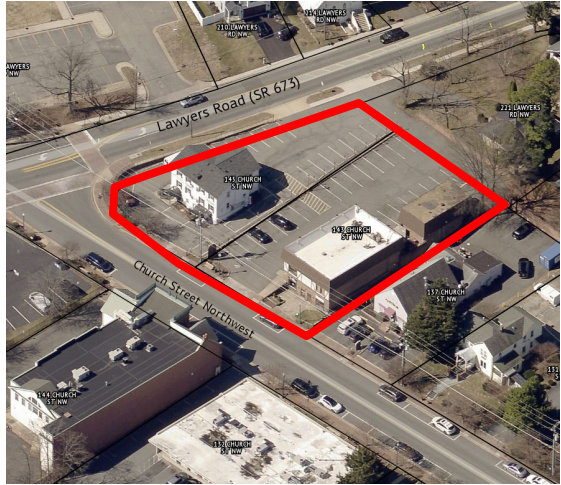




# STAFF REPORT COVER SHEET

July 11, 2022

# ATTACHMENT 1

<b>Address:</b>	139-145 Church Street NW	<b>Case Number:</b>	PF-617447-SP
<b>Meeting Date:</b>	7/11/2022	<b>Applicant:</b>	Shane Revelle, Land Design Consultants, Inc.
<b>Board/Commission:</b>	Town Council	<b>Owners:</b>	JB Church 145, LLC
<b>Existing Zoning:</b>	C-1B		
<b>Existing Land Use:</b>	Commercial		
<b>Brief Summary of Request:</b>	Request for site plan approval and modification of requirement for Church Street Vision project proposed for 139-145 Church Street NW		
<b>Site Improvements:</b>	Demolition of two existing commercial buildings and construction of three-story mixed-use building with two level parking garage in the rear.		
<b>Size of Property:</b>	0.6197 acres		

## Brief Analysis

### PROPERTY HISTORY

The subject property, located at the corner of Church Street NW and Lawyers Road NW, is comprised of two parcels encompassing 0.6197 acres. 139 Church Street NW currently has a two-story commercial building constructed in 1976 with 6,100 square feet of gross floor area. 145 Church Street NW currently has a two-story commercial building constructed in 1955 with 3,900 square feet of gross floor area.

### COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed use is consistent with the mixed-use category on the Future Land Use Plan in the Town's Comprehensive Plan 2015 Update. One of the goals listed in the Comprehensive Plan (Page 19) is to encourage a vibrant Central Business District.

### COMPATIBILITY WITH THE ZONING ORDINANCE

The proposal is for the upper stories to consist of residential units, and offices, and the ground level to consist of retail and restaurants with outdoor dining. This project as presented would be compatible with the Zoning Ordinance per § 18-87.1.A, § 18-87.1.C.1, § 18-80.A, § 18.73.1 and § 18-72.A of the Town Code.

The applicant had three conference sessions with the Town Council to assist the applicant in the development of the site and building design as it relates to conformance with the Church Street Vision overlay zone, which is defined in Sections 18-87.4.A: 18-87.6.L of the Town Code. Staff has thoroughly reviewed the application materials to ensure sufficient information is provided for Town Council to determine if the plan conforms with the Church Street Vision overlay zone.

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<b>Attachments:</b>	01 - Staff Report 02 – 145 Church St NW – Site Plan Sheets 1 - 23 03 – 145 Church St NW – Site Plan Sheets 23A- 23I 04 - 145 Church St NW – Town Council Presentation 05 – Letter Requesting Density Modification – 6-14-22 06 - C-1B Pedestrian Commercial Zone Regulations 07 - Church Street Vision Background Presentation 08 - Regulatory Requirements for Agenda Item
<b>Author:</b>	Kelly O'Brien, AICP, CZA, Acting Deputy Director

