



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

Monday, 19 September, 2011
Town Hall, 25 West Market Street
Council Chamber

MEMBERS PRESENT: Dieter Meyer, Chair; Jim Sisley, Vice-Chair; Richard Koochagian, Parliamentarian; Tracy Coffing; Paul Reimers; Edward Kiley; Marty Martinez, Town Council Representative

MEMBERS ABSENT: Teresa Minchew, Mary Harper, Planning Commission Representative

STAFF: Susan Berry Hill, Director, Planning & Zoning; Annie McDonald, Preservation Planner; Barbara Notar, Deputy Town Attorney

Call to Order and Roll Call

Mr. Meyer called the meeting to order at 7:02pm, noted attendance and determined that a quorum was present.

Adoption of Agenda

Jim Sisley moved to adopt the agenda as presented. Tracy Coffing seconded the motion and it passed unanimously 6-0-1 (Minchew absent)

Approval of Minutes

Tracy Coffing moved to approve the August 15, 2011 meeting minutes as corrected; Edward Kiley seconded the motion, and it passed unanimously 5-0-1-1 (Minchew absent, Koochagian abstaining).

Jim Sisley moved to approve the September 7, 2011 meeting minutes with noted corrections; Koochagian seconded the motion, and it passed unanimously 6-0-1 (Minchew absent)

BAR Member Disclosure

Tracy Coffing recused herself from participation in case TLHP 2011-0049, 211 Cornwall Street, NW, because she is one of the applicants.

Paul Reimers recused himself from participation in case TLHP-2011-0049, because he is the contractor on the project. He also recused himself from participation in case TLHP 2011-0059, because he is the contractor on the project.

Jim Sisley recused himself from TLHP 2011-0048, because he is working on behalf of the applicants.

Petitioners

None

Consent Agenda

Chairman Meyer listed the items to be put on the consent agenda, TLHP 2011-0046. Annie McDonald explained that the applicant had requested a deferral since they did not submit the land development application yet. TLHP 2011-0049 was recommended for approval as submitted by staff, and TLHP 2011-0052 which was recommended for approval as submitted by staff.

Tracy Coffing once again stated her recusal on TLHP 2011-0049, as well as Paul Reimers on the same case.

Mr. Koochagian moved to approve passage of the consent agenda encompassing BAR case TLHP-2011-0046, the deferral at 201 Harrison Street, SE, BAR case TLHP-2011-0049 and BAR case TLHP 2011-0052 as submitted. Mr. Kiley seconded the motion, and it passed unanimously 6-0-1 (Minchew absent).

Discussion Agenda

a. **THLP-2011-00048, 209 Church Street SE (H-1 Overlay District), Applicant: Gruver-Cooley Corporation, Project: Demolition of the circa 1941 dwelling** (continued from September 7, 2011)

Jim Sisley recused himself from this case.

Annie McDonald stated that the BAR held a public hearing on the evening of September 7, 2011. At issue is the structural and historic integrity of the dwelling, circa 1941, 201 Church Street, SE. It has been determined that this dwelling contributes to the architectural and historic character of the district with respect to size, scale, style and building materials. There were some changes to the structure. The applicant is requesting demolition which will be replaced by parking. One issue with this is once the building is removed, it is gone forever. She referenced issues with the property that were portrayed in photographs and were also visually inspected last week by BAR members. Basically there are foundation problems along with root infiltration. There were comments made that screening might be appropriate to shield the parking from street view. A 42" fence is all that would be permitted because this is not a residential property. The Board needs to be aware of this. Removal of the building should be considered on its own. The Zoning Ordinance requires consideration of a post demolition plan for the property. The site plan, as proposed, would require modification waivers. The Board cannot consider alternate screening until the LDO has issued the waiver, however it is appropriate for the Board to indicate to the applicant whether they believe that replacement with parking is considered appropriate, or if they believe it is not appropriate.

