

Andrew A. Painter
(571) 209-5775
apainter@thelandlawyers.com



WALSH COLUCCI
LUBELEY & WALSH PC

March 28, 2022

Via Electronic Submission

Ms. Tracy D. Strunk, Director
Zoning Evaluation Division
Fairfax County Department of Planning & Development
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Statement of Justification

Application for Concurrent Rezoning & Final Development Plan

Property: Tax Map ##40-3 ((1)) 83, 84; 40-4 ((1)) 13; 40-4 ((2)) 1, 2 (jointly, the “Property”)

Applicant: FCGP–Metro Development LLC (the “Applicant” or “FCGP”)

Dear Ms. Strunk:

On behalf of the Applicant, and as required in subsections 2105.5 and 8101.2.C of the Zoning Ordinance of Fairfax County, Virginia (the “Zoning Ordinance”), please accept this letter as a statement of justification for a rezoning of the Property from the R-30 and R-1 zoning districts to the Planned Residential Mixed Use (“PRM”) zoning district, and a companion Final Development Plan (“FDP”), which includes the entire Property, for multi-family residential units, urban-style townhomes, urban park spaces, transit facilities and various interim conditions.

FCGP is a special purpose entity comprised of ME Homes Associates, LLC (an affiliate company of EYA, LLC), Rushmark West Falls, LLC (an affiliate of Rushmark Properties, LLC), and HA FC Metro LLC (an affiliate of Hoffman & Associates), which is the joint development partner selected by the Washington Metropolitan Area Transit Authority (“WMATA”) to redevelop the Property.

As set forth more fully below, the Applicant’s proposal would permit redevelopment of the Property into a series of mixed-use development blocks featuring office, retail, and multifamily residential buildings, as well as urban-style residential townhomes as a component of a larger inter-jurisdictional neighborhood which straddles the boundary of Fairfax County (the “County”) and the City of Falls Church (the “City”).

ATTORNEYS AT LAW

703 528 4700 ■ WWW.THELANDLAWYERS.COM
2200 CLARENDON BLVD. ■ SUITE 1300 ■ ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 ■ WOODBRIDGE 703 680 4664

Property Background

The Property comprises five parcels of record, containing approximately 24 acres in the aggregate, and is located in the Dranesville Magisterial District. WMATA owns the Property and operates the West Falls Church Metrorail Station (the “Metrorail Station”). In addition to the Metrorail Station, the Property consists of a transit bus loop, a six-level approximate 1,200-space parking garage (the “WMATA Garage”), a surface commuter parking lot, two access roads (Falls Church Drive and Metro Access Road), and a stormwater management pond.

The Property is bordered to the north by Interstate 66; to the south by Virginia Tech’s Northern Virginia Center, as well as the City’s new Meridian High School, and associated athletic fields; and to the east by The Villages at West Falls Church and Pavilion condominium communities, and Haycock Road. The entirety of the Property is located within a one-quarter mile radius of the Metrorail Station platform.

The Property is zoned to the R-1 and R-30 zoning districts pursuant to subsections 2102.4 and 2102.13, respectively, of the Zoning Ordinance, and is partially included within the Highway Corridor Overlay District pursuant to subsection 3103.4 of the Zoning Ordinance. The Property is not subject to any previously-approved proffered rezonings.

The Metrorail Station has provided transit service to the greater Falls Church area since opening in 1986. Following the 2014 completion of Phase I of the Metrorail Silver Line, rail and bus ridership at the Metrorail Station declined by approximately 64 percent. Concurrent with this ridership decline, the City began moving forward with redevelopment of the former George Mason High School into an approximately 10-acre high-density mixed-use neighborhood known as the “West Falls” development (the “West Falls Site”). The City also began construction of its new Meridian High School. At the same time, Virginia Tech expressed interest in redeveloping its Northern Virginia Center into a mixed-use development on Tax Map ##40-3 ((1)) 93 and 92A (the “Virginia Tech Site”). These factors encouraged WMATA to consider redevelopment of the Property in a way that would link the Property, the West Falls Site, and the Virginia Tech Site into one larger mixed-use community to help drive transit ridership.

In July 2018, the County accepted WMATA’s Site-Specific Plan Amendment (“SSPA”) nomination to amend the Fairfax County Comprehensive Plan (the “Comprehensive Plan”) as it relates to the Property. WMATA’s SSPA nomination was then consolidated with Virginia Tech’s SSPA nomination into Plan Amendment 2018-II-1M. In January 2019, WMATA issued a Joint Development Solicitation for redevelopment of the Property and later selected the Applicant as its joint development partner.

WMATA’s and Virginia Tech’s joint SSPA proposal was ultimately adopted by the Fairfax County Board of Supervisors on July 13, 2021, and affects development on both the Property and the Virginia Tech Site. The adopted land use recommendations (discussed below) seek to transform the Property and the adjacent Virginia Tech Site into a higher-density, pedestrian-

oriented transit-oriented community in a way that is Metrorail-oriented and compatible with surrounding neighborhoods.

