



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

Monday, 18 July 2011
Town Hall, 25 West Market Street
Council Chamber

MEMBERS PRESENT: Dieter Meyer, Chair; Jim Sisley, Vice-Chair; Teresa Minchew; Tracy Coffing; Edward Kiley

MEMBERS ABSENT: Richard Koochagian, Parliamentarian; Paul Reimers; Mary Harper, Planning Commission Representative; Marty Martinez, Town Council Representative

STAFF: Wade Burkholder, Deputy Zoning Administrator; Annie McDonald, Preservation Planner; Barbara Notar, Deputy Town Attorney

Call to Order and Roll Call

Mr. Meyer called the meeting to order at 7:00pm, noted attendance and determined that a quorum was present.

Adoption of Agenda

Jim Sisley moved to adopt the agenda as submitted; Teresa Minchew seconded the motion and it passed unanimously 5-0-2 (Reimers and Koochagian absent)

Approval of Minutes

Tracy Coffing moved to approve the minutes of the 20 June 2011 business meeting; Jim Sisley seconded the motion, and it passed unanimously 4-0-1-2 (Minchew abstaining, Reimers and Koochagian absent).

BAR Member Disclosure

Ms. Coffing disclosed that she is a neighbor to the property that is the subject of case TLHP 2011-0040 (213 Cornwall Street NW). Ms. Minchew said she will recuse herself from the referral discussion for TLSE-2011-0002 (Courthouse Square) because her husband is a consultant on the project. Dieter Meyer disclosed that, relevant to TLHP 2011-0042 (214 S. King Street) and TLSE 2011-0002 (Courthouse Square), he serves on a Board of Directors with individuals involved in each of those cases.

Consent Agenda

Chairman Meyer asked for the staff recommendation on the following cases: TLHP 2011-0039 and TLHP 2011-0040. Annie McDonald, Preservation Planner said staff recommended approval of TLHP-2011-0039 on the condition that the applicant submit final stain or paint color. The recommendation for approval on TLHP-2011-0040 is based on the condition that the applicant will provide the staff with final review and approval information on the height of the railing. The applicant has already done that.

Tracy Coffing moved to approve BAR case TLHP-2011-0039 (452 South King Street); Applicant: Bonnie Inman, Loudoun Interfaith Relief (tenant) for construction of an existing wood deck on the north elevation with noted condition; TLHP 2011-0040 (215 Cornwall Street, NW) Applicant: Rob & Adrienne Basset, for installation of two new porch posts and a new railing on the existing porch, with the noted condition. Ms. Minchew seconded the motion, and it passed unanimously 5-0-2 (Reimers and Koochagian absent).

Public Hearing Agenda

THLP-2011-0034 (H-1 Overlay District), Applicant: Roberto Rivera, Penney Design Group, Project: 326 East Market Street (deferred from 20 June 2011 Business Meeting), Addition and Alterations to the existing Star Buick GMC auto dealership.

Annie McDonald, Preservation Planner, showed aerial and ground-level photographs depicting the building and its placement and orientation on the property. She stated that the addition will extend primarily to the east of the east elevation. She explained that the material distributed in the BAR packets included updated elevations that show brick piers on the façade and HVAC screening. She reiterated the BAR's recommendations from the prior meeting, including the request for alternate material samples including a matte-finish metal and EIFS. She said that her recommendation is for approval with the modification that the ACM panels be replaced with simulated stucco and with the clarification that the signage will be submitted to staff for final review and approval. Ms. McDonald stated that design expressions seen throughout the H-2 Corridor are varied and includes everything from the modern-design Suzuki dealership to the Capitol One Bank, which is very traditional in design. She stated that there is no specific style required in the H-2 Corridor, and the BAR has interpreted the H-2 Corridor design guidelines in a variety of ways, resulting in a wide range of design expressions. She added that she was ambivalent about the proposed color, because there is not much of a precedent in BAR decisions or a strict interpretation of the design guidelines regarding the stark black-and-white color scheme. She said that her focus was on materials over color. She explained that her focus was on materials primarily because this was where the history of decisions gave more guidance. She provided details on the BAR's required changes to the Suzuki dealership on East Market Street, with a replacement of the red metal panels with red brick.

