



Board of Architectural Review

DATE: September 18, 2019
TO: Board of Architectural Review Chair and Members
THROUGH: Jason Sutphin, Community Development Division Chief (JDS)
FROM: Tommy Scibilia, BAR Liaison (TS)
SUBJECT: Wawa

ATTACHMENTS: 1. Relevant Regulations
2. Statement of Design Intent
3. Photos, Plans, Elevations, and Renderings
4. Meeting Minutes June 5, 2019

Nature of Request

| | |
|--------------------------------|---|
| 1. Case Number: | BAR-19-00547 |
| 2. Addresses: | 9700 Fairfax Boulevard |
| 3. Request: | New gas station |
| 4. Applicant: | 9700 Fairfax Boulevard LLC |
| 5. Applicant's Representative: | Robert Brant |
| 6. Status of Representative: | Agent |
| 7. Current Zoning: | CR Commercial Retail, IH Industrial Heavy, Architectural Control Overlay District |
| 8. Proposed Zoning: | CR Commercial Retail, Architectural Control Overlay District |

BACKGROUND

The 1.82-acre subject site consists of two adjoining properties located on the north side of Fairfax Boulevard at the corner of Spring Street. The site is currently developed with a motel constructed in 1953, and most recently operated by the Rodeway Inn. The property with frontage along Fairfax Boulevard is zoned CR Commercial Retail, while the property to the north is zoned IH Industrial Heavy. Surrounding uses include a landscaping company to the north, a bank building to the west, and auto sales and service to the east and south.

The applicant is proposing to demolish the existing motel and construct a six station/twelve pump gas station, freestanding canopy structure, and grocery store which would function like a convenience store. In order to do this, the applicant is requesting a rezoning of the subject site to CR Commercial Retail, a

special use permit for a fuel station, and several special exceptions. City Council will be the deciding body on the land use requests, in addition to the major certificate of appropriateness, for which the BAR must review and provide a recommendation to City Council prior to the land use hearing.

The applicant appeared before the BAR for a work session on the preliminary architecture and site improvements on June 5, 2019. Board members made the following remarks:

- Board members generally agreed that the proposal would be an overall improvement to the aesthetics of the property.
- The applicant should explore ways to locate the building closer to Fairfax Boulevard.
- Provide a rendered view or elevation of the front of the building with the fuel pump canopy superimposed to see how it would look in context.
- The proposed use will be economically viable and popular, so it is especially important that it look nice. This should set a design quality precedent for this part of the City.
- Some Board members believed that this was an inappropriate use for this part of the City and would not be a pedestrian-friendly amenity.
- The applicant should provide perspective renderings of the entire development in the next round of submissions.
- The Board appreciated the proposed design of the dumpster and tool shed enclosure.
- Some Board members wanted to know how the scale of the freestanding canopy compared to the size and overall height of other fuel station canopies in the City.

The full meeting minutes from the June 5, 2019 meeting are included as Attachment 4.

The plan presented at the work session consisted of the six fuel stations and freestanding canopy oriented toward the south or front of the site, with the grocery store located to the north. The site had two primary vehicular entrances, one off of Fairfax Boulevard at the southwest corner, and one off of Spring Street at the northeast corner. The existing sidewalk and retaining wall along Fairfax Boulevard remained in their existing configuration, and a new sidewalk was shown along Spring Street. The majority of the site was to be paved, with drive aisles and parking surrounding the fuel stations and the grocery store. A loading area was located on the north side of the building, and a dumpster and toolshed enclosure were proposed the site's northwest corner. A concrete walkway was located on the north, east, and south sides of the building. The preliminary landscape plan showed understory trees along the periphery of the site and in the four landscape islands at the building's corners, understory trees along the streets, and a hedge on the inside edge of the landscaped space surrounding the drive aisles and parking areas on the south and west portions of the site. An air station was shown to the northwest of the fueling stations, and a transformer and bike racks were located in the landscape island at the building's northeast corner. Steel bollards were shown installed on all sides of the grocery store, around the electrical transformer, and in front of the dumpster enclosure.