Comprehensive Plan

The Property is located within Sub-Unit A-1 of the West Falls Church Transit Development Area (“TDA”) of the West Falls Church Transit Station Area of the Area II Comprehensive Plan. The baseline development recommendation for the Property is for public facilities. As an alternative to this baseline, the Property may be developed with mixed-use development at a maximum intensity up to 0.96 floor area ratio (“FAR”), inclusive of bonus intensity, with between 105,000 and 120,000 square feet of office uses, and between 10,000 and 30,000 square feet of ground floor community-serving retail or active ground floor uses. Residential uses are also permitted and should not exceed a maximum of 900 dwelling units, inclusive of approximately 80 townhomes, affordable dwelling units (“ADUs”), workforce dwelling units (“WDUs”), and their associated bonus units.

The Comprehensive Plan recommends that development should be sequenced such that infrastructure and public amenities (e.g., certain roads and parks), are provided with the first phase. Among other recommendations, townhouses and/or stacked townhouses are preferred to be located on the periphery of Sub-Unit A-1 to provide a transition to The Villages at West Falls Church and the Pavilion developments in Sub-Unit A-3. Townhouses may be appropriate elsewhere in the subunit if they further the urban design guidance and other TDA and Land Unit recommendations and contribute to the sense of place. Office uses are recommended adjacent to the Metrorail station entrance and should be oriented toward the station entrance. A civic plaza with a focal element, unique placemaking features, linear recreation spaces, and active ground floor uses should also be provided across the Property.

Proposed Development

As depicted on the CDP/FDP plan set prepared by Walter L. Phillips, Inc., the Applicant proposes to rezone the Property to the PRM zoning district and redevelop it into a mixed-use neighborhood. The Applicant has closely coordinated its planning efforts with the developers of the West Falls Site and the Virginia Tech Site to ensure that redevelopment of the Property is compatible and harmonious with future development on adjacent and nearby parcels.

As depicted in the Conceptual Development Plan (“CDP”), the overall neighborhood design is based on the development of a new framework of a grid of new and existing streets. The proposed development would include up to 810 multifamily units and up to 90 townhomes, for a maximum of 900 residential units (inclusive of ADUs and WDUs), as well as an office building comprising a maximum of 110,000 square feet of gross floor area (“GFA”) and including up to 10,000 square feet of ground floor retail GFA. This results in a total of approximately 1,003,000 square feet of GFA between all uses, which results in a development intensity of 0.96 FAR.

As noted above, a single FDP covering all of the Property is being proposed. Where buildings or blocks have not yet been fully designed, these are depicted as interim conditions, with the understanding that a subsequent FDP amendment (a “FDPA”) will be required for such buildings/blocks at a future date. Below is a description of each proposed building/block:

- Building A: Building A is located in the northwest corner of the Property, east of Falls Church Drive, and north of the existing WMATA garage. It is proposed as a multifamily residential building with a maximum of 130,000 square feet of GFA and 210 residential units. Building A may include any remaining approved, but unbuilt residential units that are not ultimately provided in buildings/blocks. Access to parking for Building A is provided from New Street #4, and the maximum building height will be 120 feet. Building A has not been fully designed at this time; consequently, the Applicant will request a FDPA for Building A at a subsequent date.
- Building B: Building B is located south of the entrance to the Metrorail Station, between the WMATA Garage and Interstate 66, with frontage along New Street #4. Building B is proposed for up to 110,000 square feet of office uses and 10,000 square feet of retail uses. The maximum building height is 120 feet. Access to the Building B parking garage will occur from New Street #4 in an entrance serving both Buildings A and B. Building B has not been fully designed at this time; consequently, the Applicant will request a FDPA for Building B at a subsequent date.
- Building C: Building C comprises the existing WMATA parking garage. Building C is proposed to remain in its current configuration to serve the Metrorail Station users. Access to the garage is revised with this application, and will be provided from Falls Church Drive.
- Building D: Building D is located north and west of the intersection of Falls Church Drive and proposed New Street #1. It will consist of a six-story midrise multifamily building with a maximum 325,000 square feet of GFA, and up to 320 units. On-site parking will be provided in a predominately below-grade garage accessed via New Street #2. Building D will include ground floor residential amenity spaces fronting on New Street #1, along with an outdoor terrace that will activate the streetscape. Additional building amenities for residents and guests will be located in the building’s interior courtyard.
- Building E: A maximum of 27 urban-style townhomes are proposed in Building E, located between Building D and New Street #3. These dwellings will be four stories in height, and will be located along both sides of Alley #1. Alley #1 will be covered by elevated private amenity areas associated with the individual townhouses. The ground floor of the townhome units fronting the adjacent urban park will offer larger windows to contribute to the activation of the community space. Unique to the Building E townhomes, the alley serving the rear-loaded garages for the Building E townhomes will be covered by a deck, creating a second-story outdoor deck space for the townhome owners. This design approach unifies the massing of the two rows of townhomes into a single building. A shared drive aisle is proposed between Buildings D and E, which is intended as a pedestrian-

friendly corridor with a distinctive paving material to differentiate the space from the adjacent streets, and to alert drivers to drive slower.

