

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

Monday, 16 April 2012  
Town Hall, 25 West Market Street  
Council Chamber

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MEMBERS PRESENT: Richard Koochagian, Chairman; Jim Sisley, Vice Chairman; Dieter Meyer; Teresa Minchew; Tracy Coffing; Paul Reimers; Edward Kiley; Marty Martinez, Town Council Representative; Mary Harper, Planning Commission Representative

MEMBERS ABSENT:

STAFF: Christopher Murphy, Zoning Administrator; Wade Burkholder, Deputy Zoning Administrator; Barbara Notar, Deputy Town Attorney

**Call to Order and Roll Call**

Mr. Koochagian called the meeting to order at 7:00pm, noted that all members were in attendance and that there was a quorum.

Mr. Sisley moved to adopt the agenda. The motion was seconded by Ms. Minchew and it passed 7-0.

**Approval of Minutes**

Mr. Meyer moved to approve the meeting minutes of February 22, 2012 and March 19, 2012. The motion was seconded by Mr. Sisley. Mr. Koochagian noted a typographical error in the March 19<sup>th</sup> minutes, and Ms. Coffing noted the misspelling of the name of the architect Tom Gilbride. The motion carried with the changes noted by a vote of 7-0.

**BAR Member Disclosure**

Mr. Meyer recused himself from TLHP 2012-0013, 104 W. Loudoun Street. Mr. Sisley also recused himself. There were no other disclosures.

**Petitioners**

Kevin Ash came forward to inform the Board that he intends to replace the building at 209 Church Street rather than demolish it. He asked what information would be needed to overturn the Board's prior decision regarding that demolition. Mr. Koochagian stated that this would be put on a worksession agenda. Mr. Ash asked if the photos would suffice for the application? Mr. Meyer said the application sets out what the requirements are and what drawings are required and we cannot deviate from that. Mr. Ash said he was trying to avoid having to prepare architectural drawings for replicating a building that is already there and what has already been approved by using photos as elevations rather than to scale drawings. Ms. Minchew said by going to work session there would be fewer drawings required.

Mr. Murphy, Zoning Administrator, said that they could accept an application with incomplete information so long as an application form is completed and the fee paid. Complete information must be presented prior to the application being scheduled for a regular meeting.

**Consent Agenda**

Mr. Koochagian stated that two items were placed on the consent agenda, TLHP 2012-0023 (510 Principal Drummond Way, Loudoun County Public Schools) and TLHP-2012-0025 (223 North King Street, Clay and Zachary Cormicle). Mr. Meyer moved to approve the consent agenda consisting of cases TLHP-2012-0023 and TLHP-2012-0025. The motion was seconded by Mr. Sisley. The motion carried 7-0.

### **Discussion Agenda**

**TLHP-2012-0022**, 218 Cornwall Street, NW, Wanda and Mark Salser, consists of replacing existing failing slate roof with standing seam metal to match existing standing seam on other parts of the roof.

Wade Burkholder said the applicants sought permission to build a new one story addition and a new detached garage at 218 Cornwall Street, NW. Part of that approval was the roofing material be a standing seam prefinished metal roof. Tonight's request is to replace the slate roof on the remainder of the house with the standing seam metal roof material. Staff recommends approval.

Mark Salser, applicant, said they have added the addition and detached garage. Several of the slate shingles have failed and it would be impossible to have a painter stand on the roof to paint. A roofer told them that it would cause more damage to repair the slate shingles and that the roof really needs to be replaced.

### **Questions**

Ms. Minchew asked if there was any more documentation that the roof is actually failing and not repairable. Mr. Salser said he can provide.

### **Discussion**

Ms. Minchew expressed concern about replacing the roof without documentation that it is failing. This roof is a defining characteristic of the house. She does not feel that cohesive roofing is important in this case since outbuildings and additions frequently have different materials on them.

Mr. Reimers said he laments the loss of a slate roof, however, over the last 13 or so years he has seen pieces of slate in the gutters at least over 20 times.

Mr. Sisley asked what the original roof material was? The slate was the original roof.

Mr. Meyer said that would make the roof about 100 years old.

Mr. Meyer moved to approve Case TLHP 2012-0022 with the condition that the owner provide a report indicating the condition of the roof by the certified roofing consultant to the satisfaction of staff that documents that this 106 year old roof is indeed failing. Mr. Sisley seconded the motion. The motion carried 6-1 (Minchew Nay)

**TLHP 2012-0007**, 521 E. Market Street, application to remove cover and graphics from existing awning frame and refurbish with new orange covers for the Dunkin Donuts.

