Ms. Melanie Clark Town Clerk Town of Vienna Vienna, Virginia 22180

We, the undersigned residents, registered voters and qualified electors in the Town of Vienna, appeal to the Town Council the September 19, 2019 final approval by the Vienna Board of Architectural Review ("BAR") of the rear architectural designs and plans for the property known as Vienna Market (*aka* Marco Polo), located at 245 Maple Avenue West (BAR19-122). This appeal is being made pursuant to Article 4-12 of the Vienna Town Code. Per Article 4-12, we are including a check for \$125 with this appeal.

The basis of our appeal is that the final architectural designs as approved by the BAR violate the Maple Avenue general design criteria as set forth in Article 4-15(d), and the Maple Avenue Commercial district design criteria as set forth in Article 18-19.14.E.4 and Article 18-95.14.G.1. Attached is a letter dated August 14, 2019 which lays out in more detail the specific reasons for this appeal. By this letter, we also incorporate into this appeal the elevations included in the record for BAR19-122, pdf entitled "Elevations w Edits_PF-21-19-BAR_Vienna Market_Sept2019.pdf ("Final Elevations").

In brief, the three design criteria cited above require that the rear façades of any buildings on Maple Avenue, and/or any buildings that are being built under the Maple Avenue Commercial district provisions, be consistent with, or the same materials as, the front and side façades, as long as those rear façades are visible from public areas. As approved, the rear façades of four of the five townhouse rows along the proposed Vienna Market Lane consist almost entirely of siding material with no brick; whereas the front and side façades consist almost entirely of brick with no siding. *Compare* Final Elevations at E3 and E3A (front and rear façades of Pleasant); E4 and E4A (front and rear façades of units facing Bank of America); and E5 and E5A (front and rear façades of interior strips 1 and 2).

The specific reasons cited in the August 14 2019 letter and herein meet the "just cause" requirement of Article 4-12. Therefore, under Article 4-12, the Town Council must hold a public hearing within a certain number of days to consider this appeal. We ask that you inform the principal appellants listed below of the time of the public hearing, and that we be granted 20 minutes to present our case.

Respectfully submitted, Charles and Laura Anderson

John Jane

Principal Appellants 125 Pleasant St., NW

Attachments (3):

Signatures of Qualified Electors Anderson August 14, 2019 letter to BAR Copy of Final Elevations Ms. Melanie Clark Town Clerk Town of Vienna Vienna, Virginia 22180

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110

Respectfully submitted,

Charles and Laura Anderson Principal Appellants 125 Pleasant St., NW Vienna, Virginia 22180

Attachments (3):

Signatures of Qualified Electors Anderson August 14, 2019 letter to BAR Copy of Final Elevations

Signature
Name (print) MICHAEL AHRENS
Date9/28/2019
Address 207 GLEN AVE SW
Currently Registered to Vote in the Town of Vienna? Yes No

Signature
Name (print) Charles L. Anderson
Date $\frac{9}{29}/9$
Address 125 Phasmy ST. NW Vienna VA 22180
Currently Registered to Vote in the Town of Vienna? Yes No

Signature Jame J Anderson
Name (print) Lavra K Anderson
Date
Address 125 Pleasant St, NW; Vieung VA
Currently Registered to Vote in the Town of Vienna? Yes No

Signature Estelle O. Belisle	
Name (print) ESTELLE O. BELISLE	
Date 9/25/19	
Address 200 CERET CT, SW, VIENNA, VA	22/86
Currently Registered to Vote in the Town of Vienna? Yes N	о

Signature ODELLOS
Name (print) ANNA BENSON
Date
Address 349 Church St NE
Currently Registered to Vote in the Town of Vienna? Yes No

Town Code.
Signature Flances & Brios
Name (print) FRANCIS J BIROS
Date 9/25/2019
Address 200 CERET CT SW VIEWNH VA 22180
Currently Registered to Vote in the Town of Vienna? Yes No

architectural designs and plans for the property known as Vienna Market (aka Marco Polo), located at 245 Maple Avenue West (BAR19-122). This appeal is being made pursuant to Article 4-12 of the Vier Town Code.
Signature Signature
Name (print) Larva C. Blish
Date 9/29/2019
Address 226 Glen De SW VIEnna VA 22180

