

MEMORANDUM



To: Chair Feather and Members of the Planning Commission

From: Albert Frederick, Senior Planner

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

RE: Davies Property (Z-23-00073/SE-23-00074)

Meeting Date: June 23, 2025

The attached documents are inclusive of all materials for the Planning Commission public hearing on the above-referenced items, including the materials that the Applicant has provided in advance of this meeting. This memorandum serves to provide an explanation of the purpose of this item.

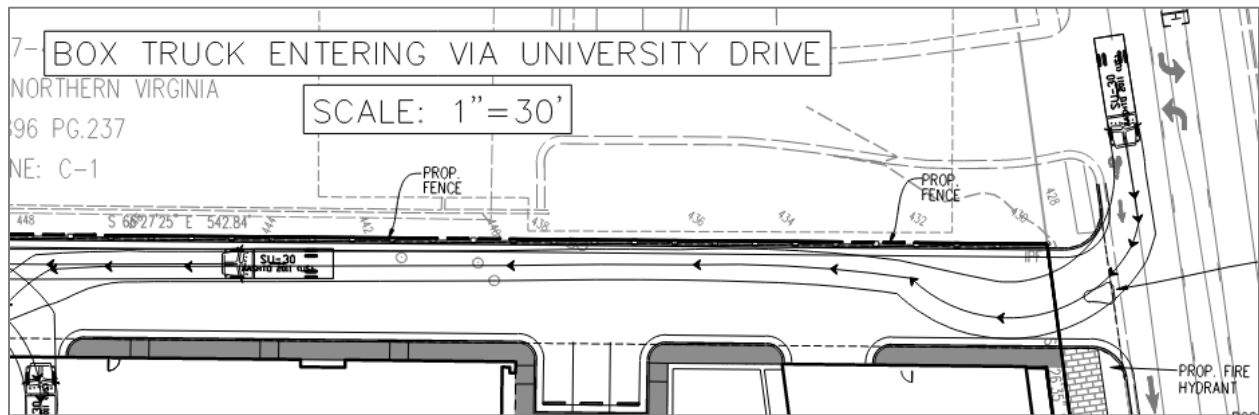
The Applicant proposes replacing an existing 1916 colonial revival style single-family home with an upper-story mixed-use building that consists of 276 multifamily units and approximately 10,796 square feet of retail, office or other commercial nonresidential uses on the ground floor, and a 3-level below grade parking garage on 2.69 +/- acres. The Applicant, The Hill, A Davies Family, LLC, proposes a Zoning Map Amendment (Rezoning) from RM Residential Medium to CU Commercial Urban in the Old Town Fairfax Transition Overlay District (TOD) with a general development plan and proffers; and, Special Exceptions to allow a reduction to the minimum square foot area of 75% on the ground floor with a nonresidential use in a mixed use building, to allow the maximum density to exceed 24 du/acre, to allow the building height to exceed 48 feet, to eliminate the requirement for landscape strip and street trees along the access drive, to eliminate the requirement to provide vehicular access to abutting non-residential properties, to eliminate the requirement for a sidewalk on the northern side of the proposed access drive while providing it on the southern side, and to modify transitional yards; and a waiver to the Public Facilities Manual Section 401-01 to allow a street width of less than 30 feet, a waiver to the Public Facilities Manual Section 404-06 to decrease the minimum corner clearance from the driveway on the parcel to the north from 50 feet to 23 feet, and a waiver to the Public Facilities Manual Section 404-06 to decrease the minimum separation between the access drive and the northern property line from 12 feet to 1-foot. The subject property is in the Old Town Fairfax Small Area Plan.

Technical Deficiencies with Application

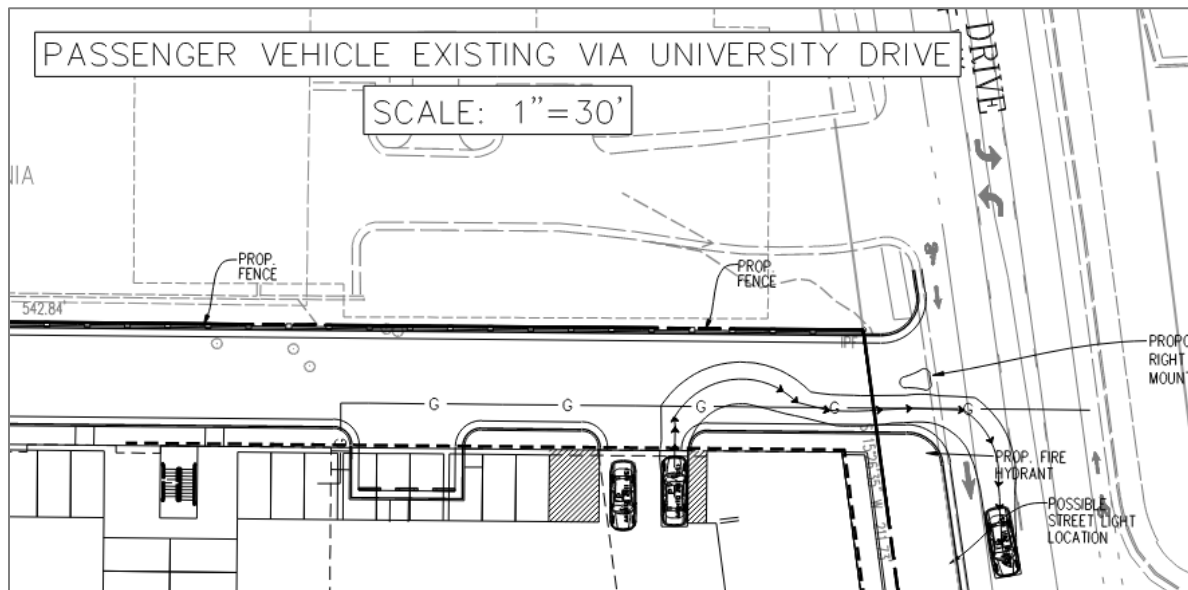
Items to be addressed prior to City Council public hearing

- The Applicant needs to update General Development Plan with the corrected sheets for Sheet 37 and Sheet 38 (Signal Modification Options).
- While it may be common for trucks to require use of the entire street in urban environments, staff continue to have safety concerns given the limited sight distance for conflicting vehicles exiting from the garage (see comment H10.E). Sheets 26-29 show that all large vehicles cross the center line when entering the access drive or exiting and passenger vehicles cross the center line when exiting the garage, which creates conflicts in a constrained area and increases the risk of collisions.

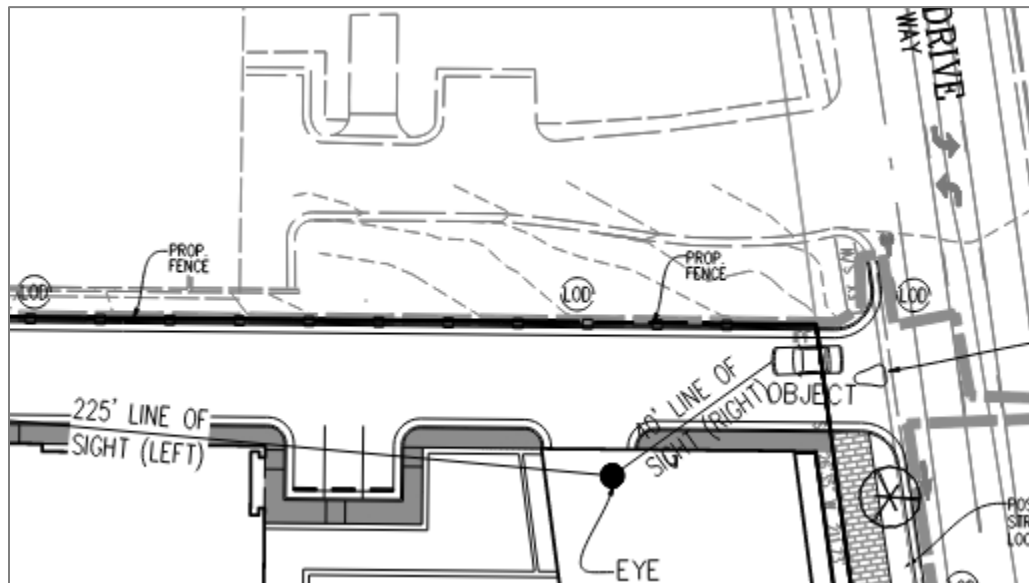
Sheet 26, Box Truck entering from University Dr requires both lanes



Sheet 29, Passenger Vehicle exiting from Garage requires part of opposing lane



Sheet 23, 40' sight distance right from garage exit to University Dr does not meet VDOT/AASHTO requirements



- While staff agree that signage and other treatments may help with awareness, staff continues to have safety concerns given the turning movement conflicts and short sight distance (40' is significantly less than AASHTO requirements and provides less than 2 second reaction time between opposing vehicles, even at slow speeds).

From [VDOT Road Design Manual Appendix A1](#), Stopping Sight Distance

Height of Eye 3.5'							Height of Object 2'				
Design Speed (mph) **	25	30	35	40	45	50	55	60	65	70	75
Min. Sight Distance (ft.)	155	200	250	305	360	425	495	570	645	730	820

Source: 2018 AASHTO Green Book, Chapter 3, Section 3.2.2

(See also <https://highways.dot.gov/safety/speed-management/speed-concepts-informational-guide/chapter-4-engineering-and-technical>)

- Update Proffer 3.E. Provide public access and maintenance easement for bus shelter for any portion not on public ROW.



CITY OF FAIRFAX

Department of Community Development & Planning

Zoning Map Amendment (Z-23-00073)

Special Exception (SE-23-00074)

Board of Architectural Review (BAR-23-00603)

PUBLIC HEARING DATE

June 23, 2025

APPLICANT

The Hill, A Davies Family LLC

AGENT

David Houston, Attorney

PARCEL DATA

Tax Map ID

◇ 57-4-02-040

Street Address

◇ 4131 Chain Bridge Road

Zoning District

- ◇ RM Residential Medium
- ◇ Old Town Fairfax Transition Overlay District

APPLICATION SUMMARY

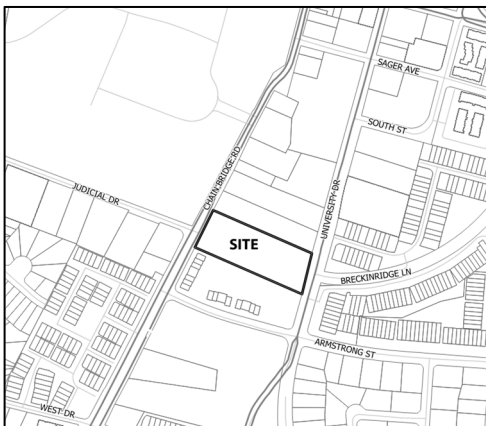
The applicant, The Hill, A Davies Family LLC, requests a Zoning Map Amendment (Rezoning) from RM Residential Medium to CU Commercial Urban in the Old Town Fairfax Transition Overlay District (TOD); and Special Exceptions to permit less than 75% ground floor non-residential use in a mixed use building, to permit more than 24 dwelling units per acre, to permit height greater than forty-eight (48) feet, to eliminate the requirement for landscape strip and street trees along the access drive, to eliminate the requirement to provide vehicular access to abutting non-residential properties, to eliminate the requirement for a sidewalk on the northern side of the proposed access drive while providing it on the southern side, and to modify transitional yards. The Applicant proposes to replace a single-family home with an upper story residential/mixed use building that consists of 276 apartments, approximately 10,796 square feet of retail, office or other commercial nonresidential uses on the ground floor and structured parking on 2.69 +/- acres. The Applicant proposes to dedicate a portion of the public right-of-way for Chain Bridge Road.

STAFF RECOMMENDATION

1. Staff recommends approval of the Zoning Map Amendment (Rezoning) from RM Residential Medium to CU Commercial Urban in the Old Town Fairfax Transition Overlay District (TOD).
2. Staff recommends approval of the General Development Plan with proffers.

The following applications do not require a recommendation or action from the Planning Commission:

- Special Exceptions
- Major Certificate of Appropriateness for architecture and landscaping



Background Information

The site is currently developed with a 3,448 square foot Colonial Revival style single-family home that was constructed around 1916. The house is commonly known as The Hill. The subject property is located on the eastern side of Chain Bridge Road, at the intersection of Judicial Drive, and spans the block with frontage on the west side of University Drive, across from Breckinridge Lane, south of Sager Avenue and north of Armstrong Street. The subject property is approximately 2.69 acres as summarized in Table 1 (below):

Table 1: Property Information

Address	Description	Area	Current Zoning
4131 Chain Bridge Road	1916 Colonial Revival style single-family home	2.69 acres	RM Residential Medium/TOD

- 4131 Chain Bridge Road: a two and a half story brick and frame Colonial Revival style single-family home was constructed around 1916, a detached garage constructed around 1920, and a one-story concrete block shed (undetermined date), and greenhouse. The western property line has a large brick retaining wall with plantings along Chain Bridge Road. The eastern and southern property lines have a board-on-board privacy fence. The vehicular access point to the property is located on Chain Bridge Road.
- Existing overhead utilities, potable water and sanitary sewer, traffic pole and mast arm, and asphalt driveway.
- No stormwater management on site as the site was developed prior to the city and state stormwater requirements.
- Significant grade change on the property

Historical Context

The Davies House was originally the home of attorney and politician Richard Ewell Thornton (1865-1928). Elected first president of the National Bank of Fairfax in 1902, Thornton served as state senator from Virginia's 14th District from 1905 – 1920. He resigned his elected office to accept an appointment as a Major in the U.S. Army and worked to codify military laws. Thornton is buried in Arlington National Cemetery. The house is a large two-and-a-half story, five bay dwelling in the Colonial Revival style.

An assessment of National Register of Historic Places (NRHP) eligibility survey of the Davies House, also known as “The Hill” (DHR #151-5465) at 4131 Chain Bridge Road, City of Fairfax, Virginia was conducted in September 2024 by Thunderbird Archeology, a division of Wetland Studies and Solutions, Inc. of Gainesville, Virginia for the City of Fairfax, Virginia. The purpose of the survey was to evaluate the potential significance of the Davies House in terms of eligibility for inclusion in the NRHP. The assessment evaluated the history of the property and the exterior of the dwelling and secondary sources. The consultants concluded that the site is potentially eligible for listing in the National Register of Historic Places under Criteria B and C (see below), but further study would be necessary to fully evaluate the site's eligibility. The site is currently not listed as a contributing property on the NRHP. The Board of Architectural Review does not have purview over demolition outside of the city's Historic Overlay District.

NRHP Criterion B concerns properties associated with individuals whose specific contributions to history on the local, state, or national levels can be identified and documented. Properties associated with the individual's adult, productive period are preferred, although properties associated with individual outside of the period can

be eligible if nor properties with their productive period are extant (NPS 1997:14-15; Davies Property: Assessment of NRHP Eligibility, Page 23).

NRHP Criterion C concerns properties that “embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction” (NPS 1997:17; Davies Property: Assessment of NRHP Eligibility, Page 24). For a full assessment of the Davies House, refer to Attachment 7.

The site has access from Chain Bridge Road. Further information on adjacent properties is provided in Table 2 (below):

Table 2: Surrounding Land Use and Zoning

	Existing Zoning	Existing Land Use	Future Land Use
Site	RM Residential Medium/Old Town Fairfax Transition Overlay District (TOD)	Single-family home	Activity Center/Old Town Fairfax Small Area Plan
North	CO Commercial Office/Old Town Fairfax Transition Overlay District (TOD)	Office building	Activity Center/Old Town Fairfax Small Area Plan
South	PDC Planned Development Commercial District/Old Town Fairfax Transition Overlay District (TOD)	Office building	Activity Center/Old Town Fairfax Small Area Plan
East	RT Residential Townhouse	Townhomes	Townhouse/Single-Family Attached Neighborhood
West	CR Commercial Retail/Old Town Fairfax Transition Overlay District (TOD) PDC Planned Development Commercial zoning in Fairfax County	Former restaurant Fairfax County Judicial Center (Fairfax County)	Commercial Corridor/ Old Town Fairfax Small Area Plan Fairfax County Public Facilities

The Comprehensive Plan Future Land Use designation for the subject property is Activity Center, and the Old Town Fairfax Small Area Plan applies to this site. The subject property is currently zoned RM Residential Medium in the Old Town Fairfax Transition Overlay District. The subject site is located on the eastern side of Chain Bridge Road, at the intersection of Judicial Drive, and spans the block with frontage on University Drive, across from Breckinridge Lane. The three-story Fairfax County Judicial Complex in the County Public Facilities future land use designation and a vacant one-story restaurant in the Commercial Corridor Place Type is located on the west side of Chain Bridge Road; a five-story office building in the Activity Center Place Type is located to the north; a three-story office-condo subdivision in the Activity Center Place Type is located to the south; and, a three-story townhome community is located to the east of the site and across University Drive in Townhouse/Single-Family Attached Neighborhood Place Type.

Project History

On March 14, 2022, the Planning Commission held a pre-application briefing to review a concept plan for an apartment building with retail. Some of the comments voiced by the commissioners' included concerns about consistency with Small Area Plan, compliance with Affordable Dwelling Units Ordinance, pedestrian

connections, proximity to George Mason University, cumulative traffic impacts on road network, fire and emergency access, and green building practices.

On April 5, 2022, the City Council held a pre-application briefing to review a concept plan for an apartment building with retail. The City Council expressed some concerns about density, height and building size, not enough commercial being proposed, lack of open space could be problematic, and this concept may not be the right project for this location.

On September 20, 2023, the Board of Architectural Review held a preliminary work session to discuss the proposed architecture for the proposed upper-story residential/mixed use building. Section 6.17.5. (Special Exceptions) of the Zoning Ordinance requires the Board of Architectural Review (BAR) to make recommendations to the City Council on land use applications in the Transition Overlay District. One recommendation would be for the Special Exceptions and the second recommendation would be for the Major Certificate of Appropriateness for architecture and landscaping with a recommendation to the City Council. The Applicant is requesting a total of eight (8) Special Exceptions to allow the building height to exceed for 48 feet in the Transition Overlay District (TOD), to allow the density to exceed 24 units per acre, to reduce the 75% ground floor nonresidential use, to exceed the maximum lot coverage of 90%, to eliminate the requirement for inter-parcel vehicular access, to eliminate the transitional yard on the northern property line, to eliminate the sidewalk requirement on the north side of the private street and to modify the parking space dimensional requirement. The Applicant is required to go back to the BAR for another work session.

Some of the comments voiced by the BAR included concerns about the architecture and building does not blend in well with Old Town Fairfax, height, building massing, density, and monolithic appearance. The proposed mural was also a concern for the board. The special exceptions were not defined or discussed at this work session and will be discussed at a future work session with the BAR. There were several members of the public with comments in opposition to the proposed architecture.

On November 13, 2023, the Planning Commission held a post submission work session to discuss the proposed Map Amendment (Rezoning) from RM Residential Medium to CU Commercial Urban in the Old Town Fairfax Transition Overlay District (TOD) and General Development Plan. After a presentation by staff and the Applicant, the Planning Commission made the following comments and observations:

- Project could be scaled back in terms of height, density, massing and impervious surface area
- On-site Affordable Dwelling Units is a plus for the project
- Loss of trees and open space is a concern
- Road width of 26 feet and fire lane requirements are not negotiable
- The pedestrian pathway through the middle of the site is a key feature, could use some retail or other features to engage the public
- Traffic is a concern, providing more alternatives such as transit and bike share
- Transportation Impact Study should consider pre-pandemic numbers
- Explore the possibility of left turn movements out to University Drive, challenges with off-set alignment with Breckinridge Lane
- Provide EV stations to meet growing demand
- Provide more retail than 5,000 square feet; potential to be multiple fast/casual restaurants, or a larger restaurant or fitness facility
- The Zoning Ordinance standards for the CU district need to catch up with the Small Area Plan
- The Applicant has made a rational argument for compact spaces

- Inquiry was made on the types of tenants and number of units by type
- Need to consider all the units proposed throughout the city in Activity Centers

December 5, 2023, City Council held a post-submission work session with the Applicant, TDC Acquisitions LLC to discuss the latest submission. After a presentation by staff and the Applicant, City Council Commission made the following comments and observations:

- Would the greenway as proposed align with the existing parking structure to the north? Yes.
- Would the greenway be designed to allow pedestrian access, as well as emergency vehicle access? Yes.
- Would the access drive on Chain Bridge Road and University Drive be limited to right-in, right-out? Yes.
- What is the recommended tree canopy for the site? The proposed tree canopy is under the required percentage, but the number has not been determined at this time.
- Concern with retail at this location because it is not recommended in the Small Area Plan.
- Project has potential but more tree canopy is needed and there could be a tradeoff for height with more tree canopy.
- Review of the transportation analysis is needed to evaluate the impacts on the road network and intersections.
- Would the required Affordable Dwelling Units (ADU) be distributed throughout both buildings? Yes.

On September 6, 2024, the owner as the Applicant submitted an updated land use applications and revised plans.

On December 4, 2024, the Board of Architectural Review (BAR) held a work session to discuss the revised plans provided by the owner as Applicant:

- What is the total building area?
- Is the green way public or private? Who will maintain the greenway?
- What is the difference between RM Residential Medium and CU Commercial Urban?
- What is the proposed tree canopy area?
- Would the artificial lawn be at grade?
- It would be helpful to see what the small area plan covers regarding special exceptions.
- The current design is an improvement from the previous design. The building section on the south area along Chain Bridge Road appears flat.
- Would this be one or two buildings?
- The building appears to be more commercial than residential, and the building mass and size may not be suitable for the city.
- Greenway should incorporate grass and other materials.
- Would the roof be used as a recreation area?
- The grade on this site is a significant challenge.
- Has the applicant considered installing a bridge over the pool area on the top floor of the building to connect the two roof areas? The roof area could be used as a garden or recreation area.
- More greenery would add to the residential feel
- Open courtyard makes a huge improvement to the design, will there be flower beds with topsoil in the courtyard area?
- A step back on Chain Bridge Road could also provide an opportunity for terraces to on the fifth floor, and fiber cement could add texture to the building.

- The proposal could use more retail space.
- Asphalt shingles can have an aging look and perhaps the applicant can use something of higher quality.
- Is there an integrated cove gutter in the mansard.

On January 13, 2025, the Planning Commission held a post-submission work session to discuss the proposed Map Amendment (Rezoning) from RM Residential Medium to CU Commercial Urban in the Old Town Fairfax Transition Overlay District (TOD) and General Development Plan. After a presentation by staff and the Applicant, the Planning Commission made the following comments and observations:

- Trip generation for the number of parking spaces
- Transportation Impact Study is required
- Studios and 1-bedrooms may not be needed as a part of the City of Fairfax; what is the occupancy rate at Scout, The Moxley, and One University?
- Have there been any conversations about consolidating with adjacent/nearby property owners?
- Concern about parking along access drive that may inhibit emergency access, possible problem in the future as a 26-foot street wouldn't accommodate two travel lanes and parking, see congestion occurring on the internal street
- Don't believe delivery will go into the garage, they will park on the internal street, they do it on public streets, so they will park on a private street. Delivery parking outside would be ideal, for the retail as well, at least 5-10 spots.
- Is there are clear vision for right in, right out at the intersections of Chain Bridge Road and University Drive?
- The stormwater vault is designed for 1-to-10-year events, but we are seeing storms exceed that on an annual basis; what happens when the capacity to store is exceeded, removing a lot of pervious surface, don't want to burden the neighborhood closer to the creek, need to have the thumbs up from stormwater staff that everything works
- The 75% ground floor coverage, the University Drive as a retail/commercial corridor, travel that corridor quite a bit, there is no residential property accessed directly to University Drive north of Armstrong Street, think of it as a retail/commercial corridor and think what to be developed would largely be retail
- A desire for more retail on the first floor on University Drive (could use the pool as the break between commercial and residential)
- Nice to see a response to the Electric Vehicle (EV) input, having the building ready for conversion to EV is also a must if it is not there day one
- Dumpster location needs to be reconsidered
- The area around this property has changed, the small area plan recognizes that there are currently many large expanses of parking
- Consolidation is what is envisioned in the small area plan, could this be more cohesive as part of an assemblage?
- Courtyard in building along University Drive, will it encroach down into the garage, does that create a clearance issue below?
- Need staff input on whether the greenway is wide enough
- Could the applicant capture more tree canopy on the roof?
- Tree canopy is a concern, the applicant will need to be prepared to address that
- Mansard style roof section seems 19th century France and not the City of Fairfax, not the character of the city, architecture isn't our purview, but we can comment on any aspects

- The building design has improved significantly, and scale is an improvement
- Continue to receive input from neighbors

On January 28, 2025, the City Council held a post-submission work session to discuss the proposed Map Amendment (Rezoning) from RM Residential Medium to CU Commercial Urban in the Old Town Fairfax Transition Overlay District (TOD) and General Development Plan. After a presentation by staff and the Applicant, the City Council made the following comments and observations:

- Has a historical analysis been conducted on the existing house?
- Would like to see results from City's historic resource evaluations before CC decides.
- The project is too dense and needs more commercial.
- More tree canopies are desired.
- Glad to hear tree canopy is above 10% threshold, would like to see it closer to 20% which is what the current requirement is, would like to see plantings on the roof.
- How does the proposed density compare to some other projects that have been approved in the city?
- Does the proposed green way connect to anything?
- See retaining wall on the south side, would like to see preparing for continuing the greenway.
- Lack of sidewalk on the northern side, why would that not be provided?
- What is the purpose of the east-west drive? Is there a safe place to cross in alignment with the greenway?
- Do we have data on the transportation impacts to the Breckenridge/University light (intersection?)
- Parking spaces for short-term users may not be adequate for the need.
- What has the community outreach been so far?
- Recognize you have spoken with the HOA but want to make sure that we need to move forward while keeping small town charm, please keep open communication going with them.
- Has lot consolidation been considered?
- Accessible housing is a need, see that there are 17 units designated as affordable, how does that compare to other projects?
- 1-, 2-, and 10-years storms are occurring more frequently than that, has this been cross walked against City studies on stormwater.
- Not sure if not using RealPage or similar could be in proffers but would like to hear from staff as to whether that is possible.

On April 18, 2025, the Applicant submitted its third revised general development plan and the Certificate of Appropriateness plans. Along The Applicant is requesting a total of seven (7) Special Exceptions: to permit less than 75% ground floor non-residential use in a mixed building, to permit more than 24 dwelling units per acre in the CU District, to permit height greater than forty-eight (48) feet in the TOD, to eliminate the requirement for landscape strip and street trees along the access drive, to eliminate the requirement to provide vehicular access to abutting non-residential properties, to eliminate the requirement for a sidewalk on the northern side of the proposed access drive while providing it on the southern side and to modify transitional yards requirement.

On May 23, 2025, the Applicant submitted its fourth revised and final plan set for a public hearing with the Planning Commission.

Certificate of Appropriateness (Board of Architectural Review)

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 (Section 3.7.2), the Old Town Fairfax Transition Overlay District (Section 3.7.3), or in the Architectural Control Overlay District (Section 3.7.4). In addition to a recommendation on the certificate of appropriateness, the BAR is required to provide a recommendation for special exception applications on historic district and transition overlay district properties (Zoning Ordinance, Section 6.16.5.B, Page 6-47). On June 4, 2025, the Applicant submitted a revised BAR plan set.

The architectural elements for Building A along Chain Bridge Road, on the right and middle of the building facade, consist of red and beige brick, metal cornice, metal, and recessed banding. This corner consists of retail frontage with canopies, gooseneck lighting, storefront bays, and signage. The Applicant incorporates beige brick on levels one and two into varying bays around the storefront module. Red brick would be located on floors three through five. The applicant proposes architectural stone accents located within the red brick. Juliette balconies are scattered throughout the elevation. Along the left side of the elevation, the applicant proposes a burgundy brick between the first and third floors, canopies, signage, and storefront modules. The remaining part of the upper floors consists of a fiber cement board in different shades of gray. The leftmost corner of the façade would be stepped back 4', as the Applicant incorporates a tower element feature. Varying bays would be 5' in depth. The architecture of this façade appears respectful to the district, while incorporating modern industrial elements.

The architectural elements for Building B along University Drive consist of more traditional architecture, lower scale, and a more residential appeal. The applicant proposes darker red brick with quoins, two story pediments of architectural stone, and dormer features on the fourth floor. Due to the topography, the sidewalk would be several feet below the building. The foundation line would receive beige brick, and the roof would be a standing seam metal roof. Windows would have white color frames, and the elevation consists of varying bays to break up the façade. The recessed bays would be 2'-4' behind the main façade plane and the material would consist of two colors of fiber cement siding including a second story decorative band. The applicant proposes rooftop amenity space along the University side of the building above floor two, along with an exit stair that would be treated with brick and a metal cornice.

