

TOWN OF VIENNA

MEMORANDUM

TO: Planning Commission

FROM: Gregory M. Hembree, AICP, Director of Planning & Zoning and
Zoning Administrator

DATE: June 4, 2014

SUBJECT: Staff Report for the Regular Meeting of June 11, 2014



GENERAL NOTE: Comments from Public Works Department Staff have been provided for each agenda item, as appropriate and in the form of a separate memorandum to the Planning Commission.

PUBLIC HEARING:

ITEM NO. 1:

Recommendation to the Mayor and Town Council on a **proposed ordinance** to amend:

- a. **Chapter 18, Zoning, Article 2, Definitions**, by adding new definitions in Section 18-4; and,
- b. **Chapter 18, Zoning**, by adding a new Article 13.1, MAC: Maple Avenue Commercial Zone Regulations including Statement of Purpose and Intent, Applicability Procedure for MAC zone designation, Permitted Uses, Conditional Uses, Accessory Uses, Area Regulations including Yard Encroachments, Height, Parking, Mobility and Circulation, Landscaping Standards, Open Space and Site Development Standards, Lighting, Neighborhood Compatibility, Name Plates and Signs, Incentives, Nonconformities, General and Supplemental Regulations.

(Referred to the Planning Commission by the Vice-Mayor and Town Council on March 17, 2014; Planning Commission action is required no later July 6, 2014. Public Hearing continued from the Special Meeting of April 2, 2014)

Restatement of Introductory Comments / A Brief History of Planning Analyses in the Maple Avenue (East/West + VA Route 123) Corridor:

"The purpose of the Maple Avenue Commercial (MAC) Zone is to encourage compact, pedestrian-oriented, mixed-use development and redevelopment along the Maple Avenue (East and West) corridor to reinforce Maple Avenue's role as the Town's main street. The zone is intended to ensure that development along the corridor promotes Vienna's small-town character and does not compromise the character of residential neighborhoods abutting the corridor."

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The opening paragraph above was taken from the Statement of Purpose and Intent section of the new “MAC” zone regulations—a document that is the culmination of just over 12 years of detailed examination as to what the future might look like within the approximately 8,100-foot-long commercially-zoned area that stretches from the southwest corporate limits to its intersection with East Street on the opposite end. This document builds upon past work that includes the November 1-3, 2001 Workshop that began the “creative thought process,” the subsequent Maple Avenue Vision Committee that met between 2002 and 2005, the Duncan report from 2006 and the two- and three-dimensional color photography from 2010 that helped define the initial matching orders of the 54-foot-high height limit and the 15-foot setback from the public street right-of-way that was decided at the November 15, 2011 work session of the Mayor and Town Council.

During the summer of 2012, the Mayor appointed 17 members of the community to the Maple Avenue Steering Committee for the purpose of working with the consulting firms (Lardner/Klein Landscape Architects + Clarion Associates LLC + Seth Harry & Associates, Inc.) selected by the Mayor and Town Council in June 2012. The Steering Committee began its work in late July 2012 and met on 8 separate occasions to review and refine the product that has been set before the Planning Commission at this initial public hearing. To ensure that the Steering Committee’s work continued to align with the overall direction from the Mayor and Town Council, work sessions were held with the two groups on April 22, 2013, November 11, 2013 and again on February 10, 2014. Moreover, a community forum was also held in the Town Council chambers on May 29, 2013 and a joint work session with members of the Board of Architectural Review and the Planning Commission was held in that same room on March 5, 2014.

Review of the Proposed Ordinance / Planning Commission Activities after April 2, 2014:

Along with the Director’s staff report for the April 2nd special meeting / public hearing of the Planning Commission, Deputy Planning & Zoning Director Matt Flis—in conjunction with our consultant team—prepared a companion staff report that documented the highlights of the new MAC zone.

After review of the proposal that evening, the Planning Commission held a special work session in the main Town Council Chambers on Thursday, May 1, 2014 to review issues that had surfaced during the public hearing. At that work session, it was agreed by all parties to provide a list of comments to Town Staff and the consultant for compilation and evaluation. The so-called “mark-up” session to consider these matters, and other Planning Commissioner concerns, was conducted on Tuesday, May 20, 2014 in the Ayr Hill Conference Room behind the main chambers. At the conclusion of that 90-minute meeting, it was agreed to re-open the continued public hearing during the Planning Commission meeting of June 11, 2014.

