



Town of Vienna

Charles A. Robinson Jr. Town
Hall
127 Center Street South
Vienna VA, 22180

Meeting Minutes Town Council Meeting

Monday, April 3, 2017

8:00 PM

Charles A. Robinson, Jr. Town Hall, 127
Center Street, South

Regular Meeting

Invocation: Reverend Brett Isernhagen, Epiphany United Methodist Church

Pledge of Allegiance to the Flag of the United States of America

1. Roll Call

2. Approval of the Minutes:

- A. Approval of the minutes of the Regular Council Meetings of February 27, 2017, March 13, 2017, and the Work Session minutes of December 12, 2016.

It was moved to approve the regular minutes of February 27, 2017 as submitted.

Motion: Councilmember Sienicki

Second: Councilmember Noble

Abstain: Councilmember Voigt

Motion carried

It was further moved to approve the regular minutes of March 13, 2017 as submitted

Motion: Councilmember Sienicki

Second: Councilmember Springsteen

Carried unanimously

It was further moved to approve the Work Session minutes of December 12, 2016 as submitted.

Motion: Councilmember Sienicki

Second: Councilmember Majdi

Abstain: Councilmember Noble

Motion carried

Minutes approved as shown above.

3. Receipt of petitions and communications from the Public

Matthew DiFiore 207 Owaissa Court, SE addressed Council regarding questions or issues regarding policies and procedures for the town. The first issue was regarding the minutes from the Work Sessions and getting them on the website quicker. The other issue was regarding the Board of Architectural Review and removing them from matters impacting zoning related topics. He would like Council to do something to formally review what the BAR did and also to clarify responsibilities and

authorities to ensure that Planning & Zoning related matters are not handled by the Board of Architectural Review.

4. Reports/Presentations

A. Report and Inquiries of Council Members

Councilmember Majdi thanked Mr. Gallagher and Public Works for a job well done on the Locust St. paving. He thinks it is going very well. It is a very heavily traveled street and thus far the traffic has been managed well during the construction that is going on during the day.

Councilmember Majdi asked Mr. Briglia for an update with what is going on with Bey Lounge. Mr. Briglia provided an update stating they had two violations that are pending. Prior to that there had been some complaints but some were more vibration complaints. It has been quieter and it was clear that something had changed and he reached out to the Attorney and he told her that some point this may have to go before the BZA sooner than the November hearing which there is a mandatory review, for what he would call a temporary conditional use permit and she indicated that they were waiting for permits for some remaining sound remediation that was expected to be done shortly. They were still open to monitoring the sound on site and then at one of the adjoining neighbors sites. The good news is that several weeks have gone by without a complaint. Councilmember Majdi stated that it is only fair that they wait until permits come in and he thinks the owners of Bey Lounge have potentially offered to purchase equipment for monitoring sound that would actually go on the neighbors property. He doesn't want to speak for them but if they have offered to do that he asked for it to be confirmed that they will, but if not hopefully it will be offered so we don't have to rely on cell phone calls to the Police at 2:00 am. on the weekends. If that does come forward he thinks that will be a positive development. He is rooting for this to succeed just as much as anybody. Nobody wants to shut down a mom and pop business in the Town of Vienna but the neighbors have rights and if it does not succeed he thinks they really need to look at the noise ordinance, specifically, in the commercial or industrial sectors and some sort of tiered fine system especially in the commercial or industrial for repeat offenses.

Councilmember Colbert shared that she received an election flyer from when her father ran in 1993 and she thought it was very interesting because some of the things he says in it are still true in Vienna. The low crime rate, sound fiscal management and the recycling program. He also said the capital improvement program will provide a quality infrastructure well into the 21st Century.

Councilmember Noble gave kudos to the Public Works Department on improving the streets that were damaged when Follin Lane was being reconstructed. He thanked them for resurfacing East Street and part of Echols Street, the neighbors are very thankful.

B. Report of the Town Manager

No report

C. Report of the Mayor

Mayor DiRocco reminded everyone that the Town will hold Public Hearings on the Budget and the Water and Sewer rates on Monday April 17th and the tax rate for FY2018 will be held on April 24th.

Mayor DiRocco reported that the rescheduled Mayor @ Your Service took place on Monday, March 27th and took place here at the Town Hall. The discussion was about Public Art and they had four different people speak that work in Public Art on a regular basis. There was someone from Alexandria, Arlington, Reston and Fairfax. It was really interesting to hear what they had to say about processes for public art, maintenance etc. There was a lot of great information that they shared. Most of the Vienna Public Art Committee was at the meeting and think they got a lot out of it along with the other that attended.

