



# STAFF REPORT COVER SHEET

July 30, 2018

<b>Addresses:</b>	N/A	<b>Case Number:</b>	PF-41-18-ORD
<b>Public Meeting Date:</b>	7/30/2018	<b>Applicant:</b>	Town of Vienna
<b>Board/Commission:</b>	Planning Commission	<b>Owners:</b>	N/A
<b>Existing Zoning:</b>	N/A	<b>Existing Land Use:</b>	N/A
<b>Brief Summary of Request:</b>	Recommendation to Town Council on revisions to several sections of the Maple Avenue Commercial (MAC) zone district.		
<b>Site Improvements:</b>	N/A		
<b>Size of Property:</b>	N/A		
<b>Public Notice Requirements:</b>	Advertisement for two successive weeks of public hearing in a newspaper having paid general circulation in the Town	Published in Washington Times on July 16, 2018 and July 23, 2018	
<b>Staff Recommendation: Recommend Approval of MAC Text Amendments to Town Council</b>			
<b>Brief Analysis</b>			
<p><b>HISTORY</b></p> <p>The Maple Avenue Commercial (MAC) zone district was adopted by Town Council on October 20, 2014. On January 9, 2017, the Town Council adopted several amendments to the MAC. This spring, at the direction of the Mayor, an ad hoc committee was formed to research and develop potential amendments to the MAC that would ensure future mixed use developments would not result in a loss of commercial activity along the corridor, but rather provide a balanced mix of housing, office and retail uses as was envisioned when the MAC district was formed. The committee proposed several text amendments to the MAC, which were discussed at two joint work sessions with Town Council and Planning Commission in May and June.</p> <p><b>PROPOSAL</b></p> <p>At its July 9, 2018 meeting, Town Council referred the proposed text amendments to Sec. 18-95.1. - Statement of purpose and intent, Sec. 18-95.3. - Procedure for MAC Zone designation, Sec. 18-95.4. - Permitted uses, Sec. 18-95.9. - Height limit, Sec. 18-95.14. - Site development standards, and Sec. 18-95.16. - Neighborhood compatibility of Article 13.1. - MAC Maple Avenue Commercial Zone Regulations of Chapter 18 - Zoning of the Town Code to the Planning Commission for public hearing. They also directed the Planning Commission to consider a proposed amendment to Sec. 18-95.4. - Permitted uses, to set the maximum number of dwelling units allowed per acre, within the range of 15 to 75 dwelling units per acre.</p>			
<b>Attachments:</b>	Dwelling Units per Acre Table <input checked="" type="checkbox"/> MAC Comparable Mixed-Use Projects Table <input checked="" type="checkbox"/>		
Author: Cindy Petkac, AICP, Director			

ITEM NO. 2:

Recommendation by the Planning Commission to the Town Council on proposed zoning ordinance amendments to Article 13.1. - MAC Maple Avenue Commercial Zone Regulations of Chapter 18 of the Town Code. *Town Council is scheduled to consider the zoning ordinance amendments on August 20, 2018.*

***Introduction:***

At the direction of the Mayor, an ad hoc committee was formed to research and develop potential amendments to the Maple Avenue Commercial (MAC) zone district that would ensure future mixed use developments would not result in a loss of commercial activity along the corridor, but rather provide a balanced mix of housing, office and retail uses as was envisioned when the MAC district was formed.

The committee, listed below, included two Council Members, two Planning Commissioners, a representative of the development community and the Planning and Zoning Department:

- Douglas Noble, Council Member
- Carey Sienicki, Council Member
- Michael Gelb, Planning Commission Chair
- Mary McCullough, Planning Commissioner
- Bobby Rucks, L.F. Jennings, Inc.
- Cindy Petkac, Department of Planning and Zoning

The committee met four times on April 3, 18, 30, and May 15. The following is a summary of the main ideas discussed:

- Amount of existing and proposed commercial square footage for recent, proposed and potential MAC projects
- Zoning review of peer jurisdictions' requirements for commercial development in mixed use projects and maximum height/density allowed
- Areas where ground floor commercial uses are more strongly desired, i.e., central business district/downtown vs eastern and western ends of Maple Avenue
- Market conditions for multi-family residential, retail, and office development
- Land costs in Vienna compared to other nearby jurisdictions

Based on the analysis and discussion thereof, the committee proposed several text amendments to the MAC, which were discussed at a joint Town Council/Planning Commission work session on May 23. The committee then met on June 12 to address comments and feedback received during the May 23 joint work session, which were discussed at a second joint work session on June 27.

There was consensus at the second joint work session on the committee's proposed amendments providing further clarification to the purpose and intent of the MAC; requiring submittal of a fiscal impact analysis; requiring that new development or redevelopment include

ground floor commercial square footage equal to or greater than what currently exists; requiring four-story buildings have the appearance of, at most, four stories when viewed from every cardinal direction; providing an exception to building height for solar panels and green roofs; requiring the minimum height of the first floor of 15 feet be maintained for a minimum depth of 50 feet; and requiring buildings be configured so that at least 60 percent of all sides are differentiated architecturally.

