



Town of Vienna

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

Meeting Minutes Town Council Meeting

Monday, April 24, 2017

8:00 PM

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

Regular Council Meeting

Invocation: Reverend Garry Genser, Vienna Seventh-day Adventist Church

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

1. Roll Call

2. Approval of the Minutes: No minutes for approval

3. Receipt of petitions and communications from the Public

None

4. Reports/Presentations

Update of the I-66 Expansion Project by Susan Shaw of VDOT.

Ms. Susan Shaw of the Virginia Department of Transportation provided an update of the proposed I-66 Expansion Project.

Proclamation for Arbor Day

Mayor DiRocco presented the Proclamation proclaiming April 27, 2017 as Arbor Day in the Town of Vienna.

A motion was made that the Proclamation be approved. The motion carried by the following vote:

A. Report and Inquiries of Council Members

Councilmember Sienicki reminded everyone that the Walk on the Hill and the Green Expo is being held on April 30th from 2-5 p.m. in the Windover Heights Historic District.

Councilmember Sienicki also reminded everyone that on Tuesday, May 2nd is the Town of Vienna Elections and will be held at the Vienna Presbyterian Church. The hours are 6:00 a.m - 7:00 p.m. for voting.

Councilmember Colbert asked Mr. Mulhern if silt fences were required by builders to put up. Mr. Mulhern stated they are not required. You have to have some level of stormwater management and erosion control on site and you can either berm it or put a silt fence up. Mr. Gallagher stated that a silt fence is an erosion sediment control measure that is dictated by the amount of land disturbance so if it is more

than 2500 square feet of land disturbance you are required by the code to install measures. It is not required if it is less than 2500 square feet. If the sediment does leave the property they can go out there and enforce something.

Councilmember Colbert reported that there is a little brick wall across from Sweet Leaf on the corner of Maple and Glyndon that is crumbling as well as on the curb. She will send in a picture to Public Works.

Councilmember Colbert also announced that James Madison High School is putting on the Wizard of Oz on Thursday, Friday and Saturday night as well as a Saturday matinee and encouraged people to come out and see it.

Councilmember Springsteen asked Mr. Briglia if everything is going well with Bey Lounge. Mr. Briglia stated it has been quiet.

Councilmember Springsteen asked the Parks & Recreation Director if the Community Center is still on track for substantial completion on August 11th. Ms. Herman stated that they were.

Councilmember Noble asked Chief Morris if there was any information regarding the parking issue over by Navy Federal Credit Union. Chief Morris stated that he has had some discussion with neighbors prior to the meeting and since the issue first came up they conducted some heavy enforcement to make sure everyone is obeying the law that is already in place in that area. Since the issue first came to the dais they have issued over 20 parking tickets and they are out there every single day. An email from Navy Federal has been sent to Council outlining what they have been doing with the off site parking they had obtained, the shuttles they obtained and the reminders to employees. Just today he was back in communication with them and they are moving some 50 contractors off site and trying to obtain another 135 spaces to hopefully alleviate this problem. The parking garage opens the beginning of July and that is when they need to decide if they should do permit parking in this area because then the people that are parking there are doing it by choice. They may still have to address this issue after the garage opens and they know that Navy Federal has the proper capacity.

B. Report of the Town Manager

No report

C. Report of the Mayor

Mayor DiRocco reported that there will be a meeting at Town Hall in the Chambers, on Thursday May 4th regarding the I-66 Expansion and she thinks any resident that wants to know more about it should come by and listen. There are some proposed possible changes to the intersection at Nutley St.

Mayor DiRocco reported that the Taste of Vienna is happening Saturday April 29th from 11:00 a.m. to 8:00 p.m in the parking lot of the Vienna Volunteer Fire Department.

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 during the Closed Session convened this date, Monday, April 24, 2017, the Town Council met for purposes of discussion of personnel matters, specifically, the interviewing of individuals for consideration of appointment to Town Boards and Commissions.

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, May 8, 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 reappointment to Town Boards and Commissions.