Currently Registered to Vote in the Town of Vienna? Yes _____ No ____

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245 Maple Avenue West (BAR19-122). This appeal is being made pursuant to Article 4-12 of the Vienna
Town Code.
mille

Signature
Name (print) José R. Cardenas
Date 9-29-19
Address 214 Ceret Ct. SW Vienna, Va 22180
Currently Registered to Vote in the Town of Vienna? Ves V

Signature Jm Jardinas	
Name (print) Ting S. Cardenas	
Date 9-29-19	
Address 214 Ceret Ct. SW Vienna Va	22180
Currently Registered to Vote in the Town of Vienna? Yes No	

Signature Milia & Cruswell
Name (print) Shelia L. Creswell
Date 9/28/19
Address 404 Millwood C+SW, Vienna, VA 22180
Currently Registered to Vote in the Town of Vienna? Ves No.

Signature Signature
Name (print) JAY S. Creswell, JR
Date
404 Mill wood Ct, SW Address 28 Sept 19
Currently Registered to Vote in the Town of Vienna? Yes No

Signature	Loine R. Davidson
Name (print)	Louise R. Davidson
Date	9-26-19
Address 3	07 Windover Ave. NW
Currently Reg	istered to Vote in the Town of Vienna? Yes Vo

Signature My R. Dart
Name (print) Sherry R. Dart
Date 19, 29, 7019
Address 331 Lewis Street, Vienna, VA. 22180
Currently Registered to Vote in the Town of Vienna? Yes No

125 Pleasant St., NW Vienna, Virginia 22180

Signature
Name (print) Elizabeth D. Francisco
Date $9 - 29 - 19$
Address 434 Knoll St NW
Currently Registered to Vote in the Town of Vienna? Yes No

125 Pleasant St., NW Vienna, Virginia 22180

Signature	
Name (print)	
Date 9 19 19	
Address 434 Knoll St NW VIRNNA, VA 22191)	
Currently Registered to Vote in the Town of Vienna? Yes No	<u> </u>

125 Pleasant St., NW Vienna, Virginia 22180

Signature
Name (print) Mcc1446 E D= FRANCICU
Date 9/29/19
Address 439 ADOC 5 72/80
Currently Registered to Vote in the Town of Vienna? YesNo

Signature Signature
Name (print) REBECCA LEGGERS
Date 29 SEP 19
Address 130 WADE HAMPTON DRSW, VIENNA, VA 22180
Currently Registered to Vote in the Town of Vienna? Yes \(\sum_{No} \) No

Signature Signature
Name (print) ALEYANDER GALLEGOS
Date <u>99</u> SEP 19
Address 130 WAIDE HAMPTON DR SW, VIENNA, VA 22180
Currently Registered to Vote in the Town of Vienna? Yes No

Signature Chith (tg.	
Name (print) Christopher Hogan	
Date 9/29/2019	
Address 226 Gler Ave SW Vienna VA	22180
Currently Registered to Vote in the Town of Vienna? Yes No	

125 Pleasant St., NW Vienna, Virginia 22180

Signature	Sunt.	
Name (pri	Samir Kanani	
Date	9 /30/2019	_
Address	129 Pleusant St. NW Vienna, VA 22180	
Currently No	Registered to Vote in the Town of Vienna? Yes	/

125 Pleasant St., NW Vienna, Virginia 22180

Signature
Name (print) Shazia Khan
Date 6/30/2019
Address 129 Pleasant St. NW Vienna VA 22180
Currently Registered to Vote in the Town of Vienna? YesNo

Signature Jour Signature
Name (print) Joch Lills
Date 9/29/19
Address 313 Windover Ave. W
Currently Registered to Vote in the Town of Vienna? Yes \(\section \) No

Signature	Various Logan	
Name (print)	NANCY J. LOGAN	
Date	9/27/19	
Address	410 Millwood CT SW	Vienna, VAZZL80
Currently Reg	istered to Vote in the Town of Vienna? Yes No.	

