



Memorandum

To: Honorable Mayor and Members of Town Council

From: Cindy Petkac, Director, Department of Planning and Zoning
Andrea West, Planner, Department of Planning and Zoning and
Staff Liaison to the Board of Architectural Review

Meeting Date: October 21, 2019

Re: **Public Hearing on Appeal of Board of Architectural Review's
September 19, 2019 Decision to Approve Vienna Market located
at 245 Maple Avenue West**

Charles and Laura Anderson of 125 Pleasant Street, NW, filed an appeal with the Town Clerk on October 1, 2019, of the Board of Architectural Review's September 19, 2019 decision to approve Vienna Market, located at 245 Maple Avenue W. They state the basis of their 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."

The code sections referenced and presumed referenced in the appeal are provided below:

Chapter 4, Sec. 4-15. - Design criteria. 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.

Chapter 18, Sec. 18-95.14. - Site development standards. E. Building façades: 4. Side and rear building façades, if visible from public streets, shall have a similar architectural treatment as used on the primary or front façade.

Chapter 18, Sec. 18-95.14. - Site development standards. G. Materials: 1. Façades of a building visible from a public street or single-family detached dwelling shall have consistent material and a similar architectural style.

Summary of Board of Architectural Review - Vienna Market Discussions per Appeal

August 15, 2019 Meeting

On August 15, 2019, the Board of Architectural Review held a public meeting to discuss the architectural elevations and site finishes of the Vienna Market mixed-use project after holding multiple work sessions with the applicant between April, 2019 and August, 2019.

At the meeting, Mr. Anderson spoke to the material selection for the rear of the townhouses perpendicular to Church Street, the architectural frontages of the townhomes facing the Bank of America, Pleasant Street, and the center pedestrian path, with the backs facing Market Square, a private internal circulation street/drive aisle.

Mr. Anderson expressed concerns that the townhomes were of differing quality of materials on the rear and front façades: the architectural fronts and sides are brick, and the rear façades are Hardi siding.

The Board deliberated about Mr. Anderson's concerns, and, in summary, discussed the use of Hardi-brand cementitious siding systems in residential architecture throughout Vienna and the Church Street corridor, its architectural consistency with residential architecture, and appropriate use in combination with brick.

The Board motioned to approve the landscaping and architectural elevations of the Vienna Market project with selected exceptions to be reviewed by the Board at a future meeting, including wrapping the brick around units 1, 13, 28, and 29 into the private street to further enhance the architectural feel of the units (full motion provided below).

September 19, 2019 Meeting

At the September 19, 2019 meeting, the Board of Architectural Review was provided the sheet titled "Elevations w Edits_PF-21-19-BAR_Vienna Market_Sept2019.pdf" showing the requested changes related to the inclusion of brick around units 1, 13, 28, and 29 into the private street to further enhance the architectural feel of the units. No members of the public spoke at the September meeting.

The Board voted to approve the elevations as presented, including the additional brick. The motion included that staff confirm details unrelated to the brick on the rear façade at the submission of the drawings for permit review (full motion provided below). Per the Board of Architectural Review process, after the Board's approval, staff reviews permit

documents for compliance. In the case the applicant proposes modifications not within substantial conformance with the Board approval, the applicant must go back to the Board of Architectural Review.

Board of Architectural Review - Vienna Market Record of Decision

The Board of Architectural Review held multiple work sessions and public meetings with the applicants for Vienna Market, which are provided below.

April 18, 2019 Meeting: The Board reviewed the proposed elevations and requested the application be discussed at a work session after modifications were made to bring the project closer to substantial compliance with the concept plan 3D renderings and elevations approved by Town Council for the Maple Avenue Commercial rezoning of Vienna Market.

The Board held work sessions with the applicant on the following dates:

- May 24, 2019
- June 14, 2019
- August 2, 2019 – The Board felt that the project had made satisfactory progression and that the scheduling of a public meeting was appropriate.

August 15, 2019 Meeting: The Board made a motion that the request for approval of Vienna Market, located at 245 Maple Ave W., Docket No. 21-19-BAR, be approved with the provision for the following items to be confirmed by staff:

1. The paint spec colors of the Hardie panels on the backs of the towns over retail.
2. The brick selection is provided to staff with a choice of like materials.
3. The pillar at the end of the retaining wall along Bank of America close to Church St. ends with a more substantial pillar.
4. Confirm the center steps along the front of the retail are eliminated.
5. Verify the color and the materials of the railing coming from the park plaza down into the retail sidewalk area be consistent with the materials of the railing.

