




Address:	512 Mill St NE	Case Number:	PF-1634775-CUP					
Public Meeting Date:	4/16/2025	Applicant:	Catherine Sircy, Strike 3 LLC					
Board/Commission:	Board of Zoning Appeals	Property Owner(s):	500 Mill Street LLC					
Existing Zoning:	M, Mill District	Existing Land Use:	Commercial					
Brief Summary of Request:	Request for approval of a conditional use permit to allow specialized instruction for Colby Fastpitch.							
Site Improvements:	No changes are proposed to the existing single-story building or parking lot.							
Size of Property:	65,732 square feet (1.51 acres)							
Public Notice Requirements:	<ul style="list-style-type: none"> • Advertisement for two successive weeks, April 2 and April 9, in a newspaper having paid general circulation in the Town, announcing the upcoming public hearing at the Board of Zoning Appeals meeting. • Staff posted a sign on the property on March 28, 2025, notifying residents of the upcoming Planning Commission and Board of Zoning Appeals meetings. • Letter sent to Fairfax County's Department of Planning and Development Planning Division on April 4, 2025. • Postcards sent by certified mail on April 2, 2025 and regular mail on April 3, 2025 to the adjoining, adjacent, and abutting property owners. 							
Official Submission Date for Approval:	On March 4, 2025, the application was deemed by staff to be complete.							
Deadline for Action:	The Board of Zoning Appeals (BZA) should take action by June 2, 2025, 90 days after the application was deemed complete. That date is directory rather than mandatory; the Board does not lose jurisdiction to act after the time period has passed.							
Brief Analysis								
PROPERTY HISTORY								
<p>The subject business is located in the building located at 510-520 Mill Street NE on a parcel approximately 1.51 acres in size. The metal/steel frame building, built in 1965, does not meet current building setbacks; however, it is considered legally non-conforming.</p>								
COMPATIBILITY WITH THE COMPREHENSIVE PLAN								
<p>The Future Land Use Map in the Comprehensive Plan shows this property as "Industrial". The plan describes industrial uses in this area as "light industrial uses and other manufacturing activities that are not appropriate or</p>								

Planning & Zoning Staff Report to the Board of Zoning Appeals
Meeting of April 16, 2025 – Colby Fastpitch – 512 Mill Street NE - CUP
Page 2 of 5

feasible for the Town’s main commercial corridors, Church Street Commercial Corridor and Maple Avenue Commercial Corridor, as well as auxiliary commercial activities, such as restaurants, fitness centers, and retail, where they can be accommodated. Industrial development in these areas is limited to those administrative, research, and manufacturing activities that can be carried out without a detrimental impact on surrounding areas.”

COMPATIBILITY WITH THE ZONING ORDINANCE

The proposed use of specialized instruction is permitted with a conditional use permit per Section 18-304.

Attachments:	01 – Staff Report 02 - Application and Authorization 03 – Applicant Narrative 04 – Floor Plan 05 – Site Plan	06 – Photos 07 – Parking Tabulation Chart 08 – Relevant Regulations 09 – Planning Commission Chair Memo
Author:	Kelly O’Brien, AICP, CZA, Deputy Director	

I. EXISTING CONDITIONS:

The subject property is located at 510–520 Mill Street NE and comprises a 24,648-square-foot building and associated parking lot. The structure is a one-story metal/steel frame building constructed in 1965. It does not meet current setback requirements; however, it is considered legally nonconforming. The property is located in the M Mill District (Figure 2) and is surrounded by a mix of commercial and light industrial uses. The Washington and Old Dominion (W&OD) Trail runs along the rear of the site. On the Town's Future Land Use Map, the property is designated for Industrial Use (Figure 3).



Figure 1 – Existing conditions photo of building from parking lot. Source: Staff photo.

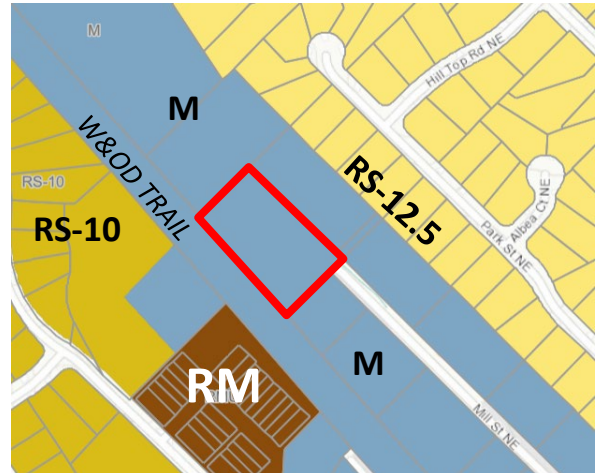
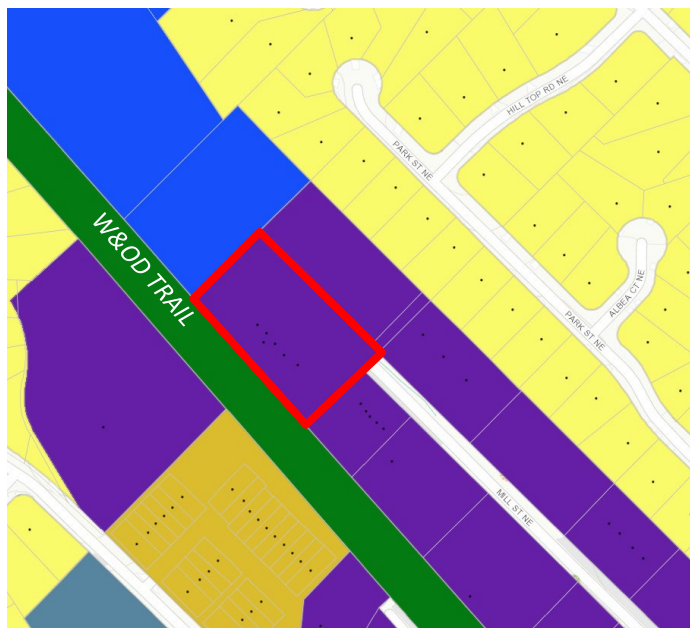


