



CITY OF FALLS CHURCH

Department of Development Services
 Planning Division
 300 Park Avenue
 Falls Church, VA 22046-3332
 Phone: 703.248.5040
 Fax: 703.248.5225

**PLANNING DIVISION
 APPLICATION FORM**

PROJECT NAME: Broad and West Development

Submit one form for each type:

- Site Plan
- Site Plan Amendment / Major
- Site Plan Amendment / Minor

- Special Exception
- Comp Plan Amendment
- Subdivision, Consolidation or Lot Line Adjustment
- Rezoning
- Interpretation / Planning Director
- Zoning Ordinance Text Amendment

PROJECT DESCRIPTION:	
Street Address:	Broad and West
RPC #:	See Attached
Owner of Record:	See Attached

APPLICANT INFORMATION:	
Applicant:	<input type="checkbox"/> Owner <input type="checkbox"/> Contract Owner <input checked="" type="checkbox"/> Agent
Name:	David R. Lasso
Address:	Venable LLP, 8010 Towers Crescent Drive, Suite 300, Tysons Corner, VA 22182
E-mail:	driasso@venable.com
Business Phone:	703-760-1678
Cell Phone:	703-801-1608
Fax:	703-821-8949

PROJECT AND PROPERTY INFORMATION:		
<p>SITE PLAN</p> <p>Current Zoning: N/A</p> <p><input type="checkbox"/> Present Development</p> <p><input type="checkbox"/> Proposed Development</p> <p># of New Dwelling Units: _____</p> <p>Commercial: _____ SF</p> <p><input type="checkbox"/> Mixed Use Development</p> <p><input type="checkbox"/> # Site Plan Waiver(s): _____</p> <p><input type="checkbox"/> Site Plan Resubmission</p> <p><input type="checkbox"/> Site Plan Amendment</p>	<p>SUBDIVISION, CONSOLIDATION OR LOT LINE ADJUSTMENT</p> <p>Current Zoning: N/A</p> <p><input type="checkbox"/> Present Development</p> <p><input type="checkbox"/> Proposed Development</p> <p><input type="checkbox"/> Subdivision: <input type="checkbox"/> SFH <input type="checkbox"/> Commercial</p> <p><input type="checkbox"/> Consolidation</p> <p><input type="checkbox"/> Lot Line Adjustment</p> <p><input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat</p>	<p>COMP PLAN/REZONING OR SPECIAL EXCEPTION</p> <p>Current Zoning: R1B, B-1, B-3</p> <p>Proposed Zoning: B-1</p> <p>Present Future Land Map Designation: Low Density Residential and General Business</p> <p><input type="checkbox"/> Present Development</p> <p><input checked="" type="checkbox"/> Proposed Development <small>Mixed Use/Bonus Height</small></p> <p><input type="checkbox"/> Conditional Rezoning</p> <p><input type="checkbox"/> Other Rezoning</p>
TOTAL SITE AREA: 170,488 SF	3.91 ACRES	

APPLICANT SIGNATURE: David R. Lasso
 (over) For Spectrum Development Company, LLC

APPLICANT SIGNATURE: _____

Applications must be accompanied by corresponding checklists and materials as required.

FEES: Fees will be determined by Planning staff after an initial evaluation of the submission. Fees are due at that time, prior to a full review beginning. Fees are paid at the Development Services Counter and may be paid by cash, check, credit card or debit card. Checks should be made out the "The City of Falls Church". Returned checks are subject to fee of up to \$50.00.

<i>Status of real estate and personal property taxes, liens, business license and fees:</i>			
TREASURER:	<input type="checkbox"/> Current	<input type="checkbox"/> Outstanding (please describe):	Initials: _____
COMM. REV:	<input type="checkbox"/> Current	<input type="checkbox"/> Outstanding (please describe):	Initials: _____

TOTAL FEE for this application: \$ _____

Accepted by: _____ *Staff* MUNIS # _____

The City of Fall Church is committed to the letter and spirit of the Americans with Disabilities Act. This document will be made available in alternate format upon request. Call 703-248-5080 (TTY 711).



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David R. Lasso
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January 6, 2014

VIA HAND DELIVERY

James Snyder
Director of Planning and Zoning City of Falls Church
City Hall
300 Park Avenue
Falls Church, VA 22046

Re: Development Site Broad and West Streets; Letter of Transmittal and Justification of Application for (1) for Rezoning certain areas of the site to B-1 (2) Special Exceptions for the bulk of the site to allow Mixed Use and for a Building Height Bonus.

Dear Jim:

Venable represents Spectrum Development Company LLC ("Spectrum") which has contracts to purchase or lease the parcels at 919 Park Avenue, 921 Park Avenue, 925 Park Avenue, 212 N. West Street, 110 N. West Street, 934 W. Broad Street, 932 W. Broad Street 922 W. Broad Street, and 920 W. Broad Street (collectively the "Site"). Please accept this Transmittal of and Justification for Applications to rezone the residential (R-1B) properties on Park Avenue and the Commercial properties in the site now zoned B-3 to B-1.

As discussed below, the B-1 Zone allows the requested uses. Moreover by rezoning to B-1, automotive uses cannot be located on the site in the future. The City has requested this assurance be provided and so Spectrum requests those portions of the site now zoned B-3 be "downzoned" to B-1.

Spectrum proposes the following: (1) develop the site so as to reduce the current three single family detached properties (each of which has an area in excess of the minimum required for a conforming R1-B single family detached building lot) to a use that effectively constitutes two R1-B conforming lots and (2) to redevelop the remainder of the site for a mixed use project. The actual zoning for the area containing the two detached houses would become B-1, but the use would be restricted to single family detached dwellings on lots that conform to the size required for R-1B lot with conforming front and side yards. The project would contain:

- A six story mixed use (apartment) building with retail and service uses in the ground floor and with about 297-305 units with 70 percent one bedroom and 30 percent two bedrooms above the ground floor.

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- A hotel of six floors with retail and service uses in the ground floor and 150 hotel rooms in floors 2 through 6. In the event the hotel is not feasible at the time commitments for construction are needed by Spectrum, the developer will return with an alternative use in lieu of the Hotel which shall be subject to the approval of the City Council.
- The ground floor of the apartment building would have retail uses comprising about 39,369 square feet; such uses would include a pharmacy of about 14,882 square feet with a drive through, restaurants, retail shops and service businesses with a mix of local, regional and national brands.
- Such improvements to the existing parkland along the W& OD trail that will provide a connection to the transit and recreational opportunities of the Trail; subject to the approval of the Northern Virginia Regional Park Authority.

The site is located in planning opportunity area three and the site is discussed in the Comprehensive Plan at pages 58 and 59. The redevelopment area calls for mixed uses diagonally across from the site but in fact that area is committed in the long term to retail uses.

By consolidating the parcels in this site, Spectrum has achieved a number of the Goals in the City's Comprehensive Plan. Specifically, the proposed mixed use development provides for sustainable development as it will allow for improvements to storm water management, to energy efficiency, to parks and open space, to locating residents nearer to employment, transit and shopping areas, enhances the integrity of the low density residential area by establishing for the long term a "terminus" to the residential area of Park Avenue. The internal and external improvements to traffic movement will greatly improve the current difficult intersection of West Street and Park Avenue (See pages 75Rv through 76Rv of the Comprehensive Plan).

Demographic and market trends demonstrate that the future development in this area should be an innovative and integrated approach to a mixture of uses including retail, hospitality, residential and service uses.

Spectrum expects that given the increasing mass of retail, and newer, smaller multi-family units, the surrounding area will become more attractive to office users and other retailers as well.

Additionally, Spectrum requests the approval of special exceptions to allow for a mixed use development to include multi-family rental units and for a bonus of 30 feet in height.

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These requests are summarized in the attached document entitled: The Spectrum Development / Parcel Ownership. Concurrently, Spectrum is requesting a change in the Comprehensive Plan Future Land Use Map for certain areas of the site to be shown as mixed use rather than business. While the two single family detached houses on Park Avenue are “part” of this development, the use of that area remains low residential and no change in the land use map for that area on Park Avenue is required.

