



DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND DEVELOPMENT  
Neighborhood Services Division

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*DRAFT*

## MINUTES OF THE HISTORICAL AFFAIRS AND LANDMARK REVIEW BOARD

**Wednesday, September 21, 2016  
2100 Clarendon Boulevard  
Lobby Rooms Cherry and Dogwood**

**MEMBERS PRESENT:** Charles Craig  
Gerry Laporte  
Joan Lawrence, Chairman  
Charles Matta, Vice Chairman  
Sara Steinberger  
Mark Turnbull  
Kevin Vincent  
Andrew Wenchel  
Richard Woodruff  
Mitchell Zink

**MEMBERS EXCUSED:** Robert Dudka  
Carmela Hamm (teleconference)  
John Peck  
Tova Solo

**STAFF:** Cynthia Liccese-Torres, Historic Preservation Coordinator  
Rebecca Ballo, Historic Preservation Planner  
John Liebertz, Historic Preservation Planner

### ROLL CALL & CALL TO ORDER

The Chairman called the meeting to order at 7:37 pm. Mr. Liebertz called the roll and determined there was a quorum.

### APPROVAL OF AUGUST 17, 2016 MEETING MINUTES

The Chairman asked for any changes or corrections to the August 17, 2016, meeting minutes. Ms. Steinberger noted that her name was misspelled. Mr. Zink noted that he voted for (not abstained) from the approval of the meeting minutes.

Mr. Craig moved to approve the meeting minutes as corrected. Ms. Steinberger seconded the motion and it passed unanimously 9-0 (Mr. Vincent had not yet arrived).

**PUBLIC HEARINGS FOR CERTIFICATES OF APPROPRIATENESS (CoAs)**

The Chairman reviewed the public hearing procedures regarding speaker slips. She stated there were three items on the consent agenda. The Chairman pulled Item #2 for discussion. She called for comments or a motion on Items #1 and #3. Mr. Laporte moved to approve Items #1 and #3 as submitted. Mr. Turnbull seconded the motion and it passed unanimously (Mr. Vincent had not yet arrived).

**CONSENT AGENDA:**

1. Katherine Southwick  
3205 22<sup>nd</sup> Street North  
CoA 16-21 (HP1600057)  
Request to alter the front porch and stair
  
2. Darcy LLC  
2900 Columbia Pike  
CoA 15-06A (HP1600047)  
Columbia Pike Form Based Code Area  
Request to install two signs and outdoor speakers.
  
3. Ballston Retail, Inc.  
301 North Glebe Road  
CoA 16-20 (HP1600056)  
Buckingham Village Historic District  
Request for numerous alterations to the commercial district.

**PULLED CONSENT AGENDA ITEM #2: 2900 COLUMBIA PIKE, COA 15-06A:**

The Chairman called forward the public speaker on the item. Mr. Scott Adams, attorney at McGuire & Woods, represented the Halstead. The Halstead building is located directly adjacent to 2900 Columbia Pike. He stated that McGuire & Woods is not here to speak against the application before the HALRB, but to reiterate a 2015 request regarding issues with rooftop venting equipment and trash enclosures. The Halstead essentially wraps 2900 Columbia Pike and has residential units directly above the development. There are some concerns about aiming of the mechanical venting from the restaurants away from the units and trash in the rear of the restaurant. Mr. Adams added that the Halstead also has retail that opens onto the rear of 2900 Columbia Pike. There are additional concerns about the viability of the retail with respect to the proximity of trash from 2900 Columbia Pike.

Mr. Adams stated that that the owners of 2900 Columbia Pike noted in 2015 that they would address these two concerns (rooftop venting and trash) when a tenant was in place. The owners of Penzance were dismayed when the subject application did not address either of these issues. In more recent discussions, the applicant had again committed to returning to HALRB to address these concerns. Mr. Adams added that the purpose of speaking tonight is to remind the HALRB of these outstanding issues.

The Chairman thanked Mr. Adams for his comments and stated that the HALRB were concerned with the treatment of the elements discussed.

The Chairman called for a motion for the request to install signs and speakers at 2900 Columbia Pike. Mr. Laporte moved to approve the application as submitted as recommended by the DRC and HPP staff. Mr. Turnbull seconded the motion and it passed unanimously.

