



***LEESBURG BOARD OF ARCHITECTURAL REVIEW
BUSINESS MEETING MINUTES***

Monday, 23 February 2011
Town Hall, 25 West Market Street
Council Chamber

MEMBERS PRESENT: Dieter Meyer, Chair; Jim Sisley, Vice Chair; Richard Koochagian, Parliamentarian; Teresa Minchew; Tracy Coffing; Edward Kiley; Paul Reimers; Mary Harper, Planning Commission Representative

MEMBERS ABSENT: Marty Martinez, Town Council Representative

STAFF: Annie McDonald, Preservation Planner; Jeannette Irby, Town Attorney; Barbara Notar, Deputy Town Attorney; Scott Parker, Assistant to the Town Manager; Tom Brandon, Capital Projects Department; Wendy Walker, BAR Clerk

Call to Order and Roll Call

Mr. Meyer called the meeting to order at 7:10 pm, noted attendance and determined that a quorum was present.

Approval of Minutes

Ms. Minchew moved to approve the December 20, 2010, and January 3 and January 19, 2011 meeting minutes, as well as deferral of December 6, 2010 per the Chair's request; Mr. Sisley seconded the motion, and it passed unanimously 6-0-1 (Mr. Kiley absent).

BAR Member Disclosure

Regarding TLHP-2011-0003, Mr. Reimers disclosed having an ongoing business relationship with architect Tom Gilbride and noted that the subject property was adjacent to his house, but stated that neither issue will impact his ability to be impartial when evaluating the case. Regarding TLHP-2011-0004, Mr. Sisley disclosed having an ongoing business relationship with property owner and applicant Barbara Williams, but stated that it will not impact his ability to be impartial when evaluating the case.

Consent Agenda

Ms. Coffing moved to approve to the consent agenda, consisting of case TLHP-2011-0004, as submitted; Ms. Minchew seconded the motion, and it passed unanimously 6-0-1 (Mr. Kiley absent).

THLP-2011-0004, 101 Loudoun Street SW, Applicant: Barbara Williams, re: replacement of metal roof – Old and Historic District (H-1 Overlay)

Appeal of TLHP-2006-0109 (Dodona Manor Fence)

Ms. Irby discussed BAR role in appeal process as there had been concern among the board members about their responsibility or role during the hearing. Mr. Meyer asked if the old review standard applied to this case, to which Ms. Irby responded in the affirmative. She explained that the BAR can simply present a statement about how the case was reviewed and handled and that something similar to the statement read at the appeal of the Loudoun Street Fire Station would be appropriate. She also confirmed that the meeting minutes are the official record of the body, so individual members are not required to testify at the appeal hearing on their rationale for rendering a decision. Ms. Irby explained that the BAR can

appoint someone to speak on behalf of the board, and that the person does not necessarily have to be the Chair. She stated that the role of the Town Attorney is to defend the BAR decision until Town Council renders its decision to uphold the decision or determine whether or not the BAR was arbitrary and capricious or acted in a manner contrary to the law. She stated that this standard is a difficult one to prove.

Mr. Reimers asked if there was any role for board members other than the appointed representative, to which Ms. Irby replied in the negative, unless a member wants to attend in support of the BAR and the representative. Mr. Meyer noted having recused from the original case so asked if he should continue to step back from participation. Ms. Irby replied that his recusal had no bearing on his participation in the appeal, since the minutes of the original hearing are the official record. Mr. Meyer asked Ms. Irby whether the original case should have come before the BAR in the first place, since the Zoning Ordinance did not permit the fence to be constructed. Ms. Irby asked if the applicant had returned to the BAR following resolution of the zoning matter, to which the BAR replied no. Ms. Irby stated that she would review the matter and look at the timeline. She stated that the case was reviewed by the BZA, which incorporated the BAR's original decision.

Mr. Meyer asked if Ms. Minchew would be willing to serve as the BAR's representative at the hearing, to which she replied in the affirmative but added that there was a chance she would not be able to attend due to an existing schedule conflict. Ms. McDonald noted that the staff report includes the entire case history with a recent update by Brian Boucher regarding the BZA review. She stated she would provide it to the BAR for review.

