

**MINUTES OF THE
HISTORICAL AFFAIRS AND LANDMARK REVIEW BOARD
Wednesday, January 27, 2021, 5-7 PM**

This was a virtual public meeting held through electronic communication means.

MEMBERS PRESENT: John Aiken
Charles Craig
Omari Davis
Robert Dudka
Sarah Garner, Vice Chairwoman
Jennie Gwin
Carmela Hamm
Gerry Laporte
Joan Lawrence
Liz Rogers
Richard Woodruff, Chairman
Andrew Wenchel

MEMBERS EXCUSED: Mark Turnbull

STAFF: Cynthia Liccese-Torres, Historic Preservation Supervisor
Lorin Farris, Historic Preservation Planner
Serena Bolliger, Historic Preservation Planner

CALL TO ORDER & ROLL CALL

The Chairman called the meeting to order. Ms. Liccese-Torres called the roll and determined there was a quorum.

EXPLANATION OF PUBLIC HEARING PROCEDURES

The Chairman explained the virtual Historical Affairs and Landmark Review Board (HALRB) public hearing procedures and stated that the virtual meeting format was necessitated as a precaution to protect the Board, staff, and community members from the spread of COVID-19. He communicated the legal authority under which the County was able to hold virtual public hearings, citing the Governor's Executive Orders, legislation adopted by the Virginia General Assembly, and the County Board's Continuity of Operations Ordinance adopted in March 2020. The Chairman then described the logistics of how the virtual meeting would proceed via the Microsoft Teams platform and/or the call-in number.

APPROVAL OF THE DECEMBER 16, 2020, MEETING MINUTES

The Chairman called for any changes to the December 16, 2020, draft meeting minutes. Mr. Laporte noted he had submitted a revision of his comments to Ms. Bolliger. Ms. Bolliger thanked Mr. Laporte and said she would edit the minutes based on his comments. Ms. Lawrence moved to approve the minutes as edited and Mr. Laporte seconded the motion. Ms. Liccese-Torres called the roll and the motion passed

unanimously 8-0 with three abstentions (Mr. Dudka, Ms. Gwin, and Ms. Hamm); however, Mr. Wenchel, who was calling in to the meeting, was not audible for the vote.

PUBLIC HEARING FOR CERTIFICATES OF APPROPRIATENESS (CoAs)

DISCUSSION AGENDA

- 1) Stephen Francis
3504 21st Avenue North
CoA 20-20 (HPCA20-00059)
Maywood Historic District
Request to build an accessory dwelling unit at the rear of the property.
- 2) Caroline Grey
2201 North Lincoln Street
CoA 20-27 (HPCA20-00079)
Maywood Historic District
Request to replace the current back deck with a screened porch plus a sunroom underneath the screened porch.
- 3) Kevin Dworak for Jeff Dickey and Laura Chipkin
3213 Old Dominion Drive
CoA 20-28 (HPCA20-00094)
Maywood Historic District
Request to expand existing second level of garage.
- 4) 2400 Columbia Pike, LLC
CoA 21-01
Columbia Pike Form Based Code
Construction of a 6-story mixed-use commercial and residential building with the façade preservation of 2338-2354 and 2406-2409 Columbia Pike.

Discussion Agenda Item #1: 3504 21st Avenue North

The Chairman asked if the applicant was present and invited Mr. Francis to speak. Mr. Francis explained he had considered the recommendations given to him by the HALRB at the November 2020 meeting and had returned with updated plans. The Chairman then invited Ms. Bolliger to present the staff report. Ms. Bolliger introduced the project at 3504 21st Avenue North in Maywood and explained how the applicant had submitted two initial design options for an accessory dwelling for HALRB review in November 2020 and had since refined his proposal. She said that based on the HALRB's earlier feedback, the applicant's preferred design was for a 1-story accessory dwelling in the rear yard with a low-pitched roof and a reduced overall footprint of approximately 500 square feet. She stated that the proposed smaller footprint would allow the existing shed to remain and still be visible from the street. Ms. Bolliger said that based on HALRB recommendation, the applicant moved the entry doorway to the gable end of the structure to take advantage of the existing walkway alongside the historic property. She said the proposed siding would match the shed and the house.

Ms. Bolliger stated the Historic Preservation staff recommended approval of the subject application. She noted that accessory buildings are appropriate for the Local Historic District (LHD), as many Maywood

properties have accessory garages and/or sheds, and the proposed size and location of the accessory dwelling would allow it to be secondary to the primary dwelling (thereby complying with Appendix G of the *Maywood Design Guidelines*). She explained the applicant’s preferred design was a traditionally appropriate rectangular-shaped structure rather than the L-shaped structure previously submitted and how the applicant also opted for a simple side gable roof as recommended by staff in November 2020. Ms. Bolliger stated the proposed cementitious siding, wood windows and door, and architectural asphalt roofing were appropriate for the LHD and complied with the *Maywood Design Guidelines* for new construction. She also noted that HALRB approval would not supplant established new construction regulations, and that any final design would need to comply with the Arlington County Zoning Ordinance or be approved by the Board of Zoning Appeals.

The Chairman thanked Ms. Bolliger for the report and invited comments from members of the Design Review Committee (DRC). Mr. Dudka stated the design was much improved over the November 2020 application and he was fine with the design as it was. He did note that if the applicant wanted to add a little more fenestration in the form of a larger access door converted to a door, that would be fine, but he believed this design was appropriate for the district. Mr. Craig agreed with the staff report. The Chairman invited other members of the board to comment on the design. Hearing no further comments or questions, the Chairman stated that he believed it was a good project and made the following motion:

I move that the HALRB approve CoA 20-20 to approve the accessory dwelling proposed in the subject application, and further subject to final approval of items that fall within the purview of other Arlington governmental entities. The HALRB finds that the proposed size and location of the accessory dwelling comply with Appendix G of the *Maywood Design Guidelines*, and the proposed architectural elements with the *Maywood Design Guidelines* for new construction.

Ms. Lawrence seconded the motion. The Chairman asked for further discussion. Upon hearing none, he asked Ms. Liccese-Torres to call the roll and the motion passed unanimously 12-0.