**ADMINISTRATIVE COA(S):** None.

**DISCUSSION AGENDA:** None

**REPORTS OF CHAIRMAN, STAFF AND STANDING COMMITTEES:**

The Chairman welcomed Steve Cover, Director of the Department of Community Planning, Housing & Development. Mr. Vincent arrived at 8 pm.

The Chairman discussed the FAA Flight Plan Study. She stated that there have been objections to changing flight paths over some of Arlington County’s historic districts. Ms. Ballo added that the FAA has released its Flight Plan Study that will alter the path of a number of incoming/outgoing flights to Reagan National Airport. The number of flights will be increasing. The FAA sent to the Virginia State Historic Preservation Office (SHPO) their findings of no significant impact (FONSI). The SHPO sent a letter to the FAA rejecting their findings since they did not go through the proper Section 106 review process. There were no areas of potential effect delineated, nor consultation with interested consulting parties, etc. The FAA had not met its obligations under Section 106. Next steps will likely be the formation of an Area of Potential Effect and establishment of consulting parties such as Maywood, Colonial Village, etc. Ms. Ballo provided a brief discussion of the history/requirements of Section 106 per the request of the Chairman. The Chairman asked an HALRB member to be involved on behalf of the board. Mr. Woodruff volunteered to represent the HALRB at future meetings. Ms. Ballo stated that she will distribute the FAA’s findings to the HALRB.

The Chairman discussed the World War One Centennial. County Board Member John Vihstadt is interested in setting up a working group to plan and discuss the issues surrounding the centennial. Mr. Vihstadt requested a representative from the HALRB to serve on this group. The Chairman requested a volunteer. Ms. Steinberger volunteered to represent the board. Mr. Liebertz stated that Mr. Hutchings (DES – Transportation Planning who presented to the HALRB in August) followed up with HPP staff via email regarding the suggestions about the war memorial discussed at the previous meeting.

The Chairman stated that the HALRB received a local historic district designation request for Westover. Last month, the HALRB began to discuss when to hold a public hearing on the item. The Chairman noted that the County has since received a petition supporting local historic district designation. Ms. Liccese-Torres stated that the petition contained 160 signatures. According to staff’s initial analysis, 57 of the 160 signers live in the neighborhood. The majority of those who signed and live in the neighborhood are tenants. Very few property owners signed the petition. Ninety-six individuals live outside of Westover, four of the individuals live outside of the county, and three names were illegible or lacked sufficient information to determine their residence. She added that on September 7, 2016, the Westover Civic Association held a community meeting to discuss the designation request. More than 100 people attended the meeting and six stakeholders in the community each received 10 minutes to discuss their point of view. After an hour of presentations, there were many questions about the designation timeline, process, benefits, etc. Overwhelmingly, the majority of individuals who spoke out did so against local historic district designation. On a related note, Ms. Liccese-Torres stated that APAH will be requesting that the County Board support AHIF financing for the purchase of eight garden apartment buildings in Westover at the Board meeting this month.

The Chairman requested comments from the HALRB regarding Westover. Mr. Woodruff asked staff about the nature of the opposition. Ms. Liccese-Torres replied that there are concerns about the loss of affordable

housing, a lack of desire about the designation from the community, restrictions of design guidelines, and how individuals could make their voices heard. Ms. Liccese-Torres noted that the Civic Association had two petitions (one of support and opposition) available at the meeting for individuals to sign. To date, no petition of opposition has been received by staff. Mr. Turnbull asked if APAH took a position. Ms. Liccese-Torres replied that APAH has not yet announced a position regarding local historic district designation.

The HALRB had questions about the submitted petition in support of the application. Ms. Liccese-Torres did not have information regarding the collection of the data. She confirmed that the majority of Westover residents who signed the petition were tenants.

Per the August HALRB meeting minutes, Ms. Liccese-Torres stated that the HALRB needs to consider discussing whether the board will hold a public hearing, and if so, when it will be held. She added that the HALRB could also discuss what parameters it may require in order to hear the item. The Chairman stated that the HALRB had recommended that the community discuss the item prior to the HALRB's public hearing. This has been satisfied.

