



# 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, May 1, 2019

7:30 PM

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

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#### Joint Work Session with Planning Commission and B.A.R.

### 1. Regular Business

#### *Council Members 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*

#### *Planning Commission Members Present:*

*Michael Gelb, Chairman*  
*Walter Basnight*  
*Sharon Baum*  
*Sarah Couchman*  
*Stephen Kenney*  
*Mary McCullough*  
*Andrew Meren*  
*David Miller*

#### *Board of Architectural Review Members Present:*

*Roy Baldwin*  
*Michael Cheselka*  
*Patty Hanley*  
*Laine Hyde*  
*Paul Layer, Chair*

#### *Staff Present:*

*Michael D'Orazio, Deputy Director of Planning and Zoning*  
*Mercury T. Payton, Town Manager*  
*Cindy Petkac, Director of Planning and Zoning*  
*Andrea West, Planner, Department of Planning and Zoning*

[19-1257](#)

Continuation of March 20, 2019 Joint Work Session/Special Meeting with Town Council, Planning Commission and Board of Architectural Review on Preliminary Draft Design Guidelines and Proposed Draft Amendments to the Maple Avenue Commercial (MAC) Zone

*The Town Manager opened the Vienna Town Council, Planning Commission, and Board of Architectural Review (BAR) Joint Work Session of Wednesday, May 1, 2019 at 7:30 p.m. in the Council Chambers at Town Hall.*

*Councilmember Majdi suggested taking a fresh look at the Maple Avenue Commercial Zone Ordinance (MAC), without the assumption for a 54 foot height limit, and using some of the recommendations in the feasibility study, and trying to summarize common themes among citizen feedback. Councilmember Majdi also presented his recommended strategic changes as follows:*

- Buildings facing Maple Avenue would be a mix of 50% to 60% commercial, and residential. Proffers or voluntary concessions or some other model should be used to get desired commercial uses.*
- A back row of residential housing, at least 35 feet in height, would be allowed for those commercial lots that abut residential property. Higher density than RS-16 would be allowed, to include duplexes and other zero lot line housing and townhouses. This would add housing types not currently permitted in Town.*
- Remove the above ground structured parking incentive “because the way the numbers work, it basically mandates that your building is maximum residential and minimum commercial, because parking requirements for commercial are so much higher and parking is really expensive.”*
- Address traffic impacts on neighborhoods in the design phase of redevelopment, using some sort of proffers or exceptions model.*
- Use the comprehensive plan a lot more.*
- Start talking about dedicating streams of increased tax revenue from growth to important issues.*

*Councilmember Colbert suggested that feedback on the MAC changes should include citizen feedback received from conversations with Councilmembers, in addition to feedback given in public hearings. She noted that many residents do not like to speak in public hearings and do not use email. Councilmember Colbert also cautioned that it is too soon to gauge whether MAC applications for developments thus far are serving the public interest, because none of them have been built yet. She suggested not changing too much right now because the effects have yet to be seen. Councilmember Colbert said she is not in favor of doing a commercial needs assessment because she does not see that as a role of government and a lot of businesses do this on their own.*

*Councilmember Bloch asked what the set-backs from the back yard of somebody else’s house might be. She opined that there are very few houses built behind commercial property on Maple Avenue that would not face somebody’s back yard.*

*Laine Hyde, Board of Architectural Review, spoke on the considerations and findings of the original Maple Avenue Vision Committee regarding commercial developments that backed up to residential zones. After a lot of meetings and discussion, the Committee had decided that no building or portion of a building within 130 feet of a single-family rear set-back line or 107 feet of a single-family side or corner set-back line shall exceed 35 feet. That determination addressed the “stepping down” of height as you approached the rear residential property, but it also addressed the distance from the rear residential. It came into play with the adjacent residential lot on the Marco Polo project.*

*Ms. Hyde further commented that there are not very many properties along Maple Avenue, with the exception of a couple prominent big pieces, where there could be a row of any kind of housing on the back of the lot that would address not only the 35 feet but the distance of having the set-back. Councilmember Majdi said that his proposal was not be intended to work on every single lot in the MAC Zone. He*

*further opined that the MAC as currently written is not going to incentivize development on every single lot in the MAC Zone.*

