

## ZONING ORDINANCE MODERNIZATION (ZMOD)

The County's new Zoning Ordinance was adopted by the Board of Supervisors on March 23, 2021, with an effective date of July 1, 2021. This application was accepted for review prior to July 1, 2021, but has been reviewed under both the prior and new Zoning Ordinance and this report uses the old Zoning Ordinance citations.

## DESCRIPTION OF THE APPLICATION

The applicants, 7700 Homes Associates LLC and 7700-4 Leesburg Pike Associates, LLC, are requesting to rezone the subject 6.73 acre site from the C-2 (Limited Office) District to the PDH-16 (Planned Development Housing) District in order to construct 104 single-family attached dwelling units, including nine Affordable Dwelling Units (ADU) at a density of 15.45 dwelling units/acre (du/ac). Lot widths for internal units range from 14 to 24 feet, while end units range from 20 to 24 feet. With the exception of the affordable dwelling units, all units are proposed with optional upper-level additions for a maximum of 50 feet and cantilevered decks. Access to the site is proposed from the Leesburg Pike (Route 7) service lane located to the south of the development.

A reduction of the Conceptual/Final Development Plan (CDP/FDP) is included at the front of this report. The applicant's signed proffers, statement of justification, and affidavit are included as Appendices 1 through 3, respectively.

## LOCATION AND CHARACTER



Figure 1: 7700 Leesburg Pike, Pictometry 2019

The subject 6.73 acre site, which is currently zoned C-2 and located in the HC (Highway Corridor) Overlay District is located on the north side of Leesburg Pike (Route 7) and developed with a 167,274 square-foot circular-shaped, low-rise office building that was constructed in 1976. This building currently serves as medical and professional offices

and a nursing college. A narrow strip of trees serves as wooded buffer between the office building and the single-family homes to the north and west in Pimmit Hills. A private service drive that runs parallel with Leesburg Pike across the frontage of this property provides the site with a single point of ingress and egress.

The Pimmit Hills subdivision, situated to the north and west of the site, is a low-density residential neighborhood planned and developed at a density of 3-4 du/ac and zoned R-4 (Four Dwelling Units/Acre). The site of St. Luke's Church, just east of the subject property is planned for low-density residential use at 3-4 du/ac and zoned R-4. George C. Marshall High School is located directly to the south of the subject parcel, planned for Public Facilities use and zoned R-1 (One Dwelling Unit/Acre).

## **BACKGROUND**

The property is developed with a four-story 167,274 square-foot office building, which was constructed in 1976. In 1978, this structure was awarded an AIA Merit Award. There are no previously approved rezoning applications or proffers associated with the subject property.

## **COMPREHENSIVE PLAN PROVISIONS**

Plan Area: Area II

Planning District: McLean Planning District

Planning Sector: M2-Pimmit Community

Plan Map: Office

The Comprehensive Plan Map identifies the subject property as being planned for office use. The Area II volume characterizes the Pimmit Community Planning Sector (outside of the West Falls Church Transit Station Area) primarily as stable, single-family detached residential neighborhoods, and recommends that most of the sector be maintained as Suburban Neighborhoods under the Concept for Future Development.

On September 15, 2020, the Board of Supervisors (Board) authorized Plan amendment 2020-II-M1 for Tax Map Parcel 39-2 ((1)) 57, located at 7700 Leesburg Pike in the Dranesville District, and in the Pimmit Community Planning Sector (M2) of the McLean Planning District, to add an option to the Comprehensive Plan to allow the development of single-family attached dwelling units at a density of up to 12-16 dwelling units per acre (du/ac). The Board's authorization also established that the Plan Amendment should be reviewed concurrently with this rezoning case RZ/FDP 2021-DR-006.

On October 19, 2021, this Plan Amendment was approved by the Board of Supervisors. The approved text is as follows:

3. Tax Map Parcel 39-2 ((1)) 57 is planned and developed with office use. As an option, residential use up to a density of 12-16 du/ac with single-family attached or stacked townhouses may be appropriate if the following conditions are met:

- *Building heights do not exceed four stories, including any optional features such as lofts or accessways to rooftop level decks or terrace;*
- *A system of high-quality, well designed, and attractive open space and site amenities is provided to adequately serve needs for recreation, tree preservation and buffering for adjacent homes in a well-designed network of green spaces distributed throughout the site;*
- *Active open space area(s) is provided as an integral and publicly accessible feature of the site. This space should be usable, well-designed, and attractive while allowing for a variety of amenities such as flexible community gathering space, natural and landscaped gardens, adequate space for outdoor seating, and active recreation facilities that are appropriate to a residential neighborhood context. These areas should be accessible by an internal pedestrian “loop” or similar network of well-connected trails and walkways that are also linked to external paths providing safe and convenient access to residences from the adjacent community.*
- *Visual impacts to the adjacent residential neighborhood are minimized through site and building design, effective landscaped screening buffers and appropriate barriers;*
- *Existing healthy and mature trees are preserved in areas adjoining property boundaries to the greatest extent possible and land disturbing activities managed to minimize the risk for damaging trees in buffer areas and adjacent open areas, in consultation with the Fairfax County Urban Forest Management Division. Buffer areas should be supplemented with appropriate evergreen deciduous, and understory vegetation, to provide year-round visual screening to adjacent residences as well as to improve the general effectiveness of existing vegetation;*
- *Provide stormwater management controls above the minimum standards to the greatest extent possible to reduce runoff to good forested conditions; provide for an adequate outfall as informed by the Middle Potomac Watershed Plan; and to help mitigate downstream flooding.*
- *The existing office building has potential to be a significant resource due to its award-winning design. Prior to demolition, documentation should be provided for the building. The specific type of documentation should be coordinated with county heritage resources staff;*

- *The widening of Leesburg Pike, from four to six lanes to accommodate Bus Rapid Transit and a potential station, needs to also accommodate pedestrian and bicycle facilities. Pedestrian and bicycle connections should be safely accommodated to enhance connectivity from the site to adjacent properties. Supportive active transportation facilities, should also be considered;*
- *Public transit facilities, such as bus stops, are accessible from the site via paved walkways that should be lighted for safety and security;*
- *Access to Leesburg Pike is consolidated to the extent possible due to the planned Bus Rapid Transit System; careful consideration should be given to access that enhances site circulation and multimodal mobility.*

## **DESCRIPTION OF THE CONCEPTUAL/FINAL DEVELOPMENT PLAN (CDP/FDP)**

The CDP/FDP entitled “7700 Leesburg Pike” was prepared by Walter L. Phillips Incorporated, and consists of 34 sheets dated December 15, 2020, as revised through October 8, 2021. A reduced copy of the CDP/FDP is located at the front of the staff report.

