

**TOWN OF VIENNA, VIRGINIA**  
**APPLICATION FOR CONDITIONAL USE PERMIT**

APPLICATION NO. PF-114-89  
(Office Use Only)

NAME OF PROJECT: Town of Vienna Police Building ZONING: RM-2

ADDRESS OF PROPERTY: 110 Locust Street, S.W.

LEGAL DESCRIPTION OF PROPERTY: \_\_\_\_\_

IF PLATTED: LOT 149 BLOCK 2 SECTION 38-4

SUBDIVISION: \_\_\_\_\_ TOTAL ACREAGE: \_\_\_\_\_

PRESENT USE OF PROPERTY: Bowman House - Arts & Crafts

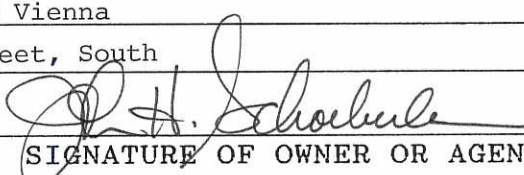
REASON FOR REQUESTING CONDITIONAL USE PERMIT: To be allowed to construct  
a Police Building.

NAME OF OWNER(S) Town of Vienna

ADDRESS 127 Center Street, South PHONE 255-6300

NAME OF AGENT Town of Vienna

ADDRESS 127 Center Street, South

  
SIGNATURE OF OWNER OR AGENT

The following is a list of information, or items, to be furnished along with the application for a conditional use permit in conformance with Sections 18-210 and Articles 5:15 of Chapter 18 of the Code of the Town of Vienna, Virginia. Applications will not be considered complete and eligible for review, and placement upon an agenda, until the information listed below has been received at least twenty-eight (28) days prior to the next available Planning Commission meeting, and thirty-five (35) days prior to the next meeting of the Board of Zoning Appeals. All such requests shall be accompanied by the following information:

1. Seventeen (17) copies of all supporting documentation.
2. Approved site plans, when applicable, and all supporting information in conformance with the requirements of Sections 18-250:255 of Town Code.
2. A certificate of survey, or plat, showing the legal description and boundaries of the subject tract for which the conditional use permit is requested.
3. The area, zoning and present owner of the subject tract, along with all abutting streets and alleys.
4. A vicinity map, clearly indicating the location of the applicant's property, along with owners, addresses, and zoning classifications of all abutting and adjacent parcels, and all lands lying on the opposite sides of all streets and alleys abutting the subject tract.
5. A description of the proposed improvements, along with all additional information as required by other regulatory agencies, including floor plans, interior structure information, inspection reports, etc.

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(OFFICE USE ONLY)

FILING FEE PAID \$ N/A DATE N/A RECEIVED BY RAC

DATES OF PUBLICATION 11.7 and 11.14.90

PLANNING COMMISSION RECOMMENDATION: TABLED \_\_\_\_\_ DATE \_\_\_\_\_

11.14.90 APPROVED 9-0 DATE 11.14.90

DENIED \_\_\_\_\_ DATE \_\_\_\_\_

BOARD OF ZONING APPEALS ACTION: APPROVED 5-0 DATE 11.21.90

11.21.90 DENIED \_\_\_\_\_ DATE \_\_\_\_\_

REMARKS No quorum for 5-15-91

Suspension of applicability of Section 18-216: Approval 4-0; 6.5.91  
(After extension) 6-month extension; Second extension-11.20.91: Approval 3-0  
and grants

Removal papers, did have gone out  
Equal construction of my application.

TOWN OF VIENNA, VIRGINIA  
CONDITIONAL USE PERMIT  
CERTIFICATE OF APPROVAL

PERMIT NO. 114-89  
(Office Use Only)

PROPERTY OWNER Town of Vienna

TENANT NAME \_\_\_\_\_

ADDRESS OF PROPERTY 110 Locust Street, S.W.

LEGAL DESCRIPTION OF PROPERTY 149 ((2)) 38-4

IF PLATTED: LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ SECTION \_\_\_\_\_

SUBDIVISION \_\_\_\_\_ ZONING DISTRICT \_\_\_\_\_

Pursuant to Sections 18-209:216 of the Code of the Town of Vienna, Virginia, the aforementioned property owner and/or tenant has been granted a conditional use permit to utilize the subject property for the following purposes in conformance with all specified stipulations and conditions:

PERMITTED CONDITIONAL USES: To allow construction of a Police Building.