Chip Gruver, applicant, came forward and stated that he had requested that a letter be sent with any findings of the site visit. He is there to answer any questions about that site visit. There were no further questions from the Board.

Ned Kiley said he was not at the site meeting, but asked Mr. Reimers to give his assessment of the structural integrity.

Paul Reimers said his biggest concern was with the foundation. His finding was that it is in difficult shape and does not pass the test of what is reasonable to do with the building. Because of the things retained in the house over time that lack historical significance, and the fact that the house was not built well in the first place, he feels demolition is in order.

Richard Koochagian agreed with Mr. Reimers that the foundation is in need of significant repair. The remaining part of the house could be fixed, but would require significant effort. The historic significance goes more to the neighborhood rather than the structure.

Tracy Coffing said the integrity is in the location and setting of the house. The case has been made that it is deteriorating and the structural integrity is threatened. She has a hard time justifying demolition, despite the condition, simply to create space for parking. She asked the applicant if he would consider replacing the existing structure with another structure that would be in keeping with the other surrounding buildings to maintain the streetscape and have association with the existing neighborhood?

Chip Gruver responded they did not explore that as an option. The site currently has been approved without demolition of 209, so to do that would require a complete site plan review, new architectural, new engineering. They are not the owner of the property and they would be hesitant to do that.

Dieter Meyer agreed that extraordinary measures would need to be taken to bring the building to a habitable point. For a limited historic resource it is not worth it. He would be inclined to grant demolition. He does, however, agree with staff's assessment that once the building is gone, there is a different design perspective. He would like the site revisited to see the best way to fit this site back into the neighborhood once this building is gone.

Mr. Gruver asked the architect about this, it is not only cost related, but also contour related. They can attempt to revisit that.

Ned Kiley believes that the structural integrity is fatally flawed, but the issue is what will go in there. He is prepared to vote for demolition, but is unsure of the next step.

Mr. Koochagian stated concern about setting a precedent to property owners letting properties fall into disrepair, then they could argue that it is not structurally sound, therefore demolition is in order.

Annie McDonald said there is a minimum maintenance requirement in the Zoning Ordinance. To look at this from the street, you would not know that it is in such bad condition. The maintenance is based on exterior review of a property. She referred to an example of another structure. Yes, this would set a precedent, but remember that each case is reviewed on its own merit. She went on to add that several members indicated that saving this structure does not meet the rest for reasonableness, and this is important.

Dieter Meyer asked what the next step might be with regard to the plan for this property. He asked if they could grant approval for demolition, but request replacement plans?

Barbara Notar, Deputy Town Attorney, stated that if they had qualms about the structure, they must deny the application. They cannot bifurcate the decision. Assuming you approve the demolition, you can have conditions for the landscaping, screening, etc. that can be administratively approved.

Mr. Meyer asked if the other option is continued deferral until the applicant presents more information with what they might replace.

Mr. Gruver said he had not specifically discuss waivers regarding the parking. He does not want to guess at what they might like. He has suggested several options but needs a feel of what might be acceptable.

Tracy Coffing asked if this project would not be coming back to them anyhow? She said they had already planned to add to the back of the other building on the site. Mr. Gruver said yes, they had and was unsure whether this required further BAR approval. Annie McDonald said elevations had not yet been submitted, and that would be the next step. Ms. Coffing said that any elevations and other site changes would have to be submitted and then returned to the Board.

Mr. Meyer asked if this would be a separate application or an amendment to this one. Annie McDonald said this could be an amendment. He then asked if they could vote on the demolition with the understanding that an amended application will come back, or is this something that once we grant it, it can be demolished and nothing ever happens again. This has happened in the past.

Ned Kiley said he understands that the demolition application would have to be deferred until there is an acceptable plan for replacement of the structure, whatever it might be. We should not approve demolition until we have that.