Signature Michelle Magnany
Name (print) Michelle Magrans
Date 9/28/2019
Address 207 Glen Ave SW
Currently Registered to Vote in the Town of Vienna? Yes No

Signature Malland
Name (print) David Medwedeff
Date 9-29-19
Address 309 Windover Ave NW
Currently Registered to Vote in the Town of Vienna? Yes No

Signature Juliane
Name (print) Ivdi Medwedeff
Date 9-29-19
Address 309 wondover Ave NW
Currently Registered to Vote in the Town of Vienna? Yes No

125 Pleasant St., NW Vienna, Virginia 22180

Signature Mumm
Name (print) J. M. Mernin Jr
Date 9/30/19
Address 204 PONIS C+ SW, VICINIA, VA 2218T
Currently Registered to Vote in the Town of Vienna? Yes No

125 Pleasant St., NW Vienna, Virginia 22180

Signature
Name (print), Miley
Date 9/29/19
Address 204 Paris Ct SW, Vienna
Currently Registered to Vote in the Town of Vienna? YesNo

Signature Demigllin Szal
Name (print) Pennyellen Oszak
Date $\frac{9/29/19}{}$
Address 221 Nutley St NW
Currently Registered to Vote in the Town of Vienna? Yes No

Signature	- Colonia		
Name (print)	C. J. Porr.		
Date	9/25/2019.		
Address	134, WADE HATTLEON DRIVE	NEWNA S	i viç
Currently Reg	istered to Vote in the Town of Vienna? YesNo _		

Signature	Shanutholt		
Name (print)	SHARON H. POTT		
Date2	5 Sept 2019		
Address	134 Wade Hampton & Vieno	na Va	+ 22180
Currently Res	gistered to Vote in the Town of Vienna? Yes No		

125 Pleasant St., NW Vienna, Virginia 22180

Signature De Ruyer
Name (print) Gloria T. Runyon
Date Systemler 29, 2019
Address315 Carthouse Road S.W. Vienna, VA 22120
Currently Registered to Vote in the Town of Vienna? Yes No

125 Pleasant St., NW Vienna, Virginia 22180

Signature 7 17 12 CC
Name (print) John Runyov
Date Sept 25 2019
Address 315 COURT Music Nd. 5.W. VREINNA VA ZZI 80
Currently Registered to Vote in the Town of Vienna? Yes No

Signature Muhnel Lewise	
Name (print) Michael Terrell	
Date 09/29/19	
Address 311 Albrecht Circle Vienna V.A.	22180
Currently Registered to Vote in the Town of Vienna? Yes 📈 N	[о

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Signature			
Name (print) Alism Walisko			
Date 9/29/19			
Address 314 Albrecht Cir. SW		VA	22180
Currently Registered to Vote in the Town of Vienna? Yes No	o		

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Signature
Name (print) William Walsko
Date
Address 3/4 Albrecht Cir Su, Vienna, VA 22/80
Currently Registered to Vote in the Town of Vienna? Yes No

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Town Code.
Name (print) Gordon W. Whiteside
Date 09/29/2019
Address 311 Albrecht (ir 54) Vienna, Va 22180
Currently Registered to Vote in the Town of Vienna? Yes X No

August 14, 2019

To Paul Layer, Chair, and Members of the Vienna Board of Architectural Review

We hereby submit written comments on **Item No. 4 - Docket No. 21-19-BAR**, request for approval of a new mixed-use project, at the former Marco Polo restaurant site, Vienna Market, located at 245 Maple Avenue West. At the outset, we wish to thank the members of BAR for their many hours in working to return the Vienna Market architecturals to their originally-intended high level of detail and design integrity. As the first MAC mixed use project, it is vitally important that this project be of the highest quality. We do have one important issue with the proposed elevations; namely, the substandard materials and design for the rear of the townhouses that are oriented perpendicular to Maple and Church Streets (hereinafter "the perpendicular units").

