

## Office Building Developers Obtain Writ of Mandamus

Fairfax County Circuit Court Judge Thomas J. Middleton has issued a Writ of Mandamus ordering the Town of Vienna to approve the site plan for a seven story office building at the rear of 301 Maple Avenue West. The order effectively prevents the town from interfering with construction of the project.

Judge Middleton's order was issued at the request of attorneys for Kohler-Daniels Associates, owners of the land and proposed developers of the project. The building will contain about 50,000 square feet of office space and provide parking for 200 automobiles. Judge Middleton's order is based upon Virginia judicial precedents which hold that after a developer has made substantial commitments on zoning then in effect, his project may not be defeated by subsequent zoning changes.

The project has been vigorously opposed by residents of the Windover Avenue neighborhood which includes some of the oldest and most historic homes in Vienna. Lt. Col. George E. Lovelace, president of the Malcolm-Windover Heights Civic Association and other neighborhood leaders had urged the Town Council to block construction of the project on the grounds that its adverse environmental impact would substantially deteriorate the abutting residential area, and that the resulting traffic congestion would be intolerable.

If completed as proposed, the project would tower over the Vienna area, because of its unprecedented structural height and its location on ground which is elevated well above Maple Avenue. The building itself is planned for location on land that has been zoned commercial for over 25-years. However, the parking lot area to the rear of the property, which abuts single family residential land, was rezoned in 1970 from garden apartment use to its present commercial (C1A) classification. At the time of the 1970 rezoning, area residents did not appear in opposition to the change, apparently because of their desire to eliminate the prospect of a small garden type apartment complex.

Although the Council is now blocked by Judge Middleton's order, from imposing retroactive standards which would effectively reduce the size of the Kohler-Daniels proposal, the Council and the town manager are hopeful that a plan can be devised under which the developers could be afforded the same usable floor area in a building of lesser height.

The Council is also acting to reduce the height of future commercial buildings permitted in Vienna, and to increase the number of parking spaces required for office type use. Although some additional restrictions could not apply to the present seven story Kohler-Daniels' proposal, the Council is hopeful of preventing development of medium or high rise structures in the future and is anxious to closely coordinate its parking requirements with the increasing number of automobiles on our streets and highways.

## Christmas Light Program Needs Citizen Assistance

In addition to public funds, the Town of Vienna is accepting tax deductible contributions to implement a new street decoration program for Christmas.

If successful, Maple Avenue will be decorated from East Street to Nutley Road, and Church Street will be decorated from Mill Street to Lawyers Road.

To finance the project \$7,000 in contributions will be needed from residents and businessmen. Each new lighted decoration costs \$135.

The old lights have been restored with new wiring and lights and will be interspersed with the new decorations to offer an attractive visual display.

For additional information about the Christmas decoration program contact Jim Warfield, public information director, at 938-8000 during the business day.

Contributions should be in check or money order, payable to: Christmas Decoration Program; and mailed to Town Hall, 127 Center Street South, Vienna, Va. 22180. (All donations to the Christmas Decoration Fund are tax deductible.)

## Radar Surveillance Continues

The town's police department continued its efforts during the month of March to control the amount of speeding on Vienna's streets. Some 298 speeding tickets were issued in March.

Police issued 263 tickets in February.

The town stepped up radar surveillance in late January to decrease the speeding problem on town streets. Increased radar surveillance was the result of continuous requests and a countless number of petitions submitted by residents to the town requesting more radar to control speeding.

A third radar unit has recently been purchased which provides the town police department with at least one working unit each day.

Those cited for speeding averaged 15 to 16 miles per hour over the posted speed limit. Nearly 78 percent of those cited resided outside the town.

Town of Vienna

# NEWSLETTER

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Vienna, Virginia

May 1977

## Town Election is May 3



Voting is free! By taking only a few minutes on May 3, you can exercise your right to vote in Vienna's annual General Election at the Vienna Community Center.

Four men, including three incumbents, are seeking election to three of the available Council seats.

Incumbents running for reelection include Raymond E. Hicks, 209 Glyndon Street NE; Donald E. Upchurch, 505 Roberts Drive NW, and Neil M. Walp, 208 Yeonas Drive SW. The only challenger in the race is James E. Nichols, 1107 Westbriar Drive NE, a member of the Board of Zoning Appeals.

