, the City of Fairfax Design Guidelines and any other adopted design guidelines.
2. Each structure or improvement erected, enlarged, or reconstructed in the Architectural Control Overlay District shall be designed and constructed in a manner that will complement the unique character and atmosphere of the district with respect to building size, scale, placement, design and the use of materials.

#### §4.5.5. Transitional yards

A. Applicability The transitional yard regulations of §4.5.5 apply along interior property lines in those instances identified in this chapter and only to the following activities:

1. The construction or installation of any new principal building or use;

##### B. Transitional yard defined

A transitional yard is a specified land area, located parallel to and within the outer perimeter of a lot or project and extending to the lot line, together with fencing or walls on the lot line, and planting and landscaping required on the land. A transitional yard is not intended to be commensurate with the term "yard" or "setback."

##### C. Transitional yard types

There are three types of required transitional yards that may occur on any given parcel (for the specific width and plant material for each transitional yard classification see §4.5.5.D).

3. Use boundary transitional yards

(c) Where commercial developments occur adjacent to single-family attached, single-family detached, duplex, townhouse, or multifamily dwellings, TY3 transitional yards shall be provided in accordance with §4.5.5.D, below.

D. Transitional yard classifications

Four transitional yard classifications are established in recognition of the different contexts that may exist. They are as follows:

SPECIFICATIONS	TY1	TY2	TY3	TY4
Minimum Transitional Yard Width [1] (feet)	7.5	10	15	30
Minimum Fence or Wall Height (feet) on Lot Line [2]	6	6	6	6
Minimum Trees (per 100 feet)				
Canopy	Not required	3	4	4
Understory	4	3	4	5
Minimum Shrubs (per 100 feet)	Not required	Not required	4	5

[1] Yard widths calculated on the basis of average per 100 feet, provided that the yard width at any point may not be less than 50 percent of the minimums stated in the table. Required zoning district setbacks may be counted toward satisfying transitional yard widths.

[2] On or adjacent to the lot line. Additional understory trees or shrubs may be substituted for required fence or wall via alternative compliance (§4.5.10).

§5.4.5. Powers and duties

B. Final decisions

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

1. Certificates of appropriateness, major (§6.5)

§6.5.1. Applicability

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

A. A certificate of appropriateness shall be required:

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

§6.5.3. Certificate of appropriateness types

A. Major certificates of appropriateness

1. Approval authority
  - (a) General

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

(b) Alternative (in conjunction with other reviews)

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

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

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

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

##### B. Other reviews

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

#### §6.5.7. Approval criteria

##### A. General

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

#### §6.5.9. Action following approval

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

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

§6.5.10. Period of validity

A certificate of appropriateness shall become null and void if no significant improvement or alteration is made in accordance with the approved application within 18 months from the date of approval. On written request from an applicant, the director may grant a single extension for a period of up to six months if, based upon submissions from the applicant, the director finds that conditions on the site and in the area of the proposed project are essentially the same as when approval originally was granted.

§6.5.11. Time lapse between similar applications

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

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

§6.5.12. Transfer of certificates of appropriateness

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

§6.5.13. Appeals

A. Appeals to city council

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

B. Appeals to court

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



**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF ARCHITECTURAL REVIEW  
CITY OF FAIRFAX  
CITY HALL, FAIRFAX, VIRGINIA  
January 15, 2020**

**Members Present:** Chair Ryan Horner, Vice Chair Marie Cox, Paul Cunningham, Jagdish Pathela, Robert Kalmin, Robert Beaty, James Schroeder

**Member(s) Absent:** None

**Staff Present:** Tommy Scibilia, Planner; Supriya Chewle, Planner

**Meeting called to order at 7:04 p.m.**

**1. Discussion of Agenda**

**MR. CUNNINGHAM MOVED TO ADOPT THE AGENDA AS PRESENTED, SECONDED BY MR. PATELA, WHICH CARRIED UNANIMOUSLY BY VOICE VOTE, 7-0.**

**2. Presentations by the public on any item not calling for a public hearing**

None.

**3. Consideration of the meeting minutes of November 20, 2019**

**MR. SCHROEDER MOVED TO ADOPT THE MINUTES AS PRESENTED, SECONDED BY MR. KALMIN, WHICH CARRIED UNANIMOUSLY BY VOICE VOTE, 7-0.**

**4. Consideration of the request of Aaron McDade, representative of applicant City of Fairfax Economic Development Authority, for an amendment to the approved site improvements and architecture of a one-story restaurant on a property located at 3936 Old Lee Highway, case number BAR-19-00906.**

Mr. Scibilia presented the staff report, which has been incorporated into the record by reference.

**Board, staff, and applicant comments**

Mr. Pathela asked if the modifications made were in response to Building Code requirements.

Mr. Scibilia confirmed and explained that having a second story on the deck would require the building to be sprinkled, and the additional seats would have necessitated additional restrooms.

Mr. Horner stated that he believed the removal of the previously approved landscaping from the southeast corner of the building would have a negative impact on the aesthetics because having a canopy tree in this location helped to frame the east façade.

Mr. McDade explained that the threshold for additional restrooms was 150 seats, and so the revised proposal contains fewer than 150 seats.

Mr. Cunningham asked whether the gravel area to the south of the building would continue to be used for parking by people working in the Draper House.

Mr. Scibilia explained that the easement allowing this would no longer be in effect once construction started and that the Draper House would be deeded parking spots in the parking lot across the street to the south at the corner of Main Street and East Street.

Mr. Cunningham asked if the apron would be removed from Old Lee Highway.

Mr. McDade stated that the intention was to leave the apron, although it would not be used. He stated that he would have the project engineer explore removing it.

Mr. Beaty asked if there was something architectural that could be done to the southeast corner of the building to add visual interest since the landscaping that was approved is no longer part of the design. He added that the building would look warehouse-like which was a problem because it will become the de facto entrance to Old Town.

Mr. Kalmin suggested adding a false railing above the suspended awnings on the south and east elevations and wrapping the corner to add visual interest.

Mr. Cunningham asked if there would be signage installed on the east façade.

Mr. McDade confirmed.

Mr. Pathela stated that signage would help add articulation.

Mr. Horner stated that he believed the design of the windows, their layout, and their construction as previously approved would add sufficient visual interest to the east façade.

Ms. Cox pointed out that in the renderings attached to the materials that were approved by the BAR on June 19, 2019, there is no landscaping shown at the southeast corner of the building, even though the landscape plan showed it.

Ms. Cox asked what was to become of the gravel lot since it will no longer be used for vehicular access or parking.

Mr. McDade stated that this area is reserved for future green space.

Mr. Kalmin stated that he thought the concept was overall well-developed.

Mr. Horner asked why the outdoor deck had been narrowed in width.

Mr. McDade stated that the deck was narrowed due to an easement along the alley. He explained that with the removal of the upper deck there would be a net loss of approximately 10 seats.

Mr. Horner observed that the changes to the area on the north side of the building were relatively significant. He observed that the approach to the north entrance from the east would be narrow and hallway-like compared to the previously approved condition with a stairway directly in front of the entrance. He suggested either realigning the pickets of the railing to line up with architectural elements of the north façade, or bumping out the portion of the patio in front of the entrance a few feet to give it prominence and to provide more outdoor waiting room.

Mr. Andrew Wilson, consultant working alongside the applicant, explained that the edge of the patio was on the north property line and could therefore not be bumped out further.

Mr. Pathela asked for clarification on the line work on the plans at the rounded corner between the north patio and the covered deck.

Mr. Horner speculated that it was just a graphical leftover from the drawing software, and not meant to represent steps or a change in elevation.

Mr. Pathela asked whether the intention was that guests could enter the restaurant from the deck.

Mr. McDade stated that the expectation is that guests will enter through the north or east entrances and be led by hosts out to the deck. He stated that the curved corner from the deck to the patio would be used primarily by guests sitting outside to exit.

#### **Public comments**

None.

**MR. HORNER MADE A MOTION TO APPROVE THE REQUEST OF AARON MCDADE, REPRESENTATIVE OF APPLICANT CITY OF FAIRFAX ECONOMIC DEVELOPMENT AUTHORITY, FOR AN AMENDMENT TO THE APPROVED SITE IMPROVEMENTS AND ARCHITECTURE OF A ONE-STORY RESTAURANT ON A PROPERTY LOCATED AT 3936 OLD LEE HIGHWAY, CASE NUMBER BAR-19-00906, WITH THE FOLLOWING CONDITIONS:**

1. The vertical supports of the railing at the entrance shall be reoriented to align with the building's architectural elements.
2. The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as

further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

**SECONDED BY MS. COX.**

**Discussion of the motion**

Mr. Cunningham expressed his disappointment in the review process, stating that there was a lack of coordination between involved parties and reviewers, leading to an approved certificate of appropriateness becoming essentially null and void. He stated that lack of communication led to a very well-attended public hearing following the original approval of the project because interested parties were not informed. He stated that this years-long process has been embarrassing for the City as the applicant.

Mr. Horner stated that it is common for projects to be modified in response to zoning and code compliance issues uncovered at the time of review of technical site and building plan drawings. He stated that it is not in applicants' best interest to have engineering-level plans prepared at earlier review stages as it is an enormous cost. He added that in these instances it should be up to staff to push applicants to conform as closely as possible to the original approvals. He stated that in this application, he is satisfied that the main design elements have not been modified.

Mr. Horner called for a voice vote.

**THE MOTION CARRIED UNANIMOUSLY BY VOICE VOTE, 7-0.**

**Mr. Horner recused himself from the meeting at 7:49 p.m. to attend to a family emergency.**

- 5. Consideration of the request** of Chris Howell, representative of applicant Wawa, Inc, for exterior building modifications and site improvements on a property located at 10521 Fairfax Boulevard, case number BAR-19-00913.

Mr. Scibilia presented the staff report, which has been incorporated into the record by reference.

**Board, staff, and applicant comments**

Mr. Pathela asked why the applicant was proposing bike racks, and whether this had anything to do with services Wawa would be offering at this location.

Mr. Scibilia explained that this is something the City encourages be installed with all new development, not something specific to Wawa.

Mr. Pathela asked for clarification on what was being proposed for the window recesses and the diamond-shaped EIFS accents.

Mr. Scibilia explained that the spandrel glass in the window recesses would be removed and replaced with faux wood siding, and that the beige EIFS accents would be painted a color to match the brick in order to hide this design element that may have been specific to Rite Aid's branding.

Mr. Pathela asked whether new rooftop mechanical equipment was proposed and whether it would be screened from view.

Mr. Scibilia stated that that information was not provided with application materials but that one of the recommended conditions of approval would require all new rooftop equipment to be adequately screened by existing parapets.

Mr. Cunningham asked if the location of the vehicular entrance from Fairfax Boulevard was proposed to be changed.

Mr. Scibilia stated that the entrance would remain in the same location.

Mr. Schroeder asked if there were any changes proposed to the landscaping onsite, which is relatively sparse.

Mr. Beaty added that he thought the landscaping on the east side of the property was especially bare.

Mr. Scibilia stated that the applicant had not proposed any changes to the landscaping. Staff explained that the storm water improvements project performed by the City's Department of Public Works in the right-of-way in the Northfax area resulted in modifications to the subject property, including the removal of a lot of existing landscaping. Staff stated that right-of-way projects are exempt from the requirements of the Zoning Ordinance, and can effectively create legally non-conforming onsite conditions.

Mr. Kalmin stated that this was a welcome project because this site is in need of a cleanup and additional enhancements.

Mr. Howell addressed the Board and explained that new rooftop mechanical equipment would be situated such that it would be fully screened by existing parapets.

Mr. Howell explained that the proposed modifications to the site inside the entrance off of Fairfax Boulevard would be to allow delivery trucks to access the site.

Mr. Howell stated that the applicant was amenable to adding landscaping to the green spaces on the property, but that they would need to look into the location of easements to determine what plant materials could be used in different locations onsite.

Mr. Howell stated that Wawa was committed to making the site look like a new build, which would entail site and building repairs, cleaning, and landscape enhancements where possible.

Mr. Beaty asked if there was any intent to install fuel pumps onsite in the future.

Mr. Howell stated that the site is not large enough to accommodate such a use.

Mr. Pathela asked how many electric vehicle charging stations would be installed.

Mr. Howell stated that the applicant is still in discussions with an electric vehicle charging station vendor, and so their inclusion is not yet confirmed, but if installed there would likely be four to six stations.

Mr. Pathela stated that he welcomed the proposed changes to the site and building because it currently does not look good.

Mr. Cunningham asked if there were any additional Wawas proposed in the City aside from the one recently approved by City Council at 9700 Fairfax Boulevard and this location.

Colleen Brogan-McTiernan of Wawa, Inc, representative of the applicant, stated that there were no other locations proposed in the City at this time. She stated that reuse of existing buildings for Wawa convenience stores is a new concept being tested in a select few locations, including the City of Fairfax, the Town of Vienna, Alexandria, and Richmond. She stated that the footprint of former pharmacy buildings is often too large for Wawa's merchandising needs, and so in this location 3000 square feet of the interior space will be walled off and not used for anything in the immediate future, including storage.

Mr. Cunningham asked if there were plans to have outdoor displays of merchandise.

Ms. Brogan-McTiernan stated that there was no intention to have outdoor displays.

Mr. Schroeder stated that if landscape improvements are made, it is important to explore how the landscaping fits into the neighborhood. He added that he believed the project would be an overall improvement to the site and the building.

Mr. Kalmin stated that he was surprised when he saw the application for a Wawa without fuel pumps. He stated that he believed Wawa is a good business and that he is excited to see it in this location, but that more than just a simple cleanup of the site is needed to enhance its appearance.

Ms. Brogan-McTiernan stated that Wawa is committed to adding landscaping where possible but at this time were not ready to present a landscape improvements plan.

Ms. Cox asked for clarification on the inclusion of air pumps and the reasoning for the use of concrete at the parking areas where the pumps were proposed.

Mr. Howell explained that air pumps are standard fixtures at all Wawa locations, and that the concrete is a standard site design specification due to the longer anticipated vehicle idling times in these spaces.

Ms. Cox stated that she voted against the Wawa recently approved at 9700 Fairfax Boulevard, but believed this proposal was a good reuse of a property that will bring commercial activity to the City.

**Public comments**

None.

Ms. Cox called for a motion.

**MR. PATHELA MADE A MOTION TO APPROVE THE REQUEST OF CHRIS HOWELL, REPRESENTATIVE OF APPLICANT WAWA, INC, FOR EXTERIOR BUILDING MODIFICATIONS AND SITE IMPROVEMENTS ON A PROPERTY LOCATED AT 10521 FAIRFAX BOULEVARD, CASE NUMBER BAR-19-00913, WITH THE FOLLOWING CONDITIONS:**

1. The brick of the building and split-face CMU of the retaining wall and dumpster enclosure shall be cleaned to remove staining and buildup.
2. The applicant shall field match the material of the proposed dumpster enclosure wall with the existing retaining wall after it has been cleaned, and provide photo documentation of the field match to planning staff.
3. The railing at the top of the retaining wall shall be repainted black.
4. The EIFS cornice shall be repaired as needed and repainted the existing color.
5. Wall-mounted appurtenances such as scuppers and vents shall be painted to match the adjacent wall surface.
6. New roof-mounted mechanical equipment shall be installed so that it is fully screened from view in the right-of-way by existing parapet walls.
7. Landscaping shall be added.
8. The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

**SECONDED BY MR. KALMIN.**

**Discussion of the motion**

**MS. COX PROPOSED A FRIENDLY AMENDMENT TO CONDITION 7 TO READ AS FOLLOWS:**

7. Landscaping shall be added to the site following review and approval by staff.

**MR. PATHELA AND MR. KALMIN AGREED TO THE FRIENDLY AMENDMENT.**

Ms. Cox called for a voice vote.

**THE MOTION CARRIED UNANIMOUSLY BY VOICE VOTE, 7-0.**

6. **Work session** with John L. McBride, representative of applicant Gordon Riddle, for a new car dealership center and site improvements at a property located at 10570 Fairfax Boulevard, case number BAR-19-00788.

Mr. Scibilia presented the staff report, which has been incorporated into the record by reference.

**Board, staff, and applicant comments**

Mr. Pathela asked if the proposed building would be consistent with Mazda renovations throughout the country.

Mr. Scibilia stated that he believed so.

Mr. Pathela stated that he believed the proposal was a big improvement over what exists onsite currently.

Mr. Cunningham asked if there were any plans to preserve, study, or memorialize the remnants of the electric rail line bridge in the northeastern corner of the site.

Mr. Scibilia stated that it had not been mentioned but that he could discuss with historic resources staff.

Mr. Cunningham made the following comments:

- The functionality of the proposed site layout would be very good.
- The planned extension of Farr Avenue and Orchard Street will be an excellent undertaking to create a street network within Northfax.
- The proposed piping of the stream as part of the neighboring Napolitano project would allow for more efficient and environmentally sound redevelopment in Northfax.
- The integration of a parking structure will improve the efficiency of the use of the property.
- The proposed contemporary architectural style and materiality will be appealing to younger customers, who are drawn to Mazda's affordable and reliable products.

Mr. Kalmin asked for clarification on the land use requests accompanying this proposal.

Mr. Scibilia explained that the applicant will need to acquire a special use permit for vehicle service, currently a non-conforming use on the site, as well as special exceptions, although those have not yet been finalized.

Ms. Cox asked for clarification on the interim plans presented.

