County of Fairfax, Virginia
Planning Commission Meeting
January 29, 2025
Planning Commission Action

2232-2024-SU-00009 – FAIR RIDGE SUPPORTIVE FAMILY SHELTER
(Sully District)

PLANNING COMMISSION RECOMMENDATIONS:
On January 29, 2025, the Planning Commission voted 9-0 (Commissioners Bennett and Cortina were absent from the meeting) to approve 2232-2024-SU-00009 based on the following findings and reasons:

- The proposal to approve a shelter facility for unhoused people located at 3997 Fair Ridge Drive by repurposing a previously used extended stay hotel satisfies the criteria of general or proximate location, character, and extent of the adopted Comprehensive Plan, as specified in *Virginia Code* Sec. 15.2-2232, for the reasons set forth in the staff report dated January 15, 2025.

The Planning Commission voted 9-0 (Commissioners Bennett and Cortina were absent from the meeting) to recommend the following follow-on motion:

- That the Office to Prevent and End Homelessness will organize a Community Advisory Committee that will engage with the surrounding communities, so they can participate on committees and/or communicate concerns to this committee. This will help address issues in a prompt manner.

The Planning Commission also voted 9-0 (Commissioners Bennett and Cortina were absent from the meeting) to recommend the additional following follow-on motion:

- That County staff will continue outreach with residents and groups that have expressed concerns for this project. In addition, staff will coordinate in consultation with Public Safety leadership to be involved in these outreach opportunities and to be connected with the Community Advisory Committee and other stakeholders. Contacts will be provided for Housing and Community Development and Public Safety leadership.

ATTACHED DOCUMENTS:
Staff Report dated January 15, 2025

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FAIRFAX COUNTY PLANNING COMMISSION

January 15, 2025

PUBLIC HEARING FOR PLANNING DETERMINATION

Pursuant to

Va. Code Sec. 15.2 - 2232

Public Hearing Date: January 29, 2025 at 7:30 p.m.

Application Number:	2232-2024-SU-00009
Applicant:	Fairfax County Redevelopment and Housing Authority
Proposed Use:	Public Facility
Supervisor District:	Sully District
Subject Property Tax Map ID:	Tax Map Parcels 46-3 ((17)) 003 and 005
Subject Property Address:	3997 Fair Ridge Drive, Fairfax, VA 22033
Area of Subject Property:	0.964 acres
Application Accepted:	October 28, 2024
Recommendation:	In accordance with Va. Code Sec. 15.2-2232, as amended, staff recommends that the Planning Commission find that the proposal by the Fairfax County Redevelopment and Housing Authority to repurpose a former extended stay hotel as a shelter facility for unhoused families **is substantially in accord** with provisions of the adopted Comprehensive Plan.

PLANNING DETERMINATION

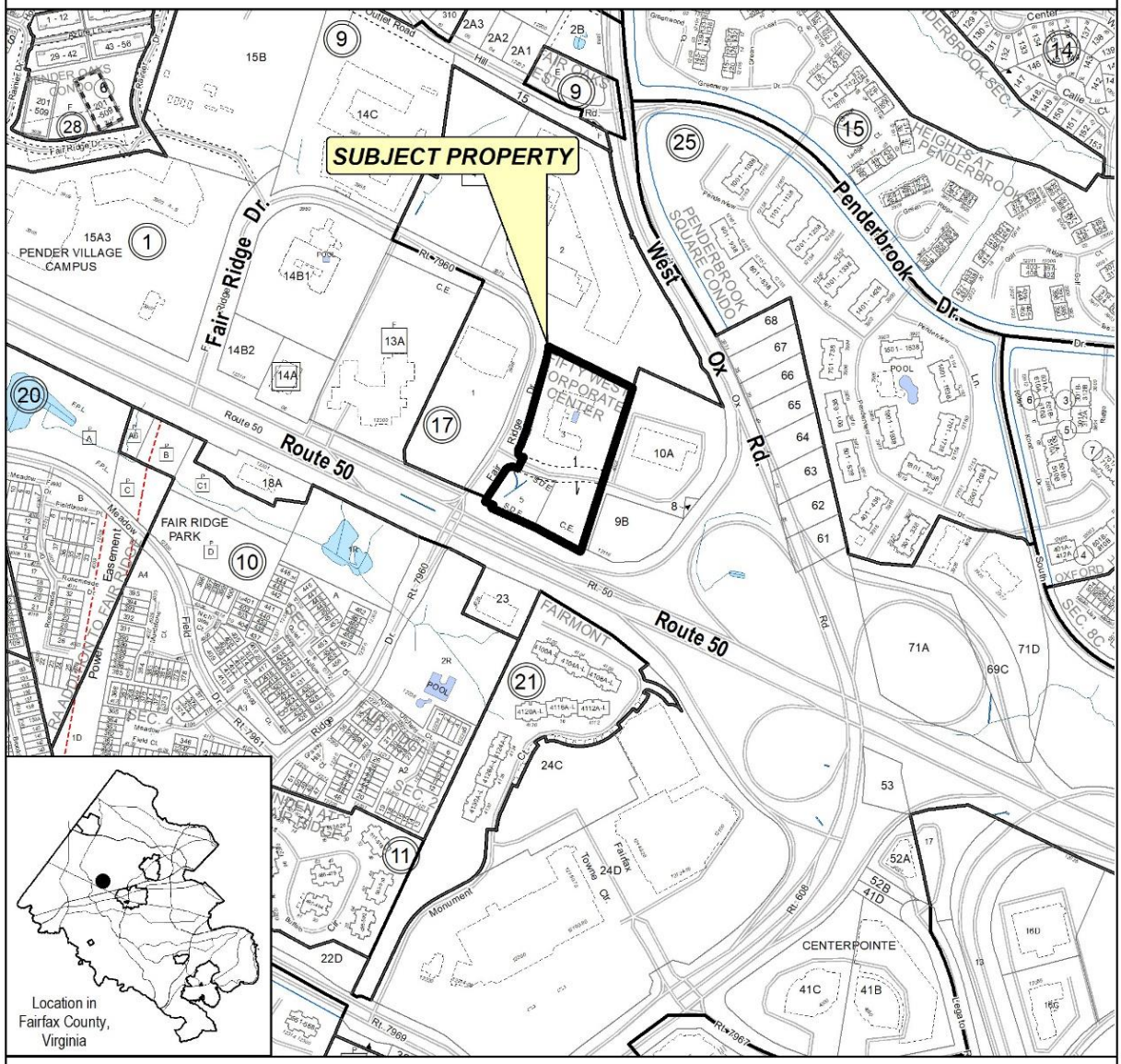
Section 15.2 -2232 of the Code of Virginia

Number: 2232-2024-SU-00009 **Acreage:** 0.964 acres **District:** Sully

Tax Map ID Number: 46-3 ((17)) 003, 005 **Address:** 3997 Fair Ridge Drive Fairfax, VA 22033

Planned Use: 2-3 DU/AC **Applicant:** Fairfax County Redevelopment and Housing Authority

Proposed Use: Public Facility



PREPARED BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT
USING FAIRFAX COUNTY GIS

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APPLICATION

Proposal: The Fairfax County Redevelopment and Housing Authority (FCRHA) is proposing to repurpose a former extended stay hotel as a shelter facility for unhoused families. This will be the first phase of improvements on the subject property. Initially, the building will undergo various interior renovations to address any deficiencies to meet current building codes, optimize the function of the facility for this use, and provide a safe and comfortable environment for families. A second phase of renovations is planned at a later date.

Applicant: Fairfax County Redevelopment and Housing Authority (FCRHA)

Subject Property: 3997 Fair Ridge Drive, Fairfax, VA 22035

Zoning District: PDC (Planned Development Commercial)

Comprehensive Plan: 2-3 DU/AC

Existing Conditions: The subject property consists of Tax Map Parcels 46-3 ((17)) 003 and 005. The two parcels are zoned to the PDC District pursuant to PCA-84-C-060. Parcel 3 contains a former extended stay hotel, which has an existing three story, approximately 42,000 square foot building that includes 94 studio units with kitchenettes and 103 surface parking spaces. Parcel 5 is undeveloped and contains a stormwater management pond. The site is surrounded by office, commercial and public facility uses.



Figure 1: View of Existing Building to be Converted to Family Shelter. Source: Fairfax County DPD

Project Justification

The number of unhoused individuals and families within the County has risen over recent years, exacerbated by the effects of the COVID-19 pandemic. A Point in Time analysis from January 2024 revealed that countywide the number of unhoused people has increased approximately 23 percent since January 2020, prior to the COVID-19 pandemic. The requests for shelter among households with children and adult-only households have also in turn increased. Currently there is an insufficient number of shelter beds to meet the demand for those households. As a result, there has been an increase in the number of adults sleeping in larger homeless encampments, as well as an increase in the number of hotel rooms that Fairfax County has rented to shelter households with children. The Embry Rucker Community Shelter in Reston has the lowest number of beds for households with children and adult-only households compared to other shelters in the county.

The FCRHA purchased the former extended stay hotel in August of 2024 at the direction of the Fairfax County Board of Supervisors in response to an insufficient number of shelter beds in the County. This need is particularly critical as the County's Hypothermia Prevention Program ends on March 31, 2025. Once the program ends for the season, temporary shelter facilities will cease operations, increasing the already high demand for shelter beds. The proposed Fair Ridge facility will expand the total number of shelter beds available and allow households with children to move out of the Embry Rucker Community Shelter. The vacated shelter beds at the Embry Rucker Community Shelter will then be available for adult-only households, who are currently sleeping in a temporary overnight shelter in the North County Human Services Building or are currently unsheltered.

The subject property will provide a relatively smooth transition for households with children to move from the Embry Rucker Community Shelter. School children at all levels will be able to remain at their current schools through transportation provided by the County. The new location offers proximity to the Fairfax County Government Center, which is a hub for various Human Services agencies, therefore offering access to services. The subject property has access to public transportation, a grocery store within walking distance, and proximity to potential employment opportunities.

The proposed facility is surrounded by mostly office and commercial uses, as well as a nearby police station and fire station. To the east of the property is a planned affordable housing development subject to a recently approved Plan Amendment (2022-III-FC1) that would provide 33 affordable permanent supportive housing units at a density of up to 35 dwelling units per acre. This land is also owned by FCRHA and it is anticipated that the permanent supportive housing project will be operated by Cornerstones.

