



STAFF REPORT COVER SHEET

May 13, 2020

Addresses:	215 Center St S, 114 Locust St SW	Case Number:	PF-16-20-CUP
Public Meeting Date:	5/13/2020	Applicant:	Town of Vienna
Board/Commission:	Planning Commission	Owners:	Town of Vienna
Existing Zoning:	RM-2, RS-10	Existing Land Use:	Governmental
Brief Summary of Request:	<p>Recommendation to Board of Zoning Appeals for a conditional use permit for a new public building (new police station). Recommendation to Town Council for modifications of requirements. Review of plans for consistency with Comprehensive Plan (2232 Review).</p>		
Site Improvements:	Demolition of existing police station and single-family detached dwelling and construction of new police station building		
Size of Property:	67,300 square feet/1.54 acres (includes both lots)		
Public Notice Requirements:	Advertisement for two successive weeks of meeting in a newspaper having paid general circulation in the Town prior to Board of Zoning Appeals meeting	2232 Review advertisement published in Washington Times on April 29, 2020 and May 6, 2020. Advertisement for BZA meeting, scheduled for May 20, 2020, to be published on May 6, 2020 and May 13, 2020.	
	Written notice by registered or certified mail of hearing to property owners of subject site and property owners/agents/occupants abutting and immediately across from subject site at least 5 days prior to public hearing	13 certified postcards were sent on May 4 to adjacent, abutting and immediately across the street property owners/agents/ occupants and subject property owners notifying them of the Planning Commission meeting as a courtesy and of the Board of Zoning Appeals hearing.	
	Posting of the property at least ten days prior to the public hearing	Two signs posted in front of both lots along Locust Street SW on May 1, 2020 with dates of Planning Commission meeting and Board of Zoning Appeals hearing.	
Brief Analysis			
PROPERTY HISTORY			
<p>The subject site consists of the existing 1-story police station and a 1-story single-family detached dwelling. The Bowman House, a historic school/residential home is also located on the subject site.</p>			
COMPATIBILITY WITH THE COMPREHENSIVE PLAN			
<p>The Comprehensive Plan was recently amended to show 114 Locust Street SW as governmental in the Future Land Use Plan and include language about the new police station being planned to be built at the subject site (215 Center St S and 114 Locust St SW).</p>			
COMPATIBILITY WITH THE ZONING ORDINANCE			
<p>The proposed public building is allowed with approval of a conditional use permit. Approval of modifications of requirements are required for lot coverage, parking, and the location of a masonry screening wall.</p>			
Attachments:	Project Narrative <input checked="" type="checkbox"/> Site Plan <input checked="" type="checkbox"/> Proposed Elevations and Floor Plans <input checked="" type="checkbox"/>		
Author: Michael D'Orazio, AICP, Deputy Director of Planning and Zoning			

ITEMS NO. 3, 4, AND 5:

Recommendation by the Planning Commission to the Board of Zoning Appeals for conditional use permits for a new public building (police station), located at 215 Center Street South and 114 Locust Street SW, in the RM-2 Multifamily, Low Density and RS-10 Single-Family Detached Residential zoning districts.

&

Recommendation by the Planning Commission to the Town Council for requested modifications of requirements related to lot coverage, parking, and location of a masonry screening wall, located at 215 Center Street South and 114 Locust Street SW, in the RM-2 Multifamily, Low Density and RS-10 Single-Family Detached Residential zoning districts.

&

Public hearing for review by the Planning Commission to find that the proposed public building (police station) is substantially in accord with the Town of Vienna Comprehensive Plan, as required by Section 15.2-2232 of the Code of Virginia.

Introductory Comments & Background:

The subject properties, 211-215 Center Street South and 114 Locust Street Southwest, include three existing buildings, including the Bowman House (211 Center St S), the existing Town of Vienna Police Station (215 Center St S), and a vacant one-story single-family detached dwelling (114 Locust St SW).

