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MINUTES OF THE HISTORICAL AFFAIRS AND LANDMARK REVIEW BOARD

Wednesday, September 17, 2025, 6:30 PM

This was a hybrid public meeting held both in person and through electronic communication means.

MEMBERS PRESENT: Kaydee Myers, Chair
Omari Davis
Nan Dreher
Andrew Fackler
Gray Handley
Joan Lawrence
Rebecca Meyer
Mark Turnbull
Andrew Wenchel

VIRTUAL MEMBERS: None

MEMBERS EXCUSED: Nathan Burlingame
Robert Dudka
Alex Foster, Vice Chair
Carmela Hamm
Gerald Laporte
Dick Woodruff

STAFF PRESENT: Lorin Farris, Historic Preservation Section Supervisor
Mical Durak, Historic Preservation Associate Planner
John McNair, Historic Preservation Specialist

CALL TO ORDER & ROLL CALL

The Chair Kaydee Myers called the meeting to order and asked Historic Preservation Program (HPP) staff to please call the roll. Ms. Lorin Farris called the roll and determined that there was a quorum.

EXPLANATION OF PUBLIC HEARING PROCEDURES

The Chair explained the in-person and electronic Historical Affairs and Landmark Review Board (HALRB) public hearing procedures. Ms. Myers described the logistics of participating virtually in the hybrid meeting via the Microsoft Teams platform and/or the call-in number. As Ms. Myers explained the public hearing procedures, Ms. Joan Lawrence arrived at 6:32 PM and Mr. Andrew Wenchel arrived at 6:33 PM. Ms. Myers noted that the HALRB was expecting a few public speakers that evening and shared that those comments would be heard after the scheduled agenda items were discussed.

APPROVAL OF THE JULY 2025 MEETING MINUTES

The Chair asked for any comments on the draft July 16, 2025, meeting minutes. Ms. Nan Dreher made a motion to approve the minutes; Mr. Gray Handley seconded the motion. Ms. Myers asked HPP staff to

call the roll. Ms. Farris called the roll, and the motion passed 7-0-2 with Ms. Rebecca Myers and Mr. Mark Turnbull abstaining.

PUBLIC HEARING FOR CERTIFICATES OF APPROPRIATENESS (CoAs)

CoA Discussion Agenda #1: CoA 25-07, 3550 Wilson Blvd., Clarendon School Local Historic District

Ms. Myers asked HPP staff to present this item. Ms. Mical Durak provided the staff report as follows:

The three-and-one-half-story Clarendon School was built in 1910 in the Classical Revival style and is the work of noted architect Charles M. Robinson. The former classrooms and hallways have been converted to gallery and studio spaces for the Museum of Contemporary Art Arlington (MoCA). Although the building is occupied by MoCA, it is owned by Arlington County and maintained by the County's Department of Environmental Services. The property became a Local Historic District (LHD) in 1984 and was listed on the NRHP in 1999. A rear addition was constructed starting in 2002 and the historic building underwent a full rehabilitation. There are no design guidelines specifically approved for this LHD except those for exterior art exhibitions; therefore, the HALRB refers to *The Secretary of the Interior's Standards for Rehabilitation* to evaluate any exterior alterations to the building and grounds.

Over the years, a few CoAs have been approved by the HALRB for Clarendon School and approved administratively by HPP staff. Most pertinent for tonight's conversation is the following: in June 2023, the HPP staff approved an administrative CoA for the installation of *Reclining Liberty*, an art installation, on the front lawn from August 2023 to July 2024 (ACoA 23-09). The installation of that same art piece was extended until September 30, 2025, via CoA 24-15 which was approved by the HALRB in June 2023. It was reviewed by the HALRB since the installation would be more than a year in length. Staff are permitted to review and approve installations of one year or less per the design guidelines for Clarendon School.

The current application is the request for the permanent installation of the outdoor art exhibit, *Reclining Liberty*. This art has been in place on the front lawn since August 2023 and was approved to be in place until late September 2025. *Reclining Liberty* was created by artist Zaq Landsberg and is composed of plywood, lumber, carved foam, hard-coated plaster-resin, and copper paint. The art is sturdy enough for human interaction and touching, climbing, sitting, and leaning on the piece are all encouraged. Since the art has been immensely popular with the Arlington community, MoCA is exploring permanently acquiring the piece as part of their collection. The art would remain in the same location as it currently sits.

The DRC heard this application at its September meeting. The DRC did not have any concerns or questions about the project and supported it; however, since it was for the permanent installation of the art, they thought it should be discussed by the full HALRB and placed the item on the Discussion Agenda for the September HALRB meeting.

HPP staff recommend approval of the subject application. The design guidelines for Clarendon School do not prohibit the permanent installation of art at the Clarendon School and offer mechanisms by which the HALRB could request conditions for the repair of the grounds should it be determined that they would be impacted by the permanent installation.