- Building F: Building F is a multifamily residential building located between New Street #3 and Metro Access Drive. Building F will be up to 90 feet in height, contain a maximum of 265,000 square feet of GFA, and up to 280 residential units. Building F fronts onto the proposed Metro Plaza and will feature wayfinding landscaping elements to guide visitors to the Metrorail Station. An interior courtyard will provide private amenities for the residents. Access to the on-site parking is via Alley #3. Building F has not been fully designed at this time; consequently, the Applicant will request a FDPA for Building F at a subsequent date.
- Block G: Block G consists of up to 17 townhomes located between Building F and New Street #1. These townhomes will be three stories in height with an optional fourth floor rooftop terrace. The homes are designed with their front doors and stoops facing New Street #1, creating a traditional urban rowhouse streetscape on the north side of New Street #1. Alley #3 provides access to the garages at the rear of the units.
- Block H: A maximum of 42 townhomes are proposed between New Street #1 and the Villages at West Falls Church and Pavilion condominium communities. The fronts of these units will be along New Street #1 (mirroring the design of Block G) and creating a pedestrian friendly streetscape on the south side of New Street #1. These homes will be three stories in height with an optional fourth floor rooftop terrace, and provide a step-down in intensity and height adjacent to those communities. Alley #2 will provide access to the garages at the rear of the units. The design and orientation of th Block H allows the ability to preserve the existing tree buffer along the southern boundary line adjacent to the Villages at West Falls Church and Pavilion condominium communities.

Some of the proposed townhomes in Building E, Block G, and Block H will offer 14-foot wide tandem two-car garages; others will offer a standard 20-foot wide two-car garage, all of which will be accessible via their respective private alleys from the rear of the units. The scale and architectural treatment of the proposed townhomes will provide a high-quality, contemporary, and upscale design that evoke a distinctive urban identity.

Housing affordability has figured prominently into the proposed design, and the provision of affordable and workforce housing is a critical strategy in addressing Fairfax County's affordability issues. A range of housing styles, sizes, and price points will be offered to allow maximum flexibility for individuals looking for rental or homeownership opportunities. The residential components will meet the provisions of the Affordable Dwelling Unit ordinance, where applicable, and will meet the West Falls Church TDA Plan's Workforce Housing Policy objective of providing 15 percent of for-sale units (based on the proposed 0.96 FAR) as affordable and 10 percent of the rental units as WDUs, and the maximum total number of residential units will be inclusive of any ADUs and WDUs provided.

By creating a vibrant, attractive catalyst project adjacent to the Metrorail Station, the proposed neighborhood will encourage consumers and visitors to patronize commercial uses on, and in the vicinity of, the Property. It will add vitality to the County's economy, as new residents will drive demand for retail and locally-serving office uses, which will have a very positive fiscal impact. From a fiscal perspective, the Property currently contributes no tax revenue to the County (relative to what is proposed), and its physical layout includes substantial surface parking and underutilized space. The proposed neighborhood will provide significant new and modern commercial space and residential uses. New sales and business licensing taxes will bring significant revenue to the County, and new residents will spend money at local commercial establishments of all types, which will support additional retail and non-residential space such as office uses.

The Public Realm

All neighborhoods are shaped by their physical setting, streets, buildings, open spaces, and the people who live in them. A harmonious urban experience for the Property is best achieved with a design and layout that will provide a unified urban expression. As depicted on the CDP/FDP plan set, several distinct, but complementary publicly-accessible open spaces and experiential community gathering areas are proposed, including the following:

- **Community Park**: Located at the intersection of New Street #1 and New Street #3, this approximately 20,600-square foot activated park will include flexible space for programming, landscaping, outdoor rooms for seating and casual interaction, universal design for accessibility throughout, and playful design elements that will engage all age groups. This space is envisioned to have a center core green lawn as its focal point, which will allow a variety of passive and active recreation for small and large groups. This park will feature connected sidewalks and defined seating pockets around the lawn.
- **Metro Plaza**: This approximately 33,300-square foot space is located across from the Metrorail Station entrance along the north side of New Street #3 in front of Building F. This area is designed to provide recreational space and facilitate high-volume pedestrian movement to and from the Metrorail Station, transit bus bays, and Kiss-and-Ride parking spaces via two shared use paths (one along New Street #3 and one directly in front of Building F's west façade). Soft sculpted low berms and wall segments along the plaza's western edge will provide a clear definition of the space and opportunities for landscaping, placemaking, and areas of recreational activity. This plaza is designed to be an inviting space with pockets for seating, tree canopy for shading and comfort, and areas for families to enjoy the outdoors together. A main placemaking vertical element on the north edge will serve as a landmark for orientation and Metrorail wayfinding.
- **Dog Park and Play Space**: An approximately 19,500-square foot fenced wooded dog park at the northwest corner of Haycock Road and Metro Access Road is intended to serve as a hub for dog owners and pets. This naturally shady area also includes additional active

recreation programming composed of horseshoe games, disc golf practice baskets for groups, as well as picnic tables.