Public Hearing Agenda

1. TLHP-2011-0003, 218 Cornwall Street NW, Applicant: Mark and Wanda Salser, re: new addition and porch – Old and Historic District (H-1 Overlay)

Ms. McDonald gave an overview of the project, noting the scope of work in the 1980s addition, explaining the changes that would occur to the 1980s construction and detailing the work on the small mudroom addition to the east behind the bay window. She stated that the current project was designed to address the fact that the 1980s addition had no intermediate space at the entry, with the doors opening directly onto the family room. The new mudroom addition will provide that space. She stated that the window openings will be reconfigured, the skylights removed, the roof recovered in standing-seam metal, new window units installed, and a fireplace and chimney added. The north elevation faces the hospital and Gibson Building. The revised design keeps the 1980s roof pitch but reconfigures window openings along the north elevation and sides of the addition. The window in the gable peak is fixed but appears to be double-hung. The new chimney is tall but screened from view due to its position behind the house as well as behind vegetation so that it does not adversely impact the building particularly as seen from the right-of-way. The proposed materials are traditional or compatible, with wood siding, wood trim, and a metal roof. The railing descending from the new mudroom addition is metal, but is consistent with the style of the railing on the steps leading down from the back porch. Two sets of shutters are proposed.

The applicant, Mark Salser, noted that the intent was to make the addition more compatible with the historic character of the building. He explained that he's restored other homes from that period, and that his goal is to make it more in character with the historic district and character of neighborhood. Mr. Reimers asked about height of the chimney to which Mr. Gilbride replied that it was "right at code." Commissioner Harper stated that beautiful things have been done to the house so far. Audience member Peter Burnett asked about whether or not the applicant considered adding shoulders to the chimney to take out the bulk, to which Mr. Gilbride explained that it was possible but would cause the chimney to be four feet higher. Ms. Minchew said it was a wonderful job so far. Ms. Coffing and Mr. Reimers thought it was a big improvement over the work done in the 1980s, a point with which Mr. Koochagian agreed.

Mr. Sisley moved to approve BAR case TLHP-2011-0003 based on the facts stated in the staff report. Ms. Minchew seconded the motion and it passed unanimously 6-0-1 (Mr. Kiley absent).

2. TLHP-2011-0005, King Street and Loudoun Street rights-of-way at Alleys and East End Triangle, Applicant: Scott Parker of Executive Department for Town of Leesburg, re: Downtown Improvements Project with sidewalk and amenity improvements in public right-of-way, including sidewalks, plantings and various amenities – Old and Historic District (H-1 Overlay)

Ms. McDonald began by stating that the application had nothing to do with the removal of parking on King Street. She explained that there were two main areas of the downtown that were to be considered: the alley walkways between the Town parking garage and South King Street and the East End Triangle at Mom's Apple Pie. She stated that temporary, non-fixed streetscape furniture does not fall within the BAR's purview. With regard to the current application, the BAR's purview is considered to include the metal archway features at the alley entrances, light fixtures in the alleys, the dumpster enclosure, and the design and material for the retaining wall. The design and installation of the sidewalks is determined by engineering requirements, so the BAR does not have purview over them. Mr. Meyer asked why the BAR did not have authority to review the sidewalk design, to which Ms. Notar replied that it was determined to be part of the public right-of-way and was designed with consideration given to public health, safety, and welfare. Sidewalks are included with curb and gutter, so are governed by the standards of the Public Works Department. Ms. McDonald explained that, generally speaking, material in the right-of-way does not fall within the BAR's purview. Mr. Meyer replied that if such a feature was located on private property, the BAR would have authority to review it, which Ms. Notar confirmed.

Ms. McDonald said the light fixtures in the pedestrian alleys were mounted on square poles and are different from the streetlights that were previously approved by the BAR. She said that the lights could not be mounted to the buildings, and that the arched arm with a pendant light was the best solution for coverage over the walkways. She stated that the east end of each alley would feature a black iron archway with a central pendant light. The southern archway must contain a sign for Balls Bluff Tavern per an earlier easement from the property owner. She stated that the post on which it is mounted could, however, be removed. The pedestrian alleys are to be formally named Pearson's Walk (in honor of the owner who donated the easement on the southern alley) and Leesburg Walk (for the northern alley next to Caulkin's Jewelers).