Spectrum and its development team have had extensive discussions with The City Council and Planning Commissions in public work-sessions and with stakeholders in the community, elected and appointed official and staff members. The central concerns have been the following:

1. There should be a substantial commercial component for this large site, and a considerable positive fiscal impact for the City of Falls Church is a primary goal.
2. Density should be increased and a quality hotel should be brought to the project to assist in achieving the desired positive fiscal impact.
3. Traffic is a great concern given, among other things, the unusual configuration of West and Park Ave and the need to control access on West Broad Street and West Street.
4. The buildings should have superior architecture and layout with tapering toward Park Ave and the greatest height and massing along West Broad with a superior focal point at West and West Broad.
5. Some local retailers should be encouraged to stay in the project.
6. Parks and open space needs should be addressed in part by linking the site to the W& OD Trail.
7. The apartment buildings should be LEED Certified Silver.
8. Storm water management for the site and the immediate area should be improved.
9. Streetscape should be tailored to the site and also consistent with (but not necessarily the same) the City’s existing streetscape standards.
10. The requested Drive through should be carefully designed, meet City standards and not detract from the urban “feel” of the project.
11. The frontage along Park Avenue should take the opportunity to make an appropriate transition to the development and solidify for the long term the low residential density of that terminus of Park Avenue.
12. Aerial utilities on the site will be placed underground.
13. This redevelopment opportunity involves a large consolidation of ten separate parcels in the West Broad Street Area, and if redevelopment fails to go forward

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from any cause, then the existing auto and light industrial uses on some of the parcels will remain for a long indefinite period of time before another redevelopment opportunity may arise.

A note about 920 West Broad Street is useful here. That parcel was the location of a house that was listed on the City's Historic Register when the Register was created in the mid 1980's. The owner (Lillian Henderson) applied for and was granted by the City's Historic Review Board, the right to raze the house. The property was then sold but the new owner chose instead to incorporate a piece of that structure into a small commercial building. There is no expiration date applicable to the approval of the right to raze the structure and while the structure was not "removed" from the register, there is no requirement to seek a new approval to raze the structure. This approach is identical to that followed by the City for the protected structure at the Murphy's Funeral Home, which was razed 10 years after the HRB's approval when the site was redeveloped for "Northgate."

THE PROPOSED DEVELOPMENT AND ITS COMMUNITY BENEFITS

Spectrum proposes to redevelop the site as a revised use project. The existing three detached houses on Park Avenue will be replaced with two detached houses. This will be consistent with the current land use designation of low residential and will provide stability to that low density residential neighborhood. These two dwellings will provide an excellent transition of uses and tapering of height and mass to the apartment building to the South. The remainder of the site will be developed as follows:

- A six story mixed use (apartment) building with retail and service uses in the ground floor and with about 297-305 rental units with 70 percent being one bedroom and 30 percent two bedrooms.
- A hotel of six floors with retail and service uses in the ground floor and 150 hotel rooms in floors 2 through 6. In the event the hotel is not feasible at the time commitments for construction are needed by Spectrum, the developer will return with an alternative use in lieu of the Hotel which shall be subject to the approval of the City Council.
- The ground floor of the apartment building would have retail uses comprising about 39,369 square feet; such uses would include a pharmacy of about 14,882 square feet with a drive through, restaurants, retail shops and service businesses with a mix of local, regional and national brands.
- Such improvements to the existing parkland along the W& OD trail that will provide a connection to the transit and recreational opportunities of
-

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- the Trail; subject to the approval of the Northern Virginia Regional Park Authority.
- The expected contributions to the Schools Capital program of about \$7500 per market rate unit will be met.
- A commitment of about six percent of the units (70% one bedroom and 30% two bedroom) being set aside as Affordable Housing Units and equally allocated among households at 60%, 80% and 100% of the median household income.
- Net tax revenue increases of approximately \$1.5m annually are expected based on the City's economic projections.
- The traffic in and around the area will be better managed and a traffic signal on West Broad Street will be installed by Spectrum which benefits development on both sides of West Broad and which provides a better urban grid of street system.

The site is located in planning opportunity area three and the site is discussed in the Comprehensive Plan at pages 58 and 59. The redevelopment area calls for mixed uses diagonally across from the site but in fact that area is committed in the long term to retail uses.

By consolidating the parcels in this site, Spectrum has achieved a number of the Goals in the City's Comprehensive Plan. Specifically, the proposed mixed use development provides for sustainable development as it will allow for improvements to storm water management, to energy efficiency, to parks and open space, to locating residents nearer to employment, transit and shopping areas, enhances the integrity of the low density residential area by establishing for the long term a "terminus" to the residential area of Park Avenue. The internal and external improvements to traffic movement will greatly improve the current difficult intersection of West Street and Park Avenue (See pages 75Rv through 76Rv of the Comprehensive Plan. The number of access points on Broad, West and Park are being reduced from eleven to four.

Demographic and market trends demonstrate that the future development in this area should be an innovative and integrated approach to a mixture of uses including retail, hospitality, residential and service uses.

Spectrum expects that given the increasing mass of retail, and newer, smaller multi-family units, the surrounding area will become more attractive to additional pedestrian oriented shopping and office users as well. The once in a generation parcel consolidation achieved by Spectrum provides the City with the opportunity to address all of the issues outlined above. Without the approvals requested, the properties will continue with their current uses for the indefinite future.

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TRAFFIC IMPACT

Wells & Associates has reviewed the revisions to the uses. A letter from Wells is provided in the package of materials.

SPECIAL EXCEPTION CRITERIA FOR MIXED-USE AND HEIGHT BONUS

1. **Primary Criteria (Section 48-90(1)):**
 - a. **The resulting development conforms to the City's adopted Comprehensive Plan and Design Guidelines (Section 48-90(1) (a)).**

The Comprehensive Plan shows that the property is located in Planning Opportunity Area 3, and the proposed development meets or exceeds the strategies called for in that area:

1. Consolidation of lots to accommodate higher density.
2. Promotion of redevelopment that eliminates stand-alone automobile and light industrial facilities.
3. Improve pedestrian accessibility with controlled cross walks at various locations.
4. Create a consistent design, in terms of building height and design, streetscape improvements, and other aspects of the built environment in the City.
5. Preserve recreational resources in the area.
6. Create development to promote a positive image of the City in an area that has not seen any significant new development in decades.
7. Locate buildings as close to West Broad and West Streets as possible with parking located in the rear or in shared buildings or in structured facilities (in this case covered, surface and underground).
8. Achieve consistent architectural goals.
9. Traffic turn lanes will be added to Broad and West Streets.

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Additionally, the Comprehensive Plan's Future Land Use Map designates the property as "business". The text of the comprehensive plan currently points out that while this means the area should be "primarily" recognized as retail or office districts rather than residential, "special exceptions for residential use and height bonuses have also been granted to create mixed use projects in 'business' areas since 2002".

The Comprehensive Plan should be changed to reflect current practice, the City's goals and the changing environment. To do this, an application to change the Comprehensive Plan's designation from Business to "Mixed Use" has been submitted to the City.

The Design Guidelines show that the property is located in the West Broad Street Area. As called for in the Guidelines, the proposed development will reflect an urban street front, will provide a consistent identity for the area, increase pedestrian activity, and indicate the high standards of the City. In addition, the proposed development will widen paving at crosswalks, provide a mini-park at the W&OD trail, all of which will work to increase pedestrian and bicycle activity in the area. The site's proximity offers a unique opportunity to finally provide superior connection to the W&OD Trail. The best use to optimize that linkage is mixed use and not office or light industrial uses.

b. The resulting development provides for significant net new commercial square footage and allows for a mix of commercial and residential uses (Section 48-90(1) (b)).

Currently, the properties in the site contribute only \$minimally in tax revenue. All existing properties are served by significant surface parking. The proposed development will remove these largely automobile-oriented and light industrial uses, providing significant net new commercial square footage and allowing for a mix of commercial and residential uses. The proposed development as noted provides about 128,865 square feet of substantial new commercial space (more specifically described in the Table in the Concept plan).

c. The resulting development produces substantial positive net new commercial and residential revenue to the City (Section 48-90(1) (c)).

In conjunction with this application, information has been submitted to the City to be inputted into the City's cost/revenue impact model to predict the project's net new revenue, and a report has been received, which is attached separately. As recognized by the Comprehensive Plan, the parcels that make up the property are underutilized currently in terms of their density and use. The proposed development will significantly increase the assessed value of and resultant property tax revenue generated by the property. In addition, by creating a vibrant, attractive western gateway into the

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City, the development will encourage additional consumers to enter the area and patronize commercial uses throughout the City.

