



TOWN OF WARRENTON

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**MINUTES
ARCHITECTURAL REVIEW BOARD
TOWN OF WARRENTON
February 26, 2015
7:00 P.M.**

The regular meeting of the Town of Warrenton Architectural Review Board (ARB) convened on February 26, 2015 at 7:00 PM in the Municipal Building.

Dr. Melissa Wiedenfeld, Chair, called the meeting to order and a quorum was determined. The following members were present: Mr. Jay Tucker, Dr. Carole Hertz, Mr. Steve Wojcik, Mr. Carter Nevill, and Mr. Jerry Wood, Town Council Representative. Ms. Sarah Sitterle, Director of Planning & Community Development represented staff.

Purpose Statement

Dr. Wiedenfeld stated the Purpose of the Architectural Review Board; Statement of Qualifications of Architectural Review Board to be: The Board makes a decision on applications in order to preserve the character of the Historic District of the Town of Warrenton on behalf of the Town of Warrenton. Decisions of the Board are based upon the Historic Guidelines and a decision for each application is made based upon its own merits. Those decisions do not constitute precedence for any future decisions.

Approval of Minutes

Dr. Wiedenfeld asked members for any changes or additions to the minutes of the January 22, 2015 meeting. Mr. Wojcik asked that the following additions and/or corrections be made:

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Item number 3 include the following wording at the end of the paragraph *including sufficient security to prevent unauthorized entry.*

Item number 4 include the following wording at the end of the paragraph *or - "unpainted or pressure treated wood".*

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Item number 6 include the following sentence at the end of the paragraph *We have in the past approved privacy fences where screening was not incompatible adjacent land uses but merely for privacy.*

Page 6

Item number 7 - Third paragraph. Remove the following wording *the fire of*.
At the end of the paragraph, add *when the deadline is up*.

Mr. Tucker made motion to approve the minutes with noted revision, Mr. Nevill seconded the motion, and the motion passed.

OLD BUSINESS

A. Certificate of Appropriateness 15-1. Replace window sign at 92 Main Street, Suite 103. Susan Royston, applicant.

Ms. Susan Royston owner of Bella Vita Skincare & Spas was seeking approval of replacement of existing window vinyl lettering sign. She stated the new sign would reflect the charm and grace of the historic district of Warrenton and was a reflection of her growing business and a response to her clientele request for a more visible sign.

Ms. Sarah Sitterle stated that the request meets the requirements of the Zoning Ordinance and Warrenton Historic District Guidelines and staff recommended approval with no conditions.

Mr. Tucker suggested the sign be placed down a few inches and not be mounted tight to the top of the glass to make it more attractive to the storefront.

Dr. Hertz stated she had no problems with the sign.

Mr. Wojcik stated he was okay with the sign.

Mr. Carter Nevill stated as follow-up to Mr. Tucker's suggestion, he recommended the applicant also consider the spacing and balance between the two boutique signs.

Dr. Wiedenfeld asked if the sign background was going to be opaque.

Ms. Royston indicated the sign background would be silver nine-year premium vinyl.

Mr. Tucker stated in his experience silver color does not hold up as well as other colors and he suggested that any other signs placed on the window be on the inside as opposed to the outside.

Mr. Nevill made motion to approve the request of Ms. Susan Royston to install one window sign at 92 Main Street, Suite 103. These changes shall be consistent to Certificate of Appropriateness 2015-1 with the following conditions. The placement is an aesthetic appeal to the Be Boutique sign line and spaced down from the window jamb.

Mr. Tucker seconded the motion, and it passed unanimously with all voting in favor and none voting against the motion.

New Business

A. Certificate of Appropriateness 15-2. Install window signs at 46 Main Street. Katherine Johnson, applicant.

Ms. Sara Winkel attended as representative for the applicant, Katherine Johnson. Ms. Winkel stated she was the manager of Old Town Dancewear and was requesting on Ms. Johnson's behalf to install a vinyl decal on the window and door. The store logo would be on the window and store name would be on the door.