### *Site Layout*

The application proposes to demolish the existing office building for the construction of 104 single-family attached dwellings (which will include 9 ADUs). While the site tabulations on the CDP/FDP indicate that the density is 15.2 du/ac, the density is in fact 15.45 du/ac. The proposed lots range from 14 feet to 24 feet in lot width. The proposed single-family attached dwellings are arranged linearly along the proposed street grid. Each home will have a two-car garage accessed from the rear of the lot via an alley. The typical end unit diagram indicates that the end units will vary from 20-24 feet in lot width and will have an optional upper-level addition located at the rear and side of the dwelling. The typical interior unit diagram indicates that the interior unit will vary from 14-24 feet in lot width and will also have an optional upper-level addition located at the rear of the building only. All units (excluding ADUs) will have an optional cantilevered deck and/or potential bay/footprint extension. The applicant proposes to preserve 38 percent of the overall site as either passive or active recreational open space. The proposed development will include a mews through the middle of the development running from the northern portion of the development to the south towards Leesburg Pike (Route 7).

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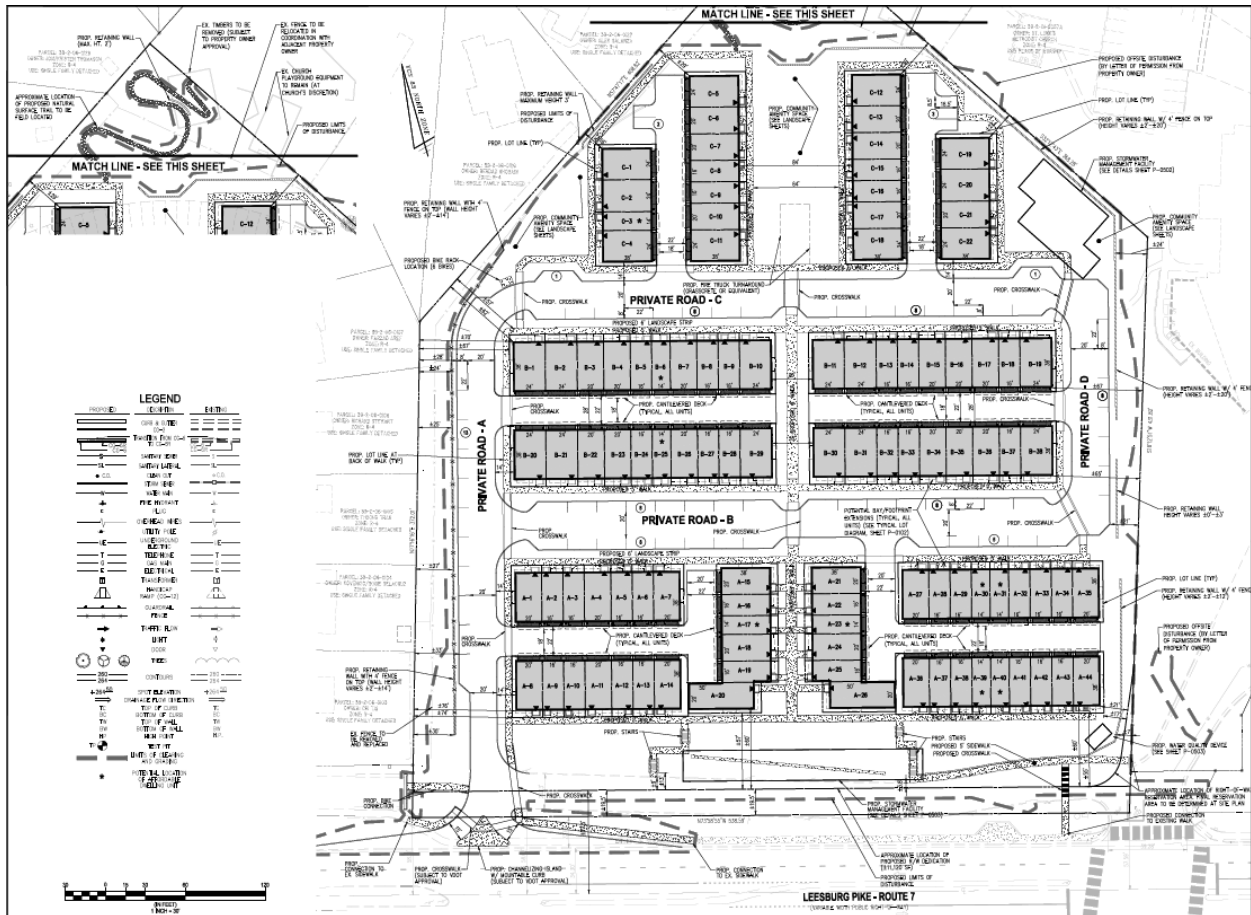


Figure 2: Proposed Development Plan

## Architecture

Sheet A100 of the CDP/FDP shows the proposed architectural elevations for the single family attached dwellings. The applicant proposes to construct the buildings utilizing brick veneer, cementitious siding, and metal. The dwellings will include painted cornices and an optional loft level for a maximum building height of 50 feet. Figure 5 below depicts the proposed front elevations, as well as the optional upper-level additions.





Figure 3: Proposed Elevations

### Roads and Vehicular Access

Vehicular access to the site will be provided via a single access point from the Leesburg Pike (Route 7) service lane located along the southern boundary of the development. This access point connects to a proposed internal grid of 20-foot-wide private streets and 18-foot-wide alleys. As mentioned above, the proposed dwellings will have two-car garages which will be accessed from the private alleys at the rear of the lots.

