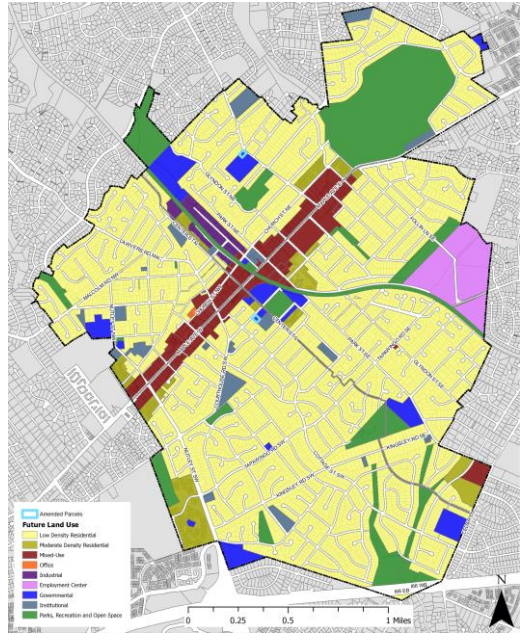




STAFF REPORT COVER SHEET

February 3, 2020

Addresses:	114 Locust St SW and 440 Beulah Rd NE	Case Number:	PF-61-19-COMP					
Public Meeting Date:	2/3/2020	Applicant:	Town of Vienna					
Board/Commission:	Town Council	Owners:	Town of Vienna					
Application Date:	N/A	Existing Zoning:	440 Beulah: RS-12.5, 114 Locust: RS-10					
Deadline for Action:	N/A	Existing Land Use:	Low Density Residential					
Brief Summary of Request:	<p>Consideration of adoption of proposed amendments to the Town of Vienna Comprehensive Plan for Town-owned properties located at 114 Locust Street SW and 440 Beulah Road NE, specifically amending the Future Land Use Plan (page 38) and Community Facilities and Services chapter (pages 98-99).</p> 							
Site Improvements:	n/a							
Size of Property:	114 Locust: 21,780 square feet/0.5 acres and 440 Beulah: 18,590 square feet/0.43 acres							
Public Notice Requirements:	Advertisement for two successive weeks of meeting in a newspaper having paid general circulation in the Town prior to Planning Commission public hearing.	Town Council meeting was published in Sun Gazette on January 16, 2020 and January 23, 2020.						
	Written notice at least 10 days before the hearing to the chief administrative officer, or his designee, of such adjoining locality.	Written notice to Fairfax County executive and designee sent on December 20, 2019.						
	Courtesy posting of signs in front of the 114 Locust St SW, 440 Beulah Rd NE, and Vienna Town Hall on December 20, 2019 with Planning Commission and Town Council public hearing dates.							
Brief Analysis								
In order to utilize the 114 Locust Street SW and 440 Beulah Road NE properties a public use, the current 2015 Update Comprehensive Plan needs to be amended to show the proposed public uses, both in the Future Land Use Plan and the Community Facilities and Services chapter.								
Attachments:	Amended Comp Plan Sections <input checked="" type="checkbox"/> Original Comp Plan <input checked="" type="checkbox"/>							
Reviewed By:	Michael D'Orazio, AICP, Deputy Director of Planning and Zoning							

Planning & Zoning Staff Report to the Town Council Meeting of February 3, 2020

Consideration of adoption of proposed amendments to the Town of Vienna Comprehensive Plan for Town-owned properties located at 440 Beulah Road NE and 114 Locust Street SW, specifically amending the Future Land Use Plan (page 38) and Community Facilities and Services chapter (pages 98-99).

Introductory Comments & Background:

The residential property located at 114 Locust Street SW was purchased by the Town in April 2013. The residential property located at 440 Beulah Road NE was purchased by the Town in May 2018. Both properties were purchased for public uses but are not designated as such in the Comprehensive Plan that was last amended and adopted by Town Council on May 23, 2016. Per Section 15.2-2232 of the Code of Virginia, any public building or use shall be shown on the Comprehensive Plan. At their December 9, 2019 regular meeting, the Town Council set a public hearing for February 3, 2020 to consider amending the Comprehensive Plan for the purpose of designating these properties for public use and referred the matter of amending the Comprehensive Plan to the Planning Commission. The Planning Commission held a public hearing on January 8, 2020. The Commission voted to recommend the proposed amendments, as presented by Staff, with the exception of the revised language pertaining to the Police Department Headquarters (Page 99 of the Town Comprehensive Plan). See *Amended Community Facilities and Services Chapter Text* for more information.



Figure 1 - 114 Locust Street SW Context Map

114 Locust Street SW

The 114 Locust Street SW property is zoned RS-10 single-family detached residential and is one-half acre in size. It was purchased by the Town in 2013 from the Faith Baptist Church, located at 301 Center Street South. The house served at one point as a rectory for the church, which abuts the property. The Town purchased the property for the potential expansion of the police station.