- Nature Play Space: Located along the eastern periphery of the Property and south side of Metro Access Road, this approximately 8,100-square foot area is intended to provide natural recreation space. A sidewalk with bicycle racks and benches, as well as a play structure, will be provided at the corner of Alley #2 and the Metro Access Road to enhance the park's visibility and accessibility. Inside the park, natural elements like tree stumps, boulders and limbs for stepping, balancing, and climbing will be field located to maximize recreational opportunities. This space is envisioned to be low impact, protected, and provide the potential for natural play elements.

These park areas, which comprise approximately 2.1 acres in aggregate, meet the total urban parkland goal for the Property and will create a public realm centered on the collection of public spaces and their connectedness. In addition to these spaces, street furniture, as well as informal and formal sitting places (e.g., seats, benches, planters, low walls, etc.), will be located throughout the Property and offer the ability for pedestrians to pause, socialize, interact with one another, and increase urban vitality.

Transportation & Circulation

The Applicant has worked to develop a comprehensive transportation approach for the proposed neighborhood. A grid of streets is proposed in accordance with the Comprehensive Plan's Urban Design Framework to better accommodate vehicular circulation and pedestrian accessibility.

The proposed pedestrian and vehicular circulation plan will continue the planned street grid and pedestrian pathway system from the West Falls Site and the Virginia Tech Site to provide circulation around and through the Property. The three primary WMATA vehicular facilities at the Metrorail Station (Park-and-Ride, Kiss-and-Ride, and bus drop-off) will be separated. The Kiss-and-Ride will be accessed from New Street #3, the bus drop-off will be accessible via Metro Access Road, and the WMATA Garage (and Park-and-Ride area) will be accessed from New Street #2 and Falls Church Drive.

A proposed pedestrian circulation plan has been designed to direct internal traffic towards focal points, amenities, sidewalks, and retail spaces through utilization of public and private streets and paths that promote travel between the various blocks. New Street #3, for example, will be lined with two publicly accessible urban parks – one adjacent to New Street #1 and New Street #3, and one adjacent to the Metrorail Station plaza. New Street #3 and its adjacent parks will also provide enhanced visual and physical connections from New Street #1 to the Metro Plaza. Wayfinding signage to the Metrorail Station will also be provided throughout the Property.

Structured parking is also proposed, with any new structured parking facilities either located below-grade or visually shielded/architecturally treated at the street level. The Applicant

will screen the existing WMATA Garage (Building C) with landscaping and trees to soften the parking structure's visual impact to the proposed development.

Infrastructure will be provided to promote cycling access to the proposed community. On-road bicycle lanes will be provided along New Street #1 and Metro Access Road, and an off-road bike lane will be constructed adjacent to New Street #3 between New Street #1 and the Metrorail Station entrance. Easily accessible and secure bicycle racks will be installed, with the specific locations and quantities of these facilities consistent with the Fairfax County Policy and Guidelines for Bicycle Parking. Secure bicycle facilities on the Property for resident and employee use will also be provided.

Given the fact that the Property is located within the TDA and adjacent to the Metrorail Station, the Applicant proposes a parking reduction for the residential and retail uses. The Applicant proposes a multifamily parking ratio of 0.75 spaces per unit; a parking ratio of 2.0 spaces per unit for the proposed 14-foot and 20-foot wide townhouses; a parking ratio of 1.5 spaces per unit for townhomes that are 16 feet in width; and a parking ratio of 3.0 spaces per 1,000 square feet for retail uses. Office uses will be parked in accordance with the Zoning Ordinance. Additionally, the Applicant will commit to a Transportation Demand Management ("TDM") program which, subject to proffer drafting, will reduce the number of single occupant vehicle trips by at least 45 percent. The Applicant will work with staff during the application process to identify a strategy to meet the Comprehensive Plan's transportation Development Review Performance Objectives.

Landscaping & Environmental Considerations

Of the 23.99-acre application area, 20.175 acres are located within the proposed limits of disturbance. Approximately 52.9 percent (approximately 12.69 acres) of the Property is impervious surface in its current condition, and approximately 31.1 percent (approximately 7.47 acres) of the Property is pervious surface. As depicted on the CDP/FDP plan set, a mixture of new and preserved vegetation is proposed across the Property. The neighborhood's landscape design will include trees, plants, flower beds, opportunities for bio-filtration, the maintenance of biodiversity, and a humanizing of the landscape by attracting people to outdoor activities. This landscaping exceeds County requirements and the Comprehensive Plan's recommendations. The proposal will provide approximately 28 percent open space across the Property (approximately 6.69 acres), which is more than the 20 percent open space requirement set by the PRM zoning district.

The Comprehensive Plan recommends that new buildings and associated landscaping be designed and constructed to use energy and water resources efficiently and to minimize negative impacts on the environment and residents. Pursuant to the Comprehensive Plan's Development Review Performance Objectives, the Applicant will commit to green building measures consistent with third-party verification via LEED, Earth Craft, Energy Star, or a third-party equivalent rating system. All signage and lighting on the Property will comply with the Zoning Ordinance.

