



Adopted: 11/20/19

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF ARCHITECTURAL REVIEW
CITY OF FAIRFAX
CITY HALL, FAIRFAX, VIRGINIA
November 6, 2019**

Members Present: Chair Ryan Horner, Vice Chair Marie Cox, Paul Cunningham, Jagdish Pathela, James Schroeder

Member(s) Absent: Robert Kalmin, Robert Beaty

Staff Present: Tommy Scibilia, Planner

Meeting called to order at 7:00 p.m.

1. Discussion of Agenda

MR. CUNNINGHAM MOVED TO ADOPT THE AGENDA AS PRESENTED, SECONDED BY MR. SCHROEDER, WHICH CARRIED UNANIMOUSLY BY VOICE VOTE, 5-0.

2. Presentations by the public on any item not calling for a public hearing

None.

3. Consideration of the meeting minutes of October 16, 2019

MS. COX MOVED TO ADOPT THE MINUTES AS PRESENTED, SECONDED BY MR. SCHROEDER, WHICH CARRIED BY VOICE VOTE, 3-0-2, WITH MR. CUNNINGHAM AND MR. PATELA ABSTAINING.

4. Consideration of the request of Keith Rogers, representative of applicant Motiva Enterprises, LLC, for installation of a vapor combustion unit on a property located at 3800 Pickett Road, case number BAR-19-00708.

Staff presented the staff report, which has been incorporated into the record by reference.

Board, staff, and applicant comments

Mr. Pathela asked if there was any type of EPA approval required for the installation of the VCU and whether the City's architectural review had any overlap with such a review.

Staff deferred to the applicant, but stated that the architectural review would have no overlap with such a review if required.

Mr. Cunningham asked if the VCU would emit smoke or odors.

Mr. Rogers stated that all combustion would take place within the stack, to be ignited by a pilot light, and that no visible gases or detectable odors would be emitted.

Mr. Horner asked whether the proposed color of white was intended to blend in with neighboring structures.

Staff confirmed this.

Mr. Rogers stated that the applicant had decided to locate the VCU in a slightly different location than was originally communicated to staff, and that now it was proposed to be in the location of an existing concrete pad closer to Colonial Avenue. He stated that there was an old VCU in this location that has been removed, and that the existing concrete pad would be removed and replaced with a new one for the new VCU.

Public comments

None.

Mr. Horner called for a motion.

MS. COX MADE A MOTION TO APPROVE THE REQUEST OF KEITH RODGERS, REPRESENTATIVE OF APPLICANT MOTIVA ENTERPRISES, LLC, FOR INSTALLATION OF A VAPOR COMBUSTION UNIT ON A PROPERTY LOCATED AT 3800 PICKETT ROAD, CASE NUMBER BAR-19-00708, WITH THE FOLLOWING CONDITION:

1. The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

SECONDED BY MR. CUNNINGHAM.

Discussion of the motion

None.

Mr. Horner called for a voice vote.

THE MOTION CARRIED UNANIMOUSLY BY VOICE VOTE, 5-0.

5. **Consideration of the request** of Christopher Schmitz, representative of applicant CSS Enterprises, LLC, for repainting of a building on a property located at 9881 Fairfax Boulevard, case number BAR-19-00730.

Staff presented the staff report, which has been incorporated into the record by reference.

Board, staff, and applicant comments

Mr. Pathela asked if signage was part of the considerations of the Board for this application.

Staff stated that signage was not part of this review.

Mr. Cunningham commented that the new dark colors used on the Meineke façade made the existing brick appear lighter.

Mr. Schmitz apologized to the BAR for not having received the required approval prior to painting, stating that had he known he would have gone through the process before proceeding.

Mr. Pathela asked if the changes made to the subject property were consistent with Meineke rebranding efforts nationwide.

Mr. Schmitz confirmed this, and explained that through Meineke's "Project Constitution", franchisees were given the opportunity to update the exterior of their stores within approved Meineke branding parameters, and receive reimbursements. He added that there were certain items in the rebranding arsenal he forwent, such as Meineke yellow gooseneck lighting fixtures and white paint for the columns between the garage doors. He stated that other franchisees he is acquainted with that have installed the gooseneck fixtures have advised against it, because they do not come prefinished in the yellow color by most manufacturers, necessitating field painting and concerns about finish maintenance. He stated that white for use at the garages would quickly become stained from heavy vehicular traffic, and would also present maintenance concerns, which is why he opted for "Tricorn Black" at these locations instead.

Mr. Schmitz stated that the signage and painting contractors he had hired told him they had received all necessary permits to complete the work, and it was not until staff contacted him that he knew he had not received everything he needed to complete the exterior modifications.

Mr. Pathela asked what Meineke's criteria were for selecting the paint.

Mr. Schmitz stated that he was not aware of the specific reasoning for the selection of the paint, but he speculated that it was selected to be long-lasting and durable.

Mr. Pathela asked if all Meinekes operated out of a structure similar to the one from which Mr. Schmitz' operates.

Mr. Schmitz stated that Meinekes across the country operate from a wide variety of spaces.

Mr. Pathela stated that he believed with standardized corporate branding, similar architectural features would be used from location to location.