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The [agenda summary](#) for Town Council consideration of the purchase at the time stated the following:

“The Police Department has explored several options to expand its current facility. The possibility of any expansion has been hampered by the lack of space on the current site. During the course of the past year, Faith Baptist Church and members of the Town of Vienna management have engaged in conversations related to the purchase of the property located at 114 Locust Street SW. With the approval of the Town Council, funding from the 2012 Debt Issue for Capital Improvement Projects was approved to allow for the purchase of this property. After extensive negotiations, Faith Baptist Church has agreed to sell the property to the Town of Vienna...”

The Future Land Use Plan currently designates the parcel as “low density residential.” The proposed amended land use designation is “governmental,” which is the designation of the adjacent town-owned property.

The Town intends to demolish the existing vacant house and combine the lot with the 215 Center Street South parcel, which currently houses the Bowman House and the existing Police Department facility. The Town has hired an architecture/engineering firm to develop plans for a new police department facility on the combined lots. In addition to the Comprehensive Plan amendment, a “2232 review” by the Planning Commission and conditional use permit, to be reviewed by the Planning Commission and Board of Zoning Appeals, will be required for the new facility.



Figure 2 - Concept Drawing of Proposed New Police Department Facility



Figure 3 - 440 Beulah Road SW Context Map

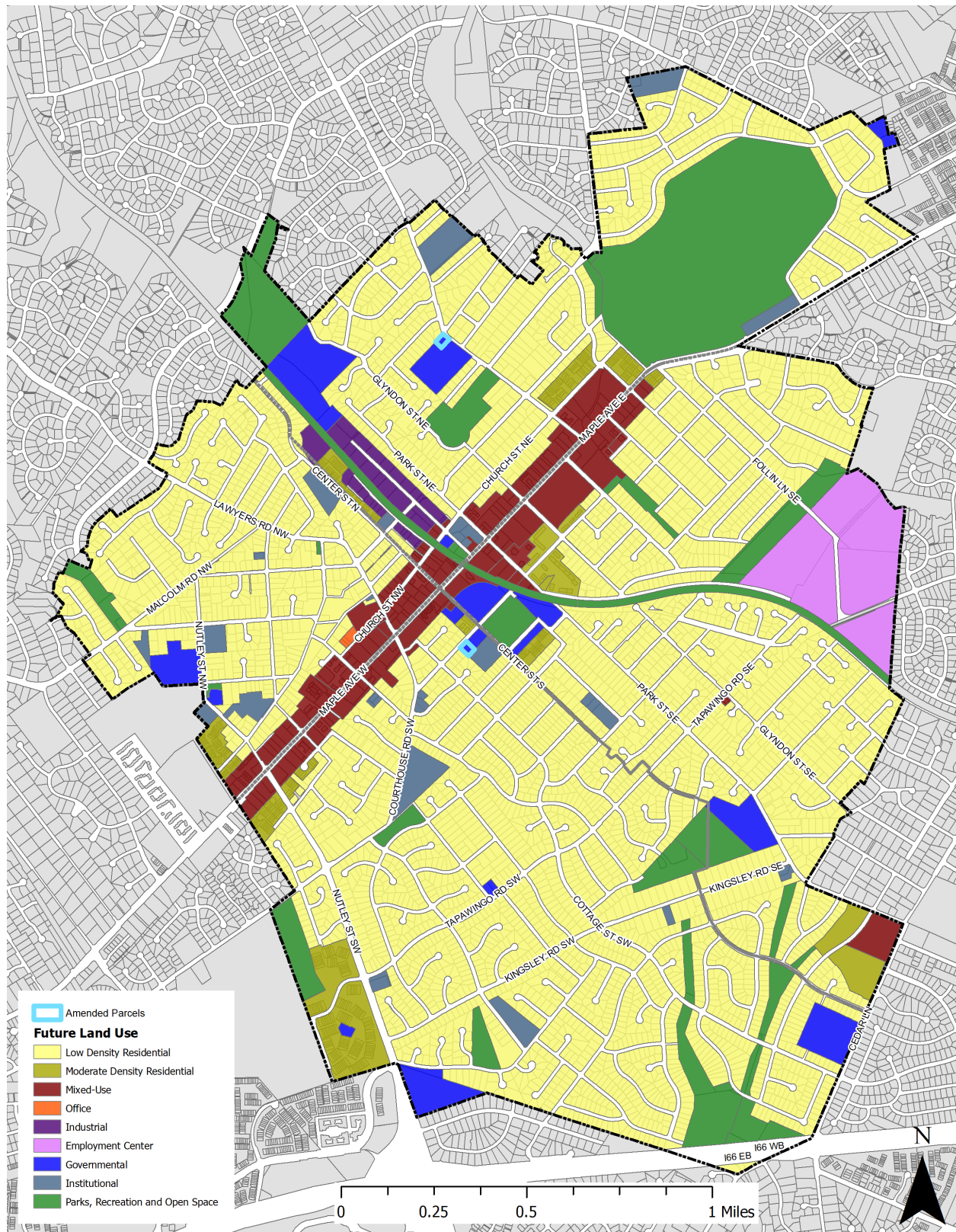
440 Beulah Road NE

The 440 Beulah Road NE property is zoned RS-12.5 single-family detached residential and is 18,590 square feet in size. The Town purchased the property in May 2018 from a private homeowner. The property directly abuts the Beulah Road Mulch Yard, located at 442 Beulah Road NE, on two sides. The Future Land Use Plan designates the property as “low density residential.” The proposed amended land use designation is “governmental,” which is the designation of the adjacent town-owned property. The Town intends to temporarily use the existing house for government offices and combine the lot with the 442 Beulah Road NE property. In addition to an amendment to the Comprehensive Plan, a “2232 review” and conditional use permit will be required to utilize the property for government offices.

