

**TOWN OF LEESBURG
APPEAL HEARING**

NOTICE IS HEREBY GIVEN that an appeal hearing will be held by the **Leesburg Town Council** on **Tuesday, August 13, 2013 at 7:30pm** in the Town Council Chamber, second floor in the Leesburg Town Hall, 25 West Market Street, Leesburg, Virginia 20176 to hear the following item:

Case No. TLAP-2013-0003 Battlefield Shopping Center: Kathy Baker of Concept Unlimited, Inc., has submitted an appeal of the June 21, 2013 decision of the Comprehensive Sign Plan Administrative Panel in case TLHP-2013-0090 which denied appellant's Certificate of Appropriateness request to amend the Battlefield Shopping Center Comprehensive Sign Plan located at 1021 Edwards Ferry Rd, NE. The panel's decision was based on its findings that the proposed amendments to the Comprehensive sign plan were inconsistent with existing signs, and incompatible with building design and existing signs in the Battlefield Shopping Center.

The property subject to this appeal is approximately 27.8 acres in size and is zoned B-3, Community Retail/Commercial District. The property is located on the south side of Edwards Ferry Road, NE and is more particularly described as MCP Parcel Identification Numbers 14-25-2096-000.

Full and complete copies of the above-referenced appeal and related documents may be examined in the Leesburg Department of Planning & Zoning, on the second floor of the Leesburg Town Hall, 25 West Market Street, during normal business hours (Monday-Friday, 8:30am to 5:00pm), or by calling 703-771-2765 and asking for Tracey Shiflett, Assistant Zoning Administrator.

At this hearing, all persons desiring to express their views regarding this matter will be heard. Persons requiring special accommodations should contact the Clerk of Council at 703-771-2733, three days in advance of the meeting date. For TTY/TDD service, use the Virginia Relay Center by dialing 711.



Date of Council Meeting: August 13, 2013

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: TLAP-2013-0005 Appeal of the administrative denial of TLHP-2013-0090
(Request to amend the comprehensive sign plan for Battlefield Shopping Center)

Staff Contact: Tracey Shiflett, Assistant Zoning Administrator

Staff Recommendation: Staff recommends that the Town Council uphold the decision of the Administrative Panel to not approve the Certificate of Appropriateness request to amend the Comprehensive Sign Plan TLHP-2013-0190 based on the facts that were established at the time the decision was made. (Attachments 2 & 3)

Date Filed: 29 May 2013

Hearing Date: 13 August 2013

Appellant: Kathy Baker
Concept Unlimited, Inc.
10020 Farrow Rd.
Columbia, SC 29203

Owner of Record: C H Realty III/Battlefield LLC
% KIMCO Realty Corp/Prop Tax Dept
3333 New Hyde Park RD STE 100
New Hyde Park NY 11042

Original Applicant: Same as Appellant

Location: 1021 Edwards Ferry Rd, NE

Zoning: B-3, Community Retail/Commercial District

Appeal Summary: The Town of Leesburg Zoning Ordinance §15.13 establishes the procedures for the review and approval of new Comprehensive Sign Plans and amendments to existing Comprehensive Sign Plans. The Board of Architectural Review approves Comprehensive Sign Plans in the H-1 and H-2 Districts. Outside of the H-1/H-2 districts, Comprehensive Sign Plans are reviewed by an Administrative Panel.

The Appellant, Kathy Baker, is appealing the June 21, 2013 decision of the Administrative Panel to not approve the proposed amendments to the Battlefield Shopping Center Comprehensive Sign Plan on the basis that the proposed amendments did not meet standards set out in Zoning Ordinance §15.13.5 A. (Consistency/Variety) B. (Compatibility with the buildings) and C. (Compatibility with other signs).

Basis for Appeal: The Appellant has not provided any basis for the appeal. That is, the Appellant has cited no guidelines, law or other grounds in support of its position that the Administrative Panel erred by not approving the Certificate of Appropriateness for said amendment to the Comprehensive Sign Plan. The Battlefield Shopping Center is outside the H-1/H-2 Districts; therefore Town Council hears the appeal rather the Board of Architectural Review.

Appeal Regulations: Town of Leesburg Zoning Ordinance §15.13.3 requires that appeals of decisions made by the Administrative Panel be forwarded to Town Council for “consideration and action”. §15.13.3 does not require that the Appellant provide a basis of appeal be stated when appealing administrative decisions, unlike Sections §3.10.14 and §3.11.15 (Appeals of BAR decisions).

Battlefield Shopping Center Comprehensive Sign Plan Comparison	Current Standards	Proposed Standards
	Sign Colors: Red Logos*: Corporate Colors 4 Feet High Font: Any, Including Corporate Style Sign Type: Channel Letters Anchor Store Letter Size: 4 Feet High Other Store Letter Size: 2 Feet High	Sign Colors: Corporate Colors Logos*: Corporate Colors, 4 Feet High Font: Any, including Corporate Style Sign Type: Channel Letters Anchor Store Letter Size: 4 Feet High Other Store Letter Size: 3 Feet High
	*Logos are a secondary element and must be proportional to size of sign.	

Rules for Review **Comprehensive Sign Plan Review Criteria**

15.13.5 Standard for Review
 When evaluating the appropriateness of any comprehensive sign plan application, the administrative panel shall use the applicable set of sign guidelines for the H-1 or H-2 Overlay District as well as the following standards:

A. Consistency/Variety. The degree of consistency or variety among the signs proposed for installation in a comprehensive sign plan should be related to the degree of consistency or variety among or within the building(s) to which the signs relate.

Staff Assessment: With the exception of two anchor stores and the gas station signs, all other signs in the shopping center are red channel letters. The style of the letters is not limited; therefore, businesses may utilize font styles that identify with a particular corporation. Additionally, colored corporate logos are with a maximum height of 4 feet permitted as a secondary sign element. Allowing the use of corporate colors rather than red letters would not be consistent with the other business signs in the shopping center, nor would this comply with the Consistency/Variety review standards or Guidelines for Signs in the Old and Historic District.