Mr. Meyer asked for the applicant to come forward.

Laurie Hall with Penney Design Group came forward and introduced herself, explaining that Jon Penney was called away on business at the last minute. She provided material samples for the gloss and matte-finish metal and the simulated stucco. She said that the manufacturer prefers the metal panel in gloss. She then went on to summarize the changes in the plans from the June business meeting. Mr. Meyer asked if they were still using metal panels at the entry, to which Ms. Hall responded in the affirmative.

Mr. Meyer asked if the board members had any questions.

Teresa Minchew began by apologizing for not attending the last meeting, at which this project was reviewed, but added that she has been brought up to speed on the case by reviewing the minutes and materials. She asked for a clarification on how each of the two different proposals affects the design of the entrance. Using the material samples, Ms. Hall explained the two options. Ms. Minchew then asked if the applicant had any justification in the guidelines supporting the use of metal. Ms. Hall responded that the metal panels are from the manufacturer. She said that two of the reasons for using it are because it is a superior material and provides better durability and because they want to stay within the manufacturer's guidelines. Ms. Minchew asked if they were able to find any support in the H-2 Corridor design guidelines or precedent for its use. Ms. Hall said that there is metal siding already on the building, but not ACM panels.

Tracy Coffing asked if in both options they would be using the ACM, matte finish and the brushed aluminum the entrance surround? She added that the only difference is that in Option 2, they would be using EIFS on the horizontal bands, to which Ms. Hall replied in the affirmative, adding that the entry portal is really their signage.

Teresa Minchew then asked staff, if the applicant is considering the portal entry signage, should they discuss the size of the signs? Ms. McDonald replied that it's more of a zoning issue. She added that

buildings functioning as signs is something that has been discussed within the department, but this design may not qualify as a sign per the Zoning Ordinance.

Mr. Meyer asked if any members of the public would like to address the case.

Glenn Vogt, of 247 Edwards Ferry Road, stated that Star Buick is directly behind his property. He stated that he is concerned an increase in the building's size could increase the noise. He said that they have gone around and around with Star Buick regarding noise and have been met with increased resistance. He stated that his concern is that with the expansion the noise will be greater. He said that they would like to see some type of screening, some type of noise barriers, and something to deflect the light.

Aaron Nadler, of 245 Edwards Ferry Road, echoed Mr. Vogt's concerns.

Mr. Meyer responded that these were items that the BAR had no jurisdiction over except perhaps the lighting deflection.

Ms. McDonald said that this was part of a prior special exception and said it is considered to be in substantial conformance with that concept plan. She said that BAR does not have any regulatory authority for this issue. They only have jurisdiction over the treatment of the exterior. If the applicant were to propose some sort of noise abatement, then the treatment of that feature would need to be addressed by the BAR if it was any type of hardscape. They do have to comply with the lighting plan that complies with the maximum footcandles permitted at the edge of the property line. She said that it's something that the zoning staff can look into.

Mr. Meyer stated that there was a prior approval for lighting from the BAR, but that he wasn't sure if it has been installed. He reiterated to the public that the issues raised this evening were not anything that the BAR has any jurisdiction over. The board only has authority to review the building exterior.

Tracy Coffing asked if the applicant has concerns about noise and lighting, to whom should those concerns be addressed? Ms. McDonald responded that concerns such as these should be addressed to Wade Burkholder, the Deputy Zoning Administrator, in the Department of Planning & Zoning.

Mr. Meyer asked if any other members of the public would like to address the issue. Seeing none, he moved on to comments and discussion from the board.

