



# Town of Vienna

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## Meeting Minutes Board of Architectural Review

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Thursday, January 17, 2019

8:00 PM

COUNCIL CHAMBERS-VIENNA TOWN  
HALL

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### Regular Meeting

#### 1. Roll Call

The Board of Architectural Review met in regular session in the Vienna Town Hall, 127 Center Street, South Vienna, Virginia, with Paul Layer presiding as Chair. The following members were present: Roy Baldwin, Laine Hyde, and Patty Hanley, Absent: Michael Cheselka. Staff members Michael D'Orazio, Deputy Director, Andrea West, Planner, and Sharmaine Abaied, Board Clerk were present.

#### ROLL CALL:

Ms. Abaied called roll with Roy Baldwin, Laine Hyde, Paul Layer, and Patty Hanley being present, Michael Cheselka, absent.

#### 2. Approval of Minutes

##### MEETING MINUTES:

Mr. Baldwin made a motion to approve the meeting minutes from December 2018

Ms. Hanley seconded the motion

Motion: Baldwin

Second: Hanley

Approved: 4-0

Absent: Cheselka

Mr. Layer stated to the members of the audience that there was a sign in sheet for those who were present to speak on the last agenda item. There was some discussion regarding the sound.

#### 3. Regular Business

142 Maple Ave W - Tea DM Mini

Request for approval of a new wall sign and exterior modification (paint) for Tea DM Mini located at 142 Maple Ave W, Docket No. PF-03-19-BAR, in the C-2 district; filed by James Sung,  
Signs-to-Go, sign agent.

Mr. James Sung was present to represent the application.

Mr. Baldwin asked about the letter "M" in the sign and the signs logo.

Ms. Hyde asked what the colors were as the colors on the rendering were not the correct colors. Ms. West stated the applicant received permission from the shopping center to paint the fiber cement board the same color of the MOD Pizza and Taco Bamba. Ms. West also stated the colors of the letters were not black, but stainless steel. There was continued discussion regarding the cement board behind the sign.

Ms. Hanley asked about the color of the sign and how the illumination would work with the letters of the sign. Ms. West stated the business owner stated that they could go with black or brushed aluminum and they would prefer brushed aluminum. The illumination of the sign would be backlit or halo lit.

Mr. Layer asked if the letters were lit and Ms. West stated they were not. The letters were solid with metal on acrylic using lighting behind them to reflect off the back wall. There was continued discussion regarding the lighting. Mr. Layer inquired about the letter colors and stating the silver color of the letters would be similar to the background almost camouflaging the letters, which could cause a problem. He then asked if the alternate color would be black. Ms. West said that was the alternate color, but that the applicant preferred silver. Ms. Hyde asked Mr. Sung if the applicant would accept black letters and Mr. Sung stated black would be better and the other color would not be able to be seen during the day. Mr. Layer confirmed with Mr. Sung that they would like the black letters.

Ms. Hyde made a motion that the request for approval of a new wall sign and exterior modification (paint) for Tea DM Mini located at 142 Maple Ave W, Docket No. PF-03-19-BAR, be approved with the proviso the background be painted the same shopping center approved color as MOD Pizza and Taco Bamba and the letters of the sign will be black.

Motion: Hyde  
Second: Baldwin  
Approved: 4-0  
Absent: Cheselka

425 Maple Ave E - The Tailor Shop

Request for approval of a new wall sign for The Tailor Shop located at 425 Maple Ave E, Docket No. PF-02-19-BAR, in the C-1 district; filed by Hasan Asad, business owner.

Mr. Foutah Derar was present to represent the application.

There were no questions.

Mr. Baldwin made a motion that the request for approval of a new wall sign for The Tailor Shop located at 425 Maple Ave E, Docket No. PF-02-19-BAR, be approved as submitted.

Motion: Baldwin  
Second: Hyde  
Approved: 4-0  
Absent: Cheselka

127 Maple Ave W - Orange Theory Fitness

Continuation of a request for approval of exterior modifications (window screening) and one window sign for Orange Theory Fitness located at 127 Maple Ave W, Docket No. PF-66-18-BAR, in the C-1A zoning district; filed by Stephen Kolakowski., business

owner.

Mr. Stephen Kolakowski was present to represent the application.

Ms. Hanley asked about the material and where it would be applied. Mr. Kolakowski stated it was vinyl and it would be applied outside. Ms. Hanley stated it was more of an image than a sign.