B. Compatibility with the buildings. The design (including, but not limited to, size, materials, colors, and illumination) of the proposed signs in a comprehensive sign plan should be compatible with the design features of the building(s) to which the signs relate.

Staff Assessment: The H-1/H-2 Sign guidelines require that wall signs must “[maintain] proper proportions to the available and appropriate wall space.” The only permitted type of signs under the current comprehensive sign plan is

channel letter signs. Tenants are permitted to utilize corporate fonts if desired. Anchor stores (retail spaces in excess of 10,000 sf) may have signs up to 48 inches in height. Non-anchor stores may have signs of up to 24 inches in height. The appellant is proposing to permit non-anchor stores to have signs of up to 36 inches in height. Allowing 36" signs would reduce the already limited empty wall space on the front facades of the buildings, thus overwhelming the building front. Additionally, many of the non-anchor storefronts in the shopping center are compact; therefore signs are necessarily close together. Permitting larger signs would lead to the appearance that the signs are out of scale with the storefront and could crowd other signs on adjacent wall space (See attachment 3).

C. Compatibility with other signs. All signs for a multi-tenant building or development should be compatible, but not necessarily identical, to one another.

Staff Assessment: *The red lettering is what unifies the shopping center. As mentioned above, font style is not limited to a particular style. Allowing corporate colors on the sign face would eliminate the existing unity of the shopping center, creating a mix of colors and styles of signs that will create visual clutter that detracts for the consistent appearance the center currently has.*

D. Location. The signs should be located in areas that are generally appropriate for installation of signs, including sign bands over storefronts, or hanging from a porch or walkway canopy.

Staff Assessment: *The appellant is not requesting any change to sign locations*

E. Number. The number of signs requested for any tenant in a multi-tenant building or development should be reasonably related to the area available for such signs as well as the degree of visibility of the tenant from within the development as well as from the public right-of-way.

Staff Assessment: *The appellant is not requesting any change to the number of permitted signs.*

15.13.6 Amendments to Existing Comprehensive Sign Plans

Changes to any existing, approved comprehensive sign plans shall be made in accordance with the provisions of Sec. 15.13 Comprehensive Sign Plans.

H-1/H-2 SIGN DESIGN GUIDELINES

Comprehensive Sign Plan: According to Guidelines for Signs in the Old and Historic District (Guidelines) a Comprehensive Sign Plan is a coordinated plan that indicates the proposed signage details (including type, location, size, placement, design, materials, and color) for multi-tenant buildings and multi-building projects. It allows a group of tenants to have coordinated signage of one type, or even a combination of sign types if they are deemed appropriate. The plan ensures that these signs are appropriately sized and aligned, and that they complement the building on which they are located as well as the surrounding properties. (Guidelines pg. 8)

CRITERIA FOR SIGN DESIGN

Shape (Guidelines pg. 6-7)

- In general, rectilinear and oval signs are appropriate and are common because they conform to the area in which they are to be installed.
- Signs with unique shapes related to the nature of the business, such as eye glasses for an optician or a boot for a shoe repair shop may also be appropriate.

Staff Assessment: *The proposed change to the sign plan would permit non-anchor signs to increase in height from 24" to 36". However, the signs still must comply with the maximum square footage requirements for business signs. Wall signs in the B-3 Zoning District are permitted to have one square foot in area for each one foot of store frontage. Currently the signs in the shopping center have longer widths than heights; this height change could lead to signs where the height is out of proportion with the width of the sign.*

Text (Guidelines pg. 7)

- Signs may contain only the name, and, if desired by the business owner, a concise indication of the general nature of the business.
- Inclusion of the street address and logo may be acceptable if it is determined that the text is not overcrowded and the sign otherwise meets the guidelines.

Staff Assessment: *The Appellant is not proposing an amendment to the text of the signs; they will remain limited to the name of the business and logo.*

Material (Guidelines pg. 7)

- Signs constructed of a durable composite wood material that, when painted, is indistinguishable from solid wood are also acceptable.
- The sign's materials should complement the design and materials of the building to which it relates.
- Support structures, if any, should be of durable traditional materials as well.

Staff Assessment: *The appellant is not proposing any changes to sign materials.*

Color and Finish (Guidelines pg. 7)

- Because signs are alterations to a building, their color schemes must respect the same guidelines as buildings. The color scheme must complement or relate to the overall color scheme of the storefront or building, including accent and trim colors. The color scheme may not detract from the architectural character of the storefront or building, nor from the surrounding buildings. For instance, signs in a predominantly residential district may be required to use more subdued colors than signs in a predominantly commercial area.
- The sign color scheme includes the colors (including black and white) used for all elements of the sign or Comprehensive Sign Plan, including the text, background, logo, border and support structure, if any.
- The color scheme should be comprised of two or, at most, three non-reflective colors (inclusive of black and white); however, a particularly well-executed design may be determined to meet the guidelines though comprised of more than two or three colors. The color scheme includes the colors used for the background, text, and other elements.

Staff Assessment: *With the exception of two anchor store signs; Ross and Staples, and the gas station signs, all other signs in the shopping center are red*

channel letters and may have logos with corporate letters. The logos are required to be consistent in height with the sign lettering and relate to the sign space, but cannot exceed four feet in height. The addition of corporate colors on signs rather than current red letters would not be consistent with the other business signs in the shopping center and would detract from the overall appearance of the shopping center. The red color currently approved for signs offers good contrast between the background and the sign, corporate colors that are light in color may not offer enough contrast for the signs to be effective.

Many of the storefronts in the shopping center are compact; therefore signs are necessarily close together. This could lead to sign colors in adjacent storefronts clashing. Moreover, increasing the allowable size of signs from 24 inches to 36 inches would only serve to exacerbate this problem. Additionally, permitting the use of corporate colors could lead to a single sign could literally be a rainbow of colors.