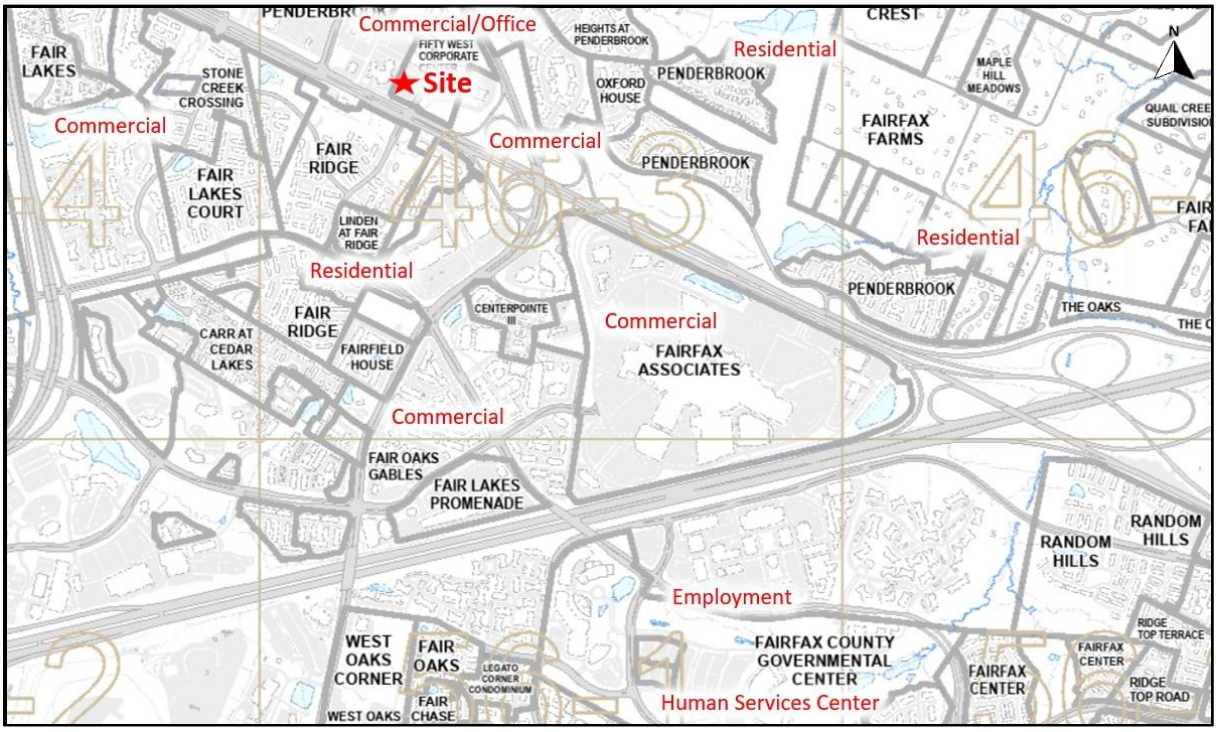

Figure 2: Contextual map with wider surrounding uses. Source: Fairfax County DPD.

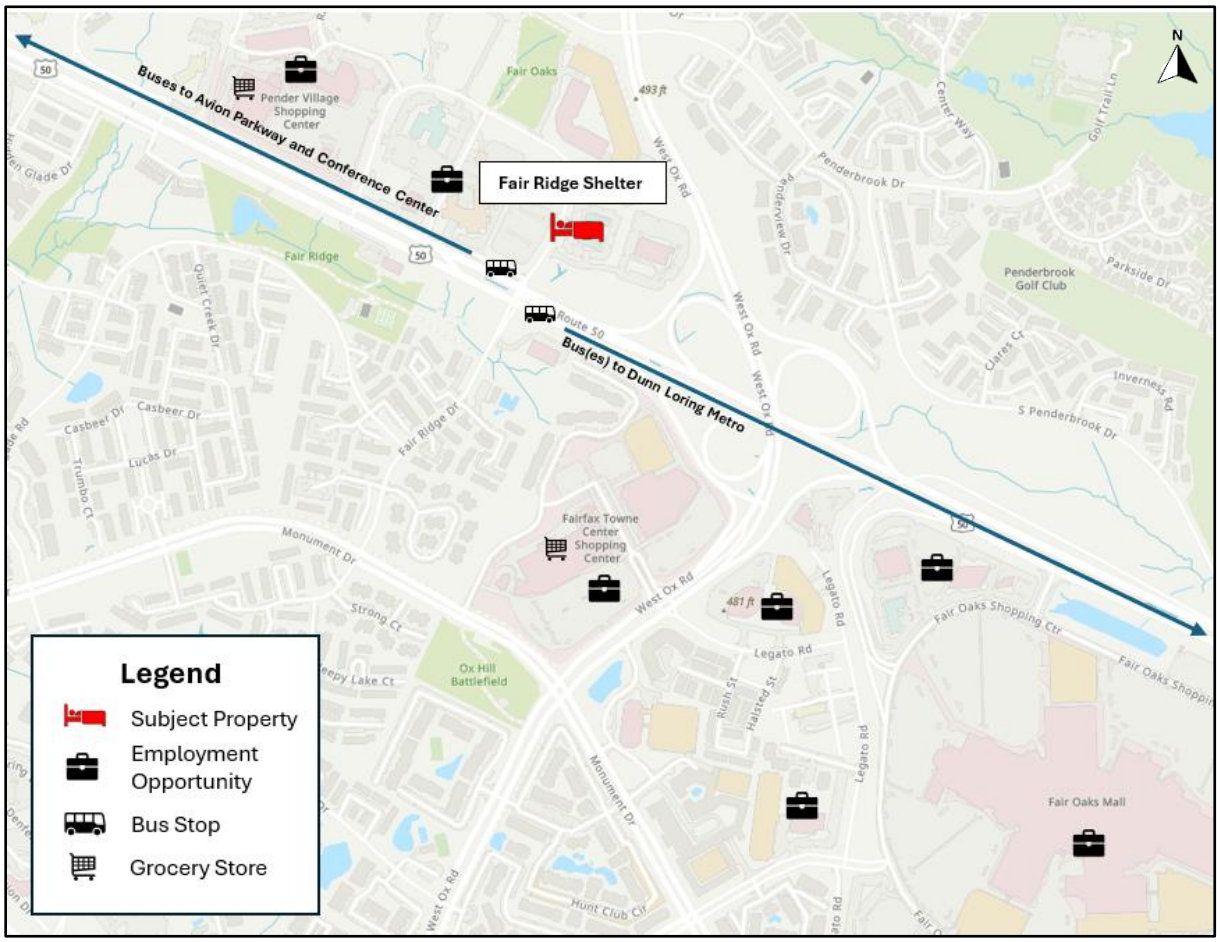

Figure 3: Map displaying some amenities near the proposed facility. Source: Fairfax County RHA.

Proposed Facility

From a land use perspective, the subject property and proposed use will function similarly to the previous extended stay hotel use. The FCRHA plans for two phases of renovations. Phase 1 includes renovations to bring the building into compliance with the building code with an anticipated building opening date of April 1, 2025. These improvements include repairs to life safety systems such as fire alarms for the 94 units and re-striping of fire lanes along the driveways. The shelter will be operated by an experienced contracted shelter provider to be determined prior to the opening date. It is anticipated that all units will be fully occupied once the facility is open. The Fairfax County Department of Housing and Community Development (HCD) has indicated that they may conduct a second phase of renovations to the facility. The specifics of the scope for Phase 2 have not been determined at this point, but will likely result in further renovations to optimize the function of the facility. In order to meet the immediate needs for more shelter beds, specifically for families, it is critical that Phase 1 is completed and the shelter is open for use by April 1, 2025, to coincide with the end of the season for the County's Hypothermia Prevention Program on March 31, 2025.

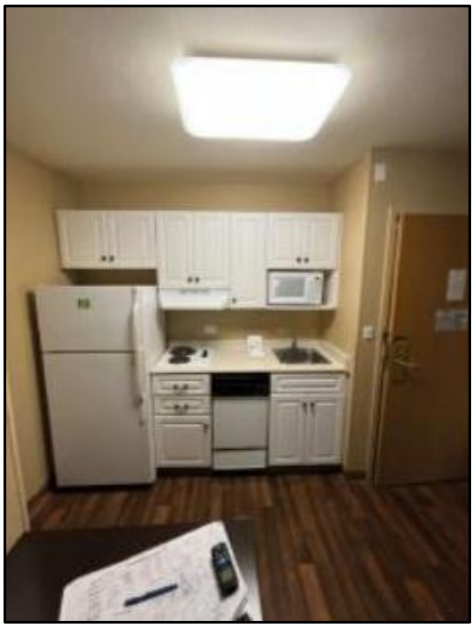

Figure 4: Interior Photo of Kitchenette Area. Source: Fairfax County RHA.

Hours of Operation, Maintenance and Personnel

The facility will operate 24 hours a day, seven days a week. The Fairfax County Facilities Management Department will periodically visit the site for maintenance and repairs. Maintenance of the building and grounds will be performed routinely, along with additional maintenance as needed.

Guest services are provided by contractors on-site, including staff that monitor the space for safety and security and respond to guests' basic needs for food or other supplies. Case managers will be provided to help guests find and secure permanent housing opportunities. The minimum number of staff estimated to be on-site is approximately five individuals during nights and weekends and the maximum number of staff is estimated to be approximately twenty-five individuals during weekdays.

Service Area

This facility will provide shelter services for those generally in the Northern and Central regions of Fairfax County.

Access and Traffic Impacts

No significant access or traffic impacts are anticipated as access to and from the site will not change. Vehicular access to the site is off Route 50 with entrances on Fair Ridge Drive and Washington Corporation Drive. The family shelter is anticipated to result in fewer vehicular trips than the previous extended stay hotel as there are likely to be fewer occupants with personal vehicles. No additional parking spaces from the existing 103 spaces or transportation improvements are needed to accommodate the change. The number of staff members needed to accommodate the shelter is estimated to be roughly the same than its prior use as an extended stay hotel.



Figure 5: Photo exhibits bus stop heading east, located to south of the site, accessible via the crosswalk with ADA accessible curb ramp. Source: Fairfax County DPD.

Staff met with the Fairfax County Department of Transportation (FCDOT) to discuss the proposed use and any transportation recommendations, as well as access to transit, particularly the bus stops to the south of the site on Route 50. With recent upgraded crossings and trail connections, FCDOT's comments are aligned with the recent recommendations for the adjacent Plan Amendment (2022-III-FC1) to the east of the proposed facility, in particular:

> Transportation
> The site is within walking distance of the shopping center to the west as well as bus transit services on Route 50, and a trail connection to the north of the site which leads to the multimodal trail along West Ox Road.
>
> Transit Services
> The subject property is currently served by Fairfax Connector Routes 605, 621 and 650, with stops on Route 50 and West Ox Road, providing access to Reston Town Center, Inova Fair Oaks Hospital, Fair Oaks Mall, Fairfax Towne Center, Fairfax County Government Center, Fairfax Corner, Chantilly Crossing Shopping Center, Dulles Expo Center, Metrotech Plaza, Greenbriar Plaza and the Vienna Metrorail Station.

As noted, no additional transportation improvements are needed to accommodate the change in use, which will have substantially the same impacts as the extended stay hotel use.

Noise and Light Impacts
No additional noise or light related impacts are anticipated as a result of the proposed use on the surrounding area, as all improvements will be internal to the building.

Visual Impacts
No additional visual impacts are anticipated as a result of the proposed use, as all improvements will be internal to the building.

