



Town of Vienna

127 Center Street South
Vienna, Virginia 22180
p: 703.255.6341
TTY 7111

Meeting Agenda Planning Commission

Wednesday, May 13, 2026

7:30 PM

Charles Robinson Jr. Town Hall, 127 Center St.
South

Roll Call

Communication from Citizens and/or Commissioners

Public Hearings - None

Regular Business

1. [PC26-299](#) Recommendation to Board of Zoning Appeals for a Conditional Use Permit for Modifications to an Existing Drive-Through Facility for the McDonald's Restaurant Located at 544 Maple Avenue West, in the AW Avenue West zone.

Attachments:

- [01 - Staff Report - 544 Maple Ave W - CUP Drive Thru](#)
- [02 - McDonalds - 544 Maple Ave W - Application and Authorization](#)
- [03 - McDonalds - 544 Maple Ave W - Applicant CUP Narrative](#)
- [04 - McDonalds - CUP Site Plan](#)
- [05 - 544 Maple Ave. W - CO - 8.2011](#)
- [06 - McDonalds - 544 Maple Ave W - Site Photos](#)
- [07 - Relevant Regulations](#)
- [08 - Public Notification Affidavit - 544 Maple Ave W](#)
- [09 - Staff Presentation - 544 Maple Ave W - McDonalds](#)

2. [PC26-300](#) Recommendation to Board of Zoning Appeals for a Conditional Use Permit for Specialized Instruction at 421 Church Street NE for New York School of Arts.

Attachments:

- [01 - Staff Report - 421 Church St NE Unit G - CUP Specialized Instruction](#)
- [02 - Application and Applicant Authorization Form](#)
- [03 - Applicant CUP Narrative](#)
- [04 - CUP Site Plan](#)
- [05 - CUP Floor Plan](#)
- [06 - Relevant Regulations](#)
- [07 - Notification Affidavit](#)
- [08 - Staff Presentation](#)

3. [PC26-298](#) Recommendation to the Town Council for Planning Commission Member of the Windover Heights Board of Review

Attachments: [01 - Sec 18-237 - Windover Heights Historic Overlay \(WH-O\)](#)
[02 - Sec 18-818 - Windover Heights Board of Review](#)

Planning Director Comments

Approval of the Minutes:

[26-5595](#) Acceptance of Meeting Minutes

Attachments: [PC - February 25, 2026 Draft Meeting Minutes](#)
[PC - March 11, 2026 - Draft Meeting Minutes](#)

Meeting Adjournment

THE TOWN OF VIENNA IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (703) 255-6304, OR 711 VIRGINIA RELAY SERVICE FOR THE HEARING IMPAIRED.



Agenda Item Report

File #: PC26-299, **Version:** 1

Subject:

Recommendation to Board of Zoning Appeals for a Conditional Use Permit for Modifications to an Existing Drive-Through Facility for the McDonald's Restaurant Located at 544 Maple Avenue West, in the AW Avenue West zone.

The applicant, Evan Pritchard of Wire Gill LLP, on behalf of McDonald's USA, LLC, has submitted an application for a Conditional Use Permit (CUP) pursuant to Sections 18-304 (Accessory Uses Table) and 18-323 (Drive-Through Facilities) of the Town of Vienna Zoning and Subdivision Ordinance to modify the existing drive-through facility at 544 Maple Avenue West.

The proposed modification includes the addition of a second drive-through ordering lane. Customers would place orders at one of two menu boards before merging into a single lane for payment and pickup. The modification is intended to improve on-site circulation and reduce vehicle stacking.

The second drive-through lane would be located approximately 65 feet from the nearest residentially zoned property. In accordance with Section 18-323(9)(A), the second lane and associated speaker would not be utilized after 10:00 p.m., and the menu board would be turned off during those hours.

Attachment 1 is the Staff Memorandum, which provides details on the application, operational characteristics, and proposed conditions. Additional attachments, as described in Attachment 1, provide supporting materials for the request.

The Planning Commission's role is to make a recommendation to the Board of Zoning Appeals regarding the proposed Conditional Use Permit.

PROPOSED/SUGGESTED MOTION

"I move to recommend approval to the Board of Zoning Appeals for a conditional use permit for a drive-through facility as an accessory use at 544 Maple Ave W, in the AW Avenue West zoning district, described as tax map parcel 0383 02 0152."

OR

"I move to recommend approval to the Board of Zoning Appeals for a conditional use permit for a drive-through facility as an accessory use at 544 Maple Ave W, in the AW Avenue West zoning district, described as tax map parcel 0383 02 0152, with the following conditions:"

(Planning Commissioners state conditions of approval individually).

OR

"I move to recommend denial to the Board of Zoning Appeals for a conditional use permit for a drive-through facility as an accessory use at 544 Maple Ave W, in the AW Avenue West zoning district, described as tax map parcel 0383 02 0152."

OR

Other action deemed necessary by the Planning Commission.



STAFF REPORT COVER SHEET

May 13, 2026

ATTACHMENT 01

Address:	544 Maple Ave W	Case Number:	PF-1644683
Meeting Date:	5/13/2026	Applicant:	Evan Pritchard of Wire Gill LLP
Board/Commission:	Planning Commission	Owners:	McDonald's USA, LLC
Existing Zoning:	AW Avenue West	Existing Land Use:	Commercial
Brief Summary of Request:	Recommendation to Board of Zoning Appeals for a conditional use permit for expansion of drive-through facilities		
Site Improvements:	Proposed improvements to the property with this application include removal of rear parking spaces to accommodate second drive-through lane, reconfiguration of front entrance and parking space, and replacement and installation of menu and speaker equipment.		
Size of Property:	39,622 square feet / 0.91 acres		
Public Notice Requirements:	<ul style="list-style-type: none"> • Advertisement for two successive weeks of meeting in a newspaper having paid general circulation in the Town prior to Board of Zoning Appeals meeting. • Letters were sent on May 7, 2026, to adjacent, abutting and immediately-across-the-street property owners/agents/occupants and subject property owners notifying them of the Planning Commission meeting. • A certified letter was sent to Fairfax County on April 30, 2026. • One sign was posted in front of the lot along Maple Ave W on April 22, 2026, with the date of Planning Commission meeting and Board of Zoning Appeals hearing. 		
Official Submission Date of Approval:	On April 21, 2026, the application was deemed by staff to be complete.		
Deadline for Action:	The BZA should take action by July 21, 2026, which is 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 property, located at 544 Maple Avenue West, has been developed as a McDonald's restaurant since its original construction in 1967. The one-story commercial building, constructed of brick and cinder block with glass and brick exterior walls, contains approximately 3,579 square feet of gross floor area on a 0.91-acre parcel. The site has long operated as a fast-food restaurant with carry-out and seating. Ownership has remained under McDonald's Corporation, and the site has functioned as an established commercial use along the Maple Avenue corridor for several decades.</p>			
COMPATIBILITY WITH THE COMPREHENSIVE PLAN			
<p>The subject property is located along the Maple Avenue Commercial Corridor, which the Comprehensive Plan identifies as the Town's principal commercial corridor intended to support a mix of retail, office, and service uses (and residences in a mixed-use context) that serve both residents and the broader community. The continued use of the site as a fast-food restaurant is consistent with the Plan's guidance to maintain a vibrant commercial base and support established businesses along Maple Avenue.</p>			

Planning & Zoning Staff Report to the Planning Commission
Meeting of May 13, 2026 - 544 Maple Ave W - McDonalds
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The proposed improvements do not expand the building footprint or introduce a new use but instead are intended to enhance the efficiency of an existing use, which aligns with the Plan’s objective of encouraging reinvestment and modernization of older commercial properties. Additionally, improvements to internal circulation and reduction of vehicle queuing support broader transportation goals related to maintaining safe and efficient traffic operations along Maple Avenue.

COMPATIBILITY WITH THE ZONING ORDINANCE

The subject property is zoned Avenue West (AW). The existing restaurant use is permitted by right in this zoning district and operates under an approved Certificate of Occupancy establishing a maximum of 95 seats. The existing drive-through facility predates the current requirement for a Conditional Use Permit (CUP) and is therefore considered a legal nonconforming accessory use. The proposed application does not alter the principal use or approved seating capacity, but instead expands the existing drive-through operation, which is subject to CUP approval under the current Zoning Ordinance. Although the proposed modifications reduce the number of on-site parking spaces, the site will continue to meet the minimum parking requirements of the Zoning Ordinance based on the approved seating capacity.

Attachments:	01 – Staff Report 02 – Application and Authorization 03 - CUP Narrative 04 – CUP Site Plan	05 – Current Certificate of Occupancy 06 – Existing Site Photos taken by Town Staff 07 – Relevant Regulations 08 – Public Notification Affidavit 09 – Staff Presentation
Author:	Kelly O’Brien, AICP, Deputy Director of Planning and Zoning	

Introduction

The applicant is Evan Pritchard of Wire Gill LLP, on behalf of McDonald’s USA, LLC, who has submitted an application for a Conditional Use Permit (CUP) pursuant to Sections 18-304 (Accessory Uses Table) and 18-323 (Drive-Through Facilities) of the Town of Vienna Zoning and Subdivision Ordinance. The request is to modify the existing drive-through facility at the McDonald’s restaurant located at 544 Maple Avenue West, in the AW (Area West Commercial) zoning district.

The Planning Commission’s role is to review the application and provide a recommendation to the Board of Zoning Appeals, which will make the final decision on the request.

Background

The subject property is located at 544 Maple Avenue West and is developed with an existing McDonald’s restaurant. According to Fairfax County records, the building was constructed in 1967 and is a one-story structure containing approximately 3,579 square feet of gross floor area. The property is approximately 0.91 acres in size and is located along the Maple Avenue commercial corridor, in the AW Avenue West zoning district. The site is surrounded by a mix of commercial and residential uses, including adjacent commercial properties and a nearby townhouse development to the rear.

The site has been subject to prior approvals, including modifications to parking requirements and setback standards, resulting in the existing site configuration. These conditions reflect the long-standing configuration of the site and are not proposed to be modified as part of the current application. A Certificate of Occupancy issued on August 25, 2011, permits the operation of a restaurant use at this location, with a total of 95 seats allowed. The existing drive-through facility is a long-established component of the site and operates as an accessory use to the restaurant.

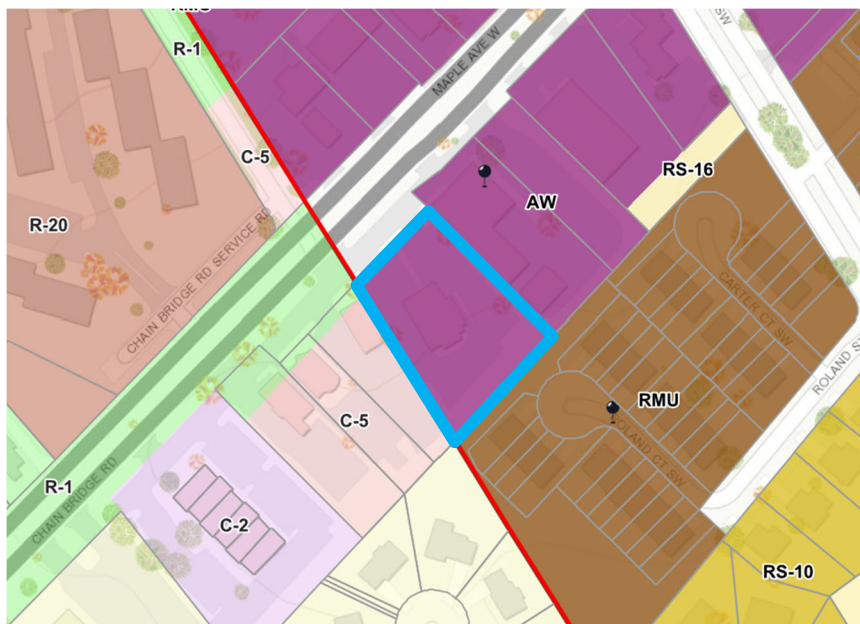


Figure 1 - Zoning map with 544 Maple Ave W identified with a blue boundary.

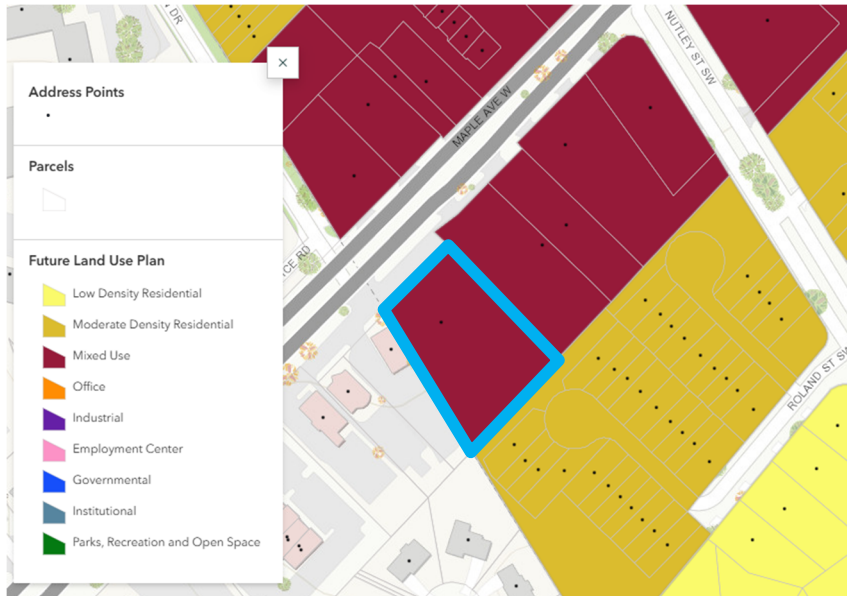


Figure 2 – Future Land Use Plan with 544 Maple Ave W identified with blue boundary.

As shown in Figure 2, the Future Land Use Map of the Town of Vienna Comprehensive Plan designates the subject property (outlined in blue) as **Mixed Use**. This designation supports a range of commercial and service-oriented uses along the Maple Avenue corridor.

Proposal

The applicant proposes to modify the existing drive-through facility to include a dual-lane ordering system. Under the proposed configuration, customers would place orders at one of two menu boards before merging into a single lane for payment and pickup. The proposed improvements are intended to enhance internal site circulation and reduce vehicle stacking associated with the existing drive-through operation.

No expansion of the building footprint, increase in seating capacity, or change in the principal use is proposed. Vehicular access to the site will remain unchanged, and no modifications to external access points are proposed.

The second drive-through lane is proposed to be located approximately 65 feet from the nearest residentially zoned property. In accordance with Section 18-323(9)(A) of the Town Code, the second lane and associated speaker will not be utilized after 10:00 p.m., and the menu board will be turned off during those hours.

Staff Analysis

The request does not involve an expansion of the building footprint, an increase in seating capacity, or a change in the principal use of the site. Instead, the proposal is focused on improving the efficiency of an existing, long-established restaurant use by modifying the existing drive-through operation.

Traffic and Circulation

The primary consideration for this request is the impact on site circulation and potential vehicle stacking. The Department of Public Works (DPW) has reviewed the proposed site plan and Conditional Use Permit narrative and has indicated that it does not have concerns with the proposed improvement. As noted in the applicant's narrative, the proposed dual-lane ordering

configuration is not expected to generate a notable increase in trips to the site but is designed to improve internal circulation and reduce vehicle stacking associated with the existing drive-through operation. DPW concurs with this assessment.

The site currently accommodates drive-through traffic within the existing circulation system. The proposed modification is designed to improve vehicle processing by allowing customers to order from two menu boards before merging into a single lane for payment and pickup. Based on the materials submitted, the proposed changes are expected to reduce queue lengths and improve the site's ability to manage peak demand without impacting adjacent roadways.

The submitted site plan identifies the restaurant as containing 60 seats and 36 parking spaces remaining after the proposed site changes for the drive through lane. Staff has confirmed that the restaurant currently operates with approximately 92 seats and an approved maximum seating capacity of 95 seats under the existing Certificate of Occupancy.

The proposed site changes would result in a total of 32 parking spaces on-site. Based on the maximum approved seating capacity, the site would continue to meet the minimum parking requirements of the Zoning Ordinance.

Staff also discussed loading operations with restaurant staff on site and confirmed the proposed changes to the drive through aisle would not impact loading practices.

Compatibility with Surrounding Uses

The property is located along the Maple Avenue commercial corridor and is surrounded by a mix of commercial and residential uses, including a nearby townhouse development to the rear of the site.

The proposal includes installation of a second menu board and speaker associated with the addition of a second drive-through ordering lane, as well as replacement and updating of existing drive-through ordering equipment. The proposed second drive-through lane is located approximately 65 feet from the nearest residentially zoned property. While the additional speaker and illuminated menu board may introduce some incremental noise and lighting impacts, those impacts are expected to be limited due to the operational restrictions. In accordance with Section 18-323(9)(A) of the Town Code, the second lane and associated speaker will not be utilized after 10:00 p.m., and the menu board will be turned off during those hours. These operational limitations are intended to minimize potential noise and activity impacts during late evening hours and support compatibility with adjacent residential properties.

Drive-through facilities with menu boards and speaker systems are an existing feature of commercial development along the Maple Avenue corridor. The proposal does not expand the building footprint or introduce a new use, but rather modifies the operation of an existing use to improve efficiency. As such, the overall character of the site and its relationship to surrounding properties is not significantly altered. The proposal does not expand the building footprint or introduce a new use but rather modifies the operation of an existing use to improve efficiency. As such, the overall character of the site and its relationship to surrounding properties is not significantly altered.

Operational Characteristics

The applicant proposes to continue operating the restaurant 24 hours per day, seven days per week, with approximately 12 employees per shift. The proposed modification does not change the nature of the use but adjusts how the drive-through component functions.

The applicant has indicated that no increase in noise levels is anticipated and that updated speaker equipment replacing what currently exists and the new unit to be added are designed to limit impacts on adjacent properties. Additionally, the applicant has provided information regarding litter control, waste management, and air quality, noting that no adverse impacts are expected.

Compliance with Conditional Use Permit Criteria

Pursuant to Section 18-824 of the Town Code, a Conditional Use Permit is required for uses identified as conditional within the Zoning Ordinance. The Board of Zoning Appeals may approve a CUP if the proposed use:

- Will not adversely affect the health or safety of persons residing or working in the neighborhood;
- Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood;
- Will be in accordance with the purposes of the Comprehensive Plan; and
- Meets the applicable use-specific standards outlined in Article 3.

The proposed modification to the drive-through facility is evaluated under Section 18-323 (Drive-Through Facilities), which establishes standards related to location, design, hours of operation, and potential impacts such as traffic, noise, and compatibility with surrounding uses.

Based on the information provided, the proposed modification is designed to improve internal circulation and reduce vehicle stacking without increasing the overall intensity of the use. Staff finds that the request is generally consistent with the applicable criteria for approval of a Conditional Use Permit.

Consistency with the Comprehensive Plan

The subject property is located within the Maple Avenue commercial corridor and is designated as Mixed Use in the Comprehensive Plan. This designation supports commercial and service-oriented uses in a corridor setting.

The proposed modification improves the functionality of an existing use by enhancing on-site circulation and reducing vehicle stacking. The proposal does not expand the building footprint or introduce a new use and maintains compatibility with adjacent properties through operational limitations, including the closure of the second drive-through lane after 10:00 p.m. The proposal refines the operation of an existing use rather than intensifying it.

Overall, the proposed improvements are intended to address existing operational constraints of the site while maintaining compatibility with surrounding uses. Based on these factors, staff finds the request to be consistent with the Comprehensive Plan.

Based on the analysis above, staff finds that the proposed modification satisfies the criteria for approval of a Conditional Use Permit as outlined in Section 18-824 of the Town Code.

Required Commission/Board Approvals

The process for review and approval or denial of an application for a Conditional Use Permit (CUP) is outlined in Section 18-824 of the Town Code.

After initial staff review, the Planning Commission reviews the application in order to make a recommendation to the Board of Zoning Appeals, per Section 18-824.6.D. The Board of Zoning Appeals, per Section 18-824.6.E., reviews the application, along with the Planning Commission recommendation and public testimony, and makes the final decision. The Board may also impose conditions as it deems necessary.



TOWN OF
VIENNA
since 1890

Conditional Use Permit

GeoCivix, LLC

9420 E. Golf Links Rd. Suite 108, #296 |
Tucson, AZ 85730

P: 520 319-0988 | E: (520) 319-1430 | E:
jace.coleman@geocivix.com

Project Overview

#1644683

Project Title: 544 Maple Ave W - CUP -
McDonalds Drive-Thru Lane Expansion

Application Type: Conditional Use Permit

Workflow: 2. Staff Review

Jurisdiction: Town of Vienna

State: VA

County: Fairfax

Project Contacts

Contact Information: Applicant

Evan Pritchard
Wire Gill LLP
700 N. Fairfax St., Suite 600
Alexandria, VA 22314
[REDACTED]
[REDACTED]

Contact Information: Owner

Michele Miller
McDonald's USA, LLC
110 N. Carpenter St.
Chicago, IL 60607
[REDACTED]
[REDACTED]

Indicate which of the following additional project contacts are to be included on project correspondences.: None of the Above

Project Address

Project Address: 544 MAPLE AVE W

Parcel (PIN): Address/Parcel

- 544 MAPLE AVE W: 0383 02 0152

Current Zoning: Address/Parcel

- 544 MAPLE AVE W: C-1

Suite:

Town Limits: Address/Parcel

- 544 MAPLE AVE W: IN TOWN OF VIENNA

Project Description

Project Description:

Addition of second drive-through lane.

Trade Name of Business (DBA): McDonald's

Type of Conditional Use Requested: Drive-through facility

Business Hours: 24 hours/7 days per week

Number of Proposed Employees: 12

Project Narrative:

According to Fairfax County records, the McDonalds restaurant located at 544 Maple Avenue West was constructed in 1967. The building is one story and has a gross floor area of approximately 3,579 square feet.

To improve operational efficiency and better serve our customers, McDonalds proposes to create a dual-lane ordering system.

Customers would order at either of the two menu boards then merge back into one lane to pay and pick up their order. This setup has substantially reduced wait times and stacking at locations where its been implemented. It is also an appropriate response to the fact that the majority of our customers use the drive-through rather than dine onsite.

The second proposed drive-through lane will be approximately sixty-five (65) feet from the neighboring residentially zoned property. However, that drive-through lane will be closed after 10 p.m. in compliance with Section 18-323(9)(A) of the Vienna Zoning Ordinance. The menu boards will also be turned off at that time.

Additional information regarding the application is set forth below:

- i. Type of product/service: fast food restaurant.
- ii. Proposed hours and staffing: 24 hours, 7 days per week; approximately 12 employees per shift.
- iii. Plans for control of litter and the disposal and recycling of waste material: as is currently done, employees will ensure that trash cans are regularly emptied and that the site is maintained free of litter; trash will be placed in on-site, screened dumpster and regularly emptied, along with recyclable materials.

Are you amending an existing conditional use permit?: No

- iv. Effects on air quality at the site and in adjacent areas: no negative impacts on air quality have historically been produced on-site or are anticipated to occur in the future.
- v. Estimates of sound levels: no increase in sound levels is anticipated; new speaker equipment is designed to limit impacts on neighboring properties; as mentioned above, the newly proposed drive-through lane and associated speaker will not be utilized after 10 p.m.



Department of Planning and Zoning

Town of Vienna, Virginia

127 Center Street S

Vienna, Virginia 22180

Phone: 703-255-6341 | Email: DPZ@viennava.gov

Hours: Monday – Friday, 8:00 am - 4:30 pm

APPLICANT AUTHORIZATION FORM

I hereby certify that I am the property owner or I have authority of the property owner to make this application, that the information is complete, and that if a permit or certificate is issued, the construction and/or use will conform to the zoning ordinance and other applicable laws and regulations including private building restrictions, if any, which relate to the property. This form must be submitted prior to issuance of any permit or certificate.

I understand that the permits or certificates obtained pursuant to this permit authorization form will be in my name. I accept full responsibility for the work performed.

Check one box below:



I am the property owner



I am an applicant who has the authority of the property owner (owner will still need to sign)

Description of permits or certificates being applied for:

Conditional use permit to add a second drive-through lane at the existing McDonald's restaurant

at the following address: 544 Maple Avenue West.