SPECIFICED STIPULATIONS AND CONDITIONS: Conditional use permit is valid for six (6) months only, unless the operation and any associated construction has commenced.

BOARD OF ZONING APPEALS:

APPROVAL DATE 11-21-90

FILE NUMBER BZA-114-90

Approval of:  
CONDITIONAL USE PERMIT

  
Director of Planning and Zoning

TOWN OF VIENNA, VIRGINIA  
CONDITIONAL USE PERMIT  
CERTIFICATE OF APPROVAL

PERMIT NO. 114-89  
(Office Use Only)

PROPERTY OWNER Town of Vienna

~~XXXXXXXXXX~~ Town of Vienna Police Department

ADDRESS OF PROPERTY 110 Locust Street, S.W.

LEGAL DESCRIPTION OF PROPERTY 149 ((2)) 38-4

IF PLATTED: LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ SECTION \_\_\_\_\_

SUBDIVISION \_\_\_\_\_ ZONING DISTRICT \_\_\_\_\_

Pursuant to Sections 18-209:216 of the Code of the Town of Vienna, Virginia, the aforementioned property owner and/or tenant has been granted a conditional use permit to utilize the subject property for the following purposes in conformance with all specified stipulations and conditions:

PERMITTED CONDITIONAL USES: To extend the Conditional Use Permit

granted November 21, 1990 to allow the construction of a Police Building.

The extension is good for an additional six months.


SPECIFIED STIPULATIONS AND CONDITIONS: Conditional use permit is valid for six (6) months only, unless the operation and any associated construction has commenced.

BOARD OF ZONING APPEALS:

APPROVAL DATE June 5, 1991

FILE NUMBER BZA-114-89

Approval of:  
CONDITIONAL USE PERMIT

  
Director of Planning and Zoning



November 13, 1991

Board of Zoning Appeals  
127 Center Street, South  
Vienna, Virginia 22180

Re: Extension of Conditional Use Permit - Vienna Police Building

Gentlemen:

On behalf of the Town of Vienna, I am requesting the Board of Zoning Appeals to extend the conditional use permit for the Vienna Police Building at 110 Locust Street, S.W., for a period of six (6) months.

The conditional use permit was originally granted on November 21, 1990, and extended for a six-month period on June 5, 1991, to expire on November 21, 1991. The Town Council on November 4, 1991, awarded a contract for the project and work is expected to commence shortly. An extension of six (6) months of the conditional use permit is therefore requested. The reason for the delay in commencing construction is that the Town had been presented with a list of concerns by neighboring residents and it was decided to investigate and resolve these matters prior to the execution of a construction contract.

Your favorable consideration of this request is appreciated.

Very truly yours,

John H. Schoeberlein  
Town Manager

JHS/lmr

cc: Greg Hembree  
Director, Planning & Zoning

TOWN OF VIENNA, VIRGINIA  
CONDITIONAL USE PERMIT  
CERTIFICATE OF APPROVAL

PERMIT NO. 114-91  
(Office Use Only)

PROPERTY OWNER Town of Vienna

TENANT NAME Town of Vienna Police Department

ADDRESS OF PROPERTY 110 Locust Street, S.W.

LEGAL DESCRIPTION OF PROPERTY 149 ((2)) 38-4

IF PLATTED: LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ SECTION \_\_\_\_\_

SUBDIVISION \_\_\_\_\_ ZONING DISTRICT \_\_\_\_\_

Pursuant to Sections 18-209:216 of the Code of the Town of Vienna, Virginia, the aforementioned property owner and/or tenant has been granted a conditional use permit to utilize the subject property for the following purposes in conformance with all specified stipulations and conditions:

PERMITTED CONDITIONAL USES: To extend the Conditional Use Permit  
granted June 5, 1991 to allow the construction of a Police Building. The  
extension is good for an additional six months.

SPECIFICED STIPULATIONS AND CONDITIONS: Conditional use permit is  
valid for six (6) months only, unless the operation and any asso-  
ciated construction has commenced.