Polls will be open from 6 a.m. to 7 p.m. All the voting will be at the Vienna Community Center, located at 120 Cherry Street SE, adjacent to the Vienna Volunteer Fire Department.

Town elections are non-partisan and winners are determined by popular vote. The three candidates receiving the highest number of popular votes will be elected to two year terms that will expire on June 30, 1979.

There are no referendum questions on the ballot this year.

This is the first time Nichols has sought a Council seat. Walp is seeking his fifth term, Hicks his third and Upchurch his second.

Plenty of parking will be available at the Community Center. The center has three parking lots and the rear parking lot of the fire department will also be available.

Results of the election are usually available from one to two hours after the polls close. The results will be on the Vienna Newsline at 938-4499.



The four candidates for Vienna Town Council are, pictured from top to bottom, Raymond E. Hicks, James E. Nichols, Donald E. Upchurch and Neil M. Walp. Residents will elect three.

Vienna Town Hall  
127 Center Street, South  
Vienna, Virginia 22180

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### NEWSLETTER

Mayor  
Charles A. Robinson, Jr.

Council

E. Ross Buckley  
Raymond E. Hicks  
Vincent J. Olson  
Wanda C. Pellioctio  
Donald E. Upchurch  
Neil M. Walp

## Comment from the Council Table:

### A Way to Cut Costs

By Raymond E. Hicks  
Vienna Town Councilman

Many citizens are concerned about the rising cost of government. I share those concerns and have stated my opposition to any tax increase for town citizens. The problem of paying for government is complex and requires energy and imagination from all public officials. But, there are things that you, the citizen of Vienna, can do to help hold the line on taxes. I take this opportunity to suggest two significant ways you can help keep down your town taxes.

#### Participate in Paper Pickup

Let me encourage you to participate fully in the town's newspaper pickup program which is scheduled on alternate Wednesdays throughout the year. The town can make money on this program--some \$20,000 has been collected in the past two years. Yet, relatively few citizens take the trouble to bundle their newspapers or place them in a brown paper bag for town collection. I urge you to make the effort. I am convinced that if enough Vienna citizens were to participate in the newspaper pickup program, town leaders would be able to consider lowering town taxes for all of its citizens.

#### Newspapers Are Recycled

All newspapers collected by the town are recycled for later use. Although the wood pulp used in newsprint paper is grown elsewhere, Vienna's decision to encourage newspaper recycling is helping to preserve our forests for the enjoyment of ourselves and our children. I find recycling an appropriate policy for our town which prides itself on its many beautiful trees, and our efforts to preserve them.



Raymond E. Hicks  
Vienna Town Councilman

## You Can Recycle Aluminum Cans Also

A second significant way you can help control your taxes is by participating in the aluminum can collection program. Presently the town has a special aluminum can (no tin cans please) pickup location near the Old Railroad Station. I hope to offer legislation that will screen the pickup area so as not to detract from the historical nature of this landmark.

Like newspapers, aluminum cans collected by the town are sold to companies who recycle them. But, you, the citizen, must take the initiative to separate your aluminum cans from your regular trash and take them to the pickup location.

The consequences of your efforts could be rewarding, tax-savings-wise.

### Primary Election June 14

Special registration hours and locations have been announced by the Fairfax County General Registrar giving citizens the maximum opportunity to register for the June 14 primary election. Included on that ballot will be bond referenda questions on \$51.1 million for the county and Northern Virginia park authorities and \$24.8 million for county public schools, as well as Democratic primary choices for governor, lieutenant governor, attorney general and House of Delegates candidates in the 18th and possibly 19th districts. The Republican Party has chosen the convention method to identify candidates.

To be eligible to vote in the June 14 primary you must be:

- \* At least 17 years of age and must turn 18 on or before November 8, 1977.
- \* A citizen of the United States; and
- \* A legal resident of Fairfax County, having a domicile and place of abode in Fairfax County at the time of making application.

Persons who are already registered in Fairfax County but who have moved within the county should notify the General Registrar of their change of address in writing.