Motion: Councilmember Voigt

Second: Councilmember Sienicki

Abstained: Councilmember Majdi and Councilmember Springsteen

Motion carried

It was moved to appoint Bets Thomas to the Pedestrian Advisory Committee for a two-year term beginning April 25, 2017 until April 25, 2019.

Motion: Councilmember Voigt

Second: Councilmember Sienicki

Carried unanimously

E. Closed Session

5. Public Hearings

Public Hearing for FY 2017-18 Proposed Real Estate Tax Rate

Mayor DiRocco called the hearing to order at 8:32 p.m. The Town Clerk called the roll and all members of Council were present.

Ms. Marion Serfass, Director of Finance explained that this is a Public Hearing on the FY17-18 proposed Real Estate Tax rate. Each year the proposed real estate tax rate is recommended by the Town Manager and reviewed by Council during budget work sessions. This Public Hearing is being held to afford Vienna residents the opportunity for public comment on the proposed real estate tax rate of \$0.2250 per \$100 of assessed value for FY 2017-18.

The State Code of Virginia, section 58.1-32321, lays out certain definitions that you need to disclose for the tax rate. The first one is the "Lowered Tax Rate" necessary to generate the same tax levy as the previous year, excluding new construction. This lowered rate for Vienna in FY2018 is \$0.2185 per \$100 and that is the rate based on the same levy as last year. The "Equalization Rate" is another rate defined in the State Code that is the rate required to generate a levy of 101% of the previous year's tax levy of the same assessed base. The equalization rate is \$0.2257 per \$100 of assessed value. Per state code, Council may adopt a rate no higher than the equalization rate without holding a public hearing; public hearings are required when local governing bodies plan to adopt a real estate tax rate above the equalization rate. Town Council has proposed a tax rate of \$0.2250, which is the

same as the previous year and lower than the equalization rate. However, it is the Town of Vienna's practice to always hold a public hearing to allow citizens an opportunity for input.

Town Council has reviewed the budget during work sessions on March 18, March 20, and April 3. The Finance Department is presenting the proposed real estate tax rate and other tax rates at this public hearing for discussion and input from the public.

Again, the proposed real estate tax rate is \$0.2250 per \$100 of assessed value for FY 2017-18. The proposed budget is based on this rate along with continuation of the current bank net capital rate of \$0.80 per \$100 of valuation as well as the residential utility tax rate of 20% of the first \$15 and the commercial utility tax rate of 15% of the first \$300.

Town Council has the option to adopt the tax rates proposed or to lower them from the advertised amounts as it sees fit.

Councilmember Majdi asked Ms. Serfass to state for the record when the last time was that the Town Council increased the tax rate. Ms. Serfass stated that it has been the same for the last three years, it went down the year before that. She stated there is a chart in the Comprehensive Annual Financial Report that she would have to look at but it has been at least four years. As the assessed value goes up, generally the rate goes down.

No members of the public came forward to speak on this item.

It was moved to close the public hearing.

Motion: Councilmember Sienicki

Second: Councilmember Colbert

Carried unanimously

It was further moved to approve the Fiscal Year 2017-18 proposed real estate tax rate, bank net capital rate, residential utility tax rate, and the commercial utility tax rate as presented and that the Town Clerk be directed to advertise Notice of Intent to Adopt at the Council meeting on May 8, 2017.

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:

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

Mayor DiRocco called the Public Hearing to order at 8:39 a.m. The Town Clerk called the roll and all members of Council were present.

Mr. Mulhern, Director of Planning & Zoning explained that this is the second Public Hearing, continued Public Hearing to review the parking amendments to the Zoning Ordinance. They did go over most of the items at the first hearing. Council did have some specific questions about application to a small, medium and large site. He showed them a couple of slides to explore that. He provided a quick overview of the

proposed code requirements for the application of basically what they had in the MAC for parking code requirements that included some landscaping and to apply those by-right development as well. He presented some slides that provided some examples of what would be required on certain commercial properties with the ratio for parking of 1-200 or 1-250 as well as required landscape islands and landscaping.