Ms. Sitterle stated that both signs on the window and door met the Ordinance and historic guidelines and staff recommended approval with no conditions.

Mr. Tucker congratulated the applicant on the design and shape of the sign. He asked if the sign on the door would be solid brown as shown with the application.

Ms. Winkel stated that had been changed to black and a letter had been received indicating that had been approved.

Mr. Tucker stated he was okay with the sign.

Dr. Hertz stated she was okay with the sign.

Mr. Wojcik stated he was okay with the sign.

Mr. Carter Nevill stated he was okay with the sign.

Mr. Wood stated he was okay with the sign.

Dr. Wiedenfeld asked if the sign would be on the outside or inside.

Ms. Winkel stated she was not sure.

Dr. Wiedenfeld asked if the letters would be painted or if a design would be behind the letters.

Ms. Winkel stated there would not be any background behind the lettering.

Dr. Wiedenfeld stated this was more historically correct.

Ms. Winkel stated the hanging sign would be black.

Dr. Wiedenfeld stated the pictures of the proposed signs on the inside of the glass would be historically correct.

Ms. Winkel stated she was not sure if it would be on the inside.

Dr. Wiedenfeld suggested to Ms. Sitterle that in the future staff ask about the location of the window sign.

Mr. Tucker made motion to approve the request of Katherine Johnson to install two window signs at 46 Main Street. Changes shall be consistent to Certificate of Appropriateness 2015-2 with no conditions.

Mr. Nevill and Dr. Hertz seconded the motion, and it passed unanimously with all voting in favor and none against the motion.

Work Session

A. ARB Administrative Criteria for Signs

Mr. Whitson Robinson, Town Attorney stated he enjoyed reading court transcripts and the comments that state strike that because it is always in the court transcripts. He indicated that Ms. Sitterle keeps him informed of issues that are coming before the Board.

Mr. Robinson stated that the ordinance puts window signs in the same category as wall signs but the guideline does not. He said he and Ms Sitterle had discussed some potential language changes for the Board to consider as part of the administrative sign approval assignment. In order to allow administrative approval level, the sign proposed has to meet administrative sign criteria. The language change will not be in conflict with the ordinance but meets the elements of the administrative criteria that allow staff to approve. He indicated that the process the ARB went through in order to get signs up quickly for businesses was the reason for the administrative process. Local merchants expressed concern over getting signs up so their clients knew where they were located. Mr. Robinson provided to the Board the proposed language for criteria and standards for administrative approval of signs. He stated public hearing was not required.

Dr. Wiedenfeld asked what the difference was in the language.

Ms. Sitterle stated that currently window signs are not included in administrative approvals. What is being suggested is that either one wall or one window sign be administratively approved if it meets the requirements of the area, which is no greater than 20 square feet, and in the Zoning Ordinance, the limitation is 25 square feet.

Mr. Robinson stated that is where the precedence comes from in that the Zoning Ordinance treats window signs the same as wall signs and this proposed change would be a continuation of that in the Guidelines, but it would still be required to meet the Zoning Ordinance requirements and administrative criteria.

Mr. Tucker stated the Board can provide some positive assistance to the business owners and he suggested that not everything go through administrative approval process and something be left for the ARB to help ensure the character of Old Town.

Mr. Robinson indicated that was the ARB prerogative but it is some carry over from the ordinance and precedent setting that window signs are treated the same as wall signs and from his perspective doing this would be just a continuation of the Zoning Ordinance and guidelines.

Mr. Wood asked Mr. Robinson if appeals from the ARB go to Town Council.

Mr. Robinson stated yes.