Leesburg Walk will feature three freestanding light fixtures and gateway arch, but there are no changes currently planned for the entrances to the Town garage. Pearson's Walk has more landscaping proposed on the west end and the same number and configuration of light fixtures as Leesburg Walk. The dumpster enclosure (*Mr. Kiley arrived*) is a wood stockade-style enclosure and is eight feet tall to fully enclose the dumpsters behind the restaurant. It will be finished with a wood stain, but no detail on the stain was submitted.

East End Triangle features a low parterre or garden wall at a maximum of three feet in height on the west side and roughly 18 inches on the east side. On the side facing Mom's Apple Pie, the wall steps down from three feet to roughly 18 inches to serve as a ledge for seating. The wall is finished with a stone veneer. Mr. Sisley asked how much of the project area is in the H-1 Overlay District, to which Ms. McDonald replied that all of it was within the district boundaries. She stated that if even a portion of the East End Triangle was in the H-2 Overlay District, it would be reviewed in accordance with the Old and Historic District Design Guidelines because the west part of the wall was in the H-1 Overlay. Ms. McDonald stated that the difference in the light fixtures in the pedestrian alleys—as opposed to the previously approved streetlights—better defines the alleys as separate from the sidewalk realm. It is still obvious that the alleys are pedestrian-oriented and open to the public. She stated that the design of the fixtures in the pedestrian alleys is appropriate and compliant with the guidelines. She recommended approval

on the condition that lettering and details of the archway signs will be submitted to staff for final review and approval, and mortar colour will be submitted prior to installation.

Mr. Parker, project manager of Downtown Improvements Project, and Ryan Bouma, with AECOM (the project consultant) introduced themselves. Mr. Sisley asked if the Town has permission from the George Marshall Foundation, the owner of the Mom's Apple Pie property, to which Mr. Parker replied in the affirmative, adding that the Foundation owns all the property from Mom's Apple Pie down to the gas station and that the Town has a license agreement to do the improvements. He stated that the Town did meet with the George Marshall Foundation, which is supportive of the work and project. Ms. Minchew asked about the lighting and how far from the streetlights will be the closest walkway lights. Mr. Parker replied that the nearest one is across the street and Mr. Bouma added that the height was not substantially lower. The difference would be a few inches, but not so substantial as to create a difference in scale. He stated that the perceived colour of the light would be the same, since they would be metal halide lights like the streetlights. Ms. Minchew asked about the Balls Bluff Tavern sign, to which Mr. Parker replied that a sign was in the easement agreement given by the property owner in 1980.

Mr. Reimers asked what was outside of the landscape wall at Mom's Apple Pie, to which Mr. Bouma replied ornamental ground cover instead of asphalt. Regarding the archways at the pedestrian alleys, Mr. Reimers asked if the Town could adjust the alignment so that all of the lights would be aligned in the center, to which Mr. Bouma replied that they had talked with the manufacturer of the arm extension. He said that the cut sheet shows that they were designed specifically to have some flexibility to enable the luminaires to line up appropriately. Mr. Reimers asked about amber light instead of harsh white light. He expressed a desire to avoid commercial parking lot lighting. Mr. Bouma explained that the lights are not high pressure sodium lights that were more yellow colour. He said that the new lights should not have too great a glare since they are only using a 7-watt fixture. It is the lowest level they can use to still maintain safety.

Mr. Koochagian asked about the centering of lights on the poles with the lights on the arch to which Mr. Bouma said the goal was for them to appear to be the same height. Mr. Bouma confirmed that the radius of the arm is different than the archway, but that the goal was for the two different fixtures to appear complementary instead of matching. Mr. Koochagian asked about the dumpster enclosure, expressing concern that the wood proposed to be used won't last long, particularly considering that it is next to the right-of-way. He recommended that the Town consider using brick like the dumpster enclosure at Town Hall with steel gates, to which Mr. Bouma replied that the design incorporates a wood structure to hide the dumpster but not draw attention. He explained that masonry enclosures are more apparent and are sometimes not desirable. He stated that the existing brick wall sticks out slightly and has been hit a few times, so the idea was to attach the enclosure to a curb to help keep vehicles from hitting it.