Mr. Layer spoke on a similar, previous, sign application in town at Sports Clips. The decision then was to mute the picture and make it less photographic looking, but more background. Ms. Hyde stated it was more impressionistic. Mr. Kolakowski stated he was limited with what was permissible to apply for as a franchisee. He presented the Board with an alternative sign that had not been given to staff prior to the meeting. Ms. Hyde mentioned staff had not reviewed it, and Mr. Layer questioned the square footage on the glass since it would be covered. Ms. West stated the glass may be covered as the sign is the logo and catch phrase, not the graphics. Ms. Hyde asked if the window is blocked and Mr. Kolakowski stated it was.

Mr. Layer mentioned Sports Clips again and asked if the applicant could look at their sign. Mr. Kolakowski stated he could look at it, present something to the franchiser for approval, and then come back to the Board.

Ms. Hyde confirmed with Mr. Kolakowski that he was okay to defer the application until he had looked at the Sports Clips approved window and worked with franchise owners.

Ms. Hyde made a motion that continuation of a request for approval of exterior modifications (window screening) and one window sign for Orange Theory Fitness located at 127 Maple Ave W, Docket No. PF-66-18-BAR, be deferred to look a similar application in town.

Motion: Hyde

Second: Hanley

Approved: 4-0

Absent: Cheselka

625 Marshall Rd SW - Vienna Aquatic Club

Request for approval of exterior modifications, a new patio and shade structures, for Vienna Aquatic Club located at 625 Marshall Rd SW, Docket No. PF-01-19-BAR, in the RS-16 (residential) zoning district; filed by Josh Bono of Ground Effects Landscape Construction Inc.

Mr. Josh Bono was present to represent the sign application.

Mr. Layer asked if the patio would be in the footprint of the current deck, Mr. Bobo said yes. Mr. Layer then inquired about the poles. Mr. Bono stated the poles would be steel powder coated poles. Mr. Layer asked about the color and Mr. Bono stated it would be black gloss. Mr. Layer asked about the sails as the rendering showed red. Ms. West stated the sails would be forest and khaki. Mr. Layer asked if it was a shade device. Mr. Bono said the sails only meant for shade, not to hold rain or snow.

Ms. Hanley asked if there would be a crossbeam for the steel posts and if it would be the same color, Mr. Bono stated there would be a cross beam the same color. She also asked if it was visible from the street and Mr. Bono stated it did not appear to be.

Mr. Layer asked if there would be any illumination. Mr. Bono said it would be the existing illumination. There was continued discussion about future lighting possibilities.

Ms. Hanley made a motion that the request for approval of exterior modifications, a new patio and shade structures, for Vienna Aquatic Club located at 625 Marshall Rd SW, Docket No. PF-01-19-BAR, be approved as submitted.

Motion: Hanley  
Second: Hyde  
Approved: 4-0  
Absent: Cheselka

### 380 Maple Ave W - MAC Rezoning

Request for recommendation to Town Council regarding compliance with requirements of Article 13.1 of the Town Code for the proposed 380 Maple mixed-use building, as part of Maple Avenue Commercial (MAC) Zone application, located at 374-380 Maple Avenue, W, (Docket No. PF-58-18-MAC), in the C-1 Local Commercial zoning district and RS-16 Single-Family Detached Residential zoning district, pending approval for rezoning to the Maple Avenue Commercial Zone; filed by Dennis Rice, on behalf of Red Investment LLC and MJW Maple Ave LLC.

Tom Kylo was present (340 Mill St) to represent the application along with Dennis Rice and Jack Wilkenfield.

Mr. Kylo mentioned that they had work sessions with BAR, Town Council, and the Planning Commission and during the time changes have been made to the building addressing items discussed. Mr. Kylo presented the renderings to the Board showing retail at the bottom and three levels of residential condos above. Mr. Kylo discussed the proposed materials to be used for the exterior. Mr. Kylo explained the changes to the residence entrance on Wade Hampton, opening it up and putting in screening to take care of the blank wall. The doors to the loading were raised from 14 feet to 15 feet. The retail parking and residential entrance were labeled. On Glen Avenue, there was a distinct change from the retail to the commercial side of the building in color, structure, and materials. The largest change was the "Tysons Corner" side of the building creating more color and residential feel similar to what was done on Glen Avenue following through with terrace area as well. A screen fence was added along the property line due to access that will connect to the dog park. Balconies were added including a balcony wrap around from Maple Avenue as well. Mr. Kylo showed the building perspectives and 3-D modeling. Mr. Kylo finished his presentation. Ms. Hyde asked if Mr. Rice asked if he had any comments. Mr. Rice stated that after speaking with the Arborist they would add grass where it currently shows mulch.