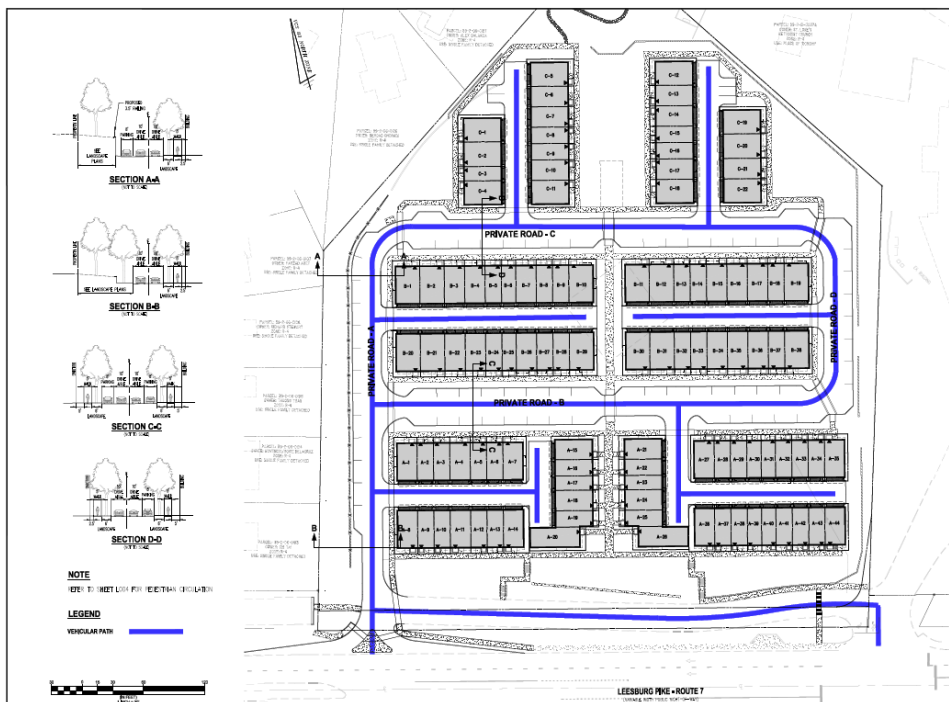
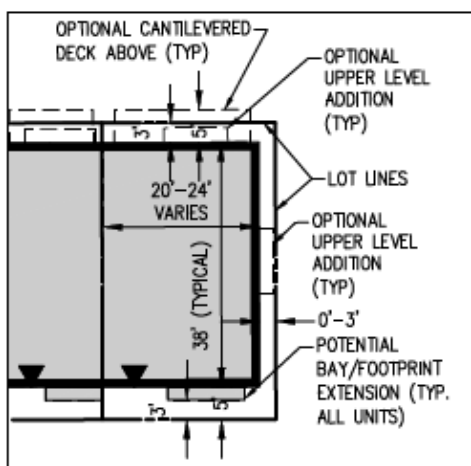


Figure 4: Vehicular Circulation

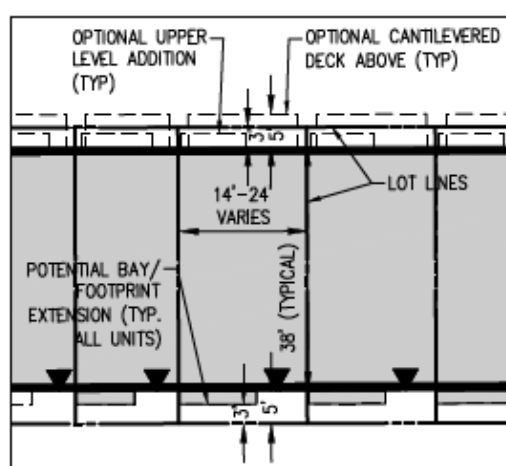
### Parking Tabulations

The Zoning Ordinance requires 281 parking spaces on site (2.7 parking space per single-family attached dwelling). The applicant proposes to provide 281 spaces on site. Each unit will be provided with two parking spaces in the garage for a total of 208 spaces. The 73 remaining spaces will be provided as on-street parking spaces to be used as visitor parking. The lot typical configurations are shown in Figure 5 and 6 below. The applicant seeks to reserve the right to pursue a parking reduction for the proposed development. Further, the applicant has proffered the ability to adjust its parking rates in response to any changes to the Zoning Ordinance parking requirements.

**TYPICAL END UNIT DIAGRAM**



**TYPICAL INTERIOR UNIT DIAGRAM**



### Pedestrian and Bicycle Circulation

Throughout the development, the applicant proposes to provide 5-foot-wide sidewalks along the private streets. A 30-foot-wide open space area (the Mews) with an eight-foot-wide walkway in the middle serves as the central pedestrian spine for the development. Primary pedestrian paths are planned along the private streets and along the building frontages, with secondary and tertiary pedestrian paths planned primarily throughout the open spaces located at the north of the site and the Mews. The applicant has proffered to construct an at-grade pedestrian and bicycle connection to the service drive west of this development.

### Tree Save and Open Space

The applicant is proposing to provide 38% open space on site. This open space includes 0.88 acres (38,290 square feet) of parkland to be distributed among the Green, the fitness area, the playground. Other open space includes the tree save area, and the Mews. With the exception of the Mews, the open space areas are located within the northern portion of the site.

Tree save is proposed at the northern end of the site and along the western and northwestern property lines. According to the Tree Inventory Plan (Sheets 7 and 8) and the Tree Preservation Plan (Sheet 9), approximately 27 percent, or 78,350 square feet, of the entire property is existing tree canopy. The applicant is required to provide 42,359 square feet of 10-year tree canopy (15% of the overall site area). Additionally, 27 percent of the required 42,359 square feet of 10-year tree canopy must be met from the preservation of existing trees, for a total of 11,310 square feet of required tree preservation. The applicant is proposing to meet the required tree preservation by providing 18,840 square feet of preserved tree canopy.

### Stormwater Management

The site is located within the Pimmit Watershed and the Upper Pimmit Run Water Management Area. Stormwater runoff is proposed to be directed to a storm sewer located to the south and a culvert to the north of the site. The applicant is also proposing to meet the water quantity requirement with the installation of an underground detention facility, while underground manufactured filtering systems will be installed to meet the site's water quality requirements.

## **ANALYSIS**

### **Residential Development Criteria**

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, respecting the County's historic heritage, and being responsive to the unique site-specific considerations of the property. To that end, the Comprehensive Plan identifies the Residential Development Criteria to be used in evaluating zoning requests for new residential development.

### Site Design (Development Criterion #1)

*Development Criterion #1 states that all rezoning applications for residential development should be characterized by high quality site design. This criterion recommends that rezoning proposals for residential development be evaluated based upon consolidation, layout, open space, landscaping, and amenities.*

This rezoning application was reviewed concurrently with Plan Amendment PA 2020-II-M1 (PLUS # 2020-00029) which was authorized by the Board for consideration of an option for residential use up to 12-16 du/ac, with single-family attached or stacked single-family attached dwellings. On October 19, 2021, the Board of Supervisors approved the Plan Amendment. Below is an analysis of this application against the approved Plan text.

- *Building heights do not exceed four stories, including any optional features such as lofts or accessways to rooftop level decks or terrace;*



The applicant is proposing single-family attached dwellings at three stories with an option to add a fourth level for a loft. Even with the optional fourth level, these units will not exceed 50 feet.

- *A system of high-quality, well designed, and attractive open space and site amenities is provided to adequately serve needs for recreation, tree preservation and buffering for adjacent homes in a well-designed network of green spaces distributed throughout the site;*

The development plan shows onsite open space totaling approximately 111,400 square feet, of which 38,688 is designated as open space. The onsite recreational areas, located at the northern portion of the site, include a fitness area, playspace, and small community green. The fitness area includes a labyrinth and a stretching area. The CDP/FDP does not identify what type of fitness equipment/elements will be included. The play area is designed with benches, steppingstones, and an open play area. A linear 30-foot-wide open space (the Mews) will serve as the pedestrian spine for the site, providing access to the open space areas to the north of the site. The applicant is proposing to retain mature trees along the perimeter of the property which will provide adequate buffer to the surrounding Pimmit Hills community.