The Chairman asked for comments or questions from the board. Mr. Matta asked if the HALRB is obligated to hold a public hearing. Ms. Ballo stated that the hearing of a local historic district designation has no applied timetable. Ms. Steinberger added that there was not a groundswell of support for the designation request at the recent community meeting with the caveat that these meetings are often more heavily attended by those in opposition. She raised the question if a public hearing would be valuable in terms of understanding support or opposition from the community. She recommended that the public hearing not be held in October.

Mr. Laporte added that a public hearing would generate a report from staff that outlines the facts and criteria. He asked staff if it is ready to draft such a report. Ms. Liccese-Torres replied that the designation report would be in the form of a memo based on the information provided in the Westover National Register Nomination Form.

Mr. Turnbull stated that a November hearing makes sense. One-third of the petition was from residents of Westover. Since the request was made in June, scheduling the hearing would have taken several months by that point.

Mr. Matta asked what the HALRB hopes to achieve by holding the hearing. The Chairman stated that holding the hearing opens options. The board could find the following: 1) none of the criteria are met; 2) the criteria are met and then recommend designation to the County Board; 3) the criteria are met and then not recommend designation to the County Board. She recalled the outcome of the Arlington Presbyterian Church Local Historic District Designation Hearing.

The Chairman stated that the impetus for the local historic district designation request was the demolition of affordable housing in the Westover neighborhood.

Ms. Steinberger added that perhaps APAH's request to the County Board would impact how the HALRB addresses this local historic district designation request.

Mr. Zink asked how the HALRB would notify the public regarding the meeting. Ms. Liccese-Torres outlined the public hearing procedure. She stated that it is in everyone's best interest that adequate notice be provided.

Mr. Woodruff had questions about the issue at hand and stated the necessity for a public hearing. He did not see why the HALRB would not hear the request in November. He recognized that the neighborhood is divided. Mr. Turnbull stated delaying a public hearing just leaves the issue open.

Mr. Matta asked if the HALRB is in the position to recommend designation for a neighborhood divided on the issue. In his opinion, it seems more like a political than a historic preservation issue. Mr. Woodruff asked if holding a public hearing requires the HALRB to make a decision. The public hearing will illuminate facts, positions, etc. Since a section of the neighborhood is acting on it by its own volition, the item should be heard.

Mr. Craig asked if the County has any plans, initiatives, etc. for this area. Ms. Ballo replied that the County is studying clusters of market rate affordable housing in Arlington County, including Westover. She does not believe there is a sector plan, etc., but will follow up. Mr. Craig asked if this is a single civic association. Ms. Ballo explained that most of the study area is in the Westover Civic Association, but one block is located within the Bluemont Civic Association. The boundaries of the National Register nomination do not align exactly with the Civic Association boundaries.

Ms. Ballo confirmed that HP staff had an intricate role in the Westover National Register Historic District Nomination (approved by the National Park Service in 2006) and that the HALRB reviewed and sent a letter of support for the findings. At the time, the Civic Association supported the National Register listing.

Mr. Turnbull confirmed the size of the requested study area and said that the HALRB can establish a boundary separate from the one requested. The Chairman stated that the HALRB can recommend its own historic district boundary.

Ms. Steinberger asked if the HALRB is the appropriate mechanism to retain affordable housing. She suggested that the HALRB is being almost manipulated. Mr. Woodruff had no doubt that the HALRB will be used by different groups in different ways. Since the neighborhood is on the National Register, the HALRB should be holding this public hearing. Its impact on affordable housing is immaterial. Mr. Vincent added that historic preservation is more than just materials and architectural preservation.

The Chairman proposed holding a public hearing in November for the requested Westover Local Historic District. The Chairman took a straw poll of the board. The HALRB voted 8-1-0. Ms. Steinberger suggested a later date for the public hearing. Mr. Turnbull noted that similar to the Stratford designation, this could be one of many hearings. Mr. Laporte suggested that the Westover hearing be held instead on November 30, 2016 (fifth Wednesday of the month).

Regarding the scheduling of the hearing, Mr. Woodruff noted that the political issues will not subside until the HALRB holds a public hearing. Mr. Turnbull discussed the political issues surrounding Arlington Presbyterian Church, but noted the differences between the cases. Mr. Craig asked what other history beyond the architectural merits should be considered.

Mr. Laporte had questions about the development of design guidelines and the allocation of staff resources/time. Ms. Liccese-Torres stated that the design guidelines would be created if the HALRB determines to send the request forward for further study. The creation of the design guidelines would be a community process. Mr. Laporte confirmed that the HALRB recommendation at the upcoming hearing would be whether or not the staff moves forward with the designation report and design guidelines.