The Board decided to hold their questions until after they heard from the audience. Ms. Hyde mentioned there was a sign-up sheet to speak and requested that comments be held to no longer than three minutes and to keep the comments to the application and the aesthetics of the application as it is the purview of the Board.

### Audience Comments:

#### Bill Ling:

1. At the limits of what the MAC allows, does not reflect the concerns of the neighborhood that were expressed as part of the 444 project and how it was incorporated. Was the project made for the benefit, and to reflect the comments made for the interests of the citizens
2. Concern about the mass of the building at the back. Ask the developers to move the

opening of the residents terrace to the back of the building diminishing the mass to the back and privacy concerns brought up by neighborhood residents.

3. Concern about the wall, a wrought iron wall and make it green, with greenery intertwined with the wall.

Steve Potter:

1. Primary entrances for 380 are inconsistent with MAC code (multi buildings vs. single buildings) 18-95.14 of town code. Design does not have primary entrance, no roof forms, covered pedestrian courts, patios, fountains, plazas, open spaces, or 5-foot setbacks to emphasize the primary entrance location.
2. Secondary entrance faces a public street, Wade Hampton Drive. Nothing prevents a secondary entrance should not face a parking lot or opens space (per MAC). Retail garage, loading docks, residential parking creates traffic and safety issue on a public street.

Ms. Hyde stated, with all due respect, that the Board of Architectural Review is concerned with the aesthetics project and the comments impacting that issue. Some issues that are of concern will be brought, more properly to the attention to Planning Commission, and Town Council. Please be aware of what this Board can and cannot address.

Sharon Pott:

1. Large building on a small lot
2. The longest side of the building is on Wade Hampton Dr., a treed, small, short street with 4 single-family houses and an almost rural street.

John Pott:

1. It makes good sense to switch from surpluses office space to mix-use residential.
2. Wade Hampton is not only the by-right profit enclave of a newly arrived developer (The Potts have lived there for 39 years).
3. The industrial design of first 250 feet makes no concession for the next 250 feet.
4. The project is driven by density. Developer told Town Council he re-engineered the project meaning taking a 54 foot cube on the lot cutting and shading the building to the extent the MAC code requires and adds 15% of parapets and roof paraphernalia leaving something that completely overwhelms the lot, street, and neighborhood; truly maxing out MAC.
5. Developer is asking for a 5 story waiver
6. Turns the building low-point, the courtyard, away for the single-family residences allowing him to profitably squeeze 5-10 additional apartments on the East.
7. 40% denser; floor space compared to lot size, 40% overwhelming Wade Hampton and the neighborhood.
8. Board must recommend that the design be in code, downsized, more compatible with neighborhood, more reasonable balance between profit, aesthetics, and compatibility, or close off industrial half of Wade Hampton leaving their part as a tranquil enclave free of through and commercial traffic.
9. Loss of privacy for single family houses will be devastating.
10. Board must recommend an imaginative, high, sound proof, separator wall.

Estelle Belisle

1. Concerned about the absence of a masonry wall along Glen Ave. Masonry wall would provide a much needed noise and sound barrier between the proposed development and single family residences. 18-172 requires a 6 foot masonry wall between detached single family dwellings and all land zoned C-1, C-1A, C-2 for location of commercial or multi-family. MAC. does not require such a wall. Recommendation to Town Council, if a masonry wall is to be built that, the design be aesthetically pleasing.

2. Concerned about the importance of open space, which softens MAC buildings making them seem less massive. Over 30% of open space for 380 is a courtyard facing East. MAC statement of purpose and intent is to encourage creation of publically accessible community gathering spaces (parks, plazas, and other open spaces). Neither dog park and courtyard are publically accessible.

Laura Bligh

1. Desires a masonry wall to block both vision and sound due to dog park at the back of the property.

Chris Hogan

1. Agreeing with wife that the masonry wall is a good sound barrier. Area where aesthetics and performance meet. Don't let aesthetics override the functionality of the wall. When Board is doing its aesthetics job take the walk on the small, essentially rural roads, the proposed building will abut and give as much protection to the neighborhood as possible. Would like to have an agreement with landscaping to block a lot of the vision because no one wants to look at the building and it doesn't fit their neighborhood.
2. The sidewalk is connecting to nothing and trying to continue the sidewalk it will be expensive due to the deep and substantial swales.
3. The street lights in town are light pollution with the big glass globes that shine straight up. Ask the developer to put in what Fairfax County requires which is dark sky compliant lights.