Applicant Name (fill out if owner is not applicant): _____

Signature of Applicant: _____ Date: _____

Property Owner's Name: McDonald's Corp

Signature of Property Owner: *Fachri D. Yellen* Date: *03/04/2025*
Area Construction Manager

McDONALD'S CORPORATION
CERTIFICATE OF ASSISTANT SECRETARY

I, Angela K. Steele, an officer of McDonald's Corporation, a corporation organized under the laws of the State of Delaware (the "Company"), certify as follows, as of the date hereof:

1. I am the duly appointed, qualified and acting Corporate Senior Vice President, U.S. General Counsel and Assistant Secretary of the Company;
2. The Board of Directors of the Company duly adopted the McDonald's Corporation Corporate Governance Policy Regarding Authorizations, as amended, on May 24, 2018 (the "Authorization Policy"), that authorized the Chief Executive Officer to delegate signature authority for documents required in connection with real estate matters and construction projects to appropriate officers and employees of the Company, as part of the day-to-day operation of the business; and
3. Attached as Exhibit A is a true, complete and correct copy of the CEO Authorization of Signature Authority for Real Estate Matters, approved and executed by Christopher J. Kempczinski, President and Chief Executive Officer of the Company, on January 27, 2022, pursuant to the Authorization Policy. The Authorization Policy and the CEO Authorization of Signature Authority for Real Estate Matters have not been amended, modified, or rescinded in any way and remain in full force and effect.
4. Attached as Exhibit B is a true, complete and correct copy of the CEO Authorization of Signature Authority for U.S. Construction Projects, approved and executed by Christopher J. Kempczinski, President and Chief Executive Officer of the Company, on January 27, 2022, pursuant to the Authorization Policy. The Authorization Policy and the CEO Authorization of Signature Authority for U.S. Construction Projects have not been amended, modified, or rescinded in any way and remain in full force and effect.
5. That the individuals named on Exhibit C, attached, hold the title set forth opposite their names.

IN WITNESS WHEREOF, I have hereunto set my hand on this 19th day of January, 2023.



Angela K. Steele
Corporate Senior Vice President, U.S. General
Counsel and Assistant Secretary

EXHIBIT A

McDonald's Corporation CEO Authorization of Signature Authority for Real Estate Matters

Pursuant to the authority granted to the Chief Executive Officer under the McDonald's Corporation (the "Company") Corporate Governance Policy Regarding Authorizations, as amended, which was approved by resolution of the Board of Directors on May 24, 2018, I authorize any of Robert T. Lancaster, Denise A. Horne, Desiree Ralls-Morrison, David Bartlett, Michael T. Cieplak, Angela K. Steele, Savan N. Vaghani and Sarah K. Lee, all of whom are officers of the Company or McDonald's USA, LLC ("McD USA"), and any attorney employed by the Company who holds the title of Managing Counsel or Senior Counsel and practicing in the U.S. Legal Practice Group, to execute for and on behalf of the Company, contracts, leases, agreements, deeds, guarantees, mortgages, promissory notes and other documents relating to the purchase, sale, lease or transfer of the real property of the Company (including, but not limited to, beneficial interests in land trusts) and to perform all such acts and to execute such additional documents (including, but not limited to, easements, licenses, memoranda of lease and non-disturbance agreements, powers of attorney or contracts and documents associated with the due diligence and investigation of a site) as may be necessary or appropriate in connection with such transactions.

I further authorize any of the above signatories and any attorney employed by the Company or McD USA who holds the title of Counsel and practicing in the U.S. Legal Practice Group, to execute documents that are ancillary to real estate transactions but which do not convey any interest in real estate (including, but not limited to, memoranda of lease and non-disturbance agreements).

I further authorize each Senior Development Director of McD USA to execute, in the name of and on behalf of the Company, miscellaneous contracts and purchase orders associated with the due diligence and investigation of a site pursuant to a real estate transaction entered into by the Company (including, but not limited to, contracts or purchase orders for sales analysis, soil borings or survey work) up to a limit of One Million Four Hundred Thousand Dollars (\$1,400,000) per project.

I further authorize each Lead Development Director of McD USA and each U.S. Field Execution Development Director of McD USA to execute, in the name of and on behalf of the Company, miscellaneous contracts and purchase orders associated with the due diligence and investigation of a site pursuant to a real estate transaction entered into by the Company in his or her respective geographic area of responsibility (including, but not limited to, contracts or purchase orders for sales analysis, soil borings or survey work) up to a limit of Six Hundred Dollars (\$600,000.00) per occurrence not to exceed Eight Hundred Thousand Dollars (\$800,000.00) per project.

I further authorize each of the following persons who hold the positions as set forth below, to execute miscellaneous contracts and purchase orders associated with the due diligence and investigation of a site pursuant to a real estate transaction entered into by the Company in his or her respective geographic area of responsibility, up to the limits per such project as set forth below:

U.S. Field Execution Construction Manager up to \$50,000.00.

I further authorize any of the above signatories for real estate matters, any Assistant Secretary and any Assistant Treasurer of the Company and any attorney holding the title of Counsel and practicing in the U.S. Legal Practice Group, to attest to the signatures on any documents that have been executed pursuant to the foregoing authorizations (except that no individual may attest to his or her own signature).

The above authorizations supersede and replace the Authorization of Signature Authority for real estate documents, approved and executed by the President and Chief Executive Officer of the Company on June 22, 2021, and all actions taken by the persons duly authorized therein and in conformity therewith are in all respects confirmed, adopted and ratified as the valid and subsisting acts of this Company, having full force and effect from and after the dates thereof.

Effective as of January 27, 2022.

I direct that Jeffrey J. Pochowicz, Corporate Assistant Secretary, file this delegation of authority with the corporate records of the Company.

/s/ Christopher J. Kempczinski
Christopher J. Kempczinski
President and Chief Executive Officer

EXHIBIT B

McDonald's Corporation CEO Authorization of Signature Authority for U.S. Construction Projects

Pursuant to the authority granted to the Chief Executive Officer under the McDonald's Corporation (the "Company") Corporate Governance Policy Regarding Authorizations, as amended, which was approved by resolution of the Board of Directors on May 24, 2018, I authorize any of Robert T. Lancaster, Denise A. Horne, Desiree Ralls-Morrison, David Bartlett, Michael T. Cieplak, Angela K. Steele, Savan N. Vaghani and Sarah K. Lee, all of whom are officers of the Company or McDonald's USA, LLC ("McD USA"); Maximiliano Carmona, Senior Construction Director of McD USA; Joseph Collins, Senior Construction Director of McD USA; and any attorney employed by the Company who holds the title of Managing Counsel or Senior Counsel and practicing in the U.S. Legal Practice Group, to execute for and on behalf of the Company, such agreements, documents, certificates and all other instruments as may be necessary or appropriate in connection with construction projects undertaken by the Company.

I further authorize each Senior Development Director of McD USA to execute in the name of and on behalf of the Company such agreements, documents, certificates and all other instruments as may be necessary or appropriate in connection with construction projects undertaken by the Company in his or her respective geographic area of responsibility, up to a limit of One Million Four Hundred Thousand Dollars (\$1,400,000) per construction project.

I further authorize each Lead Development Director and each U.S. Field Execution Development Director of McD USA to execute in the name of and on behalf of the Company such agreements, documents, certificates and all other instruments as may be necessary or appropriate in connection with construction projects undertaken by the Company in his or her respective geographic area of responsibility, up to a limit of Six Hundred Thousand Dollars (\$600,000.00) per occurrence not to exceed Eight Hundred Thousand Dollars (\$800,000.00) per project.

I further authorize each U.S. Field Execution Construction Manager of McD USA to execute in the name of and on behalf of the Company such agreements, documents, certificates and all other instruments as may be necessary or appropriate in connection with construction projects undertaken by the Company in his or her respective geographic area of responsibility, up to a limit of Fifty Thousand Dollars (\$50,000) per occurrence not to exceed Three Hundred Thousand Dollars (\$300,000) per project.

I further authorize any of the above signatories for U.S. construction matters; any Assistant Secretary and any Assistant Treasurer of the Company; and any attorney holding the title of Counsel and practicing in the U.S. Legal Practice Group, to attest to the signatures on any documents that have been executed pursuant to the foregoing resolutions (except that no individual may attest to his or her own signature).

I further authorize any of the above signatories for U.S. construction matters to also sign governmental permit and zoning applications and forms for construction projects undertaken by the Company in his or her respective geographical area of responsibility.

I further authorize each Area Construction Manager of McD USA to also sign governmental permit and zoning applications and forms for construction projects undertaken by the Company in his or her respective geographical area of responsibility provided, however, that the authority granted to the Area Construction Manager will not apply to permits, applications or forms that include indemnity provisions, provisions that bind the Company to future obligations or that take away any of the Company's existing rights.

The above authorizations supersede and replace the Authorization of Signature Authority for documents required in connection with construction projects undertaken by the Company, approved and executed by the President and Chief Executive Officer of the Company on June 22, 2021, and all actions taken by the persons duly authorized therein and in conformity therewith are in all respects confirmed, adopted and ratified as the valid and subsisting acts of this Company, having full force and effect from and after the dates thereof.

Effective as of January 27, 2022.

I direct that Jeffrey J. Pochowicz, Corporate Assistant Secretary, file this delegation of authority with the corporate records of the Company.

/s/ Christopher J. Kempczinski
Christopher J. Kempczinski
President and Chief Executive Officer

EXHIBIT C

McDonald's Corporation
Authorized signatories for Real Estate Development,
Construction and Employee Relocation Matters

Officers of McDonald's USA, LLC:

Desiree Ralls-Morrison, Executive Vice President, General Counsel and Secretary
 Angela K. Steele-Vice President, US General Counsel and Assistant Secretary
 Sarah K. Lee – Assistant Secretary
 Savan N. Vaghani – Assistant Secretary

Managing Counsel of McDonald's Corporation:

Krystin Hernandez
 Sarah K. Lee
 Savan N. Vaghani

Senior Counsel of McDonald's Corporation:

Jennifer L. Cohn
 Rebekah S. Czerwionka
 Diedre S. Dunn
 Stephanie S. Hipp
 Kevin Hyde
 Bryan K. Maguire
 Daniel Marks
 Robert J. McCormack
 Mark A. Meister
 Padraic G. Molloy
 Bruce A. Neumann
 Wendy T. Newkirk
 Thomas R. Pickett
 Brian T. Sheedy
 Timothy J. Slattery
 Jacob M. Steinfink
 Shilpa M. Upadhye
 Shilpi V. Upadhyaya
 Tony P. Valevicius

Senior Development Directors of McDonald's USA, LLC:

John R. Wendel
 Bruce Crown

Lead Development Directors of McDonald's USA, LLC:

John D'Anna

US Field Development Officers of McDonald's USA, LLC:

Keith Romine
Helen Singer
Victoria Seward
Jimmy Lopez
Cynthia Talkovic
Mark Hertel
Vivian Valdivia
Joseph Diozzi
Asa Mayo
Antwan Smith

US Field Execution Construction Managers of McDonald's USA, LLC:

Keith Botkin
Kevin McAuley
Adam Brandenburg
Tim Crowder
Dan Gross
Robin King
Chris Stamps
Dawn Bourseau
Andy Vitale
Tim Chess
Gregg Protch
Gary Zonitch
Yasemin Sarier
Tessa Bernstein
Lee Morris
Jorge Martinez
Jack Wegler
Kurtis Demarse
Armen Parker
Derek Moskal

US Field Area Construction Managers of McDonald's USA, LLC:

Greg Carleton
Daryl Groet
Greg Chapman
Edgar Ortiz
Alibia de Vente
Jason Sawall
Keisha Smith
Rosangela Demello
Steve Kellett

Tammy Kahm
Brian Reeder
Eileen Seeburger
Leo Van Buuren
Joe Coconato
Steve Rizzo
Chris Stepp
John Lorentzen
Joseph Minorik
John Taylor
Jason Ramsey
Sharon Sills
Larry Drake
Sean Kennedy
Michele Miller
Eric Wagner
Damaris Walton
Dan Mayo
Belinda Dartley
Kim Vukov
Tanya Momchev
Patrick Piehl
Andy Lee
Regina Killebrew
Jose Ramirez
Kortney Pedigo
Lyndsey Denny
Rowdy Durham
Trevor Prophet
Chuck Morgan
Charlie Miller
Carter Mann
Mike Riendeau
Lincoln Ludwig
Scott Audsley
Eddie Nunez
Carlos Madrigal
Christine Cho
Jason Wilner
Scott Wilkeson
Lonnie Smith
Reggie Anderson
John Hyder
Alex Breeden
Bob Keesaer
Becky Jansen
Amy Switzer
Debra Lyster
Mike Crowley

Kyle Bourgeois
 Brian Smallwood
 Curt Hobbs
 Robert Yagusesky
 Deanna Uecker
 Drew Sanchez
 Amanda Goodie
 Nancy Malone

National Construction COE:

Joe Collins, Sr. Director
 Ben Aguirre, Development Director
 Lynn Misiaszek, Development Director
 Alison Brickett, Construction Manager
 Kevin Reed, Construction Manager

Employees of McDonald's Corporation authorized to execute miscellaneous documents that are ancillary to employee relocation residential real estate transactions (including, but not limited to, Company Offer Agreements ("GBOs") and Listing Agreements:

Brian Madine, Director, Global Mobility
 Sherry Moran, U.S. Relocation Manager, Global Business Services
 Tracy Toth, Manager, Global Mobility
 Didi Daubenspeck, U.S. Relocation Consultant, Global Business Services
 Sharon Balich, U.S. Relocation Consultant, Global Business Services

Employees of McDonald's USA, LLC authorized to execute license agreements in connection with restaurant development due diligence:

- **National RE Director:**
 Lori Nunez
 Meredith Lenoir
- **National RE Leads**
 Bob O'Connell
 Rich Davis
 Amy Bayles
 Lisa Walker
 Natalie Mattei
- **National RE Managers**
 Gary Blau
 Zach Pagel
 Schuyler Jackson
 Rona Gaur
 Darla Bowen
 Kellie Wisbrock
 Clark Lambdin
 Ray Clopton

Craig Givens
Troy Faulkner
Rey Hernandez
Dan Toth
Mathis Nedell
Mike Manteen
Uri Starr
Chris Smitherman
Rudy McCarthy
Kaley Devries
Marineth Dermovsesian

- **National Transactional Managers**

Carla Freise
Sara Sailors
Jennifer Steinhagen

CONDITIONAL USE PERMIT NARRATIVE

According to Fairfax County records, the McDonald's restaurant located at 544 Maple Avenue West was constructed in 1967. The building is one story and has a gross floor area of approximately 3,579 square feet.

To improve operational efficiency and better serve our customers, McDonald's proposes to create a dual-lane ordering system. Customers would order at either of the two menu boards then merge back into one lane to pay and pick up their order. This configuration has substantially reduced wait times and stacking at locations where it's been implemented. The proposed improvements are intended to enhance internal circulation and reduce vehicle queuing onto adjacent public streets, thereby improving overall traffic operations in the vicinity.

The second proposed drive-through lane will be approximately sixty-five (65) feet from the neighboring residentially zoned property. However, that drive-through lane will be closed after 10 p.m. in compliance with Section 18-323(9)(A) of the Vienna Zoning Ordinance. The menu boards will also be turned off at that time. These operational limitations are intended to minimize potential impacts on nearby residential properties.

The proposed Conditional Use Permit satisfies the applicable criteria of Town Code Section 18-323.10.B, as described below.

Additional information regarding the application is set forth below:

- i. Type of product/service: fast food restaurant.
- ii. Proposed hours and staffing: 24 hours, 7 days per week; approximately 12 employees per shift.
- iii. Plans for control of litter and the disposal and recycling of waste material: as is currently done, employees will ensure that trash cans are regularly emptied and that the site is maintained free of litter; trash will be placed in an on-site, screened dumpster and regularly emptied, along with recyclable materials.
- iv. Effects on air quality at the site and in adjacent areas: no negative impacts on air quality have historically been produced on-site or are anticipated to occur in the future.
- v. Estimates of sound levels: no increase in sound levels is anticipated; new speaker equipment is designed to limit impacts on neighboring properties; as mentioned above, the newly proposed drive-through lane and associated speaker will not be utilized after 10 p.m.
- vi. Traffic analysis: This narrative is provided in response to Town Code §18-323.10.B.i, iii, and v and addresses anticipated traffic impacts, internal and

external circulation, and existing roadway capacity. The proposed site improvements are not expected to generate a notable volume of additional trips to the property; rather, the proposed dual-lane ordering configuration is intended to improve on-site circulation and reduce vehicular stacking associated with the existing drive-through operation. The improvements are expected to reduce queue lengths and wait times by allowing customers to order from either of two menu boards before merging into a single lane for payment and pick-up. As a result, the proposal is expected to improve the site's ability to accommodate daily traffic demand, including traffic during a.m. and p.m. peak periods, and to reduce the potential for vehicles to stack toward adjacent public streets.

Estimated internal and external traffic flows: Vehicles will continue to enter and exit the site through the existing access points, and no changes to external site access are proposed. Traffic will continue to circulate internally through the existing drive-through and parking lot system, with the modified ordering area improving internal vehicle processing and reducing on-site congestion. Because the proposal does not expand the building, increase seating, or introduce a new use, no substantial change in external traffic patterns is anticipated. Rather, the proposal is expected to improve the efficiency of traffic flow already associated with the existing restaurant use.

Existing traffic conditions and roadway capacity: The property fronts on Maple Avenue West, an established commercial corridor designed to accommodate existing commercial traffic volumes. The proposed improvements are intended to better manage traffic already generated by the site by reducing internal queuing and improving drive-through operations. No adverse impacts to the traffic-handling capacity of adjacent roadways are anticipated, and the proposed changes should lessen the likelihood of vehicle stacking affecting traffic operations on surrounding public streets.

Accordingly, the proposed improvements satisfy the applicable criteria of Town Code §18-323.10.B.i, iii, and v by maintaining safe and efficient traffic operations, preserving adequate circulation and access, and avoiding adverse impacts on adjacent roadways.

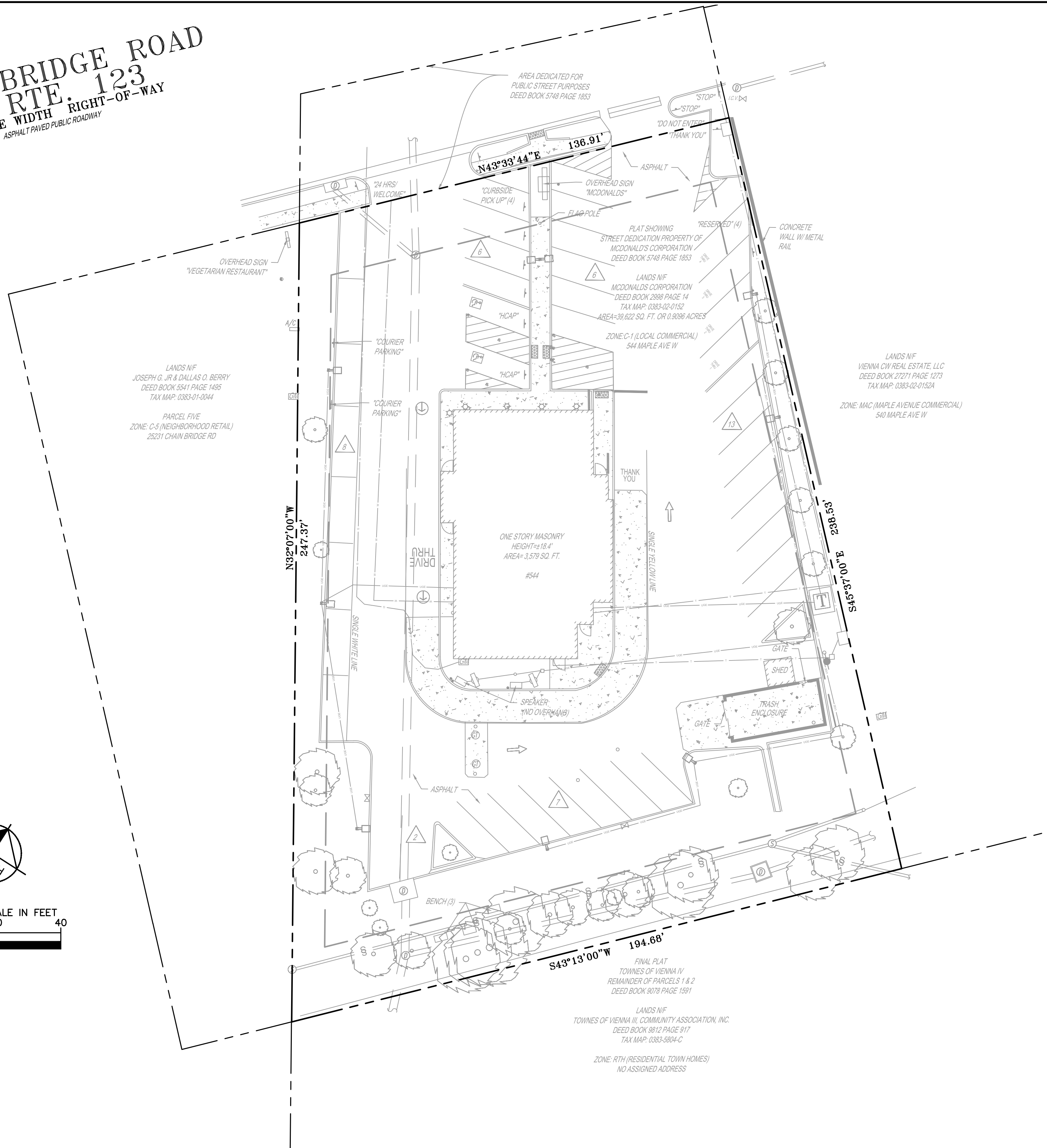
- vii. Compatibility with surrounding uses: The property is located within a commercial corridor along Maple Avenue and is surrounded by a mix of commercial and residential uses. The proposed improvements do not expand

the building footprint or introduce a new use, but rather improve the efficiency of an existing, long-established restaurant use. Operational restrictions, including the closure of the second drive-through lane after 10 p.m., ensure compatibility with nearby residential properties.

- viii. Public health, safety, and welfare: The proposed improvements will enhance site safety by improving traffic flow and reducing vehicle conflicts within the site. No adverse impacts to public health, safety, or welfare are anticipated.