2. Secondary Criteria (Section 48-90(2))

a. The development is not disproportionate to surrounding land uses and planned land uses in size, bulk or scale (Section 48-90(2) (a)).

The proposed development is a concrete podium of commercial uses with five floors of multi-family and hotel above, with a total height of about 85 feet. The development has the unique aspect of substantial at grade parking for the retail uses hidden behind the retail and under the residences. The exterior is masonry, and the building is fully consistent with high standards established by the City for prior mixed use projects.

The area of the footprint of this project is “low” and the height of the new building will blend well with its environment and set the stage for future development. Given the high-quality design and construction of the building and its prominent place in the City, a building of this scale is appropriate. The proposed development works in conjunction with existing buildings to further create a dramatic, defined statement of quality for this area of the City. The development is consistent with the discussion in the Comprehensive Plan for this Redevelopment Opportunity Area which calls for significant mixed (multifamily) uses-the area called for this Plan however is committed long term to other uses that conflict with the Plan.

b. The resulting development does not overburden the existing community facilities, including the school, transportation and water and sewer systems (Section 48-90(2) (b)).

Transportation

A traffic study has been conducted by Wells and Associates that evaluates the anticipated traffic impacts of the application and provides specific recommendations to mitigate those impacts. That Study has been provided to the Staff. Some revisions to counts will be made to reflect the changes in the retail plan for the site. The application envisions a vibrant mixed-use development that will be sensitive to the transportation concerns of the City. By providing a variety of complementary uses on the same site, the proposed development will encourage self-contained, pedestrian trips. Additionally, due to its location proximate to several bus routes including a future intermodal transportation center and with implementation of Transportation Demand Management (“TDM”) measures, a percentage of the trips generated by the residential and commercial components of the proposed development are anticipated to utilize

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non-auto modes of transportation. TDM measures will include convenient bicycle storage facilities, transit incentives, and resources conducive to teleworking. Furthermore, the developer proposes to contribute to a new traffic signal on West Broad Street and a reconfiguration of the intersection at West Street and Park Avenue. The new signal will serve to increase vehicular accessibility not only for the subject site but for surrounding developments as well. The signal will also provide a much safer pedestrian crossing of West Broad Street that is currently lacking.

Water & Sewer

The City's utility engineer has confirmed that water and sewer service is adequate. The project will greatly improve storm water management with BMPs as the existing development has virtually no storm water management measures.

c. The resulting development provides community benefits such as affordable housing, as it is described in Section 38-43 (Section 48-90(2) (c)).

The developer is proposing an Affordable Dwelling Unit contribution in keeping with similar mixed use developments contributions, with about 6% of the total units being contributed as Affordable Housing Units and equally allocated among households at 60%, 80% and 100% of the median household income. Eighteen (18) ADU's will be provided. A more thorough list is set out in the letter above.

A commitment to LEED Silver for the Apartment building is provided, and the developer will underground all aerial utilities contiguous to the site depending on costs and availability of easements. The developer proposes to review this in detail with the City to determine what poles can be undergrounded in the immediate area.

d. The resulting development contributes to a vibrant, pedestrian-oriented environment both on site and in relation to adjoining properties, with street level activity throughout the day and evening (Section 48-90(2) (d)).

The current uses at the site are distinctly automobile-oriented, with the majority of the property occupied by their own surface parking lots. The proposed development will move almost all parking within enclosed structures, which will contribute further to the walkable nature of the area.

The provision of streetscape along the entire development's three sides facing streets will contribute to the vibrant, pedestrian-oriented environment with connectivity to adjacent commercial and park areas. The mix of uses, including restaurants, retail, and other commercial opportunities will provide a balanced commercial center that will

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generate pedestrian traffic throughout the day and evening. The street level retail uses will be very visible and will encourage customers to enter the area to shop and visit not only this development, but the additional retail located nearby.

- e. The resulting development offers creative use of landscaping, open space and/or parks, public plazas or and walkways connecting to adjoining properties (Section 48-90(2) (e)).**

Three sides of the proposed building will have the attractive “streetscape” design and fixtures, and there will be enhanced connections around the site to nearby businesses, parks, and residences. A “mini park” is planned along W&OD trail, and this amenity will invite pedestrians to ride bikes, rest, talk, sit, eat and simply enjoy the area which includes the soon to be completed West End Park. This depends upon approval of the NWRPA.

- f. The resulting development provides a variety of commercial services and uses that are attractive to and meet the needs of all city residents for entertainment, art, recreation, dining retail and array of consumable goods (Section 48-90(2)(f)).**

As stated above, the proposed development envisions a hotel as well as a mix of commercial uses. This includes an urban innovative upscale pharmacy, and retail opportunities in an area that is lacking sufficient quality retail currently. These commercial entities will serve the residential uses within the proposed development, as well as the neighborhood as a whole.

- g. The resulting development encourages local or independent businesses (Section 48-90(2) (g)).**

Although the pharmacy may be a national chain, the remaining retail and restaurant space provide a unique opportunity for local, regional and independent businesses, and the high-quality development will help the area as a whole attract and cultivate local and independent businesses. The smaller retail spaces in the development provides excellent opportunities for local “mom and pop” and incubator businesses.

- h. The resulting development provides for a reduction of single use parking requirements through shared parking Section 48-90(2) (h)).**

As shown in the submitted conceptual plan, the developer is recommending shared parking. The developer will explore with the final parking provided with the City to determine any additional parking reductions are justified based on the characteristics of

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the property and its proximity to bike ways, as well as several bus lines, will lead to fewer automobile trips. Additionally, a private shuttle to the nearest metro rail station is being considered for residents and hotel guests and it is expected that some residents will bike to work (or to a multi-modal transit location for switching to bus or rail), and that the commercial uses will be patronized at least in part by pedestrians and cyclists.

- i. The resulting development encourages multi-modal transportation through design and other techniques to reduce the reliance on single occupancy vehicles, and utilizes sheltered stops for mass transit whenever feasible Section 48-90(2) (i)).**

As discussed, the property is in close proximity to existing bike ways, as well as the Metro Rail station and several bus lines. It is expected that some residents will walk to the Metro Rail station and others will bike to work, and that the commercial uses will be patronized at least in part by pedestrians and cyclists. The design includes attractive and user friendly places for bikes to be parked and stored.

- j. The resulting development utilizes LEED criteria in the design of the project Section 48-90(2) (j)).**

The proposed about 287-305 unit apartment development is planned to be LEED Silver certified, and will otherwise be designed using green design principles and elements. By removing the existing imperious parking lots and implementing a new storm water management plan, the development will greatly reduce storm water runoff in the area. Additionally, the non-residential part of the project will incorporate eco-conscious sustainable elements in the design of the hotel and other commercial spaces.

Special Exception for Height Bonus.

The area of the site to be used for the mixed use project is currently zoned B-3 and B-1, which permit a by-right height of up to 55 feet. The developer proposes the requested development to be a maximum height of 85 feet.

Up to 30 feet of bonus height may be granted if the project is exemplary in terms of conformance to the Primary Criteria 1 and 2 set out above and assists in conformance with Primary Criteria 2 and 3. The amount of new commercial area is more than three times the area of the existing commercial activity. More importantly, the new commercial activity replaces commercial uses which are discouraged by the City's Comprehensive Plan. The net new commercial and retail income is far greater than that of the existing uses and far superior in terms of making the area a desirable play to live, work, and play. Many of the difficult to achieve goals of the Comprehensive Plan will

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be met by the proposed development. For these reasons, this plan is exemplary in its achievement of the primary criteria set out above.

Bonus height may be awarded for certain preferred uses when located on primary street frontage. These uses include outdoor dining, hotel and other uses specifically requested by the City. This development proposes improvements to the W&OD park, a hotel, a new urban pharmacy, multiple retail opportunities and outdoor dining and some restaurants possibly with entertainment; all of which are considered preferred uses, justifying a bonus height of 30 feet.

It is important to note here that the first floor retail uses require a ceiling heights ranging from 15 to 24 feet, and that this required ceiling height is a major reason why the bonus is needed. As discussed, the design of this project, and in particular its height, is an exceptional new addition to this part of the City. The project sets a high bar for quality in terms of design, use, and materials, and if the proposed project were to be lowered by 30 feet, the integrity of the design would be greatly compromised, likely making the development infeasible.

