



Legislation Text

File #: 22-3383, **Version:** 1

Subject:

Town Council Discussion of EYA Proposal for Townhomes at 901 Follin Lane, SE

EXPLANATION AND SUMMARY :

On Oct. 17, 2022, the Vienna Town Council will hear a presentation from EYA, a developer of housing based in Bethesda, Maryland, on its proposal to build new townhomes at 901 Follin Lane, SE. EYA's presentation document is Attachment 1.

Zoning and this Proposal

The property is zoned CMP Industrial Park. Attachment 2 provides relevant excerpts from Chapter 18, Article 14, which covers "CMP Industrial Park Zone Regulations." The only type of residence allowed in this zone is "A residence related to the use allowed in this zone, such as a janitor or night watchman." As such, the proposed development is not permitted in this zone under current regulations. The height limit in CMP Industrial Park is 45 feet, which would accommodate the townhomes that EYA is proposing to develop.

For this development to be permitted, the Town Council would need to approve zoning changes in one of the following ways:

- 1) Add Townhouse (or some broader residential category) to the list of permitted uses (Sec. 18-96. - Permitted Uses) in the CMP Industrial Park zone. This change would apply to all properties with this zone, which are exclusively the properties in the corporate park.

Or

- 2) Change the zoning for this parcel from CMP Industrial Park to a residential zone, such as RTH Townhouse. However, no residential zone in Vienna, including RTH Townhouse, permits more than 35 feet in height. For the project as proposed to be approvable, an additional change would need to take place that would permit a height of 45 feet for townhouses, which would then apply to properties throughout the town that are zoned for RTH Townhouse.

Other zoning options could be contemplated, but these two options seem to staff to be the most direct.

The Comprehensive Plan and this Proposal

The Town of Vienna Comprehensive Plan describes the area in which 901 Follin Lane, SE sits as

having an Employment Center land use. Page 31 of the Plan provides a description of the Employment Center land use:

The Employment Center land use category covers the Vienna Technology Park in the southeastern quadrant. Employment Center (versus Industrial in the previous comprehensive plans) is a new land use category and encompasses large office buildings and campuses. This land use category is a more accurate description of the uses in the area.

All properties in the Vienna Technology Park are designated as being Employment Center in the Future Land Use Plan map on page 38. The previous page (page 37) provides the guidance that “this map, along with the goals, objectives, policies and indicators of this plan, will guide future development in the town.”

In general, zoning should be consistent with the land use designation within the Comprehensive Plan. If EYA ultimately submits an application for a change to this property’s zoning, the Planning Commission would have the role of assessing the proposed zoning against the policies of the Comprehensive Plan, including the land use designation, and make a recommendation to the Town Council. Staff would advise both the Commission and the Town Council that the Plan does not currently allow for residential development on that site.

A Plan amendment should precede any such change in zoning. Consideration of such a Plan amendment should, in staff’s view, include a review of some other goals and indicators of Chapter 3 - Land Use:

- Page 19 (included as part of Attachment 3), which is to “Maintain the balance of land uses.” The Plan does not define the meaning of this goal and does not provide any metrics that can be used to assess whether such a balance is being achieved. However, staff would recommend a discussion of this topic if the Town Council is interested in revisiting the current approach to the Vienna Technology Park.
- Page 43 (included as part of Attachment 3), which includes the following as an indicator of process - “Increase in number of affordable units, including increases in the number of condominiums and townhouses.”

Staff’s view is that the Comprehensive Plan does, in various locations, support additional variety in housing types, but targets them in specific areas along the Maple Avenue corridor and in transitional areas just off Maple Avenue.

Existing Conditions

The property at 901 Follin Lane, SE includes an office building that has been vacant for almost ten years since the long-time government tenant ended its lease. The property abuts the Navy Federal Credit Union (NFCU) and the FBI’s Terrorist Screening Center (TSC) facilities. NFCU has added a new parking garage and building to its facility in recent years. Staff has been informed that the TSC recently extended its lease.

901 Follin Lane also abuts 831 Follin Lane, on which sits a warehouse building that has been vacant for approximately ten years, but for which a proposal has been developed to house classic, high-value automobiles.

The owner of 901 Follin Lane, SE has claimed that there have been many efforts over the past decade to market and lease the existing office building with no success.

Previous Town Council Discussion of a Similar Concept on this Site

On May 15, 2017, the Town Council held a conference session in which a development firm, Stanley Martin, discussed its concept of developing 180-200 townhomes on this site. The minutes of that discussion are included as Attachment 4, and show that Councilmembers recognized that the Comprehensive Plan did not support the concept. The developer did not take any additional steps and the project was never formally proposed.

Attachments:

Attachment 1: EYA Presentation Document

Attachment 2: Existing Zoning at 901 Follin Lane, SE

Attachment 3: Extract from the Town of Vienna Comprehensive Plan, relevant to this proposal

Attachment 4: Meeting minutes from 5/15/17 Town Council Conference Session discussion of Stanley Martin townhouse proposal for 901 Follin Lane