



# TOWN OF VIENNA PLANNING COMMISSION

July 30, 2018

# Agenda

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- Item No. 1 – Public Hearing – Zoning Ordinance Amendment – *Finished Lot Grade* Definition
- Item No. 2 – Public Hearing – Zoning Ordinance Amendments – MAC Zoning Regulations

*Finished Lot Grade*

Article 2, Section 4 – Definitions

# Existing Definition

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*Finished lot grade* , for the purposes of measuring building heights under this chapter, shall be:

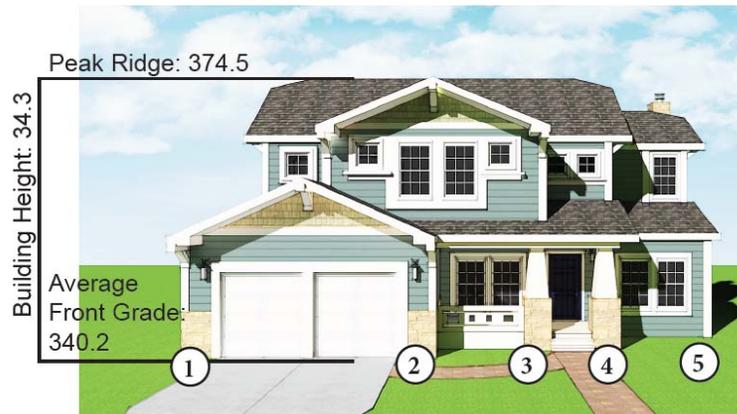
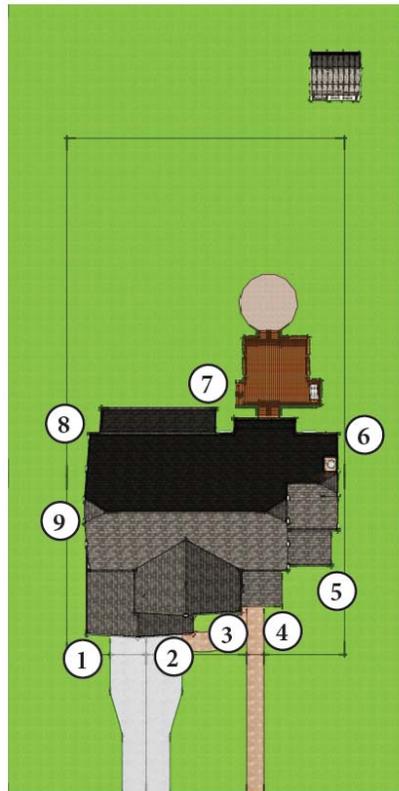
1. a. In general: For any principal building, the finished lot grade is the pre-existing lot grade, calculated as the mid-point between the highest and lowest elevation points along the front setback line.
1. b. Exception for single family dwellings: For a Single family dwelling, the finished lot grade may deviate from the pre-existing lot grade by no more than three vertical feet at any point along the pre-existing lot grade.
2. For an accessory building: The lowest point of elevation adjacent to any wall of the structure.

# Proposed Revision

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*Finished lot grade* means the finished surface of ground abutting a building or structure. The finished lot grade may deviate from the pre-existing lot grade by no more than three vertical feet at any point along the pre-existing lot grade around the footprint of the building or structure. The Director of Public Works may waive the three foot lot deviation requirement, if deemed to be for good cause and not contrary to the public interest.