Required Board Approvals / Town Staff Recommendations:

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As noted in the agenda item description above, the Vice-Mayor and Town Council referred this document to the Planning Commission on March 17, 2014. In accord with the provisions of § 15.2-2285 of the Code of Virginia, the Commission has a total of 100 days (by July 6, 2014) after its first meeting that occurs subsequent to the Governing Body's referral in which to formulate a recommendation on the proposed ordinance. The practical effect of this provision is that the Planning Commission will need to formulate its recommendation no later than the regular meeting of June 25, 2014.

In accord with the provisions of §§ 15-2.2204 and 15.2-2205 of the Virginia Code, required notification has again been provided in the Town's current publication – the Washington Times. While two signs were posted before the April 2, 2014 Planning Commission public hearing, four signs (at the suggestion of Mayor DiRocco) have been posted at the east and west limits of the MAC zone and at Maple Avenue West and its intersection with Courthouse Road SW / Lawyers Road NW and at the intersection of Maple Avenue East and Park Street.

ITEM NO. 2:

Request for approval of a **preliminary plat** for the proposed resubdivision of Lots 37 and 38, Onon'dio Subdivision into three lots on property located at 304 and 308 Adahi Road SE and in the RS-12.5, Single-Family Detached Residential zone (*recommended new addresses are 304, 306 and 308 Adahi Road SE*). Application filed by Ashleigh T. Bleeker, Smith Engineering, on behalf of BFR Construction Company, agent for Alexis & Jennifer Skotzo and Parvis Solehi, property owners. (*Preliminary plat determined to meet Town Code requirements on May 30, 2014; Planning Commission action required no later than July 30, 2014.*)

Introductory Comments / Prior Board Activity:

The subject parcels are situated within the Onon'dio Subdivision (platted in 1915 and meaning "Beautiful Hills") on the northwest side of Adahi Road SE some 170 feet north of its intersection with Glyndon Street SE. These lots are also about 280 feet distant from the 5-lot subdivision created around Nicholas Circle SE by the current applicant in 2002.

The property at #304 was the subject of a 1990 appeal from the Zoning Administrator's determination regarding lot width that was upheld by the Board of Zoning Appeals and subsequently affirmed by the Fairfax County Circuit Court. A review of the address files yields permit information for basement finishing in the years subsequent to the aforementioned court case and construction of a dwelling in 1991. The Town's address files also indicate that a number of improvements including fences, a canopy and concrete pad have been made to dwelling (originally constructed in 1941) and property at #308.

Characteristics of the Existing Property:

Existing parcel 38 in the Onon'dio Subdivision is approximately 108.2 feet in width, 301.97 feet in depth and encloses an area of 32,670 square feet. As noted in the preceding paragraph, the parcel is improved by an existing 2-story frame dwelling, detached garage and driveway and a rear-yard shed near the northwesterly property corner.

The neighboring parcel – #39 – is 144.25 feet in width, 301.97 feet in depth and encloses 43,560 square feet or one acre in total area. This property is improved by a one-and-one-half story frame dwelling, detached garage and driveway and a rear-yard shed placed towards the rear property corner

Topographically, the two lots sit near the top of a gentle rise and thus drain in two separate directions as viewed along Adahi Road SE. Existing elevations range from 411 to 418 feet above sea level.

Proposed Development Activities:

The builder proposes to effectively shift the existing lot line between parcels 37 and 38 approximately 15 feet to the southwest and then create two new lots out of the remaining enlarged parcel. The resulting three-lot subdivision will include new Lot 1 (along with the retention of the existing dwelling) at 304 Adahi Road SE with the exterior dimensions of 92.44 feet in width and 301.97 feet in depth (total area of 27,542 square feet), and new Lots 2 and 3 providing the identical exterior dimensions of 80 feet in width, 301.97 feet in depth and a lot area of 23,758 square feet.

Street improvements (curb, gutter, sidewalk and expanded pavement) as required by § 17-41 of the Vienna Town Code will be providing in the public street right-of-way in front of each of the three new lots. Tree protection and preservation plans – designed in accord with the Town Code – can be examined on the last few pages of the plan set.

This Staff member also notes that this is the first subdivision proposal that will employ the new stormwater requirements that will be in effect on July 1, 2014. The applicant's proposal to comply with these provisions will be further evaluated and commented upon, as necessary, by staff from the Department of Public Works.

Required Board Approvals / Town Staff Recommendations:

The Planning Commission is charged with approving all **preliminary plat** applications. After careful review and consideration, the Planning & Zoning Staff has previously determined that the proposed subdivision plan set meets the requirements as set forth in §§ 17-15 through §17-21 of the Vienna Town Code. Given that, the Town Staff also recommends favorable action on the current application.