The MAC ad hoc committee also recommended setting the maximum number of dwelling units allowed per acre (DU/A) at 50 DU/A for sites less than 5 acres and at 40 DU/A for sites greater than five acres. The committee felt the additional density was needed for smaller sites to offset the cost of constructing at least one level of underground parking. Larger sites, on the other hand, can sufficiently accommodate parking in above-ground structures. There was not consensus at the June 27 joint work session on the committee's proposed density cap.

At its July 9 meeting, Town Council referred the proposed MAC text amendments to the Planning Commission for public hearing and directed the Commission to also consider setting the maximum number of dwelling units allowed per acre from within the range of 15 to 75 dwelling units per acre.

#### **Proposed Amendments to the MAC**

##### **Sec. 18-95.1. - Statement of purpose and intent.**

The purpose of the Maple Avenue Commercial (MAC) Zone is to encourage compact, pedestrian-oriented, mixed-use development and redevelopment along the Maple Avenue corridor to reinforce Maple Avenue's role as the Town's main street. The zone is intended to ensure that development along the corridor promotes Vienna's small-town character and does not compromise the character of residential neighborhoods abutting the corridor. MAC development along the corridor should provide significant office, retail, and commercial opportunities in addition to residential options. Review of applications will take account of the welfare and needs of the Vienna community, market and economic conditions, and the intent of the MAC Zone as enumerated below. More specifically Specifically, the MAC Zone is intended to:

- A. Encourage compact, pedestrian-oriented development along Maple Avenue East and West that collectively accommodates residents, visitors, and businesses;
- B. Encourage a pedestrian-friendly, human-scale design of streets, buildings, and open spaces;
- C. Foster mixed-use development and that includes destination-style and neighborhood-serving retail development along Maple Avenue East and West, including commercial services and products that are attractive to and meet the needs of town residents for entertainment, art, recreation, dining, retail and consumable goods;

- D. Promote a variety of housing options in the Town;
- E. Enhance the Town's economic vitality by promoting the preservation and creation of a variety of small, independent and locally-owned businesses establishments, including restaurants, services, small and small, locally-owned businesses, and other uses which contribute to the vitality of Maple Avenue East and West;
- F. Maintain and promote eclectic character and visual interest of building design and site configuration by encouraging a variety of building heights, density, and building mass consistent with Vienna's small-town character and compatible with surrounding residential neighborhoods;
- G. Provide for a high quality of development along Maple Avenue East and West; and
- H. Improve environmental quality and promote responsible development practices along Maple Avenue East and West;
- I. Encourage the creation of publicly-accessible community gathering spaces, such as parks, plazas, and other open spaces;
- J. Encourage the incorporation of art in sites and buildings through a variety of design elements, natural features, installations and displays in highly visible and publicly accessible locations;
- K. Foster a built environment that is comfortable, safe, accessible, barrier-free and convenient to residents and visitors of all ages and abilities.

**Sec. 18-95.3. - Procedure for MAC Zone designation.**

- A. Designation of lots to the MAC Zone may only be approved as a rezoning in accordance with article 24 of this chapter.
  - 1. Applications for a rezoning to the MAC Zone shall be accompanied by an existing conditions plan and a concept plan or, at the applicant's option, a formal site plan prepared in accordance with article 25 and concurrently processed, a multi-modal transportation impact analysis, unless waived by the director of public works, a set of color elevations depicting the development's appearance from each of the four cardinal directions, and color, isometric, 3D renderings of the development and surrounding buildings from each of the four cardinal directions. Individuals licensed by the Commonwealth of Virginia to practice as architects, landscape architects, professional engineers, or land surveyors shall prepare the parts of the rezoning application appropriate and specific to their licensed profession.

- a. The existing conditions plan shall include but not be limited to the following:
  - 1) Boundary outline of the subject property;
  - 2) Existing planimetric information (mapping features) on the subject property;
  - 3) Names and route numbers of all boundary roads or streets, centerline and the width of the existing rights-of-way;
  - 4) Existing topography with two-foot contours;
  - 5) Existing utility easements;
  - 6) Structures within 200 feet of the proposed structure or use;
  - 7) Existing landscaping and treed areas; and
  - 8) Scale, north arrow, and date.
- b. The concept plan shall include but not be limited to the following:
  - 1) Vicinity map;
  - 2) Total area of property in square feet and acres;
  - 3) Tax map parcel or legal description of the subject property;
  - 4) Conceptual grading with two-foot contours and directional arrows depicting overland drainage of the proposed site and surrounding areas;
  - 5) Scale, north arrow, and date;
  - 6) Adjacent owner names, zoning, and use;
  - 7) Vehicular and pedestrian points of access to the property;
  - 8) Existing and proposed utility easements;
  - 9) Conceptual sewer and water connections to each proposed structure;

