



Town of Vienna

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Meeting Minutes Planning Commission

Wednesday, November 13, 2024

7:30 PM

Charles Robinson Jr. Town Hall, 127
Center St. South

The Planning Commission met for a regular meeting at 7:30 PM on Wednesday November 13, 2024, at 7:30 pm, in the Vienna Town Hall Council Chambers. Commissioners present were Chairwoman Jessica Plowgian, Matthew Glassman, Stephen Kenney, Keith Aimone, David Miller, Deepa Chakrapani (departing at 9:09 pm), and Douglas Noble. Staff members present were Director of the Department of Planning & Zoning, David Levy, Town Zoning Administrator, Andrea West, Town Engineer, John Sergent, and Clerk to the Commission, Jennifer Murphy.

Roll Call

All members present.

Communication from Citizens and/or Commissioners

None

Public Hearings

Public Hearing - Zoning Amendments to Allow Accessory Living Units, With Regulations

Director of Planning and Zoning, David Levy provided staff's report, stating that the purpose of the proposal is to permit ALU's (Accessory Living Units) in the Town of Vienna within single-family detached zones. Attached ALU's are the only type under consideration at this time.

Chairwoman Plowgian reminded the Commission that the primary driver for taking up this proposal is the pending legislation before the State Assembly. To the extent that the Town wants the ability to put in place requirements and/or restrictions pertaining to ALU's now is the time to do so. Staff received three written comments prior to the meeting. Two were in favor of the proposal, noting increased housing diversity and affordability. One opposed due to additional strain on infrastructure. Concluding her comments, Chairwoman Plowgian opened the floor for public comment.

Beth Corrigan, residing at 401 Niblick Drive, SE spoke in support of the proposed language due to dependent children and in-laws. She has recently had to consider supporting other family members, stating that ALU's would make living arrangements much easier. Ms. Corrigan thanked the Commission and was seated.

There being no further comments, Chairwoman Plowgian called for a motion to close the Public Hearing.

A motion to close the public hearing was put forward.

Motion to Close: Noble

Second: Miller

Roll call vote: 7-0

Commissioners discussed the following:

•Whether passage of state law would have any relevance on the amendment, especially with regard to future desired changes from the Town. As long as the change does not increase deviation, then it may be judged as acceptable.

•For curb cuts, whether to adopt Fairfax County language and if advisable to limit residents from expansion of existing driveways to allow access to ALU's.

•Placement of language disallowing in-home daycares in ALU's under Use Standards, and possibly cross listing in Sec. 18-324 - Family Day Homes. Definitions for both bedrooms and sleeping quarters would be included.

Concluding discussions, Chairwoman Plowgian called for a motion.

Commissioner Glassman motioned to recommend approval to Vienna Town Council on amended Chapter 18 of the Town Code, as proposed in attachment #1 and with consideration of the provided recommendation memo as an addendum.

Motion: Glassman

Second: Miller

Carried by roll call vote: 7-0

The item is scheduled for public hearing and review by Vienna Town Council on November 18, 2024. Chairwoman Plowgian will update her earlier memo to include meeting discussion points and further concrete ideas to be forwarded to Council.

Regular Business

Proposed Lot Consolidations - 130 Wilmar Place NW

Town Zoning Administrator, Andrea West presented staff's report, stating that the applicant is seeking recommendations to consolidate parcel lots into two separate lots, all addressed under 130 Wilmar Place NW. The property currently consists of one single-family structure and a driveway. The applicant is proposing to consolidate parcels 61 and 62 into one lot and parcels 63, 64, 65, and part of 66, into another lot. The consolidation of 61 and 62 parcels does not meet all requirements for RS-10 lot zone requirements for Lot Area, Front Building Line Lot Width, and Midline Lot Width. As a result, the applicant has submitted a variance request with the Board of Zoning Appeals (BZA) to allow the use, noting that many of the lots along Wilmar Place NW are made up of similar individual parcel lots.