Nancy Logan:

1. Feel under assault aesthetically, safety, character of neighborhood, lifestyle, peace, and quiet.
2. Giant thing on a small property. Current building isn't pretty, but it's quiet at night since it's not occupied and no windows shining in to homes.
3. Called 380 Maple, but all entrances are on a small street, Wade Hampton Dr.
4. Visible to residents: trash, comings and goings, and loading docks which should be on the East side/commercial side. Could change things, narrow it, make things smaller, adding all the activity from an entrance on Maple Avenue and all activity would be on the East side
5. No public space

Jayme Huleatt:

1. Concerned about the terrace on the East side, it should be on the back side/South side on Glen. Code 18-95.16 (neighborhood compatibility). Doesn't believe it complies with the code
2. Concerned about unnecessary light encroachment. Building will inflict upon neighbors because staircase facing Wade Hampton has a glass window the entire height of the building which will go on and off with motion detectors. Want it closed in.
3. Question about the green wall. It looks nice, but who will maintain and how will it do in cold weather.

John Runyon:

1. 3rd generation living in Vienna. The Board members know the reaction of the town when the BAR and Planning Commission okayed the building for the corner of Nutley and Maple. All the peoples in Town Hall said no way.
2. Too much traffic in the town. Building will benefit the cars, make the property owner richer, and will give the builder an opportunity to make a bunch of money.
3. Increasing the number of people who live per square inch is not the way to go since it will increase traffic.

Mike Ahrens:

1. Challenge with building design going forward is traffic flow. The functional design of the building will promote cut-through traffic on two of the smallest residential streets in Vienna, Glen Avenue, and Wade Hampton.
2. The sidewalk will dump people on Glen Avenue at the most dangerous point of Glen Avenue. No plan to finish sidewalks, no plan for speed reducing measures.
3. Board should work on function as well working with the developer and neighborhood to prevent cut-through traffic.

David Patariu:

1. Concern about cut-through traffic. Living off of Hine, cannot let his 3 and 4 year old outside to play because of cut-through traffic.
2. No completed transportation study, should wait until a completed transportation study is complete before making a decision.

Shelly Ebert:

1. Read statement of purpose and noticed that neighbors / neighborhood mentioned a lot. Neighbors mentioned twice a page on five pages.
2. Concerned about the dog park. Proposed dog-park looks lush and green, but most dog parks don't look that way. Another dog park in Virginia pulled up all the grass and replaced with gravel.
3. Concerns about aesthetics, neighbors are saying they wanted a masonry wall, not the fence. The fence is not what the neighbors think looks best.

Linda Mann:

1. Comment: on November 15 looked at the MAC and visual preferences. The town hasn't decided how this will impact MAC design. Until there is further discussion about the impact of the survey decision about aesthetics, have to be put on hold.

Mr. Rice came forward to speak in regards comments and concerns of residents. Mr. Rice stated the sidewalk was at the requirement of the public works department. They had offered to take the sidewalk off Glen and continue it, but the town does not have a right of way there. The properties on each side would have to dedicate property, which would be one solution for safety. The stair tower and glass would be tinted to control the light that is coming off and on. The reason for the glass is to encourage use of the stairs while feeling safe. Mr. Rice stated he did have a problem with the statement that they maximized. They started the project with 64 units, but worked it down to 40. If you are going to state something, state fact, not what you think. Wade Hampton is an extremely wide street and they have been asked by public works to put in a right turn lane. The reason for not putting the U-Shape (courtyard terrace) to the rear facing the residents of Glen is that the noise will follow the opening. It was turned towards Tysons because it was the most commercial portion of the property. Mr. Rice stated he spoke with the town's arborist concerning the greenery on the wall and he stated there are plenty of plants that are cold resistant that could be planted and would be maintained by the condo association. The covered awning in the front encourages open space as it is 9 feet deep, which would allow people to congregate. Mr. Rice explained the types of stores they are trying to attract in the retail area. He continued stating that he is providing more parking than required in efforts to get the parking off the streets, and inside the building to avoid neighbors stating they took advantage of reduced parking. They will be installing a pork chop island that will direct traffic out of retail back to Maple Avenue. Mr. Rice stated that they were open to what they neighbors would like regarding the wall, but that they were restricted to what staff, council, BAR, and Planning Commission would require. Mr. Rice also stated that they do not choose the streetlights, but they may be required to put two streetlights in.