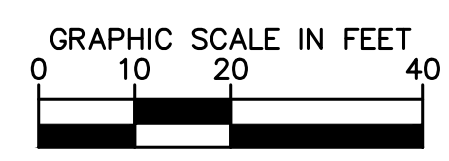
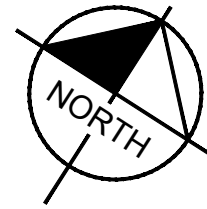
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CHAIN BRIDGE ROAD
VA RTE. 123
VARIABLE WIDTH RIGHT-OF-WAY
 ASPHALT PAVED PUBLIC ROADWAY



SITE LEGEND

- | | | | |
|--|------------------------------------|--|-------------------------|
| | PROPERTY LINE | | UTILITY POLE WITH LIGHT |
| | TRANSFORMER | | GUY WIRE |
| | AREA LIGHT | | TELEPHONE PEDESTAL |
| | SIGN | | DENOTES PARKING COUNT |
| | BOLLARD | | TITLE EXCEPTION |
| | TREE (W/SIZE) | | BENCHMARK |
| | BUSH | | PAINTED ARROWS |
| | TREE LINE | | WHEEL STOP |
| | GRATE INLET | | HANDICAP PARKING |
| | SANITARY MANHOLE | | STOP BAR |
| | TELEPHONE MANHOLE | | FIRE HYDRANT |
| | STORM DRAIN MANHOLE | | GAS VALVE |
| | CLEAN OUT | | GAS METER |
| | WATER VALVE | | UTILITY POLE |
| | WATER METER | | |
| | TOP OF CURB ELEVATION | | |
| | FLOWLINE ELEVATION | | |
| | EDGE OF PAVEMENT ELEVATION | | |
| | SPOT ELEVATION | | |
| | EXISTING CONTOUR | | |
| | APPROX. LOC. UNDERGROUND ELECTRIC | | |
| | APPROX. LOC. UNDERGROUND TELEPHONE | | |
| | APPROX. LOC. UNDERGROUND GAS | | |
| | APPROX. LOC. WATER LINE | | |
| | OVERHEAD WIRES | | |
| | METAL OR WOOD FENCE | | |



NO.	REVISIONS	DATE	BY

Kimley & Horn
 © 2026 KIMLEY-HORN AND ASSOCIATES, INC.
 11400 COMMERCE PARK DR., SUITE 400, RESTON, VA 20191
 PHONE: 703-674-1300 FAX: 703-674-1350
 WWW.KIMLEY-HORN.COM

COMMONWEALTH OF VIRGINIA
 Chris Howell
 CHRIS HOWELL
 Lic. No. 0402058105
 03/19/2026
 PROFESSIONAL ENGINEER

KHA PROJECT	110366134
DATE	3/19/2026
SCALE	AS SHOWN
DESIGNED BY	DJR
DRAWN BY	BBT
CHECKED BY	CMH

EXISTING CONDITIONS PLAN

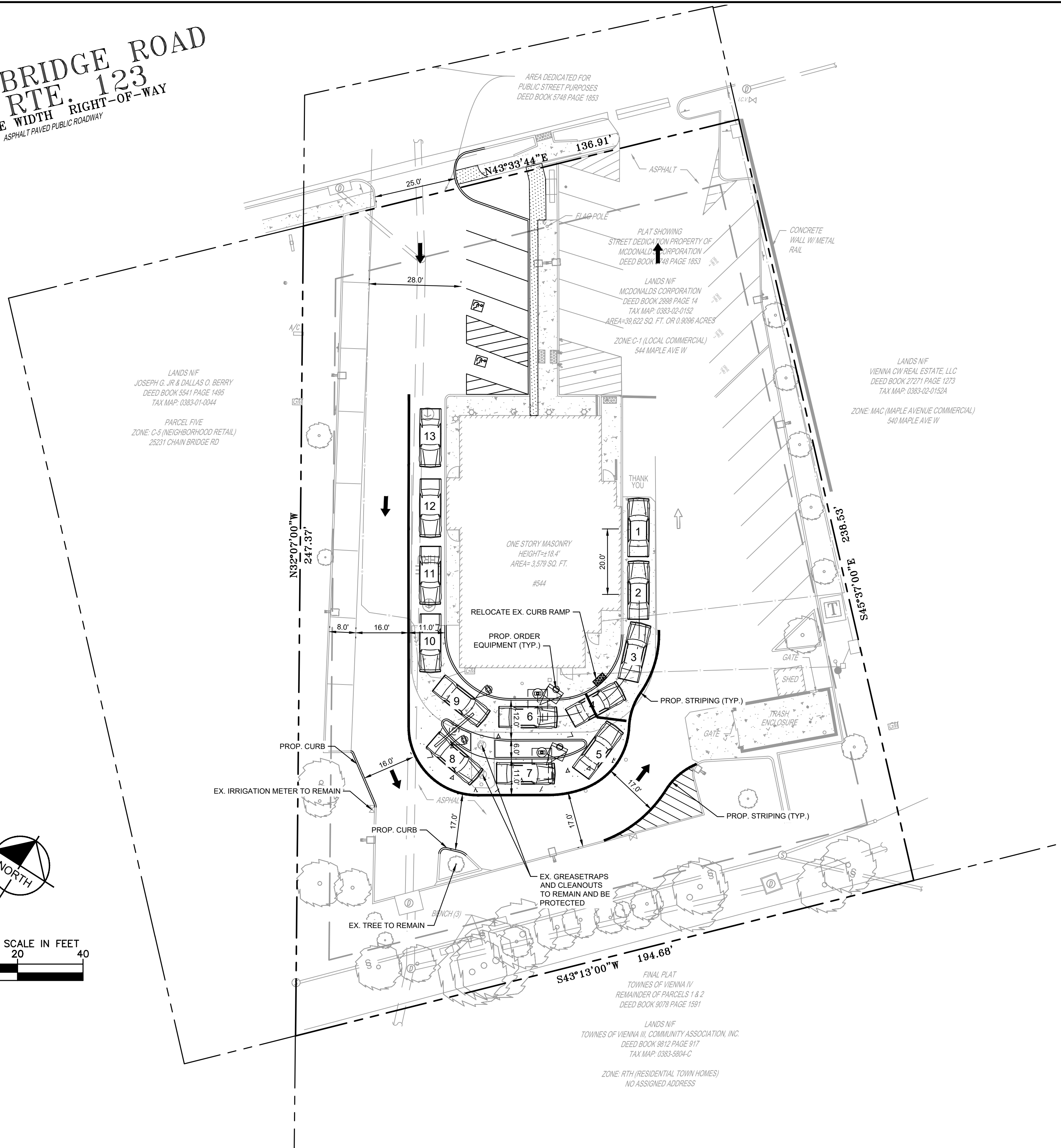
544 MAPLE AVE W,
 VIENNA, VA 22180
 PREPARED FOR
 MCDONALD'S CORPORATION
 TOWN OF VIENNA
 VIRGINIA

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ATTACHMENT 04

SHEET NUMBER
BR-1

CHAIN BRIDGE ROAD
VA RTE. 123
VARIABLE WIDTH RIGHT-OF-WAY
 ASPHALT PAVED PUBLIC ROADWAY



LEGEND

	PROPERTY LINE
	PROPOSED CURB
	PROPOSED CURB AND GUTTER
	PROPOSED SIGN
	PROPOSED CONCRETE PAVEMENT
	PROPOSED CONCRETE SIDEWALK
	PROPOSED ASPHALT

SITE DATA

LOCATION:	TOWN OF VIENNA
ADDRESS:	544 MAPLE AVE W VIENNA, VA 22180
ZONING:	AW - AVENUE WEST
LAND USE:	RESTAURANT, FAST FOOD
SITE AREA:	39,621 SF 0.91 AC
APPROXIMATE LIMITS OF DISTURBANCE:	981 SF
PARKING CALCULATION:	1 SPACE PER 4 SEATS # SEATS = 60 1 SPACE / 4 SEATS = 15 SPACES REQUIRED
PARKING SUMMARY	REQUIRED EXISTING PROVIDED
TOTAL PARKING	15 42 36
ACCESSIBLE SPACES	2 2 2

NO.	REVISIONS	DATE	BY

Kimley»Horn

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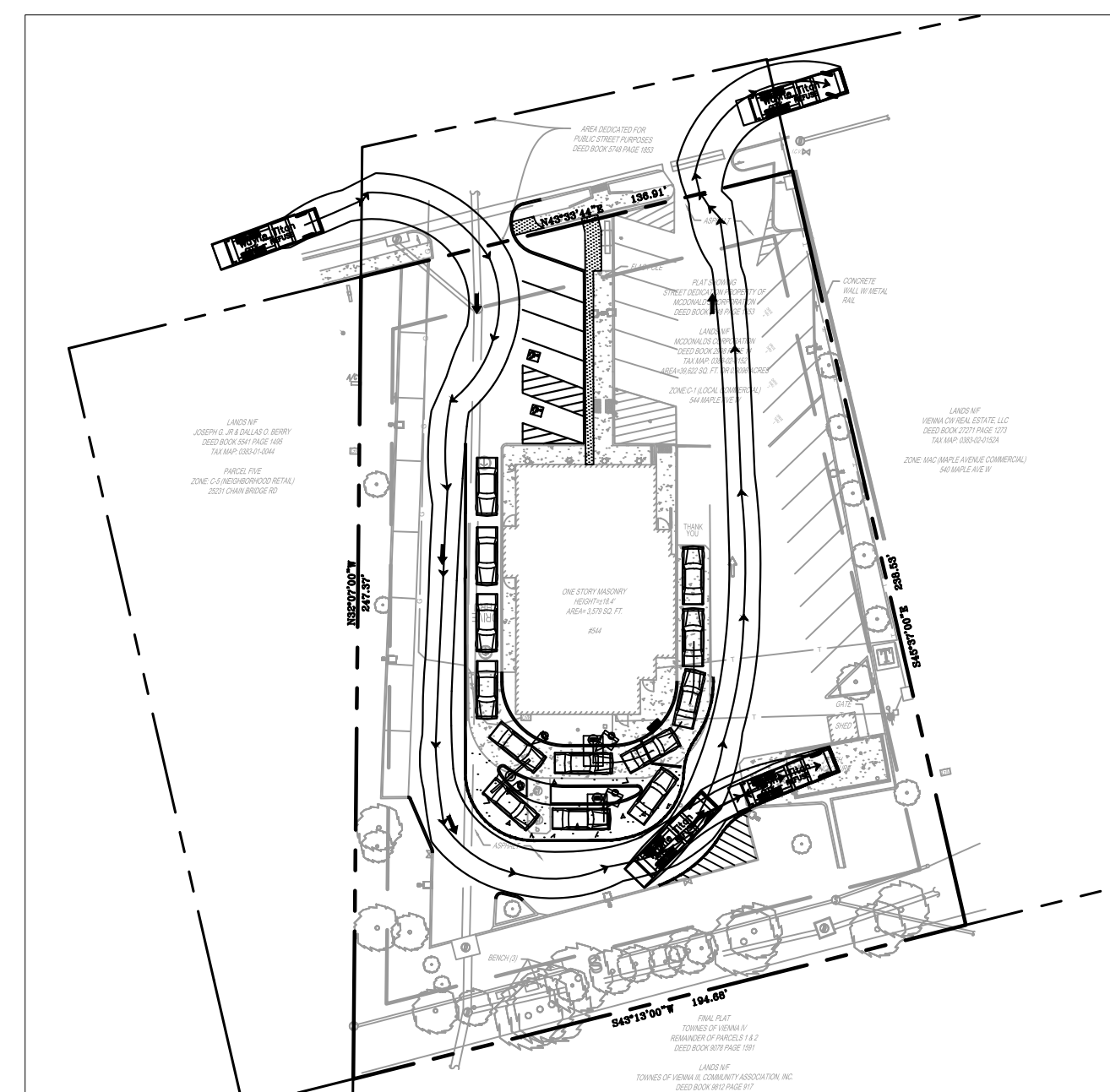
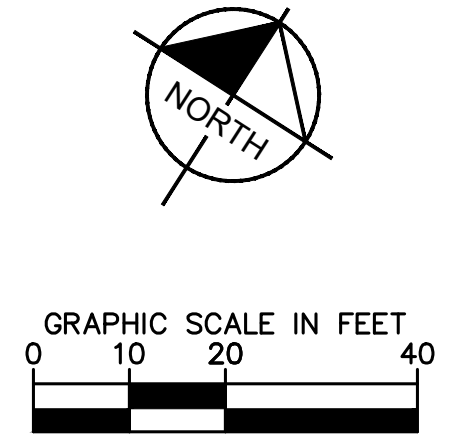
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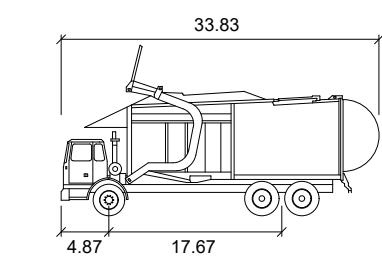
SITE PLAN

**544 MAPLE AVE W,
 VIENNA, VA 22180**
 PREPARED FOR
MCDONALD'S CORPORATION
 TOWN OF VIENNA
 VIRGINIA

SHEET NUMBER
BR-2



GARBAGE TRUCK DETAIL
 SCALE: 1" = 50'



Wayne Titan

Width	feet
Track	: 6.46
Lock to Lock Time	: 6.0
Steering Angle	: 45.0

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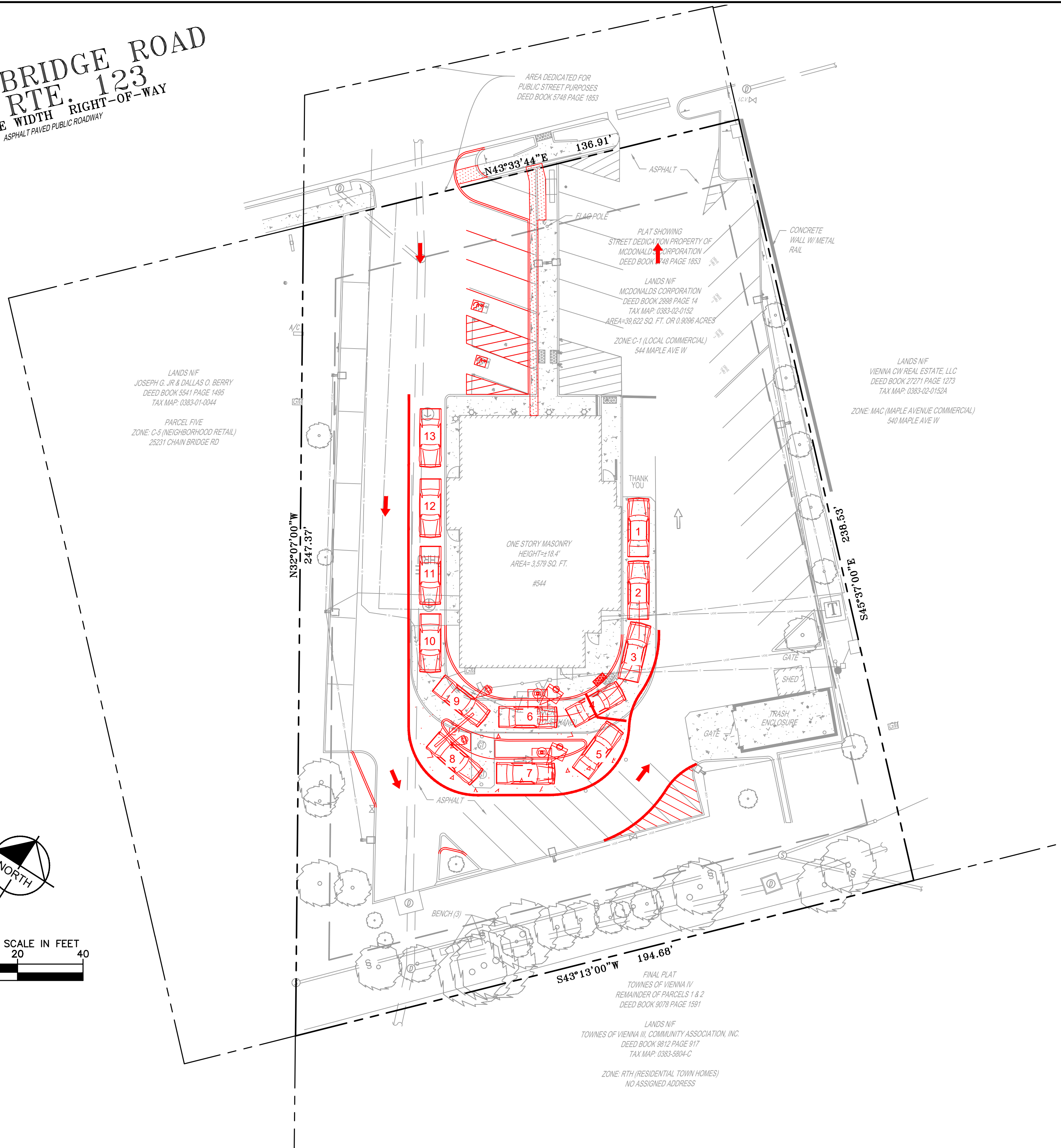
811

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 DIAL 811

Know what's below.
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Plotted By: Genozzher, Abel Sheet Set: KHA_Layout: SITE PLAN March 19, 2026 09:50:09am KINVA_CIVIL10366134_McDonalds - Vienna (Maple Ave) VACAD/PlanSheets/C-200 SITE PLAN.dwg
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CHAIN BRIDGE ROAD
VA RTE. 123
VARIABLE WIDTH RIGHT-OF-WAY
 ASPHALT PAVED PUBLIC ROADWAY

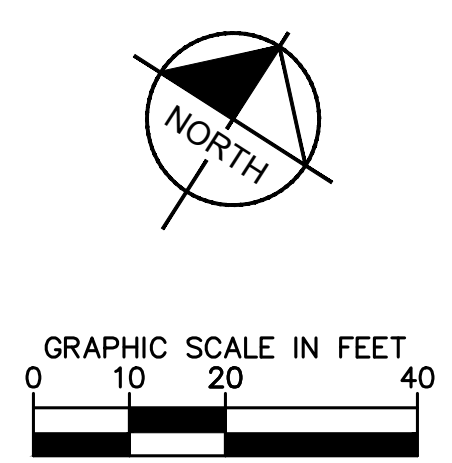


LEGEND

	PROPERTY LINE
	PROPOSED CURB
	PROPOSED CURB AND GUTTER
	PROPOSED SIGN
	PROPOSED CONCRETE PAVEMENT
	PROPOSED CONCRETE SIDEWALK
	PROPOSED ASPHALT

SITE DATA

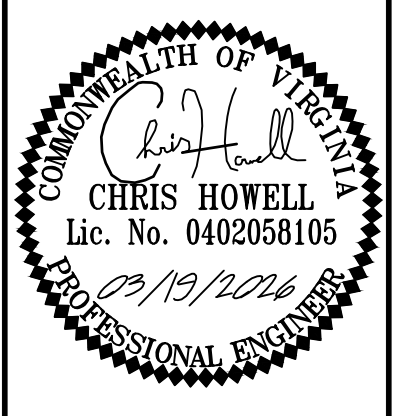
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PARKING SUMMARY	REQUIRED EXISTING PROVIDED
TOTAL PARKING	15 42 36
ACCESSIBLE SPACES	2 2 2



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KHA PROJECT	110366134
DATE	3/19/2026
SCALE	AS SHOWN
DESIGNED BY	DJR
DRAWN BY	BBT
CHECKED BY	CMH

REDLINE PLAN

544 MAPLE AVE W,
 VIENNA, VA 22180
 PREPARED FOR
 MCDONALD'S CORPORATION
 TOWN OF VIENNA VIRGINIA

SHEET NUMBER
BR-3

Plotted By: Genozzher, Abel Sheet Set: KHA_Layout/REDLINE PLAN_March 19, 2026 09:50:18am K:\INVA_CIVIL\103688_McDonalds\110366134_McDonalds - Vienna (Maple Ave) \VACAD\PlanSheets\K-300_REDLINE PLAN.dwg
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TOWN OF VIENNA, VIRGINIA
CERTIFICATE OF OCCUPANCY
ARTICLE 22, CHAPTER 18, TOWN CODE

ATTACHMENT 05

NUMBER: 13018

A Certificate of Occupancy is hereby granted for the following firm, business, establishment, or individual in accordance with Article 22, Chapter 18, of the Code of the Town of Vienna, Virginia:

OCCUPANT NAME: MCDONALD'S RESTAURANTS OF VIRGINIA, INC.

STREET ADDRESS: 544 MAPLE AVENUE, WEST

SUITE: -

FLOOR: -

ZONING DISTRICT: G-1, LOCAL COMMERCIAL

LEGAL DESCRIPTION: 38-3-((2))-152

IF PLATTED: LOT: -

BLOCK: 25

SUITE: -

SUBDIVISION: WINDOVER HEIGHTS

PERMITTED USES: COMMERCIAL OCCUPANCY FOR A RESTAURANT - USE GROUP: B - ALL IMPROVEMENTS SHALL REMAIN IN ACCORDANCE WITH PF-15-10-BAR AND PF-38-10-SP WITH A TOTAL OF 95 SEATS ALLOWED

APPROVED FOR ISSUANCE OF CERTIFICATE:



DIRECTOR OF PLANNING & ZONING AND ZONING ADMINISTRATOR

DATE: August 25, 2011

This certificate does not take the place of any license required by law, nor does it authorize the use of boilers, motors, machinery, or any signs. Any change in the use or occupancy of this structure or upon the subject property shall require a new certificate of occupancy. No land disturbing activity modifying an approved erosion and sediment control permit shall be permitted without obtaining the appropriate approvals and permits.

THIS CERTIFICATE SHALL BE CONSPICUOUSLY POSTED AT ALL TIMES

The Town of Vienna does not discriminate on the basis of disability in the administration or access to, or treatment or employment in, its programs or activities. The Director of Human Resources, 127 Center Street, South, Vienna, Virginia 22180, has been designated to coordinate compliance with non-discrimination requirements. This document will be made available in large print or on audio cassette upon request. Call 255-6300 (voice) or TDD users dial 255-5730 (Police Department), 255-5735 (Town Hall) or 255-5739 (Parks and Recreation).

Town Manager's Recommendation:

Cost and Financing:
Account Number:

Decision Needed by This date:

PROPOSED/SUGGESTED MOTION

I move for the **(approval/denial)** of the requested site plan modifications as filed by Inda E. Stagg, c/o Walsh, Colucci, Lubeley, Emrich & Walsh, and agent for McDonald's Restaurant at 544 Maple Avenue West, in the C-1, Local Commercial zone. Said modifications pertain to § 18-72.A.2, 18-131, and 18-210.II.3.A. of the Vienna Town Code, and will permit the construction of a "rebranded and modern" McDonald's Restaurant with 95 seats as opposed to the required minimum of 125 seats; the retention of the parking area in its existing location with a minimum setback of 1.79 feet from the front property line, 1.01 from the easterly side-yard property line and 6.36 feet from the westerly side-yard property line; and the retention of a portion of the existing drive-through stacking lane approximately 66 feet from the rear property line as opposed to the minimum setback of 75 feet.

OR

Other action as determined by the Mayor and Town Council.











Town Code

Sec. 18-824. - Conditional Use Permit.

1. **Conditional Use Permit Required.** Any use that is indicated within Article 3 of this Chapter and is marked with a "C" on the Principal Uses or Accessory Uses Tables requires the approval of a Conditional Use Permit by the Board of Zoning Appeals prior to the issuance of a Building Permit or Certificate of Occupancy.
2. **Site Plan May be Required.** The Zoning Administrator will review the application and determine whether a site plan review is required prior to the commencement of review of an application for a Conditional Use Permit. See Site Plan in [§ 18-836](#).
3. **Conditions for Approval.** 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:
 - 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.
4. **Action Required in Reasonable Time.** 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.
5. **Application.** An application for a conditional use permit shall be submitted to the Director of Planning and Zoning on such forms as the Director may prescribe and shall include the following:
 - A. detailed description of the operation of the proposed use, including any proposed ancillary or secondary use that the applicant is considering.
 - B. Plans to control any potential impacts of the proposed use on the nearby community, including:
 - i. **Noise.**
 - a. Noise levels anticipated from all uses and equipment.
 - b. A statement as to whether the anticipated noise complies with the levels permitted by the Town Code.
 - c. Plans to control these anticipated noise levels, including noise emanating from patrons or visitors to the proposed use.
 - ii. **Odors.** Methods to be used to control odors emanating from the use when applicable.
 - iii. **Trash and litter.**
 - a. The type and volume of trash and garbage the proposed use will generate.
 - b. The planned frequency of trash collection.



RELEVANT REGULATIONS

c. Planned methods to prevent littering on the property, streets and nearby properties.

iv. **Loading/unloading.**

a. Availability and adequacy of off-street loading facilities.

b. Hours and frequency of off-street loading.

v. **Parking and Stacking.**

a. Number of spaces available to serve residents, employees, and patrons during the hours of operation, for all primary and secondary uses being proposed.

b. Plan showing geometric design of stacking aisle and number of stacking spaces provided.

vi. **Use capacity.**

a. The estimated number of patrons, visitors, clients, pupils and other such users.

b. The proposed number of employees, staff and other personnel.

vii. **Hours.** The proposed hours and days of operation of all proposed uses.

viii. **Site Plan.** A proposed site plan consistent with the requirements of [§ 18-836](#) shall be submitted, reviewed, and approved as part of the conditional use permit application and pursuant to the procedures and standards of this section, or an approved site plan showing compliance with the uses proposed.

ix. Plans and other documents exhibiting compliance with any other requirements contained in this ordinance for the conditional use proposed and as the Director of Planning and Zoning determines are necessary and desirable for adequate review.

6. **Review Process.**

A. **Pre-Application Meeting.** The applicant is required to attend a pre-application meeting with Town staff prior to submitting an application for a Conditional Use Permit. See [§ 18-833](#), Pre-Application Meeting.

B. **Review for completeness.** Applications for Conditional Use Permits are reviewed for completeness by the Director of Planning and Zoning and the Zoning Administrator. The application may be referred to the Director of Public Works if determined to be required by the Zoning Administrator.

C. **Application deemed complete.** Once the Director of Planning and Zoning and the Zoning Administrator deem the application to be complete, the application and supporting materials are transmitted to the Planning Commission.

D. **Action by Planning Commission.** 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. The Zoning Administrator shall transmit the Planning Commission's recommendation with the application and supporting materials to the Board of Zoning Appeals for final review and determination.

E. **Action by the Board of Zoning Appeals.**

i. **Final Decision.** The Board of Zoning Appeals has the final decision authority on Conditional Use Permits.



RELEVANT REGULATIONS

- ii. **Board may Impose Conditions.** The Board may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure continued compliance with the conditions imposed.
- F. **Appeals.** Decisions by the Board of Zoning Appeals may be appealed to the Fairfax County Circuit Court per Code of Virginia § 15.2-2285, 1950, as amended.
- 7. **Duration of valid permit.**
 - A. **Permit void after six months if operation not commenced.** Any use permit or amended portions of existing use permits shall become void six months after issuance if construction or operation related thereto has not commenced, unless otherwise specified by the Board of Zoning Appeals.
 - B. **Extension of time allowed under certain conditions.** An extension of time may be permitted by the Board of Zoning Appeals.
 - C. **Termination of use.** A conditional use permit shall cease to be valid if the use for which such permit is granted is not operated for a continuous period of two (2) years or more.
- 8. **Enforcement and Compliance.**
 - A. **Failure to Comply with Permit Conditions.** Failure to comply with Conditional Use Permit conditions are zoning violations and subject to the enforcement measures within Division 6 - Enforcement, Compliance and Penalties.
 - B. **Revocation of Non-Compliant Permits.** The Board of Zoning Appeals may revoke a Conditional Use Permit if the board determines that there has not been compliance with the terms and conditions of the permit. No permit may be revoked except after notice and hearing as provided by Code of Virginia, § 15.2-2204.