# Current Interpretation



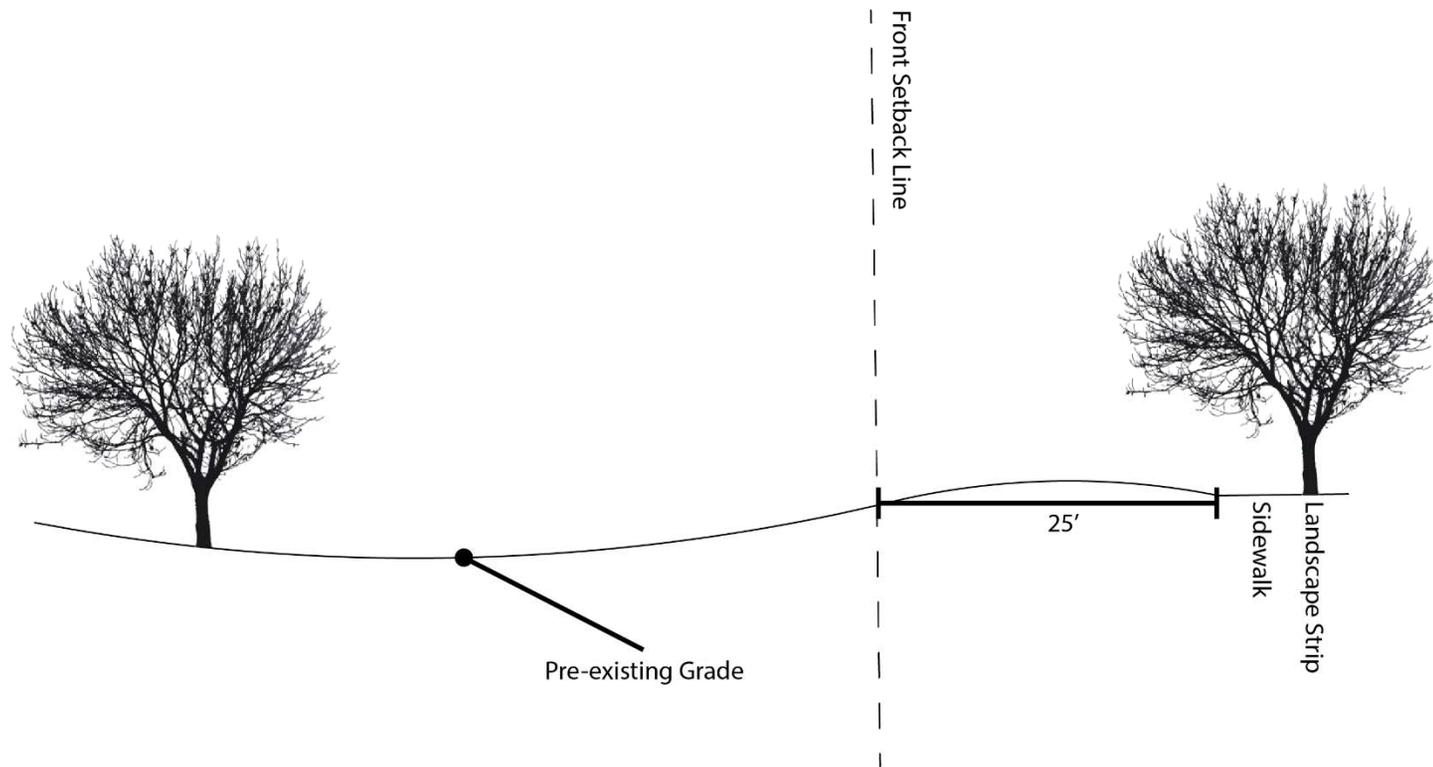
**Average Front  
Grade: 340.2**

**Elevation of  
Peak Ridge:  
374.5**

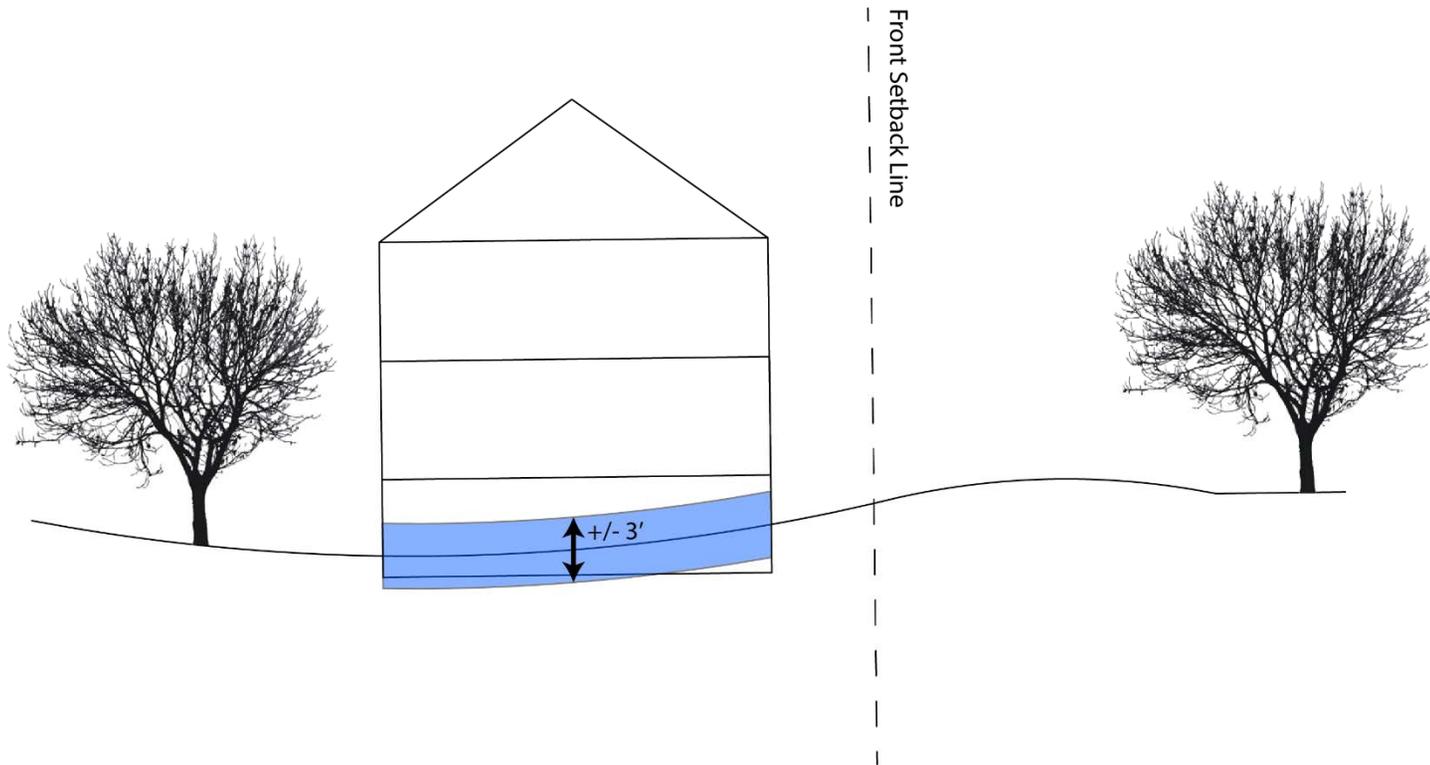
**Building  
Height: 34.3**

Spot	Existing	Proposed	Deviation
1	341.2	341.0	-0.2
2	342.1	340.3	-1.8
3	341.5	339.1	-2.4
4	339.0	339.6	0.6
5	340.8	341.1	0.3
6	343.1	342.8	-0.3
7	341.9	342.0	0.1
8	342.1	342.3	0.2
9	339.3	341.0	1.7

# Proposed Revision



# Proposed Revision



# Concerns/Potential Language Tweaks

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- Concern with “mushrooms” i.e., providing 3’ bonus for foundations already graded up and creating side yard “valleys”
  - ▣ Add language stating that all over lot grading should be in accordance with the existing lay of the land, i.e., can’t deviate from the natural grade of the land
- Need to treat commercial different than residential
  - ▣ Apply new definition only to single-family dwellings

*MAC Ordinance Amendments*

Article 13.1, Sections 95.1, 95.3, 95.4, 95.9, 95.14

# Brief History of the Maple Avenue Commercial (MAC) Zone

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- Adopted in 2014
- Purpose of MAC - encourage compact, pedestrian-oriented mixed-use development and redevelopment along the corridor to reinforce Maple Avenue's role as the Town's main street
- Amended in 2017
- 2 approved projects
- 1 currently under review by Town Council
- Process first started in 2001

# Longer History of MAC

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- Following slides are from the July 7, 2014 and August 18, 2014 Town Council public hearings on the proposed MAC ordinance

# Maple Avenue Commercial Corridor

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Zoning Code Update

## Town Council

## Public Hearing

July 7, 2014

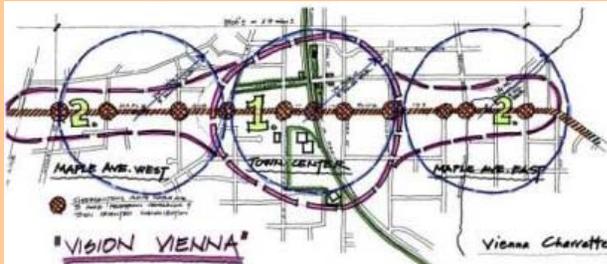
### Presentation Contents

- Provide an overview and history of process
- Provide outline of zoning ordinance contents

# Maple Avenue Coding Effort Began in 2000

14 Years to date

## 2001 – Vision Vienna



## 2006 – Duncan Report

This report has focused on four different regulatory approaches that Vienna may consider as it decides how best to accommodate investment and redevelopment along Maple Avenue. It is difficult to point to one approach and say definitively, "This is what Vienna must do." The final solution will most likely incorporate elements from all four.

