



Town of Vienna

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Meeting Minutes Planning Commission

Wednesday, September 12, 2018

8:00 PM

COUNCIL CHAMBERS-VIENNA TOWN
HALL

Regular Meeting

The Planning Commission met in regular session with Michael Gelb, Chairman presiding and the following members present: David Miller, Sarah Couchman, Sharon Baum, and Walter I. Basnight. Also, in attendance and representing Town staff: Director of Planning & Zoning, Cindy Petkac, Deputy Director, Michael D'Orazio, Town Engineer, John Jay Sergent, Principal Planner, Kelly O'Brien, and Clerk to the Commission, Jennifer Murphy.

Roll Call

Commissioners McCullough, Kenney, and Meren are absent.

Communication from Citizens and/or Commissioners

None

Public Hearings

None

Regular Business

Malcolm Road Subdivision at properties located at 424 and 440 Malcolm Road, NW.

Continuation of recommendation to Town Council on a final plat for the Malcolm Road subdivision to re-subdivide two lots (lots 17 & 19), Windover Heights, into three lots (Lots 1, 2, & 3), on property located at 424 Malcolm Road NW and 440 Malcolm Road NW in the RS-12.5, single-family detached residential zone. Application filed by JR Real Estate Group, LLC, owner.

Chairman Gelb invited staff to provide a brief review of the continued item. Providing staff's report Michael D'Orazio stated that the application is for re-subdivision of existing two lots into three lots. Per August 22nd meeting discussion a sign was posted facing Malcolm Road NW on August 24th.

Mr. D'Orazio explained that the property addressed at 424 Malcolm Road NW is currently vacant having no structures. The property addressed at 440 Malcolm Road NW currently has a house that has been sitting vacant for some time and one detached structure. Photos of surrounding property views were presented. Mr. D'Orazio stated that the applicant proposes dedicating approximately 800 square feet of property to the West End Cemetery, which abuts the subject location. The historic site is currently under management by Historic Vienna Inc. The application

meets all town zoning code requirements such as: lot area, lot shape factor, street lot width, front building line lot width, and midline lot width for the RS-12.5 zoning district. Additionally, the project meets all necessary storm water management requirements. Because the proposed design meets all town code requirements staff recommends that the application be recommended to Town Council.

Commissioner Miller asked for a review of procedures if construction crews encountered graves. He further requested staff to respond to concerns over lot 2 appearing like a pipe-stem. In reference to the subdivision design, Mr. D'Orazio stated that lot 2 is almost 20,000 square feet and is 65 feet wide meeting all property width requirements. He stated in response to encountering unmarked graves that the builder must meet all state code regulations, which indicate that they cannot remove or disturb a grave without order from the Circuit Court. The applicant would need to petition the court in order to remove a grave. If a grave is discovered and they do not petition the court it can remain as is, so long as it is undisturbed.

Chairman Gelb asked in reference to pipe stems for standard dimensions of driveways and land on either side. Mr. D'Orazio responded that the minimum width of a driveway at right-of-way is twelve (12) feet and typically having approximately 20 feet on either side. There being no further questions Mr. D'Orazio was seated.

Chairman Gelb invited the applicant forward to present.

Ashleigh Bleeker, PE with Smith Engineering and Principal Engineer for the project stepped forward to speak. Ms. Bleeker stated that they are proposing a lot frontage of 68 feet with the driveway slightly off center, measuring 12 feet wide. She has provided the requested visuals for overall drainage patterns that show existing and proposed drainage patterns. Their plan includes four (4) infiltration trenches for water absorption, which will support the project and area in general. This design meets all state regulation requirements. There being no questions, Ms. Bleeker was seated.

Chairman Gelb invited members of the audience forward for comment.

Catherine Hartman residing at 524 Lewis Street NW stepped forward to speak. Ms. Hartman stated that her property abuts proposed lot 1 of the subdivision plan. She stated that a sign has been installed but no letters were sent. The Town did send a letter of notice to Historic Vienna regarding the abutting cemetery. Since she is a member of Historic Vienna she was included in that notice. She remains unconvinced that good neighbor practices are in place stating there have been little to no consideration for their neighborhood and its impact. She will continue to attend public meetings regarding the project to testify on her concerns for terrible traffic, sidewalks to nowhere, and those effects on the number of children that travel all over. There being no further comment Ms. Hartman was seated.

Chairman Gelb asked for further comment. There being none Commissioner Miller asked Ms. Petkac to restate notification procedures for the application. Ms. Petkac stated that a sign was posted on the property that included meeting dates for both the Planning Commission regular meeting and Town Council's public hearing. Per Town Code subdivision requirements the Town Clerk is required to notify the applicant or subdivider by certified mail regarding their placement for review by Town Council. Per Town Code there are no requirements for further notification. Chairman Gelb thanked Ms. Petkac.

There being no further discussion Chairman Gelb called for a motion.

Commissioner Miller made a motion that recommendation be made in favor of Town Council on a final plat for the Malcolm Road subdivision to re-subdivide lots 17 & 19 within Windover Heights subdivision into three lots (Lots 1, 2, & 3), on property located at 424 Malcolm Road NW and 440 Malcolm Road NW in the RS-12.5, single-family detached residential zone.

Chairman Gelb stated that he had observed traffic on two occasions; in August and earlier today. During today's review, he witnessed at most five (5) cars stacked on Malcolm Road NW. As a result he is not as concerned with traffic issues. There being no further comment, Chairman Gelb called the question.

*Motion: Miller
Second: Basnight
Carries: 5-0*

Planning Director Comments

Ms. Petkac reminded everyone that a joint public hearing with Town Council is scheduled for Monday, September 17, 2018, for consideration of proposed suspension of the Maple Avenue Corridor (MAC) zone district. Also, their next regular meeting is scheduled for September 26, 2018, which will be a work session with the Town Attorney for a refresher on Robert's Rules of Order.

Chairman Gelb asked if they would have the opportunity to discuss remote call in's for absent commissioners. Mr. D'Orazio answered yes, stating that the Town Attorney will include information at the work session. Commissioner Miller stated that due to travel he will be unable to attend the work session.

Chairman Gelb explained that at the joint public hearing the Commission will be asked to consider and make recommendation. Once discussion and recommendation has been made Town Council will review the item.

Approval of the Minutes

Approval of the minutes were tabled to the next meeting.

There being no further discussion the meeting adjourned at 8:34 pm.

Respectfully Submitted,

*Jennifer M. Murphy
Commission Clerk*

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.