BOARD OF ZONING APPEALS:

APPROVAL DATE 11-20-91

FILE NUMBER BZA-114-89

Approval of:  
CONDITIONAL USE PERMIT

  
Director of Planning and Zoning

## ORDER

THIS MATTER was considered by the Board of Zoning Appeals during a public hearing held on June 5, 1991, for suspension of the applicability of Section 18-216 of the Code of the Town of Vienna and the granting of a six-month time extension relative to an existing conditional use permit granted in accordance with Sections 18-209:216 of the Code of the Town of Vienna, Virginia. Based upon testimony offered by the applicant, exhibits offered into evidence, comments offered by members of the general public and other interested parties, the Board has determined the following findings of fact:

1. The Board of Zoning Appeals granted a conditional use permit for the Vienna Police Building on November 21, 1990, after conducting a public hearing on the matter and receiving a favorable recommendation from the Planning Commission.
2. Subsequent to approval by the Board of Zoning Appeals, the Town Manager has been working with the architectural and engineering firms in the preparation of construction drawings for use by interested firms in bidding the project and for the acquisition of a building permit.
3. The exterior elevations of the proposed structure were accepted by the Town Council at the March 11, 1991 work session, and approved by the Board of Architectural Review at their regular meeting of March 21, 1991.
4. While approval from the various Boards and Commissions has been secured, and significant progress has been made on the project, it is quite clear that completion of this portion of the project will exceed the six-month conditional use permit approval as specified in Section 18-216 of the Town Code.
5. To continue progress on the project, the Town Manager has requested suspension of the applicability of the time-period limitation as specified in Section 18-216 of the Town Code.
6. The matter was scheduled for the Board of Zoning Appeals meeting of May 15, 1991; failure to achieve a quorum required that this matter be rescheduled to June 5, 1991.

AND FROM THE FINDINGS OF FACT AS DETERMINED ABOVE, the Board of Zoning Appeals makes the following conclusions of law:

1. Granting of the requested conditional use permit, as considered by the Board of Zoning Appeals, will not be detrimental to the health, safety or welfare of the neighborhood, nor to the persons who reside therein.
2. Progress on the project was noted by the Town Manager during his testimony where he indicated that the final changes to plans and specifications have been made, the project has been sent out for bid, and the Town Council is expected to award set bid at its meeting of August 19, 1991.

IT IS, THEREFORE, ORDERED, this 15<sup>th</sup> day of June, 1991, that the application as submitted by the Town Manager of the Town of Vienna for suspension of the applicability of Section 18-216 of the Town Code and the granting of a six-month time extension relative to the conditional use permit for the Vienna Police Building, 110 Locust Street, S.W., as issued on November 21, 1990 and in accordance with the above-referenced Code sections shall be approved. - *gm*

*Robert P. Delaney*  
Robert P. Delaney, Vice-Chairman  
Board of Zoning Appeals  
Town of Vienna, Virginia

## ORDER


THIS MATTER was considered by the Board of Zoning Appeals during a public hearing held on November 20, 1991, for suspension of the applicability of Section 18-216 of the Town Code and the granting of a second six-month extension relative to an existing conditional use permit granted by the Board of Zoning Appeals in accordance with Sections 18-209:216 of the Code of the Town of Vienna, Virginia. Based upon testimony offered by the applicant, exhibits offered into evidence, comments offered by members of the general public and other interested parties, the Board has determined the following findings of fact:

1. After conducting a public hearing and receiving a favorable recommendation from the Planning Commission, the Board of Zoning Appeals granted a conditional use permit for the Vienna Police Building on November 21, 1990.
2. Because of the time necessary to adequately prepare plans and specifications for the new facility and receive approval from other Town boards, a six-month extension to the original conditional use permit was granted on June 15, 1991 by the Board of Zoning Appeals.
3. Bids were subsequently received and the contract was expected to be awarded during summer 1991. However, due to the presentation of a list of concerns for the project by the owners of neighboring property, the staff and Town Council decided to thoroughly review, investigate and resolve these concerns prior to awarding the project to the 722 Construction Company on November 4, 1991.
4. The contract has now been endorsed by both the Town and the project contractor. Clearing of the site is anticipated to begin prior to the Thanksgiving holiday and the building permit will be issued shortly thereafter.

AND FROM THE FINDINGS OF FACT AS DETERMINED ABOVE, the Board of Zoning Appeals makes the following conclusions of law:

1. Granting of the requested "second" six-month extension to the conditional use permit, as considered by the Board of Zoning Appeals, will not be detrimental to the health, safety or welfare of the neighborhood, nor to the persons who reside therein.
2. During the public hearing, testimony was presented by the Town Manager that detailed the extent to which the Town staff and Council had investigated those concerns as expressed by the owners of surrounding properties. Reports from experts in the field indicated that there was no evidence that the proposed firing range in the lower level of the police facility would adversely affect air quality in and around the subject property.
3. The Board of Zoning Appeals noted that its confidence level in the proposal had been increased as a result of the extensive investigation of this matter by the Town.