All mechanical equipment would be located on the rooftop and would not be visible from a public view. The residential amenity areas would include grilling stations, dining tables and chairs, shade structure, pool, and synthetic lawn. In the middle greenway area that separates both buildings, there would be a brick path with landscaping along the path. Site lighting includes acorn pole, building mounted downward facing, gooseneck, and pedestrian trail lighting.

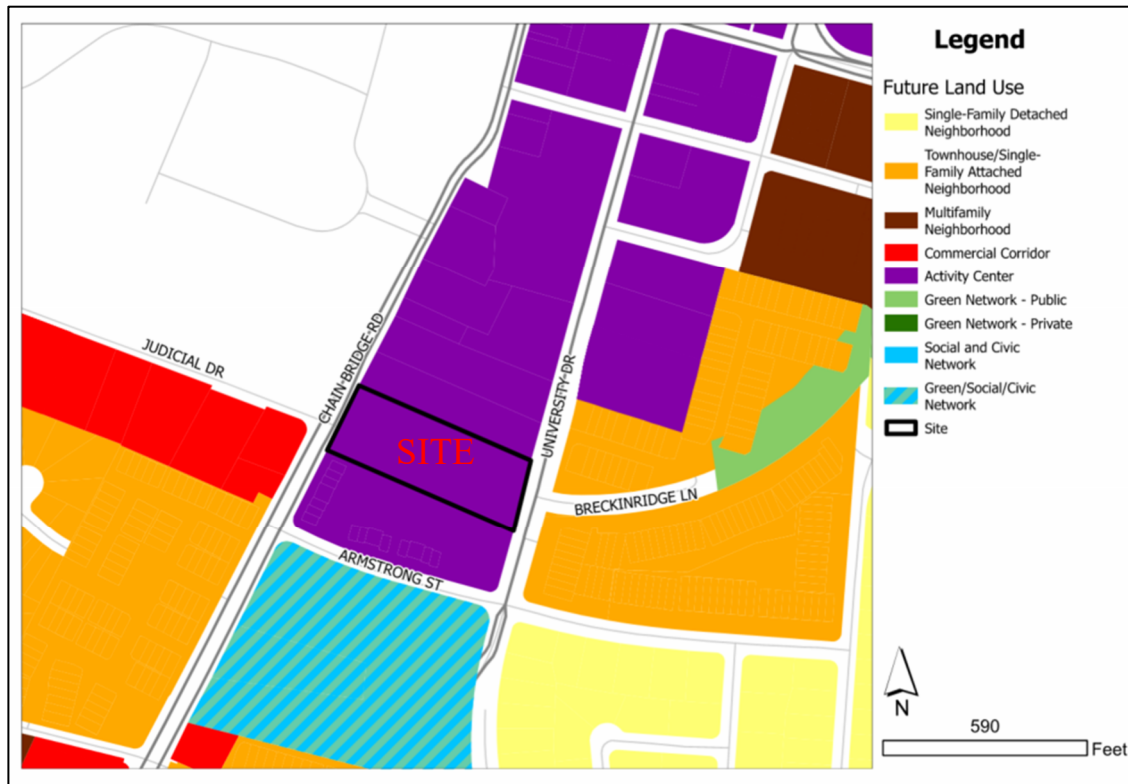
The Board of Architectural Review held a public hearing on the Major Certificate of Appropriateness on June 18, 2025, and recommended approval with conditions:

1. The proposed modifications shall be in general conformance with the plans and renderings received by staff in May 2025 and recommended for approval by the Board of Architectural Review as of June 18, 2025.
2. The applicant shall secure all required zoning approvals and permits prior to construction.
3. Landscaping is subject to change per urban forester comments at site plan approval stage.
4. The applicant shall not change the standing seam metal roof to shingles along University Drive.

2035 COMPREHENSIVE PLAN

The Comprehensive Plan provides a general plan and communicates a vision for future land use and development in the city; while the Zoning Ordinance provides the regulatory mechanism to ensure the new development and changes in land use are consistent with the vision. Figure 1 (below) illustrates the Comprehensive Plan Future Land Use Map for the subject property and surrounding area:

Figure 1: Comprehensive Plan



The Activity Center Place Type applies to locations in the city where pedestrian-oriented, mixed-use development is strongly encouraged. 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). (City of Fairfax 2035 Comprehensive Plan, Page 30). Activity Centers can accommodate a variety of building types based on the different uses permitted and varying characteristics among individual Activity Centers. New development in Activity Centers should support a connected street network as recommended in the Multimodal Transportation Chapter of the Comprehensive Plan, provide an improved streetscape and pedestrian connections to surrounding uses, including links to the existing pedestrian network, and include inviting public and/or private open spaces. Buildings should be oriented towards streets or open spaces with direct pedestrian access to these areas. Parking should be provided in structured or below-grade facilities where reasonable (City of Fairfax 2035 Comprehensive Plan, Page 30).

Land Use Strategies: While the 6.3 square mile City is primarily built out, leaving few opportunities for large new development, there is consistent pressure for the City's variety of land uses to adapt to environmental, economic, and cultural demands. This means that some flexibility must be provided with a balanced mix of development types that accommodate adaptations without negatively impacting the existing community. New development and redevelopment should be complementary to surrounding areas and contribute to an

attractive, accessible, and economically viable place (City of Fairfax 2035 Comprehensive Plan, Chapter 2: Land Use, Page 21).

Land Use Strategies Goal 1

Ensure development is complementary.

Outcome LU1.1: The Future Land Use Map is used in conjunction with other recommendations from the Comprehensive Plan to guide development throughout the city.

Action LU1.1.2: Use the Future Land Use Map (Figure 9), Place Types, and general text from the Comprehensive Plan as a guide when considering new development throughout the City.

Action LU1.1.5: Balance city goals and policies, such as those addressing the natural environment, economic vitality, mobility, equity, housing, health, and community facilities and services, when considering land use decisions.

Neighborhood: Neighborhood – the places where we live, learn, play, and increasingly work – constitute the largest geographical use of land in the city, though physical boundaries are not the only thing defining character trait of a neighborhood. The City’s neighborhoods each have their own unique character and offer a variety of housing and lifestyle opportunities. Neighborhoods are supported by a separate Guiding Principle in this Plan due to their importance to residents. City growth and development policies must both preserve the quality of neighborhoods and protect neighborhoods from adverse consequences of growth. However, this should not imply that Fairfax’s neighborhoods should remain static. Well-designed and properly scaled infill can be an appropriate strategy to foster walkability, better amenities, and housing affordability (City of Fairfax 2035 Comprehensive Plan, Chapter 2: Land Use, Page 46).

Neighborhood Goal 1

Enhance neighborhood character.

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

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

Neighborhood Goal 2

Provide neighborhood pedestrian connections.

Outcome 2.1: Residents of all abilities safely and easily move about the community.

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

Action 2.1.2: Expand existing pedestrian network to increase connectivity within neighborhoods and to other destinations.

Commercial Corridors and Activity Centers: Fairfax’s success in achieving the community’s vision for future development hinges upon effective growth strategies for the City’s areas of highest redevelopment potential. These areas will accommodate the majority of new commercial activity, higher density residential neighborhoods, and transportation improvements. Success in achieving this vision will be measured not by the magnitude of new investment, but rather by the attributes that can transform a disjointed pattern of development into an attractive and welcoming neighborhood. If the City’s Commercial Corridors and Activity Centers can be transformed into areas with attractive physical characteristics and a mix of uses, then the city will realize a major aspect of its goal to be a vibrant community. While higher intensity mixed-use redevelopment of older commercial properties can provide economic and social benefits to the community, these benefits would be most realized if concentrated in key areas to allow new developments to complement each other, avoid oversaturating the market, and minimize impacts to existing neighborhoods. These types of uses are primarily envisioned in Activity Centers, as indicated on the Future Land Use Map. (City of Fairfax 2035 Comprehensive Plan, Chapter 2: Land Use, Page 49).

Commercial Corridors & Activity Centers Goal 2

Promote redevelopment in the City’s Activity Centers.

Outcome CCAC2.1: Activity Centers are well-designed and desirable places to live, work, shop, and dine.

Action CCAC2.1.1 Reference Small Area Plans for guidance on private development within the Old Town, Northfax, Kamp Washington, and Fairfax Circle activity centers.

Action CCAC2.1.2 Reference Small Area Plans for guidance on design and investment in public improvements within the Old Town, Northfax, Kamp Washington, and Fairfax Circle activity centers.

Housing: It is vital that a variety of high-quality, attractive housing choices continue to be available in the city to support differing needs and demands of residents. Housing needs and demands are reflective of the existing housing stock and fluctuating market trends, making them subject to change over time. Specific housing types are identified in the Land Use Strategies Section of the Comprehensive Plan. Current shortages could include multifamily rentals and condominiums, which are in strong demand nationwide, and townhomes, of which the city currently has a lower ratio than many surrounding communities in Fairfax County (City of Fairfax 2035 Comprehensive Plan, Page 54).

Housing Goal 1

Support a wide range of housing types.

Outcome H1.1: Residential development in Activity Centers, along with an emphasis on market-driven needs, fills gaps in the City’s housing supply.

Action H1.1.1: Support development of housing units in the Activity Centers that are suitable for a wide range of household incomes, that produce an overall mix of rental and for-sale units, and that emphasize walkability and connectivity.

Action H1.1.2: Continue to identify and emphasize the construction of housing units that fill gaps in the local housing market.

Housing Goal 2

Ensure availability of housing that is affordable.

Outcome H2.1: The City's affordable housing unit stock has been preserved and grown through redevelopment and strategic investments.

Action H2.1.2 Provide regulatory requirements and financial incentives to increase the supply of affordable housing, including continued support of the Affordable Dwelling Unit requirements contained in the Zoning Ordinance.

Community Design: An attractive, well-designed city instills civic pride, improves the visual character of the community, creates a strong, positive image, and attracts quality development. Community Design relates not just to what buildings look like, but to the spaces between buildings, as well as to the street and public realm. While accommodating new growth and change, consideration must be given to preserving significant elements of the community that contribute to the city's unique character. The intent of the Community Design and Historic Preservation Guiding Principle is to capitalize on unique features of the city in a manner reflecting the community's values and its connection to the history and traditions that distinguish it from other communities in the region, as well as creating enhanced economic benefits for the entire City. (City of Fairfax 2035 Comprehensive Plan, Chapter 2: Land Use, Page 61).

Community Design and Historic Preservation Goal 1

Require high-quality, sustainable design.

Outcome CDHP1.1: Expectations for the required design elements and building materials for the City's historic districts and commercial centers are clear.

Outcome CDHP 1.2: Attractive buildings, inviting public spaces, and welcoming gateways that contribute to our economic vitality and unique character.

Community Design and Historic Preservation Goal 2

Protect and enhance historic resources.

Outcome CDHP2.1: Eligible structures, properties, and neighborhoods are protected through local historic designation and strategic investments.

Action CDHP 2.1.2: Support new locally-designated historic districts and landmarks, where appropriate.

Action CDHP 2.1.3: Preserve existing buildings of historic or architectural significance.

Action CDHP 2.1.4: Reference available resources to provide guidance on necessary archeological assessment for projects with anticipated ground disturbance in high sensitivity areas and develop standards for maintaining discovered artifacts.

Outcome CDHP2.2: Redevelopment respects nearby historic structures and the established architectural pattern.

Action CDHP 2.2.1: Ensure all new development subject to the requirements of the City of Fairfax Design Guidelines is compliant.

Multimodal Transportation: Transportation is about more than mere movement – transportation grants us access to the needs of everyday life. Sustainable, connected, and integrated transportation is fundamental to the success and livability of the city. Multimodal refers to the multiple ways people use to get around – car, bus, train, bike, walking, etc. – and a multimodal plan incorporates these various transportation modes into an efficient and connected system (City of Fairfax 2035 Comprehensive Plan, Chapter 3: Multimodal Transportation, Page 68).

Multimodal Transportation Goal 2

Provide accessible, efficient, 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).

Outcome MM2.4: Transit continues to be an effective and efficient non-driving alternative.

Action 2.4.1.6: Promote transit-friendly design features in development projects.

Action 2.4.1.7: Expand ADA-accessible sidewalks and crosswalks serving bus stops.

Multimodal Transportation Goal 3

Integrate transportation with land use.

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

Action MM3.1.2: Explore opportunities for reduced parking requirements in transit-oriented developments and activity centers.

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 MM3.2.2: With development projects, break up large blocks to a more walkable scale. Pursue additional secondary and tertiary street network opportunities. Streets should be well-designed as complete streets and align at regular intersections for a continuous street grid.

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.

Multimodal Transportation Goal 4

Adopt policies and procedures for strategic transportation decision making.

Outcome MM4.2: A Transportation Demand Management (TDM) Program is adopted and implemented.

Action MM4.2.2: Require TDM for all large development projects. Require monitoring to assess resident/employee travel patterns.

Environment and Sustainability: Sustainability is often defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs (Comprehensive Plan, Page 112). The city should seize the opportunity to promote energy efficient and sustainable redevelopments and retrofits of aging buildings while encouraging designs that fit within the context of the existing community (Comprehensive Plan, Page 113). The city should seek specific actions that support sustainable practices that can decrease greenhouse gas emissions from both building energy use and transportation, increase energy efficiency, increase utilization of renewable energy, increase waste reduction and recycling, conserve water, and support healthy lifestyles (City of Fairfax 2035 Comprehensive Plan, Chapter 4: Environment & Sustainability, Page 98).

Sustainability Initiatives Goal 1

Increase the use of sustainable practices, technology, design, and materials.

Outcome SI1.1: Energy demand is minimized with the application of energy efficient design features, technologies, and best practices.

Action SI1.1: Implement and continually improve the green building policy to achieve the goals outlined in the policy.

Outcome SI1.5: Use of electric and alternative fuel vehicles and infrastructure is expanded.

Economic Vitality: The city has long been a hub for economic activity within Northern Virginia. Due to its central location, proximity to regional destinations such as George Mason University, the Fairfax County Judicial Complex, and Inova Fairfax Hospital, and its setting among transportation crossroads, the city has traditionally boasted a larger share of the region's office and retail activity than its relatively small size and population would suggest. This longstanding concentration of economic activity still holds true, with the city achieving the third-highest amount of retail sales per capita of any Virginia jurisdiction and a regional share of office space more than four times the City's share of Northern Virginia's land area. This cluster of economic vitality provides Fairfax with many benefits, such as a diversified revenue stream that enables the city to rely less on residential tax revenue than do most nearby jurisdictions. Furthermore, a high concentration of office and retail activity enables City residents to have varied employment and shopping opportunities relatively close to home (City of Fairfax 2035 Comprehensive Plan, Chapter 5: Economic Vitality, Page 117).

Economic Vitality Goal 1

Maintain or increase the City's ratio of commercial to residential real estate.

Outcome EV1.1: New development and redevelopment continues to generate revenue from non-residential buildings and uses.

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

Economic Vitality 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.

Action EV2.1.1 Attract new retail and service businesses representing sectors that have the ability to become regional destinations

Economic Vitality 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.

Outcome EV3.2: Old Town is a regional destination as a cultural hub with enhanced economic benefits for the entire City.

Action EV3.2.1: Market Old Town as a social, cultural, and economic center.

Action EV3.2.2: Promote the unique historical attributes of Old Town.

Action EV3.2.3: Support integration of cultural arts into the historic fabric of Old Town.

Action EV3.2.4: Continue to support the Old Town Fairfax Business Association in organizing activities and events and placemaking efforts.

The Old Town Fairfax Activity Center ("Old Town Fairfax") encompasses a cultural hub for the city, with a concentration of historic buildings, public services, active open space, and commercial buildings. Old Town Fairfax can capitalize on its proximity to George Mason University to attract university supported businesses and arts and entertainment venues. The entirety of Old Town Fairfax is within the Old Town Fairfax Historic Overlay District (HOD) or the Old Town Fairfax Transition Overlay District (TOD) and is subject to those provisions of the Zoning Ordinance and the City of Fairfax Design Guidelines (City of Fairfax 2035 Comprehensive Plan, Page 30).

Refer to the Old Town Fairfax Small Area Plan, dated June 2020, for specific recommendations within Old Town Fairfax, including locations for future streets and open spaces, opportunities for pedestrian connections across Commercial Mains, building form (including appropriate locations for more or less restrictive building heights from the Activity Center standards), and general land use and development limitations (City of Fairfax 2035 Comprehensive Plan, Page 33).

OLD TOWN FAIRFAX SMALL AREA PLAN

In June 2020, the City Council adopted the Old Town Fairfax Small Area Plan to provide guidance on a neighborhood level for development in the Activity Center Place Type. The guidance provides specifics on the desired mix of uses, recommended height and density, building typologies, street locations, multi-modal connections, infrastructure improvements, parking, and open space. Old Town Fairfax is intended to bring in regional populations to come visit, interact, work, play, shop and dine in the city. It is a unique place within the region, with its historical downtown fabric and its adjacency to George Mason University (Old Town Small Area Plan, Introduction, Page 2).

Mix of Uses

- Old Town has an opportunity to transform into a mixed-use Activity Center that centers and anchors the surrounding communities. Transitioning to a more balanced mix of uses will help create a better sense of place, bringing more activity around the clock, potentially reduce single-use peak traffic, and help create more dynamic public spaces.
- Residential uses are key to supporting new development in the Activity Centers, both of which are currently dominated by office space. New residential construction also provides diversification of residential product types since most of the City's existing residential inventory comprises older single-family homes and apartment complexes. Expanding residential choices to include new construction, including target market occupants (students and seniors), can help nurture a well-balanced sustainable community (Old Town Small Area Plan, Page 24).
- Retail thrives when concentrated in nodes of no more than two to three urban blocks, and in traditional two-sided walkable pedestrian friendly streets and continuous retail frontage. Public open space can be advantageously used by adjacent retail uses to strengthen the civic life of the park and help support the retail. Retail should be most concentrated in the pedestrian precinct and cultural core-building upon its unique existing retail opportunities (Old Town Small Area Plan, Page 21).
- In the medium-to-long-term mix of uses, the following percentage of uses are anticipated:
 - o Multifamily (52%)
 - o Office (28%)
 - o Retail (11%)
 - o Hotel (5%)
 - o Institutional (4%)
- Retail and office are not prescribed at this location. However, the Planning Commission and the City Council have encouraged developers to provide some commercial space at this location. The Applicant has proposed approximately 6,608 square feet of retail and approximately 4,188 square feet of office on Chain Bridge Road.

Height and Density

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

- Residential: Increase of 1,250 residential units (including townhouses, condos, market-rate apartments, senior living, student, and affordable housing units). To date, the city has approved 94 units in the Old Town Small Area Plan. The Applicant proposes to develop 276 apartments with 17 affordable dwelling units.
- Office: Increase of at least 25,000 GSF new office space. To date, the City has approved 18,663 square feet of office space and 18,199 square feet of financial institution (bank) in the Old Town Small Area Plan. The Applicant is proposing to develop approximately 4,188 square feet of office space in Building A fronting on Chain Bridge Road.
- Retail: Increase of at least 60,000 GSF of new retail space and activation of at least 20,000 GSF of currently vacant retail space. To date, the city has approved 7,731 square feet of retail space in the Old Town Small Area Plan. The Applicant is proposing to develop approximately 6,608 square feet of retail space on the ground floor fronting Chain Bridge Road.
- Most of the properties within the Old Town study area are regulated by the Old Town Historic Overlay District and the Old Town Transition Overlay District, which limits buildings to a maximum height of 3 stories and 4 stories, respectively. The plan focuses on larger scale redevelopment in Old Town North and Old Town South. Taller buildings conform to the existing character established by the larger existing office buildings and nearby tall structures at the Massey Complex (Old Town Small Area Plan, Page 25).
- Recommended up to four (4) stories fronting on University Drive and five (5) stories for the remainder of the subject property. The Applicant is proposing to develop two buildings on the property: Building A is five (5) stories on Chain Bridge Road and Building B is four (4) stories for the first 70 feet measured from the property line along University Drive and five (5) stories in the middle of the site.

Building Typologies

A newly constructed building for the subject property should be designed with an architectural façade that is sensitive to University Drive. The building height is recommended for a limit of four and five stories.

Adjustment of this site and building layouts may be necessary to allow an appropriate full intersection across from Breckinridge Lane. Public outdoor space may be included with site design.

- The Applicant is proposing the following building sizes: Building A is proposed as a U-shaped building with a courtyard opening on the internal private driveway. Building A is approximately 166 feet in length on Chain Bridge Road, approximately 200 feet in length on the proposed private street (68-foot opening for a courtyard), approximately 166 feet in length on the proposed greenway, and approximately 200 feet on the southern property line. Building B is also proposed as a U-shaped building with a pool area and courtyard. Building B is approximately 280 feet in length along the private street (71-foot opening for a courtyard and pool area), approximately 168 feet in length along University Drive, approximately 303 feet on the southern property line, and approximately 166 feet in length along the proposed greenway.
- The Applicant proposes a large step back of 70 feet at the fourth floor that exceeds the recommended step back in the Old Town Small Area Plan.
- The proposed building placement is approximately 10 feet from the southern property line, a setback ranging from 7 feet to 11 feet on Chain Bridge Road and with a setback of approximately 10 feet on University Drive.
- The proposal includes a public outdoor space forming a 43-foot wide greenway established by the edge of Building A and Building B. The greenway runs north-south through the middle of the site with plantings and a pedestrian pathway connecting parcels to the north and south.

Street Locations

- One of the key recommendations of the small area plan is to rethink the street grid and circulation system as a loop road surrounding a pedestrian precinct. Main Street, from West Street to Blenheim Boulevard, is

Fairfax City's historic central street. Currently, Main Street is characterized by narrow sidewalks, no bicycle facilities, uncomfortable crossings, and traffic congestion.

- Main Street from Chain Bridge Road to Blenheim Boulevard, and University Drive from Sager Avenue to North Street can be designed as pedestrian-oriented streets. The Old Town Small Area Plan incorporates the 30% streetscape design plan as a near-term recommendation for Main Street.
- The small area plan proposes new street connections to create more walkable blocks with a grid of connected streets. Not only is pedestrian connectivity enhanced by the creation of smaller blocks and higher intersection density, but a well-connected network allows choice for travelers to filter through a grid of streets and potentially shorten travel distances. The street grid will result in providing options for people to use other streets and may reduce additional traffic at major intersections than otherwise would be added in the absence of a new network (Old Town Small Area Plan, Page 28).
- The Applicant proposes a 26-foot private access drive near the northern property line from University Drive to Chain Bridge Road. The Applicant proposes a right-in, right-out on University Drive and Chain Bridge Road.

Multi-modal Connections

- As identified in the City's Multi-modal Transportation Plan, most of the trips on the City's roadway network are people driving in cars that start and end beyond the City's limits.
- The Small Area Plan provides a unique opportunity to fundamentally rethink the role and design of Old Town's streets to prioritize people over cars. With this approach, streets can be designed to focus on local activities and local trips made by all modes rather than regional car trips that do not serve the City's goals.
- Mixed-use redevelopment built as walkable districts invite more local travel and produce much higher rates of "internal capture" than typical single-use automobile-dependent developments.
- The small area plan proposes new street connections to create more walkable blocks with a grid of connected streets. New street and trail connections are proposed to the surrounding neighborhoods around Old Town. These new connections will help provide a more direct option for current residents to walk and bike much shorter distances to get to their destinations in Old Town.
- Provide comfortable sidewalks and street crossings throughout the Activity Center. Develop a complete network of safe and comfortable bicycle facilities linked to destinations beyond the Activity Center.
- Establish a Transportation Demand Management (TDM) program to encourage active modes of transportation.
- The Applicant proposes Transportation Demand Management strategies to help reduce the number of vehicle trips while promoting transit, carpool and rideshare programs.

Infrastructure Improvements

The small area plan recommends that future developments be encouraged to place existing overhead utilities underground.

The Applicant states, "all new on-site utility conduit lines installed on the Property will be located underground, subject to the approval of the applicable utility companies. Also, all existing overhead utilities along the Chain Bridge Road frontage of the Property will be either removed or relocated underground. Utility plan sheets are included in the GDP" (Statement of Support, Page 15).

Parking

Parking management for the Activity Center relies on the following five strategies:

- Create a park-once and walk district
- Encourage shared parking
- Establish district-wide parking regulations
- Encourage the use of on demand mobile parking apps
- Manage curbside space

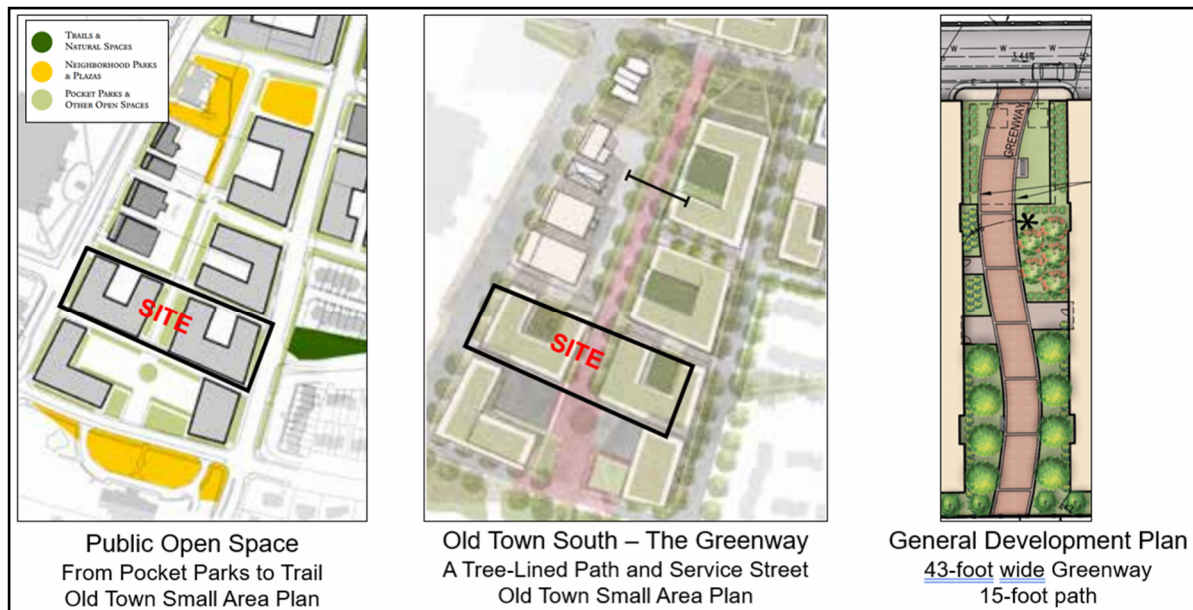
The Applicant proposes to construct a parking garage with three levels with 414 parking spaces and nine surface parking spaces for a total of 423 parking spaces. The Applicant has proposed 400 residential spaces to serve 276 apartments and 16 dedicated parking spaces for retail (6,608 sf) and 7 spaces for office (4,188 sf) patrons. As part of the parking plan, the Applicant has proposed to install a minimum of twenty (20) electric vehicle charging stations. The Applicant also proposes to provide nine (9) surface parking spaces for pick-up/drop-off delivery and ride sharing companies. The Applicant is also proposing one loading space per building, which exceeds the Zoning Ordinance requirement. In addition to vehicles spaces, the Applicant has proposed 28 bicycle spaces in Building A and 20 bicycle spaces and on the west side of Building A next to the retail entrance and proposed bus shelter on Chain Bridge Road.

Open Space

The small area plan calls for a variety of green spaces - from trails and natural spaces to neighborhood parks and plazas. The range of green and open spaces can allow a variety of activities to take place for the residents and visitors.

The Applicant proposes to provide a north-south pedestrian greenway which may serve as an alleyway in the middle of the site that is consistent with the Old Town Small Area Plan. The proposed width of the open space is approximately 43 feet. The Applicant proposes a 15-foot path that is conveyed through an easement with connections to Building A and Building B. Figure 2 (below) illustrates the Greenway as envisioned by the Old Town Small Area Plan and the Applicant's response to the Small Area Plan.

Figure 2: The Greenway



Rezoning Application

The Applicant as the owner submitted a land use application on September 6, 2024 for the following actions:

- A Zoning Map Amendment (Rezoning) from RM Residential Medium to CU Commercial Urban while retaining the Old Town Fairfax Transition Overlay District (TOD).
- Special Exceptions to permit less than 75% ground floor non-residential use in a mixed use building, to permit more than 24 dwelling units per acre, to permit height greater than forty-eight (48) feet, to eliminate the requirement for landscape strip and street trees along the access drive, to eliminate the requirement to provide vehicular access to abutting non-residential properties, to eliminate the requirement for a sidewalk on the northern side of the proposed access drive while providing it on the southern side, and to modify transitional yards; and, a
- Major Certificate of Appropriateness for architecture and landscaping.