Discussion Agenda Item #2: 2201 North Lincoln Street

The Chairman invited Ms. Bolliger to give the staff report. Ms. Bolliger explained the dwelling at 2201 North Lincoln Street in the Maywood Historic District was constructed in 1910 and that this proposed project was reviewed preliminarily by the HALRB in December 2020. She said the applicant was requesting to expand the rear deck and add a three-season sunroom beneath the enlarged deck; the enclosed deck would feature a standing seam metal gable roof (to match the material of the front porch roof), four skylights, and floor to ceiling screens installed behind the columns. She noted the current handrail would be replaced with a horizontal metal cable rail and the sunroom would be enclosed by nine- and six-lite casement windows and twelve-lite French doors.

Ms. Bolliger stated the Historic Preservation staff recommended approval of the subject application since the proposed deck and screened-in porch would be located at the rear of the property and not be visible from the public right-of-way, would match the existing footprint, and would be proportional in massing to the existing dwelling. She said it therefore met the intent of Chapter 6: New Addition/Building of the *Maywood Design Guidelines* which states, “In most cases, the new addition should not be prominently visible from the street and should be located to the rear of the house, if possible” (p. 27). Ms. Bolliger remarked the proposed horizontal cable rail system is not a traditional porch design aesthetic in Maywood and would not be appropriate for a historic part of the home or on a visible façade; however, this element would not be visible from the public right-of-way, and it could be considered as a differentiation of a modern addition to a historic portion of the house and thereby would abide by Standard 9 of *The Secretary of the Interior’s Standards for Rehabilitation*:

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Ms. Bolliger said that Standard 9 also could be applied to the proposed selection of nine- and six-lite casement windows for the enclosed sunroom given the single-lite windows on the main house. She said the proposed screening would be installed behind the structural columns on the rear deck, as established numerous times by precedent set by HALRB case decisions.

The Chairman asked if a representative of the applicant was present and willing to speak. Ms. Grey thanked the HALRB and said her architect Rob Shutler were both present to answer any questions.

The Chairman asked any members of the DRC for their comments. Mr. Craig stated he thought the project looked good. The Chairman invited other members of the HALRB to comment. Hearing none, he made the following motion:

I move that the HALRB approve CoA 20-27 to approve the subject application. The proposed deck and screened-in porch meet the intent of Chapter 6: New Addition/Building of the *Maywood Design Guidelines*. Further, the project meets Standard 9 of *The Secretary of the Interior's Standards for Rehabilitation* and precedent established by previous HALRB case decisions.

Mr. Davis seconded the motion. The Chairman asked for further discussion. Upon hearing none, he asked Ms. Liccese-Torres to read the roll and the motion passed unanimously 12-0.

Discussion Agenda Item #3: 3213 Old Dominion Drive

The Chairman invited Ms. Bolliger to present the third agenda item. Ms. Bolliger introduced the project for the pre-1929 dwelling at 3213 Old Dominion Drive in the Maywood Historic District and explained that the construction of the subject two-car detached garage was approved by the HALRB in June 2005 (CoA 04-18) at the same time as the two-story addition to the historic house. She outlined the current proposal to enlarge the garage, which had been reviewed preliminarily by the HALRB in December 2020. She said the applicants are requesting to increase the height of the second story of the existing garage by approximately 6' to enhance its usability. Ms. Bolliger noted how the front gable roof would be converted to a side gable roof with a front-facing shed dormer with triple four-light wood windows and each gable end would feature a 16-lite wood casement window. She said an entrance would be added to the rear elevation with a three-bay door and wooden steps to the rear grade, however the building footprint would remain unchanged.

Ms. Bolliger stated the Historic Preservation staff recommended approval of the subject application involving a non-historic garage approved for construction in 2005. She commented that although retaining the front gable roof would be more appropriate to its original design, the proposed roofline change and front gable would more successfully give the appearance of a lofted garage than a two-story accessory building, particularly given the sharp grade and view from the secluded street. She said the proposed horizontal siding and asphalt shingle roofing would match the historic house and are appropriate according to Appendix G of the *Maywood Design Guidelines*. Further, Ms. Bolliger stated as the building footprint and setbacks would remain unchanged, the garage location remains secondary to the historic house. She concluded, stating the proposed dimensions and design choices also would be appropriate for a 1.5-story garage per the Arlington County Zoning Ordinance.

The Chairman recognized Mr. Dickey as the applicant and invited him to speak. Mr. Dickey replied he was available to answer any questions. The Chairman invited the members of the DRC to speak. Mr. Dudka said he believed the design was appropriate and a reasonable modification to the existing structure and he would have no problem supporting it. Mr. Craig agreed with Mr. Dudka and said it was much improved. The Chairman invited other members of the board to comment. Ms. Lawrence thanked the applicants for providing the perspective views of the project from the street and said she had no problems supporting this application. Hearing no further comments, the Chairman made the following motion:

I move that the HALRB approve CoA 20-28 to approve the subject application proposing changes to the existing non-historic garage. The proposed horizontal siding and asphalt shingle roofing are appropriate pursuant to Appendix G of the *Maywood Design Guidelines*. The HALRB further finds that the proposed dimensions and design are appropriate for a 1.5-story garage pursuant to the Arlington County Zoning Ordinance.

[The Chairman's motion was interrupted temporarily by a microphone that was left on but subsequently muted.] Mr. Aiken seconded the motion. The Chairman asked for further discussion. Upon hearing none, he asked Ms. Liccese-Torres to read the roll and the motion passed unanimously 12-0.

Discussion Agenda Item #4: 2400 Columbia Pike

Ms. Farris introduced the 2400 Columbia Pike Form Based Code (FBC) project, which includes a vacant block corner and two separate commercial buildings sharing a rear parking lot. She explained how the HALRB first considered this project in September 2013 for a FBC amendment to adjust the classification of the site from full building preservation to façade preservation. She stated the initial development proposal for this site came before the HALRB in August 2014 and again for a CoA in September 2015 with updated facades. Ms. Farris clarified that although the County Board approved the use permit for the project in June 2016, a recent property sale resulted in changes to the development plans, therefore requiring a use permit amendment and a new CoA.