Sec. 18-323. Drive-Through Facilities.

1. A drive-through facility shall be designed as complementary to the principal building it serves.
2. Within the AW and AE zoning districts, drive-through features shall not have any pick-up windows, ordering areas, signage, or other related items located on the front elevation of a building or located between the front building wall and street right-of-way.
3. Within the AW and AE zoning districts, where a drive-through facility is located on a corner lot, the orientation of the drive-through facility and the principal structure shall be located such that the drive-through facility is not located between the principal structure and secondary street.
4. Vehicles shall not be permitted to wait or stack within any public right-of-way for service at any drive-through.
5. See Article 5A, § 18-532 for stacking standards.
6. A drive-through lane shall be a minimum of eleven (11) feet wide.
7. A drive-through may have one or more windows for ordering, paying and pickup; however, there shall not be more than two drive-through lanes on a property.
8. The signage provided by the restaurant in the drive aisle for patrons to view the menu of options shall not be more than twenty-four (24) square feet in total area and shall not emit any sound, noise,



RELEVANT REGULATIONS

or music other than an order speaker of reasonable noise levels. All advertisements related to drive-through services shall be located on the order board.

9. Drive-through facilities adjacent to residentially zoned properties shall meet the following applicable criteria:
 - A. A drive-through facility operating later than 10:00 p.m. shall not have any portion of its operation (including, but not limited to, the stacking lane, menu boards or speaker boxes) located closer than 75 feet from any residentially-zoned property.
 - B. No speaker box or other audio mechanism, regardless of operating hours, shall be located closer than thirty-five (35) feet from any residentially zoned property.
10. Application submittals for this use must include the following:
 - A. A written statement describing the proposed use and providing all information pertinent to the review of the application. Such information shall include, but not be limited to:
 - i. Type of product or service to be offered;
 - ii. Proposed hours of operation and employee staffing;
 - iii. Plans for the control of litter and the disposal and recycling of waste material;
 - iv. Effects on air quality at the site and in adjacent areas; and
 - v. Estimates of sound levels that would be generated by the proposed use at site boundary lines.
 - B. A traffic analysis providing information that includes, but is not limited to:
 - i. Estimates of the number of vehicle trips and the amount of vehicular stacking that would occur daily and during a.m./p.m. peak hours;
 - ii. Trip generation by use type;
 - iii. Estimated internal and external traffic flows;
 - iv. Parking and vehicular stacking spaces that would be provided on-site;
 - v. Data on existing traffic conditions and the traffic-handling capacity of roads fronted by the proposed use;
 - vi. Sight distances at points of ingress and egress;
 - vii. Pedestrian and bicycle traffic; and
 - viii. Any other site-specific traffic factors or public safety issues associated with the application.
 - C. The Zoning Administrator, in consultation with the Director of Public Works, may waive certain requirements based on the scope of work and project scale.
11. Applications for drive-through facilities will be evaluated on the basis of the following criteria, with emphasis given to potential adverse effects on adjoining or nearby properties:
 - A. Location and arrangement of any drive-through window in relation to adjoining properties and public rights-of-way.
 - B. Appropriateness of proposed hours of operation.
 - C. Traffic circulation patterns, including safe ingress and egress, and a clear designation of drive-through aisles through the use of paving materials, pavement markings or landscaping.
 - D. Pedestrian circulation and safety.
 - E. Adequacy of screening of vehicle use and parking areas.
 - F. Noise impact associated with, but not limited to, exterior speakers and motor vehicles.
 - G. Compliance with Federal, Commonwealth, and local pollution standards.
 - H. Other factors, as deemed appropriate, that affect the health, safety, and general welfare of the community.



RELEVANT REGULATIONS

Virginia State Code

§ 15.2-2232. Legal status of plan.

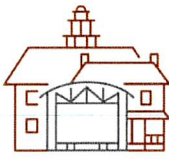
A. Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. In connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing, after notice as required by § 15.2-2204. Following the adoption of the Statewide Transportation Plan by the Commonwealth Transportation Board pursuant to § 33.2-353 and written notification to the affected local governments, each local government through which one or more of the designated corridors of statewide significance traverses, shall, at a minimum, note such corridor or corridors on the transportation plan map included in its comprehensive plan for information purposes at the next regular update of the transportation plan map. Prior to the next regular update of the transportation plan map, the local government shall acknowledge the existence of corridors of statewide significance within its boundaries.

B. The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may appeal the decision of the commission to the governing body within 10 days after the decision of the commission. The appeal shall be by written petition to the governing body setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the governing body shall overrule the commission.

§ 15.2-2309. Powers and duties of boards of zoning appeals.

6. To hear and decide applications for special exceptions as may be authorized in the ordinance. The board may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

No special exception may be granted except after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.



TOWN OF
VIENNA
Planning & Zoning

PUBLIC NOTIFICATION AFFIDAVIT


I hereby affirm that the Town of Vienna has adequately complied with the written notification procedures defined in § 15.2-2204 (amended) of the Code of Virginia and § 18-844 of the Code of the Town of Vienna.

Written notices were sent by certified mail on May 7, 2026, to the last known address of each abutting property owner (including those located across rights-of-way) shown in the current real estate tax assessment records. A list of these addresses is attached and is based on records provided by Fairfax County's Department of Tax Administration.

One sign was posted in front of the subject location, 544 Maple Avenue West on April 22, 2026, with dates of the Planning Commission meeting and Board of Zoning Appeals public hearing. A photo of the posted sign is attached.

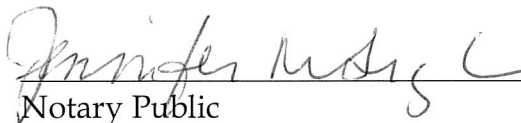
A certified letter was sent on April 30, 2026, to Fairfax County Department of Planning & Development Planning Division.

Copies of the notices, pertaining to date, time and location of the Planning Commission meeting for Conditional Use Permit for property located at 544 Maple Avenue West and more particularly described as tax map parcel 0383 02 0152, are attached.

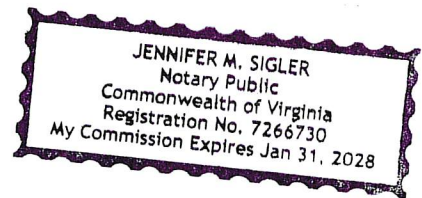

Jennifer Murphy
Clerk to the Planning Commission

Commonwealth of Virginia
Town of Vienna

Subscribed and sworn before me this 7th day of May 2026.


Notary Public

My commission expires: 1-31-28



NOTICE OF PUBLIC MEETING



RE: 544 Maple Avenue West - Conditional Use Permit
McDonalds Vienna

111 Church St NW Suite 101 - Blend 111

APPLICATION REQUEST

To modify the existing drive-through at McDonald's to add a second ordering lane (dual-lane system) to improve traffic flow and reduce queuing. No building expansion is proposed. The second lane to close after 10:00 p.m.



SITE LOCAT

The Planning Commission will hold a

~~7:30 pm • Wednesday, May 13, 2026~~ This is to inform you that the Commission will hold a public hearing at:

~~7:30 pm • Wednesday, June 17, 2026~~ ~~7:30 pm • Wednesday, September 18, 2019 at 8 pm~~

All hearings are open to the public and held at Town Hall, 127 Center Street S, 2nd floor, Council Chambers

You are receiving this notification as a neighbor to the subject property shown above. You do not have to respond to this card. If you would like more information, please email DPZ@viennava.gov or call 703.255.6341. Meeting materials can also be viewed online at <https://vienna-va.legistar.com/Calendar.aspx>. Anyone may sign up to speak at the hearing.

NOTICE OF PUBLIC MEETING



RE: 544 Maple Avenue West - Conditional Use Permit
McDonalds Vienna

111 Church St NW Suite 101 - Blend 111

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Michele Miller
McDonalds USA LLC
110 N. Carpenter St
Chicago, IL 60607

537-545 Maple LLC
2900 Telstar Ct
Falls Church, VA 22042

537-545 Maple LLC
2900 Telstar Ct
Falls Church, VA 22042

Tenant
540 Maple Ave W
Vienna, VA 22180

Vienna CW Real Estate LLC
2132 Polo Point Drive
Vienna, VA 22181

Arrowood Parc LLC
C/o Lerner Enterprises LLC
2000 Tower Oaks Blvd 8th Floor
Rockville, MD 20852

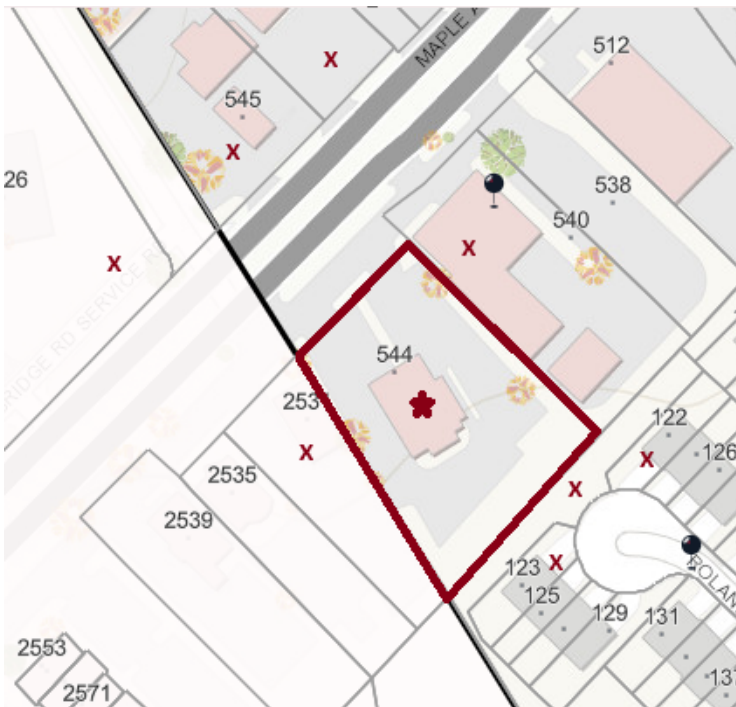
Joseph G Berry Jr
Dallas O'Berry TR
PO Box 2468
Vienna, VA 22183

Tenant
2531 Chain Bridge Rd
Vienna, VA 22181

Attn: Treasurer
Townes of Vienna III
Community Association Inc
4306 Evergreen Ln Ste 101
Annandale, VA 22002 2217

Irfan & Nadia Saeed
122 Roland Ct SW
Vienna, VA 22180

Ashley & Richard Marks
123 Roland Ct SW
Vienna, VA 22180



APPLICATION TYPE:

Conditional Use Permit

PROPOSAL:

Request to modify the existing drive-through at McDonald's to add a second ordering lane (dual-lane system) to improve traffic flow and reduce queuing. No building expansion proposed. Second lane to close after 10:00 p.m.

PROPERTY ADDRESS:

544 Maple Avenue West

MEETING DATE(S):

Planning Commission: Wednesday, May 13, 2026 at 7:30 PM

Board of Zoning Appeals: Wednesday, June 17, 2026, 7:30 PM

Apr 22, 2026 at 4:03:35 PM
2531 Chain Bridge Rd
Vienna VA 22181
United States



TOWN OF
VIENNA
Virginia

PUBLIC NOTICE

SIGN ID

02

www.viennava.gov/notice



APPLICATION TYPE: **Conditional Use Permit**
PROPOSAL:

Request to modify the existing drive-through at McDonald's to add a second ordering lane (dual-lane system) to improve traffic flow and reduce queuing. No building expansion proposed. Second lane to close after 10:00 p.m.

PROPERTY ADDRESS: **544 Maple Avenue West**

MEETING DATE(S):

Planning Commission: Wednesday, May 13, 2026 at 7:30 PM
Board of Zoning Appeals: Wednesday, June 17, 2026, 7:30 PM

Questions? Call **703-255-6341**

DO NOT REMOVE OR DEFACE UNDER PENALTY OF LAW

Apr 22, 2026 at 4:03:24 PM
2531 Chain Bridge Rd
Vienna VA 22181
United States





TOWN OF
VIENNA

April 29, 2026

Attn: Tracy Strunk
Fairfax County Department of Planning & Development
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, VA 22035-5507

Re: Notice of Public Meeting

As part of the legal notice requirements contained in Section 15.2-2204 (Amended) of the Code of Virginia, the following regulations must be addressed relating to notification of adjacent counties and municipalities:

"When a proposed comprehensive plan or amendment thereto, a proposed change in zoning map classification, or an application for special exception or variance involves any parcel of land located within one-half mile of a boundary of an adjoining county or municipality of the Commonwealth, then, in addition to the advertising and written notification as above required, written notice shall also be given by the local commission, or its representative, at least ten days before the hearing to the chief administrative officer, or his designee, of such adjoining county or municipality."

Therefore, in accordance with the above regulations, please let this letter serve to inform you that the Town of Vienna's Planning Commission will hold a public meeting to review the following:

- Request for approval of a Conditional Use Permit per Sec. 18-304., Principal Uses Table., of the Town of Vienna Zoning and Subdivision Ordinance, to relocate a portion of an existing art school (K-12 visual arts instruction) to 421 Church St NE, Suite G, in the AE – Avenue East commercial zone. Application filed by Ray Lee, ISA on behalf of International School of Arts (DBA) New York School of Arts.
- Request for approval of an updated Conditional Use Permit per Sec. 18-305, Accessory Uses Table and 18-323 Drive-Through Facilities of the Town of Vienna Zoning and Subdivision Ordinance, to modify the existing drive-through at the McDonald's restaurant, located at 544 Maple Avenue West, in the AW – Area West commercial zone. Application filed by Evan Pritchard of Wire Gill LLP, on behalf of McDonald's USA, LLC owner.

The Planning Commission will review the previously listed items, providing recommendations to the Board of Zoning Appeals. Scheduled hearing dates are as follows:

International School of Arts – 421 Church Street NE:

- Wednesday, May 13, 2026, at 7:30 pm, Vienna Town Hall – Planning Commission
- Wednesday, May 20, 2026, at 7:30 pm, Vienna Town Hall – Board of Zoning Appeals

McDonalds Restaurant – 544 Maple Avenue West:

- Wednesday, May 13, 2026, at 7:30 pm, Vienna Town Hall – Planning Commission
- Wednesday, June 17, 2026, at 7:30 pm, Vienna Town Hall – Board of Zoning Appeals

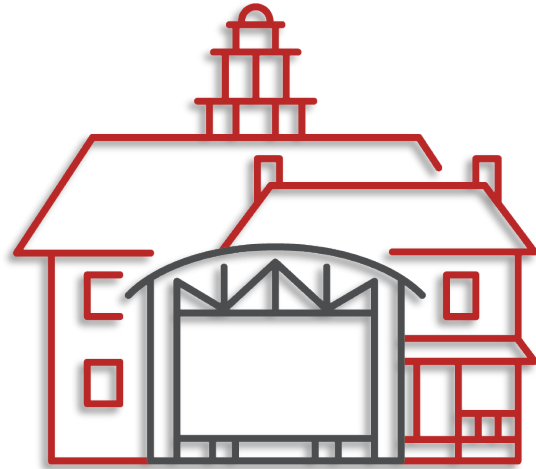
Interested parties may contact the Department of Planning & Zoning, on the first floor of Vienna Town Hall. Agenda items can also be reviewed online up to five (5) days prior to the scheduled meeting <https://vienna-va.legistar.com/Calendar.aspx>.

In the event that the item is rescheduled, continued, or deferred you will be notified. For further questions and inquiries, please contact the Department of Planning and Zoning by phone, (703) 255-6341 or by email: DPZ@Viennava.gov.

Sincerely,



David B. Levy, AICP
Director of the Department of Planning & Zoning
Town of Vienna, VA



TOWN OF
VIENNA
since 1890

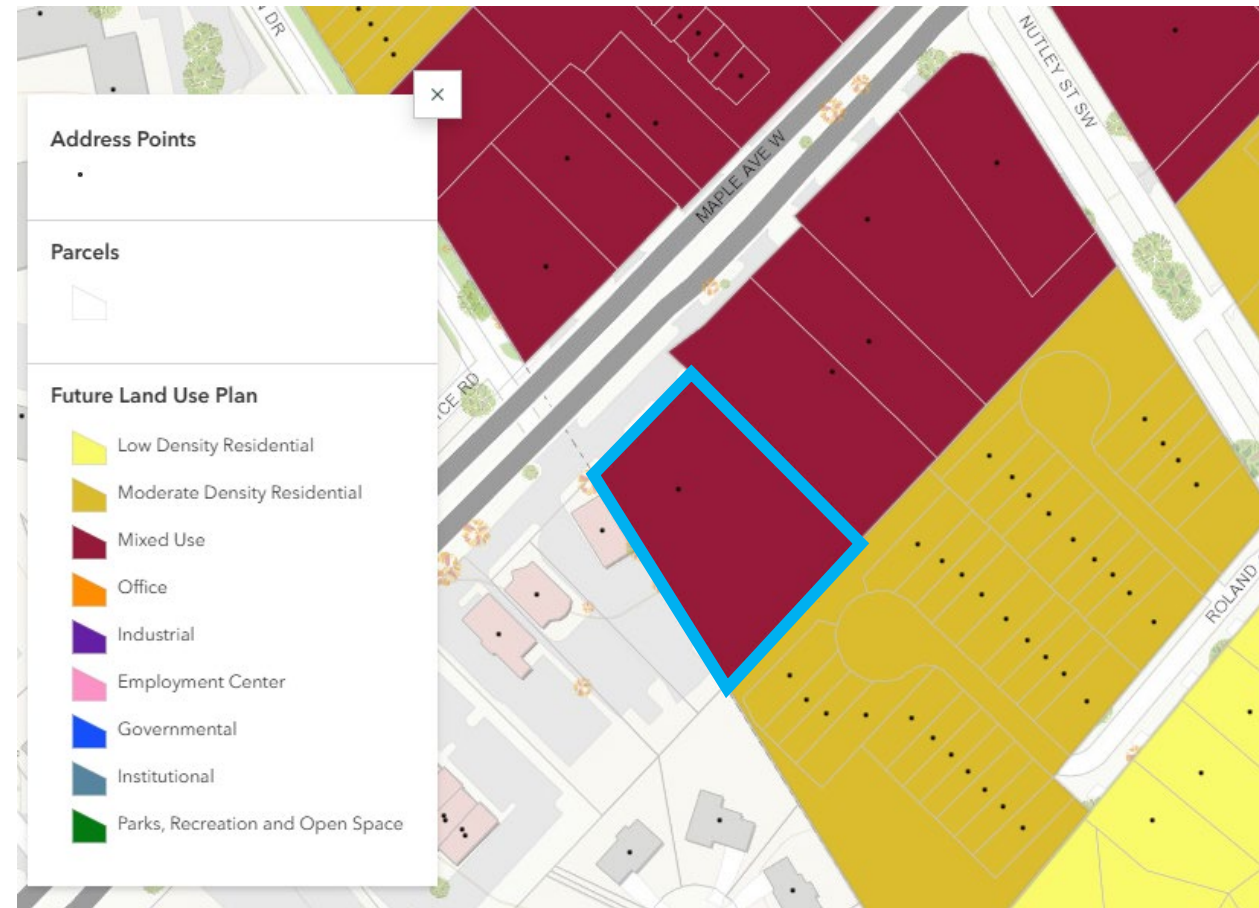
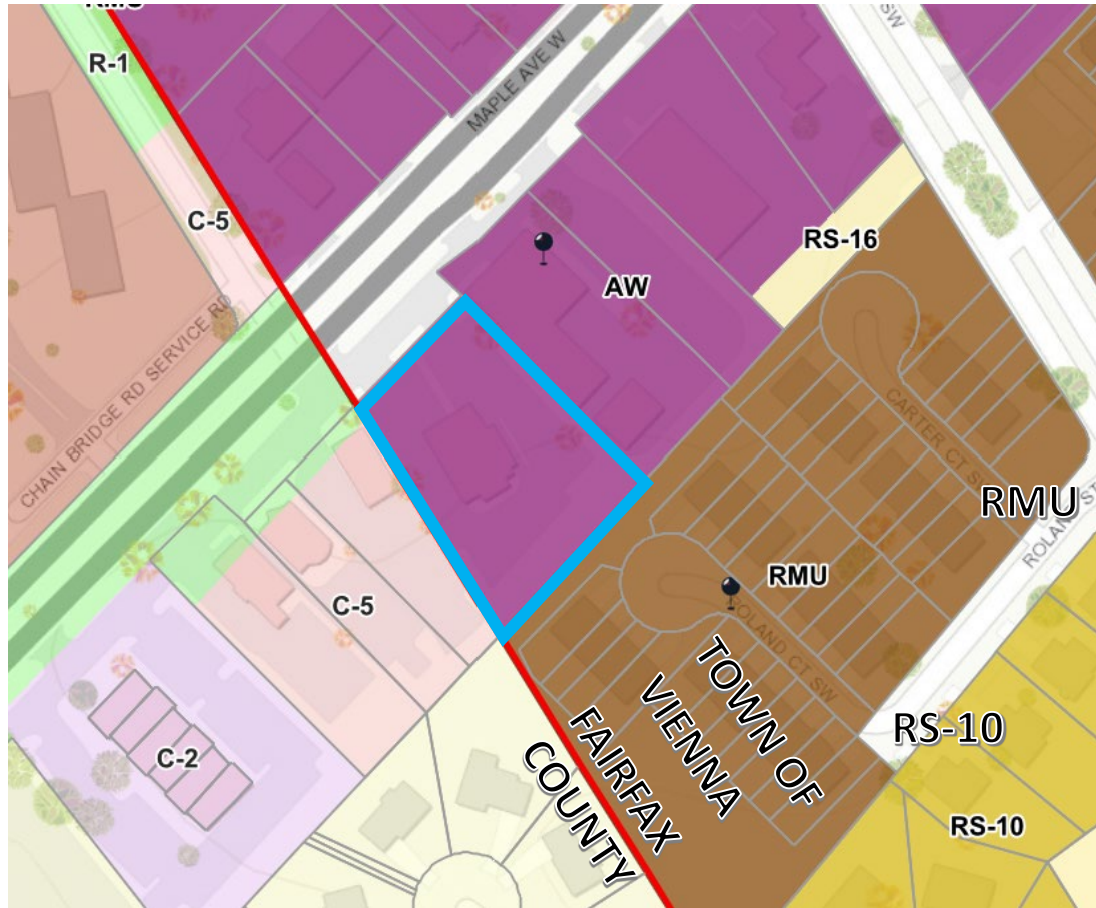
Conditional Use Permit for McDonalds Drive- Through Expansion at 544 Maple Ave W

