



**McLean Citizens Association Resolution
Rezoning of WMATA Property
Conceptual Development Plan/Final Development Plan
Concurrently Submitted for Approval
RZ-2022-DR-00006
February 1, 2023**

Whereas, Falls Church Gateway Partners (FCGP-Metro) Development LLC (the Applicant) is requesting to rezone Tax Map ##40-3 ((1)) 83, 84; 40-4 ((2)) 1, 2 (the Property) to the Planned Residential Mixed Use (PRM) zoning district from R-30 and R-1 zoning districts in conjunction with a concurrent Conceptual Development Plan/Final Development Plan (CDP/FDP); and

Whereas, FCGP-Metro is a development team consisting of three members, EYA, Hoffman & Associates and Rushmark selected by the Washington Metropolitan Area Transportation Authority (WMATA) to redevelop the Property; and

Whereas, if the FDP is approved by the Board of Supervisors, FCGP-Metro will develop the Property. (Certain FCGP-Metro members will develop adjacent sites); and

1. ***Background***

Whereas, the Property comprises 24 acres and is located in the Dranesville Magisterial District; and

Whereas, the Property is bordered to the north by Interstate 66; to the south by Virginia Tech's Northern Virginia Center (Virginia Tech), as well as the City of Falls Church's Meridian High School and athletic fields; to the east by The Villages at West Falls Church and Pavilion condominium communities, and Haycock Road; and is across the street from The Gates at West Falls condominium community, and the Ellison Heights-Mount Daniel residential neighborhood; and

Whereas, WMATA owns the Property and operates the West Falls Church Metrorail Station (Metrorail Station) located thereon; and

Whereas, in addition to the Metrorail Station, the Property contains a transit loop, a six-level, approximately 1200-space parking garage (WMATA garage), a surface commuter parking lot, two access roads (Falls Church Drive and Metro Access Road), and a stormwater pond; and

Whereas, the opening of the Silver Line Phase 1 resulted in daily ridership decreases at the West Falls Church Metrorail Station and WMATA believes that the provision of additional density around the station is an important step towards reversing this trend; and

Whereas, the Applicant is requesting to rezone the Property to a Planned Development District and redevelop it into a mixed-use neighborhood; and

2. The Comprehensive Plan Amendment (CPA)

Whereas, in July 2018, the County accepted WMATA’s Site-Specific Plan Amendment (SSPA) nomination to amend the Fairfax County Comprehensive Plan (Comprehensive Plan) as it relates to the Property; and

Whereas, in September 2018, the BOS authorized the expansion of the scope of the CPA to include the Virginia Tech site. In January 2019, WMATA issued a Joint Development Solicitation for redevelopment of the Property; and

Whereas, in early 2018, a Task Force of representatives from five neighboring, residential communities and the MCA were appointed by the Dranesville District Supervisor to work with Fairfax County Planning and Development Staff (County Staff) to develop a consensus for language of the CPA. Representatives from WMATA and Virginia Tech also participated; and

Whereas, the Task Force met more than 20 times over a three-year period, completing its work in early 2021, with County Staff completing its final recommended CPA in Spring 2021; and

Whereas, on June 2, 2021, the MCA board voted to recommend approval of the CPA; and

Whereas, WMATA’s and Virginia Tech’s joint SSPA proposal was adopted by the Fairfax County Board of Supervisors on July 13, 2021; and

A. Relationship of Application to CPA -- Housing

Whereas, the CPA recommends, and FDP likewise proposes, that the Property be developed from its by-right floor area ratio (FAR) of .70 to a maximum intensity of 0.96 FAR (including bonus intensity) by construction of a mixed-use community having 105,000 – 120,000 square feet of office space; 10,000 – 30,000 square feet of ground floor space to be used for community-serving retail or other “active ground floor” uses, with a maximum building height of 120 feet;

and a maximum of 900 new dwelling units consisting of both multi-family buildings and about 80 townhomes (inclusive of Affordable Dwelling Units (ADUs,) Workforce Dwelling Units (WDUs), and bonus units); and