*Planning Commissioner Kenney shared a diagram mapping the MAC Zone. His point was that Councilmember's Majdi's idea has merit, should be discussed, and would be beneficial for the deeper properties like Giant and those to the left and right of it.*

*Planning Commissioner Miller noted that developers may consolidate "lots" into larger parcels, and it is important to think of properties that way.*

*Board of Architectural Review Member Baldwin asked about Councilmember Majdi's suggestion for a 1400 square foot limit on residential average square footage. He opined that finding the ideal square footage requirement might be the most important revision in the MAC Code.*

*Councilmember Noble said that he supports the idea of duplexes and zero lot line, but thinks that some of those may have to face inward to the lot, toward Maple. He also stated that regardless of lot depth, the Code must be written uniformly for the entire designated district. The Town Attorney cautioned that spot zoning is not permitted in Virginia; you can't make certain zoning provisions that only apply to one or two lots. Encouraging uses on sites is allowed if it is open to the full zone.*

*Mr. Briglia pointed out that the Town's Comprehensive Plan clearly requires the consideration of affordable housing. He said that the State says it is aspirational to a certain extent, and in Virginia they let the localities decide how to do their mix of housing. However, if a new zone is to be created and it is encouraged to be a mixed type of new housing, it is noteworthy that right now most urban jurisdictions are putting incentives and required proffers on affordable housing.*

*Councilmember Nobel expressed concerns about the use of proffers versus an incentive type system to achieve those different types of goals. Attorney Briglia said he thinks they have to do a different analysis on on-site issues, and then he discussed off-site proffers.*

*Mayor DiRocco brought up the idea of having a certain number of units per acre, and whether Council should try to manage that regarding the number of units, and how that affects price, and then the limiting of houses. She suggested discussing those things more, as well as the square footage per unit and how that affects unit cost and whether it allows for more housing diversity.*

*Mayor DiRocco also asked about creating a list of proffers or a proffers guideline. Mr. Briglia cautioned against having a set list of things that we expect in any new development since each development will have different impacts. He spoke on the importance of demonstrating needs in the Town's Comprehensive Plan, and the importance of long term planning goals. He reiterated that the Town must identify the areas in the community that are deficient and show that the Town wants to improve them, whether they be parks, intersections, or whatever. He advised that the needs of the community should be identified in the Comprehensive Plan and also in associated incorporated studies.*

*Planning Commissioner Couchman expressed hope that the Town is thinking about the impact that MAC projects will have on Vienna schools, parks, and programming in the Vienna Community Center.*

*Mr. Briglia spoke on special exceptions as a zoning tool with which permitted uses can be authorized in a particular district under certain conditions. He noted that the Town does permit cash proffers for off-site impact fees. Planning Commissioner Miller and Councilmember Noble spoke further on impact-type fees, how they are often used and how they could be extended to parks and other things.*

*Councilmember Majdi suggested making multiple zones in the MAC. Councilmember Noble spoke on the Maple Avenue Steering Committee's discussions about two zones. He said the Steering Committee was advised against it because it would create "winners and losers" in the zone, depending on where the lines were drawn. More discussion on impact fees and cash proffers ensued.*

*Board of Architectural Review Chairman Layer suggested looking into a way to adjust the set-backs and the step-backs instead of making two zones.*

*Councilmember Noble spoke of removing the incentive for the above ground structured parking, assuming that the existing conditions are inadvertently subsidizing residential parking spaces. He said it may be just as simple as restricting the incentive to commercial use, and taking out the incentive relative to residential use. He also suggested getting back to the transportation study, discussing height and density, maybe looking at increasing the set-backs on Maple Avenue, and adding more green space. He asked if Council could discuss the possibility of saying they will not consider amendments or variances on any MAC project. Councilmember Noble further asked if Council could factor an increase that affects a school's attendance, and how this would affect the Vienna schools that are close to capacity. He added a suggestion to discuss the possibility of saying Council will not consider amendments or variances on any MAC applications.*

*Councilmember Bloch suggested that they handle the set-backs from all existing residences that are currently backing up to Maple Avenue projects to be the same. She would also like to see more incentives for green space.*