Councilmember Sienicki had a question about the Maple Avenue Shopping Center and asked Mr. Mulhern when he said they calculated based on the 250 requirement, did that include additional for restaurant seating and things like that and is that why that shopping center has more parking spaces for the capacity that they have. Mr. Mulhern stated no, they were strictly looking at the number of square feet and applying the 200 vs. the 250. If there were more restaurants and their parking requirement calculated by the seating, exceeded the parking requirement that was established they they would have to add proportionately more parking.

Mayor DiRocco asked Mr. Mulhern if this is only if someone were to completely re-develop the property by-right. Mr. Mulhern stated that was correct or an applicant could come and do a face lift and decided to do these things if they have the space. The beauty of changing the standard to 1-250 square feet, you would have the latitude to add the landscaping and still be compliant.

Councilmember Majdi asked Mr. Mulhern to address the issue on whether or not these changes apply in the industrial zone and whether or not they should expressly exclude the industrial zone in what is being proposed. Mr. Mulhern stated that what the Planning Commission has forwarded and what staff has recommended to date, it would apply town wide for commercial/industrial. What came up at the first hearing was perhaps they should exempt industrial uses and he interprets that as industrial uses that remain industrial uses, is they switch to a commercial retail use then the application would apply. Councilmember Majdi asked if that was included in the proposal and where is it. Mr. Mulhern stated that Council would have to add it.

Councilmember Sienicki received an email from Mr. Bob McCahill supporting trees and landscaping and also questioned the use of pervious pavers and other options other than concrete and blacktop. Councilmember Sienicki read the email for the record. Mr. McCahill represents the Northeast Vienna Citizens Association. Mr. Mulhern stated that the current code does allow for asphalt, concrete or grid pavers surface which would be pavers and alike. Councilmember Sienicki asked if that would also include the pervious concrete like they are using at the Vienna Community Center. Mr. Mulhern stated the ones they are talking about are not considered pervious, they are concrete or brick pavers.

Councilmember Majdi also read an email for the record, from Mr. Craig Burns that provided comments regarding the parking. He listed the following points to be considered: 1. Thank you for keeping the church parking requirements the same. 2. From Ayrhill Avenue going North West down Dominion, allow customer and employee parking to be stacked two and three deep along gravel/stone to cooperate with NOVA Regional Park authority along the W&O.D. Allow not only grandfathered properties but also new businesses to use gravel parking along this section of the W&O.D. A recent business was denied to operate because the current gravel parking was not acceptable for new business licenses. 3. Allow at least one gravel/stone parking for each single-family residence, church, town properties and all commercial. Some of our most historic properties use gravel and stone parking. Those properties served as an attractional base to attract new building over the

years. The presence of gravel or stone parking spaces has not been a deterrent to attractational growth. Consider more spaces and driveways for larger homes. All throughout the Windover Heights area there currently exists gravel and stone parking spaces and driveways. They can be tastefully done, as is demonstrated in this very historic and high value property. Gravel and stone driveways exist all throughout Vienna, and the codes should reflect this unique quality in Vienna. 4. Allow stacking of parking in church and funeral home parking lots for large funerals/weddings. 5. Consider some provision for festival and special event parking throughout the town. During Festivals it is not uncommon for parking to occur on grass in people's yards. 6. Keep requirements at 1 space per 200 sq. ft. 7. Include motorcycle/scooter parking. (At the Harley Davidson dealership's they have narrow spaces for cycles. In Monday nights public hearing the director said, the normal policy is to have a regular size parking for motorcycles. I would ask for this to be researched and re-considered. 8. Include bicycle parking as an option similar to what was done on Church Street. 9. Consider adding a requirement for parking garages. I don't remember anything said about parking garages. Researching all possible parking options and including them in the proposal seems prudent. Most of our lots are under 50 in capacity. Finding creative parking garage options for small lots could be a win/win for the town. 10. I heard the term, "underutilized parking lots". I can't speak to those who observe Vienna parking lots to be under utilized. I have observed the opposite along Church Street, Mill Street, Dominion Rd, the corner of Maple and Park, as well as Lawyers and Maple. These areas are always at capacity and beyond. Councilmember Majdi stated that the staff has followed up on all these points with Mr. Burns.