Mr. Scibilia explained that one of the interim plans was for the condition between development of the site and extension of Farr Avenue by the City, and the other plan was for the condition where development of this property precedes piping of the stream as part of the neighboring Napolitano project.

Mr. Russ Forno of Odin Feldman Pittleman PC, representative of the applicant, addressed the Board and introduced other team members who were in attendance:

- Trey Rodgers, general manager of Brown's Fairfax Mazda
- Lori Hall of Penney Design Group, architect
- Daniel Pietropaoli of Walter L Phillips, civil engineer
- Ben Schitter of Walter L Phillips, arborist

Mr. Forno stated that he appreciated the Board taking the time to review the work session submission and provide feedback at this early stage. He added that as the plan is further developed, the interim conditions will be more ironed-out.

Mr. Rodgers addressed the Board, giving a brief presentation making the following comments:

- Brown's Fairfax Mazda has outgrown their current facility.
- Brown's Fairfax Mazda is the largest Mazda dealer in the Washington metropolitan area in terms of sales, service, and customer satisfaction.
- Mazda's "Retail Evolution" is the design concept proposed with this application.
- Dealerships are given funding from Mazda corporate to make the renovations, using materials and designs specified by Mazda.
- Of the approximately 600 Mazda dealers in the country, 200 have undergone the renovations and 200 more are under contract.

Mr. Cunningham asked whether the westernmost curb cut on Fairfax Boulevard would be eliminated when Farr Avenue is extended through the site.

Mr. Rodgers stated that this curb cut would remain as it is the only left-in access for those traveling eastbound on Fairfax Boulevard.

Ms. Hall showed the BAR a concept drawing that demonstrated the full extent of the Farr Avenue extension with early drawings of the neighboring portion of the Napolitano development to the north of the site.

Ms. Hall stated that the applicant was amenable to staff's initial list of design recommendations including varying the roofline of the showroom and introducing masonry into the design.

Mr. Pietropaoli stated that the proposed site design would increase pervious surfaces by one-half acre.

Mr. Beaty stated that he believed the proposed development will be a huge improvement over the existing condition, and wished that the neighbors to the west would follow suit.

Mr. Beaty asked how similar to the existing footprint the proposed footprint is.

Mr. Pietropaoli and Ms. Hall explained that the proposed footprint would be less sprawling in the east to west direction, and demonstrated the approximate location of the Farr Avenue extension by marking an aerial photograph.

Mr. Beaty asked what the extent of paving would be onsite.

Mr. Pietropaoli demonstrated that portions of the northeastern corner of the site would be pervious.

Mr. Beaty asked about operations of the dealership during construction.

Mr. Rodgers explained that most of the operations would be limited to the west portion of the site out of the used vehicles sales building which is proposed to remain. The garages in the western portion of the existing main building would remain for vehicle service. In the interim, Brown's would use an offsite vehicle storage lot for their vehicles. He stated that currently, they are one of the only if not the only car dealership in the City that does not have satellite vehicle storage lots.

Mr. Pathela asked whether the existing trees along Fairfax Boulevard would be retained or salvaged.

Mr. Schitter stated that it was unlikely because their location is where the sidewalk is proposed, and the difficulty of uprooting and sustaining such large trees during construction would make salvaging extremely difficult. He pointed out that the number of new trees onsite would be far greater than the number of existing trees.

Mr. Pathela asked how many parking spaces exist onsite currently and how many were proposed.

Mr. Rodgers stated that in the existing condition the site can hold about 400 total vehicles, and that the proposed condition would accommodate 197 surface parking spaces and 200-300 structured parking spaces.

Mr. Pathela asked if the proposed metal panel façade material would be insulated.

Ms. Hall stated that the panel would not be insulated, but would act as a rain screen. Insulation would be within the wall cavities behind the panel.

Mr. Pathela asked if the operations onsite would change after this redevelopment.

Mr. Rodgers stated that the same sales and vehicle service activities would continue.

Mr. Cunningham asked if the proposed neighboring structure to the north as part of the Napolitano redevelopment project would contain residential units overlooking the proposed Brown's parking structure.

Mr. Rodgers stated that he was unsure.

Mr. Cunningham observed that the topography slopes down to the north away from Fairfax Boulevard, which would help reduce the visual scale of the garage.

Mr. Cunningham suggested that although the north side of the parking structure would likely not be visible from the right-of-way, consideration be given to incorporating a mural here, in the event that neighboring uses include residential units overlooking the structure.

Mr. Rodgers stated that planning staff had made a recommendation to explore incorporating public art into the design of the parking structure as part of their preliminary comments, and that the applicant was exploring this.

Mr. Cunningham suggested the applicant provide sight line renderings of the east elevation with neighboring structures blocked into the foreground to show what would be visible from the right-of-way.

Ms. Hall stated that planning staff had made the same recommendation in their preliminary comments and that the applicant would develop perspective renderings for future submissions.

Mr. Schroeder stated that he believed the proposal was successful overall in its orientation and massing. He stated that he agreed with preliminary staff comments that higher-quality masonry products need to be used on the new building.

Mr. Schroeder asked for clarification on cars in the display windows appearing to be elevated on a second level in the prototype images contained in the submission materials.

Ms. Hall explained that there would be electric lifts inside the showroom to allow cars to be raised for display purposes.

Mr. Schroeder stated that the parking structure would be quite massive and so the introduction of quality materials here is important. He added that it was also important to consider the views from Fairfax Boulevard to the main entrance and approach to the showroom.

Mr. Kalmin stated that he thought the proposed site plan was commendable, and that he appreciated that the whole design team had attended the meeting to answer questions.

Mr. Kalmin asked how utilities and storm water would be coordinated.

Mr. Pietropaoli explained that storm water treatment facilities onsite would treat all runoff from the property.

Ms. Cox echoed comments made by staff and other Board members that higher-quality materials need to be incorporated into the design of the new building. She recommended the applicant look at the two EZ Storage facilities in the City on Draper Drive and Pickett Road as examples of how to break up the massing of large structures. She asked that in future submissions the elevations of the front of the new building include grading, retaining walls, and stairs to help the Board better understand those conditions. She also echoed staff's recommendation that the applicant provide perspective renderings of the project from the east and west on Fairfax Boulevard.

Mr. Kalmin reminded the applicant to provide physical material and color samples with future submissions.

Mr. Pathela asked for clarification on the notes in the landscape plan relating to finished floor elevation.

The applicant clarified and stated that this would be made more clear in future submissions.

## **7. Election of Chair and Vice Chair**

Ms. Cox called for nominations for Chair.

**MR. KALMIN NOMINATED MS. COX FOR CHAIR.**

Ms. Cox declined the nomination.

Ms. Cox called for additional nominations for Chair.

**MR. CUNNINGHAM NOMINATED MR. SCHROEDER FOR CHAIR, SECONDED BY MS. COX.**

Mr. Schroeder accepted the nomination.

Ms. Cox called for a voice vote.

**MR. SCHROEDER WAS ELECTED CHAIR UNANIMOUSLY BY VOICE VOTE, 6-0.**

Ms. Cox called for nominations for Vice Chair.

**MR. KALMIN NOMINATED MR. PATHELA FOR VICE CHAIR, SECONDED BY MR. CUNNINGHAM.**

Mr. Pathela accepted the nomination.

Ms. Cox called for a voice vote.

**MR. PATHELA WAS ELECTED VICE CHAIR UNANIMOUSLY BY VOICE VOTE, 6-0.**

## **8. Staff Report**

Mr. Scibilia discussed administrative approvals of minor certificates of appropriateness since the last meeting:

- Surf Shop signage at Courthouse Plaza – 10304 Willard Way
- Point 50 grocery store trim color amendment – 10360 Fairfax Boulevard
- Rise and Shine daycare fence style amendment – 10100 Main Street
- Capital Ale House signage – 4069 Chain Bridge Road

- UBAR window signage – 10407 Main Street

Mr. Scibilia discussed administrative applications for minor certificates of appropriateness actively under review:

- None

Mr. Scibilia discussed previously approved and recently completed projects that received major certificates of appropriateness:

- Red Lobster – 10325 Fairfax Boulevard

Mr. Scibilia discussed active architectural review violation cases:

- Sprint telecommunications antenna screen wall – 10301 Democracy Lane – Screen wall painted the wrong color.

Mr. Scibilia discussed upcoming BAR meetings and anticipated cases:

- February:
  - Pending review of an amendment to the amenity area at the Point 50 shopping center – 10360 Fairfax Boulevard
- March:
  - Pending work session for Northfax West project (Napolitano property) – 3570 Chain Bridge Road
- Future meetings:
  - East Wind painting and partial siding replacement – 10414 Main Street – Hearing date to be determined

Mr. Scibilia asked for Board member availability for upcoming meetings on February 5 and 19.

- Mr. Pathela, Ms. Cox, and Mr. Cunningham stated that they were unavailable on February 5.

Mr. Scibilia asked Mr. Kalmin for any relevant updates from Historic Fairfax City Inc. (HFCI):

- Discussion of budgeting items for the year.
- Members of HFCI expressed concerns about communications with staff on projects in historic districts.
  - Mr. Scibilia explained the new procedure for sharing design review proposals in historic districts with the Director of Historic Resources who, at their discretion, can share with HFCI for comment.
- Members of HFCI thought that it would be useful for applicants for projects in historic districts to classify their architectural style.
- HFCI is looking for public speakers on the history of the City.
  - Mr. Cunningham recommended Paige Johnson and Mayor David Meyer
- Walking tour popularity is dwindling.
- Discussion of historic markers.
- Discussion of memorial bricks at the museum and at Sherwood Center.
- Discussion of improving online presence of HFCI.

Mr. Scibilia asked Mr. Beaty for any relevant updates from the Community Appearance Committee (CAC):

- No meetings since November.

Mr. Scibilia briefed the Board on the small area plans process for Northfax and Old Town and provided upcoming meeting dates:

- Wednesday, January 29, 2020 at 6:30 in the Council work session room – Joint briefing by consultant Cunningham Quill for City Boards and Commissions
- Thursday, January 30, 2020 at 6:30 at the Sherwood Center – Public briefing by the consultant on the Northfax Activity Center small area plan
- Thursday, February 6, 2020 at 6:30 at the Sherwood Center – Public briefing by the consultant on the Old Town Activity Center small area plan

Mr. Scibilia discussed training for Board members.

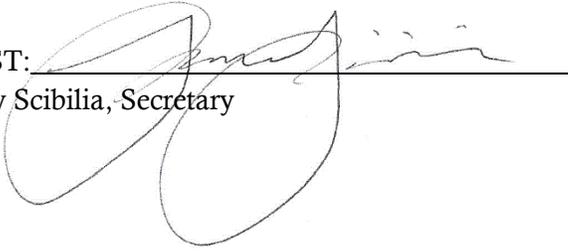
### **9. Closing Board Comments**

None.

### **10. Adjournment**

**Meeting adjourned at 9:55 p.m.**

ATTEST: \_\_\_\_\_  
Tommy Scibilia, Secretary

A handwritten signature in black ink, appearing to read 'Tommy Scibilia', is written over a horizontal line. The signature is stylized and cursive.



**RECEIVED**  
**04 / 29 / 2020**  
**Community Dev & Planning**



**PENNEY DESIGN GROUP**  
8120 Woodmont Avenue | Suite 410 | Bethesda, Maryland 20814  
p.301.979.7600 | f.301.710.6384 | www.penneydesigngroup.com

**Browns Automotive Group**  
12500 Fair Lakes Circle, Suite 375  
Fairfax, VA 22083

**Existing Site**  
November 4, 2019

**Browns Mazda Fairfax**  
10570 Fairfax Blvd  
Fairfax, VA 22030  
BRO001a

**EXIST-1**  
NTS  
12 x 18





**TREE COVER CALCULATIONS**

SITE AREA	±171,706 SF
- R.O.W. ACQUISITION DEDUCTIONS	±28,042 SF
TOTAL REMAINING SITE AREA	±143,664 SF
X % REQUIRED (ZONING - CR)	10%
= TREE COVER TO BE PROVIDED	(10%) 14,365 SF
TREE COVER TO BE PROVIDED BY PRESERVING TREES	7,000 SF
TREE COVER NEEDED TO BE PROVIDED BY PLANTING TREES	7,365 SF
ACTUAL TREE COVER PROVIDED BY PLANTING	12,175 SF
TOTAL TREE COVER PROVIDED	19,175 SF

NOTE: SEE SHEET P-0403 FOR PRELIMINARY PLANT SCHEDULE.

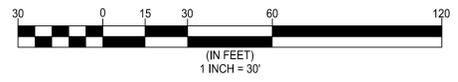
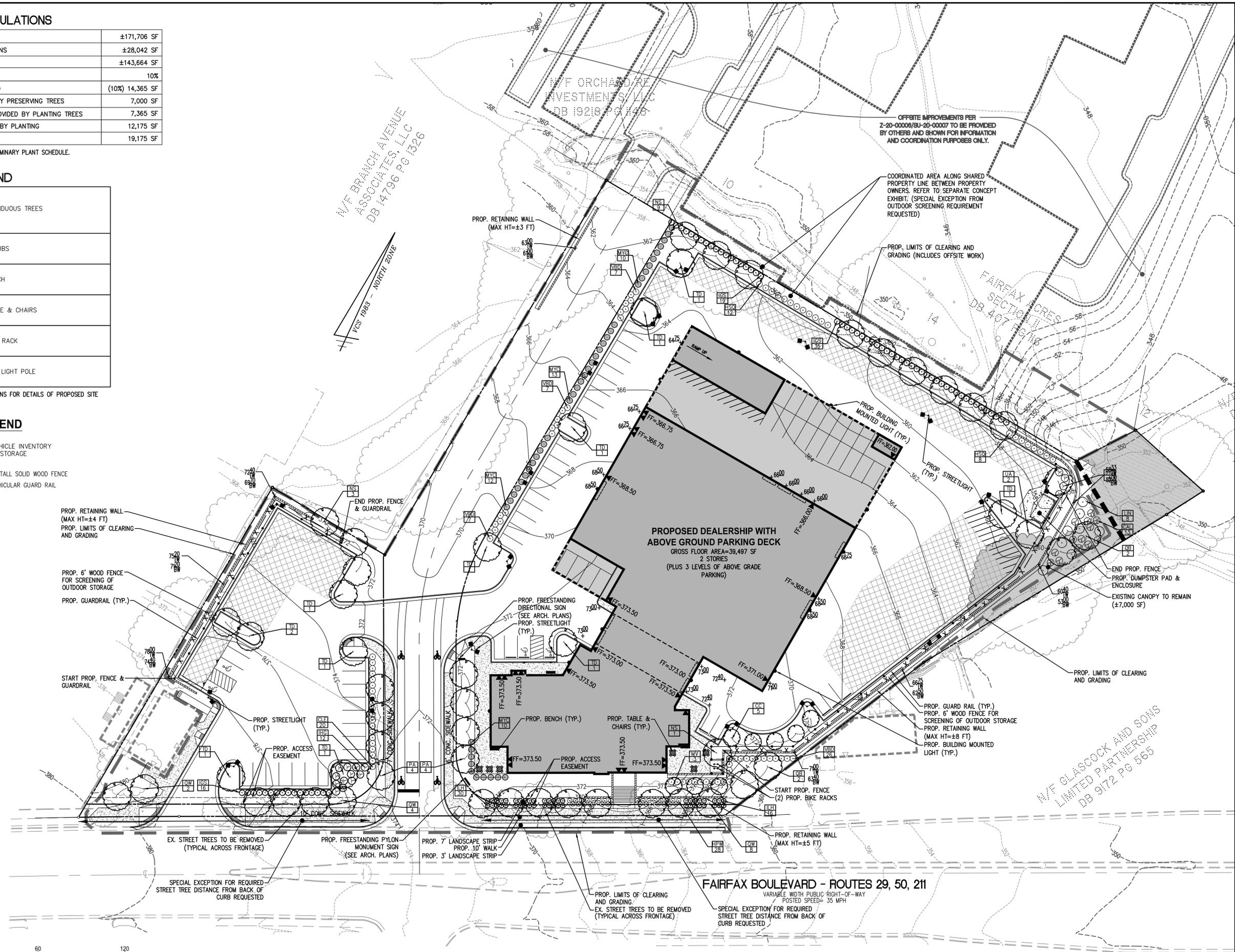
**LANDSCAPE LEGEND**

	PROPOSED DECIDUOUS TREES
	PROPOSED SHRUBS
	PROPOSED BENCH
	PROPOSED TABLE & CHAIRS
	PROPOSED BIKE RACK
	PROPOSED SITE LIGHT POLE

NOTE: REFER TO ARCHITECTURAL PLANS FOR DETAILS OF PROPOSED SITE FURNISHINGS AND LIGHTING.

**LEGEND**

	VEHICLE INVENTORY & STORAGE
	6' TALL SOLID WOOD FENCE
	VEHICULAR GUARD RAIL



**NOTE**

1. THE PROPOSED SITE FEATURES SHOWN ON THIS PLAN REFLECT THE DETAILS INCLUDED IN THE SUP APPLICATION (SU-19-00793 & SE-19-00794).

