



# Town of Vienna

127 Center Street South  
Vienna, Virginia 22180  
p: 703.255.6341  
TTY 7111

## Meeting Minutes Board of Architectural Review

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Thursday, April 18, 2019

8:00 PM

COUNCIL CHAMBERS-VIENNA TOWN  
HALL

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### 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: Laine Hyde, Michael Cheselka, and Patty Hanley, Absent: Roy Baldwin. Staff members Andrea West, Planner, and Sharmaine Abaied, Board Clerk were present.

Mr. Layer opened the meeting for the Board of Architectural Review and asked for the roll to be called.

#### ROLL CALL:

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

### 2. Approval of the Minutes

Ms. Hanley stated she did not receive the minutes and asked for the minutes to be tabled until the next meeting.

### 3. Regular Business

360 Maple Ave W Unit F - Dr. Goldberg & Associates

Request for approval of a new wall sign and freestanding sign (tenant replacement panel) for Dr. Goldberg & Associates located at 360 Maple Ave W, Unit F, Docket No. 15-19-BAR, in the C-1 Local Commercial zoning district; filed by Dr. Noel Goldberg, business owner.

Mrs. Malky Goldberg was present to represent the application in place of her husband.

Ms. Hyde stated that the Board had reviewed the application the previous month. She stated they look at signs to ensure they are readable, legible, and identifiable from a distance. She stated the images seemed busy and confusing, but the second option for the pylon sign with the name and type of business seemed quite clear, but the graphics are not.

Mr. Cheselka stated he echoed Ms. Hyde's comment and felt from the road people would not be able to tell what they were as it cluttered the sign. Mrs. Goldberg asked if it was on the building and blown up more. Mr. Cheselka stated the second option for the pylon sign he could support, but the building sign was too cluttered and he could not support it.

Ms. Hanley stated she didn't have as much issue with the clutter, but felt the logo was not

as effective as it could be and with the monument sign the lettering is her preference.

Mr. Layer stated that it appeared the monument signs second option doesn't pose an issue for anyone. He then asked for a motion.

Ms. Hyde stated she did not like the sign for the building and asked if Mrs. Goldberg would be amenable to having the same sign on the building without the two heads. Mrs. Goldberg asked if it would just be the writing. Ms. Hyde stated just the Dr. Goldberg and Associates Mental Health. Mrs. Goldberg stated she felt it may stand out without the picture as the other two businesses have their logos on their sign. There was continued discussion regarding the signs.

Mr. Layer asked for a motion.

Ms. Hanley made a motion to approve the wall sign and option two of the pylon sign. There was not second so the motion died.

Ms. Hyde made a motion to approve both signs, wall and pylon, as option two for the pylon sign. Mr. Cheselka seconded it and the motion.

Mr. Layer asked what happens if it's a tie vote. Ms. West stated it would fail.

Ms. Hanley made a motion to split the motion. Ms. Hyde seconded the motion

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

Ms. Hyde made a motion that the request for approval of a freestanding sign (tenant replacement panel) for Dr. Goldberg & Associates located at 360 Maple Ave W, Unit F, Docket No. 15-19-BAR, be approved with the option two version

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

Mr. Layer asked the Board would entertain the logos being adapted to a more acceptable or more simplified so it would be more understandable from a distance. There was continued discussion regarding possibilities for the logo.

Ms. Hyde made a motion that the request for approval of a new wall sign for Dr. Goldberg & Associates located at 360 Maple Ave W, Unit F, Docket No. 15-19-BAR, be deferred.

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

374 Maple Ave E - McEneaney Associates Realtors

Request for approval of a new tenant replacement panel in an existing pylon sign for McEneaney Realtors located at 374 Maple Ave E, (Docket No. 22-19-BAR), in the C-1A

Special Commercial zoning district; filed by Amy Billiot & Kate Jensen of McEneaney Associates, Inc. REALTORS.

Ms. Kate Jensen was present to represent the application.

Ms. Hanley stated the box was not checked for the owners' approval. Ms. Jensen stated it was an oversight as they do have the owners' approval. Ms. Hanley asked if a different color was considered. Ms. Jensen stated they were told they were required to use that color.

