

TOWN COUNCIL  
CONFERENCE SESSION



PUBLIC INFRASTRUCTURE  
AT 288 WINDOVER AVE NW

February 26, 2024

# The Question

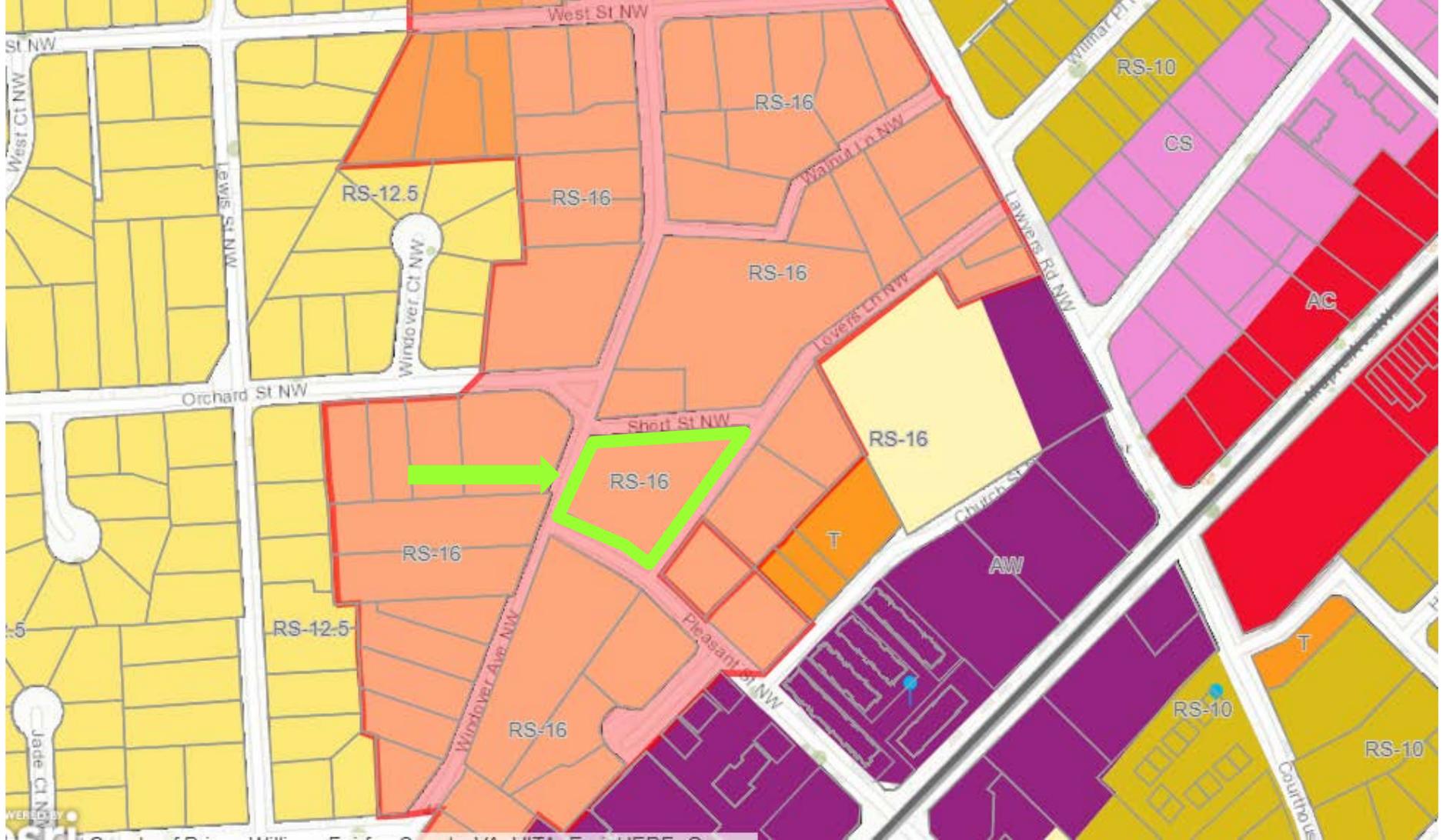
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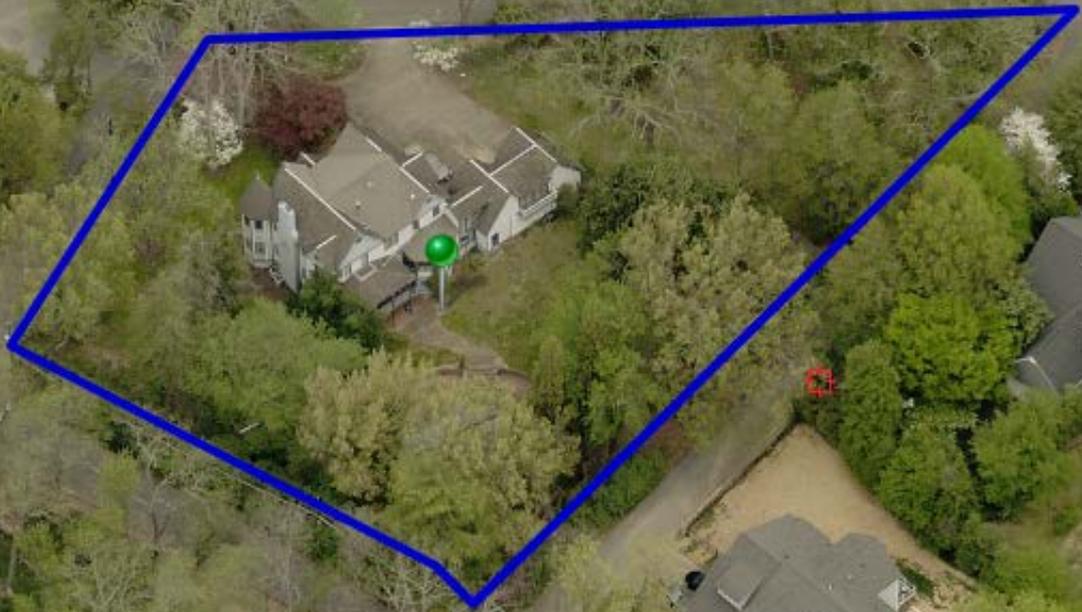
Will public right-of-way improvements (specifically curb, gutter, and/or sidewalk) be required as part of the proposed new single-family dwelling at 288 Windover Avenue NW, which is in the Windover Heights Historic District?