As mentioned in the opening of this report, a number of outstanding questions remain:

- Should new regulations promote/allow change and redevelopment, or preserve existing development patterns?
- How much of an increase in building height and intensity is appropriate?
- Is mixed-use (or increased residential) development desired in the target area?

## 2010 – Height/Setback Photo Simulations



## MAC Zone Draws from

- Vision Principles
- Assessment of current zoning code - *Zoning Discovery Report*
- Relevant national best practices
- Discussions with Steering Committee and Town Council

## Starting Directions from the Town Council

*Frame a vision and update the zoning code for the commercial corridor of Maple Avenue*

### Town Council and Staff Direction

• RFP Request: Preparation of amendments to the current Zoning Ordinance consistent with the Town's Comprehensive Plan, and the current zoning and planning principles for increased building heights along the Maple Avenue West and East Corridor (not a Market or Traffic Study)

- Assume Height Maximum of 54'
- Setback from ROW of 15'

Study Boundaries



## What Should the MAC District Do?

- Control and direct density
- Strengthen the business environment and retain, enhance and support local business, improve economic development opportunities
  - The MAC District **should NOT pick winners and losers** by defining specific locations for redevelopment
  - The MAC District creates a new opt-in **VOLUNTARY** zoning designation for the corridor
  - Existing businesses and property owners **can choose to make no change** and remain under their current C1/C1a/C2 zoning
- Provide residential opportunities for young people and empty nesters wishing to stay in the Town of Vienna
- Protect and enhance the Town of Vienna's unique character and family-oriented sense of community
- Encourage responsible development and protection of neighborhoods
- Make Maple Avenue safer and more pedestrian friendly

## Issues for Consideration

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### Transportation Impacts

- How can the MAC district help improve transportation and traffic on Maple Avenue?
- How does the MAC district help improve multimodal transportation choices?