- 10) Approximate location, estimated size of footprint in square feet, capacity and type of all proposed stormwater management facilities, including the full extent of side slopes, embankments, spillways, dams, and approximate water surface elevation for design storms, if applicable;
- 11) Existing and proposed structures; total number of dwelling units by type and breakdown with number of bedrooms;
- 12) General plans of each floor with proposed uses and dimensions;
- 13) Required yards and height and proposed setbacks and building heights, both in tabular form and graphically shown on the layout plan;
- 14) Environmental and historical features;
- 15) Structures within 200 feet of the proposed structure or use;
- 16) Existing and proposed landscaping, screening, specimen trees, and buffering;
- 17) Tree save areas, which include individual trees and groupings;
- 18) Lighting plan depicting general location of lighting fixtures and general lighting distribution pattern;
- 19) Open space and impervious area plan with specific types of open spaces shown and listed in tabular form with corresponding square footage;
- 20) Parking plan;
- 21) Commercial vehicle turning movements;
- 22) Additional information as required by the director of planning and zoning and director of public works; ~~and~~
- 23) Public engagement plan (as described below) is strongly recommended:  
*Public engagement plan:* A plan that establishes the principles processes and milestones for public engagement related to a development proposal to address the needs of community stakeholders and to engage people in the decision-making process; and
- 24) Fiscal impact analysis that demonstrates the long-term fiscal benefits and costs to the Town of the proposal.

- 2) Requests for modifications of the requirements of this article shall be submitted in accordance with sections 18-256 and 18-257. A narrative explaining each modification shall accompany the request.

**Sec. 18-95.4. - Required and permitted uses.**

Required uses in the MAC Zone: new development or redevelopment must include ground floor commercial square footage equal to or greater than what currently exists. Commercial includes any activity conducted with the intent of realizing a profit from the sale of goods or services to others. Ground floor commercial square footage includes space that is currently occupied, vacant or was demolished.

The following uses are permitted by right in the MAC Zone:

- A. Multi-family dwellings, if they are not located on a ground floor façade facing Maple Avenue. The following are the maximum dwelling units allowed per acre based on the gross development area:

<b>Gross Development Area</b>	<b>Maximum Dwelling Units per Acre*</b>
Under xx Acres	TBD
Over xx Acres	TBD

\*To be determined from within a range of 15 to 75 dwelling units per acre.

**Sec. 18-95.9. - Height limit.**

- A. The maximum height shall be the lesser of four stories or 54 feet, as shown in Figure 18-95.9.1, Determination of Height. The building shall have the appearance of, at most, four stories when viewed from every cardinal direction.
- B. Functional or decorative elements on the highest level of a building may not result in a total height, including those elements, that is more than 115 percent of the permitted building height, nor exceed ten percent of the area of the building footprint, with an exception for solar panels and green roofs.
- C. The minimum height of the first story of a principal building shall be 15 feet, which shall be maintained for a minimum depth of 50 feet.
- ~~D. Mezzanines shall not occupy more than fifty percent of the area of the floor below and shall not be considered a story for the purposes of determining height for residential uses only.~~

**Sec. 18-95.14. - Site development standards.**

- E. Building façades:



3. Buildings of 10,000 square feet in floor area or less shall be configured so that at least 60 percent of ~~all sides are~~ ~~the front wall is~~ differentiated architecturally by two or more of the following features (see Figure 18-95.14.6, Front Architectural Features). Buildings of more than 10,000 square feet in in floor area shall be configured so that at least 60 percent of ~~all sides are~~ ~~the front wall is~~ differentiated architecturally by three or more of the following features:
  - a. Recessed or display windows;
  - b. Offset surfaces, niches, insets, projections, or bas relief with a minimum depth of four inches;
  - c. Window indentations that incorporate a differing building material, texture, or color, along with an awning or overhang;
  - d. Differentiated piers, columns, or pilasters;
  - e. Textured materials;
  - f. Public art;
  - g. Roofline changes, coupled with correspondingly aligned wall offset or façade material changes, changes in the roof planes, or changes in the height of a parapet wall; or
  - h. Changes in wall planes (such as projections or recesses) with an offset or depth of at least two feet and a width of at least fifteen feet, located a minimum of every 30 feet.
4. ~~Side and rear building facades, if visible from public streets, shall have a similar architectural treatment as uses on the primary or front façade.~~
5. Buildings shall be constructed (through the use of materials, design elements, or architectural details) to emphasize the proportion of height to width so that building facades are vertically oriented, instead of horizontally oriented, as shown in Figure 18-95.14.7, Vertical Orientation.
6. Stand-alone buildings located in front or other buildings within the same development shall include a consistent level of architectural detail on all four sides of the building as well as exterior materials and colors that are compatible with the primary building in the development.

***Staff Recommendations:***

Staff recommends that the Planning Commission recommend to Town Council all of the text amendments to the Maple Avenue Commercial (MAC) zone district, as proposed by the MAC ad hoc committee, including setting the maximum number of dwelling units allowed per acre at 50 DU/A for sites less than five acres and at 40 DU/A for sites five acres or greater. The proposed density caps are within the range of similarly-sized mixed-use projects in peer jurisdictions.