Bowman House and Police Station

The Bowman House and Police Station are located at 211-215 Center Street South. The property is 45,520 square feet (1.05 acres) in area and is located at the corner of Center Street South and Locust Street Southwest. The property is zoned RM-2 Multi-family, Low Density. The Faith Baptist Church of Vienna, located at 301 Center Street South, abuts the property on its southeastern side and 114 Locust Street Southwest abuts the property on its southwestern side. All three properties were originally part of the same lot and were subdivided in the 1950s. Townhouse condominiums and a single-family detached residential home are located across Locust Street Southwest and Waters and Caffi Fields are located across Center Street South.



Figure 1 - Zoning map with location of subject properties outlined in red

The Bowman House was originally built circa 1890 and functioned as a two-room schoolhouse. It was relocated from across Center Street South to its current location and now serves as the Town’s pottery and art studio. The Bowman House will remain as-is during the construction of the new police station.

The existing one-story police station was built in 1994 and includes 9,800 square feet of gross floor area. When the station was built, it received approval of modifications of requirements for lot coverage and parking.

Two separate parking lots (one accessible from Center Street South and one accessible from Locust Street Southwest) are located on the property. The one parking lot used exclusively by the police department includes 24 parking spaces and the one shared by the department for visitors and the Bowman House includes 23 parking spaces. Additionally, the Police Department leases 12 spaces from the Faith Baptist Church.

In 2007, due to expanding operations and increased technology requirements, the Criminal Investigations Section was relocated to Town Hall, where they currently occupy 1,800 square feet.



Figure 2 - Existing police station building, built in 1994

A police facility needs assessment was conducted in 2013 and found that the existing police station is inadequate in terms of available space and suggested approximately 30,000 square feet of gross square footage would be adequate for both existing staff size and functions.

114 Locust Street Southwest

In 2013, the Town also purchased the abutting residential lot, 114 Locust Street Southwest, from the Faith Baptist Church. 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 114 Locust Street Southwest property is 21,780 square feet in area and is zoned RS-10 Single-Family Detached Residential. The house located on the property was built in 1960 and originally functioned as a rectory for the Faith Baptist Church. It abuts the 211-215 Center Street South property, the Faith Baptist Church property, and two single-family residential properties, 116 Locust Street Southwest and 119 Cherry Circle Southwest. Single-family residential properties are also located across Locust Street Southwest. The two subject parcels total 67,300 square feet. Prior to construction, the two lots will be consolidated into one lot.

Current Proposal:

In 2018, the Town hired Dewberry to provide architectural and engineering services for a new police station. Downey and Scott were hired in early 2019 as the project manager for the new facility. Over the past two years Dewberry has been designing and engineering the new building. The Town Council approved the 2020 Capital Improvement Plan on October 21, 2019, which includes funding for the new building.

New Police Station Building



Figure 3 - Rendering of the proposed police station and public plaza

The proposal for the new two-story police station includes almost 30,000 square feet of gross floor area. The amount of floor area needed was determined by the needs assessment completed in 2013 as well as by consultations with Dewberry. The building will include a fitness room, records

room, forensics room, evidence room and process lab, and sally port to help support the functions of the department's 41 sworn officers and 11 civilian members. The proposed building also includes a one-story, 1,500 square foot assembly space, which will be able to accommodate 99 persons. The assembly space is to be used by the police department for press events and the Town for community events and meetings.

The building façade will primarily consist of brick and fiber cement panels, with a masonry base. A standing seam metal roof is also proposed. The Board of Architectural Review, which has held several work sessions with Dewberry and the police department, will be considering the architecture and landscaping at its May 21, 2020 meeting.

The building is designed to be LEED Silver certified and will be solar-ready, meaning areas of the roof will be ready for the installation of solar panels and room will be made available in the basement for batteries and other equipment necessary for the operation of the solar panels.

Public Plaza



Figure 4 - Rendering of the public plaza, from Locust Street Southwest

In addition to the new building, a public plaza is proposed between the new building and the Bowman House. The plaza will include a mixture of landscaping, hardscaping, and seating walls and will incorporate Crime Prevention through Environmental Design (CPTED) site design features. The plaza will be designed to encourage public activity and offer a comfortable atmosphere.