Mr. Robinson stated the administrative approval process was not for every sign and window signs to be approved administratively, unless they meet the same criteria as for hanging and wall signs. Anyone that wants to do something outside of those criteria is required to come before the ARB for approval. The administrative process is not a way to avoid the Board. It was the timing issue that local merchants had expressed as a concern. The concept of the administrative process is a way to allow merchants to display a sign that meets Ordinance requirements and the guidelines but if they want to do something different, they would still have to come before the Board. In the meantime, they would have a sign displayed. This allows the Board time to consider it and make suggestions. The process was designed to allow merchants to get signage up in a quick manner but not take away from the ARB. The ARB developed the administrative process and it took some time to establish it. The criteria are something that can be changed over time as needed.

Mr. Tucker expressed concern that all signs will begin to look the same, which would not be good for the town.

Mr. Robinson stated that the Board had that discussion when the administrative approval process was developed and some of the Board members wanted it and some did not want it. He said this was a policy issue the Board would need to make.

Dr. Hertz stated she found it confusing when she hears that there is structure that has to be followed, but the Board also has ability to make changes.

Mr. Robinson stated he was not implying changes for every applicant, but changes to the criteria for administrative process such as no borders and no signs more than two inches from the top. Changes made to the administrative criteria would then apply in the future to everyone.

Dr. Wiedenfeld stated the Board could add or change the criteria.

Mr. Robinson stated the sign companies have a standardized set of criteria that the ARB establishes and they understand that for these specific signs. If they want to go outside of those criteria then they must come before the ARB. If the Board decides to change the criteria because something new has come out and the Board wants to allow it as part of the administrative process, that can be accomplished.

Mr. Wojcik stated he was involved in the earlier discussions and development of the administrative approval process. At that time, the Board wanted to be able to approve signs quickly. The Board expressed concern over how much uniformity the administrative approval process would foster versus uniqueness of the signs. The Board felt if it was not in line with the historic guidelines and historic character of the town then it would come before the ARB. He indicated this process was voluntary and if people wanted to have a different sign, they could. Mr. Wojcik indicated he felt the administrative approval process allows for a good balance and was in favor of adding provisions for window signs because it was something that was not considered and an oversight when the administrative approval criteria was developed.

Mr. Nevill stated he agreed that based on the definitions established by the Ordinance and guidelines, window signs are appropriate for administrative approval and if there is anything questionable it would come before the ARB. The processes that are in place ensure those signs approved by staff are within the guidelines and the Board trusts the staff to follow those processes, and he did not feel like anything would slip by that would not meet ARB approval. In terms of uniformity, he stated he would like to see more creative signage but that is something that falls under the first amendment area. The Board does not have content specific guidelines and the Board's content is neutral as it should be and the degree of uniformity is a sad reflection of what is coming before the Board. There have been some good things that have come before the Board and he hopes that in the future there will be more so the town can get diversity and exciting storefront signage.

Mr. Robinson stated when the Board was in the process of developing the administrative approval process there was concern among the Board members that there would be too much uniformity.

Mr. Wood asked how the determination is made that something would be approved administratively.

Mr. Robinson stated those applications that meet a certain criteria such as design, materials and how to build a sign etc, those requests are approved administratively by staff and do not come before ARB. If the request deviates from those criteria then it has to come before the ARB.

Mr. Wood asked what if the Board does not want a certain request to be approved administratively.

Mr. Robinson indicated that was a concern both he and Ms. Sitterle had discussed. They did not want to take away the Board's authority, and when there was confusion over window and wall sign, it is up to ARB to make that decision not staff. Mr. Robinson stressed that neither he nor Ms. Sitterle wanted to take away from the Board and that was the reason he was coming before the Board. If the Board has already approved the administrative guidelines and someone's sign meets the elements associated with the criteria but the Board wants the applicant to appear before the ARB, this would be spot checking individuals and the Board would need a good justification for the request. Mr.

Robinson stated the Board would lose in court.

Dr. Wiedenfeld stated she and Mr. Wojcik were a part of the Board that developed the administrative approval process. She stated that if there is anything the staff has questions about, they bring it before the Board. If there is a business owner that puts up a sign and there is an issue Ms. Sitterle will inform the business owner it will need to come before the Board, but the business owner may decide to make changes in order to get the sign approval faster without coming before the Board. The process allows staff to bring it to the Board. The process allows a good balance in helping business owners get their signs quickly in the historic district while maintaining the guideline.