D. Proposals for Additional Items to the Agenda

None

E. Closed Session

It was moved that the members of the Vienna Town Council be polled to affirm that on this date, Monday, April 3, 2017, no closed session was conducted.

It was further moved that the Certification Resolution be adopted in accordance with State Statutes, and that the Town Clerk is authorized to execute the Certification Resolution.

And it was further moved that the Closed Session be continued to Monday, April 17, 2017 at 7:30 p.m. in accordance with Virginia Code Section 2.2-3711A(1), for purposes of discussion of personnel matters, specifically the interviewing of individuals for consideration of appointment and/or re-appointment to Town Boards and Commissions.

A motion was made by Council Member Tara L. Voigt, seconded by Council Member Linda Colbert, that this was approved.. The motion carried by the following vote:

5. Public Hearings

A.

Public hearing to consider Planning Commission-recommended changes to the parking section of the Town Code Chapter 18, Article 16, Section 18-127 to Sec 18-137.1, Off-Street Parking and Loading Areas

Mayor DiRocco opened the Public Hearing at 8:18 p.m. The Town Clerk called the role and all members of Council were present.

Patrick Mulhern, Director of Planning and Zoning explained that the public hearing was being held to consider one of many amendments to the Zoning Ordinance that they will be bringing to Council. This ordinance is related to parking. He provided a little history and a brief presentation to go over the main points on the changes. Since 1969 there have been a few minor amendments but never an overhaul so they are trying to take this piece by piece. They have had several work sessions and Public Hearings with the Planning Commission and several work sessions with the Council as well. Most of the changes have been recommended by the Planning Commission but they did have a couple of items that were discussed in the Council Work Session that have not been finalized.

The first slide reflected that they made major changes in format, it used to be in a

narrative format but now it is a chart format. They also recommended the change from 20' to 18' for parking spaces. They are currently 9x20, they are recommending 9x18 and the Planning Commission is as well. The second slide reflects the parking by Townhouse's, multi family and other uses. The change for townhouse's and two-family dwellings is we are not only looking at the two spaces but also one space per five dwellings for visitor parking which has been an issue in the town. In reality it is a 2.2 standard per dwelling unit when you add one space for five dwellings. For efficiency units they have one parking space for a one-bedroom unit, one and a half spaces and two for two-bedroom and as you increase the bedrooms you get another parking space from then on. Councilmember Majdi stated since we changed our definition of townhouse's and two-family dwellings he wants to make sure when you have a development in RM-2 or the MAC or anything other than RTH, which is by definition our set of townhouse's, and as defined by ownership rights they are condos, but they are designed as townhouse style condo's, what category would that fit under in the chart. Mr. Mulhern stated it would probably be the bottom one where it is multifamily residential and if it is two bedrooms in would be two spaces; if its more it would be more.

Councilmember Majdi stated our inventory of parking lots for condo developments in this town, thus far, has shown that where we have large condo developments we have lots of empty parking spaces and asked what the current ratio is that is applied at those condo developments under the current standard which is around 1.2. Mr. Mulhern stated that was in the chart that was shown earlier. Councilmember Majdi stated that folks have raised questions on sufficiency of parking for developments for residential and clearly here it is defined that townhomes and two-family dwellings require guest parking but if you have a condo that is physically designed to look like a townhouse, we are significantly increasing the parking requirements for those dwellings because the status quo is roughly 1.2, and we are seeing plenty of empty parking there and this proposal increases it to well over 1.5 on average depending on the mix of bedrooms in the development. Mr. Mulhern stated that the 1.2 was from the chart of all the existing projects and they were just demonstrating that much of it is under parked given our current standard. This two space standard did not change but it is higher than the average in the town currently, substantially. Ms. Garland stated in terms of terminology she clarified that there was ample discussion about townhouse style condominiums but at the end the Planning Commission decided not to and they still have a public hearing on April 12th to discuss it however, the current draft is not separately defining the townhouse style condominium. In other words where there is a condominium it is still categorized as townhouse.

