



Town of Vienna

Meeting Minutes

Town Council Work Session

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

Monday, February 12, 2018

7:30 PM

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

Work Session

1. Regular Business

Present:

Mayor Laurie A. DiRocco
Council Member Tara L. Bloch
Council Member Linda J. Colbert
Council Member Pasha M. Majdi
Council Member Douglas E. Noble
Council Member Carey J. Sienicki
Council Member Howard J. Springsteen

Staff present:

Mercury T. Payton, Town Manager
Leslie Herman, Parks & Recreation, Director
Amy-Jo Hendrix, Parks & Recreation, Recreation Program Supervisor
Cindy Petkac, Planning & Zoning, Director
Michael Gallagher, Public Works, Director
David Donohue, Public Works, Deputy Director
Lynne DeWilde, Public Information – Communications & Marketing Manager
Carol S. Waters, Legislative, Deputy Town Clerk

A. [18-734](#)

Sustainable Government

Mr. Payton opened the work session at 7:30 p.m. Leslie Herman introduced the Chairman of the Community Enhancement Commission, Susan Stillman, to speak on the Commission's activities over 2017. Ms. Stillman gave an account of CEC highlights as follows:

- CEC has been working on a sustainability challenge which was introduced last year for businesses and non-profit organizations. It was very successful last year and number of organizations competed.*
- CEC has run the Solarize Program for a number of years, and plans to do that again this year.*
- CEC has been promoting the eco-efficient home award.*
- Vienna once again qualified as a National Wildlife Federation Community.*
- CEC has continued working to maintain residential tree canopy as new, larger homes are built in Town.*
- CEC has been working with native plants for the Town and for residents.*
- CEC has been collecting data on utility bills for Town operations including gas, electricity, and vehicle fuel, and will have a consumption report and a greenhouse gas emissions report.*
- CEC helped the Town qualify once again for the VML (Virginia Municipal League) Go-Green Challenge.*

Ms. Stillman recounted that the Mayor and Town Council have asked the Virginia Legislature to adopt regulations for more tree canopy and more tree coverage in a shorter time following re-development. Unfortunately, she said, that did not pass but in working with the Town Arborists they have reduced the amount of credit given to builders. Consequently, in cases where a large shade tree previously received credit for 1,250 square feet at its maturity at 20 years, they now get 76% less credit, and so on for other size trees. Ms. Stillman opined that the tree canopy coverage problem with redeveloped lots has been solved. She further suggested that Vienna could save some of its political capital for bigger issues. Mayor DiRocco commented that that was good to know. Ms. Stillman went on to report that the CEC will now attempt to “tweak” regulations a bit more, as Fairfax County offers slightly higher credit for native trees, and Town Arborists are concerned about tree species diversity and trees that support the pollinators and other wildlife.

Ms. Stillman informed Council that arborist Sam Lilly goes out to project sites and works with builders in advance of construction, then goes back to the site at project completion to make sure everything related to trees was done as agreed, but during the building process where they run over tree roots with heavy equipment and park on the tree roots, he does not have time to monitor activities. Ms. Stillman reported that the Director of Parks and Recreation would be asking for budgetary support to hire a maintenance worker who would do more of that type of work.

Ms. Stillman commended Council for working towards conversion to LED street lights because she learned that electricity consumed by street lights is the Town’s biggest single use of electricity.

Ms. Stillman explained that the CEC would like to consider changing their name to add “sustainability” or “environmental” into the name. They feel that “Community Enhancement Commission” does not really encompass what they do.

The CEC will continue to work on the Go-Green Challenge, Ms. Stillman stated, but said Vienna “is just squeaking by,” because the requirements keep changing and becoming more challenging. In recent years, a whole series of new requirements have been added such as energy efficiency, employing a sustainability manager, and doing energy audits for buildings. The CEC would like for the Town to add a part-time Staff position working 20 hours per week. Ms. Stillman suggested that a part-time person could help to establish a composting service in Town. Ms. Stillman reported that Falls Church has such a service and it took several years of different activities to gain enough awareness in the city to put a composting program into place. Ms. Stillman also shared information from the Sustainability Coordinator in the City of Fairfax regarding the number of grants that she has garnered. By the Fall of 2016, she had only been on staff for a couple years at about 20 hours a week and reported receipt of over \$225,000.00 worth of grants for the City. Ms. Stillman said that Vienna is one of the few municipalities in the area that doesn’t have a sustainability coordinator. The CEC has also discussed instituting a program which would make it possible for businesses and non-profits such as churches to do energy efficiency and renewable energy loans and then pay them back on their real estate taxes. Ms. Stillman also expressed the CEC’s desire to work with Vienna’s Police Chief as he plans the new Police Department building, to make sure that it is built to meet energy efficiency standards.