The 2D elevations appear to show that the rear of the perpendicular units are covered with some form of monochromatic siding, with very little trim, cornice work, or other detailing. The fronts and sides of the perpendicular units, by contrast, are adorned with elaborate brick designs of varying, rich colors, and substantial trim detail. The incongruity of the rear of the perpendicular units is heightened by their proximity to the higher quality materials and greater detailing of the rear of the units facing Maple Avenue. For some inexplicable reason, the plans show that some of those high quality elements found in the front and side façades, including lower level rustication and use of brick, has been carried over to the rear of the Maple Avenue facing units, but has not been applied to the rear of the perpendicular units.

We believe that Vienna Code requires that the rear of the perpendicular units at the least should have the same level of detail and use the same materials as the rear of the units facing Maple. Comparable treatment is required by both the general design criteria as set forth in Article 4-15(d), and the MAC design criteria set forth in Article 18-95.14.E.4 and Article 18-95.14.G.1.

Article 4-15(d) states:

The Board of Architectural Review, and, on appeal, the Town Council, shall use the following standards and criteria in considering applications filed under this chapter:

(d) Whether or not proposed freestanding buildings use the same or architecturally harmonious materials, color, texture and treatment *for all exterior walls*; and in the case of partially freestanding buildings, whether or not the same or architecturally harmonious materials, color, texture and treatment are used *on all portions of all exterior walls exposed to public view*¹.

_

¹ Emphasis added/

Article 18-95.14.E.4. provides as follows:

Side and rear building façades, *if visible from public streets*, shall have a similar architectural treatment as used on the primary or front façade².

In addition, with respect to materials, Article 18-95.14.G.1. of the MAC states:

Façades of a building visible from a public street or single-family detached dwelling shall have consistent material and a similar architectural style³.

This requirement for consistency in material and architectural style is not limited to the primary façade, but applies to any façade that is visible from a public street.

Thus, both the general design provisions for Maple Avenue and the specific provisions for MAC are in agreement: if the rear of a building is visible from a public street or by the public (from a park, say), then the rear must be comparable in materials, color and detailing to the front of the building.

The rear façades of the interior units, as well as the units facing Pleasant Street and the Bank of America, will be visible from Church Street. Church Street is a public street. The 3D elevations clearly show that the rear of those units will be visible to any pedestrian walking along Church Street. In fact, the incongruity of the architectural detailing of the rear of those units with the rear of the units facing Maple Avenue will highlight the substandard level of materials and detailing. The rear of the perpendicular units will also be visible to visitors using the public plaza at the corner of Pleasant Street and Maple Avenue. Moreover, the rear façades will be visible from the undersigned's single-family detached dwelling.

To summarize, there is no question that both the general design provisions of Article 4 and the MAC specific provisions of Article 18-95 require high quality materials and design for any façade that is visible to the public. The current elevations for Vienna Market fall short of this requirement. We ask the BAR to withhold final approval of the elevations and 3D plans until they are brought in conformance with both the general architectural guidelines for Maple Avenue and the MAC.

Sincerely

Charles and Laura Anderson

125 Pleasant St., NW

Vienna, Virginia

² Emphasis added. Note that, although the MAC does not require the submission of elevations for inward facing facades as part of the rezoning application, the ordinance set forth definitive design standards for all elevations that are visible from public streets. The only way the Town can enforce the MAC standards is through the BAR final design approval process.

³ Emphasis added.