While the permanent installation of this art would visually alter the landscape around the Clarendon School, visual impacts in the form of art are permissible by the LHD's design

guidelines as stated earlier. Furthermore, although this art would be permanently installed, it would be reversible. Staff believe that the removal of the art in the future would not leave a significant impact on the grounds of the Clarendon School. The project would have no physical impact on the Clarendon School building either. Therefore, the project complies with Standard #10 of the *Secretary of the Interior's Standards for Rehabilitation*.

Staff highly recommend that the HALRB include in their motion, should they support the project, that any locational changes or changes to the supporting infrastructure to the art would require approval by the HALRB. Additionally, staff feel it is essential that MoCA staff collaborate with the necessary County partners to ensure they are made aware of their desire for the art's permanent installation and that it is approved by those offices – we understand that those conversations are being had at this time. If there are any proposed changes to the art based on those conversations, HPP staff should be consulted to determine if a review is required by the HALRB.

Ms. Durak then scrolled through the submitted materials for the CoA application on the screen for the HALRB and concluded her staff report. Ms. Myers then invited the applicant to speak. Catie Anchin, the Director of MoCA who was attending virtually, shared that ever since the art was installed, they have seen immense community interaction with the art and noted that they have access to several curators in the area who could help make repairs to the work if needed in the future. Dolores Navia, a member of MoCA's board who was also attending virtually, noted that the art was a popular tourist destination and attracted visitors from outside of Arlington.

Ms. Myers thanked the applicants for sharing their thoughts with the HALRB. She then invited the DRC members to share a brief summary of their discussion from the month's earlier meeting. Mr. Wenchel was the only DRC member present and said that he felt the art installation was appropriate and believed that it helped identify the Clarendon School building as an art museum. Ms. Myers then asked staff to share the written comment that staff received before the meeting with the HALRB. Ms. Durak shared the comment noting that it was submitted by the President of the Ashton Heights Civic Association:

As a neighborhood, Ashton Heights does not have any concerns with the *Reclining Liberty* statue becoming a permanent addition to our community, as long as there are plans to maintain/condition this statue over time. Appreciate the opportunity to weigh in on this.

Ms. Durak noted that this comment had been shared with the HALRB and the applicant prior to the meeting and that it was the only comment received before the meeting. The Chair then opened the discussion to the full board. Mr. Handley asked if there would be plans to create a more permanent looking sign to accompany the artwork. Ms. Anchin said that they would replace the signage they had in place as it faded over time with something hardier. Ms. Myers asked how MoCA planned on handling the long-term maintenance of the artwork. Ms. Anchin said they would use museum conservation best practice which would include an annual review of artwork and shared that they have staff check the artwork every day. She also noted that the artist trained some of MoCA's staff to make minor repairs. She said that the Board of Directors for MoCA was prepared to include in the annual budget care and conservation needs for the artwork. Mr. Handley asked if the artist had any connection to Arlington County. Ms. Anchin said he did not, but that he visited regularly. It was also shared that he was completing an artist residency at the museum in the fall. Ms. Dreher said it was a great idea. Hearing no other comments, Ms. Myers made the following motion:

I move that the HALRB approve CoA 25-07 for the permanent installation of the art piece *Reclining Liberty*, in its current location in front of the Clarendon School, a local historic district, so long as the applicant receives approval from all other necessary County entities for the

permanent installation of the art. Additionally, the HALRB notes that any changes to the location or supporting infrastructure of the art piece will require review by the HALRB and that any other proposed changes should be shared with HPP staff to determine if review is required by the HALRB.

Mr. Turnbull seconded the motion. Hearing no comments or questions on the motion, the Chair asked staff to call the roll. Ms. Farris called the roll, and the motion passed 9 – 0. The applicant thanked the HALRB.

PARK RENAMING: 23RD STREET S. AND EADS STREET PARK

The Chair invited Bethany Heim from the County’s Department of Parks and Recreation (DPR) to share her presentation with the HALRB. Ms. Heim began her presentation noting that DPR had acquired funding to update the existing park and that they were going through the renaming process for the park. The park was in the Aurora Highlands neighborhood. DPR was planning on updating the site’s furnishings and amenities and she noted that the park currently did not have any ADA compliant furnishings which was an issue. She provided a brief overview of the project funding and then discussed the design of the park. She noted that DPR was replacing the two trees and that they would be utilizing permeable wood pavers on the site. She shared a rendering of the updated park on the screen and noted that there would be a sign with the name of the park and specific lighting design. Next, she provided a summary of the public engagement and feedback they received on the park project and noted where the HALRB could find that feedback online. Then she provided the HALRB with a summary about the review process for park naming which includes going to the Park and Recreation Commission, the Arlington Neighborhoods Advisory Committee (ArNAC), and the HALRB to share the project information. The names proposed based on the first engagement with the community were: 23rd Street Plaza, Firehouse Plaza, Pride Plaza, and Restaurant Row Plaza. She then provided a more in-depth explanation for why each option was being presented. “23rd Street Plaza” was suggested because it was similar to the current name and also provided locational information to the park. “Firehouse Plaza” was offered because the current park site was previously the location of the Jefferson District Volunteer Fire Department Squad 5 firehouse. That firehouse was demolished in 1952. “Restaurant Row” was offered because it highlighted the vibrant local restaurant industry near the park site. Finally, “Pride Plaza” was offered because it is a local theme to that area. During the second public engagement, the most popular name was 23rd Street Plaza followed by Restaurant Row, Pride Plaza, and then Firehouse Plaza. She shared that in June 2025, the Aurora Highlands Civic Association supported the name of 23rd Street Plaza. ArNAC also voted to support the choice of that name. She summarized her presentation by sharing that she will be presenting to the County Board in the fall and that they anticipate construction at the park to begin in the spring/summer of 2026. This concluded her presentation.

