



**TOWN OF MIDDLEBURG
HISTORIC DISTRICT REVIEW COMMITTEE
REGULAR MEETING MINUTES**



Thursday, December 6, 2018

PENDING APPROVAL

The regular meeting of the Historic District Review Committee was held on Thursday, December 6, 2018 in the Town Hall Council Chambers, located at 10 West Marshall Street. Chairman Turnure called the meeting to order at 5:30 p.m.

PRESENT: William Turnure, Chairman
Punkin Lee, Vice Chair
William Anderson
Virginia Jenkins
Margaret Littleton
Linda Wright
Cindy C. Pearson, Council Representative

STAFF: William M. Moore, Town Planner
Rhonda S. North, MMC, Town Clerk

ABSENT: Tim Clites

Approval of Minutes

Committee Member Littleton moved, seconded by Vice Chair Lee, that the Historic District Review Committee approve the November 1, 2018 regular meeting minutes.

Vote: Yes – Committee Members Lee, Anderson, Jenkins, Littleton and Wright

No – N/A

Abstain – N/A

Absent – Committee Member Clites

(Chairman Turnure only votes in the case of a tie. Councilmember Pearson is a non-voting member of the Committee.)

New Business

COA 18-15 (S 18-13): Projecting Sign, Window Sign & Painting – 9 S. Madison St. – WW Monograms

Town Planner Moore noted that the original application had an issue with regard to the total combined area of the proposed signs in that they exceeded the allowable amount. He reported that the applicant had since reduced the size of the proposed window sign; therefore, the application was now in compliance with the zoning ordinance.

Mary Woodson, the applicant, reported that the window sign would be at eye level, centered on the door. She displayed a sample of the Carolina Blue color that would be used. Ms. Woodson opined that it would look good on the yellow building and noted that she was changing the trim color from red to the blue.

Committee Member Anderson moved, seconded by Committee Member Wright, that the Historic District Review Committee approve COA 18-15 (S 18-13) as submitted.

Vote: Yes – Committee Members Lee, Anderson, Jenkins, Littleton and Wright

No – N/A

Abstain – N/A

Absent – Committee Member Clites

(Chairman Turnure only votes in the case of a tie. Councilmember Pearson is a non-voting member of the Committee.)

COA 18-16: Pole Lights – 301 E. Washington Street – Masters of Foxhounds Association

Town Planner Moore reported that the light source was located inside the housing; therefore, the fixture met the Town’s standards.

David Norden, the architect for the project, explained that the proposed fixture was identified as #C in the application attachments and the pole was identified as #D. He advised that the fixture would be mounted ten feet high and would be shielded so light would not spill onto the street or the neighbor’s property.

Town Planner Moore reported that the site plans were approved, conditioned upon the HDRC’s approval of the light fixture.

Mr. Norden advised that the light would contain a photo cell so it would turn on and off automatically.

Committee Member Jenkins moved, seconded by Committee Member Wright, that the Historic District Review Committee approve COA 18-16, for lights at the Masters of Foxhounds Association.

Vote: Yes – Committee Members Lee, Anderson, Jenkins, Littleton and Wright

No – N/A

Abstain – N/A

Absent – Committee Member Clites

(Chairman Turnure only votes in the case of a tie. Councilmember Pearson is a non-voting member of the Committee.)

COA 18-17: Replacement Windows – 302 W. Washington Street

Chairman Turnure noted that the proposed windows met the Historic District Guidelines.

Katy Reed, representing the Middleburg Community Center, reported that the windows would be painted white. She advised that the three newer windows in the rear of the building, as well as the pie shaped windows on the sides, would not be replaced.

Vice Chair Lee moved, seconded by Committee Member Wright, that the Historic District Review Committee approve COA 18-17, a request of Katy Tyrrell Reed for replacement windows at 302 West Washington Street (Middleburg Community Center Tenant House) as presented.

Vote: Yes – Committee Members Lee, Anderson, Jenkins, Littleton and Wright

No – N/A

Abstain – N/A

Absent – Committee Member Clites

(Chairman Turnure only votes in the case of a tie. Councilmember Pearson is a non-voting member of the Committee.)

Discussion Items

Murals (continued)

Vice Chair Lee noted that a representative from the American Legion told her that they wanted to place a mural on their large blank wall.

Chairman Turnure suggested the Committee determine whether it wanted to allow murals. He further suggested that if it did not and believed there could be no exceptions, the Committee should develop language to that effect for inclusion in the guidelines, along with the reason. Mr. Turnure further suggested that if it did, it should identify a policy for their approval.

After some discussion, the members agreed they did not want to allow murals as they were not in keeping with the Historic District or the atmosphere of Middleburg, nor would they enhance it. It was noted that the Historic District only consisted of three blocks and should not be cluttered. The Commission discussed the appeal process should they deny a request for a mural.

Town Planner Moore reminded the members that they identified updating the Historic District Guidelines as a goal in their committee assessment. He suggested that in the meantime, they should draft a recommendation related to murals. Mr. Moore reminded the Committee that the Council adopted the guidelines; therefore, any changes would come in the form of a recommendation from the HDRC. He suggested this be done as soon as possible so they could get ahead of any applications that may be forthcoming.

After some discussion, the Committee agreed that Chairman Turnure and Vice Chair Lee should work with the Town Planner to draft policy language to the effect that murals were not appropriate for the Historic District and would not be approved for their consideration during their January meeting. It was suggested that the language be simple.

Committee Member Anderson moved, seconded by Vice Chair Lee, that the Historic District Guidelines be amended with specific language to say it was not the HDRC's policy to approve a mural in the Historic District, with the specific language to be forthcoming.