The proposal will meet all stormwater regulations pursuant to the latest edition of the Public Facilities Manual (“PFM”) and Stormwater Management Ordinance and other such applicable County regulations. A series of underground stormwater detention facilities is proposed, which will be appropriately sized and located to meet detention and outfall requirements and reduce peak flow from the Property over existing conditions. Best Management Practices and low impact development techniques will also be provided, and the proposal will meet water quality and quantity requirements.

Waivers & Modifications

To the best of the Applicant’s knowledge, no known hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4, and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; are to be generated, used, stored, treated, or disposed of on-site and the size and contents of any existing or proposed storage tanks or containers exist on the Property nor are planned in conjunction with the proposed uses. The proposed development complies with all current applicable land development ordinances, regulations, and adopted standards, except as follows:

- a. A waiver of the setback from an interstate highway rights-of-way required by subsection 5100.2.D(8) of the Zoning Ordinance is requested to reduce the setback from the highway from 200 feet to accommodate the proposed residential and non-residential uses to be built into an engaging mixed use development as shown in the CDP;
- b. A modification of subsection 6101.3 of the Zoning Ordinance for the loading space requirements in favor of the quantities depicted on the CDP/FDP plan set. It is anticipated that the property management will provide scheduled use of the loading bays;
- c. A waiver for a private street, Metro Access Road (the bus loop) and New Street #4, which exceeds 600 feet in length at 1,000 linear feet as required by subsection 5107.3.A(3) is requested to provide an accessible and reliable route for WMATA’s Metrobus fleet and other area transit agencies;
- d. A waiver of subsection 2105.5.B(2) of the Zoning Ordinance is requested to remove the requirement to provide privacy yards on single family attached dwelling unit lots in favor of the rear-loaded townhome design depicted on the CDP/FDP plan set. The requested waiver will allow for the implementation of urban-style townhomes that will further enhance the street level pedestrian experience of the transit oriented mixed use development;
- e. A waiver of the major paved trail along Haycock Road as required by subsection 8100.7.E(2) is requested per the recently initiated Fairfax County West Falls Church Active Transportation Study;

- f. A modification of Section 12-0310.4.E.6 of the PFM is requested to permit a reduction of the minimum four (4) foot planting distance from a restrictive barrier to three (3) feet. All planting spaces proposed on the streetscapes and in the Commons Green meet the minimum planting space sizes per §12-0310.4.E.9 of the PFM;
- g. A parking reduction of 44.7 percent for multifamily residential units, 34.2 percent for townhouses, and 14.3 percent for retail pursuant to subsection 6100.5 of the Zoning Ordinance is requested. The Property is adjacent to the Metrorail Station, and the Application will be designed in a manner to encourage visitors to use multi-modal options to arrive and depart from the Property. The proposed office building, Building B, is parked in accordance with the Zoning Ordinance requirements.

Compliance with Subsection 2105.1.C Additional Standards for PRM Developments

Subsection 2105.1.C of the Zoning Ordinance lists general standards for properties proposed to be zoned to, and developed under planned zoning districts. Each general standard is listed in bold below, followed by the Applicant's response in italics:

- 1. The planned development must substantially conform to the Comprehensive Plan with respect to type, character, intensity of use, and public facilities. Planned developments may not exceed the density or intensity permitted by the Comprehensive Plan, including any permitted density or intensity bonus provisions.**

The proposed land use mix is in conformance with the Comprehensive Plan. A grid of streets is proposed in accordance with the pending Comprehensive Plan's Urban Design Framework to better accommodate vehicular circulation and pedestrian accessibility. The site design takes advantage of the unique position of the Property being adjacent to the Metrorail Station. The scale and architectural treatment of the proposed development will provide a logical and complementary extension of planned development patterns. Therefore, this standard is met.

- 2. The planned development must be designed to achieve the stated purpose of the planned development district more than would development under a conventional zoning district.**

The proposed PRM zoning district will promote high standards in design and layout as well as encourage compatibility among the various internal and external adjacent uses and appropriately implement the Comprehensive Plan's recommended land use mix and density for the Property. The proposal will exhibit excellence in physical, social, and economic planning, thereby fulfilling the purpose and intent of the PRM zoning district. Therefore, this standard is met.

- 3. The planned development must, to the extent possible, protect, preserve, and restore natural ecosystem components, including trees, meadows, streams, topographic features, and healthy soils, and heritage resources.**

The Property currently consists of extensive impervious surfaces and is developed as a commuter parking facility and transit station. A wholesale redevelopment of the site is proposed. The proposal will provide approximately 28 percent open space across the Property, which is more than the 20 percent open space requirement set by the PRM zoning district. Therefore, this standard is met.

- 4. The planned development must be designed to prevent adverse impact to the use and value of existing surrounding development and may not deter or impede development of surrounding undeveloped properties in accordance with the Comprehensive Plan.**

Buildings are sensitively sited in relation to neighboring properties while preserving and maintaining existing tree buffers adjacent to existing residential communities. As depicted on the CDP/FDP plan sets, the proposed plan, development blocks, open space areas, and street grid have specifically been designed to be compatible and harmonious with future development on adjacent parcels. The proposal provides opportunities for a clear, logical extension of the grid and open space areas. The proposed neighborhood has been crafted to allow for adjacent parcels to develop in a compatible, well-designed, efficient manner consistent with the overall intent of Comprehensive Plan's recommended density and mix of uses. Therefore, this standard is met.

