




STAFF REPORT COVER SHEET

March 14, 2018

Address	135 Center Street South	Case Number	PF-07-18-WW
Regular Meeting Date	3/14/2018	Applicant	John Sekas of Sekas Homes Ltd
Board/Commission	Planning Commission	Owner	Willow Creek Estates, LC
Existing Zoning	RM-2	Existing Land Use	Previously Mixed-Use, Currently being redeveloped as Moderate Density Residential
Brief Summary of Request	<div>The applicant requests a wall waiver from Town Council for the required 6-foot tall masonry wall between the RM-2 multifamily zoning district and RS-10 single-family detached residential zoning district, per Section 18-172.</div> <div></div>		
Site Improvements	The applicant proposes to add additional trees and landscape screening in lieu of building a 6-foot tall masonry wall extending the 200 feet along the shared property line with single-family detached residential properties. Applicant proposes building 45-foot section of wall.		
Size of Property	45,042 sf / 1.034 acres		
Public Notice Requirements	Written notice to occupants of all property adjacent to and across the street from subject property	On March 6, 2018 letters were sent to 7 property owners adjacent and across the street; Two signs were posted on site	
Staff Recommendation: Recommend Approval to Town Council			
Brief Analysis			
<p>PROPERTY HISTORY</p> <p>The property originally consisted of a two-story, low-rise office/medical building, with residential apartments on the second floor. The original building was demolished and the property is currently being redeveloped with a 17-unit townhouse condominium development, Cadence on Center.</p> <p>COMPATIBILITY WITH THE COMPREHENSIVE PLAN</p> <p>The Future Land Use Plan in the Comprehensive Plan 2015 Update designates the property as Moderate Density Residential. The location of the required wall borders Low Density Residential land uses.</p> <p>COMPATIBILITY WITH THE ZONING ORDINANCE</p> <p>The applicant is requesting approval from the Town Council for a waiver of the required 6-foot tall ornamental masonry wall between the RM-2 Multifamily, Low Density zoning district and the RS-10 Single-Family Detached Residential zoning district. Section 18-172 allows the applicant to request a waiver from the Town Council, after receiving a recommendation from the Planning Commission.</p>			
Attachments	Submitted Plans <input checked="" type="checkbox"/> Legal Notice: N/A Public Comments: N/A Other <input checked="" type="checkbox"/>		
Author: Michael D'Orazio, AICP, Principal Planner			

ITEM NO. 1:

Recommendation to the Town Council on a request for a wall waiver for an approved townhouse condominium development on property located at 135 Center Street South, in the RM-2, Multi-Family, Low Density zone. Application filed by John Sekas of Sekas Homes, Ltd on behalf of Willow Creek Estates, LC, owner.

Introductory Comments / Characteristics of the Existing Property:

The existing property is a 45,042 square foot parcel (1.034 acres) situated on the corner of Locust Street Southwest and Center Street South. The approximately 200-foot-wide by 225-foot-long parcel is zoned RM-2 Multifamily, Low Density Residential. It is located next to the RM-2 zoned Vienna Town Hall and two RS-10 zoned single-family detached dwellings on Locust Street Southwest and Hickory Circle Southwest. It sits across Locust Street Southwest from the RM-2 zoned Bowman House, Vienna Police Station, and across Center Street South from the RM-2 zoned Vienna Elementary School.

The applicant previously received approval to build 17 townhouse style condominiums, which required approval for five modifications of requirements related to setbacks, lot coverage, and distance between buildings. Nine units will front Center Street South, four units will front Locust Street Southwest, and four units are to front the Vienna Town Hall parking lot (reference Sheet 4 of proposed civil plans). The proposed townhouses all have rear-loading two-car garages, which will be accessed from private driving aisles, located off Locust Street Southwest.

Open space (which includes a gazebo and grassy areas) has been set aside in between the fronts of Units 14, 15, 16, 17 and the Town Hall property line. The approved plans include evergreens and a 6-foot tall masonry wall in between the subject parcel and the two adjacent single-family detached dwellings (reference Sheet 4 of approved civil plans). [Section 18-172](#) requires that the applicant build a 6-foot tall masonry wall in between the RM-2 and RS-10 zones. Section 18-172 states the following (emphasis added):

- A. All transitional parking lots and all parking lots in transitional zones shall be screened from all adjacent property in any residential zone, **and all land zoned C-1, C-1A, C-2, RM-2, RTH or CM on which any industrial, commercial, townhouse or multifamily housing use is conducted shall be screened from all adjacent property in any detached residential zones.** Further, all land zoned C-1, C-1A, C-2 or CM on which any industrial or commercial use is conducted shall be likewise screened from all adjacent property in any RM-2 zone. **Such screening shall be by a masonry wall constructed of brick or other ornamental masonry of equal acceptable aesthetic quality which does not require painting and shall be maintained at all times. Said wall shall be located on that land so used for that less restrictive but more intense and higher density use along the boundary line separating such land from that adjacent land used for the less dense, less intense residential use and said wall shall be erected to a minimum height of six feet above that grade of the residential side of the wall.**

