



Board of Architectural Review

DATE: November 6, 2019
TO: Board of Architectural Review Chair and Members
THROUGH: Jason Sutphin, Community Development Division Chief (JDS)
FROM: Tommy Scibilia, BAR Liaison (TS)
SUBJECT: Tank Farm

ATTACHMENTS: 1. Relevant Regulations
2. Photos
3. Submissions Package

Nature of Request

1. Case Number:	BAR-19-00708
2. Addresses:	3800 Pickett Road
3. Request:	Install a new vapor combustion unit
4. Applicant:	Motiva Enterprises, LLC
5. Applicant's Representative:	Keith Rodgers
6. Status of Representative:	Agent
7. Zoning:	IH Industrial Heavy, Architectural Control Overlay District

BACKGROUND

The subject property is located on the west side of Pickett Road, one of four properties making up the Tank Farm. Motiva Enterprises, LLC owns the subject site in the southeastern quadrant of the Tank Farm, operating a gasoline and diesel storage facility. The other three properties in the Tank Farm contain similar operations. The Tank Farm is bisected by Colonial Avenue, which runs along the north edge of the subject property. A brief land use history of 3800 Pickett Road from the early 1990s to today is below:

- 1991: BAR approval of a renovation to a truck loading rack canopy including expansion the canopy, replacement of loading racks, and over-grounding of underground pipes for environmental improvements to the site.
- 1992: BAR approval of three temporary groundwater treatment buildings and pine trees at the southeast portion of the site.
- 1993: BAR approval of temporary storage trailers and additional pine trees in the southeast portion of the site adjacent to the groundwater treatment structures approved in 1992.

- 1998: BAR approval of a new building in the southeast portion of the site, and subsequent approval of an expansion to the same building to house additional groundwater treatment equipment.
- 1998: BAR approval of a 550-gallon aboveground storage tank painted white, to replace an infilled 4000-gallon belowground tank.
- 2012: Subdivision of the property to create a property yard surface parking lot for the storage of school buses in the southeast corner of the site. Council approval of special exceptions to reduce the required amount of landscape screening required for this new lot.

PROPOSAL

The applicant is requesting the installation of a vapor combustion unit (VCU) on an unoccupied paved area in the central northern part of the subject site along Colonial Avenue. Images of the proposed installation location are included in Attachment 2. The VCU is used to capture vapors that escape at the truck loading racks to the southeast in the event that the primary vapor capture device, the vapor recover unit (VRU), is down. These facilities are required for compliance with the Virginia Department of Environmental Quality's standards. The VRU is located generally in the same location as the proposed site of the VCU, and the piping connecting the VRU to the loading racks would be extended to reach the VCU. The VCU would be mounted on a steel sled structure on a 31.5-foot-by-15-foot rectangular concrete pad. The sled structure would support an approximately 50-foot-tall tapered cylindrical exhaust stack, as well as conduit, piping, and panels for associated electrical equipment. The base of the stack and much of the ground-level equipment would be in gray finishes or unpainted galvanized metal. The main body of the exhaust stack would be white, and the top rim would be in a dark gray finish. A caged ladder and small stairway, both in dark gray finishes, would provide maintenance access to the top of the exhaust stack. An image of an existing VCU used by Motiva in Montvale, Virginia can be seen in Attachment 3. Examples of VCUs in operation in the Tank farm on other properties can also be seen in Attachment 3.

ANALYSIS

City of Fairfax Design Guidelines:

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

New Construction, ACOD-3

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.

The proposed cylindrical exhaust stack has a comparable form to the storage tanks onsite and the VRU which would be immediately adjacent to the VCU.

Painting, Color & Finishes, ACOD-4

Guidelines, ACOD-4.2

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

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

Staff finds the proposed white and dark gray colors to be appropriate for use on the Tank Farm and consistent with other structures onsite.

Private Site Design, ACOD-6

Appurtenances, ACOD-6.7

A supplemental component to a building, an appurtenance, may be visible, functional, or ornamental. Examples include components such as trash receptacles, utility boxes, telecommunications equipment, or heating and cooling machinery. As accessory components, these elements should be placed in inconspicuous areas on a site, and screened and shielded from public view.

Staff recognizes that the Tank Farm serves industrial and functional purposes. Most structures onsite could be considered appurtenances, and staff finds that the proposed VCU falls into this category. Its location would not be readily visible from Pickett Road, and from Colonial Avenue, a small patch of trees beside a service building would screen much of the sled base and associated equipment from view. The exhaust stack would be visible but would have a backdrop of large storage tanks in the same white color as proposed.

Comprehensive Plan:

The following excerpts from the 2019 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)

The subject property is located within a commercial corridor as outlined in the Future Land Use Map of the 2035 Comprehensive Plan. Staff finds the Tank Farm to be a unique industrial area within the City that serves a more functional purpose without as much focus on architectural excellence or creativity. Staff finds that the proposed VCU would fit into the established industrial aesthetic of the Tank Farm.

RECOMMENDATIONS

Staff finds the proposal to be in line with the City's design criteria, and therefore recommends approval of the major certificate of appropriateness with the following condition:

1. The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

ATTACHMENT 1

RELEVANT REGULATIONS

§3.7.4. Architectural control overlay district

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.

§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.