



# STAFF REPORT COVER SHEET

October 27, 2025

<b>Address</b>	264 Cedar Ln SE / 131 Patrick St SE	<b>Case Number</b>	PF-1808851-BAR
<b>Regular Meeting Date</b>	10/27/2025	<b>Applicant</b>	Desi Varsel – Signs Unlimited
<b>Board/Commission</b>	Town Council	<b>Owner</b>	GRI Cedar Park LLC
<b>Existing Zoning</b>	GS, Gateway South	<b>Existing Land Use</b>	Commercial
<b>Brief Summary of Request</b>	The applicant requests to appeal the decision of the Board of Architectural Review (BAR) to deny the wall sign at 264 Cedar Ln SE (Real Estate Address – 131 Patrick St SE).		
<b>Size of Property</b>	314,111 sf		
<b>Public Notice Requirements:</b>	<ul style="list-style-type: none"> <li>• A letter was sent to the property owners on October 20, 2025, and an email was sent to the applicant, business owner, and property owner on October 20, 2025.</li> <li>• Advertisement published at least once in a newspaper of general circulation within the county, at least seven days before such proposed hearing, an advertisement stating the time, date and place of the hearing before the council, the location of the property involved, the name of the applicant and the nature of the building for which approval is sought. Advertisement published October 17 and 21, 2025.</li> </ul>		
<b>Official Submission Date for Approval:</b>	<ul style="list-style-type: none"> <li>• On September 26, 2025, the appeal notice, in writing, was submitted to the Town Clerk, and the fee was paid.</li> </ul>		
<b>Deadline for Action:</b>	<ul style="list-style-type: none"> <li>• The applicant submitted a written appeal, September 26, 2025, within the 14-day deadline to appeal the decision of the Board of Architectural Review.</li> <li>• The applicant has agreed to the appeal hearing being scheduled for October 27, 2025, which satisfies the requirement for a Town Council public hearing date under Town Code.</li> </ul>		
<b>Attachments:</b>	<ul style="list-style-type: none"> <li>01 – Staff Report to Town Council</li> <li>02 – Applicant Request to Appeal</li> <li>03 – Cedar Park Shopping Center - Master Sign Plan</li> <li>04 – Proposed ACE Sign - Rendering</li> <li>05 – ACE Corporate Logo Requirements and Options</li> <li>06 – Site Photos</li> <li>07 – Application &amp; Authorization</li> <li>08 – BAR Staff Report – September 18, 2025, meeting</li> <li>09 – BAR Orders – August 21, 2025, and September 18, 2025, meetings</li> <li>10 – BAR Meeting Transcript – August 21, 2025</li> <li>11 – BAR Meeting Transcript – September 18, 2025</li> <li>12 – Relevant Town Code Sections – Vienna ACE Sign</li> <li>13 – Advertisement for Public Hearing</li> <li>14 – TC Staff Presentation – 264 Cedar Ln SE (ACE sign) – Appeal BAR Decision to Town Council</li> </ul>		
<b>Author:</b>	David Levy, Director of Planning and Zoning; and Sharmaine Abaied, Planner		

**BACKGROUND:**

The subject property is located at 264 Cedar Ln SE (also known as 131 Patrick St SE) in the GS, Gateway South zoning district. The property is surrounded by residential apartments to the south and west, commercial space to the north and single-family residential homes to the east (outside of the Town limits). The subject property is a commercial shopping center known as the Cedar Park Shopping Center, which was constructed in 1964. In 2019, the owners obtained approval for a revised site plan and revised exterior modifications.

*Cedar Park Shopping Center Master Sign Plan*

In parallel with the 2019 revised site plan, the property owners requested approval of a master sign plan for the Cedar Park Shopping Center. The master sign plan (Attachment 3) was approved by the Board of Architectural Review (BAR) on March 21, 2019, which allowed any proposed signs in the shopping center to be approved administratively if the proposed sign(s) did not deviate from the approved master sign plan. Many signs have been approved in that manner since 2019.

If a tenant or the building owner wishes to install a sign that deviates from the master sign plan, approval is needed by the Board of Architectural Review. Some requests of this nature have been made since 2019, and the BAR has granted approval when the sign has met the criteria that the BAR uses.

On July 22, 2025, Desi Varsel of Signs Unlimited submitted an application for approval of a sign for the new Vienna ACE Hardware in the Cedar Park Shopping Center. Staff reviewed the proposed ACE sign (Attachment 04) and found that it was not consistent with the approved master sign plan (Attachment 3), specifically with respect to color and font. Therefore, consideration of the sign needed to be brought to the Board of Architectural Review (BAR).

*August 21, 2025, Board of Architectural Review Meeting*

On August 21, 2025, the Board of Architectural Review held a public meeting to consider ten agenda items. Agenda item three (3) involved the application submitted by Desi Varsel of Signs Unlimited on behalf of Vienna ACE Hardware. Burton Francois was present at the BAR hearing to represent the application.

During the discussion, the Board noted that the white backer board featured excessive "negative space" (which are areas of the sign not occupied by channel letters) and shared several suggestions for possible modifications. The Board decided to table the item temporarily and requested that the applicant consult with their client.

Later in the meeting, the applicant returned, and the Board recalled agenda item three for further discussion of the proposed ACE Hardware sign. The representative stated that, after consultation, the client preferred not to make changes to the proposed sign.

A motion to defer the application was made by Ms. Hanley and seconded by Ms. Couchman. The Board voted 3 to 2 to defer the application, recommending that the applicant submit a revised sign design that was more symmetrical and consistent with other signage in the shopping center (See minutes in Attachment 10).