# Transportation Impacts

## A Growing Body of Knowledge on the Characteristics and Effects of Mixed-Use Developments on Traffic



Brandon Nevers, Kittelsen, 01/29/14

[http://archives.huduser.org/scrc/sustainability/newsletter\\_092712\\_3.html](http://archives.huduser.org/scrc/sustainability/newsletter_092712_3.html)

### Arizona Study Suggests Dense, Mixed-Use Development Patterns Reduce VMT and Congestion

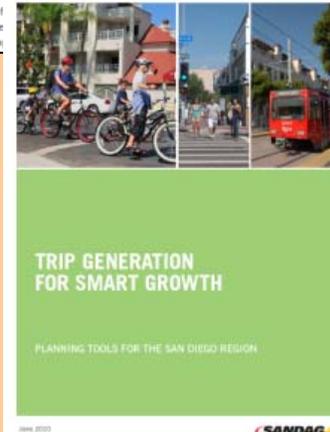
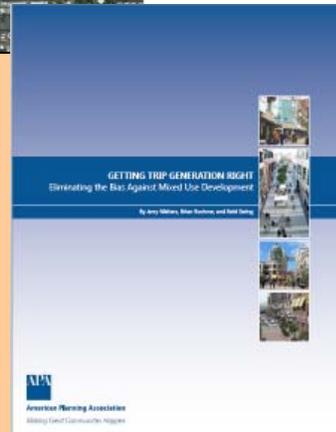


A recent study released by the Arizona Department of Transportation demonstrates that higher-density, mixed land-use patterns reduce dependency on automobiles, traffic congestion, and residents' vehicle miles traveled (VMT). The study, *Land Use and Traffic Congestion*, examined whether applying Smart Growth principles could reduce traffic congestion in the Phoenix metropolitan area. The study found that higher density and mixed-use developments designed to be walkable and accessible to regional transit could reduce residents' VMT by an average of 25 percent.

#### Background

Previous studies have shown that as residential density increases, the level of automobile ownership decreases, leading to fewer automotive trips, higher rates of walking and transit use, and reductions in VMT. However, residential density is not the only factor affecting residents' transportation choices. Other factors such as a mix of land uses, design choices that improve neighborhood walkability, and access to regional jobs (particularly by public transit) also reduce both the number of vehicle trips and overall VMT. These concepts — Density, Diversity, Design, and Destinations — are collectively referred to as the "4 Ds" of compact mixed-use development. Compact mixed land-use development has also been shown to reduce nonwork vehicle travel — the trips that account for most households' daily living needs. Compact design and integrated land use increase the number of travel options and reduce the number and length of automotive trips. The 4 Ds were the main theme used to determine the effect of land use on traffic congestion in this study.

#### The Effect of the 4 Ds on Traffic Congestion in Arizona



## Transportation Impacts

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### Mixed-Use Development is More Efficient

***“[MXD] land uses would generate 49 percent more traffic if they were distributed among single-use sites”***

Walters, J. Bochner, B., and Ewing, R. “Getting Trip Generation Right – Eliminating the Bias Against Mixed Use Development”. American Planning Association. May 2013

### Mixed-Use Development Reduces “Stress” on the System

***“Three out of 10 trips generated by MXDs put no strain on the external street network and generate relatively few vehicle miles traveled”***

Ewing, R., et al. “Traffic Generated by Mixed-Use Developments – Six-Region Study Using Consistent Built Environmental Measures. ASCE Journal of Urban Planning and Development. September 2011

Brandon Nevers, Kittelsen, 01/29/14

## Issues for Consideration

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### The Market

- What is the future of the retail and office markets?
- Is it possible to remain competitive without change?
- How can the eclectic nature of the retailers and the varied buildings styles in the current corridor be retained?

## The Market

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### What does this all mean?

- Brick and mortar stores getting smaller; fewer retailers to back-fill empty spaces
- Emphasis on food and entertainment experience
- Neighborhood retail subject to more trips per week; this reduces parking demand and increases foot traffic
- Office market increasingly competitive; location, amenities and access important
- Future market conditions cannot be predicted, but MAC provides flexibility to remain competitive, with an emphasis on place-making and character of development

*Bruce Leonard, Streetsense, March 2014 – “The Changing Face of Retail”*

A photograph of a street scene on Maple Avenue. The street is paved and has yellow lane markings. On the left side, there are trees and a building. On the right side, there are more trees and a building with a green roof. A car is driving down the street. The sky is blue.