**CONCEPTUAL LANDSCAPE PLAN**

**BAR APPLICATION**  
**BROWN'S FAIRFAX MAZDA**  
 CITY OF FAIRFAX, VIRGINIA

**WALTER L. PHILLIPS**  
 INCORPORATED  
 ENGINEERS • SURVEYORS • PLANNERS  
 LANDSCAPE ARCHITECTS • ARBORISTS  
 207 PARK AVENUE  
 FALLS CHURCH, VIRGINIA 22046  
 (703) 532-6163 Fax (703) 533-1301  
 www.WLPHINC.com  
 ESTABLISHED 1945  
 DATE: 04/28/2020  
 DRAWN: DPM/H/T/BS  
 CHECKED: AV

NO.	DESCRIPTION	DATE	REV. BY	APPROVED	DATE

**TREE COVER CALCULATIONS - INTERIM**

SITE AREA	±171,706 SF
- R.O.W. ACQUISITION DEDUCTIONS	±28,042 SF
TOTAL REMAINING SITE AREA	±143,664 SF
X % REQUIRED (ZONING - CR)	10%
= TREE COVER TO BE PROVIDED	(10%) 14,365 SF
TREE COVER TO BE PROVIDED BY PRESERVING TREES	7,000 SF
TREE COVER NEEDED TO BE PROVIDED BY PLANTING TREES	7,365 SF
ACTUAL TREE COVER PROVIDED BY PLANTING	12,325 SF
TOTAL TREE COVER PROVIDED	19,325 SF

**LANDSCAPE LEGEND**

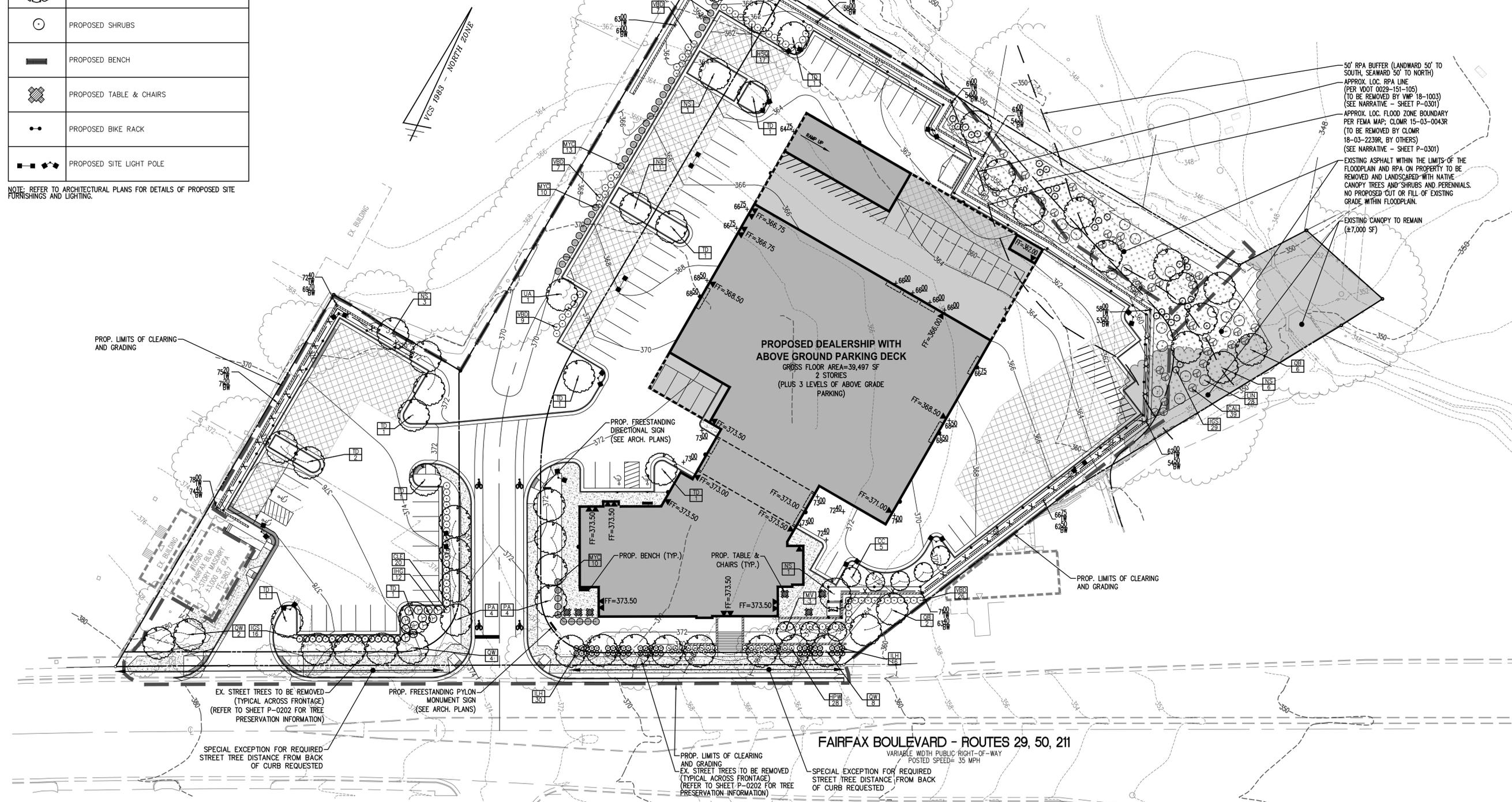
	PROPOSED DECIDUOUS TREES
	PROPOSED SHRUBS
	PROPOSED BENCH
	PROPOSED TABLE & CHAIRS
	PROPOSED BIKE RACK
	PROPOSED SITE LIGHT POLE

NOTE: REFER TO ARCHITECTURAL PLANS FOR DETAILS OF PROPOSED SITE FURNISHINGS AND LIGHTING.

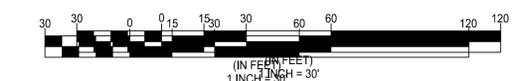
**PLANTING SCHEDULE - INTERIM**

KEY	BOTANICAL NAME	COMMON NAME	QTY	CAL.	HT.	COMMENTS	UNIT	TOTAL (SF)
CC	Cercis canadensis 'Forest Pansy'	'Forest Pansy' Redbud	5	2"	8'-10'	B&B, full specimen	100	500.00
MV	Magnolia virginiana	Sweetbay Magnolia	3	2"	8'-10'	B&B, full specimen, 3-4 trunks	100	300.00
NS	Nyssa sylvatica	Blackgum	12	3.5"	8'-10'	B&B, full specimen	175	2100.00
PA	Platanus x acerifolia 'Bloodgood'	Bloodgood London Planetree	8	3.5"	12'-14'	B&B, full specimen	250	2000.00
OB	Quercus bicolor	Swamp White Oak	6	3.5"	12'-14'	B&B, full specimen	250	1500.00
OW	Quercus phellos	Willow Oak	14	3.5"	12'-14'	B&B, full specimen	250	3500.00
TD	Taxodium distichum	Bald Cypress	11	3.5"	12'-14'	B&B, full specimen	175	1925.00
UA	Ulmus americana 'Valley Forge'	Valley Forge American Elm	2	3.5"	12'-14'	B&B, full specimen	250	500.00

KEY	BOTANICAL NAME	COMMON NAME	QTY	HEIGHT	SPREAD	COMMENTS
CAL	Calliopsis americana	American Beautyberry	38	18'-24"	18'-24"	3 gal., full vigorous, well-rooted & established
CLE	Clethra alnifolia 'Hummingbird'	Hummingbird Summersweet Clethra	20	18'-24"	18'-24"	3 gal., full vigorous, well-rooted & established
HSQ	Hydrangea quercifolia 'Snow Queen'	Snow Queen Oakleaf Hydrangea	17	24'-36"	24'-36"	3 gal., full vigorous, well-rooted & established
HPW	Hydrangea quercifolia 'Pee Wee'	Pee Wee Oakleaf Hydrangea	28	18'-24"	18'-24"	3 gal., full vigorous, well-rooted & established
IGS	Ilex glabra 'Shamrock'	Shamrock Inkberry	44	18'-24"	18'-24"	3 gal., full vigorous, well-rooted & established
ILH	Itea virginica 'Little Henry'	Little Henry Sweetpire	46	15'-18"	15'-18"	3 gal., full vigorous, well-rooted & established
IHG	Itea virginica 'Henry's Garnet'	Henry's Garnet Sweetpire	16	24'-30"	24'-30"	3 gal., full vigorous, well-rooted & established
LIN	Lindera benzoin	Spicebush	27	24'-30"	24'-30"	3 gal., full vigorous, well-rooted & established
MYC	Myrica cerifera	Southern Bayberry	38	24'-30"	24'-30"	7 gal., full vigorous, well-rooted & established
VBD	Viburnum dentatum 'Christom'	Blue Muffin Arrowwood Viburnum	49	24'-36"	24'-36"	3 gal., full vigorous, well-rooted & established



50' RPA BUFFER (LANDWARD 50' TO SOUTH, SEAWARD 50' TO NORTH)  
 APPROX. LOC. RPA LINE (PER VDOT 0029-151-105) (TO BE REMOVED BY VWP 18-1003) (SEE NARRATIVE - SHEET P-0301)  
 APPROX. LOC. FLOOD ZONE BOUNDARY PER FEMA MAP; CLOMR 15-03-0043R (TO BE REMOVED BY CLOMR 18-03-2239R, BY OTHERS) (SEE NARRATIVE - SHEET P-0301)  
 EXISTING ASPHALT WITHIN THE LIMITS OF THE FLOODPLAIN AND RPA ON PROPERTY TO BE REMOVED AND LANDSCAPED WITH NATIVE CANOPY TREES AND SHRUBS AND PERENNIALS. NO PROPOSED CUT OR FILL OF EXISTING GRADE WITHIN FLOODPLAIN.  
 EXISTING CANOPY TO REMAIN (47,000 SF)



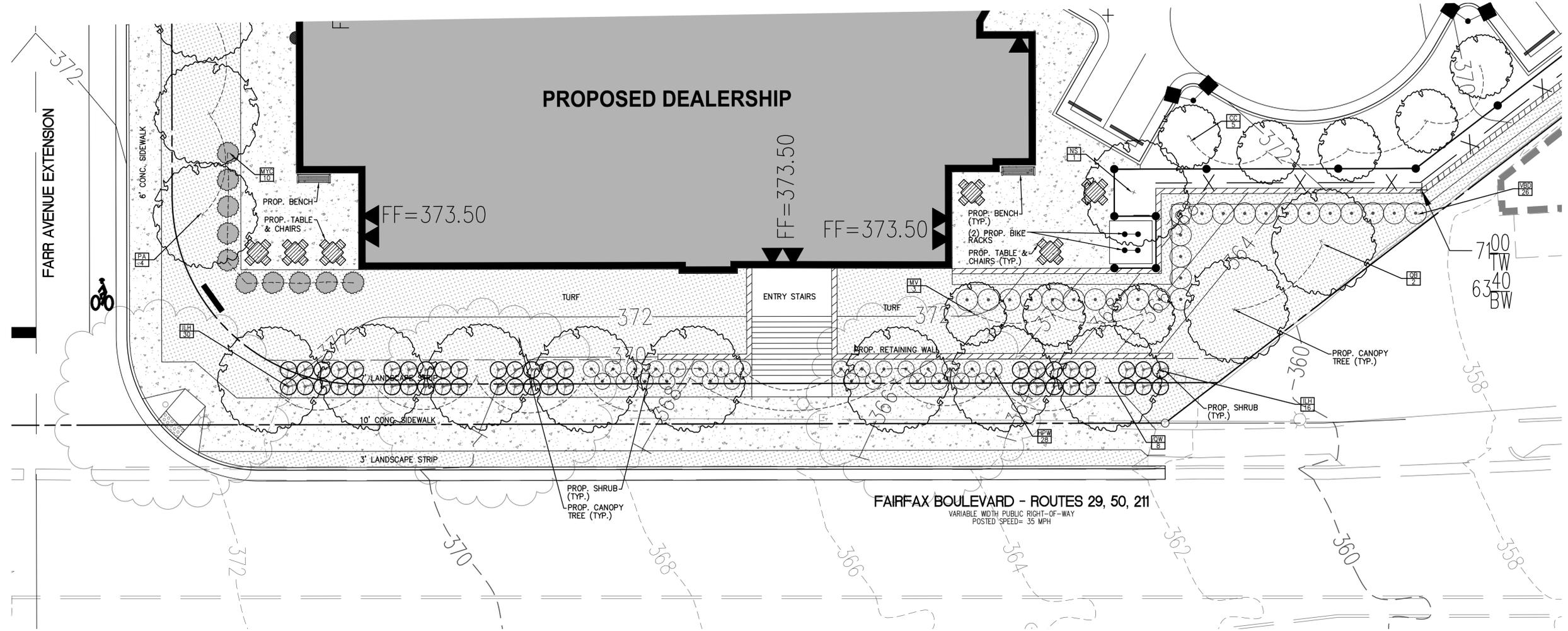
**NOTE**

1. THE PROPOSED SITE FEATURES SHOWN ON THIS PLAN REFLECT THE DETAILS INCLUDED IN THE SUP APPLICATION (SU-19-00793 & SE-19-00794).

Engineers • Surveyors • Planners  
 Landscape Architects • Arborists  
**WALTER L. PHILLIPS**  
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 ESTABLISHED 1945  
 207 PARK AVENUE  
 FALLS CHURCH, VIRGINIA 22046  
 (703) 532-6163 Fax (703) 533-1301  
 www.WLPHINC.com

NO.	DESCRIPTION	DATE	REV. BY	APPROVED	DATE

**CONCEPTUAL LANDSCAPE PLAN - INTERIM**  
**BAR APPLICATION**  
**BROWN'S FAIRFAX MAZDA**  
 CITY OF FAIRFAX, VIRGINIA



**FRONTAGE LANDSCAPE ENLARGEMENT**  
SCALE: 1" = 10'

**LANDSCAPE LEGEND**

	PROPOSED DECIDUOUS TREES
	PROPOSED SHRUBS
	PROPOSED BENCH
	PROPOSED TABLE & CHAIRS
	PROPOSED BIKE RACK
	PROPOSED SITE LIGHT POLE

NOTE: REFER TO ARCHITECTURAL PLANS FOR DETAILS OF PROPOSED SITE FURNISHINGS AND LIGHTING.



**6' BOARD ON BOARD FENCE EXAMPLE**

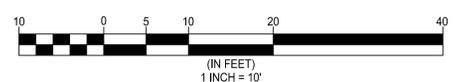
NOTE: ACTUAL FENCE DESIGN IS SUBJECT TO CHANGE AT THE TIME OF SITE PLAN.

**PRELIMINARY PLANT SCHEDULE**

NOTE: THE PLANT SPECIES ARE PRELIMINARY RECOMMENDATIONS ONLY. SELECTIONS ARE SUBJECT TO CHANGE AT THE TIME OF SITE PLAN. PROPOSED LANDSCAPING WILL INCLUDE NATIVE SPECIES CONSISTENT WITH THE CITY OF FAIRFAX'S GUIDELINES FOR LANDSCAPING.

TREES		QTY	CAL.	HT.	COMMENTS	UNIT	TOTAL
KEY	BOTANICAL NAME					(SF)	(SF)
CC	Cercis canadensis 'Forest Pansy'	5	2"	8'-10"	B&B, full specimen	100	500.00
MV	Magnolia virginiana	3	2"	8'-10"	B&B, full specimen, 3-4 trunks	100	300.00
NS	Nyssa sylvatica	13	3.5"	8'-10"	B&B, full specimen	175	2275.00
PA	Platanus x acerifolia 'Bloodgood'	8	3.5"	12'-14"	B&B, full specimen	250	2000.00
QB	Quercus bicolor	4	3.5"	12'-14"	B&B, full specimen	250	1000.00
QW	Quercus phellos	14	3.5"	12'-14"	B&B, full specimen	250	3500.00
TD	Taxodium distichum	12	3.5"	12'-14"	B&B, full specimen	175	2100.00
UA	Ulmus americana 'Valley Forge'	2	3.5"	12'-14"	B&B, full specimen	250	500.00

SHRUBS		QTY	HEIGHT	SPREAD	COMMENTS
KEY	BOTANICAL NAME				
CAL	Callicarpa americana	13	18"-24"	18"-24"	3 gal., full vigorous, well-rooted & established
CLE	Clethra alnifolia 'Hummingbird'	20	18"-24"	18"-24"	3 gal., full vigorous, well-rooted & established
HSO	Hydrangea quercifolia 'Snow Queen'	20	24"-36"	24"-36"	3 gal., full vigorous, well-rooted & established
HPW	Hydrangea quercifolia 'Pee Wee'	28	18"-24"	18"-24"	3 gal., full vigorous, well-rooted & established
IGS	Ilex glabra 'Shamrock'	70	18"-24"	18"-24"	3 gal., full vigorous, well-rooted & established
ILH	Itea virginica 'Little Henry'	46	15"-18"	15"-18"	3 gal., full vigorous, well-rooted & established
IRG	Itea virginica 'Henry's Garnet'	16	24"-30"	24"-30"	3 gal., full vigorous, well-rooted & established
LIN	Lindera benzoin	8	24"-30"	24"-30"	3 gal., full vigorous, well-rooted & established
MYC	Myrica cerifera	45	24"-30"	24"-30"	7 gal., full vigorous, well-rooted & established
VBD	Viburnum dentatum 'Christom' Blue Muffin	47	24"-36"	24"-36"	3 gal., full vigorous, well-rooted & established



**NOTES**

- THE PROPOSED SITE FEATURES SHOWN ON THIS PLAN REFLECT THE DETAILS INCLUDED IN THE SUP APPLICATION (SU-19-00793 & SE-19-00794).
- THE LOCATIONS OF SITE FURNISHINGS ARE PRELIMINARY AND SUBJECT TO CHANGE AT THE TIME OF SITE PLAN.
- THIS PLAN INCLUDES THE PRELIMINARY LOCATIONS OF PROPOSED CANOPY TREES AND LARGE SHRUBS. PLEASE NOTE THAT GROUNDCOVERS, PERENNIALS AND GRASSES ARE NOT SHOWN BUT WILL BE PROVIDED TO COMPLEMENT THE PROPOSED LANDSCAPING AS DETERMINED AT THE TIME OF SITE PLAN.