Parking

Similar to the current configuration of parking on the site, there are two proposed parking areas. The existing parking area accessed from Center Street South will remain as is (aside from the asphalt being milled and overlaid and updates to the ADA parking spaces) and will still act as the parking lot for visitors of both the station and the Bowman House.

The parking for police department staff and department vehicles will be located in a secure part of the site (mostly located on the existing 114 Locust Street Southwest property), accessible both from the Bowman House parking area and from Locust Street Southwest. The secure parking area will be surrounded by brick masonry walls and will be accessible through automated security gates. The proposed masonry walls will be comprised of brick and metal railing and will be eight feet tall. The walls will be located along the property lines abutting residentially zoned lots. A portion of the wall will be located outside of the required setback along Locust Street Southwest and will require a modification of requirement.

A modification of requirement will also be required for the amount of parking required for the police station. [Section 18-130](#) of the Town Code requires one space for every 300 square feet of gross floor area for civic uses. Together, the police station and Bowman House require 105 parking spaces. A total of 65 spaces will be provided.

Zoning Requirements

The proposed police station meets most zoning requirements for both the RM-2 and RS-10 zoning districts, with the exception of requirements for lot coverage, parking, and the location of a portion of the masonry brick wall. Because the site is split-zoned, the development will meet the more restrictive area requirements. A table below includes the area requirements and how they are met with this project.

Table 1 - Zoning Requirements		
	Required	Proposed
Setback from Center Street South	Minimum 35' from property line	141'
Setback from Locust Street Southwest	Minimum 25' from property line	27.65'
Setback from Interior Side Property Line	Minimum 40' from property line	60.3'
Setback from Rear Property Line	Minimum 35' from property line	60.1'
Lot Coverage	Maximum 25%	69.8%
Tree Canopy Coverage	Minimum 20% for 20 year growth	20.16%
Building Height	Maximum 35' from average front grade	27.87' (Locust) 29.35' (Center)

Height above 35' for Roof Structure Screening (per Sec. 18-164)	-	.37' (Locust) 1.85' (Center)
Parking Spaces	105	65

Required Commission/Board approvals:

The Planning Commission, per Section 15.2-2232 of the Code of Virginia, is tasked with finding whether proposed public buildings are substantially in accord with the Comprehensive Plan.

The Planning Commission is tasked with making a recommendation to Board of Zoning Appeals for conditional use permits per [Section 18-210.BB](#) for public buildings and uses.

The Planning Commission, per Section 18-256 and 18-257 of the Town Code, is tasked with making a recommendation to the Town Council regarding the requests for modifications of requirements, related to lot coverage, parking, and wall requirements.

Relevant Regulations:

Town Code

Sec. 18-209. - Use permit subject to certain conditions.

The board of zoning appeals may issue a use permit for any of the uses enumerated in section 18-210 in response to an application therefor, provided the use for which the permit is sought:

- (1) Will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
- (2) Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- (3) Will be in accord with the purposes of the Town's master plan.

In granting any use permit, the board of zoning appeals may impose such conditions as it may deem in the public interest, including limiting the duration of a permit, and as will ensure that the use will conform to the foregoing requirements and that it will continue to do so, and may require a guarantee or bond to insure that the conditions imposed are being and will continue to be complied with. The board may revoke a use permit if the board determines that there has not been compliance with the terms and conditions of the permit. No permit may be revoked except after notice and hearing as provided by Code of Virginia, § 15.2-2204.

Sec. 18-256. - Modification of requirements.

Where an applicant for a building permit subject to the requirements of this article can demonstrate to the council that the most practical, efficient or aesthetic development of the site

involved cannot be achieved within the requirements of this chapter, the council, after receiving the recommendation of the planning commission, or not less than 30 days after requesting such recommendation in writing, may modify such requirements upon a finding that the integrity of this chapter and the health, safety and morals of the Town will not be thereby impaired. Such modifications may apply to yard, lot area, lot coverage, parking, number of units, unit floor area, screening, frontage, and similar requirements, but this section shall not be construed to permit any modifications of the uses permitted in any zone or of the maximum building height permitted for any building.

Sec. 18-257. - Procedure for requesting modification.