The proposed redevelopment is dependent on City Council approval of a Map Amendment (Rezoning) from RM Residential Medium to CU Commercial Urban. The Applicant proposes replacing a single-family home with an upper-story mixed-use building that consists of 276 apartments, approximately 6,608 square feet of retail and approximately 4,188 square feet of office. The Applicant is the owner of the 2.69-acre parcel in this land use application. In determining whether to approve or disapprove a proposed rezoning to any district other than a rezoning requesting a planned development district, the planning commission and city council shall consider any proffers, and the specific standards listed in Section 6.4.9.A-G. In granting applications for rezoning to districts other than planned development districts, the city council may accept, through proffering or otherwise as permitted by law, development of the subject property as shown on a general development plan (Section 6.4.10.B). Where the underlying zoning is the CL, CO, CR, CG or CU district in the Transition Overlay District, uses permitted include upper story residential/mixed use (Zoning Ordinance, Section 3.7.3.B.1.a). The Applicant is requesting a Zoning Map Amendment (Rezoning) from RM Residential Medium to CU Commercial Urban while retaining the Old Town Fairfax Transition Overlay District (TOD).

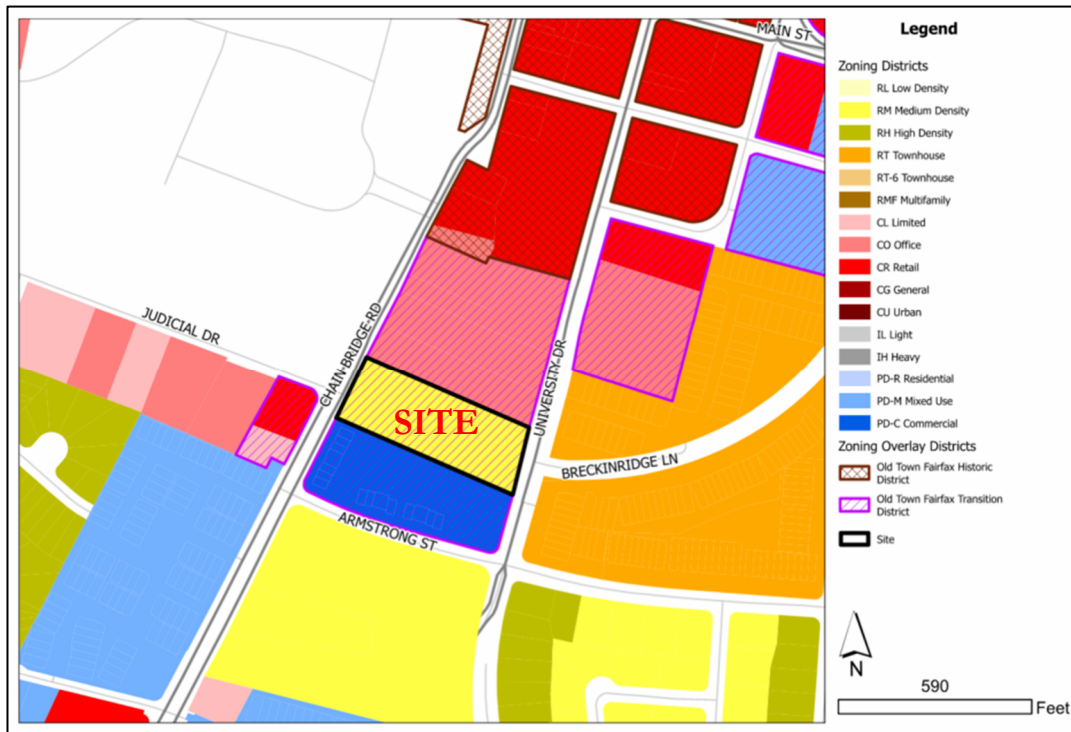
Zoning Ordinance § 3.2.1.A.2 The RM Residential Medium District is established to provide areas for single-family detached residences with a minimum lot area of 7,500 square feet.

Zoning Ordinance § 3.2.1.B.1.d. The CU Commercial Urban District is established to provide an urban, mixed-use development option for appropriate parts of the downtown area and sites in the general vicinity of the three key Fairfax Boulevard intersections: Main Street, Chain Bridge Road, and Old Lee Highway [Blenheim Boulevard], or as may be more precisely specified by a current or future adopted plan.

The Transition District is established in areas surrounding Old Town Fairfax as a means to ensure the character of those areas complements that of the historic districts. This is accomplished through regulations in the Zoning Ordinance limiting the height of new construction, encouraging buildings to be oriented toward the street, and requiring more extensive streetscape improvements than the base standards (The City of Fairfax, 2035 Comprehensive Plan, Page 64).

Figure 3 (next page) illustrates the zoning districts for the subject property and the surrounding properties.

Figure 3: Current Zoning Map



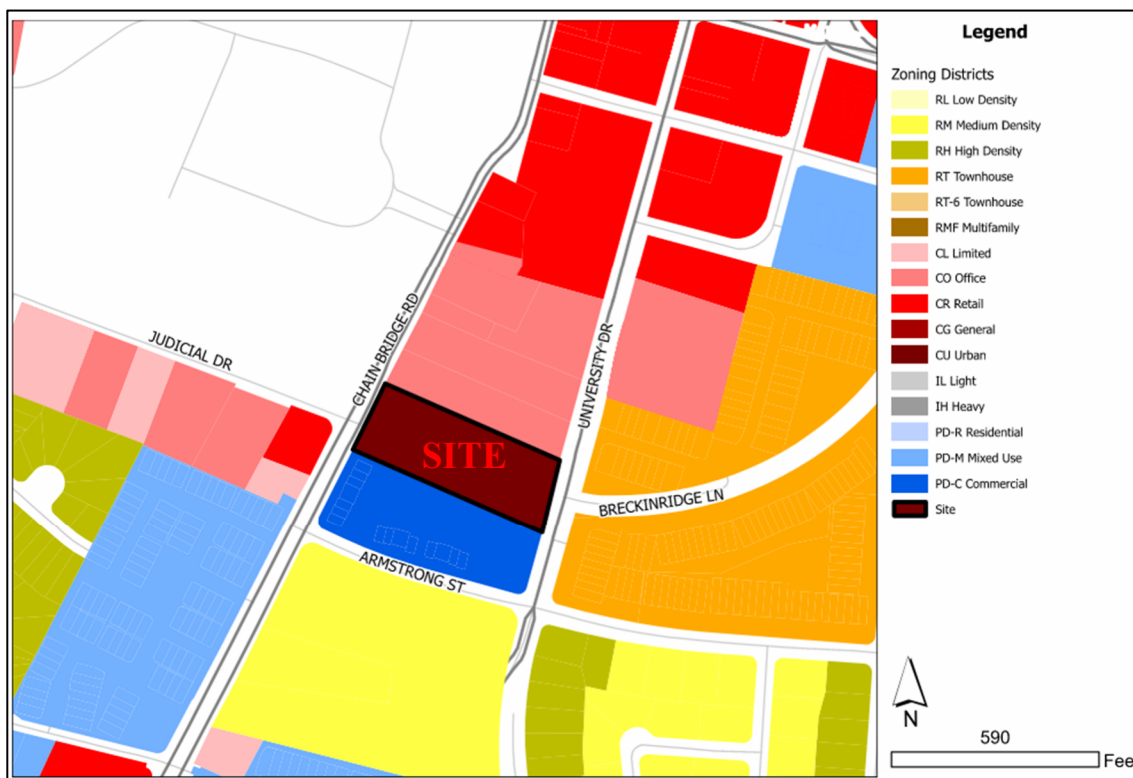
The subject site is located on the eastern side of Chain Bridge Road, at the intersection of Judicial Drive, and spans the block with frontage on University Drive, across from Breckinridge Lane. The Fairfax County Judicial Complex across Chain Bridge Road to the west has PDC Planned Development Commercial zoning in Fairfax County and CR Commercial Retail for the vacant restaurant in the City, commercial office to the north has Commercial Office zoning and the office to the south is in Planned Development-Mixed Use zoning district, and townhomes are to the east and across University Drive in Residential Townhouse zoning district. The subject site is located within the Old Town Activity Center and is currently zoned RM Residential Medium. The site is located within the Old Town Fairfax Transition Overlay District and Old Town Fairfax Small Area Plan.

Under the current configuration, the proposal could not be developed, and the site would remain with single family residential uses because multifamily residential and commercial uses are not permitted in the RM Residential Medium zoning district. Therefore, the Applicant has requested to rezone the property from RM Residential Medium to CU Commercial Urban. The Applicant could develop up to fifteen (15) single-family homes on the site (not including roads and stormwater management improvements).

Zoning Ordinance § 3.2.1.B.1.d. The CU, Commercial Urban District is established to provide an urban, mixed-use development option for appropriate parts of the downtown area and sites in the general vicinity of the three key Fairfax Boulevard intersections: Main Street, Chain Bridge Road, and Old Lee Highway [Blenheim Boulevard], or as may be more precisely specified by a current or future adopted plan.

Figure 4 (next page) shows the proposed CU Commercial Urban district and the zoning designations of the surrounding area.

Figure 4: Proposed Zoning Map



The proposed rezoning from RM Residential Medium to CU Commercial Urban could allow for the site to be developed with an upper story residential/mixed use building. An upper story residential/mixed use building is permitted use in the Transitional Overlay District where the underlying general zoning district is the CL, CO, CR, CG or CU district (Zoning Ordinance, Section 3.7.3.B.1a, Page 3-56). The development standards for upper story residential/mixed uses (Section 3.5.1.D of the Zoning Ordinance) are outlined (next page):

D. Upper story residential/mixed uses

1. Use

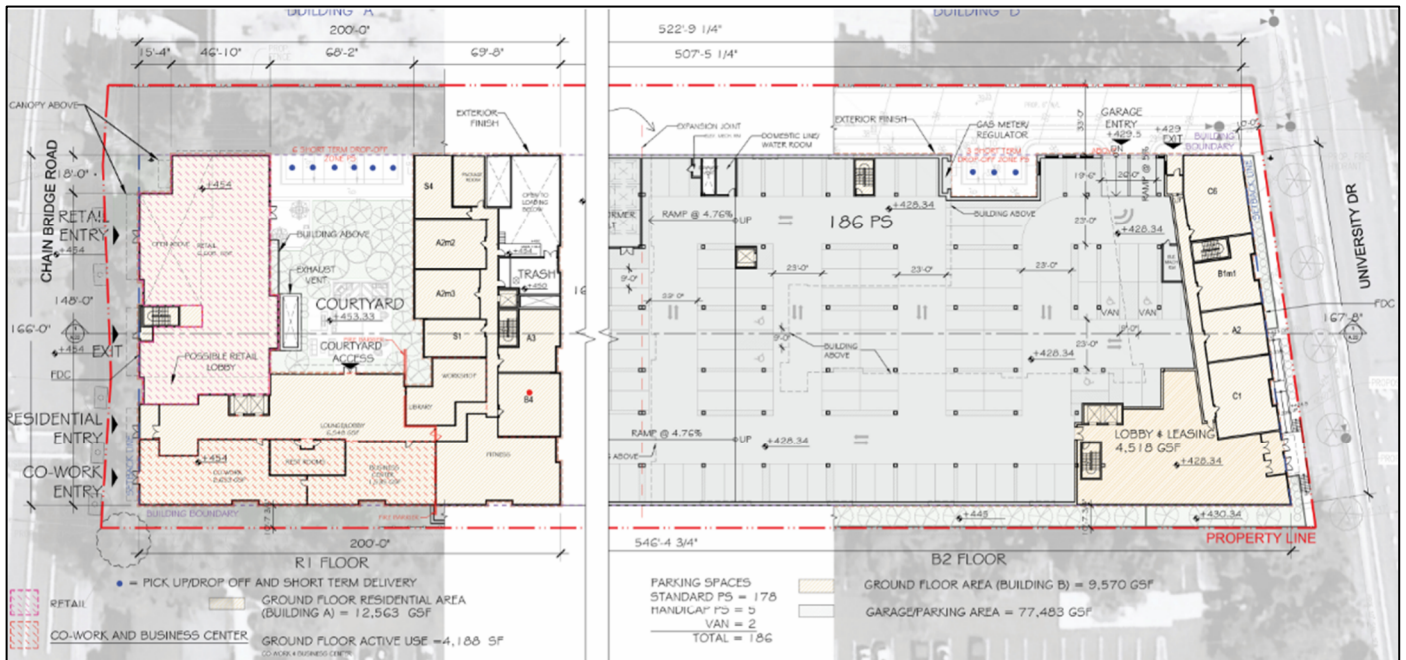
- (a) Upper story residential units are allowed above the ground floor of an upper story residential/mixed use building as set forth in principal use table (See Section 3.3.1).

The applicant has proposed up to 276 units with 4 units on the ground floor fronting on University Drive.

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

The applicant has proposed approximately 6,608 square feet of retail and approximately 4,188 square feet of office with 32,630 on the ground floor. The required non-residential gross floor area is 24,472 square feet. The Applicant has proposed 10,796 square feet. The applicant is seeking a special exception to Section 3.5.1.D to permit less than 75% ground floor nonresidential use in a mixed-use building. Figure 5 (next page) provides the first-floor plan with non-residential uses.

Figure 5: Proposed ground floor non-residential uses



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

The applicant has proposed a 6,548 square foot lobby/ lounge area for Building A and a 4,518 lobby/ leasing area in Building B.

2. Dimensional standards

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

The applicant has submitted special exceptions to the maximum height and maximum density.

3. Floor height

(a) Ground floor

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

The retail portion of the building has a floor-to-ceiling height of 25 feet to a depth of 30 feet, and the residential portion has a floor-to-ceiling height of 13 feet on the ground floor.

(b) Upper story residential/mixed use

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

The plans show that each upper story level has a floor-to-ceiling height of 9 feet.

Description of the General Development Plan

The Applicant proposes to develop two buildings with up to 276 apartments, approximately 6,608 square feet of retail, approximately 4,188 square feet of office, a 26-foot private access drive near the northern property line from University Drive to Chain Bridge Road, a 10-foot sidewalk on Chain Bridge Road, a 10-foot sidewalk on University Drive and a 5-foot sidewalk on the south side of the private access drive on 2.69-acres. Both access points are designed as right-in and right-out. Building A is a five-story building consisting of 114 units with 6,608 square feet of retail and approximately 4,188 square feet of office on the ground floor level fronting on Chain Bridge Road. Building A has separate entrances for retail, office (co-work) and residential units. Building A has a bicycle storage area for 28 bike spaces near the greenway. Building A is proposed as 166 feet in length on Chain Bridge Road, 100 feet in length on the proposed private street with a large break in the building wall for a courtyard with a grilling station area, 166 feet in length on the proposed greenway, and 200 feet on the southern property line. Building A has a front yard setback that ranges from 7 feet to 11 feet on Chain Bridge Road.

Building B is proposed to consist of 162 units, a courtyard with a pool area and amenities, and a residential lobby and leasing area fronting on University Drive. The building height for Building B is proposed as four (4) stories along University Drive and five (5) stories near the center of the building as the building has a step back approximately 70 feet from the property line on University Drive. Building A has a bicycle storage area for 20 bike spaces on the first floor near the greenway. Building B is proposed as 200 feet in length along the private street with a break in the building wall for a pool and courtyard with grilling station area, 166 feet in length along University Drive, 300 feet on the southern property line, and 166 feet in length along the proposed greenway. Building B has a front yard setback of 10 feet from University Drive.

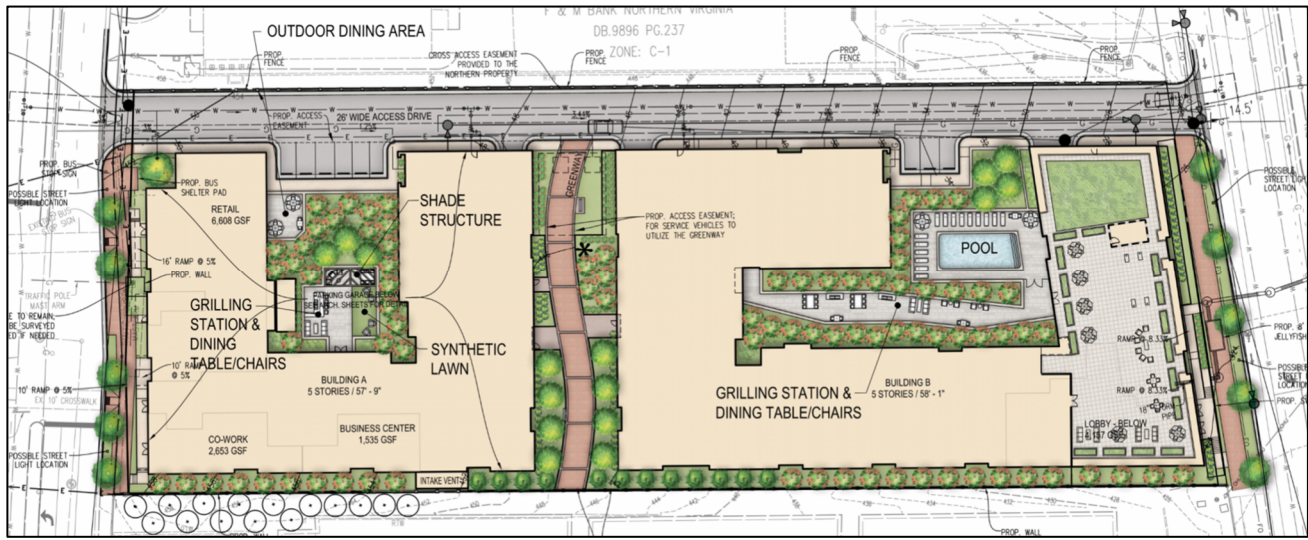
The proposed general development plan has three levels of structured parking with 414 parking spaces and 9 surface parking spaces for a total of 423 parking spaces. Building A has retail parking spaces on the first level. Building B has the only vehicular entrance and exit into the parking garage. Both buildings have a loading zone and trash room interior to the buildings along the private, internal street.

The Applicant has proposed to provide a 43-foot separation between Building A and Building B with a greenway. This area is proposed to be landscaped with meandering 15-foot pedestrian paths with connections to both buildings.

The Applicant has proposed to seek LEED or a comparable green building certification program to help minimize greenhouse gas emissions, reduce energy use, and construction waste. The Applicant states that “energy saving devices will be incorporated into the project such as, Energy Star appliances, energy efficient mechanical systems, recycling for occupant refuse, energy efficient lighting and insulation that meets or exceeds applicable energy code requirements” (Statement of Support, Page 16).

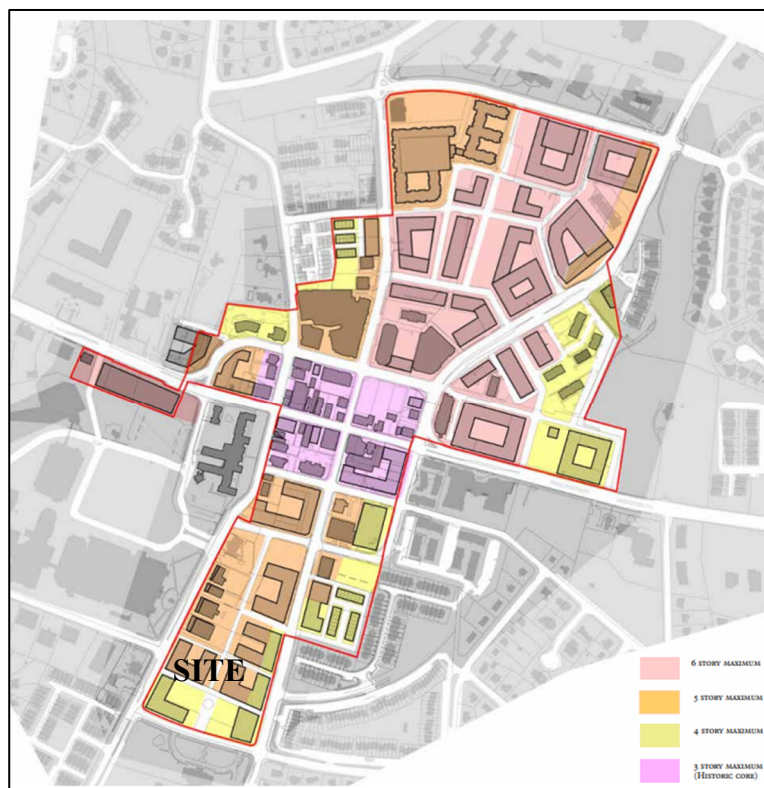
Figure 6 (next page) shows the building footprint for the proposed general development plan.

Figure 6: General Development Plan



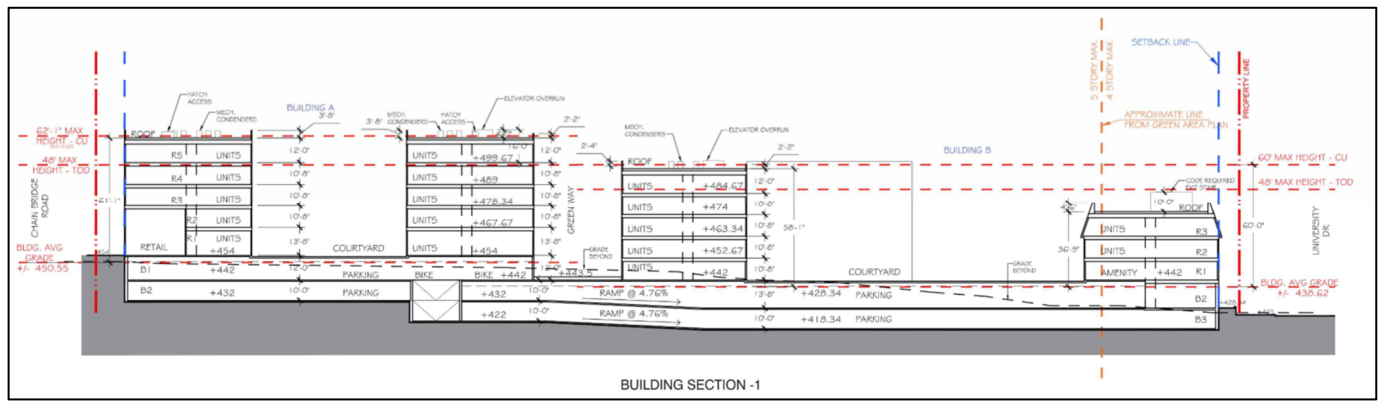
Scale: The building form and mix of uses as prescribed by the Old Town Fairfax Small Area Plan provides guidance to the height and bulk size of the proposed building. The typical land use prescribed for this location is residential multifamily buildings with green space. Building height is recommended at four story on University Drive and five story on Chain Bridge Road. The plan focuses on larger scale redevelopment in Old Town North and Old Town South. Taller buildings conform to the existing character established by the larger existing office buildings and nearby tall structures at the Massey Complex (Old Town Small Area Plan, Page 25). The Old Town Fairfax Small Area Plan shows the site as a recommended building height of 4 and 5-stories. Figure 7 (below) shows the building heights in the Old Town Small Area Plan:

Figure 7: Building Heights in Old Town SAP



Section 3.7.3.C.2 of the Zoning Ordinance establishes a maximum height of 48 feet in the Old Town Fairfax Transition Overlay District. Old Town Fairfax Small Area Plan study area is regulated by the Old Town Historic District Overlay and the Old Town Transition District Overlay, which limits buildings to a maximum height of 3 stories and 4 stories, respectively. The plan focuses on larger scale redevelopment in Old Town North and Old Town South. Taller buildings conform to the existing character established by the larger existing office buildings and nearby tall structures at the Massey Complex (Old Town Small Area Plan, Page 25). The Applicant proposes a building height of 58 feet and four stories with a step back on University Drive, and 62 feet with five stories on Chain Bridge Road. The subject property has a prescribed high limit of 4 stories with an architecturally sensitive façade along University Drive to provide a transition to the townhome community to the east. Likewise, the site limits the height to 5-stories on Chain Bridge Road. The applicant has designed a mixed-use building that is consistent with the Old Town Fairfax Small Area Plan. Figure 8 (below) illustrates the proposed building height

Figure 8: Height Exhibit



The Applicant has requested a special exception for the maximum height requirement of 48 feet in the Transition Overlay District (TOD). Staff believe that the height, as shown, is consistent with the recommendations of the Small Area Plan. According to Section 1.5.11.A.1 of the Zoning Ordinance, “Height is the vertical distance from grade plane, as defined in Section 9.3.1, to the highest point of the roof line of a flat roof, to the deck line of mansard roof, and to the mean height level (midpoint) between eaves and highest ridge point for gable, hip or gambrel roof; as specified in the Virginia Uniform Statewide Building Code (USBC).” The subject property has a significant change in elevation from Chain Bridge Road (458 feet) to University Drive (426 feet). The Old Town Fairfax Small Area Plan shows the site as a recommended building height of 4-stories on University Drive and 5-stories on Chain Bridge Ridge. Figure 9 (next page) shows the east rendering looking north along University Drive.

Figure 9: Rendering of Building B



Figure 10 (below) shows the east rendering and middle section of the site along the private drive with the entrance to the parking garage.

Figure 10: Southern View of Building B



Figure 11 (below) shows the west rendering with the proposed building height for the mixed-use building and the parking garage.

Figure 11: North View of Building A



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

Table 3: Project Comparison

Name	Floors	Height
Davies Property	Building A: 5-stories Building B: 4-stories & 5-stories	Building A: 62.1 +/- feet Building B: 58.1 +/- feet
City Centre West	7-stories (east side of building) 9-stories (west side of building)	94 +/- feet
Capstone Collegiate	5-stories	64 +/- feet
Fairfax at Gateway (The Point at Fairfax)	5-stories	41-69 +/- feet
Scout on the Circle	6-stories	85 +/- feet
N29 WillowWood Phase I	9-stories	87 +/- feet

Section 3.6.2 (Nonresidential districts) states that the maximum density is 24 dwelling units per acre in CU Commercial Urban district. Density is calculated as the number of dwelling units per gross acre located within the development site (Zoning Ordinance, Section 1.5.8A, Page 1-6). Density is not prescribed on a parcel-by-parcel basis in the Old Town Fairfax Small Area Plan. For a near-term horizon of 15 years, it is estimated that the Old Town will bring in substantial new development and land use changes, including an increase of 1,250 residential units including townhouses, condos, market-rate apartments, senior living, student, and affordable

housing units (City of Fairfax, Old Town Fairfax Small Area Plan, Page 39). The applicant has requested a special exception to Section 3.6.2. to exceed the maximum permitted density (24 du/acre) in CU Commercial. The applicant is proposing 276 apartments on 2.66 acres (with dedication) with a density (units/acre) of 103.76. The applicant has designed a mixed-use building that is consistent with the Old Town Fairfax Small Area Plan. The building form and mix of uses as prescribed by the Old Town Fairfax Small Area Plan provides guidance to the height and bulk size of the proposed building. As articulated in the 2035 Comprehensive Plan and other market research, quality mixed-use developments that are appropriate for Activity Centers need a critical mass of height, density, and public amenities to be achievable. While the general development plan exceeds the density of the desired zoning district, the building is generally consistent with the recommended form and scale. Building A is proposed as 166 feet in length on Chain Bridge Road, 100 feet in length on the proposed private street with a large break in the building wall for a courtyard, 166 feet in length on the proposed greenway, and 200 feet on the southern property line. Building B is proposed as 200 feet in length along the private street with a break in the building wall for a pool and courtyard with grilling station area, 166 feet in length along University Drive, 300 feet on the southern property line, and 166 feet in length along the proposed greenway.