# Property Description – 288 Windover Ave NW

- Bounded by four streets: Short St to the north, Lovers Ln to the east, Pleasant St to the south, and Windover Ave NW to the west
- 1.1 acres/47,916 square feet
- RS-16
- Home constructed in 1980s







# Case Progress

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- December 5, 2023 – Windover Heights Board of Review Meeting
- January 23, 2024 – Windover Heights Board of Review Work Session
- February 6, 2024 – Windover Heights Board of Review Meeting
- February 26, 2024 – Town Council Conference Session

# Relevant Code – Windover Public Improvements

## **Sec. 18-280.3. - Same – Public improvements.**

- A. No new construction projects, the purpose of which shall be the installation of new public improvements and publicly-owned utilities not in existence at the time of the adoption of the ordinance from which sections 18-280.1 to 18-280.13 are derived shall be commenced in the Windover Heights Historic District until the Town Council shall first conduct an advertised public hearing concerning the necessity of the improvement, at which hearing the recommendations of the Windover Heights Board of Review, if available, shall be included in the record.
- B. The provisions of this section shall not be applicable to maintenance or repair of existing public improvements or utilities.

*(Code 1969, § 18-280.3; Ord. of 4-1979; Ord. of 6-1984; Ord. of 7-6-1992)*

# Relevant Code – Dedication

## **Sec. 17-67.1. - Dedication of sidewalks for single-lot development.**

The developer of any lot shall dedicate land along the lot frontage for sidewalk, curb, and gutter improvements as shown on the adopted Town Pedestrian Plan. Dedication of such improvements shall be in accordance with the standards set forth in this Code.

*( Ord. of 3-16-2015(2) )*

# Relevant Code – Single-Lot Sidewalks

## **Sec. 17-67.2. - Completion and construction of sidewalks for single-lot development.**

- a) The developer of any lot that fronts an existing street shall dedicate land, construct a sidewalk and connect such new sidewalk to the existing adjacent sidewalks, if any. Such new sidewalk shall be constructed in accordance with the standards set forth in this Code.
- b) Upon application by the developer to the Town, the Town Council designates the Director of Public Works to waive in exceptional circumstances, in consultation with the Town Attorney and Town Manager, in his or her discretion, the construction of such new sidewalk and permit the deposit of designated funds for such construction in accordance with sections 17-65 and 17-65.1.

*(Code 1969, § 17-67.1; Ord. of 9-24-2007; Ord. of 3-16-2015(2) ; Ord. No. 002-2021 , § 1, 2-22-2021)*

# What are Public Improvements?

On any parcel in Town, a large-scale re-development of the sort proposed by the applicant is required to include the following public improvements:

- Dedication of land for right-of-way width. When required, additional land is deeded to the Town to meet the standard road width and contain sidewalks.
- Designing curbs, gutters, sidewalk, and storm drain in accordance with Town standards. The developer provides an engineered plan showing the design of all public improvements determined to be required by the Town of Vienna. The Town of Vienna approves this plan prior to development of the lot. The Town of Vienna will construct, at the cost of the Town, all curbs, gutters, and storm drain infrastructure.
- Construct sidewalks. The developer of the lot must construct sidewalks in accordance with the approved site plan on all site frontages.

*Public Improvements constructed by the Town, or a private property owner, are subject to review within the Windover Heights Historic District.*

# Options

- **Option 1:** The Town Council could determine that public infrastructure is very likely needed, but that the precise design is not yet known. Therefore, implementation should be delayed
- **Option 2:** The Town Council could determine that the need is for curb and gutter on Pleasant Street and Windover Avenue, with parking and sidewalk on both sides, resulting in a 50' right-of-way; and, on Lovers Lane and Short Streets, curb and gutter with parking on one side and sidewalk on one side, resulting in a 40' right-of-way.
- **Option 3:** The Town Council could determine that curb and gutter is required throughout in order to best manage stormwater, and select among the following options for parking and sidewalks.
- **Option 4:** The Town Council could determine that a shoulder-ditch approach to stormwater management would be best in this context, and select among the following options for parking and sidewalks:
- **Option 5:** Public Improvements are not necessary, and no dedication of land is required for future considerations of public improvements.
- Other option chosen by Town Council.