Site Selection
Redevelopment of the existing Embry Rucker Community Shelter in Reston is part of a larger redevelopment plan in response to having an insufficient number of shelter beds to meet demand. All current components of the existing shelter were planned to be relocated within the future Reston Town Center North area. However, combining shelter facilities for two populations, households with children and adult-only households, in one building would restrict the number of beds that can be provided for both. As an alternative, the County searched for a property to provide additional shelter capacity, particularly for households with children, and meet the increased demand. Using an existing building offers cost and time savings, so FCRHA reviewed other operational extended stay hotels within the county in varying locations and in various states of repair. Considering all factors, the proposed location was deemed the best site for the facility by FCRHA. The subject property provided the necessary attributes for a shelter facility with a potentially quick operational turnaround time.

This property is ideal as the proposed use is very similar to the existing hotel use, and therefore no additional impacts are expected that would need to be mitigated. Extended stay hotels do not have leases between the owner and occupants and are intended to provide temporary accommodation for those that need it. The size and configuration of the existing units are well suited for families with children, with advantages including multiple beds and additional space for adults and children when comparted to a traditional hotel. Additionally, the units are fitted with kitchenette utilities and function more like a small apartment rather than a room in a homeless shelter. As a result, it is a relatively simple conversion and provides a strategic opportunity to quickly improve and increase the capacity of Fairfax County's emergency shelter options. Due to this compatibility, various nonprofit organizations in Fairfax County have rented rooms in extended stay hotels to provide shelter for unhoused families and singles. The Fairfax County Office to Prevent and End Homelessness conducted a survey of its nonprofit contractors' hotel usage, which showed that there are currently three extended stay hotels used in Fairfax County that on any given day average 22 rooms being used by unhoused populations.

Of the properties reviewed by FCRHA, the subject site was in a suitable location for the unhoused population in need for this area, in reasonably good condition, surrounded by complimentary commercial uses (including shopping and employment opportunities within walking distance), near transit and trails, and was a more affordable option than other nearby hotels. The site is also adjacent to the existing FCRHA owned property (future Cornerstones permanent supportive housing development) and near County facilities (Fair Oaks Police & Fire Stations and Government Center), allowing for some infrastructure efficiencies and the potential for future programmatic efficiencies in the future.

Because the property is developed pursuant to rezoning application PCA-84-C-060, the use was evaluated for substantial conformance with the proffers. While, as noted, the proposed temporary shelter housing use is essentially the same the existing use of extended stay hotel, because the proposed use is a public use, a minor variance to add "public use (shelter facility for unhoused families)" as a permitted use was requested. MVR-2024-SU-00004 was approved by the Board of Supervisors on January 14, 2025.

DESCRIPTION OF SURROUNDING AREA

LOCATION: The site is located at the northwest intersection of West Ox Road and Route 50. There is an assisted living facility and an office to the north, Route 50 and a mixture of residential and commercial uses to the south, a medical office building, future residential and the West Ox Road off-ramp to the east, and a medical office building to the west.

CHARACTER: Commercial

Existing Land Uses Adjacent to Subject Property

- Subject property – Former Extended Stay Hotel
- North – Commercial/Office
- East – Commercial/future Residential
- South – Commercial/Residential
- West – Commercial

COMPREHENSIVE PLAN

COMPREHENSIVE PLAN MAP: 2-3 DU/AC

- Subject property – Commercial (2-3 DU/AC)
- North – Commercial (2-3 DU/AC)
- East – Residential (5-8 DU/AC)
- South – Commercial (2-3 DU/AC)
- West – Commercial (2-3 DU/AC)

The proposed site is in Area III, Upper Potomac Planning District, UP8 Lee-Jackson Community Planning Sector, of the Comprehensive Plan.

An assessment of this proposal for substantial conformance with current land use recommendations of the Comprehensive Plan ("the Plan") is guided by the following citations:

FAIRFAX COUNTY COMPREHENSIVE PLAN, 2017 Edition POLICY PLAN Land Use, Amended through 6-28-2022

Redevelopment or Repurposing

Objective 9: Nonresidential redevelopment or repurposing should be in accord with the recommendations of the Comprehensive Plan.

Policy c. Ensure that the redevelopment or repurposing of existing uses is consistent with the provision of adequate transportation and public facilities.

APPENDIX 13

GUIDELINES FOR COMMERCIAL BUILDING REPURPOSING

Many older commercial office, retail, or service buildings can no longer compete with newer

buildings built in transit-accessible, mixed-use activity centers, or cannot readily be leased due to spatial configurations that have become obsolete. This results in the need to consider improving and marketing the buildings for a different use. Commercial building repurposing encourages the development of a wide range of alternative uses that support the county's planning objectives and improve the County's economy by reducing commercial vacancy. The repurposing of commercial buildings can be an important element in the county's strategy to revitalize communities, provide needed housing, and accommodate emerging development trends and uses. Emerging uses, such as food incubators, urban agriculture or flexible live/work units, have been shown to promote economic development and the diversity and vitality that characterize successful communities.

The Guidelines for Commercial Building Repurposing are intended to facilitate the conversion of vacant, partially vacant, and underutilized commercial office, retail and service buildings to alternative land uses not envisioned under the adopted Comprehensive Plan.

Commercial buildings that are proposed to be repurposed per these guidelines may be deemed to be in conformance with the Comprehensive Plan. Flexibility is anticipated when applying Plan guidance in the review of zoning applications.

FAIRFAX COUNTY COMPREHENSIVE PLAN, 2017 Edition POLICY PLAN Housing, Amended through 3-21-2023

HOUSING

INTRODUCTION

There is a limited supply of housing for special populations, such as people with intellectual, developmental, and physical disabilities, families and individuals who are/were homeless, and seniors with low-income.

Objective 5: The county should increase the supply of housing available to special populations, including people with intellectual, developmental, and physical disabilities, families and individuals who are/were homeless, and seniors with low- and moderate-income

Policy a. Locate housing resources for special populations in all parts of the county as a way of improving accessibility to employment opportunities, county services, medical services, and cultural and recreational amenities.

Policy b. Facilitate the development of emergency shelters and permanent supportive housing for individuals and families who are/were homeless, as well as others in need of these housing options.

FAIRFAX COUNTY COMPREHENSIVE PLAN, 2017 Edition POLICY PLAN Human Services, Amended through 3-4-2014

Objective 14: Provide adequate emergency housing services for individuals and families and for victims of familial abuse.

Policy b. Locate community shelters within one mile of major highways, and on or near public transportation routes.

FAIRFAX COUNTY COMPREHENSIVE PLAN, 2017 Edition POLICY PLAN Public Facilities, Amended through 5-7-2024

Objective 1: Locate new facilities to provide convenient service to the greatest number of people or service consumers and users.

Policy a. Site facilities appropriately to the area they are intended to serve.

Policy c. Site facilities in accordance with locational standards that maintain accepted levels of service while reducing duplication or underutilization.

Policy d. Ensure that minimum populations or service thresholds are projected to be met before facility construction is undertaken.

Policy e. Locate facilities that provide on-site services near transit, where possible, with the necessary pedestrian infrastructure to safely allow users to access the facility.

Policy f. Evaluate alternative sites when selecting an appropriate location for a new facility and demonstrate why the chosen site is more suitable than the alternative sites that were evaluated.

Objective 2: Plan, fund, construct and maintain facilities in accord with expected levels of service objectives and fiscal limitations.

Policy b. Evaluate service gaps or access barriers and consider the equitable distribution of facilities during the planning and funding phases for new public facilities while balancing the overall county needs.

Policy d. Follow adopted public facility standards to identify facility requirements associated with level of need, appropriate quantity and size, and relationship to population.

Objective 3: Balance the provision of public facilities with growth and development.

Policy a. Construct new facilities or expansions of existing facilities, where appropriate in size and quantity consistent with projected needs.

Policy e. Designate and reserve future public facility sites that will be required for future growth and development.

Policy g. Identify and acquire, as fiscally possible, sites for public facilities in advance of demand either through purchase or dedication.

Policy h. Plan for the provision of buildings or land for public facilities as needs are identified.

Objective 4: Consider the impact of public facilities on adjacent planned and existing land uses.

Policy a. Locate public facilities in areas of compatible land use when possible, if service efficiency and cost effectiveness can be achieved. Siting facilities in areas of different land uses is acceptable and at times required, to provide centrally located public facilities which are critical to the public interest.

Policy c. Ensure that public facilities are properly screened and buffered in order to mitigate visual impact on existing or planned adjacent development of a different use or nature.

Objective 5: Acquire sites which are appropriate for the facility's specific purpose. Apply acceptable criteria when evaluating public facility sites.

Policy a. Consider accessibility in siting facilities. In general, public facilities should be near primary arterial roads. Exceptions to this locational principle include facilities with a pedestrian orientation, such as a neighborhood park or school where local roads are the preferred immediate access.

Policy g. Locate facilities on sites where existing vegetation is capable of providing a natural buffer, natural shading and cooling, stormwater absorption and enhancing building design. Preservation of existing vegetation should be prioritized when designing the location facility and infrastructure placement.

Objective 6: Design, retrofit and maintain public facilities and sites in an environmentally-sensitive manner.

Policy d. Ensure that natural landscaping and LID practices are monitored and maintained such that they will remain viable over time. Species should be native or adapted (non-invasive, climate-resilient) species.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

Va. Code Sec. 15.2-2232, as amended, requires the Planning Commission to determine whether the general location or approximate location, character, and extent of the proposed facility are substantially in accord with the adopted Comprehensive Plan.

Location

The location for the proposed shelter is at the site of a former extended stay hotel that is not currently in use. The facility is in an appropriate location to provide additional shelter capacity and to transition unhoused families from the Embry Rucker Community Shelter, which is consistently at high occupancy, therefore aligning with Objective 1, Policy (c) and (d) of the Public Facilities Element of the Policy Plan (PFEPP). The existing building provides the necessary infrastructure for families, including larger units with kitchenettes and multiple beds, and will provide critical help in meeting the increased demand of the western portion of the County that the Embry Rucker Community Shelter cannot meet. The new shelter will improve service delivery and provide enhanced shelter capabilities for families in harmony with Objective 1, Policy (a) and Objective 2, Policy (d) of the PFEPP.

The need for additional shelters in the County is documented in the Policy Plan of the Comprehensive Plan. The introduction to the Housing Element of the Policy Plan (HEPP) acknowledges the limited supply of housing for special populations, including families

experiencing homelessness. This supply issue directly drives the need for the proposed facility. Policy (a) under Objective 5 of the HEPP states that such facilities should be in locations close to services and amenities. The proposed location is well-served by proximity to County services, commercial establishments, employment opportunities, and public transportation. The convenient location is one of the factors considered in the selection of this property to purchase and convert. Policy (b) under Objective 5 of the HEPP states the need to facilitate the development of emergency shelters and other facilities for certain populations, specifically including those who are unhoused. The reuse of an extended stay hotel as an emergency shelter is an opportunity in line with the guidance of the Comprehensive Plan. Reusing the building, rather than building a new facility, is also strategic in assisting the affected populations in the most straightforward and expeditious manner, therefore aligning with the goals of Appendix 13 of the Land Use Element of the Policy Plan.