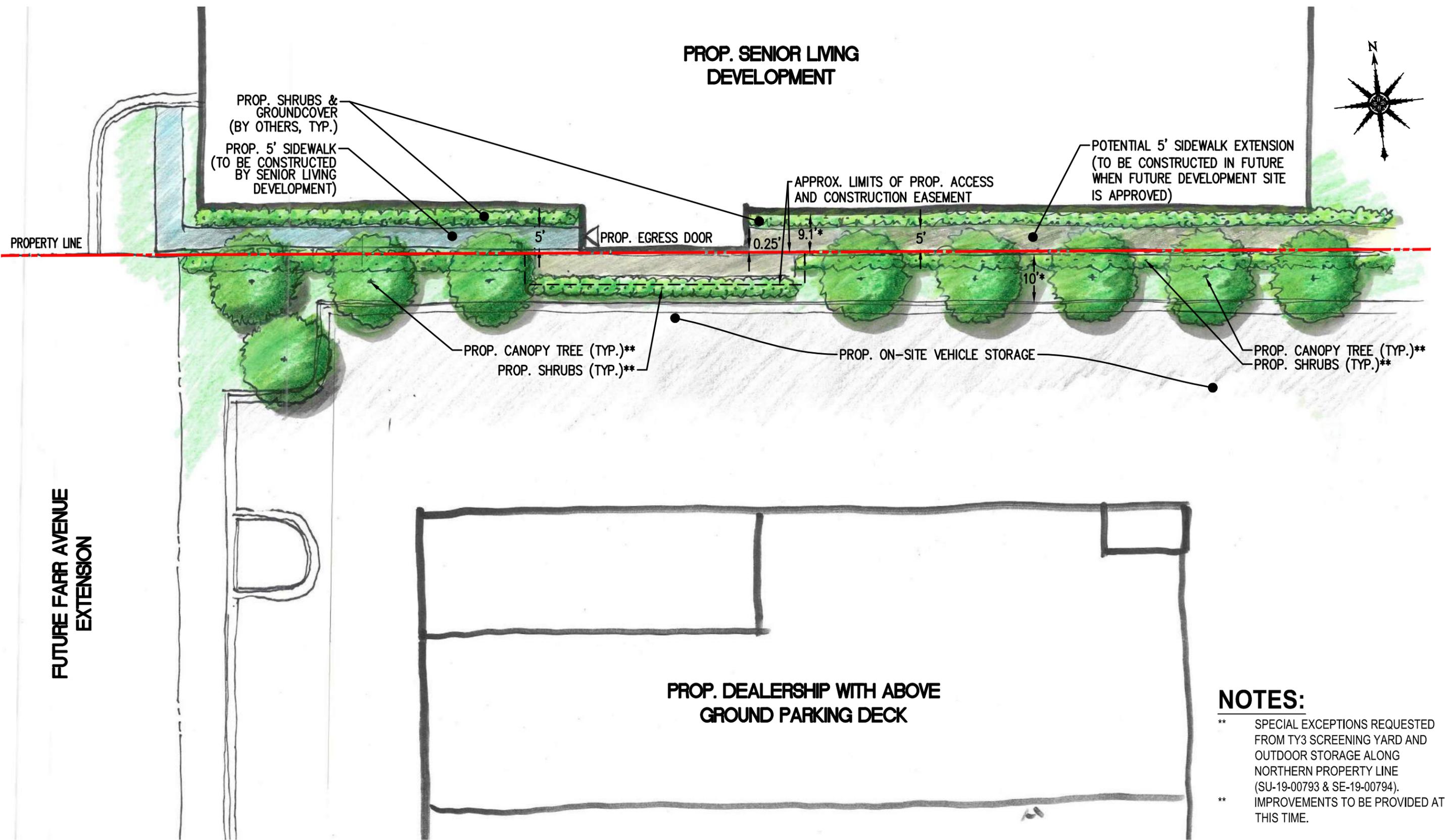
**WALTER L. PHILLIPS**  
INCORPORATED  
ESTABLISHED 1945  
DATE: 04/28/2020  
DRAWN: DPMH/TJBS  
CHECKED: AV

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**LANDSCAPE ENLARGEMENT**

**BAR APPLICATION**  
**BROWN'S FAIRFAX MAZDA**  
CITY OF FAIRFAX, VIRGINIA

**PROP. SENIOR LIVING DEVELOPMENT**



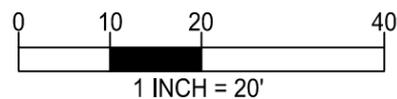
**FUTURE FARR AVENUE  
EXTENSION**

**PROP. DEALERSHIP WITH ABOVE  
GROUND PARKING DECK**

**NOTES:**

- \*\* SPECIAL EXCEPTIONS REQUESTED FROM TY3 SCREENING YARD AND OUTDOOR STORAGE ALONG NORTHERN PROPERTY LINE (SU-19-00793 & SE-19-00794).
- \*\* IMPROVEMENTS TO BE PROVIDED AT THIS TIME.

NOTE: THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND FINAL DESIGNS ARE SUBJECT TO CHANGE.



SCALE: 1" = 20'  
DATE: 03/04/2020

Q:\sdsproj\16023\dwg\Planning\Exhibits\16023X-0033\_Rendering PedestrianCorridor.dwg

**COMMON PEDESTRIAN AREA EXHIBIT**

PREPARED BY

**WALTER L.  
PHILLIPS**  
INCORPORATED



Engineers • Surveyors • Planners  
Landscape Architects • Arborists  
207 PARK AVENUE  
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WLPINC.com

ESTABLISHED 1945



2 SIDE (EAST) ELEVATION  
Scale: 1:20



1 FRONT (SOUTH) ELEVATION  
Scale: 1:20

EXTERIOR SCHEDULE		
TAG	MATERIAL	
CMU-1	CONCRETE MASONRY UNIT	ANCHOR CONCRETE PRODUCTS- ANCHOR SPLITFACE BLOCK- COLOR: L-15, 8" x 16"
EP-1	EXTERIOR PAINT	PPG INDUSTRIES OR EQUAL, AMMA 2605 KYNAR FLOUROPOLYMER SYSTEM, COLOR: #00NN VEIL
EP-2	EXTERIOR PAINT	COLOR TO MATCH- DRYVIT, 715 LICORICE
EIFS-3	EXTERIOR INSULATING FINISHING SYSTEM	DRYVIT, MAZDO   0225 SANDPEBBLE FINE, COLOR TO MATCH MP- (ART PANELS AT GARAGE)
CONC-1	PRECAST CONCRETE	PRECAST CONCRETE PANELS- NATURAL GRAY
MP-2	ACM PANELS	REYNOBOND, RB16OPE, WINTER WHITE
MP-3	ACM PANELS	REYNOBOND, RB16OPE, ELEGANT BLACK
MP-4	ACM PANELS	REYNOBOND, COLORWELD 500 RB4CW5A ANODIC CLEAR
SF-1	STOREFRONT	BLACK ANODIZED ALUMINUM

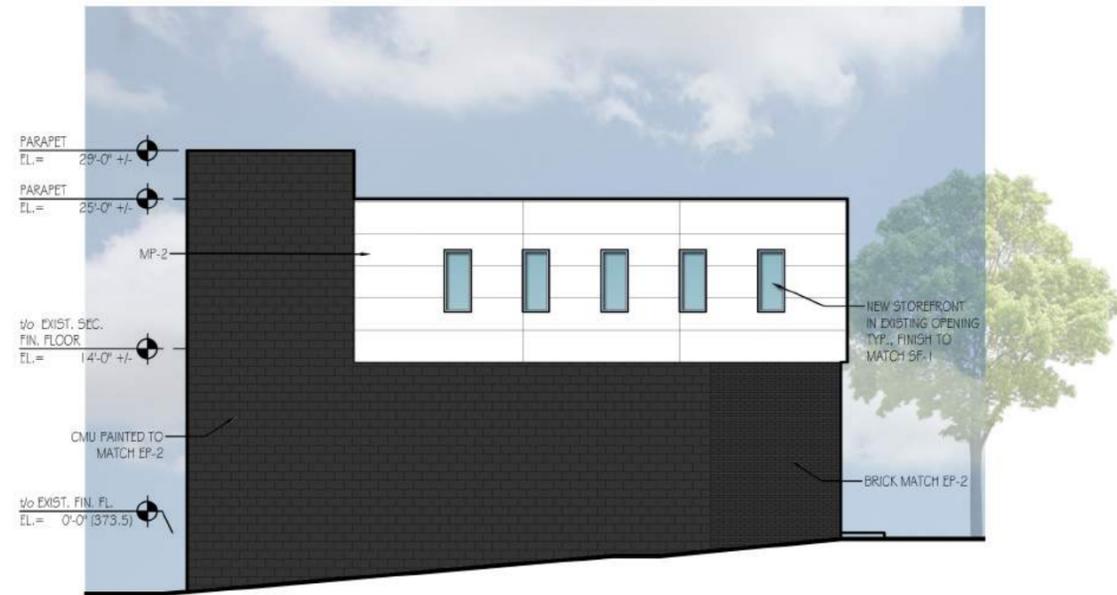


2 SIDE (WEST) ELEVATION  
Scale: 1:20

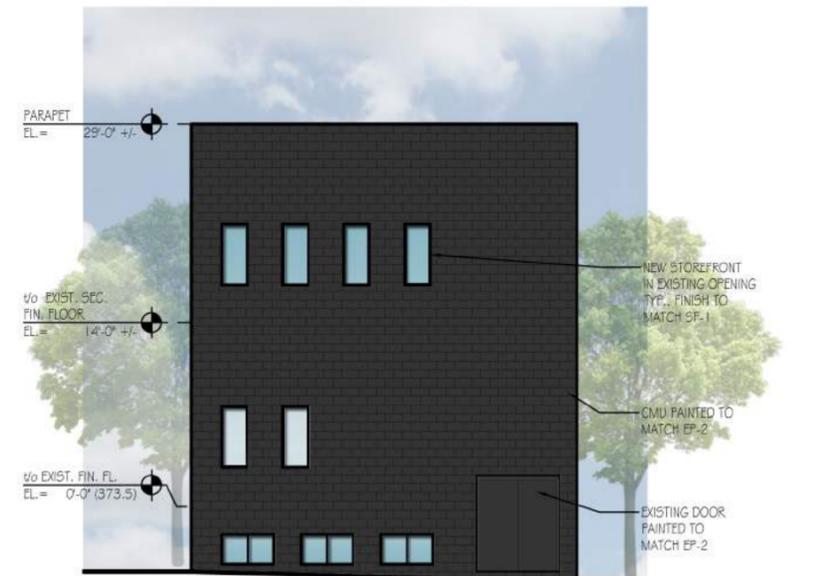


1 REAR (NORTH) ELEVATION  
Scale: 1:20





4 LEFT (WEST) ELEVATION  
Scale: 1/8"=1'-0"



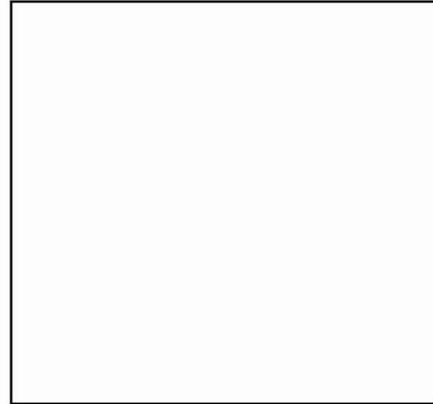
3 REAR (NORTH) ELEVATION  
Scale: 1/8"=1'-0"



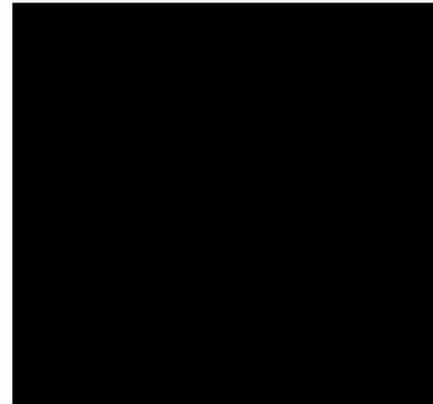
2 RIGHT (EAST) ELEVATION  
Scale: 1/8"=1'-0"



1 FRONT (SOUTH) ELEVATION  
Scale: 1/8"=1'-0"



**MP-2 Metal Panel,**  
Exterior Facade



**MP-3 Metal Panel,**  
Exterior Facade



**MP-4 Metal Panel,**  
Exterior Facade Accent Strip



**CMU-1 Concrete Masonry Unit,**  
Exterior Perimeter of Building



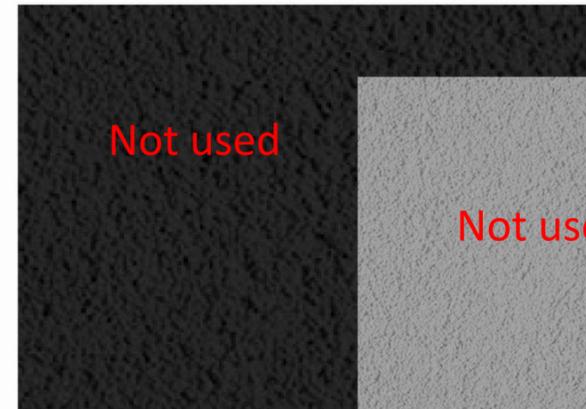
**EP-2 Exterior Paint,**  
Exterior Facade

**EP-3 Exterior Paint,**  
Exterior Facade

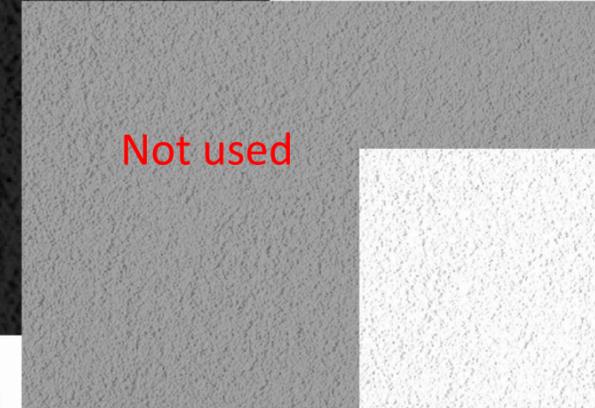


**EP-1 Exterior Paint,**  
Exterior Metal Doors

**EP-4 Exterior Paint,**  
Exterior Facade



**EIFS-1 Exterior Insulating  
Finishing System,**  
Exterior Facade



**EIFS-2 Exterior Insulating  
Finishing System,**  
Exterior Rear Facade

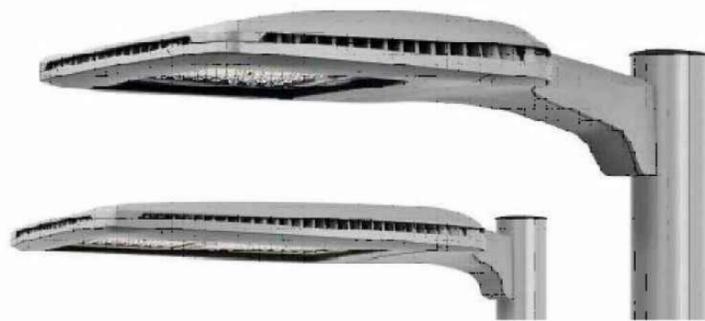


**EIFS-3 Exterior Insulating  
Finishing System,**  
Exterior Rear Facade





PROPOSED BUILDING MOUNTED LIGHT (LED, FULL CUTOFF)  
HEIGHT VARIES- 15' TO 30'- METALLIC SILVER FINISH  
8,600 LU, 5000K



PROPOSED SITE LIGHT (LED, FULL CUTOFF)  
HEIGHT VARIES- 15' TO 30'  
9,000-42,000 LU, 5000K



PROPOSED TABLE



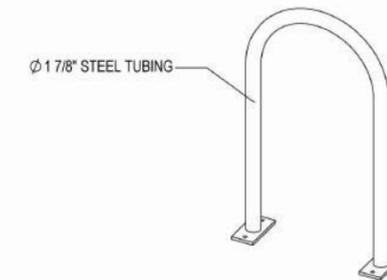
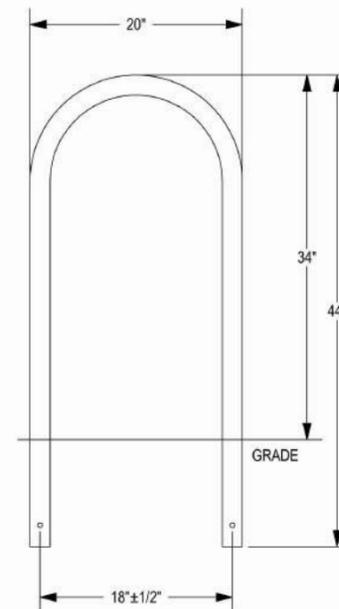
PROPOSED TRASH CAN