The grocery store design consisted of a one story structure with a rectangular footprint, roughly 92 feet by 78 feet, with two main entrances for customers on the north/rear and south/front sides of the building, and several service entrances on the west, north, and east sides. The body of the building was

red brick, “Tavern Flash” by Marion Ceramics, with a light brown accent brick, “Fieldstone” by Metro Brick. The base of the building as well as the columns of the covered front and rear entrances were stacked stone veneer, “Provence Ohio Drystack” by Quality Stone. A brick parapet with dark gray aluminum coping and white metal trim was shown to be set back slightly from the main roofline. The front entrance had tower element with an accent brick inlay for signage and a pyramid hip standing seam metal roof in dark gray color, “Slate Grey” by Atlas Aluminum, creating the tallest section of the building at 28’6” (per §1.5.11 of the Zoning Ordinance, see Attachment 1). A smaller entry feature with the same signage area and dark gray standing seam metal roof was located over the rear entrance, up to the height of the parapet. A dark gray standing seam metal roof with white trim and fascia spanned the south elevation, providing a covered area for customers, an ice storage freezer, and waste receptacles in front of the store. Dark bronze storefront windows were located along the front façade and to the left of the entrance. Windows with matching dark bronze framing were located along the east façade with light brown accent brick above. Similar fields of accent brick were included on the west and north elevations. The service entrances, rollup door at the loading area, scuppers, and downspouts were all proposed to be in a white finish.

The freestanding canopy had a dark gray standing seam metal roof sloping downward toward Fairfax Boulevard, supported by 12 columns of stacked stone and white metal with white metal framing. It had a maximum height of 21’2”. The dumpster enclosure had a stacked stone base, red brick walls, a cast stone cap, white corrugated metal swing gates, a white service entrance steel door, and one downcast wall pack light in a white finish.

Mechanical equipment was proposed to be roof-mounted and screened by the parapet. No information about lighting fixtures was provided in the work session material submissions.

PROPOSAL

The applicant has revised the proposal and seeks a recommendation on the major certificate of appropriateness to City Council.

The site layout and architecture of the building, freestanding canopy, and dumpster/toolshed enclosure have remained mostly unchanged since the work session (see Background section above), with a couple minor exceptions: There is now a sidewalk proposed on the west side of the Fairfax Boulevard driveway leading to a relocated bike rack pad. Landscaping changes are noted below.

The applicant has supplied additional materials to help illustrate the project at the request of the BAR. Attachment 3 contains three dimensional renderings of the project looking north, looking northeast traveling eastbound on Fairfax Boulevard, and looking northwest traveling westbound on Fairfax Boulevard.

The landscape plan has been finalized with this submission and includes a mix of canopy trees and understory trees along both Fairfax Boulevard and Spring Street. Canopy trees include four Princeton

sentry ginkgos near the driveway entrances and one willow oak at the street corner. Understory trees include Cornelian cherry dogwoods and eastern hornbeams along Fairfax Boulevard, and white fringetrees along Spring Street. The Zoning Ordinance requires canopy trees to be planted within 15 feet of the curb line along all streets per §4.5.6.B.1 (see Attachment 1) at a rate of one for every 40 linear feet of frontage, which is not proposed, and so the applicant is requesting a special exception to use understory trees in some of these required locations to avoid conflicts with overhead utility lines. 11 canopy trees including Princeton sentry ginkgos, willow oaks, and American elms are proposed along the western property line, on the other side of which is mature vegetation along the neighboring bank property's eastern edge. Continuous hedges of inkberry and dwarf Burford hollies are proposed along the southern, eastern, and northern perimeters of the internal drive aisle and parking area to screen these uses from view per §4.5.7.C.1 of the Zoning Ordinance. A hedge of dwarf Japanese hollies are proposed around the electrical transformer at the building's northeast corner. The four parking islands at the corners of the grocery store each contain an American elm canopy tree. Groundcover would be planted in beds on either side of the Fairfax Boulevard driveway and includes Stella de Oro daylily, variegated lily turf, and coneflower.

Attachment 4 contains specifications for the different lighting fixtures including downcast lights in the fuel pump canopy, soffit lights above the walkway against the front of the building, downcast flat security lights on the side and rear elevations of the grocery store, decorative wall sconces on the entrance columns at the front and rear of the building, and 20-foot-tall pole-mounted cobra head fixtures to illuminate the parking lot and drive aisles. All fixtures would be LEDs with a 5700K color temperature and a white finish.

The mechanical equipment associated with the grocery store remains proposed as roof-mounted equipment to be screened by the parapet, and the electrical transformer's location in the landscape island at the grocery building's northeast corner has not changed. Site amenities, aside from the fuel pumps and standard plastic waste receptacles at the pumping stations, include air pump stations to the northeast of the fuel pumps, curving metal bike racks on a small pad to the west of the fuel canopies, black metal ribbon benches off of the sidewalk on Fairfax Boulevard, and green metal waste receptacles and tan ice cabinets in the covered area along the front of the grocery store.