Ms. Minchew stated that she has not heard anything that would make her vary from what staff has recommended. She said she is very concerned about the use of the metal on the front. She said she could support the EIFS, and she doesn't have a problem with the design overall. But she has not been able to find support for the metal on the front of the building. Mr. Meyer asked for clarification whether she sees support for the metal entrance feature, to which Ms. Minchew responded she does not see support for the metal entrance feature.

Ned Kiley agreed with Ms. Minchew's comments.

Mr. Sisley asked Ms. McDonald if the applicant was in agreement with replacing the metal, other than the metal proposed for the entry surround, with simulated stucco. Ms. McDonald responded that she would not presume to speak for the applicant. Ms. Hall added that their primary choice was to do all metal panels, but that, as a compromise, they could go to EIFS on the fascia.

Ms. Coffing reiterated the comments made by Ms. Minchew and Mr. Kiley. She expressed her opinion that, because of a previous case in the H-2 Corridor (the Suzuki Dealer), they had a situation whereby the applicant agreed to use the brick instead. She asked if this was a possible alternative in the current case.

Mr. Meyer asked for clarification from staff on the recommendation. He stated that the recommendation is for approval of option two. He said he wasn't sure if the recommendation was for the metal panels remaining on the entry surround or if that was recommended to be changed to simulated stucco. Ms. McDonald replied that her recommendation is for a change of all the ACM panels to simulated stucco. She said that she understands the dealer's situation and the manufacturer's specifications for corporate standards. She said that if the BAR finds that the ACM panels are not consistent with traditional building in Leesburg, the same argument seems to follow for the use of the panels on the entry surround. She said that, if the argument follows for one portion of the building, the same argument should be made for the other part of the building.

Mr. Meyer said that he is probably the only one on the board that is of the opinion that the metal panel, at the very least around the surround, could be seen as acceptable. He said that there are metal panels on lots of buildings in the H-2 Corridor. The finish—whether they're ribbed or not—notwithstanding, they're still metal panels that are of a particular color. He explained that the guidelines actually say that those types of materials should be avoided; the guidelines don't out and out say they are not permitted. He expressed support for Option 2, where there's a small amount of metal. He said that it is more like trim. He added that he is probably the only one who is willing to support it. He asked the other board members what is their opinion if he is the only support for it.

Ms. Minchew said that if there is a precedent for the use of metal not spread around a building, but on an entry feature such as this, she would be happy to defer that portion of the application. She said that it's up to the applicant to show the BAR that they have approved something like this. She said that the board members can go around and pick out things that might meet the standard, but it's really up to the applicant to show them that, and she doesn't know that they have. She added that it's up to the applicant to demonstrate why they should approve it based on their guidelines.

Mr. Meyer responded that one example that comes to mind are all the canopies on gas stations. He added that Ms. Minchew is correct that it is the applicant's responsibility to make the case for approval and that case may be possible. He asked for other comments from other board members.

Mr. Kiley commented that he had nothing further.

Mr. Sisley asked if it was the applicant's contention that the entry surround constitutes a branded sign? Ms. Hall responded that it is a branded image for GMC. Mr. Sisley explained that he has done a lot of research on GMC branding in 2010 and 2011 for individual dealerships and has not seen this design. Ms. Hall replied that this GMC's new image, and it's just been rolled out this year. This dealership is one of the first to receive this treatment across the country. She said that GMC is at the beginning of the process for rebranding and is last in line to use the metal panels. Mr. Sisley said that he is trying separate the issues of whether this is an architectural request from the auto manufacturer or whether it is a sign. Ms. Hall said that she did not know Leesburg's definition of a sign, but to GMC it is a sign, but in the world of architecture and zoning it is not a sign. Mr. Sisley said that in the not-too-distant past, the BAR has worked people who have corporate images that are standard signage, and with that position from an applicant, the BAR can work to fit the request within the sign ordinance. He said that he's not trying to lead the applicant to a bad position, but he's asking for a definition. He reiterated Ms. Minchew's comment that the BAR is not in the business of telling the applicant what to tell the BAR; it's the other way around. Ms. Hall stated that the entry surround is a manufactured piece that they purchase and put on a foundation that the applicant provides.