Whereas, consistent with the CPA, the development plan proposes up to 810 multifamily units and up to 90 townhomes, for a maximum of 900 residential units (inclusive of ADU and WDU units) and an office building comprising a maximum of 110,000 square feet of office gross floor area (GFA) and including up to 10,000 square feet of ground floor retail GFA. A total of approximately 1,003,000 square feet of GFA between all uses is proposed with a resultant development intensity of a 0.96 FAR; and

Whereas, the 0.96 FAR development intensity is lower intensity than that which has been developed at Metro Station properties elsewhere in the County; and

Whereas, the CPA recommends that townhouses and/or stacked townhouses are to be located so as to provide a transition to The Villages at West Falls Church and The Pavilion developments. A civic plaza with a focal element, unique placemaking features, as well as linear recreation spaces, and active ground floor uses should also be provided throughout the Property; and

Whereas, the Applicant proposes to include:

1. Multifamily housing: a six-story building containing a maximum of 320 units to include a below-grade garage; ground floor retail-equivalent/residential amenity spaces with an outdoor terrace.
2. Multi-family housing: a maximum 280 unit building to be developed at a later time. An FDP for this building is not being requested at this time.
3. Multi-family housing: a maximum 210 unit building to be developed at a later time. An FDP for this building is not being requested at this time.
4. Urban-style townhomes: a total of 70-90 townhomes between three locations with a maximum of 59 three-story and a maximum of 27 four-story units.
5. Office building: to be located south of the Metrorail Station between the WMATA garage and Interstate 66. An FDP for this building is not being requested at this time; and

Whereas, the Applicant has committed to provide a minimum of 15% of for-sale units and 10% of rental units as price-appropriate housing as recommended by the CPA; and

B. Relationship of Application to CPA—Parks

Whereas, the CPA recommends that a civic plaza with a focal element, as well as unique placemaking features, linear recreation spaces, and active ground floor uses should also be provided throughout the Property; and

Whereas, the Applicant proposes to construct approximately 2.5 acres of parks included in the following open space areas:

1. Civic Plaza North: This 19,829-square foot (0.46 acre) publicly accessible urban park will consist of bike parking, pedestrian connections to a shared use path, and a shaded grove area for seating and games. This area will also include upgrades to the existing Metrorail Station entrance such as bus shelters, specialty pavers, landscaping elements, and hardscape features.
2. Civic Plaza South: This approximately 17,812-square foot (0.41 acre) publicly accessible urban space will consist of a multifunctional gathering space composed of a plaza, seating areas, lawn and landscape beds, and public art/sculptural elements. Activities may include neighborhood events such as markets, exhibits, movie nights, informal leisure play, picnics, and food trucks among other similar activities.
3. Linear Park: This approximately 16,417-square foot (0.38 acre) publicly accessible park will consist of active recreation elements, areas for gathering, landscaping, seating areas with benches or swings, playscapes, shade structures, a meandering walk with gardens, and public art/sculptural elements.
4. Pocket Park: This approximately 5,223-square foot (0.12 acre) publicly accessible pocket park is intended to be intimate in scale and welcome pedestrians traveling east towards the Metrorail station. It may include a shade trellis element, rain and/or pollinator gardens, trees, lawn, and seating or picnic areas.
5. The Grove Recreation Area: This approximately 38,823-square foot (0.89 acre) park area is intended to serve as a hub for active recreation with pathways, trails, a fenced dog play area, a sport court, and outdoor gaming areas such as disc golf and horseshoe courts. All landscaping located within the Grove Recreation Area will be native varieties, with all existing tree canopy to remain.
6. Nature Play Space: This approximately 12,838-square foot (0.29 acre) park area is intended to serve as a nature-oriented recreation space. This space may include pathways, boardwalks, trails, landscaping, seating areas, playgrounds/tot lots, interpretive play elements, signage, and sculptural elements. All landscaping located within the Nature Play Space will be native varieties and the existing tree canopy is to remain.