The location and unique physical characteristics of the site make the requested building height appropriate. The property is located in an area that is expected to attract similar developments which will likely reach heights of 85', so that the requested height of 85' in certain locations is not out of the character of the surrounding neighborhood and the expected area as it evolves.

CONCLUSION

The Spectrum redevelopment at Broad and West fully reflects the City's vision for that area of Falls Church. The project meets or exceeds the primary and secondary criteria used to evaluate the merits of the special exceptions. Therefore, the requested special exceptions for residential use and height bonus at the City's gateway should be granted.

Thank you and the City Staff for its guidance and attentiveness to this project.

Sincerely,



David R. Lasso

Enclosures



Department of Development Services
 Planning Division
 300 Park Avenue
 Falls Church, VA 22046-3332
 Phone: 703.248.5040
 Fax: 703.248.5225

**PLANNING DIVISION
 APPLICATION FORM**

PROJECT NAME: Broad and West Development

Submit one form for each type:

- Site Plan
- Site Plan Amendment / Major
- Site Plan Amendment / Minor

- Special Exception
- Comp Plan Amendment
- Subdivision, Consolidation or Lot Line Adjustment
- Rezoning
- Interpretation / Planning Director
- Zoning Ordinance Text Amendment

PROJECT DESCRIPTION:			
Street Address:	Broad and West		
RPC #:	See Attached	Owner of Record:	See Attached

APPLICANT INFORMATION:			
Applicant:	<input type="checkbox"/> Owner	<input type="checkbox"/> Contract Owner	<input checked="" type="checkbox"/> Agent
Name:	David R. Lasso		
Address:	Venable LLP, 8010 Towers Crescent Drive, Suite 300, Tysons Corner, VA 22182	Business Phone:	703-760-1678
		Cell Phone:	703-801-1608
E-mail:	driasso@venable.com	Fax:	703-821-8949

PROJECT AND PROPERTY INFORMATION:		
<p>SITE PLAN</p> <p>Current Zoning: N/A</p> <p><input type="checkbox"/> Present Development</p> <p><input type="checkbox"/> Proposed Development</p> <p># of New Dwelling Units: _____</p> <p>Commercial: _____ SF</p> <p><input type="checkbox"/> Mixed Use Development</p> <p><input type="checkbox"/> # Site Plan Waiver(s): _____</p> <p><input type="checkbox"/> Site Plan Resubmission</p> <p><input type="checkbox"/> Site Plan Amendment</p>	<p>SUBDIVISION, CONSOLIDATION OR LOT LINE ADJUSTMENT</p> <p>Current Zoning: N/A</p> <p><input type="checkbox"/> Present Development</p> <p><input type="checkbox"/> Proposed Development</p> <p><input type="checkbox"/> Subdivision: <input type="checkbox"/> SFH <input type="checkbox"/> Commercial</p> <p><input type="checkbox"/> Consolidation</p> <p><input type="checkbox"/> Lot Line Adjustment</p> <p><input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat</p>	<p>COMP PLAN/REZONING OR SPECIAL EXCEPTION</p> <p>Current Zoning: R1B, B-1, B-3</p> <p>Proposed Zoning: B-1</p> <p>Present Future Land Map Designation: Low Density Residential and General Business</p> <p><input type="checkbox"/> Present Development</p> <p><input checked="" type="checkbox"/> Proposed Development</p> <p><input type="checkbox"/> Conditional Rezoning</p> <p><input type="checkbox"/> Other Rezoning</p>
TOTAL SITE AREA: 170,488 SF	3.91	ACRES

APPLICANT SIGNATURE: David R. Lasso
 (over) For Spectrum Development Company, LLC

APPLICANT SIGNATURE: _____

Applications must be accompanied by corresponding checklists and materials as required.

FEES: Fees will be determined by Planning staff after an initial evaluation of the submission. Fees are due at that time, prior to a full review beginning. Fees are paid at the Development Services Counter and may be paid by cash, check, credit card or debit card. Checks should be made out the "The City of Falls Church". Returned checks are subject to fee of up to \$50.00.

Status of real estate and personal property taxes, liens, business license and fees:

TREASURER:	<input type="checkbox"/> Current	<input type="checkbox"/> Outstanding (please describe):	Initials: _____
COMM. REV:	<input type="checkbox"/> Current	<input type="checkbox"/> Outstanding (please describe):	Initials: _____

TOTAL FEE for this application: \$ _____

Accepted by: _____ *Staff* MUNIS # _____

The City of Fall Church is committed to the letter and spirit of the Americans with Disabilities Act. This document will be made available in alternate format upon request. Call 703-248-5080 (TTY 711).

David R. Lasso
t 703.760.1678
f 703.821.8949

January 6, 2014

VIA HAND DELIVERY

James Snyder
Director of Planning and Zoning City of Falls Church
City Hall
300 Park Avenue
Falls Church, VA 22046

Re: Spectrum Development Company LLC Letter of Transmittal and Justification for
Application for Amendment to Comprehensive Plan at Broad and West Streets

Dear Jim:

Venable represents Spectrum Development Company LLC ("Spectrum") which has contracts to purchase or lease the parcels at 919 Park Avenue, 921 Park Avenue, 925 Park Avenue, 212 N. West Street, 110 N. West Street, 934 W. Broad Street, 932 W. Broad Street, 922 W. Broad Street, and 920 W. Broad Street (the "Site"). Please accept this Transmittal of and Justification for, an application to amend the City's Comprehensive Plan (and Land Use Map) designation for the site.

The current use of the site is currently shown on the Map for the parcels at 919, 921, and 925 Park Avenue is "Low Residential" and the remainder of the parcels of the development site are shown as "Business".

Spectrum proposes to change the Future Land Use Map so that the rear area of the residential lots on Park Avenue would be "Mixed Use" and the remainder of the site would be "Mixed Use". The area of 919 Park Avenue, 921 Park Avenue, and 925 Park Avenue 80 feet from Park Avenue would thus remain on the Future Land Use Map as Low Residential. (This area would measure about 80 feet back from the curb line along Park Avenue).

Spectrum proposes the following to develop the site so as to reduce the current three single family detached to two single family detached houses. While these two lots would be rezoned to B-1, they would be restricted to single family detached dwellings building envelopes by the development conditions and condominium documents. Thus, these lots would function the same as conforming R1-B lots as to area and front and side yard setbacks.

The remainder of the site would be developed as follows:

James F. Snyder
Page 2
January 6, 2014

- A six story mixed use (apartment) building with retail and service uses in the ground floor, with about 297-305 apartments (70% being one bedroom and 30% being two bedrooms) above the ground floor.
- A hotel of six floors with retail and service uses in the ground floor and 150 hotel rooms in floors 2 through 6. In the event the hotel is not feasible at the time commitments for construction are needed by Spectrum, the developer will return with an alternative use in lieu of the Hotel which shall be subject to the approval of the City Council.
- The ground floor of the apartment building would have retail uses comprising about 39,369 square feet; such uses would include a pharmacy of about 14,882 square feet with a drive through, restaurants, retail shops and service businesses with a mix of local, regional and national brands.
- Such improvements to the existing parkland along the W& OD trail that will provide a connection to the transit and recreational opportunities of the Trail; subject to the approval of the Northern Virginia Regional Park Authority.

The site is located in planning opportunity area three and the site is discussed in the Comprehensive plan at pages 58 and 59. The redevelopment area calls for mixed uses diagonally across from the site but in fact that area is committed in the long term to retail uses.

By consolidating the parcels in this site, Spectrum has achieved a number of the Goals in the City's Comprehensive Plan. Specifically, the proposed mixed use development provides for sustainable development as it will allow for improvements to storm water management, to energy efficiency, to parks and open space, to locating residents nearer to employment, transit and shopping area, enhances the integrity of the low density residential area by establishing for the long term a "terminus" to the residential area of Park Avenue. The internal and external improvements to traffic movement will greatly improve the current difficult intersection of West Street and Park Avenue (See pages 75Rv through 76Rv of the Comprehensive Plan.

The site's proximity to the W&OD trail provides a unique opportunity to the City to maximize the benefits of that park and transportation amenity. A mixed use development provides the best opportunity to take advantage of this opportunity. The current general "business" uses called for in the Comprehensive Plan would squander the opportunity.