The overall residential densities and heights for other approved developments as compared to the subject land use application are provided in Table 4 (below):

Table 4: Project Comparisons

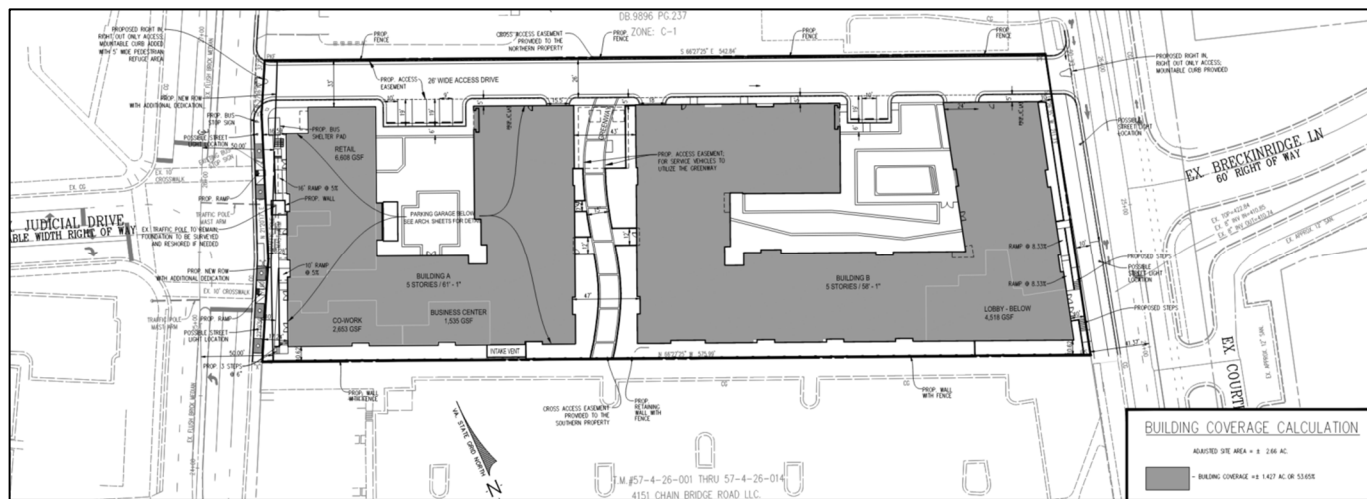
Project	Site Area (Acres)	Number of Units	Density (Units/Acres)
Davies Property	2.66 (with dedication)	276	103.76
City Centre West	1.78	79	44.3
Capstone Collegiate	6.15	275	44.7
Fairfield at Gateway (The Point at Fairfax)	8.32	403	48.4
Scout on the Circle	8.69	400	46
N29 WillowWood Phase I	2.96	260	87.8

While the Old Town Fairfax Small Area Plan does not specifically recommend retail uses at this location, the City Council and Planning Commission have expressed interest in commercial uses as part of a land use application. Section 3.7.3.B.1.a states where the underlying zoning is the CL, CO, CR, CG or CU district in the Transition Overlay District, uses permitted include upper story residential/mixed use (Zoning Ordinance, Page 3-56). Section 3.5.1.D.1b of the Zoning Ordinance states that “at least 75 percent of the ground floor (floor area) of upper story residential/mixed use buildings shall be used solely for non-residential uses. The remaining 25 percent of the first floor may be used for residential uses and/or residential accessory uses, such as entry lobbies and amenities.” The total ground floor building area for Building A and Building B is approximately 32,462 square feet. To comply with this section of the Zoning Ordinance, the Applicant would be required to provide 24,347 square feet of non-residential uses. The Applicant has proposed approximately 10,569 square feet of retail and office space on the ground floor of Building A fronting on Chain Bridge Road. The Applicant does not propose any nonresidential uses on the ground floor of Building B with street frontage on University Drive. Building B is proposed with a lobby and leasing area (approximately 4,157 square feet) and four (4) residential units on the ground floor. Staff notes that the new retail space in the Old Town Fairfax Small Area Plan is anticipated to increase of at least 60,000 square feet and increase of at least 25,000 square feet of new office space in the near-term horizon of 15 years.

Build-to Line: Build-to lines are either the front and side (street) property lines or lines parallel to the front and side (street) property lines as specified to provide the maximum yard allowed to which a minimum percentage of the building facade along the front yard and side (street) yard, if any, must be built (Zoning Ordinance, Section 1.5.4, Page 1-4). In this case, the subject property is considered a through lot with access from Chain Bridge Road and University Drive. The Applicant has proposed a front yard setback that ranges from 7 feet to 11 feet on Chain Bridge Road for Building A and has a front yard setback of 10 feet for Building B from University Drive. The Applicant has proposed steps, handicap accessibility ramps and sidewalks that lead to access points into both buildings. These elements are permitted in required yards.

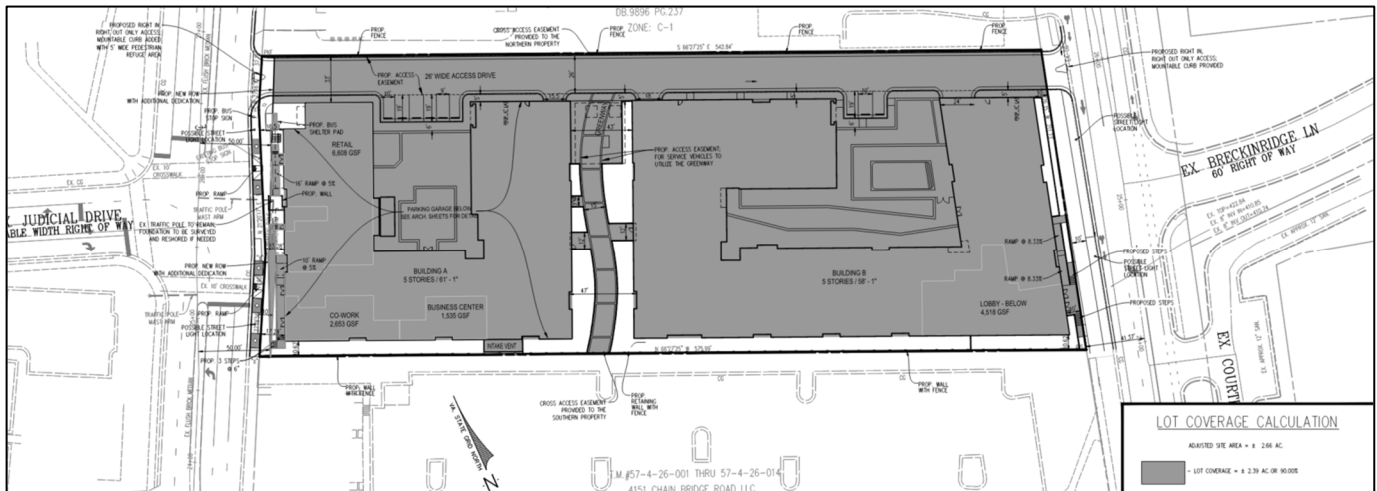
Building Coverage: Building coverage is the percentage of lot area that is permitted to be covered by buildings, including both principal structures and accessory buildings (Zoning Ordinance, Section 1.5.7.A.1, Page 1-5). The requirement for maximum building coverage in the Transition Overlay District is 80%. The existing building coverage is 3.1%. The Applicant states the proposed building coverage is 53.6%. Figure 12 (below) shows the proposed building coverage.

Figure 12: Proposed Building Coverage



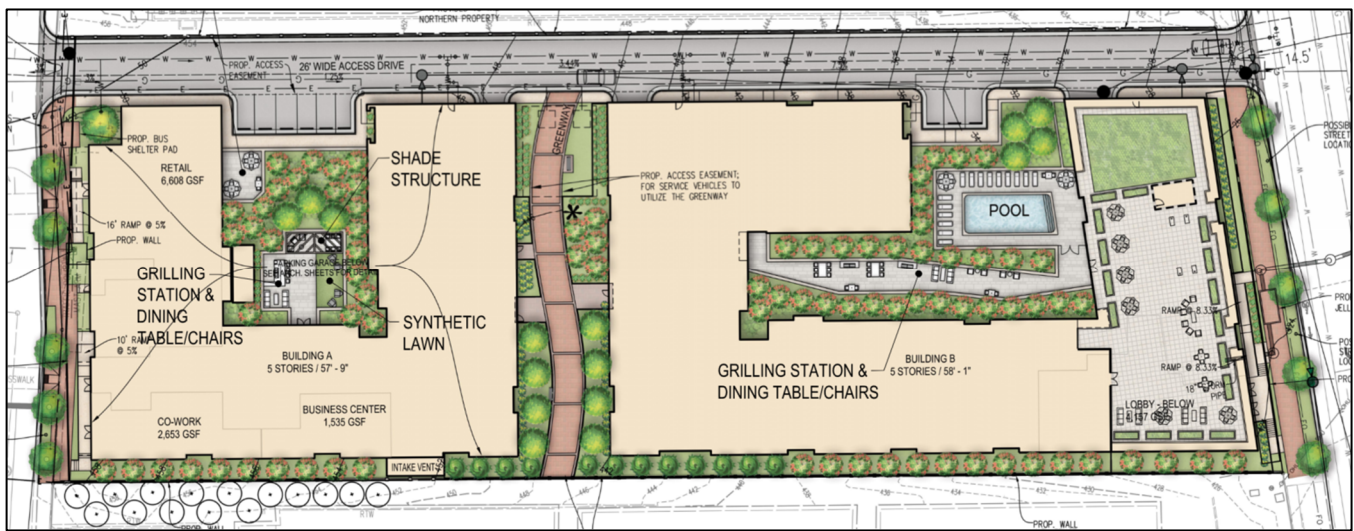
Lot Coverage: Lot coverage is the percentage of lot area that may be covered by buildings, including both principal and accessory structures, impervious surfaces such as driveways, uncovered porches or patios, swimming pools, or roof overhangs of more than three feet (Zoning Ordinance, Section 1.5.7.B, Page 1-6). The existing lot coverage is 6.8%. The requirement for maximum lot coverage in the TOD is 90%. The Applicant has provided a building and lot coverage sheet in the general development plan and states the proposed lot coverage is approximately 90%. Figure 13 (next page) shows the proposed lot coverage.

Figure 13: Proposed Lot Coverage



Tree Canopy: Section 4.5.6 of the Zoning Ordinance prescribes a 10-year minimum tree canopy requirement by district. The proposed CU Commercial Urban district has a 10-year tree canopy requirement of 10%. The existing site has 119 trees in varying conditions. The Applicant reports that 36 of the 119 trees are classified as dead to in poor condition, while the remaining 83 trees are classified as fair to excellent condition. The proposed tree canopy is approximately 10.21% (11,950 square feet) by planting 16 canopy trees, 95 understory trees and 148 shrubs. The Comprehensive Plan and Small Area Plan both depict street trees along Chain Bridge Road and University Drive. The applicant proposes five (5) street trees along University Drive, five (5) street trees depicted along Chain Bridge Road, and eight (8) canopy trees shown along the proposed greenway. Figure 14 (below) shows the proposed landscaping plan for the general development plan.

Figure 14: Proposed Landscaping Plan



The applicant is proposing to provide streetscape improvements that are designed to meet the intent of the Old Town Fairfax Small Area Plan. The proposed landscape plan includes a mix of canopy trees, such as Common Hackberry, American Linden, Shumard Oak, Japanese Zelkova, Yellow Buckeye, Yellowwood, and Black Cherry. In addition to canopy trees, the Applicant has proposed understory trees, such as eastern Redbud, Flowering Dogwood, Sweetbay Magnolia, Atlantic Whitecedar, American Holly and Eastern

Redcedar. The plan also proposes a variety of shrubs, such as Summersweet, Winterberry, Virginia Sweetspire and Dwarf Fothergilla.

The Applicant seeks to eliminate the requirement for landscape strip and street trees along the access drive. Section 3.7.3.E of the Zoning Ordinance states the minimum landscape strip requirement for street trees in Section 4.5.6.A.1 shall not apply in the Old Town Fairfax Transition Overlay District. The applicant has designed the site for an east-west private street from University Drive to Chain Bridge Road. The private street (26 feet from curb to curb) runs adjacent to the northern property line with a 5-foot sidewalk on the south side of the street and in between the buildings. The applicant is seeking a special exception to the landscape strip and street tree requirements for the internal private street due to site constraints and the urban design of the proposed development.

In addition to the request to eliminate the required landscape strip, the Applicant seeks to modify the transitional yards. Section 4.5.5.D of the Zoning Ordinance provides the minimum tree plantings as well as the minimum fence or wall height of the transitional yard specifications along the Subject Property's boundaries. Table 5 (below) provides the yard requirements and what the applicant has submitted in the General Development Plan.

Table 5: Transitional Yards

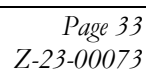
Required by Zoning Ordinance	Provided by the Applicant			
	Bufferyard A-B (North) 543 feet	Bufferyard B-C (East) 212 feet	Bufferyard C-D (South) 576 feet	Bufferyard D-A (West) 210 feet
Minimum Transitional Width Required	7.5 feet (TY1)	None	15 feet (TY3) to 11 feet	None
Minimum Fence/Wall Height on lot line	6-foot fence	None	6-foot fence	None
Minimum Canopy Tree	0 canopy required; 0 canopy provided	5 canopy required; 5 canopy provided	(4 per 100 feet) 23 canopy required; 0 canopy provided;	5 canopy required 5 canopy provided;
Minimum Understory Tree	(4 per 100 feet) 22 understory required; 0 understory provided	0 understory required; 0 understory provided	(4 per 100 feet) 23 understory required; 25 understory provided; 12 evergreens provided	0 understory required; 0 understory provided
Minimum Shrubs	0 shrubs required; 0 shrubs provided	0 shrubs required; 0 shrubs provided	(4 per 100 feet) 23 shrubs required; 0 shrubs provided	0 shrubs required; 0 shrubs provided

Bufferyard A-B to the north of the site is approximately 543 feet in length. The Applicant is seeking a modification to the required plantings and 5-foot sidewalk due to site constraints and the urban design of the project. The applicant proposes maintaining the required width of the transitional yard of 7.5 feet (TY1) and

Bufferyard C-D to the south is approximately 576 feet in length. The applicant is proposing to reduce the transitional yard from 15 feet to 11 feet with a 6-foot fence on top of a retaining wall. The Applicant proposes to provide 25 understory trees and 12 evergreens. The applicant proposes the use of evergreen or a similar planting to mix in with the required understory trees as a buffer to the existing office complex because evergreen trees maintain its green foliage year-round, grow fast and can provide additional screening between uses. Bufferyard D-A to the west is 210 feet in length. The Applicant has proposed five (5) canopy trees.

Traffic Pole Location

Figure 15 Alternate Signal Location



It is recommended that the Applicant add a proffer to conduct a structural analysis of the pole and footing prior to the approval of a site plan.

Transportation: The site is located east of Chain Bridge Road at Judicial Drive, west of University Drive at Breckinridge Lane, north of Armstrong Street, and south of the former BB&T Bank. The site currently has direct access to Chain Bridge Road. However, the site currently does not have access to University Drive. The applicant has proposed constructing a 26-foot wide private driveway from Chain Bridge Road to University Drive. The proposed access to the site would be provided with a right-in/right-out at Chain Bridge Road and University Drive.

On December 13, 2024, the City's Transportation Division held a scoping meeting with the applicant's engineer to discuss the methodology and ITE data for the Transportation Impact Study (TIS). The objective of the TIS is to evaluate intersections and roadways that potentially would be impacted by the proposed general development plan. The applicant submitted a revised TIS Report, dated May 22, 2025. The TIS Report studied several roadways and intersections that could be impacted by the proposed development such as: University Drive at Breckinridge Lane, University Drive/George Mason Boulevard at Armstrong Street, Chain Bridge Road at West Drive, Chain Bridge Road at Armstrong Street, Chain Bridge Road at Judicial Drive, Chain Bridge Road at Page Avenue (Future Fairfax County Judicial Complex Entrance), Chain Bridge Road at New Service Drive (Future), and University Drive at New Service Drive (Future).

Chain Bridge Road from South Corporate Limits Fairfax (City Limits) to Judicial Drive is a four-lane arterial with a posted speed limit of 30 MPH and an annual average daily trip of 28,000; while Chain Bridge Road from Judicial Drive to Main Street is a four-lane arterial with a posted speed limit of 30 MPH and an annual average daily trip of 22,000. University Drive from South Corporate Limits Fairfax (City Limits) to Armstrong Street is a four-lane collector street with a posted speed limit of 25 MPH and an annual average daily trip of 10,000. University Drive from Armstrong Street to South Street is a four-lane collector street with a posted speed limit of 25 MPH and an annual average daily trip of 15,000. University Drive from South Street to Main Street is a four-lane collector street with a posted speed limit of 25 MPH and an annual average daily trip of 11,000. Judicial Drive from Page Avenue to Chain Bridge Road is a two-lane collector street with a posted speed limit of 25 MPH and an annual average daily trip of 9,000. On-street parking is not permitted on any of these roadways. Sager Avenue is a two-lane local street with on-street parking and a posted speed limit of 25 MPH. Sager Avenue has an annual average daily trip of 5,752. Armstrong Street is a two-lane local street with on-street parking and a posted speed limit of 25 MPH.

The Virginia Administrative Code defines level of service as a qualitative measure describing the operational conditions within a vehicular traffic stream, generally in terms of such service measures as speed, travel time, freedom to maneuver, traffic interruptions, and comfort and convenience (24 VAC 30-73-10. Definitions). In simple terms, the level of service is a measure of traffic flow with A being the best and F being the worst. Table 6 (next page) provides the existing level of service for the intersections surrounding the proposed development.

Table 6: Existing Intersection Capacity Summary

Intersections	Intersection Control	Existing LOS	
		AM Peak	PM Peak
Armstrong Street/University Drive/George Mason Boulevard	Signal	B	B
Chain Bridge Road/West Drive	Signal	B	B
Chain Bridge Road/Armstrong Street	Signal	B	C
Chain Bridge Road/Judicial Drive	Signal	C	C

Table 2 of the TIS Report shows the existing level of service for the surrounding streets, which ranges from A to C meaning that the traffic flow is free flowing with vehicles almost completely unimpeded in their ability to maneuver within traffic (LOS A) to stable flow with vehicles having freedom to maneuver within traffic is noticeably restricted (LOS C). The applicant has provided a Transportation Impact Study estimating an increase of 141 AM peak hour trips, 177 PM peak hour trips and 1,837 daily trips upon buildout of the development. Table 7 (below) provides a summary of existing trips and proposed trips:

Table 7: Trip Generation Summary

Land Use		ITE Code	Size	AM Peak Hour	PM Peak Hour	Daily
Existing	Single-Family Detached Homes	210	1	1	1	15
Proposed	Multifamily Housing (Mid-Rise)	221	276	110	108	1,270
	Shopping Center (<40 ksf)	822	6.381 ksf of GFA	22	58	509
	Office	710	4.2 ksf of GFA	11	12	73
Net Total Trips (Proposed Minus Existing)				141	177	1,837

See the Transportation Impact Study (Attachment 9) for observations and conclusions. Table 8 (next page) summarizes with the future level of service with the proposed development buildout for the intersections surrounding the proposed development and the access points to the site.

Table 8: Future Intersection Capacity Summary

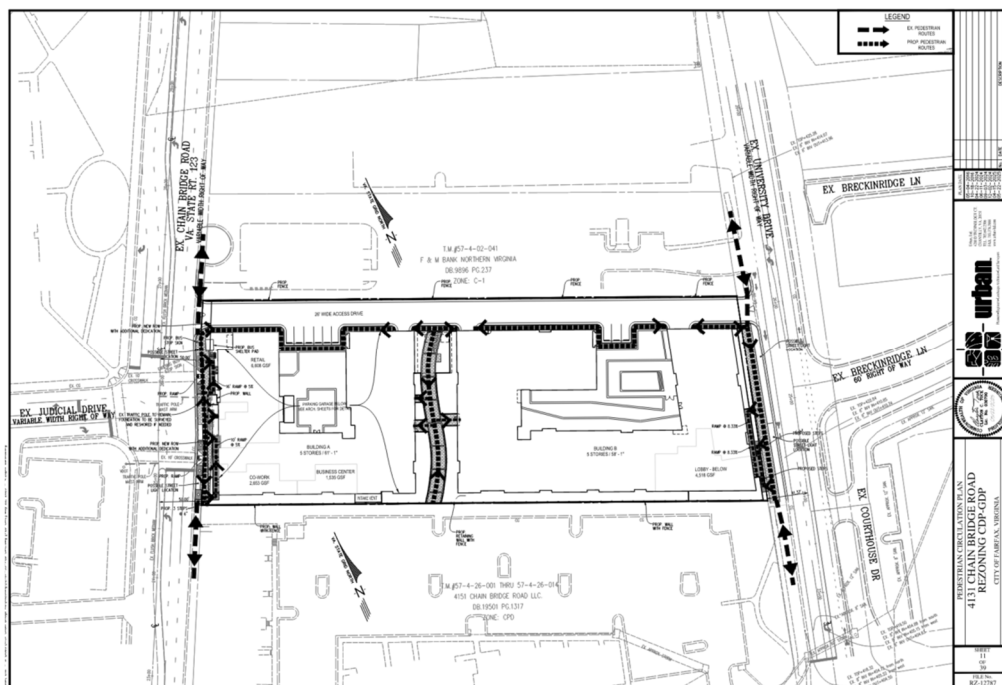
Intersections	Intersection Control	Existing LOS	
		AM Peak	PM Peak
Armstrong Street/University Drive/George Mason Boulevard	Signal	B	B
Chain Bridge Road/West Drive	Signal	B	B
Chain Bridge Road/Armstrong Street	Signal	B	C
Chain Bridge Road/Judicial Drive	Signal	C	C

Table 6 of the TIS Report shows the existing level of service for the surrounding streets ranges from A to C meaning that the traffic flow is free flowing with vehicles almost completely unimpeded in their ability to maneuver within traffic (LOS A) to stable flow with vehicles having freedom to maneuver within traffic is noticeably restricted (LOS C).

Circulation/Pedestrian Access: The Applicant proposes to construct a new private street from Chain Bridge Road in an east-west direction to University Drive along the northern property line. The proposed private street is 26 feet in width. The Applicant proposes right-in, right-out at Chain Bridge Road and University Drive. The applicant has designed the site for an east-west private street from University Drive to Chain Bridge Road. The private street (26 feet from curb to curb) runs adjacent to the northern property line. The grading for the site is within two feet of the grade on the site to the north, which would allow the adjacent property to expand the street and make additional improvements (i.e. sidewalks and streetscape) upon redevelopment. The Applicant has requested to eliminate the requirement for a sidewalk on the northern side of the proposed access drive while providing it on the southern side. Currently, the site to the north is a vacant commercial building with a two-level parking garage. The Applicant has proposed a 5-foot sidewalk adjacent to the building to help facilitate pedestrian movements through the site. The Applicant has proffered easements to allow public access over the Access Drive, the gateway, and all sidewalks on the property. Building B has the only vehicular entrance and exit into the parking garage. Both buildings have a loading zone and trash room interior to the buildings along the private, internal street driveway.

The Multi-Modal Transportation Plan requires a 10-foot-wide sidewalk on Chain Bridge Road and University Drive. The Applicant is proposing a sidewalk on Chain Bridge Road, University Drive, and on the south side of the east-west private street. The general development plan does not show a sidewalk on the north side of the east-west road necessitating a special exception for a sidewalk on both sides of the street. The Applicant is proposing a public pedestrian path (alley) that runs north south and through the center of the property. The proposed alley is 43 feet in width with a mix of plantings on both sides of the path between Building A and Building B. The Applicant proposes easements over the east-west street, the gateway, and all sidewalks located on the subject property. Figure 16 (below) provides the existing and the proposed pedestrian circulation as part of the general development plan.

Figure 16: Pedestrian Circulation Plan



The Applicant proposes a residential entryway to the lobby, office entryway and retail entryway from Chain Bridge Road to Building A. Building B has a set of stairs and handicap ramp on east side of the building

fronting University Drive that leads to the lobby and leasing area. The Applicant proposes an entry point on the north side of the Building B fronting the private street.

Parking: The subject property is in the Old Town Fairfax Transitional Overlay District (TOD). The minimum required parking of Section 4.2.3.E “shall be reduced by 50 percent for all uses, provided that each dwelling unit shall have no less than 1.50 spaces, unless otherwise specified in Section 4.2.3.E” (Zoning Ordinance, Section 3.7.3.F, Page 3-58). The minimum required parking of Section 4.2.3.E shall be reduced by the following (maximum) percentages: (c) Within the CU, Commercial Urban District, where structured parking is provided: 10 percent (Zoning Ordinance, Section 4.2.3.D, Page 4-2, 4-3). Table 9 (below) summarizes the required parking requirements.

Table 9: Parking Requirements

Use	Units	Zoning Requirement	Required Spaces	CU Reduction	TOD Reduction	Required After Reductions
Studio/Efficiency	28	1.25 spaces per unit	35	32	n/a	32
1-bedroom	160	1.5 spaces per 1 bed unit	240	216	n/a	216
2-bedroom/ 3-bedroom	88	2 spaces per 2 bed unit	176	158	132	132
Retail	6,608 sf	1 space/200 sf	33	30	15	15
Office	4,188 sf	1 space/300 sf	14	13	6	6
Total			498	449	153	401

The Applicant proposes 423 parking spaces in a three-level garage exceeding the required 401 parking spaces. The applicant has also proposed nine (9) parking spaces on the south side of the private street for delivery and ride sharing companies. The Applicant has proposed to install a minimum of twenty (20) electric vehicle charging stations.

Public Transportation Facilities: The subject property has several mass transportation routes in the vicinity of the subject property, such as the City’s CUE Bus Gold and Green Routes, MetroBus Route 29G, MetroBus Route 17G, and Fairfax Connector Route 306. The Applicant has proposed a proffer to install a bus shelter on Chain Bridge Road or contribute the sum of \$10,000 towards the cost of a bus shelter. (Statement of Support, Page 15).

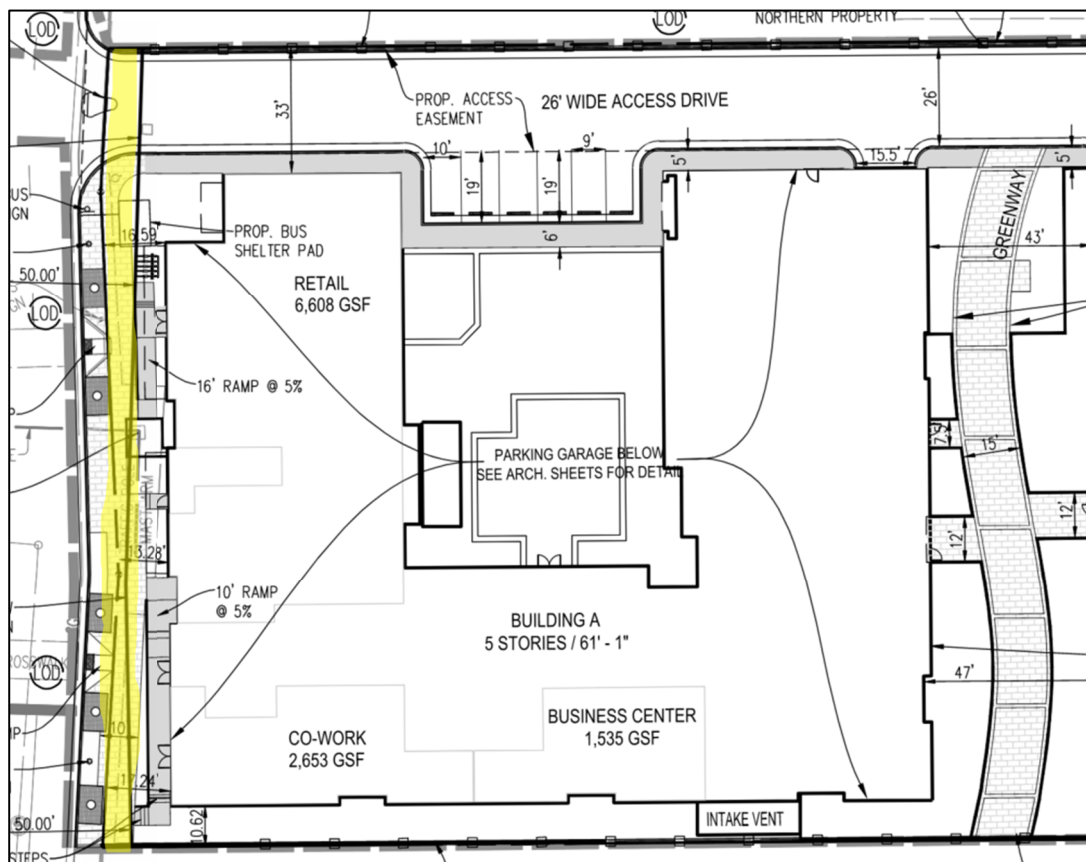
Transportation Demand Management: The Applicant has proposed Transportation Demand Management (TDM) strategies to help reduce the number of trips generated by the development. The Applicant proposes to provide information in the leasing office and/or lobby area regarding CUE bus routes and timetables, other local transit services, carpooling and ridesharing programs. The Applicant proposes two on-site bicycle parking areas for residents. The applicant proposes the designation of car sharing parking spaces. The Applicant also proposes to install Electric Vehicles (EV) Charging Stations in the proposed parking garage to accommodate a minimum of twenty (20) designated electric vehicle parking spaces. For the full list of TDM strategies (See Attachment 8 – Proffers).

Inter-parcel connection: Section 4.3.3.B of the Zoning Ordinance states, “All street frontages adjacent to building sites shall be improved in accordance with the standards in the public facilities manual to city

standards, provided that residential lots lawfully existing as of the effective date of this chapter may be developed without providing frontage improvements.” (City of Fairfax, Zoning Ordinance, Page 4-11). The Applicant is seeking a special exception to Section 4.3.3.B of the Zoning Ordinance to eliminate the requirement to provide vehicular access to abutting non-residential properties to the north and the south. Section 4.3.3 of the Zoning Ordinance states, “vehicular access shall be required between abutting nonresidential lots fronting on arterial and collector streets prior to the erection or establishment of a principal building on one of the lots in order to facilitate traffic flow between lots, except where topography or other physical conditions make such access unreasonable. The zoning administrator shall determine the location and dimensions of such easement based on public safety and convenience, not owner preference.” The Applicant has designed the site for an east-west private street from University Drive to Chain Bridge Road. The private street (26 feet from curb to curb) runs adjacent to the northern property line. The grading for the site is within two feet of the grade on the site to the north, which would allow the adjacent property to make a connection upon redevelopment. Currently, the site to the north is a vacant commercial building with a two-level parking garage. The site to the south is an existing office condominium complex consisting of three buildings. The Applicant has proposed access easements on the northern and southern property lines as depicted on the General Development Plan. The Applicant has proffered easements to allow public access over the Access Drive, the greenway, and all sidewalks on the property.