IT IS, THEREFORE, ORDERED, this 17<sup>th</sup> day of February, 1992, that the application as submitted by Town Manager of the Town of Vienna for suspension of the applicability of Section 18-216 of the Town Code and the granting of a second six-month time extension relative to the conditional use permit for the Vienna Police Building, 110 Locust Street, S.W., as issued on November 21, 1990, and in accordance with the above-referenced Code sections shall be approved.

  
John H. Fitzgerald, Vice-Chairman  
Board of Zoning Appeals  
Town of Vienna, Virginia

## ORDER

THIS MATTER was considered by the Board of Zoning Appeals during a public hearing held on November 21, 1990, for a conditional use permit in accordance with Sections 18-209:216 of the Code of the Town of Vienna, Virginia. Based upon testimony offered by the applicant, exhibits offered into evidence, comments offered by members of the general public and other interested parties, the Board has determined the following findings of fact:

1. The Town Council approved the sale of general obligation bonds for phase one of the Town's Capital Improvements Program at the special meeting of July 18, 1990. These bonds included funding for the proposed new Police Building, which is contemplated for construction on the 1.07 acre tract located at the southernmost corner of the intersection of Center Street, South, and Locust Street, S.W.; site of the existing Bowman House.
2. The new 9,800 square foot Police Building will be situated 40 feet southwest of the Bowman House, which will remain at its present location. On-site parking will be provided for 47 vehicles in two separate lots.
3. The revised site plan has been approved by the staff. In addition, two site plan modifications, relative to on-site parking spaces and excess lot coverage were favorably recommended to the Town Council by the Planning Commission on November 14, 1990. As a part of the revised site plan, a masonry wall will be constructed along the southwesterly property line; a waiver of the construction of a similar wall along the common property line between the subject parcel and Faith Baptist Church was also favorably recommended to the Town Council by the Planning Commission at this same meeting.
4. A conditional use permit is required in accordance with Section 18-56 of the Town Code. This section incorporates Section 18-13 by reference, and includes "public buildings and uses" as one of the categories for which a conditional use permit is required. Surrounding land uses include public and semi-public land uses to the northeast and southeast of the subject property, a combination of multi-family residential and medical office land uses across Locust Street, S.W., and single family land uses situated immediately to the southwest.
5. The Planning Commission considered the conditional use permit request on November 14, 1990. The Commission recommended approval of the application by a unanimous vote.

AND FROM THE FINDINGS OF FACT AS DETERMINED ABOVE, the Board of Zoning Appeals makes the following conclusions of law:

1. Granting of the requested conditional use permit, as considered by the Board of Zoning Appeals, will not be detrimental nor inconsistent to the health, safety or welfare of the neighborhood, nor to the persons who reside therein.
2. Several residents in attendance expressed concerns relative to the increased intensity of use upon the subject tract, a change in the location of the proposed building, the use of the firing range, drainage and police cruisers exiting onto Locust Street, S.W.
3. Letters were provided in support of the proposed facility: one from a property owner that abuts the new location, and one from a property owner who lives to the rear of Town Hall and the existing operation.

4. The proximity of the new location with that of the existing provides an opportunity for a direct comparison relative to its impact upon surrounding properties. In a review of the police operations at the existing Town Hall, no evidence or complaints were presented to indicate that this location is either dangerous on its face or injurious to surrounding parcels. No evidence was found, as well, to support the contention that adverse environmental impacts will result from the use of the firing range to be located on the lower floor of the new Police Building.
5. The Board noted several of the factors that have been incorporated into the revised site plan to mitigate possible negative impacts upon surrounding properties. The Board noted, for the record, that matters related to the site plan modification and the requested wall waiver are to be considered by the Town Council, and are not a part of this application.

IT IS, THEREFORE, ORDERED, this 21st day of November, 1990, that the application as submitted by the Town of Vienna, owners of the subject property for the Police Building, 110 Locust Street, S.W., for a conditional use permit in accordance with the above-referenced Code sections shall be approved.



Robert P. Delaney, Vice-Chairman  
Board of Zoning Appeals  
Town of Vienna, Virginia