Mr. Robinson stated that from time to time he receives calls from Ms. Sitterle inquiring about a certain application and asking if it should go before the ARB. He expressed what a wonderful job Ms. Sitterle does with this as well as all the other hats she wears as a part of her position.

Mr. Wood indicated that if there is a problem Ms. Sitterle will bring it to the Board's attention and action.

Mr. Robinson stated that was correct.

Mr. Tucker asked if the italic text was to be added to the guideline text.

Mr. Robinson stated that he did not believe there would be any window sign applications in the future. He suggested that the Board review the proposed addition, come back to next Board meeting, and decide at that time.

Mr. Tucker stated the proposed wording states one sign. He suggested it be one sign per a 12-month period. Otherwise, there could be three signs that come in consecutively as one sign without ARB approval because each meets the criteria.

Mr. Robinson stated that it has to meet zoning requirements and that would have to be a policy decision the Board will need to make. If they are not allowed three signs under the Zoning Ordinance then the applicant would not be able to get it under this criteria but if they are able to get the three signs, then it has to be a policy decision for the ARB. Mr. Robinson stated the Board might want to review the proposed amendment, make changes and meet on this at next month's meeting.

Dr. Wiedenfeld asked how many signs staff had approved.

Ms. Sitterle stated less than 25 since the development of the administrative process.

Dr. Wiedenfeld asked if there had been any double dippers.

Ms. Sitterle stated there had not been multiple requests from the same applicants.

Dr. Wiedenfeld stated there were two options. Option one is vote on this proposed change

this evening or option two to discuss it at a work session at next month's meeting and make a decision at that time.

Mr. Tucker suggested a decision be made.

Dr. Hertz stated she agreed with Mr. Tucker because the change clarifies everything.

In looking at guidelines within legal right and with what is allowed, Mr. Nevill stated only allowing one sign to be administratively approved is an overreach and not consistent. He understood the Board has authority to make this decision, but wants to keep it consistent with what is on the paper and Board allows administrative approval of signs based on what fits the guidelines and administrative criteria. If applicant wanted two signs then they have to come before ARB. If it meets the criteria, he asked if there was precedent allowing only one and not two signs.

Mr. Robinson stated that was up to the Board to decide if there will be a limit on the number as long as it is consistent with State and local guidelines. The Board can approve as long as it meets the Zoning Ordinance.

Dr. Wiedenfeld stated the concern that one sign per business entity per year might be counter-intuitive because it is easier for the applicant to come before the Board if they want more than one sign. The reason for the one sign was to allow businesses to get set up quickly and the administrative approval method was developed.

Dr. Wiedenfeld asked for a motion.

Mr. Robinson stated Board could not vote in work session.

Dr. Wiedenfeld stated this would be placed on the agenda for the March meeting and a vote taken at that time.

B. Presentation by Town Attorney regarding order of business for the Board

Mr. Robinson stated that technically the Town of Warrenton charter states that the Town will follow the rules of General Assembly not Roberts Rules. In the past at Council retreats, they have suspended the rules of the General Assembly and followed Roberts Rules. Mr. Robinson stated that it makes no difference to him which procedures the Board follows. He indicated he did not know why the charter requires rules of General Assembly.

Mr. Robinson indicated that typically when there are public hearings the Council would follow motions and seconds. At public hearings, staff makes a presentation first and explains what the applicant has brought in. After the staff's presentation, the Mayor then invites the applicant to speak and present to the Council their position. During the staff and applicant presentation, the Council will ask questions. At the end of that discussion, the Council asks for public input, at the end of this, the Council asks for a motion, and once a motion is made, a second is required. After the motion is seconded, discussions

take place with the Board members. At that time, each Board member states his or her position for the proposal. At the end of the discussion, the chair is to ask for a vote. The general procedure is a motion is made and seconded and then discussion follows.