Ms. Farris provided the following recap of the discussion from the October 2020 HALRB meeting:

The applicant presented the proposed modifications to the overall design of 2400 Columbia Pike to make the property more marketable. There are no changes being proposed to the historic facades, located at 2338-2354 and 2406-2408 Columbia Pike, which were constructed in 1951 and now known as the Rappahannock Coffee site. The historic buildings at 2338-2354 and 2406-2408 Columbia Pike are called out for Historic Façade Preservation under the Columbia Pike Revitalization Plan and FBC (2005). The FBC requires development projects come to the HALRB twice, and it was recommended during the October 2020 HALRB meeting that the applicant should return with the final project design to obtain a new CoA for a six-story commercial and residential building on approximately 55,883 square feet of land on the site currently occupied by several retail businesses. The proposal includes approximately 105 new residential units, 12,997 square feet of ground floor retail, and two levels of below-grade parking containing approximately 140 parking spaces.

Ms. Farris explained that as the project is not a Local Historic District, there are no design guidelines for these buildings; instead, the Arlington County Zoning Ordinance Section 15.7 directs the HALRB to use *The Secretary of the Interior's Standards for the Treatment of Historic Properties* to evaluate applications. Ms. Farris stated though that facade preservation is not supported by the *Secretary of the Interior's Standards*, nor does it reflect widely accepted preservation practices. However, she clarified, the modified proposed design shows how historic facades can be incorporated successfully into a larger development in an urban corridor, such as Columbia Pike, of mixed commercial and residential buildings.

Further, Ms. Farris said the retention of the historic facades could have a positive benefit to the surrounding urban context and prevent full demolition of the buildings.

Although the setback of the historic facades had been reduced, Ms. Farris explained that the much-improved design would be applied appropriately to the historic facades, thereby preventing the upper stories from competing with the street level retail spaces and creating a good balance between the spaces. Ms. Farris reminded the commission that the HALRB had provided positive feedback to the applicant last Fall by stating in general that the new proposed project was successful and appropriate to the historic facades. In conclusion, Ms. Farris recommended staff's approval of the project since the historic facades would be preserved and successfully integrated into the overall design, and the proposed setbacks would provide visual separation from the new development.

The Chairman thanked Ms. Farris and asked if there was a project representative in the audience. Matt Allman with Venable thanked the HALRB and staff for their time reviewing the project, explained how it was very similar to the approved 2016 design, and offered to answer any questions.

The Chairman invited members of the DRC to comment. Mr. Dudka said he had had some concerns about the overall setbacks but that the design had been sensitively done and he thought the new design would fit well in an enhanced streetscape. Mr. Craig stated he agreed with Mr. Dudka and staff that this design was sensitive and successful.

Ms. Gwin commented that overall she believed it was a good proposal, but the drawings submitted did not show enough detail about how the historic materials would be married with the new material. She also said she did not feel comfortable approving the design without this information. Tess Kelly responded for the applicant, explaining that typically drawings focused on new elements of design and not existing elements since there would be no change to those features and there was previous documentation about the conditions of the historic facades. Ms. Gwin asked whether that documentation explained how the historic colors and materials would integrate with the new materials. Ms. Kelly replied that the current accent color on the historic facades was not original and these would be repainted to match the original color of the brick. Ms. Gwin thanked Ms. Kelly for the additional information. Ms. Kelly offered to send those records if the board wanted to review them.

Ms. Lawrence explained she was on the board when the first proposal was reviewed but that it still would have been useful to see drawings with details about the treatment of the historic façades. Mr. Laporte stated he believed façade preservation was extremely challenging, but he complimented the developer because rather than looking at façade preservation as something to build around, they tried to showcase the historic façades, an attitude which he would like to see in all developers. Mr. Laporte said he and the members of the board believed that façade preservation was worth doing and that it enhanced the neighborhood if it was seen as something to be showcased rather than something to be built around.

The Chairman invited further comments from the HALRB. Hearing none, he made the following motion:

I move that the HALRB approve CoA 21-01 to allow construction of a 6-story mixed-use commercial and residential building with façade preservation of 2338-2354 and 2406-2409 Columbia Pike as proposed in the provided drawings dated December 18, 2020.

Ms. Gwin seconded the motion. The Chairman asked for further discussion. Upon hearing none, he asked Ms. Liccese-Torres to call the roll and the motion passed unanimously 12-0.

REPORTS OF THE CHAIRMAN AND STAFF

As the meeting agenda was ahead of schedule and given the public interest in the Febrey-Lothrop Estate discussion item, as well as to give speakers time to arrive, the Chairman suggested hearing the reports before moving on. He stated he did not have a Chairman's report and invited staff to give their reports.

Staff and Other Reports

Ms. Liccese-Torres updated the HALRB on the process status for the approval of the Mount Salvation Baptist Cemetery LHD. The Request to Advertise public hearings for the designation had been approved on the County Board's consent agenda at its meeting on January 23, 2021. She explained the next step would be to present the proposal to the Planning Commission at the February 10, 2021 meeting. Ms. Liccese-Torres announced that a representative from the HALRB had yet to be confirmed to speak at the Planning Commission meeting. After the Planning Commission, Ms. Liccese-Torres followed that the designation request would go to the County Board for action at either its February 20 or February 23, 2021 meeting. Ms. Liccese-Torres asked for any questions about the item. Ms. Hamm stated she was in favor of speaking at the Planning Commission and Ms. Liccese-Torres thanked her for volunteering.

Ms. Farris informed the HALRB that the Fort Henry Gardens site plan was now on hold and the applicants were considering a redesign based on feedback from the community and County staff. Ms. Farris said there had not been much movement on the Courthouse Landmark Block site plan except some background work on the community benefit package; she thought the project would not go to the Planning Commission until March. She next stated that the Pershing Drive Special GLUP+ Long Range Planning Committee (LRPC) meeting was happening after the HALRB meeting this evening and that she and Mr. Davis were hoping to provide some stronger language about how to manage the historic features of the Days Inn/Arva Motel site. Ms. Farris recognized Mr. Craig for his participation in the Clarendon Sector Plan update process and predicted that another meeting likely would not be held until the end of February or into March.