- *Active open space area(s) is provided as an integral and publicly accessible feature of the site. This space should be usable, well-designed, and attractive while allowing for a variety of amenities such as flexible community gathering space, natural and landscaped gardens, adequate space for outdoor seating, and active recreation facilities that are appropriate to a residential neighborhood context. These areas should be accessible by an internal pedestrian "loop" or similar network of well-connected trails and walkways that are also linked to external paths providing safe and convenient access to residences from the adjacent community.*

As mentioned above, the applicant has provided active open spaces primarily located at the northern portion of the site including onsite recreational areas (though the fitness equipment is unidentified) and passive open spaces. While the applicant did not provide an internal pedestrian loop, the proposed mews similarly achieves the intent to connect the entire community.

- *Visual impacts to the adjacent residential neighborhood are minimized through site and building design, effective landscaped screening buffers and appropriate barrier;*

The applicant has located the proposed units within the center of the site and away from the abutting properties within Pimmit Hills. With this layout,

existing mature trees will be provided along the shared property lines with Pimmit Hills, which creates a natural visual buffer between the existing and proposed dwellings. Additionally, the subject site is located 10 to 20 feet below the abutting lots of Pimmit Hills, which further mitigates any impact of that 50-foot-high single-family attached dwellings might have on the existing dwellings.

- *Existing healthy and mature trees are preserved in areas adjoining property boundaries to the greatest extent possible and land disturbing activities managed to minimize the risk for damaging trees in buffer areas and adjacent open areas, in consultation with the Fairfax County Urban Forest Management Division. Buffer areas should be supplemented with appropriate evergreen deciduous, and understory vegetation, to provide year-round visual screening to adjacent residences as well as to improve the general effectiveness of existing vegetation;*

The applicant is proposing to retain many of the mature trees that currently exist on the shared property lines with the Pimmit Hills community. Additionally, a tree save area is proposed at the northern edge of the property.

- *Provide stormwater management controls above the minimum standards to the greatest extent possible to reduce runoff to good forested conditions; provide for an adequate outfall as informed by the Middle Potomac Watershed Plan; and to help mitigate downstream flooding.*

Stormwater runoff is proposed to be directed to a storm sewer located to the south and a culvert to the north of the site. The applicant is also proposing to meet the water quantity requirement with the installation of an underground detention facility, while underground manufactured filtering systems will be installed to meet the site's quarter quality requirements. The applicant has committed to exceed the stormwater quantity control requirements of Chapter 124 to address issues within the Pimmit Run Watershed (this issue is discussed further later in this report).

- *The existing office building has potential to be a significant resource due to its award-winning design. Prior to demolition, documentation should be provided for the building. The specific type of documentation should be coordinated with county heritage resources staff;*

The applicant has proffered that, prior to demolition of the existing office building, photographs and written documentation of the building will be provided to the Virginia Room.

- *The widening of Leesburg Pike, from four to six lanes to accommodate Bus Rapid Transit and a potential station, needs to also accommodate*

*pedestrian and bicycle facilities. Pedestrian and bicycle connections should be safely accommodated to enhance connectivity from the site to adjacent properties. Supportive active transportation facilities, should also be considered;*

The applicant has provided two pedestrian and bicycle connections at the southeast and southwest portions of the site.

- *Public transit facilities, such as bus stops, are accessible from the site via paved walkways that should be lighted for safety and security;*

The applicant has provided a well-designed pedestrian network that connects the dwelling units to the active and passive open spaces, the mews, and ultimately Leesburg Pike to the south of the site. These connections will allow pedestrians to safely access public transit facilities.

- *Access to Leesburg Pike is consolidated to the extent possible due to the planned Bus Rapid Transit System; careful consideration should be given to access that enhances site circulation and multimodal mobility.*

The applicant is providing two access points to Leesburg Pike following a recommendation from the Fairfax County Bicycle Master Plan. The access points will be an interim connection to Leesburg Pike until the widening of Leesburg Pike for the planned BRT system occurs.

With these conditions, staff believes the proposed development has met the Plan recommendations regarding pedestrian access and circulation, open space, and opportunities for active and passive recreation on site. Additionally, the layout will provide ease of access to multimodal transportation opportunities, allowing future residents to benefit from the future widening of Route 7 and the planned BRT.

#### *Neighborhood Context (Development Criterion #2)*

*Development Criterion #2 recommends that a rezoning application for residential development be designed to fit into the community within which the development is located.*

The subject site abuts the Pimmit Hills development, which consists of single-family detached dwellings. As part of this review, staff considered the potential impacts of the building heights and massing of the proposed development upon this neighborhood. The applicant has located the proposed units within the center of the site and away from the abutting properties within Pimmit Hills. Under this layout, existing mature trees will be provided along the shared property lines with Pimmit Hills, which creates a natural visual buffer between the existing and proposed dwellings. Finally, the subject site is located 10 to 20 feet below the abutting lots of Pimmit Hills, which further mitigates any

impact of that 50-foot-high single-family attached dwellings might have on the existing dwellings.

### Environment (Development Criterion #3) (Appendix 5)

*Development Criterion #3 recommends that a rezoning application for residential development be consistent with the policies and objectives of the environmental element of the Policy Plan. This criterion further recommends that applications be evaluated upon preservation of natural environmental resources (including woodlands, wetlands and floodplains), management of stormwater runoff (including adequacy and location of outfall), and protection of future residents from transportation generated noise.*

### Green Building and EV Charging

The Environment Element of the Comprehensive Plan recommends that new residential development be certified through an established third-party green building rating system. The applicant has proposed commitments to attain green building certification for the proposed development through the National Green Building Standard (NGBS) using the Energy Star Qualified Homes path for energy performance; through the EarthCraft House Program; or through LEED-Homes. In addition, the applicant has committed to offering the initial purchasers of the single-family attached dwellings the option to install universal electric vehicles (EV) charging stations in the garages of the dwellings.

### Transportation-Generated Noise

The Environment Element of the Comprehensive Plan recommends minimizing human exposure to unhealthful levels of transportation-generated noise. New development should not expose people in their homes, or other noise sensitive environments, to noise in excess of 45 dBA DNL, or to noise in excess of 65 dBA DNL in the outdoor recreation areas of homes. The subject property is immediately adjacent to Leesburg Pike (Route 7) which has the potential to create transportation-generated noise impacts on the site that exceed 65 dBA DNL and require mitigation. The applicant submitted a noise study conducted by Phoenix Noise & Vibration, LLC, Report No. 200903, dated September 3, 2020. The study found that, with the future proposed Fairfax County Bus Rapid Transit (BRT) and future road connection, the facades of the proposed buildings fronting on Leesburg Pike will be impacted by transportation-generated noise levels up to 74 dBA at the upper level of the single-family attached dwellings. The study found that the noise impacts exceeding 65 dBA do not extend into the active recreation areas of the proposed development.