To the south and west of the proposed facility, within a half-mile walking distance either direction, are two different neighborhood shopping centers with grocery stores, retail stores, and service uses. At this location, people at the facility will be able to take advantage of the shopping center proximity and potential employment opportunities that are pedestrian accessible. The proposed facility is near public transit and other County service agencies that will benefit the shelter users, aligning with Objective 1, Policy (e) and Objective 5, Policy (a) of the PFEPP. Objective 14 of the Human Services element in the Policy Plan of the Comprehensive Plan mentions locating community shelters for individuals and families on or near public transportation routes as many people using the shelter may not have access or the ability to afford a private vehicle. There are bus transit services with stops on Route 50 and West Ox Road that are connected by sidewalk and crosswalks. These buses provide access to various shopping needs, other employment opportunities and the metro including Reston Town Center, Fair Oaks Mall, Chantilly Crossing Shopping Center, Metrotech Plaza and the Vienna Metrorail Station. By repurposing this building to a shelter, the accommodated families will be able to access Fair Oaks Park, a park operated by the Park Authority that is located within a quarter mile of the site.

Character

The acquisition of a hotel with furnished units provides the opportunity for the new facility to be operational in a short period of time, aligning with Objective 3, Policies (g) and (k) of the PFEPP. Additionally, the characteristic of the building and previous use allows for a natural conversion to a shelter, aligning with Objective 1, Policy (f) of the PFEPP.

The shelter component of this facility will be emergency sheltering, rather than permanent housing, for unhoused families. Onsite services will include assistance in finding permanent housing. This is in line with the prior use of the building as an extended stay hotel, as both uses provide short-term accommodation and are not long-term solutions to housing. In addition, Fairfax County shelter contractors often utilize these kinds of extended stay hotels for the accommodation of unhoused families while working with families to find more permanent accommodations. Thus, the prior use of the building is compatible with the anticipated use as a shelter and in harmony with Objective 4, Policy (b) of the PFEPP.

The internal configuration of the existing building provides the necessary infrastructure for a family shelter and meets an immediate need that the County has identified. Greater use of the site will be achieved by utilizing an unused building that requires only minor modifications to the building to meet the needs of the shelter use. The proposed shelter facility use will be harmonious with the character of the future permanent supportive housing units to the east, in

accordance with the PFEPP Objective 4, Policy (a). The renovations are not anticipated to impact the existing tree buffers around the site that provide natural screening to the surrounding mix of uses including commercial and office, therefore aligning with the PFEPP Objective 5, Policy (g) and Objective 6, Policy (d).
This proposed shelter serves the County and allows FCRHA to operate more efficiently in addressing service needs, aligning with Objective 3 Policy (h) of the PFEPP. The proposed facility will expand the total number of shelter beds available and allow the Embry Rucker Community Shelter to alleviate its demand of households with children, therefore aligning with Objective 3 Policy (g) of the PFEPP. The new family shelter will provide on-site guest services that can assist families with providing groceries, children's supplies, case management, employment assistance, life skills training, transportation, and location of more permanent housing. The services are intended to assist families in times of crisis to meet their immediate basic needs, provide safety and security, and eventually lead to securing stable housing in the community. The operations of the new shelter will evolve over time, likely in two phases. The first phase of the conversion will involve interior modifications to the building and the relocation of the approximately 40-bed family portion of the Embry Rucker Community Shelter to the site. Phase 2 improvements are to be determined.

The adaptive reuse of the existing building is significantly lower than the cost of constructing a new shelter, therefore aligning with Objective 3, Policy (g) and Objective 4, Policy (a) of the PFEPP.

Extent

From a land-use analysis, the subject property will largely function as it did as an extended stay hotel, therefore aligning with Objective 4, Policy (a) of the PFEPP. The physical structure of the building will not be altered and there are no exterior or site changes to the property as proposed with Phase 1 of the proposed family shelter. Objective 9 of the Land Use element of the Policy Plan notes that repurposing of existing uses should be consistent with the provision of adequate transportation and public facilities. There is no significant impact anticipated to public facilities for the new use compared to the previous use. The number of vehicular trips should decrease with the new use of the building as there are likely to be less occupants with personal vehicles than with the previous use as an extended stay hotel.

CONCLUSION AND RECOMMENDATIONS

The reuse of this former extended stay hotel will have a direct, positive impact on many unhoused families in Fairfax County. This effort will assist the well-being of some of the County's most vulnerable populations in times of crisis. It will assist the County in providing high quality services and help residents achieve better economic stability and upward mobility, which are priorities in the One Fairfax Policy and Countywide Strategic Plan.

The subject proposal by the Fairfax County Redevelopment and Housing Authority to repurpose a former extended stay hotel that is not currently in use, as a shelter facility for unhoused families located at 3997 Fair Ridge Drive, Fairfax, VA 22033 satisfies the criteria of general or approximate character, location, and extent as specified in VA. Code Sec. 15.2-2232, as amended. Staff recommends the Planning Commission find the subject application 2232-2024-SU-00009 to be substantially in accord with provisions of the adopted Comprehensive Plan.

APPENDIX

Attachment A - Code of Virginia Section 15.2-2232 (Pages 1-3)
Attachment B - Statement of Justification and Application Materials (Pages 4-8)
Attachment C - Site Photos (Pages 9-10)
Attachment D – Board Item Minor Variation (Pages 11-38)

Code of Virginia
Title 15.2. Counties, Cities and Towns Subtitle II. Powers of Local Government
Chapter 22. Planning, Subdivision of Land and Zoning Article 3. The Comprehensive Plan

§ 15.2-2232. Legal status of plan

A. Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. In connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing, after notice as required by § 15.2-2204. Following the adoption of the Statewide Transportation Plan by the Commonwealth Transportation Board pursuant to § 33.2-353 and written notification to the affected local governments, each local government through which one or more of the designated corridors of statewide significance traverses, shall, at a minimum, note such corridor or corridors on the transportation plan map included in its comprehensive plan for information purposes at the next regular update of the transportation plan map. Prior to the next regular update of the transportation plan map, the local government shall acknowledge the existence of corridors of statewide significance within its boundaries.

B. The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may appeal the decision of the commission to the governing body within 10 days after the decision of the commission. The appeal shall be by written petition to the governing body setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the governing body shall overrule the commission.

C. Widening, narrowing, extension, enlargement, vacation or change of use of streets or public areas shall likewise be submitted for approval, but paving, repair, reconstruction, improvement, drainage or similar work and normal service extensions of public utilities or public service corporations shall not require approval unless such work involves a change in location or extent

of a street or public area.

D. Any public area, facility or use as set forth in subsection A which is identified within, but not the entire subject of, a submission under either § 15.2-2258 for subdivision or subdivision A 8 of § 15.2-2286 for development or both may be deemed a feature already shown on the adopted master plan, and, therefore, excepted from the requirement for submittal to and approval by the commission or the governing body; provided, that the governing body has by ordinance or resolution defined standards governing the construction, establishment or authorization of such public area, facility or use or has approved it through acceptance of a proffer made pursuant to § 15.2-2303.

E. Approval and funding of a public telecommunications facility on or before July 1, 2012, by the Virginia Public Broadcasting Board pursuant to Article 12 (§ 2.2-2426 et seq.) of Chapter 24 of Title 2.2 or after July 1, 2012, by the Board of Education pursuant to § 22.1-20.1 shall be deemed to satisfy the requirements of this section and local zoning ordinances with respect to such facility with the exception of television and radio towers and structures not necessary to house electronic apparatus. The exemption provided for in this subsection shall not apply to facilities existing or approved by the Virginia Public Telecommunications Board prior to July 1, 1990. The Board of Education shall notify the governing body of the locality in advance of any meeting where approval of any such facility shall be acted upon.

F. On any application for a telecommunications facility, the commission's decision shall comply with the requirements of the Federal Telecommunications Act of 1996. Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within 90 days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than 60 additional days. If the commission has not acted on the application by the end of the extension, or by the end of such longer period as may be agreed to by the applicant, the application is deemed approved by the commission.

G. A proposed telecommunications tower or a facility constructed by an entity organized pursuant to Chapter 9.1 (§ 56-231.15 et seq.) of Title 56 shall be deemed to be substantially in accord with the comprehensive plan and commission approval shall not be required if the proposed telecommunications tower or facility is located in a zoning district that allows such telecommunications towers or facilities by right.

H. A solar facility subject to subsection A shall be deemed to be substantially in accord with the comprehensive plan if (i) such proposed solar facility is located in a zoning district that allows such solar facilities by right; (ii) such proposed solar facility is designed to serve the electricity or thermal needs of the property upon which such facility is located, or will be owned or operated by an eligible customer-generator or eligible agricultural customer-generator under § 56-594 or 56-594.01 or by a small agricultural generator under § 56-594.2; or (iii) the locality waives the requirement that solar facilities be reviewed for substantial accord with the comprehensive plan. All other solar facilities shall be reviewed for substantial accord with the

comprehensive plan in accordance with this section. However, a locality may allow for a substantial accord review for such solar facilities to be advertised and approved concurrently in a public hearing process with a rezoning, special exception, or other approval process.

Code 1950, §§ 15-909, 15-923, 15-964.10; 1958, c. 389; 1960, c. 567; 1962, c. 407, § 15.1-456; 1964, c. 528; 1966, c. 596; 1968, c. 290; 1975, c. 641; 1976, c. 291; 1978, c. 584; 1982, c. 39; 1987, c. 312; 1989, c. 532; 1990, c. 633; 1997, cc. 587, 858;1998, c. 683;2007, c. 801;2009, cc. 670, 690; 2012, cc. 803, 835;2016, c. 613;2018, cc. 175, 318;2020, c. 665.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired

Docusign Envelope ID: 0A2A2893-FD79-42F5-83DB-2DBC4233C618

Attachment B

County of Fairfax, Virginia

MEMORANDUM

DATE: January 15, 2025

TO: Tracy Strunk, Director
Department of Planning and Development

FROM: Brianne Fuller, Countywide Coordinator
Office of the County Executive

SUBJECT: 2232 Public Facility Review Application
Fairfax County Tax Map Parcels 46-3 ((17)) 003 and 005

Dear Ms. Strunk,

On behalf of the Fairfax County Redevelopment and Housing Authority, as its authorized agent, I am pleased to submit this application for a 2232 Public Facility review. The Subject Property is located at Fairfax County Tax Map Parcels 46-3 ((17)) 003 and 005. Parcel 3 is currently developed with a former extended stay hotel that is not currently in use and is intended to be repurposed as a shelter facility for unhoused families.

Description of Proposed Use

The Subject Property is located at 3997 Fair Ridge Drive, west of the Route 50 and West Ox Road interchange, in the Sully District. The approximately 42,000 square foot building most recently functioned as an extended stay hotel and will be repurposed as a shelter facility for unhoused families. The building has three stories and includes 94 studio units with kitchenettes, served by 103 parking spaces. Onsite guest services will include groceries, children's supplies, case management, employment assistance, life skills training, transportation, and housing location. The services help families in crisis meet their immediate basic needs, find safety and security, and then secure stable housing in the community.