The Chairman asked if there were any other staff reports. Ms. Liccese-Torres replied that Naudy Martinez of the Neighborhood Conservation Program was in attendance to present the Livingstone Station historic marker, and since there were no registered public speakers, that it was a possibility to discuss it ahead of the Febrey-Lothrop estate discussion item. The Chairman agreed to discuss the historic marker next.

Information Item: Livingstone Station Historic Marker

Ms. Bolliger stated she had already received some written comments from Mr. Laporte and then invited Ms. Martinez to discuss the project. Ms. Martinez explained that this was a Neighborhood Conservation project requested by the Old Dominion Citizen's Association. She said the marker would be located in a currently unprogrammed triangle median at 24th Street North and Old Dominion Drive, which had been selected by the civic association as a priority space for beautification and interpretation of the Livingstone Station trolley line stop. Ms. Bolliger said she received a letter of support from the Old Dominion Citizen's Association and read it into the record:

The Old Dominion Citizen's Association strongly supports placement of the historical marker to designate the former trolley stop at 24th Street and Old Dominion. We thank the Historical Affairs and Landmark Review Board for their work and appreciate their accepting our suggested language edits. We only regret there is no visual symbol of a train or map outline showing the train route up Old Dominion with the Livingstone stop indicated, however we reiterate our support for the marker, which this neighborhood has desired for over 20 years!

Respectfully submitted by Jacqueline Wilson, ODCA Neighborhood Conservation Advisory Commission representative on behalf of the Old Dominion Citizen's Association.

Ms. Bolliger noted that Jill Yutan with the Neighborhood Conservation Program was developing a line drawing to include at the top of the marker, as an historical image had been hard to source, and photographs included on these types of aluminum markers often printed and aged poorly. Ms. Bolliger asked for questions and comments. The Chairman commented that he really liked the aluminum markers and asked how the decision had been made to use this style. Ms. Liccese-Torres explained that this was the traditional County marker style and used less frequently in lieu of the tabletop-style markers which allow the inclusion of images, maps, graphics, photographs, and more text. She said on receipt of marker requests, however, the Historic Preservation staff preferred to honor the desire of the requester in terms of the style. Ms. Martinez explained that given the lack of images for the stop, it was decided that an aluminum marker would be best. The Chairman thanked Ms. Martinez for her explanation and said he approved of the marker. Mr. Laporte pointed out that he did not know where Livingstone Heights was, and an identification was recommended. He added that in the last paragraph the use of “Livingstone Heights” and “Livingstone Station” interchangeably implied those were two different stations in addition to Lyonhurst Station, which was confusing. The Chairman asked about the status of the proposed language. Ms. Martinez replied that edits were welcome to clarify the language.

The Chairman asked for further comments. Hearing none, he discussed making a motion which would allow additional edits after the meeting. The Chairman made the following motion:

I move that the HALRB approve the Livingstone Station Historic Marker with the proposed text to be determined.

Ms. Garner seconded the motion. The Chairman asked if the language was sufficient and staff agreed. The Chairman asked Ms. Liccese-Torres to read the roll. The motion passed unanimously 12-0.

Discussion Item: Febrey-Lothrop Property (6407 Wilson Boulevard) Local Historic District Nomination

The Chairman explained he would introduce the item, invite Ms. Farris to discuss some of the research completed, and then invite public speakers in the order they signed up to speak.

The Chairman recapped that the HALRB had first discussed the Febrey-Lothrop Estate designation request in November 2020 and had directed staff to move forward with researching the property with a report expected in six months and an interim report in three months. In the intervening time, the Chairman explained that access to the property had not been granted to staff for full documentation and that the owners had applied for demolition permits for the main house and the accessory structures (the permit was pending review). He followed that the previous week neighbors had reported that it appeared that the roof was being dismantled and a County inspector issued a Stop Work order. The Chairman stated it appeared clear to him that there was a substantial risk the property would be damaged or destroyed. He explained that the statute [County Zoning Ordinance] allowed, if a historic structure was at risk of being damaged or destroyed, the HALRB to make a finding of historic significance in advance of a full study. The Chairman explained that he and the staff agreed to review the substantial information already in the public record about the property, including the 2009 Traceries study on file with the Virginia Department of Historic Resources. He believed there was enough to make a finding of significance in advance of any additional research effort.

The Chairman invited Ms. Farris to provide the report on the significance of the property according to the Arlington County Zoning Ordinance criteria. Ms. Farris explained that the HALRB would need to determine two things: 1) if the property potentially meets at least two of the eleven designation criteria outlined in §11.3.4.A.6 of the Arlington County Zoning Ordinance and which specific criteria; and 2) if the proposed local historic district nomination should continue through the designation process. She followed, that based on the nomination application form, as well as the robust amount of information available in the historic record, staff found that the Febrey-Lothrop property potentially meets eight of the designation criteria (A, B, D, E, F, H, J, and K), specifically:

A. The property is listed or is eligible for inclusion in the National Register of Historic Places (NRHP);

The National Register Criteria for Evaluation define the scope of the NRHP. The subject property is eligible for its representation of local history, association with individuals significant to local history, for architecture, and for archaeology. Staff identified a proposed period of significance of ca. 1855, when the Febrey-Ball family purchased the property, to 1971, the latest date that the property can achieve significance within the past 50 years.

B. The property has character, interest, or value as part of the development, heritage, or cultural characteristics of the county, state, or nation;

The property is significant at the local level for its agricultural history in Arlington County during the mid-to-late 19th century, and its transition into a country estate.

D. The property is associated with a person or persons who significantly contributed to the development of the county, state, or nation;

Staff found that the subject property is associated with locally significant persons including John E. Febrey and Mary Frances Ball in 1855, both members of two prominent Arlington County families, and Alvin Mason Lothrop, a co-founder of Woodward and Lothrop, a Washington, D.C., department store chain.

E. The property embodies distinguishing characteristics of an architectural style valuable for the study of a period, type or method of construction;

Staff found that the main house and accessory buildings are significant for the high-style Colonial Revival design. Ms. Farris also stated that the property is one of the few remaining examples of a once agricultural property that transitioned into a summer retreat.

