

To: Town Council

From: Terry Bachmann, Chair - Windover Heights Board of Review

Date: December 20, 2024

Re: Recommendation public improvements; 348 Windover Avenue, NW redevelopment

Background: In 2021, Vienna Town Council (TC) adopted a sidewalk ordinance requiring developers of any lot that fronts an existing street to dedicate land and construct a sidewalk. The provisions of the Town Code regarding the Windover Heights Board of Review (WHBR), reaffirmed since the Windover Heights Historic district (WH) was established in 1979, however, state that no new public improvements shall be commenced in the WH until the TC conducts an advertised public hearing concerning the necessity of the improvement, at which the TC shall enter into record the related recommendation of the WHBR, and vote on the necessity of proposed public improvements. Therefore, the TC can allow exceptions to the 2021 sidewalk ordinance.

The Windover Heights Board of Review (WHBR) received an application to consider the necessity of public improvements involving the redevelopment plans for 348 Windover Avenue, NW. The WHBR reviewed this application at a scheduled meeting on December 3, 2024.

During the meeting, the WHBR heard public testimony from ~4 households in the WH. All expressed support for an exception to be granted to the sidewalk ordinance requirement. The WHBR also received email communications from ~7 households expressing similar support for an exception to be granted.

A series of public meetings were also previously held regarding proposed public improvements (i.e., sidewalk ordinance requirements) for 288 Windover Avenue, NW, which resulted in a recommendation to the TC dated February 12, 2024, that the applicant proceed without a requirement to construct a sidewalk nor to provide escrow for a sidewalk. The TC approved the exception at the TC meeting on March 18, 2024.

Given input received and consideration of precedence, the WHBR, voted upon and approved the following recommendation at the December 3, 2024 meeting:

To recommend that public improvements are not necessary and should not be required at 348 Windover Avenue NW, with the condition that tree preservation on the frontage of the lot be explored closely when working with the project arborist.

WHBR voted 5-0.