Ms. Susan Stillman, 213 Ayr Hill Ave, NE, Chairman of the Community Enhancement Commission spoke in support of this proposal. The additional trees will help to purify the air, they will make it a more attractive location and they will help with the heat in the summer time.

Mr. James Brooke, Brook Rental is representing the Industrial Coalition and he is a little confused about the gravel parking in front of County Transmission, Ray's Auto Body, Vienna Auto Body and C&C Garage that all live and die on that gravel parking, every body that has work done there parks their cars in that gravel parking lot along that trail. He wants to understand how the zoning is being interpreted because he has received some mixed signals. He wanted to know if that is going to be grandfathered or what is going on. Mr. Mulhern stated that for a point of clarification, the memo today was related to the research they had done on the code and the code dating back to 1956 is when permanently constructed and maintained materials were required. It is even more clear in 1966 where there was an ordinance amendment that said for improvements applicable to parking areas and loading spaces, every parcel of land hereafter used as a public or private parking area, automobile sales area or loading area shall be developed as follows: shall have paved surfaces with asphalt or concrete and this is what they were addressing. As a practical matter, somehow the Town allowed gravel parking in the industrial district, it happens in many industrial districts. He does not know the rational for allowing that, given what the code said, but certainly their intent is not to deal with the owners right now in terms of gravel parking. If they want to re-develop and they want a use that is greater than the parking they currently have on their grandfathered site, then they will ask them where their parking is if you are going to propose a commercial use. If they are going to provide parking then it will need to be paved and striped. They have applied the ordinance just to new re-development efforts, particularly the ones that require additional parking. He thinks they are appropriately parked for industrial uses at the site, the problem is the code allows for by-right commercial retail and there is no parking for that, so there is a conflict. They have made

adjustments and have worked with Northern Virginia Parks and their intention is not to deal with that issue at this point in time, they were just providing an academic discussion on how the code references the requirement for paved parking regardless of how it has turn out between 1966 and today.

Councilmember Noble asked if the parking between Dominion Road and W&OD Trail from Ayr Hill up to the end, if it is in a town right-of-way or within a W&OD right-of-way. Mr. Mulhern stated it was in the W&OD right-of-way within that 100 feet. Councilmember Noble asked if it was correct that the nature of that parking is within the Park Authority in terms of whether it is gravel or not because it is within their right-of-way. Mr. Mulhern stated it was correct. Councilmember Noble stated that the requirement for the properties on the other side of the street in terms of how one counts spaces, is where you run into the conflict, and asked Mr. Mulhern if that was the correct interpretation of what he said. Mr. Mulhern stated that was correct and the parks folks lease that area to many of the businesses and he knows that is critical for their needs, but technically one of their requirements in their lease is that it meet all state, town and federal requirements and paved parking is one of them so there is a conflict there.

Mr. Brooke's is concerned and asked if there is something Town Council can do to change the zoning or to make it so that maybe starting at Ayr Hill on down for County Transmission, Ray's Auto body and for all the ones that use that gravel space so they don't have to worry when there are changes on Town Council or a new Zoning Inspector that may re-interpret the rules. There is no way those businesses can operate without those spaces.

Councilmember Springsteen agrees with Mr. Brooke and for the past 25 years they have always been gravel parking. He is not going to force them to change it and he doesn't even think they should indicate that they are going to address it later, he would not support that. They have been gravel for at least 25 years and no one has said anything. He doesn't think they should do anything, they need to be careful, there are fragile businesses down there and if you start messing with their parking they will start to lose things. He does not think this should be an issue.

Councilmember Voigt stated that she thinks the issue here is that this has always been in the code and these parking lots have been there since 1966 and she thinks there are lots of things in town that are part of the zoning code that are kind of like no harm, no foul, but to the point that if any of those businesses wanted to re-develop we should require them to follow the code. She doesn't think that it is in their nature right now in terms of cost or time to go after these businesses that have always used this business this way, but it is part of the zoning code as it has been since 1966. She would be very happy to let these businesses operate their properties how they have always operated them until such a time when they choose to stop operating them and re-develop.