- A. Requests for modifications authorized under section 18-256 shall be submitted to the director of public works in writing and shall be accompanied by a written statement setting forth the reasons therefor. Each such request shall also be accompanied by a site plan, including thereon all of the information required by this article shown to indicate the development as modified or building as it is proposed for construction by the applicant. The granting or denial of any such modification shall be discretionary with the council and this article shall not be deemed to create any right to any such modification.
- B. Prior to the Town Council granting or denying any such modification, notification letters by certified mail to adjoining property owners and those abutting across a public street shall be sent not less than five days prior to council's consideration of the request for modification.
- C. Approval by the Town Council of any such modified site plan, shall constitute authority for the director of public works to issue the necessary building permits therefor, provided other applicable provisions of law have been complied with.

Virginia State Code

§ 15.2-2232. Legal status of plan.

A. Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. 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. In connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing, after notice as required by § 15.2-2204. Following the adoption of the Statewide Transportation Plan by the Commonwealth Transportation Board pursuant to § 33.2-353 and written notification to the affected local governments, each local government through which one or more of the designated corridors of statewide significance traverses, shall, at a minimum, note such corridor or corridors on the transportation plan map included in its comprehensive plan for

information purposes at the next regular update of the transportation plan map. Prior to the next regular update of the transportation plan map, the local government shall acknowledge the existence of corridors of statewide significance within its boundaries.

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 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.

§ 15.2-2309. Powers and duties of boards of zoning appeals.

6. To hear and decide applications for special exceptions as may be authorized in the ordinance. The board may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

No special exception may be granted except after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

Staff Analysis:

2232 Review

The Town of Vienna Comprehensive Plan was last amended in February 2020 to revise the Future Land Use Plan to show the 114 Locust Street Southwest property as governmental (from low density residential) and to amend language in the Community Facilities and Services chapter. The 211-215 Center Street South property is also shown as governmental. The following language was added on Page 99 of the Comprehensive Plan under the Police Department Headquarter subsection:

“A 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.”