Council Options:

The Council may:

- reverse the decision of the Administrative Panel, or
- affirm, wholly or partly, the decision of the Administrative Panel, or
- modify any order, requirement, decision or determination of the Administrative Panel

Alternative Motions:

Because the proposed modifications to the Comprehensive Sign Plan for Battlefield Shopping Center do not meet the standards of the Town of Leesburg Section 15.13.5 and the Guidelines for Signs in the Old and Historic District, I move to AFFIRM the decision of the Administrative Panel in case TLHP-2013-0090, rendered on June 21, 2013.

Because the proposed modifications to the Comprehensive Sign Plan for Battlefield Shopping Center meet the standards of the Town of Leesburg Section 15.13.5 and the Guidelines for Signs in the Old and Historic District, I move to REVERSE the decision of the Administrative Panel in case TLHP-2013-0090, rendered on June 21, 2013.

Based on good planning practice and to facilitate the creation of a convenient, attractive and harmonious community, I move to MODIFY the decision of the Administrative Panel in case TLHP-2013-0090, rendered on June 21, 2013. by:

- _____
- _____
- _____
- _____

Attachments

1. Application to amend Comprehensive Sign Plan (TLHP-2013-0090).
2. Letter to applicant with finding of facts that did not permit the requested amendments to the

Comprehensive Sign Plan.

3. Pictures of existing Conditions at the Battlefield Shopping Center and examples of what the proposed changes could look like.
4. Current Comprehensive Sign Plan (Resolution No. 91-259) and Amendments thereto.



The Town of Leesburg
25 West Market Street • Department of Planning and Zoning
Post Office Box 88 • Leesburg, Virginia • 20178
703-771-2765 • fax 703-771-2724 • www.leesburgva.gov



CERTIFICATE OF APPROPRIATENESS APPLICATION FORM
For Board of Architectural Review and Administrative Approval
For the H-1 Overlay District or H-2 Overlay District

For staff use only

TLHP - 2013 - 0070

- H-1 or H-2 Overlay
Not an Overlay District
BAR approved
Admin. Approved by

Fee \$ 25 Receipt No. 610738 Issued by Kim K. DeLoe

APPLICANT NAME Kathy Baker

(the PERSON to whom written communication should be addressed; NOT the name of a business or organization)

BUSINESS/ORGANIZATION Concept Unlimited, Inc.

ADDRESS 10020 Farrow Rd.

CITY Columbia STATE SC ZIP 29203

PHONE 703-753-4904 eMAIL Katsigngirl@gmail.com

As the above-named applicant, I do hereby make an application for a Certificate of Appropriateness as required by the
Leesburg Zoning Ordinance for the property located at 1021 Edwards Ferry Rd. NE, Leesburg
MCPI/PIN (parcel identification no.) 147252096000 to permit the following, checking all that apply.

- Alterations to an existing (primary / accessory) structure - \$25
Addition to an existing (primary / accessory) structure - \$100 / \$25
New construction of a (primary / accessory) structure - \$500 / \$50
Demolition or relocation of an existing (primary / accessory) structure - \$50
Installation of a sign - \$10
Comprehensive Sign Plan - \$25
Other (fencing, paving, colour, etc.)

Please mark accompanying
checklist with relevant and
required items, noting there
is a 3-day acceptance period
upon receipt of application
and materials.

The project is more fully described as follows (please see the attached checklist for required information):

To allow for signage within Battlefield Shopping Center to include corporate
trademarked logos + colors with various type-styles.

Please check one of the following:

- Written permission from the owner of the property is attached hereto; or
I hereby certify that I am the owner of the property involved.

I have read the corresponding
checklist and understand the BAR
may require additional information.

Kathy Baker
Applicant's Signature

5-20-13
Date



CERTIFICATE OF APPROPRIATENESS

I hereby certify that the application submitted for case TLHP - _____

for _____
at the property identified as _____ in the Town of
Leesburg, Virginia, as [] approved by the BAR or [] administratively approved, meets the standards set
forth in the respective Design Guidelines (Old and Historic District, or H-2 Corridor District) and is hereby approved.
Any modifications to the approved project must be submitted to staff prior to construction of the modified feature to
determine if any additional approvals are necessary. This approval is limited to verifying compliance with the
respective said Design Guidelines; it may be necessary to obtain other permits from the Town of Leesburg prior to
beginning construction. Note: This permit is void unless construction is commenced within 24 months of the
date of issue.

Staff for the Town of Leesburg Board of Architectural Review Date Approved

CH Realty III/Battlefield LLC.

May 10, 2013

Loudoun County Building and Development
1 Harrison Street, SE
Leesburg, VA 20177

RE: Battlefield Marketplace Comprehensive Sign
Edwards Ferry Road, N.E., Leesburg, VA

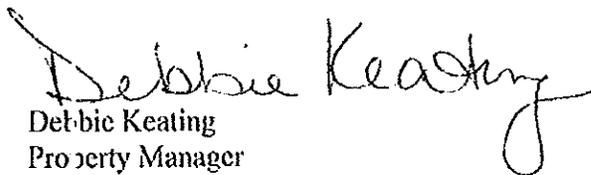
To Whom It May Concern:

Please be advised we wish to change our comprehensive sign plan for Battlefield Marketplace as follows:

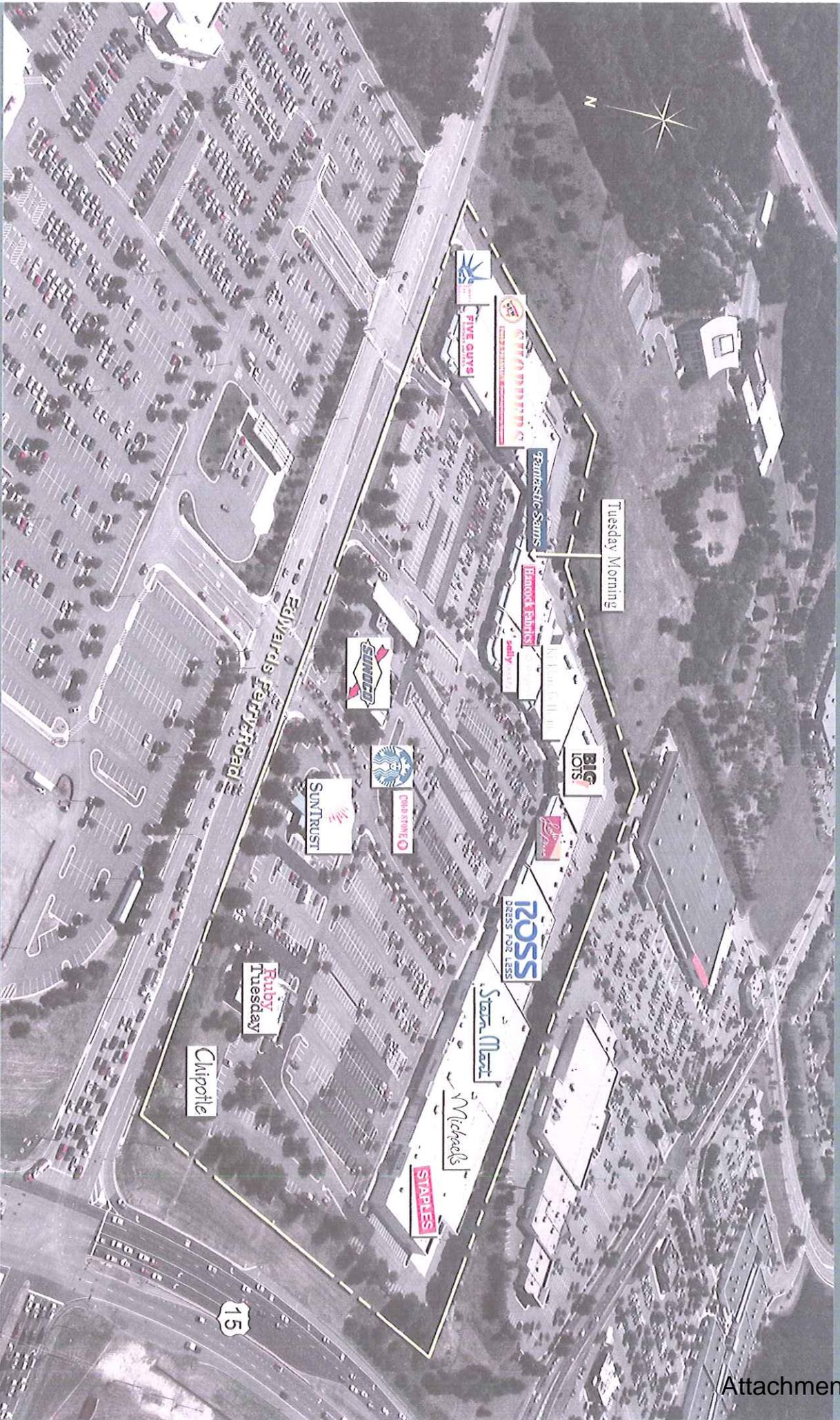
The Shopping center is comprised of a multi-Tenant center that includes anchor stores, tenant stores and three separate pad sites currently. The sign plan consists of 4-foot-high letters for anchor tenant signs and a maximum of 36-inch-high letters for tenant stores. Corporate trademarked logo colors to be consistent with Tenant's signs already used at other store locations (where applicable).

Thank you for your assistance with this matter.

Very truly yours,



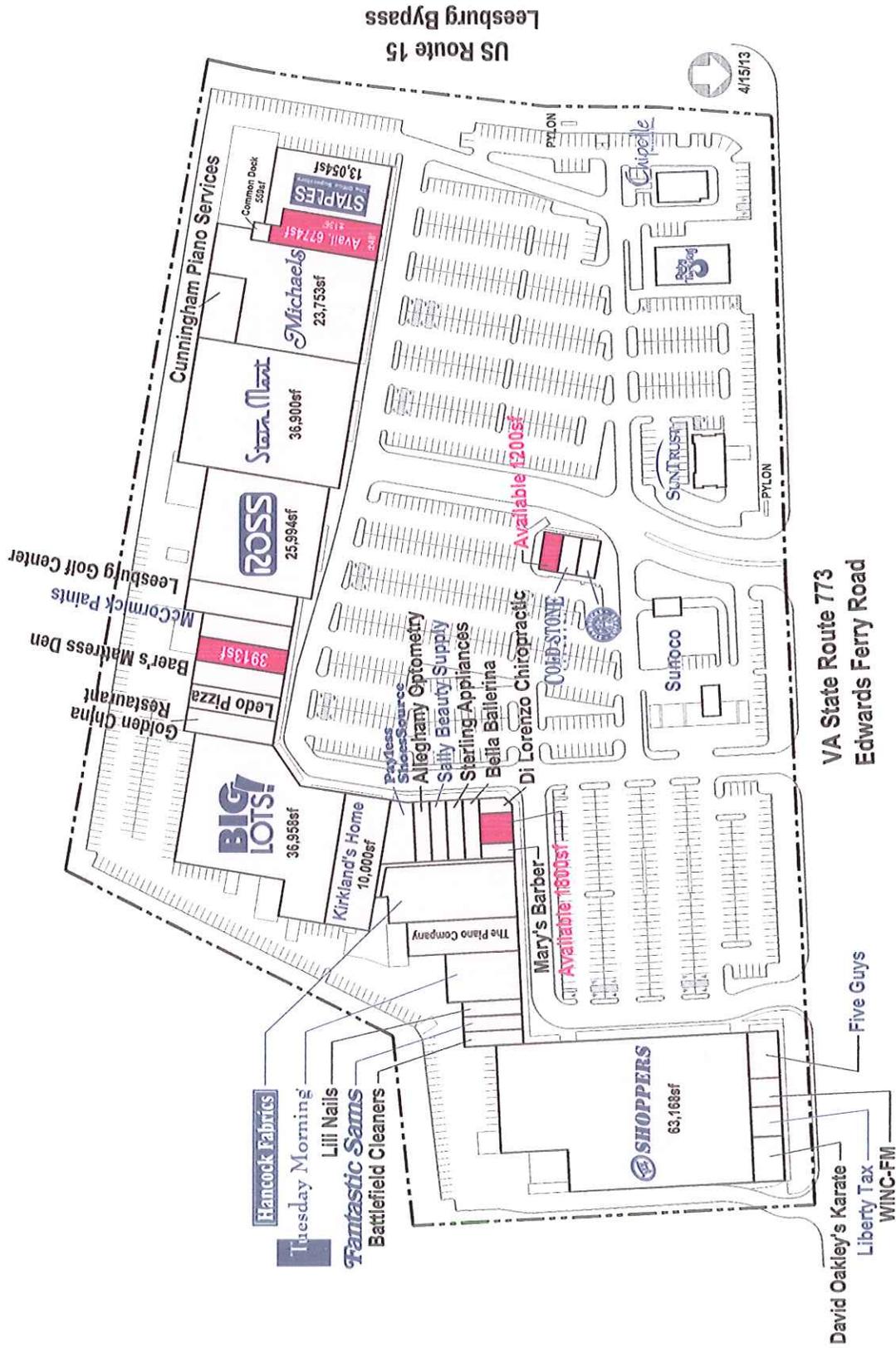
Debbie Keating
Property Manager
dkeating@kimcorealty.com