Whereas, it has been suggested that the CPA requires a 1-acre “common green”. The CPA, however, requires a “central green space” as opposed to a “common green”; and

Whereas, County Staff has advised that Metro Station development is not conducive to a one-acre park; and

Whereas, County Staff has expressed, both during the CPA and development plan stages, a desire to have a number of small green spaces and park areas throughout the development (the Project) and the Applicant has responded to the County requests by providing such spaces; and

Whereas, concerns have been expressed about the noise and upkeep of the planned dog park, which is proposed to be located between a berm and the I-66 highway, both of which serve to mitigate the effects of noise; and

Whereas, the Home Owner Association (HOA) covenants for the new condominiums will require the HOA to maintain the dog park, as is the case with dog parks located on condominium property elsewhere in the County. Failing to do so is a covenant violation punishable by fines; and

Whereas, the Applicant, in response to a request from County Staff, has proposed to include a “sport court” as part of the proposed Grove Recreation Area; and

C. Relationship of Application to CPA—Bicycles, Parking, Landscaping

Whereas, infrastructure will be provided to promote cycling access to and through the proposed community, including easily accessible and secure bicycle racks. An extension of the bicycle lanes from the adjacent Virginia Tech Property Site along New Street #1 is also proposed. These bicycle lanes will continue onto Metro Access Road. An off-street bike lane is proposed on the north side of New Street #3, between New Street #1 and the Metrorail Station; and

Whereas, bicycle lanes will run along the sides of roads as the County recommended; and

Whereas, the Applicant proposes a parking reduction from Zoning Ordinance minimum parking requirements for residential and retail uses as follows:

	Required	Proposed
Multifamily residential	1296	675
Single family attached	230	170
Office	220	220
Retail	35	30
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Total	1781	1095

Whereas, the Application states that under the zoning ordinance a minimum parking ratio of number of parking spaces to number of residential units for multi-family residential buildings in Transit Station Areas is 1.3 for studio and 1-bedroom units and 1.5 for 2-bedroom units; and

Whereas, as stated in an appendix to the August 2022 WMATA West Falls Church Joint Development Environmental Evaluation, as recently as August 2021, the development team’s plan for the Property included a parking ratio of 0.9 for multi-family residential; and

Whereas, the Application, as submitted to the County, proposes that parking spaces would be provided on the Property for 75 percent of the residential units in the first two multifamily housing buildings, which is a parking ratio of 0.75; and

Whereas, the Applicant has stated that, if its parking reduction request is not approved by the Board of Supervisors in a separate proceeding, the Applicant will provide up to 0.9 parking spaces per unit; and

Whereas, this proposed reduction in parking has not yet been fully reviewed by the County's Land Development Services unit, but the review is moving forward. The Applicant states there is likely to be a much lower need for parking because they will be offering metro card incentives, education, and marketing the units to people without cars, combined with the proximity to the Metro Station; and

Whereas, the MCA believes that more attention needs to be paid to the Applicant's proposed reduction in off-street parking provision for the multifamily structures, and the possibility of parking issues in adjacent neighborhoods; and

Whereas, the Applicant is proposing 20 kiss-and-ride parallel parking spaces instead of 14 angled spaces to address concerns raised by County Staff; and

Whereas, the Applicant will screen the existing WMATA Garage with landscaping and trees to soften the parking structure's visual impact to the proposed development; and

3. Impact on Infrastructure---Schools

Whereas, the MCA has expressed concern about the impact of the proposed increased density on additional over-crowding in local schools and have questioned the accuracy of the County's school enrollment projections; and

Whereas, the Fairfax County Public Schools (FCPS) enrollment projection is the standard currently employed by the County to determine current and future public-school enrollment arising from new residential construction; and

Whereas, developers are expected to proffer for students coming from their proposed development based upon the County's enrollment projections as set by the School Board; and

Whereas, using the FCPS projections, the Applicant has proffered that it will meet its obligation by contributing to FCPS \$14,956.00 per expected student generated by the proposed development. This per student contribution will be made on a building-by-building basis prior to the issuance of the building permit for each building that includes residential units; and

Whereas, the MCA Education and Youth Committee, did extensive research concerning the FCPS projections, and prepared a presentation entitled "Student Yield Derived from Proffer

