ISSUE: Certificate of Appropriateness for alterations

APPLICANT: Eat Augie's, LLC

LOCATION: Old and Historic Alexandria District

1106 King Street

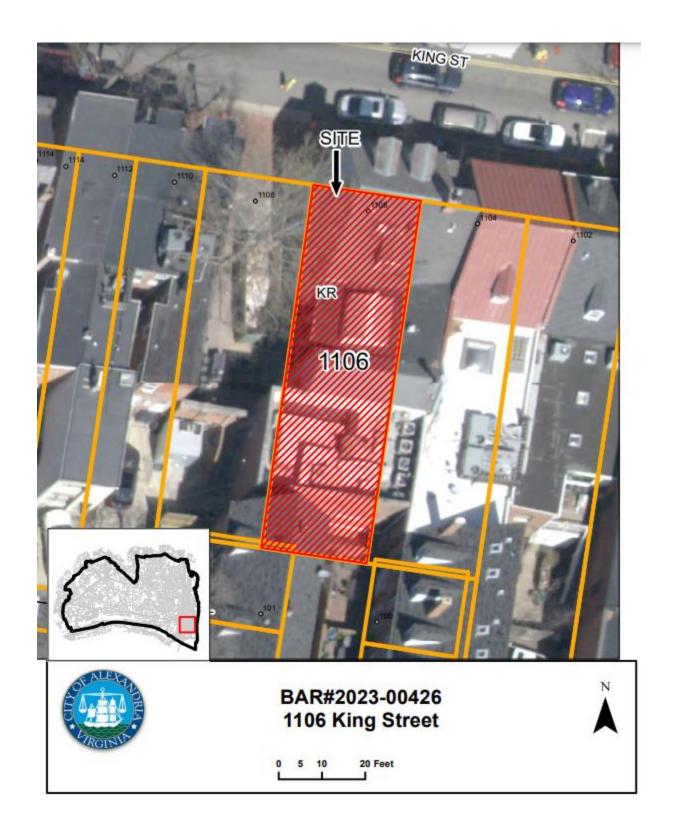
ZONE: KR/King Street urban retail zone

STAFF RECOMMENDATION

Staff recommends approval of the Certificate of Appropriateness for alterations, as submitted.

GENERAL NOTES TO THE APPLICANT

- 1. APPEAL OF DECISION: In accordance with the Zoning Ordinance, if the Board of Architectural Review denies or approves an application in whole or in part, the applicant or opponent may appeal the Board's decision to City Council on or before 14 days after the decision of the Board.
- 2. COMPLIANCE WITH BAR POLICIES: All materials must comply with the BAR's adopted policies unless otherwise specifically approved.
- 3. BUILDING PERMITS: Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Department of Code Administration (<u>including signs</u>). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Administration, Room 4200, City Hall, 703-746-4200 for further information.
- 4. ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH: Applicants must obtain a copy of the Certificate of Appropriateness or Permit to Demolish PRIOR to applying for a building permit. Contact BAR Staff, Room 2100, City Hall, 703-746-3833, or preservation@alexandriava.gov for further information.
- 5. EXPIRATION OF APPROVALS NOTE: In accordance with Sections 10-106(B), 10-206(B) and 10-307 of the Zoning Ordinance, any Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.
- 6. HISTORIC PROPERTY TAX CREDITS: Applicants performing extensive, certified rehabilitations of historic properties may separately be eligible for state and/or federal tax credits. Consult with the <u>Virginia Department of Historic Resources (VDHR)</u> prior to initiating any work to determine whether the proposed project may qualify for such credits.



I. <u>APPLICANT'S PROPOSAL</u>

The outdoor patio of Augie's Mussel House and Beer Garden currently has heat lamps that are hung on wires attached to brackets on the brick wall on the west side of the patio. The wall is shared with the neighboring property, 1110 King Street. Staff received a complaint (ZEN2023-00129) about the heat lamps related to a concern about potential damage to the wall from the weight of the lamps. The applicant previously received BAR approval to install hanging LED lights from wires attached to the wall, but not heat lamps (BAR2018-00578). Staff issued a violation letter as the existing heat lamps were not included in the original approved plans. To correct the violation and address the concerns about damage to the wall, the applicant requests a Certificate of Appropriateness to move the heat lamp wires from the brackets to freestanding wooden posts. The posts will be set in concrete, painted black, and located in the existing planter box on the patio.

Site context

The subject property is located on the south side of the 1100 block of King Street. The patio itself is located between Augie's (1106 King Street) and the neighboring property, 1110 King Street. There is a public alley partially abutting the property to the south. This block of King Street consists primarily of commercial buildings, and there are several restaurants with outdoor dining spaces. The outdoor dining patio at Augie's is unique in that it takes up the entire space between two buildings, taking the place of a building that was demolished in the mid-20th century.

II. HISTORY

The building located at 1106 King Street was constructed around **1811**, possibly as one of two houses built by Joseph Smith (Ethelyn Cox, *Historic Alexandria Street by Street*, p.73). The vacant lot at 1108 King Street was once occupied by a building which shared an abutting wall with 1106 King Street, but it was demolished sometime between 1941 and 1956, according to Sanborn Fire Insurance maps.