Annie McDonald said they could do one or the other. The Guidelines state "if the applicant successfully demonstrates the building is a candidate for demolition, then the BAR may approve the

demolition request with one or more of the following conditions depending on the circumstances surrounding the request. " She went on to read the fourth one which states "demolition may only occur following receipt of a building permit for the new construction". He went on to ask about the process of the Leesburg Central project. She said that this was a demolition and new construction request all at once.

Mr. Kiley asked what the options were. Barbara Notar responded that they could defer until the application is amended. If you are concerned regarding the replacement, then defer. You do have the time, you have not been fully informed of what might go in and what the specifications are. It could give the applicant the opportunity to solve all issues at once.

Mr. Kiley said he is in favor of the demolition but like to defer approval until he sees a detailed plan on what will replace this.

Paul Reimers suggested that they could put in the condition that after demolition, the property would need to be sodded and seeded properly. There is no point in deferring the demolition.

Richard Koochagian said his concern is we are taking an existing structure out of the historic district. If it is grassed over, then you still have a hole in the streetscape or it could become parking by default. He would prefer deferring until they can see what can be put there.

Dieter Meyer said he agreed with Mr. Reimers and would grant demolition as it is applied right now. If this goes to deferral, then he needs to see what will go there.

Mr. Gruver said the site plan will come back through.

Tracy Coffing agreed that demolition should be deferred until they receive a site plan amendment. Her concern is that the building is not creating a safety issue for the most part, and wants to see an exact plan. If we don't follow through, we could be stuck with a hole in the streetscape.

Mr. Gruver said he feels that it is ambiguous to ask him to go back to the drawing board and show things that we may or may not like. How can this be done without better guidance?

Annie McDonald said the next work session would be October 3, 2011. Mr. Meyer told the applicant that he could certainly meet with staff between now and then for guidance. Annie McDonald said this would also give the applicant the opportunity to meet with Susan Berry Hill regarding the waiver or modification would be appropriate from the LDO standpoint.

Mr. Gruver asked if he could not be ready by October 3, would he be given the option to push this out to another work session date. Mr. Meyer told him they would work with him.

Councilmember Martinez said he felt there was a lack of direction on where the applicant should go. Mr. Meyer said that the applicant might meet with staff to review the guidelines and obtain some ideas. Mr. Reimers added that at the same time they could get the elevations to the addition of the other building so they would be available for review.

Richard Koochagian moved to defer BAR case TLHP-2011-0048 to a work session on October 3, 2011 or a date to be determined; Paul Reimers seconded the motion, and it passed unanimously 5-0-1-1 (Sisley recused, Minchew absent.)

- b. **THLP-2011-0050, 216 Cornwall Street NW (H-1 Overlay District), Applicant: Tom Medaglia, Project: Addition to the existing dwelling and construction of a 2-story freestanding garage**

Annie McDonald stated that the applicant proposes a two story addition to the east elevation of the main dwelling as well as a construction of a two story garage. She pointed out that this property shares a driveway with 212 Cornwall Street. This work requires the demolition of the two story porch and will bring the east elevation of the building flush with the east elevation of the main block. She pointed out the finer details of the retained structure and the addition. Next Ms. McDonald described the garage that is planned. She recommends approval on the conditions that final elevations be submitted prior to construction and the plans for the garage door also be submitted. If the BAR finds any differences, please add to the motion.

Tom Medaglia 216 Cornwall Street came forward and stated that the presentation given by Ms. McDonald was accurate and he is in agreement. He explained how the design came about. They went through a number of modifications to come up with the final garage plan.

Tracy Coffing, asked if they were approving the project for the overall concept since the final design for the addition is yet to be determined? Ms. McDonald said yes, they were. If the design should incorporate historic features currently there, then the Board should include in the motion certain feature that should be incorporated into the design. She went on to ask about the recessed door. Mr. Medaglia said the door is no longer there.

Richard Koochagian asked if they planned to use outdoor light fixtures on the garage? The response was that the house already has lighting on the outside and no added lighting is necessary.

There were no members of the public to speak on this application.