The submitted noise study indicates that noise measurements were conducted during the COVID-19 Pandemic during times which roadway volumes appeared to be increasing compared to the beginning of the pandemic. However, to account for any effect of the changes to roadway activity on the resulting noise output from the roadway, the traffic counts conducted during the on-site noise measurements were compared to

the most recent available data from the Virginia Department of Transportation (VDOT) and then calibrated with the noise model to account for the higher roadway volume. Based on the information provided by the industry noise consultants and the submitted noise study itself, staff does not have any outstanding issues with the submitted noise study.

To address potential noise impacts, the applicant has included a commitment that provides specific sound transmission class (STC) ratings to reduce noise levels to approximately 45 dBA DNL for residential units and has included an option to pursue alternative methods as identified in an additional study to be completed prior to the filing of a building permit. The subject property is impacted by noise levels up to 74 dBA. The noise study notes that since architectural drawings were not available at the time of the noise study completion, a building shell, or refined, analysis should be completed once architectural drawings are available. With an updated noise study, the applicant has proffered to submit the analysis prior to site plan approval in order to ensure that any recommendations which come out of the analysis are incorporated into the design.

Additionally, during review, staff recommended that for dwelling units fronting on Leesburg Pike, any private rooftop outdoor living areas must be located away from Leesburg Pike. The applicant has therefore proffered to disclose in Homeowner's Association (HOA) documents and sales materials that these units may be impacted by the 65 dBA DNL in the HOA documents.

#### Stormwater (Appendix 6)

To address the Plan guidance, the applicant is proposing to incorporate an underground detention facility for water quantity purposes and is proposing to meet the phosphorous reduction requirements through two water quality treatment facilities to include a Stormtech with an isolator row and a manufactured treatment device such as a jellyfish filter. The applicant has indicated the soils may be suitable for infiltration but has deferred any potential testing to time of site plan and noted that infiltration has not been relied upon for the purposes of the proposed site design.

The applicant has proposed a proffer that at time of final site plan, *"the Applicant will demonstrate that the stormwater facilities to be constructed with the Proposed Development will achieve reductions in the peak flow or release rates in accordance with the targets set forth in the stormwater narrative contained on the CDP/FDP to the maximum extent practicable."* Specifically, the applicant has committed to exceeding the stormwater quantity control requirements of Chapter 124 as shown on the CDP/FDP. The applicant proposes to reduce the 1-year site peak runoff rate to a minimum of 5% below the allowable release rate determined using the energy balance equation for sites draining to a natural stream. The site peak runoff rates for the 2-year event will be reduced below the peak runoff rates of the site as it exists prior to the current development by a minimum of 20%. The 10-year site peak runoff rate will be reduced to the peak runoff rate that would drain off the site if it has a forested condition. The 100-year site peak runoff rate will also be reduced a minimum of 10% below the peak runoff rate that would be released from the post-development site if it did not have any

stormwater measures. Staff has reviewed the applicant's proposal in consultation with LDS and DPWES and notes that the proposal is meeting the Plan recommendation.

Final determination regarding the adequacy of the stormwater management measures will be made by LDS. There are no outstanding issues.

*Tree Preservation and Tree Cover Requirements (Development Criterion #4)*  
(Urban Forest Management Analysis; Appendix 7)

*Development Criterion #4 recommends that regardless of the proposed density, all residential development should be designed to take advantage of existing quality tree cover.*

The adopted Environment Element of the Comprehensive Plan Policy Plan recommends maximizing protection or restoration of tree cover on developed and developing sites. Additionally, the proposed site-specific Plan Amendment recommends preserving existing healthy and mature trees to the greatest extent possible in consultation with the Urban Forest Management Division (UFMD). The applicant is proposing to retain mature trees on the periphery of the site. These trees currently exist on shared property lines and will provide a natural buffer between the development and the surrounding community. The applicant has proposed tree preservation at the northern portion of the site as well as along the periphery. Additionally, the applicant has included landscaping proffers that commit to native, non-invasive species, tree surveying and tree preservation target and tree canopy requirements.

*Transportation (Development Criterion #5)* (Appendix 8)

*Development Criterion #5 states that all applications should offset their impacts to the transportation network.*

*Vehicular Access*

Access to the site is provided via a right-in right-out entrance located along Leesburg Pike at the southwest corner of the property. The applicant is providing a channelized island at this entrance to prevent left turns into the property that could otherwise cause potential queuing along Leesburg Pike. This channelized island would be removed with the construction of the future planned Bus Rapid Transit (BRT) project for Leesburg Pike. The improvements envisioned with the BRT project would also preclude left turns into the subject property as new BRT lanes would prevent left turns at this intersection. However, until the BRT lanes are constructed, future residents will also be able to access the site entrance using the existing service drive along Leesburg Pike via the George C. Marshall Drive intersection until such time as the right-of-way (ROW) for the service drive will be incorporated into the BRT project. The applicant has committed to dedicate additional ROW along their Leesburg Pike frontage for this future BRT project.



## Internal Site Circulation

During the review of this application, staff identified issues with the maneuverability of vehicles and trash trucks to turn around in the proposed alleys. While the applicant has worked to address these concerns, staff continues to recommend that additional turnaround space be provided for vehicles in the alleys. The Autoturn analysis provided demonstrates that any vehicle not able to pull into a garage would be forced to drive in reverse out of the alley to return to the internal site streets, which could pose unnecessary safety and operational challenges.

## Future Road

The Comprehensive Plan for this area recommends the construction of a future two-lane local road alignment to the east of the subject property as seen in Figure 5 below. The applicant has proffered to provide the necessary right-of-way (ROW) dedication and construction easements for the future construction of this road alignment; staff would note that reservation for future dedication is appropriate in this instance given the lack of specificity on the design and timing of this road.