The applicant proposes a right-of-way dedication of 1,269 square feet to establish a centerline of 50 feet from the subject property line. Figure 17 (below) illustrates the proposed right-of-way dedication (shown in yellow) on Chain Bridge Road.

Figure 17: Right-of-Dedication



Bicycle Parking: Section 4.2.8.C of the Zoning Ordinance states that bicycle parking shall be in a visible, well-illuminated area that does not conflict with automobile or pedestrian traffic. The requirement is 20 spaces. The Applicant has provided bicycle storage within both buildings and on the west side of the building next to the retail entrance and proposed a bus shelter on Chain Bridge Road. The Applicant has proposed 28 bicycle spaces in Building A and 20 bicycle spaces in Building B. A bicycle rack is also offered on Chain Bridge Road near the retail entrance and south of the proposed bus stop shelter pad.

Loading Zone: The Applicant proposes a mixed-use building with 276 units, 6,608 square feet of retail space and 4,188 square feet of office. The overall loading space requirement is one space for 50+ units in an upper story residential/mixed use building (4+ stories). The retail space does not require a loading zone space because the retail space is less than 10,000 square feet. The Applicant has proposed a loading space in Building A and Building B to be accessed from the private street. The Applicant has proposed a trash location adjacent to the loading zone in Building A and Building B. Trash services will be conducted by a private garbage refuse company.

Stormwater Management: Stormwater BMPs, on-site detention facilities, and on-site drainage facilities shall be designed and maintained in such a manner as to minimize economic and environmental costs to the city and its inhabitants (Zoning Ordinance, Section 4.16.2, Page 4-77). Development activity on the subject property preceded local and state stormwater regulations and therefore, the site does not have an existing stormwater system. The site has a significant elevation change from west to east causing the site to drain towards University Drive. The Applicant proposes a stormwater vault on the east side of the property to control 1, 2, and 10-year 24-hour storm and release stormwater runoff into a proposed closed conduit storm sewer system located parallel to University Drive. Stormwater from University Drive and the site (referred to Drainage Area A) will converge and be released at an outfall point. See Sheet 20 for the location of the outfall area. In addition to the stormwater vault, the Applicant proposes to install a jellyfish filter system to remove a variety of stormwater pollutants.

City Schools: The subject site is in the following City School enrollment zones: Daniels Run Elementary School, Katherine Johnson Middle School, and Fairfax High School. The proposed land use action has the potential to generate an estimated enrollment of 27 students. The Applicant has proposed a contribution of \$425.00 per dwelling unit to mitigate the impacts to City Schools.

Fiscal Impact: Staff estimates that this proposal would most likely bring a modest net fiscal benefit to the city. The estimated net fiscal balance is calculated as a range between -\$308,000 and +\$321,000 annually.

Attachments

A1 – Analysis
A1a – Technical Deficiencies with Application
A2 – Land Use Applications
A3 – Zoning Summary
A4 – Statement of Support
A5 – Certified Plat
A6 – General Development Plan
A7 – Davies House: Assessment of NRHP Eligibility
A8 – Proffers
A9 – Transportation Impact Study
A10 – Fiscal Impact Analysis
A11 – Board of Architectural Review Staff Report
A12 – Posting and Notices
A13 – Order and List of Motions
A14 – Sample Motions
A15 – Ordinance
A16 – Resolution

PREPARED BY:



Albert Frederick
Senior Planner

06/11/25

DATE



Jason D. Sutphin
Community Development Division Chief

06/11/25

DATE



Brooke Hardin
Director, Community Development & Planning

06/11/25

DATE

ATTACHMENT 1 ANALYSIS (Z-23-00073)

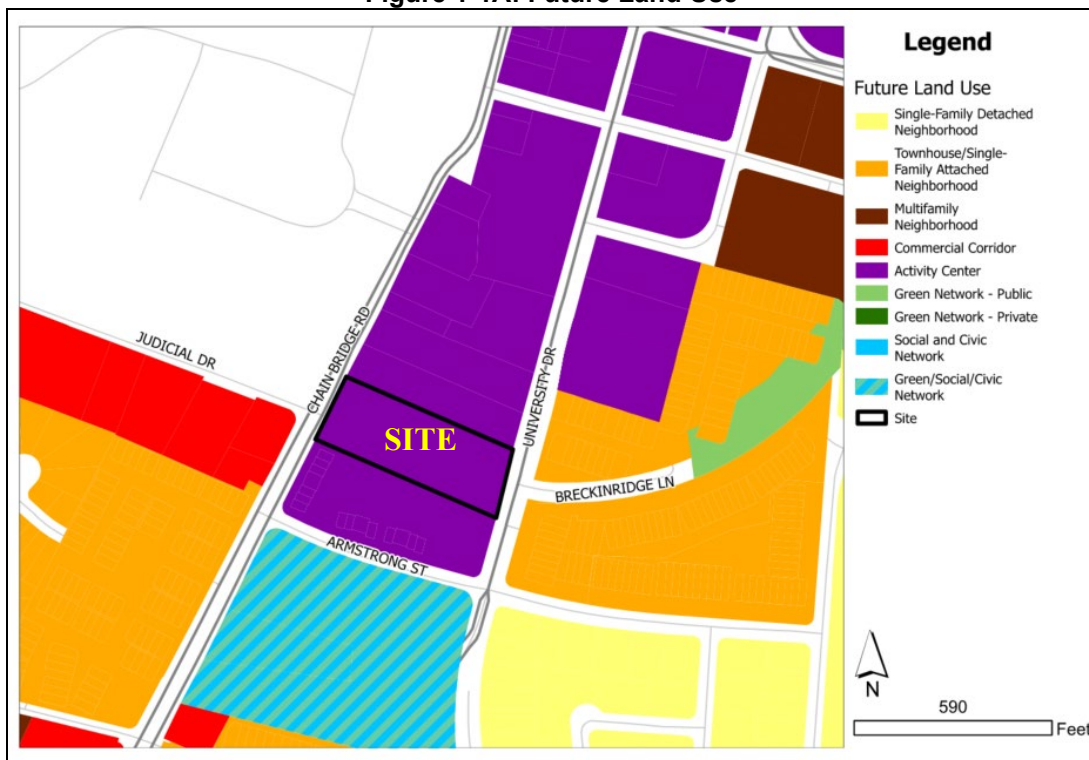
This attachment contains staff analysis on the submitted proposal for the redevelopment of the Davies Property. It is divided into three primary sections:

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

PART A: CONSISTENCY WITH COMPREHENSIVE PLAN

The existing residential property is designated as Activity Center Place Type on the Comprehensive Plan Future Land Use Map. The subject property has been the site of a single-family home since 1916. The Comprehensive Plan has identified the subject property as Activity Center which includes “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)” (Comprehensive Plan, Page 30). Figure 1-1A illustrates the Future Land Use designation for the subject property.

Figure 1-1A: Future Land Use



Activity Center

The Activity Center Place Type applies to locations where pedestrian-oriented, mixed-use development is strongly encouraged. 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). Additional uses include those supported in the Social and Civic Network and Green Network Public Place Types. Refer to adopted Small Area Plans for additional detail on land use recommendations within Activity Centers (Comprehensive Plan, Page 30).

The Comprehensive Plan is a guide for future growth of the city, focusing on community needs through 2035. There are numerous nonresidential properties throughout the City with the potential for redevelopment or to reposition themselves for current market demands. The proposed applications are reviewed based on its consistency with the Comprehensive Plan as a whole. Descriptions of specific Comprehensive Plan strategies and other language that influence the staff recommendations are provided below.

Neighborhoods

Goal 1 – Enhance neighborhood character.

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

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

Staff Analysis:

Staff believe the applicant has proposed a quality mixed-use development in line with the adopted Old Town Fairfax Small Area Plan. This site is located between University Drive and Chain Bridge Road at the intersection of Judicial Drive and across from Breckinridge Lane. The Fairfax County Judicial Complex across Chain Bridge Road to the west has PDC Planned Development Commercial zoning in Fairfax County and CR Commercial Retail for the vacant restaurant in the City, commercial office to the north has Commercial Office zoning and the office to the south is in Planned Development-Mixed Use zoning district, and single-family townhomes are to the east and across University Drive in Residential Townhouse zoning district. The subject site is located within the Old Town Activity Center and is currently zoned RM Residential Medium. The applicant has engaged the community and heard from the City Council, the Planning Commission and city staff to minimize any real or perceived negative impacts for redevelopment at this location.

Goal 2 – Provide neighborhood pedestrian connections.

Outcome 2.1: Residents of all abilities safely and easily move about the community.

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

Action 2.1.2: Expand existing pedestrian network to increase connectivity within neighborhoods and to other destinations.

Staff Analysis:

The Multi-Modal Transportation Plan requires a 10-foot wide sidewalk on Chain Bridge Road and University Drive. The Applicant is proposing a sidewalk on Chain Bridge Road and University Drive, and a sidewalk on the south side of the east-west private street between the building and street. The general development plan does not show a sidewalk on the north side of the east-west road necessitating a special exception to eliminate the sidewalk on the north side. The Applicant is proposing a public pedestrian path (alley) that runs north south and through the center of the property. The proposed alley is 43 feet in width with a mix of plantings on both sides of the path between Building A and Building B.

Commercial Corridors & Activity Centers

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

Outcome CCAC2.1: Activity Centers are well-designed and desirable places to live, work, shop, and dine.

Action CCAC2.1.1 Reference Small Area Plans for guidance on private development within the Old Town, Northfax, Kamp Washington, and Fairfax Circle activity centers.

Action CCAC2.1.2 Reference Small Area Plans for guidance on design and investment in public improvements within the Old Town, Northfax, Kamp Washington, and Fairfax Circle activity centers.

Action CCAC2.1.4 Target and coordinate public infrastructure improvements with desired infill, reinvestment, and redevelopment areas to encourage and stimulate private development.

Staff Analysis:

The 2.68-acre site is under single ownership with one single-family home on-site and is one of the larger tracts of the land in the Activity Center and the Old Town Fairfax Small Area Plan. The Applicant proposes to replace a single-family home with an upper-story residential/mixed use building that consists of 276 apartments in two multi-family buildings, approximately 6,319 square feet of retail, approximately 4,188 square feet of office, structured parking with nine surface spaces to accommodate short-term parking. The proposal also includes vehicle and pedestrian access to the site including a 43-foot wide pedestrian path in the middle of the site that aligns with the envisioned greenway identified in the Old Town Fairfax Small Area Plan. The Applicant has proposed minimal building setbacks that are consistent with the Comprehensive Plan policies for the Activity Center Place Type, building typology in the Old Town Fairfax Small Area Plan and Commercial Urban regulations in the Zoning Ordinance. The applicant has proposed on-site bicycle facilities and a contribution to the construction of a bus shelter on Chain Bridge Road. The Applicant also has proposed a streetscape with sidewalks and plantings to complement the building design.

Housing

Goal 1 – Support a wide range of housing types.

Outcome H1.1: Residential development in Activity Centers, along with an emphasis on market-driven needs, fills gaps in the City's housing supply.

Action H1.1.1 Support development of housing units in the Activity Centers that are suitable for a wide range of household incomes, that produce an overall mix of rental and for-sale units, and that emphasize walkability and connectivity.

Staff Analysis:

The proposed 276 apartments provide a type of housing that is underdeveloped in the City of Fairfax. According to the Comprehensive Plan, multifamily (including approved units) represents 39 percent of the housing stock in the city. The Small Area Plan anticipates an increase of 1,250 residential units (including townhouses, condos, market-rate apartments, senior living, student, and affordable housing units) in the near-term (Old Town Fairfax Small Area Plan, Page 25).

Goal 2 – Ensure availability of housing that is affordable.

Outcome H2.1: Affordable housing units have been added to the City's housing stock through redevelopment and strategic investments.

Action H2.1.2: Provide regulatory requirements and financial incentives to increase the supply of affordable housing, including continued support of the Affordable Dwelling Unit requirements contained in the Zoning Ordinance.

Staff Analysis:

The Applicant proposed 276 apartments units on 2.69 acres with a density of 102.6 dwelling units per acre. This land use application is subject to Section 3.9 (Affordable Dwelling Units) of the Zoning Ordinance, which states "the provision of affordable dwelling units shall apply to any site, or any portion thereof, at one location which is the subject of a complete Land Use Application submitted after the effective date of the city's Program, whenever such an application includes, upon approval, a total of 30 or more dwelling units. Any Affordable Dwelling Unit Development is allowed to apply the Affordable Dwelling Unit Development Regulations to that development as set forth in Section 3.9.3 of this Ordinance" (Zoning Ordinance, Page 3-69). The Applicant is required to set aside a minimum of 6% (or 17 units) of the total units in this upper story/mixed use residential development for affordable dwelling units. The Applicant states, "these units will further the City's goals of promoting the development of a full range of housing choices, and constructing units that are affordable to households whose collective income is seventy percent (70%) or less of the area median income in the Washington Metropolitan Statistical Area. Of the affordable units to be provided, each unit type in the project will be represented at the required percentage. Therefore, there will be two studio units, ten one-bedroom units and five two-bedroom units, which is representative of the unit mix in the buildings" (Statement of Support, Page 15). The Applicant has also identified the location of the proposed affordable dwelling units on the Architectural Plan Set Sheets A.14 through A.17 consistent with Section 3.9 of the Zoning Ordinance. To this end, the proposal addresses Outcome H2.1 by adding affordable units to the City's housing stock through redevelopment of an existing site.

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 Analysis:

The Applicant has proposed an attractive design for Building A with a mixture of red and beige brick, metal cornice, metal, and recessed banding. The retail frontage consists of canopies, gooseneck lighting, storefront bays, and signage. The Applicant incorporates beige brick on levels one and two into varying bays around the storefront module. Building B along University Drive consists of more traditional architecture, lower scale, and a more residential appeal. The applicant proposes darker red brick with quoins, two story pediments of architectural stone, and dormer features on the fourth floor. The Applicant also proposes_ includes a public outdoor space forming a 43-foot wide greenway established by the edge of Building A and Building B. The greenway runs north-south through the middle of the site with plantings and a pedestrian pathway connecting parcels to the north and south.

Multimodal Transportation

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).

Goal 3 – Integrate transportation with land use.

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

Action MM3.2.1 Whenever possible, increase connections – particularly nonmotorized connections – between neighborhoods, community facilities, and Activity Centers.

Action MM3.2.2 With development projects, break up large blocks to a more walkable scale. Pursue additional secondary and tertiary street network opportunities. Streets should be well-designed as complete streets and align at regular intersections for a continuous street grid.

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.

Staff Analysis:

The Multi-Modal Transportation Plan requires a 10-foot wide sidewalk on Chain Bridge Road and University Drive. The Applicant is proposing a 10-foot sidewalk on Chain Bridge Road and

University Drive, and a 5-foot sidewalk on the south side of the east-west private street between the building and street. The general development plan does not show a sidewalk on the north side of the east-west road necessitating a special exception to eliminate the sidewalk on the north side. The Applicant is proposing a public pedestrian path (alley) that runs north south and through the center of the property. The proposed alley is 43 feet in width with a mix of plantings on both sides of the path between Building A and Building B.

Goal 4 – Multimodal Transportation Goal 4

Outcome MM4.2: A Transportation Demand Management (TDM) Program is adopted and implemented.

Action MM4.2.2: Require TDM for all large development projects. Require monitoring to assess resident/employee travel patterns.

Staff Analysis:

The applicant has proposed several options to access the site: first, by car with the proposed construction of an east-west private drive from University Drive to Chain Bridge Road; second, mass transit as the site is located on a transit route and the Applicant proposes to install a bus shelter or make a contribution towards the installation of a bus shelter; third, the Applicant has proposed to install a bicycle storage area in both buildings and on Chain Bridge Road near the retail entrance; and finally, the Applicant proposes pedestrian access via a publicly accessible greenway that is consistent with the recommendations from the Old Town Small Area Plan and the Multi-Modal Transportation Plan with 10-foot sidewalks on University Drive and Chain Bridge Road.

Environment and Sustainability

Goal 1 – Sustainability Initiatives

Outcome SI1.1: Energy demand is minimized with the application of energy efficient design features, technologies, and best practices.

Action SI1.1 Implement and continually improve the green building policy to achieve the goals outlined in the policy.

Outcome SI1.5 Use of electric and alternative fuel vehicles and infrastructure is expanded.

Staff Analysis:

The city is currently working on a green building policy. The Applicant has proposed to seek LEED or a comparable green building certification program to help minimize greenhouse gas emissions, reduce energy use, and construction waste. The Applicant states that “energy saving devices will be incorporated into the project such as, Energy Star appliances, energy efficient mechanical systems, recycling for occupant refuse, energy efficient lighting and insulation that meets or exceeds applicable energy code requirements” (Statement of Support, Page 16). The Applicant has proposed to install a minimum of twenty (20) designated Electric Vehicle Charging Stations. Likewise, the Applicant has proposed to incorporate a publicly accessible greenway that is consistent with the recommendations from the Old Town Small Area Plan. The proposal

also includes stormwater management facilities where none exist today with the existing single-family home.

Economic Vitality

Goal 1 – Economic Vitality

Maintain or increase the City's ratio of commercial to residential real estate.

Outcome EV1.1: New development and redevelopment continues to generate revenue from non-residential buildings and uses.

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

Goal 2 – Economic Vitality

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.

Action EV2.1.1 Attract new retail and service businesses representing sectors that have the ability to become regional destinations

Goal 3 – Economic Vitality

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.

Outcome EV3.2: Old Town is a regional destination as a cultural hub with enhanced economic benefits for the entire City.

Action EV3.2.1: Market Old Town as a social, cultural, and economic center.

Action EV3.2.2: Promote the unique historical attributes of Old Town.

Action EV3.2.3: Support integration of cultural arts into the historic fabric of Old Town.

Action EV3.2.4: Continue to support the Old Town Fairfax Business Association in organizing activities and events and placemaking efforts.

Staff Analysis:

The proposed mixed-use development would contribute to creating a balanced Activity Center in Old Town Fairfax. The proposal helps meet the long-term goal for establishing a live, work, shop and dine experience in Old Town Fairfax. The Applicant proposes to provide a north-south

pedestrian greenway which may serve as an alleyway in the middle of the site that is consistent with the Old Town Small Area Plan. The proposed width of the open space is approximately 43 feet with a connection to properties to the north and south. The Applicant proposes a 15-foot path that is conveyed through an easement with connections to Building A and Building B.

PART B: CITY POLICY

This section is divided into the following subjects:

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

Land Use

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

Activity Center

The Activity Center Place Type, identified in dark purple on the Future Land Use Map, applies to locations where pedestrian-oriented, mixed-use development is strongly encouraged. 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). Additional uses include those supported in the Social and Civic Network and Green Network Public Place Types. Refer to adopted Small Area Plans for additional detail on land use recommendations within Activity Centers.

Activity Centers can accommodate a variety of building types based on the different uses permitted and varying characteristics among individual Activity Centers. General physical characteristics for specific uses are provided under Use Characteristics (p. 31-32) and more specific recommendations are provided in Small Area Plans for each Activity Center. In addition to the guidance provided below, Small Area Plans should be referenced for specific guidance on physical characteristics of development for any site within an Activity Center.

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

The Old Town Fairfax Activity Center (“Old Town Fairfax”) encompasses a cultural hub for the city, with a concentration of historic buildings, public services, active open space, and commercial buildings. Old Town Fairfax can capitalize on its proximity to George Mason University to attract university supported businesses and arts and entertainment venues. The entirety of Old Town Fairfax is within the Old Town Fairfax Historic Overlay District (HOD) or the Old Town Fairfax Transition Overlay District (TOD) and is subject to those provisions of the Zoning Ordinance and the City of Fairfax Design Guidelines.

Refer to the Old Town Fairfax Small Area Plan, dated June 2020, for specific recommendations within Old Town Fairfax, including locations for future streets and open spaces, opportunities for pedestrian connections across Commercial Mains, building form (including appropriate locations for more or less restrictive building heights from the Activity Center standards), and general land use and development limitations (Comprehensive Plan, Page 33).

Staff Analysis:

The applicant has designed a mixed-use building that is consistent with the Old Town Fairfax Small Area Plan. The building form and mix of uses as prescribed by the Old Town Fairfax Small Area Plan provides guidance to the height and bulk size of the proposed building. As articulated in the 2035 Comprehensive Plan and other market research, quality mixed-use developments that are appropriate for Activity Centers need a critical mass of height, density, and public amenities to be achievable. While the general development plan exceeds the density of the desired zoning district, the building is generally consistent with the recommended form and scale. Building A is proposed as 166 feet in length on Chain Bridge Road, 100 feet in length on the proposed private street with a large break in the building wall for a courtyard, 166 feet in length on the proposed greenway, and 200 feet on the southern property line. Building B is proposed as 200 feet in length along the private street with a break in the building wall for a pool and courtyard with grilling station area, 166 feet in length along University Drive, 300 feet on the southern property line, and 166 feet in length along the proposed greenway. The Applicant proposes 423 parking spaces in a three-level garage exceeding the required 401 parking spaces. The applicant has also proposed nine (9) parking spaces on the south side of the private street for delivery and ride sharing companies.

Scale

Density: As articulated in the 2035 Comprehensive Plan and other market research, quality mixed-use developments that are appropriate for Activity Centers need a critical mass of height, density and public amenities in order to be achievable. Based on development history within the region, it is generally expected that a fraction of the study area will redevelop at higher heights and densities over the next 15 years (Old Town Fairfax Small Area Plan, Page 25). Increase of 1,250 residential units (including townhouses, condos, market-rate apartments, senior living, student, and affordable housing units) (Old Town Fairfax Small Area Plan, Page 25).

Staff Analysis:

The building form and mix of uses as prescribed by the Old Town Fairfax Small Area Plan provides guidance to the height and bulk size of the proposed building. The typical land use prescribed for this location is residential multifamily buildings with green space. Building height is recommended at four story on University Drive and five story on Chain Bridge Road. The plan focuses on larger scale redevelopment in Old Town North and Old Town South. Taller buildings

conform to the existing character established by the larger existing office buildings and nearby tall structures at the Massey Complex (Old Town Small Area Plan, Page 25).

The building form and mix of uses as prescribed by the Old Town Fairfax Small Area Plan provides guidance to the height and bulk size of the proposed building. As articulated in the 2035 Comprehensive Plan and other market research, quality mixed-use developments that are appropriate for Activity Centers need a critical mass of height, density, and public amenities to be achievable. While the general development plan exceeds the density of the desired zoning district, the building is generally consistent with the recommended form and scale. Building A is proposed as 166 feet in length on Chain Bridge Road, 100 feet in length on the proposed private street with a large break in the building wall for a courtyard, 166 feet in length on the proposed greenway, and 200 feet on the southern property line. Building B is proposed as 200 feet in length along the private street with a break in the building wall for a pool and courtyard, 166 feet in length along University Drive, 300 feet on the southern property line, and 166 feet in length along the proposed greenway.

The applicant has requested a special exception to Section 3.6.2. to exceed the maximum permitted density (24 du/acre) in CU Commercial. The applicant is proposing 276 apartments on 2.66 acres (with dedication) with a density (units/acre) of 103.76. The applicant has designed a mixed-use building that is consistent with the Old Town Fairfax Small Area Plan.

Height: The Small Area Plan project team recommends a tailored approach to height limits by establishing a lower height limit setback of 4 stories closer to adjacent residential communities. Areas not close to adjacent residential structures are recommended to have a 6-story height limit. Hybrid transition areas are designated with a 5-story or a 4-story height limit (Old Town Fairfax Small Area Plan, Page 25).

Staff Analysis:

The Old Town Fairfax Small Area Plan shows the site as a recommended building height of 4 and 5-stories. Section 3.7.3.C.2 of the Zoning Ordinance establishes a maximum height of 48 feet in the Old Town Fairfax Transition Overlay District. Old Town Fairfax Small Area Plan study area is regulated by the Old Town Historic District Overlay and the Old Town Transition District Overlay, which limits buildings to a maximum height of 3 stories and 4 stories, respectively. The plan focuses on larger scale redevelopment in Old Town North and Old Town South. Taller buildings conform to the existing character established by the larger existing office buildings and nearby tall structures at the Massey Complex (Old Town Small Area Plan, Page 25). The Old Town Fairfax Small Area Plan shows the site as a recommended building height of 4-stories on University Drive and 5-stories on Chain Bridge Ridge. The exhibit below illustrates the proposed height of Building A and Building B.

Figure 2: Height Exhibit

and 1,837 daily trips upon buildout of the development. The table below provides a summary of existing trips and proposed trips:

Table 2: Trip Generation

Land Use		ITE Code	Size	AM Peak Hour	PM Peak Hour	Daily
Existing	Single-Family Detached Homes	210	1	1	1	15
Proposed	Multifamily Housing (Mid-Rise)	221	276	110	108	1,270
	Shopping Center (<40 ksf)	822	6.381 ksf of GFA	22	58	509
	Office	710	4.2 ksf of GFA	11	12	73
Net Total Trips without Reductions (Proposed Minus Existing)				141	177	1,837

Pedestrian Network: The long-term plan vision is to create a pedestrian-friendly precinct in the downtown core. The detailing of these streets will be transformed from vehicular processing to pedestrian and bicycle-friendly details, including larger sidewalks, consistent on street parking to protect pedestrians, sidewalk space for outdoor seating, consistent street lighting and furniture, reduction of vehicular turn lanes, and bicycle facilities (Old Town Fairfax Small Area Plan, Page 10).

Staff Analysis:

The Applicant proposes to construct a new private street from Chain Bridge Road in an east-west direction to University Drive along the northern property line. The proposed private street is 26 feet in width. The Applicant proposes right-in, right-out at Chain Bridge Road and University Drive. The applicant has designed the site for an east-west private street from University Drive to Chain Bridge Road. The private street (26 feet from curb to curb) runs adjacent to the northern property line. The grading for the site is within two feet of the grade on the site to the north, which would allow the adjacent property to expand the street and make additional improvements (i.e. sidewalks and streetscape) upon redevelopment. The Applicant has requested to eliminate the requirement for a sidewalk on the northern side of the proposed access drive while providing it on the southern side. Currently, the site to the north is a vacant commercial building with a two-level parking garage. The Applicant has proposed a 5-foot sidewalk adjacent to the building to help facilitate pedestrian movements through the site. The Applicant has proffered easements to allow public access over the Access Drive, the greenway, and all sidewalks on the property. Building B has the only vehicular entrance and exit into the parking garage. Both buildings have a loading zone and trash room interior to the buildings along the private, internal street driveway.

The Multi-Modal Transportation Plan requires a 10-foot wide sidewalk on Chain Bridge Road and University Drive. The Applicant is proposing a sidewalk on Chain Bridge Road, University Drive, and on the south side of the east-west private street. The general development plan does not show a sidewalk on the north side of the east-west road necessitating a special exception for a sidewalk on both sides of the street. The Applicant is proposing a public pedestrian path (alley) that runs north south and through the center of the property. The proposed alley is 43 feet in width with a mix of plantings on both sides of the path between Building A and Building B.

Parking: Off-street parking spaces shall be provided for all uses in at least the minimum amounts specified in Section 4.2.3.E (Parking Ratio Requirements). The minimum required parking of Section 4.2.3.E shall be reduced by the following (maximum) percentages: (b) Within the Old Town Fairfax Transition Overlay District: See Section 3.7.3.F. (c) Within the CU, Commercial Urban District, where structured parking is provided: 10 percent. Section 3.7.3.F states, "The minimum required parking of Section 4.2.3.E shall be reduced by 50 percent for all uses, provided that each dwelling unit shall have no less than 1.50 spaces, unless otherwise specified in Section 4.2.3.E." (Zoning Ordinance, Page 3-58).

