



Legislation Details (With Text)

**File #:** 19-1486      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Passed  
**File created:** 10/29/2019      **In control:** Town Council Meeting  
**On agenda:** 11/4/2019      **Final action:** 11/4/2019  
**Title:** Consideration of appeal of Board of Architectural Review’s September 19, 2019 approval for Vienna Market, located at 245 Maple Avenue W

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 102519 - VIENNA MARKET - UPDATED BAR - REDUCED, 2. Anderson 1 Oct 2019 Petition, 3. Staff Memo - Appeal to Council of BAR Approval of Vienna Market, 4. Elevations w Edits\_PF-21-19-BAR\_Vienna Market\_Sept 2019, 5. 245 Maple Ave signed BAR Order 9-19-19, 6. DRAFT - BAR\_Septemberr 19, 2019\_Meeting Mins Agenda Item 1, 7. Elevations\_Aug 2019\_PF-21-19-BAR\_Vienna Market\_New Construct, 8. 245 Maple Ave W Signed BAR Order 8-16-19, 9. BAR\_August 15 2019\_Posted Minutes, 10. Regulatory Requirements for Agenda Items - Public Hearing to Appeal BAR Decision of Vienna Market, 11. Notice of Public Hearing - BAR Appeal, 12. Anderson 1 Oct 2019 Petition, 13. BAR Appeal - Chuck Anderson full petition, 14. Vienna Market - 11.04.2019

Date	Ver.	Action By	Action	Result
11/4/2019	1	Town Council Meeting	approved	Pass

**Subject:**

Consideration of appeal of Board of Architectural Review’s September 19, 2019 approval for Vienna Market, located at 245 Maple Avenue W

**EXPLANATION AND SUMMARY :**

An appeal of the Board of Architectural Review’s September 19, 2019 approval for Vienna Market, located at 245 Maple Avenue W, was filed with the Town Clerk October 1, 2019 by Charles and Laura Anderson of 125 Pleasant Street NW. The appeal was filed in accordance with Chapter 4 - Architectural Design Control of the Town Code, Sec. 4-12. - Same-Appeals of decisions.

Town Council held a public hearing on this appeal on October 21, 2019, in accordance with Sec. 4-13. - Hearing before Town Council. Ten members of the public spoke, including the appellant. The public hearing was then closed and, after much discussion, Town Council voted to modify decisions the Board of Architectural Review made September 19, 2019 and August 15, 2019 to approve Vienna Market, located at 245 Maple Avenue W. Council further moved to direct the Board of Architectural Review to consult with the Town Council before Council’s next meeting for reconsideration of this application under Chapters 18 and 4 of the Town Code specific to modifying four rear facades of the townhomes parallel to Pleasant Street and the Bank of America property facing Market Square.

The applicant has modified the four rear façades of the townhomes parallel to Pleasant Street and the Bank of America property facing Market Square. The Board of Architectural Review is scheduled to discuss the revised elevations at a work session November 1, 2019. A summation of that discussion will be provided to Town Council thereafter.

**Departmental Recommendation** : Staff recommends that Town Council approve the October 26, 2019 revised elevations for Vienna Market, located at 245 Maple Avenue W.

**Finance Recommendation** : N/A

**Purchasing Recommendation** : N/A

**Town Attorney Recommendation** : Town Council conducted a public hearing and received testimony from the appellant as well as a proposal from the applicant to modify the design. Town Council continued its consideration of the application for approval to its next meeting in order to receive input from the Board of Architectural Review. Town Council may affirm, reverse, or modify the BAR decision in its discretion.

**Town Manager's Recommendation** : I recommend the Town Council approve the October 25 revised elevations for Vienna Market, located at 245 Maple Avenue W, as presented.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: N/A

#### **PROPOSED/SUGGESTED MOTION**

"I move to approve the October 25 revised elevations for Vienna Market, located at 245 Maple Avenue W, specifically modifications to the four rear façades of townhomes parallel to Pleasant Street and the Bank of America property facing Market Square, thus modifying decisions of the Board of Architectural Review made September 19, 2019 and August 15, 2019."

Or

Other action deemed necessary by Council.