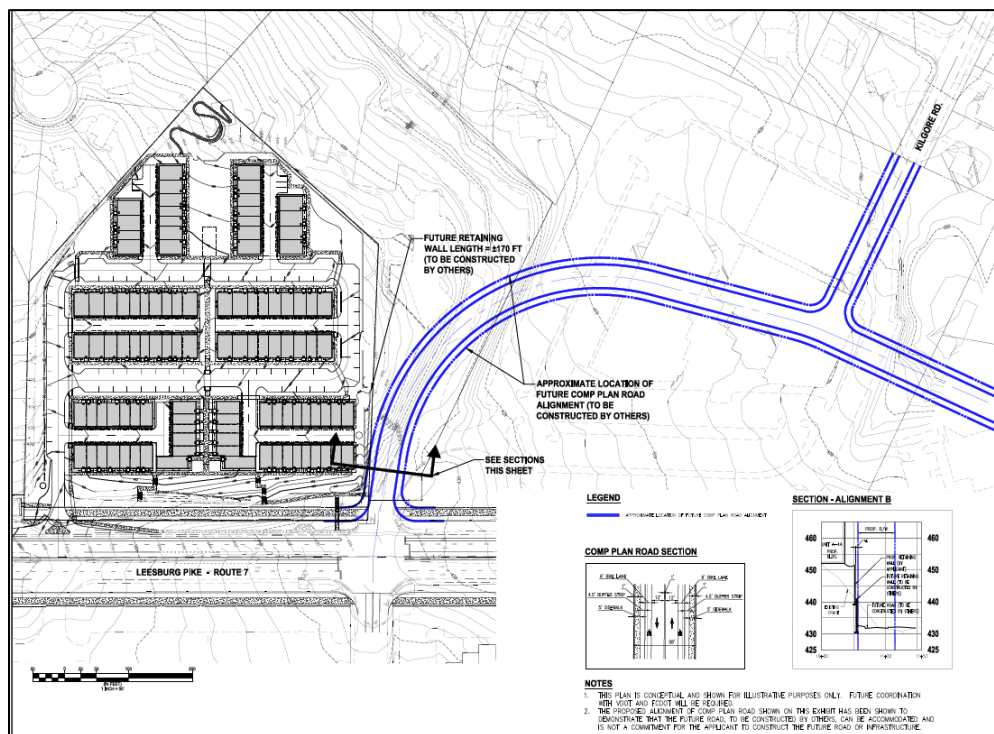


Figure 5: Comprehensive Plan recommended public road

Unfortunately, as proposed, the applicant's proffer includes a 30-year expiration for this commitment to provide this future dedication and associated easements. This connection is currently unfunded and the timeline for the construction of this future road is unknown. Staff is concerned that this timing limitation could result in future challenges for implementation of the Comprehensive Plan. Furthermore, staff does not believe that this sunset clause is necessary as the applicant has included a proffer which would

allow for this reservation to be vacated in the future if necessary. This issue remains unresolved.

### Pedestrian and Bicycle Access

The applicant is providing a pedestrian connection to the adjacent property to the north and, as recommended in the Fairfax County Bicycle Master Plan, the applicant is providing an interim bicycle and pedestrian connection along Leesburg Pike. The applicant has also proffered to a pair of offsite improvements, described below:

- Subject to approval of VDOT and FCDOT, the applicant will establish a pedestrian connection to the east to connect with the existing sidewalk.
- Subject to securing all necessary easements/permissions from adjacent property owners, the applicant will construct a five-foot (5') sidewalk on the northeast side of the driveway entrance to St. Luke's United Methodist Church and the office building at 7600 Leesburg Pike. Additionally, the applicant will install striping and a STOP bar at the intersecting driveways to each parcel to enhance pedestrian crossings of Leesburg Pike to George C. Marshall High School from the Pimmit Hills neighborhood. Should the applicant be unable to secure the necessary easements/approvals for these improvements, the applicant will contribute \$25,000 to FCDOT to be used to construct pedestrian improvements in the Pimmit Hills community.

### Public Facilities (Development Criterion #6)

*Development Criterion #6 states that all rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development.*

### Public Schools (Appendix 9)

The application was reviewed by the Department of Facilities and Transportation Services of the Fairfax County Public Schools (FCPS). The proposed development would be served by Westgate Elementary School, Kilmer Middle School and Marshall High School. If development occurs within the next five years, Marshall High School is considered to have a sufficient capacity for current programs and future growth, Kilmer Middle School is at capacity, and Westgate Elementary School is considered to have a capacity surplus.

The Capital Improvement Program FY 2021-25 includes potential solutions to alleviate current and projected school capacity deficits. For consideration purposes, as many options as possible have been identified for each school, in no significant order, and may be contingent on other potential solutions listed. Any options chosen for implementation will be discussed and decided through a transparent process with the appropriate stakeholders, in accordance with School Board Policies and Regulations.

Based on the number of housing units proposed in this application, the total potential student yield for the development is 14 high school students, 7 middle school students, and 27 elementary school students. The total projected student yield for this development is 48 students. The applicant has proffered to contribute \$12,262 per new student. With this contribution, the applicant has met this criterion.

#### Park Authority Review (Appendix 10)

##### Potential Impacts to Park and Recreation Facilities:

Based on the information provided in the application, the proposed development is estimated to increase the local population by 270 residents, who may require capacity for parkland, recreational facilities, and trails. The McLean Planning District, where the subject property is located, is already deficient in parkland and recreational facilities. Existing nearby parks (Lisle, Fisher, Tysons Pimmit, Pimmit Hills and Griffith Parks) meet only a portion of the current demand for parkland generated by existing residential development in the McLean Planning District. In addition to these current deficiencies, the addition of 270 new residents to the McLean Planning District is expected to create more new need for public parks and recreational facilities in excess of existing capacity. No commitment has been made to address the impact on these parks.

##### Onsite Park Spaces:

The development plan shows onsite open space totaling 93,688 square feet, of which 38,688 is designated as open space. Based on Comprehensive Policy Plan standards for suburban development outside the county's established growth areas, the amount of new local park space recommended is a minimum of 1.35 acres. The 38,688 square feet (0.88 acres) of recreational space proposed with this application falls short of the minimum need by about half an acre.

Onsite recreational areas include a fitness area, playspace, and small community green. The fitness area includes a labyrinth and a stretching area. Because the CDP/FDP does not clearly indicate what type of fitness equipment/elements will be included, the applicant has proffered to include two fitness stations or pieces of exercise equipment within this area. The play area is designed with benches, stepping stones, and an open play area. During review, staff encouraged the applicant to include a climbing structure, swings, slide, or other interactive play element in this area. In response, the applicant has proffered to include at least two permanent playground features for children, such as climbable structures, interactive learning centers, swings or similar elements. If the funds expended for these on-site recreational facilities are less than \$1,900.00 per non-ADU unit, the applicant has proffered to contribute the remaining balance to the Fairfax County Park Authority (FPCA) prior to bond release for the proposed development.

### Sanitary Sewer Review (Appendix 11)

To ensure that the existing secondary sewer lines (8-inch and 10-inch) are adequate for the proposed 104 units, the applicant will need to provide sanitary sewer capacity computation for sewer lines from the redevelopment site to the trunk sewer.