The Mayor and Council thanked Susan Stillman and other CEC members. Instead of adding a part-time staff person, Council suggested partnering with Falls Church,

Herndon, or Fairfax City to share employee hours, developing an agency agreement to have them work part-time in Vienna, or creating job-sharing with another role .

B. [18-741](#) Proposed MAC Project: Assisted Living Facility at 100-110 Maple Avenue East

Attachments: [100-110 Maple Ave E Kensington Submission Materials 2.12.2018](#)

Director of Planning and Zoning Cindy Petkac started the discussion of the four story assisted living facility proposed for the Northeast corner of Maple Avenue and Center Street, where the Urgent Care facility had been located. The site covers about three-quarters of an acre. Michael Rafeedie of Kensington Senior Development, LLC reported that they currently have a contract to buy the property. He said the concept is evolving, but current plans include 80 to 90 units on the top three floors and personal services such as a salon, spa, fitness center and so forth on the first floor. These services would be available to Kensington residents and the public, and would comprise 50% to 60% of the Maple Avenue first floor frontage. Below grade structured parking with access off of Center Street and additional ground floor parking spaces would be developed. Ms. Petkac confirmed that assisted living is permitted as a conditional use under MAC (Maple Avenue Commercial) Zoning, and personal services are permitted "by right." MAC zoning regulations do not indicate a parking standard for assisted living facilities, but hospitals are considered to be a similar use. Hospitals require one parking space per 800 square feet of building space. Fairfax City's zoning requires one space per four hospital beds. Commercial zones in Vienna require one space per 200 square feet. The Kensington developers are currently proposing about 50 to 55 parking spaces. It was noted that the MAC provides some reductions for structured parking.

Mr. Rafeedie acknowledged that the site does have some challenges; there are some constraints in terms of utility easements and they have been working with Vienna's Public Works staff on those concerns. Mr. Rafeedie stated that Kensington is the developer, owner, and a long-term operator of senior living communities in select locations, they are entirely funded, owned and operated by a local group here in the Northern Virginia area, and their partners have worked together for over 25 years.

Mr. Dave Faeder of Kensington Senior Development discussed his ties to the Town of Vienna and how he was born and raised here, graduated from James Madison High School and has raised his four children here. Mr. Faeder spoke on Kensington's vision of how assisted living should be and the high standards that Kensington maintains for its residents. He reported that they are very community oriented, have many activities, and always have a lot of music, arts, and visitors. Council asked some questions and Mr. Faeder described that Kensington is not an independent living property where people move into apartments and drive their car in. It is assisted living, so when someone moves in, they are needing assistance with some things and it usually progresses somewhat. Assistance might be needed with dressing, bathing, medication management, cooking, and socialization. These are not apartments. The rooms themselves are more like bedrooms and the rest of the building is more like the rest of the house. Over 50% of the Kensington building is common area. Residents come out of their rooms and join with others in activities. Kensington takes care of both physical and cognitive needs. Within the building, Kensington can have separate areas, so security is not an issue. Parking is primarily used by staff and visitors. Residents do not usually drive, and visitors typically come in the off-hours when traffic is lower.

Council had questions about green space and whether this is the most appropriate location for assisted living in Town. They remarked that it is a much tighter site

than Kensington's Falls Church site, and the height is more than 50 feet.

The Mayor commented that Vienna zoning asks for commercial use on the bottom floor of the MAC; part of the MAC is to have storefronts where people can walk; it's very pedestrian friendly and it would be nice to see that kind of commercial use in that area. She reported that she and another Council Member had visited Kensington's Falls Church facility and their salon did not seem like a salon which would be visited by the public. Mr. Faeder said that the salon in the Vienna facility would be very different and would be on the ground floor, and everything on the ground floor would be open to the public.

The Mayor inquired about Kensington's relationship with the Falls Church Arts Society, which they noticed when they visited. She said she was interested in how that worked and whether Kensington would possibly be willing to replicate that with the Vienna Art Society. The Kensington representatives answered in the affirmative and talked about how nice that would be and how it would bring more activity to the building. One Council Member remarked that it would be a benefit to the community. Another Council Member recounted how Vienna residents have expressed their desire to have somewhere in Vienna to age in place. She said she, too, had visited Kensington in Falls Church and found it to be a loving place, really like a home, very clean, and a really nice place. She also opined that the proposed location in Vienna would be nice because it is close to the library, coffee shops, restaurants and a grocery store. Another Council Member liked the fact that the facility would not directly back up to any other residential properties.