Demographic and market trends demonstrate that the future development in this area should be an innovative and integrated approach to a mixture of uses including retail, residential and service uses.

James F. Snyder
Page 3
January 6, 2014

Spectrum expects that given the increasing mass of retail, and newer, smaller multi-family units, the surrounding area will become more attractive to office users as well. The change in designation from business to mixed use on this site facilitates this dynamic.

While the current designation does accommodate multi-family uses and the City has approved similar mixed use developments in areas designated "Business", Spectrum suggests the more appropriate designation is "Mixed Use" and consequently has applied for such an amendment to the Comprehensive Plan. The City will retain the ability through the special exception process to control the height, massing, uses and overall character of any proposed mixed use project.

The appropriate filing fee and Application accompanies this letter.

Thank you and the City Staff for its guidance and attentiveness to this project.

Sincerely,



David R. Lasso

DRL/jah
Enclosures



CITY OF FALLS CHURCH

Department of Development Services
Zoning Division

Phone: 703.248.5015

Fax: 703.248.5280

Harry E. Wells Building

300 Park Avenue, Falls Church, VA 22046-3332

APPLICATION FOR VARIANCE, APPEAL OR SPECIAL USE PERMIT

FEES	Variance	\$ 300 for single family residential / first Code section \$ 1,500+ for all other variance applications / first Code section Plus \$ 500 / each additional Code section
	Special Use Permit <i>(new or renewal)</i>	\$ 1,500 for non-residential \$ 500 for residential
	Appeal	\$ 200 for home day-care and in-home education services \$ 300

Required Materials: See summary page on reverse for explanation of required materials.

The below actions are applied for on property: Broad and West

Property address subject to this application

Variance to the Code Special Use Permit Appeal of a determination under Chapter 48

Approval of a drive through for a pharmacy in a mixed use project

Summarize the action requested

Spectrum Development, LLC

Applicant name (please print)

c/o Richard P. Buskell

P.O. Box 937, Vienna, VA 22183

Applicant street address, city and state

/ /
Date of application

(703) 255 - 5888

Applicant phone

Applicant: Owns subject property Leases or rents subject property Contract purchaser

Complete this section only if the applicant is not the owner of the subject property:

Refer to Consent Letters

"As owner of this property I hereby authorize the applicant to seek this action before the Board of Zoning Appeals and I attest that the information contained herein is correct."

Property owner name (please print)

Property owner street address, city and state

Owner signature

"AS APPLICANT I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS CORRECT"

David A. Lasso
Applicant signature **David A. Lasso, Attorney for Spectrum**

Date

OFFICE USE BELOW

Application Number _____ MUNIS Number _____ \$ _____ Received fees
Fees

Property legal description, address, section, lot, subdivision

DISPOSITION: After a public hearing on / / the above application was
Zoning Administrator: _____
 Approved
 Denied
 See notes

Status of real estate and personal property taxes, liens, business license and fees:

TREASURER: Current Outstanding (please describe): _____ Initials: _____
COMM. REV: Current Outstanding (please describe): _____ Initials: _____



David R. Lasso
t 703.760.1678
f 703.821.8949

January 6, 2014

VIA HAND DELIVERY

James Snyder
Director of Planning and Zoning City of Falls Church
City Hall
300 Park Avenue
Falls Church, VA 22046

Re: Development Site at Broad and West; Letter of Transmittal and Justification of Application Special Use Permit for a Pharmacy Drive Through

Dear Jim:

Venable represents Spectrum Development Company LLC (“Spectrum”) which has contracts to purchase or lease the parcels at 919 Park Avenue, 921 Park Avenue, 925 Park Avenue, 212 N. West Street, 110 N. West Street, 934 W. Broad Street., 932 W. Broad Street, 922 W. Broad Street, and 920 W. Broad Street (the “Site”). Please accept this Transmittal of and Justification for Spectrums request for a Drive Through for a Pharmacy.

The site for this mixed use development will be zoned B-1 and that district allows drive throughs by special use permit (see Zoning Code Section 48-454 (10) provided the criteria of Section 48-867 (4) are applied to the application.

Spectrum proposes the following: To develop the site so as to reduce the current three single family detached properties (each of which has an area in excess of the minimum required for a conforming R1-B single family detached building lot) to two single family detached houses that, while rezoned to B-1, will be on lots that conform to the R1-B zone as to size and front and side parcel setbacks. The remainder of the site will be redeveloped for a mixed use project containing:

- A six story mixed use (apartment) building with retail and service uses in the ground floor with about 297-305 apartments (70% one bedroom and 30% two bedrooms) above the ground floor.
- A hotel of six floors with retail and service uses in the ground floor and 150 hotel rooms in floors 2 through 6. In the event the hotel is not feasible at the time commitments for construction are needed by Spectrum, the developer will return with an alternative use in lieu of the Hotel which shall be subject to the approval of the City Council.
- The ground floor of the apartment building would have retail uses comprising about 39,369 square feet; such uses would include a pharmacy of about 14,882 square feet with a drive through, restaurants,

James F. Snyder
Page 2
January 6, 2014

retail shops and service businesses with a mix of local, regional and national brands.

- Such improvements to the existing parkland along the W& OD trail that will provide a connection to the transit and recreational opportunities of the Trail; subject to the approval of the Northern Virginia Regional Park Authority.

The pharmacy requires a drive through in order to provide competitive levels of service to their customers. Each drive through is designed so that all traffic entering and exiting has no impact on adjacent residential (zoned R) properties.

The site is approximately four acres and meets the minimum lot size and the minimum street frontage requirement of 200 feet.

No stacking lane or menu board is within 50 feet of an R district.

No menu board faces a public street.

The drive lanes will be properly delineated and safe for pedestrians.

By pass lanes are provided.

The driveway curb cut is compliant.

There is no noise associated with the drive lanes and the speakers are no louder than a human voice.

Portions of the mixed use building will fully buffer the drive through.

A traffic study by Wells and Associates that examines the traffic impacts is provided and there is a negligible impact on traffic and the drive through is safe.

Litter and cleanliness will be managed by the operator of the mixed use building and there will be no litter or cleanliness issues.

James F. Snyder
Page 3
January 6, 2014

Thank you and the City Staff for its guidance and attentiveness to this project and this request for a special use permit for one drive through.

Sincerely,

A handwritten signature in blue ink that reads "David R. Lasso". The signature is written in a cursive style.

David R. Lasso

DRL/jah
Enclosures



Application Number _____

CITY OF FALLS CHURCH, VIRGINIA
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
Disclosure Statement

Type or Print in Ink. Complete the following:

1. Description of the real estate affected. List the addresses of all property that is affected by the application. Provide the lot, block, section, and subdivision of all parcels only if the properties have not been subdivided.

Address(es) See Broad and West Parcel Ownership Statement Attached

Lot(s) _____ Block(s) _____

Section(s) _____ Subdivision _____

2. Is the owner of said real estate, a corporation whose stock is traded on a national or local stock exchange and having more than five hundred (500) shareholders?

No Yes

If "Yes", give the name of the corporation and skip to Item 4.

3. List the names, addresses, and nature of interest of **ALL** persons having equitable ownership of the real estate to be affected, including, in the case of corporate ownership, the names of stockholders, officers, and directors; and of **ALL** real parties of interest.

PARCEL ADDRESS	NAME	ADDRESS	NATURE OF INTEREST
See Attached Parcel Ownership List			

4. I hereby certify that this is a true and accurate disclosure of all persons having equitable ownership real estate to be affected and of all the parties in interest.

Applicant's Signature

Richard P. Buskell

P.O. Box 937

Vienna, Virginia 22183

Applicant's Address

State of Virginia
County of Fairfax

Subscribed and sworn before me this 15th day of January, 2014.