Planning Commission Meeting
May 13, 2026

544 Maple Ave W – McDonalds



Zoning and the Comprehensive Plan



Existing Conditions



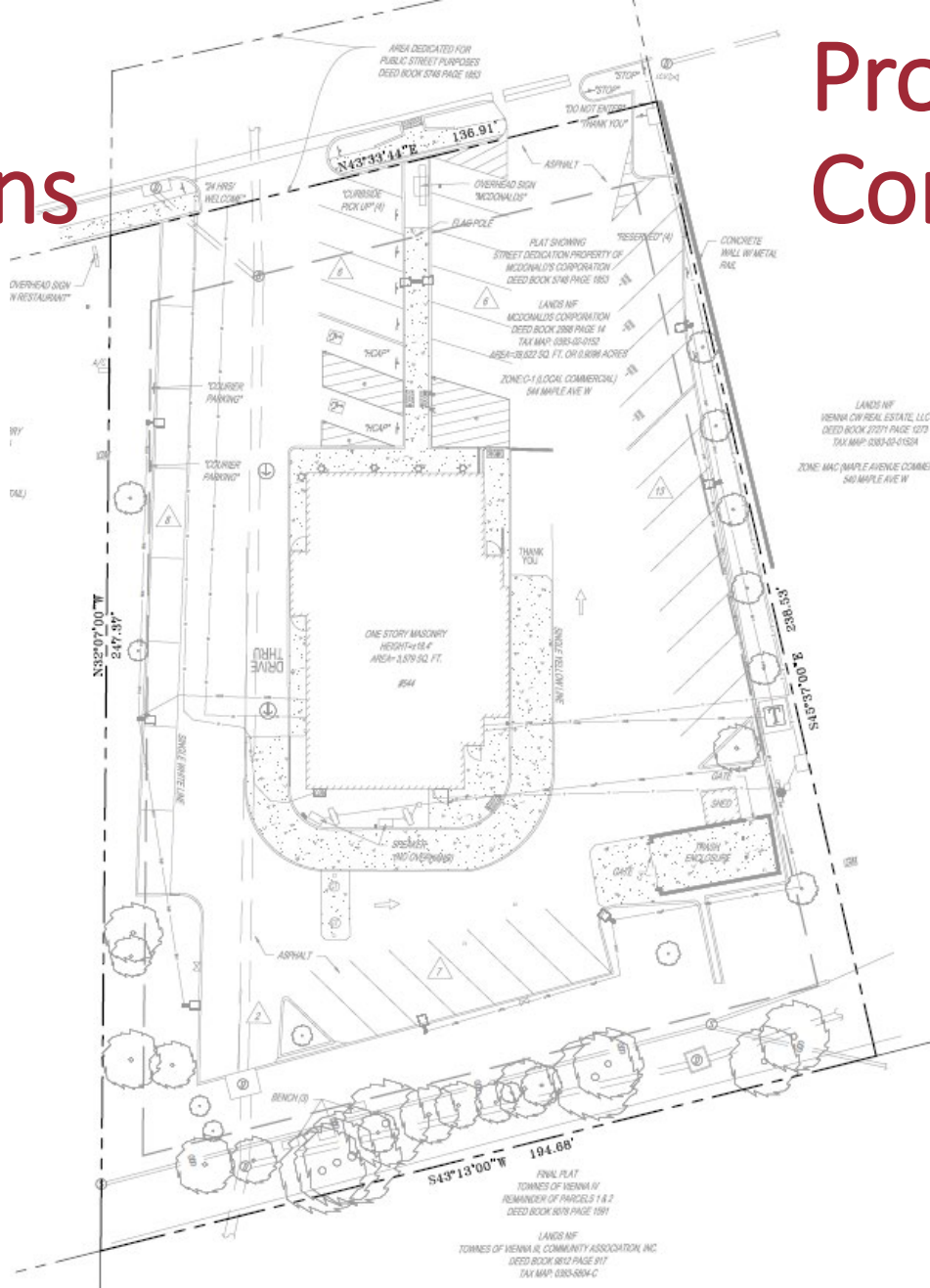
Existing Conditions



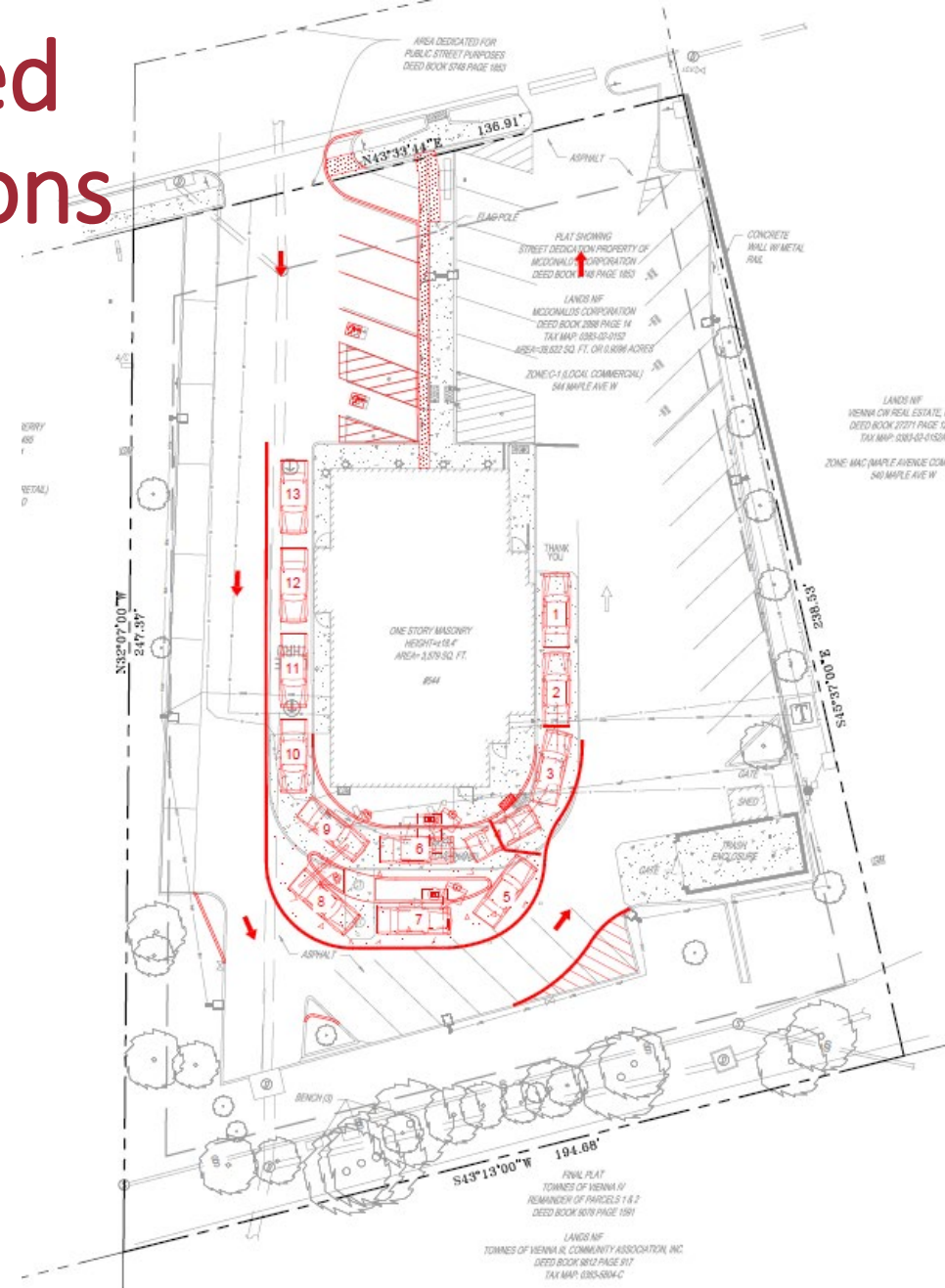
Existing Conditions



Existing Conditions



Proposed Conditions



CUP Conditions for Approval – Town Code

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.

Plans to control any potential impacts of the proposed use on the nearby community, including:

- **Noise.**
- **Odors.**
- **Trash and litter.**
- **Loading/unloading.**
- **Parking and Stacking.**
- **Use capacity.**
- **Hours.**



Drive Through Facilities Use Standards

Site Design & Layout

- Must be complementary to the principal building
- Cannot be located between building and street
- Minimum lane width: 11 feet
- Only one drive-through lane permitted (dual-lane ordering requires review)

Traffic & Circulation

- No queuing in public right-of-way
- Must meet on-site stacking requirements
- Safe ingress/egress and internal circulation required

Residential Compatibility

- After 10:00 p.m.: operations must be ≥ 75 ft from residential zones
- Speaker systems must be ≥ 35 ft from residential zones
- Emphasis on noise and activity mitigation

Operations & Signage

- Menu board signage limited to 24 sq. ft.
- Audio limited to order speaker only
- All advertising must be on the order board



Suggested Motions

"I move to recommend approval to the Board of Zoning Appeals for a conditional use permit for a drive-through facility as an accessory use at 544 Maple Ave W, in the AW Avenue West zoning district, described as tax map parcel 0383 02 0152."

OR

"I move to recommend approval to the Board of Zoning Appeals for a conditional use permit for a drive-through facility as an accessory use at 544 Maple Ave W, in the AW Avenue West zoning district, described as tax map parcel 0383 02 0152, with the following conditions:"

(Planning Commissioners state conditions of approval individually).

OR

"I move to recommend denial to the Board of Zoning Appeals for a conditional use permit for a drive-through facility as an accessory use at 544 Maple Ave W, in the AW Avenue West zoning district, described as tax map parcel 0383 02 0152."

OR

Other action deemed necessary by the Planning Commission.





Town of Vienna

Charles A. Robinson Jr.
Town Hall
127 Center Street South
Vienna VA, 22180

Agenda Item Report

File #: PC26-300, **Version:** 1

Subject:

Recommendation to Board of Zoning Appeals for a Conditional Use Permit for Specialized Instruction at 421 Church Street NE for New York School of Arts.

Attachment 1 is the Staff Report, which provides a description of the request, project background, site context, applicable regulations, and staff evaluation. The other attachments, which are enumerated in Attachment 1, provide supporting materials, including the formal application, site plans, photographs, historic aerial imagery, and relevant regulatory provisions.

PROPOSED/SUGGESTED MOTION

"I move to recommend approval of the Conditional Use Permit to the Board of Zoning Appeals to allow Specialized Instruction at 421 Church Street NE Unit G, in the AE zoning district, described as tax map 0382 02 0019."

Or

"I move to recommend approval of the Conditional Use Permit to the Board of Zoning Appeals to allow Specialized Instruction at 421 Church Street NE Unit G, in the AE zoning district, described as tax map 0382 02 0019, with the following conditions:
(Add any conditions proposed by the Planning Commissioners.)"

Or

"I move to recommend denial of the Conditional Use Permit to the Board of Zoning Appeals to allow Specialized Instruction at 421 Church Street NE Unit G, in the AE zoning district, described as tax map 0382 02 0019."

Or

Other action deemed necessary by the Planning Commission.



STAFF REPORT COVER SHEET

May 13, 2026

ATTACHMENT 01

Address:	421 Church St NE Unit G	Case Number:	PF-2098120
Meeting Date:	5/13/2026	Applicant:	Ray Lee, New York School of Arts
Board/Commission:	Planning Commission	Owner of Space Leased by Applicant:	Virginia Cardiovascular Investments, LLC
Existing Zoning:	AE Avenue East	Existing Land Use:	Mixed-Use
Brief Summary of Request:	Recommendation to Board of Zoning Appeals for a Conditional Use Permit for Specialized Instruction. The applicant intends to move a portion of their existing visual arts instruction business, currently located at 320 Maple Avenue East Suite E, to 421 Church Street NE Unit G.		
Site Improvements:	The proposed specialized instruction facility is located within the Vienna Square condominiums, which consists of four low-rise buildings. 421 Church Street NE is a two-story building with approximately 60 dedicated parking spaces.		
Size of Property:	50,007 sf/1.148 acres		
Public Notice Requirements:	<ul style="list-style-type: none"> • Advertisement for two successive weeks of meeting in a newspaper having paid general circulation in the Town prior to Board of Zoning Appeals meeting. • Letters were sent on May 7, 2026, to adjacent, abutting and immediately across the street property owners/agents/occupants and subject property owners notifying them of the Planning Commission meeting. • One sign was posted in front of the lot on April 22, 2026, with the date of Planning Commission meeting and Board of Zoning Appeals hearing. 		
Official Submission Date of Approval:	On April 21, 2026, the application was deemed by staff to be complete.		
Deadline for Action:	The BZA should take action by July 21, 2026, which is 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

The subject property, 421 Church Street NE, is one of four constituent buildings of the Vienna Square condominiums. 421 Church Street is a two-story, 10,409 square foot building that was constructed in 1979. Unit G, owned by Virginia Cardiovascular Investments, LLC, is located on the second floor and is approximately 924 square feet. Unit G was most recently the location of Artistry 27 Studio, a sewing and crafting instruction business, prior to its closing in June 2025.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The property has a Mixed-Use future land use designation. Per the 2016 Town of Vienna Comprehensive Plan, mixed-use areas are envisioned as having a mix of uses that may include retail, office, residential, or other uses deemed appropriate in the surrounding context. As the Vienna Square condominiums have a mix of uses including retail, office, medical, and specialized instruction (including the Viennart Academy, which is also owned by the applicant), the proposed use is compatible with the Comprehensive Plan.

<p>COMPATIBILITY WITH THE ZONING ORDINANCE</p> <p>The subject property is located within the Avenue East Gateway District (AE), which is intended to promote standards for the promotion of a vibrant commercial use area east of the Avenue Center district. Specialized instruction is a Conditional Use within the AE zone. Per Section 18-824.3 of the Town of Vienna Code of Ordinances, the Board of Zoning Appeals may issue a use permit for a Conditional Use provided the use for which the permit is sought:</p> <ul style="list-style-type: none"> • Will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use; • Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; • Will be in accordance with the purposes of the Town's comprehensive plan; and • Meets use-specific standards outlined in Article 3 of the Zoning and Subdivision Ordinance. <p>Staff have reviewed the application and have concluded that the application meets all four of these provisions; therefore, a commercial entity offering specialized instruction is compatible with the Town's Zoning Ordinance.</p>									
Attachments:	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">01 – Staff Report</td> <td style="width: 50%;">05 – CUP Floor Plan</td> </tr> <tr> <td>02 – Application and Authorization</td> <td>06 – Relevant Regulations</td> </tr> <tr> <td>03 – CUP Narrative</td> <td>07 – Notification Affidavit</td> </tr> <tr> <td>04 – CUP Site Plan</td> <td>08 – Staff Presentation</td> </tr> </table>	01 – Staff Report	05 – CUP Floor Plan	02 – Application and Authorization	06 – Relevant Regulations	03 – CUP Narrative	07 – Notification Affidavit	04 – CUP Site Plan	08 – Staff Presentation
01 – Staff Report	05 – CUP Floor Plan								
02 – Application and Authorization	06 – Relevant Regulations								
03 – CUP Narrative	07 – Notification Affidavit								
04 – CUP Site Plan	08 – Staff Presentation								
Author:	Lyndsey Clouatre, Principal Planner								

Introduction

The applicant and owner of the New York School of Arts, Ray Lee, has applied for a Conditional Use Permit (CUP) pursuant to Sections 18-304 (Principal Uses Table) and 18-345 (Specialized Instruction) of the Town of Vienna Zoning and Subdivision Ordinance. The request is to relocate an existing business offering art classes, which is classified as Specialized Instruction in the Zoning Ordinance, from its current location at 320 Maple Avenue East Suite E to 421 Church Street NE Suite G.

The Planning Commission's role is to review the application and provide a recommendation to the Board of Zoning Appeals, which will make the final decision on the request.

Background

The subject property is located at 421 Church Street NE and is a two-story condominium building. According to Fairfax County records, the building was constructed in 1979 contains approximately 10,409 square feet of gross floor area. Unit G is located on the second floor and is approximately 924 square feet. 421 Church Street NE is located within the Vienna Square condominiums, which hosts a variety of retail, office, medical, and instructional uses. The property is bound to the north, south, and east by commercial uses, and to the west across Church Street by residential uses.

Over the past 30 years, a variety of commercial uses have been located at 421 Church Street NE Unit G. Most recently, Artistry 27 Studio, a business offering specialized instruction in sewing and other crafts, was located within Unit G between 2022 and 2025.

The New York School of Arts opened its first location within the Town of Vienna at 320 Maple Avenue East Suite D in 2019. Since then, the school has expanded into additional locations around Town, including 320 Maple Avenue East Suite E and 115 Beulah Street NE Suite 200E; the latter location is also located within Vienna Square and became an independent entity under the same ownership called Viennart Academy in 2024. As the lease for 320 Maple Avenue East Suite E is expiring, the applicant is seeking approval to move that portion of the business to 421 Church Street NE Unit G, which requires approval of a Conditional Use Permit for Specialized Instruction per Section 18-304 of the Town Code.

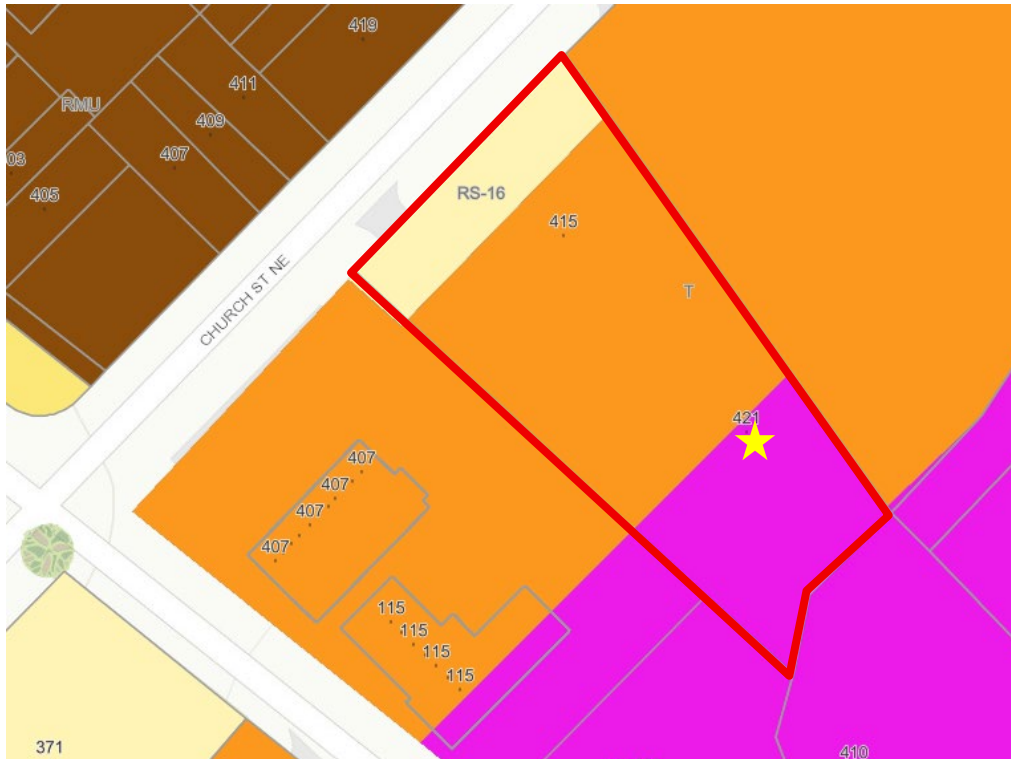


Figure 1 - Zoning map for Map #0382 02 0019, otherwise known as Vienna Square I, in which 421 Church Street NE is located. The parcel is outlined in red, while the approximate location of 421 Church Street NE is indicated with a star. Although the parcel is triple zoned RS-16, Transitional, and Avenue East, a 1991 zoning determination confirmed that 421 Church Street NE Unit G was located within what was then the C-1 Commercial zone. After the current zoning ordinance was adopted effective January 1, 2024, this portion of the C-1 Commercial zone became the Avenue East Gateway District, in which Specialized Instruction is a Conditional Use.

Proposal

The applicant proposes to relocate the existing visual arts classes currently held at 320 Maple Avenue E Suite E to 421 Church Street Suite G. The classes are offered to students in grades K-12. No more than two classes would be offered at once and instruction is limited to 10 students at any given time, a maximum of five students per class. No expansion of the suite will occur, and no significant renovations are anticipated.

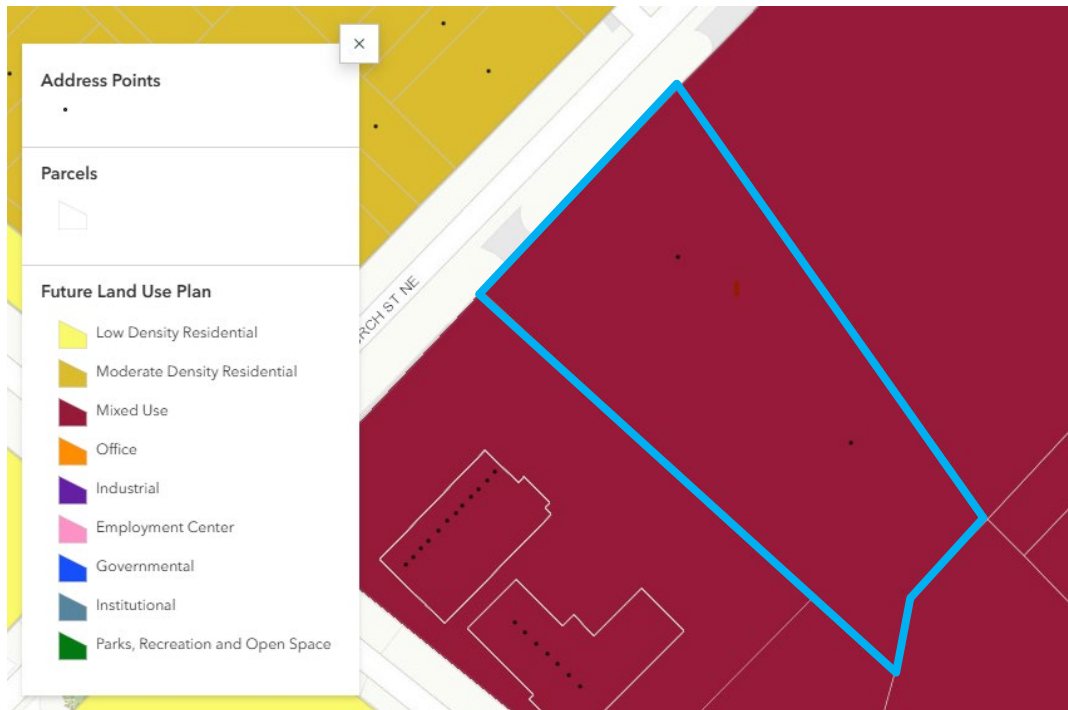


Figure 2 – Future Land Use Plan with Map #0382 02 0019, in which 421 Church Street NE Suite G is located, outlined in blue.

As indicated above in Figure 2, the Future Land Use Map of Vienna’s Comprehensive Plan, the property (outlined in blue) has a land use designation of Mixed-Use. As the Vienna Square condominiums have a mix of uses including retail, office, medical, and specialized instruction (including the Viennart Academy, which is also owned by the applicant), staff find that the proposed use is compatible with the Comprehensive Plan.

Staff Analysis

Staff find that the applicant’s request is consistent with the criteria for approval of a Conditional Use Permit. The applicant stated, in the narrative (Attachment 3) that they anticipate no significant impacts regarding noise, odors, trash and litter, and loading and unloading. Staff concur with this assessment. Since Viennart Academy opened its location in Vienna Square in 2022, Town staff have not received any complaints or concerns from neighboring properties or business owners and similarly have no reason to believe the proposed relocation of the New York School of Arts classroom would have any issues to this effect.

Staff concur with the applicant that with a maximum occupancy of 12 (no more than 10 students and two instructors at any given time) and instruction occurring during afternoon and evening hours during the week (3:30 PM-7:30 PM Monday-Friday) and during morning and early afternoon hours on Saturdays (9:00 AM-2:00 PM). With these limits, parking and stacking needs would be fully addressed on site. There are approximately 60 shared parking spaces in the parcel in which 421 Church Street NE is located, with approximately 100 parking spaces located within the parcel in which Viennart Academy is located should they be necessary. Staff have observed ample parking availability in this parcel on numerous occasions, and no complaints were received for Artistry 27 Studio, which also offered instruction.

Compatibility with Surrounding Uses

The property is in the Vienna Square condominiums, which houses a variety of commercial establishments including retail, office, medical, and specialized instruction. The proposed use is compatible with all of these uses and complements the existing specialized instruction business, Viennart Academy.

Compliance with Conditional Use Permit Criteria

Pursuant to Section 18-824 of the Town Code, a Conditional Use Permit is required for uses identified as conditional within the Zoning Ordinance. The Board of Zoning Appeals may approve a CUP if the proposed use:

- Will not adversely affect the health or safety of persons residing or working in the neighborhood;
- Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood;
- Will be in accordance with the purposes of the Comprehensive Plan; and
- Meets the applicable use-specific standards outlined in Article 3.

Staff find that the application will not create health or safety concerns, will not be detrimental to the public welfare or injurious to the community, and is in accordance with the purposes of the Comprehensive Plan as discussed earlier in this report. Section 18-345 of the Town Code addresses use-specific standards for Specialized Instruction, which state that:

- Specialized instruction classes or camps may operate only in non-residential facilities.
- Operators of specialized instruction classes or camps must ensure the safety of their students during their arrival and dismissal.
- Operators must use off-street spaces for student drop-off and pick-up.
- Drop-off and pick-up may not impede the flow of traffic within the parking area or in public right-of-way, or create an unsafe environment for pedestrians.

The building in which 421 Church Street NE is located is entirely commercial, fulfilling the first criterion. In the application, the applicant confirms that student arrival and dismissal will be managed to ensure student safety. The applicant further affirms that only off-street spaces will be used for student drop-off and pick-up and that drop-off and pick-up will not impede the flow of traffic; staff concurs based on available on-site parking and the small class sizes proposed by the applicant.

Required Commission/Board Approvals

The process for review and approval or denial of an application for a Conditional Use Permit (CUP) is outlined in Section 18-824 of the Town Code.

After initial staff review, the Planning Commission reviews the application in order to make a recommendation to the Board of Zoning Appeals, per Section 18-824.6.D. The Board of Zoning Appeals, per Section 18-824.6.E., reviews the application, along with the Planning Commission recommendation and public testimony, and makes the final decision. The Board may also impose conditions as it deems necessary.