Vote: Yes – Committee Members Lee, Anderson, Jenkins, Littleton and Wright

No – N/A

Abstain – N/A

Absent – Committee Member Clites

(Chairman Turnure only votes in the case of a tie. Councilmember Pearson is a non-voting member of the Committee.)

January Meeting Quorum

Those members who were present indicated they would be present for the January meeting.

Miscellaneous

Vice Chair Lee reported that the Middleburg Exxon installed a neon lottery sign in their window.

Town Planner Moore advised the Committee that he would follow-up on this with the business owner.

There being no further business, the meeting was adjourned at 6:23 p.m.

RESPECTFULLY SUBMITTED:

Rhonda S. North, MMC, Town Clerk

HDRC Meeting Transcript – December 6, 2018

(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video of the meeting that is on the Town’s website – www.middleburgva.gov)

Bill Turnure: Tim is not going to be able to make it tonight. So we might as well bring this meeting to order. Welcome everyone. First order of business is a roll call. We can start with Mr. Anderson.

Bill Anderson: William Anderson.

Punkin Lee: Punkin Lee.

Margaret Littleton: Margaret Littleton.

Bill Turnure: Bill Turnure.

Linda Wright: Linda Wright.

Virginia Jenkins: Virginia Jenkins.

Cindy Pearson: Cindy Pearson.

Rhonda North: Rhonda North, Town Clerk.

Will Moore: Will Moore, Town Planner.

Bill Turnure: Thank you all. First item of business is the approval of our minutes from our November 1st meeting. Has everyone had a chance to read the minutes? Are there any additions or omissions to the minutes? If not, is there a motion?

Margaret Littleton: I make a motion that we approve the minutes of November 1, 2018.

Punkin Lee: Second.

Bill Turnure: All those in favor say aye.

Everyone: Aye.

Bill Turnure: Opposed say nay. Motion passes. Okay we got our action items. New business, Action item 4A, COA 18-15S18-13 dash 15 s 18 dash 13 request of Mary Kennon Woodson projecting sign, window sign and painting at 9 South Madison Street WW Monograms. Welcome Mary.

Mary Kennon Woodson: Thank you for having me.

Bill Turnure: Let's see if I can get this to work. Doing it.

Will Moore: So Mr. Chairman while you're doing that I will note that in my staff report I initially referenced an issue with the total combined area of the proposed signage but you have before you now a revised sheet that the applicant has provided this evening reducing the size of the proposed window sign

so that would if that sign were to be acceptable at that size it would then be in compliance. The total combined area.

Bill Turnure: Ok, ok, discussion?

Punkin Lee: I think it looks great. It's simple it's clean. Tells you what they are.

Bill Turnure: Tell me Mary, exactly where this is going right. Right on the door in the center of the door?

Mary Kennon Woodson: Apologies. This is a little not very clear but it would probably be right in the center of the front door window pane centered right about at eye level when you're standing at the door. Just to give folks an idea when they're standing in front of the store what it actually is the projecting signs great for oncoming traffic going north and south and also on the Main Street, but this gives people a chance to really understand what it is. And if you all have any recommendations you know happy to work with you on that. We just thought matching the the side would kind of give it a you know put together a look.

Margaret Littleton: Does she even have to have permission for that on the window?

Will Moore: She does.

Margaret Littleton: It's there now.

Bill Turnure: Well you know it's exposed to the street.

Will Moore: Right, yeah.

Mary Kennon Woodson: We had permission of the temporary sign.

Margaret Littleton: Yeah it's lovely. I went by it today.

Punkin Lee: Ditching the red would be nice. [inaudible]

Will Moore: And she did bring an actual color sample here so you can see.

Mary Kennon Woodson: This is from, sorry, this is from Quail Run Signs, John over there painted that for us to give you a better idea of you know, in person.

Margaret Littleton: Pretty.

Bill Turnure: Carolina blue.

Margaret Littleton: Yeah.

Mary Kennon Woodson: We're actually naming the store after my dad, Walter Woodson. He passed away last year and his favorite color was Carolina blue. That's kind of what gave us the idea and then we thought it would look good on the yellow buildings.

Margaret Littleton: Perfect.

Bill Turnure: Ok. And in the and you are painting the building as well? Did I get that right or not?

Mary Kennon Woodson: Just the trim. If you look at, not in front of you but there's a page that looks like this. So just the red trim would be blue.

Bill Turnure: OK.

Mary Kennon Woodson: Not the actual.

Bill Turnure: Not the stucco. OK. Right. [inaudible].

Bill Anderson: Will?

Will Moore: Yes, sir.

Bill Anderson: If the sign was on the back side of the door would they have to come for approval?

Will Moore: On the back side.

Margaret Littleton: Yeah.

Will Moore: Anything that's in the glass is, correct. If it were if it were on an easel and set back in a couple of feet from the door then no. So it's a little tricky that way. Yeah.

Bill Turnure: Any further discussion. Is there a motion? Hit the arrow, upper left.

Bill Anderson: I'll make a motion. COA 18-15 S 18-13 to approve as submitted.

Bill Turnure: Is there second?

Linda Wright: Second.

Bill Turnure: There's 3 seconds.

Linda Wright: 3 seconds.

Bill Turnure: Is that a third then or no. All those in favor say aye.

Everyone: Aye.

Bill Turnure: Opposed say nay. Motion passes. Thank you Mary.

Mary Kennon Woodson: Thank you very much for having me.

Bill Turnure: Good luck.

Mary Kennon Woodson: Let me know if there's anything...