PROPOSED OUTDOOR BENCH



MADRAX DIVISION  
GRABER MANUFACTURING, INC.  
1080 UNIEK DRIVE  
WALUNAKEE, WI 53597  
P(800) 448-7931, P(608) 849-1080, F(608) 849-1081  
WWW.MADRAX.COM, E-MAIL: SALES@MADRAX.COM



PROPOSED BIKE RACK



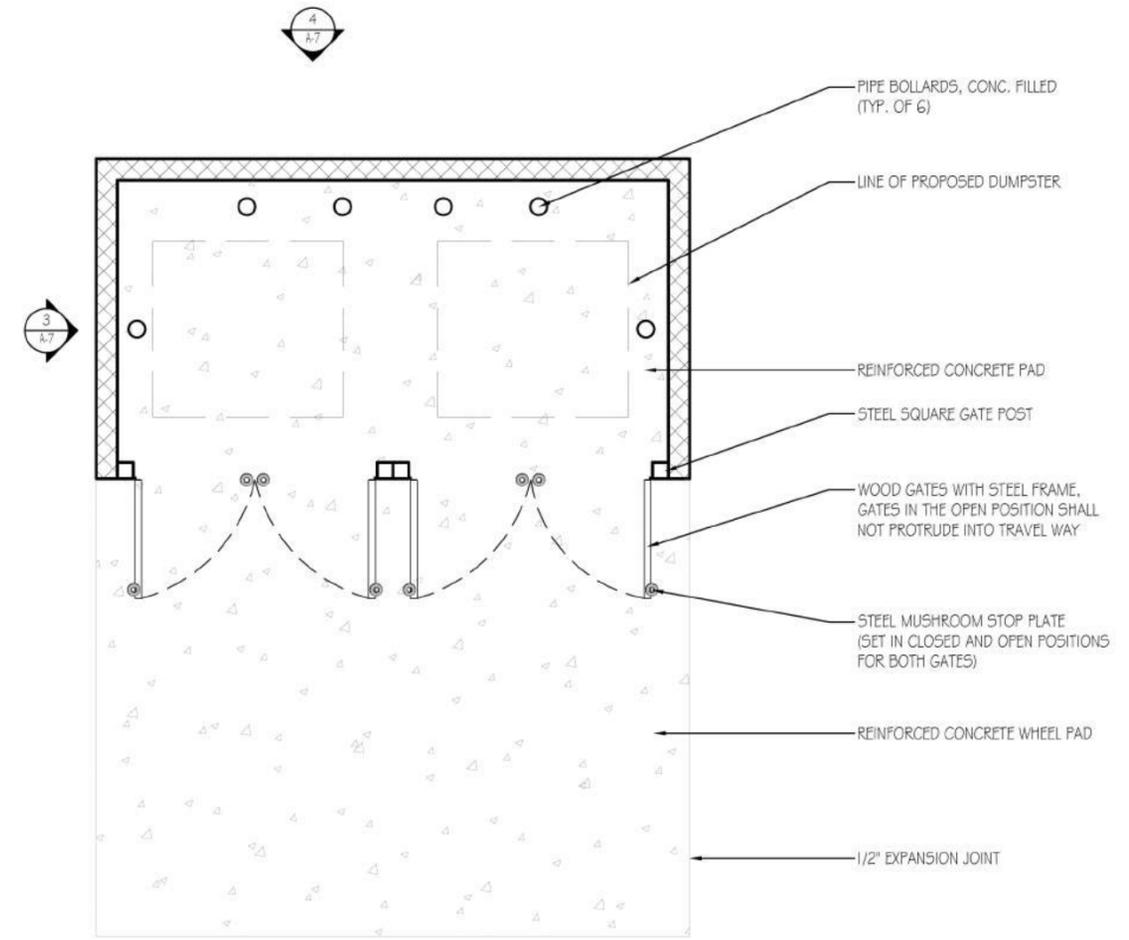
PENNEY DESIGN GROUP  
8120 Woodmont Avenue | Suite 410 | Bethesda, Maryland 20814  
p.301.979.7600 | f.301.710.6384 | www.penneydesigngroup.com

Browns Automotive Group  
12500 Fair Lakes Circle, Suite 375  
Fairfax, VA 22083

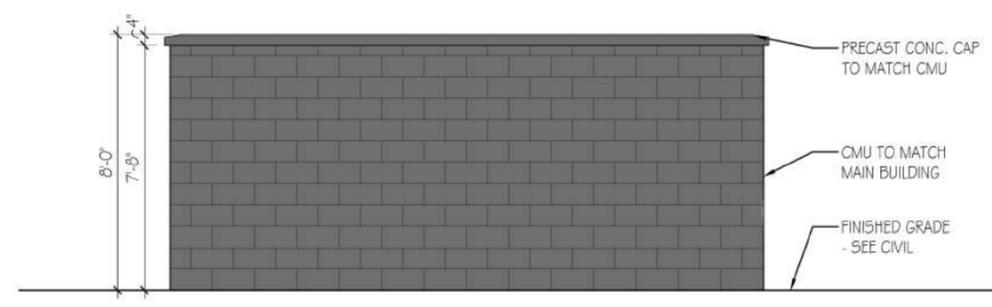
Site Fixtures  
April 24, 2020

Browns Mazda Fairfax  
10570 Fairfax Blvd  
Fairfax, VA 22030  
BRO001a

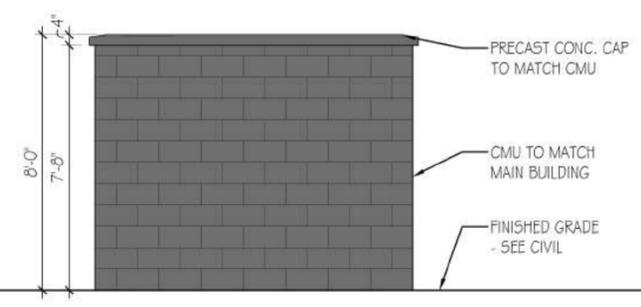
A-6  
NTS  
12 x 18



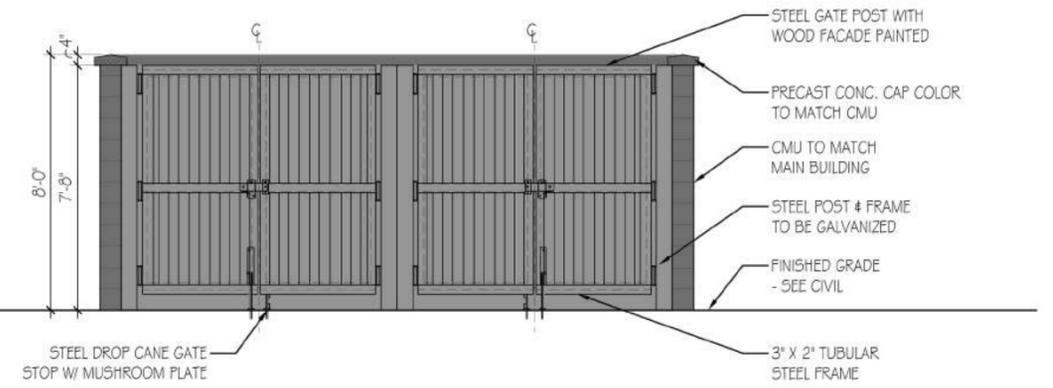
**1 TRASH ENCLOSURE PLAN**  
Scale: 3/16"=1'-0"



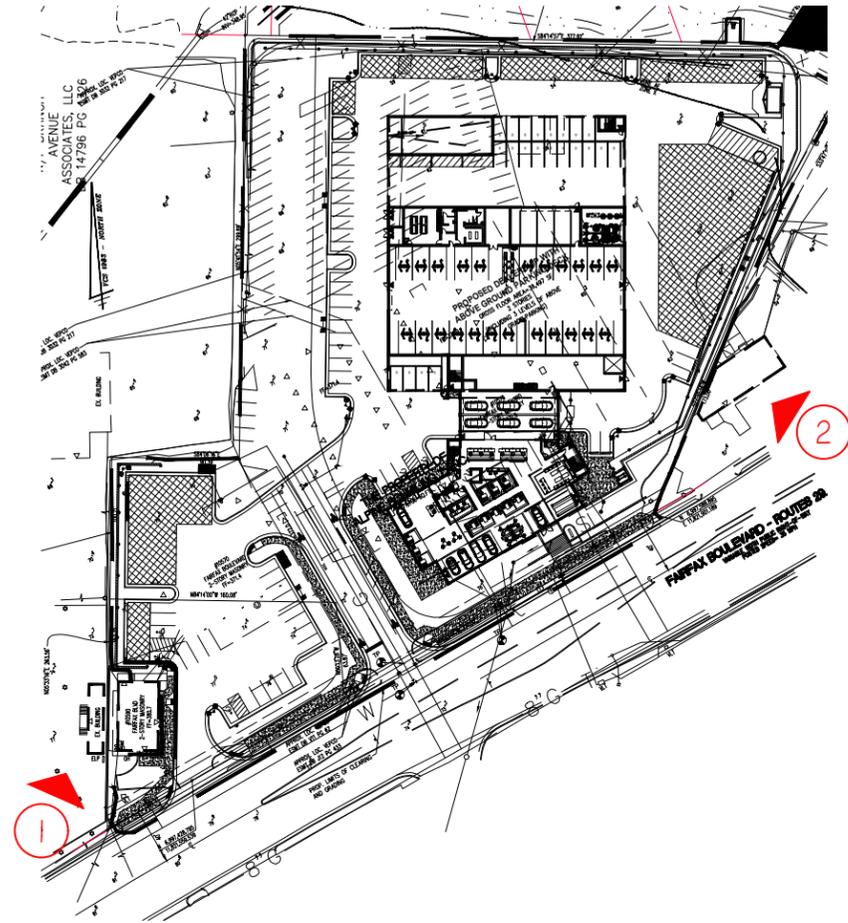
**4 REAR ELEVATION**  
Scale: 3/16"=1'-0"



**3 SIDE ELEVATION**  
Scale: 3/16"=1'-0"



**2 FRONT ELEVATION**  
Scale: 3/16"=1'-0"



1 VIEW 1



1 VIEW 2

1



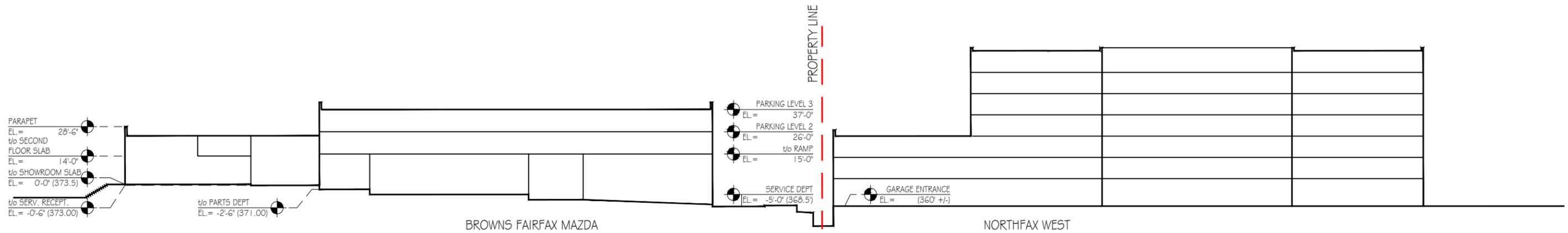
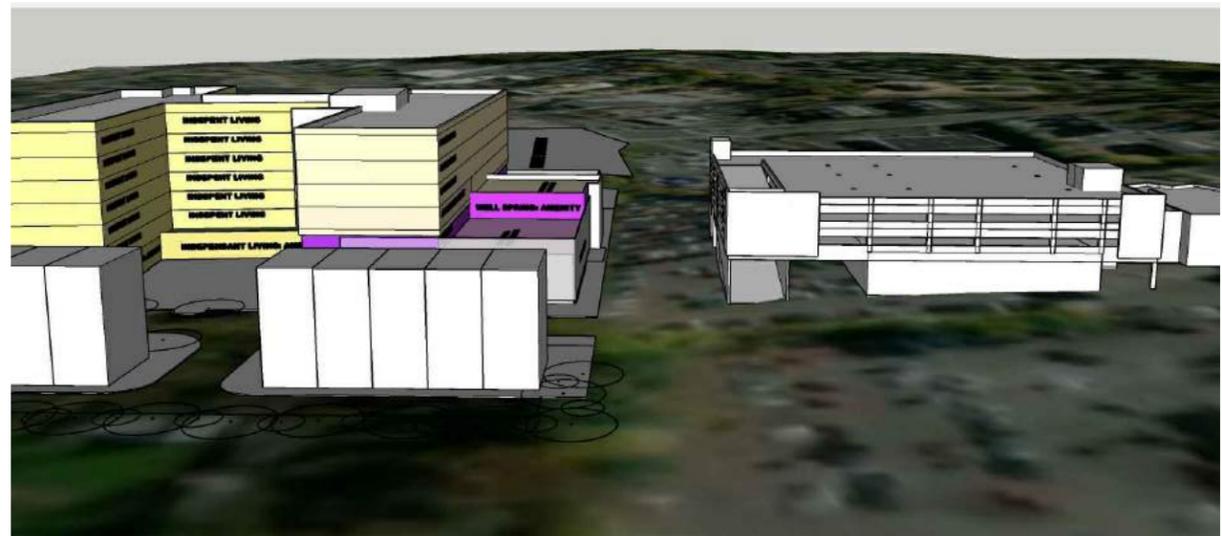
2

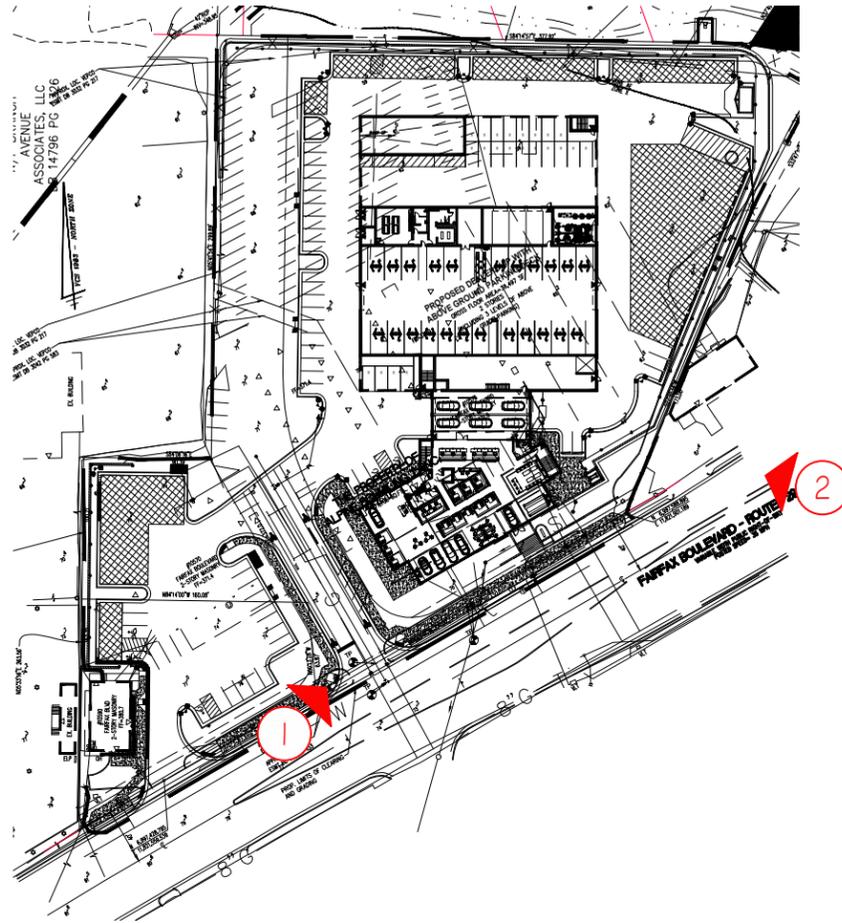


3



4





1 VIEW 1



2 VIEW 2



PENNEY DESIGN GROUP

8120 Woodmont Avenue | Suite 410 | Bethesda, Maryland 20814  
p.301.979.7600 | f.301.710.6384 | www.penneydesigngroup.com

Browns Automotive Group

12500 Fair Lakes Circle, Suite 375  
Fairfax, VA 22083

Prototype Images

November 4, 2019

Browns Mazda Fairfax

10570 Fairfax Blvd  
Fairfax, VA 22030  
BRO001a

A-4

NTS  
12 x 18









**BRIGHTVIEW**  
SENIOR LIVING

**SK+I** LSG LANDSCAPE  
ARCHITECTURE ARCHITECTURE

**NorthFax Site** | Fairfax, VA

Perspective from Southeast

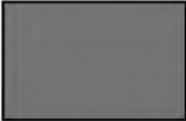
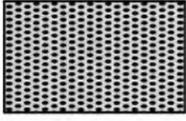
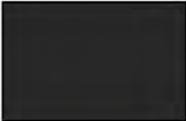


APRIL 24, 2020

03



**MATERIAL LEGEND**

 <p><b>MTP1</b></p>	<p>FLAT/CORRUGATED METAL PANEL: MEDIUM GREY</p>	 <p><b>PS1</b></p>	<p>FIBER CEMENT BOARD: WHITE</p>	 <p>PERFORATED METAL AT GARAGE FACADE: ANNODIZED ALUMINUM/ LIGHT GREY</p>	 <p><b>MAS1</b></p> <p>BRICK: DARK BRICK</p>
 <p><b>MTP2</b></p>	<p>FLAT/CORRUGATED METAL PANEL: DARK GREY</p>	 <p><b>PS2</b></p>	<p>FIBER CEMENT BOARD: WOOD GRAIN</p>	 <p>LOUVER AT GARAGE FACADE: WOOD GRAIN</p>	