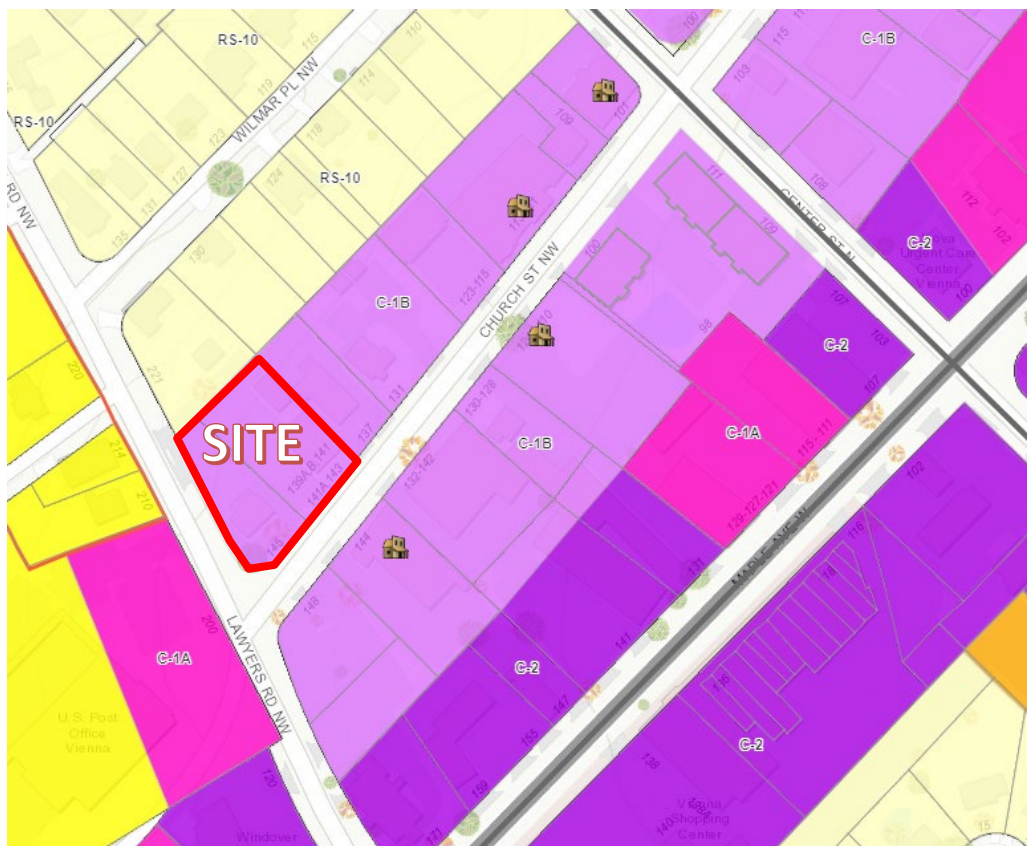
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**Request for site plan approval and modification of requirement for Church Street Vision project proposed for 139-145 Church Street NW. Application filed by Shane Revelle of Land Design Consultants, Inc., representative for property owner JB Church 145, LLC.**

***Introductory Comments & Background:***

The owner/developer of 139-145 Church Street NW proposes to redevelop two properties located at the corner of Church Street NW and Lawyers Road NW and build a three-story mixed-use building under the Church Street Vision zoning ordinance.

The proposal site includes two existing parcels, each of which contains a two-story commercial building. The current buildings are occupied by a number of retail and office uses. The parcels, located at the corner of Church Street NW and Lawyers Road NW, comprise a total of 26,993 square feet or 0.62 acres of land. A Town-owned 15-foot alley way is located directly to the rear of the site.



*Figure 1 – Zoning Map with site location highlighted in red border. The building icons on the map denote locations of the previously approved Church Street Vision buildings.*

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### *Current Proposal:*

The owner/developer proposes to build a three-story mixed-use building with a first floor devoted to commercial uses, the second floor programmed for a split of office suites and multi-family units, and the third floor solely for multi-family units.

Town Council previously held conference sessions on the proposed development on June 14, 2021, November 8, 2021, and March 28, 2022.

Based on the conference session discussion in November, the owner/developer of the site has revised the plans. The changes are highlighted below from the original submission in June 2021 and the subsequent submissions:

- Development Proposal
  - June 2021
    - Total floor area of 39,165 square feet
    - 18 residential units for total of 18,896 square feet
    - 20,269 square feet of commercial space
  - November 2021
    - Total floor area of 33,675 square feet
    - 15 residential units for total of 16,487 square feet
    - 17,188 square feet of commercial space
  - March 2022 and July 2022
    - Total floor area of 25,101 square feet
    - 11 residential units for total of 13,055 square feet
    - 14,152 square feet of commercial/non-residential space, which includes 14 public parking spaces
- Additional Changes from previous submission
  - Removal of basement commercial floor area
  - Added architectural details and façade changes, including more wall offsets and changes in the roofline
  - Reduction in number of requested modifications to only requesting FAR of 0.93 (required to be 0.7)
    - Originally needed to request waivers for front yard setback, FAR, and tandem parking spaces
    - FAR last proposed in November at 1.25
  - Addition of 14 public parking spaces

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### *Required approvals:*

In 1999, the Vienna Town Council adopted the Church Street Vision overlay zone, which are defined in Sections 18-87.4.A: 18-87.6.L of the Town Code, included as Attachment 6. The purpose was, and is, to enhance the appearance and economic vitality of businesses in the historic Church Street commercial corridor.