Margaret Littleton: When will you open?

Mary Kennon Woodson: We're hoping before Christmas so we can get some buzz that way. But.

Margaret Littleton: Good.

Mary Kennon Woodson: Yeah that would be. That's our hope so.

Margaret Littleton: Good.

Bill Turnure: Go for it.

Mary Kennon Woodson: Thank you. [inaudible]

Bill Turnure: You do the same and have a nice holiday.

Will Moore: I'll email you tomorrow so you have a record.

Mary Kennon Woodson: Thanks Will.

Will Moore: Thank you.

Bill Turnure: Ok. The next action item is action item 4B COA 18-16 request of David Norden AIA for pole lights at 301 East Washington Street. Masters of the Foxhound Association. Welcome David.

Will Moore: So, Mr. Chairman before we get going here. Likewise with this application I noted a potential issue in my staff report regarding the location of the light source within the fixture that has since been clarified. I've had some communication since the report was issued with Mr. Norden. He provided some information from the manufacturer and the light source itself is actually up in the housing so it would meet the ordinance standard that the shield is, the light sources above the horizontal level of the shield.

Bill Turnure: That was the question I had as well. So the fixtures C, David, and then the the post is D, is that my understanding? Is that correct?

David Norden: That's correct. Yes.

Margaret Littleton: You okay?

Bill Turnure: I am. I'm not contagious. [laughter] [inaudible] I'd be happy to leave. [laughter][inaudible] Oh OK. I'm sorry. Get back to the application at hand the, how many fixtures are there David, there's six?

David Norden: Six.

Bill Turnure: There's six of them.

David Norden: Okay. So they're mounted 10 feet high.

Margaret Littleton: Shh, I can't hear him.

David Norden: And each fixture has a, will have a shield on the outside so you probably have seen the site plan with the photo metrics that we're done. So they'll be shielded. So there is no light spilling out towards the neighboring properties or the street side.

Bill Turnure: The site plans all been approved right Will?

Will Moore: Say again sir?

Bill Turnure: The site plan at this point has all been approved.

Will Moore: Correct. It was there were a couple of conditions one being your approval of the light fixtures but the plan has otherwise been approved and released.

Bill Anderson: Do these lights come on automatically 360 days a year.

David Norden: I'm sorry. Will it come on automatically?

Bill Anderson: Every day of the year, evening.

David Norden: Yes.

Bill Anderson: So on weekends or.

David Norden: As far as I know. I mean honestly I hadn't really thought about that. But as far as I know there's supposed to be connected to a photo cell so they would turn on every evening.

Bill Anderson: And turn off when?

David Norden: When...

Margaret Littleton: Daylight.

David Norden: Yeah, daylight. Yeah. They're connected to a photo cell. I mean they could be connected to a timer. If that was desired but I think the engineers set it up so they connect it to a photo cell so they'd be on until daylight.

Margaret Littleton: Honestly don't look like the supporting library one's that blind you. [inaudible] They do. [inaudible]

Cindy Pearson: We weren't here, you and me. [multiple speakers]

Punkin Lee: [inaudible] Common grounds that those are horrible too.

Bill Anderson: Do they turn off after a certain hour though because I don't remember seeing them sometimes really late at night. [inaudible]

Bill Turnure: Any further discussion.

Linda Wright: Yeah, I like them.

Bill Turnure: Yeah, I think they're appropriate.

Linda Wright: They fit the site.

Bill Turnure: Ok. Is there a motion?

Virginia Jenkins: I'll make a motion to approve COA 18-16 for lights at the Masters of Foxhounds Association.

Bill Turnure: All those in favor say Aye.

Everyone: Aye.

Bill Turnure: Opposed say nay. Motion passes. Perfect. Thank you sir.

David Norden: Thank you all very much appreciate it.

Bill Turnure: What's the, any anticipated timing completion David.

David Norden: I'm sorry.

Bill Turnure: You have any idea what the completion date is?

David Norden: Well if everything went really well, the end of January is the schedule. But I'm not sure that will happen. They're pretty on target with the structure but I think we're gonna run into weather before they can get the street work taken care of. Milling and repaving. Less things go better than expected the asphalt plant is probably going to shut down before they can get that part of the site work. that's just that's gonna a holdup with VDOT permitting.

Bill Turnure: Really. [laughter]

David Norden: It's been about two years hasn't it?

Will Moore: Yeah. A year and a half.

David Norden: It started a year before I was involved. They weren't working on the site plan and VDOT approval process. And VDOT has approved everything. Now we're just waiting for actual permit and for them to tell us what they want for a bond. So.

Bill Turnure: Have you called them and asked them? [laughter] Very kindly.

David Norden: Yeah right. They really don't care.

Bill Turnure: No they don't. No they don't. All right. Yeah.

David Norden: Thank you you all. Take care.

Bill Turnure: Have a good holiday.

David Norden: You too, thank you.

Bill Turnure: Okay moving right along here. What happened here we go. I gotta go back. Next action item is action item 4C, COA 18-17 requests of Katy Tyrrell Reed for replacement windows at 302 West Washington Street, Middleburg Community Center Tenant House. Welcome all.

Katy Tyrrell Reed: Thank you.

Bill Turnure: How are you all?

Katy Tyrrell Reed: Well thanks.

Bill Turnure: Good. It sort of meets the guidelines. Window sashes, matching the existing window [inaudible] configuration and there is the simulated divided light is that. [inaudible] And I saw that there primed, but you don't have a paint color, I'm assuming it's white.

Katy Tyrrell Reed: It'll be white.

