



# Town of Vienna

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Hall  
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Vienna VA, 22180

## Legislation Details (With Text)

**File #:** 20-1555      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Agenda Ready  
**File created:** 1/6/2020      **In control:** Town Council Meeting  
**On agenda:** 1/27/2020      **Final action:**  
**Title:** Public hearing on proposed amendments to proffered conditions for 374 to 380 Maple Avenue W in the Maple Avenue Commercial (MAC) Zone for Sunrise of Vienna, a mixed-use building with a ground floor restaurant and 85-unit assisted living facility

AND

Consideration of a request for a related modification of requirements.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Sunrise of Vienna - Staff Report - 01.27.2020, 2. Sunrise of Vienna - Staff Presentation - 01.27.20, 3. Sunrise of Vienna - Applications and Affidavit, 4. Sunrise of Vienna - Concept Plans - Site, 5. Sunrise of Vienna - Statement of Support, 6. Sunrise of Vienna - MAC Zone Incentives Sheet, 7. Sunrise of Vienna - Transportation Memo - 11.27.2019, 8. Sunrise of Vienna - Executed Amended Proffers - 01.06.20, 9. Sunrise of Vienna - Comparison of Approved Proffers and Proposed Proffers, 10. Sunrise of Vienna - PC Recommendation, 11. Sunrise of Vienna - BAR Recommendation, 12. Sunrise of Vienna - BZA Approved CUP, 13. Sunrise of Vienna - Public Notification Affidavit, 14. 380 Maple Ave West - Approved Concept Plan - Final 6-17-19 (Rev 8-19-19), 15. 380 Maple Ave West - Approved Architectural Drawings - Final 6-17-19, 16. Regulatory Requirements for Agenda Items - Sunrise of Vienna, 17. Sunrise of Vienna - Concept Plans - Architectural

Date	Ver.	Action By	Action	Result
1/27/2020	1	Town Council Meeting	approved	Pass

**Subject:**

Public hearing on proposed amendments to proffered conditions for 374 to 380 Maple Avenue W in the Maple Avenue Commercial (MAC) Zone for Sunrise of Vienna, a mixed-use building with a ground floor restaurant and 85-unit assisted living facility

AND

Consideration of a request for a related modification of requirements.

### EXPLANATION AND SUMMARY :

The subject site is approximately 0.84 acres and is located at the intersection of Maple Avenue W and Wade Hampton Drive SW. A three-story office building, constructed in 1970, currently occupies the site. Associated surface parking is located in the front and rear of the building. A 6-foot tall masonry wall borders the rear property line (along Glen Avenue SW). Two single-family dwellings are located across Glen Avenue SW from the site. Commercial properties (including office buildings and a restaurant) surround the site on all other sides.

On June 17, 2019, Town Council approved the rezoning of the property at 374-380 Maple Avenue W

to the Maple Avenue Commercial (MAC) Zone for a mixed-use building with ground floor retail and multifamily residential condominium units.

On August 19, 2019, Town Council voted to accept amendments to proffered conditions for 374-380 Maple Avenue W. These amendments did not affect conditions of use or density and therefore the governing body had the right to waive the requirement for a public hearing for amended proffers per Virginia State Code § 15.2-2302.

The applicant is requesting to amend the proffered conditions, including a change of use and revised architecture, for an assisted living facility in place of the approved mixed-use building with multifamily residential.

The Planning Commission held a public hearing December 11, 2019, at which it voted to recommend approval of the conditional use permit to the Board of Zoning Appeals and recommended approval of the proposed amendments to proffered conditions and a related modification of requirements.

The Board of Zoning Appeals approved the requested conditional use permit for assisted living in the Maple Avenue Commercial (MAC) Zone on December 18, 2019, with conditions that permit approval is contingent upon Town Council's approval of amendments to proffered conditions and that the permit shall become null and void 24 months after issuance if construction or related operations has not commenced.

The Board of Architectural Review held a public meeting December 19, 2019 and voted to recommend approval of the proposed amendments to proffered conditions with recommended conditions outlined in the BAR recommendation memo.

**Departmental Recommendation** : Staff finds that the application meets zoning ordinance requirements with the request for modification of requirements and is consistent with the Comprehensive Plan 2015 Update.

**Finance Recommendation** : N/A

**Purchasing Recommendation** : N/A

**Town Attorney Recommendation** : Town Council may conduct a public hearing on proposed proffer amendments pursuant to Virginia State Code Section 15.2-2302. Town Council may approve the proposed proffer amendments in its discretion if they conform with the Chapter 18 MAC zone provisions and the Town's Comprehensive Plan.

**Town Manager's Recommendation** : I recommend the Town Council close the public hearing and approve the requested amendment to proffered conditions for the subject project located at 374-380 Maple Avenue West in the Maple Avenue Commercial (MAC) zoning district, as presented.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: N/A

**PROPOSED/SUGGESTED MOTION**

"I move to close the public hearing."

"I move to approve the requested amendment to proffered conditions for the subject property located at 374-380 Maple Avenue W in the Maple Avenue Commercial (MAC) zoning district." And, finding that the integrity of Chapter 18 of the Town Code and the health, safety, and morals of the Town will not be thereby impaired, I further move to approve the requested modification of requirements for a 15-foot wide loading space in conjunction with the amendment to proffered conditions application."

Or

Other action deemed necessary by Town Council.