Notary Public [Signature]



Robin Lee Rock
Commonwealth of Virginia
Notary Public
Commission No. 130074
My Commission Expires 3/31/2016

3-31-16

Broad and West / Parcel Ownership

PARCEL #	ADDRESS	SQUARE FOOTAGE	ACRES	EXISTING ZONE	PROPOSED ZONE	EXISTING LAND USE DESIGNATION	PROPOSED LAND USE DESIGNATION	OWNERS
51-202-015	919 PARK AVENUE Lot 3, D.J. BROWN	15,072	0.35	R-1B	B-1	LOW DENSITY RESIDENTIAL	REAR HALF TO MIXED USE	NIGEL YATES AND BERNADETTE YATES 919 PARK AVENUE, FALLS CHURCH, VA 22046
51-202-014	921 PARK AVENUE Lot, D.J. BROWN	15,064	0.35	R-1B	B-1	LOW DENSITY RESIDENTIAL	REAR HALF TO MIXED USE	TODD W. READ AND JULIA S. READ 921 PARK AVENUE, FALLS CHURCH, VA 22046
51-202-013	925 PARK AVENUE Lot 1, D.J. BROWN	14,570	0.33	R-1B	B-1	LOW DENSITY RESIDENTIAL	REAR HALF TO MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 921 PARK AVENUE, FALLS CHURCH, VA 22046 ¹
51-202-012	212, 212A NORTH WEST STREET Lot 11, ACREAGE PARCEL	9,572	0.22	B3	B-1	BUSINESS	MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 212 WEST ST., FALLS CHURCH, VA 22046 ¹
51-202-011	212, 212A NORTH WEST STREET Lot 3, MINNIE ELLISON	21,000	0.48	B3	B-1	BUSINESS	MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 212 WEST ST., FALLS CHURCH, VA 22046 ¹
51-202-010	112, 112A NORTH WEST STREET Lot 2, MINNIE ELLISON	15,488	0.36	B3	B-1	BUSINESS	MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. RICHARD PETER ¹ 212 WEST ST., FALLS CHURCH, VA 22046 ²
51-202-009	934 WEST BROAD STREET Lot 1, MINNIE ELLISON	19,868	0.46	B3	B-1	BUSINESS	MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR.

								TRUSTEES 212 WEST ST., FALLS CHURCH, VA 22046 ¹
51-202-028 OUTLOT	928, 930, 932 WEST BROAD STREET Lots 1, 2, and 1A ACREAGE PARCEL	3,843	0.09	B3	B-1	BUSINESS	MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 212 WEST ST., FALLS CHURCH, VA 22046 ¹
51-202-028	928, 930, 932 WEST BROAD STREET Lots 1, 2, and 1A ACREAGE PARCEL	22,260	.051	B3	B-1	BUSINESS	MIXD USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 212 WEST ST., FALLS CHURCH, VA 22046 ¹
51-202-005	922, 924, 926 WEST BROAD STREET Lot 3, ACREAGE PARCEL	16,962	0.39	B1	B-1	BUSINESS	MIXED USE	ATALLA TRUST MIKE N. ATALLA AND SUSIE K. ATALLA, TRUSTEES OF 6926 CONFEDERATE RIDGE LANE, CENTREVILLE, VA 20121 ³
51-202-004	920 WEST BROAD STREET Lot 4, ACREAGE PARCEL	16,789	0.38	B1	B-1	BUSINESS	MIXED USE	PAJELA NABLAH, ET AL. 5429 MIDDLEBOURNE LANE CENTREVILLE, VA 20120 ⁴
TOTAL		170,488	3.91					

1 and 2 The beneficiary of the Trust is Shreve Associates, a Limited Partnership. This partnership is comprised of John E. Shreve, Richard S. Shreve, Thomas G. Shreve, Debra Shreve King, Dee Ann Walton, Darlene Penae Shreve, Shane Christopher Shreve and the Estate of William C. Shreve, Jr.

3 Beneficiaries are Mike Atalla, Jimmy Atalla, Louie Atalla, Suzie Atalla, and Nick Atalla

4 Remaining Owners are Massorah Niazy and Esmatullah Niazy

Contract Purchaser for all parcels is Spectrum Development LLC, located at P.O. Box 937, Vienna, Virginia 22183. The members are Peter A. Batten (Principal), Richard P. Buskell (President and CEO), and Bobby G. Batten (Principal).

CONSENT LETTERS

November 4th 2013

Richard Buskell
President
Spectrum Development, L.L.C.
1780 Dawson Street
Vienna, VA 22182

Re: 919 Park avenue, Falls Church, VA

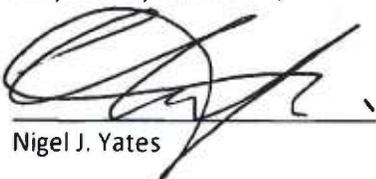
Dear Mr. Buskell:

Title to 919 Park Avenue, Falls Church, VA is vested in "Nigel J. Yates and Bernadette Reverie Adams, formerly known as Bernadette Adams Yates, formerly known as Suzanne Bernadette Adams Yates".

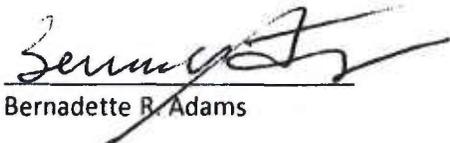
The undersigned hereby consent to the filing by Spectrum Development, L.L.C. of the following applications to the City of Falls Church, Virginia:

1. Special Exception to allow Mixed Use Development and construction of building with a maximum height of 85' on the property at 919 Park Avenue, falls Church, Virginia.
2. Change the Comprehensive Plan Future Map to show the property at 919 Park Avenue, Falls Church, Virginia as mixed use rather than residential.
3. Rezone a portion of the property at 919 Park Avenue to B-1.
4. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as the "Broad and West".

Respectfully submitted,



Nigel J. Yates



Bernadette R. Adams

November 4, 2013

Richard Buskell
President
Spectrum Development, L.L.C.
1780 Dawson Street
Vienna, VA 22182

Re: 921 Park Avenue, Falls Church, VA

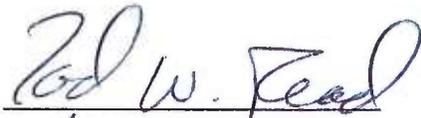
Dear Mr. Buskell:

Title to 921 Park Avenue, Falls Church, VA is vested in "Tod W. and Julia S. Read".

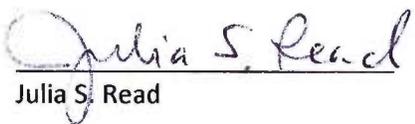
The undersigned hereby consent to the filing by Spectrum Development, L.L.C. of the following applications to the City of Falls Church, Virginia:

1. Special Exception to allow Mixed Use Development and construction of building with a maximum height of 85' on the property at 921 Park Avenue, Falls Church, Virginia.
2. Change the Comprehensive Plan Future Map to show the property at 921 Park Avenue, Falls Church, Virginia as mixed use rather than residential.
3. Rezone the property at 921 Park Avenue to B-1.
4. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as the "Broad and West".

Respectfully submitted,



Tod ^{S.} Read
W.



Julia S. Read

October 31, 2013

Richard Buskell
President
Spectrum Development, L.L.C.
1780 Dawson Street
Vienna, VA 22182

Re: 920 West Broad Street, Falls Church, VA

Dear Mr. Buskell:

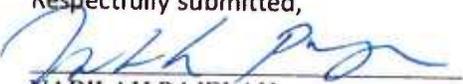
Title to 920 West Broad Street, Falls Church, VA is vested in "Nabilah Pajelah, also known of record as Nabilah Pajela, Massorah Niazy, also known of record as Mastoorah Niazy, and Esmatullah Niazy". The mailing address used by the title owners for communications regarding the property is _____

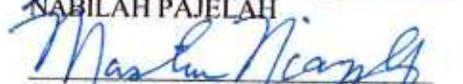
8302 Judy Witt Lane Vienna, VA 22182

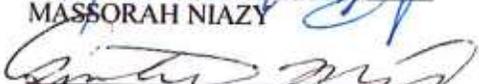
The Undersigned hereby consent to the filing by Spectrum Development, L.L.C. of the following applications to the City of Falls Church, Virginia:

1. Special Exception to allow Mixed Use Development and construction of building with a maximum height of 85' on the property at 920 West Broad Street, Falls Church, Virginia.
2. Change the Comprehensive Plan Future Map to show the property at 920 West Broad Street Falls Church, Virginia as mixed use rather than residential.
3. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as the "Broad and West".