Staff Analysis:

The Applicant proposes to construct a parking garage with three levels and a total of 423 parking spaces. The Applicant has proposed 401 residential spaces to serve 276 apartments, 16 dedicated parking spaces for retail (6,608 sf) and 7 spaces for office (4,188 sf) patrons. As part of the parking plan, the Applicant has proposed to install a minimum of twenty (20) electric vehicle charging stations. The Applicant also proposes to provide nine (9) parking spaces for pick-up/drop-off delivery and ride sharing companies. The Applicant is also proposing one loading space per building, which exceeds the Zoning Ordinance requirement. In addition to vehicles spaces, the Applicant has provided bicycle storage areas within both buildings and on the west side of the building next to the retail entrance and proposed bus shelter on Chain Bridge Road. Table 3 (below) provides the parking tabulation for the proposed development:

Table 3: Parking Tabulation

Use	Units	Zoning Requirement	Required Spaces	CU Reduction	TOD Reduction	Required After Reductions
Studio/Efficiency	28	1.25 spaces per unit	35	32	n/a	32
1-bedroom	160	1.5 spaces per 1 bed unit	240	216	n/a	216
2-bedroom/ 3-bedroom	88	2 spaces per 2 bed unit	176	158	132	132
Retail	6,608 sf	1 space/200 sf	33	30	15	15
Office	4,188 sf	1 space/300 sf	14	13	6	6
Total			498	449	153	401

The Applicant proposes 423 parking spaces in a three-level garage exceeding the required 401 parking spaces. The applicant has also proposed nine (9) parking spaces on the south side of the private street for delivery and ride sharing companies. The Applicant has also proposed constructing a bus shelter on Chain Bridge Road in front of the property or contribute of \$10,000 to the city towards the cost of a bus shelter. Staff believe the parking provided on the plan is consistent with the Comprehensive Plan, Old Town Fairfax Small Area Plan and Zoning Ordinance.

Architecture and Landscaping:

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 (Section 3.7.2), the Old Town Fairfax Transition Overlay District (Section 3.7.3), or in the Architectural Control Overlay District (Section 3.7.4). In addition to a recommendation on the certificate of appropriateness, the BAR is required to provide a recommendation for special exception applications on historic district and transition overlay district properties (Zoning Ordinance, Section 6.16.5.B, Page 6-47).

The architectural elements for Building A along Chain Bridge Road, on the right and middle of the building facade, consist of red and beige brick, metal cornice, metal, and recessed banding. This corner consists of retail frontage with canopies, gooseneck lighting, storefront bays, and signage. The Applicant incorporates beige brick on levels one and two into varying bays around the storefront module. Red brick would be located on floors three through five. The applicant proposes architectural stone accents located within the red brick. Juliette balconies are scattered throughout the elevation. Along the left side of the elevation, the applicant proposes a burgundy brick between the first and third floors, canopies, signage, and storefront modules. The remaining part of the upper floors consists of a fiber cement board in different shades of gray. The leftmost corner of the façade would be stepped back 4', as the Applicant incorporates a tower element feature. Varying bays would be 5' in depth. The architecture of this façade appears respectful to the district, while incorporating modern industrial elements.

The architectural elements for Building B along University Drive consist of more traditional architecture, lower scale, and a more residential appeal. The applicant proposes darker red brick with quoins, two story pediments of architectural stone, and dormer features on the fourth floor. Due to the topography, the sidewalk would be several feet below the building. The foundation line would receive beige brick, and the roof would be a standing seam metal roof. Windows would have white color frames, and the elevation consists of varying bays to break up the façade. The recessed bays would be 2'-4' behind the main façade plane and the material would consist of two colors of fiber cement siding including a second story decorative band. The applicant proposes rooftop amenity space along the University side of the building above floor two, along with an exit stair that would be treated with brick and a metal cornice.

All mechanical equipment would be located on the rooftop and would not be visible from a public view. The residential amenity areas would include grilling stations, dining tables and chairs, shade structure, pool, and synthetic lawn. In the middle greenway area that separates both buildings, there would be a brick path with landscaping along the path. Site lighting includes acorn pole, building mounted downward facing, gooseneck, and pedestrian trail lighting.

The BAR reviewed the submitted plans and materials at a public hearing on June 18, 2025 and provided a recommendation of approval to City Council for a certificate of appropriateness with conditions.

Staff Analysis:

The BAR held a public hearing on the Major Certificate of Appropriateness on June 18, 2025, and recommended approval with conditions.

Stormwater Management:

Even though stormwater management typically is not fully designed until administrative site plan review, the General Development Plan will be subject to the requirements of the state code and the City's stormwater management regulations. Stormwater BMPs, on-site detention facilities, and on-site drainage facilities shall be designed and maintained in such a manner as to minimize economic and environmental costs to the city and its inhabitants (Zoning Ordinance, Section 4.16.2, Page 4-77).

Staff Analysis:

The existing development activity on the subject property preceded local and state stormwater regulations and therefore, the site does not have an existing stormwater system. The site has a significant elevation change from west to east causing the site to drain towards University Drive. The topography of the site drains from the west to the east towards University Drive. The Applicant proposes a stormwater vault on the east side of the property to control 1, 2, and 10-year 24-hour storm and release stormwater runoff into a proposed closed conduit storm sewer system located parallel to University Drive. This system collects stormwater run-off the proposed development. Stormwater from the University Drive and the site (referred to Drainage Area A) will converge and be released at an outfall point. See Sheet 20 for the location of the outfall area. In addition to the stormwater vault, the applicant proposes installing a jellyfish filter system to remove a variety of stormwater pollutants.

Utilities:

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

Staff Analysis:

The site has existing public utility infrastructure to support the general development plan. The on-site utilities for the site would be placed underground as required by the Zoning Ordinance.

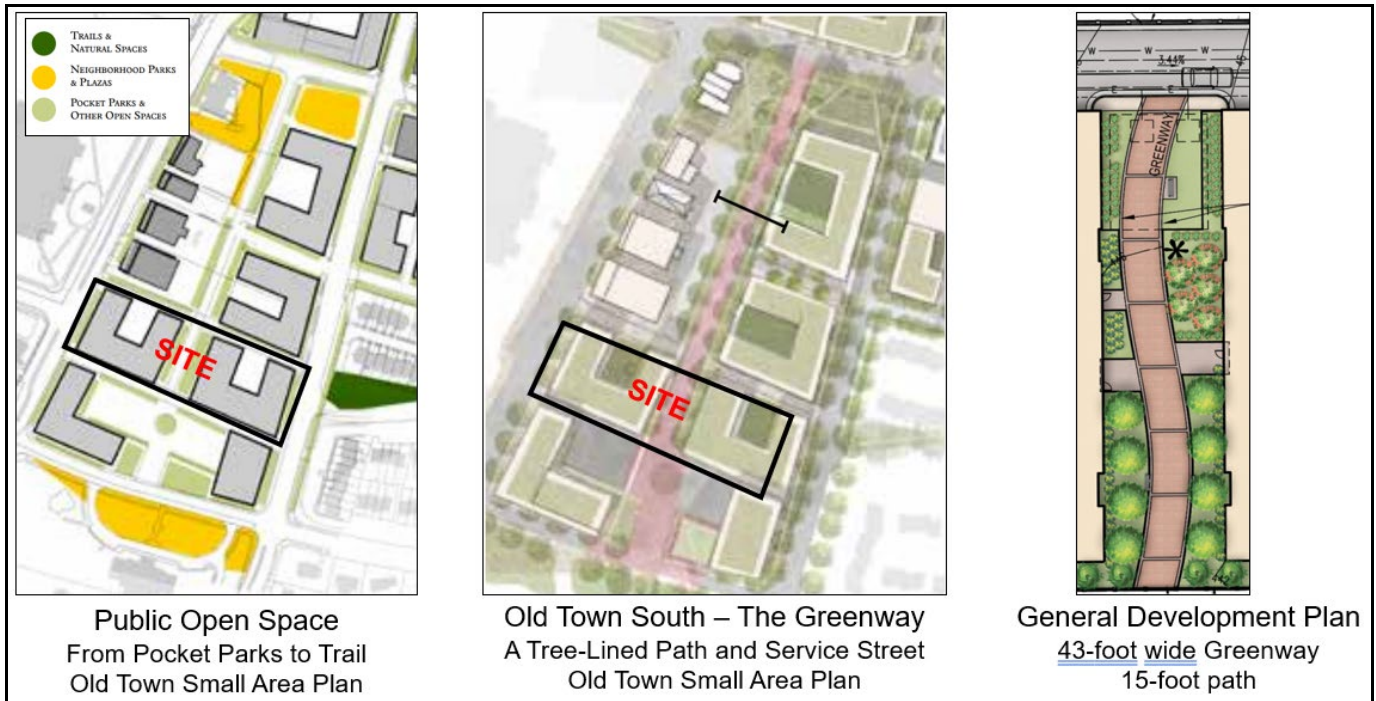
Parks and Open Space:

The Old Town Small Area Plan calls for a variety of green spaces - from trails and natural spaces to neighborhood parks and plazas. The range of green and open spaces can allow a variety of activities to take place for the residents and visitors.

Staff Analysis:

The Applicant proposes a courtyard in Building A and courtyard with a swimming pool in Building B. The Applicant proposes to provide a north-south pedestrian greenway (minimum width of 43 feet) which may serve as an alleyway in the middle of the site that is consistent with the Old Town Small Area Plan. The proposed width of the alleyway is approximately 43 feet. The Applicant proposes a 15-foot meandering path that is conveyed through an easement with connections to Building A and Building B. The Applicant proposes to contribute \$378.00 per residential unit for the use in the planning, design and/or construction of off-site recreational amenities in the vicinity of the application property.

Figure 3: The Greenway



Tree Coverage:

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

Staff Analysis:

Staff believe that the landscape plan as presented with modifications is consistent with the Comprehensive Plan and Zoning Ordinance. Section 4.5.6 of the Zoning Ordinance prescribes a 10-year minimum tree canopy requirement by district. The proposed CU Commercial Urban district has a 10-year tree canopy requirement of 10%. The existing site has 119 trees in varying conditions. The Applicant reports that 36 of the 119 trees are classified as dead up to in poor condition, while the remaining 83 trees are classified as fair to excellent condition. The proposed tree canopy is approximately 10.21% (11,950 square feet) by planting 16 canopy trees, 95 understory trees and 148 shrubs. The Comprehensive Plan and Small Area Plan both depict street trees along Chain Bridge Road and University Drive. The applicant proposes five (5) street trees along University Drive, five (5) street trees depicted along Chain Bridge Road, and eight (8) canopy trees shown along the proposed greenway.

The Applicant seeks to eliminate the requirement for landscape strip and street trees along the access drive. Section 3.7.3.E of the Zoning Ordinance states the minimum landscape strip requirement for street trees in Section 4.5.6.A.1 shall not apply in the Old Town Fairfax Transition Overlay District. The applicant has designed the site for an east-west private street from University Drive to Chain Bridge Road. The private street (26 feet from curb to curb) runs adjacent to the northern property line with a 5-foot sidewalk on the south side of the street and in between the buildings. The applicant is seeking a special exception to the landscape strip and street tree requirements for the internal private street due to site constraints and the urban design of the proposed development. In addition to the request to eliminate the required landscape strip, the Applicant seeks to modify the transitional yards. Section 4.5.5.D of the Zoning Ordinance provides the minimum tree plantings as well as the minimum fence or wall height of the transitional yard specifications along the Subject Property's boundaries.

Fiscal Impact:

Staff estimate that this proposal would most likely bring a modest net fiscal benefit to the city with a net balance calculated as a range between -\$308,000 and +\$321,000 annually.

PART C: PROCEDURAL REQUIREMENTS AND REVIEW CRITERIA

The following is an analysis of citations from the Zoning Ordinance related to procedural requirements and review criteria from Section 6.4.9 (Approval Considerations) of the Zoning Ordinance:

A. Substantial conformance with the Comprehensive Plan;

The proposed development is consistent with the Comprehensive Plan and the adopted Old Town Fairfax Small Area Plan.

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

The existing Comprehensive Plan Place Type of Activity Center encourages the 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). Additional uses include those supported in the Social and Civic Network and Green Network Public Place Types. Based on current zoning districts, the site could potentially be engineered to be developed with up to fifteen (15) single-family homes (not including roads and stormwater management improvements). The proposed rezoning increases the development potential of this 2.69-acre site. The proposed GDP is consistent with the Old Town Small Area Plan while expanding housing choices (i.e., multifamily), adding to the supply of affordable dwelling units to help meet the needs of an underserved population, increases the amount of retail/office space in the City and contributes to the pedestrian network via proposed greenway in Old Town Fairfax by connection residents to key areas of the city.

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

Staff believe that the proposed use is consistent with the Comprehensive Plan and Zoning Ordinance and multifamily/upper-story residential mixed-use buildings are an appropriate use as they are surrounded by commercial offices to the north and south, a vacant restaurant to the west and townhomes to the east. The Applicant proposes to develop two buildings with up to 276 apartments, approximately 6,608 square feet of retail, approximately 4,188 square feet of office, a 26-foot private access drive near the northern property line from University Drive to Chain Bridge Road, a 10-foot sidewalk on Chain Bridge Road, a 10-foot sidewalk on University Drive and a 5-foot sidewalk on the south side of the private access drive on 2.69-acres. Building A is a five-story building fronting Chain Bridge Road with ground level retail and office space. The proposed building is 166 feet in length on Chain Bridge Road, 100 feet in length on the proposed private street with a large break in the building wall for a courtyard with a grilling station area, 166 feet in length on the proposed greenway, and 200 feet on the southern property line. Building A has a front yard setback that ranges from 7 feet to 11 feet on Chain Bridge Road. Building B is proposed to consist of 162 units, a courtyard with a pool area and amenities, and a residential lobby and leasing area fronting on University Drive. The building is four (4) stories along University Drive and five (5) stories near the center of the building as the building has a step back approximately 70 feet from the property line on University Drive. Building B is proposed as 200 feet in length along the private street with a break in the building wall for a pool and courtyard with grilling station area, 166 feet in length along University Drive, 300 feet on the southern property line, and 166 feet in length along the proposed greenway. Building B has a front yard setback of 10 feet from University Drive.

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

The site has adequate public facilities to support an approval of a rezoning from RM Residential Medium to Commercial Urban in the Old Town Fairfax Transition Overlay District. The subject property is located on a mass transit route and the adjoining road has capacity to support the proposed use. The Applicant has proposed a proffer to install a bus shelter on Chain Bridge Road or contribute the sum of \$10,000 towards the cost of a bus shelter. There are adequate public safety facilities in the area. The proposed rezoning and proposed use would generate an estimated 27 new students to City Schools. The Applicant has proposed a contribution of \$425.00 per dwelling unit to mitigate the impacts to City Schools. The Applicant has proposed amenities within the building, as well as, providing the greenway that is consistent with the Old Town Small Area Plan. The Applicant has also proposed to contribute \$378.00 per residential unit to the City for the use in the planning, design and/or construction of off-site recreational amenities in the vicinity of the subject property.

E. Adequacy of existing and proposed public utility infrastructure;

The public utility infrastructure is adequate and proposed on-site stormwater facilities to comply with city regulations and the State of Virginia Stormwater Management Program. Fairfax Water has reviewed the project and there are no noted issues for the project.

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

The proposed planned development is consistent with the general requirements set forth in Section 3.8.2 and Section 6.6 of the Zoning Ordinance.

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

The proposed rezoning is consistent with the surrounding area. The subject site is located on the eastern side of Chain Bridge Road, at the intersection of Judicial Drive, and spans the block with frontage on University Drive, across from Breckinridge Lane. The three-story Fairfax County Judicial Complex in the County Public Facilities future land use designation and a vacant one-story restaurant in the Commercial Corridor Place Type (CR Commercial Retail) is located on the west side of Chain Bridge Road; a five-story office building in the Activity Center Place Type (CO Commercial Office) is located to the north; a three-story office-condo subdivision in the Activity Center Place Type (PDC Planned Development-Commercial) is located to the south; and, a three-story townhome community is located to the east of the site and across University Drive in Townhouse/Single-Family Attached Neighborhood Place Type (RT Residential Townhome).

Application No. Z-23-00073

RECEIVED

MAR 19 2024

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

Community Dev & Planning

I/We The Hill, a Davies Family LLC by David S. Houston, Attorney/Agent
 (Name of applicant) (Authorized agent's name and relationship to applicant)
 a corporation / general partnership / limited partnership / sole proprietorship/individual (circle one) which
 is the property owner / contract purchaser / lessee (circle one)
 of Lots Tax Map #57-4-02-040, Block _____, Section _____ of the
 _____ Subdivision containing 117,082 (Sq. Ft.) on the premises known as
4131 Chain Bridge Road requests that the property currently zoned RM be
 rezoned to CU. This property is recorded in the land records of Fairfax County in the name of
The Hill, a Davies Family LLC in Deed Book 25936, Page 1425.
 (Name and address of subject property)

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

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

(Signature of applicant or authorized agent)

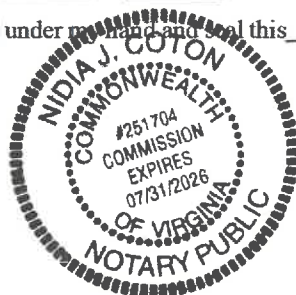
Attorney/Agent

(Title or relationship)

Address Bean Kinney & Korman, PC, 2311 Wilson Blvd. Arlington, VA 22201 Phone (703) 525-4000Email DHouston@beankinney.com

STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on
 the 31st day of July, 2026, do hereby certify that this day personally appeared before
 me in the State aforesaid David S. Houston Attorney/Agent
 (Name) (Title)
 whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 15th day
 of MARCH, 2024, and acknowledged the same before me.

GIVEN under my hand and seal this 15th day of MARCH, 2024.

Notary Public

Registration # 251704

THE FOLLOWING MUST BE COMPLETED BY THE PROPERTY OWNER

I/We The Hill, a Davies Family LLC by Bankhead Thornton Davies hereby certify that the applicant named above has the authority vested by me to make this application.

Bankhead Thornton Davies LLC Manager
(Signature of owner or authorized agent) (Title or relationship)
Address 5531 Langston Boulevard, Suite 206, Arlington, VA 22207 Phone: (703) 527-4030

STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 15th day of MARCH, 2024, do hereby certify that this day personally appeared before me in the State aforesaid Bankhead Thornton Davies Manager
(Name) (Title)
whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 15th day of MARCH, 2024, and acknowledged the same before me.

GIVEN under my hand and seal this 15th day of MARCH, 2024.

Nidia J. Cotton
Notary Public

251704
Registration #



FOR OFFICE USE ONLY

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

RECEIVED

MAR 19 2024

Community Dev & Planning

**AFFIDAVIT
CITY OF FAIRFAX**

I, The Hill, a Davies Family LLC, by David S. Houston, Attorney/Agent do hereby make oath or affirmation that
(Name of applicant or agent)

I am an applicant in Application Number Z-23-00073/SE-23-00074 and that to the best of my knowledge and belief, the following information is true:

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

Name	Address	Relationship
The Hill, a Davies Family LLC	5531 Langston Boulevard, Suite 206, Arlington, VA	Title Owner/Applicant

* See Attachment

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

Corporation Name: _____

Name	Address	Relationship
------	---------	--------------

* See Attachment

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

Partnership Name: _____

Name	Address	Relationship
------	---------	--------------

Not applicable

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:

 AGENT

Applicant or Agent

ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 15th day of MARCH, 2024, in the State of Virginia

My commission expires:



 / 251704
Notary Public Registration #

The Hill, a Davies Family LLC

Zoning Map Amendment/Special Use Permit/Special Exception/Certificate of Appropriateness
Affidavit Attachment to p. 7

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

Name	Address	Relationship
The Hill, a Davies Family LLC Agent: Bankhead T. Davies	5531 Langston Boulevard Suite 206 Arlington, VA 22207	Owner/Applicant
Bean Kinney & Korman, PC Agents: Jonathan C. Kinney David S. Houston Mark M. Viani J. Timothy Dugan Andrew W. Gregg	2311 Wilson Boulevard Suite 500 Arlington, VA 22201	Attorney/Agent
Paradigm Development Company, LLC Agents: Stanley W. Slotter Micheline Castan Smith	1515 N. Courthouse Road Suite 600 Arlington, VA 22201	Development Consultant/Agent
Urban Engineering & Associates, Inc. d/b/a Urban, Ltd. Agent: Clayton C. Tock	4200-D Technology Court Chantilly, VA 20151	Civil Engineer/Agent
Lessard Design Inc. Agent: Christian J. Lessard	8521 Leesburg Pike Suite 700 Vienna, VA 22182	Architect/Agent

	List of Former Applicant and Agents	
TDC Acquisitions, LLC Agents: Nihar Shah Greg Auger	1850 M Street, NW Suite 820 Washington, DC 20036	Applicant/Contract Purchaser (Former)
Cozen O'Connor Agents: G. Evan Pritchard Meridith H. Modenhauer Eric J. DeBear Madeline S. Williams	1200 19th Street, NW Washington, DC 20036	Attorney (Former)
Bohler Agents: Nicholas T. Georgas, PLA Ben Riedel	12825 Worldgate Drive Suite 700 Herndon, VA 20170	Civil Engineer (Former)
WDG Architecture Agents: Sean M. Stadler Susan Garcia	1025 Connecticut Avenue Suite 300 Washington, DC 20036	Architect (Former)
Parker Rodriguez, Inc. Agents: Trini Rodriguez Steven Sattler Katie Ferguson Karah Ramsey	101 N. Union Street Suite 320 Alexandria, VA 22314	Landscape Architect (Former)
Gorove Slade Associates Agents: Niraja Chadrapu Kevin Sitzman	4114 Legato Road Suite 650 Fairfax, VA 22033	Traffic Engineer (Former)

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

Corporation Name: The Hill, a Davies Family LLC

Name	Address	Relationship
Bankhead Thornton Davies, Hope Davies Huntington, Vera Davies Lichtenstein	5531 Langston Boulevard Suite 206 Arlington, VA 22207	Owner/Applicant

Corporation Name: Bean Kinney & Korman, PC

Name	Address	Relationship
Jonathan C. Kinney	2311 Wilson Boulevard Suite 500 Arlington, VA 22201	Attorney/Agent

Corporation Name: Paradigm Development Company, LLC

Name	Address	Relationship
Paradigm Holdings, LLC	1515 N. Courthouse Road Suite 600 Arlington, VA 22201	Development Consultant/Agent

Corporation Name: Urban Engineering & Associates, Inc. d/b/a Urban, Ltd.

Name	Address	Relationship
J. Edgar Sears Brian A. Sears	4200-D Technology Court Chantilly, VA 20151	Civil Engineer/Agent

Corporation Name: Lessard Design Inc.

Name	Address	Relationship
Christian J. Lessard, President and CEO	8521 Leesburg Pike Suite 700 Vienna, VA 22182	Architect/Agent

Listing of Ownership Information for Former Applicant and Consultants

Corporation Name: TDC Acquisitions, LLC (former Applicant)

Name	Address	Relationship
There are more than 10 stockholders, none of which owns 10% or more of any class of stock	1850 M Street, NW Suite 820 Washington, DC 20036	Applicant/Contract Purchaser (Former)

Corporation Name: Cozen O'Connor PC (former Attorney/Agent)

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

Corporation Name: Bohler Engineering VA, LLC (former Civil Engineer/Agent)

Name	Address	Relationship
Bohler Engineering, P.C. Adam J. Volanth Daniel M. Duke Mark R. Joyce David B. Logan David B. Nemecek Robert C. Harr	12825 Worldgate Drive Suite 700 Herndon, VA 20170	Civil Engineer (Former)

Corporation Name: Bohler Engineering, P.C. (former Civil Engineer/Agent)

Name	Address	Relationship
Bohler Management, Inc.	35 Technology Drive South Warren, NJ 07059	Civil Engineer (Former)

Corporation Name: WDG Architecture, PLLC (former Architect/Agent)

Name	Address	Relationship
Jeffrey A. Morris Robert C. Keane Siti N. Abdul-Rahman Sean M. Stadler Eric Schlegel Ingrid Marrone Douglas James	1025 Connecticut Avenue Suite 300 Washington, DC 20036	Architect (Former)

Corporation Name: Parker Rodriguez, Inc. (former Landscape Architect/Agent)

Name	Address	Relationship
Trini Rodriguez	101 N. Union Street Suite 320 Alexandria, VA 22314	Landscape Architect (Former)

Corporation Name: Gorove Slade Associates (former Traffic Engineer/Agent)

Name	Address	Relationship
Christoper M. Tacinelli Chad A. Baird Daniel B. VanPelt Erwin N. Andres Tushar A. Awar Kevin D. Sitzman	4114 Legato Road Suite 650 Fairfax, VA 22033	Traffic Engineer

EQUITABLE OWNERSHIP DISCLOSURE STATEMENT

I. GENERAL DISCLOSURE REQUIREMENTS

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

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

II. IDENTIFICATION OF REAL PROPERTY AFFECTED

<u>Map Number</u>	<u>Parcel Number</u>	<u>Street Address</u>	<u>Current Owner of Record</u>
57-4-02-040	4131 Chain Bridge Road		The Hill, a Davies Family LLC

III. DESCRIPTION OF CHANGE IN ZONING REQUESTED

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

Rezone the property from the RM to CU zone to permit residential development with a multifamily residential building having approximately 280 dwelling units and approximately 7,000 square feet of retail area.
See Statement of Support submitted as part of this application.

IV. SPECIFIC EQUITABLE OWNERSHIP DISCLOSURE

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

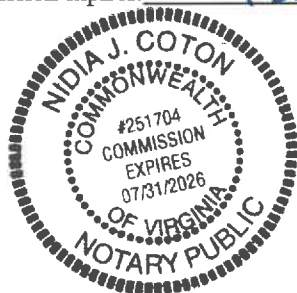
Bankhead Thornton Davies	5531 Langston Boulevard, Suite 206, Arlington, VA 22207	(703) 527-4030
Vera Davies Lichtenstein	5531 Langston Boulevard, Suite 206, Arlington, VA 22207	(703) 527-4030
Hope Davies Huntington	5531 Langston Boulevard, Suite 206, Arlington, VA 22207	(703) 527-4030

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

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


Signature

Subscribed and sworn before me this 15th day of MARCH, 2024.
My commission expires: 07/31/2026



 / 251704
Notary Public Registration #



Application #: SE-23-00074
Receipt #: _____

LAND USE APPLICATION

Page 1 of 2

RECEIVED

MAR 19 2024

- NON REFUNDABLE FEE -

Community Dev & Planning

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

1. PROPERTY LOCATION INFORMATION

Property Address 4131 Chain Bridge Road Tax Map # 57-4-02-040
Project Name 4131 Chain Bridge Road Project Description To permit the development
of the property with a multifamily residential building in conformance with the Small Area Plan,
and including a ground floor retail component.

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

Applicant Name The Hill, a Davies Family LLC (circle one: ☒ Corporation / ☐ Gen Partnership / ☐ Ltd Partnership / ☐ Sole Proprietorship / ☐ Individual)
Applicant Address c/o Bean Kinney & Korman, PC, 2311 Wilson Boulevard, Suite 500, Arlington, VA 22201
Phone (o) (703) 525-4000 (c) _____ Email DHouston@beankinney.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 3-15-2024

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

Licensed Professional's Name Clayton Tock, P.E.
Licensed Professional's Address c/o Urban, Ltd., 4400 D Technology Court, Chantilly, VA 20151
Phone (o) (703) 642-2306 (c) _____ Email _____



10455 Armstrong Street #207A Fairfax, VA 22030
Phone: 703-385-7820

Application #: _____
Receipt #: _____

APPLICANT AUTHORIZATION LETTER
(Signed by property owner/s)

To Whom IT May Concern:

I/We, The Hill, a Davies Family LLC, the undersigned title owner(s) of the property identified

below do hereby authorize David S. Houston of

Bean Kinney & Korman, PC, to act on my/our behalf in the furtherance of an application

for a mixed-use residential development on my/our property located at:

4131 Chain Bridge Road

Tax Map No: 57-4-02-040

Thank you in advance for your cooperation.

Date: March 15, 2024 By: Bankhead Thornton Davies

COMMONWEALTH/STATE OF: Virginia

CITY/COUNTY: Arlington, TO WIT:

The forgoing instrument was acknowledged before me this _____

15th day of MARCH, 2024, by Bankhead Thornton Davies, Manager

[Signature]
Notary Public (Signature)

Notary Registration No: 251704

My Commission Expires: 07/31/2026

AFFIX NOTARY SEAL



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



Application #: _____
Receipt #: _____

AGENT AUTHORIZATION LETTER
(Signed by applicant)

To Whom IT May Concern:

I/We, The Hill, a Davies Family LLC, the undersigned authorized applicant(s) of the property identified below do hereby authorize David S. Houston

of Bean Kinney & Korman, PC, to act as my/our agent(s) in the furtherance of an application for a mixed-use residential development on my/our

property located at: 4131 Chain Bridge Road

Tax Map No: 57-4-02-040

Thank you in advance for your cooperation.

Date: March 15, 2024

By: Bankhead Thornton Davies

COMMONWEALTH/STATE OF: Virginia

CITY/COUNTY: Arlington, TO WIT:

The forgoing instrument was acknowledged before me this _____

15th day of MARCH, 2024, by Bankhead Thornton Davies, Manager



AFFIX NOTARY SEAL

[Signature]
Notary Public (Signature)

Notary Registration No: 251704

My Commission Expires: 07/31/2026

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



Application #: _____
Receipt #: _____

AGENT AUTHORIZATION LETTER
(Signed by applicant)

To Whom IT May Concern:

I/We, The Hill, a Davies Family LLC, the undersigned authorized applicant(s) of the property identified below do hereby authorize Stanley W. Slotter and Micheline Castan Smith of Paradigm Development Company, LLC, to act as my/our agent(s) in the furtherance of an application for a mixed-use residential development on my/our property located at: 4131 Chain Bridge Road

Tax Map No: 57-4-02-040

Thank you in advance for your cooperation.