TOWN OF VIENNA since 1890

Conditional Use Permit

GeoCivix, LLC

9420 E. Golf Links Rd. Suite 108, #296 | Tucson, AZ 85730

P: 520 319-0988 | E: (520) 319-1430 | E: jace.coleman@geocivix.com

Project Overview #2098120

Project Title: 421 Church St NE - Unit G - CUP - International School of Arts (DBA) New York School of Arts

Application Type: Conditional Use Permit State: VA
Workflow: 2. Staff Review County: Fairfax

Project Contacts

Contact Information: Applicant

Ray Lee
ISA
320 Maple Ave E, Suite D
Vienna, VA 22180

Contact Information: Owner

Ray Lee
ISA
320 Maple Ave E, Suite D
Vienna, VA 22180

Indicate which of the following additional project contacts are to be included on project correspondences.: None of the Above

Project Address

Project Address: 421 CHURCH ST NE

Parcel (PIN): Address/Parcel

- 421 CHURCH ST NE: 0382 02 0019

Suite: G

Town Limits: Address/Parcel

- 421 CHURCH ST NE: IN TOWN OF VIENNA

Current Zoning: Address/Parcel

- 421 CHURCH ST NE: C-1/T/RS-16

Project Description

Project Description:

International School of Arts (DBA New York School of Arts) is partially relocating a portion of its existing art education program from 320 Maple Ave E, Suite E, Vienna, VA 22180 to 421 Church St, Suite G, Vienna, VA 22180.

The organization will **continue operating its primary location at 320 Maple Ave E, Suite D**, while the lease for **Suite E is expiring**, requiring the relocation of that portion of the program.

New York School of Arts provides **specialized visual art instruction for K12 students**, including drawing, painting, and portfolio development. Instruction is conducted in **small-group classes of up to five students per class**, with **one or two classes operating during the same time period**, resulting in a **maximum of approximately 10 students at a time** under instructor supervision.

Hours of Operation

- Monday Friday: **3:30 PM 7:30 PM**
- Saturday: **9:00 AM 2:00 PM**

The proposed location is within a **non-residential commercial facility**, consistent with the Town of Vienna zoning requirements for **Specialized Instruction (Sec. 18-345)**.

Student **arrival and dismissal will be managed to ensure safety**. Parents will use **off-street parking spaces within the buildings parking lot** for student drop-off and pick-up. The property provides **enough off-street parking**, and these activities will occur **entirely within the parking lot without impeding traffic flow within the parking area, public right-of-way, or pedestrian movement**.

Trade Name of Business (DBA): NEW YORK SCHOOL OF ARTS

Business Hours: Monday Friday:3:30 PM 7:30 PM, Saturday:9:00 AM 2:00 PM

Type of Conditional Use Requested: Special Visual Art Instruction

Number of Proposed Employees: 2

Project Narrative:

International School of Arts (DBA New York School of Arts) proposes the partial relocation of its existing art education program from 320 Maple Ave E, Suite E, Vienna, VA 22180 to 421 Church St, Suite G, Vienna, VA 22180. The organization will continue operating its primary location at 320 Maple Ave E, Suite D. The relocation is necessary due to the expiration of the lease for Suite E and represents a continuation of an established program within the Town of Vienna.

Are you amending an existing conditional use permit?: No

Since 2018, New York School of Arts has been operating in Vienna and has made meaningful contributions to the local community by providing high-quality visual arts education to students. The institution has built a strong reputation for offering creative, student-centered instruction and fostering artistic growth among young learners in the area.

The program provides specialized visual art instruction for K12 students, including drawing, painting, and portfolio development. Classes are intentionally kept small, with up to five students per class, ensuring individualized attention and a high level of instructional

quality. Typically, one or two classes are conducted simultaneously, resulting in a maximum of approximately 10 students on-site at any given time under direct instructor supervision.

As it has done in the past, the school will continue to support the Vienna community by offering high-quality art education through experienced instructors, small class sizes, and customized, student-focused teaching approaches that meet each student's individual needs. This educational model promotes creativity, skill development, and personal growth, benefiting both students and the broader community.

The proposed hours of operation are as follows:

- Monday Friday: 3:30 PM 7:30 PM
- Saturday: 9:00 AM 2:00 PM

The proposed location is within a non-residential commercial facility and is consistent with the Town of Vienna zoning requirements for Specialized Instruction (Sec. 18-345).

The subject space has previously been used for many years as an art studio, including use for sewing classes. The applicant plans to utilize the space in its current condition, and no major renovations are required. Only minor cosmetic improvements, such as repainting the studio, are planned.

Student arrival and dismissal will be carefully managed to ensure safety and efficiency. Parents will utilize off-street parking spaces within the buildings parking lot for drop-off and pick-up. The site provides sufficient off-street parking, and all activities will occur within the designated parking area without impacting internal traffic circulation, public right-of-way, or pedestrian movement.

This request represents a continuation and partial relocation of an existing, well-established educational program that has

been serving the Town of Vienna since 2018. The program will maintain its commitment to small class sizes, safe operations, and high-quality instruction, consistent with the Towns Specialized Instruction zoning provisions, while continuing to contribute positively to the Vienna community.



Department of Planning and Zoning

Town of Vienna, Virginia

127 Center Street S

Vienna, Virginia 22180

Phone: 703-255-6341 | Email: DPZ@viennava.gov

Hours: Monday – Friday, 8:00 am - 4:30 pm

APPLICANT AUTHORIZATION FORM

I hereby certify that I am the property owner or that I have the authority of the property owner to submit this application. I further certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that if a permit or certificate is issued, the construction and/or use must conform to the Town Code and all other applicable laws and regulations, including any applicable private building restrictions related to the property.

I understand that the permits or certificates obtained pursuant to this permit authorization form will be in my name. I accept full responsibility for the work performed.

Description of permits or certificates being applied for:

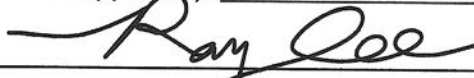
The applicant is requesting approval of a Conditional Use Permit to allow operation of a Specialized Instruction use (art education program) for New York School of Arts.

at the following address: 421 Church St, Suite G, Vienna, VA 22180

If the applicant is not the property owner, both the applicant and the property owner (or authorized agent) must sign this form.

APPLICANT INFORMATION

Applicant Name (if owner is not applicant): Ray Lee

Signature of Applicant:  Date: 04/11/2026


Phone Number: 914-708-0123 Email Address: ray@nyschoolarts.com

PROPERTY OWNER INFORMATION

If the property owner is an LLC, corporation, trust, or other legal entity, documentation demonstrating the signer's authority to bind the entity must be provided (e.g., operating agreement, corporate resolution, or similar authorization). The signer must be authorized to act on behalf of the entity listed as the property owner.

Property Owner Printed Name: VIRGINIA CARDIOVASCULAR INVESTMENTS, LLC
(must match owner listed in Fairfax County land records)

Printed Name and Title of Person Signing: Leonard H. Brown, III Property Manager
(if signing on behalf of an entity such as an LLC, corporation, or trust)

Signature of Property Owner:  Date: 4/11/2026

Phone Number: 703-399-4161 Email Address: lh@meridianproperty.net

Conditional Use Permit Narrative
International School of Arts (DBA New York School of Arts)
421 Church St, Suite G, Vienna, VA

A. Description of Proposed Use

International School of Arts (DBA New York School of Arts) proposes the partial relocation of its existing art education program from 320 Maple Ave E, Suite E to 421 Church St, Suite G, Vienna, VA. The organization will continue operating its primary location at 320 Maple Ave E, Suite D.

This request represents a continuation of an established educational program that has operated in the Town of Vienna since 2018. The relocation is necessitated by the expiration of the current lease and does not represent an expansion in intensity or scale of operations.

The proposed use is classified as **Specialized Instruction** in accordance with Sec. 18-345.

The program provides visual arts instruction for K-12 students, including drawing, painting, and portfolio development. Instruction is delivered in small classes of up to five students, with typically one to two classes operating simultaneously, resulting in a maximum on-site population of approximately 10 students at any given time.

No ancillary or secondary uses are proposed. All activities are educational in nature and occur entirely within the enclosed tenant space.

B. Potential Impacts and Mitigation Measures

i. Noise

a. **Anticipated Noise Levels:**

Noise generated by the proposed use is minimal and limited to normal classroom conversation and instructional activity within an enclosed commercial space.

b. **Compliance with Town Code:**

All anticipated noise levels will comply with the Town of Vienna Noise Ordinance, as activities are consistent with standard indoor educational uses.

c. **Noise Control Measures:**

- All instruction occurs indoors within a fully enclosed suite.
- No outdoor activities, amplified sound, or mechanical equipment generating significant noise are proposed.
- Student arrival and dismissal will be managed in an orderly manner to minimize noise from patrons.

ii. Odors

The proposed use does not generate significant odors. Art materials used (e.g., pencils, water-based paints) are non-toxic and commonly used in educational settings.

Control Measures:

- Use of low-odor, non-toxic materials.
- Standard indoor ventilation within the commercial building.

iii. Trash and Litter

a. **Type and Volume:**

Trash generation is minimal and consists primarily of paper, art supplies, and typical classroom waste.

b. **Collection Frequency:**

Trash will be disposed of through the building's existing waste management system and collection schedule.

c. **Litter Prevention:**

- All waste will be contained within the tenant space until properly disposed of.
- Students are supervised at all times, preventing littering on-site or in surrounding areas.

iv. Loading/Unloading

a. **Facilities:**

No dedicated loading facilities are required for this use. Deliveries (e.g., art supplies) are infrequent and handled through standard commercial access points.

b. **Hours and Frequency:**

- Deliveries occur occasionally during regular business hours.
- No recurring or high-volume loading activity is expected.

v. Parking and Stacking

a. **Parking Availability:**

The site provides adequate off-street parking within the existing commercial parking lot to accommodate staff and student drop-off/pick-up.

Given the small class sizes (maximum ~10 students on-site) and staggered scheduling, parking demand remains low and consistent with prior operations.

b. **Stacking and Circulation:**

- No drive-through or stacking lanes are proposed or required.
- Student drop-off and pick-up will occur efficiently within designated parking areas without impacting internal circulation or public right-of-way.

vi. Use Capacity

a. **Users:**

- Maximum of approximately 10 students on-site at any given time, supervised by up to 2 instructors.

b. **Employees:**

- Typically 1–2 instructors present during operating hours.
- No additional staff is anticipated.

vii. Hours of Operation

- Monday – Friday: 3:30 PM – 7:30 PM
- Saturday: 9:00 AM – 2:00 PM

These hours align with after-school and weekend programming and are compatible with surrounding commercial uses.

viii. Site Plan

The proposed use will occupy an existing commercial tenant space previously used as an art studio (ARTISTRY 27 STUDIO), including sewing instruction. No major renovations are required.

A site plan demonstrating compliance with § 18-836 will be submitted as required, or an approved site plan will be referenced, confirming:

- Adequate parking
- Safe access and circulation
- Compliance with zoning requirements

ix. Additional Compliance

- The proposed use complies with **Specialized Instruction (Sec. 18-345)** zoning provisions.
- The use is consistent with prior occupancy of the space as an art studio.
- Only minor cosmetic improvements (e.g., repainting) are proposed.

ATTACHMENT 03

- The operation maintains a low-intensity, community-oriented educational use compatible with surrounding commercial properties.

Conclusion

This application represents the continuation and partial relocation of a long-standing, community-serving art educational program within the Town of Vienna. Since 2018, New York School of Arts has contributed positively to the community by providing high-quality visual arts education.

The proposed use is:

- Low-impact in nature
- Fully compatible with surrounding uses
- Supported by adequate infrastructure (parking, access, and facilities)
- Consistent with Town zoning and prior site use

The school remains committed to maintaining small class sizes, safe operations, and high-quality instruction while continuing to serve Vienna residents.

79-30 (20)

NOTE: IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONFIRM THE LOCATION AND DEPTH OF ALL UTILITIES WITHIN THE CONSTRUCTION AREA OF THESE PLANS. TEST PITS SHALL BE REQUESTED A MINIMUM OF 48 HOURS IN ADVANCE FOR THOSE UTILITIES REQUIRING THEM.

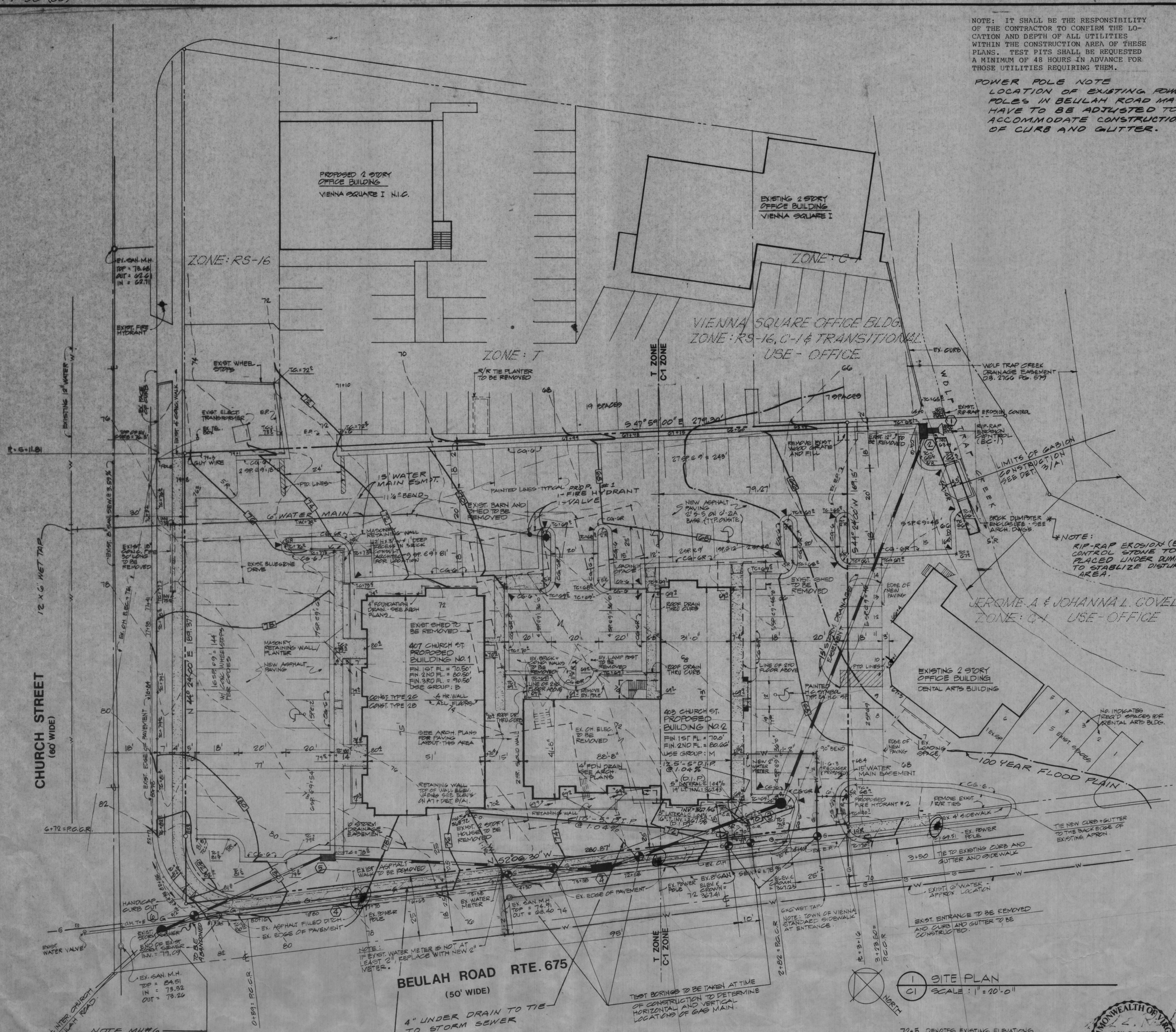
POWER POLE NOTE
LOCATION OF EXISTING POWER POLES IN BULLAH ROAD MAY HAVE TO BE ADJUSTED TO ACCOMMODATE CONSTRUCTION OF CURB AND GUTTER.

TABULATION

Owners	Jerome A. Covel, Et Ux Walter E. Story, Et Ux Robert E. Whittington, Et Ux Joseph Taylor Jr. William Boleyn	
Site Area	C-1 Zone 13,409 S.F. T-1 Zone 36,598 S.F. Total 50,007 S.F. (1.148 Acre)	
Zone	C-1 and T	
Use	Office (B) Commercial (M)	
Number of Buildings	2	
Number of Stories	Building 1 3 Building 2 2	
Maximum Building Height	35'	
Type of Construction	Building 1 2B & 2C Building 2 2C	
Gross Building Area	C-1 Zone	T Zone
Building 1	6,200 S.F.	13,800 S.F.
Building 2	6,200 S.F.	4,000 S.F.
Total, Both Bldgs.	24,000 S.F.	17,800 S.F.
Net Building Area	Building 1 13,800 S.F. X 80% = 11,040 S.F.	Building 2 4,000 S.F. X 80% = 3,200 S.F.
Total	10,200 S.F. X 80% = 8,160 S.F.	19,200 S.F.
Parking	Required 96 Spaces @ 1 Space Per 200 S.F.-Net Provided 96 Spaces (4 Handicapped)	
Loading Space	1 Space @ 15' X 25'	
Open Landscaped Area	C-1 Zone 1,825 S.F. (13.6%)	T Zone 9,266 S.F. (28.3%)
Lot Coverage	C-1 Zone 8,434 S.F. Building Area 3,150 S.F. Total 11,584 S.F.	T Zone 20,702 S.F. Building Area 6,350 S.F. Total 27,332 S.F.
Ratio of Lot Coverage	C-1 Zone 11,584 ÷ 13,409 = 86.4%	T Zone 27,332 ÷ 36,598 = 74.7%
Existing Dental Arts Building	See Site Plan for revised parking Parking Required 16 Spaces Parking Provided 16 Spaces	
Proposed Vienna Square I Office Building	See Site Plan for revised parking Parking Required 61 Spaces Parking Provided 61 Spaces	

REVISIONS
DATE FEB 24, 1986
COMM. NO. 8502
THIS DRAWING IS THE PROPERTY OF KARL E. KOHLER ASSOCIATES, ARCHITECTS, AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THEIR EXPRESS WRITTEN PERMISSION.

VIENNA SQUARE II
Virginia
Town of Vienna,

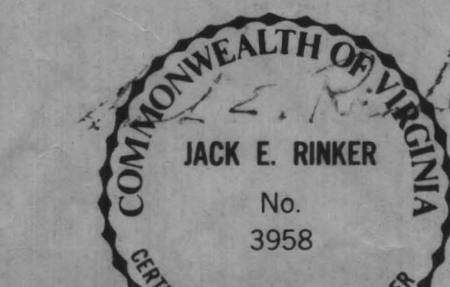


- NOTES:
1. Topography and boundary information obtained by Rinker-Detwiler and Associates, P.C., Engineering, Surveying and Land Planning.
 2. Builder will be responsible for allaying dust and cleaning mud deposited on the towns R.O.W. - Beulah Road and Church Street.
 3. Any off-site grading must be done with the property owners consent.
 4. Erosion and siltation control measures to be placed prior to any grading and disturbance of natural cover.
 5. Provide overlot grading to provide positive drainage and preclude ponding of water.
 6. No disturbed area shall be denuded for more than sixty (60) calendar days.
 7. All storm and sanitary sewer lines and electrical power, phone and gas supply trenches not in street to be compacted, mulched and seeded within fifteen (15) days after backfill. No more than 500 feet are to be open at any one time.
 8. All temporary earth berms, diversions, and silt dams to be mulched and seeded for temporary vegetative cover within ten (10) days after grading. Straw or hay mulch is required. The same applies to all temporary stockpiles.
 9. Any disturbed area not paved, sodded or built upon 1 November is to be seeded on that date with oats, abuzzi rye or equivalent, and mulched with hay or straw at the rate of 2 tons/acre.
 10. All fill areas at buildings, driveways, and walks shall be done with clean compactable fill dirt in layers not to exceed 6" in depth and compacted to 95% compaction.
 11. The contractor shall verify in the field the location and depth of all underground utilities prior to commencement of new work.
 12. All water valves and fire hydrants to be Mueller Standard.

FIRE FLOW DATA:

EXIST. HYDRANT ON CHURCH ST	
TYPE OF CONSTRUCTION: BUILDING 1: 2B & 2C BUILDING 2: 2C	
USE GROUP: BUILDING 1-B, BUILDING 2-M	
NO. OF STORIES: BUILDING 1: 3 BUILDING 2: 2	
FLOOR AREAS: SEE TABULATION ABOVE	
FIRE FLOW: BUILDING NO. 1	
PROVIDED - Q20 = 1,270 G.P.M. @ 20 P.S.I.	
REQUIRED - Q20 = 1,125 G.P.M. @ 20 P.S.I.	
FIRE FLOW: BUILDING NO. 2	
PROVIDED - Q20 = 1,270 G.P.M. @ 20 P.S.I. - PROPOSED HYDRANT #1	
Q20 = 1,000 G.P.M. @ 20 P.S.I. - PROPOSED HYDRANT #2	
Q20 = 2,150 G.P.M. @ 20 P.S.I. - BOTH PROPOSED RUNNING	
REQUIRED - Q20 = 1,500 G.P.M. @ 20 P.S.I. - SIMULTANEOUSLY	

NOTE: TOWN OF VIENNA HAS COMPLETED STUDIES FOR UPGRADING THEIR WATER SYSTEMS. THEIR PROJECTED TIME FOR COMPLETION IS WITHIN THE NEXT 5 YEARS.



REVISOR STORM SEWER 5-13-86
RINKER-DETWILER AND ASSOCIATES, P.C.
ENGINEERING • SURVEYING • LAND PLANNING
FAIRFAX, VIRGINIA

C1

SITE PLAN

(Not to Scale)

421 Church St NE, Suite G, Vienna, VA 22180



Main Building Structure

421 Church St NE, Suite G, Vienna, VA 22180



Google Maps

Parking Area-1

421 Church St NE, Suite G, Vienna, VA 22180



SKIN
5.0 ★

Parking Area-2

421 Church St NE, Suite G, Vienna, VA 22180



Google Maps

Image capture - Jun 2018 © 2016 Google United States

Parking Area-3

421 Church St NE, Suite G, Vienna, VA 22180



Fairfax County GIS & SITE PLAN NOTE

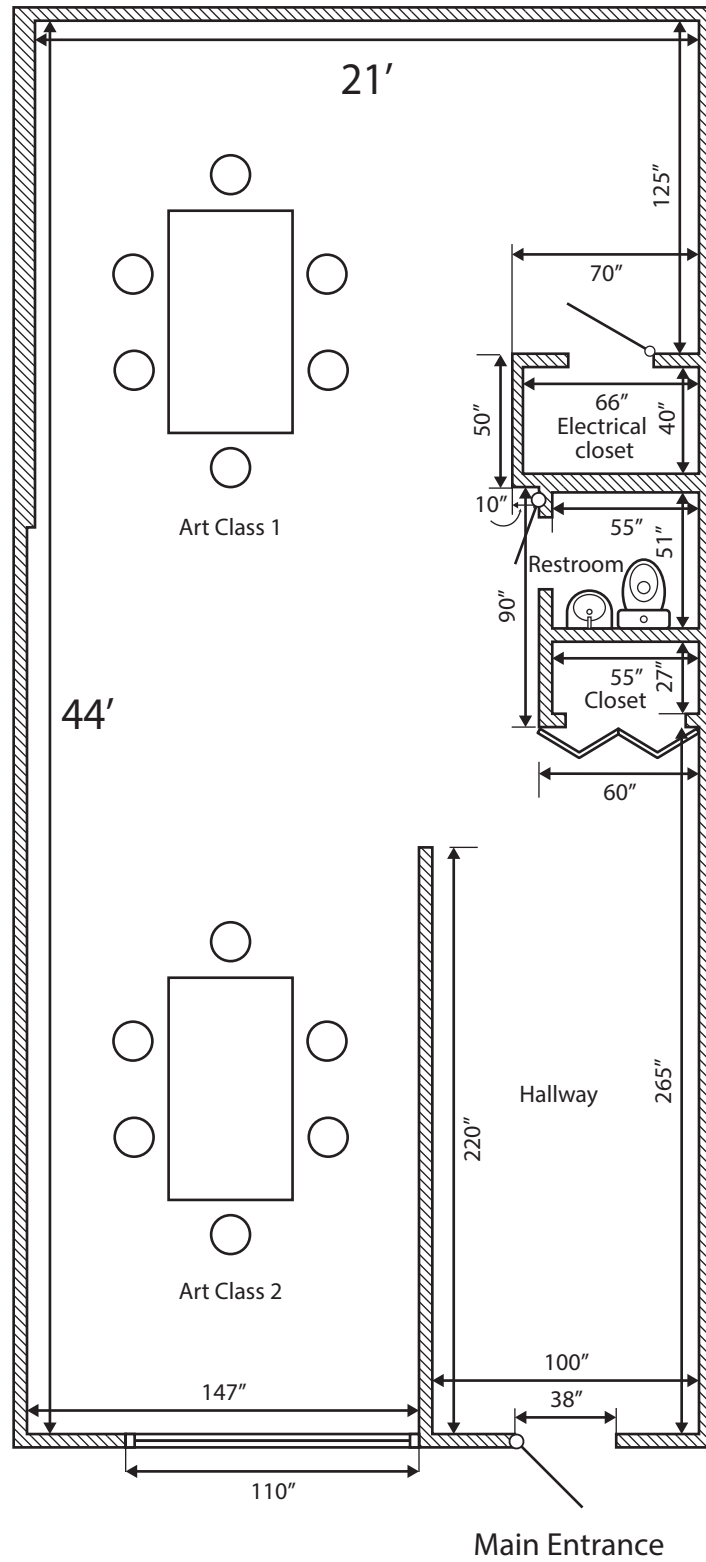
421 Church St NE, Suite G, Vienna, VA 22180

NOTES

- The subject property is located at 421 Church St NE, Suite G, Vienna, VA 22180.
- The proposed use is art education (New York School of Arts).
- No exterior modifications or physical improvements to the existing unit are proposed.
- The existing parking lot provides approximately 60 shared parking spaces within the commercial complex.
- In addition, there are over 100 parking spaces available at 115 Beulah Road NE, which is accessible from the subject property.
- Student drop-off and pick-up activities are managed on-site and are not expected to negatively impact traffic conditions along Church Street or Beulah Road.
- The proposed use is expected to have minimal traffic impact, comparable to or less than typical retail/service uses within the existing commercial zoning.