# Maple Avenue Commercial (MAC) Proposed Ordinance

**Public Hearing (Continued)  
August 18, 2014**



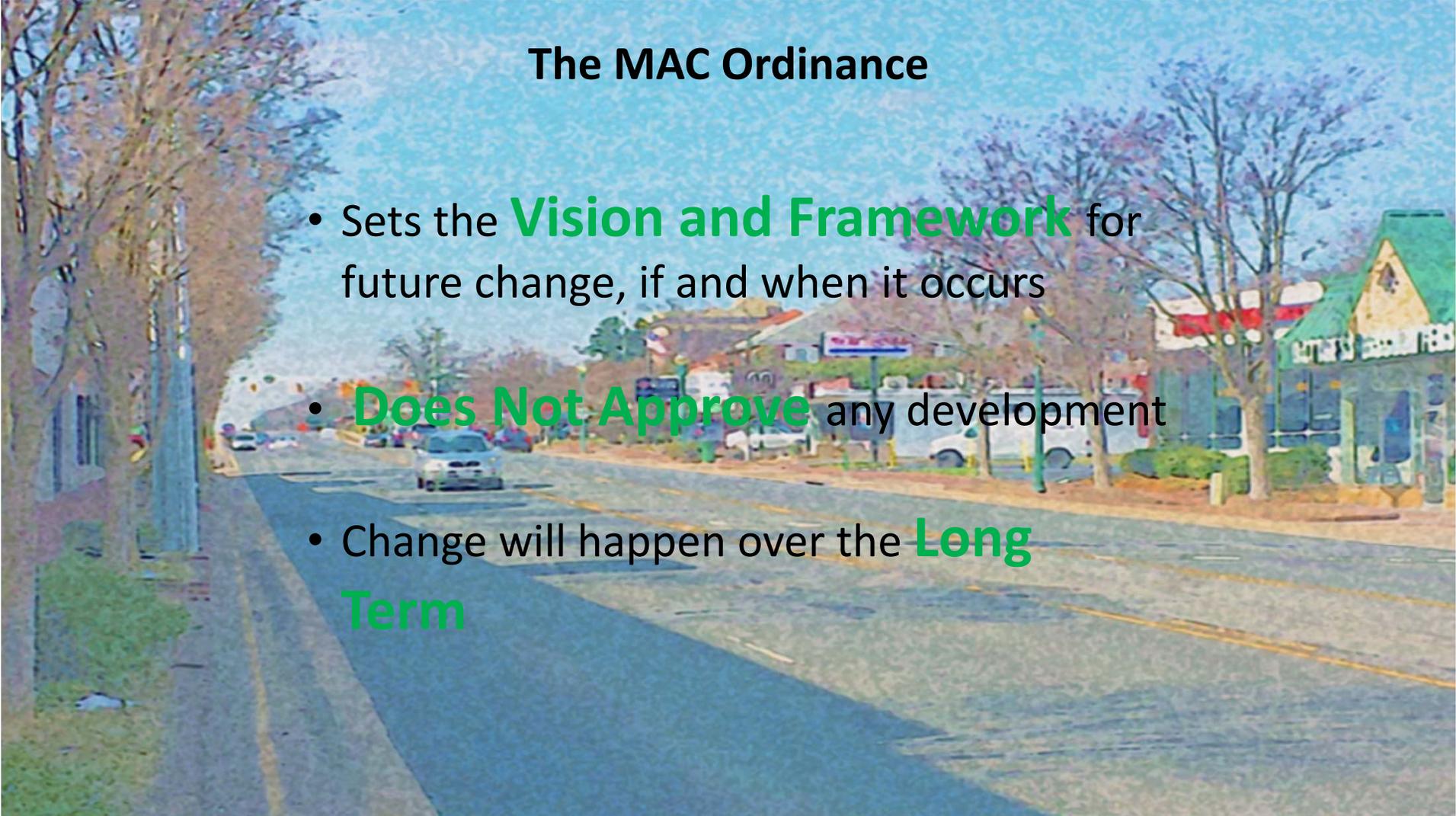
## Overview – The Vision

- Compact, pedestrian-oriented and human-scaled development
- Mixed-use and destination retail-style development
- Promote a wider variety of housing options in Town
- Enhance Town's economic vitality
- Maintain and promote eclectic character and visual interest of building design and site configuration
- High quality and compatible development with adjacent neighborhoods
- Improve environmental quality



## Overview – The Results

- Strengthen the business environment and retain, enhance and support local business, improve economic development opportunities
- Provide residential opportunities for young people and empty nesters wishing to stay in the Town of Vienna
- Protect and enhance the Town of Vienna's unique character and family-oriented sense of community
- Encourage responsible development and protection of neighborhoods
- Control and direct density
- Make Maple Avenue safer and more pedestrian friendly