Bill Turnure: Ok, I think that would be great. Be real nice.

Margaret Littleton: For all windows.

Katy Tyrrell Reed: Yes there is.

Margaret Littleton: Might as well.

Katy Tyrrell Reed: There's three in the back of the house that are new that won't be changed. At the top I don't know if you have my pictures there. You can see they're different than the others. Those will not change but the rest of them will.

Bill Turnure: The pie shaped windows, is that what you're saying?

Katy Tyrrell Reed: Oh there's those too. Those will stay the same.

Bill Anderson: The back is a triple. [multiple speakers]

Katy Tyrrell Reed: Yeah, the very back overlooking the garden. I can show you a picture of my phone I don't know if anyone can see that.

Bill Turnure: Yeah. Got it.

Katy Tyrrell Reed: And then you're right. The pie shaped ones on the side of the house.

Bill Turnure: Gable.

Katy Tyrrell Reed: Those will remain the same.

Bill Turnure: We're just going to say [inaudible] and match existing.

Margaret Littleton: Correct.

Katy Tyrrell Reed: Being white.

Bill Turnure: Any further discussion? Is there a motion?

Punkin Lee: I move make a motion that we approve COA 18-17 request of Katy Tyrrell Reed for replacement windows at 302 West Washington Street, Middleburg Community Center Tenant House as presented.

Linda Wright: Second.

Bill Turnure: All right. All those in favor say aye.

Everyone: Aye.

Bill Turnure: Opposed say nay, motion passes.

Margaret Littleton: Thank you.

Bill Turnure: Off you go. Get them in before it gets too cold.

Margaret Littleton: Yeah. Save this energy. Yeah.

Bill Turnure: [inaudible] yeah maybe. Thank you all.

Katy Tyrrell Reed: Thank you.

Will Moore: I can have Tim bring that back to you tomorrow if you want. [inaudible] Okay. Okay. Very good. [inaudible] There you go.

Everyone: Bye.

Bill Turnure: Discussion items, our murals.

Margaret Littleton: Once again.

Punkin Lee: I can tell you that I had a call the other day from a gentleman is with the Legion called about something else and he goes oh by the way have you noticed our improvements. Oh yeah it looks really nice. We got that big blank wall. We want to have a mural on it. I wanted to go, oh can't hear ya. [laughter] Oh I mean it was just, we'd like to put a mural on it.

Bill Turnure: Is he kidding?

Punkin Lee: Unfortunately not.

Virginia Jenkins: Where?

Punkin Lee: At the Legion Hall.[inaudible] This side is the blank one.

Virginia Jenkins: Yeah.

Punkin Lee: Because the others have doors.

Margaret Littleton: They have doors, right. Right.

Punkin Lee: I said, well you need to go to the town. I can't speak.

Bill Anderson: You didn't ask him a mural of what did you?

Punkin Lee: No, no, no.

Margaret Littleton: God knows what they put.

Punkin Lee: He was actually was kind of putting out a patriotic flags or their emblems or whatever to kind of go along with the structure but still that's a big wall. [inaudible]

Will Moore: They are. [inaudible] Yes ma'am.

Bill Turnure: Is it?

Will Moore: Yes.

Bill Anderson: Isn't that the edge?

Bill Turnure: Because [inaudible] building in the district.

Will Moore: His building was not in the district. I think Legion is in the district. It is right at the edge of the boundary. Yeah.

Bill Turnure: Darn. [laughter]

Bill Anderson: When really last left this was we were going to have a separate meeting.

Bill Turnure: Yes.

Bill Anderson: That got canceled. Weather wise. Right.

Bill Turnure: So I gave this a little bit of thought. You guys tell me what you think. Obviously there's two ways of going about this. One is no murals. Another is murals. So if we do it if we say no murals what I did was go in, I went into the guidelines and in the guidelines in our table of contents. We have a list of various things in here. One of them is ATMs and vending machines. So I went to that and what we have for ATMs and vending machines. So ATMs and some similar machines for dispensing money, blah, blah, blah, are popular feature of modern financial institutions but are generally incompatible with the historic character of the the Middleburg Historic District. Due to the widespread use of ATMs, however the Historic District Review Committee has approved such machines within the district. So basically it's saying we don't like them, but since they're very popular and they're part of our culture we allow them. Next one comes up exterior vending machines that dispense drinks. Vending machines are also incompatible with historic character and streetscape of the historic district. They also serve as illegally internally illuminated signs, policy of the HDRC is not to approve exterior vending machines in addition vending machines. The policy of the HDRC is not to approve exterior vending machines. I mean, basically we would say no exterior vending machines, we give them a reason as they serve as illegally internally illuminated signs. So if we want to say no murals and we truly believe that there's gonna be no exceptions to it. No instance where they would think that they would be appropriate and we'd say there's no vending machines we have to put something in the guidelines to say as such and a give a reason for that. If we say you know there might be an opportunity to have a mural you know. We've got one in town already they're coming are they sort of a part of our culture and we need to consider that they might be appropriate in the historic district. And I think we have to go through and come up with the rationale or the policy of how we would go about approving such murals. And so the question tonight is what's everybody's take. Are they more in the thought process of no murals or to have murals with an approval

process that is you know how are we however strict we want it to be. And I think that's what we need to do first off determine where to go from here.

Virginia Jenkins: I personally would be inclined to say no murals. I don't think it's keeping with the historic district and I don't think it's.

Bill Turnure: Are you on?

Virginia Jenkins: No.

Bill Turnure: Please speak into the microphone.

Virginia Jenkins: I don't think it's in keeping with the historic atmosphere of the town and I don't see how it would enhance in any way shape or form. That's just my view.