Mr. Briglia stated that what we are talking about primarily, is the gravel area that is leased by the Northern Virginia Regional Park Authority that is within the old railroad right-of-way. It is his understanding that this was developed by the Park Authority and offered as parking. It has been that way for many many years whether it pre-dates the existing ordinance in the industrial area or not, he doesn't know without further research. As a general proposition, with the assumption that it pre-dates the change in the zoning requiring paved parking, it would be grandfathered as long as the operation continues, and as long as that use is not discontinued for two years. If the Park Authority told everybody that they were not leasing anymore for any reason and two years went and if they wanted to change their mind and open

it up for parking again, they would have to pave it. The general proposition is if it is a non-conforming use it is allowed to continue unless that use has been abandoned for two years.

Councilmember Majdi stated that Mr. Briglia is exactly right, the issue there is that it is owned and operated by NOVA parks and they don't want it paved. It looks as if it is one continuous parking lot but it is not. It is a parking lot that is partially in the town and partially on park property. Business owners there for years have been asking if they can do parking option x, y or z, can we charge etc. but it is all subject to the rules that don't follow market forces at all that are enforced by NOVA Parks.

Councilmember Noble stated that it was mentioned that if the use isn't abandoned for two years, the business may change from one business to another of the same use and we can differentiate by use as opposed to zoning types, it could be a use as opposed to CM as the zoning for the application and asked if that was correct. Mr. Mulhern stated yes the application for parking relates to the use even if it is commercial in the CM. Mr. Mulhern stated if it was re-developed or if they want to bring a commercial use into an existing industrial use where is some places the same space the parking requirement can change from 2 spaces to 20, it depends on the use. They can do it by-right but they need to demonstrate that they have the parking.

Mr. Matthew DiFiore, 207 Owaissa Court, stated that he noticed in the Sun Gazette that there is an opinion piece in there about Town Council treading lighting on parking spaces. The last time he was here he mentioned that the change to 250 is going to reduce the requirement by 20%. Clearly the Maple Avenue shopping center, where Giant is, is in great shape but he fears by changing the requirement now, and he understands there is some sort of a parking study underway, you are basically going to put the cart before the horse. You will end up with a parking study 6 months to a year from now and then your requirement for parking is going to be smaller. He knows Council is anxious to move forward on this but he doesn't know that moving forward to 250 is in fact the right answer. He would be comfortable with 225 and he would be comfortable with staying where it is in anticipation of what the parking study is going to tell us. Clearly there are parts of the town where parking is very tight. He also mentioned if they go to the 9 x 18 they are basically reducing the square footage in the lot by 10% so where you don't have existing end points there you get 10% more parking within the undeveloped area of the lot. He further asked that with the 20% does that mean that someone comes in and can make the building 20% larger. If you go to the 250 then in theory the building could be 20% larger than it is now so that means the footprint that exists today may not be the footprint tomorrow. Within the proposal where it has the cross access requirement, he thinks that is a super idea, but it is unfortunate that it can't be applied to existing properties.

Ms. Patty Hanley, 333 West St. NW, stated that she likes the parking issue, she likes the trees, they are a welcome addition to the town and the town feel. She is a little bit concerned about the 250 especially how it pertains to the MAC because once you get to the parking reductions for the structured parking there will be a point in time where a business is not going to want to be in a building if your parking is at 1 per 300. You don't want to de-incentivize anybody from doing structured parking and she is not sure that getting that extra tree on a lot that has been there forever, that anyone is going to notice. She also pointed out that on the smaller examples these regulations wouldn't apply if we were using the existing building because they wouldn't need a new site plan and it wouldn't get triggered to have this parking requirement put in.

Mr. Dennis Rice, Glyndon St., stated that he thinks the 9x18 parking spaces is more than adequate, they have that in all the shopping centers. He thinks the trees are a good idea as long as they don't decrease the parking to the point where you end up with no parking and the businesses start going elsewhere. He is not for decreasing the amount of parking, he thinks it will drive businesses away which then puts an undue financial burden on the rest that are trying to stay in town. The structured parking is a good idea but his biggest concern is the inter parcel access. They had to close their access to the property next door because it was reckless, people were coming through at such a high speed they couldn't get out of their own parking spaces. He thinks inter parcel access is a dis-service to everybody. He does not have a problem with the current parking square footage and it is a good question, if you reduce the parking requirement do you get to increase the size of the building.