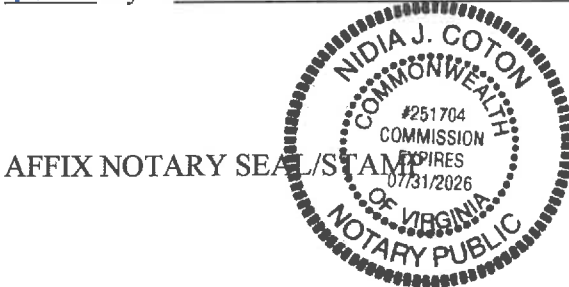
Date: March 15, 2024 By: Bankhead Thornton Davies

COMMONWEALTH/STATE OF: Virginia

CITY/COUNTY: Arlington, TO WIT:

The forgoing instrument was acknowledged before me this _____

15th day of MARCH, 20 24, by Bankhead Thornton Davies, Manager



[Signature]
Notary Public (Signature)

Notary Registration No: 251704

My Commission Expires: 07/31/2026

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



AFFIDAVIT
CITY OF FAIRFAX
Page 1 of 2

I, The Hill, a Davies Family LLC, by David S. Houston/Agent do hereby make oath or affirmation that
(Name of applicant or agent)

I am an applicant in Application Number SE-23-00074 and that to the best of my knowledge and belief, the following information is true:

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

Name	Address	Relationship
See attachment		

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

Corporation Name: _____

Name	Address	Relationship
See attachment		

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

Partnership Name: _____

Name	Address	Relationship
Not applicable		



AFFIDAVIT
CITY OF FAIRFAX
Page 2 of 2

RECEIVED

MAR 19 2024

Community Dev & Planning

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:

[Signature] AGENT
Applicant or Agent

ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 15th day of MARCH, 20 24, in the State of Virginia

My commission expires:



[Signature] / 251704 Notary
Public Registration #

The Hill, a Davies Family LLC

Zoning Map Amendment/Special Use Permit/Special Exception/Certificate of Appropriateness
Affidavit Attachment to p. 7

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

Name	Address	Relationship
The Hill, a Davies Family LLC Agent: Bankhead T. Davies	5531 Langston Boulevard Suite 206 Arlington, VA 22207	Owner/Applicant
Bean Kinney & Korman, PC Agents: Jonathan C. Kinney David S. Houston Mark M. Viani J. Timothy Dugan Andrew W. Gregg	2311 Wilson Boulevard Suite 500 Arlington, VA 22201	Attorney/Agent
Paradigm Development Company, LLC Agents: Stanley W. Slotter Micheline Castan Smith	1515 N. Courthouse Road Suite 600 Arlington, VA 22201	Development Consultant/Agent
Urban Engineering & Associates, Inc. d/b/a Urban, Ltd. Agent: Clayton C. Tock	4200-D Technology Court Chantilly, VA 20151	Civil Engineer/Agent
Lessard Design Inc. Agent: Christian J. Lessard	8521 Leesburg Pike Suite 700 Vienna, VA 22182	Architect/Agent

	List of Former Applicant and Agents	
TDC Acquisitions, LLC Agents: Nihar Shah Greg Auger	1850 M Street, NW Suite 820 Washington, DC 20036	Applicant/Contract Purchaser (Former)
Cozen O'Connor Agents: G. Evan Pritchard Meridith H. Modenhauer Eric J. DeBear Madeline S. Williams	1200 19th Street, NW Washington, DC 20036	Attorney (Former)
Bohler Agents: Nicholas T. Georgas, PLA Ben Riedel	12825 Worldgate Drive Suite 700 Herndon, VA 20170	Civil Engineer (Former)
WDG Architecture Agents: Sean M. Stadler Susan Garcia	1025 Connecticut Avenue Suite 300 Washington, DC 20036	Architect (Former)
Parker Rodriguez, Inc. Agents: Trini Rodriguez Steven Sattler Katie Ferguson Karah Ramsey	101 N. Union Street Suite 320 Alexandria, VA 22314	Landscape Architect (Former)
Gorove Slade Associates Agents: Niraja Chadrapu Kevin Sitzman	4114 Legato Road Suite 650 Fairfax, VA 22033	Traffic Engineer (Former)

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

Corporation Name: The Hill, a Davies Family LLC

Name	Address	Relationship
Bankhead Thornton Davies, Hope Davies Huntington, Vera Davies Lichtenstein	5531 Langston Boulevard Suite 206 Arlington, VA 22207	Owner/Applicant

Corporation Name: Bean Kinney & Korman, PC

Name	Address	Relationship
Jonathan C. Kinney	2311 Wilson Boulevard Suite 500 Arlington, VA 22201	Attorney/Agent

Corporation Name: Paradigm Development Company, LLC

Name	Address	Relationship
Paradigm Holdings, LLC	1515 N. Courthouse Road Suite 600 Arlington, VA 22201	Development Consultant/Agent

Corporation Name: Urban Engineering & Associates, Inc. d/b/a Urban, Ltd.

Name	Address	Relationship
J. Edgar Sears Brian A. Sears	4200-D Technology Court Chantilly, VA 20151	Civil Engineer/Agent

Corporation Name: Lessard Design Inc.

Name	Address	Relationship
Christian J. Lessard, President and CEO	8521 Leesburg Pike Suite 700 Vienna, VA 22182	Architect/Agent

Listing of Ownership Information for Former Applicant and Consultants

Corporation Name: TDC Acquisitions, LLC (former Applicant)

Name	Address	Relationship
There are more than 10 stockholders, none of which owns 10% or more of any class of stock	1850 M Street, NW Suite 820 Washington, DC 20036	Applicant/Contract Purchaser (Former)

Corporation Name: Cozen O'Connor PC (former Attorney/Agent)

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

Corporation Name: Bohler Engineering VA, LLC (former Civil Engineer/Agent)

Name	Address	Relationship
Bohler Engineering, P.C. Adam J. Volanth Daniel M. Duke Mark R. Joyce David B. Logan David B. Nemecek Robert C. Harr	12825 Worldgate Drive Suite 700 Herndon, VA 20170	Civil Engineer (Former)

Corporation Name: Bohler Engineering, P.C. (former Civil Engineer/Agent)

Name	Address	Relationship
Bohler Management, Inc.	35 Technology Drive South Warren, NJ 07059	Civil Engineer (Former)

Corporation Name: WDG Architecture, PLLC (former Architect/Agent)

Name	Address	Relationship
Jeffrey A. Morris Robert C. Keane Siti N. Abdul-Rahman Sean M. Stadler Eric Schlegel Ingrid Marrone Douglas James	1025 Connecticut Avenue Suite 300 Washington, DC 20036	Architect (Former)

Corporation Name: Parker Rodriguez, Inc. (former Landscape Architect/Agent)

Name	Address	Relationship
Trini Rodriguez	101 N. Union Street Suite 320 Alexandria, VA 22314	Landscape Architect (Former)

Corporation Name: Gorove Slade Associates (former Traffic Engineer/Agent)

Name	Address	Relationship
Christoper M. Tacinelli Chad A. Baird Daniel B. VanPelt Erwin N. Andres Tushar A. Awar Kevin D. Sitzman	4114 Legato Road Suite 650 Fairfax, VA 22033	Traffic Engineer

**CITY OF FAIRFAX
BOARD OF ARCHITECTURAL REVIEW
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS**

Project Name: 4131 Chain Bridge Road
 Project Location: 4131 Chain Bridge Road
 Project Description: The project will raze the existing structures and construct a new mixed-use development to include ground level retail and approximately 280 multifamily units.
The development will have a parking garage.

Applicant: The Hill, a Davies Family LLC

Applicant's Address: c/o Bean Kinney & Korman, PC, 2311 Wilson Boulevard, Suite 500, Arlington, VA 22201

Phone: (703) 525-4000 E-mail: dhouston@beankinney.com

Applicant's Representative: David S. Houston

Phone: (703) 284-7245 E-mail: dhouston@beankinney.com

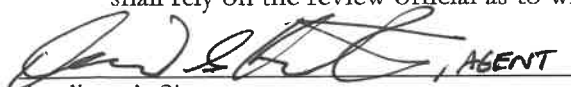
Property Owner: The Hill, a Davies Family LLC

5531 Langston Boulevard, Suite 206, Arlington, VA 22207

Owner's Address: _____ E-mail: _____

I certify I have read and understand my application to comply with 110-6.2.3.C. of the City Code which states:

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


 Applicant's Signature

3-15-2024
 Date

I hereby certify that the representative named above has the authority vested by me to commit to design changes, and otherwise represent me as property owner to the Board of Architectural Review. The information provided on this application is accurate to the best of my knowledge. I understand that I must comply with all conditions of the Certificate of Appropriateness as well as all other zoning requirements.

The Hill, a Davies Family LLC

Bankhead Thornton Davies

Property Owner's Signature

Bankhead Thornton Davies, Manager

March 15, 2024

Date

..... Office Use Only

Receipt Number: _____ Fee Paid: _____

Tax Map Number: _____ Project Number: _____

AFFIDAVIT

I, (applicant) The Hill, a Davies Family LLC, do hereby make oath or affirmation that to the best of my knowledge and belief, the following information is true:

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

Name	Address	Relationship
------	---------	--------------

See attachment

- (b) ****Not required for minor certificates of appropriateness**** That the following is a list of the stockholders of all corporations of the foregoing who own ten (10) percent or more of any class of stock issued by said corporation, and where such corporation has ten (10) or less stockholders, a listing of all the stockholders:

Name	Address	Relationship
------	---------	--------------

See attachment

- (c) ****Not required for minor certificates of appropriateness**** That the following is a list of all partners, both general and limited, in any partnership of the foregoing:

Name	Address	Relationship
------	---------	--------------

Not applicable

2. That 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, the Mayor nor any member of the City Council, Planning Commission, BZA, or BAR or any member of his or her immediate household and family, either directly or by way of a corporation or a partnership in which anyone of them is an officer, director, employee, agent, attorney, or investor has received any gift or political contribution in excess of \$100 from any person or entity listed in paragraph one.

EXCEPT AS FOLLOWS: (If none, so state.)

None

4. ****Not required for minor certificates of appropriateness**** That I understand that I or a designated representative must be present at the meeting or this application will be deferred by the Board of Architectural Review.

WITNESS the following signature:


Applicant

ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 15th day of MARCH, 2024, in the State of Virginia
My commission expires 07/31/2026.


Notary Public/Registration #251704

City of Fairfax
Department of Community Development and Planning
10455 Armstrong Street, Annex Room 207
Fairfax, VA 22030

CITY OF FAIRFAX
BOARD OF ARCHITECTURAL REVIEW
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS



Rev. January 1, 2023

The Hill, a Davies Family LLC

Zoning Map Amendment/Special Use Permit/Special Exception/Certificate of Appropriateness
Affidavit Attachment to p. 7

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

Name	Address	Relationship
The Hill, a Davies Family LLC Agent: Bankhead T. Davies	5531 Langston Boulevard Suite 206 Arlington, VA 22207	Owner/Applicant
Bean Kinney & Korman, PC Agents: Jonathan C. Kinney David S. Houston Mark M. Viani J. Timothy Dugan Andrew W. Gregg	2311 Wilson Boulevard Suite 500 Arlington, VA 22201	Attorney/Agent
Paradigm Development Company, LLC Agents: Stanley W. Slotter Micheline Castan Smith	1515 N. Courthouse Road Suite 600 Arlington, VA 22201	Development Consultant/Agent
Urban Engineering & Associates, Inc. d/b/a Urban, Ltd. Agent: Clayton C. Tock	4200-D Technology Court Chantilly, VA 20151	Civil Engineer/Agent
Lessard Design Inc. Agent: Christian J. Lessard	8521 Leesburg Pike Suite 700 Vienna, VA 22182	Architect/Agent

	List of Former Applicant and Agents	
TDC Acquisitions, LLC Agents: Nihar Shah Greg Auger	1850 M Street, NW Suite 820 Washington, DC 20036	Applicant/Contract Purchaser (Former)
Cozen O'Connor Agents: G. Evan Pritchard Meridith H. Modenhauer Eric J. DeBear Madeline S. Williams	1200 19th Street, NW Washington, DC 20036	Attorney (Former)
Bohler Agents: Nicholas T. Georgas, PLA Ben Riedel	12825 Worldgate Drive Suite 700 Herndon, VA 20170	Civil Engineer (Former)
WDG Architecture Agents: Sean M. Stadler Susan Garcia	1025 Connecticut Avenue Suite 300 Washington, DC 20036	Architect (Former)
Parker Rodriguez, Inc. Agents: Trini Rodriguez Steven Sattler Katie Ferguson Karah Ramsey	101 N. Union Street Suite 320 Alexandria, VA 22314	Landscape Architect (Former)
Gorove Slade Associates Agents: Niraja Chadrapu Kevin Sitzman	4114 Legato Road Suite 650 Fairfax, VA 22033	Traffic Engineer (Former)

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

Corporation Name: The Hill, a Davies Family LLC

Name	Address	Relationship
Bankhead Thornton Davies, Hope Davies Huntington, Vera Davies Lichtenstein	5531 Langston Boulevard Suite 206 Arlington, VA 22207	Owner/Applicant

Corporation Name: Bean Kinney & Korman, PC

Name	Address	Relationship
Jonathan C. Kinney	2311 Wilson Boulevard Suite 500 Arlington, VA 22201	Attorney/Agent

Corporation Name: Paradigm Development Company, LLC

Name	Address	Relationship
Paradigm Holdings, LLC	1515 N. Courthouse Road Suite 600 Arlington, VA 22201	Development Consultant/Agent

Corporation Name: Urban Engineering & Associates, Inc. d/b/a Urban, Ltd.

Name	Address	Relationship
J. Edgar Sears Brian A. Sears	4200-D Technology Court Chantilly, VA 20151	Civil Engineer/Agent

Corporation Name: Lessard Design Inc.

Name	Address	Relationship
Christian J. Lessard, President and CEO	8521 Leesburg Pike Suite 700 Vienna, VA 22182	Architect/Agent

Listing of Ownership Information for Former Applicant and Consultants

Corporation Name: TDC Acquisitions, LLC (former Applicant)

Name	Address	Relationship
There are more than 10 stockholders, none of which owns 10% or more of any class of stock	1850 M Street, NW Suite 820 Washington, DC 20036	Applicant/Contract Purchaser (Former)

Corporation Name: Cozen O'Connor PC (former Attorney/Agent)

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

Corporation Name: Bohler Engineering VA, LLC (former Civil Engineer/Agent)

Name	Address	Relationship
Bohler Engineering, P.C. Adam J. Volanth Daniel M. Duke Mark R. Joyce David B. Logan David B. Nemecek Robert C. Harr	12825 Worldgate Drive Suite 700 Herndon, VA 20170	Civil Engineer (Former)

Corporation Name: Bohler Engineering, P.C. (former Civil Engineer/Agent)

Name	Address	Relationship
Bohler Management, Inc.	35 Technology Drive South Warren, NJ 07059	Civil Engineer (Former)

Corporation Name: WDG Architecture, PLLC (former Architect/Agent)

Name	Address	Relationship
Jeffrey A. Morris Robert C. Keane Siti N. Abdul-Rahman Sean M. Stadler Eric Schlegel Ingrid Marrone Douglas James	1025 Connecticut Avenue Suite 300 Washington, DC 20036	Architect (Former)

Corporation Name: Parker Rodriguez, Inc. (former Landscape Architect/Agent)

Name	Address	Relationship
Trini Rodriguez	101 N. Union Street Suite 320 Alexandria, VA 22314	Landscape Architect (Former)

Corporation Name: Gorove Slade Associates (former Traffic Engineer/Agent)

Name	Address	Relationship
Christoper M. Tacinelli Chad A. Baird Daniel B. VanPelt Erwin N. Andres Tushar A. Awar Kevin D. Sitzman	4114 Legato Road Suite 650 Fairfax, VA 22033	Traffic Engineer



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).

STATEMENT OF SUPPORT

THE HILL, A DAVIES FAMILY LLC

4131 CHAIN BRIDGE ROAD

ZONING MAP AMENDMENT AND SPECIAL EXCEPTION APPLICATIONS

Revised June 2, 2025

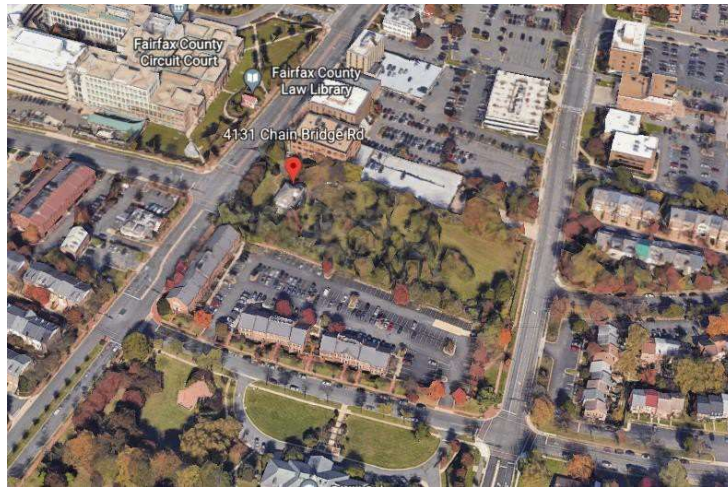
The Hill, a Davies Family LLC, as property owner and applicant (“Applicant”), proposes an upper story multifamily residential project at 4131 Chain Bridge Road, commonly known as the Davies Property (the “Property”). As explained below, the proposed project will play a key role in realizing the future vision for Old Town Fairfax, as set forth in the Old Town Fairfax Small Area Plan adopted by the City Council on June 23, 2020.

The Applicant is requesting a Zoning Map Amendment (Rezoning) from RM Residential Medium to CU Commercial Urban within the Old Town Fairfax Transition Overlay District (“TOD”). Development of the Property shall be in substantial conformance with the General Development Plan (the “GDP”) prepared by Urban, Ltd. and Lessard Design, Inc., dated June 2, 2025. The Applicant is proposing up to 276 upper-story residential apartments in two buildings, approximately 10,796 square feet of retail, office or other commercial nonresidential uses on the ground floor, and approximately 423 shared parking spaces on approximately 2.69 acres. The unit mix proposed is 28 studio units, 160 one-bedroom units and 88 two-bedroom units.

Property Overview

The Property has a site area of 2.69 acres (117,082 square feet) and is zoned to the RM Residential Medium District. It is located within the Old Town Fairfax Transition Overlay District, is bordered by an office building and parking deck to the north, the Inns of Court townhouse business park and large surface parking lot to the south, Chain Bridge Road to the west, and University Drive to the East. The Fairfax County court complex sits opposite the Property across Chain Bridge Road, as does the now-closed restaurant Red, Hot & Blue restaurant. The Breckinridge Lane and Courthouse Square townhome communities are located to the east across University Drive at Breckinridge Lane and Courthouse Drive. The City Hall complex is located a short distance south across Armstrong Street.

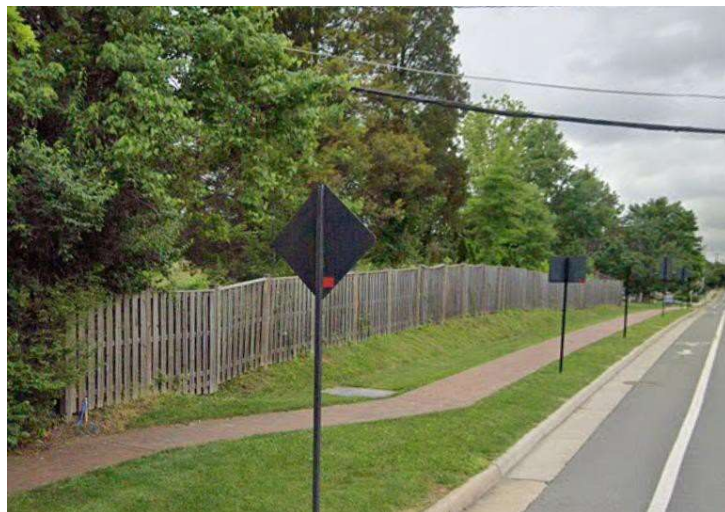
The Property currently has very little street presence. A large brick retaining wall and shrubbery along Chain Bridge largely obscure the ageing single-family home that exists on the Property, which is accessed via a driveway on Chain Bridge Road. A simple board on board privacy fence faces pedestrians and passing motorists along the Property’s frontage on University, as shown in the images below:



Aerial View of the Property



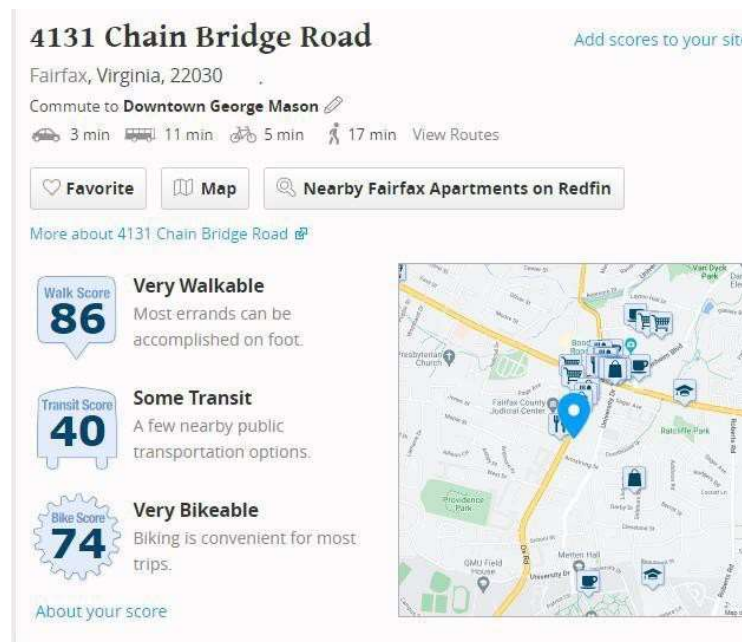
View Along Chain Bridge Road



View Along University Drive

Walk Score

Given the location of the Property, it is useful to look at the walkability and “bikeability” of the Property. The company Walk Score provides walkability analysis and apartment search tools through its “walkability index.” They give the Property a Walk Score of 86, which is “very walkable” and meaning that “most errands can be accomplished on foot.” They also give the Property a Bike Score of 74 (“very bikeable” meaning “biking is convenient for most trips”).



Walk Score and Bike Score for the Property

Background and Past Redevelopment Efforts

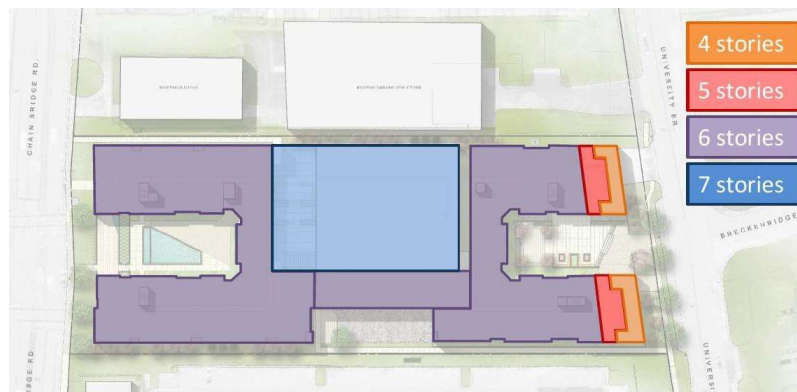
The owners of the Property have long intended to see it redeveloped into a higher and better use more in keeping with surrounding development and the future vision for Old Town. Hence, there have been many unsuccessful attempts by talented and experienced players in the real estate market to redevelop the Property over the years with apartments, townhomes, and senior living projects. Going forward, it is useful to look back at these past efforts to avoid repeating past mistakes. They are therefore each briefly summarized below:

2016

In a 2016 work session before the City Council, Paradigm Development Company presented its initial proposal to construct 315 apartments on the Property ranging in height from four (4) to seven (7) stories. A large parking garage with 527 spaces was proposed at the core of the Property with the apartments flanking either side of it. All vehicular access to parking and loading was proposed to be handled by a single driveway entrance on University Drive. The proposed site plan and elevations are pictured below:



Paradigm Apartment Site Plan 2016



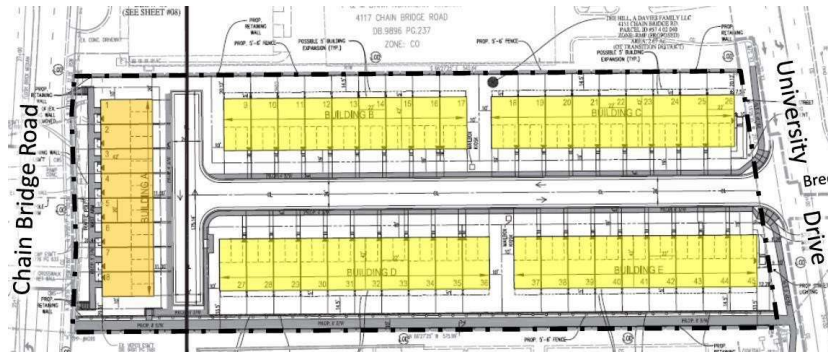
Paradigm Proposed Heights 2016



West Elevation (Chain Bridge Road)



[illegible]



Paradigm Townhome Site Plan 2017

Council expressed concern over the lack of green space/amenities, lack of additional community parking, sole access from University Drive, and the proposed height for townhomes so close to University Drive.

2018

Based upon the feedback received from the Council in 2017, Paradigm revised its townhouse proposal to include a central open space and community parking, pictured below:

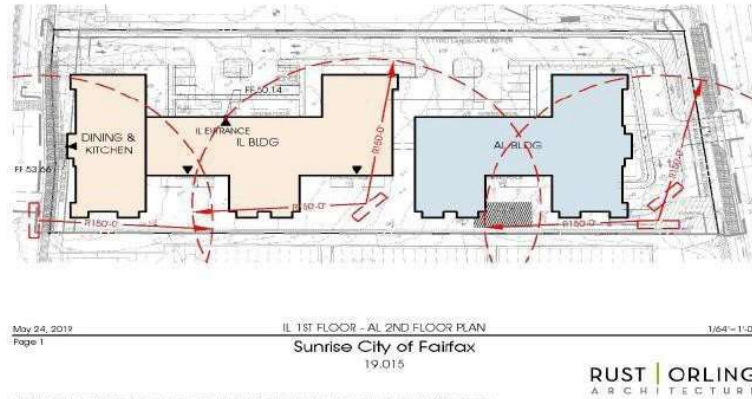


Paradigm Townhome Site Plan 2018

Again, the proposal was ultimately withdrawn.

2019

In 2019, a new potential developer, Sunrise Senior Living, presented the Council with a vision for a two-building senior living development on the Property, the site plan for which is pictured below:



Sunrise Senior Living Site Plan 2019

2021

Based upon the feedback received from the Council in 2019, Sunrise modified its senior living development proposal in 2021 to include a single building on Chain Bridge. The proposed building was seventy-five (75) feet tall with primary vehicular access off of University Drive. Open space was planned for a large portion of the eastern side of the Property facing University Drive:



Sunrise Senior Living Site Plan 2021

Although the feedback at the work session was largely positive, this proposed use was ultimately considered to not be the best use of the Property in terms of providing vibrancy and activation to Old Town. This proposal was therefore ultimately withdrawn.

2022-2023

The original applicant for this application was TDC Acquisitions, LLC (“TDC”), as contract purchaser of the Property. TDC conducted pre-application briefings in 2022, and work sessions with the BAR, Planning Commission and City Council in 2023. After the last work session with the City Council on December 5, 2023, TDC chose to terminate the purchase contract. TDC’s desired to develop two upper-story mixed use buildings consisting of 355 apartments and approximately 4,810 square feet of retail space. The layout for the project (shown below) included

a bridge connection between the two buildings and a parking structure that included approximately thirty percent (30%) compact parking spaces.



After TDC chose to terminate the contract, the Davies family decided to continue to process this application after retaining a development consultant (Paradigm Development Company), a new architectural firm (Lessard Design, Inc.) and a new civil engineering and landscape architecture firm (Urban, Ltd.). With the new consultants, the Applicant redesigned the project to address the numerous comments as reflected in the most recent resubmissions of the development plans.

Comprehensive Plan

Development of the Property, as with any development in the City, is to be guided by the City's Comprehensive Plan. The Property is identified in the Comprehensive Plan as part of the Old Town Fairfax Activity Center, as shown below. Activity Centers are described in the Comprehensive Plan as "locations in the City where pedestrian-oriented, mixed-use development is strongly encouraged." The Comprehensive Plan further states that Activity Centers "should support a connected street network" with "improved streetscape and pedestrian connections to surrounding uses." Buildings should also be oriented toward streets and parking "should be provided in structured or below-grade facilities where reasonable."