Bill Turnure: I mean it says right in the guidelines and the, what do I got here. I got all sorts of stuff in there. In the zoning ordinance the regulations for the historic district as we talked about last time is to protect the Historic Middleburg District which was established to preserve the unique historical architectural, cultural and archeological heritage represented by the original section of town and... So I mean if that's your. If you feel there's nothing to be gained by having a mural in town ever in the historic district then that's your opinion. And that's perfectly fine.

Virginia Jenkins: Thank you.

Linda Wright: Come back till this thing goes away in a minute.

Margaret Littleton: I would say no murals and they would probably argue that they would want to do a history something on the wall. But if we say no right now wouldn't that stop that conversation even?

Bill Turnure: Yeah.

Margaret Littleton: No?

Bill Turnure: Well we'd have to go through, you know, get it all approved in the guidelines.

Margaret Littleton: But I do think we should write it down in there that it's.

Bill Turnure: Yeah, we would have to we'd have to amended guidelines.

Margaret Littleton: Correct.

Bill Turnure: Punkin.

Punkin Lee: Oh I. I think no.

Bill Turnure: Got your button on?

Punkin Lee: Yeah.

Margaret Littleton: You can use mine.

Punkin Lee: I think no also and I think the zoning paragraph there backs up the reasoning why. No. You know once again we're three blocks long so enjoy being outside and see what we have rather than clutter it up with more stuff.

Margaret Littleton: And we're a small town.

Bill Turnure: Just keep in mind, just keep in mind that TV antennas and solar collectors and ATMs do no add any historical character to the to the town as well. However we do approve them. Not that we want to but we approve them because they are a part of our culture.

Virginia Jenkins: I disagree well, I don't disagree. I'm just going to add to it. I think that's more of doing business.

Bill Anderson: I agree.

Virginia Jenkins: Where there is no doing business with a mural.

Linda Wright: It's art.

Virginia Jenkins: Well it's an art form.

Bill Anderson: [inaudible] I also agree that I would vote no murals for the reasons we talked about before last meeting [inaudible] I personally don't buy the economic advantage that some folks think that it may bring. If somebody could prove that in any particular mural anywhere I'd like to see that but I don't believe that for this town that has only a three block area. It's a special special place and that's just not part of the historical idea. I would vote no. However if I think we should talk about what would happen. Let's say what ifs. What if somebody comes in and challenges it. How does that challenge happen? Do we know? Somebody walks in and talks to Will and says I want to talk to you folks about it. You say you can't do it. I wanna talk to talk to you about it. They get, they decide they're gonna take it to a higher court. [inaudible]

Will Moore: Yeah. So the way it happens, your guidelines are just that guidelines. People occasionally come in with applications that do not comply with the guidelines. We've seen that before but they insist on submitting an application anyway. We don't, I don't administratively turned down any application simply because they don't comply with the guidelines. So the way it would work is you would have to take action on the application. I'm assuming a denial, there's an avenue to appeal to the town council. Assuming a denial from them. There is an avenue to appeal to the circuit court. So there are appeal processes. So let's assume the worst possible case that that happened for some reason, using this patriotic reason. [inaudible] If it wanted to be turned around and it was decided that yes we're going to now whether the court or basically the council and we have to approve this. Will we have time to go back and do the alternate which is to create a set of guidelines restrictive enough to cover ourselves? How would we do that because then we wouldn't be armed with any instrument to control this directive of, yeah, you have to allow this mural, well we don't have anything written down. So how could we do that. Should we do that? Are you following my point? Just looking at the worst possible case.

Punkin Lee: Don't you remember a few years ago probably, how many people came with one or two lawyers who sat there and reminded us that these are only guidelines. These are only guidelines. These are only guidelines. We're not gonna chip away at this, only the guidelines.

Virginia Jenkins: And what happened.

Punkin Lee: Well like the place with the underground garage, that was in here what two years before it got approved for the underground garage. [inaudible] On the corner.

Bill Anderson: Courtyard.

Punkin Lee: Courtyard. Yeah. I mean that was that was long. And then what, [inaudible] had, well he went through three architects. It was a long process and they all had the same you know they come with their suits.

Bill Turnure: And they didn't have a lawyer but they had their project manager [inaudible] building.

Virginia Jenkins: Yeah I mean they can throw it, you're totally right back at you.

Bill Anderson: Well is it worth the time then if let's say there's a sense of this group to say no and we finally do it, officially say no, do we want to take the time to draft because we put a lot of thinking into some of these guidelines. And I think it would be a waste not to maybe put them down in some order so they at least transcribe and then put them in a drawer as just draft guidelines just for the fact that we did this and I think Tim brought that up last time. We can we can talk to the council. We looked at this. We looked at all the issues we looked at what the guidelines would be really. You know this is how it would work before we then came back and said no. The group as a whole said they'd rather not have it. That's just a suggestion.

Margaret Littleton: That's already in our minutes.

Bill Anderson: Yeah. You're right it is.

Bill Turnure: I mean I don't mind going through that process of drafting a little something and I actually sort of took some time to come up with what I thought would be a method to go through in case we did actually decide we wanted to have the opportunity for murals and we can do that. I don't know whether it wants to be part of the record to tell you the truth if people want to you know sort of say well you all had an application process that, I don't know whether we want to have that as part of a record. But I guess I just think if I mean if you look at this as a note in here so that it doesn't really fall on us. The policy of the HDRC is to not approve exterior vending machines so that's our policy. It's not to say you can't have them. You can come before us, but that's our policy. And it's our policy not to have you know. I looked into this to, vinyl siding, but there's also provisions in here that if we felt like it was appropriate then we can approve those. So it gives people an opportunity to if they really want to have a mural to come before us. We're not saying absolutely no way that you can have it.