## The MAC Ordinance

- Sets the **Vision and Framework** for future change, if and when it occurs
- **Does Not Approve** any development
- Change will happen over the **Long Term**



## Maple Avenue Vision- Steering Committee

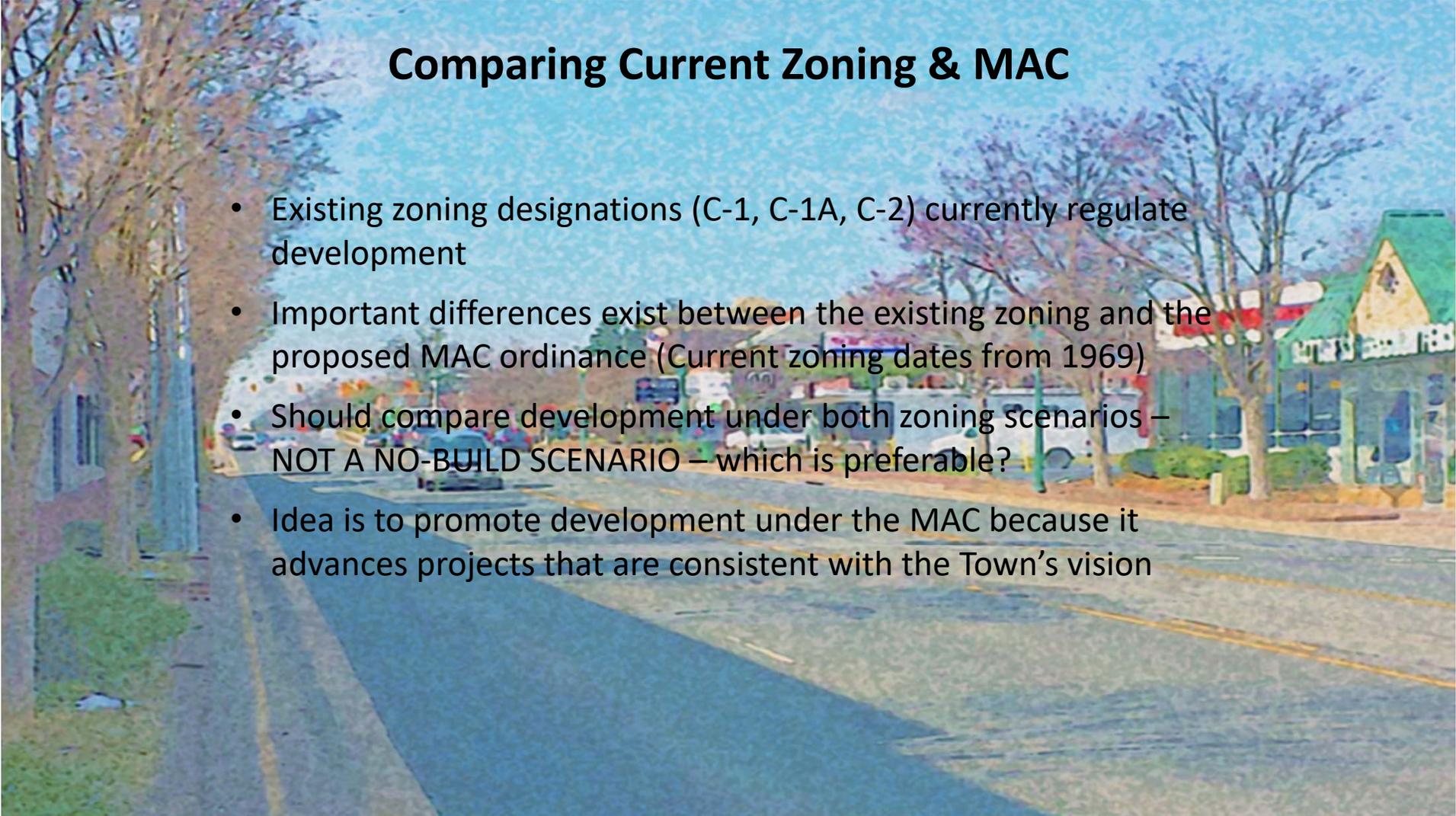
- Process started in 2001
- 2012 - 17 member Steering Committee established by Mayor Jane Seeman
- Serve as Advisors to Consultant Team and Town Council
- Broad Representation of Town:
  - Business Community
  - Large Landowners/Employers
  - Individuals involved with Land use/Land development/Construction
  - Realtors
  - Residential Neighborhoods
  - Town Business Liaison Committee
  - Community Enhancement Committee
  - BAR/Planning Commission