Under the Church Street Vision, property owners in the C-1B Pedestrian Commercial Zone are encouraged to renovate and develop properties in accordance with adopted guidelines that reflect a main street urban architecture reminiscent of the small-town American streetscape of the late 19th century. In exchange, owners may receive additional building square footage, reduction in parking requirements and an expedited review process.



*Figure 2: Church Street Conceptual Site Plan with subject property outlined in red*

The Church Street Vision overlay zone, which is entirely voluntary on the part of property owners, was created to achieve improvements on Church Street without the imposition of additional architectural requirements or the restrictions of an official historic district.

As part of the Church Street Vision, all plans are first reviewed by the Town staff and all site plan modifications are approved by the Mayor and Town Council without the need

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for prior recommendations from the Planning Commission and Board of Architectural Review.

To date, Town Council has approved four Church Street Vision projects, which includes 120 Church Street NW (Bard's Alley, Rita's, etc.), 101 Church Street NW (Sushi Yoshi, Vienna Pet Spaw), 111-113 Church Street NW (Bazin's, Blend 111), and 144 Church Street NW (Red Galanga). The last built project, 120 Church Street NW, was approved by Town Council in 2014 and includes ground floor retail with second floor residential apartments. Photographs of these approved projects are shown on page 5 of Attachment 5 – Church Street Vision Background Presentation.

### ***Staff Analysis:***

#### *Uses*

The proposed building uses are 47.7% residential and 52.3% commercial, which meets the intent of the code. The Town's zoning ordinance is cumulative in nature, in that each zoning district builds on the previous zone. Uses that are permitted in a less intensive zone are also permitted in the next higher intensity zone in addition to specific uses for that zone. The C-1B zone includes all uses permitted in C-1A, and C-1A includes all uses permitted in C-1.

The uses proposed for this development include commercial retail and restaurant with outdoor seating on the ground level fronting Church Street NW; public parking spaces in the ground level garage; offices and residential uses on the second floor; and residential uses only on the third floor. Sect. 18-73.1 permits apartments located above the ground floor provided the building is "principally occupied and used for other uses permitted in Sect. 18-72."

Modified cumulative

#### *Building Setbacks and siting*

The building façade incorporates a series of setbacks as prescribed in the Church Street Vision. The facade segments vary in width from approximately 19 feet to 32 feet wide. The setbacks to the building façade vary from 10 feet to approximately 22 feet.

#### *Front setback and landscape area*

The front of the building provides the required 5-foot-wide brick sidewalk and planters along the front of the property as well as an area designated for outdoor dining at the corner.

#### *Building Height*

The maximum building height permitted in this zone is 35 feet from the average grade of the lot. The building height computations shown on the cover sheet of the site plan indicates a building height of 34.05 feet.

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### *Floor Area Ratio*

The maximum Floor Area Ratio (FAR) permitted is 0.7 under the Church Street Vision zone. The applicant has requested a modification of requirement for FAR. The applicant is dedicating a portion of the rear of the property to the Town for public right-of-way to widen the rear alley. Prior to this dedication the requested FAR was 0.93; after dedication the requested FAR increases to 0.98. A similar request was granted for a modification of FAR for the 111-113 Church Street NW Church Street Vision project. 111-113 Church Street NW was approved with an FAR of 0.923 in exchange for providing 18 parking spaces over and above the minimum requirement. This new proposal is providing 14 parking spaces over and above the minimum requirement.

### *Building Materials*

The building design incorporates a variety of materials and design elements. Materials include brick, cement board siding and panels, EIFS molding, stone veneer, standing seam metal roof, shake roof, and metal canopies. Pages 14 and 15 of Attachment 3 (145 Church St NW – Town Council Presentation) identifies both materials proposed and references to existing structures along Church Street.

### *Parking*

The proposed development includes a two-level parking garage located behind the building, which is consistent with the Church Street Vision recommendation that parking be located behind the building. The minimum parking requirement for the proposed 25,101 square foot building is 42 spaces (1 space per 600 square feet, which equals 41.83 and is then rounded up to 42 spaces). The Church Street Vision permits up to 40 percent of the provided parking spaces to be compact. The applicant is proposing 9 of the 42 spaces as compact spaces, which is 21.4% of the required spaces. In addition to the 42 spaces required, the applicant is also providing an additional 14 full-size spaces in the lower garage area designated for public parking.