Zone Code: AE



Project Name: 421 Church Street, Suite G – Interior Floor Plan
Applicant: International School of Arts
Address: 320 Maple Ave E, Suite D, Vienna, VA 22180
Date: 04/01/202

Sec. 18-345. Specialized Instruction.

1. Specialized instruction classes or camps may operate only in non-residential facilities.
2. Operators of specialized instruction classes or camps must ensure the safety of their students during their arrival and dismissal.
3. Operators must use off-street spaces for student drop-off and pick-up.
4. Drop-off and pick-up may not impede the flow of traffic within the parking area or in public right-of-way, or create an unsafe environment for pedestrians.

Sec. 18-824. Conditional Use Permit.

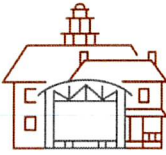
1. **Conditional Use Permit Required.** Any use that is indicated within Article 3 of this Chapter and is marked with a "C" on the Principal Uses or Accessory Uses Tables requires the approval of a Conditional Use Permit by the Board of Zoning Appeals prior to the issuance of a Building Permit or Certificate of Occupancy.
2. **Site Plan May be Required.** The Zoning Administrator will review the application and determine whether a site plan review is required prior to the commencement of review of an application for a Conditional Use Permit. See Site Plan in § 18-836.
3. **Conditions for Approval.** 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:
 - 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.
4. **Action Required in Reasonable Time.** 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.
5. **Application.** An application for a conditional use permit shall be submitted to the Director of Planning and Zoning on such forms as the Director may prescribe and shall include the following:
 - A. A detailed description of the operation of the proposed use, including any proposed ancillary or secondary use that the applicant is considering.
 - B. Plans to control any potential impacts of the proposed use on the nearby community, including:
 - i. **Noise.**
 - a. Noise levels anticipated from all uses and equipment.
 - b. A statement as to whether the anticipated noise complies with the levels permitted by the Town Code.
 - c. Plans to control these anticipated noise levels, including noise emanating from patrons or visitors to the proposed use.
 - ii. **Odors.** Methods to be used to control odors emanating from the use when applicable.

-
- iii. **Trash and litter.**
 - a. The type and volume of trash and garbage the proposed use will generate.
 - b. The planned frequency of trash collection.
 - c. Planned methods to prevent littering on the property, streets and nearby properties.
 - iv. **Loading/unloading.**
 - a. Availability and adequacy of off-street loading facilities.
 - b. Hours and frequency of off-street loading.
 - v. **Parking and Stacking.**
 - a. Number of spaces available to serve residents, employees, and patrons during the hours of operation, for all primary and secondary uses being proposed.
 - b. Plan showing geometric design of stacking aisle and number of stacking spaces provided.
 - vi. **Use capacity.**
 - a. The estimated number of patrons, visitors, clients, pupils and other such users.
 - b. The proposed number of employees, staff and other personnel.
 - vii. **Hours.** The proposed hours and days of operation of all proposed uses.
 - viii. **Site Plan.** A proposed site plan consistent with the requirements of § 18-836 shall be submitted, reviewed, and approved as part of the conditional use permit application and pursuant to the procedures and standards of this section, or an approved site plan showing compliance with the uses proposed.
 - ix. Plans and other documents exhibiting compliance with any other requirements contained in this ordinance for the conditional use proposed and as the Director of Planning and Zoning determines are necessary and desirable for adequate review.

6. **Review Process.**

- A. **Pre-Application Meeting.** The applicant is required to attend a pre-application meeting with Town staff prior to submitting an application for a Conditional Use Permit. See § 18-833, Pre-Application Meeting.
- B. **Review for completeness.** Applications for Conditional Use Permits are reviewed for completeness by the Director of Planning and Zoning and the Zoning Administrator. The application may be referred to the Director of Public Works if determined to be required by the Zoning Administrator.
- C. **Application deemed complete.** Once the Director of Planning and Zoning and the Zoning Administrator deem the application to be complete, the application and supporting materials are transmitted to the Planning Commission.
- D. **Action by Planning Commission.** 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. The Zoning Administrator shall transmit the Planning Commission's recommendation with the application and supporting materials to the Board of Zoning Appeals for final review and determination.
- E. **Action by the Board of Zoning Appeals.**
 - i. **Final Decision.** The Board of Zoning Appeals has the final decision authority on Conditional Use Permits.

-
- ii. **Board may Impose Conditions.** The Board may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure continued compliance with the conditions imposed.
 - F. **Appeals.** Decisions by the Board of Zoning Appeals may be appealed to the Fairfax County Circuit Court per Code of Virginia § 15.2-2285, 1950, as amended.
7. **Duration of valid permit.**
- A. **Permit void after six months if operation not commenced.** Any use permit or amended portions of existing use permits shall become void six months after issuance if construction or operation related thereto has not commenced, unless otherwise specified by the Board of Zoning Appeals.
 - B. **Extension of time allowed under certain conditions.** An extension of time may be permitted by the Board of Zoning Appeals.
 - C. **Termination of use.** A conditional use permit shall cease to be valid if the use for which such permit is granted is not operated for a continuous period of two (2) years or more.
8. **Enforcement and Compliance.**
- A. **Failure to Comply with Permit Conditions.** Failure to comply with Conditional Use Permit conditions are zoning violations and subject to the enforcement measures within Division 6 - Enforcement, Compliance and Penalties.
 - B. **Revocation of Non-Compliant Permits.** The Board of Zoning Appeals may revoke a Conditional Use Permit if the board determines that there has not been compliance with the terms and conditions of the permit. No permit may be revoked except after notice and hearing as provided by Code of Virginia, § 15.2-2204.



TOWN OF
VIENNA
Planning & Zoning

PUBLIC NOTIFICATION AFFIDAVIT

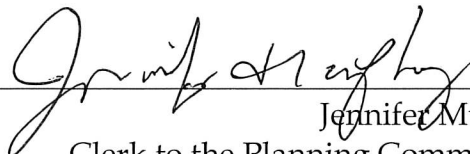
I hereby affirm that the Town of Vienna has adequately complied with the written notification procedures defined in § 15.2-2204 (amended) of the Code of Virginia and § 18-844 of the Code of the Town of Vienna.

Written notices were sent by registered mail on May 7, 2026, to the last known address of each abutting property owner (including those located across rights-of-way) shown in the current real estate tax assessment records. A list of these addresses is attached and is based on records provided by Fairfax County's Department of Tax Administration.

One sign was posted in front of the subject location, 421 Church Street NE on April 22, 2026, with dates of the Planning Commission meeting and Board of Zoning Appeals public hearing. A photo of the posted sign is attached.

A certified letter was sent on April 30, 2026, to Fairfax County Department of Planning & Development Planning Division.

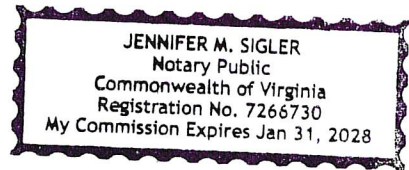
Copies of the notices, pertaining to date, time and location of the Planning Commission meeting for Conditional Use Permit for property located at 421 Church Street NE and more particularly described as tax map parcel 0382 02 0019, are attached.


Jennifer Murphy
Clerk to the Planning Commission

Commonwealth of Virginia
Town of Vienna

Subscribed and sworn before me this 7th day of May 2026.


Notary Public



My commission expires: 1-31-28

NOTICE OF PUBLIC MEETING



RE: 421 Church Street NE - Conditional Use Permit
International School of Arts DBA New York School of Arts

111 Church St NW Suite 101 - Blend 111

APPLICATION REQUEST

To relocate a portion of an existing art school (K-12 visual arts instruction) from 320 Maple Ave E to 421 Church St NE, Suite G for small group classes (max 10 students); no building expansion; for on-site parking and drop-off.



SITE LOCAT

SI

ing Commission will hold a

7:30 pm • Wednesday, May 13, 2026

This is to inform you that the Commission will hold a public hearing at:

7:30 pm • Wednesday, May 20, 2026

and held at **Town Hall, 127 Center Street, South, 2nd floor,**

All hearings are open to the public and held at Town Hall, 127 Center Street S, 2nd floor, Council Chambers

You are receiving this notification as a neighbor to the subject property shown above. You do not have to respond to this card. If you would like more information, please email DPZ@viennava.gov or call 703.255.6341. Meeting materials can also be viewed online at <https://vienna-va.legistar.com/Calendar.aspx>. Anyone may sign up to speak at the hearing.

NOTICE OF PUBLIC MEETING

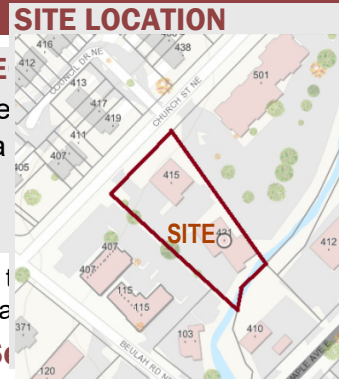


RE: 421 Church Street NE - Conditional Use Permit
International School of Arts DBA New York School of Arts

111 Church St NW Suite 101 - Blend 111

APPLICATION REQUEST

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Virginia Cardiovascular
Investments LLC
8100 Ashton Ave, Ste 200
Manassas, VA 20109

115 Beulah Rd LLC
115 Beulah Rd NE, Ste 200-E
Vienna, VA 22180

Tenant
209 Elden St, Ste 110
Vienna, VA 22180

George D Beglis TR
Jeanne Beglis TR
407 Church St NE, Ste I
Vienna, VA 22180

Church Street Vienna LLC
407 Church St NE, Unit G
Vienna, VA 22180

Tenant
407 Church St NE, Ste A
Vienna, VA 22180

Ma and Jr LLC
40517 Hazel Pl
Aldie, VA 20105

Tenant
103 Beulah Rd NE #201
Vienna, VA 22180

Tenant
421 Church St NE #E
Vienna, VA 22180

Tenant
421 Church St NE #H
Vienna, VA 22180

Tenant
421 Church St NE #F
Vienna, VA 22180

Council Square Inc.
C/o G Thomas Collins Jr
PO Box 11086
McLean, VA 22102 7986

Victoria Station Inc.
115 Beulah Rd NE, Ste 100C
Vienna, VA 22180

Lea Wei Kao
407 B Church St NE
Vienna, VA 22180

Colcon Properties LC
407 Church St NE, Ste L
Vienna, VA 22180

Owner
407 Church St NE, Ste F
Vienna, VA 22180

Vienna Saan LLC
512 Nelson Dr NE
Vienna, VA 22180

410 Maple Avenue LLC
4042 Hunt Rd
Fairfax, VA 22032

Tenant
103 Beulah Rd NE
Vienna, VA 22180

Tenant
421 Church St NE #D
Vienna, VA 22180

Tenant
421 Church St NE #A
Vienna, VA 22180

Tenant
415 Church St NE, #101
Vienna, VA 22180

Lesu Investment LLC
115 Beulah Rd NE, Ste 100
Vienna, VA 22180

Nazu Tex International America
LTD
209 Elden St, Ste 110
Herndon, VA 20170

Thai Massage & Healing LLC
407 Church St NE
Vienna, VA 22180

Church Street Condo LLC
407 Church St NE, Unit H
Vienna, VA 22180

Susan M. Payne
20843 Adams Mill Pl
Ashburn, VA 20147

Tenant
407 Church St NE, Ste E
Vienna, VA 22180

Klondyke Church LLC
PO Box 2378
Peachtree City, GA 30269

Tenant
410 Maple Ave E
Vienna, VA 22180

Tenant
421 Church St NE #B
Vienna, VA 22180

Tenant
421 Church St NE #C
Vienna, VA 22180

Tenant
501 Church St NE #208
Vienna, VA 22180

Tenant
501 Church St NE #110
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Tenant
501 Church St NE #300
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Tenant
501 Church St NE #105
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501 Church St NE #301
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501 Church St NE #212
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501 Church St NE #108
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501 Church St NE #202
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501 Church St NE #217
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Tenant
501 Church St NE #102
Vienna, VA 22180

Tenant
501 Church St NE #1
Vienna, VA 22180

Tenant
501 Church St NE #306
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Tenant
501 Church St NE #311
Vienna, VA 22180

Tenant
501 Church St NE #304
Vienna, VA 22180

Tenant
501 Church St NE #310
Vienna, VA 22180

Tenant
501 Church St NE #203C
Vienna, VA 22180

Tenant
501 Church St NE #206
Vienna, VA 22180

Tenant
501 Church St NE #320
Vienna, VA 22180



APPLICATION TYPE:

Conditional Use Permit

PROPOSAL:

International School of Arts DBA New York School of Arts
Request to relocate a portion of an existing art school (K-12 visual arts instruction) from 320 Maple Ave E to 421 Church St, Suite G.
Small group classes (max 10 students); no building expansion; on-site parking and drop-off.

PROPERTY ADDRESS:

421 Church St NE

MEETING DATE(S):

Planning Commission: Wednesday, May 13, 2026 at 7:30 PM
Board of Zoning Appeals: Wednesday, May 20, 2026, 7:30 PM

Apr 22, 2026 at 3:23:57 PM
464-472 Church St NE
Vienna VA 22180
United States



TOWN OF
VIENNA
Virginia

PUBLIC NOTICE

SIGN ID
03

www.viennava.gov/notice



APPLICATION TYPE: **Conditional Use Permit**

PROPOSAL:

International School of Arts DBA New York School of Arts
Request to relocate a portion of an existing art school (K-12 visual arts instruction) from 320 Maple Ave E to 421 Church St, Suite G. Small group classes (max 10 students); no building expansion; on-site parking and drop-off.

PROPERTY ADDRESS: **421 Church St NE**

MEETING DATE(S):

Planning Commission: Wednesday, May 13, 2026 at 7:30 PM
Board of Zoning Appeals: Wednesday, May 20, 2026, 7:30 PM

Questions? Call **703-255-6341**

DO NOT REMOVE OR DEFACE UNDER PENALTY OF LAW

Apr 22, 2026 at 3:23:48 PM
415 Church St NE
Vienna VA 22180
United States



 **PUBLIC NOTICE** SIGN ID: **03**
www.viennava.gov/notice
APPLICATION TYPE: Conditional Use Permit PROPOSAL:
International School of Arts (ISA) New York School of Arts
Proposed to renovate a portion of an existing art school at 415 Church St. (located near 415 Church St. NE) to be used as an art school for students. The school group plans to use the building as a school for students in the building and to use the building for other purposes.
PROPERTY ADDRESS: 415 Church St NE
MEETING DATE(S):
Planning Commission: Wednesday, May 13, 2024 at 7:00 PM
Board of Zoning Appeals: Wednesday, May 20, 2024, 7:00 PM
Questions? Call 703-255-6341
CITY OF VIENNA OFFICE OF THE CLERK OF COURTS

Vienna Square
OFFICE AVAILABLE
703-255-6161



TOWN OF
VIENNA

April 29, 2026

Attn: Tracy Strunk
Fairfax County Department of Planning & Development
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, VA 22035-5507

Re: Notice of Public Meeting

As part of the legal notice requirements contained in Section 15.2-2204 (Amended) of the Code of Virginia, the following regulations must be addressed relating to notification of adjacent counties and municipalities:

"When a proposed comprehensive plan or amendment thereto, a proposed change in zoning map classification, or an application for special exception or variance involves any parcel of land located within one-half mile of a boundary of an adjoining county or municipality of the Commonwealth, then, in addition to the advertising and written notification as above required, written notice shall also be given by the local commission, or its representative, at least ten days before the hearing to the chief administrative officer, or his designee, of such adjoining county or municipality."

Therefore, in accordance with the above regulations, please let this letter serve to inform you that the Town of Vienna's Planning Commission will hold a public meeting to review the following:

- Request for approval of a Conditional Use Permit per Sec. 18-304., Principal Uses Table., of the Town of Vienna Zoning and Subdivision Ordinance, to relocate a portion of an existing art school (K-12 visual arts instruction) to 421 Church St NE, Suite G, in the AE – Avenue East commercial zone. Application filed by Ray Lee, ISA on behalf of International School of Arts (DBA) New York School of Arts.
- Request for approval of an updated Conditional Use Permit per Sec. 18-305, Accessory Uses Table and 18-323 Drive-Through Facilities of the Town of Vienna Zoning and Subdivision Ordinance, to modify the existing drive-through at the McDonald's restaurant, located at 544 Maple Avenue West, in the AW – Area West commercial zone. Application filed by Evan Pritchard of Wire Gill LLP, on behalf of McDonald's USA, LLC owner.

The Planning Commission will review the previously listed items, providing recommendations to the Board of Zoning Appeals. Scheduled hearing dates are as follows:

International School of Arts – 421 Church Street NE:

- Wednesday, May 13, 2026, at 7:30 pm, Vienna Town Hall – Planning Commission
- Wednesday, May 20, 2026, at 7:30 pm, Vienna Town Hall – Board of Zoning Appeals

McDonalds Restaurant – 544 Maple Avenue West:

- Wednesday, May 13, 2026, at 7:30 pm, Vienna Town Hall – Planning Commission
- Wednesday, June 17, 2026, at 7:30 pm, Vienna Town Hall – Board of Zoning Appeals

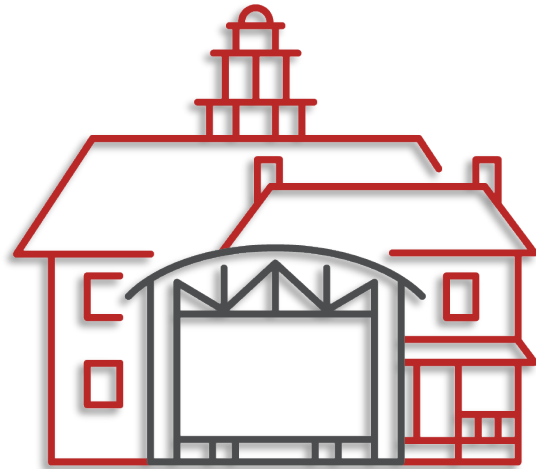
Interested parties may contact the Department of Planning & Zoning, on the first floor of Vienna Town Hall. Agenda items can also be reviewed online up to five (5) days prior to the scheduled meeting <https://vienna-va.legistar.com/Calendar.aspx>.

In the event that the item is rescheduled, continued, or deferred you will be notified. For further questions and inquiries, please contact the Department of Planning and Zoning by phone, (703) 255-6341 or by email: DPZ@Viennava.gov.

Sincerely,



David B. Levy, AICP
Director of the Department of Planning & Zoning
Town of Vienna, VA



TOWN OF
VIENNA
since 1890

Conditional Use Permit for Specialized Instruction at 421 Church St NE Unit G

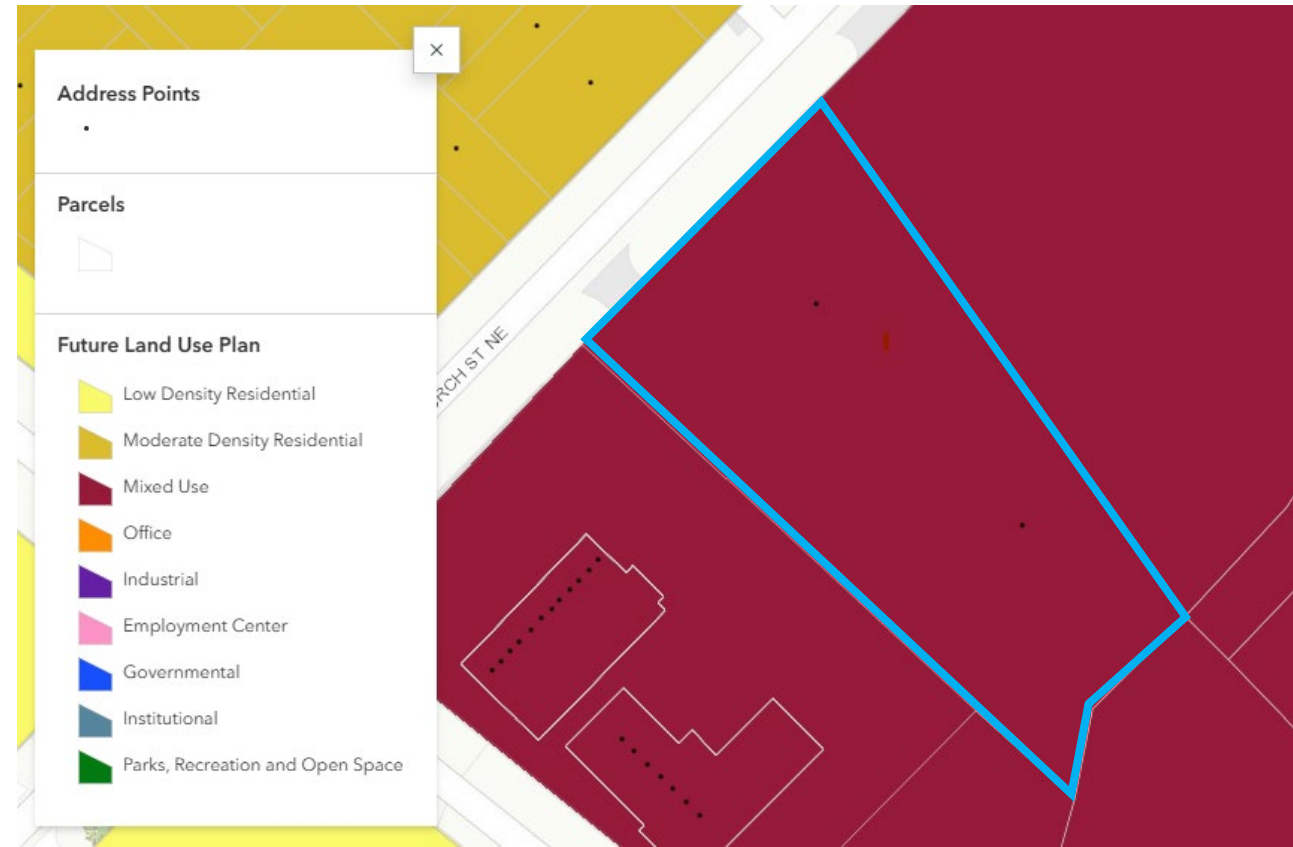
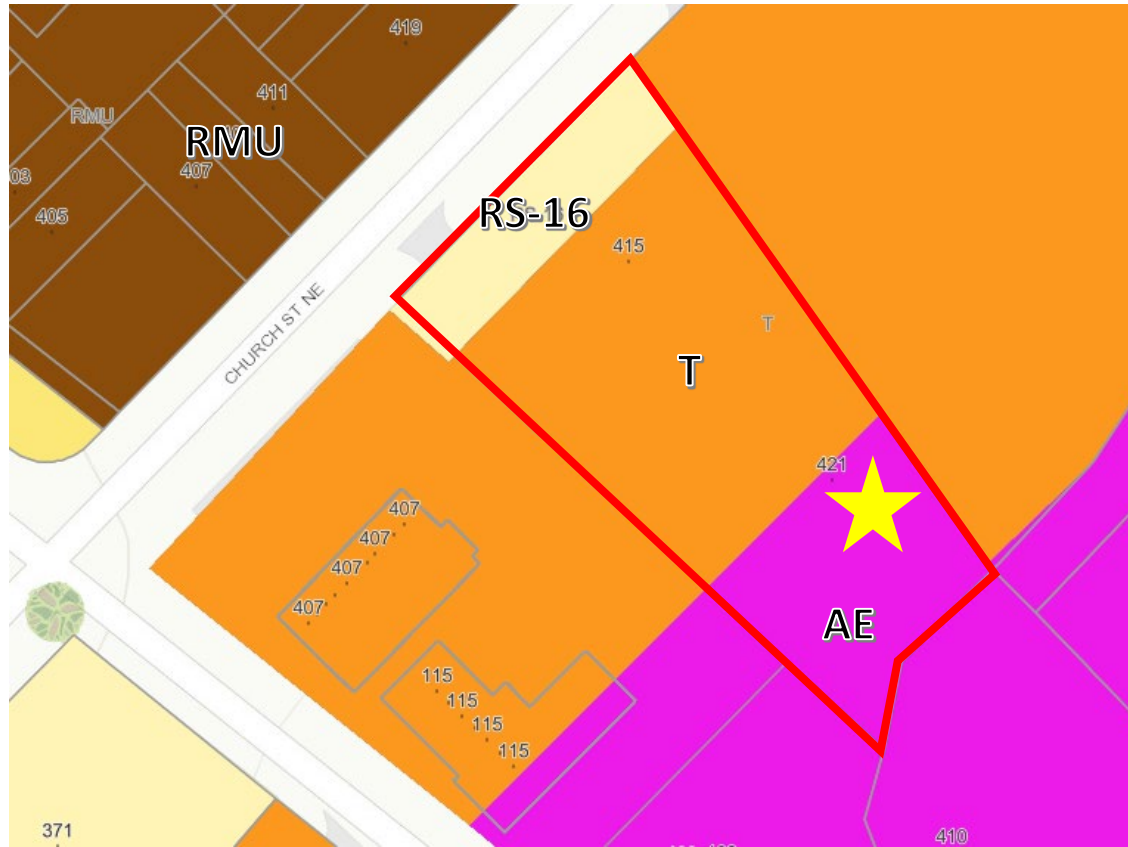
Planning Commission Meeting
May 13, 2026