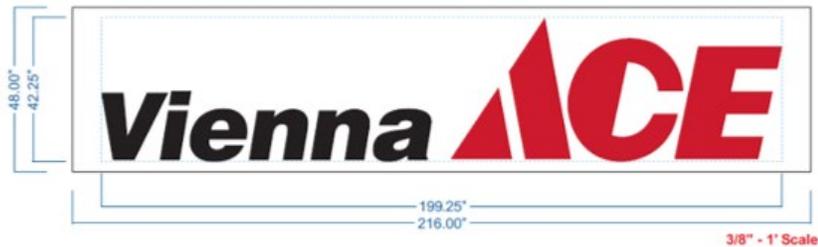


Figure1: Proposed Vienna Ace Hardware Proposed Sign.

*September 18, 2025, Board of Architectural Review Meeting*

On September 18, 2025, the Board of Architectural Review held a public meeting to consider six agenda items. Agenda item two (2) was a resubmittal application from Desi Varsel of Signs Unlimited on behalf of Vienna ACE Hardware. The resubmittal included the same sign design previously proposed at the August 21, 2025, meeting, along with ACE corporate sign and logo requirements (Attachment 5). The applicant indicated that their client, Vienna ACE Hardware, did not wish to make any changes to the originally proposed sign. The Staff Report from that meeting is Attachment 8.

Burton Francois was present to represent the application at the hearing. Prior to the Board's discussion, Board Chair Ms. Hanley requested that staff provide a brief summary of any new information related to the application. The staff liaison reported that the Vienna ACE Hardware sign, with the proposed design, had already been installed without Board of Architectural Review approval and without a sign permit from Fairfax County.

The Board discussed the application with the representative and reviewed the submitted ACE corporate branding requirements. Following the discussion, the applicant reaffirmed that the client did not wish to modify the proposed sign. A motion to deny the application was made by Mr. O'Keefe and seconded by Ms. Couchman. The Board voted 4 to 1 to deny the application as presented (Attachment 8).

*Appeal of the Board of Architectural Review Decision*

Section 4-12 of the Town code provides any applicant with the opportunity to appeal a decision of the BAR to the Town Council, via the Town Clerk, as long as the appeal is filed on or before 14 days after the decision of the BAR. Staff informed the applicant of the right to appeal, and the applicant did so eight (8) days after the decision. The Town Clerk then worked with Planning and Zoning staff, the Town Attorney and the Town Manager to schedule the public hearing on the first Town Council meeting available when all notice requirements could be met. That date is October 27, 2025.

Section 4-13 of the Town code states that "...the final decision of the Board of Architectural Review shall be stayed pending the decision of the Town Council. The council shall conduct a full and impartial public

hearing on the matter before rendering any decision. The same procedure and standards shall be applied by the council as are established for the Board of Architectural Review. The council may affirm, reverse, or modify the decision of the board, in whole or in part. The decision of the council shall be final, subject to the provision of section 4-14.” Section 4-14 allows an applicant to appeal a decision of the Town Council to the County Circuit Court.

### **Appeal Procedure and Design Criteria**

#### *Procedure*

As the code requires that the Town Council follow the same procedure as the BAR in its appeal, staff recommends that the Town Council proceed as follows for the public hearing, with two additions: 1) a staff presentation, and Town Council questions to staff, to explain the background and procedures for the appeal; and 2) providing language for the motions, relating to an appeal:

- Staff presentation
- Town Council questions to staff
- Presentation by the applicant
- Town Council questions to the applicant
- Public Hearing – hear testimony from members of the public
- Close Public Hearing
- Town Council discussion
- Council Member states a motion to affirm, modify or reverse the BAR decision
- Council members discuss the motion
- Council members vote to approve, amend or disapprove the motion

#### *Design Criteria*

The Town code provides the criteria that the BAR and Town Council are required to follow in reviewing applications. The states:

#### *“Section. 4-15 Design criteria*

The Board of Architectural Review, and, on appeal, the Town Council, shall use the following standards and criteria in considering applications filed under this chapter:

- (a) Whether or not the proposed architectural design is suitable for a good suburban community in terms of external architectural features, including signs subject to public view, general design and arrangement, texture, color, line, mass, dimension, material and lighting.
- (b) Whether or not the proposed structure, building or improvement is compatible with existing well-designed structures, acceptable to the board, in the vicinity and in the Town as whole.
- (c) Whether or not, and to what extent, the proposed structure, building or improvement would promote the general welfare and protect the public health, safety and morals by tending to maintain or augment the Town's tax base as a whole, generating business activity, maintaining and creating employment opportunity, preserving historical sites and structures and making the Town a more attractive and desirable place in which to live.
- (d) Whether or not proposed freestanding buildings use the same or architecturally harmonious materials, color, texture and treatment for all exterior walls; and in the case of partially freestanding buildings,

whether or not the same or architecturally harmonious materials, color, texture and treatment are used on all portions of all exterior walls exposed to public view.

- (e) Whether or not the combination of architectural elements proposed for a structure, building or improvement, in terms of design, line, mass, dimension, color, material, texture, lighting, landscaping and roofline and height conform to accepted architectural principles for permanent buildings as contrasted with engineering standards designed to satisfy safety requirements only; and exhibit external characteristics of demonstrated architecture and aesthetic durability.
  
- (f) Whether or not, in terms of design, material, texture, color, lighting, landscaping, dimension, line, mass, or roofline and height, the proposed structure, building or improvement is designed to serve primarily as an advertisement or commercial display, exhibits exterior characteristics likely to deteriorate rapidly, would be of temporary or short-term architectural or aesthetic acceptability, would be plainly offensive to human sensibilities or would otherwise constitute a reasonable foreseeable detriment to the community.

**Section. 4-16. No specific architectural style to be required**

The Board of Architectural Review, and the Town Council on appeal, shall not adopt or impose any specific architectural style in the administration of this chapter.”