Addressing Mr. Meyer, Mr. Sisley restated the Chairman's inquiry on the general consensus of the board about the ACM panels versus an alternate material. Mr. Sisley followed up by saying that he is inclined to go with an alternate material, signage or not.

Mr. Meyer clarified that Mr. Sisley's preference was for Option 2, but with no metal panels anywhere. Mr. Sisley replied that it is possible to achieve a similar expression of the design element in another material.

He said that the BAR has asked others who have sought to use their manufacturer's marketing requirements to comply, and they have complied.

Mr. Meyer clarified that he's looking at it a little differently. He said he looks at it as a material that is acceptable to use. He said he doesn't care one way or the other whether it's a sign or not or if it's GM's requirement or not. He's simply looking at it as whether or not it's an acceptable material.

Mr. Sisley indicated that the applicant wanted to address the board.

Ray Glembot, owner of Star Buick GMC, provided some background information on the project. He explained that when GM came out of bankruptcy, the company basically said what dealerships they would retain and what dealerships they would discard. He said that one of the things GM came back with is that they made any dealership that would not be terminated sign a statement to the effect of that dealership will do whatever GM requests them to do. He said that to be perfectly truthful with the BAR, he doesn't want to do anything. However, his choice is that he either gives up the franchise or he does what GM wants him to do. He said that he's been in the business for 48 years and he can't afford to stop. He said this is a GM design and it's not something that he truly likes, but it is a commitment that he's made to GM. Whether or not it is approved, he doesn't know how it's going to affect his franchise a year from now. He explained that he doesn't particularly like the eyebrow, the arch, the signage, but that he doesn't have a choice. He said that if the BAR says no, he'll have to submit a letter from the BAR saying that this is not going to fly. In that case, he said he doesn't know what GM will do and that he's between a rock and a hard place.

Mr. Meyer said that the board understands his position, but said that the BAR can't take that under consideration in the decisionmaking process. He said that he is inclined to support design option 2, but it sounds like he is the only one on the board who is there. He said that the options available are for the BAR to vote on it and if there is no wiggle room, the applicant will probably get a denial. He said that the other option is that they could continue to defer the case and the applicant and his design team could look further into the guidelines and what's existing in the downtown area to bolster their argument as to why the metal panels should be approved. He said it will also potentially give them the opportunity to consult with GM if they were so inclined.

Mr. Glembot explained that he has already spoken with GM in regard to the design. He said that he anticipated the BAR's reluctance to approve it. He conveyed GM's response, which was for Mr. Glembot to give GM a letter from the Town of Leesburg saying that it would not fly and they'll go to plan B, whatever plan B is. He said that the entry arch, without installation, is \$77,000, and that he'd prefer to not to do it.

Mr. Kiley said that, as he understands it, nobody on the BAR is questioning the design. The only issue is with the material. He said that the motion staff has prepared would approve the application on the condition that the ACM panel be replaced and, instead of using metal, using the EIFS material. That way, the applicant gets an approval to take to GM with the condition that the metal ACM panels be replaced with EIFS. He said that no one is questioning the design. The only thing in question is the material for the ACM panels.

Mr. Glembot said that he thinks that if he supplied GM with an alternative GM would back down, but he doesn't know that for sure. He said he can't speak for GM.

Mr. Kiley said that the question goes back to Mr. Meyer: is it better to approve it with the condition that the ACM panels be replaced with simulated stucco or does the BAR defer it. He said that his inclination is to give GM an approval with the condition.

Ms. McDonald said that she agrees with Mr. Kiley. She explained that it puts the applicant in the best position. If the applicant takes a conditional approval to GM, GM has one of two options: They could

agree with the condition or GM could disagree and, provided they meet the timeframe, the applicant could appeal the case to the Town Council. The applicant could say that he is aggrieved by the decision because GM won't modify their corporate standard.