Mr. Layer asked why the two drawings are depicted differently. Ms. Jensen stated it was how the sign company had created it, but it was the exact same color.

Mr. Cheselka commented on the size of the letters on the sign. Ms. Jensen stated the sign company laid it out so that McEneaney and Associates could fit on one line.

Mr. Cheselka made a motion that the request for approval of a new tenant replacement panel in an existing pylon sign for McEneaney Realtors located at 374 Maple Ave E, (Docket No. 22-19-BAR), be approved as submitted

Motion: Cheselka

Second: Hanley

Approved: 4-0

Absent: Baldwin

465 Maple Ave W - Wawa

Request for approval of a revision to the approved landscape plan and new exterior modification (fence) for Wawa Convenience Store located at 465 Maple Ave W, Docket No. 09-19-BAR), in the C-1 Local Commercial zoning district; filed by Robert D. Brant, Walsh, Colucci, Lubeley & Walsh P.C., agent for Wawa.

Mr. Robert Brandt was present to represent the application.

Mr. Brandt stated that they were back with a proposal based on the response from comments from the Board and comments raised by some of the neighbors at a previous meeting. The comments and feedback were for a barrier along the rear property line. They had proposed landscaping, but the neighbors had expressed the desire for a more physical barrier. Mr. Brandt stated they were there proposing a six foot fence along the rear of the property running 116 linear feet along the full length of the parking area behind the building which will be supplemented with additional landscaping of ornamental trees, canopy trees, shrubs, and evergreens. The additional shrubbery will soften the appearance of the fence, but will help with noise. The neighbors had requested a wall, but the landscape architect and engineers had concerns about the impact of existing vegetation. The wall would require a machine dug trench that has potential to impact root zones of the existing vegetation. In lieu of a wall a six foot fence was proposed which only requires hand digging.

Ms. Hyde asked about the material. Mr. Brandt stated it was a vinyl fence that has a wooden appearance and same on both sides. He continued stating the vinyl material is better from a maintenance standpoint.

Mr. Cheselka asked about the thickness of the fence. Mr. Brandt stated he did not know the thickness, but stated there will be a significant amount of vegetation on the south side of the fence that will be at seven to eight feet at the time of planting.

Ms. Hanley thanked Mr. Brandt for coming back and stated that the biggest intrusion point from her perspective was the headlights coming in off the Nutley St. curve entrance. Ms. Hanley asked staff if the lighting plan had been resolved. Ms. West stated that staff had been working with them and will have it when they are finalized.

Ms. Hanley made a motion that the request for approval of a revision to the approved landscape plan and new exterior modification (fence) for Wawa Convenience Store located at 465 Maple Ave W, Docket No. 09-19-BAR, be approved as submitted

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

374 Maple Ave E - Eagle Contractors

Request for approval of exterior modification (retaining wall) and landscaping modification for the existing multi-tenant commercial building at 374 Maple Ave E, Docket No. 19-19-BAR, in the C-1A Special Commercial zoning district; filed by Mike White of Eagle Contractors.

Mr. Mike White was present to represent the application.

Mr. White stated the application was a modification to the existing railroad tie retaining wall that was on the site and had begun to cave into the bank drive-through. The site manager and Eagle Contractors decided on a three foot high retaining wall that would follow the grade and the weight of the wall at 82,000 pounds.

Mr. Layer asked which of the two color blocks was being selected. Mr. White stated it was the gray block. Mr. White stated they worked with staff as the architect showed it as a three foot wall the length of the drive through, but it actually follows the grade with the highest at three feet.

Ms. Hanley asked if the 123 side was lower than the back piece, Mr. White stated that was correct. She then asked if the three foot maximum height would be closest to 123 and it would taper. Mr. White stated the three foot height would be at the entrance of the drive through at the top of the parking lot and steps down. Ms. Hanley asked at what intervals they step down. Mr. Layer stated it would be per block and saw tooth down. There was some continued discussion regarding the durability of the proposed wall versus the current wall.

