




# STAFF REPORT COVER SHEET

December 7, 2020

<b>Address:</b>	201 Park Street Southeast	<b>Case Number:</b>	PF-60-20-SP
<b>Public Meeting Date:</b>	12/7/2020	<b>Applicant:</b>	John Sekas, Sekas Homes, Ltd.
<b>Board/Commission:</b>	Town Council	<b>Owners:</b>	John Sekas, Cadence on Park LC
<b>Existing Zoning:</b>	RM-2	<b>Existing Land Use:</b>	Office
<b>Brief Summary of Request:</b>	Request for approval of modifications of requirement for increased lot coverage, reduced front setback and reduced side setback.		
<b>Site Improvements:</b>	Improvements include razing of existing structure and construction of five attached condominium townhomes and private parking, drive aisle and underground stormwater management.		
<b>Size of Property:</b>	17,925 square feet/0.41 acres		
<b>Public Notice Requirements:</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.	As a courtesy, staff posted a sign along Park Street SE on October 23, 2020 with dates of Planning Commission and Town Council meetings and hearings.	
<b>Brief Analysis</b>			
<p><b>PROPERTY HISTORY</b></p> <p>The subject site is approximately 0.41 acres, located along Park Street Southeast. A two-story brick medical office building, built in 1984, currently occupies the site.</p> <p><b>COMPATIBILITY WITH THE COMPREHENSIVE PLAN</b></p> <p>Two of the goals listed in the Comprehensive Plan (Page 19) is to encourage housing for residents of all age groups and to ensure that Vienna retains its unique single-family residential character and quality of life. Staff believes that the housing type proposed will provide housing choice and add to the residential character.</p> <p><b>COMPATIBILITY WITH THE ZONING ORDINANCE</b></p> <p>The proposed multi-family housing use is allowed. However, the lot coverage as proposed exceeds the maximum permitted per Section 18-15.F (referenced by Section 18-58.I). The proposed layout also requires modifications for the 35' front yard setback per Section 18-15.C (Section 18-58.D) and 15' side yard setback per Section 18-15.D (Section 18-58.E).</p>			
<b>Attachments:</b>	Application <input checked="" type="checkbox"/> Proposed Site Plan (including Modification Request Letters) <input checked="" type="checkbox"/> Existing RM-2 Properties Analysis <input checked="" type="checkbox"/> Planning Commission Chair Memo <input checked="" type="checkbox"/>		
<b>Author:</b>	Kelly O'Brien, AICP, Principal Planner		

# Planning & Zoning Staff Report to the Town Council Meeting of December 7, 2020

## *Introductory Comments & Background:*

The subject site is approximately 0.41 acres, located along Park Street Southeast. A two-story brick medical office building, built in 1984, currently occupies the site. The previous owner of the property was granted conditional use permits to allow an office of a physician and related speech and hearing clinic in 1980, a proposed 2-story medical office building in 1983, and a small clinical laboratory to perform blood serum testing in 1985.

The property is surrounded by commercial uses to the northwest, multifamily to the north across Park Street Southeast and to the east on the adjacent property. The rear of the property abuts the Washington and Old Dominion Trail.

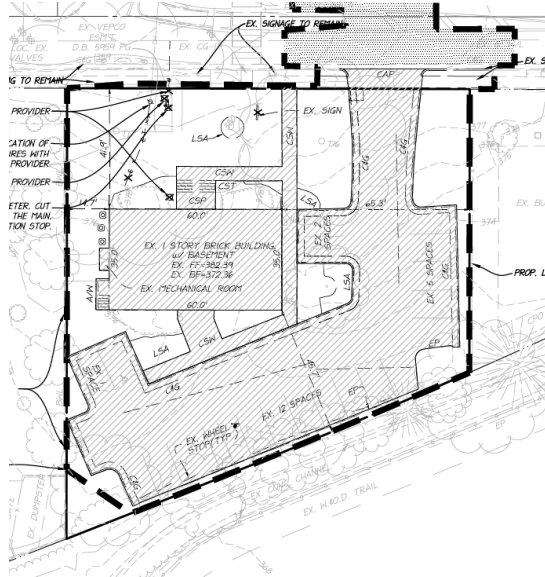


Figure 1 – Zoning Map with highlighted site location.