Analysis” presented to the County in August 2021, recommending that the County use the MCA analysis to document a commitment to long-term capital expansion planning into the Capital Improvement Plan for the Tysons High School Pyramid Schools; and

Whereas, the Applicant has proffered that if, following approval of this Application and prior to the Applicant's payment of the amount set forth in this proffer, FCPS should modify the ratio of students per unit or the amount of contribution per student, the Applicant will pay the modified contribution amount for that phase of development to reflect the then-current ratio and/or contribution. The Applicant will provide notification to the FCPS Office of Facilities Planning Services in the Department of Facilities and Transportation Services at such time as each site plan for a new residential building is approved to allow it to plan and prepare for future student growth; and

4. Impact on Infrastructure—Traffic and Transportation Issues

Whereas, the CPA recommends that traffic congestion around the West Falls Church Transit Station Area (TSA) could be addressed by a new road, parallel to Haycock Road, through the City of Falls Church Project, Virginia Tech and WMATA sites; and the Applicant’s FDP (using funding provided by WMATA) states that the Applicant will construct the portion of this road on the WMATA Property. This will enable some traffic to avoid the Route 7- Haycock intersection, thus reducing traffic on Haycock Road into the WMATA site; and

Whereas, The City of Falls Church Project is using a \$15.7 million Northern Virginia Transportation Authority grant to redesign the intersection of Haycock Road with Route 7, and that intersection will take into account the trips generated by the WMATA and Virginia Tech sites; and

Whereas, the Applicant presented a Traffic Impact Study (TIS) to the County dated April 2022, which was revised on August 29, 2022 and again on December 1, 2022; and

Whereas, additional traffic from the City of Falls Church Project was accounted for in the background traffic in the TIS for all future scenarios, and the signalization of Chestnut Street, Commons Drive, and Route 7 is also assumed, and construction of a connector ramp on the eastbound I-66 off-ramp towards Route 7, (which has been recently completed) feeds drivers directly into the site and the Metrorail station from eastbound I-66 without having to get on Route 7 and Haycock Road; and

Whereas, the Virginia Department of Transportation (VDOT) and FCDOT have met with Gorove Slade, the Applicant’s traffic consultants, and required them to make changes to the TIS as needed, and VDOT on January 5, 2022 accepted the final TIS, and, according to County staff, there are no major open issues remaining at this time regarding the TIS; and

Whereas, the approach to the Metro Station for private vehicles will be achieved through:

1. new roads passing through the new development, and
2. the kiss-and-ride facilities being reconfigured to provide 20 spaces, and
3. the traffic departing the Metro being routed around the rear of the existing parking garage, which will be retained, and
4. reconfiguring the proposed Town Homes' design to include relocating the road to the Metro, in order to make the station more visible upon entering, as requested by nearby residents; and

Whereas, the following changes are proposed to be constructed as part of the City of Falls Church Project to further alleviate traffic in the surrounding area:

1. new traffic signals at the intersections of Haycock Road and Mustang Alley and Haycock Road, and Street C in the City of Falls Church's development project, and
2. a traffic signal at the intersection of Chestnut Street, Route 7, and the future entrance to the City of Falls Church site (Commons Drive); and

Whereas, the County commissioned the West Falls Church Active Transportation Plan Working Group to assess the existing active transportation network and facilities around the TSA to identify issues related to pedestrian and bicyclist accessibility, safety, and comfort; and

Whereas, concerns are addressed by the West Falls Church Active Transportation Study (Study), which recommends that the County consider a number of improvements to the active transportation infrastructure; and the Board of Supervisors formally accepted the Report on December 6, 2022, and directed County Staff to incorporate the recommendations into the countywide active transportation plan and identify possible funding sources; and

Whereas, the MCA, in a Resolution dated January 4, 2023, stated its support for 15 of the 16 pedestrian projects and all four bicycle network projects identified in the Study, and, of these 19 active transportation projects, identified seven projects that should be promptly prioritized; and