The Fairfax County Redevelopment and Housing Authority purchased the Subject Property in August 2024 at the direction of the Fairfax County Board of Supervisors for use as a family shelter by April 1, 2025. This direction was in response to an insufficient number of shelter beds available in the County to meet the demand. The April 1, 2025 opening goal is in line with the end of the 2024-2025 Hypothermia Prevention Program on March 31, 2025. This program is run through the cold weather months to provide temporary shelter space for residents experiencing homelessness. Upon the end of the program, temporary facilities will be closed, increasing the already high demand for shelter beds. The goal of this project is to move families with children to the Fair Ridge location from the Embry Rucker Shelter in Reston, which can then accommodate additional adult-only households. Prior to the opening date, the Subject Property will be conveyed to the Board of Supervisors and an experienced shelter provider will be selected to operate the facility.

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The proposed reuse as a Public Facility is part of the first phase of improvements to the Subject Property. Prior to occupancy, the building will undergo initial renovations to address outstanding code-related items identified by the Fire Marshal's office to provide a safe and comfortable environment for families. Improvements are generally maintenance-related, including updating life safety systems and re-striping fire lanes. A future second phase, as part of the Department of Public Works and Environmental Services' Capital Improvement Program, will result in further renovations to optimize the function of the facility and add a domestic violence shelter component to the building. This facility will provide shelter services for those generally in the North/Central Fairfax County area.

The Subject Property was purchased for $14.5 million using the County's federal American Rescue Plan Act (ARPA) and State and Local Fiscal Recovery Funds (SLFRF) allocation. Approximately $4.1 million in federal funds via the earmark process are available to cover immediate improvements and longer-term modifications to the building. The Fairfax County Facilities Management Department will maintain the building. Maintenance of the building and its grounds will be performed routinely, along with additional maintenance as needed.

Requirement for Proposed Use

According to the January 2024 Point in Time count, the number of people experiencing homelessness has increased approximately 23 percent since January 2020, prior to the COVID-19 pandemic. The requests for shelter among households with children and adult-only households have also increased. Currently there is an insufficient number of shelter beds to meet the demand among households with children and adult-only households. As a result, the number of adults sleeping in larger homeless encampments has increased, as has the number of hotel rooms that Fairfax County has rented to shelter households with children. The Embry Rucker Community Shelter in Reston has the lowest number of beds for households with children and adult-only households. This new facility will allow Fairfax County to move households with children from the Embry Rucker Community Shelter to the new facility and expand the total number of shelter beds available. The vacated shelter beds at the Embry Rucker Community Shelter will be used for adult-only households, who are currently sleeping in a temporary overnight shelter in the North County Human Services Building as part of the Hypothermia Prevention Program or are unsheltered.

The Subject Property is close to Reston, where households with children currently reside in the Embry Rucker Shelter. The location offers proximity to the Fairfax County Government Center as well, which is a hub for various Human Services agencies, offering easier access to services. The location also has proximity to public transportation, a grocery store within walking distance, and proximity to a variety of employment opportunities.

The proposed facility is immediately surrounded by various office uses and public facilities, with residential neighborhoods generally buffered by roadways. While it offers access to amenities for users of the site, it also presents an opportunity that results in little disruption to the neighborhood.

The nature of the building lends itself to the conversion to a shelter facility. The most recent use of the site as an extended stay hotel is very similar to its proposed use as a shelter for

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families. Extended stay hotels do not have leases between the owners and occupants and are intended to provide temporary accommodation for those that need it. Due to this compatibility, extended stay hotels have been rented by unhoused families through various nonprofit organizations in Fairfax County. In the last quarter of Fiscal Year 2024, the Office to Prevent and End Homelessness conducted a survey of its nonprofit contractors' hotel usage. The results of the survey showed that there are three extended stay hotels used in Fairfax County with an average of 22 rooms being used per night at each.

Anticipated Impact and Mitigation

The Subject Property will largely function as it did as an extended stay hotel and thus is not expected to have any additional visual, environmental, noise-related, air or water quality impacts on the surrounding area.

The new use for the building should result in less vehicular trips than the previous use as an extended stay hotel as there are likely to be less occupants with personal vehicles. Guest services are provided by contractors on-site, including residential workers that monitor the space for safety and security and respond to guests' basic needs for food and other supplies 24 hours a day and seven days a week; case managers and housing locators that help guests find and secure permanent housing opportunities; and various supervisory staff. The minimum number of staff estimated to be on-site during nights and weekends is approximately five individuals and the maximum number of staff is estimated to be approximately 25 individuals during weekdays. Fairfax County facilities staff will periodically visit the site for maintenance and repairs. The number of staff members needed to accommodate the shelter is estimated to be roughly the same or less than its prior use as an extended stay hotel. No additional parking spaces or transportation improvements are needed to accommodate the change.

Due to a lack of impacts from the building on the adjacent neighborhood, additional mitigation measures are not proposed with this application.

Conformance with the Comprehensive Plan

The need for additional shelters in the County is well-documented in the Policy Plan of the Comprehensive Plan. The introduction to the Housing Element of the Policy Plan acknowledges the limited supply of housing for special populations, including families experiencing homelessness:

"There is a limited supply of housing for special populations, such as people with intellectual, developmental, and physical disabilities, families and individuals who are/were homeless, and seniors with low-income…" (Fairfax County Comprehensive Plan, Housing Element Introduction)

This critical supply issue directly drives the need for the proposed facility, which is stated in Objective 5:

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"Objective 5:
The county should increase the supply of housing available to special populations, including people with intellectual, developmental, and physical disabilities, families and individuals who are/were homeless, and seniors with low- and moderate-income." (Fairfax County Comprehensive Plan, Housing Element, Objective 5)

Policies a and b under Objective 5 specify mechanisms to address Objective 5. Policy a states that such facilities should be in locations close to services and amenities:

"Locate housing resources for special populations in all parts of the county as a way of improving accessibility to employment opportunities, county services, medical services, and cultural and recreational amenities" (Fairfax County Comprehensive Plan, Housing Element, Objective 5, Policy a)

As stated in the description of the location, this site is well-served by proximity to County services, employment opportunities, and public transportation. The convenient location is one of the factors considered in the selection of this property to purchase and convert. Policy b under Objective 5 states the need to facilitate the development of emergency shelters and other facilities for specific populations, specifically including those who are unhoused:

"Facilitate the development of emergency shelters and permanent supportive housing for individuals and families who are/were homeless, as well as others in need of these housing options." (Fairfax County Comprehensive Plan, Housing Element, Objective 5, Policy b)

The reuse of an extended stay hotel as an emergency shelter is an opportunity facilitated in line with the expectations of the Comprehensive Plan. Reusing the building, rather than building a new facility, also exemplifies strategic thinking for how to assist the affected populations in the most straightforward and expeditious manner.

The Comprehensive Plan clearly and directly addresses the need for shelter facilities to assist with the unhoused populations in Fairfax County, particularly in convenient locations such as the one proposed. The reuse of this building to a Public Facility that operates similarly to its prior use as an extended stay hotel will also help keep the intended character of Sub-Unit C2 in the Fairfax Center Area Plan within the Comprehensive Plan. This is a favorable outcome over a new development on the Subject Property that could alter the character of the area and have additional impacts to the transportation network.

Alternative Sites Considered for this Use

All current components of the Embry Rucker Shelter were anticipated to be relocated on a parcel of designated land in the Reston Town Center North area. Recognizing that combining shelter facilities for two populations, households with children and adult-only households, in one building restricts the number of beds that can be provided for both populations, Fairfax County searched for an additional property to provide additional shelter capacity and meet the increased demand. The acquisition of a hotel with the appropriate features and reasonable price

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provides the opportunity to be operational in months, not years, which is ideal in responding to this urgent need.

The owners of the former hotel at 3997 Fair Ridge Drive approached the FCRHA during negotiations over an easement needed for a nearby redevelopment and provided a list of other operational extended stay hotels within the county in varying locations and in various states of repair.

The location on the property is ideal due to the existing hotel use, including units improved with kitchenettes fitting for households with children, and the relatively simple conversion to an emergency shelter use. Of the hotel properties provided by the hotel operator, the subject hotel was the best located; well-maintained and in reasonably good condition; surrounded by complimentary commercial uses; a more affordable option than other well-located hotels; and adjacency to existing RHA-owned property (West Ox) and near County facilities (Fair Oaks Police & Fire Stations), allowing for some infrastructure efficiencies.

The reuse of this former extended stay hotel will have a direct, positive impact on many unhoused families in Fairfax County. This effort is intended to help support the well-being of some of our most vulnerable populations. It will assist Fairfax County in providing high quality services as we strive to achieve economic stability and upward mobility for all residents.

I look forward to moving this facility forward into operation. If you have any questions or need any additional information, please contact me at 703-324-1861 or Brianne.fuller@fairfaxcounty.gov.

Sincerely,

DocuSigned by:
Brianne Fuller
5F59E930D91F409...

Brianne Clohessy Fuller
Countywide Coordinator
Office of the County Executive
12000 Government Center Parkway, Suite 552
Fairfax, VA 22035

Attachment C











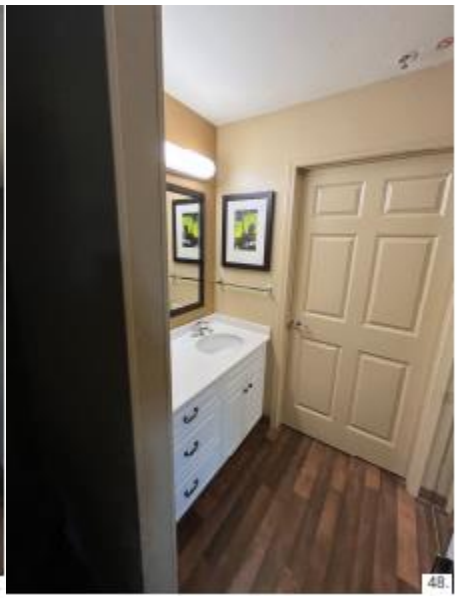


Attachment C









AFFIDAVIT REQUIRED

Board Action Item
January 14, 2024

3:30 p.m.

ACTION - 11

Board Approval of a Minor Variation Request for PCA-84-C-060, Fairfax County Redevelopment and Housing Authority, to Add a Public Use as a Permitted Use for Parcel 3 (Sully District)

ISSUE:
Board approval of a minor variation to add a Public Use (shelter facility for unhoused families), as a permitted use in proffer 2 for Parcel 3 for PCA-84-C-060 (permitted for and developed with an extended stay hotel), under the provisions of subsection 8100.5.A(2) of the Zoning Ordinance.

RECOMMENDATION:
In accordance with Zoning Ordinance subsection 8100.5.A(2) and Sect. 15.2-2302 of the Code of Virginia, the County Executive recommends that the Board waive the requirement of a public hearing and approve the addition of a Public Use, as a permitted use in proffer 2 for Parcel 3 for PCA-84-C-060.

TIMING:
Board approval is requested on January 14, 2025.