Attachment 1

PD: 41513

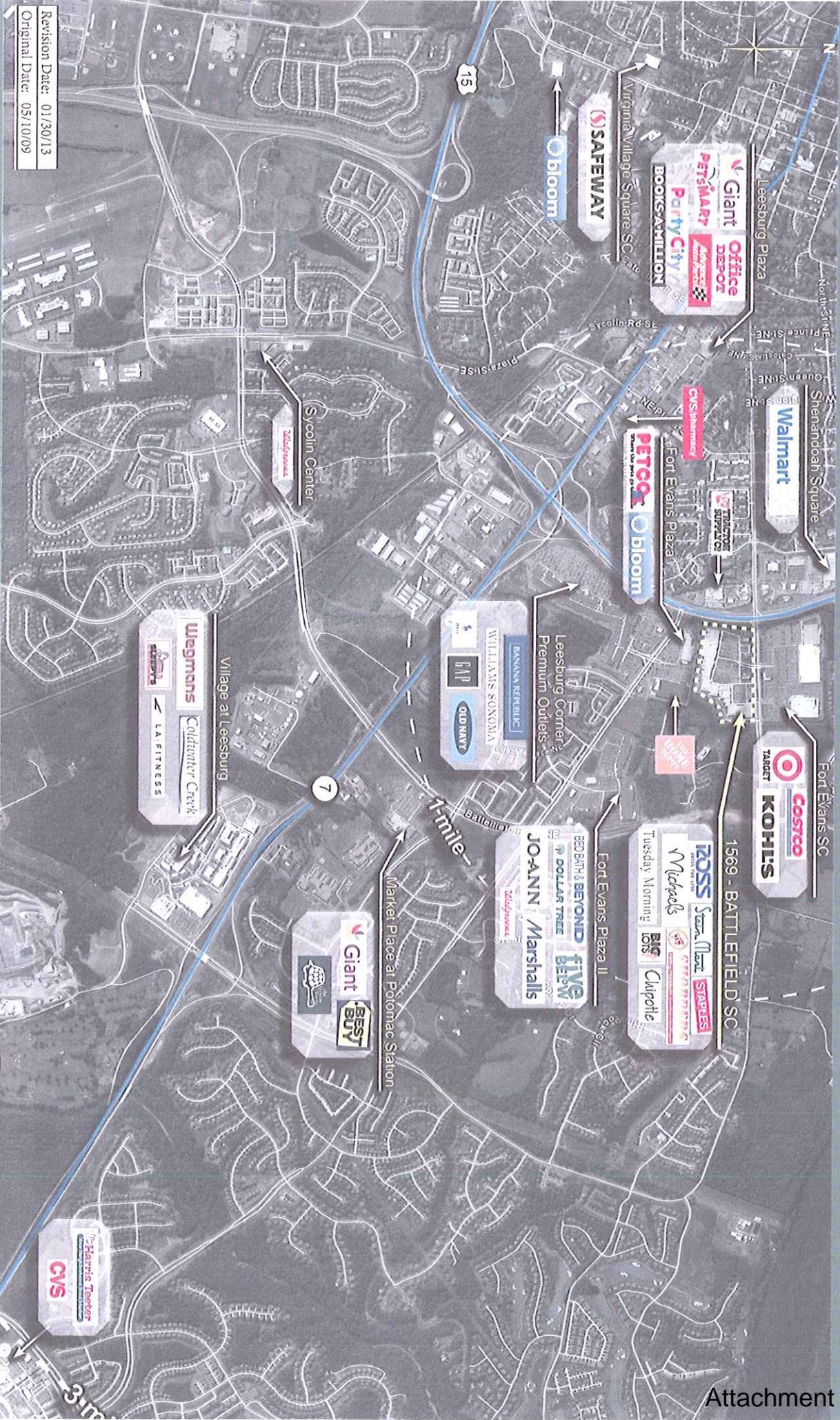
1569



Disclaimer: The site plan shows the approximate location, square footage, and configuration of the shopping center and adjacent areas, and is only illustrative of the size and relationship of the stores and common areas generally, all of which are subject to change. The showing of any names of tenants, parking spaces, square footage, curb-cuts or traffic controls shall not be deemed to be a representation or warranty that any tenants will be at the shopping center, the square footage is accurate, or that any parking spaces, curb-cuts or traffic controls do or will exist.