Mr. Meyer asked if the applicant would be appealing an approval, to which Ms. McDonald replied yes.

Ms. Minchew asked if the applicant would still have the opportunity to amend the application and, if turned down, he could still appeal the BAR's decision. Ms. McDonald responded in the affirmative. Mr. Glembot said that it gives him something to work with. Ms. Minchew added that she is not convinced that the entire entry feature has to be EIFS, but that she sees no support for the entire entry feature to be metal. She said that there is more room to work with the designers and GM, so that if the BAR would propose an approval, she'd recommend the language "alternative materials."

Mr. Meyer suggested that the language could be for a reduced amount of metal, because there are signs that are metal with letters on the background. For example, if the base of the structure were EIFS, with only the top part in metal; there may be support for that. He said that the bottom line is that the BAR wants to follow the applicant's lead on what he wants them to do. He said they can deny, they can defer, or they can approve as recommended by staff.

Mr. Glembot said that he would prefer an approval with a material that would be considered acceptable. He explained that it gives him something to take back to GM and explain where they are.

Ms. Hall proposed that one alternative might be to use EIFS for the vertical face of the portal, with the curved portion in metal. Mr. Meyer said that he could support it, but he wasn't sure if the rest of the board would. He said it's a potential compromise. Ms. Minchew stated that there's a possibility that it could work, but she'd have to see a drawing and know what they were actually doing. She opined that it sounds like there is room for compromise, but that the best course of action tonight is to send the applicant out with what they know they can approve, and the applicant can take it from there. She said it sounds like what they know they can approve is all EIFS on the entry feature.

Mr. Meyer said that the applicant can always amend the application if there is an alternative.

Mr. Sisley wanted to make sure that the board is all in agreement in what they're talking about. He said that the guideline, as stated accurately by staff at the top of page 3 in the report, says in reference to trademark buildings: "...if such buildings are used, they should be modified to relate both to the specific site and local building traditions, particularly regarding the building's siting, scale, construction materials, and color." He said that he's hearing from the applicant that this is a trademark of the manufacturer. He said he just wants to confirm that.

Mr. Meyer said that there are other trademark buildings that have been approved because the materials are considered acceptable. He said that his opinion is that the materials are acceptable, which makes it no different from the Chevy Chase Bank building or McDonald's.

Mr. Meyer then called for a motion.

Based on the facts that: the building is a non-historic structure dating to the fourth quarter of the twentieth century, and the proposed alterations and addition are generally consistent with the guidelines for siting/relationship to roadway, massing and roof form, size and scale, façade elements and color, and because the ACM panels proposed for the exterior are not based in the building traditions of Leesburg, the proposed design for those panels does not comply with the guidelines for materials; therefore Ned Kiley moved to approve BAR case TLHP-2011- 0034 with the following modification and conditions: 1. The ACM panels will be replaced with simulated stucco; 2. Details on the signage will be submitted to staff for final review and approval. Jim Sisley seconded the motion. The motion passed unanimously 5-0-2 (Reimers and Koochagian absent).

THLP-2011-0042 (214 South King Street, H-1 Overlay District), Applicant: Rich Stark, Waterford Development, Project: Construction of a 19' x 14' deck on the back of the building.