### Fairfax Water Review (Appendix 12)

The property is served by Fairfax Water. Adequate water service is available at the site from an existing onsite 12-inch water main. A pressure Reducing Valve is located at the site and may be impacted by the proposed development activity. The functionality of this facility and looped connection to adjacent sites will need to be maintained throughout the duration of the redevelopment. Depending upon the configuration of any proposed on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

### Affordable Housing (Development Criterion #7)

*Development Criterion #7 notes that a goal of the County is to ensure an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs.*

The applicant is subject to the Affordable Dwelling Program (ADU) in accordance with Part 8 of Article 2 of the Zoning Ordinance. The applicant has proposed to provide 9 ADUs as a part of this application.

### Heritage Resources (Development Criterion #8)

*Development Criterion #8 describes heritage resources as those sites or structures, including their landscape settings that exemplify the cultural, architectural, economic, social, political, or historic heritage of the county or its communities.*

As noted in the Background section of this report, the existing structure was awarded an AIA Merit Award in 1978. Given that recognition, staff requested that the applicant document the structure before its demolition. The applicant has proffered that, prior to demolition of the existing office building, photographs and written documentation of the building will be provided to the Virginia Room. Therefore, this issue is resolved.

## **ZONING ORDINANCE ANALYSIS**

### **Planned Development Housing (PDH) District**

The PDH District is established to encourage innovative and creative design in the development of land for residential and other secondary uses. The district regulations are designed to ensure ample provision and efficient use of open space; to encourage tree preservation and the protection of environmental features on the site; promote high

standards in the layout, design, and construction of residential development; promote balanced development of mixed housing types; encourage the provisions of dwellings within the means of families of low and moderate income; and implement the stated purpose and intent of the Zoning Ordinance.

### **General Standards (Section 16-101)**

General Standard 1 requires *the planned development to 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.*

As previously discussed in the “*Land Use Analysis*” portion of this report, staff finds that the proposed applications are in conformance with the newly adopted Plan option for residential development between 12-16 du/ac. The applicant is proposing a development at 15.45 du/ac which would not exceed this recommended density should the Plan Amendment be adopted.

General Standard 2 requires *the planned development to be designed to achieve the stated purpose of the planned development district more than would development under a conventional zoning district.*

The PDH District emphasizes ample provision and efficient use of open space. Under the Zoning Ordinance, a PDH-16 development which include ADUs is required to provide 31% open space, while the R-16 District requires the provision of 30% open space. As noted earlier in the report, staff worked closely with the applicant to ensure adequate onsite park space would be provided throughout the development. The applicant has provided 38% open space with the development. Staff finds that this standard is met.

General Standard 3 requires that *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 subject property is currently developed with an office building and associated surface parking. The majority of the development area is proposed within the footprint of the office building and surface parking area. The site layout preserves the existing trees at the northern portion of the property. Additionally, the existing mature trees located along the western and northwestern property lines will be preserved to provide a natural buffer to the single-family detached dwellings beyond. Furthermore, the applicant has committed to exceeding the stormwater quantity control requirements of Chapter 124 to address issues within the Pimmit Run Watershed. With these commitments, staff finds that this standard is met.

General Standard 4 requires *the planned development to 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.*

The development proposes a maximum of 50 feet for the proposed single-family attached dwellings. This height includes loft space and access to optional rooftop terraces. Staff has no objection to this proposed height. First, as mentioned previously, existing mature trees located along the north and northwest of the property offer a natural visual buffer to the single-family detached homes within the adjacent Pimmit Hills community. Second, given the site's topography, the proposed development is situated lower than the surrounding residences. Specifically, the site elevation is generally 10-20 feet lower than that of the adjacent residential properties, which mitigates any impact of that the taller single-family attached units might have. Given these two factors, staff finds that the proposed height will have no adverse impact to the use and value of existing surrounding development.

General Standard 5 requires *the planned development to 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.*

The subject property currently is located in an area where public facilities and public utilities are adequate for the existing development. The applicant has proffered to contribute \$20,000 for use in the installation of preemptive traffic signal devices on traffic signals within the Dranesville District.

General Standard 6 requires *the planned development to 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.*

As previously discussed in the “*Transportation Analysis*” of this report, the applicant has provided a right-in right-out entrance located along Leesburg Pike at the southwest corner of the property. The applicant has also proffered to a pair of offsite pedestrian improvements.

As also previously discussed in this staff report, the applicant has committed to reserve ROW for the future dedication and easements for the construction of a future Comprehensive Plan road. However, the applicant has included a 30-year sunset clause on this reservation, which staff finds unacceptable. With the inclusion of this sunset clause, staff cannot find that this development satisfies this standard. Additionally, as noted earlier, staff continues to urge the applicant add additional turning area for vehicles within the alleys to improve internal circulation and maneuverability.

### **Design Standards (Sect. 16-102)**

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plans.



*Design Standard 1 states that to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, and PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the development under consideration.*

Standard	R-16 District	Provided
Maximum Building Height	35 feet for single-family attached dwellings	50 feet
Minimum Front Yard	5 feet	4 feet
Minimum Side Yard	10 feet	3 feet
Minimum Rear Yard	20 feet	5 feet

The most similar conventional district to the proposed development is the R-16 District, with bulk requirements as shown in the table above. The proposed layout concentrates the development within the center of the site, such that no proposed townhouses abut the peripheral boundaries. Instead, the layout provides either open space or landscaped buffers along the periphery of the site. As such, staff believes that the proposed building heights and lot setbacks are acceptable.

*Design Standard 2 states that other than those regulations specifically set forth in Article 6 for a P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.*

The Zoning Ordinance requires a maximum of 31% open space for PDH-16 developments which provide ADUs. The proposed development will have 38% open space, which is comprised of tree preservation areas, common open space and amenities, exceeding the minimum requirement. As discussed earlier in this report, the applicant is providing the required 281 parking spaces (2.7 spaces per single-family attached dwelling) with a mix of garage parking for the dwellings and surface parking for visitors.

*Design Standard 3 states that streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.*

The CDP/FDP shows the creation of private streets and alleys to serve the proposed development. Sidewalks approximately 5 feet in width and are proposed within the

development along the private streets. As previously, the applicant has proposed a connection to the future planned BRT, located within the existing service lane. The applicant has also proffered a pair of offsite pedestrian connections.

However, as discussed earlier in this report, according to the Autoturn analysis provided by the applicant, any vehicle not able to pull into a garage would be forced to reverse out of the alley. Staff would continue to urge the applicant to provide additional turning areas within the alleys to address this issue.

