



Town of Vienna

Meeting Minutes

Town Council Work Session

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

Monday, September 9, 2019

7:30 PM

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

Work Session

1. Regular Business

Councilmembers Present:

*Mayor Laurie A. DiRocco
Councilmember Linda J. Colbert
Councilmember Pasha M. Majdi
Councilmember Douglas E. Noble
Councilmember Nisha Patel
Councilmember Steve Potter
Councilmember Howard J. Springsteen*

Staff Present:

*Steve Briglia, Town Attorney
David Donahue, Deputy Director of Public Works
Michael D'Orazio, Deputy Director of Planning and Zoning
Daniel Janickey, Deputy Chief of Police
Andrew Jinks, Transportation Engineer, Department of Public Works
James Morris, Chief of Police
Kelly O'Brien, Principal Planner, Department of Planning and Zoning
Mercury T. Payton, Town Manager
Cindy Petkac, Director of Planning and Zoning*

A. [19-1414](#)

Discuss Alternative Uses for Approved 380 Maple MAC Project

Town Manager Mercury Payton opened the Vienna Town Council Work Session of Monday September 9, 2019 at 7:33 p.m. and thanked everyone for attending. He identified four agenda items for discussion.

The 380 Maple MAC rezoning project was approved on June 17, 2019 as mixed use retail and residential multi-family condominiums. Dennis Rice, owner of the property under discussion, reviewed the current status of the project noting a desire to discuss potential other uses. Given citizen concern regarding fourth floor setback, balconies, and number of entrances, Mr. Rice is assessing options for selling the property to an assisted living company. He stressed that efforts have been made to find a potential buyer to positively address citizen concerns over the original planned retail/condo. He is currently seeking feedback from the Council regarding this new use option.

Councilman Springsteen noted that Mr. Rice has the option to sell to whomever he chooses, but any new buyer would be required to pass through the approval process again and bear the burden of meeting the town code. A change of use requires a public hearing before Town Council, advertised pursuant to the provisions of Section 15.2-2204 of the Code of Virginia. Mr. Rice indicated that all effort has been

made to assure that potential buyers are aware of citizen concerns and any conditions of the Council. Councilwoman Patel suggested that public input would provide valuable input and urged the property owners to reach out directly.

B. [19-1409](#)

Shared Mobility Device - Draft Pilot Program

Continuing the June 10, 2019 work session discussion, David Donahue, Deputy Director of Public Works for the Town of Vienna, presented drafts of the Shared Mobility Devices Pilot Program Memorandum of Agreement and permit application for consideration. He pointed out that programs in neighboring jurisdictions served as templates for design of the draft agreement. He further indicated that, given the short time frame for pilot program initiation, negotiations were underway to contract with Kimley-Horn for assistance.

Several councilmembers noted particular areas of concern that should be included in the pilot study such as allowed geographic areas of operation, regulation of speed, additional financial considerations for the Town, safety requirements, policing of the SMD and coordination with the Multimodal Transportation and Land Use Study. Councilman Noble urged the involvement of the Transportation Safety Administration as a resource for hearing public comments. Town Manager, Mercury Payton agreed to reach out the Mike Gallagher, Director of Public Works to submit a request for inclusion as an agenda item at the next TSC (Transportation Safety Commission) meeting.

C. [19-1413](#)

Discuss Draft Amendments to Maple Avenue Commercial (MAC) Zone and Other Commercial Zoning Districts along with Related Amendments per Town Council Directive

Cindy Petkac, Director of Planning and Zoning for the Town of Vienna, presented initial draft amendments recognizing the work as a response to a four issue directive:

1. Bring forward draft amendments to Maple Avenue Commercial Zone based upon input from Commissions and citizenry. The preliminary draft design guidelines and proposed draft amendments to the MAC Zone were provided to the Town Council, Planning Commission and Board of Architectural in February, 2019.

2. Carry forward provisions in MAC to the regular commercial zoning districts of C-1, C-1A, C-1B, and C-2 in Chapter 18 of the Town Code.

3. Draft amendments to the commercial zoning districts that require the MAC streetscape, require landscaping for parking lots.

4. Consider changes to parking requirements or other incentives to encourage economic growth on Maple Avenue when drafting the aforementioned amendments.

Ms. Petkac provided a brief background summary of the MAC Zone moratorium emphasizing that it is set to expire, after one extension, on November 15, 2019. Referencing the redlined copy of the proposed MAC amendments, she highlighted the building setback increase from 20 feet to 28 feet on Maple Avenue, and increased setbacks on primary and secondary streets. She further noted, in response to the mandate to create amendments that would ensure a balanced mix of housing, office and retail uses as was envisioned when the MAC was formed, the desire to allow for and encourage village or cottage housing. Other considerations included ways to

control the massing of four story development while at the same time encouraging more two and three story development. Significant to this discussion is the potential for reducing the MAC Zone from its current mile and a half to just under a mile.

Council members supported the work thus far however they stressed the need for additional discussion on several issues especially setback, height variation, parking ratios and increased traffic. Voicing the need for community feedback the Councilmen Noble and Majdi suggested an extension on the moratorium of Article 13.1 - MAC Maple Avenue Commercial zone regulations of Chapter 18 of the Vienna Town Code to June 30, 2020. Several new meeting dates will be added to the Town calendar to accommodate further discussion on these issues.

D. [19-1407](#)

Discussion on mulch processing and the mulch yard and the Police Department's desire to obtain a conditional use permit for 440 Beulah Road NE and the mulch yard property.

Chief of Police, Jim Morris provided a summary of plans to construct a new police station at 215 Center Street, South. With interim housing of administration and dispatch operations at Town Hall he is seeking a conditional use permit to allow for additional housing of patrol and investigations at the 440 Beulah Road, NE property. This would require converting a portion of the existing mulch yard to parking and storage. In response to council member inquiries, Chief Morris noted that the Beulah Road location is not intended as a substation. Any detainees will be housed at the Town Hall facility, and additional lighting and security measures will be put in place.

Dave Donahue, Deputy Director of Public Works, outlined steps taken to alleviate noise complaints at the mulch yard located off Beulah Road. He reviewed the results of the WRA consulting firm study pointing out that it was determined the activities and operations at the site do not violate or cause an exceedance of the Town of Vienna's Noise Ordinance. DPW investigated options for eliminating or performing leaf operations differently noting preliminary estimates suggest an additional cost of over \$200,000 in extra hauling and disposal fees. Options for altering existing operations can be investigated once direction on how to proceed is given.

2. Meeting Adjournment

The Town Council Work Session of Monday, September 9, 2019 adjourned at 11:09 p.m.

Mayor Laurie A. DiRocco

Signed / Dated: _____

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