For the second consolidation request for parcels 63, 64, 65, and part of 66, Ms. West explained that the other part of parcel 66 was consolidated into another property. That approval occurred under the previous zoning code, which did not require a public review process for approval. The individual parcels, measuring approximately 25 ft. wide and 140 ft. deep, were plotted around 1924 predating the Town's Zoning Ordinance. Town Zoning Ordinances are dated 1949, 1955, and 1957, which is when the 10,000 square ft. minimum and setback requirements for RS-10 were introduced. Fairfax County tax map information shows lots 61 and 62 under tax map number

0384 03 0061, and lots 62, 63, 64, 65, and part of 66 are shown under tax map number 0384 03 00063. Proposed lot numbers have been shown as 61A (61 & 62) and 63A (62, 63, 64, 65, & part 66), which meet all zoning code requirements. If approved, the project would still need to undergo formal staff review requiring an in-depth site plan to ensure that all requirements, such as lot coverage, building height, and tree canopy coverage, have been met.

The proposed lot design for 61A is on BZA's November 20, 2024, agenda for variance request for conditional approval. The two proposed lot consolidations are also scheduled for Town Council review on January 6, 2025, which requires legislative action to create the two lots.

Following the staff's presentation, Commissioner Kenney presented illustrated options for creating lots that would be closer to conformity citing concerns with creating smaller lots. Ms. West explained that such an action would require a re-subdivision rather than consolidation, which may require two variances rather than one. Town Engineer, John Sergent stated that creating a subdivision also triggers full frontage improvements for curb, gutter, sidewalks, and possibly storm drainage.

Collin Sekas of Sekas Homes LTD and Mike Van Atta, with McGuire Woods, LLP, were present on behalf of the application. Mr. Van Atta stated that the primary reason for their design was to clean up the parcels, noting that one variance is better than two. The driving factor was to align the existing home within the tax map property line. Wilmar Place NW currently has several similar sized lots. Additionally, frontage requirements are not required for consolidation.

Additional discussion followed regarding Fairfax County tax mapping procedures, comparison of the other properties along Wilmar Place NW, and steps forward in the review timeline. Commissioners expressed support for two lots that were closer to conformity requirements.

Concluding discussions, a motion was in order.

Commissioner Noble motioned to recommend denial of the request for consolidation of lots 63, 64, 65 and part of 66 at 130 Wilmar Place, NW as will be explained in the memo to Town Council.

Commissioner Noble stated preference for a consolidation that is closer to conformity as demonstrated by Commissioner Kenney's alternate #1 drawing. Commissioner Aimone agreed, stating that it was an opportunity to get as close as they can to conformity. Mr. Sergent explained that due to the current conditions of Wilmar Place NW, the Town has a set of engineering plans that are approximately 30% complete for rebuilding all of Wilmar Place NW. This was facilitated from sidewalk escrow funds obtained from new construction on Wilmar Place NW.

Commissioner Miller clarified that, although opposed to the proposal, he is in favor of redevelopment of the broader property into two homes. He would like to see the town commit to helping the developer navigate a process that may become more cumbersome, in an effort to create more even lots.

Concluding motion discussion, Chairwoman Plowgian called the question.

Motion to deny: Noble

*Second: Miller
Carried by roll call vote: 6-0*

Commissioner Noble motioned to recommend denial of the request for consolidation of lots 61 and 62 at 130 Wilmar Place, NW per discussion in the Chair’s memo to Town Council.

*Motion to deny: Noble
Second: Miller
Carried by roll call vote: 6-0*

All drawings submitted by Commissioner Kenney and considered in the discussion will be included in the chair’s memo to the Town Council.

New Business

None

Planning Director Comments

Director Levy reported on the following:

- The library project has completed and obtained all necessary public approvals.*
- Town Council will hold a public hearing on November 18, 2024, on the possible 1% meals tax increase.*
- The upcoming agenda for December 11, 2024, will include a public hearing on zoning amendment updates, review of the draft annual report, and election of 2025 officers, with a possible rezoning review of the proposed project at 128 Nutley Street NW.*

Approval of the Minutes

Acceptance of the Meeting Minutes

- Minutes from the September 11th meeting and September 25, 2024, work session were accepted.*
- July 10, 2024, regular meeting minutes tabled for corrections.*

Meeting Adjournment

The meeting adjourned at 9:33 pm.

THE TOWN OF VIENNA IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (703) 255-6304, OR 711 VIRGINIA RELAY SERVICE FOR THE HEARING IMPAIRED.