Mr. Layer asked for a color on record for the gray of the block. Ms. West stated the sample was the granite color that was in the Harrington paperwork.

Ms. Hanley asked if there would be three feet behind the wall for planting with the wall located up against the curb. Mr. White stated that was not correct. Ms. Hanley asked if the wall would be abutting the property line. Mr. White stated the wall would be three feet back from the curb. Ms. Hanley then asked if the trees would be behind or in front and Mr. White stated behind. Mr. White stated the reason for moving it back was that people making the turn for the drive through tend to hit the wall. Ms. Hanley asked about the ivy. Mr. White stated that the ivy would be replanted and they would also have mulch.

Ms. Hyde asked if he could walk through the landscaping as to what would be put back and where. Mr. White stated they were rotating with Japanese maple to Dogwood to Cedar.

Ms. Hyde asked if it would be two of each and Mr. White stated that was correct. Ms. Hyde asked if there would be no shrubbery, just the ivy an, or mulch, Mr. White stated that was correct. Mr. White stated he saw Starbucks plan for shrubbery and felt it would be overkill if he added shrubbery.

Ms. Hanley stated her concern about English Ivy as it can be destructive to a masonry wall. Ms. Hanley asked if staff could get the species name as well as the heights and caliper for the trees on the landscape plan. Ms. Hanley asked about the three shrubs on the 123 side and if they would be retained. Mr. White stated it was on the property that Starbucks occupies.

Mr. Cheselka asked if Mr. White had cut down the trees and he stated that he had not and that he did not know who cut them down. There was continued discussion regarding the trees that were cut down.

Mr. Layer asked how wide the stone mass was behind the wall. Mr. White stated it was two feet.

Ms. Hanley if the plan would go through building permits. Ms. West stated there were no permits that were needed for this other than the landscape review by the Board. Ms. Hanley asked if the town arborist had seen the plan. Ms. West stated Mr. Gary Lawrence did a preliminary review, but the new urban arborist had started and would like to have him look at it. Ms. Hanley stated she would feel comfortable approving the application if the arborist stated the beds were appropriate for the size trees and species. There was continued discussion regarding the landscape plan.

Mr. Cheselka made a motion that the Request for approval of exterior modification (retaining wall) and landscaping modification for the existing multi-tenant commercial building at 374 Maple Ave E, Docket No. 19-19-BAR, be approved as submitted with the proviso that staff will have town member (urban arborist) inspect and sign off on the tree plan.

Motion: Cheselka

Second: Hyde

Approved: 4-0

Absent: Baldwin

#### 245 Maple Ave W - Vienna Market

Request for approval of Vienna Market, a new mixed-use project, at the former Marco Polo Restaurant site, located at 245 Maple Ave W, Docket No. 21-19-BAR, in the MAC Maple Avenue Commercial Zone zoning district; filed by Bill Foliaco of Lessard Design.

Mr. Nate Robbins was present with the architect and the builder to represent the application.

Mr. Robbin stated they wanted present the architectural design, the streetscape, and the different materials they would use on site.

Mr. Bill Foliaco, from Lessard Design, stated he had been associated with the project since almost inception. He stated they were there to iron out the last details of the materials, approvals, and comments that were originally made. The main issues to present were the quality of the materials which were on the material boards and the concerns about the empty brick, there is a proposed mural or brick recessed detail. The intent is to do the murals as the belief is it will help the building and livelihood of the exteriors. If the mural

would not work, then there would be extra brick recessing. Mr. Cheselka asked if the main intent is a mural and Mr. Foliaco stated yes.