**NorthFax Site** | Fairfax, VA

Elevations - South Elevation

APRIL 24, 2020

11



SCALE 1" = 20'-0"





ATTACHMENT 7

RECEIVED

JUN 15 2020

Application #: \_\_\_\_\_  
Receipt #: \_\_\_\_\_

Community Dev & Planning

**LAND USE APPLICATION**

- NON REFUNDABLE FEE -

Special Use    Special Exception    Variance    Amendment    Renewal

1. PROPERTY LOCATION INFORMATION

Property Address 10570 FAIRFAX BOULEVARD Tax Map # 57 2 02 009 AND 57 2 02 010

Project Name BROWN'S FAIRFAX MAZDA Project Description \_\_\_\_\_

TO SEEK THE FOLLOWING SPECIAL USE PERMITS:

1. TO ALLOW VEHICLE SALES & LEASING IN THE CR ZONE.
2. TO ALLOW VEHICLE SERVICE USE IN THE CR ZONE.

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

Applicant Name JOHN L. McBRIDE, ESQ. OF ODIN, FELDMAN & PITTLEMAN, P.C. (circle one): Corporation / Gen Partnership / Ltd Partnership / Sole Proprietorship / Individual

Applicant Address 1775 WIEHLE AVENUE, SUITE 400, RESTON, VIRGINIA 20190

Phone (o) 703-218-2133 (c) \_\_\_\_\_ Email JOHN.MCBRIDE@OFPLAW.COM

Applicant or Authorized Agent Signature \_\_\_\_\_

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

3. APPLICANT CERTIFICATION STATEMENT Section 110-6.2.3

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

Applicant or Authorized Agent Signature (REQUIRED) [Signature] Date 6/11/2020  
JOHN L. McBRIDE, AUTHORIZED AGENT FOR BROWN'S FAIRFAX REALTY LLC

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

Licensed Professional's Name AARON M. VINSON, PE OF WALTER L. PHILLIPS INCORPORATED

Licensed Professional's Address 207 PARK AVENUE, SUITE 104, FALLS CHURCH, VIRGINIA 22046

Phone (o) 703-532-6163 (c) 703-198-4650 Email AVINSON@WLPINC.COM

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

Current status of business license and fees

Treasurer: \_\_\_\_\_

Commissioner of Revenue: \_\_\_\_\_



RECEIVED

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

JUN 15 2020

Community Dev & Planning

Application #: \_\_\_\_\_

Receipt #: \_\_\_\_\_

**LAND USE APPLICATION**

- NON REFUNDABLE FEE -

Special Use    Special Exception    Variance    Amendment    Renewal

**1. PROPERTY LOCATION INFORMATION**

Property Address 10570 FAIRFAX BOULEVARD Tax Map # 57 2 02 009 AND 57 2 02 010

Project Name BROWN'S FAIRFAX MAZDA Project Description \_\_\_\_\_

TO SEEK SPECIAL EXCEPTIONS FOR THE FOLLOWING PROVISIONS:

1. TRANSITIONAL SCREENING YARD 3 ALONG NORTHERN PROPERTY LINE (ZONING ORDINANCE §§4.5.5.C.3(c), 4.5.7.C.2 AND 4.5.7.E.2);
2. SCREEN OUTDOOR STORAGE ALONG THE NORTHERN PROPERTY LINE (ZONING ORDINANCE §4.5.8.D.1);
3. STREET TREE REQUIREMENT ALONG FAIRFAX BOULEVARD (ZONING ORDINANCE §4.5.6.B);
4. TO PERMIT ENCROACHMENT INTO LANDWARD 50-FEET OF THE BUFFER COMPONENT OF THE RPA (ZONING ORDINANCE §4.18.11);
5. TO MODIFY THE REQUIRED MINIMUM FRONT YARD SETBACK (ZONING ORDINANCE §3.6.2); AND
6. TO MODIFY THE REQUIRED MINIMUM REAR YARD SETBACK (ZONING ORDINANCE §3.6.2).

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

Applicant Name JOHN L. McBRIDE, ESQ. OF ODIN, FELDMAN & PITTLEMAN, P.C. (circle one): Corporation / Gen Partnership / Ltd Partnership / Sole Proprietorship / Individual

Applicant Address 1775 WIEHLE AVENUE, SUITE 400, RESTON, VIRGINIA 20190

Phone (o) 703-218-2133 (c) \_\_\_\_\_ Email JOHN.MCBRIDE@OFPLAW.COM

Applicant or Authorized Agent Signature \_\_\_\_\_

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

**3. APPLICANT CERTIFICATION STATEMENT** Section 110-6.2.3

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

Applicant or Authorized Agent Signature (REQUIRED) [Signature] Date 6/11/2020  
JOHN L. McBRIDE, AUTHORIZED AGENT FOR BROWN'S FAIRFAX REALTY LLC

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

Licensed Professional's Name AARON M. VINSON, PE OF WALTER L. PHILLIPS INCORPORATED

Licensed Professional's Address 207 PARK AVENUE, SUITE 104, FALLS CHURCH, VIRGINIA 22046

Phone (o) 703-532-6163 (c) 703-796-4050 Email AVINSON@WLP.INC.COM

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

Current status of business license and fees

Treasurer: \_\_\_\_\_

Commissioner of Revenue: \_\_\_\_\_



RECEIVED

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

NOV 07 2019

Application #: 54-19-00793  
58-19-00794  
Receipt #: 10937

Community Dev & Planning

APPLICANT AUTHORIZATION LETTER  
(Signed by property owner/s)

To Whom IT May Concern:

I/We, ALPINE SCHUILING T., INC., the undersigned title owner(s) of the property identified below do hereby authorize GORDON RIDDLE, VICE-PRESIDENT AND MANAGER of

BROWN'S FAIRFAX REALTY LLC, to act on my/our behalf in the furtherance of an application for a CERTIFICATE OF APPROPRIATENESS, SPECIAL USE PERMIT(S) AND SPECIAL EXCEPTION(S) on my/our property located at:

10570 AND 10590 FAIRFAX BOULEVARD (REGISTERED ADDRESSES)

Tax Map No: 57 2 02 009 AND 57 2 02 010

Thank you in advance for your cooperation.

Date: 10-31-19 By: Helen M Payne

COMMONWEALTH/STATE OF: South Carolina

CITY/COUNTY: Beaufort, TO WIT:

The forgoing instrument was acknowledged before me this 31<sup>st</sup> day of October

20 19, by Amy A. Herrmann

Amy A Herrmann  
Notary Public (Signature)

Notary Registration No: W/A

My Commission Expires: 6-16-26

AFFIX NOTARY SEAL/STAMP



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



RECEIVED

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

NOV 07 2019

Community Dev & Planning

Application #: 54-19-00793  
SE-19-00794  
Receipt #: 10937

AGENT AUTHORIZATION LETTER  
(Signed by applicant)

To Whom IT May Concern:

I/We, BROWN'S FAIRFAX REALTY LLC, the undersigned authorized applicant(s) of the property identified below do hereby authorize AARON M. VINSON, PE

of WALTER L. PHILLIPS INCORPORATED, to act as my/our agent(s) in the furtherance of an application for a CERTIFICATE OF APPROPRIATENESS, SPECIAL USE PERMIT(S) AND SPECIAL EXCEPTION(S) on my/our property located at: 10570 AND 10590 FAIRFAX BOULEVARD (REGISTERED ADDRESSES)

Tax Map No: 57 2 02 009 AND 57 2 02 010

Thank you in advance for your cooperation.

Date: 10-30-19 By: Gordon Riddle *vs/mgr*  
GORDON RIDDLE, VICE-PRESIDENT AND MANAGER

COMMONWEALTH/STATE OF: Virginia

CITY/COUNTY: Fairfax, TO WIT:

The forgoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2019, by Gordon Riddle.

June E. Gonzalez  
Notary Public (Signature)

AFFIX NOTARY SEAL/STAMP

Notary Registration No: 281789

My Commission Expires: 07-31-2023



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

RECEIVED

NOV 07 2019

Community Dev &amp; Planning

<b>AFFIDAVIT ATTACHMENT 1(a)</b>	
Name:	<b>Brown's Fairfax Realty LLC</b>
Agents:	Trey Rodgers
	Gordon S. Riddle
	Rachel Pullen
Address:	12500 Fair Lakes Circle, Suite 375, Fairfax, Virginia 22033
Relationship:	<b>Applicant</b>
Name:	<b>Alpine Schuiling T., Inc.</b>
Agent:	Daniel D. Smith, Esquire
Address:	c/o Helen Schuiling, 45 Calibogue Cay N, Hilton Head, South Carolina 29928
Relationship:	<b>Title Owner of Tax Map Nos. 57 2 02 009 and 57 2 02 010</b>
Name:	<b>Penney Design Group, LLC</b>
Agents:	Jonathan J. Penney, RA
	Lori Hall, RA
	Lauren Krupsaw
Address:	8120 Woodmont Avenue, Suite 410, Bethesda, Maryland 20814
Relationship:	<b>Architect/Agent</b>
Name:	<b>Walter L. Phillips Incorporated</b>
Agents:	Aaron M. Vinson, PE
	Monica R. Hawkins
	Daniel Pietropaoli
Address:	207 Park Avenue, Suite 104, Falls Church, Virginia 22046
Relationship:	<b>Engineer/Planner/Agent</b>
Name:	<b>Odin, Feldman &amp; Pittleman, P.C.</b>
Agents:	John L. McBride, Esquire
	Noah B. Klein, Esquire
	Douglas R. Forno
Address:	1775 Wiehle Avenue, Suite 400, Reston, Virginia 20190
Relationship:	<b>Attorney/Planner/Agent</b>

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).

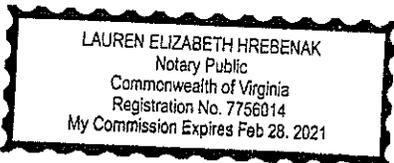
NONE

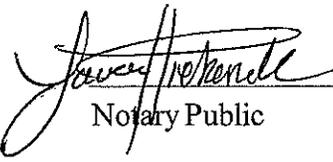
WITNESS the following signature:   
Applicant or Agent

ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 31 day of October, 2019, in the State of Virginia

My commission expires: February 28, 2021



, 7756014  
Notary Public Registration #



ATTACHMENT 8

RECEIVED

JUN 11 2020

AFFIDAVIT FOR POSTED NOTICE (SIGN)

Community Dev & Planning

I, AARON VINSON hereby affirm that I have received, read, understand and  
Applicant/Agent Name  
agree to abide by the 'Posted Notice Instructions to the Applicant' and location map depicting sign  
placement given to me on JUNE 8, 2020 as required by City Code, Chapter 110, Article  
6.2.5.B.3. Date

The subject property will be posted visibly and securely with 2 signs, from Friday, June 12, 2020 to  
Wednesday, June 24, 2020, including the date of the public hearing as given on the sign(s).

Notices will not be placed on trees, utility poles, or traffic control signs or elsewhere in the public right-  
of-way. All posted notices will be removed no later than Friday, July 3, 2020.

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

[Signature]  
Applicant/Agent Signature



JUNE 8, 2020  
Date

**APPLICANT/AGENT MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED**

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 9<sup>th</sup>  
day of June, 20 20, in the State of Virginia.

My commission expires June 30, 2023.

7502187  
Notary Public/Registration No.

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

Receipt # n/a

Date Paid n/a

Fee Paid n/a

Associated Case # SU-19-00793  
SE-19-00794  
BAR-19-00788

Staff Initials adl

**AFFIDAVIT**

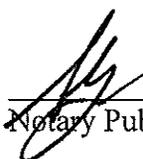
I hereby affirm that the City has adequately complied with the written notification procedures defined in §15.2-2204 (amended) of the Code of Virginia and §110-6.2.5.B.2 of the Code of the City of Fairfax, Virginia. These notices were sent by first-class mail on June 12, 2020, to the last known address of each abutting property owner (including those located across rights-of-way) shown in the current real estate tax assessment records. A list of these addresses is attached and their accuracy as of June 9, 2020, is certified by the City Real Estate Assessor.

A copy of the notice, pertaining to date, time and location of the City Council meeting for a Special Use Permit for property located at 10570 and 10590 Fairfax Boulevard and more particularly described as Tax Map Parcels 57-2-02-009 and 57-2-02-010, is attached.

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

Commonwealth of Virginia  
City of Fairfax

Subscribed and sworn before me this 12 day of June, 2020,

  
\_\_\_\_\_  
Notary Public 7632704

My commission expires: 11/30/23

ALEXIS DALLAHL EL-HAGE  
NOTARY PUBLIC  
REG. #7632704  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES NOVEMBER 30, 2023



**City of Fairfax, Virginia**

10455 Armstrong Street · Fairfax, VA 22030-3630

703-385-7930 · [www.fairfaxva.gov](http://www.fairfaxva.gov)

June 12, 2020

Re: 10570 & 10590 Fairfax Blvd

Dear Property Owner:

Current City real estate records indicate that you are the owner of land near or adjacent to the property which is the subject of the above-referenced application. Pursuant to City Code Section 110-6.B.2 you are hereby notified that the City Council will hold its meeting on Tuesday, June 23, 2020 at 7:00 p.m. This meeting is being held electronically pursuant to Ordinance No. 2020-07, and as otherwise permitted by law, and is available for live viewing on Cityscreen-12 (Channel 12 on Cox Cable and Verizon Fios) and on the City's website. To access the live stream on the web, click on the City Meetings" button on the City's Homepage ([www.fairfaxva.gov](http://www.fairfaxva.gov)) and then click on the "Watch Live!" button on the Meeting and Documents and Archived Media Webpage. This meeting will consider the following:

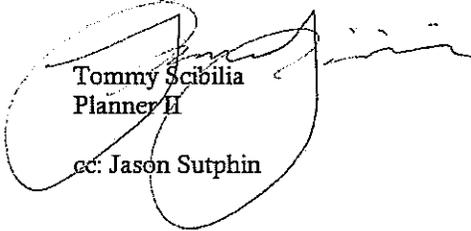
**SU-19-00793, SE-19-00794, BAR-19-00788**

Request from Odin, Feldman & Pittleman, P.C., applicant, by John L. McBride, agent, for consideration of two Special Use Permits pursuant to City Code Section 110-6.7 to allow vehicle sales and leasing and to allow vehicle service as required by Section 110-3.3.1; for consideration of six Special Exceptions pursuant to City Code Section 110-6.17 to modify the minimum front yard setback as required by Section 110-3.6.2, to modify the minimum rear yard setback as required by Section 110-3.6.2, to modify the required Transitional Yard along a property line as required by Sections 110-4.5.5.C.3(c), 110-4.5.7.C.2, and 110-4.5.7.E.2, to modify the street tree requirements of Section 110-4.5.6.B, to modify screening for outdoor storage as required by Section 110-4.5.8.D.1, and to modify the general performance criteria for resource management and resource protection areas as required by Section 110-4.18.11.B; and for consideration of a Major Certificate of Appropriateness pursuant to City Code Section 110-6.5.3.B on the premises known as 10570 and 10590 Fairfax Boulevard and more particularly described as Tax Map Parcels 57-2-02-009 and 57-2-02-010.

All interested parties are invited to watch the public hearings on Channel 12 and on the city's website at <https://www.fairfaxva.gov/services/about-us/city-meetings>, and may express their views by submitting an email to [publichearing@fairfaxva.gov](mailto:publichearing@fairfaxva.gov), through Connect2 via the homepage, <https://www.fairfaxva.gov>, or by calling in at 571-282-3524 during the meeting. All reports will be available five (5) days prior to the meeting date on the City of Fairfax webpage at [www.fairfaxva.gov](http://www.fairfaxva.gov).

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

Sincerely,

  
Tommy Scibilia  
Planner II

cc: Jason Sutphin

NOTICE OF PUBLIC HEARING  
CITY OF FAIRFAX, VIRGINIA

Notice is hereby given that the City Council of the City of Fairfax will hold a public hearing at its regular meeting on Tuesday, June 23, 2020 at 7:00 p.m. This meeting is being held electronically pursuant to Ordinance No. 2020-07, and as otherwise permitted by law, and is available for live viewing on Cityscreen-12 (Channel 12 on Cox Cable and Verizon FIOS) and on the City's website. To access the live stream on the web, click on the "City Meetings" button on the City's Homepage ([www.fairfaxva.gov](http://www.fairfaxva.gov)) and then click on the "Watch Live!" button on the Meeting and Documents and Archived Media Webpage. Should City Hall be open to the public on the date of the hearing, the public is invited to attend in person and address Council with comments on the applications under consideration. The hearing will be held in room 100 of City Hall at 10455 Armstrong Street, Fairfax, Virginia, 22030. The public hearing will be for consideration of the following:

**SU-19-00793, SE-19-00794, BAR-19-00788**

Request from Odin, Feldman & Pittleman, P.C., applicant, by John L. McBride, agent, for consideration of two Special Use Permits pursuant to City Code Section 110-6.7 to allow vehicle sales and leasing and to allow vehicle service as required by Section 110-3.3.1; for consideration of six Special Exceptions pursuant to City Code Section 110-6.17 to modify the minimum front yard setback as required by Section 110-3.6.2, to modify the minimum rear yard setback as required by Section 110-3.6.2, to modify the required Transitional Yard along a property line as required by Sections 110-4.5.5.C.3(c), 110-4.5.7.C.2, and 110-4.5.7.E.2, to modify the street tree requirements of Section 110-4.5.6.B, to modify screening for outdoor storage as required by Section 110-4.5.8.D.1, and to modify the general performance criteria for resource management and resource protection areas as required by Section 110-4.18.11.B; and for consideration of a Major Certificate of Appropriateness pursuant to City Code Section 110-6.5.3.B on the premises known as 10570 and 10590 Fairfax Boulevard and more particularly described as Tax Map Parcels 57-2-02-009 and 57-2-02-010.