F. The property is identified as the work of a master builder, architect, or landscape architect;

Staff found that the house is associated with Victor Mindeleff, whose designs were influenced by his time as an architect with the U.S. Life-Saving Service, predecessor to the U.S. Coast Guard. The subject home is the only known example of his work in the County, and possibly Virginia.

H. The property has a distinctive location, or singular physical characteristics that make it an established or familiar visual feature;

Staff found that the property has a distinctive location along Wilson Boulevard and is a familiar visual feature of the surrounding community. Additional features include the large open green leading up to and surrounding the main dwelling providing uninterrupted views of the property, the fieldstone gate, and long driveway which establishes the prominence of the site.

J. The property has the potential to yield information important to the prehistory or history of the county, state, or nation; and

Based on available research sources, staff found that there is high potential for intact archaeological artifacts from the mid-19th century that relate to the property’s agricultural history, and/or the encampments of both Union and Confederate troops during the Civil War. Since the property has seen little development, other than for agricultural purposes, there is a possibility that it could contain artifacts from pre-European occupation. However, this is uncertain because an archaeological survey has never been completed of the property, and there is some indication that the area was not used as a permanent Indigenous settlement but as hunting ground.

K. The property is suitable for preservation or restoration.

Based on photographs from the public rights-of-way, staff found that the property could be suitable for preservation as it has only moderate signs of deterioration on the exterior. However, the structural conditions of any of the buildings are unknown.

Next, Ms. Farris explained that the applicability of criteria G and I was unknown as staff had not been able to access the property.

G. The property embodies elements of design, detailing, materials, or craftsmanship that render it structurally or architecturally significant.

I. The property is a particularly fine or unique example of a utilitarian structure representing a period or style in the commercial, industrial, or agricultural development of the county, with a high level of historic integrity or architectural significance.

Lastly, Ms. Farris noted that staff did not believe criterion C (“**The property was the site of a significant local, state, or national event**”) applied.

The Chairman asked Ms. Bolliger to introduce each of the public speakers. Ms. Bolliger said seven people had registered to speak and she called the first speaker, Tom Colucci.

Public Speaker 1: Thomas Colucci

Mr. Colucci stated he was speaking on behalf of the property owners, and that as stated at the November [HALRB] meeting, the landowners were adamantly opposed to designation. He explained that the property was being marketed for sale and these [designation] proceedings had deterred everyone who had shown interest. Mr. Colucci stated that any action taken would devalue the property. He said the trustees under the trust have a fiduciary duty to sell the property for the highest price that they can get and thus are adamantly opposed to any designation. Mr. Colucci candidly said that the plan for the buildings was demolition and then a sale of the land. He invited any questions; hearing none, the Chairman asked Ms. Bolliger to call the next speaker.

Public Speaker 2: Peter Vaselopoulos

Mr. Vaselopoulos thanked Ms. Farris for her thorough presentation and highlighted how the place had local, state, and national history. He mentioned the 2009 Traceries survey which identified Arlington as an area of potential Native American inhabitation and that the whole area of Dominion Hills had been inhabited by the Algonquin people. Mr. Vaselopoulos stated he believed there was a good opportunity in designating the property to allow the citizens of Arlington to take the time to understand how best to develop the property so that all would benefit, taking into account the open space attached to the estate in addition to the opportunity to preserve history. He urged the commission to consider successful historic properties in nearby localities such as Historic Blenheim [in the City of Fairfax]. He thanked the board for

its consideration and suggested an objective view of the project to identify what was best for the community.

Public Speaker 3: John Reeder

Ms. Bolliger next called on John Reeder. He introduced himself as an Arlington resident and preservationist. He thanked the board members for their service and recommended voting for designation without guidelines and forwarding their recommendation to the County Board immediately. He explained how the landowner had begun work to demolish the building, proving a threat to the property. Mr. Reeder stated therefore that under the County [Zoning] Ordinance, the board [HALRB] was obligated to send its recommendation forward without guidelines or further staff study. He praised the Febrey-Lothrop-Rouse Estate and said there was a petition signed by over 1,000 people supporting preservation of the property. He thanked the board on behalf of the people of Arlington County.

Public Speaker 4: Audrey Clement

Ms. Bolliger next invited Audrey Clement. Ms. Clement introduced herself and applauded the commission's effort to try to designate the property but raised a concern that it had not been done previously. She stated that at the January 23rd County Board meeting, County Attorney Stephen MacIsaac had said that trying to get designation at this late stage was a race against time. At the same meeting, she said County Board member [Chair] Matt de Ferranti stated that purchasing the property was cost prohibitive. [A profanity was heard, and the Chairman asked all attendees to mute their microphones if they were not speaking and Ms. Liccese-Torres reminded all in attendance that the meeting was being recorded and would be posted to the County website.] Ms. Clement continued that in the Public Spaces Master Plan, the County had committed to purchasing 30 acres of land over the subsequent 10 years. She explained that the County would have to spend money to maintain this goal, and therefore why not the Rouse land and house, unless the County had made the pledge in bad faith? Ms. Clement reminded the HALRB that in 2015 the County demolished the Wilson School in Rosslyn while the Post Office Pavilion was being lavishly remodeled in Washington D.C. She continued that the Wilson School had been designed by a noted architect and visited by President Woodrow Wilson. Ms. Clement stated that President Biden had called President Trump an embarrassment but at least President Trump had kept his commitments. She said that Arlington County had made a sham of its commitment to historic preservation and park-planned acquisition manifesting a lack of cultural appreciation which would embarrass even Donald Trump.

Public Speaker 5: Tom Dickinson

Ms. Bolliger next called on Tom Dickinson. He thanked the HALRB members for their time in considering the Febrey-Lothrop Estate designation. He said he agreed with the Chairman's opening comments, and that they were now in a race against time between the issuance of the demolition permits or the local historic district designation approval by the County Board. Mr. Dickinson stated the County Attorney had cautioned that demolition permits could be approved quickly whereas local historic district designation could take much longer; which is why he was appealing to the board to expedite this as much as possible. He said he had submitted the [designation] application [for the subject property] a year prior and that the unique nature of the property merited attention. Mr. Dickinson explained he was surprised to hear how many of the designation criteria the property met and it reinforced how important the property was -- for all generations of Arlingtonians, for green space, for recontextualizing the Civil War, for the Native American presence, not even including the more recent history of the Febrey, Lothrop, and Rouse families. Mr. Dickinson followed that once excavation begins, it was entirely possible that human remains would be found, the house having been used as a hospital. He concluded by reiterating the many interesting and valuable histories the home represented, making it worthy of the commission's vote of support as a local historic district.