Mr. Mulhern stated that the next slide shows they had the desire to have some landscaping in parking lots. Currently Northern Virginia does not have any landscaping requirements for parking. There is some concern that developers would lose some of their capacity on their site. The first example showed a 24,000 square foot commercial building and 120 spaces could be accommodated on that site. That could be by-right and currently the only requirement for landscaping is 25% of the 15' setback from the front, there is no other requirement for landscaping in the commercial zone. They thought it was pretty important to try and figure out a way to do that. If you do put in the landscaping you basically reduce your square footage of commercial because you don't have enough parking spaces to meet the 1 to 200. Under that scenario you could add the trees but you would have to reduce the size of your commercial building from 24,000 to 21,200 square feet and that was not an acceptable alternative so they looked at possibly increasing the standard for parking, actually reducing the required number of spaces down to 1-226 and in doing that you accomplish your parking requirement, you have your landscaping and you maintain the 24,000 square feet of commercial. In this example you would have to

exercise the ability to utilize 25% compact parking spaces. There was concern about that so what they did in the next example was they showed 250 parking spaces with a standard of 1 space for 250 and if you do that you can accomplish the same thing and still maintain 24,000 square feet of building space, still provide for landscape in the parking lot and you would have enough parking and 8 additional full size parking spaces.

Councilmember Springsteen asked what the County, Fairfax City, Falls Church and Herndon require. Mr. Mulhern stated that they had showed that in the work session. There is a mixture, some of them are 250, some are 300 and with some of them the parking standard relates to the use.

Mr. Mulhern stated that what they are recommending is one space per 250 square feet being the new standard. It allows you to provide the same by-right commercial square footage, it allows you to provide the landscaping the same standard as the MAC that they have for onsite landscaping and it provides the opportunity to maintain the parking standard and be in conformance with the parking standard as well.

Councilmember Majdi asked if they moved to a 1-250 square feet standard are there unintended consequences. One aspect he is interested in is how does this affect the MAC requirements? He knows that MAC parking requirements are defined by a percentage based on the baseline of the by-right code so if they are changing the baseline it will then by definition, by math, affect the MAC requirements and he wanted to know how that would affect the incentives. If he does the math in his head, one thing to consider, especially for MAC proposals that have structured parking because they wont have landscaping, his math was 1-312. He thinks that further incentivizes parking structures which he thinks is a good thing. Mr. Mulhern stated that everything Councilmember Majdi stated was correct.

Councilmember Noble commented as a brief follow-up that he knows when the Maple Avenue Corridor Zoning was passed by Council Mr. Attanasi had a very detailed discussion in the body about the ratio and he thinks it is worthwhile to go back and say what the end result was. We did have a conversation about his MAC 1-300 and 1-350 and what is the actual number that the code implies because a percentage reduction off of what this is, if we are changing this, the Maple Avenue Zoning piece needs to get back to the same place as intended. Councilmember Majdi asked Mr. Mulhern to go back to the slide with the chart regarding guest parking. Guest parking is in response to input from public and he thinks it is a very good thing. He wanted to make sure that they have considered all the possible scenarios and there are no holes in the net, so to speak. He thought it would be helpful to run through some examples. He has two goals with this, one is to make sure they have not made any mistakes and there aren't any unintended consequences and second he wanted to bring up a policy question on whether or not this definition 1 per 5 works for smaller developments with less than 15 units. His first example was if they have a proposal for a development in RTH, and talking about townhomes, and there are 12 units, how many parking spaces would be required. Mr. Mulhern stated it would be 2 for each plus 3 extra ones for the guest parking because you have exceeded 10 units. Councilmember Majdi confirmed that once you get passed 11 it is automatically up to 23 spaces, 11 is the triggering point. Councilmember Majdi presented the same question with 12 units in RM2 and they are condos that look like townhouses; and asked if it is the same amount of parking spaces. Mr. Mulhern stated no at this point multifamily condo's' would just be parked at 2 per unit. The guest parking applies to townhouse's and two-family dwellings. Councilmember Noble stated that he thought Ms. Garland said something