Mr. Layer asked, before the Board starts with questions, if the presentation was completed. Mr. Foliaco stated it was and they were really there to respond to the follow through on the comments from the original approval. To also present materials so the Board felt they had come through with the final design intent and that the materials were of high quality. Mr. Foliaco stated there were not a lot of comments from the original approval other than the need to see the elevations with the material selected. Mr. Layer stated he was confused and needed to see the approved drawings to the BAR and to Town Council and commented that he hoped they were not different. The Board looked at approved drawings. Mr. Layer asked at which stage the drawing they were looking at was approved, and was it by Town Council and BAR. Ms. West stated the drawing they were looking at was from the BAR hearing in which it was recommended to Council. Mr. Layer then asked to see the drawings approved by Town Council. Mr. Layer then asked for Ms. West to zoom in on similar areas for both of the approved drawings. Mr. Layer stated he was struggling accepting the two different drawings as the same. Mr. Foliaco stated he didn't believe the drawings shown were the right elevations from the last approval. Mr. Layer stated that they needed some clarification. Ms. West stated that from what she had found in the history of the project the drawings shown are the accurate. Mr. Layer stopped to explain to an audience member that they were not allowed to raise their hand; they had to wait to speak when they are called upon, on the list. Mr. Layer stated there seemed to be a difference between the drawings (BAR recommended and Town Council approved) and asked Board members if he saw something different than the rest of them. Mr. Cheselka stated he agreed with Mr. Layer. Mr. Layer stated he remembered the other drawing (BAR recommended), not the series presented (Town Council approved). Mr. Layer stated he would like to understand why there was such a vast difference between the two. Mr. Layer pointed out the varying degrees of articulation between the two different drawing sets. Ms. Hanley stated she attended the Planning Commission meeting and that in the first meeting they saw the hand drawn renderings that the BAR looked at and then a hardline drawing was brought out which was what the applicant were showing. She continued stating that what Council approved was not what the BAR looked at and recommended. Ms. West stated that was correct and the applicants made changes to the drawings between the BAR meeting and the Council meeting. Ms. West continued stating she believed there was a change in architects between the BAR and Council meetings. There was some additional discussion regarding the drawings the BAR recommended and the drawings Council approved. Ms. Hanley asked why the BAR was looking at why they were looking at the old drawings. She stated that if the application had just come to them, they would have work session to address the concerns on the revision even though it had been approved by Council. Council does not look at what the BAR looks at and the BAR believes they can help the process Mr. Foliaco stated they had looked at the architecture and it was not an oversight and it was discussed. Ms. Hanley stated that it was not discussed with the BAR and Mr. Foliaco stated that was correct, it was with Council. He stated they looked at the architecture by production feasibility because the original drawings were whimsical. Mr. Foliaco said they spoke of keeping the façade moving, playful, and articulated and he felt they did that, but did not keep to the letter of the original design. Mr. Layer stated there was a difference between the letter and what was before them between the two drawings. Mr. Layer stated they were going from a concept drawing to a buildable drawing, but there were elements that were completely removed. One drawing looks like sides of buildings and the other looks like its addressing a neighborhood. There was continued discussion regarding the two different drawings and the differences.

Mr. Layer suggested that the item be deferred until the Board understands what they're

reviewing. Mr. Layer spoke to the audience member again stating they would have time to speak and there was no need to raise hands. Mr. Layer asked why there was no further presentation. Mr. Foliaco stated they were unaware that the elevations were not approved through the town. Ms. Hyde asked if they could walk the Board around the building to show what has been changed. Mr. Foliaco stated yes and the intent was not to follow the original design to the letter, the intent was to have a façade that was active and moving with good materials and to keep the retail in homage to the rest of the community. Ms. Hyde stated the intent is not what's in question, it's just the process. The process is the BAR approved to move on to Planning Commission and Town Council a very specific design that included the elements that the Board felt addressed the issues of that property and the neighborhood issues. Ms. Hyde asked again if Mr. Foliaco could go around the building and point out the changes. Mr. Foliaco began by showing the elements that had stayed the same. Mr. Layer asked for the two store front elevations to be brought up. He continued stating that any changes to that degree by any other applicant would have been flagged. Mr. Layer stated that if the individual pieces of glass are looked at one can notice it's not the same façade as they don't have the same nature. One is traditional and one is contemporary.