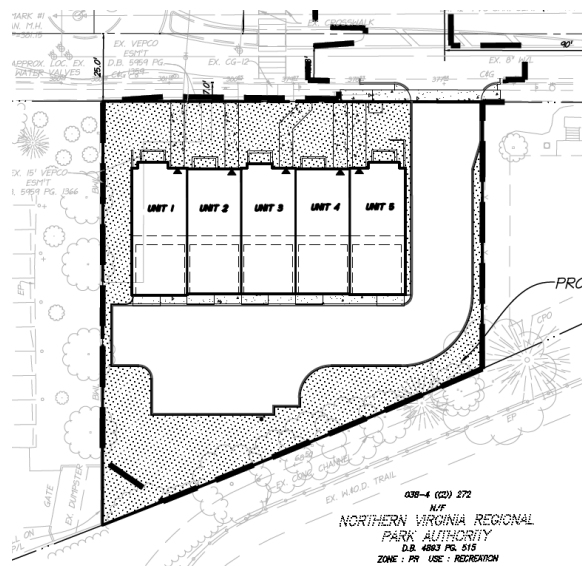
## *Current Proposal:*

The applicant is proposing to raze the existing building and construct five attached condominium townhomes, private parking and drive aisle, storm & sanitary sewer and waterline connections, and underground stormwater management facility.

# Planning & Zoning Staff Report to the Town Council Meeting of December 7, 2020



**EXISTING**



**PROPOSED**

Figures 2 a & b – Existing building to be razed on the left diagram and proposed townhomes on the right.

The townhomes are proposed to face Park Street Southeast with parking provided in rear-loading two-car garages and four surface parking spaces behind the buildings, for a total of 14 spaces. Town Code requires two parking spaces per unit plus one visitor space per five units.

The end units are 20.46 feet wide and the three interior units are 20 feet wide and range in length from 46 feet to 48.88 feet. All units will be three stories tall with heights of 33 feet. Open space is provided in front of the units and behind the private drive aisle and visitor parking for a total of 40% of the lot. There is no open space requirement to be met. The open space and underground stormwater management facility will be maintained by a home owners' association.

## Request for Modifications of Requirement

Based on the current proposal, the applicant is requesting three modification of requirements from the zoning ordinance. The modifications which are listed in letters to the Director of Public Works on sheet 5 of the proposed site plan and are as follows, along with the applicant's justification statements:

1. Lot Coverage – Section 18-58.I - The required maximum of 25% lot coverage is proposed to be modified to 60%. The proposed style of the development does not lend itself to the stated 25% maximum due to the number of units and required parking area.
2. Front Yard Setback – The required 35' front yard setback is proposed to be modified to 20'. A 20' setback is in general conformance with the surrounding properties. The units will have rear-loading garages that are serviced off of the proposed drive aisle.
3. Side Yard Setback – The required 15' side yard setback is proposed to be modified to 10' for the west side of the property. A 10' setback is in general conformance with the surrounding properties. The units will have rear-loading garages that are services off the proposed drive aisle.

## Planning & Zoning Staff Report to the Town Council Meeting of December 7, 2020

The RM-2 zoning regulations have not been significantly altered or amended since 1956. Staff has analyzed residential RM-2 development projects in Town and has found that almost none of the development projects meet all of the existing RM-2 zoning requirements. Many significantly deviate from the Code and have had to receive waivers/modifications of requirements. The Code's setback requirements and lot coverage requirement are generally too restrictive for multi-family developments. A comparison of the other RM-2 properties has been included as an attachment with this staff report.

Of the 10,796 square feet of lot coverage proposed, 4,747 square feet (26% of the lot) is townhome units and 6,049 sf (34% of the lot) is drive aisles and parking. As shown in the RM-2 properties analysis attachment, this is consistent with the lot coverages of many of the other multi-family properties.

The applicant's justification for the front yard and side yard setbacks references conformance with the setbacks of the surrounding properties. Ayr Hill Station Condo located adjacent to the subject property has a front setback of 20 feet and side setback of 10 feet as shown in Figure 3.