ANALYSIS

City of Fairfax Design Guidelines:

Architectural Control Overlay District Overview, ACOD-1

ACOD Goals, ACOD-1.2

- 1. Strengthen the street edge with buildings and landscape on major corridors.*
- 2. Maintain a human scale in building design and outdoor spaces.*

- 3. Where existing buildings or developments do not provide appropriate examples, new development should strive to implement the intended vision rather than repeat existing patterns.*
- 4. Existing buildings or developments should be upgraded to a higher design quality as opportunities arise to reflect these guidelines.*
- 5. Continue the emphasis on attractive and well maintained landscaping.*
- 6. Preserve and enhance natural character of topography, streams, and mature trees.*
- 7. Mask the utilitarian by screening equipment, loading areas, parking lots, and other uses that have adverse visual impacts.*
- 8. Continue to create an inviting public streetscape realm with coordinated designs.*

Staff believes that the street edge is generally strengthened with the enhanced landscaping, although enhancements can be made (see landscaping discussion below and Recommendations). Although the structures on the site are not close to the street, their setback is consistent with neighboring uses and with other fuel stations in the City, which typically have deeper setbacks to accommodate the vehicles the station serves. It is noted that site layout and design are not part of what is listed under items for consideration for certificates of appropriateness and thus are not within the purview of the BAR. Review and recommendations should be made based on the design quality of the architecture, landscaping, and site amenities.

Building Orientation, ACOD-3.3

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

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

Staff finds the proposal to be consistent with these guidelines.

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

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

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

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

Staff believes that while the overall building footprint is simple in form, the architectural detailing in the roofline and the use of façade insets and covered entrances and walkways effectively articulate the structure and give it visual interest.

Roof Form & Materials, ACOD-3.6

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

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

On roofs that are visible, use quality materials such as standing-seam metal, architectural shingles, slate, or artificial slate.

Staff finds the use of various rooflines at the covered walkway and at the entrances, as well as the use of standing seam metal to be consistent with these guidelines.

Opening Types & Patterns, ACOD-3.7

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

Opaque spandrel glass panels may be used sparingly to conceal structural elements and/or where the design of a building's interior does not allow for the use of clear glass. Opaque spandrel glass panels should not be used as a decorative feature in place of clear glass.

Staff finds the use of bronze-framed windows and doors with sidelights throughout the building design to be appropriate and consistent. To staff's knowledge, all glazing proposed is to be transparent.

Building Foundations, ACOD-3.9

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

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

The proposed stone veneer as the water table material for the grocery store building is consistent with these guidelines.

Materials & Textures, ACOD-3.9

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

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

The proposed materials are consistent with these guidelines. Staff believes the use of the same materials for the fuel pump canopy to be an appropriate treatment that would create consistency within the site.

Architectural Details & Decorative Features, ACOD-3.9

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

Staff finds the use of varied rooflines, special entrance features, decorative banding, and wall insets on the grocery store building to be in line with this guideline.

Building-Mounted Lighting, ACOD-3.12

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

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

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

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

Staff finds the proposed sconces at the entrances to be appropriate decorative lighting features that fit into the design language of the rest of the building. The downcast security lights are appropriate for service areas where they are proposed. All fixtures utilize an LED lighting source, consistent with the above guideline. Staff believes that all lighting fixtures should be in a dark bronze finish, rather than a white finish, as this finish is easier to maintain and consistent with fixtures found throughout the City (see Recommendations).

Appurtenances, ACOD-3.13

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

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

When the mechanical equipment, vents, meters, satellite dishes and similar equipment is ground mounted, screening should include either an opaque fence or wall made of the same material as the building or an evergreen hedge that screens objectionable views.

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

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

The mechanical equipment for the grocery store is to be roof-mounted and fully screened from view, consistent with this guideline. Staff finds the proposed use of dwarf Japanese hollies to be an appropriate screen for the electrical transformer. The primary loading area is located on the rear elevation of the grocery store building, consistent with these guidelines. The dumpster enclosure would comprise of the same high quality materials proposed for use on the grocery store building, and its siting in the back corner of the site is appropriate.

Building Types: Additional Considerations, ACOD-3.14

Service/Gas Stations:

Canopies should complement their associated buildings in materials and scale, and be integrated with the buildings' overall design.

The proposed canopy design uses the same colors and materials as the grocery store building and the dumpster/toolshed enclosure, and although the structure is freestanding and not integrated into the structure of the building, staff finds its design to overall conform to this additional consideration for gas stations.

Painting, Color & Finishes, ACOD-4

Guidelines, ACOD-4.2

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

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

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

Select natural tones instead of overly bright and obtrusive colors.