- B. Where any land on which an ornamental masonry wall is required by this section abuts an alley, or where dedication of such alley is required from such land upon development thereof, the required six foot high masonry wall shall be constructed and maintained on the commercial land along the inside boundary line between such land and such alley when that land located directly on the opposite side of such alley and abutting thereon is zoned RS-16, RS-12.5, or RS-10. Where any land on which an ornamental masonry wall is required by this section abuts a public utility easement or right-of-way, or where dedication of such public utility easement or right-of-way is required from such land upon development thereof, the required six-foot-high ornamental masonry wall shall be constructed and maintained in said public utility easement or right-of-way along the inside boundary line between such utility easement or right-of-way and that land located directly on the opposite side of such public utility easement or right-of-way and abutting thereon which is zoned RS-16, RS-12.5 or RS-10. Provided, however, that the **Town Council may waive or modify the requirement for any masonry wall or walls required by this section if in the judgment of the council such wall or walls would not protect the residential property against loss of privacy, trespass by persons or vehicles, or intrusion of noise or trash, attributable to activities conducted on any adjacent transitional parking lot, parking lot in a transitional zone or on adjacent land zoned C-1, C-1A, C-2 RM-2, RTH or CM; or in the judgment of the council, equivalent protection of such adjacent or nearby residential property against loss of privacy, trespass and intrusion of noise and trash can be achieved by evergreen planting, fencing or a combination of such planting and fencing;** and provided further, that prior to the meeting at which such waiver of any masonry wall is to be considered, the planning commission and the council shall give written notice of same to the occupants of all property adjacent to and across the street from the property to which such waiver would apply.

Request for Wall Waiver

The approved plans include a 6-foot tall masonry wall with a brick finish and 16"x16" columns, spaced approximately every 20 feet. The total length of the wall is 200 feet. It is located approximately 8 feet away from the single-family detached residential property lines and 12 feet away from the proposed townhouses. Both single-family detached residential properties are bound by 6' tall fences, respectively in their rear and side yards.

The approved landscape plan includes a variety of evergreens (Leyland cypresses and blue atlas cedars) as well as serviceberry and American holly trees. Per the approved plans, 26 trees will be planted on either side of the masonry wall. Twenty-one trees are to be located between the proposed wall and the residential property lines. Five trees are to be planted on the other side of the wall.



Figure 1 - Fences along the shared property line of subject site and affected single-family detached residential properties

Alternative to Required Wall

The applicant proposes replacing approximately seventy-eight percent of the proposed wall with additional trees and keeping a 45-foot portion of the wall, located near the southwest corner of the site, to shield the residential properties from headlights from the townhouse drive aisle. The applicant proposes planting 30 total trees along the property line shared with single-family properties (reference Sheet 24 of proposed civil plans). This increases the number of approved trees by 4 trees. The planting size of the trees along the property line will also be increased from the original plans from 6-7 feet to 8-10 feet.

Table 1 - Tree Species Comparison of Approved Plans with Wall and Proposed Plans without Wall				
Tree Species	Number of Trees for Approved Plans with Wall	Number of Trees for Proposed Plans without Wall	Planting Size for Approved Plans with Wall	Planting Size for Proposed Plans without Wall
AL - Amelanchier x 'Autumn Brilliance' ('Autumn Brilliance' serviceberry)	3	3	1-1.5" Cal.	2-2.5" Cal.
CA - Green Giant Arborvitae (Thuja (Standish x plicata) 'Green Giant')	11	13	6-7' Ht.	8-10' Ht.
CL - Cupressus Leylandii (Leyland Cypress)	7	9	6-7' Ht.	8-10' Ht.
IO - Ilex opaca (American holly)	5	5	6-7' Ht.	8-10' Ht.
Total	26	30		

Required Board Approvals:

Per Section 18-172 of the Town Code, the applicant can request a waiver of the wall requirement. Council may approve such a request if, “in the judgment of the council such wall or walls would not protect the residential property against loss of privacy, trespass by persons or vehicles, or intrusion of noise or trash, attributable to activities conducted on any adjacent transitional parking lot,” “or in the judgment of the council, equivalent protection of such adjacent or nearby residential property against loss of privacy, trespass and intrusion of noise and trash can be achieved by evergreen planting, fencing or a combination of such planting and fencing.”

Per Section 18-172, the Planning Commission reviews **requests for wall waivers** and makes recommendations to the Town Council.

Town Staff Recommendations:

Town staff recommends approval of the wall waiver as long as the two affected single-family neighbors do not object to the removal of the wall. The intent of the wall requirement is to require a buffer between more intense uses and less intense uses. In this case, it is a barrier between single-family detached dwellings and townhouse-style condominiums.

The proposed evergreen buffer still creates a barrier between the two uses. The increased planting size of the trees will also help in the immediate future with screening. Staff does not believe that there is a concern of noise or trash crossing over into the residential properties and that there will not be a loss of privacy or trespassing. There is a concern about the portion of the drive aisle near the residential properties. The applicant is addressing this by keeping a 45-foot section of the wall, to shield headlights/noises.

Town Council will consider the request for the wall waiver at their regular meeting on April 9, 2018.