Ms. McDonald provided aerial and ground-level photographs of the building and site, noting the location of the deck on the building. She noted that the BAR previously approved an application to relocate the building slightly to the south, but that the current application should be considered separately from that earlier application. She said that the one-story extension on the back of the building is a porch that dates to the early twentieth century that was enclosed pre-1950. She said that the deck will be attached to the enclosed porch. She explained that the deck will be screened from the north side by the existing landscaping and fencing, but that it will be visible from the south. The surface of the deck will be 52 inches above grade and will project 14 feet from the back of the building. She said that the depth of the deck will be slightly greater than the enclosed porch. The deck will be not quite as wide as the enclosed porch, because it has to provide room for an existing exterior HVAC unit. A second HVAC unit is low enough that it will be under the new deck. She explained that the applicant has provided two options for the deck construction. One shows the southeast corner at a full 90-degree angle with a straight flight of steps and one with an angled corner and inset steps. She said that the staff recommendation is based on the existing conditions of the building, the fact that it is an historic structure dating to circa 1900 and that it will be visible from the public way. She said that there is no problem with the construction of a deck, since many historic buildings have had decks built on the back. The applicant has proposed to screen the bottom of the deck with lattice. She said that the main issue was the standard deck-type railing as opposed to a railing that was more reflective of traditional construction. Provided the railing design is modified, and the railing is painted white to match the rest of the building, and the lattice is painted to match the rest of the foundation, Ms. McDonald stated that the proposal could be found to meet the design guidelines. She added that the depth of 14 feet is, in her opinion, out of proportion with the rest of the building and should be reduced to 10 feet. The staff recommendation is for the deck to have a square corner, traditional railing design, and be reduced to 10 feet in depth.

Mr. Meyer called for the applicant to address the board.

Rick Stark, with Waterford Development, addressed the board and thanked the members for hearing the application. He explained that he'd worked with Ms. McDonald to go through the recommendations and he is ok with all of them, but he asked that the BAR approve the requested 14-foot depth for the deck. He explained that the company is moving its headquarters from Reston to Leesburg and will occupy the subject building, and their space planner recommended the 14-foot deck to accommodate deck furniture. He said that if they can't do the 14-foot deck, then they'll go with a 10-foot deck.

Mr. Meyer called for questions from the board.

Ms. Minchew asked to see a photograph of the building showing the front and back of the building at the same time, to see what the difference would be between the 14-foot and 10-foot deck.

Mr. Kiley asked Ms. McDonald if the deck will be visible at either 10 feet or 14 feet deep when traveling north on South King Street, to which she responded in the affirmative.

Mr. Meyer asked if any members of the public wanted to address the project and, seeing none, moved on to comments from the board.

Ms. Minchew expressed appreciation for staff's concern about the possible lack of proportionality on the deck and said that there are many situations where she would agree with it. She added that the extra four feet in this setting is not going to be significant.

Mr. Kiley said that he doesn't have a problem with the 14 feet, and that he agrees with the other conditions listed in the staff report.

Mr. Sisley said that he is ok with 14 feet.

Ms. Coffing said that, in this case, she doesn't have a problem with 14 feet because the porch on the front is approximately 10 feet deep, and then the wide stairs project beyond that, which gives an additional depth that balances the deck on the back. She said the oblique view from King Street also helps.

Mr. Meyer said that the proportions are ok and called for a motion.

Based on the facts that: the building is an historic structure dating to circa 1900 and is documented as a contributing resource in the Old and Historic District, and the building currently features a 10-foot-deep by 23-foot-wide inset front porch and an enclosed rear porch that is approximately 10 feet deep by 23 feet wide, and the applicant proposes construction of a 14-foot-deep by 19-foot-wide deck 52 inches above grade on the east elevation, and, as proposed the deck features late twentieth century deck construction with lattice spanning the perimeter under the deck floor, Teresa Minchew moved to approve BAR case TLHP-2011-0042 with the following modifications and conditions: the southeast corner will not be tapered; the railing design will be changed to reflect traditional construction techniques with a traditional handrail and base rail; the modified design will be submitted to staff for final review and approval; and the railing will be finished with paint to match the remainder of the trim and the lattice will be painted to match the foundation. Mr. Kiley seconded the motion. The motion passed unanimously 5-0-2 (Reimers and Koochagian absent).