BACKGROUND:
Under *subsection 8100.5.A(2) of the Zoning Ordinance*, the Board may approve certain minor variations to proffered conditions, and their associated conceptual development plan and final development plan, without a public hearing when such requests do not materially affect proffered conditions of use, density, or intensity. Specifically, subsection 8100.5.A(2) permits the addition or modification of a use, if the existing proffered conditions do not specifically preclude the use and the new use would have no materially greater land use impacts than the approved uses, based on factors such as parking, trip generation, vehicular circulation, or hours of operation.

The subject property is zoned to the Planned Development Commercial District (PDC) and is located at 3997 Fair Ridge Drive, west of the Route 50 and West Ox Road interchange, Tax Map 46-3 ((17)) 3 and 5 (see Locator Map in Attachment 1). The property is owned by the Fairfax County Redevelopment and Housing Authority and is

governed by PCA/CDPA-84-C-060, which was approved, subject to proffers, by the Board of Supervisors on May 18, 1998. On April 8, 1998, the Planning Commission approved FDPA-84-C-060-02, subject to development conditions. PCA-84-C-060 amended the site approvals to permit the replacement of a proposed 40,283 square foot office building (on Parcel 4) and a proposed 2,000 square foot drive-thru bank (on Parcel 3), with a 42,283 square foot hotel on Parcel 3 and open space/park use on Parcel 4. In 1999, the subject property was developed with an Extended Stay America Facility.

The preamble of the governing proffer statement (Attachment 2) references the use of Parcel 3 and states, in part:

The Applicant reaffirms the proffers originally approved as part of RZ-86-C-067, dated 4/24/87, and FDPA-84-C-060-1, with the Drive In Bank – Parcel 3; Office Building – Parcel 4; and SWM/BMP Pond – Parcel 5 now to be known as Alternative Development Plan A, and in addition proposes as an alternative option the All Suite Hotel – Parcel 3; Park/Public Use- Parcel 4; and, SWM/BMP Pond – Parcel 5 to be known as Alternative Development Plan B.

On November 7, 2024, the Department of Planning and Development (DPD) received a letter dated October 25, 2024, from the Fairfax County Redevelopment and Housing Authority, requesting a minor variation to add a public use as a permitted use for Parcel 3 (Attachment 4). As noted previously, Parcel 3 is developed with an approximately 42,000-square-foot building previously operated as an extended-stay hotel. This three-story structure includes 94 studio units with kitchenettes, an elevator, a main lobby, a gym, a laundry facility, and other amenities. It also features a 103-space surface parking lot and related improvements. The applicant proposes repurposing the building into a shelter facility for unhoused families, providing temporary housing while they receive assistance with securing permanent housing and access to other support services.

Public uses are permitted in the PDC District by the Zoning Ordinance; however, “public use” is not specifically listed as a permitted use for Parcel 3 in the approved proffers. As stated by the applicant, the public use proposed here will be a shelter. The use will be located only within existing, approved buildings shown on the FDPA, and will not result in any physical change to the site, including building setbacks or changes to vehicular circulation. The “public use” will be limited to use as a shelter to provide temporary housing as noted above.

Staff has reviewed PCA-84-C-060 and the minor variation request and has determined that the proposal would not affect conditions of use or density and would have no

materially greater land use impacts than the approved uses, based on factors such as parking, trip generation, vehicular circulation, and hours of operation. The use of the site for temporary housing for families is essentially analogous to the permitted and developed use of the site for temporary housing as an extended stay hotel. Given that conclusion, staff believes that approval of this minor variation request meets the requirements of the Zoning Ordinance and recommends its approval.

FISCAL IMPACT:
None.

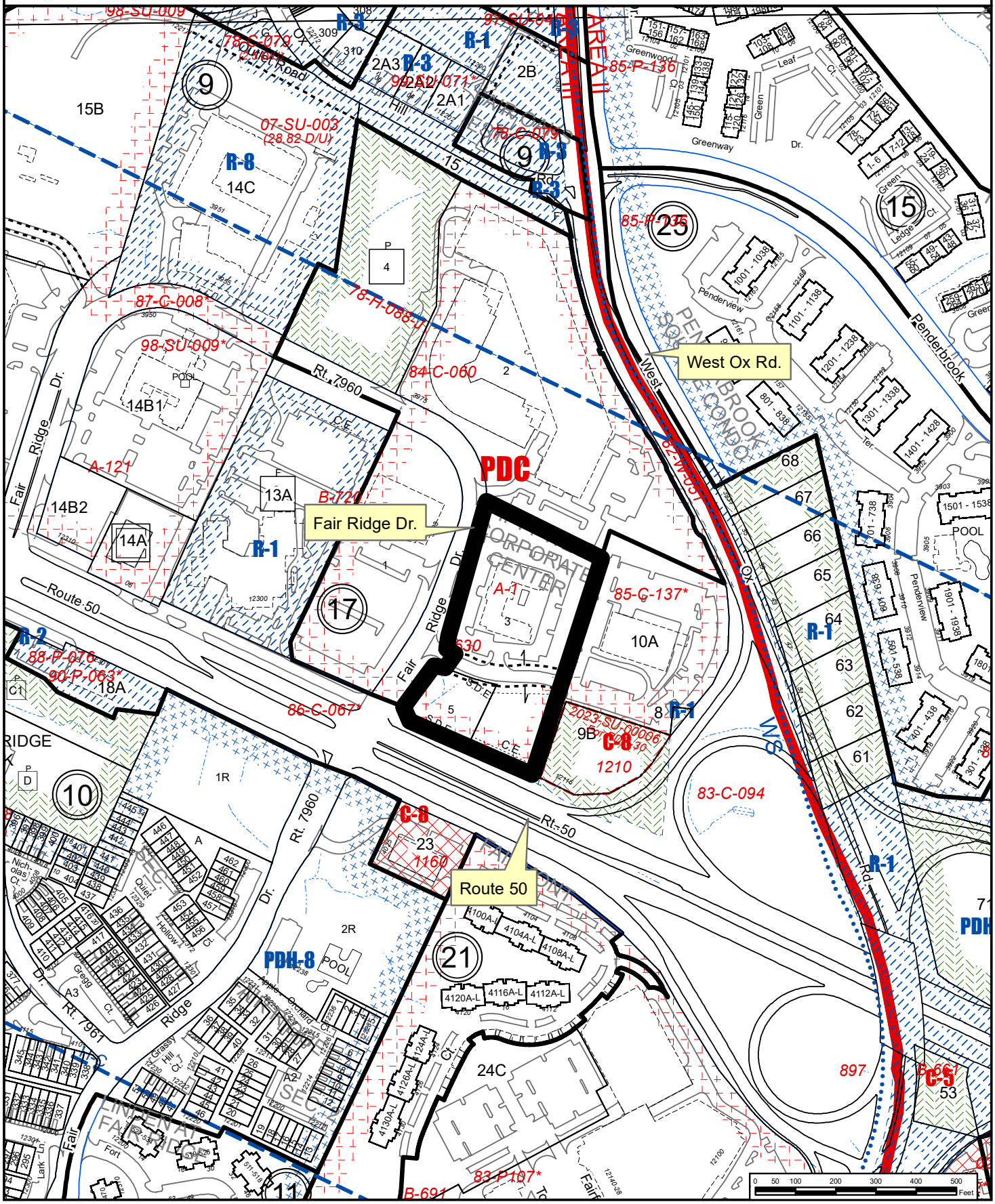
ENCLOSED DOCUMENTS:
Attachment 1: Locator Map
Attachment 2: Approved Proffers for PCA-84-C-060-2 and RZ-86-C-067
Attachment 3: Minor Variation Statement
Attachment 4: Letter dated October 25, 2024, to Zoning Evaluation Division
Attachment 5: Affidavit

STAFF:
Tracy D. Strunk, Director, Department of Planning and Development (DPD)
Suzanne Wright, Director, Zoning Evaluation Division (ZED), DPD
Cathy S. Belgin, Chief, Conformance Review and Acceptance Branch, ZED, DPD
Jerrell Timberlake, Staff Coordinator, ZED, DPD

ASSIGNED COUNSEL:
M. Christopher Sigler, Assistant County Attorney

Minor Variation Request
MVR-2024-SU-00004

Fair Ridge Shelter



FIFTY WEST CORPORATE CENTER
CDPA/FDPA 84-C-060-2
PCA 84-C-060

Tax Map Parcels 46-3 ((17)) - Parcels 3, 4 and 5.

PROFFER STATEMENT
Dated: 05/04/98

Pursuant to Section 15.2-2303(a) of the Code of Virginia (1950, as amended) and Section 18-203 of the Zoning Ordinance of Fairfax County, the property owner and the applicant, for itself and its successors or assigns, (hereinafter collectively referred to as the "Applicant") proffer that the development of the parcels under consideration in the referenced Conceptual Development Plan Amendment/Final Development Plan Amendment and Proffered Condition Amendment (hereinafter collectively referred to as the "Property"), will be in accordance with the following terms and conditions if, and only if, Conceptual Development Plan Amendment/Final Development Plan Amendment 84-C-060-2 and Proffered Condition Amendment 84-C-060 are granted. In the event that said Conceptual Development Plan Amendment/Final Development Plan Amendment and Proffered Condition Amendment request are denied these proffers shall immediately be null and void and of no further force and effect.

The Applicant reaffirms the proffers originally approved as part of RZ 86-C-067, dated 4/24/87, and FDPA 84-C-060-1, with the Drive In Bank – Parcel 3; Office Building – Parcel 4; and, SWM/BMP Pond – Parcel 5 now to be known as Alternate Development Plan A, and in addition proposes as an alternate option the All Suite Hotel – Parcel 3; Park/Public Use – Parcel 4; and, SWM/BMP Pond – Parcel 5 to be known as Alternate Development Plan B:

1. If Alternate Development Plan B is chosen, Property will be developed in substantial conformance with the submitted CDPA/FDPA plan consisting of 9 pages dated

MARCH 23, 1998, prepared by Huntley, Nyce & Associates, Ltd. Provided, however, that minor modifications shall be permitted, when necessitated by sound engineering practices or which may become necessary as part of final site engineering design, as long as such modifications are in accordance with the Zoning Ordinance.

2. Applicant shall choose between Alternate Development Plan A or B at the time of site plan submission. Should Applicant later decide to change its choice of Alternative Development Plans, Applicant shall be required to submit a new site plan and to start the site plan approval process again.

3. If Alternate Development Plan B is chosen, Applicant shall donate Parcel 4 to the Fairfax County Park Authority, in fee simple, for future development as a Park, Quasi-Public or other Public Use. Applicant shall make such donation prior to the issuance of the building permit for the hotel.

Fair Oaks Sierra Associates, L. P.
Applicant/Contract Purchaser Parcels 3, 4, and 5

By: John R. Morse, Esq.

Third Fair Ridge Associates Limited Partnership
Title Owner Parcels 3, 4 and 5, Fifty Corporate West Center
By: ReliaStar Investment Research, Inc.
Its: General Partner

By:

Its: Senior Vice President

VER4PROF
05/04/98

FIFTY WEST LIMITED PARTNERSHIP
FIFTY WEST CORPORATE CENTER
DPA 84-C-060-1
RZ 86-C-067

Tax Map Parcels 46-3((1)), Parcels 3, 4, 5, 11, 12 and 13.