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Melanie Crowder, City Clerk

June 10, 2020  
June 17, 2020



**City of Fairfax, Virginia**

10455 Armstrong Street · Fairfax, VA 22030-3630

703-385-7930 · [www.fairfaxva.gov](http://www.fairfaxva.gov)

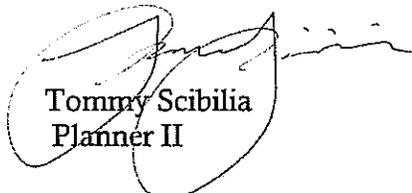
June 12, 2020

Barbara Byron  
Planning Division  
Fairfax County Dept. of Planning and Development  
12055 Government Center Pkwy, Suite 1048  
Fairfax, Virginia 22035

Re: 10570 & 10590 Fairfax Blvd

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

Sincerely,



Tommy Scibilia  
Planner II

Enclosure



Certified: *Christine Johnston*  
 Christine Johnston, AAS  
 Real Estate Assessment Director

6/9, 2020

# 10570 & 10590 Fairfax Blvd



BARBARA BYRON  
PLANNING DIVISION  
FAIRFAX COUNTY PLANNING  
12055 GOVERNMENT CENTER PKWY, 1048  
FAIRFAX VA 22030

ROBERT MILLER  
LARRY MILLER  
3835 FARRAGUT AVE  
KENSINGTON MD 20895

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

KBR FAIRFAX LLC  
10579 FAIRFAX BLVD  
FAIRFAX VA 22030

ASSEMBLY HOA  
MR. MATT MOORE  
10506 ASSEMBLY DR  
FAIRFAX VA 22030

KBL LC  
C/O FAIRFAX HYUNDAI INC  
10595 WARWICK AVE  
FAIRFAX VA 22030

COBBDAL CIVIC ASSOCIATION  
MR. RAYMOND GIROUARD  
3509 WINSTON PL  
FAIRFAX VA 22030

MGB PROPERTIES II LLC  
11165 FAIRFAX BLVD  
FAIRFAX VA 22030

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

HISTORIC FAIRFAX NEIGHBORHOOD  
MS. JOYCE CUSACK  
3905 KEITH AVE  
FAIRFAX VA 22030

ARG II LLC  
3900 JERMANTOWN RD #300  
FAIRFAX VA 22030

ARG II LLC  
C/O LANN COMPANIES  
3900 JERMANTOWN RD #300  
FAIRFAX VA 22030

ORCHARD RE INVESTMENTS LLC  
C/O LANN COMPANIES  
3900 JERMANTOWN RD #300  
FAIRFAX VA 22030

FAIRFAX LLC  
C/O RITE AID CORP #3686-2  
440 GRANBY ST STE 200  
NORFOLK VA 23508

FXJL LLC  
C/O CJ+5 LLC  
724 WARRENTON RD #201  
FALMOUTH VA 22406

## Unofficial Property Record Card - Fairfax, VA

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### General Property Data

Parcel ID 57 2 02 017	Account Number 56051
Property Owner ARG II LLC	Property Location 3590 CHAIN BRIDGE RD FAIRFAX
	Property Use
Mailing Address 3900 JERMANTOWN RD #300	Most Recent Sale Date 10/3/2003
	Legal Reference 15230-1182
City FAIRFAX	Grantor ARG LLC
Mailing State VA Zip 22030	Sale Price 0
ParcelZoning Commercial Retail	Land Area 0.87918 acres
Tax Exempt No	Type <b>No Consideration</b>

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### Current Property Assessment

Card 1 Value	Land Value 1,531,900	Building Value 0	Total Value 1,531,900
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### Building Description

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

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### Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

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### Legal Description

NEAR\_FAIRFAX WAS 41164 SF LESS AND EXCEPT ST DEDICATION +/-2867SF; NOW 38297 SF DEED BK 23972 PG 1029

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### Narrative Description of Property

This property contains 0.87918 acres of land mainly classified as with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A commercial unit(s) and N/A residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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### Disclaimer/Privacy Policy

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## Unofficial Property Record Card - Fairfax, VA

### General Property Data

Parcel ID 57 2 02 019	Account Number 56040
Property Owner ARG II LLC	Property Location 10505 ORCHARD ST FAIRFAX
Mailing Address 3900 JERMANTOWN RD #300	Property Use
City FAIRFAX	Most Recent Sale Date 10/3/2003
Mailing State VA Zip 22030	Legal Reference 15230-1182
ParcelZoning Commercial Retail	Grantor ARG LLC
Tax Exempt No	Sale Price 0
	Land Area 0.418 acres
	Type No Consideration

### Current Property Assessment

Card 1 Value	Land Value 182,200	Building Value 0	Total Value 182,200
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### Building Description

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

### Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

### Legal Description

ARL FAIRFAX RR RW 18224 SF DEED BK 23972 PG 1029

### Narrative Description of Property

This property contains 0.418 acres of land mainly classified as with a(n) N/A style building, built about 0 , having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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## Unofficial Property Record Card - Fairfax, VA

### General Property Data

Parcel ID 57 2 08 011	Account Number 56039
Property Owner ARG II LLC	Property Location 10507 ORCHARD ST FAIRFAX
Mailing Address 3900 JERMANTOWN RD #300	Property Use
City FAIRFAX	Most Recent Sale Date 10/3/2003
Mailing State VA Zip 22030	Legal Reference 15230-1182
ParcelZoning Residential Medium	Grantor ARG LLC
Tax Exempt No	Sale Price 0
	Land Area 0.51118 acres
	Type <b>Does Not Appear Valid</b>

### Current Property Assessment

Card 1 Value	Land Value 209,700	Building Value 0	Total Value 209,700
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### Building Description

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

### Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

### Legal Description

FAIRFAX ACRES SEC 2 LT 11 - 22267 SF DEED BK 23972 PG 1029

### Narrative Description of Property

This property contains 0.51118 acres of land mainly classified as with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A commercial unit(s) and N/A residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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## Unofficial Property Record Card - Fairfax, VA

### General Property Data

Parcel ID 57 2 08 012	Account Number 60160
Property Owner ARG II LLC	Property Location 10509 ORCHARD ST FAIRFAX
C/O LANN COMPANIES	Property Use
Mailing Address 3900 JERMANTOWN RD	Most Recent Sale Date 10/31/2003
	Legal Reference 15339-102
City FAIRFAX	Grantor PRESGRAVE WENDELL
Mailing State VA Zip 22030	Sale Price 815,000
Parcel/Zoning Commercial Retail	Land Area 0.57569 acres
Tax Exempt No	Type <b>Commercial-General</b>

### Current Property Assessment

Card 1 Value	Land Value 250,800	Building Value 0	Total Value 250,800
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### Building Description

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

### Utilities Information

Water	Public Water Available
Sewer	Public Sewer Available

### Legal Description

FAIRFAX ACRES SEC 2 LT 12 - 25077 SF

### Narrative Description of Property

This property contains 0.57569 acres of land mainly classified as with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A commercial unit(s) and N/A residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

#### Disclaimer/Privacy Policy

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## Unofficial Property Record Card - Fairfax, VA

### General Property Data

Parcel ID 57 2 08 013	Account Number 60159
Property Owner ARG II LLC	Property Location 10511 ORCHARD ST FAIRFAX
C/O LANN COMPANIES	Property Use
Mailing Address 3900 JERMANTOWN RD	Most Recent Sale Date 10/31/2003
	Legal Reference 15339-0102
City FAIRFAX	Grantor PRESGRAVE R WENDELL
Mailing State VA Zip 22030	Sale Price 815,000
ParcelZoning Commercial Retail	Land Area 0.694 acres
Tax Exempt No	Type <b>Commercial-General</b>

### Current Property Assessment

Card 1 Value	Land Value 302,300	Building Value 0	Total Value 302,300
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### Building Description

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

### Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

### Legal Description

FAIRFAX ACRES SEC 2 LT 13 - 30233 SF

### Narrative Description of Property

This property contains 0.694 acres of land mainly classified as with a(n) N/A style building, built about 0 , having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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## Unofficial Property Record Card - Fairfax, VA

### General Property Data

Parcel ID 57 2 08 014	Account Number 54377
Property Owner ARG II LLC	Property Location 10513 ORCHARD ST FAIRFAX
C/O LANN COMPANIES	Property Use
Mailing Address 3900 JERMANTOWN RD SUITE 300	Most Recent Sale Date 11/24/2004
	Legal Reference 16739-1026
City FAIRFAX	Grantor SHULTZABERGER CHARLES E
Mailing State VA Zip 22033	Sale Price 400,000
ParcelZoning Residential Medium	Land Area 0.625 acres
Tax Exempt No	Type Existing Single Family

### Current Property Assessment

Card 1 Value	Land Value 206,200	Building Value 252,000	Total Value 458,200
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### Building Description

Building Style Rambler	# of Living Units 1	Flooring Type Hardwood
Year Built 1960	Roof Structure N/A	Heating Type FHA-Gas
Building Grade N/A	Roof Cover Asphalt	Heating Fuel GAS
Building Condition N/A	Siding Brick	Air Conditioning 0%
Above Grade Floor Area (SF) 1,274	Interior Walls Drywall	# of Fireplaces 1
Total Floor Area (SF) 1,274	# of Bedrooms 3	# of Full Baths 2
Number Rooms 7	# of 1/2 Baths 0	

### Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

### Legal Description

FAIRFAX ACRES SEC 2 LT 14 - 27215 SF 2310-569

### Narrative Description of Property

This property contains 0.625 acres of land mainly classified as with a(n) Rambler style building, built about 1960 , having Brick exterior and Asphalt roof cover, with 0 commercial unit(s) and 1 residential unit(s), 7 room(s), 3 bedroom(s), 2 bath(s), 0 half bath(s).

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## Unofficial Property Record Card - Fairfax, VA

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### General Property Data

Parcel ID 57 2 08 010	Account Number 44580
Property Owner ORCHARD RE INVESTMENTS LLC C/O LANN COMPANIES	Property Location 10515 ORCHARD ST FAIRFAX Property Use
Mailing Address 3900 JERMANTOWN RD #300	Most Recent Sale Date 10/10/2006 Legal Reference 18823-1535
City FAIRFAX	Grantor AVIS DWIGHT JR
Mailing State VA Zip 22030	Sale Price 489,057
ParcelZoning Residential Medium	Land Area 0.67615 acres
Tax Exempt No	Type Existing Single Family

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### Current Property Assessment

Card 1 Value	Land Value 209,700	Building Value 0	Total Value 209,700
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### Building Description

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

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### Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

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### Legal Description

FAIRFAX ACRES SEC 2 PT LT 10 - 29453 S 9393-0931

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### Narrative Description of Property

This property contains 0.67615 acres of land mainly classified as with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A commercial unit(s) and N/A residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

---

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## Unofficial Property Record Card - Fairfax, VA

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### General Property Data

Parcel ID 57 2 02 005	Account Number 21367
Property Owner ORCHARD RE INVESTMENTS LLC C/O LANN COMPANIES	Property Location 10517 ORCHARD ST FAIRFAX
Mailing Address 3900 JERMANTOWN RD #300	Property Use
City FAIRFAX	Most Recent Sale Date 3/28/2007
Mailing State VA Zip 22030	Legal Reference 19218-1148
ParcelZoning Residential Medium	Grantor GAWEN M TAYLOR JR
Tax Exempt No	Sale Price 450,000
	Land Area 0.816 acres
	Type Vacant Residential

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### Current Property Assessment

Card 1 Value	Land Value 271,500	Building Value 0	Total Value 271,500
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### Building Description

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

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### Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

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### Legal Description

FAIRFAX VIENNA RD 35545 SF DEATH CER

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### Narrative Description of Property

This property contains 0.816 acres of land mainly classified as with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A commercial unit(s) and N/A residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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## Unofficial Property Record Card - Fairfax, VA

### General Property Data

Parcel ID 57 2 02 072 B	Account Number 67894
Property Owner FAIRFAX LLC	Property Location 10521 FAIRFAX BLVD FAIRFAX
C/O RITE AID CORP #3686-2	Property Use
Mailing Address 440 GRANBY ST STE 200	Most Recent Sale Date 9/5/1997
City NORFOLK	Legal Reference 10107-657
Mailing State VA Zip 23508	Grantor FX123 LLC
ParcelZoning Commercial Retail	Sale Price 1,193,240
Tax Exempt No	Land Area 1.045 acres
	<b>Type Commercial-General</b>

### Current Property Assessment

Card 1 Value	Land Value 2,277,000	Building Value 1,701,800	Total Value 3,978,800
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### Building Description

Building Style GEN. RETAIL	# of Living Units 0	Flooring Type N/A
Year Built 1998	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Above Grade Floor Area (SF) 10,080	Interior Walls N/A	# of Fireplaces 0
Total Floor Area (SF) 10,080	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

### Utilities Information

Water	Public Water Available
Sewer	Public Sewer Available

### Legal Description

FAIRFAX PARCEL B (RESIDUE OF BFA MYERS FARM RESUB) 50308 SF LESS AND EXCEPT DEDICATION OF 4769 SF; NOW 45539 SF DB 23972 PG 1079

### Narrative Description of Property

This property contains 1.045 acres of land mainly classified as with a(n) GEN. RETAIL style building, built about 1998 , having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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## Unofficial Property Record Card - Fairfax, VA

### General Property Data

Parcel ID 57 2 02 072 A	Account Number 67883
Property Owner FXJL LLC	Property Location 10535 FAIRFAX BLVD FAIRFAX
C/O CJ+5, LLC	Property Use
Mailing Address 724 WARRENTON RD #201	Most Recent Sale Date 9/9/1996
City FALMOUTH	Legal Reference 9801-1471
Mailing State VA Zip 22406	Grantor CLEMENT CE
ParcelZoning Commercial Retail	Sale Price 0
Tax Exempt No	Land Area 0.503 acres
	Type <b>Does Not Appear Valid</b>

### Current Property Assessment

Card 1 Value	Land Value 986,900	Building Value 193,900	Total Value 1,180,800
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### Building Description

Building Style AUTO SVC	# of Living Units 0	Flooring Type N/A
Year Built 1983	Roof Structure N/A	Heating Type N/A
Building Grade Average	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Above Grade Floor Area (SF) 2,040	Interior Walls Drywall	# of Fireplaces 0
Total Floor Area (SF) 2,040	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

### Utilities Information

Water	Public Water Available
Sewer	Public Sewer Available

### Legal Description

FAIRFAX - 23791 SF LESS AND EXCEPT STREET DEDICATION +/-1861 SF NOW 21930 SF DEED BK 24056 PG 1056

### Narrative Description of Property

This property contains 0.503 acres of land mainly classified as with a(n) AUTO SVC style building, built about 1983, having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

#### Disclaimer/Privacy Policy

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

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## Unofficial Property Record Card - Fairfax, VA

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### General Property Data

Parcel ID 57 2 02 073 A	Account Number 70491
Property Owner MILLER ROBERT P MILLER LARRY C	Property Location 10565 FAIRFAX BLVD FAIRFAX Property Use
Mailing Address 3835 FARRAGUT AVE	Most Recent Sale Date 12/29/2004 Legal Reference 16847-2034
City KENSINGTON	Grantor MILLER ROBERT P
Mailing State MD Zip 20895-2004	Sale Price 0
ParcelZoning Commercial Retail	Land Area 1.269 acres
Tax Exempt No	Type Deed of GIFT

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### Current Property Assessment

Card 1 Value	Land Value 2,487,100	Building Value 351,100	Total Value 2,838,200
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### Building Description

Building Style OFFICE	# of Living Units 0	Flooring Type N/A
Year Built 1986	Roof Structure Flat	Heating Type N/A
Building Grade Average	Roof Cover Tar & Gravel	Heating Fuel N/A
Building Condition N/A	Siding Brick	Air Conditioning 0%
Above Grade Floor Area (SF) 31,106	Interior Walls N/A	# of Fireplaces 0
Total Floor Area (SF) 31,106	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

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### Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

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### Legal Description

50/123 GEN PTN PCL A - 56231 SF LESS AND EXCEPT STREET DEDICATION 962SF; NOW 55269 SF PER DEED BK 23972 PG 1072

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### Narrative Description of Property

This property contains 1.269 acres of land mainly classified as with a(n) OFFICE style building, built about 1986 , having Brick exterior and Tar & Gravel roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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## Unofficial Property Record Card - Fairfax, VA

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### General Property Data

Parcel ID 57 2 02 077	Account Number 35158
Property Owner KBR FAIRFAX LLC	Property Location 10579 FAIRFAX BLVD FAIRFAX
Mailing Address 10579 FAIRFAX BLVD	Property Use
City FAIRFAX	Most Recent Sale Date 7/19/2019
Mailing State VA Zip 22030	Legal Reference 25821-1910
ParcelZoning Commercial Retail	Grantor 10579 LEE HWY LLC
Tax Exempt No	Sale Price 1,750,000
	Land Area 0.287 acres
	Type Invalid Sale - Comm.