*Councilmember Noble recommended creating a "concept of use" statement for the preamble in the beginning of the MAC Code. He also suggested looking at building height over linear distances and making more significant building breaks. He also recommended having clear guidelines from someone who knows how photo shop works, and this rendering software on how these developers present their three-dimensional models, and their isometric views in terms of eye-height, focal length, and specific views. Councilmember Noble asked for realistic numbers on current commercial real estate market floor heights. He further expressed some of his preferences for the massing of buildings and requested more conversation regarding the scoping guidelines for the transportation studies.*

*Councilmember Colbert proposed taking the phrase "small town" out of the MAC guidelines because no one can really agree on what that means.*

*Councilmember Sienicki suggested perhaps doing a perimeter block and defining the maximum size of a block in order to be more flexible than imposing breaks that might not fit an individual site very well. She also spoke of her concern about the architecture of a building and the complexity that we are requiring of buildings, noting that sometimes the beauty of a building or an open space lies in its simplicity. Councilmember Sienicki suggested incorporating the consideration of a*

*building as a three-dimensional plan with which the elevation and section are all inter-related.*

*Mayor DiRocco expressed her opinion that it will be helpful to have up-front information and design guidelines to point to which don't have a specific architectural style, but give ideas of how to make transitions, what facades should look like, what rooftops could look like, how we want to modulate some of the buildings, and generally how things should look.*

*Planning Commission Chair Gelb opined that the more specific information the design criteria and set-backs are in the MAC, the more defensible it is.*

*Additional discussion points by the group included:*

- Writing the MAC with the intent that small businesses would be able to do additions or renovations without a full tear-down.*
- Consider reducing the C-1 Zone parking requirement from 1 per 200 to 1 per 250 to have more space for wider sidewalks and outdoor seating.*
- More open green space.*
- Maybe increasing set-backs.*
- Making building breaks more distinctive/significant/larger.*
- Is a side-yard set-back necessary.*
- Downtown core areas of some other small communities have zero set-back.*
- Leaving gaps for either pedestrian ways or alleyways between buildings.*
- Asking developers to put some money into a fund for undergrounding utilities.*
- Transitions between zones and buildings.*

*Board of Architectural Review Chairman Layer presented his sketches and spoke on massing as an architectural term. He also spoke on his studies regarding scale, units, breaking down a big linear corridor, melding all the components together to optimize, visual guidelines, and roof forms.*

*Chairman Layer pointed out that the Council has not yet come to a consensus on the outcomes they are looking for, like on height limits in the MAC Zone. Mr. Layer spoke on providing guidance and clear ideas to developers and architects right from the beginning, conceptual phases of their designs, so they know what the Town is looking for.*

*Chairman Layer presented more of his studies and exercises to illustrate how different things in the visual guidelines will look. He said he is doing this in order to get feedback from Council and everyone about how to handle transitions and other design approaches and which design aspects should be studied further. Chairman Layer also spoke on looking at a building plan with the elevations in order to understand the scale, and he talked about how scale and perspective have to interact with each other. Chairman Layer requested that Council's feedback on his studies and sketches be sent to Planning and Zoning Staff. Director Petkac said that the feedback would be compiled and posted on their webpage.*

*Mayor DiRocco thanked Chairman Layer for all of his donated time to work out the studies and sketches.*

*Director Petkac had two presentations to go over. One presentation was some ideas that piggy back on some ideas that Councilmembers Majdi and Noble and others have talked about. The second presentation was on a MAC process issue.*

*Director Petkac reviewed some history on Vienna's changes to its commercial zone regulations. It was noted that in the 1960's, Council increased the commercial zone's height limit to 75 feet and six (6) stories.*

*Director Petkac also spoke on some of the options developed by the original Maple Avenue Steering Committee and the reasons for their decisions. She also reviewed the process of submittal, site plan review and approval, rezoning, public hearings, review and recommendations, and so forth for commercial rezoning applications.*

*Mayor DiRocco suggested that another Council work session meeting on the MAC might be needed. Director Petkac reported that she would like to run the MAC amendments by the Planning Commission before Council's next meeting on the MAC.*

*Town Manager Mercury Payton thanked everyone at the work session for their time.*

## **2. Meeting Adjournment**

*The Joint Work Session of Monday, May 1, 2019 adjourned at 11:18 p.m.*

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*Mayor Laurie A. DiRocco*

*Signed / Dated:* \_\_\_\_\_

*Attest:* \_\_\_\_\_  
*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.*