Discussion

Tracy Coffing asked about the final design that would come back to staff. She felt that gutters and downspouts, exterior door lighting, and the standing C metal roof on garage should be on the final design drawings.

Richard Koochagian said the garage trim work should also be indicated.

Chairman Meyer said it seemed that there was a consensus to approve this with conditions, and asked for a motion:

Tracy Coffing moved to approve BAR case TLHP-2011-0050 based on the facts that were stated in the Staff Report and with the following conditions: Final revised elevations and floor plan would be submitted to staff for review and approval prior to beginning construction, and that the final drawings would include additional information and details pertaining to gutters, downspouts, any required exterior lighting, trim details, roof details, product information for the roof and that the garage door will be submitted to staff for final review and approval. ; Jim Sisley seconded the motion, and it passed unanimously 6-0-1 (Minchew absent)

c. THLP-2011-0050, 1-3 Cardinal Park Drive (H-1 Overlay District), Applicant: Miguel Yelos San Martin, YSM Design, Project: Demolition of existing auto showroom and construction of new auto showroom

Annie McDonald explained that a Board member had some specific questions, and that the applicant had prepared a presentation on this application. Her recommendation is approval as submitted on the condition that any signs would be submitted separately upon review and approval by the Preservation Planner. Upon evaluating this further, she mentioned the buildings were not historic structures, and the Board had previously reviewed this and issued referral comments at a meeting earlier this year on the massing and setback regulations. At that time the Board stated that there were some aspects of the design that could be tweaked in order for the scale and massing be more

compliant to the design guidelines. One of the issues was equal treatment on all elevations of the building. The applicant responded by modifying the elevations so they are more equally treated. The other thing was that the Board said the materials would be a significant component of this application. There are often corporate standards that are proposed for use of materials. In her review she felt the corporate standard design had been sufficiently modified prior to submission to warrant recommendation of approval as submitted.

Miguel Yelos San Martin, Architect, said they had several meetings with staff and discussed in detail the plans for the building to be demolished and the plans for the replacement structures. He went on to describe the materials that would be used in the buildings.

Richard Koochagian said the mechanical screening on the front elevation is not shown, is it visible from the front? Mr. San Martin said yes, it would. This will match the materials on the front. Mr. Koochagian asked what the height of the light fixtures would be. Annie said it would be 25'.

There were no other questions, nor any comments from the public.

Based on the facts stated in the staff report, Tracy Coffing moved to approve BAR case TLHP-2011-0051 as submitted on the condition that any signage would be submitted separately for final review and approval by the preservation planner with issuance of sign permits by zoning staff. Richard Koochagian seconded the motion, and it passed unanimously 5-0-2 (Minchew and Kiley absent).

d. THLP-2011-0054, 22 West Market Street (H-1 Overlay District), Applicant: Janeen Marconi, Project: installation of a prefabricated metal sign cabinet for real estate postings.

Annie McDonald said this was a directory sign with individual changeable signs located inside. She considered the fact that the sign cabinet would be mounted on the side of the main block of the building, the cabinet will be constructed of materials conducive to the Old and Historic District, and there will be minimal impact on the character of the building. Her recommendation is approval as submitted.

Richard Koochagian said when he looked at the size of the unit he felt it was less of a sign and more of a window or door. In looking at the windows in the area, his concern is the material being gunmetal gray, made out of metal will present itself as another window in the structure. He has about the rest of the windows.

Jim Sisley said he is familiar with products such as this and has no issues.

Jim Sisley moved to approve BAR case TLHP-2011-0054 as submitted ; Tracy Coffing seconded the motion, and it passed unanimously 6-0-1 (Minchew absent).

e. THLP-2011-0059, 16 Liberty Street SW (H-1 Overlay District), Applicant: Ron Rust, Project: construction of a 1.5 story addition on the back of the existing 1.5 story dwelling.

Paul Reimers recused himself from this case.