Bill Anderson: So somebody comes before us and they come up with a great idea and all of a sudden everybody likes it. Which I find hard to imagine. Again it's a piece of art. Then what do we do with the guidelines? You're gonna say, tell you what, come back in two months. If you have the guidelines and then we'll give you the guidelines to see if you still want to do it. I mean I just.

Punkin Lee: Well that process that Patty went through I mean it would seem like we'd almost have to have something like that in place that if someone came in like the drop dead mural and we decided it was in a place that was appropriate you wouldn't just to approve it right here they would still have to I mean look at all the roadblocks she put up and what she ended up with and what a hassle it was. So I mean.

Bill Anderson: Yeah but.

Punkin Lee: You have to have something, some steps I think.

Bill Anderson: I think the majority of her process would be totally different than ours because the applicant would be providing the proposed art and however they decide to do it, they would bring a test. But all these other things that Patty didn't do. The idea of having [inaudible] issues, liability issues, all that sort of stuff. You know, throwing it on an applicant who didn't know, he comes in and wants to do a mural and says, look you've got all these things which we've discussed. That's why I thought if we haven't as a just draft discussion, it would be good if it did go to council that they knew. I'm sure they would because somebody would be attending, but this has been up for discussion it's been looked at pretty thoroughly before a decision, we came to a decision, anyway.

Bill Turnure: I know what you're saying, so I thought of that too. And so what I thought was a good process and maybe we can you know make sure that this happens when the application comes in or it comes it's going to come to Will, is there is a there's a process for a pre-application review and it's in the guidelines you have a pre-application review and there is I mean it's not in the guidelines but it's in the zoning ordinance and the regulations. And it tells you exactly what you're trying to do for a pre-application review and so if anything is brought before Will, vending machines, whenever it is, I mean something that we're not even considering comes before Will that's not in the guidelines then he says the first step is to have a pre-application review. And in the pre-application review and we can be a little bit more specific to this when we amend the guidelines that say we don't want murals and maybe we can put this into the into the pre-application review items, but you know it needs to reflect the historical character of the town all that sort of thing. We need written justification. Why do you think your building and this mural is appropriate for the town? And then we just review that it's going to be a case by case basis. I mean we may approve this and we may not approve that and then there'll be submission approval or denial. And then if it is approved then that's when we have to come up with whatever that process is.

Bill Anderson: Isn't that kind of [inaudible] on an applicant.

Bill Turnure: I don't think so.

Bill Anderson: I mean.

Bill Turnure: I don't think so.

Virginia Jenkins: Well I think the first thing you have to do is have to say whether or not we're going to even consider murals.

Bill Turnure: Well I think that there were four no's, I think that's.

Bill Anderson: The language for the vending machines is good language in there.

Virginia Jenkins: But I think if we.

Bill Anderson: [inaudible] policy to.

Bill Turnure: Do we have to you know amend it in the table of contents put in murals. So if someone wants a mural, you just look right in here and they can tell you what the guidelines are.

Punkin Lee: It's like the vending machines where we got rid of them in front of the Safeway and the Exxon and the community center one to keep their at the pool and then they put up the screen you know, so that.

Virginia Jenkins: So now I'm confused. You want to put something in there to say what we would do with murals.

Bill Turnure: I'm just saying we can. We can actually put it.

Virginia Jenkins: Or just say no murals.

Bill Turnure: Well no we can say no murals or it's not our policy to approve them. I'm not saying there's no murals we're just saying that it's not our policy to approve them.

Margaret Littleton: I like the word policy.

Bill Anderson: I do too.

Bill Turnure: And then with the optional pre-application review procedure. I mean we could put in there, in the zoning ordinance what the procedure would be for a mural or any kind of, wouldn't necessarily be a mural, but any instance it's not addressed in the guidelines or something or I don't know how we would put that.

Bill Anderson: Well, like you said if it's not addressed, an item not addressed in the guidelines will have to be brought up in a.

Margaret Littleton: Case by case.

Bill Anderson: Case by case. For instance you know these, I don't know how this got approved. We all know Purcellville. Right now in Purcellville, the Purcellville Gun Shop. What if the folks have been talking about a mural decided to put a cannon. A piece of artillery in, right in the front door. On the historic, look happened in Purcellville. There's a [inaudible] sitting on the sidewalk right there. That's an item that it's not in the guidelines. I mean it's things like that.

Bill Turnure: Sure, things we don't even know.

Punkin Lee: Somebody always come up with something.

Margaret Littleton: Can we use that word future.

Bill Turnure: I mean when we started this committee there was no such thing as solar collectors probably. So whatever or ATMs for that matter. [multiple speakers]

Margaret Littleton: Bird feeders.

Bill Turnure: So I mean things come up. And it even talks in the guidelines about materials you know that that even modern materials you know if there's language that says if it's workable and it's similar or it's similar to regular materials then it would be addressed and can be approved. I mean there's ways to.

Bill Anderson: The best example of that is all the poly trim on [inaudible] very elaborate detailed work.

Bill Turnure: Sure.

Bill Anderson: That's being approved [inaudible]

Bill Turnure: Exactly.