### *Lighting*

Church Street Vision standards for lighting include a maximum height limitation of 10 feet above grade (for areas not in the right of way) and also recommends that all lights be hooded to confine direct light to be within the parking area. Pages 36 and 37 of the site plan provide photometric information and lighting details for the proposed development. The building-mounted light fixtures proposed are directed downwards and incorporate shielding in their design. The streetlights are acorn style luminaires which is required in public rights-of-way.

### *Signs*

The Church Street Vision provides guidelines for signage including sample images and sign types. Pages 16 and 17 of Attachment 3 (145 Church St NW – Town Council Presentation) provides information about the type and locations of proposed signage, including signs that will be wall mounted, hanging, on canopies and building mounted

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letters, directory signs, and freestanding pole signs. The signage details specify the materials, colors, and fonts approved for each sign type. Any future tenants that wish to vary from these guidelines will require approval from the Board of Architectural Review. The total square-foot area of signage proposed is consistent with the maximum allowed by the zoning code based on the linear building frontage along Church Street NW.

### ***Relevant Code Sections***

#### Sec. 18-87.4 through 18-87.6

The guidelines and regulations related to Church Street Vision projects are found in Town Code Sections 18-87.4 through 18-87.6. These code sections are included as Attachment 4 - C-1B Pedestrian Commercial Zone Regulations.

#### Sec. 18-87.1. - Permitted uses.

The following uses are permitted in the C-1B zone:

- A. All uses permitted in the C-1A zone except:
  - 1. Drive-through operations, either as a primary or incidental operation, shall not be permitted in this zone.
  - 2. Automobile sales and service operations shall not be permitted in this zone.
- B. Bed and breakfast inns shall be a permitted use.
- C. All uses permitted in this zone shall:
  - 1. Be conducted wholly within an enclosed building except that restaurants may provide outdoor seating subject to site plan approval;
  - 2. Have no manufacturing, compounding, processing, or treatment of products other than that which is clearly incidental and essential to a retail store or business and where all such products are sold as retail on the premises;
  - 3. Not be objectionable due to odor, dust, smoke, gas, noise, vibrations, or other similar causes.
- D. Certified massage therapist shall be a permitted use.

#### Sec. 18-80. - Permitted uses.

The following uses shall be permitted in the C-1A zone:

- A. All uses permitted in C-1 zones, provided that such uses, when located in the C-1A zone, conform to all provisions of the C-1A zone as well as all specific requirements and limitations provided for such particular use in the C-1 zone.
- B. The following specified retail stores, shops or businesses shall be permitted, provided that:
  - 1. There shall be no manufacturing, compounding, processing, or treatment of products other than that which is clearly incidental and essential to a retail store or business and where all such products are sold at retail on the premises;

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2. Such uses, operations, products that are not objectionable due to odor, dust, smoke, gas, noise, vibrations, or other similar causes;
3. Such stores, shops or businesses shall be conducted wholly within an enclosed building.

Auto glass shop.

Automobile parking lot (public), provided it is developed in accordance with provisions of sections 18-135, 18-136 and 18-137.

Bowling alley.

Business college operated as a commercial establishment.

Blueprinting and photostatting office.

Catering establishment.

Certified massage therapist, as defined in this Code.

Cleaning establishment (limited to retail on premises).

Department and variety stores.

Frozen food lockers, excluding wholesale storage.

Hospitals and sanitariums.

Newsstands.

Plumbing shops, if clearly retail.

Public service, including fire or police station, telephone exchange and the like, as defined and regulated in section 18-13.

Sign painting shop.

Theater.

Loan or credit offices.

Laboratories.

Self-service laundries.

C. Uses customarily incident to any of the above uses and accessory buildings.

**Sec. 18-72. - Permitted uses.**

A. The following uses shall be permitted in the C-1 zone:

General business enterprises consisting of sales.

Home installation services associated with sales.

Limited repairing, manufacturing, processing or assembly.

Offices.

Recreation.

Restaurants.

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Restaurants, carry-out.

Sec. 18-73. - Special conditional limitations.

Residential apartment use shall be permitted where:

1. The apartment is located in a building which is principally occupied and used for other uses permitted in section 18-72;
2. Such apartments are located on a floor above the street floor of said building; and
3. Provided the apartment and buildings in which any such apartments are located shall in addition to the requirements hereof meet all other requirements of law applicable to apartment dwellings.