Ms. Lawrence brought up the suggestion made by someone in ArNAC that the word “South” be added to the name to offer clarity. Ms. Heim said that Ms. Lawrence was correct and that it would be 23rd Street S. Plaza. Before the conversation continued with the HALRB, Ms. Myers sought clarity on whether there were any public speakers present for this item. Hearing and seeing none, the matter was before the Board. Ms. Lawrence asked if there were any parks on 23rd Street North. Ms. Heim said she did not know of any other County parks with 23rd Street in the name. Ms. Myers asked if the public gave a reason why they liked 23rd Street Plaza the most and not the other options and offered that 74% of the public noted that name as their favorite over the others. Ms. Dreher said that it was nice when a park name could act as a “finding aid” too and reference where it was located. She said that 23rd Street Plaza and Restaurant Row offered that to the park. There was some conversation about the firehouse being gone for so long now that members of the community may not even remember that it had once been located there. Ms. Lawrence offered that Restaurant Row is well known in the area. Ms. Dreher concurred and said that those two were the most popular options and that it made sense for the HALRB to support the use of either of those

options. A member of the public interrupted to ask about the purpose of the permeable wood pavers in the park's design. Ms. Heim explained that those pavers were used to create a biophilic design thereby connecting the plaza to nature more and to utilize less non-permeable materials which is more environmentally friendly. Ms. Myers said that she did not have a strong preference for the name. She shared that she liked Restaurant Row but did not want to go against the wishes of the community who seemed to favor 23rd Street Plaza. Mr. Handley asked if the only topic up for discussion was the name. Staff confirmed that it was. Ms. Lawrence said she tended to support the community or civic association because they had considered it carefully but also said that she had a slight preference for Restaurant Row. She also said other parks were named after streets so there was precedent for that in the County. Mr. Handley said that names were more interesting than numbers. He said he respected the views of the neighborhood, but felt it was a missed opportunity to promote an area. He felt that Restaurant Row Plaza would attract people to the area, but that the HALRB should respect what the community favored for the name. He offered his thoughts about the design of the plaza even though it was not the main topic of discussion and said he felt that the original oval design on the pavement in the park was attractive and asked if there was any consideration to keep or replicate that design in the new plaza. He said he felt that the new plaza was industrial in feeling whereas the original plaza was more artistic and "neighborhoody." Ms. Heim said they would not be able to replicate that with the permeable pavers but offered to talk to the project designers. Ms. Rebecca Meyer said she disagreed with Mr. Handley and felt that the proposed design was an improvement and that the name "plaza" made it clear that it would not be a traditional green park space. She also echoed the opinions of other HALRB members who wanted to support whichever name the community desired the most. Ms. Dreher asked if the HALRB could make a motion to support both the names. Ms. Myers confirmed that this would be a motion of support for the name choice and therefore, that it could note the HALRB's preference for the top two options. She said that if they all agreed that the top two options were best, then they could make that motion, but she also noted that if they felt strongly about one of the options, then they should make a motion on that option to state their opinion. Mr. Omari Davis and others voiced their support for two options, so Ms. Myers made the following motion:

I move that the HALRB support the names either "23rd Street South Plaza" or "Restaurant Row Plaza" for the park at 23rd St. S. and Eads. St.

Mr. Davis seconded the motion. Ms. Lawrence asked if the HALRB had a preference for one of the names and offered that it should be listed first in the motion. Ms. Farris noted that if that were the case, they would need to change the motion. Ms. Dreher offered that since there are many groups weighing in on the name for the plaza, that she felt it was okay to leave the motion as stated. Ms. Myers said that if the HALRB were fine with either name that they could have both in the motion, but if the HALRB preferred one name over another, then they should only support that name in their motion. Mr. Davis offered that he supported the motion as it had been stated earlier. Hearing no other comments, the Chair asked staff to call the roll. Ms. Farris called the roll, and the motion passed 9-0.