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

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

No masonry products are proposed to be painted with this application. Staff finds the overall color palette to be appropriately natural in tone. Staff believes the use of contrasting colors for the metal elements is an appropriate way to distinguish these from the earth tones of the masonry products.

Awnings & Canopies, ACOD-5

Placement & Design, ACOD-5.2

Place an awning or canopy carefully within the storefront, porch, door, or window openings so it fits the building and does not obscure other important features or elements or damage materials.

Choose designs that do not interfere with existing signs, street trees, or other elements along the street.

Choose an awning shape that fits the opening in which it is installed. Use materials and forms that are compatible with the associated building.

Make sure the height of the bottom edge of the awning or canopy meets code requirements.

Canopies, including service station canopies and drive-through canopies, should complement their associated buildings in materials and scale, and be integrated with the buildings' overall design.

Material & Color, ACOD-5.3

Coordinate color scheme of awnings and canopies with the overall building color scheme.

Avoid using shiny plastic-like fabrics.

Use materials that are compatible with the associated building.

Gasoline station canopy color should be compatible with the overall color scheme of the rest of the property. Brand colors may be appropriate for use on gas station canopies if executed tastefully.

Staff finds the design of both the canopy over the covered walkway and the freestanding fuel pump canopy to conform to the above guidelines. The materials and colors are appropriate and compatible with the design of the grocery store building, and the design of the freestanding canopy and its angle preserve views of the grocery store from the right-of-way.

Private Site Design & Elements, ACOD-6

Parking, ACOD-6.2

Limit parking to areas within the private site as allowed by the Zoning Ordinance. See §4.2. for general parking requirements.

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

Off-street parking lots should be designed, located, and buffered in order to minimize their negative visual impacts on surrounding areas. If parking lots cannot be screened from the public right-of-

way by building mass, screen parking lots with berms, plant materials, or walls, or a combination of these materials. With any screening technique other than building massing, protect views from the public right-of-way into the site of building frontages and signage. Where needed, limb up canopy trees to open views. Limit the height of walls, berms, or shrub layer plantings to that of the height of the vehicles they are screening.

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

Staff finds the proposed parking to conform to these design standards as they relate to architectural review. While the BAR's review should not focus on site layout or number of parking spaces, staff believes that from a design standpoint, the parking areas and drive aisles are well landscaped at their peripheries to help screen parked vehicles from view in the right-of-way and soften the appearance of this utilitarian onsite use.

Paving, ACOD-6.2

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

Staff finds the use of asphalt and concrete to be acceptable in the ACOD.

Landscaping, ACOD-6.3

Use plant materials that are appropriate and hardy to this region and to harsh urban conditions. Select materials with concern for their longevity and ease of maintenance. From these selections, create a distinctive and visually attractive outdoor space. See Appendix III, Plant List City of Fairfax Design Guidelines for Private Property.

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

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

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

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

Staff finds the landscaping to be a major improvement over the very limited landscaping onsite currently. Although staff finds that the landscape design generally conforms to the guidelines, staff believes that additional areas of shrubs and groundcover would enhance the appearance of the property and create a more layered landscape throughout the site (see Recommendations).

Lighting, ACOD-6.5

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

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

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

See discussion above on building-mounted lighting. Staff finds the freestanding parking lot cobra head fixtures to be consistent with the proposed building-mounted lighting fixtures and in line with the above guidelines. Staff believes that all lighting fixtures should be in a dark bronze finish, rather than a white finish, as this finish is easier to maintain and consistent with fixtures found throughout the City (see Recommendations).

Furnishings, ACOD-6.6

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

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

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

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

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

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

Staff finds the proposed furnishings and amenities to conform to these guidelines. The black metal ribbon benches, which are proposed beside the Fairfax Boulevard sidewalk, are very similar in materiality and design to those used at Old Town Square. The bike racks and bollards are both proposed to be in a similar color finish that is cohesive with the color palette proposed for the grocery store and fuel pump canopy. The proposed trash receptacles are appropriately located near the entrances to the grocery store and beside the fuel pumps.

Appurtenances, ACOD-6.7

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

Low berms may be used where the landscape topography supports their insertion.

Dumpster enclosures should reflect the surrounding building materials and design.

Staff finds the proposed screening of the electrical transformer and the design of the dumpster/toolshed enclosure to be consistent with these guidelines.

Franchise Design, ACOD-7

Guidelines, ACOD-7.2

Standard franchise designs are discouraged in the ACOD unless they reflect the district goals of higher quality materials and building designs that enhance the visual character of the district.

Franchise designs that use over-scaled generic building elements, roof forms, and colors over large expanses of the building to communicate a standardized brand are discouraged.