Public Speaker 6: Luke Burke

Ms. Bolliger next invited Luke Burke. He thanked the commission for the opportunity to speak and introduced himself as a resident of the Bluemont neighborhood. He explained that some of his historic research on the house had been circulated to the Board; he summarized by saying that there were drawings, articles, and letters that provided evidence that the house was older than commonly thought and that part of the pre-Civil War house might still exist in the rear ell [of the existing main house]. Mr. Burke stated the property was unique as the only known Union and Confederate army outpost, campground, and hospital in Arlington and he was not aware of other properties in Virginia that fulfilled all those categories. Mr. Burke argued that it also qualified as Category I in that the month that Confederates were nearby, General George McClellan was duped by fake cannons and fortifications at several locations including Munson's, Mason's and Upton's Hills, synonymous with the Febrey-Lothrop Estate. He stated thousands of Union soldiers trained in the area and retreated to safety here after the Second Battle of Bull Run. He also described the property's use as a farm and summer retreat described in detail by the Traceries report. Based on those claims and the many other reasons discussed, Mr. Burke urged the HALRB to vote in favor of designation of the property.

Ms. Bolliger next invited the seventh and final speaker, Chris Tighe. However, she said that he had explained to her that he might not be able to attend and if not, had given Ms. Bolliger permission to read a comment into the record on behalf of the neighboring Boulevard Manor Civic Association (BMCA). Ms. Bolliger read the following statement: "BMCA as a whole would object to designating this area a historical site. We have a lot of experience with this due to Reevesland and locking this area up for no development just does not make sense. There is also no substantive plan of action even after if it was designated. In addition, I do think this usurps private property rights in a very unfair manner. There is no real (except coincidental or collateral) historical significance to this property and would be put to a far far better use as either housing or reasonable mix-use. We do however, stand with our partners in Dominion Hills Civic Association to keep lots on this property designated as R-6."

Ms. Liccese-Torres asked Ms. Bolliger if any final public comments had been received after the deadline to circulate them to the HALRB in advance; if so, these would need to be read into the record. Ms. Bolliger explained that all received written comments already had been circulated to the HALRB and none had missed the circulation cutoff. Mr. Dickinson asked for clarification on whether his petition and copy of the 2009 Traceries report had been circulated to the HALRB. The Chairman responded that anything he had personally received [via e-mail] he had not circulated as he assumed it also had been sent to staff, who would have circulated it if they had received it. The Chairman followed that he would circulate the petition to the Board.

The Chairman closed the public comment period and opened the discussion to the Board, explaining that there were three potential motions:

- 1) To vote on the finding that the property was in imminent danger, permitting the Board to act in advance of a complete study with design guidelines.
- 2) Assuming the first motion passed, the second motion would be to approve the designation criteria recommended by staff.
- 3) If that passed, amended or otherwise, the commission would vote on a designation of the property or some elements within the property and then send that recommendation to the County Board.

Mr. Dudka stated he walked around the property [not on the property itself] and saw from the right-of-way that part of the roofing had been removed on the main house and garage structure. He noted that while the roofing paper appeared to be intact on the house, the roofing sub-material was visible on the garage structure. He explained that this meant both structures were in a great deal of danger in the case of significant rain and he believed the properties were in imminent danger. The Chairman agreed and stated

it seemed untoward that the roof was being taken apart subsequent to a demolition permit being filed but before it was approved.

The Chairman announced he would call on every HALRB member to ensure that each commissioner was able to provide their opinion. Mr. Craig agreed the news of the roof removal had made it apparent that the building was in imminent danger due to the destructive nature of water damage.

The Chairman invited all commissioners to also comment on the historic significance of the property. Ms. Gwin stated she believed it was historically significant and in imminent danger but was concerned that the designation issue was being conflated with the land use issue. She said she understood that this hearing had become a forum for citizens concerned about public space but explained that any designation decision would be based on historic significance and not community use. The Chairman thanked Ms. Gwin and agreed that while the property had been recognized as a generational opportunity [in the County's Open Spaces Master Plan], it was not the HALRB's responsibility. The Chairman also mentioned an interest on the part of Arlington Public Schools for their purposes, and other entities; however, given the suggested purchase price of the property, the County had made it clear that it could not afford to buy it. The Chairman agreed that the decision in front of the commission was not necessarily to protect the entire property but [perhaps] to protect some of the structures, especially the house, and part of the viewshed, depending on the discussion.

Ms. Lawrence agreed with staff that the property was historically significant and that once a physical survey was possible, additional criteria could be met. She said it was unfortunate they were meeting at this particular point in time, but it was in front of the commission now and they were able to take action. Ms. Lawrence said it was distressing that demolition had begun without permission. Mr. Colucci interjected that the asbestos contractor thought he had a permit and believed he was authorized to begin work. He continued, stating that when it was discovered that he did not have permission, the contractor was instructed to seal the roof from the elements. Mr. Colucci apologized for the confusion but reiterated that the [main house] roof had been sealed. Ms. Lawrence thanked Mr. Colucci for the explanation and noted it was unfortunate that the miscommunication had happened and that knowing about it earlier would have been helpful. She continued, stating there was no doubt that the property had historic value and the Board should proceed to designate the property. Ms. Lawrence said the acreage would need to be debated but she believed there was a way to designate the property which would allow for development.

Mr. Davis asked how designation would preclude the construction of a school or park on the land. The Chairman asked Ms. Liccese-Torres to elaborate. Ms. Liccese-Torres replied that if the HALRB chose to [recommend to] designate the entire property and sent that recommendation to the County Board, and then the County Board agreed to designate the entire property -- new construction, exterior modifications, and demolition -- would be subject to HALRB review and approval. She further stated that this would not mean the property would be stuck in time; new construction and new uses could be permissible provided that everything followed through the County Zoning Ordinance processes.