Mayor DiRocco addressed the inter parcel access by stating that in certain places it allows businesses to visit various businesses along that stretch without having to go onto Maple Avenue.

It was moved to close the public hearing.

Motion: Councilmember Colbert

Second: Councilmember Voigt

Councilmember Majdi stated that at the first round of the public hearing they heard from the Vienna Business Association (VBA) who also sent an email and he doesn't know what everyone thinks is appropriate but it may be a good idea to not close the public hearing and hold it open in case we hear comments from the business community. Mayor DiRocco stated that she had received a letter from the VBA asking that they send letters to all the businesses and property owners in Vienna. Basically, she shared back with the president of the VBA about this and trying to find a more cost effective way. They wanted them to send them certified mail and that would have been over \$5,000 to do that. The VBA wants to look at it more and get some more feedback from the businesses that are part of their organization.

Mayor DiRocco stated they could have some discussion on how we would like to move forward before they close the public hearing. In her mind, based on some of the things that came up she doesn't know if there are some things they want to keep the same right now and some things we want to change so they can close this portion and continue that discussion. She thinks there were a couple things that were mentioned about MAC parking that if we change it from 1-200 or 1-225 or 1-250 we do affect the MAC parking. She thinks they should probably make a change with that in conjunction with the MAC parking. Secondly, they did not talk about loading docks and then the inter parcel connections and what are our goals there. The gravel parking, not that we are looking to change it but just to make it clear on how that is going to function. They have a June work session regarding a work plan that Town Council would like to put together to say what are some of the things that we, as a Council, would like to look at, review or possibly change and then parking could fall under one of those. She thinks that maybe the 1-200 or 1-250 is something they can discuss at a later time once they get more answers on some of these things and feedback. There are obviously some things in this parking ordinance changes that they have a consensus on and we may want to continue with those items and to make changes on those.

Councilmember Colbert stated that she agrees with Mayor DiRocco on the ratio and does not feel comfortable voting on that as well as requiring the landscaping. She doesn't think they have a consensus and they have heard from so many people on

both sides and feels that Council needs to discuss that further. They should also add in the inter parcel.

Councilmember Springsteen stated that he is generally in favor of inter parcel connection but then he heard Mr. Rice with the unintended consequences and he thinks they need to look at that carefully. He is also not in favor of reducing the width of the parking spaces.

Councilmember Majdi stated that he completely agrees with the Mayor's assessment of where they have consensus and where they don't and supports her idea for partitioning different parts of this proposal and moving forward on issues where they do have consensus. One thing he raised is that he thinks they do have a consensus on requirements for residential and he would very much like to move forward with that. For the commercial changes, he wants to vote after they hear from the VBA and other groups if they come forward.

Mayor DiRocco stated if they close the public hearing they can take that item of parking and the other things and put that as part of the work plan and see what they would like to change and then prioritize. There are a number of things they are looking at on that list to review and consider.

Councilmember Majdi stated that he is not set on this but after hearing the comments received he thinks an idea worth exploring is treating commercial/industrial zone differently from the commercial zone just because there are unique situations abutting the trail.

Councilmember Noble stated that perhaps they have a quick review of what we are prepared to move forward on given the conversation points they have already had which are 18-128-1 regarding the dimensions and going to the 9x18 for regular stall with the length and with the associated angles, providing the definition of a compact space which is in there as well as the residential ones and converting this all to a table that should be done with a code change. Even if they don't change the language within a particular item they should change the layout so it is easier to read. Section 18-130 which is the various off-street spaces, the residential detached requirements and the guest parking requirements. They may want to address the commercial related one regarding shared parking arrangements under 18-131 which requires illustration and an approved agreement. The ADA requirements should also be approved. Councilmember Noble stated that he is looking at a mark-up version and not a clean version which includes a few variations and is not sure he can pull out what they affirmatively want unless they go through it line by line or block by block.

There was some discussion on the best way to make the motion since they are not approving all of the changes.