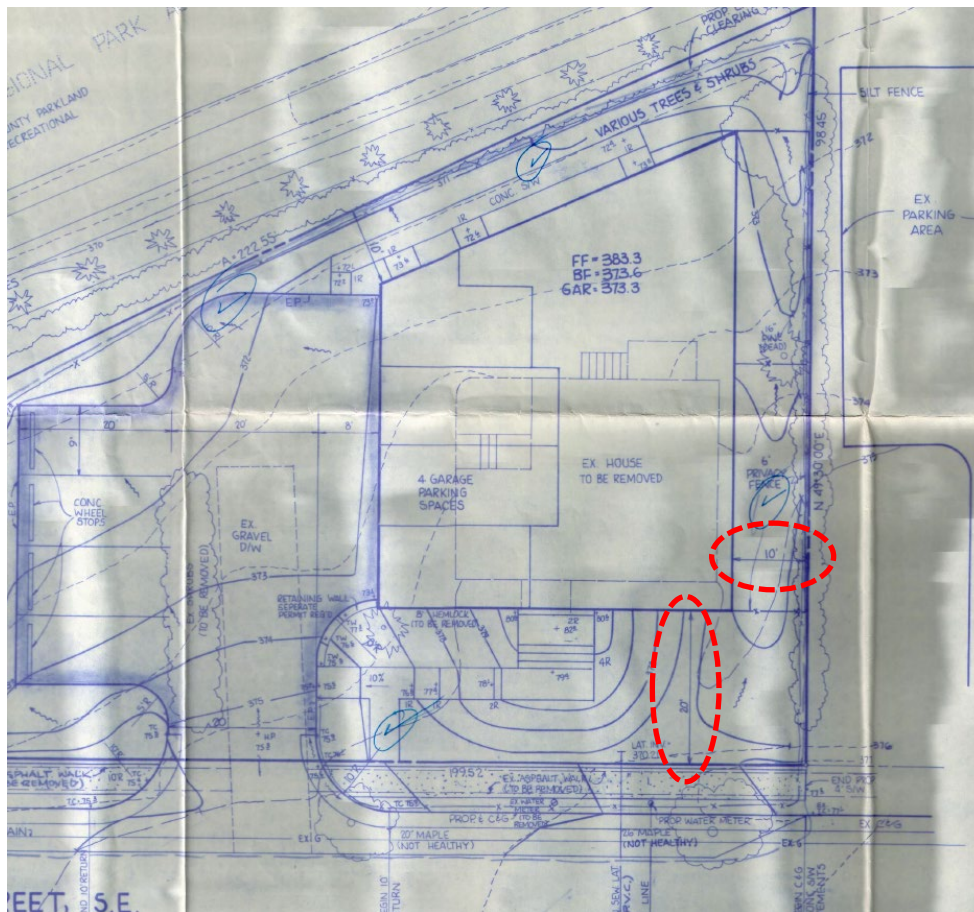


Figure 3 –Site plan of Ayr Hill Station Condos at 207 Park Street Southeast.



# Planning & Zoning Staff Report to the Town Council

## Meeting of December 7, 2020

### *Staff Analysis:*

The proposed modifications are consistent with deviations requested for other multi-family residential properties in the RM-2 district shown in the attached analysis. Besides the requested modifications of requirements, the proposed development meets all other zoning requirements.

*Table 1 – Comparison of proposal to zoning requirements*

	<b>Required</b>	<b>Proposed</b>
Minimum Lot Area per unit (sf)	2,000 sf	2,240 sf
Maximum Lot Coverage (%)	25%	60%
Minimum Front Yard Setback (ft)	35'	20'
Minimum Side Yard Setback (ft)	15'	10' (west side) 28.43' (east side)
Minimum Rear Yard Setback (ft)	35'	35'
Maximum Building Height (ft)	35'	33'
Parking	2 spaces per unit plus 1 visitor space per 5 units = 11 spaces	10 garage spaces plus 4 surface spaces = 14 spaces

The Planning Commission met on November 4, 2020 to discuss the requests for modification and voted 9-0 in favor of recommendation to the Town Council for approval of all requested modifications. A memo from the Planning Commission chair is included with this report.

### *Relevant Code Sections*

#### **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.