# Maple Avenue Vision

## Two Years and Twenty Meetings

- 10/11/12 Steering Committee Meeting
- 12/5/12 Steering Committee Meeting
- 1/10/13 Steering Committee Meeting
- 1/14/13 Status Report to Council Work Session
- 3/26/13 Steering Committee Meeting
- 4/22/13 Status Report to Council Work Session
- 5/21/13 Steering Committee Meeting
- 5/29/13 COMMUNITY FORUM ON MAPLE AVENUE VISION
- 6/6/13 Steering Committee Meeting
- 10/8/13 Steering Committee Meeting
- 11/11/13 Status Report to Town Council
- 2/4/14 Steering Committee Meeting
- 2/10/14 Status Report to Council Work Session
- 3/5/14 Presentation to BAR and Planning Commission
- 4/2/14 Planning Commission Public Hearing
- 5/1/14 Planning Commission Work Session
- 5/20/14 Planning Commission Work Session
- 6/11/14 Continuation of Planning Commission Public Hearing
- 6/25/14 Planning Commission Vote
- 7/7/14 Council Public Hearing
- 8/18/14 Continuation of Council Public Hearing



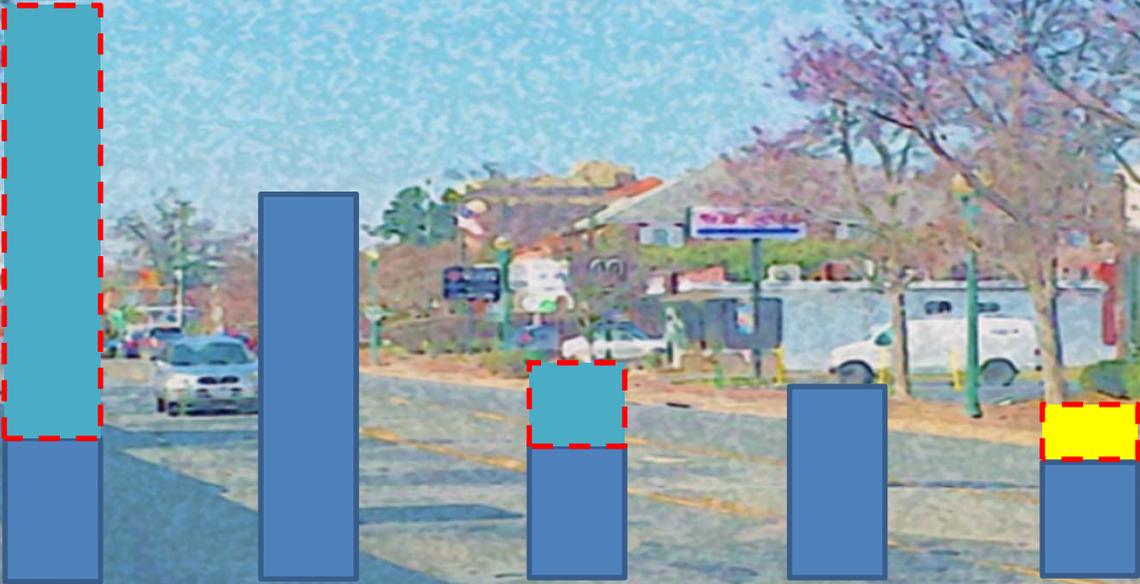
## Comparing Current Zoning & MAC

- Existing zoning designations (C-1, C-1A, C-2) currently regulate development
- Important differences exist between the existing zoning and the proposed MAC ordinance (Current zoning dates from 1969)
- Should compare development under both zoning scenarios – NOT A NO-BUILD SCENARIO – which is preferable?
- Idea is to promote development under the MAC because it advances projects that are consistent with the Town's vision

## Current Zoning vs. the MAC

	<u>Existing Zoning</u>	<u>MAC</u>
<b>Stories</b>	Three (3)	Four (4)
<b>Max Height</b>	35'	54'
<b>Roofs, Parapets &amp; Mechanical</b>	No height limit	62'
<b>Other Limits</b>	None	35' abutting SFD residential

# How does the MAC Compare?



Herndon  
50' – Four Stories  
(200'+ at Metro)

Falls Church  
115'

Leesburg  
45' up to 65'

Fairfax City  
60' – Six Stories

Vienna  
35' – Three Stories  
54'-Four Stories

## Current Zoning vs. the MAC

	<u>Existing Zoning</u>	<u>MAC</u>
<b>Impervious Area</b>	None	80%
<b>Tree Canopy - Lots</b>	None	1 tree/8 parking spaces
<b>Open Space</b>	None	10%
<b>Bicycle Parking</b>	None	Short & long term parking requirements
<b>Illumination</b>	None	Max Illumination



Source: Taj Construction

# Approval Process



## Approval Process Comparison

### Current Zoning

By-Right Zoning:

- No requirement for public hearing process – site plans are approved by staff
- BAR reviews against basic architectural standards

### MAC

Optional – Incentive Zoning with 5-step review process –including public hearings:

- Staff review submission
- BAR reviews against design standards
- Planning Commission reviews rezoning and site plan
- Town Council reviews/ approves rezoning and site plan
- BAR reviews final architectural design

# Proposed MAC Amendments

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- Mayor formed ad hoc committee spring, 2018
- Purpose: research and develop amendments to ensure future mixed use development does not result in loss of commercial activity along corridor
- Met 5 times in April, May and June
- Discussed recommendations with Town Council & Planning Commission at 2 joint work sessions (May & June)
  - Consensus on following amendments with exception of density cap
- At July 9, 2018 meeting Town Council referred proposed amendments to Planning Commission for public hearing and directed PC to consider setting the maximum number of dwelling units per acre from within range of 15 to 75 dwelling units per acre

# 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;**

# Sec. 18-95.1 - Statement of Purpose and Intent.

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.

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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.**

## 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:

Gross Development Area*	Maximum Dwelling Units per Acre*
Under xx Acres	TBD
Over xx Acres	TBD

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

# Sec. 18-95.9 – Height limit.

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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 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.~~

## Sec. 18-95.4 – Required and permitted uses.

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:

Gross Development Area*	Maximum Dwelling Units per Acre*
Under xx Acres	TBD
Over xx Acres	TBD

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

# Analysis of Current, Proposed and Potential MAC Developments - Dwelling Units per Acre (DU/A)

Development/Site	Total Acres	Actual MAC Projects DU/A	Range of Dwelling Units per Acre*												
			Applied to Approved, Proposed and Potential MAC Developments												
			15 DU/A	20 DU/A	25 DU/A	30 DU/A	35 DU/A	40 DU/A	45 DU/A	50 DU/A	55 DU/A	60 DU/A	65 DU/A	70 DU/A	75 DU/A
<b>Vienna Market</b> (approved; 44 townhouses)	2.0	22	30	40	50	60	70	80	90	100	110	120	130	140	150
<b>444 Maple Ave</b> (proposed; 160 apartments)	2.8	57	42	56	70	84	98	112	126	140	154	168	182	196	210
<b>380 Maple Ave W</b> (potential; 45 condominiums)	.9	50	14	18	23	27	32	36	41	45	50	54	59	63	68
<b>Center and Maple</b>	.7	--	11	14	18	21	25	28	32	35	39	42	46	49	53
<b>Rite Aid</b>	1.0	--	15	20	25	30	35	40	45	50	55	60	65	70	75
<b>SunTrust</b>	1.6	--	24	32	40	48	56	64	72	80	88	96	104	112	120
<b>Giant Shopping Center</b>	10.4	--	156	208	260	312	364	416	468	520	572	624	676	728	780

\*Table includes a range of dwelling units per acre for medium density residential developments based on information found in the following reports: "Creating Great Neighborhoods: Density in Your Community" by the Local Government Commission in cooperation with U.S. EPA, "Higher-Density Development: Myth and Fact" and "Yes in My Backyard: How States and Local Communities Can Find Common Ground in Expanding Housing Choice and Opportunity" both by the Urban Land Institute, and "Visualizing Density" by the Lincoln Institute of Land Policy, as well as best practices of local jurisdictions.

## "MAC Comparable" Mixed-Use Projects in Peer Jurisdictions Recently Approved or Under Consideration\*

Jurisdiction	2010 Population	Size in Square Miles	Name of Project	Status	Total Acres	# of Stories	Commercial Square Footage	Type of Housing	# of Units	Dwelling Units per Acre (DU/A)
City of Fairfax	22,565	6.24	Scout on the Circle	Approved	9.8	6	83,000	apartments	400	41
			Fairfax Gateway	Approved	8.3	4	19,136	apartments	403	49
Town of Herndon	23,292	4.27	Downtown Development Project**	Under Consideration	4.7	4	18,000	townhouse & multifamily	281	60
Town of Leesburg	42,616	12.39	Church & Market	Under Consideration	1.7	6	15,000	apartments	125	74
			King Street Station	Approved	3	4	7,100	condos	68	23
Town of Vienna	15,687	4.41	Vienna Market	Approved	2	4	8,940	TH-style condos	44	22
			444 Maple	Under Consideration	2.8	4	20,136	apartments	160	57

\*"MAC Comparable" Mixed-Use Projects - All of these projects are located downtown and/or in areas designated mixed-use in the Comprehensive Plan.

\*\*Public-private partnership between the Town and private developer to include 761-space parking facility with 339 public parking spaces and 18,000 SF art center.

## Sec. 18-95.4 – Required and permitted uses.

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:

Gross Development Area*	Maximum Dwelling Units per Acre*
< 5 Acres**	50**
≥ 5 Acres*	40**

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

\*\*Proposed by MAC ad hoc committee (Staff recommendation to ad hoc committee: 60 DU/A < 5 acres; 50 DU/A ≥ 5 acres & ≤ 10 acres; and 40 DU/A > 10 acres)