AMENDED HALRB AGENDA

CoA 25-06, 2315 N. Kenmore Street, Maywood Local Historic District

The Chair shared that two members of the public had signed up to speak at the meeting that evening about items that were not on the HALRB agenda. She invited the first individual, Mr. TR Schmitt, to provide his public comment. She noted that he wanted to speak of CoA 25-06 and that he would have three minutes to speak. Mr. Schmitt introduced himself and explained the parameters of his project. He said he was trying to find a way to store his firewood in between his house and that of another family member's. He said he brought the project forward to the DRC and had a fruitful conversation there. He said the structure appeared like a shed, but it was more like an enhanced storage unit and that he did not want to buy a pipe and rail system to store the wood. He noted that Zoning got involved in the project and said

they wanted variances for the structure. He said he could pick up the structure and move it and said he was confused why they were at this point in the process. He said he had worked with the DRC and the HALRB on other projects in the past and shared that he was debating if this was something he should have even reached out about. He noted the potential precedent setting nature of his request which may allow others in Maywood to construct sheds in their side yards. He said he has lived in the neighborhood for ten years and has seen a few historic houses fully demolished and redeveloped into large houses. He noted that these projects required a lot of effort and attention and all he wanted to do was store some firewood. He said he wanted to figure out how to move forward and wondered if withdrawing the request would be the better way to move forward. He apologized to Ms. Durak for his email correspondence and said the project should be simple, but it had turned into something more complicated.

Ms. Myers thanked him for his comments and then explained that the item was not on the agenda because staff did not receive everything in time for the project. She offered that the HALRB could choose to discuss the project, and they could give feedback on the design and the location of the structure but noted that the HALRB could not make a decision about the setback modification since the project had not been advertised as requesting that modification. She noted that if the HALRB wanted to discuss it that she would make a motion to amend the agenda to add it for discussion. Ms. Lawrence asked for some additional context and whether or not this project was in Maywood. Ms. Durak said that staff were prepared to provide a full staff report if the item were added to the agenda and confirmed that it was for a property in Maywood. She shared that the project came forward initially to the DRC and that the structure in question would be utilized for firewood storage, and she shared details about where it would be located on the property. She noted that there were final details that needed to be refined about the project which is why staff determined that it was not ready to come to the full HALRB for discussion for tonight's meeting but offered that it could come forward during a future meeting. Ms. Lawrence began to ask another question, but Ms. Farris asked her to pause and explained that the HALRB could discuss the project but that they needed to make a motion to amend the agenda before that discussion occurred. Ms. Myers reiterated this point as well.

Since it sounded like the HALRB wanted to discuss the project, the Chair made the following motion to amend the agenda:

I move to add CoA 25-06 to the agenda with the understanding that we cannot approve a setback modification tonight, because a request for a setback modification has not been advertised yet.

Ms. Lawrence seconded the motion. The Chair asked staff to call the roll. Ms. Farris called the roll, and the motion carried 9-0.

Before hearing the staff report, Ms. Myers offered that since Mr. Schmitt had not met his three-minute time limit that he could add something additional. He said that he and staff disagreed about the designation of this structure. He said that at the DRC meeting there was discussion about how to view this like a piece of yard furniture. He said his proposal was essentially an enhanced version of a pipe-and-rail system for storing firewood. He said if it was not classified as an auxiliary structure then there would be no setback modification required. Ms. Myers thanked him for his additional comments and noted that it was Zoning who classified the item in question as a structure. The Chair then asked staff to present their staff report. Ms. Durak shared the following:

The contributing dwelling at 2315 N. Kenmore Street was built in 1936 in tandem with the neighboring houses at 2311 and 2317 N. Kenmore Street. It is a minimal traditional house with Tudor Revival-style elements. The applicant submitted a CoA application for the construction of a structure that would be used to store firewood. The structure would be located behind the existing wood picket fence in the northwest corner of the lot in the side yard of the property. The

structure would not have a foundation or concrete slab base. The frame structural system would be clad in either wood or composite siding and have wood trim. The only fenestration would be a wood door at the center of the façade. The low sloped roof would be clad in asphalt shingles. In total, the structure would measure 6 ft. wide, 3.5 ft. deep, and 4.5 ft. tall.

The DRC considered this application at its September meeting. The conversation largely centered on the location of the structure and how to classify it. Staff pointed out during the meeting that a “shed” was the most comparable structure in the *Maywood Design Guidelines* and that was what staff was using for guidance. Staff noted that sheds are not allowed in the side yards of houses in Maywood per the design guidelines. Some DRC members disagreed with the assessment that it should be classified as a shed since it was smaller than a typical shed. The DRC asked the applicant if he would be willing to amend the project to have the structure match the height of the existing fence and to decrease the slope of the roof. All three commissioners did not have an issue with the project, but since it could set precedent in the neighborhood with its placement, they felt it should be placed on the Discussion Agenda for the HALRB meeting.

Given the conversation around how to classify the structure during the DRC meeting, HPP staff discussed the project with Zoning staff to obtain their perspective. Per the Zoning Ordinance, the proposed wood storage structure would be considered an accessory structure since it did not have a permanent foundation. As such, the structure is required to have a 10’ setback from the side property line and a 25’ setback from the street. Zoning staff noted that to construct the structure in its proposed location, the HALRB would need to elect to utilize their setback modification authority for it to comply with Zoning standards.