Mr. Parker said staff had considered brick, but that wood is easier to replace and maintain than damaged masonry. Mr. Koochagian asked about shape of wall at East End Triangle, to which Mr. Bouma replied that it is important to have a vertical treatment when arriving from the east, since it gives a sense of welcome to the downtown and visually indicates that motorists should slow down where the street narrows. The raised landscape area is shaped roughly like the triangle on which it is located. The central tree is important and the wall provides a good foreground for it. He said that the area is a rounded triangle so as not to appear too angular. Mr. Koochagian asked about mortar joint, to which Mr. Bouma responded that the goal was to minimize the mortar joints with a colour that didn't contrast with the stone, unlike Mom's Apple Pie. Mr. Koochagian asked about size to which the consultant said pick earthy tone stones to relate to other stone features within Town and blend in with the stone work crossing South King Street crossing Stone Branch as well as foundations of houses in the historic district.

Mr. Kiley asked about the kind of wood that would be used for the dumpster enclosure, to which

Mr. Bouma replied that it could be pressure-treated pine or ACQ lumber or stained cedar, but that AECOM would discuss the final material with staff. He said that it would have a concrete base. Mr. Meyer asked about the crosswalk material, even though the BAR does not have jurisdiction over it. Mr. Bouma replied that it was no longer a raised walk due to drainage issues. He added that a raised crosswalk would have to cover up the bottom stair to the Town garage, which would be an awkward tie-in. Mr. Meyer asked about the garage entrance feature, to which the consultant said it is not proposed at this time. Mr. Parker stated that if anything was decided, they would bring the design back to the BAR for review. Mr. Meyer asked if there are any changes from the original design, to which Mr. Parker replied that the ones presented are the main ones. He stated that the kiosk sign would be a future application. Mr. Meyer asked about the decorative medallions that were part of the original design, to which Mr. Bouma replied that they would not be in the pedestrian walkways. The MLK plaques had already been placed in the sidewalk. Ms. Notar said MLK plaques did not come before the BAR so any other plaques would not be a structure within the guidelines. Ms. McDonald said that the decorative medallions are basically public art and that Town staff still need to determine whether the BAR has purview over public art and what impact the medallions would have on the character of the Old and Historic District. Mr. Sisley stated that, as an original member of the group, it was the Public Art Commission's intent for the BAR to have purview over public art. Mr. Meyer added that the medallions could have an impact. Mr. Parker stated that they are not part of this application.

Speaking as a member of the audience, Peter Burnett said that the stone work is easy to mess up. He urged that the type of stone have precedents in Leesburg. He recommended using native stone, not stone cut from somewhere else. Other stone used in new construction in the area sticks out, such as on the building at the intersection of Loudoun and Harrison Streets, because it has no precedent in Loudoun County, let alone Leesburg. He said it should be laid in a traditional fashion. He stated that the dumpster enclosure should be made of better quality material, like brick, instead of wood.

Speaking as a member of the audience, Stanley Caulkins reminded the BAR about the history of the alleys. He said that they contain sanitary sewer, storm sewer, and gas lines. He said that they are dug up for maintenance and so the Town should be cautious.

Regarding the East End Triangle, Mr. Sisley said that the site design guidelines for the H-1 and H-2 Overlay Districts do not recommend installing a tree in a situation such as this. Mr. Bouma responded that the telephone pole would be relocated and the power lines rerouted. He said that one can see the Loudoun County Government Building looming over everything, but Mom's Apple Pie will not be obscured by the tree. He explained that installing the tree anchors the east end of Town and frames the entry into the downtown. Mr. Sisley expressed his opinion that the design runs contrary to the guidelines.

Ms. Minchew stated that the design was thoughtfully developed, but agreed with Mr. Burnett's comment about the choice of stone and installation method. She expressed concern about the materials for the dumpster enclosure and how they would hold up, though the specific type of wood used is not necessarily in the BAR's purview. Ms. Minchew asked who would own the dumpster, to which Mr. Parker responded that it is a private dumpster on Town property to allow more trash from being put on the street on trash day and that the Town would be responsible for maintaining the enclosure. Ms. Minchew expressed concern about the ornateness of the archways and the inclusion of the Balls Bluff Tavern sign but added that this did not make the project unapprovable. She added that the name Leesburg Walk seemed more generic and said that this is a prime opportunity for a more meaningful name.