Whereas, concerns have been raised that despite all mitigations proposed by the Applicant, traffic generated by the proposed Project, in conjunction with expected traffic from the far more densely developed City of Falls Church Project and Virginia Tech property, will overwhelm local streets, resulting in traffic backups, cut-through traffic, and pedestrian safety issues, especially for children; and

Whereas, support has been expressed for certain improvements to roads and sidewalks to be made, including 1) safer intersections for pedestrians at Great Falls/Haycock and Haycock/Westmoreland, 2) a crosswalk at Casemont to Haycock that is well-marked, and 3) a more detailed assessment of how area roads (Great Falls, Haycock, and Westmoreland) will be impacted by the development and what that may mean potentially for having to widen these streets; and

Whereas, the Applicant proffers to make improvements to Falls Church Drive, with such improvements including pedestrian crosswalks, installation of pedestrian actuated signalization, modifications to the existing median to include an eastbound left turn lane, constructing the ultimate streetscape adjacent to the WMATA Garage, and constructing streetscape improvements on the west side of Falls Church Drive; and

Whereas, the Applicant is including a proffer with its FDP that will require it to construct bike/pedestrian trail improvements on Haycock Road from Metro Access Road to Turner Avenue with VDOT and FCDOT approval; and

Whereas, the proposed pedestrian and vehicular circulation plan will continue the planned street grid and pedestrian pathway system from the City of Falls Church Project Site and the Virginia Tech Property Site to provide circulation around and through the Property, with the following features noted: (a) the three primary WMATA vehicular facilities at the Metrorail Station (Park-and-Ride, Kiss-and-Ride, and bus drop-off) will be separated; (b) the Kiss-and-Ride will be accessed from New Street #3; and (c) the bus drop-off will be accessible via Metro Access Road, and the WMATA Garage (and Park-and-Ride area) will be accessed from New Street #2 and Falls Church Drive; and

Whereas, it has been suggested that the Applicant should proceed only with the first building construction phase (transportation, infrastructure, townhouses and one multifamily building) and the second building construction phase (second multifamily building) of the proposed development approved by the County, and withhold review and approval of the third building construction phase (one office and third multifamily building) until such time as traffic from the completed first and second building construction phases can be measured and considered; and

Whereas, according to the Applicant, the viability of its development is dependent upon all three phases being approved with its current application, and the Applicant believes it will be sufficiently accountable for reducing future traffic by virtue of the TDM Plan that it is preparing and submitting to the County concurrent with its submission of a site plan for the WMATA Project; and

Whereas, according to the Applicant, the TDM Plan will adapt over time to respond to the changing transportation-related circumstances of the Property, the surrounding community and region, as well as for technological and/or other improvements, all with the objective of meeting the trip reduction goals as set forth in the Applicant's proffers; and

Whereas, according to the Applicant, the TDM will establish a separate interest-bearing account (the "TDM Remedy Fund"). Funding of the TDM Remedy Fund will be made one-time on a building-by-building basis at the rate of \$0.20 per gross square foot of new office uses and \$0.10 per gross square foot of residential uses; and

Whereas, if the Maximum Trips After Reduction for the Property is exceeded, as evidenced by the Vehicular Traffic Counts outlined above, then the TDM will meet and coordinate with FCDOT to address, develop and implement such remedial measures as may be identified in the TDM Plan; and

Whereas, the second multi-family residential building, the office building, and the third multi-family residential building have not been fully designed at this time and future FDPs or FDP Amendments are anticipated for these later phases, and there will be further opportunity for public input in connection with the later phase FDP/FDPAs; and

5. HOA Comments

Whereas, The Gates at West Falls is one of three condominium communities closest to the WMATA site, and the president of the Gates at West Falls Unit Owners Association stated in an email to the MCA case managers, “The plans and designs will enhance this neighborhood, improve our quality of life, increase our safety, and positively impact home values.... [W]e believe that the development as designed, in particular the EYA plans currently under consideration, will create a viable, vibrant, and safe community that improves the quality of life and property values in our neighborhood. We strongly support the plans and designs as the developers continue to move this project forward”; and