### **Highway Corridor Overlay District (Section 7-600)**

The Highway Corridor Overlay District limits certain automobile-oriented, fast service or quick turn-over uses around certain high traffic areas, in this case, along Leesburg Pike. No fast service or quick turn-over uses are proposed with this application.

### **Waivers and Modifications**

#### Waiver of the 200 square foot privacy yard requirement for each single family attached dwelling unit (Par. 2 of Sect. 6-207)

The applicant requests a waiver of the 200 square foot privacy yard requirement for the single-family attached dwellings. Each unit will have the option to add a fourth story loft with a rooftop patio. As noted previously, the proposed layout provides a variety of recreational opportunities within the provided open space areas. In addition, the applicant redesigned the site to increase the amount of provided open space to include that which would have been provided were each unit to have a 200 SF privacy yard. As such, staff supports this waiver request.

#### Waiver of the 600-foot maximum length requirement for a private street (Par. 2 of Sect. 11-302)

Private Road A extends from the Leesburg Pike service lane to the northern portion of the property. This is a necessary road extension in order to provide access from vehicular access to the entire site and provide adequate circulation within the site. Additionally, this private road is needed because there is no planned connection to the Pimmit Hills road network. Because there will be no cut through traffic to the Pimmit Hills residential roads, Private Road A is needed to connect the entire community. Staff is in support of this waiver.

#### Modification to permit a reduction in the transitional screening width and total plantings along a portion of the western and northwestern property lines (Sect. 13-303.A)

A retaining wall is located between 28 and 33 feet from the property line along the majority of the site's western boundary. However, the site layout requires the retaining wall to shift closer than the required 25 feet to the property line in certain areas to accommodate Private Road A, which as discussed previously, is necessary for the adequate circulation of the site. Additionally, at these narrow buffer points, the property

is already heavily wooded which will reduce the visual impact to the abutting community. Staff is in support of this modification to that shown on the CDP/FDP.

Waiver of the barrier requirement along a portion of the northwestern property line (Sect 13-304.4.B)

The barrier requirement for this development requires a 42- to 48-inch-tall solid wood or otherwise architecturally solid fence. While there is a retaining wall that is planned along the majority of the site, the applicant is seeking to install a 42-inch-tall picket wood fence or guard rail along the top of the retaining wall. The recommended solid wood fence would serve to separate the proposed development from the surrounding community which would be inconsistent with the recommendations of the Comprehensive Plan. The picket fence would better integrate the development with the surrounding community while still providing an adequate buffer. Staff is in support of this waiver.

Modification of the trail requirement along Leesburg Pike (Sect. 17-201.2).

Par 2 of Section 17-201 requires that the construction of trails in accordance with the general location shown on the Comprehensive Plan together with such other connecting trails or walkways within the limits of the site plan. The applicant is requesting a modification of this requirement to allow for the existing sidewalk along the site's Leesburg Pike frontage to remain. The applicant notes that under the planned widening of Leesburg Pike for the planned BRT project, the frontage of the site will be torn up. The applicant also believes that the proposed trail along this frontage will not match the existing sidewalks on either side of the site. Staff supports the requested modification.

Modification of the road improvements along Leesburg Pike (Sect. 17-201.3)

The applicant is requesting a modification to allow the existing lane configuration of Leesburg Pike to be maintained, given the planned widening of this roadway for the planned BRT project. The applicant notes that any road improvements that might be implemented by the applicant at this time, would interfere with the planned widening of Leesburg Pike for the planned BRT project. Staff is in support of this modification.

Modification of the future Comprehensive Plan Road (Sect. 17-201.3)

The applicant is also requesting a modification of the future Comprehensive Road planned to the east of the site. The applicant has proffered a commitment to reserve ROW for future dedication and easements for the construction of the Comprehensive Plan Road. Staff would note that reservation for future dedication is appropriate in this instance given the lack of specificity on the design and timing of this road. However, the applicant has added a 30-year sunset clause for this reservation. As discussed earlier in this report, staff does not support the sunset clause, and if this is included, staff does not support this modification request.

## **CONCLUSION AND RECOMMENDATIONS**

The applicants, 7700 Homes Associates LLC and 7700-4 Leesburg Pike Associates, LLC are requesting a rezoning from the C-2 District to the PDH-16 District in order to construct 104 single-family attached dwelling units which includes nine ADUs. The site is subject to a Comprehensive Plan Amendment 2020-II-M1 that was approved by the Board of Supervisors on October 19, 2021. The Plan Amendment sets forth criteria relating to design, layout, transportation, and open space requirements in order for the site to develop at a density of 12-16 du/ac. Staff is satisfied that the applicant has met most of the requirements of the Comprehensive Plan Amendment and therefore believes the application is consistent with the Comprehensive Plan and Zoning Ordinance Provisions. However, an outstanding issue as discussed in this staff report, is the applicant's proffer to reserve ROW for future dedication of a future road depicted on the Comprehensive Plan. The applicant has placed a 30-year sunset clause on this commitment. Without the removal of this sunset clause, staff cannot find this fully addresses the recommendations of the Comprehensive Plan and the provisions of the Zoning Ordinance.

### **Recommendations**

Staff recommends approval of RZ 2021-DR-006 and its associated CDP, subject to the execution of proffers consistent with those contained in Appendix 1 and adoption of PA 2020-II-M1.

Staff recommends approval of FDP 2021-DR-006, subject to the approval of RZ 2021-DR-006.

Staff recommends approval of the following waivers and modifications:

- Waiver of the 200 square foot privacy yard requirement for each single family attached dwelling unit.
- Waiver of the 600-foot maximum length requirement for a private street per Par. 2 of Sect. 11-302 of the Zoning Ordinance.
- Modification to permit a reduction in the transitional screening width and total plantings along a portion of the western and northwestern property lines to that shown on the CDP/FDP.
- Waiver of the barrier requirement along a portion of the northwestern property line.
- Modification of the trail requirement along Leesburg Pike to the existing sidewalk as shown on the CDP/FDP.
- Modification of the road improvements along Leesburg Pike to that shown on the CDP/FDP.

Staff does not recommend approval of the modification of the future Comprehensive Plan Road.

It should be noted that it is not the intent of the staff to recommend that the Board of Supervisors, in adopting any proffered conditions, relieve the applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval does not interfere with, abrogate or annul any easements covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff, it does not reflect the position of the Board of Supervisors.

## **APPENDICES**

1. Draft Proffer Statement
2. Affidavit
3. Statement of Justification
4. Land Use Analysis
5. Environmental Analysis
6. Stormwater Analysis
7. Urban Forestry Analysis
8. Fairfax County Transportation Analysis
9. Fairfax County Public Schools Analysis
10. Park Authority Analysis
11. Sanitary Sewer Analysis
12. Fairfax Water Analysis
13. Zoning Ordinance Provisions
14. Glossary of Terms