- 5. The planned development must be located in an area in which existing or planned transportation, police and fire protection, other public facilities, and public utilities will be available and adequate for the uses proposed. The applicant may provide for those facilities or utilities which are not presently available.**

Public facilities, utilities, and services are available and adequate to serve the proposed uses on the Property and surrounding area. Therefore, this standard is met.

- 6. The planned development must provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.**

The Property will be accessed directly via Haycock Road, Falls Church Drive, Metro Access Road, and the planned Commons Drive, which will be extended onto the Property from the Virginia Tech site by others in conformance with the Comprehensive Plan's Urban Design Framework. Planned pathways and internal roadways will provide linkages across the Property, as well as to the adjacent developments and the Metrorail Station. Therefore, this standard is met.

Compliance with Subsection 2105.1.D Design Standards for Planned Developments

Subsection 2105.1.D of the Zoning Ordinance contains design standards for properties proposed to be zoned to a planned zoning district. Each criterion is listed in bold below, followed by the Applicant's response in italics:

- 1. Other than those regulations specifically listed for a particular planned district, the open space, off-street parking, loading, sign, and all other similar regulations in this Ordinance will generally apply to all planned developments.**

This request meets all open space, off-street parking, loading, sign and all other similar regulations set forth in the Zoning Ordinance. The proposal will provide approximately 28 percent open space across the Property, which is more than the 20 percent open space requirement set by the PRM zoning district. The proposed project meets the Zoning Ordinance's minimum parking requirements for office and retail uses and a parking reduction is being requested for the multifamily and townhouse uses. All signage and lighting on the Property will comply with the Zoning Ordinance. Therefore, this standard is met.

- 2. Streets and driveways must generally conform to the provisions in this Ordinance and all other applicable County ordinances and regulations. Where applicable, street systems must afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks must be coordinated access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.**

A pedestrian and vehicular circulation plan is provided with the CDP/FDP plan sets, which envisions a street and pathway network comprised of new streets, sidewalks, and paths, that provide circulation around and through the Property and most importantly directly to the existing Metrorail station. A grid of streets is proposed in accordance with the Comprehensive Plan's Urban Design Framework to better accommodate vehicular circulation and pedestrian accessibility. These interconnected streets will link to adjacent properties and intersections and will dramatically improve the connectivity from the existing surrounding neighborhood and proposed developments to the Metrorail station. All streets and driveways proposed with this application conform to the provisions set forth in the Zoning Ordinance and all other County ordinances and regulations. Bicycle facilities will be provided to offer convenient access for bicycle users. Therefore, this standard is met.

- 3. In order to complement and prevent adverse impacts to development on adjacent properties, the bulk regulations of the proposed planned development must generally conform to those of the conventional zoning district that is most similar to the proposed P District development at the following boundaries:**

- a. In the PDH, PRM, PDC, PRC, and PCC Districts, at all peripheral boundaries;**

See paragraph b below for the appropriate guidance.

- b. In the PDC, PRM, or PCC Districts when located within a CRD or in an area designated as a Community Business Center, Commercial Revitalization Area, or Transit Station Area in the Comprehensive Plan, only at the periphery of the CRD or other designated area; or**

The Property is located at the periphery of the West Falls Church Transit Development Area along its boundary with the I-66/Dulles Toll Road and along its Haycock Road frontages. The setbacks of buildings along these peripheries are as follows:

- *Building A: 39 feet*
- *Building B: 36 feet.*
- *Building F: 49 feet*
- *No proposed building are located in proximity to Haycock Road.*

The most similar conventional zoning districts to the proposed PRM District are R-30 for the residential uses and C-4 for the office use. The R-30 District requires a 54-foot setback for a building 120 feet in height (Building A) and a 40-foot rear setback for a building 90 feet in height (Building F). The C-4 zoning district regulations require a 42-foot rear setback for a building 120 feet in height (Building B). The proposed setbacks generally conform to these requirements. Therefore, this criterion is satisfied.

- c. In the PTC District, only at the periphery of the Tysons Urban Center in the Comprehensive Plan.**

The Property is not proposed to be zoned to the PTC zoning district; therefore, this standard is inapplicable.

Compliance with Subsection 2105.5.C Additional Standards for PRM Developments

Subsection 2105.1.D of the Zoning Ordinance contains additional standards for properties proposed to be zoned to the PRM zoning district. Each criterion is listed in bold below, followed by the Applicant's response in italics:

- 1. The principal residential use must be multifamily dwellings. Single-family attached dwellings may be allowed at the periphery of the development to provide a transition from the high-density development to adjacent lower density development.**

The Applicant proposes up to 1,003,000 square feet of uses on the Property (0.96 FAR), consisting a maximum of 810 multifamily dwellings (up to 720,000 square feet), a maximum of 90 townhouses (up to 163,000 square feet), a maximum of 110,000 square feet of office uses, and up to 10,000 square feet of ground floor retail uses. Therefore, multifamily dwellings are the principal residential type in this proposal (up to 71 percent of the total proposed gross square footage). Building E Townhomes are proposed to be more urban in nature and are designed to look and feel like a multifamily building. Townhouses are proposed on the periphery of the Property to provide a transition to The Villages at West Falls Church and the Pavilion developments. Therefore, this standard is met.