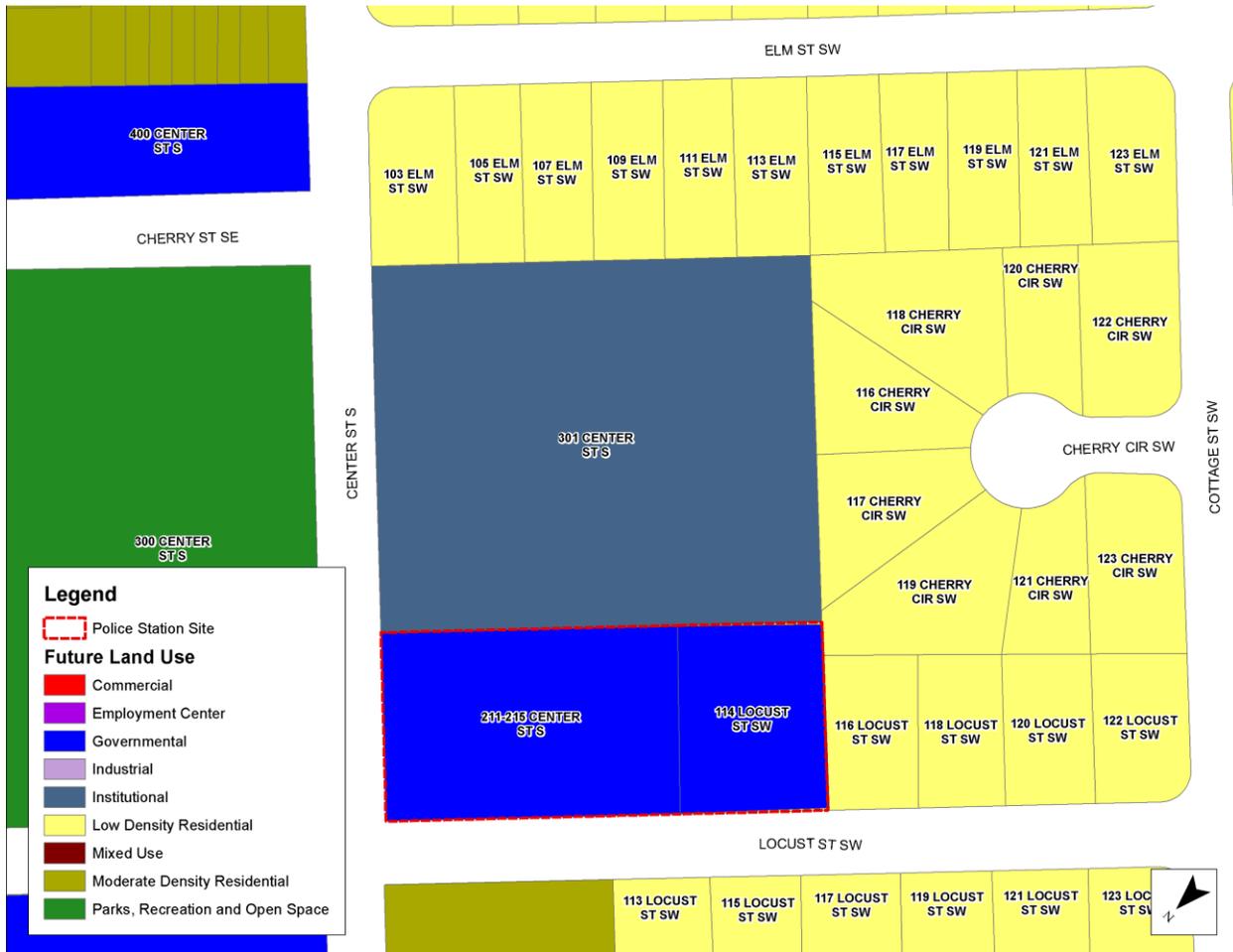


Figure 5 - Future Land Use Plan, focused on subject site

Staff believes that the proposed building is consistent with and adequately identified in the Comprehensive Plan, as amended on February 3, 2020.

Conditional Use Permit

Public buildings are allowable as conditional uses in both the RM-2 and RS-10 zoning districts and must meet criteria listed under Section 18-209. Staff finds that the proposed design of the police station building and site will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use, will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and will be in accord with the purposes of the Town of Vienna Comprehensive Plan.

Modifications of Requirements

The applicant, the Town of Vienna, is requesting modifications of requirements for lot coverage, parking, and a portion of a masonry screening wall not meeting setbacks. Modifications may be granted when "the most practical, efficient or aesthetic development of the site involved cannot be achieved within the requirements of this chapter."

Lot Coverage

Per Sections [18-58.I](#) and [18-33.F](#), the maximum lot coverage allowed for the subject site is 25 percent. The applicant is proposing a lot coverage of 69.8 percent, which includes the areas of the Bowman House, parking areas, public plaza and proposed new police station. Staff finds that the excess lot coverage is necessary in order to provide an adequately sized building and parking associated with the building. Other amenities, such as the public plaza which counts towards lot coverage, also contribute to a better quality project.

Parking

[Section 18-130](#) of the Town Code requires one space for every 300 square feet of gross floor area for civic uses. Together, the police station and Bowman House require 105 parking spaces. A total of 65 spaces will be provided, which includes 42 spaces in the secure parking lot and 23 spaces in the visitor parking lot. The proposed parking includes six more spaces on top of the 59 spaces currently available, which includes 12 offsite spaces leased from the Faith Baptist Church. If those spaces are not included, there is an increase of 18 parking spaces from what is currently available. With no proposed staff increases, the Police Department believes 65 spaces for the entire site is adequate.

Location of Masonry Screening Wall

[Section 18-171](#) of the Town Code states the following:

“The setback and yard requirements of this chapter shall not apply to any retaining wall which is less than five feet high, nor to any decorative masonry wall which is less than four feet high.”

Aside from the required six feet or taller walls required on property boundaries abutting residential lots (per [Section 18-172](#)), walls must meet setbacks over a certain height. The plans for the police station include a 47-foot portion of the proposed eight-foot tall wall encroaching nine feet into the 25-foot corner side yard setback. The portion of the proposed wall is in its current location to accommodate turning movements into the sally port. The wall is 8-feet tall to provide adequate security for the parking lot.