Ms. Hanley stated her confusion at the task since it was different. Does the Boards process need to back up and have a work session and get their hands around the new product since it is what Council approved. Mr. Layer stated the Board is looking at the application from a MAC (Maple Avenue Commercial) and a BAR point of view. The Board can say, as with other applicants, they need a work session to work on the disparities by looking at what was currently presented and was approved by the Board and make an effort to bring them together. Ms. Hyde stated it was the purpose of a second look at a MAC project. Mr. Layer stated that unless there was more to see he would like to defer the agenda item. Mr. Foliaco stated he knew the process was new, but that the Town Council reviewed at a revision to the originally approved architecture by the BAR and there was no hiding that the elevations and designs were taken to the next level. Mr. Foliaco stated he respected the BAR process, but the elevations were approved as submitted as revised. Mr. Layer stated each group reviews it with criteria specific to that body and they were reviewing specific to the BAR. There was continued discussion about the process. Mr. Foliaco asked if they would then have to go back to Town Council and Ms. West stated that would not be the case as the plan that was approved through the rezoning was the concept plan. Mr. Foliaco stated that there were changes that would take them back to the preliminary and Ms. West stated the conversation had not happened yet. There was continued conversation by the Board regarding the process. Mr. Layer asked for audience members to speak.

#### Comments from audience members:

Chuck Anderson, 125 Pleasant St. NW – Mr. Anderson stated he did not recognize the elevations for the meeting as he remembered a more Georgetown style townhouses that evoked more turn of the century detailing. Mr. Anderson stated he spent two days researching the change in the drawings and that it was a complicated story. According to Mr. Anderson Town Council approved two different sets of architectural design plans, the old, and the new. Before the BAR moves forward the mess needs to be straightened up and figure which plans are on the board. Mr. Anderson stated he would give his layman's view on the differences. Mr. Anderson had a slide with the old and new plan on it side by side. Mr. Anderson stated the older design shows as more ornate with town houses done in turn of the century style, with rustication, individual windows grouped in rounded bays, mansard style roofs with elaborate curved dormers, changes in roof heights, heavy lintels, and cornices. The new simpler elevation is flatter overall, individual windows in the bays are replaced with single windows broken into multiple units, rounded bays are gone, and

more detailed windows have disappeared with other details. Mr. Anderson stated the big change was the ends of the townhouse units. They have changed from a building that addresses the street to a building that addresses an alleyway. Mr. Anderson stated he felt it was controversial because anything on Maple Avenue has to be commercial. The reason it passed was that it was made to look nice and put a plaza there. He stated it was unacceptable to have alleyway endings on Maple Avenue. Then on Church Street the buildings address an alleyway and Church Street is a street. Mr. Anderson stated the doors were commercial doors on the back of a residential unit and bricked in windows. The question is, how did we get here. Mr. Anderson stated it took a lot of digging. He began by reading the MAC guidelines section 18-95.3. Mr. Anderson stated that what the Town Council approved, May 7, 2018, was the 2D elevations that the BAR did not see, and the 3D elevations of the old ornate style. Mr. Anderson stated he did not believe the Board could move forward with the process as there were two different elevations and design elements approved by Town Council. Mr. Anderson gave the chronology of events as to how Council approved what the different elevations and design elements. February 13, 2018 – the BAR approved the original design, March 14, 2018 – Planning Commission meeting with the old architectural plans and 3D renderings with the old ornate style, March 28, 2018 – Planning Commission meeting was the full complete concept plans with the old elevations and 3D renderings with the old elevations and new plans that, according to Mr. Anderson, conflicted. Mr. Anderson stated the new plans the BAR had never seen and they were sloppy. He pointed out that the 3D parts on the edge are the old ornate plans with new facades put on the front. May 7, 2018 – Town Council meeting had received the whole concept plans with the new 2D plans and the 3D renderings and concept were the ornate design. From Mr. Anderson's perspective he felt Town Council had approved both and that was in conflict. Mr. Layer spoke up and stated that they had no way to rule on what Mr. Anderson was speaking on, but that they can ask for clarification. Mr. Anderson stated there was a longer detailed version of his verbal comments that he would like entered for the record. He also stated that when he went back to the video the Director of Planning and Zoning had put up the 2D drawings, stating they had been submitted March 9th and then the 3D presentation stated those were approved by the BAR. Mr. Layer asked if it was known that they were different and Mr. Anderson stated he didn't think anyone understood that they were different. Mr. Layer stated that everything Mr. Anderson had said was entered into the meeting minutes. He also stated that the information will go to the appropriate people to act on it which were not the BAR.