- 2. Secondary uses may be permitted only in a PRM District where at least 50 percent of the total gross floor area in the development is devoted to multifamily dwellings.**

As noted above, multifamily dwellings comprise approximately 71 percent of the total proposed gross square footage. Therefore, this standard is met.

- 3. A substantial portion of the required parking should be provided in above or below grade parking structures.**

All structured parking will be either above- or below-grade as identified in the CDP/FDP plan set; where provided above-grade, such parking will be visually shielded or architecturally treated. The Applicant is also proposing to soften the visual impact of the existing WMATA Garage from the future community. Therefore, this standard is met.

Compliance with West Falls Church Development Criteria

The Area II Comprehensive Plan lists certain development criteria that should be considered when deciding whether to approve development in the West Falls Church TDA. Each criterion is listed in bold below, followed by the Applicant's response in italics:

- 1. Provide a development plan that demonstrates high quality site and architectural design, streetscaping, landscaping, urban design, and development amenities.**

The proposed development includes a high quality and unique urban design with direct connections to the Metrorail Station and a series of publicly-accessible open spaces throughout the Property. The highest intensity uses are located closest to the Metrorail Station, and the proposal has been designed to visually hide new parking facilities and ensure pedestrian safety and convenience.

As depicted on the CDP/FDP plan set, the proposed landscape design includes trees, plantings, and flowerbeds, and provides opportunities for bio-filtration, the maintenance of biodiversity, and a humanizing of the landscape by attracting people to outdoor activities. Specific concentrations of trees are included in the publicly-accessible amenity areas described above. This landscaping exceeds County requirements and

Comprehensive Plan recommendations. The proposal will provide approximately 28 percent open space across the Property, which is more than the 20 percent open space requirement set by the PRM zoning district. Therefore, this criterion is satisfied.

- 2. Provide development that is in accordance with height and open space guidance illustrated in Figures 15, 16, and 17. In addition, applicable urban design recommendations for the specific land unit/sub-unit should be used.**

The proposed development aligns with the Comprehensive Plan's recommendations for building height and open space. The existing buffers and landscaping between The Villages and Pavilion communities to east, and the proposed residential townhomes to the west, will be maintained and enhanced.

As depicted on the CDP/FDP plan set, several distinct, but complementary public park spaces, with natural amenities and experiential community gathering areas are proposed. These areas comprise approximately 2.1 acres in aggregate and will create a public realm centered on the collection of public spaces and their connectedness. Therefore, this criterion is satisfied.

- 3. Provide off-site public road improvements, or funding of such improvements, to accommodate trips generated by the development. Off-site transportation improvements that accommodate safe access to the Metrorail station should be strongly encouraged. If, at any phase of the development, further mitigation of traffic generated by the development is deemed necessary, provide and implement a plan which reduces development traffic to a level deemed satisfactory to the County including through TDM programs, especially those which encourage the use of Metrorail and transit services.**

Given the Property's proximity to the West Falls Church Metrorail Station, the proposal will commit to a TDM program to reduce the number of single occupant vehicle trips by 45 percent. The Applicant will work with staff during the application process to identify a strategy to meet the Comprehensive Plan's Transportation Development Review Performance Objectives. Therefore, this criterion is satisfied.

- 4. Provide design, siting, style, scale, and materials that are compatible with adjacent development and the surrounding community, and which maintain and/or enhance the stability of existing neighborhoods.**

The proposed architecture for the various buildings will be respectful of adjacent uses such as The Villages at West Falls Church and Pavilion condominium communities, yet they will be updated to respond to design preferences of future residents. Townhouses have been sited adjacent to these neighboring communities so as to provide an appropriate transition. The lower height, scale, and density of the townhouses will be complementary and ensure the stability and enhancement of The Villages at West Falls Church and Pavilion communities. The architecture and design of the townhomes has been designed to be

appropriate for the neighborhood, with high-quality materials and detailing. Thus, this criterion has been satisfied.

- 5. Construct visual cues to indicate transitions from commercial to residential areas, such as tree plantings, landscaping, and signage.**

The streetscape's sidewalk/hardscape will be more urban in character adjacent to multifamily residential buildings and then transition to a front yard landscape and stoop concept for the typical residential townhomes. Signage, lighting and materials at the ground level of the commercial buildings will also signify the commercial nature of those uses. This criterion is satisfied.

- 6. For residential uses, provide energy conservation features that will benefit future residents of the development.**

The Applicant will commit to green building measures consistent with third-party verification via LEED, Earth Craft, Energy Star, or a third-party equivalent rating system for the proposed residential and commercial buildings. Therefore, this criterion is satisfied.