Administrative Agenda

- a. **Referral Discussion: TLSE-2011-0002 (Courthouse Square).** Ms. McDonald began the overview of the project with a summary of the events following the applicant's introduction of this project at the 21 March 2011 business meeting. Subsequent to that presentation, the applicant filed a Special Exception application for a structured parking garage on the parking lot property roughly bounded by Loudoun Street to the south, Church Street to the east, Market Street to the north, and King Street to the west. As part of the Special Exception process, the BAR will offer input on the overall size, scale, massing, setback—those things that establish the building footprint and its location on the property. She explained that massing is important at this stage because the footprint has a corresponding impact on the building's volume. She added that referral review is required at the second submission of the application. She provided the applicant the opportunity to come before the BAR on first submission to provide a chance to respond to any comments from the BAR prior to going before the Planning Commission and the Town Council. She provided a series of aerial views for the project site. Ms. McDonald explained that monochromatic images are being used to avoid distortion of an image that color can cause when addressing mass. She explained that material and color are not discussed at this phase of the project.

Mr. Kiley asked for confirmation that the only thing on the agenda for this evening is the parking garage. Ms. McDonald explained that the parking garage is integral to the entire structure and that the size of the parking garage is driven by the square footage of the building. The two components of the building are related.

Mr. Sisley asked if, according to the guidelines, to achieve this height the building needs to be stepped back. Ms. McDonald pointed out the step back but clarified that her concern was not about the horizontal step back, but the lack of vertical modulation of the elevations. She explained that the bay widths along the elevations, particularly along Church Street, are not consistent with traditional design in Leesburg. She emphasized that she doesn't take issue with the building's height.

Mr. Kiley asked how much of a setback there is on the Church Street façade, to which Ms. McDonald responded that she will let the applicant address the depth of the step back.

Ms. McDonald went on to say that the view of the building changes as you proceed along the right-of-way and that each elevation is viewed within its own context. She opined that the design of each elevation could better respond to its immediate surroundings and be more reflective of traditional building design in Leesburg. She explained that another thing that impacts the building's size and mass is the size and shape of the windows and that the windows could be more responsive to their surroundings.

Mr. Meyer said it would be helpful to get the reasoning for the design from the applicant. Ms. McDonald said this would be departing from the BAR's past practice for legislative referrals.

Geoff Lewis of DBI Architects explained that the design in parts incorporated design elements from existing buildings within town.

Mr. Kiley asked how big the setback of the top two floors was. Mr. Lewis said it was 6' to 8' depending on the façade. On Church Street it is an 8' setback. On the Church Street view is this structure actually on top of the Times Mirror building? Yes. Mr. Kiley then asked how far back from Market Street this actually was. Mr. Lewis said it was 15-16' from the Market Street façade.

Mr. Meyer asked for comments from the board.

Mr. Kiley expressed his unease with this process. He feels that anything said will prejudice of whatever project comes before them. Therefore he will not comment on any of the information.

Mr. Meyer said the intent was to give the Planning Commission, staff and ultimately Town Council an idea of what the BAR's view of size/scale/massing is so it is considered when they decide whether or not to grant special exception.

Ms. McDonald explained when they devised the process it was after the issues with the offices at Georgetown Park. It was recommended that the BAR be able to take a vote to at least approve this project in concept. You are not prejudging, you are actually hearing it within the context of a public hearing on these aspects of the project. That was ultimately chosen not to be the process. A reason we are doing this is because Council has legislative authority to set a footprint and consequently this is something the BAR will have purview over. If the Council approves the project and the BAR doesn't believe what is said in the concept plan is appropriate, then they would be appealing the plan.

Mr. Kiley said if the BAR were an advisory commission he would have no problem, but they are a regulatory body with a judicatory authority and this project will come to them in some form for a COA, at which point they will have to determine whether what is proposed is approvable or not within the purview of the guidelines.