COMPETITION AERIAL |

Leesburg, VA | www.kimcrealty.com/1569



Revision Date: 01/30/13
Original Date: 05/10/09

Friday, May 10, 2013

Integrity · Creativity · Stability

tel: 410-427-4434 | kallen@kimcrealty.com

Kevin Allen

April 21, 2013

Kathy Baker
Concept Unlimited, Inc.
10020 Farrow Road
Columbia, SC 29203

Dear Ms. Baker:

The review committee met on June 21, 2013 to review the proposed amendments to the Battlefield Shopping Center Comprehensive Sign Plan. The Administrative Panel found that the proposed amendment to the Comprehensive Sign Plan did not meet standards for review of the Town of Leesburg Zoning Ordinance Section 15.13.5. Specifically:

Town of Leesburg Zoning Ordinance Section 15. 13.5 Standard for Review

"In evaluating the appropriateness of any comprehensive sign plan application, the administrative panel shall use the applicable set of sign guidelines for the H-1 or H-2 Overlay District as well as the following standards:"

A. Consistency/Variety. *The degree of consistency or variety among the signs proposed for installation in a comprehensive sign plan should be related to the degree of consistency or variety among or within the building(s) to which the signs relate.*

- With the exception of two anchor stores and the gas station signs, all other signs in the shopping center are red channel letters. The style of the letters is not limited to any particular style, so there is an opportunity for businesses to utilize font styles that identified with a particular corporation. Additionally, colored corporate logos are permitted. The addition of corporate colors rather than red letters would not be consistent with the other business signs in the shopping center.

B. Compatibility with the buildings. *The design (including, but not limited to, size, materials, colors, and illumination) of the proposed signs in a comprehensive sign plan should be compatible with the design features of the building(s) to which the signs relate.*

- The H1/H2 Sign guidelines require that walls signs must "[maintain] proper proportions to the available and appropriate wall space." Allowing 36" signs would eliminate the limited empty wall space on the front facades of the buildings, thus overwhelming the building front.

C. Compatibility with other signs. All signs for a multi-tenant building or development should be compatible but not necessarily identical to one another.

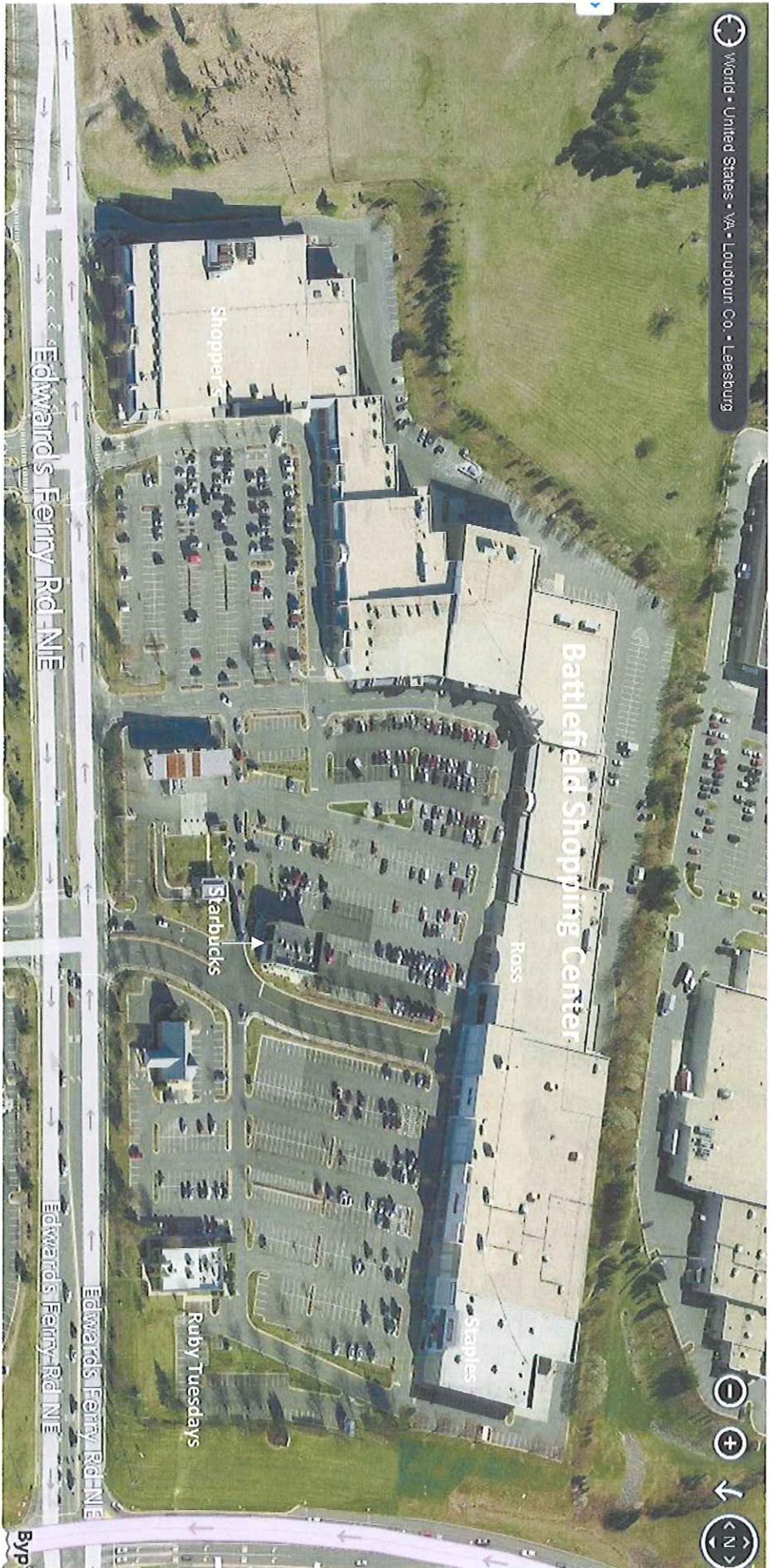
- The red lettering is what unifies the shopping center. As mentioned above, font style is not limited to a particular style. Allowing corporate colors on the sign face would eliminate the existing unity of the shopping center.