421 Church St NE Unit G

- Approx. 924 sf unit
- Applicant (Ray Lee, New York School of Arts) proposes to relocate a portion of their existing business from 320 Maple Ave East Suite E to 421 Church St NE Unit G
- Vienna Square has as mix of retail, including retail, office, medical, and specialized instruction
- Unit G was most recently the home of another specialized instruction business



Zoning and the Comprehensive Plan



Existing Conditions



Existing Conditions - Parking

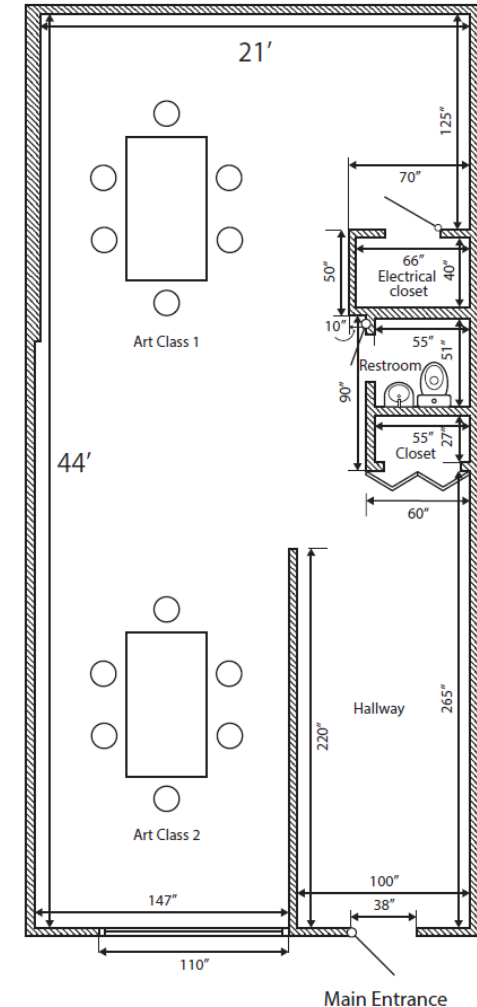


Existing Conditions - Parking



New York School of Arts

- Hours of Operation:
 - Monday-Friday: 3:30 PM-7:30 PM
 - Saturday: 9:00 AM-2:00 PM
- One to two classes taught during times when NYSA is open
- Maximum capacity is five students per class; each class taught by one instructor
- No exterior renovations are proposed, and interior renovations will be minimal



CUP Conditions for Approval – Town Code

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.

Plans to control any potential impacts of the proposed use on the nearby community, including:

- **Noise.**
- **Odors.**
- **Trash and litter.**
- **Loading/unloading.**



Specialized Instruction Use Standards

- Specialized instruction classes or camps may operate only in non-residential facilities.
- Operators of specialized instruction classes or camps must ensure the safety of their students during their arrival and dismissal.
- Operators must use off-street spaces for student drop-off and pick-up.
- Drop-off and pick-up may not impede the flow of traffic within the parking area or in public right-of-way, or create an unsafe environment for pedestrians.

Suggested Motions

"I move to recommend approval of the Conditional Use Permit to the Board of Zoning Appeals to allow Specialized Instruction at 421 Church Street NE Unit G, in the AE zoning district, described as tax map 0382 02 0019."

OR

" I move to recommend approval of the Conditional Use Permit to the Board of Zoning Appeals to allow Specialized Instruction at 421 Church Street NE Unit G, in the AE zoning district, described as tax map 0382 02 0019, with the following conditions:"

(Planning Commissioners state conditions of approval individually).

OR

" I move to recommend denial of the Conditional Use Permit to the Board of Zoning Appeals to allow Specialized Instruction at 421 Church Street NE Unit G, in the AE zoning district, described as tax map 0382 02 0019."

OR

Other action deemed necessary by the Planning Commission.





Agenda Item Report

File #: PC26-298, **Version:** 1

Subject:

Recommendation to the Town Council for Planning Commission Member of the Windover Heights Board of Review

The Windover Heights Board of Review (WHBR) has the responsibility for reviewing certain proposed construction activities that would take place within the Windover Heights Historic Overlay District. The overlay district is defined in Sec. 18-237 of the Town Code, which is provided as Attachment 1. That section also defines the Board's role with respect to proposed public infrastructure. Procedures and processes for review of proposed private development within the overlay district are defined in Sec. 18-818 of the Town Code, which is provided as Attachment 2.

The membership of the WHBR is also outlined in Section 18-818 (Attachment 2). The Board consists of five members, and Town Council is directed to consider individuals with an interest in and appreciation for the Town's cultural heritage and history. The membership includes:

- One registered professional architect whose qualifications are compatible with historic preservation and restoration,
- One member of the Board of Architectural Review,
- One member of the Planning Commission,
- One member of the Conservation and Sustainability Commission; and
- One member selected from the community at large.

Former Planning Commissioner Stephen Kenney served as the Planning Commission representative to the Windover Heights Board of Review (WHBR) from his initial appointment in 2022 until his final meeting in March 2026. With his departure from the Planning Commission, Mr. Kenney is no longer eligible to be the Commission's representative to the WHBR. As such, the Town Council must appoint a new Commission representative.

The Planning Commission has traditionally recommended one of its members for service on the WHBR. This agenda item provides the Commission an opportunity to make its recommendation.

Pursuant to the Town Code, appointments to the WHBR are for two-year terms. Commissioner Kenney was reappointed in December 2024 for a term ending December 2026. The Town Council will therefore have at least two options:

- 1) Appoint the Planning Commission member for two years, beginning with the appointment date (which is expected to be June 1), or
- 2) Appoint the Planning Commission member to complete Commissioner Kenney's term.

Staff is not normally involved in Council appointments to boards and commissions so staff does not know which pathway the Council will choose to take; but staff expects that a Planning Commission recommendation in this regard will be taken seriously by the Council.

Staff recommends that the Planning Commission provide a recommendation to Town Council identifying one of its members to serve as its representative on the WHBR and consider making a recommendation for the term of service (i.e., the remainder of Commissioner Kenney's term or for two years from the appointment date).

PROPOSED/SUGGESTED MOTION

"I move to recommend _____ for the position of Planning Commission Member of the Windover Heights Board of Review {for a period of _____}."

OR

Other action deemed necessary by the Planning Commission.

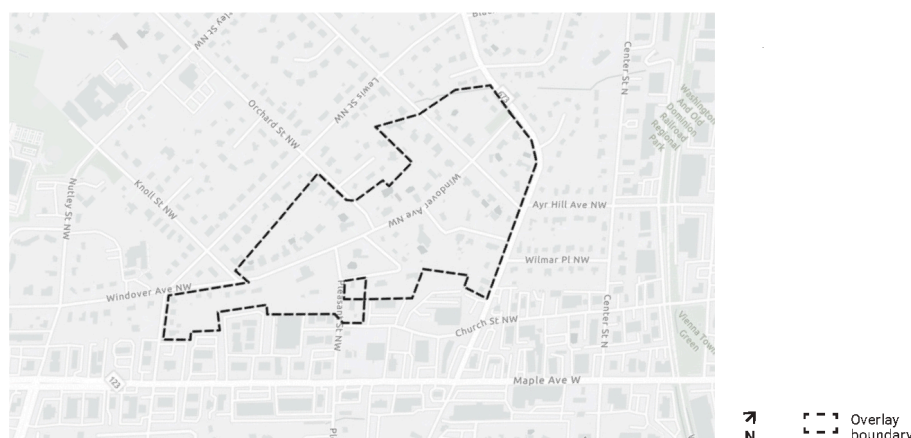
Attachments:

1. Windover Heights Historic District Overlay (WH-O)
2. Windover Heights Board of Review: Town Code Section 18-818

Sec. 18-237. - Windover Heights Historic Overlay (WH-O).

1. **WH-O Purpose.** The purpose of the Windover Heights Historic Overlay District is to recognize and designate by an overlay to the zoning map of the Town of Vienna, the Windover Heights Historic Overlay District of the Town. The district contains buildings and places in which historic events occurred and which have special public value because of notable architectural features and other features which relate to the cultural and artistic heritage of Vienna. To provide for the preservation of that district and sites therein, the Town Council recognizes that the district is a single-family residential neighborhood which has changed little since the turn of the century, which consists mostly of older homes, open spaces, and meandering streets lined with mature trees and shrubs which constitutes one of the original residential sections of historic old Vienna and which housed citizens who were prominent in the development of the Town.

FIGURE 2.30. Reference map of the Windover Heights Historic Overlay District.



2. **Public Improvements Controls.**

- A. No new construction projects, the purpose of which shall be the installation of new public improvements and publicly-owned utilities not in existence at the time of the adoption of the ordinance, shall be commenced in the Windover Heights Historic Overlay District until the Town Council shall first conduct an advertised public hearing concerning the necessity of the improvement, at which hearing the recommendations of the Windover Heights Board of Review, if available, shall be included in the record.
- B. Single lot redevelopment, except those lots with any frontage on Lawyers Road NW, within the Windover Heights Historic District is exempt from the frontage improvement requirements within Section 18-402 Frontage Improvements.
- C. The provisions of this section shall not be applicable to maintenance or repair of existing public improvements or utilities.

3. **Certification of Appropriateness Required.** See § 18-840.

4. **Administration and Procedures.** See Article 8.

(Ord. of 2-24-2025)

Sec. 18-818. - Windover Heights Board of Review.

1. **Purpose.** The Windover Heights Board of Review shall review applications for Certificates of Appropriateness within the Windover Heights Historic District, per Article 2 of this Chapter. In addition to any other duties set forth in the Code of Vienna, the Windover Heights Review Board shall have the review and decision-making authority set forth in this Article 8.
2. **Membership.** The Windover Heights Board of Review shall consist of five members. In making all appointments to the board, the Town Council shall consider persons who have evidenced an interest in and an appreciation for the cultural heritage and history of the Town.
 - A. Except for the registered professional architect, all of the following members of the board shall be residents of the Town and are:
 - i. One registered professional architect whose qualifications are compatible with historic preservation and restoration,
 - ii. One member of the Board of Architectural Review,
 - iii. One member of the Planning Commission,
 - iv. One member of the Conservation and Sustainability Commission; and
 - v. One member selected from the community at large.
 - B. All appointments to the board, except for those to fill an unexpired term, shall be for a period of two years.
3. **Meetings.**
 - A. The board shall hold a regular meeting, at least once a month. Special meetings may be held at other times at the discretion of the chair, or two members of the Board.
 - B. Meetings also shall be called at the direction of the Town Council.
 - C. The Chair shall preside over the board and have the right to vote. The Vice-Chair shall perform the duties of the Chair in the event of the Chair's absence.
4. **Final decisions.** Except as otherwise specified herein, the Windover Heights Board of Review shall be responsible for a final decision on an application for Windover Heights Certificate of Appropriateness (§ 18-840).
5. **Appeals.**
 - A. **Appeal Request to Town Council.** Any person jointly or severally aggrieved by any decision of the Windover Heights Board of Review, including any applicant, any citizen of the Town, and the Town through its Zoning Administrator, may appeal such decision to the Town Council by filing with the Town Clerk a written request for appeal.
 - B. **Deadline for Appeals.** Such appeals shall be filed within thirty (30) days after the decision has been made by the Windover Heights Board of Review.
 - C. **Public Hearing before Town Council.** The Town Council shall within thirty (30) days of receipt of such written request, or within a longer period if agreed upon by the applicant, grant such applicant a full hearing at a public meeting.

- D. **Decision of Town Council.** Within thirty (30) days of such hearing, and after consultation with the Windover Heights Board of Review (WHBR), the Town Council may reverse or modify the decision of the WHBR, in whole or in part, or affirm the decision of the WHBR.
- E. **Appeal Decision of Town Council.** Any person jointly or severally aggrieved by any decision of the Town Council, or any citizen of the Town, may appeal such decision to the Circuit Court of Fairfax County within thirty (30) days after the final decision is rendered by the Council. The filing of the said petition shall stay the decision of the Town Council pending the outcome of the appeal to the Court. The Court may reverse or modify the decision of the Town Council in whole or in part, if it finds upon review that the decision is arbitrary and constitutes an abuse of discretion or it may affirm the decision of the Town Council.



Town of Vienna

Charles A. Robinson Jr.
Town Hall
127 Center Street South
Vienna VA, 22180

Agenda Item Report

File #: 26-5595, **Version:** 1

Subject:
ACCEPTANCE OF MEETING MINUTES

Acceptance of the Meeting Minutes
February 25, 2026, Meeting Minutes
March 11, 2026, Meeting Minutes

Planning Commission
February 25, 2026
DRAFT Meeting Minutes

The Planning Commission met for a regular meeting at 7:30 PM on Wednesday, February 25, 2026, in the Vienna Town Hall Council Chambers. Commissioners present were Chairman Matthew Glassman, Stephen Kenney, Jessica Plowgian, David Miller, & Deepa Chakrapani. Staff members present were David Levy, Director of Planning & Zoning; Kelly O'Brien, Deputy Director of Planning & Zoning; Lyndsey Clouatre, Principal Planner; Brian Nguyen, Town Engineer; and Jennifer Murphy, Clerk to the Commission.

Roll Call

Commissioners Noble and Aimone were absent.

Communication from Citizens and/or Commissioners

None

Public Hearing

None

Regular Meeting

Item No. 1.

Recommendation to Town Council on request for modifications of site plan requirements related to lot coverage. (25% permitted; 48.5% proposed) for First Baptist Church of Vienna, located at 450 Orchard St NW.

Deputy Director of Planning & Zoning, Kelly O'Brien presented staff's report, stating that the application request is to allow 48.5% lot coverage where the maximum permitted lot coverage is 25%. The church building was originally built in 1957 with additions constructed in 1997. The parking lot expansion prior to 2014 is considered vested. For tonight's review, the Commission is considering the addition of two sheds and a 2019 driveway, which has triggered the need to bring the property's full lot coverage into formal compliance. Deputy Director O'Brien presented the current site configuration, photos, and coverage calculations, stating that stormwater management is not a requirement due to installation dates and square footage thresholds.

Concluding staff's presentation, the applicant was invited to speak. Monroe Neal, Jr., Trustee Representative of First Baptist Church of Vienna was present representing the application.

Commissioners reviewed and further discussed property line conditions, shed relocation for compliance, and unusual driveway configurations of adjacent parcels. The applicant affirmed that the church is working with the town to correct shed placement. Commissioners noted appreciation for the church's ongoing community partnership, providing parking during neighborhood events.

Concluding discussion, a motion was in order.

Commissioner Plowgian motioned that a recommendation be made to Town Council to approve the requested Modification of Requirements to permit lot coverage of 48.5% for the First Baptist Church of Vienna, located at 450 Orchard St NW, Tax Map Parcel 0383 02 0039.

Motion: Plowgian
Second: Chakrapani
Roll Call Vote: 5-0

The Commission's recommendation and memorandum will be forwarded to Town Council for their March 23, 2026, meeting.

Commissioner Kenney suggested town staff periodically clean out the 1997 trench drain, located on the east side of the property, as it appears to be shedding water across the parking lot.

Item No. 2:

Draft 2026 Comprehensive Plan Update - Final Review and Recommendation to Town Council

Staff presented the final draft update that included commissioner revisions from their last review discussion. Updated edits included content updates to draft Land Use, Transportation, Economic Development, Environmental Sustainability, and Parks and Recreation sections of the document.

Commissioners discussed specific language concerning preservation of commercial land, Church Street Vision Plan commentary, and alignment of Goal statements within the Economic Development chapter. Staff confirmed technical edits to be made. There being no further discussion, Chairman Glassman called for a motion.

Commissioner Chakrapani motioned that the Draft 2026 Comprehensive Plan Update, for final review and recommendation to Vienna Town Council, be approved with the change to ensure that the Chapter 4 Goals are consistent to Town Code language for annexed areas.

Motion: Chakrapani
Second: Plowgian
Roll Call Vote: 5-0

New Business

Chairman Glassman proposed reviewing the Commission's *Bylaws and Rules of Procedure* to verify that they match up with meeting procedures. He added that the state has updated its *Electronic Participation* requirements. Both items will be considered at the March 11, 2026, meeting. Chairman Glassman invited Commissioners to forward suggested edits to staff.

Planning Director Comments

Director Levy thanked the Commission for their efforts completing the Comprehensive Plan updated review, stating that staff has appreciated working with them on the Comprehensive Plan updated. Concluding his comments, Director Levy reported the following:

- Green Hedges School. The applicant has requested an extension to provide sound study information before their review with the Board of Zoning Appeals (BZA). Staff is working with Chairman Glassman on the Planning Commission's memos to BZA and Town Council.
- The upcoming March 11, 2026, meeting will include review for Modification from Requirements for Bear Branch Tavern, seeking a waiver from parking requirements.
- Zoning Code Updates. Town Council voted to approve updates. The notice for the intent to adopt is

set for their March 23, 2026, meeting.

- Upcoming work sessions. Town Council has scheduled an April 20, 2026, work session with the Planning Commission to discuss the updated Comprehensive Plan. A memo highlighting those updates will be provided.
- Town Council 2026 List of Priorities. Town Council adopted their 2026 Priorities' List. The first item, Improving Mobile Coverage, will be discussed at a Planning Commission May work session.

Meeting Minutes

The following meeting minutes were accepted into the record with one correction.

- PC – January 14, 2026 – Meeting minutes
- PC – January 28, 2026 – Meeting minutes

There being no further discussion, the meeting was adjourned at 8:05 pm.

Respectfully submitted,

Jennifer Murphy
Clerk to the Commission

Planning Commission
March 11, 2026
DRAFT Meeting Minutes

The Planning Commission met for a regular meeting and public hearing at 7:30 PM on Wednesday, March 11, 2026, in the Vienna Town Hall Council Chambers. Commissioners present were Chairman Matthew Glassman, Douglas Noble, Stephen Kenney, Keith Aimone, Jessica Plowgian, & Deepa Chakrapani (departed at 9:32 pm). Staff members present were Kelly O'Brien, Deputy Director of Planning & Zoning; Lyndsey Clouatre, Principal Planner; Andrew Jinks, Traffic Engineer; and Jennifer Murphy, Clerk to the Commission. David Miller was absent.

Roll Call

Commissioner Miller was absent

Communication from Citizens and/or Commissioners

This being his last meeting, Commissioner Kenney was presented with an award for his many years of service to the town, having served on the Transportation Safety Commission, and the Planning Commission (2013-2026) to recognize:

- His deep expertise in land use, construction materials, and site development.
- His extensive contributions to preparing the Commission for complex cases.
- His leadership across multiple town boards over more than a decade.

Commissioner Kenney thanked staff and his Planning Commission colleagues.

Public Hearing

None

Regular Meeting

Iten No. 1.

Recommendation to Town Council on Request for Modifications of Site Plan Requirements Related to Parking for Bear Branch Tavern, located at 133 Maple Avenue East.

Principal Planner, Lyndsey Clouatre presented staff's report, stating that the business has been in operation since March 2020. The applicants intend to convert the basement level into private dining/event space, increasing total seating from 300 to 337 seats, which requires 10 additional parking spaces. The property provides 103 on-site parking spaces. Presenting the valet parking plan, she stated that it was previously reviewed and approved by the Fairfax County Fire Marshal. Staff clarified applicable zoning sections requiring modification to include Sections 18-524, 18-527, 18-529, and 18-531. The Planning Commission will provide a recommendation to Town Council. Staff added that Transportation Safety Traffic Engineer Andrew Jinks was on hand to answer any questions.

Concluding staff's presentation, commissioners raised questions and concerns regarding:

- Frequency and timing of private events
- Parking demand during daytime vs. evening hours
- Functionality and feasibility of the proposed valet system
- Site constraints, circulation issues, and access to trash and service areas
- Staffing levels and employee parking
- Applicability of previous 2018 data on parking usage

The applicants, represented by Evan Pritchard (Wire Gill LLP), business owners, Adam Lubar and Christopher Lefbom, explained the intent to utilize the basement level for private dining space during evening hours with use of a professional valet service. Event frequency was estimated to be 3–5 events per week.

Commissioners further discussed whether to allow increased seating during specific evening time periods. Concluding discussion, a motion was in order.

Commissioner Plowgian motioned to approve with the recommendation to increase restaurant seating to 337 for after 5 pm Monday – Thursdays and all day Fridays, Saturdays, and Sundays, in addition to other tenant uses.

Discussing the motion, Commissioner Noble stated that he could not support the motion due to limited information. Concluding discussion, Chairman Glassman called the questions.

Motion: Plowgian
Second: Chakrapani
Carried: 5-1

Nay: Noble

A memo detailing commissioner comments will be forwarded to Town Council for their April 6, 2026, meeting review.

At 8:57 pm the Commission took a break reconvening at 9:04 pm.

Item No. 2:
Review of Planning Commission Bylaws and Rules of Procedure

Chairman Glassman and staff presented draft redlined updates that included procedural clarifications for:

- Actions permissible without a quorum
- Public input deadlines
- Alignment with Town Code responsibilities
- Clarification of meeting and quorum definitions

Commissioners considered including language to allow a lesser number of members to meet (without taking action), clarifying responsibilities as listed under Town Code Chapters 17 and 18, and adjusting public input deadlines. Concluding discussion, a motion was in order.

Commissioner Noble motioned to adopt the updated Bylaws and Rules of Procedure, as provided in the red lined discussion to be effective March 11, 2026.

Motion: Noble
Second: Kenney
Carried: 6-0

Item No. 3
Electronic Participation Policy

Department of Planning & Zoning Deputy Director, Kelly O'Brien, presented updated language as provided by the Town Attorney, stating that it is consistent with State Code requirements.

Commissioners discussed clarity of language under eligibility for remote participation, redundancy of certain lines, and provisions related to disability or caregiving needs. Concluding discussion, Chairman Glassman called for a motion.

Commissioner Kenney motioned to approve the revised electronic participation policy as discussed.

Motion: Kenney
Second: Noble
Carried: 6-0

New Business

None

Planning Director Comments

Deputy Director O'Brien reported the following:

- There are no items currently scheduled for the March 25, 2026, meeting.
- A joint work session is scheduled with Town Council for April 6, 2026.

Meeting Minutes

The, February 11, 2026, meeting minutes were accepted as drafted.

There being no further discussion, the meeting was adjourned at 9:36 pm.

Respectfully submitted,

Jennifer Murphy
Clerk to the Commission