Mr. Schmitz stated that because of the wide variety of structures out of which Meinekes operate, many being pre-existing structures and not ground-up builds, using common architectural language across all locations was not possible. He stated that “Project Constitution” provided guidelines and preferred treatments that included architectural features, but that not all of them could be used at every location. He stated that for the most part, the signage and color schemes are consistent at all rebranded locations.

Mr. Schmitz stated that Meineke used to be a muffler shop, but has over the years expanded its services. Their neighbor Valvoline has done the same, and so now there is considerable overlap in their range of services, making the need to visually differentiate the two businesses all the more imperative. He stated that although he and his neighbor have a very good relationship, it is still confusing for customers as to which shop is which.

Mr. Cunningham asked whether there was anything the City could do to make businesses more aware of the certificate of appropriateness process.

Mr. Schmitz stated that it would help if painting contractors could somehow be made aware of this requirement in the City of Fairfax. He added that he recently saw a highlight in the City of Fairfax CityScene publication that described this process, which was helpful, although he saw it after the fact.

Staff stated that projects only dealing with paint are challenging to intercept at the staff level, because painting does not require any other types of permits or approvals that could prompt staff to direct contractors and applicants to the certificate of appropriateness process. Staff also noted that the City of Fairfax is one of only a few municipalities in the commonwealth where architectural review is required outside of locally-designated historic districts.

Mr. Schmitz stated that when they were applying for sign permits, the painting work had already been complete, but had staff noticed and said something back then, he would have applied to have this retroactive review done sooner.

Public comments

None.

Mr. Horner called for a motion.

MR. CUNNINGHAM MADE A MOTION TO APPROVE THE REQUEST OF CHRISTOPHER SCHMITZ, REPRESENTATIVE OF APPLICANT CSS ENTERPRISES, LLC, FOR REPAINTING OF A BUILDING ON A PROPERTY LOCATED AT 9881 FAIRFAX BOULEVARD, CASE NUMBER BAR-19-00730, WITH THE FOLLOWING CONDITION:

1. The proposed modifications shall be in general conformance with the review materials received by staff and included in the staff report, as modified through the date of this meeting, except as further modified by the Board of Architectural Review, the Director of Community Development and Planning, Zoning, or the Building Official.

SECONDED BY MR. PATHELA.

Discussion of the motion

None.

Mr. Horner called for a voice vote.

THE MOTION CARRIED UNANIMOUSLY BY VOICE VOTE, 5-0.

6. Staff Report

Staff discussed administrative architectural approvals for minor certificates of appropriateness since the last meeting:

- Point 50 grocery store awnings and storefront – 10360 Fairfax Boulevard
 - Staff also discussed the ongoing enforcement case opened to resolve incorrect architectural features installed during construction of the building.
 - Mr. Horner asked for clarification on how the brick at the secondary entrance was to be stained.
 - Staff stated that the applicant would be providing a sample to review and if it was not close enough to the desired color, the brick would be removed and replaced with the correct brick.
 - Ms. Cox stated that she believed a small test area had already been stained.
- KBR doors – 10579 Fairfax Boulevard
- My Family Wellness landscaping – 10831 Main Street
- Old Town Plaza parking signs – 3940 University Drive

Staff discussed open administrative applications for minor certificates of appropriateness currently under review:

- Anita's drive through, dumpster enclosure, landscaping – 10880 Fairfax Boulevard
- Ground Gaia door and awning – 4002 University Drive
- Rise and Shine fence amendment – 10100 Main Street

Staff discussed previously approved and recently completed projects that received certificates of appropriateness:

- H-Mart awnings – 11200 Fairfax Boulevard
- Citidoors exterior painting – 3220 Old Lee Highway

Staff discussed upcoming BAR meetings and anticipated cases:

- November 20, 2019:
 - 9571 Fairfax Boulevard standalone retail building – Returning with associated land use case following denial by Council in 2018
 - Paul VI redevelopment landscaping and site amenities – 10675 Fairfax Boulevard – Returning as a condition of approval from the land use review in 2018

- Future meetings:
 - Brown's Mazda remodel – 10570 Fairfax Boulevard – Work session anticipated for December 18
 - East Wind painting and partial siding replacement – 10414 Main Street – Hearing date to be determined

Staff asked for Board member availability for upcoming meetings on November 20, December 4, and December 18, 2019.

- Ms. Cox stated that she would be unable to attend the December 18 meeting.

Staff asked Mr. Horner for any updates on the Downtown Visioning Committee:

- Mr. Horner stated that the Downtown Visioning Committee's final meeting would be on Thursday November 7, 2019 at 5:00 p.m. at the Sherwood Center with Cunningham Quill, the consultant selected to create the small area plans for Old Town Fairfax and Northfax Activity Centers as outlined in the 2035 Comprehensive Plan.

7. Closing Board Comments

Mr. Cunningham informed Board members that the Surf Shop had discontinued operations from the building at 3936 Old Lee Highway and had reopened in Courthouse Plaza Shopping Center.

Mr. Cunningham told Board members about upcoming public meetings with Cunningham Quill, the small area plans consultant:

- December 4, 2019: Discussion of the small area plan for the Northfax Activity Center
- December 5, 2019: Discussion of the small area plan for the Northfax Activity Center
- December 12, 2019: Discussion of the small area plan for the Old Town Fairfax Activity Center

8. Adjournment

Meeting adjourned at 7:53 p.m.

ATTEST:
Tommy Scibilia, Secretary