Ms. Coffing agreed with the comments on the dumpster enclosure. Mr. Reimers agreed that pressure-treated wood should not be used, since it would look worn after one summer. He said that if wood is used it should be clear cedar, but masonry is preferable. Mr. Reimers expressed

his thought that the tree was approvable.

Mr. Koochagian echoed previous comments about the material for the wall at the East End Triangle, but said that he was less concerned about the tree. The consultant explained that the tree would be a six-inch caliper specimen. Mr. Koochagian said that a wood dumpster enclosure would look bad within one year and recommended looking at the surrounding area. He said that a brick structure with iron or steel ornament would look the best and become part of the public right-of-way. Ms. Notar said staff would consider the comments, but that the materials used simply had to be appropriate to the historic district. If wood is approvable, the BAR probably cannot disapprove its use. Ms. McDonald added that when the BAR reviewed the revised design guidelines, they simply recommended the use of wood, but did not dictate the specific kind of wood used. She stated that the kind of material should not bear on the Board's decision. The BAR should consider whether the material is appropriate for the application as it stands right now. Ms. Notar clarified that "does not hold up" cannot go into the decision, to which Mr. Meyer replied that it was understood and part of normal process to then look at the guidelines. Mr. Kiley said members can suggest and opine, adding that tree would be dead in three years unless dug in a very deep hole.

Mr. Meyer said that the wood dumpster enclosure would disappear more than would a more substantial structure. Some successful projects have enclosures that are in keeping with the adjacent building to coordinate, with one such example being at Station Auto Wash. He suggested that if brick is the predominant material in the area, perhaps the enclosure should be of brick. He agreed that the stone work on the wall should be consistent with stone in Town, but that they need to make sure that the BAR's decision is based on the guidelines. Mr. Parker said that the BAR's comments have a lot of validity. Mr. Meyer said that the BAR could defer the dumpster enclosure and stone work, with general consensus on tree and planter island. Ms. Minchew agreed with the assessment, but not the approval as it is.

With regard to the stone, Ms. McDonald expressed that she would be comfortable administratively approving the final design of the stonework, with consideration given to the use of native stone versus cut semi-manufactured stone, colour and joint treatment, how it is laid, and the size and treatment of the joints. The Board found deferring the final decision to staff acceptable.

Mr. Reimers asked about the use of pressure-treated wood to which Ms. Notar said that it is acceptable. Ms. McDonald said that historically, wood would have had some sort of treatment or finish applied—such as a stain—so untreated or unstained would not be considered appropriate but that some materials have to weather for about a year before being finished.

Ms. Coffing moved to approve BAR case TLHP-2011-0005 with the following conditions

- Details on the letters for "Leesburg Walk" and "Pearson's Walk" will be submitted to staff for final review and approval.
- Details on the sign attached to the Pearson's Walk gateway feature will be submitted to staff for final review and approval.
- Staff will review and approve any alternative proposal for the masonry wall, mortar color and joint treatments at the East End Triangle based on the comments presented by the BAR.
- Staff will review and approve any alternative dumpster enclosure design based on the comments presented by the BAR.

Ms. Minchew seconded the motion and it passed unanimously 7-0.

Administrative Agenda

Adoption of the CY2010 Annual Report: Ms. McDonald presented the BAR's 2010 Annual Report for final adoption, stating that the Administrative Approval statistics would be included in the portion of the report about the Planning & Zoning Department. She explained that this year, the Planning Commission, EAC, BZA, and BAR reports would be combined into a unified report offered by the Planning & Zoning Department.

Mr. Koochagian moved to adopt the BAR Annual Report as presented by staff; Mr. Sisley seconded the motion and it passed unanimously 7-0.

Town Plan Review – 2005 Heritage Resources Element (adopt final recommendations for distribution to Planning Commission): Ms. McDonald explained that all of the BAR's recommendations have been incorporated into the Heritage Resources Element and are presented for the BAR's consideration in a linear format. She explained that some of the recommendations, specifically those dealing with enforcement, could be impacted by the upcoming reductions in force that will be announced next week. Mr. Meyer stated that the BAR's recommendations should still be included, a point with which Mr. Reimers expressed agreement.