BRICK RUSTICATION — NEW WINDOWS NEW WINDOWS

ARCHED PARAPET

SID RETAIL WALKWAY SECTION

ALP ANY MAL



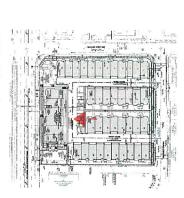


MARCO POLO DEVELOPMENT WASSES

NVI IBBAN SCALE: 3/

Ш





KEY PLAN



COLOR STREETSCAPE

TOWNS OVER RETAIL

MARCO POLO DEVELOPMENT NV/050

NVURBAN SCALE: 3/32"=1'-0"

E1A





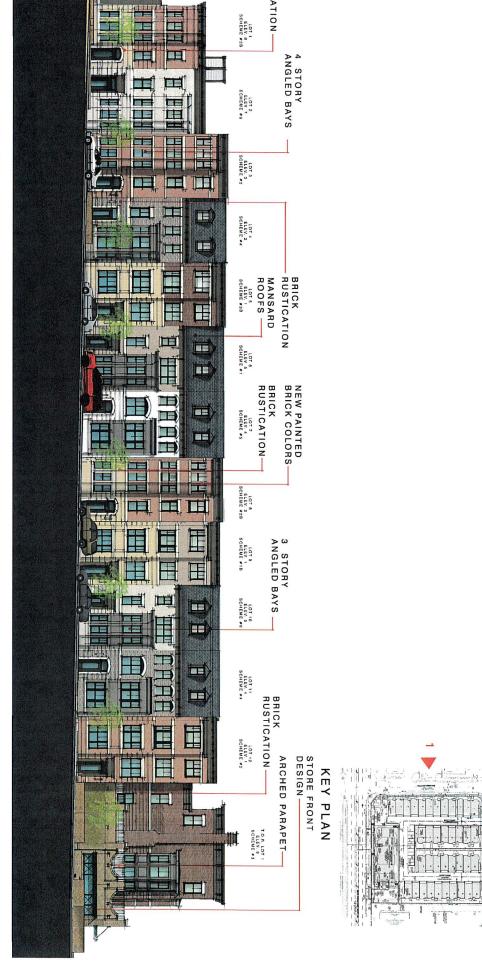
1. CHURCH STREET - PROPOSED



TOWNS OVER RETAIL

MARCO POLO DEVELOPMENT NV.000

NVURBAN SCALE: 3/32"=1'-0"



BRICK RUSTICATION-

ELEV. 6 SCHEME #28

1. PLEASANT STREET 1 PROPOSED

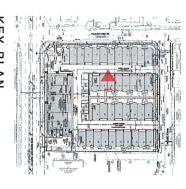


COLOR STREETSCAPE

TOWNS OVER RETAIL

MARCO POLO DEVELOPMENT NV.000

E3



KEY PLAN



1.PLEASANT STREET - PROPOSED

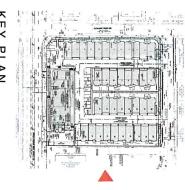


COLOR STREETSCAPE

TOWNS OVER RETAIL

MARCO POLO DEVELOPMENT NV.000

NVURBAN SCALE: 3/32"=1'-0"



KEY PLAN

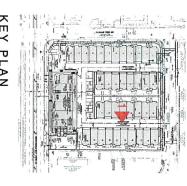


NOTE: LOCATION OF FUTURE ART WORK

1.BANK OF AMERICA VIEW - PROPOSED



TOWNS OVER RETAIL



KEY PLAN



1. REAR BANK OF AMERICA STREET VIEW



COLOR STREETSCAPE

MARCO POLO DEVELOPMENT NY.090





2.INTERIOR STRIP ELEVATION 2



1. INTERIOR STRIP ELEVATION 1



COLOR STREETSCAPE

TOWNS OVER RETAIL

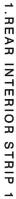
MARCO POLO DEVELOPMENT

08,05/19 NV.060

NVURBAN SCALE: 3/32"=1'-0"