The following items are to be excluded from the approval:

1. The lighting/ photometric plan include all lights on the residential and commercial section be combined into one photometric plan with the specs as needed.
2. The landscape plan of sidewalk area in front of retail be developed and brought back before the Board.
3. The brick on units 1, 13, 28, and 29 wrap around into the private street and a design is presented to further enhance the architectural feel of the units.
4. Resubmit options for the retail brick.

The motion carried (4-0).

September 19, 2019 Meeting: The applicant returned in September, 2019 to resolve the issues from the August 15, 2019 meeting requiring the Board's approval. The Board was satisfied with the project changes, and made a motion that the request for approval of Vienna Market, located at 245 Maple Avenue W., Docket No. 21-19-BAR, as follows:

1. Clarification the light fixtures selected would be the black finish.
2. Staff evaluate the Eastern most sidewalk to ensure adequate lighting making appropriate adjustment if offsite lighting is not adequate.
3. Staff, prior to occupancy, evaluate lighting at night to ensure lighting is adequate for intended use.
4. Staff note any corrections to the approved plan in regards to the cobra light shown in the right of way near the Pleasant St intersection.
5. Two planters at the commercial stairs in the midpoint of the building enter the retail sidewalk and return back to the wall creating a 2x2x2 planter, inside dimension, with a railing attached in similar material as the railings around the building.
6. The brick choice for the commercial space be #3 except wire cut brick #2 at the rear wall of the driveway inside the pillars flanking that wall.
7. Wire cut brick #2 above the rustication at the railroad sign which is mural location #2 with the rustication on the side of the stairwell/ elevator shaft be three sections high.
8. The Dwarf Junipers will be considered and the Japanese Holly to replace the Purple Fountain Grass. Reporting to staff the replacement landscaping.

The motion carried (3-0). Please note the minutes for the September 19, 2019 meeting are draft. They will be voted on by the Board at the October 17, 2019 meeting.

Board of Architectural Review - Process and Criteria

Before the issuance of any building permits, the Board of Architectural Review is charged with reviewing site plans and architectural elevations for substantial conformance with the approved concept plan of the Maple Avenue Commercial rezoning, and the other items under the Board's purview as outlined in Chapter 4 of the Town Code. The Board of Architectural Review evaluates proposals based on the following criteria:

Sec. 4-15. - Design criteria. 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:

- (a) Whether or not the proposed architectural design is suitable for a good suburban community in terms of external architectural features, including

- signs subject to public view, general design and arrangement, texture, color, line, mass, dimension, material and lighting.
- (b) Whether or not the proposed structure, building or improvement is compatible with existing well-designed structures, acceptable to the board, in the vicinity and in the Town as whole.
 - (c) Whether or not, and to what extent, the proposed structure, building or improvement would promote the general welfare and protect the public health, safety and morals by tending to maintain or augment the Town's tax base as a whole, generating business activity, maintaining and creating employment opportunity, preserving historical sites and structures and making the Town a more attractive and desirable place in which to live.
 - (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.
 - (e) Whether or not the combination of architectural elements proposed for a structure, building or improvement, in terms of design, line, mass, dimension, color, material, texture, lighting, landscaping and roofline and height conform to accepted architectural principles for permanent buildings as contrasted with engineering standards designed to satisfy safety requirements only; and exhibit external characteristics of demonstrated architecture and aesthetic durability.
 - (f) Whether or not, in terms of design, material, texture, color, lighting, landscaping, dimension, line, mass, or roofline and height, the proposed structure, building or improvement is designed to serve primarily as an advertisement or commercial display, exhibits exterior characteristics likely to deteriorate rapidly, would be of temporary or short-term architectural or aesthetic acceptability, would be plainly offensive to human sensibilities or would otherwise constitute a reasonable foreseeable detriment to the community.

Section. 4-16. - No specific architectural style to be required. The Board of Architectural Review, and the Town Council on appeal, shall not adopt or impose any specific architectural style in the administration of this chapter.