Wade Burkholder stated that this was deferred by the Board at last month's meeting so that additional information could be researched. Mr. Burkholder said that he found the records from 1990 where the BAR unanimously approved the two awnings, one for Dunkin Donuts and one for Bresslers Ice Cream. They were approved as a light, charcoal gray color, lit from behind. The Dunkin Donuts sign was illuminated from behind and the remainder of the awnings were to remain opaque. The permit did approve the two awnings as well as text on them with the text only to be illuminated. Currently the proposed awning has the text removed and orange awnings clearly lit. Staff is recommending denial of the current orange awnings.

Dave Roberson stated that part of the question at the last meeting was that the awning was backlit. We recognize that the awning currently installed is fully translucent and not in compliance with the original 1990 ruling by the Board. When we called the town office we told the staff

person that we were changing the color of the awning but not changing the awning, and he said that approval was required and he asked about the signage permit. This resulted in a misunderstanding between the two parties. He stated that the orange was part of the Dunkin Donut corporate color scheme and mentioned that the McDonald's has the same type of brick and their awnings are bright yellow which is part of their corporate color scheme. He also mentioned the recent agreement with Bellwood Commons which allows corporate colors on the signage. Orange is the Dunkin Donut color and he is asking that they consider this. He is asking to keep the color and diminish the lighting by 70%. They don't feel that the color is offensive.

### **Questions**

Mary Harper asked if the awning complied with the sign ordinance? Mr. Burkholder stated that it did.

Mr. Sisley said the original approvals were for opaque awnings? Mr. Burkholder said that was correct, everything was opaque except the lettering. Mr. Sisley said both the BAR guidelines and the sign ordinance have changed, would the translucent letter comply with the sign ordinance? The response was yes.

Ms. Minchew said the H-2 guidelines have not changed. Also over the years when they review a shopping center they historically have reviewed the pad sites slightly differently. Therefore a building on a pad site might not have to look like the rest of the shopping center, but the design details throughout the shopping center should be cohesive.

Mr. Kiley asked where else in the H-2 is illumination allowed? Mr. Burkholder said there were backlit awnings at Anita's.

There were no comments from the public and the public hearing was closed at this time

### **Discussion**

Ms. Minchew is not convinced that allowing a translucent awning here is appropriate and also that an orange awning with green and red channel letters is a cohesive design.

Mr. Roberson said there might be another option if the translucency is the hang-up. We could add lighting focusing down onto the awnings.

Ms. Minchew needed to clarify that the application does not predate the guidelines. The existing approval is under the current guidelines,

Mr. Reimers feels the intensity of the lighting is the problem. He would like to see this go away or be greatly dimmed.

Mr. Sisley said the translucent versus opaque and an awning with no text or logo, simply a color are the base problems. He agrees with staff.

Mr. Meyer agrees with staff analysis and feels this isn't even a good location for awnings. He could support an opaque material, perhaps an orange that is not so bright.

Ms. Coffing feels there could be an alternative that would identify the business as Dunkin Donuts other than an awning. She also agrees with the 1990 approval.

Mr. Koochagian agreed with the original application and feels the bright orange is too much for the location. He supports staff's recommendation

Mr. Sisley moved to deny TLHP 2012-0007. The motion was seconded by Ms. Coffing.

Mr. Meyer asked if there was still time to defer this case thereby allowing the applicant to amend their application without starting over.

Mr. Roberson asked how he should proceed.

Mr. Koochagian asked what the timeframe was for this case. Mr. Burkholder said if it goes to a work session it will surpass the 75 day limit. If the applicant agrees to extend the deadline then it can be deferred to a work session.

Mr. Roberson said they need to satisfy the brand for the corporate image, but feels that he can bring in some additional information.

Mr. Meyer asked if Mr. Sisley would be amenable to withdraw his motion.

Mr. Sisley withdrew his motion

Mr. Meyer moved to defer BAR case TLHP 2012-0007 to the next work session with the understanding that the applicant has agreed to extend the deadline for a decision by the BAR for 30-days. Mr. Sisley seconded the motion.

Ms. Minchew wants the motion to not mislead the applicant into thinking that everyone on the Board is concerned about toning down the orange. There are options to pursue other avenues to get the brand identity in there.