Since the proposed project did not comply with Zoning requirements, HPP staff reached out to the applicant to share this information, including the specific setback requirement. Since the project did not comply with Zoning requirements and the request for the HALRB to utilize their setback modification authority had not been advertised as part of the project, staff stated that it could not be considered by the HALRB during the September meeting. Staff advised the applicant to return the following month either with a revised location to their project or with the request that the HALRB utilize their setback modification authority. Staff offered extra time to the applicant to decide if they wanted to remain on the agenda even though the HALRB could not make a final determination on the project. The applicant did not notify staff by the stated deadline and therefore, the project was not included on the HALRB’s September agenda.

HPP staff recommend that the HALRB defer their decision on CoA 25-06. There are three points to consider in tonight’s discussion. The first and most important is that the project does not currently comply with the County’s required Zoning setback standards for an accessory structure. The wood storage accessory structure is flush with the side lot line rather than setback the required 10’ with no separation between it and the house. As proposed, the construction of such a structure would violate County Zoning laws.

The second point to consider relates to the HALRB’s setback modification authority. The current project has not requested that the HALRB utilize this authority. As such, the HALRB could not make a motion to use this authority during the September HALRB meeting since the project was not advertised to the public as requesting this authority be considered for use. If the applicant decides to request this setback modification for the accessory structure’s current location, rather than amend the location to comply with existing Zoning requirements, then it will need to be considered by the HALRB at a future meeting whether the use of their setback authority would be appropriate for this project.

The third and final point to consider is the potential precedent setting nature for this request. Although the DRC did not consider this proposed wood storage structure a shed, HPP staff believe it is the most comparable structure noted in the *Maywood Design Guidelines* and as such, is the guidance HPP staff are following with regards to this request. According to the design guidelines, “Sheds must be located to the rear of the dwelling and conform to all setback requirements stipulated by the ACZO” (p. G-23). Therefore, sheds are not permitted, by the design guidelines, to be installed or constructed in the side yards of houses in the Maywood LHD. Should the HALRB approve this request, it has the potential to set precedent to allow the construction of other sheds and/or accessory structures in the side yards of Maywood.

In conclusion, HPP staff recommend that the HALRB defer consideration of CoA 25-06 until the project is refined further and some of these outstanding elements are clarified. HPP staff recommend that the applicant either relocate the accessory structure so that it complies with the Zoning setback requirements or that they request the HALRB utilize their setback modification authority or that they relocate the accessory structure to the rear yard to comply with the *Maywood Design Guidelines*. If the applicant returns to the HALRB with an amended proposal, it should be at that time that the HALRB determine the potential for the project to set a precedent in the neighborhood and/or if the use of their setback modification authority would be appropriate. If the applicant revises the accessory structure to the rear yard, this could be reviewed administratively by staff. This concludes the staff report.

Ms. Durak then reiterated certain points of the staff report while sharing the application on the screen. Ms. Durak then offered that Mr. Schmitt could share anything else at that time since he was the applicant. He asked if, in the future, he would have to request that the HALRB utilize their setback modification authority. Ms. Durak confirmed that he would and that she would help him with that request. The Chair then offered for Mr. Wenchel to provide a comment from the DRC. Mr. Wenchel said he felt that the request was reasonable, but that it did appear more like a shed and less like a temporary storage system. He said there was nothing wrong with the aesthetics of the structure, but he expressed concerns about whether using the setback modification authority in this instance would be appropriate. He said it could set precedent and then be used by others in the neighborhood. He offered that it could come back to the DRC and that it could be redesigned to look less like a shed. Ms. Myers then opened up the discussion to the full board.

Ms. Dreher asked Ms. Durak to confirm that even if the HALRB were to consider making a setback modification for this project at a future meeting, the project was currently against Zoning guidelines and it would essentially have no effect so it would seem that the applicant needs to resolve things with the Zoning staff before coming back to the HALRB. Ms. Durak explained how the setback modification can be used by the HALRB. Ms. Lawrence said that she thought it was limited for street-facing situations or porches, but that she did not think they had the authority to use it on side setbacks. Ms. Durak clarified that it can be used for both buildings and structures and that the HALRB has elected to primarily use the authority for the things Ms. Lawrence described such as porches or street-facing elements of a house. She said it was supposed to be utilized to retain historic character in the neighborhood and offered an example to illustrate this point. Ms. Lawrence interrupted and said that the HALRB was familiar with those situations but said she was unaware of an instance when the HALRB had used it for accessory structures. Ms. Durak noted that the HALRB had elected to utilize this authority last year for an accessory building in the rear yard and explained the parameters of that project and why the HALRB decided to use that authority. Ms. Lawrence said that that project had extenuating circumstances.