Whereas, the presidents of the HOAs of The Villages and The Pavilion condominiums, which are communities neighboring the proposed development, have indicated that their communities generally support the development, but have concerns about local roads, sidewalks and crosswalks some of which are addressed by the Active Transportation Study Final Report recommendations; and

Whereas, the presidents of The Villages and The Pavilion HOAs expressed concern that the stormwater drainage pond access is a crucial arrangement that needs to be guaranteed for the duration of The Villages' and The Pavilion's presence at their Falls Church locations, beyond the end of the current 2026 contract with WMATA, and in the event that costs associated with the stormwater easement are later incurred by the HOAs, the Applicant should be required to pay those costs; and

Whereas, the Applicant states that the Project has been designed such that it does not impact the stormwater drainage pond and the pond will remain in place to handle The Villages' and The Pavilion's stormwater needs; and

Whereas, according to a WMATA official, “The project will not impact the adjoining community association's access to or cost to use the pond”; and

Whereas, County Staff agrees that the development proposed by the Applicant will not impact the stormwater drainage rights of the surrounding condos; and

Whereas, WMATA has recently initiated discussions with The Villages and The Pavilion to resolve the easement rights issue; and

Whereas, neighboring communities have expressed concern over the possibility of a parking garage being built over the stormwater management pond in a later phase of the development; and

Whereas, according to County Staff, the site plan layout included with the approved CPA does not depict a parking garage over the stormwater management pond, thus a zoning amendment would be required in order for a garage to be constructed there. Further, because the site is approved for mixed use, County Staff believes it "would be incredibly difficult for WMATA to get the County to amend the zoning"; and

Whereas, if a garage were to be built where the pond sits today, the stormwater would be captured in concrete vaults in the base of the garage. However, according to County Staff, "no garage could be built over the existing stormwater retention pond without first going through the public hearing process"; and

Whereas, the proposed development, in MCA's view, appears to be consistent with the CPA in that it is aligned with the vision of the adopted TSA Plan, and with the Transit Oriented Development Guidelines in that it:

1. includes a compatible mix of residential, commercial, institutional, and retail uses in a high-quality environment that prioritizes multimodal transportation,
2. reduces sprawl and automobile dependency by focusing medium- to high-density growth around the Metro Station while planning for adequate transitions to neighboring communities and adjacent development in the City of Falls Church; and
3. provides sequencing, such that infrastructure and public amenities, i.e., roads and parks, are provided with the first phase of development.

RESOLVED

Now, therefore, be it resolved, that the MCA supports the Applicant's CDP/FDP rezoning requests; and

Be it further resolved, that the MCA reiterates its recommendation, for the reasons stated in a separate Resolution by the MCA board on January 4, 2023, that the County move as expeditiously as reasonably possible in 2023 to incorporate into the Fairfax County Transportation Priorities Plan, nineteen projects that were identified in Section 11 of the Final Report issued by West Falls Church Active Transportation Study because these projects will improve access to the WFC Metro Station and area schools, and will likely be cost-effective; and urges further that the County select for funding and placement on the TPP as expeditiously as possible in 2023 at least the seven projects that were identified on page 4 of the earlier Resolution as particularly deserving of rapid identification and allocation of funding; and

Be it further resolved, that to avoid the possibility that inadequate reserved parking for Property residents might result in additional parking taking place in the adjacent neighborhoods, the MCA recommends that the County should not approve the Applicant's proposal to provide only 0.75 parking spaces per multifamily unit unless the Applicant can demonstrate that such a ratio would not result in spillover parking of residents of its multifamily buildings in the adjacent neighborhoods.

Approved by the MCA Board of Directors

Date: February 1, 2023

McLean Citizens Association, P.O. Box 273, McLean, VA 22101

Cc Dalia Palchik, Providence District Supervisor
John Foust, Dranesville District Supervisor
Phillip Niedzielski-Eichner, Providence Planning Commissioner
John Ulfelder, Dranesville Planning Commissioner
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Clerk of the Planning Commission
Mike Wing, Providence District Senior Legislative Aide
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Stacy Strunk, Fairfax County Department of Planning & Development
Evan Goldman, EYA