The Comprehensive Plan further makes clear that development in Activity Centers must meet the Code of Virginia definition for Urban Development Area (Virginia Code § 15.2-2223.1). In terms of density, such development must also provide at least .4 FAR and a minimum of twelve (12)

multifamily units per acre. Heights should predominately be around five (5) stories unless otherwise specified in the adopted Small Area Plan. Below are precedent images for Activity Centers that are included in the Comprehensive Plan:



Photo Credit: Hord Coplan Macht

Precedent Images for Activity Centers from Comprehensive Plan

The Comprehensive Plan describes the Old Town Fairfax Activity Center as a “cultural hub” for the City that can “capitalize on its proximity to George Mason University to attract university supported businesses and arts and entertainment venues.”

Old Town Fairfax Small Area Plan

An extension of the City’s Comprehensive Plan, the Old Town Fairfax Small Area Plan (the “Small Area Plan”) provides more detailed, fine-grained recommendations for redevelopment in Old Town. One thing that hampered prior redevelopment efforts on the Property was the lack of a cohesive planning vision for Old Town. That all changed in 2020 when the City took the bold step of adopting the Small Area Plan, which sets out a clear roadmap for future development in this part of the City.

Key Ideas

The Small Area Plan identified a number of “key ideas” essential to future success of Old Town. The key ideas with the most applicability to the Property are summarized below:

Old Town as a Cultural Destination

Among the factors that will help establish Old Town as a cultural destination are restaurants, the arts, and George Mason University.

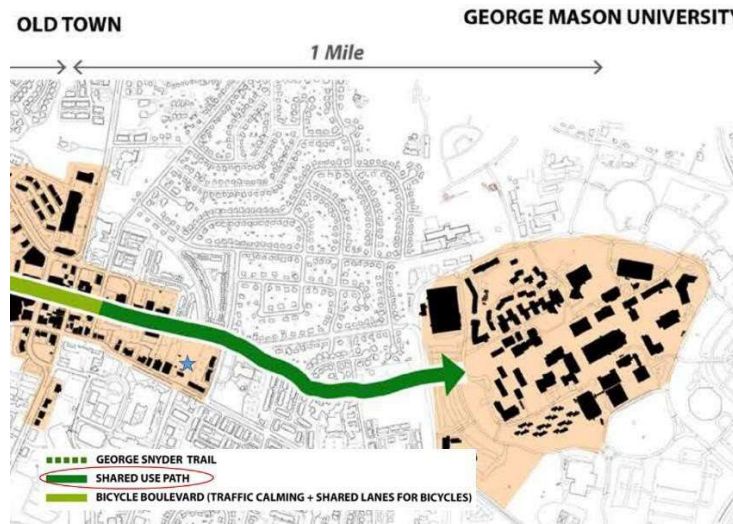
A Balanced Activity Center

The Small Area Plan states that Old Town is replete with car-focused single-use development, much of which is in “non-historic structures [that] are nearing the end of their useful lifespan.” Therefore, “Old Town has an opportunity to transform in a mixed-use Activity Center that centers and anchors the surrounding communities.” A more balanced mix of uses “will help create a better sense of place, bring more activity around the clock, potentially reduce single-use peak traffic, and help create more dynamic public spaces.” Furthermore, the Small Area Plan continues, the “existing offices would be greatly enhanced by additional daytime retail, including restaurants,

and a **larger nearby residential population**” (emphasis added). Thus, “a sizable infusion” of residential and retail uses is needed to “help bolster Old Town” over the “medium-term of 15 years.”

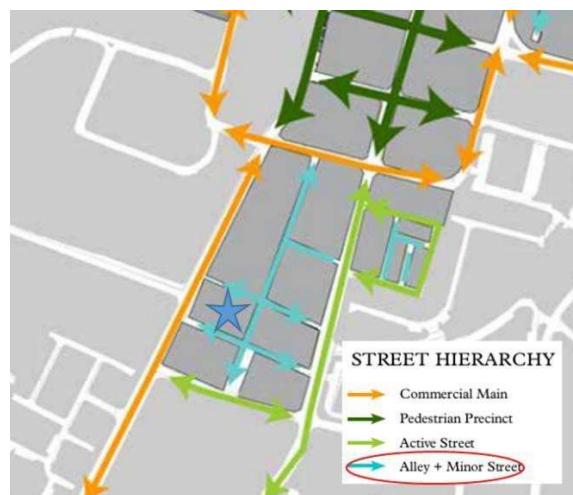
The Spine

The “Spine” is envisioned in the Small Area Plan as a “safe and comfortable pedestrian and bicycle connection linking Northfax, Old Town, and the George Mason University campus. The Spine takes the form of a shared use path along University Drive on the western edge of the Property:



Street Hierarchy

The Small Area Plan establishes a street hierarchy to help break up large blocks with a functional street grid with a “pedestrian oriented core.” As shown below, “Alley + Minor Street” is the street typology planned to the north, south, and through the center of the Property:



Small Area Plan Street Hierarchy

The Greenway

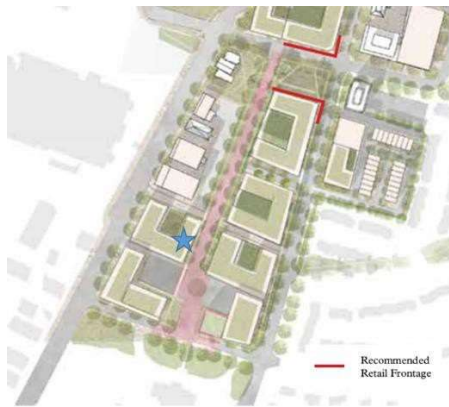
A critical piece of the vision for Old Town South is a “shared green way-service street that can serve as a community backyard for the new mixed use residential buildings and existing office units.” A concept plan and precedent images for the Greenway from the Small Area Plan are provided below:



Greenway Concept Plan and Precedent Images from Small Area Plan

Retail Frontage

The Small Area Plan acknowledges the fact that “there are limitations on the quantity and location of retail frontage in [Old Town].” It therefore identifies recommended retail frontage areas while recognizing that “retail opportunities sometimes occur outside of recommended areas.” No retail frontage is recommended for the Property and the majority of Old Town South:



Recommended Retail Frontage in Small Area Plan

Land Use and Economics

The Land Use and Economics section of the Small Area Plan emphasizes that the right land use mix is critical to the fiscal health of the City. It also reiterates the fact that the “retail market is limited by a finite amount of regional and local demand,” noting that the primary demand sources for Old Town will largely come from the Judicial Complex, George Mason University, and local and regional households. In addition, it highlights the “strong potential for institutional based partnerships (i.e., George Mason University) for added cultural and arts space.”

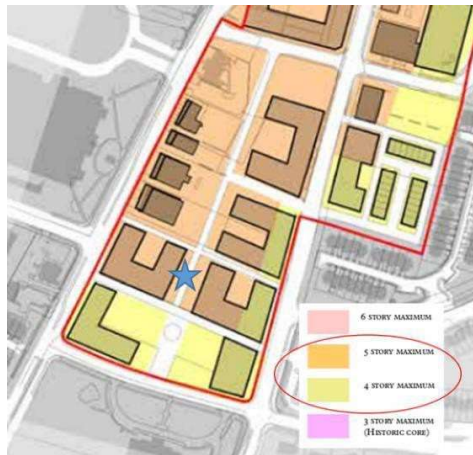
Residential uses, the Small Area Plan states, are “key to supporting new development in the Activity Centers, both of which are currently dominated by office space.” Since most of the

City's existing housing stock is comprised of older, single-family homes and apartment complexes, new residential development will also help diversity residential product type. After all, expanding "residential choices to include new construction, including target market occupants (students and seniors), can help nurture a well-balanced sustainable community."

The Small Area Plan specifically labeled the Property as a "Key Near Term Opportunity Site" and stated that "The City should pave the way for approval of existing properties already under review for redevelopment."

Building Heights

The Small Area Plan astutely observes that "the current zoning and other regulations may be hindering optimal land development patterns." Therefore, one major goal of the Small Area Plan is to recommend "modifying existing zoning regulations, including land use, massing and height, to allow for better long-term development outcomes." As recognized in the Comprehensive Plan and market research "a **critical mass of height, density and public amenities**" (emphasis added) are needed to make developments achievable. The Small Area Plan therefor recommends heights up to six (6) stories, with height tapering down near existing residential areas. For the Property, the recommended height for the majority of the Property is five (5) stories, tapering down to four (4) stories adjacent to University Drive:



Proposed Heights in Small Area Plan

Zoning and Regulatory Recommendations

The Small Area Plan notes that there are some zoning regulations that will have to be adjusted to allow for the plan's development vision to be achieved. These include the current height limitation in the Old Town Fairfax Transition District Overlay of forty-eight (48) feet and also density limits. The plan recommends that development heights therefore be based on the plan vision rather than the zoning height restrictions.

Density

It is notable that the Small Area Plan does not specify any maximum densities for the future development of Old Town. Instead, it sets forth a vision that is form-based based on a recommended street grid, land use, and height. Thus, allowable density is based on these factors rather than an arbitrary FAR or units per acre specification.

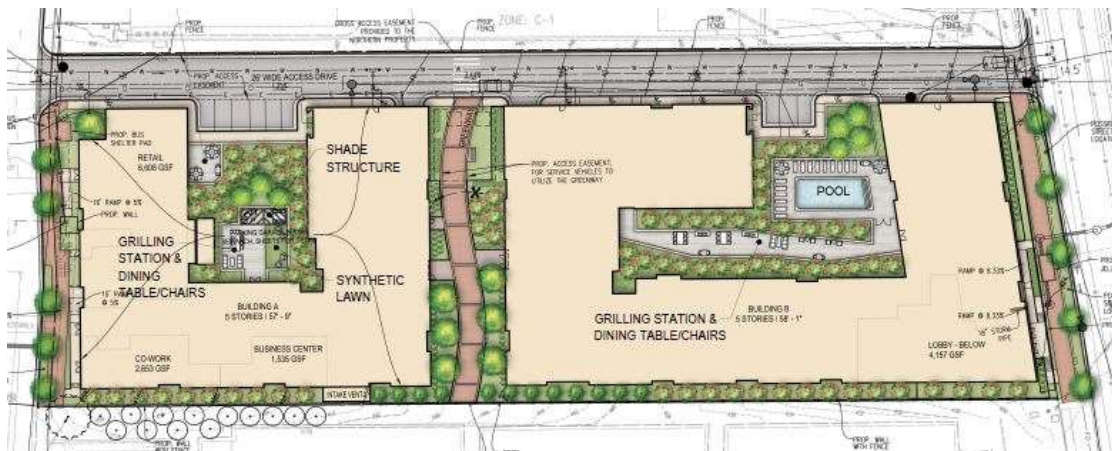
Metropolitan Washington Council of Governments

According to the Metropolitan Washington Council of Governments' report *The Future of Housing in Greater Washington* published in September 2019, "[a]t least 320,000 housing units should be added in the region between 2020 and 2030" to meet the region's housing target. The report goes on to note that this enormous figure is an "additional 75,000 units beyond the units already forecast for this period." To achieve the region's additional targets for housing accessibility and affordability, the report states that "[a]t least 75% of all new housing should be in Activity Centers [such as the City of Fairfax]" and "[a]t least 75% of new housing should be affordable to low- and middle-income households."

As part of the Old Town Fairfax Activity Center, the proposed development is exactly the type of project that the City can contribute toward the region's ambitious, but critical, housing goals.

Proposed Development

As shown below and as depicted on the GDP prepared by Urban Ltd., as the project civil engineer and landscape architect, and Lessard Design, Inc., as the project architect, dated June 2, 2025, the proposed development consists of two hundred seventy-six (276) apartments in two new multifamily buildings ("Building A" and "Building B") with interior courtyards for residents. Building A has frontage on Chain Bridge Road and will be five stories, while Building B has frontage on University Drive and is four stores along the road and then five stores further back. The unit mix proposed is 28 studio units, 160 one-bedroom units and 88 two-bedroom units.



Proposed Site Plan

Although not directly encouraged by the Small Area Plan at this location, approximately 10,796 square feet of retail, commercial co-working space, or other nonresidential uses are proposed on the ground floor of Building A fronting on Chain Bridge Road. This location is the most suitable for the retail component of this project as it will be very close to other commercial uses found on Chain Bridge Road. It will also provide convenient access for customers coming from the Judicial Complex and the center of Old Town to the north. A retail

entrance is proposed on the northwest corner of Building A, the commercial co-working entry is proposed on the southwest corner of Building A, and the residential lobby entrance is proposed in between the retail and commercial entrances.

An amenity courtyard for residents Building A will be provided in the center of the building and an expanded sidewalk on Chain Bridge will be dedicated for easier travel for the public. As recommended in the Small Area Plan, Building A will be five (5) stories in height on Chain Bridge Road.

Vehicular access to loading areas and the parking facilities for the two buildings will be provided via the new east-west access drive that will be provided. Parking garage access will be provided via a vehicular entrance in Building B.

Building B will have its own residential lobby at its southeast corner facing University Drive. A large amenity courtyard for residents will be located in the center of the building. The height of Building B is five (5) stories at the center of the Property, tapering down to four (4) stories along University Drive to provide for a better transition to the townhome communities further to the east. The step back area has been significantly increased since the former applicant's last submission based on staff feedback.

Both buildings will meet the Upper Story Residential/Mixed Use standards contained in Section 3.5.1.D of the Zoning Ordinance in terms of use, dimensional standards prescribed in Section 3.6.2 for lot area, yards, building coverage and lot coverage, except as stated in the next sentence below, and floor height for ground floor and upper stories. The Applicant is requesting Special Exception relief from the requirement that at least seventy-five (75%) of the floor area on the ground floor be used solely for nonresidential commercial and retail uses and from the maximum density requirement. These requests are discussed below.

The two buildings will be separated by the proposed "Greenway," a key feature of the Small Area Plan, which will run through the north-south center of the Property. This public pedestrian space is envisioned as being lined with trees and landscaping overlooked by unit balconies and windows. The Greenway could be further activated by public visual art displays and is envisioned as a key connector to Old Town that will only grow in vibrancy as the office properties to the north and south also redevelop.

The streetscape along Chain Bridge Road and University Drive has been revised to be in conformance with the Small Area Plan by providing the required street trees behind the curb and the 10 foot wide walk behind the street tree panel. This was achieved by re-grading the streetscape and adding retaining walls along both streets. See Sheet 32 of the GDP.

Structured parking will be provided primarily below grade on two levels. A total of 389 spaces are proposed to serve the apartments at a blended parking ratio of approximately 1.38 spaces per dwelling unit, which includes a ten percent (10%) reduction within the CU and Old Town Fairfax Transition Overlay Districts. This exceeds the parking required (349) by 40 spaces. No compact parking spaces are proposed. An additional twenty-five (25) spaces are proposed to meet the requirement for the retail and nonresidential commercial uses. The parking provided for the retail is derived from the standard parking rate of one (1) space per 200 square feet,

reduced by fifty percent (50%), as permitted in the Old Town Fairfax Transition Overlay District, and ten percent (10%) as permitted within the CU District. The total number of spaces required for the project is 349. The Applicant proposes to provide a total of approximately 423 parking spaces, which now includes nine (9) outdoor parking spaces located off of the access drive. These spaces will be utilized for pick-ups and deliveries of companies such as Lift/Uber, Uber Eats, Door Dash, Amazon, etc. The parking garage will be constructed to accommodate a minimum of twenty (20) electric vehicle charging spaces. Finally, one loading space is provided for each building, for a total of two, which exceeds the minimum required by the Zoning Ordinance.

The Applicant will also be complying with the Bicycle Parking standards contained in Section 4.2.8 of the Zoning Ordinance. Both Buildings A and B will provide a bike storage area accessible from inside their respective buildings, as well as from the greenway, across from each other. The bike storage room on Building A provides U-shaped racks for 26 bicycles and the bike storage room on Building B provides U-shaped racks for 20 bicycles. See Sheet A.14. The number of bicycle spaces exceeds the Ordinance requirement of 20 spaces. Bike parking has also been provided outside the retail entrance on Chain Bridge Road.

There is an existing bus stop on Chain Bridge Road in front of the Property and Building A. The Applicant proposes to coordinate with the City's Public Works Department and either install a bus shelter at the stop in the general location as identified on the GDP, or contribute the sum of \$10,000 to the City towards the cost of the bus shelter.

In accordance with Section 4.11 of the Zoning Ordinance, all new on-site utility conduit lines installed on the Property will be located underground, subject to the approval of the applicable utility companies. Also, all existing overhead utilities along the Chain Bridge Road frontage of the Property will be either removed or relocated underground. Utility plan sheets are included in the GDP.

In keeping with the City's affordable housing goals and regulations and Comprehensive Plan Housing Goal 2, the Applicant is proposing to provide six percent (6%) of the total number of units, or seventeen (17) units, as affordable pursuant to Section 3.9 (Affordable Dwelling Units) of the Zoning Ordinance. These units will further the City's goals of promoting the development of a full range of housing choices, and constructing units that are affordable to households whose collective income is seventy percent (70%) or less of the area median income in the Washington Metropolitan Statistical Area. Of the affordable units to be provided, each unit type in the project will be represented at the required percentage. Therefore, there will be two studio units, ten one-bedroom units and five two-bedroom units, which is representative of the unit mix in the buildings. The location of the units is depicted on Architectural Sheets A.14 through A.18. These sheets have been incorporated into the GDP.

The following is provided to summarize the site density tabulations:

Site Area	2.688 ac
Maximum Allowed Density (CU)	24 du/ac
Proposed Density	102.68 du/ac

Regarding Stormwater Management, this application proposes two multifamily dwelling buildings with ground floor nonresidential uses in one building, and a shared parking garage. As a result, the amount of impervious surface on the Property is increasing. The topography of the site consists of one drainage area, which drains to the east towards University Drive. See Sheet 14 of the General Development Plan for the pre-development computations.

While all stormwater management facilities shall be selected and final engineered at the time of final site plan, the Applicant is proposing stormwater management vaults to serve as the BMP facilities for the Property. These facilities will provide a minimum of 20% reduction in the total phosphorous runoff. Final engineering of the BMP facilities may also include below grade storm filters and Jellyfish filters.

The vaults will control the one, two and ten year 24-hour storm and release stormwater runoff into a proposed closed conduit storm sewer system located parallel to University Drive. This closed conduit system will also collect stormwater runoff from the proposed improvement located inside the right-of-way along University Drive. At this point, stormwater runoff from the right-of-way and the Property (Drainage Area 'A' on the plans) will converge and be released at an outfall point located inside a mapped flood plain per the City of Fairfax GIS Map. See Sheets 20 and 21 of the GDP for the location. The project shall be designed to ensure that no surrounding structures will be negatively impacted by a 100-year flow. The proposed closed conduit storm system located along University Drive will be final engineered during the site plan review phase of the project to adequately convey the two year 24-hour storm and prevent erosion at the outfall point, in compliance with Channel Protection Section 9VAC25-870-66.B.1 of the Virginia Stormwater Regulations.

To meet the City's green building and sustainability goals articulated in the Small Area Plan and the Comprehensive Plan, the Applicant intends to seek LEED Certified or another comparable green building certification program. The project will be constructed to reduce energy use, greenhouse gas emissions and construction waste. Energy saving devices will be incorporated which may include the use of ENERGY STAR® appliances, energy efficient mechanical systems, recycling for occupant refuse, energy efficient lighting and insulation that meets or exceeds applicable energy code requirements. These commitments are documented in the proposed Proffers (see Proffers 9.A and B).

The project will require the demolition of the existing structures on the Property, including a single family dwelling that is over 100 years old. In order to address this, after this application is approved, the Applicant has offered to retain a historian to conduct an architectural history report and archeological assessment of the Property and provide it to the City. The report shall

include, to the extent feasible, a history of the home, a title bringdown on the property and title documents from 1850 to the present day, a description of the home's architectural evolution (e.g., approximate dates and types of additions to the home), a measured plan of the home's first floor, and a discussion of the Davies family and their significance in local history.

Further, the Applicant will agree to be responsible for documenting any historical artifact or historical natural feature uncovered during construction on the site in consultation with City of Fairfax Office of Historic Resources staff and a Professional Archaeologist. In the event that Historic Preservation Program staff in conjunction with the Applicant determine that an historical artifact or natural feature is found on the site and is to be disturbed or removed from the site during construction; the Applicant agrees to contact City of Fairfax Office of Historic Resources staff to determine whether removal or disturbance of the artifact or natural feature is warranted, and if so, what mitigation measures should be undertaken. Finally, the Applicant agrees to not allow any metal detection and/or artifact collection to be conducted on the property, unless authorized by City of Fairfax Office of Historic Resources staff.

Based on the historical information already gathered, the Applicant proposes to incorporate an Art Walk in the proposed landscaped design in the Greenway to honor Mrs. Davies art studies at Washington-Lee High School and the College of Mary Washington, her early work at the Smithsonian National Gallery, and her lifelong commitment to the arts and painting. Further, the Applicant intends to install small plaques or markers to recognize the Davies family, the architecture firm that designed the house, and the ponies that lived on the land and epitomized the rural nature of the property until the 1960s. See Proffer 14.

Rezoning Considerations, § 6.4.9 of the Zoning Ordinance

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

- A. Substantial conformance with the comprehensive plan.

The proposed rezoning to the CU District is consistent with the Comprehensive Plan's designation of the Property as part of the Old Town Fairfax Activity Center and the associated goal of achieving pedestrian-oriented, mixed-use developments in such areas.

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

The proposed rezoning will help achieve the vision of the Small Area Plan by providing much needed multifamily housing, new street and pedestrian connections, a crucial portion of the Greenway, new retail and commercial opportunities, seventeen (17) affordable housing units, and additional fiscal benefits to the City.

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

A rezoning of the Property to the CU District will allow for the development of multifamily housing consistent with the Small Area Plan recommendations for the Property. Furthermore, the introduction of multifamily will help diversify housing options in the City and provide additional residents to support local business in Old Town.

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

The Property is well-served by public transportation facilities, including the CUE Bus Green Routes 1 and 2, Gold Routes 1 and 2, and WMATA Routes 17G, 29K, and 306. Existing public safety facilities, public school facilities, and public parks, including a portion of the proposed Greenway, will all be adequate to serve existing community needs and the proposed development.

- E. Adequacy of existing and proposed public utility infrastructure.

Existing public utility infrastructure has been deemed adequate for the proposed development. A sewer capacity analysis was conducted. The developer will be upgrading the portion of sewer lines along the application property on University Drive in anticipation of future development to the north and to satisfy capacity issues with the existing pipes. See GDP Sheet 22.

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

The proposed multifamily development will be compatible with adjacent and nearby commercial and residential development. The heights of the proposed buildings taper in height as recommended by the Small Area Plan to be compatible with the townhomes to the east. The architecture will also be of high quality and designed to complement the architecture and historic nature of the surrounding area.

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

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

Special Exception Approval Criteria, § 6.17.7.A and PFM Modifications

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

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

75% ground floor nonresidential use, which would be approximately 24,473 square

feet for the two buildings and would entail more retail than the surrounding area could support, particularly given the large amount of retail already present in the Old Town area to the north and declining population needed to support a thriving retail corridor. Building A has 23,355 square feet of ground floor space. Building B has only 9,275 square feet of ground floor space. The amount of retail, commercial and nonresidential space for Building A has been increased to 10,796 square feet which equates to 46.2% overall (and 62% of the required amount). There is also an additional 6,548 square feet of lobby, lounge and amenity space for the residents on the ground floor of Building A. No retail or commercial is proposed for Building B to be in keeping with the Small Area Plan and the wishes of the residential communities to the east of University Drive.

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

The proposed density is simply a product of the Property's relatively small site area of 2.69 acres and the proposed height, which is recommended by the Small Area Plan. The proposed 276 units and 10,796 square feet of retail, commercial and nonresidential space, however, is reasonable given the major street access on either side of the Property for vehicular parking. The density now proposed represents a twenty-two percent (22%) decrease from the previous proposal by TDC Acquisitions, LLC.

3. A modification of § 3.7.3.C.2 for the Old Town Fairfax Transition Overlay District to permit height greater than forty-eight (48) feet.

The proposed height relief is necessary to achieve the vision for the area specified in the Small Area Plan for the Property. The project will be a maximum of five stories as recommended in the Plan.

4. A modification of Section 3.7.3.E to eliminate the requirement for a landscape strip and street trees along the internal access drive.

There is insufficient land for the landscape strip and street trees in the internal access drive. Especially, after widening the drive to 26 feet and adding a five foot wide walkway. The internal access drive is not classified as a "street" itself and is therefore not required to provide street trees. Additionally, in comparison to previous applications, the required widening of the access drive from 23 ft. to 26 ft., providing an ADA compliant adjacent walk, and providing an additional 11 foot planted buffer along the southern property line, while maintaining the minimum building programming requirements, prevents the ability to provide space for street trees along this access drive aisle. Due to these site constraints and the fact that there is no street tree requirement for an access drive, the Applicant feels the internal access drive as designed with this submission is adequate. See GDP Sheet 32.

5. A waiver of § 4.3.3.B to eliminate the requirement to provide vehicular access to abutting non-residential properties.

Neither abutting property, as currently developed, would benefit from interparcel access. The grading of the Greenway has been adjusted to allow future pedestrian and vehicular connections with the adjacent properties. Proposed access easements are also shown on the GDP.

6. A modification of § 4.4.4 to eliminate the requirement for a sidewalk on the northern side of the proposed access drive while providing it on the southern side.

The Applicant is providing more than its fair share of the proposed access drive and southern sidewalk. The northern sidewalk can be provided when the property to the north is redeveloped.

7. A modification to the Transitional Yard required in §4.5.5 for Buffer A-B and C-D (as depicted on GDP Sheets 32 and 33).

The Applicant proposes to provide a six foot fence for Buffer A-B only because by increasing the access drive width from 23 feet to 26 feet and providing a five foot wide sidewalk on the southern side of the drive there is insufficient room available to include the TY 1 buffer of 7.5 feet without disrupting the program of uses and amenities. For Buffer C-D, the Applicant is proposing a buffer of 11 feet in width when the TY 3 standard is 15 feet. Also, 25 small deciduous trees and 12 evergreen trees will be planted, and a six foot fence will be installed. The Applicant believes this is an adequate buffer considering the existing vegetation and buffer for the abutting Inns of Court property. See the table labeled “Transitional Yard Calculations” on GDP Sheet 33. In addition, the Applicant and the Applicant’s arborist met with the adjacent owners to the south on January 30, 2025 to discuss additional plantings on the southern property (i.e., Inns of Court). Once agreements have been reached, further documentation shall be provided. A note regarding replacement trees for offsite tree removal has been added to Sheet 31. Additionally, replacement trees are conceptually shown on the adjacent property on the Landscape Plan, noted that they are subject to approval by offsite owners. See Sheet 32.

The following modifications from the Public Facilities Manual (“PFM”) are also requested:

8. A modification to the PFM Detail 401.01 to decrease the width of the access drive to 26 feet (face of curb to face of curb), which is the minimum requirement for Fire Department access. The Applicant’s engineers have met with the Fire Marshal’s office and no objections or concerns were raised.
9. A modification of PFM Detail 404.06 to decrease the minimum corner clearance from the driveway on the parcel to the north from 50 feet to 23 feet. Due to site constraints and building location, the recommended distance is not achievable. The driveway to the north on University Drive is not used because it serves an office building that is currently vacant. The property is also a candidate for redevelopment by others with other properties to the north.
10. A modification of PFM Detail 404.06 to decrease the minimum separation between the access drive and the northern property line from 12 feet to 1 foot. Due to site

constraints and building location, and possible future redevelopment of the northern property, a separation is not possible.

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

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

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

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

The proposed development will be harmonious with surrounding land uses and help create a vibrant, mixed-use community in keeping with the Small Area Plan vision.

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

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

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

The requested special exceptions and PFM modifications are necessary to achieve the mixed-use goals articulated in the Small Area Plan.

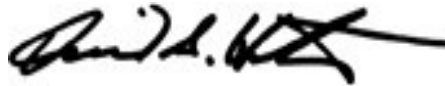
Conclusion

The proposed development of the Property represents a major step forward in advancing the vision of the Small Area Plan for this part of Old Town Fairfax. It will also provide a key segment of the Greenway, add to the vibrancy of the area, provide needed apartment housing, help the City meet its sustainability goals, and increase City tax revenue. The development will also help the City contribute toward meeting the Washington region's goals of increasing the vital supply of accessible and affordable housing in Activity Centers.

The Applicant, as the long-time property owner, and the consultant team look forward to working with the City on this exciting project. Please do not hesitate to let me know if you have any questions or need any additional information to process these applications.

Respectfully submitted,

Bean, Kinney & Korman, PC

A handwritten signature in black ink, appearing to read "David S. Houston", written over a horizontal line.

By: _____

David S. Houston
Counsel for Owner/Applicant