If the company uses franchise design elements and/or colors that are unique and symbolic of a particular chain business, they must be secondary to the overall architectural design.

Franchise buildings should include basic forms, roof designs, materials and colors that result in a design that can be easily remodeled if the building is vacated. Uniquely branded buildings may be difficult to sell or lease resulting in long-term vacancy or blight.

Although the proposal is typical of Wawa architecture, staff finds that the materials and design are of high-quality and not overly “branded” in appearance. No corporate advertising colors are proposed for use in the built structures. Staff believes that the proposed structures would be

occupiable and usable by other fuel station tenants if Wawa were to cease operations at this location.

Comprehensive Plan:

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

Chapter 2 – Land Use

Commercial Corridors and Activity Centers Goal 1 – Enhance Commercial Corridors.

ACTION CCAC1.1.3 Encourage creativity and architectural excellence in new commercial developments. (50)

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

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

Staff finds the proposal to make use of high-quality building and landscape materials, attractive architecture, and a generally layered landscape that would overall enhance the appearance of the site.

RECOMMENDATIONS

Staff finds the proposal to generally conform to the City's design criteria and therefore recommends that the BAR recommend to City Council approval of the major certificate of appropriateness with the following conditions:

1. All lighting fixtures shall be in a dark bronze finish, and illumination levels shall be subject to review and approval by the Zoning Administrator.
2. Additional shrubs and groundcover shall be installed within the parking islands, along the Fairfax Boulevard and Spring Street frontages, and along the western landscape area.
3. The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

ATTACHMENT 1

RELEVANT REGULATIONS

§1.5.11. Height

A. Buildings and structures

1. Measurement Height is the vertical distance from grade plane, as defined in §9.3.1, to the highest point of the roof line of a flat roof, to the deck line of mansard roof, and to the mean height level (midpoint) between eaves and highest ridge point for gable, hip or gambrel roof; as specified in the Virginia Uniform Statewide Building Code (USBC).

§3.7.4. Architectural control overlay district

B. Certificate of appropriateness required

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

C. Exceptions

The architectural control overlay district shall not apply to signs, unless otherwise specified, or to the following uses:

1. Single-family detached;
2. Duplex dwellings, after initial approval and construction; and
3. Townhouses, after initial approval and construction.

§4.5.6. Tree requirements

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

1. All street trees shall be planted no less than three feet or more than 15 feet from the back of the curb or edge of pavement.

§4.5.7. Parking lot landscaping

C. Perimeter

1. The perimeter of all parking lots with frontage on any portion of a public right-of way shall be screened by a continuous landscaped hedge, a wall, or fence supported by masonry piers. Perimeter screening shall be at least 30 inches in height at the time of installation, and any planted screening shall reach a minimum height of 36 inches within two years of planting.

§5.4.5. Powers and duties

B. Final decisions

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

1. Certificates of appropriateness, major (§6.5)

§6.5.1. Applicability

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

A. A certificate of appropriateness shall be required:

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

§6.5.3. Certificate of appropriateness types

A. Major certificates of appropriateness

1. Approval authority

(a) General

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

(b) Alternative (in conjunction with other reviews)

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

§6.5.6. Action by decision-making body

A. General (involving other review by city council)

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

B. Other reviews

1. Prior to taking action on special use reviews, planned development reviews, and map amendments (rezoning), the city council shall refer proposed certificates of appropriateness to the BAR for review in accordance with the approval criteria of §6.5.7.

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

§6.5.7. Approval criteria

A. General

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

§6.5.9. Action following approval

- A. Approval of any certificate of appropriateness shall be evidenced by issuance of a certificate of appropriateness, including any conditions, signed by the director or the chairman of the board of architectural review. The director shall keep a record of decisions rendered.
- B. The applicant shall be issued the original of the certificate, and a copy shall be maintained on file in the director's office.

§6.5.10. Period of validity

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

§6.5.11. Time lapse between similar applications

- A. The director will not accept, hear or consider substantially the same application for a proposed certificate of appropriateness within a period of 12 months from the date a similar application was denied, except as provided in §6.5.11.B, below.
- B. Upon disapproval of an application, the director and/or board of architectural review may make recommendations pertaining to design, texture, material, color, line, mass, dimensions or lighting. The director and/or board of architectural review may again consider a disapproved application if within 90 days of the decision to disapprove the applicant has amended his application in substantial accordance with such recommendations.

§6.5.12. Transfer of certificates of appropriateness

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

§6.5.13. Appeals

A. Appeals to city council

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

B. Appeals to court

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