PROFFER STATEMENT

Dated:	1/7/87
Revised:	1/21/87
	2/10/87
	3/10/87
	3/18/87
	3/25/87
	3/27/87
	4/3/87
	4/8/87
	4/24/87

Pursuant to Section 15.1-491(a) of the Code of Virginia (1950, as amended) and Section 18-203 of the Zoning Ordinance of Fairfax County, the property owner and applicant, for itself and its successors or assigns (hereinafter collectively referred to as the "Applicant") proffer that the development of the parcels under consideration in the referenced Development Plan Amendment and Rezoning case (hereinafter collectively referred to as the "Property"), will be in accordance with the following terms and conditions if, and only if, Development Plan Amendment 84-C-060-1 and Rezoning application 86-C-067 are granted as applied for. In the event that said Development Plan Amendment and Rezoning request are denied or not granted as applied for these proffers shall immediately be null and void and of no further force and effect. These proffers supersede and take the place of the Development Conditions approved as part of RZ 84-C-060. The proffered conditions are as follows:

General

1. The Property as delineated in DPA Case 84-C-060-1 and RZ 86-C-067 will be developed in substantial conformance with the submitted Final Development Plan Amendment, as revised through April 3, 1987. Provided, however, that minor modifications shall be permitted when necessitated by sound engineering practices, or other minor modifications which may become necessary as part of final site engineering design.

2. A 7,000 square foot, in-door multi-purpose facility will be located in Building number 2. This facility will include showers and locker room facilities, and may include exercise facilities, Nautilus machines, or conference room and reheating (microwave) facilities, and/or audio visual facilities, all available for the exclusive use of Fifty West tenants.

Transportation

1. Applicant proffers to dedicate the area indicated on the FDP for an interchange ramp, if so requested by the Virginia Department of Transportation (VDOT) or Fairfax County.

2. The Applicant proffers to contribute to Fairfax County the amount called for by application of the "Fairfax Center Area Formula," as adopted by the Board of Supervisors on November 22, 1982, and as revised (this amount is currently $3.35 per gross square foot of commercial space). The Applicant notes that this contribution has already been made for existing Building number 1. Such contributions shall be subject to annual adjustments as provided in the Board resolution and will be

payable as therein specified. Further, the Applicant should receive all allowable "Fairfax Center Area Formula" credit for the following proffered improvements:

a. Dedication of the area indicated on the FDP for an interchange ramp (Transportation Proffer number 1); and

b. Dedication of West Ox Road right-of-way and any dedication required by VDOT and the Department of Environmental Management (DEM) for widening the West Ox/Route 50 interchange (Transportation Proffer number 7).

3. The access road to the east and the roadway to the west shall be built to standards acceptable to DEM and VDOT. At time of site plan approval, the Applicant shall dedicate public right-of-way to the Board of Supervisors for the Interparcel Access Road or shall grant a private access easement for the benefit of properties to the east, as determined by DEM. The "Interparcel Access Road" shall be in the general location of the "Proposed Interparcel Access Road" to the east as shown on the Final Development Plan. Applicant proffers to construct said "Proposed Interparcel Access Road" to the east in accordance with VDOT standards. In the event the road is not dedicated as a public road, but rather created as a private road through the granting of private access easements, the Applicant will not be required to maintain said roadway.

4. Applicant proffers to construct left turn and right turn deceleration lanes on Route 50 at the site entrance, if so required by DEM.

5. Applicant reaffirms its commitment to contribute one half of the cost for the design and construction of the traffic signal for the Lee Jackson Memorial Highway Route 50/Fair Ridge Drive Intersection prepared by Patton, Harris, Rust and Associates on August 11, 1986, and approved by VDOT on December 5, 1986.

6. Temporary grading and construction easements shall be provided along West Ox Road and Route 50.

7. Applicant proffers to dedicate up to 58 feet from centerline on West Ox Road, plus additional land if necessary for the West Ox Road-Route 50 interchange, if so requested by Fairfax County or VDOT. If the planned widening of West Ox Road requires more than 58 feet of dedication, the Applicant will provide such additional dedication, maintaining a minimum of 35 feet of transitional screening.

8. All provided road construction shall be in accordance with VDOT standards.

9. Applicant proffers to construct the 44 foot Spine Road through the site in accordance with VDOT standards and proffers to dedicate the right-of-way as shown on the FDP to the Board of Supervisors in fee simple.

Environment

1. Any detention ponds constructed on this site and/or associated with this development shall be Best Management Practices (BMP) facilities in accordance with the requirements of the Water Supply Overlay Protection District (WSOPD). In addition, the storm water detention/retention requirements shall be increased so that each pond provides a minimum of fifty percent (50%) reduction in the pre-development two-year peak storm. The Developer reserves the right not to construct the northern most pond (shown as "Possible BMP/Detention Pond" on the Final Development Plan) and to instead enlarge the existing storm water management facility.

2. Landscaping shall be provided as shown on the Landscape plan, as well as shown on the FDP, and shall include:

a. Subject to VDOT approval, major shade trees at least six feet in height shall be planted approximately 50 feet on center adjacent to Route 50 (except in that area shown on the FDP as reserved for a future interchange), and along the internal roadway, all as shown on the FDP and Landscape Plan.

b. Subject to VDOT approval, a landscaped entrance area shall be provided at the Route 50 entrance, consistent with the FDP and Landscape Plan.

c. In the open space areas shown on the Final Development Plan, all existing deciduous trees with a diameter at breast height (DBH) of ten inches (10") or greater shall be preserved.

3. Understory landscaping shall be provided and existing vegetation preserved along the parking facilities and lots which are closest to Ox Hill Road and West Ox Roads to screen the parking facility and lots. A varying height (minimum of four to maximum of six foot) landscaped berm shall be provided to screen the parking structures and lots, as shown on the FDP.

4. The Applicant proffers to preserve and protect the open space areas as shown on the FDP and Landscape Plan, subject to final engineering and architectural constraints and the need for streets, trails, utility lines and walkways to cross such open space areas, as determined by DEM.

5. In order to achieve a maximum noise level of 50 dBA Ldn in the buildings located within that area impacted by highway noise levels between 70 and 75 dBA Ldn, such buildings shall have the following acoustical attributes:

a. exterior walls shall have a laboratory sound transmission class (STC) of at least 39;

b. doors and windows shall have a laboratory sound transmission class (STC) of at least 28. If "windows" function as the walls, they will have the STC specified for exterior walls; and

c. adequate measures to seal and caulk between surfaces shall be provided.

Site Design

1. A trail system will be provided as shown on the FDP. Public access easements will be provided on the trails paralleling Route 50 and West Ox Road. Applicant proffers that it will coordinate with DEM. the exact location of the trail along West Ox and Ox Hill Roads, taking into consideration future road widening and slopes. Further, the Applicant proffers, subject to DEM. approval, to have the entire trail system in place by the completion of construction of the second of its proposed office buildings (e.g., any two of the following office buildings - Phase I of Building No. 2 or Phase II of Building No. 2, or Building No. 4).

2. The Applicant will build a varying height (minimum of four to maximum of six foot) earthen berm with landscaping along the property's border where it fronts West Ox Road, as shown on the FDP.

3. Parking for all uses and buildings will be provided in accordance with the requirements of the Zoning Ordinance, and as shown on the FDP. Applicant proffers that it will accommodate all required parking within those areas designated for parking as shown on the FDP and only within the footprint of those areas designated for parking as shown on the FDP.

4. Applicant proffers that landscaping on site will be consistent and in substantial conformance with the Landscape Plan submitted. The interior courtyard shall be designed and

landscaped in substantial conformance with the submitted conceptual designs and the Landscape Plan.

5. Landscape plans for each site plan will be submitted to the County Arborist for review and approval to insure that such plans comply with the submitted Landscaped Plan and conceptual design.

6. A minimum of two bike racks will be provided with Building No. 2, and a minimum of one bike rack with Building No. 4.

7. All new buildings constructed on site shall be designed in an architectural style and with materials that are compatible with the existing building on the Property.

8. On site lighting shall not exceed twenty feet in height and shall be in substantial conformance with the Conceptual Landscape Design Criteria Booklet submitted as part of this application.

9. Applicant proffers that building and site elements, and the conceptual site design features will be consistent and in substantial conformance with the Conceptual Landscape Design Criteria Booklet submitted as part of this application.

10. Applicant reserves the right to construct a satellite dish antenna with receiving capabilities generally in the location as shown on the FDP. The use of this satellite dish antenna will be limited to the tenants of the Fifty West Corporate Center.

11. Buildings on site will not exceed those heights reflected in the FDP.

12. In order to help screen the surface parking lot closest to Ox Hill Road, and minimize the visual impact of the view from Ox Hill Road to this parking lot, and subject to minor modifications necessitated by sound engineering or architectural practices, as determined by DEM, Applicant proffers to:

A. Widen those areas protected by the limits of clearing and grading between the surface parking lot located north of Building No. 4 and Ox Hill Road;

B. Develop a landscape and screening plan for this area which will be subject to County Arborist approval at the time of site plan approval.

13. At both the Northern and Southern ends of the parking deck, at any location where greater than 4 1/2 feet above grade plane of the parking facility is visible from West Ox Road, Applicant proffers, subject to County Arborist approval, to berm and install plantings, trees and shrubbery in order to minimize the visual impact from West Ox and Ox Hill Roads.

14. Applicant proffers that any parking required for its Medical Care Facility uses will be provided in accordance with a Medical or Dental Practitioners Office use, as required by the Fairfax County Zoning Ordinance.

15. If so required by Fairfax County, and subject to sound engineering and architectural practices as well as existing site constraints, Applicant proffers, subject to DEM approval,

to implement minor modifications to the existing storm water management facility in order to accommodate the storm water runoff generated by the proposed Southbound West Ox Road to Westbound Route 50 ramp.

16. Applicant proffers that a storm water retention plan will be submitted to the County which provides for an enlargement of the existing on site storm water management pond to allow said pond to accommodate both the Applicant's as well as the Southeast adjoining parcel's storm water runoff. Applicant proffers that such a plan will be submitted prior to the site plan approval of its last on-site building. This storm water retention plan will be subject to DEM approval. In addition, the Applicant proffers to either:

a. Build this increased capacity itself prior to site plan approval of its final on-site building. Provided, however, that this commitment is subject to the adjoining Property Owner/Developer compensating the Applicant for all of its pro-rata costs and expenses associated with this storm water facility and its maintenance. These expenses may include, but are not limited to, costs, design, planning, construction, maintenance and all other associated expenses incurred with the existing pond, its expansion and maintenance.

If the Applicant and the adjoining Parcel Developer can not reasonably resolve their pro-rata costs, their dispute shall be submitted to binding arbitration.