Amended Future Land Use Plan

The proposed amended land use designation for both properties is “governmental.” Figure 4 shows the proposed changes to the Future Land Use Plan with the subject parcels outlined in a bright blue color. The Planning Commission voted 9-0 to recommend to Town Council the proposed changes as presented.

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Amended Community Facilities and Services Chapter Text

Staff proposed the following text for the Police Department Headquarters section on Page 99:

Police Department Headquarters

Police Department space and information technology requirements are not fully satisfied by its current facilities. Some police functions, including the Criminal Investigations Section, are currently housed in Town Hall. ~~In 2013, the Town acquired the property adjacent to the current police station and is evaluating the feasibility of building a new facility.~~ A new police facility will be built in place of the existing facility and an abutting residential property (114 Locust Street SW), which the Town purchased in 2013, to meet the needs of the Department.

Two members of the public spoke at the hearing regarding the proposed Police Department Headquarters language and future land use map. One resident spoke about stormwater issues at a nearby residence. Another resident, who neighbors a portion of 114 Locust Street SW, spoke about stormwater issues, as well as concerns about impacts from the proposed new police station facility. That resident also would like the Town to study other Town sites for a new police facility.

Planning Commission debated the revised text for this subsection and debated on whether or not the use of the word “will” in “a new police facility will be built...” was appropriate. The Planning Commission ultimately recommended less definitive language on an 8-1 vote. They suggest the following language on Page 99 (red text is original staff proposed revisions and blue is Planning Commission recommended revisions):

Police Department Headquarters

Police Department space and information technology requirements are not fully satisfied by its current facilities. Some police functions, including the Criminal Investigations Section, are currently housed in Town Hall. ~~In 2013, the Town acquired the property adjacent to the current police station and is evaluating the feasibility of building a new facility.~~ A ~~new police~~ facility ~~will~~ is planned to be built in place of the existing facility and an abutting residential property (114 Locust Street SW), which the Town purchased in 2013, to meet the needs of the Department.

Staff agrees with the recommendation from Planning Commission for the replacement of the word “will” with “is planned to” but does suggest keeping the word “new” in the beginning of the sentence. Staff recommends the text to be revised to, “~~A new facility is planned to be built in place of the existing facility and an abutting residential property (114 Locust Street SW), which the Town purchased in 2013, to meet the needs of the Department.~~”

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Staff also proposed amending the Beulah Road Mulch Yard text on Page 98 of the Comprehensive Plan to include the following:

Beulah Road Mulch Yard

The Town's leaf mulching facility, located at 442 Beulah Road NE, is operated and maintained by Department of Public Works. It is surrounded by residential properties on three sides and sits across from other residential properties. From 2012 to 2014 the Yard received a yearly average of 11,354 cubic yards of leaves.

In May 2018, the Town purchased an abutting residential property (440 Beulah Road NE). For the short term the Town plans to utilize the property and house for government offices. Parking spaces for the offices could be constructed on the Mulch Yard property, pursuant to a conditional use permit.

One member of the public spoke at the hearing regarding 440 Beulah Road NE and questioned the long-term use of the property. Currently, the only proposed use by the Town is government offices in the existing house and additional parking to support the offices on the Mulch Yard site. The Planning Commission voted 9-0 in favor of recommending the language as shown above.

Required Commission approvals and relevant regulations:

In order to utilize any public building or structure that is not already being utilized as such, the Comprehensive Plan must be amended to show public properties being used as such. The Planning Commission must also complete a "2232 review" at a later date. A "2232 review" refers to Section 15.2-2232 of the Code of Virginia.

Sections 15.2-2232.A and 15.2-2232.B

A...Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof.

B. The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may

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appeal the decision of the commission to the governing body within 10 days after the decision of the commission. The appeal shall be by written petition to the governing body setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the governing body shall overrule the commission.

The Planning Commission is required to make a recommendation to the Town Council regarding any amendments to a comprehensive plan per Section 15.2-2229. Town Council may adopt any recommended amendments to the Town Comprehensive Plan after holding a public hearing.

Section 15.2-2229. Amendments.

After the adoption of a comprehensive plan, all amendments to it shall be recommended, and approved and adopted, respectively, as required by § 15.2-2204. If the governing body desires an amendment, it may prepare such amendment and refer it to the local planning commission for public hearing or direct the local planning commission to prepare an amendment and submit it to public hearing within 60 days or such longer timeframe as may be specified after written request by the governing body. In acting on any amendments to the plan, the governing body shall act within 90 days of the local planning commission's recommending resolution. If the local planning commission fails to make a recommendation on the amendment within the aforesaid timeframe, the governing body may conduct a public hearing, which shall be advertised as required by § 15.2-2204.