KEY PLAN





2.REAR INTERIOR STRIP 2



COLOR STREETSCAPE

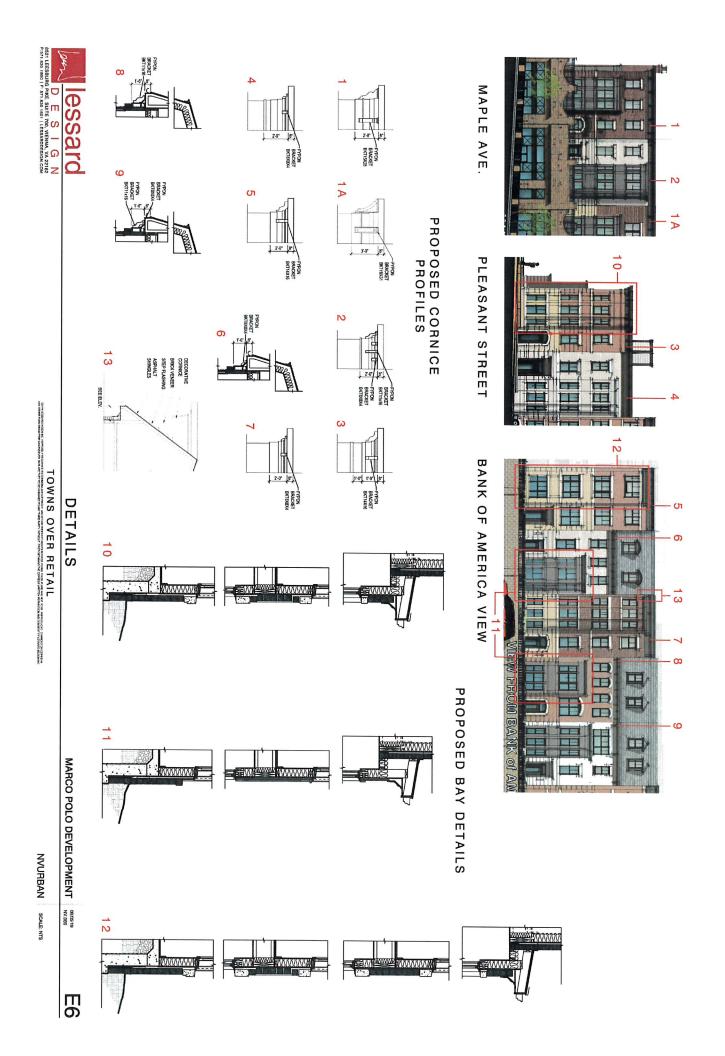
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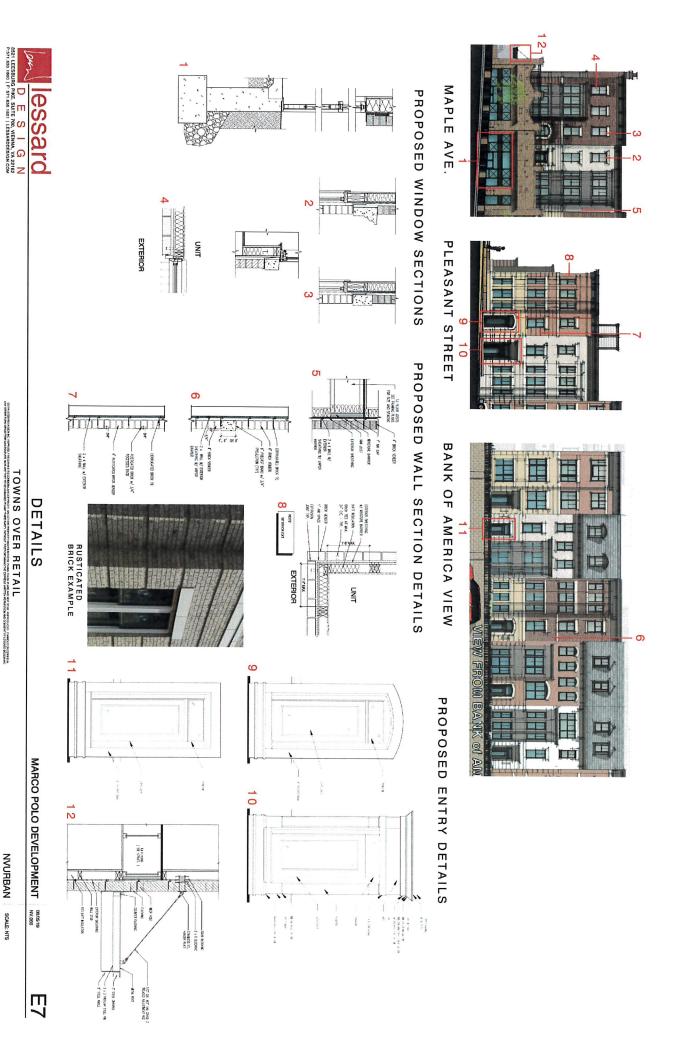
TOWNS OVER RETAIL