different and asked for some clarity. Ms. Garland stated the definition regardless if it is a townhouse or a multifamily as a townhouse style condominium; both are considered as a townhouse so therefore the rules are exactly the same as 2 spaces per dwelling. Mayor DiRocco asked what is determining whether it is a townhouse. Mr. Mulhern stated there were two types of townhouse's; fee simple townhouse's, traditional with a yard and then there is a townhouse style condominium and the Planning Commission is recommending for townhouse condominiums this will also apply. Mayor DiRocco asked if this was in the recommendation from the Planning Commission. Ms. Garland stated it was on the definition side. Councilmember Majdi stated they may need to look at that alongside the chart. Mr. Mulhern would recommend to them that a townhouse is a townhouse even if it is condominium style and guest parking is probably an issue with that and might be worth looking at. Councilmember Majdi stated he thinks it is an issue, he has heard from the public that they would need guest parking in those situations. His interest is in equalizing the requirements in those two scenarios which sounds like it is the Planning Commissions recommendation even if it is not reflected in the chart. Councilmember Majdi ask the same question, MAC development, smaller development, 12 housing units that are legally condo's, under the MAC and none of them are efficiencies; how many parking spaces would be required. Mr. Mulhern stated it would depend on the number of bedrooms. Councilmember Majdi also asked if you have 12 units, 6 are 2 bedroom and 6 are one bedroom and we were to apply the standard as proposed, how many parking spaces should there be? Mr. Mulhern stated there should be 18. Councilmember Majdi stated then it is significantly more than what is currently out there. He asked in RM2 on Locust, there is a nice set of townhomes that were recently done and they have 5 guest parking spaces, he asked if we have developments whether its MAC, RM2 or RTH that have very few housing units or 5 or less, if that triggers only one guest parking space is that sufficient? If there are 9 units and there are only 2 guest parking spaces, is that sufficient? Do we want to say 1 per 5 dwelling units for proposals that are 20 and higher and then have separate tiered standard for much smaller units? He doesn't know the answer to these questions and he would love to hear from people in the business to see what they think about it. He likes the ratio, he thinks it makes sense for the type of proposals that we are expecting but he does think we may get a couple of proposals that are much smaller and he is not sure that ratio would work there.

Mr. George Creed, 217 Audrey's Court, SE addressed Council stating he is representing himself, the Vienna Business Association and the Board of Zoning Appeals. He thanked Council for addressing this issue. Back about 10 months ago they had a hearing at the BZA when they were doing the Potbelly and Zoe's Kitchen outside seating area and he went down there to see what was proposed to them and he counted 45 parking places there. You have two restaurants and 1 parking space for 4 seats and when he checked it out he thinks it added up to 42 or 43 of the parking allocation would have been for the two restaurants. There are also two retail stores in the back and only 2 places left which just doesn't make sense to him. At that time he asked Mr. Mulhern send a note to Council from BZA recommending that they take a look at the parking. He is still not sure as a consumer where those folks park and he thinks it should be looked at. He is asking Council to continue the Public Hearing so the BZA can look at the input and he would also like to provide the information to the town businesses and see what they need from parking and what the consumers need over and above or in addition to what developers need. Personally he has a little bit of heartburn as he went through some of the numbers. He looked at the common cars that were bought in 2015 and one of them is a small Jeep Cherokee that is 6'1" in width and with a 9' parking place that will basically give him 18" on either side of the car to open doors, his doors are somewhere between 10 and 11 inches. When he swings open the door it doesn't give him much

room to get out without jamming it against the next guys car. He sees most of the cars are at 6'1 for 2015. He is concerned about a 9' parking space and as long as cars are being built like this you are not going to change that width all that much. He is hoping Council will leave the hearing open another week or two so they can take a hard look at it and maybe talk with some of the developers.

Councilmember Sienicki asked when you have that 9' space and you have a 6' vehicle, typically your door swings but you can also go past it in the other persons space but what happens on a condition where there is a wall or something like that? Do people usually make the space bigger because there is a wall? Mr. Creed stated the issue around here is occasionally you have space next to you but if you go to the Giant shopping center and other shopping centers you are chalk full of cars right next to each other and when you open your door with only 18" you're banging into the other car. Councilmember Colbert stated the mirrors are included in the width. Mr. Creed stated he is not including the mirrors because they don't come out as far as the door.

Mr. Craig Burns, 301 Center Street North, recommended that they have some more flexibility to allow more gravel or stone parking throughout the town and possibly more motorcycle/scooter parking. Anything that would take away any parking in this town is not going to be good; we are in a parking crisis. In the name of landscaping he does not think any of the designs of a 24,000 square foot building is not a current Vienna-ish building, the lots are not that large. He is not sure that it is our problem to have these massive obtrusive parking lots so lets make sure we don't take away any parking in Vienna, if anything lets try and make sure we are adding not taking away from. Anything we can do to prevent spaces being taken away would really be a benefit.