Registration will be offered at the following locations:

- \* At all libraries on May 4 and 11 from 3 to 9 p.m.; on May 5 and 12 from 7 to 9 p.m., and on May 7 and 14 from 9 a.m. to 5 p.m.
- \* At the Massey Building, 4100 Chain Bridge Road, Fairfax, in May, Monday through Friday until May 13 from 8:30 a.m. to 4 p.m.
- \* At the Office of General Registrar, 4031 University Drive, Fairfax, Monday through Friday, until May 13, from 8 a.m. to 4:30 p.m.

Additional information is available from the Office of the Registrar, by calling 691-2886 or 691-2686 from 8 a.m. to 4:30 p.m., Monday through Friday.

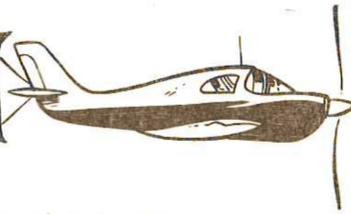
The penalty for delinquent real estate taxes was increased to 10 percent or \$5 (whichever is greater) for each real estate installment due.

Vienna charges real estate taxes in two equal installments--one in July and the other in December.

The higher penalty was approved by Town Council on April 4 after a public hearing in which one resident spoke in favor of the higher delinquent penalties. The old penalty assessed to delinquent accounts was five percent on the installment due.

Vienna's percentage of delinquent accounts is very low.

## Council Action



### Results of Town Council's April 4 Meeting

- \* Donated \$800 to the Vienna Light Opera, Inc.
- \* Decided to observe the traffic at Maple Avenue and Courthouse Road as it relates to traffic backups at Magruder's Grocery Store. The grocery store made some improvements to the traffic flow inside its front parking lot and Council wants to gauge the results of the improvements before any further action is considered.
- \* Requested Parks and Recreation Director to contact the users of Southside Park and request them to obey all the traffic regulations, among them, the posted speed limits. Council will consider on May 9 whether or not to install "speed bumps" and stop signs at the Ware Street entrance to the park.
- \* Passed an emergency ordinance requiring additional parking spaces for future multi-story buildings.
- \* Directed town manager to proceed with installing sound proofing insulation and to enclose the rear of the police pistol range at a cost not to exceed \$7,500. The action was taken to decrease the noise being emitted from the range when it is in use.
- \* Approved purchasing new plastic trash bags from Fordian Packaging Ltd., of Bergenfield, N.J., for a total cost of \$10,249.50 with the cost being recovered by the town selling the bags at cost to the public at Town Hall.
- \* Approved purchasing a Ford van for the dog warden from Ted Britt Ford for \$4,849.97.
- \* Approved purchasing a full page advertisement in the Virginia Municipal League's publication "Virginia Town and City."
- \* Relocated stop sign on North Center Street to John Marshall Drive.
- \* Denied a request to name high school students to the Highway Safety Commission.
- \* Requested Greenhool Fisher Shopping Center to restripe its parking lot.
- \* Accepted Cooper Court into the town's street maintenance system.
- \* Appropriated \$46 for gifts from the Town of Vienna to the Mayor of Ceret, France. The gifts were presented by a delegation of Vienna residents who recently visited Ceret.

### Results of Town Council's March 21 Meeting

- \* Waived the fee of \$350 for a sprinkler system in the Hunter mansion in Nottoway Park.
- \* Took no action on making Follin Lane/Electric Avenue a truck route.
- \* Appointed Councilman Upchurch and Mrs. Malcolm R. LaFever to the Town Employees's Pension Fund Advisory Commission.
- \* Authorized the vacation of unneeded right-of-way on Lawyers Road adjacent to the George Hobson property and requested that Mr. Hobson pay the entire cost of the vacation.
- \* Authorized the town manager to spend \$100 for nursery stock for planting in the town right-of-way adjacent to the Hobson property.
- \* Appointed the following people as election officials for the May 3 General Town Election: Constance Wax as chief election official; Martha Price, Mary L. Compton, Oscar M. Davis, Helen B. Davis, Charlotte Brummit, Edwin L. Luck, Evelyn Wilson, Emily Reid, Emerald Giss, Lois C. Holland and Mrs. Ivy Lyle as clerks. Alternates include Ester Papa and Ilene Rollman.
- \* Authorized the mayor to direct a letter to the Fairfax County Board of Supervisors reiterating the Council's desire to see the opening of the Dulles Access Road to commuter traffic and enjoining the Board to enter suit with Vienna for the opening of the road.