Mr. Meyer agreed and suggested that the applicant come to the next work session in two weeks with several options in hand.

Mr. Kiley said if they are dealing in color, then the reports going out to the BAR members should be in color. He told the applicant about the discussion on the translucent awnings. He suggested that he not come to the work session with simply a 70% reduction of the lighting, that he also comes with what no lighting would look like.

The motion to defer carried 7-0.

**TLHP 2012-0013**, 104 Loudoun Street, SW, to construct a five unit mixed use building on a vacant lot. Mr. Reimers recused himself and left the dais to address the Board. Mr. Meyer recused himself and left the meeting at this point. Mr. Sisley also recused himself and left the meeting at this point.

Christopher Murphy gave a brief presentation stating that the applicant had made the changes previously discussed, with the front façade, raised foundation, shutters on both side elevations, massing of the building. Since the last discussion, the door and surround have been moved to the front center, the foundation is brick, the panel shutters match the front shutters, and the BAR agreed that massing will be appropriate considering other buildings on the street and those across the street and had no issue. They also replaced the wrought iron railings with a wood railing more in keeping with traditional local style. Staff recommends approval with the condition that materials and colors be submitted and approved by the BAR.

Mr. Reimers said that they pretty much addressed everything that was previously discussed. The building materials have been vetted, but the colors haven't. He assumes that the building color would be approved by staff.

#### **Questions**

Ms. Minchew asked if the garage demolition had been approved under a previous application? The response was yes.

Mr. Kiley said the staff recommendation is to approve the application but with materials and colors to come back to the BAR? We don't usually do that. If we have another round, then this would be a deferral.

Mr. Coffing asked if all the balconies in the back were wood? Yes, they are  
Mr. Koochagian asked about the gable end on the west/back elevation. There are no penetrations, so how much is visible and how much is blocked by the surrounding buildings. Mr. Reimers responded saying that it was basically blocked.

The public hearing was closed at this time with no public input.

### **Discussion**

Ms. Minchew said the applicant had complied with their suggestions and she will support this and defer to staff's recommendation that these items return to the BAR: location of mechanical equipment, colors, lighting, and brick sample. The applicant can come back and ask the BAR to defer that back to staff once we have staff that is comfortable reviewing those things. She would still like to see an elaboration on why they feel scale and massing is appropriate. There is a great variation in scale and massing on that block and that's why this doesn't cause a problem.

Mr. Kiley agreed with Ms. Minchew's comments to allow the materials and colors be reviewed by the BAR. He wondered if a motion to defer might be more appropriate than one to approve with conditions that require the application to come back to the BAR. Once an application is approved, you have a COA.

Ms. Minchew said they have frequently approved portions of an application and had elements return to the BAR.

Ms. Coffing supports approval but would like to state the details such as building materials, windows, doors, etc. be deferred to staff as long as staff is comfortable with that review process, otherwise it would return to BAR.

Mr. Koochagian said he does not feel comfortable deferring that to staff since staff is in transition with a new planner coming on and the other staff taking the BAR assignment on as an interim task.

Mr. Kiley moved to approve the application TLHP 2012-0013 and certificate of appropriateness with the exception that building materials and colors are not part of this motion for an approval and that they will be referred to the BAR at a future work session in order to get approval. Ms. Minchew seconded the motion and asked they include selections for windows, doors, brick samples, location of mechanical equipment in the deferral and add the phrase "with the understanding that the scale and massing of the proposal is found to be appropriate because of the wide variety of scale and massing on the immediate block. The motion carried 4-0-3 (Meyer Sisley and Reimers recused).

### **Administrative Approvals**

TLHP-2012-0019 (521-545 E. Market Street); Revise Comp Sign Plan TLHP-2007-0071.

TLHP-2012-0020 (211 Andover Ct, NE); Exterior color change.

TLHP-2012-0021 (424 S. King Street); Exterior color change.

TLHP-2012-0024 (116 E Market St); Fence installation.

TLHP-2012-0026 (15 Loudoun St, SW); Paint trim and door to match

TLHP-2012-0027 (106 Loudoun St, SW); Install black metal fence.

TLHP-2012-0028 (14 North St, NW); Exterior color change

TLHP-2011-0029 (107 Cornwall St, NW) Install fencing.

**Adjournment**

The meeting was adjourned at 8:04pm.

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Richard Koochagian, Chairman

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Christopher Murphy, Zoning Administrator