Mr. Matthew DiFiore, 207 Owaissa Ct. SE, stated that changing from 200 to 250 basically reduces the requirement by 20%. As Mr. Burns said we should keep the parking and if you reduce the requirement you will need less spaces, it also impacts all the parking garage numbers etc. etc. He also asked if the town has a master parking space data base, he hopes it does and hopes it is by parcel. If they don't then how would we know what we are doing is right. We are fixing to change the requirement but we don't know what the total inventory is. All we know is that we want to keep development going and it seems that you need to know what your requirements and your assets are. If you don't know your assets then you are making decisions not seeing the whole picture. His next question was how are parking requirements calculated? Are they by business or parcel? What happens when the tenant type changes? What happens when the use changes, does someone go back and look at stuff? On page 12 there are a couple of notes on the bottom; note one and note two, what are the impact of those numbers, how do they impact things, what do they mean? You have to understand that because if that table with the number of spaces for townhouse's, those notes used to be next to it but now they are at the bottom so how does that impact throughout the town. His next question has to do with part of the note that says any property that was non-conforming is grandfathered in, does that mean to 1969 or does that mean to whenever there was a modification to the ordinance over time. If it means modification over time, then how does the public or the developer get to see what rules he has to play by? What happens with properties that were non-conforming and we change this now, do they become conforming? On page 12 there was something in the original draft that talked about recording parking plans someplace and that has disappeared in this last draft and his question is why? How do we know that somebody is playing by the rules over time, we won't know unless we record it. His next question was on landscaping islands and there is a different size for the MAC area and for this new section, why

do we have two sizes, it makes it more difficult. He also asked why they eliminated the disability table from there. He found it on the web but it was a real pain having to go to the web to find out what the requirement is for the number of disability spaces and none of the examples talked about disability spaces. His last question was why was a 24,000 square foot building area chosen as the example?

Ms. Marjorie Midili, 607 Alma Street, stated her issue is a little different; it is about commercial parking in the residential areas in front of their homes by Navy Federal Credit Union. They are just crowding in more and more. It is very unsightly, they don't have garages and they need some space in front of our homes for contractors and friends and it is all being used up. They are parking on Alma St, Orin St. and down and the corner of Alma and Delano. The park people that want to enter into Wildwood Park have to park in front of their homes because that is how they get into the park. She is fine with them parking there because to use the trail but not commercial people. That is a big business and they need to provide parking for their own people. She knows they are quick to say they are building a garage but they have been building garages for years. It is very convenient for employees to pull up in the morning, park in front of their house and walk right up to work. It is wrong that such a big business is using their homes to park in front of.

Councilmember Noble followed up that in stating when he was on Planning Commission and Navy Federal came before them, there were a series of promises they made during the course of construction in terms of where and how they would have their employees park in the interim while construction was going on. He requested that the Planning & Zoning Director, the Town Manager, and the Town Attorney if necessary, to follow up on that conversation and the narrative that they presented during those meetings because what Ms. Midili is describing is not what they described.

Councilmember Springsteen asked the Town Attorney if they should look at residential permit parking there. Mr. Briglia stated that he thinks staff will have some information to provide in terms of addressing some of the homeowners concerns in that area. Navy Federal Credit Union does have off campus parking temporarily and they have shuttles for their employees. He thinks what's happening is the employees that don't want to use that. They do have an issue where there is not enough off-site parking and that is why they are running the shuttles. He will find the report that they received a while ago about where their off-street parking is and where the shuttles go to and then they can certainly address some of the complaints.

Mr. Billy Webber, 303 Mill St. agrees with Mr. Burns, we should not do anything that cuts down on parking in Vienna. Giant and Petco have plenty of parking but the strip malls are tight with parking and down in his area on Mill Street they are real bad. He appreciates the greenery but putting trees in and take away parking does not make any sense.

Councilmember Noble asked a clarifying question where in the table it lists industrial buildings and since Mill St. is IM Industrial Zone does that imply that all the buildings are industrial building in the Industrial Zone? Mr. Mulhern stated not all of them, some are commercial. To Mr. Webber's point, existing uses are grandfathered from any change in the zoning ordinance so we are not asking people on Mill St. to plant trees. Mayor DiRocco asked Mr. Mulhern to explain what that means because what happens is yes you are, you do not have to do that now but if you were to repave for example. Mr. Mulhern stated if you re-develop the site and anything that basically requires a site plan, at that level of re-development, then you

would have to bring it up to the current code. If you tore down the building and rebuilt or if you had a vacant site and started from scratch you would apply those standards if this was approved. It is not required for existing by-right grandfathered uses.