If you have any questions regarding this matter, do not hesitate to contact me at 703-771-2758 or tshiflett@leesburva.gov. If you want to appeal this decision by the Administrative Panel panel, you must request that the application be forwarded to the Town Council for consideration and Action.

Sincerely,



Tracey Daniel Shiflett, AICP
Assistant Zoning Administrator





Battlefield Shopping Center Non-Anchor Stores Existing Signs





Battlefield Shopping Center Non-Anchor Stores Existing Signs





**Battlefield Shopping Center
Anchor Stores Existing Signs**





Battlefield Shopping Center Pad Site Businesses Existing Signs



Examples of What the Proposed Changes Could Look Like

“Rainbow & Multi-Color Signs”
 “Rainbow & Multi-Color Signs”



Low Contrast Signs
 Low Contrast Signs



The Town of

Leesburg, Virginia

619 565 702

PRESENTED November 26, 1991

RESOLUTION NO. 91-269

ADOPTED November 26, 1991

RESOLUTION: APPROVING COMPREHENSIVE SIGN APPLICATION #CSP-91-01 FOR THE BATTLEFIELD SHOPPING CENTER LOCATED ON THE SOUTHEAST CORNER OF THE ROUTE 16 BYPASS AND EDWARDS FERRY ROAD

WHEREAS, on October 10, 1991, the applicant, Fort Evans-Beverly Road Associates, applied for a Comprehensive Sign Package for the Battlefield Shopping Center, located on the southeast corner of the Route 16 Bypass and Edwards Ferry Road; and

WHEREAS, on October 21, 1991, the Board of Architectural Review recommended approval of the sign package with amendments; and

WHEREAS, the applicant erected a mock sign that successfully demonstrated that the proposed monument (directory) sign is compatible with the scale of the shopping center; and

WHEREAS, the Council has determined that the scale of this development constitutes a unique circumstance in which a monument (directory) sign that exceeds the size limitations specified in Article 10 of the Leesburg Zoning Ordinance is appropriate in relation to the size of the shopping center, the length of road frontage, adjacent traffic speed on a major road, the number of traffic lanes on Route 16, and the distance the sign will be set back from the right-of-way; and

WHEREAS, the proposed signage is compatible with the aesthetic concerns of the Town of Leesburg;

THEREFORE, RESOLVED by the Council of the Town of Leesburg in Virginia as follows:

SECTION I Authorization for the Battlefield Shopping Center Comprehensive Sign Package #CSP-91-01 is hereby approved based on the rationale that the majority of the tenant spaces are located in excess of 600 feet from the Route 16 Bypass, and are completely obstructed from view by a landscaped berm. Therefore, it is reasonable to allow the applicant a visual display in the form of a monument (directory) sign to notify the motorist of the variety of retail stores and services located within the 377,000 square foot shopping center. The following limitations regarding signage shall apply:

1. The monument (directory) sign will be relocated within the reserved dedication parcel along Route 16, to a position approximately 280 feet south of Edward's Ferry Road. The monument sign will be integrated into the existing berm in such a fashion that it will not substantially exceed the height of the berm. The sign shall not contain exposed neon

-2-

APPROVING COMPREHENSIVE SIGN APPLICATION #CSP-91-01 FOR THE BATTLEFIELD SHOPPING CENTER LOCATED ON THE SOUTHEAST CORNER OF THE ROUTE 15 BYPASS AND EDWARDS FERRY ROAD

- handing, and sign lettering naming the six individual tenants will be uniform.
2. With the exception of Hechinger's, Shoppers Food Warehouse, and other major anchor tenants in excess of 10,000 square feet, all lettering on the buildings shall be uniform in style with the letter size ranging from twelve (12) to twenty-four (24) inches.
 3. With the exception of the same blue color for Hechinger's and Ross Dress For Less, all lettering on the buildings shall be red.
 4. The proposed secondary monument sign will be located as an architectural entrance feature at the intersection of Route 15 and Edwards Ferry Road within the reserved dedication parcel.
 5. Unless specifically authorized in Section II, all signs shall conform to the size limitations permitted by Article 10 (Sign Ordinance).

SECTION II. The following signs are authorized to exceed the size limitations set forth in Article 10 of the Zoning Ordinance:

1. Hechinger's shall be permitted up to a maximum of 300 square feet of building signage.
2. The Shoppers Food Warehouse may be up to 168 square feet.
3. The monument sign located on the Route 15 Bypass shall not exceed 14 feet in height and 22 feet across. In addition, the sign copy may include the name of the shopping center plus six (6) individual tenant names.
4. The architectural entry feature at the intersection of Route 15 and Edwards Ferry Road may have up to forty (40) square feet of sign copy which identifies only the shopping center name.

SECTION III. The application of Payless Shoe Store for a yellow and orange, in-line sign is denied and referred to the Planning and Zoning Committee for further consideration of any modification the applicant might make.

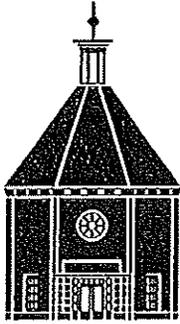
PASSED this 26th day of November, 1991.