TOWN OF VIENNA

MEMORANDUM

TO: Planning Commission; Gregory M. Hembree, AICP, Director and Zoning Administrator, DPZ

FROM: Matthew J. Flis, AICP, LEED-AP Deputy Director, DPZ 

DATE: June 4, 2014

SUBJECT: Proposed Maple Avenue Commercial (MAC) Zone Regulations & Revisions

The purpose of the Maple Avenue Commercial (MAC) Zone is to encourage compact, pedestrian-oriented, mixed-use development and redevelopment along the Maple Avenue (East and West) corridor to reinforce Maple Avenue's role as the Town's main street. The voluntary zone is intended to ensure that development along the corridor promotes Vienna's small-town character and does not compromise the character of residential neighborhoods abutting the corridor. The proposed ordinance establishes the MAC zoning district. Any commercially-zoned property located along Maple Avenue East or West between East Street and the western Town boundary may choose to opt into the MAC district.

Subsequent to the initial public hearing, held on April 2, 2014, two work sessions were convened to discuss the Maple Avenue Vision process and the details of the proposed ordinance. As a result of those meetings and the resulting comments and questions, a series of revisions were made to the draft ordinance. This memo outlines those revisions in brief. Minor edits due to typographical errors or revisions for consistent terminology have not been described. A copy of the proposed ordinance, the "Maple Avenue Commercial Zone", dated June 11, 2014, is attached for reference.

§18-95.1 Statement of Purpose and Intent

There were no changes to this section.

§18-95.2 Applicability

A clause permitting the combination of eligible and non-eligible lots was removed. Only properties indicated in Figure 18-95.2.1, Lands Eligible for MAC Zone Designation, may be considered for rezoning. This will provide an additional level of protection against commercial expansion into the adjacent residential areas.

§18-95.3 Procedure for MAC Zone Designation

There were no changes to this section.

§18-95.4 Permitted Uses

(J) was revised to read “retail sales use” to clarify this applies to a single retail use.

§18-95.5 Conditional Uses

(E) was revised to read “retail sales use” to clarify this applies to a single retail use.

(F) was revised to add “repair” to the description of auto-related uses.

(J) was revised to add “nursing” to the description of elderly living facilities.

(K) was added to include rooftop dining areas.

§18-95.6 Accessory Uses

(A)(3) was amended to allow outdoor dining to commence at 6 AM.

§18-95.7 Area Requirements

(D)(3) was revised to add the words “regardless of the number of stories” to clarify the applicability of the setback.

§18-95.8 Encroachments into Required Yards

(B) was revised to add “box windows” and clarify the maximum length and height of individual features, such as bay and box windows. This language is similar to that used for residential areas.

§18-95.9 Height Limit

There were no changes to this section.

§18-95.10 Off-Street Parking and Loading Requirements

(B) was broken into several subsections in lieu of combining the requirements into one clause.

(B)(1)(c) was added to clarify that a landscape strip is required between surface parking and the sidewalk.

(C) was revised to eliminate a potential conflict between landscape areas and pedestrian walkways. Further, the walkway width was increased to nine feet.

§18-95.11 Mobility and Circulation

There were no changes to this section.

§18-95.12 Landscaping Standards

(A)(1)(c) was revised to clarify that perimeter landscaping may not be counted toward

landscaping requirements for the interior of parking lots.

(B)(4) was revised to increase the landscape strip from four feet to eight feet. This will allow more room for plantings and promote healthier growth.

(C)(5) was deleted due to its redundancy with (D).

§18-95.13 Open Space Set-Asides

There were no changes to this section.

§18-95.14 Site Development Standards

(H)(1) and (2) were revised to add new figure number for “Eaves & Overhangs” and “Parapet Walls.” These were previously combined into one figure, but they have since been separated.

§18-95.15 Exterior Lighting

There were no changes to this section.

§18-95.16 Neighborhood Compatibility

(A)(3) was revised to clarify how parking garage facades should be designed when facing residential areas. This will increase the design quality of such structures and eliminate the potential for headlights to shine into adjacent single-family homes.

§18-95.19 Incentives

There were no changes to this section.

§18-95.20 Nonconforming Site Features

(D) was revised to clarify expectations for maintenance.

Article 2. Definition, §18-4 Definitions

“Business Incubator Space” was removed because it is not referenced in the ordinance.

“Landscape Strip” was added as a new definition.

Figures

Several figures were revised for clarity. In addition, some figure numbers were revised based on the most recent draft ordinance.