Will Moore: So I think. Sorry I was just going to say so. I think there are two things going on here. One is just a need for an overall revamp of our in-store district design guidelines. And that was part of the committee assessment that you completed last month and that's been collated and council will be reviewing that at their meeting next week and it includes reference to potential budgeting for an update to the design guidelines. So I think there's gonna be that overall effort but I think in the meantime it would behoove this committee to draft something pertaining to murals as an amendment to the existing guidelines. Whatever that language is. Whether it's coming up with some very constrained guidelines or it sounds like you're leaning toward just saying we don't think they're appropriate. But coming up with some language to propose council adopts the guidelines. So any revision you, it would be a recommendation from you. So the sooner we can jump on that so I can. You can recommend particular language and then we can forward that to council to consider whether or not they want to incorporate that it's an adoption to the amended guidelines. I would hope that they would, you have certainly spent a lot of time beating up this subject. You've certainly given it its due consideration. So whatever that language is, we craft, let's get it done I think as soon as possible. Just so we can get ahead, we see another one the Legion is considering one now. So if we can get ahead of this before an application or even a pre-application discussion takes place that would be best I think.

Bill Anderson: Using the same language you just read, for instance, it's not our policy with an extended sentence indicating as the guidelines, excuse me, as the mission statement effectively says, we have decided it's not our policy. They don't fit [inaudible]. So there's a reason and it's not our policy. So nobody can say, [inaudible] reason using the language that's already in there, we're not trying to throw in new language that somebody might have a problem with.

Bill Turnure: There's language in here, the general design philosophy is in here we can you know amend that to sort of tie into it as well. I mean we can refer back to the zoning ordinance as well.

Will Moore: Right the purpose in the zoning ordinance. Right. Ok.

Bill Anderson: I mean keep it simple. [inaudible] There is a reason it doesn't comply. It's not our policy because that's not policy. Do we have to have a straw vote to do this or do we have to have a vote?

Will Moore: I think we need actual language in front of you. And then that you would vote on forwarding a recommendation to council so you would take an actual vote here once you have that proposed language to recommend to Council amending.

Bill Turnure: In the guidelines we have a table of contents and in this section that for accessory structures other than buildings, there's antennas, satellite dishes, utility at HVAC, appurtenances?

Will Moore: Appurtenances.

Bill Turnure: Appurtenances. I don't use that word very often. ATM, vending machines and solar collectors. I mean can we put in another section D murals or we can take it and have its own separate as we go through parking, planters, porches, maybe we just.

Punkin Lee: All those other things are things that you attach [multiple speakers]

Virginia Jenkins: I mean it's closer...

Bill Turnure: There is a section in signs.

Virginia Jenkins: Would that be the section it ought to be in?

Bill Anderson: It's not a sign.

Virginia Jenkins: It isn't an ATM machine either.

Bill Anderson: No. That's why it needs it needs a separate.

Punkin Lee: But somebody could think of the sign and incorporate art [multiple speakers].

Virginia Jenkins: They could do a crossover.

Punkin Lee: Right.

Virginia Jenkins: You say see murals under Section D or whatever it is.

Bill Turnure: Let's see here. There's nothing in the table of contents but we do have a section on signs. [inaudible]

Bill Anderson: Keep an open mind on this.

Bill Turnure: Let me see, hold on a second. Here we go. Signage. It's not even in the guidelines. This is terrible. I mean I just.

Will Moore: I wouldn't spend a lot of time on it laboring over where to put it. I would just recommend giving it its own individual section. I think the language that you put in there is more important at this point in time. When we do a full rewrite of the ordinance I think there's a lot of organizational issues with the way the guidelines are structured right now that we would address. But if that's helpful. I wouldn't labor over whether to put it under signs or. [inaudible] Let's just give it a new section at the very end.

Margaret Littleton: Do we have to wait till the next meeting to vote on it. Can we do it by email?

Will Moore: We cannot vote by e-mail. We cannot vote by email. [laughter].

Margaret Littleton: How about the phone?

Will Moore: Rhonda will give you more detailed guidance on that at your January meeting where there's some required training that she needs to provide.

Punkin Lee: I thought you were talking about council next week thought

Margaret Littleton: Yeah I did too.

Will Moore: We won't have the opportunity to to add an agenda item for council's meeting next week but it would be really helpful if we could. Well the agenda is published already. And with it, I mean unless you want to, if you want to spend the time tonight to come up with that detailed language we could probably squeeze something on at least to introduce it to council. I think best case if you want to adopt something it would be January because I'll need to provide them some backup materials as well not just the proposal. I'll need to provide them a report detailing the the labored deliberation that you've gone through to this point. Those kind of things. So getting action by council next week is not really an option.

But if we would face the same issue next month because you always meet one week before council. If there is a way to and this is probably a horrible month to suggest a special meeting. But.

Punkin Lee: You already had two lines.

Cindy Pearson: Can you finish it up. Yeah tonight and have it ready?

Bill Turnure: Well Ok. [multiple speakers]

Bill Anderson: If you just keep the mission statement where it talks about what the historic district is about and murals aren't appropriate.

Margaret Littleton: And it's our policy.

Bill Anderson: It's our policy that they don't meet the appropriateness stated in the mission. [inaudible]

Bill Turnure: OK. And we can be as simplistic as that.

Margaret Littleton: Yes.

Bill Turnure: I think at some point in time we have to be a little bit more specific because in here with the vending machines. They dispense drinks, food and the like and are visible from the public and require a certificate of appropriateness. So and we have to come up with some sort of language for a mural. What it actually does. What are people trying to do. You know and we can probably find that in some of the other guidelines. And then vending machines are also incompatible with historic character and streetscape of the historic district which is the same language they use for the ATMs. They also serve as illegally internally illuminated signs. So I mean we can just say not put anything add in there and just we can just say the policy of the HDRC is to not approve murals and then come back with some more language. Is that something at least to get the ball rolling and let the council sort of chew on that a little bit?