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### Current Property Assessment

Card 1 Value	Land Value 562,600	Building Value 1,009,000	Total Value 1,571,600
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### Building Description

Building Style GEN. RETAIL	# of Living Units 0	Flooring Type N/A
Year Built 1949	Roof Structure N/A	Heating Type FHA-Gas
Building Grade N/A	Roof Cover N/A	Heating Fuel GAS
Building Condition N/A	Siding N/A	Air Conditioning 100%
Above Grade Floor Area (SF) 3,824	Interior Walls N/A	# of Fireplaces 0
Total Floor Area (SF) 3,824	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

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### Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

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### Legal Description

ARL FFX RR RW 12752 SF LESS AND EXCEPT DEDICATION 249 SF; NOW 12503 SF DEED BK 24452 PG 0219

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### Narrative Description of Property

This property contains 0.287 acres of land mainly classified as with a(n) GEN. RETAIL style building, built about 1949 , having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

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## Unofficial Property Record Card - Fairfax, VA

### General Property Data

Parcel ID 57 2 02 078	Account Number 10819
Property Owner KBL, LC	Property Location 10601 FAIRFAX BLVD FAIRFAX
C/O FAIRFAX HYUNDAI INC	Property Use
Mailing Address 10595 WARWICK AVE	Most Recent Sale Date 7/9/1999
City FAIRFAX	Legal Reference 10998-0746
Mailing State VA Zip 22030	Grantor BRITT M G
ParcelZoning Commercial Retail	Sale Price 1,305,000
Tax Exempt No	Land Area 0.566 acres
	Type <b>Comm. multi-parcel</b>

### Current Property Assessment

Card 1 Value	Land Value 1,110,300	Building Value 47,900	Total Value 1,158,200
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### Building Description

Building Style AUTO DEALR	# of Living Units 0	Flooring Type N/A
Year Built 1954	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Above Grade Floor Area (SF) 1,218	Interior Walls Drywall	# of Fireplaces 0
Total Floor Area (SF) 1,218	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

### Utilites Information

Water	Public Water Available
Sewer	Public Sewer Available

### Legal Description

BFA MYERS PT LTS 24,25,37 - 24674 SF 5874-14

### Narrative Description of Property

This property contains 0.566 acres of land mainly classified as with a(n) AUTO DEALR style building, built about 1954 , having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

#### Disclaimer/Privacy Policy

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## Unofficial Property Record Card - Fairfax, VA

### General Property Data

Parcel ID 57 2 02 082	Account Number 1578
Property Owner MGB PROPERTIES II, LLC	Property Location 10637 FAIRFAX BLVD FAIRFAX
Mailing Address 11165 FAIRFAX BLVD	Property Use
City FAIRFAX	Most Recent Sale Date 10/5/2004
Mailing State VA Zip 22030	Legal Reference 16570-0258
Parcel Zoning Commercial Retail	Grantor MGB PROPERTIES LLC
Tax Exempt No	Sale Price 0
	Land Area 0.817 acres
	Type No Consideration

### Current Property Assessment

Card 1 Value	Land Value 1,602,000	Building Value 902,300	Total Value 2,504,300
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### Building Description

Building Style OFFICE	# of Living Units 0	Flooring Type N/A
Year Built 1960	Roof Structure Flat	Heating Type N/A
Building Grade Average	Roof Cover Tar & Gravel	Heating Fuel N/A
Building Condition N/A	Siding Concrete	Air Conditioning 0%
Above Grade Floor Area (SF) 9,246	Interior Walls N/A	# of Fireplaces 0
Total Floor Area (SF) 9,246	# of Bedrooms 0	# of Full Baths 0
Number Rooms 0	# of 1/2 Baths 0	

### Utilities Information

Water	Public Water Available
Sewer	Public Sewer Available

### Legal Description

BFA MYERS PT LTS 22,23-35600 SF 1445-139

### Narrative Description of Property

This property contains 0.817 acres of land mainly classified as with a(n) OFFICE style building, built about 1960, having Concrete exterior and Tar & Gravel roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

#### Disclaimer/Privacy Policy

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

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Posted Notice Placement Instructions

**SU-19-00793, SE-19-00794, BAR-19-00788**

10570 and 10590 Fairfax Boulevard



Sign 1



Sign 2

Brown's Mazda

SU-19-00793, SE-19-00794, BAR-10-00788

Posed Notice Photos

Hearing Date 6/23/20

Posted by the applicant 6/11/20



Location 1



Location 2

**Attachment 9**

**SAMPLE MOTIONS**

- Attachment 9A – Motion A: Special Use Approval
- Attachment 9B – Motion B: Special Use Denial
- Attachment 9C – Motion A: Special Exceptions Approval
- Attachment 9D – Motion B: Special Exceptions Denial
- Attachment 9E – Motion A: Certificate of Appropriateness Approval
- Attachment 9F – Motion B: Certificate of Appropriateness Denial

**MOTION – A**

**Special Use (SU-19-00783)**

**APPROVAL  
(Recommended by Staff)**

I MOVE THAT THE CITY COUNCIL APPROVE THE REQUEST OF BROWN'S FAIRFAX REALTY LLC, APPLICANT, BY JOHN L. McBRIDE, AGENT, FOR TWO SPECIAL USE PERMITS PURSUANT TO CITY CODE SECTION 110-6.7 TO ALLOW VEHICLE SALES AND LEASING PER SECTIONS 110-3.3.1 AND 110-3.5.3.I AND VEHICLE SERVICE PER SECTIONS 110-3.3.1 AND 110-3.5.3.J ON THE PREMISES KNOWN AS 10570 AND 10590 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCELS 57-2-02-009 AND 57-2-02-010, WITH THE FOLLOWING CONDITIONS:

1. At the time of site plan review, the applicant shall include a turning movement exhibit for vehicle delivery trucks that demonstrates that traffic along Fairfax Boulevard will not be significantly impeded by trucks making vehicle deliveries.
  2. At the time of site plan review, the applicant shall show left turning movements for vehicles entering the site traveling eastbound on Fairfax Boulevard.
  3. The applicant shall work with the Zoning Administrator to provide an operational plan at the time of occupancy of the new building that outlines procedures for test drives to ensure that the dealer recommended test drive routes do not include the McLean Avenue neighborhood(s).
  4. Development shall be in conformance with land use plans submitted on June 12, 2020.
-

**MOTION – B**

**Special Use (SU-19-00783)**

**DENIAL**

I MOVE THAT THE CITY COUNCIL DENY THE REQUEST OF BROWN'S FAIRFAX REALTY LLC, APPLICANT, BY JOHN L. McBRIDE, AGENT, FOR TWO SPECIAL USE PERMITS PURSUANT TO CITY CODE SECTION 110-6.7 TO ALLOW VEHICLE SALES AND LEASING PER SECTIONS 110-3.3.1 AND 110-3.5.3.I AND VEHICLE SERVICE PER SECTIONS 110-3.3.1 AND 110-3.5.3.J ON THE PREMISES KNOWN AS 10570 AND 10590 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCELS 57-2-02-009 AND 57-2-02-010, FOR THE FOLLOWING REASONS:

[CITY COUNCIL TO PROVIDE REASON(S)]

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**MOTION – A**

**Special Exception (SE-19-00784)**

**APPROVAL  
(Recommended by Staff)**

I MOVE THAT THE CITY COUNCIL ADOPT THE ATTACHED RESOLUTION TO APPROVE THE REQUEST OF BROWN'S FAIRFAX REALTY LLC, APPLICANT, BY JOHN L. MCBRIDE, AGENT, FOR SIX SPECIAL EXCEPTIONS PURSUANT TO CITY CODE SECTION 110-6.17 TO MODIFY THE MINIMUM FRONT YARD SETBACK AS REQUIRED BY SECTION 110-3.6.2; TO MODIFY THE MINIMUM REAR YARD SETBACK AS REQUIRED BY SECTION 110-3.6.2; TO MODIFY THE REQUIRED TRANSITIONAL YARD ALONG A PROPERTY LINE AS REQUIRED BY SECTIONS 110-4.5.5.C.3(C), 110-4.5.7.C.2, AND 110-4.5.7.E.2; TO MODIFY THE STREET TREE REQUIREMENTS OF SECTION 110-4.5.6.B; TO MODIFY SCREENING FOR OUTDOOR STORAGE AS REQUIRED BY SECTION 110-4.5.8.D.1; AND TO MODIFY THE GENERAL PERFORMANCE CRITERIA FOR RESOURCE MANAGEMENT AND RESOURCE PROTECTION AREAS AS REQUIRED BY SECTION 110-4.18.11 ON THE PREMISES KNOWN AS 10570 AND 10590 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCELS 57-2-02-009 AND 57-2-02-010, WITH THE FOLLOWING CONDITIONS:

1. Development shall be in conformance with land use plans submitted on June 12, 2020.

**MOTION – B**

**Special Exception (SE-19-00784)**

**DENIAL**

I MOVE THAT THE CITY COUNCIL DENY THE ATTACHED RESOLUTION TO APPROVE THE REQUEST OF BROWN'S FAIRFAX REALTY LLC, APPLICANT, BY JOHN L. MCBRIDE, AGENT, FOR SIX SPECIAL EXCEPTIONS PURSUANT TO CITY CODE SECTION 110-6.17 TO MODIFY THE MINIMUM FRONT YARD SETBACK AS REQUIRED BY SECTION 110-3.6.2; TO MODIFY THE MINIMUM REAR YARD SETBACK AS REQUIRED BY SECTION 110-3.6.2; TO MODIFY THE REQUIRED TRANSITIONAL YARD ALONG A PROPERTY LINE AS REQUIRED BY SECTIONS 110-4.5.5.C.3(C), 110-4.5.7.C.2, AND 110-4.5.7.E.2; TO MODIFY THE STREET TREE REQUIREMENTS OF SECTION 110-4.5.6.B; TO MODIFY SCREENING FOR OUTDOOR STORAGE AS REQUIRED BY SECTION 110-4.5.8.D.1; AND TO MODIFY THE GENERAL PERFORMANCE CRITERIA FOR RESOURCE MANAGEMENT AND RESOURCE PROTECTION AREAS AS REQUIRED BY SECTION 110-4.18.11 ON THE PREMISES KNOWN AS 10570 AND 10590 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCELS 57-2-02-009 AND 57-2-02-010, FOR THE FOLLOWING REASONS:

[CITY COUNCIL TO PROVIDE REASON(S)]

---

**MOTION – A**

**CERTIFICATE OF APPROPRIATENESS (BAR-19-00788)**

**APPROVAL**

**(Recommended by Staff)**

I MOVE THAT THE CITY COUNCIL APPROVE THE REQUEST OF BROWN'S FAIRFAX REALTY LLC, APPLICANT, BY JOHN L. MCBRIDE, AGENT, FOR A MAJOR CERTIFICATE OF APPROPRIATENESS, IN ACCORDANCE WITH SECTION 110-6.5.6.B OF THE CITY CODE, FOR REDEVELOPMENT OF A CAR DEALERSHIP PROPERTY ON THE PREMISES KNOWN AS 10570 AND 10590 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCELS 57-2-02-009 AND 57-2-02-010, SUBJECT TO THE FOLLOWING CONDITIONS (AS MAY BE AMENDED BY CITY COUNCIL):

1. Black metal coping shall be installed along the top wall of the parking structure.
2. Evergreen shrubs maturing at a height of three to four feet shall be planted at the outside bases of the retaining walls and fences along the east and west property lines on the subject property where practicable.
3. Board-on-board fence posts shall be enlarged and capped with black metal, and all wood shall be stained a dark brown color.
4. The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

**MOTION – B**

**CERTIFICATE OF APPROPRIATENESS (BAR-19-00788)**

**DENIAL**

I MOVE THAT THE CITY COUNCIL DENY THE REQUEST OF BROWN'S FAIRFAX REALTY LLC, APPLICANT, BY JOHN L. MCBRIDE, AGENT, FOR A MAJOR CERTIFICATE OF APPROPRIATENESS, IN ACCORDANCE WITH SECTION 110-6.5.6.B OF THE CITY CODE, FOR REDEVELOPMENT OF A CAR DEALERSHIP PROPERTY ON THE PREMISES KNOWN AS 10570 AND 10590 FAIRFAX BOULEVARD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCELS 57-2-02-009 AND 57-2-02-010, FOR THE FOLLOWING REASON(S):

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

1. The proposal is not consistent with the applicable provisions of the City Code or the City of Fairfax Design Guidelines.
2. The proposal does not exhibit a combination of architectural elements, including design, line, mass, dimension, color, material, texture, lighting, landscaping, roof line, or height conforming to accepted architectural principles or exhibit external characteristics of demonstrated architectural aesthetic durability.

City Council  
City of Fairfax

**RESOLUTION 2020 - \_\_\_\_\_**  
**APPROVAL**

RESOLUTION TO APPROVE THE REQUEST OF BROWN'S FAIRFAX REALTY LLC, APPLICANT, BY JOHN L. MCBRIDE, AGENT, FOR SIX SPECIAL EXCEPTIONS PURSUANT TO CITY CODE SECTION 110-6.17, TO:

- MODIFY THE MINIMUM FRONT YARD SETBACK AS REQUIRED BY SECTION 110-3.6.2;
- MODIFY THE MINIMUM REAR YARD SETBACK AS REQUIRED BY SECTION 110-3.6.2;
- MODIFY THE REQUIRED TRANSITIONAL YARD ALONG A PROPERTY LINE AS REQUIRED BY SECTIONS 110-4.5.5.C.3(C), 110-4.5.7.C.2, AND 110-4.5.7.E.2;
- MODIFY THE STREET TREE REQUIREMENTS OF SECTION 110-4.5.6.B;
- MODIFY SCREENING FOR OUTDOOR STORAGE AS REQUIRED BY SECTION 110-4.5.8.D.1;
- TO MODIFY THE GENERAL PERFORMANCE CRITERIA FOR RESOURCE MANAGEMENT AND RESOURCE PROTECTION AREAS AS REQUIRED BY SECTION 110-4.18.11.

ON THE PROPERTY IDENTIFIED AS CITY OF FAIRFAX TAX MAP PARCELS 57-2-02-009 AND 57-2-02-010.

WHEREAS, Brown's Fairfax Realty LLC, by John L. McBride, agent, has submitted Application No. SE-19-00784 requesting Special Exceptions to the City Code as listed above; and

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

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

1. The proposal ensures the same general level of land use compatibility as the otherwise applicable standards;
2. The proposal does not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate transitioning, screening, setbacks and other land use considerations;
3. The proposal is generally consistent with the purposes and intent of the city code and the comprehensive plan;
4. The proposal is based on the physical constraints and land use specifics, rather than on economic hardship of the applicant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairfax on this 23<sup>rd</sup> day of June, 2020, that Application No. SE-19-00784 is hereby APPROVED, as requested, with the following conditions:

1. Development shall be in conformance with land use plans submitted on June 12, 2020.

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Votes

Councilmember DeMarco	_____
Councilmember Lim	_____
Councilmember Miller	_____
Councilmember Passey	_____
Councilmember Stehle	_____
Councilmember Yi	_____

City Council  
City of Fairfax

**RESOLUTION 2020 - \_\_\_\_\_**  
**DENIAL**

RESOLUTION TO DENY THE REQUEST OF BROWN'S FAIRFAX REALTY LLC, APPLICANT, BY JOHN L. MCBRIDE, AGENT, FOR SIX SPECIAL EXCEPTIONS PURSUANT TO CITY CODE SECTION 110-6.17, TO:

- MODIFY THE MINIMUM FRONT YARD SETBACK AS REQUIRED BY SECTION 110-3.6.2;
- MODIFY THE MINIMUM REAR YARD SETBACK AS REQUIRED BY SECTION 110-3.6.2;
- MODIFY THE REQUIRED TRANSITIONAL YARD ALONG A PROPERTY LINE AS REQUIRED BY SECTIONS 110-4.5.5.C.3(C), 110-4.5.7.C.2, AND 110-4.5.7.E.2;
- MODIFY THE STREET TREE REQUIREMENTS OF SECTION 110-4.5.6.B;
- MODIFY SCREENING FOR OUTDOOR STORAGE AS REQUIRED BY SECTION 110-4.5.8.D.1;
- TO MODIFY THE GENERAL PERFORMANCE CRITERIA FOR RESOURCE MANAGEMENT AND RESOURCE PROTECTION AREAS AS REQUIRED BY SECTION 110-4.18.11.

ON THE PROPERTY IDENTIFIED AS CITY OF FAIRFAX TAX MAP PARCELS 57-2-02-009 AND 57-2-02-010.

WHEREAS, Brown's Fairfax Realty LLC, by John L. McBride, agent, has submitted Application No. SE-19-00784 requesting Special Exceptions to the City Code as listed above; and

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

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

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

1. The proposal does not ensure the same general level of land use compatibility as the otherwise applicable standards;
2. The proposal materially and adversely affects adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate transitioning, screening, setbacks and other land use considerations;
3. The proposal is not consistent with the purposes and intent of the city code and the comprehensive plan;

4. The proposal is not based on the physical constraints and land use specifics, rather than on economic hardship of the applicant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairfax on this 23<sup>rd</sup> day of June,2020, that Application No. SE-19-00784 is hereby DENIED.

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Votes

Councilmember DeMarco	_____
Councilmember Lim	_____
Councilmember Miller	_____
Councilmember Passey	_____
Councilmember Stehle	_____
Councilmember Yi	_____