In any event, the enlarged pond must be either (1) constructed prior to final site plan approval of the Applicant's last on-site building or made a condition of said last building site plan approval and bonded or, (2) as contemplated in subparagraph 16 (b) below, the pond enlargement construction has been made a condition of site plan approval of the site plan on the adjacent Property Owner/Developer's property and bonded.

b. If so reqested by DEM, Applicant proffers to allow the adjoining Property Owner/Developer to the east to construct the necessary increased storm water capacity, subject to (1) DEM review and approval, (2) reasonable review of the adjoining developer's storm water retention plans by this Applicant and, (3) execution by the Applicant and the adjoining Property Owner/Developer of a joint pro-rata maintenance agreement and cost sharing agreement.

It is understood that if the adjoining developer locates its storm water detention facilities on its own site or on any other site besides this Applicant's property, this Applicant is under no obligation under this proffer. Nevertheless, the Applicant shall satisfy the storm water runoff requirements for its application site.

FIFTY WEST LIMITED PARTNERSHIP

By: TWC Properties Partnership,
its General Partner

By: The Washington Corporation,
its General Partner

By: _____
John D. Wolf
Senior Vice President

Docusign Envelope ID: D994685A-5581-44A7-817B-5F179526CF10

MINOR VARIATION STATEMENT

Public Use at Fifty West

December 23, 2024

Pursuant to subsection 8100.5.A(2) of the Zoning Ordinance, the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby requests approval of a Minor Variation to the proffers governing Tax Map Parcels 46-3 ((17)) 003 and 005 to add a Public Use as a permitted use in Proffer 2 of PCA 84-C-060. This use will be generally located within the approved building footprints on Parcel 3 shown on the CDPA/FDPA, will meet the use limitations contained in the Zoning Ordinance, and operate in substantial conformance with the governing proffers.

AGENT OF TITLE OWNER OF TAX MAP Parcels 46-3 ((17)) 003 and 005:

By:_____

DocuSigned by:
Brianne Fuller
5F59E930D91F409...

Name: Brianne Fuller

Title: Countywide Coordinator, Office of the County Executive

County of Fairfax, Virginia

MEMORANDUM

DATE: October 25, 2024

TO: Suzanne Wright, Director, Zoning Evaluation Division
Department of Planning and Development

FROM: Brianne Fuller:
Office of the County Executive

SUBJECT: Request for Minor Variation to RZ 86-C-067
Fairfax County Tax Map Parcels 46-3 ((17)) 003 and 005

Pursuant to subsection 8100.5.A(2) of the Zoning Ordinance, on behalf of the Fairfax County Redevelopment and Housing Authority (FCRHA), the owner of the Subject Property, this letter requests a minor variation of the approved proffers to add a public use to Proffer 2 under the section titled "General" to add a public use as an alternative use for Parcel 3.

The Subject Property was rezoned to Planned Development Commercial (PDC) in 1986 pursuant to the approval of RZ 86-C-067, subject to proffers and is also subject to proffers dated May 4, 1998 pursuant to the approval of PCA 84-C-060. Parcel 3 was approved to permit an All Suite Hotel under Development Option B with the approval of PCA-84-C-060 and CDPA/FDPA 84-C-060-2. In 1999, the Subject Property was developed with an Extended Stay America facility. The building is a three-story wood-framed hotel building with 94 studio-with-kitchenette units and an elevator, main lobby, gym, laundry and other amenities as well as a 103-space surface parking lot and related improvements. The Gross Floor Area (GFA) of the hotel building is approximately 42,212 square feet and a detention pond serving the development is situated on Parcel 5.

The FCRHA purchased the Subject Property on August 22, 2024 at the direction of the Fairfax County Board of Supervisors (BOS) for use as a shelter facility for families. The intent of the public use is to provide temporary housing for families while they receive assistance finding permanent housing, as well as other services. The Subject Property will be conveyed to the BOS for operation as a public facility prior to its opening by April 1, 2025. Public shelters are vital facilities that improve the lives of Fairfax County residents experiencing homelessness and help them regain housing stability.

Paragraph 5 of Section 18-204 of the Zoning Ordinance permits the Board of Supervisors to approve a minor variation to "add or modify a use, provided that the proffered conditions to not preclude such use ant that the applicant demonstrates that the new use would have no materially greater land use impacts than the approved uses would, based on factors such as parking, trip generation, vehicular circulation, or house of operation."

Public Uses are permitted within the PDC District. The proposed additional use is defined as follows:

Public Use: *Any land, building or structure held, used, or controlled primarily for public purposes by any department or branch of the Federal Government, Commonwealth of Virginia, of the Fairfax County government under the direct authority of the Board, the Fairfax County School Board, or the Fairfax County Park Authority, regardless of the land, building or structure's ownership. For the purpose of this Ordinance, any use that is (a) sponsored or operated by another county, city or town within or outside of the Commonwealth of Virginia or an agency such as the Fairfax County Water Authority, Social Services Board, Redevelopment and Housing Authority, Economic Development Authority, Juvenile Court, or Fairfax-Falls Church Community Services Board, and (b) not under the direct authority of the Board, is not considered a public use and is subject to the applicable Zoning Ordinance provisions for the proposed use.*

The current proffers do not specifically preclude the additional use proposed with this minor variation request. The approved alternative development option under PCA 84-C-060 added a Development Option B, which cited Parcel 3 as a potential All Suite Hotel. The approved use as an extended stay hotel and the proposed public use as a shelter are similar in that they provide temporary accommodations. Adequate parking is available on site and there is no proposed change to the existing vehicular circulation. For these reasons, the proposed public use will not have a materially greater land use impact than the approved uses.

Enclosed, please find the following documents:

1. Minor Variation Statement;
2. Approved proffers dated April 24, 1987, RZ 86-C-067;
3. Approved proffers dated May 4, 1998, PCA 84-C-060;
4. Approved Conceptual Development Plan Amendment/Final Development Plan Amendment dated May 4, 1998, CDPA/FDPA 84-C-060-2;
5. Fairfax County Zoning Section Sheet and Property Sheet for Tax Map Parcels 46-3 ((17)) 003 and 005;
6. May 7, 2024 Board of Supervisors Motion to Purchase Property;
7. Affidavit; and
8. Authorization of Agent (FCRHA Resolution).

If you have any questions or need any additional information, please contact me at 703-324-1861 or Brianne.fuller@fairfaxcounty.gov.

Sincerely,

DocuSigned by:
Brianne Fuller
5F59E930D91F409...

Brianne Clohessy Fuller, AICP
Countywide Coordinator
Office of the County Executive

Cc:
Supervisor Kathy Smith, Fairfax County Board of Supervisors, Sully District
Tom Fleetwood, Assistant Secretary, Fairfax County Redevelopment and Housing Authority

County of Fairfax, Virginia

MEMORANDUM

Office of the County Attorney
Suite 549, 12000 Government Center Parkway
Fairfax, Virginia 22035-0064
Phone: (703) 324-2421; Fax: (703) 324-2665
www.fairfaxcounty.gov

DATE: December 18, 2024

TO: Jerrell Timberlake, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Development

FROM: Jo Ellen Groves, Paralegal
Office of the County Attorney

SUBJECT: Affidavit
Application No.: MVR-2024-SU-00004
Applicant: Fairfax County Redevelopment and Housing Authority
PC Hearing Date: Not scheduled.
BOS Hearing Date: 1/14/25

REF.: 182472

Attached is an affidavit which has been approved by the Office of the County Attorney for the referenced case. Please include this affidavit dated 10/24/24, which bears my initials and is numbered 182472, when you prepare the staff report.

Thank you for your cooperation.

Attachment
cc: (w/attach) Julia Nimeth, Planning Technician II (Sent via e-mail)
Zoning Evaluation Division
Department of Planning and Development

Prolaw: 1986041

REZONING AFFIDAVIT

182472

DATE: October 24, 2024
(enter date affidavit is notarized)

I, Brianne Fuller, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) [ ] applicant
[✓] applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): MVR-2024-SU-00004
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS,** and **LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS,** and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(**NOTE**: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	**ADDRESS** (enter number, street, city, state, and zip code)	**RELATIONSHIP(S)** (enter applicable relationships listed in **BOLD** above)
Fairfax County Redevelopment and Housing Authority Agent: Thomas E. Fleetwood, Assistant Secretary	3700 Pender Drive, Fairfax, VA 22030	Title Owner of Tax Map Parcels 46-3 ((17)) 003 and 005
Brianne Fuller, Countywide Coordinator, Office of the County Executive, Fairfax County	12000 Government Center Parkway, Suite 552, Fairfax, VA 22035	Agent for the Applicant/Title Owner
Board of Supervisors of Fairfax County Virginia Agent: Bryan J. Hill, County Executive	12000 Government Center Parkway, Suite 552, Fairfax, VA 22035	Agent for the Title Owner
Christopher Leonard, Deputy County Executive, Fairfax County	12000 Government Center Parkway, Suite 552, Fairfax, VA 22035	Agent for the Title Owner

(check if applicable) [✓] There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

FORM RZA-1 Updated (7/1/06)

Rezoning Attachment to Par. 1(a)

182472

DATE: October 24, 2024
(enter date affidavit is notarized)

for Application No. (s): MVR-2024-SU-00004
(enter County-assigned application number (s))

(**NOTE**: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	**ADDRESS** (enter number, street, city, state, and zip code)	**RELATIONSHIP(S)** (enter applicable relationships listed in **BOLD** above)
Thomas E. Fleetwood, Director, Department of Housing and Community Development	3700 Pender Drive, Fairfax, VA 22030	Agent for the Title Owner
Michael Lambert, Assistant Director, Facilities Management Department, Fairfax County	12000 Government Center Parkway, Suite 424, Fairfax, VA 22035	Agent for the Title Owner

(check if applicable) [ ] There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

FORM RZA-1 Updated (7/1/06)

REZONING AFFIDAVIT

182472

DATE: October 24, 2024
(enter date affidavit is notarized)

for Application No. (s): MVR-2024-SU-00004
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

(**NOTE:** Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES,** and **REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

[ ] There are 10 or less shareholders, and all of the shareholders are listed below.

[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer**, etc.)

(check if applicable) [ ] There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

FORM RZA-1 Updated (7/1/06)

REZONING AFFIDAVIT

182472

DATE: October 24, 2024
(enter date affidavit is notarized)

for Application No. (s): MVR-2024-SU-00004
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the **PARTNERS,** both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

(check if applicable) [ ] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner)**

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

FORM RZA-1 Updated (7/1/06)

REZONING AFFIDAVIT

182472

DATE: October 24, 2024
(enter date affidavit is notarized)

for Application No. (s): MVR-2024-SOL-00004
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

[ ] In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER,** or **LESSEE*** of the land:

[✓] Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER,** or **LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE**: If answer is none, enter "**NONE**" on the line below.)
NONE

(check if applicable) [ ] There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: October 24, 2024
(enter date affidavit is notarized)

182472

for Application No. (s): RWR-2024-SU-00004
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than $100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "**NONE**" on line below.)
NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. **That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.**

WITNESS the following signature:

(check one) [ ] Applicant [✓] Applicant's Authorized Agent

Brianne C. Fuller, Countywide Coordinator
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 24 day of October 2024, in the State/Comm. of Virginia, County/City of Fairfax.

Notary Public # 7114113

My commission expires: January 31, 2028

FORM RZA-1 Updated (7/1/06)