Will Moore: Well they get a monthly report from me and I hurry up and write the HDRC portion of that tomorrow morning so it goes out in their agenda. So they and they've actually been getting a monthly report from me that at least has a very brief synopsis that you've continued this discussion. So this is not going to be a complete surprise. I will put in that report that they should anticipate next month a draft revision to the guidelines pertaining to murals and and go so far as to say that that it will be suggesting that murals are not appropriate for the district. So we can have that much. That will be before them next week. But again we need to get our exact language tailored. Maybe there is an opportunity where I can meet with you or maybe you and one other. [inaudible].

Bill Turnure: Committee to draft the language.

Will Moore: If we have only two committee members and that's not a meeting. So that would be great. We don't want to have three. No offense but then we open up Pandora's Box. So you know if there is an opportunity for that to happen within the next week or two I think we could have something. I can already have backup material prepared for council next month and then we could bring that language before this committee at your meeting in January and I could turn around the next day and have it in the council packet. If that works.

Bill Turnure: I'm available

Will Moore: Ok.

Bill Turnure: I'm going to be around. I'm not going anywhere until spring.

Will Moore: I mean I think we're hearing good things here and we can. And once we have that language drafted we could even distribute it in advance instead of a week before we could get it as soon as it's drafted and distribute it to all of the members here. So if there are any red flags a member could reply directly to me. Not to everybody and we could kind of work like that. I think there's a way to get it done and still have something before council next month that could be actionable.

Margaret Littleton: What if a mural application comes in?

Will Moore: It will be before you. I mean it's the same that like I said even if we adopt guidelines that say they're not appropriate somebody could still submit an application. Yeah. Yeah. So. Right. [inaudible] And I think, you know anybody who came in for that kind of application while, I'll take an application for anything as long as it meets our submission requirements. I point out things to applicants. I very clear that I'm not the arbiter on whether an application will be approved or not but if there are red flags with an application when it comes in you know the first applicant tonight with the the signs. The total combined sign area was not. She can still apply for it but I communicate with her that there's an issue, she comes in with the revisions. So if somebody comes in at any point in time now, just based on tonight's discussion and wants to apply for a COA for a mural, I'm going to revisit with them your discussion that basically you've decided as a body, all right, that they're not appropriate and you are in process of recommending to council that your guidelines be formally adopted to the state so much.

Margaret Littleton: Good.

Bill Turnure: Anyone else want to contribute. I mean it doesn't have to necessarily just have to be me if anybody else wants to.

Bill Anderson: It's the worst possible week for me.

Bill Turnure: And that's fine.

Will Moore: Okay.

Bill Anderson: Again I just [inaudible] mission. The description of the historic district is so clear and that it's our opinion that murals don't fit that. I think we should keep it as simple as possible.

Margaret Littleton: Very, definitely.

Punkin Lee: But it's going to have that as a reference so they can go to the front part of the thing and go see, you can read it yourself.

Bill Anderson: [inaudible] I would think short of having a representative explain it, it should have an explanation of why do they.

Bill Turnure: I'd be happy to come to a council meeting. [inaudible]

Bill Anderson: I mean it just doesn't meet the basic in our opinion.

Will Moore: And Bill, just to be clear are you talking about the purpose and intent section from the zoning ordinance?

Bill Anderson: Yes.

Will Moore: Okay, very good. So we'll make sure to capture some of that language in there. [inaudible] Gotcha okay. Yeah very good.

Bill Turnure: Ok, so do you think we should have a motion as far as an approval to move forward with an amendment to the to the guidelines stating that the murals. You know it's the policy of the HDRC that murals will not be approved within the historic district or something like that. And then just have a vote. I think we should have that.

Bill Anderson: I'll make a motion that the guidelines be amended with specific language, not this language that I'm talking about that will say it is not our policy to approve a mural in the historic district and that the specific language will be forthcoming.

Punkin Lee: Second.

Bill Turnure: All those in favor say aye.

Everyone: Aye.

Bill Turnure: Opposed say nay. Motion passes.

Will Moore: Perfect. Okay.

Margaret Littleton: It's simple and perfect.

Bill Turnure: Okay. [inaudible] No, I think that was pretty good.

Will Moore: I don't think it could be argued that you didn't deliberate it carefully. I think.

Bill Turnure: And we do have Margaret's list.

Will Moore: We do.

Bill Turnure: If we ever need to refer back to that you know it's part of the.

Margaret Littleton: Workbook.

Bill Turnure: So we can always, you know, draw back. Ok. January 3rd. Who's gonna be in Florida?

Virginia Jenkins: I wish.

Bill Turnure: [inaudible] Everybody gonna be here?

Margaret Littleton: Weather permitting.

Bill Turnure: Working that week. [inaudible] Okay. We'll see you all on the third.

Punkin Lee: I just had a question for Will, have you noticed any [inaudible]

Will Moore: Say again?

Punkin Lee: The Exxon window has the lottery neon sign.

Will Moore: I did not notice that.

Punkin Lee: Anybody else knows that?

Bill Turnure: I haven't been down there.

Punkin Lee: Not buying gas after dark.

Margaret Littleton: Never buy gas there. Oh that's terrible.

Will Moore: I just had a meeting with the business owner last week so I'll follow up with him on that.

Punkin Lee: They just got it. [inaudible]

Margaret Littleton: Poor Safeway [inaudible]

Bill Turnure: Is there a motion? [inaudible] So moved.