Respectfully submitted,


NABILAH PAJELAH


MASSORAH NIAZY


ESMATULLAH NIAZY

January 15, 2014

Richard Buskell
President
Spectrum Development, L.L.C.
1780 Dawson Street
Vienna, VA 22182

Re: 922 West Broad Street, Falls Church, VA

Dear Mr. Buskell:

Title to 922 West Broad Street, Falls Church, VA is vested in "Atalla Trust, Nick Atalla, Trustee". The mailing address used by the title owner for communications regarding the property is _____
11228 NE 67th Street, Kirkland, WA 98033

The beneficiaries of the Atalla Trust are:

<u>Mike Atalla</u>	<u>Suzie Atalla</u>
<u>Jimmy Atalla</u>	<u>Nick Atalla</u>
<u>Louie Atalla</u>	

The Undersigned hereby consents to the filing by Spectrum Development, L.L.C. of the following applications to the City of Falls Church, Virginia:

1. Special Exception to allow Mixed Use Development and construction of building with a maximum height of 85' on the property at 922 West Broad Street, Falls Church, Virginia.
2. Change the Comprehensive Plan Future Map to show the property at 922 West Broad Street Falls Church, Virginia as mixed use rather than commercial.
3. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as the "Broad and West".

Respectfully submitted,

 , Trustee

NICK ATALLA

November 14, 2013

Richard Buskell
President
Spectrum Development, L.L.C.
1780 Dawson Street
Vienna, VA 22182

Re: 932 & 934 West Broad Street, Falls Church, VA
110 & 212 North West Street, Falls Church, VA
9,000 square feet lot on Park Avenue, Falls Church, Virginia
925 Park Avenue, Falls Church, Virginia
928 West Broad, Falls Church, VA

Dear Mr. Buskell:

Titles to the above captioned real properties are vested in "John E. Shreve, Richard S. Shreve, Thomas G. Shreve and Peter A. Arntson, as Trustees". The Trust address is: 212 North West Street, Falls Church, Virginia 22046.

The sole beneficiary of the Shreve Trust is Shreve Associates, A Limited Partnership.

The Trust hereby consents to the filing by Spectrum Development, L.L.C. of the following applications to the City of Falls Church, Virginia:

1. Special Exception to allow Mixed Use Development and construction of building with a maximum height of 85' on the above captioned real properties.
2. Change the Comprehensive Plan Future Map to show the above captioned real properties as mixed use rather than low density residential and business.
3. Rezone the property at 925 Park Avenue to B-1.
4. Rezone the property at 934 West Broad to B-1.
5. Special Use Permit for a drive through pharmacy.
6. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as the "Broad and West".

Respectfully submitted,

TRUSTEES (any three of the below Trustees may act):



John E. Shreve, Trustee (SEAL)



Thomas G. Shreve, Trustee (SEAL)



Richard S. Shreve, Trustee (SEAL)



Peter A. Arntson, Trustee (SEAL)

Statement Regarding West and Broad Streets Development's Impact on Community Facilities, Including Transportation, Schools, and Water and Sewer Systems

The proposed development will marginally impact all community facilities and it adds approximately 30 students to the school system. Please refer to the Justification letter provided and the concept plan itself.

However, the development proposed is to not only mitigate these impacts, but improve the current situation.

- A new park at the W&OD Trail is proposed with improved bike and pedestrian connections and information. "Bike Share" is proposed. The development will include recreational amenities for its residents (pool, exercise and media rooms).
- A new traffic light on West Broad will be added at the eastern most access point of the areas for the project. The intersection at West and Park will be improved significantly with turn lanes. Please refer to the TIA by Wells and Associates.
- The current users have no storm water management but the proposed development will have BMP's for storm water management and will improve community SWM facilities dramatically. It is also expected the sanitary sewer will improve by eliminating storm water from entering the system, although clearly the overall load to the sewage treatment plan will increase.
- The new development will dramatically improve the streetscape along West Broad, West and Park Avenue.
- The existing users are not energy efficient but the new apartment building will meet LEED Silver standards.
- While some new students will be added, the development will contribute \$7511 per unit toward capital costs and net tax increase is about \$2 Million if the hotel is built.

**Statement Regarding Broad and West Development's Conformance with City's Adopted
Comprehensive Plan and Design Guidelines**

A change in the Comprehensive Plan is requested. Please refer to the Transmittal and Justification Letter for the Comprehensive Plan change.

Compliance with the Design Guidelines is also discussed in the Transmittal and Justification Letter for the Special Exceptions.

**STATEMENT & DATA REGARDING THE
PROJECTED NET REVENUES FROM
THE PROJECT***

*TO BE UPDATED BY THE CITY BASED ON LATEST PROJECT NUMBERS

**STATEMENT THAT PROPOSED BROAD AND WEST DEVELOPMENT MEETS
SPECIAL EXCEPTION CRITERIA FOR MIXED-USE AND HEIGHT BONUS**

The proposed development meets the primary and secondary criteria listed in Falls Church City Code (“Code”), Sections 48-90(d) (1) and (d) (2), and the following is a brief summary of the criteria listed in these Code Sections. Please refer to the justification materials and community benefits list for a more complete explanation of the proposed development and how it will benefit both the South Washington Street area and the City of Falls Church as a whole.

- 1. Primary Criteria (Section 48-90(1)):**
 - a. The resulting development conforms to the City’s adopted Comprehensive Plan and Design Guidelines (Section 48-90(1) (a)).**

The Comprehensive Plan shows that the property is located in Planning Opportunity Area 3, and the proposed development meets or exceeds the strategies called for in that area:

1. Consolidation of lots to accommodate higher density.
2. Promotion of redevelopment that eliminates stand-alone automobile and light industrial facilities.
3. Improve pedestrian accessibility with controlled cross walks at various locations.
4. Create a consistent design, in terms of building height and design, streetscape improvements, and other aspects of the built environment in the City.
5. Preserve recreational resources in the area.
6. Create development to promote a positive image of the City in an area that has not seen any significant new development in decades.
7. Locate buildings as close to West Broad and West Streets as possible with parking located in the rear or in shared buildings or in structured facilities (in this case covered, surface and underground).
8. Achieve consistent architectural goals.
9. Traffic turn lanes will be added to Broad and West Streets.

Additionally, the Comprehensive Plan’s Future Land Use Map designates the property as “business”. The text of the comprehensive plan currently points out that while this means the area should be “primarily” recognized as retail or office districts rather than

residential, “special exceptions for residential use and height bonuses have also been granted to create mixed use projects in ‘business’ areas since 2002”.

The Comprehensive Plan should be changed to reflect current practice, the City’s goals and the changing environment. To do this, an application to change the Comprehensive Plan’s designation from Business to “Mixed Use” has been submitted to the City.

The Design Guidelines show that the property is located in the West Broad Street Area. As called for in the Guidelines, the proposed development will reflect an urban street front, will provide a consistent identity for the area, increase pedestrian activity, and indicate the high standards of the City. In addition, the proposed development will widen paving at crosswalks, provide a mini-park at the W&OD trail, all of which will work to increase pedestrian and bicycle activity in the area. The site’s proximity offers a unique opportunity to finally provide superior connection to the W&OD Trail. The best use to optimize that linkage is mixed use and not office or light industrial uses.

b. The resulting development provides for significant net new commercial square footage and allows for a mix of commercial and residential uses (Section 48-90(1) (b)).

Currently, the properties in the site contribute only \$minimally in tax revenue. All existing properties are served by significant surface parking. The proposed development will remove these largely automobile-oriented and light industrial uses, providing significant net new commercial square footage and allowing for a mix of commercial and residential uses. The proposed development as noted provides about 128,865 square feet of substantial new commercial space (more specifically described in the Table in the Concept plan).

c. The resulting development produces substantial positive net new commercial and residential revenue to the City (Section 48-90(1) (c)).

In conjunction with this application, information has been submitted to the City to be inputted into the City’s cost/revenue impact model to predict the project’s net new revenue, and a report has been received, which is attached separately. As recognized by the Comprehensive Plan, the parcels that make up the property are underutilized currently in terms of their density and use. The proposed development will significantly increase the assessed value of and resultant property tax revenue generated by the property. In addition, by creating a vibrant, attractive western gateway into the City, the development will encourage additional consumers to enter the area and patronize commercial uses throughout the City.

2. Secondary Criteria (Section 48-90(2))

a. The development is not disproportionate to surrounding land uses and planned land uses in size, bulk or scale (Section 48-90(2) (a)).

