



# Town of Vienna

## Meeting Minutes

### Town Council Work Session

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

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Wednesday, October 9, 2019

7:30 PM

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

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#### Additional Work Session

#### 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**  
**Lynne Coan, Communications and Marketing Manager**  
**Michael D'Orazio, Deputy Director of Planning and Zoning**  
**Kelly O'Brien, Principal Planner, Planning and Zoning**  
**Mercury T. Payton, Town Manager**  
**Cindy Petkac, Director of Planning and Zoning**

- A. [19-1455](#) 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, presented the draft amendments to Maple Avenue Commercial (MAC) Zone and other commercial zoning districts, along with related amendments per Town Council directive. She reviewed the timeline noting a community survey results work session in two weeks', a two-day Town Hall community open house, along with various departmental meetings. Public hearings are scheduled for October 30th and November 4th with final evaluation by the Council at the December 4th work session.*

*Councilmembers stressed that all amendments and other information from tonight's presentation must be made available to the public both online and in hardcopy via the Village Voice.*

*The 2014 MAC, along with the 2016 Comprehensive Plan, provided guidelines for development along Maple Avenue. The current amendments are in response to items*

not addressed in either of these documents and can be grouped into six general areas:

- Walkable main street with mixed uses;
- Pedestrian oriented shop, dine, visit and live zone;
- Housing type variety;
- Responsible, sustainable development;
- Eclectic character with a variety of building height, design and massing;
- New ventures as part of mixed use development.

Councilmember Springsteen expressed concern that this plan emphasizes residential over the goal of encouraging commercial growth. Director Petkac responded that a requirement in the MAC for a build to zone helps to achieve a walkable main street that can be carried forward to all commercial zones. The current amendments put forth include frontal gathering space, building and facade breaks and a fourth story setback. She outlined various incentives, notably one for highly desirable commercial uses. In response to examples of multifamily housing units, Councilmember Springsteen emphasized his opposition to any development higher than four stories.

Providing two options for MAC eligibility, the Council discussed providing the community with three options for consideration; the original MAC plus to additional two truncated versions with Option 2 divided into A and B.

Councilmember Potter noted that in an effort to allay public concern, a three story height limit with first floor retail should be an option, cautioning against turning the commercial zone into residential. Director Petkac noted that the C2 zone currently limits building height to 35', which effectively limits buildings to 2 stories. Councilmember Patel proposed that the MAC standards be changed from 35' to 48' to allow for a third floor while maintaining the 35' for standard commercial build. Mayor DiRocco questioned how that can be a viable option by right because no such structures (commercial on first floor, residential above) currently exist. Director Petkac, in response to a question by Councilmember Colbert, noted that the vacancy rate on Maple Avenue is roughly the same as that of the County, but that it is higher than normal for Vienna. Councilmember Colbert expressed concerns that the stated options will not attract developers and questions incentives for three story builds. Director Petkac pointed out a recent development approved for 54', observing that if first floor retail provides the necessary ROI than the additional two stories of residential could be viewed as the incentive.

Councilmember Noble stressed the need to redirect the discussion toward the Vision for Maple Avenue. He urged input from the public regarding maximum building height. Councilmember Springsteen reiterated general public concern over both height and density. Mayor DiRocco observed that the public needs to "see" height options, suggesting that they start discussion with visuals then put code behind what is acceptable in the visuals. Director Petkac indicated that the public survey can include this.

While Director Petkac pointed out earlier versions of code and the Vision statement allowing for greater height to encourage residential, condominium, multifamily and office use, Councilmember Potter stressed that voters have been clear in their concern over height, density and mass. He urged the Council to revisit voter wishes including multi height of no more than 3 stories and smaller buildings overall.

Councilmember Majdi recognized the desire for unique space usage but rejected the

need for additional floor incentives, while Councilmember Springsteen reiterated his intent to limit the number of floors. Director Petkac noted that inclusion of a fifth floor option was presented as a means to draw development in response to meeting the goals of the MAC. While not endorsing a 67' height, Councilmember Majdi suggested that consideration should be limited to location and purpose and would oppose opening the entire length of the MAC to this height. Councilmember Noble pointed out that opportunities in the core of the town may exist where higher will work due to land grades, not backing residential, etc. He urges waiting until applications are submitted.

With regard to the issue of gathering spaces, Director Petkac defined this as one that exists at ground level and is accessible from a public right of way. She further pointed out that one means for achieving this goal could be through the addition of cottage housing, noting that this option was called for in the Comprehensive Plan as a transition from commercial to residential use. Within the MAC, however, there are only a few lots over 3 acres appropriate for this option. While the Council in general supported this option, several concerns were expressed. Among those concerns was that this type of housing may turn the tide from commercial to residential along the MAC. Councilmember Noble posed the larger question of whether any residential should be included along Maple Avenue, suggesting this question must be included in the citizen survey. Councilmember Patel pointed out that the issue is neither black nor white recommending however, that commercial be emphasized over residential. While supporting the concept of cottage housing Councilmember Colbert suggested seeking input from builders regarding the economic viability of this option. In response, Director Petkac agreed to consider rephrasing the cottage housing option to reflect a percent requirement of contiguous property in gathering spaces. The Council, while supporting this requirement, urged language that would credit visionary design and usage.

Commercial zone discussion centered around building height, with Councilmember Noble stressing that the answer may lie in height variability across a linear space. He suggested that providing height options may be more attractive to those who wish to enter the Vienna market. Councilmember Majdi quoted from the 2006 Duncan study which explored regulatory options to guide growth and development along portions of Maple Avenue that form the Central Business District. He stressed that Vienna needs more investment in town properties along Maple Avenue to either repurpose or redevelop lots and that housing should be an incidental. The Town has altered the commercial code over the years in response to solving specific problems with no real goal in mind. He urges the devising of clear fixed rules to guide developers.

Director Petkac opened discussion of parking standards stating the desire to maintain but would like to add shared parking when requested by developers. Shifting the discussion away from this issue Councilmembers Potter, Springsteen and Patel all expressed concern that the overall process this evening has not allowed for the input they had envisioned, recommending a line by line examination of this document. Councilmember Potter suggested the Council may be moving too fast in an effort to satisfy the moratorium, which should possibly be extended. He further recommended the use of an outside consultant to determine the viability of a fourth floor option.

Town Manager Mercury Payton called for opinion on the next steps for the process to which Director Petkac stated that with these concerns from Council the document is not ready for public input and will require additional work sessions. Following back and forth discussion regarding the optimal way to assure every

*Councilmember opportunity for line by line input, Mayor DiRocco suggested that prior to this in-depth review it may be profitable for each Councilmember to submit a priority list of issues within the document. Once consensus has been reached on approximately six items, then public input can be sought. Director Petkac indicated that based upon this discussion public input would be postponed until that priority list is compiled at the October 22, 2019 Town Council Work Session. She opined that a draft survey would be ready for Town Council input by December 4th with public distribution by January 2020.*

## **2. Meeting Adjournment**

**The work session adjourned at 10:50pm.**

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