MORNING TOWN TOWN TOWN TO THE TABLE TO THE TABLE TO THE MORNING TOWN TO THE TABLE TO

MARCO POLO DEVELOPMENT NY.080

E5A





NVURBAN SCALE: NTS



BANK OF AMERICA VIEW



MAPLE AVE

7. RETAINING WALL VERTICA - DAKOTA BLEND



1. TREX SIGNATURE ALUMINUM RAILING - BLACK

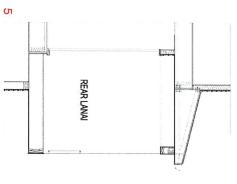


3. POWDER COATED ALUMINUM RAILING - BLACK



4. PLYGEM 2100 SERIES
-BRONZE

FLUSH PANEL
GARAGE DOOR



8. PRECAST CAP
WARM PRECAST COLOR



DETAILS

0

MARCO POLO DEVELOPMENT NYJORO







NORTH WEST PERSPECTIVE

TOWNS OVER RETAIL

NVURBAN SCALE: NTS

MARCO POLO DEVELOPMENT 08/05/19

E9





NORTH EAST PERSPECTIVE

TOWNS OVER RETAIL

MARCO POLO DEVELOPMENT MX.080

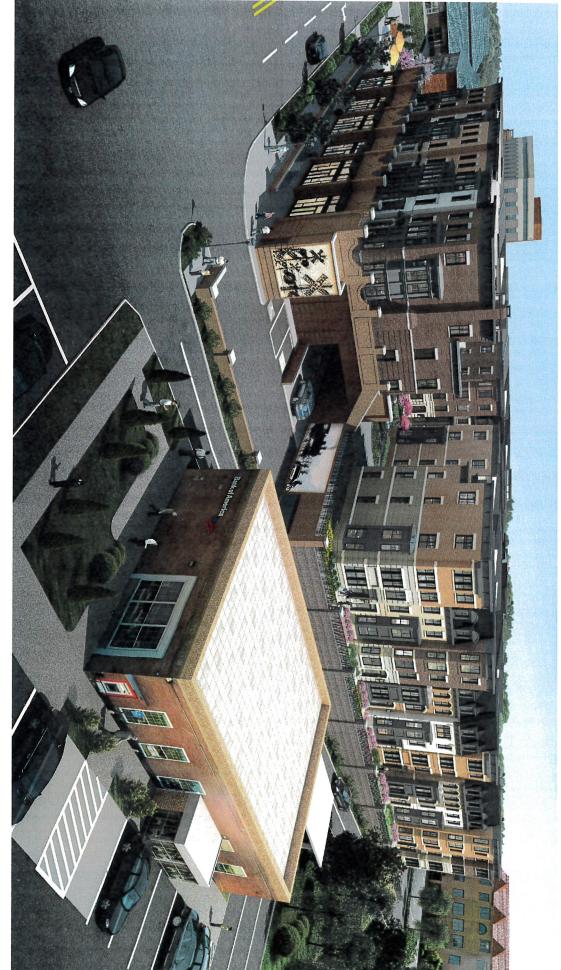
NVURBAN SCALE: NTS

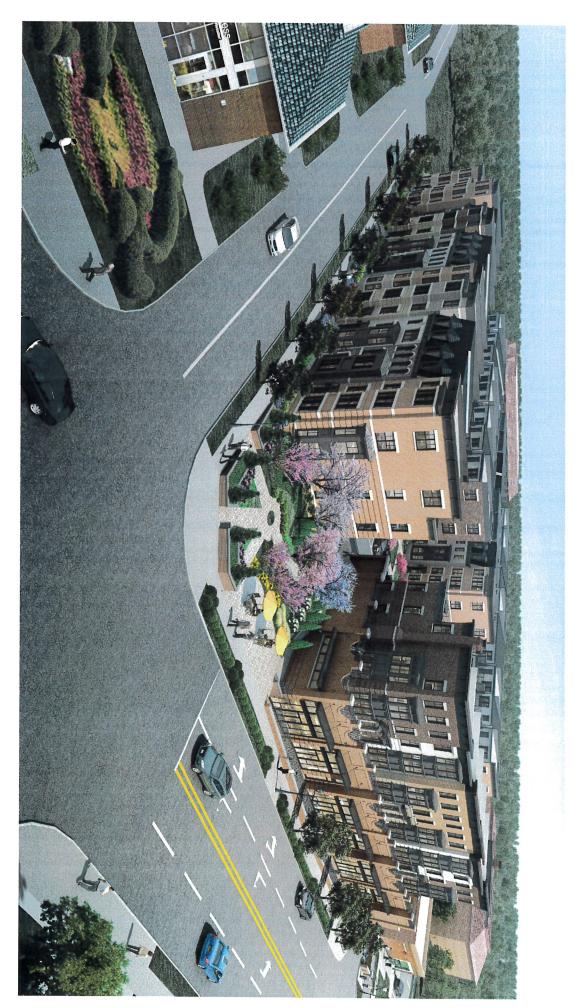














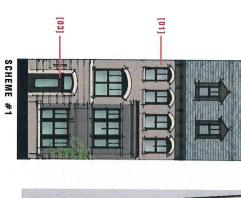
SOUTH WEST PERSPECTIVE

TOWNS OVER RETAIL