Councilmember Majdi mentioned that he believes that Commissioner Kenney voted nay specifically for the reason that he feared that the proposal would dis-incentivize re-paving or investing in one's own property because that would trigger the loss of parking spaces. It is only one vote but it is a minority perspective that needs to be considered by the Council. He thinks it is safe to say that it is a dis-incentivizing of repairing your own property because it would trigger more stringent parking requirements. He asked if that was enough to sink the whole proposal. He is not saying that but it is a factor Council needs to consider. Mr. Mulhern stated if you are just doing façade improvements and you are not changing your parking lot, you will not have to meet that new standard, it is voluntary. They would encourage them to particularly if you have sufficient parking and the standards reduced then you would have the room to do landscaping. Unless it requires a site plan then it would not be required. Councilmember Majdi asked if the re-development that took place at the old Magruder's would be a façade improvement. Mr. Mulhern stated yes that was a façade improvement. This is only for major re-development and new development. Mayor DiRocco stated she thought Mr. Kenny's concern was if we put in landscaping without adjusting the parking from 1-200 or 1-250. Ms. Garland stated that Mr. Kenny's concern was initially staff proposed to have a landscape island and his concern was by doing so the unintended consequence could potentially be reduced parking. Staff came up with the idea that what if potentially you provide a compact parking space or what if potentially decrease the square footage so instead of 1-200 to 1-250 or possibly change the parking stall size from 9' wide to 8.5' wide. A lot of municipalities or counties already have 8.5 and what we have is 9' wide. By changing the width you are not impacting any parking ratio but can potentially gain more parking spaces. All these options came up because of the landscape gardens and the unintended consequences. Mr. Mulhern stated the biggest concern was lets not penalize by-right development by requiring the landscaping in the parking and by reducing the standard you accomplish that. You would get the same square footage, you get your landscaping in the parking lot and you're parking compliant.

Councilmember Noble followed up on what triggers a site plan and using Magruder's as an example: we went from a food store to multiple restaurants and they did not have to submit a site plan, however, the use changed between categories for parking ratios. Mr. Mulhern stated they did only if they calculate by tables or chairs. The same standard, it is still 1-200 currently. They don't differentiate between restaurants, medical or other uses; they have one standard, 1-200.

Mayor DiRocco asked Mr. Mulhern answer some of the questions and also stated that Mr. Creed requested whether we want to keep the Public Hearing open and continue it on to another meeting or keep public comment open, however we would like to do that might be helpful as well based on some of the discussion we have had tonight.

Mr. Mulhern stated in response to Councilmember Sienicki's question about parking next to a wall, no there is currently no standard that says you need to add three extra feet but maybe we should look at that. Mr. DiFiore's comment was right that if you reduce it from 1-200 to 1-150 square feet, it is a 25% reduction. The MAC is a commensurate change because the MAC follows the parking standard. Mayor DiRocco asked if we had any sort of data base for parking by parcel. Mr. Mulhern

stated that Michael D'Orazio has done an extensive study on this. Mr. D'Orazio stated that he looked at 93 properties along Maple Avenue and Church Street by looking at site plans and existing parking. He showed a slide of what properties they looked at and explained that 32% of those properties either meet or exceed the 1 space per 200 sq. ft. requirement and about 68% do not currently meet that requirement. Some sites are close but they have updated their parking to meet ADA standards so they have lost a few spaces to handicap spaces. Other reasons are that they are going by the older zoning ordinance because they are older buildings and the requirements are less restrictive. A lot of the fast food restaurants have more spaces than they are required to and that is partially because of the one space per 4 seats requirement and if they want more seats they have to provide more parking. Mayor DiRocco asked if there is a data base of parking plans that are put together. Mr. D'Orazio stated that they have site plans that show the required parking and they keep record of those.

Councilmember Noble asked Mr. D'Orazio if they had done an accumulation study of some of these lots during the course of Maple Ave zoning. Mr. D'Orazio stated that was correct. Councilmember Noble stated then not only is there a data base of spaces per lot and whether it conforms to whichever part of the code, they also did an occupancy study that indicated, across Maple Avenue, how well used those spaces were during different times of the day. Mr. D'Orazio stated that was correct. Councilmember Noble asked what the general finding of that study was. Mr. D'Orazio stated that generally they were underutilized. They looked at some of the bigger sites like Maple Avenue shopping center and Vienna shopping center, before the new restaurants were put in. During the mornings they are very underutilized. Councilmember Noble stated that in Vienna we have a lot of parking but at certain times of the day it is very highly utilized in particular places but in other places it is significantly underutilized depending on where you are and what type of land use.