The proposed development is a concrete podium of commercial uses with five floors of multi-family and hotel above, with a total height of about 85 feet. The development has the unique aspect of substantial at grade parking for the retail uses hidden behind the

retail and under the residences. The exterior is masonry, and the building is fully consistent with high standards established by the City for prior mixed use projects.

The area of the footprint of this project is “low” and the height of the new building will blend well with its environment and set the stage for future development. Given the high-quality design and construction of the building and its prominent place in the City, a building of this scale is appropriate. The proposed development works in conjunction with existing buildings to further create a dramatic, defined statement of quality for this area of the City. The development is consistent with the discussion in the Comprehensive Plan for this Redevelopment Opportunity Area which calls for significant mixed (multifamily) uses-the area called for this Plan however is committed long term to other uses that conflict with the Plan.

- b. The resulting development does not overburden the existing community facilities, including the school, transportation and water and sewer systems (Section 48-90(2) (b)).**

Transportation

A traffic study has been conducted by Wells and Associates that evaluates the anticipated traffic impacts of the application and provides specific recommendations to mitigate those impacts. That Study has been provided to the Staff. Some revisions to counts will be made to reflect the changes in the retail plan for the site. The application envisions a vibrant mixed-use development that will be sensitive to the transportation concerns of the City. By providing a variety of complementary uses on the same site, the proposed development will encourage self-contained, pedestrian trips. Additionally, due to its location proximate to several bus routes including a future intermodal transportation center and with implementation of Transportation Demand Management (“TDM”) measures, a percentage of the trips generated by the residential and commercial components of the proposed development are anticipated to utilize non-auto modes of transportation. TDM measures will include convenient bicycle storage facilities, transit incentives, and resources conducive to teleworking. Furthermore, the developer proposes to contribute to a new traffic signal on West Broad Street and a reconfiguration of the intersection at West Street and Park Avenue. The new signal will serve to increase vehicular accessibility not only for the subject site but for surrounding developments as well. The signal will also provide a much safer pedestrian crossing of West Broad Street that is currently lacking.

Water & Sewer

The City’s utility engineer has confirmed that water and sewer service is adequate. The project will greatly improve storm water management with BMPs as the existing development has virtually no storm water management measures.

- c. The resulting development provides community benefits such as affordable housing, as it is described in Section 38-43 (Section 48-90(2) (c)).**

The developer is proposing an Affordable Dwelling Unit contribution in keeping with similar mixed use developments contributions, with about 6% of the total units being contributed as Affordable Housing Units and equally allocated among households at 60%, 80% and 100% of the median household income. Eighteen (18) ADU's will be provided. A more thorough list is set out in the letter above.

A commitment to LEED Silver for the Apartment building is provided, and the developer will underground all aerial utilities contiguous to the site depending on costs and availability of easements. The developer proposes to review this in detail with the City to determine what poles can be undergrounded in the immediate area.

- d. The resulting development contributes to a vibrant, pedestrian-oriented environment both on site and in relation to adjoining properties, with street level activity throughout the day and evening (Section 48-90(2) (d)).**

The current uses at the site are distinctly automobile-oriented, with the majority of the property occupied by their own surface parking lots. The proposed development will move almost all parking within enclosed structures, which will contribute further to the walkable nature of the area.

The provision of streetscape along the entire development's three sides facing streets will contribute to the vibrant, pedestrian-oriented environment with connectivity to adjacent commercial and park areas. The mix of uses, including restaurants, retail, and other commercial opportunities will provide a balanced commercial center that will generate pedestrian traffic throughout the day and evening. The street level retail uses will be very visible and will encourage customers to enter the area to shop and visit not only this development, but the additional retail located nearby.

- e. The resulting development offers creative use of landscaping, open space and/or parks, public plazas or and walkways connecting to adjoining properties (Section 48-90(2) (e)).**

Three sides of the proposed building will have the attractive "streetscape" design and fixtures, and there will be enhanced connections around the site to nearby businesses, parks, and residences. A "mini park" is planned along W&OD trail, and this amenity will invite pedestrians to ride bikes, rest, talk, sit, eat and simply enjoy the area which includes the soon to be completed West End Park. This depends upon approval of the NWRPA.

- f. The resulting development provides a variety of commercial services and uses that are attractive to and meet the needs of all city residents for entertainment, art, recreation, dining retail and array of consumable goods (Section 48-90(2)(f)).**

As stated above, the proposed development envisions a hotel as well as a mix of commercial uses. This includes an urban innovative upscale pharmacy, and retail opportunities in an area that is lacking sufficient quality retail currently. These commercial entities will serve the residential uses within the proposed development, as well as the neighborhood as a whole.

- g. The resulting development encourages local or independent businesses (Section 48-90(2) (g)).**

Although the pharmacy may be a national chain, the remaining retail and restaurant space provide a unique opportunity for local, regional and independent businesses, and the high-quality development will help the area as a whole attract and cultivate local and independent businesses. The smaller retail spaces in the development provides excellent opportunities for local “mom and pop” and incubator businesses.

- h. The resulting development provides for a reduction of single use parking requirements through shared parking Section 48-90(2) (h)).**

As shown in the submitted conceptual plan, the developer is recommending shared parking. The developer will explore with the final parking provided with the City to determine any additional parking reductions are justified based on the characteristics of the property and its proximity to bike ways, as well as several bus lines, will lead to fewer automobile trips. Additionally, a private shuttle to the nearest metro rail station is being considered for residents and hotel guests and it is expected that some residents will bike to work (or to a multi-modal transit location for switching to bus or rail), and that the commercial uses will be patronized at least in part by pedestrians and cyclists.

- i. The resulting development encourages multi-modal transportation through design and other techniques to reduce the reliance on single occupancy vehicles, and utilizes sheltered stops for mass transit whenever feasible Section 48-90(2) (i)).**

As discussed, the property is in close proximity to existing bike ways, as well as the Metro Rail station and several bus lines. It is expected that some residents will walk to the Metro Rail station and others will bike to work, and that the commercial uses will be patronized at least in part by pedestrians and cyclists. The design includes attractive and user friendly places for bikes to be parked and stored.

- j. The resulting development utilizes LEED criteria in the design of the project Section 48-90(2) (j)).**

The proposed 297 unit apartment development is planned to be LEED Silver certified, and will otherwise be designed using green design principles and elements. By removing the existing imperious parking lots and implementing a new storm water management plan, the development will greatly reduce storm water runoff in the area. Additionally, the non-residential part of the project will incorporate eco-conscious sustainable elements in the design of the hotel and other commercial spaces.

Special Exception for Height Bonus.

The area of the site to be used for the mixed use project is currently zoned B-3 and B-1, which permit a by-right height of up to 55 feet. The developer proposes the requested development to be a maximum height of 85 feet.

Up to 30 feet of bonus height may be granted if the project is exemplary in terms of conformance to the Primary Criteria 1 and 2 set out above and assists in conformance with Primary Criteria 2 and 3. The amount of new commercial area is more than three times the area of the existing commercial activity. More importantly, the new commercial activity replaces commercial uses which are discouraged by the City's Comprehensive Plan. The net new commercial and retail income is far greater than that of the existing uses and far superior in terms of making the area a desirable place to live, work, and play. Many of the difficult to achieve goals of the Comprehensive Plan will be met by the proposed development. For these reasons, this plan is exemplary in its achievement of the primary criteria set out above.

Bonus height may be awarded for certain preferred uses when located on primary street frontage. These uses include outdoor dining, hotel and other uses specifically requested by the City. This development proposes improvements to the W&OD park, a hotel, a new urban pharmacy, multiple retail opportunities and outdoor dining and some restaurants possibly with entertainment; all of which are considered preferred uses, justifying a bonus height of 30 feet.

It is important to note here that the first floor retail uses require a ceiling height ranging from 15 to 24 feet, and that this required ceiling height is a major reason why the bonus is needed. As discussed, the design of this project, and in particular its height, is an exceptional new addition to this part of the City. The project sets a high bar for quality in terms of design, use, and materials, and if the proposed project were to be lowered by 30 feet, the integrity of the design would be greatly compromised, likely making the development infeasible.

The location and unique physical characteristics of the site make the requested building height appropriate. The property is located in an area that is expected to attract similar developments which will likely reach heights of 85', so that the requested height of 85' in certain locations is not out of the character of the surrounding neighborhood and the expected area as it evolves.

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