Figure 2 – Zoning Map with highlighted site location. Source: Town of Vienna GIS



*Figure 3 – Future Land Use Map with highlighted site location.
Source: Town of Vienna 2015 Comprehensive Plan*

II. PROPOSED USE:

Since November 2012, a softball training business has operated out of 514 Mill Street NE. The current certificate of occupancy lists the use as a “Softball Instruction Business.” However, this use was not specifically listed in the zoning ordinance at the time. The original parking tabulation for the site utilized the “Tennis Club” standard of two spaces per court plus one space per employee on the maximum shift, as the closest comparable use. Neither “Baseball Training” nor “Tennis Club” is a listed use in the updated zoning code; therefore, the business is considered an existing nonconforming use.

The applicant is requesting approval to relocate the business from unit 514 to unit 512 within the same building. Because this relocation triggers the requirement for a new certificate of occupancy, the use must now conform to the current zoning code. The zoning ordinance update, which became effective January 1, 2024, includes a new use classification, “Specialized Instruction,” defined as:

“A facility primarily devoted to giving instruction in vocational, professional, musical, dramatic, artistic, scientific, performing arts, or other special subjects. This use does not include a childcare center, home daycare facility, or health and exercise facility.”

The applicant has provided a narrative (Attachment 03) outlining the services provided by the business and the hours of operation. No changes are proposed to the parking lot or site circulation, and there is no anticipated increase in frequency or duration of use.

III. STAFF ANALYSIS

Staff finds the proposed relocation to be appropriate for the subject property and consistent with both the intent of the Mill District zoning and the Industrial designation on the Comprehensive Plan’s Future Land Use Map. The business, Colby Fastpitch, has operated in the Town for over ten years without any recorded complaints or code enforcement issues. There is no indication that the relocation will alter the nature of the business or result in adverse impacts to surrounding uses. No changes are proposed to the use of the parking lot.

The updated zoning ordinance includes four use standards for “Specialized Instruction,” as outlined in Section 18-345 (see Attachment 09). Staff finds that the applicant complies with all applicable standards. Specifically:

- No camps or large group activities are proposed that would involve frequent vehicle drop-offs or pickups.
- Existing on-site parking is adequate to support the business’s operations without disrupting other tenants or customers.
- All instruction occurs indoors, and no outdoor sound amplification is used, minimizing potential noise impacts.

In summary, the proposed relocation of Colby Fastpitch from unit 514 to 512 meets the criteria for “Specialized Instruction,” poses minimal impact on traffic and parking, and is compatible with surrounding land uses.

IV. REQUIRED COMMISSION/BOARD APPROVALS:

Review of the application (as established at §18-824 of the Vienna Town Code) requires initial consideration and recommendation by the Planning Commission and a subsequent public hearing with sworn testimony before the Board of Zoning Appeals, where the application will be acted upon.

§18-824.6.E. states that the Planning Commission shall make a recommendation on the application based on Conditions for Approval outlined in §18- 824.3, and applicable Use Standards outlined in Article 3 (see Attachment 07).

§18- 824.3: The Board of Zoning Appeals may issue a use permit for any of the uses indicated within Article 3, with a “C” (conditional) on the Use Table, provided the use for which the permit is sought:

Conditions for Approval:

- A. Will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
- B. Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood;
- C. Will be in accordance with the purposes of the Town’s comprehensive plan; and
- D. Meets use-specific standards outlined in Article 3 of this chapter.

The Town of Vienna Code of Ordinances §18-824.4 states The Board of Zoning Appeals shall fix a reasonable time for the hearing of an application, within ninety (90) days of the application being deemed complete. This time period is directory, rather than mandatory; the Board does not lose jurisdiction to act after the time period has passed.

V. PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the applicant’s request at their regular meeting on April 9, 2025. There being no discussion or public comment, a motion to recommend approval carried by roll call vote of 7-0. The Planning Commission Chair’s memorandum is included in Attachment 09.