Mayor DiRocco asked how the disability spaces are determined. Mr. Mulhern stated they are determined by the current law and that is why they structured it in the ordinance amendment to abide by current law because it changes all the time. Mayor DiRocco asked how it is determined on how many spaces are needed. Mr. D'Orazio stated it is depended on the total amount of parking spaces but thinks it is 1 handicap space per 20 spaces and have to be van accessible. Councilmember Colbert asked if the spaces are larger and wider and would that change the number of spaces required. Mr. Mulhern stated yes and some of these parking lots are non-compliant simply because they added handicap spaces.

Mayor DiRocco asked what is being required now with landscape islands between the MAC and in the by-right. Mr. D'Orazio stated that in the MAC when they were doing the parking standards, they were based on the parking size which is currently 9x20 so those landscape islands were based on 9x20 parking stalls and they adjusted it to what they are proposing as 9x18. It would have to be revised in the MAC.

Mayor DiRocco asked if motorcycle/scooter parking was anything that was considered. Mr. Mulhern stated no there was none, motorcycles typically park in a full size space.

Mr. Mulhern answered a few more of the questions that were asked by Mr. DiFiore. The general note on page 12 clarified something that applies for all of the parking, once you get over 3 bedrooms you add another parking space. Compact spaces is an option that they are recommending and the Planning Commission recommended that up to 25% of your parking can be but it is optional.

Councilmember Stenicki asked if they envisioned the landscaping also occurring in the industrial zone. Mr. Mulhern stated yes, it would be required for any commercial or industrial zone for new development or major re-development. Councilmember Stenicki asked if that was something to consider because in an industrial zone it may not be as necessary. Mr. Mulhern stated that would be Council's decision to exempt industrial.

Councilmember Majdi asked if the differential between stand-alone restaurants and the ones that are not is addressed in this proposal. Mr. Mulhern stated that it was the same standard, 1-200 per table, 4 seats. If they want additional seating beyond that then they would have to provide additional parking. Mayor DiRocco stated there is also a requirement to have so many seats per stand-alone restaurant and is an issue to be looked at in the work plan. Councilmember Majdi stated the complaints he has heard were about the parking requirements but it is actually driven by the seat requirements. Mr. Mulhern stated it requires 125 seats to be a stand-alone and that is problematic for the smaller restaurants. Mayor DiRocco stated she thinks that was done in the 1960's to get away from some of the fast food restaurants but she thinks now-a-days we need to look at that.

Councilmember Majdi stated that they have heard comments from the public that it would be helpful to them if they continued the public hearing and he is supportive of that.

It was moved to continue the public hearing to April 24, 2017 and receive written comment.

Motion: Councilmember Noble

Second: Councilmember Colbert

Mayor DiRocco stated that 24,000 square feet was talked about an example was provided but she would like to see a couple of examples for things that are smaller. Councilmember Voigt stated that in the same line as providing examples she asked if they could give them the names of the locations.

Councilmember Colbert stated that there was also a scenario that Mr. Mulhern provided that has the 25% compact spaces and it is the 1-225 square feet and she asked if that is what Planning & Zoning is recommending. Mr. Mulhern stated that in the earlier example it showed that it would need it to be 226 in this scenario even with the compact spaces so they are recommending 1-250. They felt that compact spaces were a good option but shouldn't be required. Under the 225 scenario, in order to make it work you would have to have the compact spaces, which is another reason they went with the 1-250.

Mr. Payton asked if it would be helpful if the planning and zoning staff worked to get the answers to the questions that were posed tonight on the website. Mayor DiRocco stated that would be very helpful.

Vote was taken and the motion carried unanimously.

"I move to close the public hearing."

"Following receipt of public input and recommendations from the Planning Commission, I further move to approve the proposed recommended changes to the parking section of the Zoning Ordinance Town Code Chapter 18, Article 16, Section 18-127 to Sec 18-137.1, Off-Street Parking and Loading Areas as well as proposed amendments to commercial parking standards.

and

"I further move that the Town Clerk be directed to advertise a Notice of Intent to Adopt these changes at the April 17, 2017 Council meeting.

"I move to close the public hearing."