Council asked about open space and it was noted that the MAC Zone requires 15% of the total development area set aside. Mr. Faeder advised that Kensington builds outdoor space in, and at their Falls Church location they have a beautiful piazza on the second floor which is large enough for community activities and has a gas fireplace.

The group discussed the existing sanitary sewer and the large, 66 inch storm drain which runs through the site. Kensington Representatives propose to keep the storm drain easement area free and clear at ground level, but possibly spanning over that, above the easement area. Flooding sometimes occurs in that area.

Mr. Faeder and the Mayor and Council thanked each other and the presentation ended at 8:51 p.m.

C. [18-733](#)

Alcohol policy for Town sponsored events and the Vienna Community Center

The Director of Parks and Recreation, Leslie Herman, initiated a discussion on whether to permit the service and consumption of alcohol within designated areas of certain Town facilities, including the Town Green. Since the Community Center re-opened after renovations, it is getting great use and there have been some requests for alcohol, Mrs. Herman stated. She further noted that the Town has expanded the Oktoberfest Beer Garden to incorporate the Town Green area, and four "Chillin' on Church Street" events were conducted last summer. With more special events incorporating the use of alcohol, she would like to establish structure as to who is allowed to have alcohol.

Ms. Herman read the existing Town Code Chapter for intoxicating beverages as follows: "No person in a park shall have brought alcoholic beverages nor shall any person drink alcoholic beverages in any park at any time, nor have entered into any park under the influence of intoxicating beverages except that this section shall not

apply at any specifically designated recreation facility where a license to sell or consume alcoholic beverages has been duly issued by the Alcoholic Beverage Control Board in accordance with the provision, the Code of Virginia, Title 4."

Ms. Herman said that Vienna's Town Attorney interpreted this to mean that she has authority to grant permission to have alcohol in parks and in the Community Center. She said she would like to be more specific about what park or facility is allowed to have alcohol and to make the policy clear to everyone, and to include the policy on the Community Center rental application. So, alcohol has been allowed at the Community Center but the Director has to be asked, and most people don't know that it is an option. Ms. Herman recommended making a change to the Town Code to clarify rules and standard operating procedures regarding alcohol use at Town facilities and Town produced or sponsored events, if and when such policies are approved. Mrs. Herman shared a spreadsheet indicating community centers here in Northern Virginia which permit alcohol use, including Sherwood Community Center in the City of Fairfax, Ida Lee Park Recreation Center in Leesburg, the Falls Church Community Center, and the Herndon Community Center. Specifically, Ms. Herman proposes to permit alcohol consumption at Town produced and sponsored events only. Town events on the Town Green, Chillin' on Church, and Oktoberfest would qualify. Ms. Herman answered questions and confirmed that the Town Green is defined as a park. For the sake of discussion, she shared some sample guidelines which used wording taken from another jurisdiction. Specific guidelines for Vienna would be drafted with the help of the Town Attorney if Council approves. Discussion ensued regarding appropriate hours and other details. Some Town events would definitely remain alcohol-free. It was remarked that not everyone wants to have alcohol at their events.

Some Council Members verbalized enthusiasm for this idea and said that it could serve a need for event rental venues. The Parks and Recreation Director said that she thinks there is a market for it and it could bring in revenue to off-set some costs. It was pointed out that the ABC Board would not allow people to bring their own alcohol, serve alcohol, or share it in a public space. However, if it was a private, invitation only party, alcohol possibly could be brought into a rented space within the Community Center as long as it remained within that rented space.

The group talked about whether to allow beer and wine only, or to also allow liquor. It was suggested that the risk factors may be higher with the use of liquor and more security might be needed. Mrs. Herman told the group about some of the events which permitted liquor in City of Fairfax parks.

The next steps will be for the Parks and Recreation Director to work with the Town Attorney to develop tailored, written policies and then return to a regular Council meeting to request Council approval.

2. Meeting Adjournment

The Town Council Work Session of February 12, 2018 adjourned at 9:31 p.m.

Mayor Laurie A. DiRocco

Signed / Dated: _____

Attest:

Deputy Town Clerk

THE TOWN OF VIENNA IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (703) 255-6304, OR 711 VIRGINIA RELAY SERVICE FOR THE HEARING IMPAIRED.