Ms. Hanley asked about the dog park: was publicly accessible, will it be brown dirt due to

the amount of dogs using it, how many dogs will use it, what is the purpose (residents or commercial business). She asked how it would be written up in the condo docs or would it be addressed later. Mr. Rice stated they would address it in the condo docs and it is for the condo residents. Ms. Hanley stated that the Board would not want to see brown grass so the use of other materials would be possible. Mr. Rice stated they would be using a dog company to come by and pick up the dog mess. Ms. Hanley stated her concern for safety regarding the change to the interior courtyard to wood material from metal railing. Mr. Rice stated it would be synthetic type wood looking material with a longer life than 10 years.

Mr. Baldwin spoke on potential misconceptions of the role of the Board regarding the Maple Avenue Commercial (MAC) and that at this point the Board would only be deciding whether to recommend that the requirements of the MAC had been met. He continued stating he felt that Mr. Kylo and Mr. Rice did consider many of the Board's comments at the work session. The building is much more colorful and attractive and the trees on in the rendering don't block the signs of the store fronts. Mr. Baldwin asked about the masonry wall and the primary focus, which would be to keep the noise of the dog park down. An additional concern would be he cut-through traffic. Mr. Rice stated that they would be submitting another proposal regarding the right-turn lane that department of public works feel it would promote people to go out of the project up to Maple Avenue. They will also be utilizing the pork chop island forcing people to turn right and come out on Maple Avenue. They also suggested putting up a no left-turn lane coming out of the retail. Mr. Rice stated that the comment about the entrance coming out onto Maple is contradictory to the MAC and keeping the sidewalk pedestrian family. This is the reason for coming down Wade Hampton. Mr. Baldwin commented on the density of the project and the amount of traffic. Mr. Rice stated they did have a traffic study done and the results are with staff. Mr. Baldwin then stated that a traffic study would be beyond the purview of the Board although traffic is a legitimate concern. The last question regarding MAC section 18-95.16.B.1, neighborhood compatibility, stating it was not within the code. In the memo from staff states that the project is consistent with B.2 and Mr. Baldwin wanted to know if Mr. Rice's project does fall within the neighborhood compatibility. Mr. D'Orazio stated B.1 is referencing an adjacent single-family detached dwelling and in the case for this application the single family detached dwelling is across the street. There was continued discussion regarding 18-95.16.B.1. Mr. Baldwin stated that the comments from the audience would be passed on to Town Council. There were some audience members who wanted to speak again, Ms. Hyde stated, since it was not a public hearing the audience members did have their opportunity to speak, there would be no debate back and forth with the applicant, but that the Board and applicant did attempt to address the questions that were asked.

Ms. Hanley asked about the parking garage facing Glen, and what it will look like if there were no vines. Mr. Rice stated it would appear as a black screen. The reason for the screening was to eliminate the need for noisy exhaust fans.

Ms. Hyde inquired about the change to a masonry wall to Mr. Rice. He stated they could get a rendering with the masonry wall and potentially a serpentine masonry wall to the planning and zoning department.

Ms. Hyde mentioned that staff is working diligently on the MAC code updates and the Visual Guidelines. No new MAC applications are being accepted during the moratorium, but there were applications that were processed prior to the suspension of the MAC.

Mr. Baldwin made a motion for a recommendation to Town Council regarding compliance with requirements of Article 13.1 of the Town Code for the proposed 380 Maple mixed-use building, as part of Maple Avenue Commercial (MAC) Zone application, located at 374-380



Maple Avenue, W, (Docket No. PF-58-18-MAC), an amendment to the change the proposed wrought iron fence to a masonry wall as the application moves forward.

**Motion:** Baldwin

**Second:** Hyde

**Approved:** 3-0

**Recused:** Layer

**Absent:** Cheselka

## 5. Meeting Adjournment

Mr. Baldwin asked staff to pass along the comments of the audience members to Town Council.

Ms. Hanley also stated that the recommendation was to the best of their ability with the information they had received and that the package is conceptual and there will be a lot of details/specifics that staff will have the applicants comply with.

Mr. Layer discussed the MAC purview for the BAR with the Board. He the requested clarification from the town attorney or the zoning administrator that clearly differentiates the BAR's role relating to the sections of the MAC under their purview. The Board is not to be responsible for the technical conformance to the code. Mr. D'Orazio stated that was correct and that staff reviews the technical aspect and the Board is to rely on staff. He also said he would request the town attorney and zoning administrator put together a memo for the Board. There was continued discussion regarding the Boards' purview under the MAC.

Mr. Baldwin made a motion to adjourn the meeting

Ms. Hanley seconded the motion

Meeting adjourned 10:19 pm

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