"Following receipt of public input and recommendations from the Planning Commission, I further move to approve the proposed recommended changes to the parking section of the Zoning Ordinance Town Code Chapter 18, Article 16, Section 18-127 to Sec 18-137.1, Off-Street Parking and Loading Areas as well as proposed amendments to commercial parking standards.

and

"I further move that the Town Clerk be directed to advertise a Notice of Intent to Adopt these changes at the April 17, 2017 Council meeting.

Or

Other action deemed necessary by Council.

6. Regular Business

- A.** Request to award a contract with Trialogue Studio for brand creation research and positioning statement for a cost of \$38,100

It was moved to award a contract with Trialogue Studio for \$38,100, in response to RFP 17-04 and using funds in account noted above, for provision of qualitative and quantitative research services with Town stakeholders to determine the Town of Vienna's brand as well as create and provide a brand positioning statement.

A motion was made by Council Member Colbert, seconded by Council Member Voigt, that the Action Item be approved. The motion carried by the following vote:

- B.** Request approval to amend the 2016 Vienna First Night Memorandum of Understanding between the Town of Vienna and Vienna Business Association

It was moved to waive Town service fees as listed in the First Night Vienna Memorandum of Understanding.

A motion was made by Council Member Voigt, seconded by Council Member Colbert, that the Action Item be approved. The motion carried by the following vote:

- C.** Request fiscal year 2017 spending and award of IFB 17-13 for Mueller Fire Hydrants - As Needed to Water Works Supply

It was moved to approve FY17 spending not to exceed \$20,000 and award IFB 17-13 to Water Works Supply for Mueller Fire Hydrants - As Needed, from the account listed above.

A motion was made by Council Member Noble, seconded by Council Member Voigt, that the Action Item be approved. The motion carried by the following vote:

- D.** Request FY17 spending with Pavement Management Services for pavement condition rating services

It was moved to award the proposed contract for pavement rating services to Enterprise Information Solutions Inc. and approve FY17 spending with said firm in the amount of \$28,800.

A motion was made by Council Member Noble, seconded by Council Member Sienicki, that the Action Item be approved. The motion carried by the following vote:

- E.** Request award of IFB 17-15 Marshall Road Sidewalk Improvements

It was moved to award IFB 17-15 to A&M Concrete Corporation for Marshall Road sidewalk improvements and approve cost and financing as indicated above.

A motion was made by Council Member Voigt, seconded by Council Member Springsteen, that the Action Item be approved. The motion carried by the following vote:

- F.** Request to increase FY17 spending with Ferguson Waterworks for water division supplies

It was moved to approve an additional \$25,000 in expenditures with Ferguson Waterworks for repair parts and approve this proposed modification to the Town's contract with Ferguson, riding Fairfax Water IFB 13-18, with expenditures to come from accounts listed above.

A motion was made by Council Member Noble, seconded by Council Member Springsteen, that the Action Item be approved. The motion carried by the following vote:

- G.** Request to increase FY17 spending with Shannon Baum Signs for road sign materials

It was moved to approve the proposed contract modification and increase FY17 spending with Shannon Baum Signs by an additional \$24,795 from the account listed above.

A motion was made by Council Member Sienicki, seconded by Council Member Colbert, that the Action Item be approved. The motion carried by the following vote:

- H.** Request approval of Stormwater Local Assistance Fund (SLAF) Grant Agreement No. 15-23 for Wolftrap Creek Stream Restoration

It was moved to approve Stormwater Local Assistance Fund Grant Agreement No. 15-23 for the Wolftrap Creek Stream Restoration project and authorize the Town Manager to execute all related documents.

A motion was made by Council Member Springsteen, seconded by Council Member Sienicki, that the Action Item be approved. The motion carried by the following vote:

- I.** Request to award IFB 17-16 for Maple Avenue Repaving contract

It was moved to award IFB 17-16 for Maple Avenue Repaving to Arthur Construction, of Dulles VA in the amount of \$1,331,000 from the account number listed above.

A motion was made by Council Member Noble, seconded by Council Member Voigt,

that the Action Item be approved. The motion carried by the following vote:

- J. Request to increase FY17 spending with Elswick & Elswick, dba Greentree, for tree maintenance and removal

It was moved to modify the Town's contract with Elswick & Elswick, dba Greentree, and to approve an additional \$11,000 in expenditures for tree maintenance and removal from accounts listed above under IFB 13-14.

A motion was made by Council Member Voigt, seconded by Council Member Sienicki, that the Action Item be approved. The motion carried by the following vote:

7. Meeting Adjournment

It was moved to adjourn the meeting at 10:03 p.m.

This meeting was adjourned.

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.