

MINUTES OF REGULAR MEETING OF  
THE BOARD OF ZONING APPEALS  
CITY OF FAIRFAX  
CITY HALL, FAIRFAX, VIRGINIA  
February 02, 2016

Members Present: John O'Brien Clarke Jr., Chairman  
Ed Calabria  
Robert Matthews  
Gary Perryman

Staff Present: Michelle Coleman, Zoning Administrator,  
Lisa Feibelman, Deputy Zoning Administrator  
Ann Feeherry, Secretary

1. **Call to Order:** Chairman Clarke called the meeting to order.
2. **Opening of the Public Hearing:** Chairman Clarke opened the public hearing at 7:00 p.m. and explained the procedure for the meeting.
3. **Adoption of Agenda:** Approved, 4:0
4. **SU-15110071**

**Request by George Mason University, Peter Rosen, Agent, pursuant to City Code Section 110-782(b)(1), for renewal of a special use permit to allow a school of general instruction in the C-2 (Retail Commercial) and Old Town Fairfax Transition Overlay Districts on the property located at 3950 University Drive in the downtown mixed-use project known as Old Town Plaza and formerly known as Old Town Village and more particularly described as Tax Map Parcel 57-2-((43))-B1-104.**

Lisa Feibelman, Deputy Zoning Administrator, presented the staff report which is incorporated into the record by reference. She stated the applicant is requesting a two year renewal of a special use permit which was originally approved with a five year condition in 2011. She stated there have not been any parking complaints at the business location.

Mr. Clarke stated that the original special use permit included the five year condition contingent on the completion of a more permanent building which is currently under construction. He suggested the condition be extended from two years to three years in order to accommodate the applicants projected completion date and to avoid any additional applicant expenses.

Mr. Clarke asked the applicant if they have any objections to extending the application to three years rather than the two years requested.

Mr. Rosen, agent, spoke on behalf of the university. He stated he had no objection with extending the application to a three year condition. He thanked staff for their assistance in this special use case.

There were no additional questions for the applicant from the Board members.

### **Discussion**

Mr. Matthews stated he would have no objections if the applicant, George Mason University occupied the space for five more years or even permanently to allow more flexibility.

Mr. Perryman stated that the building is currently half empty and expressed his concern that additional tenants could create parking restraints. He stated there is an inconsistent fluctuation of tenants at the business location.

Mr. Clarke stated that parking restraints would be a concern for incoming tenants, not existing tenants. Chairman Clarke stated that he still proposes approval with a three year condition.

Mr. Matthews made the motion for approval as amended.

Mr. Calabria seconded.

Motion approved 3:1, with Mr. Perryman voting against the motion to approve.

### **5. Consideration of May 5, 2015 Meeting Minutes**

Due to staff constraints, the meeting minutes are not available for approval tonight. The board deferred approval of the May 5, 2015 meeting minutes to the next regular scheduled meeting date.

### **6. Consideration of February 3, 2015 Meeting Minutes**

Due to staff constraints, the meeting minutes are not available for approval tonight. The board deferred approval of the February 3, 2015 meeting minutes to the next regular scheduled meeting date.

**7. Reconsideration of November 4, 2014 Meeting Minutes**

Due to staff constraints, the meeting minutes are not available for approval tonight. The board deferred approval of the November 4, 2014 meeting minutes to the next regular scheduled meeting date.

**8. Consideration of the 2015 Draft Annual Report**

Mr. Matthews made the motion to approve the annual report. Motion was seconded by Mr. Perryman. Motion was approved 4:0.

Approved 4:0.

**9. Election of Chairperson, Vice-Chairperson and Secretary**

Mr. Clarke Jr. was elected as Chairman, Mr. Edward Calabria was elected as Vice Chairman, and Ms. Ann Feeherry was elected as Secretary to the Board of Zoning Appeals.

10. **Staff Comments** - General Discussion

11. **Board Comments** - General Discussion

12. **Adjournment** - Meeting adjourned 7:43 pm

ATTEST:

***Annie Feeherry***

Annie Feeherry, Secretary