John Pott, 134 Wade Hampton Dr SW – Mr. Pott stated that although he is not near the project he found what he has seen deeply disturbing and he thought the Board had been restrained and polite in how they have dealt with the obvious differences. Mr. Pott felt there would be uproar if the public saw what was approved versus what they developer wanted to do. He felt there needed to be an investigation into why they were at the situation where a developer can go this far without having been checked. Mr. Pott stated he didn't know who the authority was, but that somebody should say, how did this happen. Mr. Layer stated there was no purpose to be outraged over something they had no authority over. Mr. Pott stated that he was speaking as a member of the public which is who the Board reports to. Mr. Layer stated if Mr. Pott was speaking to the application then he needed to speak to the application. The application is based on what the BAR reviews which is a certain aspects of a project and the BAR does not investigate. It will go back to the appropriate people. Mr. Pott stated that as a member of the public reviewing the two different drawings he would be incensed that it had gotten this far.

David Pattari, 205 Niblick Dr. SE - Mr. Pattari stated there was a great presentation by Mr. Layer showing how architectural elements can break up the massiveness of a building. The original set does reflect the architectural elements, but the second set does not. He asked if the Board would consider that when looking at the new set of drawings.



Mr. Foliaco asked if the meetings from the original approvals could be looked at for clarity. He continued stating, there was a clear replication of the elevations there and the new ones being presented. There were not duplicates of approvals for two different buildings. He also stated there was discussion in meeting minutes for the end elevations on the prominent street with town houses and what was appropriate for the side elevation. Mr. Foliaco asked for the meeting minutes to be reviewed so there is no confusion. There was continued discussion regarding the approvals. Mr. Layer discussed the BARs charge of looking at things in context with the things that are around it. Mr. Layer pointed out that the buildings do not address the street and that Church Street is a street. The original set of documents had a street with landscaping, a sidewalk, and buildings that addressed it and at the moment they don't. Mr. Layer stated the Board could say they would like to defer the item. Ms. Hyde stated her concern of the process and that the character of the project changed in particular in how it addresses the adjacent neighborhood. Mr. Layer stated the BAR will operate as the BAR and, ordinarily, in a similar situations they would ask to sit down and try to see how to focus on the discrepancies that are apparent to the Board. Mr. Cheselka stated that if moving forward with a work session they would need the drawings in advance to review before the meeting. Ms. Hanley pointed out that the work session is offered but not required. The work session can be beneficial for their understanding and getting through the process. Mr. Foliaco stated his confusion for the approval process for MAC and the Board discussed the approval process with Mr. Foliaco. The Board members and Ms. West collectively took time to review the voluntary MAC application approval process with Mr. Foliaco.

Ms. Hyde made a motion that the request for approval of Vienna Market, a new mixed-use project, at the former Marco Polo Restaurant site, located at 245 Maple Ave W, Docket No. 21-19-BAR, be deferred with the suggestion of a work session.

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

#### 4. Meeting Adjournment

Ms. Hanley took a moment to pay homage to the tragedy at the Notre Dame Cathedral. The Board discussed what took place with the cathedral.

Mr. Cheselka brought up his thoughts on public art and how other communities are softening brick and mortar with murals, landscaping, signage, etc. He stated that he will always be in favor of public art and that other jurisdictions average \$30,000 in their budget every year for public art. There was continued discussion regarding public art.

Mr. Cheselka made a motion to adjourn the meeting. Ms. Hanley seconded the motion. The meeting adjourned at 9:46 PM.

Respectfully submitted by,

Sharmaine Abaied  
Board Clerk

*THE TOWN OF VIENNA IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (703) 255-6304, OR 711 VIRGINIA RELAY SERVICE FOR THE HEARING IMPAIRED.*