Mr. Koochagian said that under the Objectives section, the acronym UGLA should be defined and asked about action for Objection 6 to which Ms. McDonald reiterated having intentionally left out because that is something the Town already does.

Mr. Kiley moved to recommend the PC adopt the BAR changes as provided at the meeting with the additional comment that the BAR report will include definitions for all acronyms; Mr. Sisley seconded the motion and it passed unanimously 7-0.

Nominations to the Joint Architectural Review Board (due March 31st): Ms. McDonald said the final nominations can take place at the March 21st business meeting. She provided background information on the JARB, explaining that the collaborative effort with other design review boards in Loudoun County is now in its fourth year. She stated that last year was the first year that the JARB partnered with the Loudoun Preservation Society to hold the event at the Birkby House. She explained that past award recipients in Leesburg included China King, Shoes, the Town (for the Depot Court bus shelter), and the Norris House carriage house. Ms. Minchew added that the program takes the place of an awards program that Leesburg used to hold. Ms. McDonald explained that this year's program included a new category for People's Choice, which is intended to draw nominations from outside the locally designated historic districts. Ms. McDonald stated that in nominating a project for the JARB awards, the project has to be completed but that there is no timeframe for how long ago the project should have been finished. Ms. Minchew requested having a list of what had been nominated in the past but was not awarded. Mr. Reimers and Ms. Minchew recommended nominating the Birkby House complex. Mr. Meyer stressed that any nominations should meet a high standard and a project did not have to be nominated if the BAR did not consider it to be worthy. He agreed that the Birkby House was worthy if done within the last decade. Mr. Reimers expressed that it should receive a legacy award for stewardship. Ms. McDonald noted that well designed signs had also been nominated and received awards

Staff Approvals: Ms. McDonald said that no administrative approvals had been issued since the BAR last met but that a few that had been submitted, adding that the numbers were down.

General Discussion (additional): Mr. Meyer indicated that he had received an email from Debi Parry about the creation of an arts district being on the Town Council's agenda fro March 8th for possible adoption. He added that it is roughly the same area as the historic district.

Mr. Meyer said that accurate meeting minutes are very important, and over the course of last year they have been almost verbatim. He asked if that is appropriate and whether they should be streamlined to incorporate primarily the motion and discussion. Ms. Minchew said that the minutes have gone back and forth between different recommendations from the Town Attorneys. She expressed gratitude for the current minutes, which she believes are an improvement. She stated that she understands Mr. Meyer's point and said that they matter most when BAR decisions are appealed. She said that if decisions are challenged that it is better to have more information in the minutes. Ms. McDonald added that the minutes are very important when researching past cases, to which Mr. Sisley replied that they are good for establishing precedent and a basis for the BAR's decision. Mr. Sisley said other boards do not have the same amount details.

Ms. Minchew said in the future, the BAR may only want basic highlights but not the full discussion and should not go back to the previous format of only the case and motion. Mr. Reimers said that it was important to have detail on the Leesburg Central application. Ms. McDonald said that transcribing the minutes can be difficult if board members go off on tangents, so it is important to keep discussion to the case and make sure that sentences have clear beginning and end. Ms. Harper said that the Planning Commission's discussion in the minutes is easy to follow and that it includes the basic information. Mr. Meyer asked about the level of detail in the Town Council minutes, to which Ms. Minchew responded that the BAR looks at cases in more detail.

Mr. Sisley asked if the owners of Leesburg Central were diligently pursuing that project, to which Ms. McDonald replied that the owner may have encountered legal issues that could stall the project for an extended period of time. She said that she would forward the BAR members an email that had additional details. Ms. McDonald emphasized that there is no sunset provision for a project once construction has begun.

Adjournment: The meeting adjourned at 9:25pm.

NEXT REGULAR BUSINESS MEETING:
Monday, March 21, 2011 at 7pm
Town Hall Lower Level Conference Room 1
25 West Market Street
Leesburg, VA

Dieter Meyer, Chair

Annie McDonald, Preservation Planner