Mr. Dudka stated that based on his review, the buildings were remarkable structures and the architect had an association with the predecessor of the U.S. Coast Guard, which would explain why one of the accessory buildings resembled a light house. Mr. Dudka noted the [architectural] style elements of the shingle style similar to some projects by McKim, Mead, and White; from a stylistic standpoint, he thought the house and the accessory buildings were significant structures. He explained that as an ensemble, the structures were stunning and losing them would be a detriment to the County. However, Mr. Dudka said he did not believe that the Board should try to negotiate how little of the land the commission could get away with saving via a designation because precedent examples [of local historic districts] such as Broadview had lost the context of the house. Mr. Dudka recommended not trying to restrict too much of the [proposed] historic district especially given the information shared by Ms.

Liccese-Torres that a local historic district designation did not preclude development. The Chairman agreed and added that if the Board chose to pass an expansive resolution [for a local district boundary] that the County Board could reduce it if they wanted to, and that the HALRB should not feel pressured to reduce the recommended boundary if they believed the stated history warranted designation of the entire parcel.

Ms. Garner agreed with all the eight criteria described by Ms. Farris and she stated she would be in favor of forwarding the entire property to the County Board for designation. Ms. Hamm agreed the entire property should be considered for local historic district designation because as Ms. Liccese-Torres pointed out there could be flexibility for the land use once the designation was established. Mr. Wenchel also stated that the commission should recommend the entire property and then decide what to do moving forward. He thought there was enough indication of valuable archaeological evidence and that the site met many [of the local designation] criteria and should be saved as an entire complex to provide contextual setting. Mr. Wenchel concluded, saying until it was possible to identify what was present on the site that the entire estate should be designated.

Mr. Laporte announced he had received an email from Mr. Dickinson that morning that the Board of Directors of the Arlington Historical Society (AHS) had voted to present him with an honorary lifetime AHS membership worth \$1,000. He stated that the timing of the email was unfortunate and that to avoid any appearance of impropriety, he would have to abstain from the vote on this item. Mr. Laporte explained he also had received a call from Cathy Hix, AHS President, stating that the timing was purely coincidental, and he was reassured that it had been an accident. Mr. Laporte continued, stating he had read the materials very closely and appreciated the material from Mr. Burke with the drawings of Civil War soldiers. He then asked staff if the Civil War events identified on the land constituted ‘important events’ under Criterion C [of the local designation criteria]. Ms. Liccese-Torres replied that this nomination was atypical in the thoroughness of the research that staff had been able to achieve before presenting to the HALRB; normally such designation requests would have gone through rigorous research and fact checking. She continued that staff interpreted ‘important events’ as singular events on specific dates such as lunch counter sit-ins or famous speeches. Therefore, Ms. Liccese-Torres stated that since staff had not yet been able to thoroughly study the site’s history to the point of identifying individual moments of note, this criterion could later be found to apply to the property but such a claim could not be substantiated yet.

Mr. Laporte said that if this were a court case, the board would be seeking a preliminary injunction, but this was not an available procedure. He said he was concerned that the evening’s decision would need to be final, however commissioners were discussing revisiting the decision once additional research had been completed. Ms. Liccese-Torres clarified that if the HALRB did take an action [this evening], it did not mean that the designation was final; the HALRB would be making a recommendation to send forward to the County Board. She said additional documentation compiled throughout the [designation] process could still be added to the record for future review by the County Board.

Mr. Laporte stated it was noteworthy that he remembered few other instances when the County had designated a property [as a local historic district] against owner consent and that this would be an important milestone. He said that if the HALRB appeared to be a body which went against property rights without a very strong rational basis, then it might be detrimental to the program in the public opinion. The Chairman responded that if any property slated for development which was thought to be historic, valuable, and worth protecting came up for discussion, the HALRB would not be doing its job if it did not make a decision one way or another. Ms. Liccese-Torres clarified that the County Board had designated a local historic district against owner consent, most recently in the 1990s associated with Buckingham Village. She continued that the County Board did have the authority [to designate without owner consent] by state statute but that it had not been done often or lightly. The Chairman remembered that when

Maywood was designated as a local historic district, significantly fewer than 100% of the homeowners voted for designation, although all the community had benefited from the overlay.

Ms. Rogers agreed that this [designation request] was an important matter and she concurred with the other board members' opinions. Mr. Aiken stated his questions already had been answered by other board members. He said he believed the property was historic and he would support historic designation. The Chairman asked for further comments [from the Board]. Mr. Craig thanked the staff for their evaluation of the designation criteria and agreed that the property had historic value. Ms. Lawrence stated that while the Board did not have all the information about the property, they had a good amount and enough to make a decision based on the [local designation] criteria outlined.

Hearing no further questions of comments, the Chairman proposed the following motion:

Motion #1: Arlington County Zoning Ordinance Section 11.3.4.A.8 finding

“Whereas, on April 30, 2020, the HALRB received an application pursuant to Arlington County Zoning Ordinance Section 11.3.4.A requesting local historic district designation for the Febrey-Lothrop property at 6407 Wilson Blvd., Arlington, VA.

Whereas on November 18, 2020, the HALRB held a preliminary public hearing to consider the designation request and adopted the following unanimous motion: *The HALRB will direct staff to undertake an analysis and research of the built structures and grounds [of the Febrey-Lothrop property] for potential [historic] designation and to make findings of significance and under which [designation] criteria. The duration of this will be approximately six months and staff will give a schedule update to the Board in three months.*

Whereas, staff have not yet gained access to the property for the purposes of a documentary survey.

Whereas the property owner applied for a County permit to demolish the historic Febrey-Lothrop house and outbuildings, and that permit application is currently pending administrative review.

Whereas on January 15, 2021, it was revealed that workmen at the property were dismantling the roof of the house. This action resulted in County issuance of a stop work order, pending issuance of the appropriate permit.

Whereas by these actions, the owner has given every reason to believe that demolition will be expedited as soon as a permit is received.