Ms. Liccese-Torres stated that the regular HALRB hearing is on November 16, 2016. The Chairman proposed having an additional hearing to discuss Westover on November 30, 2016. Ms. Liccese-Torres requested that the board consider scheduling the hearing with an earlier state time (5:00 PM) due to the

anticipated number of public speakers. The Chairman requested that the board members contact her with their availability for alternate start times. Ms. Ballo stated that she will send out a reminder email with the selected date/time for the hearing.

Mr. Liebertz provided updates on three local historic district designations being studied by staff: the Hermitage, Mt. Salvation Baptist Church, and 3500 14<sup>th</sup> Street North.

Ms. Ballo provided an update on the Central United Methodist Church (CUMC) at 4201 Fairfax Drive. This site is also the location of the Robert Ball Burial Ground. The burial ground has six grave markers on the site; it appears on plats from the mid-eighteenth century. In the early-twentieth century, the Ball family allowed the Methodist Church to build a church on the quarter-acre parcel. In 1922, the Ball family signed a quit-claim deed to the church forgoing the right to bury any additional individuals. The CUMC recently filed a site plan application to redevelop the block to build affordable housing and a new church. The burials will be exhumed as per their application and reinterred in a suitable location. To exhume the remains, the owners are required to receive a permit from the County's Circuit Court or a permit from the Virginia Department of Historic Resources (VDHR). These are not Arlington County processes. The applicant is pursuing both permits concurrently. A public meeting will be held at the church on October 6, 2016, at 7 pm. A representative from the VDHR will likely attend the meeting. The public process for the Site Plan Review Committee (SPRC) may be contingent on the public process and outcome for exhuming the remains from the burial ground.

Mr. Craig had questions about a separate burial ground on North Quincy Street. Ms. Ballo stated that burial ground is for the Donaldson family.

Ms. Steinberger asked questions about the number of Ball descendants. Ms. Ballo responded that the Ball family is active but spread throughout the country. She confirmed that these descendants will be specifically notified. Mr. Laporte asked what code, deed, or other document outlines the public notification process. Ms. Ballo stated that a portion of the Virginia State Code deals with permits to remove or investigate graves. Mr. Turnbull asked if the church considered leaving the cemetery in place. Ms. Ballo stated that retaining the cemetery would make their current proposal infeasible.

Ms. Steinberger asked where the bodies would be reinterred. Ms. Ballo stated that it would need to be in close proximity, secure, and preferably a location with other Ball family members. The applicants have identified Columbia Gardens Cemetery. Ms. Ballo added that the Ball family also owns the Ball Family Cemetery near the American Legion. She noted that the parcel is a "dead parcel" that has no owner of record; there is no individual responsible for the cemetery. Reintering the burials here would create its own set of difficulties.

The Chairman requested a volunteer to attend the public hearing on October 6, 2016. The Chairman and Mr. Turnbull volunteered to attend the upcoming public meeting. Ms. Ballo directed the board to send comments to the VDHR.

Ms. Ballo discussed other Section 106 undertakings: the I-395 Hot Lanes Corridor and I-66 Expansion. The Frasier family cemetery, Fort Richardson, and Fairlington are within the Area of Potential Effect (APE) for the I-395 project. Similarly, the I-66 project has started its Section 106 consultation process. Concerns are mostly visual obstructions and noise pollution.

Ms. Ballo stated that Arlington County received an application for a Special General Land Use Plan (GLUP) study for the property at Washington Boulevard and Kirkwood. The Ball Family Cemetery is not within the proposed study area but is immediately adjacent. Any redevelopment will discuss archaeological

sensitivity, the adjacency to a local historic district, etc. There will be opportunities for the HALRB to comment. Mr. Laporte added that there is a piece of Spout Run that is still extant within this area.

Ms. Liccese-Torres distributed the *Echoes of Little Saigon* and *A Guide to the African American Heritage of Arlington County* booklets. These will be available in PDF format online. Hard copies will be available to the public for free. Arlington Public Schools will be given 300 copies to distribute to the social studies teachers. Reference copies of the booklets will be available at all branches of the County library.

The meeting adjourned at 9:07 pm.