Annie McDonald said this building maintains a significant degree of historic and architectural integrity from the late 18th to early 19th centuries. It is very unique in the old and Historic District. A one and a half story, double pile building with sidewall form, it may be the only example of this. She showed the presentation that included aerials and street level photos of the property. In the evaluation it was important to provide documentation on the L that extends off the back of the building. As indicated in the staff report it was designed to presume adjacent construction. One significant issue before you tonight is the failure of the south elevation of the main block. You can see the displacement. The

wall, without being removed and rebuilt, could fail. There is also displacement in the north wall, though that will not be rebuilt. There is also evidence that the roof may have been rebuilt. The style of the lintels indicate no ornament which is evident in houses from this era when it was mostly on the front. To require retention of the el would forever limit the building's use in the long run because it is so small. The second story will be tucked under the roof. The rooflines will match. No changes to the front are proposed. The south elevation will have to be removed and rebuilt. This is an appropriate change since the wall has to be rebuilt anyway because of structural instability. It was suggested that they do not include dormers in the design. Sky lights will provide lighting. Her recommendation is for approval with the following conditions: that the applicant provide a sample of the brick used for reconstruction of the wall, as well as the addition; and that Staff will review and approve the final paint color

Ronald Rust, 16 Liberty Street, SW came forward and had no real comment except they are attempting to preserve as much as possible.

Richard Koochagian asked if the north elevation was also failing? Mr. Rust responded that the south Elevation was in need to repair more than the north side.

Chairman Meyer noted that there were no members of the public present to speak.

Chairman Meyer asked about the dormers. He questioned the wording of the guideline that states such a strong prohibition. Shouldn't dormers be treated like any other alteration where it needs to be Reviewed on its own merits. Ms. McDonald said this was a policy issue, and could be put on a work-session agenda for further discussion. Barbara Notar said if this occurs, then the applicant should have an opportunity to revise their plan.

Based on the facts stated in the staff report Tracy Coffing, moved to approve BAR case TLHP-2011-0059 as submitted with the following conditions: that the applicant submit to staff for final review and approval a sample of the brick used for the reconstruction of the south wall, as well as the addition, and that staff will review and approve the final paint color. Mr. Kiley seconded the motion, and it passed unanimously 5-0-1-1 (Minchew absent, Reimers recused).

Administrative Agenda

- a. **Appeal of TKHP-2011-0034 (326 East Market Street).** Annie McDonald stated that the appeal of this application is going forward at the September 27, 2011 Town Council meeting. She asked the Board to appoint a representative to speak to this case at that meeting. Chairman Meyer asked who might be interested. It was determine that Mr. Meyer would be the first representative with Mr. Sisley acting as back up.
- b. **Preservation Virginia Conference.** Annie McDonald stated that this year Teresa Minchew had indicated interest in attending. She went on to state that Preservation Virginia is interested in holding the 2012 conference in Leesburg. This is a wonderful opportunity for us.
- c. **Administrative Approvals – No report**

Chairman Meyer asked that the dormer issue be put on the next month's work session. Annie McDonald stated that there is a work session scheduled for October 3, and suggested it be put on that night's agenda. Paul Reimers said it would be difficult to put dormers in this particular case.

Regarding the October 17 meeting, Mr. Meyer stated that he would be attending the National Trust's Preservation Conference in Buffalo. He also said he met with Purcellville's BAR members and spoke of

possibly holding a joint meeting with the BARs from Purcellville, Middleburg and Loudoun County. This would be an idea exchange opportunity. He asked if this could be scheduled in November sometime. There was some discussion on the timing and the upcoming holiday season.

Jim Sisley asked if there was any information on the Defensible Decision Making work session. Annie McDonald said there was a recording made and she would look into making that available.

ADJOURNMENT: The meeting adjourned at 9:12pm

NEXT REGULAR BUSINESS MEETING:
Monday, 17 October 2011 at 7pm
Town Council Chambers
25 West Market Street
Leesburg, Virginia

Dieter Meyer, Chair

Linda DeFranco, Acting BAR Clerk

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