Ms. Meyer asked if there was a reason the applicant could not put the wood storage structure in the rear yard. Mr. Schmitt said the yard was small and that it would mean he or his family members would have to walk a bit further to get to the firewood and explained the logistics of why he wanted to place the

structure where it was located. Ms. Durak offered that they could measure the side yard and see if they could find an area where they could place it that would comply with the setback requirements. However, she noted that the question still remained whether the placement of the structure in the side yard would set precedent in the LHD. Mr. Schmitt said that there would not be an area in the side yard that would comply with the requirements because his side yard was so small. Ms. Myers offered that he could put it up against the side of the house, but Mr. Schmitt said that the gas meter and other mechanical equipment was located in that area. He remembered during the DRC that someone offered that he could put it up against the house but recalled that Ms. Durak said that would only be allowed per the *Maywood Design Guidelines* on the back of the house. Ms. Durak confirmed that lean-to sheds are allowed in Maywood, but that they were permitted in the rear yards per the design guidelines. Ms. Myers said she appreciated that Mr. Schmitt was trying to follow the rules by bringing this project forward to staff and the HALRB. She said it would be an unusual use of the setback modification authority but welcomed looking at the project again after he refined it with staff. He said it may be an administrative approval since it may have to go in the backyard. Ms. Myers asked if anyone else had anything they would like to add. Mr. Turnbull asked if adding a foundation to the structure would make it a different situation. Ms. Durak said that it would and noted that Zoning would classify it as an accessory building if it had a foundation and that the setback would be different and that she could get him that information. Ms. Myers asked if there was a category with Zoning for things smaller than a shed, and Ms. Durak said she would have to ask but that no such category existed in the *Maywood Design Guidelines*. Mr. Davis asked if there were standards with Zoning for temporary structures. Mr. Schmitt offered that that is what he has been calling it since it would be easily movable. He said he would talk to his wife about it and get back to staff and the HALRB about how they would move forward. Ms. Durak offered that they could meet with Zoning to think creatively about how to make something work for his yard. Ms. Myers offered that she hoped the feedback was helpful and asked staff if the HALRB needed to make a motion. Staff determined that a motion would not be needed since the HALRB were not making a decision on the project and that the conversation had largely been one centered on providing feedback.

Penrose Trolley House Discussion

The Chair shared that another public speaker had signed up to speak about a topic not on the HALRB's agenda for the evening. She invited Ms. Sonia Cool to share her remarks with the HALRB. Ms. Cool introduced herself and noted that she was the events chairperson for the Penrose neighborhood. She said her matter is supported by the Penrose Civic Association but that she was not speaking on behalf of that association. She shared that she and others were trying to save the Penrose Trolley House. She noted that it would go up for sale soon and that it was the last tangible remnant for why Penrose was given its name. She noted that it was currently at risk to being lost to development by being listed on the market. She said the community envisioned the Penrose Trolley House becoming the permanent location of the Black Heritage Museum of Arlington (BHMA). She shared that they were organizing on a neighborhood level and that they were advocating for funding and public support to make their vision a reality. She said she was seeking the support and leadership of the HALRB and requested their assistance. She said she wanted to know what partnerships, financial contributions, or other actions such as a delay of sale may be applicable or available to this property. She concluded her statement by saying the community members wanted to put a bid in on the house but noted that they did not have the funds at that time, so they were fundraising. She asked the HALRB if they had any thoughts, but Ms. Myers interjected to say it would need to be added to the agenda before it was discussed. Ms. Myers reminded the HALRB that the topic was not on the agenda and made the following motion to amend the agenda so it could be discussed:

I move that we add the Penrose Trolley Discussion to the agenda.

Mr. Handley seconded the motion. The Chair asked staff to call the roll. Ms. Farris called the roll, and the motion carried 9-0.

Ms. Durak clarified that there would not be a staff report or comment from the DRC so it could just be discussed at that point. Ms. Myers asked for staff to offer any guidance that they may have for Ms. Cool on the subject. Ms. Farris asked Ms. Durak to share the listing on the screen for those who may not be familiar with the property. Ms. Farris said the house was located within the Penrose National Register of Historic Places Historic District and shared the following from that nomination report:

The Penrose Historic District is a planned community in Arlington County associated with the historic, economic, and cultural contributions of African American families. During and after the Civil War, free Blacks and formerly enslaved individuals lived in the government-established Freedman's Village, but residents were displaced and relocated to other nearby areas that began to cater to African Americans. Planned development in the area that became Penrose began in 1882 when former Village residents William Butler and Henry Louis Holmes established the Butler-Holmes Subdivision. The neighborhood also attracted middle- and working-class populations with the arrival of streetcar lines that allowed easy access to Washington, D.C. Penrose became a National Register District in 2004 and a year prior it had been listed on the Virginia Landmarks Register. The house was a contributing resource to the district and was a vernacular dwelling in the district. It was known as the Hunter Station and the Finklestein Store. It was constructed around 1900 and served as the station for the Washington-Virginia Company's streetcar line which extended from Rosslyn to Nauck, which is Green Valley today. It also later functioned as a small store. The wood-frame building's footprint conforms to the path of the streetcar rails that ran diagonally from northeast to northwest. With the increased use of the automobile and the demise of the streetcar line, the building was rehabilitated for use as a store and delicatessen. Largely devoid of applied ornamentation, the building was rehabilitated a second time as a single-family dwelling.