Be it resolved that the HALRB finds, pursuant to Subsection 11.3.4.A.8 of the Arlington County Zoning Ordinance, that the Febrey-Lothrop house located at 6407 Wilson Blvd, Arlington VA is “at substantial risk” of being “damaged or destroyed” and therefore the HALRB must move expeditiously to protect the threatened historic resources on the property.”

Ms. Hamm seconded the motion. Mr. Laporte asked for clarification whether the statement regarding the January 15 dismantlement of the roof was necessary as Mr. Colucci had explained it was an accident and the HALRB therefore would be including a statement regarding imminent danger which was not actually representative of imminent danger as it had not been meant to dismantle the property without permission. The Chairman stated that no matter the intention, the action had occurred, but he invited Mr. Laporte to edit the motion. Mr. Laporte suggested that the paragraph about the roofing be stricken [from the motion] as evidence that the house was in immediate danger. Ms. Gwin interjected that she disagreed, and that the

presence of an asbestos contractor indicated the owners planned to do work. She continued, stating the occurrence of that work indicated the readiness of the property owners to move forward with demolition and indicated imminent danger. Ms. Liccese-Torres asked the Chairman to call for a second on Mr. Laporte's proposed amendment before debate of the motion. Mr. Davis seconded Mr. Laporte's amendment to the original motion. Mr. Dudka explained how when he had toured the property from the right-of-way, while the house roof may have been secured the garage building had certainly not been secured; this was evidence that work had started with an intent to take these buildings apart. Mr. Wenchel objected to Mr. Laporte's amendment and supported the Chairman's original motion.

The Chairman asked for final comments. Hearing none, he asked Ms. Liccese-Torres to call the roll on Mr. Laporte's amendment. The proposed amendment to the original motion failed, 2-10 [Mr. Laporte and Mr. Davis voted in favor]. The Chairman then presented the original motion, asked for final debate, and then asked Ms. Liccese-Torres to call the roll. The original motion passed 11-0-1; Mr. Laporte abstained.

Motion #2: Designation criteria finding

The Chairman next discussed the [applicable local historic district designation] criteria as enumerated by Ms. Farris. He proposed a second motion as follows:

“Pursuant to the authority provided in Section 11.3.4.A.6 of the Arlington County Zoning Ordinance, the HALRB finds that the property including the homes and structures at 6407 Wilson Boulevard meet the following local historic designation criteria, specifically criteria A, B, D, E, F, H, J and K.”

Ms. Garner seconded the motion. The Chairman asked for comments. Hearing none, he invited Ms. Liccese-Torres to call the roll. The motion passed 11-0-1; Mr. Laporte abstained.

Motion #3: HALRB recommendation on designation request

The Chairman then introduced the third question, whether to recommend to the County Board the establishment of an LHD overlay on the property and the extent of such an overlay, including the entire property, all the structures, or only some of the property. He commented that the discussion had indicated that the Board felt that the entire property should be submitted to the County Board for consideration, but he wanted to confirm this before proposing a motion. The Chairman invited comments from the Board.

Mr. Davis suggested that recommending the entire property seemed unwarranted given the indication that the majority of the [historic] activity happened close to the house and outbuildings, and he thought the paper lots could be excluded from the recommended overlay. Ms. Gwin agreed, and posited that recommending the entire estate might increase the possibility that the County Board turn down the [designation] request. She continued, stating she was not sure if a full [staff] study would indicate that all the land should be included in the recommended LHD and she would support a more restricted overlay including the approach, main house, and outbuildings. Mr. Dudka asked to see a plat of the entire property, which the staff projected onto the screen. Ms. Bolliger pointed out the 11 paper lots on the east side of the current estate [along North Madison Street]. Ms. Liccese-Torres reminded the commission that the current estate included 15 total lots.

Mr. Dudka agreed with Ms. Gwin and said he would be willing to exclude the paper lots. Mr. Aiken agreed with Mr. Davis and Ms. Gwin's concerns about over-designating. Ms. Lawrence asked about an item on the map and Mr. Colucci confirmed that it was a swimming pool. Ms. Lawrence agreed that she believed a LHD could be achieved without the paper lots and she supported sending the designation forward without those lots.

Ms. Liccese-Torres asked Mr. Colucci to identify the outbuildings working up from the main house. Mr. Colucci replied that one was a caretaker's house, and the building in the rear had the tower and the building in the middle was the garage. The Chairman asked for confirmation that there seemed to be consensus around sending a recommendation for the estate excluding the paper lots along [North] Madison Street. Ms. Hamm, Mr. Craig, Mr. Davis, and Mr. Aiken agreed.

The Chairman proposed the following motion:

“Whereas the HALRB discussed different boundary options for the creation of the local historic district overlay boundary on the property at 6407 Wilson Blvd,

Whereas the discussion included designating the entire property, or certain parts of the property including all of the structures on the property,

Be it resolved that pursuant to the authority provided in Section 11.3.4 of the Arlington County Zoning Ordinance, the HALRB finds that all of the structures and the property in its entirety, except the 11 paper lots fronted on North Madison Street, shall be recommended to be designated as a local historic district overlay, and the HALRB further requests that the Arlington County Board's consideration of this recommendation be expedited to obviate the documented threat to the historic resources on the property.”

The Chairman asked for comments and confirmation from staff that the motion was complete. Ms. Liccese-Torres read back the motion to confirm. Mr. Wenchel seconded the motion. The Chairman asked for final discussion and hearing none, asked Ms. Liccese-Torres to call the roll. The motion passed 11-0-1; Mr. Laporte abstained.

The Chairman stated he was pleased with the outcome of the deliberations. He asked staff what needed to be done to deliver the request expeditiously to the County Board and expressed concern that the buildings would be demolished as soon as the permits were approved. Ms. Liccese-Torres assured the Chairman that she would notify the County Manager tomorrow to convey the outcome of the HALRB meeting. The Chairman thanked staff for making this item a priority given his concern that the matter be considered expeditiously.

The Chairman thanked staff and asked for final questions. Ms. Liccese-Torres thanked Mr. Davis, Ms. Rogers, Mr. Aiken, and Ms. Garner's research efforts. The Chairman thanked the commission and adjourned the meeting at 7:33 PM.