- 7. Provide price-appropriate housing that will serve the needs of the county's population. Residential developments should comply with the County's Affordable Dwelling Unit (ADU) Ordinance and the Workforce Dwelling Unit (WDU) policy, except as otherwise specified with the income tiers and commitment levels listed for the WDUs.**

The residential components will meet the provisions of the ADU Ordinance where applicable and will meet the West Falls Church TDA Plan's Workforce Housing Policy objective of providing 15 percent of for-sale units (based on the proposed 0.96 FAR) as ADUs and 10 percent of the rental units as WDUs. Therefore, this criterion is satisfied.

- 8. Consolidate land and/or coordinate development plans with adjacent development to achieve Comprehensive Plan objectives.**

The Property is of sufficient size to accomplish the objectives of the Comprehensive Plan. The proposed development has been coordinated with the adjacent Virginia Tech Site and West Falls Site to accommodate the proposed Commons Drive extension. Therefore, this criterion is satisfied.

- 9. Provide structured parking (above or below grade). If surface parking is permitted, it should include sufficient screening to visually shield views at street level.**

Structured parking is proposed, and each new structured parking facility will be visually shielded at the street level. The Applicant will screen the existing WMATA Garage with landscaping and trees to soften the parking structure's visual impact to the proposed development. Therefore, this criterion is satisfied.

10. Consolidate vehicular access points to minimize interference with commuter access to the Metrorail station.

The proposed pedestrian and vehicular circulation plan has been designed to direct internal traffic towards focal points, amenities, sidewalks, and retail spaces through utilization of a combination of public and private streets and paths that promote travel between the various blocks. Existing and proposed sidewalks on the Property will provide convenient and direct access to the Metrorail Station, the adjacent Virginia Tech Site, and the West Falls Site. Sidewalks along its Falls Church Drive, Metro Access Road, and Haycock Road frontages will be upgraded.

Infrastructure will be provided to promote cycling access to and through the proposed community, including easily accessible and secure bicycle racks. The specific locations and quantities of these facilities shall be designated by the Applicant and will be consistent with the Fairfax County Policy and Guidelines for Bicycle Parking. An extension of the bicycle lanes from the Virginia Tech Site along New Street #1 is also proposed. These bicycle lanes will continue onto Metro Access Road. An off-street bike lane is proposed on the north side of New Street #3, between New Street #1 and the Metrorail Station. Therefore, this criterion is satisfied.

11. Provide stormwater management using Fairfax County's Best Management Practices.

All stormwater regulations will be met pursuant to the latest edition of the PFM, Stormwater Management Ordinance, and other applicable County regulations. Innovative stormwater management techniques are integrated into the design of the proposed application. A series of underground stormwater detention facilities is proposed, which will be appropriately sized and located to meet detention and outfall requirements and reduce peak flow from the Property over existing conditions. The Applicant is exploring low impact design techniques, as well as seeking alternative energy sources and net-zero carbon opportunities. Therefore, this criterion is satisfied.

The Applicant's proposal, in addition to redevelopment of the adjacent West Falls Site and Virginia Tech Site, presents an exciting inter-jurisdictional planning opportunity entirely unique in Virginia. When constructed, this district will function as one larger transit-oriented neighborhood. The Applicant's proposal will transform the Property from a paved, suburban area into a walkable, connected mixed-use neighborhood. The proposed development will drive daytime demand for locally-serving office and retail uses, as well as Metrorail ridership, and provide much needed diverse housing opportunities to Fairfax County.

I would appreciate the acceptance of these applications and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. Thank you for your time and consideration in this matter, and please feel free to call me directly at (571) 209-5775 should you have any questions.

Very truly yours,

WALSH, COLUCCI, LUBELEY, & WALSH, P.C.



Andrew A. Painter

Enclosures

cc: The Honorable John W. Foust, Dranesville District Supervisor
The Honorable John Ulfelder, Dranesville District Planning Commissioner
Mr. Scott C. Segerlin, WMATA
Mr. Andrew J. Scott, WMATA
Mr. Evan Goldman, ME Homes Associates, LLC
Ms. Amy E. Friedlander, ME Homes Associates, LLC
Mr. Patrick J. Kearney, Rushmark Properties, LLC
Mr. Neal Kumar, Rushmark Properties, LLC
Mr. William R. Marcotte, Rushmark Properties, LLC
Mr. Matthew Steenhoek, Hoffman & Associates
Mr. Nathan Hoffman, Hoffman & Associates
Ms. Karen L. S. White, P.E., Walter L. Phillips, Incorporated
Ms. Monica Hawkins, Walter L. Phillips, Incorporated
Ms. Gabriela Canamar Clark, PLA, LandDesign, Inc.
Ms. Sarah Whiteley, LandDesign, Inc.
Ms. Maria C. Lashinger, P.E., PTOE, Gorove/Slade Associates, Inc.
Mr. Kevin D. Sitzman, P.E., Gorove/Slade Associates, Inc.
Ms. Elizabeth D. Baker, Walsh Colucci
Mr. Bernard S. Suchicital, Walsh Colucci