Robert E. Sevilla
Robert E. Sevilla, Mayor
Town of Leesburg

ATTEST:

Barbara M. Klaus
Clerk of Council

R:csp-91-01



The Town of
Leesburg,
Virginia

25 West Market Street ■ P.O. Box 88 ■ 20178 ■ 703-777-2420 ■ Metro: 703-478-1821 ■ FAX: 703-771-2727 ■ www.leesburgva.org

June 6, 2002

Mr. Michael Banzhaf
ReedSmith
44084 Riverside Parkway, Suite 300
Leesburg, VA 20176

Dear Mr. Banzhaf:

This letter serves as your official notification of the action taken by the Leesburg Board of Architectural Review (B.A.R.) at the June 3, 2002 meeting on Case BAR 02-35 for a Revised Comprehensive Sign Plan for Battlefield Shopping Center located at 1021-1079 Edwards Ferry Road NE.

The B.A.R. approved the application with the following clarifications and conditions: The revised Comprehensive Sign Plan is approved subject to 'grandfathering' the two existing, non-conforming, blue-channel-letter signs (Ross and Stein Mart) until these signs are repaired or replaced; the recently-erected Michael's sign to be changed to red channel letters.

All anchor stores (retail spaces in excess of 10,000 square feet) to have 4-foot-high, red channel letter signs on the front & side facades (where appropriate), placement of each sign to be appropriate that is vertically aligned with the composition of the storefront and over-all front façade, and horizontally aligned with other similar anchor signs.

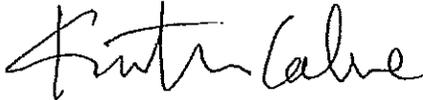
All other tenant signs to consist of red-channel letters not to exceed 24 inches in height – the sign returns to be specified but consistent in color with the understanding that logos are not included in the sign plan.

All pad site signs to consist of red channel letters with placement compatible with the composition of the building.

Battlefield Shopping Center
Sign Plan
Page 2

If you have questions, you can telephone me at 703 771-2765.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kristie Lalire".

Kristie Lalire
Preservation Planner

Enclosure

The Town of
Leesburg,
Virginia

PRESENTED July 9, 2002

RESOLUTION NO. 2002-136

ADOPTED July 9, 2002

A RESOLUTION: **MODIFYING THE DECISION OF THE BOARD OF
ARCHITECTURAL REVIEW CONCERNING THE REVISED
COMPREHENSIVE SIGN PLAN FOR BATTLEFIELD SHOPPING
CENTER**

WHEREAS, the Board of Architectural Review (BAR) considered a revised Comprehensive Sign Plan for Battlefield Shopping Center, BAR CASE 02-35 and approved at a special meeting on June 3, 2002 red channel letter signs for all stores consistent with previous decisions made to produce uniform sign plans in other shopping centers in the Town of Leesburg; and

WHEREAS, on June 10, 2002 Reed Smith, a representative of Kodiak Properties filed an appeal of the BAR decision to the Town Council as authorized by the Leesburg Zoning Ordinance, Section 5A-4(18); and

WHEREAS, on July 8, 2002 the Town Council heard the appeal; and

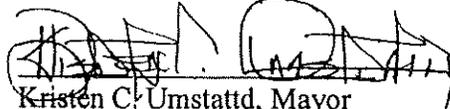
WHEREAS, the Town Council elects to modify the decision of the BAR approving the Revised Comprehensive Sign Plan to substitute an alternative design for the Staples Store signs (2) that consists of white text on a red background to promote business in the Town of Leesburg.

THEREFORE, RESOLVED by the Council of the Town of Leesburg, Virginia, as follows:

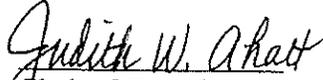
SECTION 1. The Town Council modifies the Revised Comprehensive Sign Plan for Battlefield Shopping Center to permit a Staples sign consisting of white channel letters on a red background in the proportions as shown on the plan entitled "Staples -- Front Elevation" presented July 9, 2002 and prepared by East Coast Sign Advertising, a copy of which is attached as Exhibit A.

RESOLUTION: MODIFYING THE BOARD OF ARCHITECTURAL REVIEW REVISED
COMPREHENSIVE SIGN PLAN FOR BATTLEFIELD SHOPPING CENTER

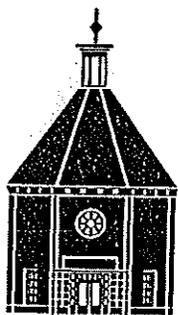
PASSED this 9th day of July 2002.


Kristen C. Umstatt, Mayor
Town of Leesburg

ATTEST:


Clerk of Council

BAR resolution 2.doc



The Town of
**Leesburg,
Virginia**

25 West Market Street ■ P.O. Box 88 ■ 20178 ■ 703-777-2420 ■ Metro: 703-478-1821 ■ FAX: 703-771-2727 ■ www.leesburgva.org

November 19, 2002

Mr. Scott Spector
Kodiak Properties, LLC
4733 Bethesda Avenue, Suite 540
Bethesda, MD 20814

Dear Mr. Spector:

This letter serves as your official notification of the action taken by the Leesburg Board of Architectural Review (B.A.R.) at the November 18, 2002 meeting on a modification to CASE BAR 02-35, a revised comprehensive sign plan for Battlefield Shopping Center located at 1021-1079 Edwards Ferry Road NE.

The BAR approved modifying the revised application to include logos for the wall signs subject to the following criteria: logos may consist of multi-colors but must be consistent in height or smaller and horizontally aligned with the sign text or if there is no sign text as in the case of free-standing pad sites, the logo must relate to the sign space not to exceed 4 feet in height, the maximum allowable sign height for the center. Projects or drawings may not be altered without prior approval of the Board of Architectural Review.

Installation of the signs will require a sign permit from the Zoning Department. For additional information on the sign permitting process, please telephone Kevin Lawlor at 703 771-2765.

Sincerely,

Kristie Lalire
Preservation Planner