Councilmember Sienicki stated her concerns with the process that has been going on and the continuous review of this and stated that she is going to vote no because she just wants to send a message that we need to be mindful of staff time and citizen's time that are reviewing this as well as they have given a large amount of time for people to look over this. She thinks it is a disservice if they continue this process of delay and defer and not making a decision.

Mayor DiRocco stated that she agrees they want to be productive with their time and thoughtful of staff time, Planning Commission time and all of their time. She stated that is part of the impetus of the work plan that they are going to create in June. She

thinks if they want to do this they want to do it in a productive manner and not continue how like they have now.

Councilmember Noble stated that one of the things they discovered through the process since it came from the Planning Commission, was the implication on changing the parking requirements relative to the MAC. He further provided his thoughts on the process and stated there are things we can move forward on and they should do that.

Councilmember Majdi stated that earlier it was mentioned 18-128.1, compact parking spaces, it was suggested that there was a consensus on that but he did want to flag that one. He is in favor of it but only if it is part of a package with the landscaping requirements. Councilmember Noble stated that it was simply the definition of a compact space not the percentage of it. Councilmember Majdi is in favor of the definition.

Motion to close the Public Hearing carried with a 6-1 vote

It was moved that following receipt of public input and recommendations from the Planning Commission, it was further moved to approve recommended changes to the parking section of the Zoning Ordinance Town Code Chapter 18, Article 16, Section 18-127 to Section 18-137.1, omitting 18-130, restoring the ratio of 1-200, omitting 18-134, surface parking lot landscaping requirements and omitting 18-134, adjoining cross access.

Motion: Councilmember Colbert

Second: Councilmember Voigt

Councilmember Madji, called for a point of information where it was mentioned omitting 18-130 and asked to clarify that it is only 18-130 Commercial and they are leaving residential. Councilmember Colbert stated that is what she meant.

Councilmember Noble stated that one thing they wanted to omit was 18-128.1 where they talk about the compact parking requirement on the top of page 2 and then with respect to 18-130 there are some commercial items in there that are narrative changes that he is not sure they would object to, for example, industrial buildings 1 per 3 employees, and then the amendment is on maximum shift. He thinks with things like that they are ok with it but it is not related to the 1-200 or 1-250 change. Basically with the 18-130 requirements it is affirmative except for the 1-200 or 1-250 change and that would cover all of 130 and 130.1 accessible parking spaces. Councilmember Colbert stated she was only referring to the ratio. Councilmember Noble was just clarifying that. He also stated they are keeping the shared use parking arrangement item which is 131 and keeping accessible parking spaces.

Vote was taken and motion carried 6-1.

It was further moved that the Town Clerk be directed to advertise Notices of Intent to Adopt these changes at the May 22, 2017 Council meeting.

Motion: Councilmember Colbert

Second: Councilmember Voigt

Carried 6-1

"I move to close the public hearing."

"Following receipt of public input and recommendations from the Planning

Commission, I further move to approve recommended changes to the parking section of the Zoning Ordinance Town Code Chapter 18, Article 16, Section 18-127 to Section 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 Notices of Intent to Adopt these changes at the May 22, 2017 Council meeting."

Or

Other action deemed necessary by Council.

6. Regular Agenda

Set public hearing to increase cigarette tax rate

It was moved to set a public hearing to discuss the Cigarette Tax rate on May 22, 2017.

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:

Request to approve additional FY17 spending with J.O. Herbert Co., Inc. for traffic signal components

It was moved to approve additional FY17 spending with J.O. Herbert Company, Inc. for replacement parts for traffic signals.

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:

Request approval to spend \$5,450 on a sweeper attachment to go with A770 Skid-Steer Loader VRP #144

It was moved to approve expenditure of \$5,450 for a sweeper attachment, riding Fairfax County Contract 4400003752, from the account listed above.

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

Request approval of an amended agreement with Fairfax County for Wolftrap Creek Stream Restoration

I move to approve the amended agreement with Fairfax County for Wolftrap Creek Stream Restoration and authorize the Town Manager to execute the agreement.

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

7. Meeting Adjournment

It was moved to adjourn the meeting at 10:02 p.m.

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.