Ms. Farris continued by saying she appreciated learning about the situation and the concerns of the community from Ms. Cool. Ms. Farris confirmed that the building was not a Local Historic District (LHD) nor did it have a protective easement on it. She noted that the HALRB could offer any of their suggestions to Ms. Cool on how to preserve the building. Ms. Cool offered a clarification which was that the BHMA would be the owner of the property, not just the tenant. Ms. Myers asked if the BHMA was involved in her group, and Ms. Cool replied in the affirmative. She explained that another community member, Ms. Natalie Roy, was helping with this project. Ms. Roy was a real estate agent and had been in direct communication with Mr. Scott Taylor (Director of the BHMA). Mr. Handley asked if she and Ms. Roy had had any conversation with the community association about how long it takes and how complicated it can be to become an LHD. Specifically, he noted past instances where the use of the LHD tool to prevent demolition and development had failed. Ms. Farris thanked Mr. Handley for bringing this up and mentioned that she had sent Ms. Cool an email earlier that day with a list of options. She said one option was to buy the property which she understood was the primary goal of the group. She said another option was to protect the property by making it an LHD or applying a historic preservation easement on the property. Ms. Farris noted that one of her questions was if they had been in communication with the people who were selling the property. She continued by acknowledging that there are challenges with getting a property listed as an LHD and explained the early stages of the application process for LHDs. Should the LHD application be added to the LHD study queue by the HALRB, this would mean that the property could not be demolished while it was being studied because of the new state law which prevented demolition or building permits from being issued on properties under LHD consideration. She said that it was not impossible to become an LHD, but that it was complicated.

Ms. Cool said she believed they did not want to get to that point of becoming an LHD and that they were primarily focused on buying it. She reiterated that her question was more about networking and who the HALRB knew that could contribute financially to their cause. She asked the HALRB members to reach out to their connections. Ms. Myers said her recommendation would be to file for the property to become

an LHD. Ms. Myers said that that was the HALRB's role and typically how they helped with historic preservation in the community. At this point, Ms. Roy, who was attending virtually, interrupted to ask a question, but Ms. Myers stated that since Ms. Roy had not signed up to speak that she would have to only listen to the conversation. There was some conversation about timing and the tight deadline that the community had for buying the lot or nominating it to become an LHD given the date of sale for the property. Ms. Myers said it was not impossible to submit the LHD application within their timeline and outlined the initial steps in the process for Ms. Cool. She noted that once the HALRB decided to study the LHD was when the state law prohibiting demolition would be applied. Ms. Durak offered that Ms. Cool would meet with her and Ms. Farris to discuss their application and go over the steps in the process. Ms. Cool asked when, if they submitted their application, could the item be heard by the HALRB. Ms. Myers stated that the HALRB had monthly meetings and Ms. Farris reiterated that applying for the LHD would buy them time, but it would not address their goal of having a specific use for the building. Ms. Farris said that the HALRB did not have a budget to help contribute to the purchase of the property and offered that networking would be the best route forward. She also noted that someone else could buy the property and not redevelop it so from staff's perspective and with the tools available for the HALRB to use, there was still a big question about intent.

Ms. Lawrence asked if Ms. Cool had talked to anyone on the County Board. Ms. Cool said that they had not. It was established that County Board Member Mr. J.D. Spain was the County Board liaison for the HALRB and that he lived in Penrose; several members of the HALRB advised Ms. Cool to speak with him. Ms. Lawrence also suggested that they ask as many people as possible to contact the County Board about the topic to bring it to their attention. Mr. Handley offered that if the civic association also had a single voice on the matter that that would be good for the County Board to hear as well. There was some discussion about other historic properties and resources located within the Penrose neighborhood. Ms. Farris asked if the Penrose Civic Association had discussed the topic. Ms. Cool said that it had been discussed briefly, and they approved she and Ms. Roy sharing a letter with the larger community about the project. Ms. Myers asked if someone had reached out to the current owner. Ms. Cool said that they had been in communication with the real estate agents and that it was her understanding the main motivation for the property owners was to obtain a good price for the house. Ms. Myers offered another thought which was that the property was uniquely situated right along the road. She posited that this may limit the type of redevelopment that can or would occur on the site. Ms. Myers also asked if they were going to have a communications campaign about the project. Ms. Cool said that they were beginning those efforts.

Hearing no other comments or questions, the matter closed, and the Chair closed public testimony for the rest of the meeting.

CHAIR'S REPORT

Ms. Myers shared that Ms. Meyer had been reappointed for another term to the HALRB and thanked her for her service. This concluded the Chair's Report.