MARCO POLO DEVELOPMENT 08.75/19

ELOPMENT NV.080

SCHEME #1B







SCHEME #2

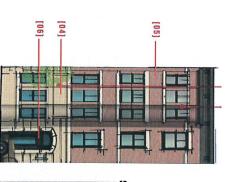




SCHEME #1B (BASE BRICK) MALABAR - SW 9110 [04] [04]

[04] [03]

[01]





COLOR SCHEMES

TOWNS OVER RETAIL

ACTOR AND THE MELLINESCENT WED CONCERNS OF STREET DESIGNATION OF STREET STREET, STREET STREET STREET, STREET STREET STREET, STREET STREET, STREET STREET, STREET STREET, STREE

SCHEME #2B

MARCO POLO DEVELOPMENT NV.000

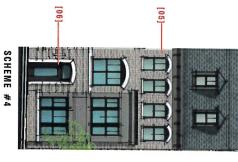
NVURBAN SCALE: NTS

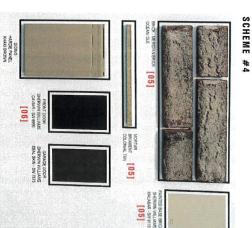




SCHEME #3







PAINTED BRICK
SHERWIN WILLIAMS [04]
MALABAR - SW 9110

[03] -[04]

SCHEME #3B

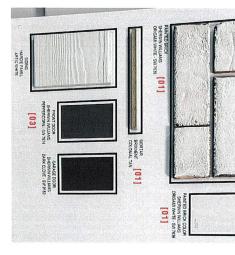
[01]

SCHEME #3B (BASE BRICK)

PAINTED BASE BRICK SHERWIN WILLIAMS MALABAR - SW 9110

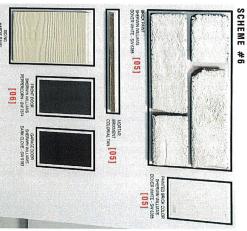
COLOR SCHEMES





SCHEME #5





COLOR SCHEMES

MARCO POLO DEVELOPMENT 08.05/19