Jim Sisley opined that he sees a lot of Leesburg in this design. He said that this is a big building, and he's seen big buildings pass in front of this body with far, far less concern and expression because they were associated with Churches or other sorts of things. He sees very traditional design elements. He sees attempts to meet the guidance that was put into zoning documents regarding how additional height could be expressed. He explained that he does see, perhaps, that some of the module units are not as small as some of the modules or bays that are elsewhere, but we're not trying to recreate history. We're trying to create a new building complementary to that history. He stated that this building is complimentary to the history of our community. He reiterated that he sees our town all over this thing. He commented that he noted with interest the way that Ms. McDonald presented the East Market Street dynamics. He added that those buildings are generally one- or two-story buildings, whereas this is a four-story

structure, and that perspective doesn't allow us to view a structure that is further away as having the same positive and negative space expressions as something that is on the first and second floor and a much closer spot. He explained that he understands the concern, but the way that he was reading the building is that the positive and negative space expressions that are viewed beyond the buildings that you showed us opposite the courthouse are approximately the same—*approximately* the same openings as those buildings. Understanding that we don't have a lot of arched windows in the new structure that's being proposed here; although we've got the Loudoun Times-Mirror building that's got those beautiful arched windows and lights. He said that honestly, he sees it as a quality piece of work, well-expressed, sensitive to the environment first of all, respectful of the existing structures, and he's generally positive about the project.

Tracy Coffing noted that she is also generally positive about the overall design. She added that she also agree with a lot of the issues that staff presented in her evaluation. She explained that she finds it somewhat visually overwhelming. Because the fenestration—a wide variety of fenestration patterns have been used to break up this building—to minimize the massiveness. She expressed preference for modulation of the elevations to control that rather than this array of fenestration patterns and other details to break up the elevations. She said that the example of the Sophia Street parking garage is excellent, because they control the massiveness of the building, but it's done in a very simple manner; that's an excellent example to follow. She explained that she is generally positive about the project but would like to see some simplification in the details and fenestration patterns, and resort to breaking down the street elevations into more reasonable, traditional units or components.

Mr. Meyer stated that to him, it's a building with very little of it actually on the major streets. There is a long elevation along Church Street, but Church Street, that...particularly this stretch of it...is almost more of an alley than anything else. He explained that it's a way to get out of the County parking garage, and it's sort of a walk-through up to the street above and that it becomes an entranceway into the building. This becomes the main way to get in. But again, it's almost more of a back alley, so this is a very secondary elevation. He stated that most of this building is backdrop. It is not experienced in a way that the elevations tend to make it look. And because of that—the way that it overall is presented—it's not going to be particularly visible. Again, when you talk about King Street, you can't see it at all except maybe through a couple of openings. From Market Street, unless you're looking through one of the alleys or set way back on the Courthouse lawn—a very limited view. Again, when you can see it, it's backdrop. It's one of those things when you're walking around...anywhere around town, you do sort of pick up on—there are buildings that you see in the distance, but you don't...it's...they're away. The perspective is such that you're not focused...it's just something in the background. Like there are trees in the background and all kinds of other things that are not right where you touch and feel and experience them closely. He said that, with regard to general siting, the size, scale, and massing, it is probably as well executed as it can be for this site. He added that there's really not much that he would particularly change. Some of the detail arguments that Tracy made, that Annie made, maybe along that Church Street façade—could be handled in a different way, and if the applicant wants to take that advice...there are a lot of different ways that that could be handled. He said that overall, he thinks it is done the correct way and pretty much agrees with Jim's assessment.

Bob White, Manager of Courthouse Square LLC, explained to the BAR that they [the applicant] benefit from this process and thanked them for their input.

- b. Ms. McDonald called to the board's attention an invitation to the dedication of the St. James columbarium, which the board approved a few years ago.

c. Administrative Approvals (for information only)

TLHP-2011-0032 (3 Wirt Street NW); replacement of the picket fence with a new picket fence.

TLHP-2011-0038 (23A North King Street); installation of a new 14" x 24" projecting sign & new window sign.

TLHP-2011-0041 (215 Cornwall Street NW); construction of a 3-rail wood fence in the rear yard.

ADJOURNMENT: The meeting adjourned at 8:48pm

NEXT REGULAR BUSINESS MEETING:

Monday, 15 August 2011 at 7pm

Council Chamber
25 West Market Street
Leesburg, Virginia

Dieter Meyer, Chair

Annie McDonald, Preservation Planner