STAFF REPORT

LHD Study Queue Discussion

Ms. Farris began the staff report by presenting an update to staff's LHD study queue policy. She noted that staff had made updates to the policy and how the order of study is determined. She reminded the HALRB that staff utilized the date of the application submission as the date by which to determine the order of study for the LHDs. Moving forward, staff were instead going to use the date when the HALRB determined that the LHD should be studied and added to the queue to determine the order. Ms. Farris said

that this update supported one of the goals in the Historic and Cultural Resources Plan (HCRP) which was to assess and improve the LHD designation process. The update would also create a more equitable and transparent process, and it would help staff be more efficient. Ms. Farris said that the policy change required no action on behalf of the HALRB, but that staff wanted to obtain their feedback and let them know about the change because the process involved them. Ms. Farris explained that this policy shift occurred because of questions raised by one particular project: the Haven Apartments.

In April 2022, an LHD application was submitted by a community member for the Haven Apartments. The property was involved at that time with a site plan project that was utilizing Transfer of Development Rights (TDRs) from the Haven Apartments site elsewhere. As a result, the County would obtain a historic preservation easement on the Haven Apartments site. Ms. Farris reminded the HALRB that the easement is one of the strongest preservation tools because it prevented demolition whereas there were mechanisms by which LHDs could be demolished. In July 2022, the preliminary hearing for the Haven Apartments LHD request was held by the HALRB. At that meeting, the HALRB decided to defer action on the item until after the easement on the property was recorded. In July 2025, the easement was finalized and recorded.

Ms. Farris continued by explaining that staff began considering this topic more as they looked at the LHD study queue. If they utilized the existing policy, this would mean that the Haven Apartments would be studied next and go in front of the other two items already in the queue, Happinest and the Nelly Custis School. If they utilized the new policy, the Haven Apartments would be third in the study queue order if the HALRB decided that HPP staff should study the property further for LHD designation. She concluded staff's presentation and asked the HALRB for their feedback or if they had questions.

Ms. Lawrence offered that since the Haven Apartments already had a preservation easement on it that the preservation of that building was not as pressing as other sites and therefore justified its being moved down in the queue order. She asked what would happen with "emergency" requests or requests for designation on properties that had demolition threats. Ms. Farris said she appreciated the question and noted that it would be challenging for staff to determine what would be classified as an "emergency" or what to do in an instance if there were two "emergency" requests and determining which was more urgent than the other. She also noted that this would also impact the equity of the process. She offered that for these cases the HALRB could also advocate for a change in the study queue with the County Board and County leadership. Mr. Handley stated that he believed the update made sense; he said setting the clock to when the HALRB asked for a study was reasonable, not arbitrary, clear, and it was in the public realm. Mr. Handley then asked if staff had considered whether they were going to get an argument from the applicants with existing LHD applications that have been submitted that staff had "changed the rules in the middle of the game." He reiterated that he was all in favor of the switch but that this was a point staff should consider. Ms. Myers asked if the policy was written anywhere. Ms. Farris shared that it was not written down anywhere – it was not in the Zoning Ordinance. Ms. Dreher said that the new policy made sense and reiterated that it was transparent. Mr. Davis concurred that the new policy would be more transparent than the policy staff were utilizing currently. Ms. Myers agreed. Ms. Farris shared that staff had taken this approach to County leadership who supported it and suggested, which staff agreed with, that the HALRB should provide feedback on the approach. She reiterated that this was a step towards a larger effort to re-evaluate the LHD designation process and related Zoning ordinance sections in the near future. Ms. Farris asked that if anyone had additional thoughts or feedback they wanted to share that they could do so by September 26th and reiterated that the change required no HALRB action.

Arlington 250

Ms. Farris asked Mr. John McNair to provide an update on the Arlington 250th celebrations. Mr. McNair reminded the HALRB that the County had made the Arlington Historical Society (AHS) the official

conveyor of celebrations and efforts related to the commemoration in Arlington of the 250th anniversary of the United States. AHS created a committee for planning the 250th in Arlington, and Mr. McNair noted that several County groups and entities were involved. He extended an invitation to anyone on the HALRB who may want to participate and serve as a liaison for the HALRB on the committee to let him know. Mr. Handley asked if Mr. McNair could share updates from that committee with the HALRB. He noted he wanted to further understand how the HALRB could participate. Mr. McNair stated that the goal of the commemorations was to encapsulate the entire history of an area and thus, several different angles and celebrations were being explored. He said he'd be happy to provide updates during the HALRB meetings and again offered that if anyone wanted to participate on the committee to please let him know.

Administrative Updates

Noting the upcoming fall and holiday season, Ms. Durak shared the dates of the upcoming HALRB meetings and asked that the commissioners add those dates to their calendars now. She asked that they let her know if they knew they could not make one of those meetings. Then she thanked the HALRB commissioners for sharing their required CLG training with her in a timely manner. She reminded them that they had until September 30th to complete their training and to please share with her, if they had not already, the details of their training.

With no other business for the good of the order, the Chair adjourned the meeting at 8:22 pm.