Dr. Wiedenfeld stated the Board wanted to have this discussion because they wanted to have things move in an orderly fashion. The Board had discussed procedures and agreed to go from person to person. Based on the description Mr. Robinson described of the Council procedure the Board is not far off from that procedure.

Mr. Robinson stated that the reason for having staff go first is it sets the stage and makes it easier for the applicant. He stated most applicants are not accustomed to speaking before a group, especially a legislative body and they do not know what to expect and having staff go first allows it to be easier for the applicant. He indicated that the ARB procedure was perfect.

Dr. Wiedenfeld stated that the procedure the ARB will follow would be staff would make their presentation first. The applicant will speak second and the Board will ask questions after the applicant's presentation. After all questions have been answered the chair will ask for a motion and at that time there will be another opportunity for discussion and then a vote will take place.

Mr. Robinson informed the Board that he would be glad to answer any questions they have and will be happy to come before the Board as long as he knows in advance. He provided to them his cell phone number (540-272-8745) and email address (whitsonrobinson@gmail.com) and stated texting is the fastest way to contact him.

C. Review of Warrenton Historic District Guidelines

Mr. Nevill stated that clarification on the guideline verbiage in terms of window signs and the word "painted" has caused questions. He suggested amending the guidelines to reflect contemporary materials and the fact that people no longer paint window signs anymore and he suggested the following wording "*they are painted inside the store window*" either to refer historically they had been painted or to state they are painted or applied directly on the store window. Mr. Nevill stated he had been reviewing guidelines of other jurisdictions and he found the wording *painted or applied* the common denominator. He suggested that the guidelines be revised and include *or applied* wherever the guidelines states *painted* so there is no confusion to the applicant or to the Board.

Dr. Wiedenfeld asked if the wording "*inside of*" the store window be removed so it could state "*inside or outside*".

Mr. Nevill stated he would advise that be done.

Mr. Tucker suggested wording "*preferred on the inside to be historically appropriate*" be included.

Mr. Nevill stated instead of using the word “preferred” he recommended using the word “encourage”. We need to be clear that the applicant knows it is not mandated.

Dr. Wiedenfeld suggested Ms. Sitterle draft wording and bring it to the Board for review at the next month’s meeting.

Dr. Wiedenfeld stated that she looked at Alexandria and Leesburg guidelines and she found nothing.

Mr. Nevill stated if the Board wants to see better and more creative signs that follow historic interest as well as creativity; the Board needs to start establishing some standards through future work sessions. The Board can improve the guidelines to give more suggestions and advice to the applicant as to what is ideal, what is appropriate and what the Board is looking for. He indicated there were some great examples of other towns as to what is good and what is bad and why. This approach would make it clear to the applicant so there is no confusion for the applicant or sign companies. The Board needs to improve the sign guidelines so it is more helpful for the applicant as well as to the Board.

Mr. Tucker stated he was not involved with the Board at the time the administrative approval process for signs was developed and he questioned why shapes (rectangular, round, square and oval) were the limited shapes for administrative approval. He asked why it was restricted to such mundane shapes and could not be shield shape or star shape.

Dr. Wiedenfeld stated at that time the Board wanted to address the needs of people who wanted their signs quickly and the Board did not want anything inappropriate for the historic district. A sign came before the Board, at that same time, that was approved but members of the Board felt it was a terrible sign for the historic district and it still is.

Mr. Tucker asked if a sign with a galloping horse could be administratively approved.

Dr. Wiedenfeld stated no. The Board made it simple so it is clear as to what is allowed.

Mr. Wojcik said it was important to remember this was a voluntary process and it does not prevent people from being creative and designing their own signs. The administrative process was developed as a way to allow businesses to get their signs quickly. During that time, the Board was seeing five or six signs at a time and he is glad the process has helped both the applicant and the Board.

Mr. Nevill made motion to adjourn the meeting and Mr. Tucker seconded.
The meeting adjourned at 8:10 p.m.

Minutes Submitted by
Dee Highnote