In the mid-1980s the Board approved substantial alterations to the subject property for the Le Gaulois restaurant (BAR Case #1985-0233, December 18, 1985). Following the renovation of the property in 1986, the Board subsequently approved a retaining wall, lighting and a trash storage. 6 BAR #2018-00577 & 2018-00578 January 16, 2019 In the past few years, staff has administratively approved signs for different restaurants that have occupied the property. Most recently, BAR staff administratively approved a hanging sign above the entrance for Augie's Mussel House and Beer Garden (BAR Case #2018-00322).

On January 16, 2019, the Board approved alterations to the patio of Augie's to create an outdoor dining space. These alterations included the installation of catenary light fixtures, or Tivoli lights, on the brick wall on the west side of the patio, shared with 1110 King Street. The approval included a condition that the attachment of the lights on the shared wall would be a civil issue.

III. ANALYSIS

The applicant is proposing to remove the heat lamp wires from the shared brick wall (Figures 1 and 2) and hang the wires on freestanding wooden posts (Figure 3). The posts will be 8" x 8" x

12', set in concrete and painted black. They will be located in the existing planter box on the patio of Augie's. The previously approved lights will also be moved from the wall brackets to the freestanding posts.



Figures 1 & 2. Existing heat lamps hung on wires attached to a bracket on brick wall on west side of patio

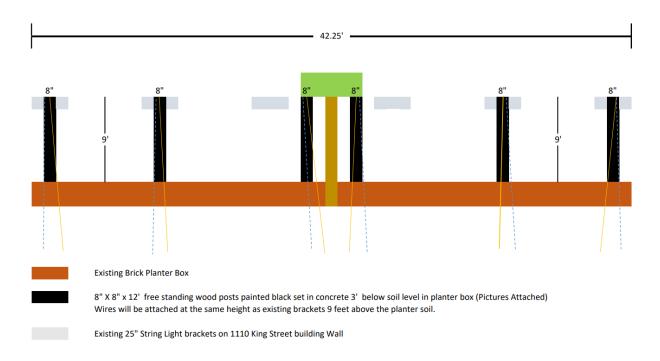


Figure 3. Diagram showing the proposed freestanding posts to which the heat lamps will be attached

Staff has no issue with the relocation of the heat lamps to freestanding posts. Removing the weight of the lamps from the bracket on the brick wall will resolve the violation and prevent any potential damage to the wall. The *Design Guidelines* does not specifically address patio posts or heat lamps, although they could be considered architectural site elements. The freestanding posts and heat lamps will not involve any alterations to the building itself, and the historic integrity of the main structure at 1106 King Street will not be affected. Therefore, Staff recommends approval of the Certificate of Appropriateness for alterations, as submitted.

STAFF

Brendan Harris, Historic Preservation Planner, Planning & Zoning Tony LaColla, AICP, Land Use Services Division Chief, Planning & Zoning

III. <u>CITY DEPARTMENT COMMENTS</u>

Legend: C- code requirement R- recommendation S- suggestion F- finding

Zoning

C-1 Proposed transfer of wall mounted heaters to free standing will comply with zoning.

Code Administration

Building permit is required for the posts and lights.

Transportation and Environmental Services

- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition, if a separate demolition permit is required. (T&ES)
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-3 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)
- F-1 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)

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- C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224) (T&ES)
- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)
- C-6 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (Sec. 5-2-1) (T&ES)

Alexandria Archaeology

F-1 No archaeology comments.

V. ATTACHMENTS

- 1 Application Materials
- 2 Supplemental Materials

		BAR CASE#
ADDRE	SS OF PROJECT: 1106	and 1108 King Street
DISTRIC	CT: Old & Historic Ale	exandria 🗌 Parker – Gray 🗀 100 Year Old Building -04-09 and -08zoning: KR
APPLIC	CATION FOR: (Please check a	all that apply)
■ CEF	RTIFICATE OF APPROPRI	IATENESS
· 		e, ENCAPSULATE OR DEMOLISH of a structure is to be demolished/impacted)
_		NCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION (-802, Alexandria 1992 Zoning Ordinance)
_	IVER OF ROOFTOP HVAC tion 6-403(B)(3), Alexandria 1992	C SCREENING REQUIREMENT 2 Zoning Ordinance)
	ant: Property Owner Eat Augies LLC	■ Business (Please provide business name & contact person)
Address	:1106 King Street	
City:	Alexandria	State:_VA
Phone:		E-mail : margaret@commonplategroup.com
Author	rized Agent (if applicable):	Attorney Architect
Name:_		Phone:
E-mail:_		
Legal F	Property Owner:	
Name:	Old Town #2	
Address	::802 Gervais Stree	et Suite 200
City:	Columbia	State: SC Zip: 29201
Phone:_		E-mail:

	BAR CASE#
	(OFFICE USE ONLY)
NATURE	E OF PROPOSED WORK: Please check all that apply
EX	W CONSTRUCTION TERIOR ALTERATION: Please check all that apply. awning
be attache	
	e heater lamps hung on wires from the wall of 1110 King Street to free standing
	12' wooden posts set in concrete and painted black. These posts will be located
in the exi	sting planter box on the patio.
SUBMI	ITAL REQUIREMENTS:
	k this box if there is a homeowner's association for this property. If so, you must attach a he letter approving the project.
request a	ted below comprise the minimum supporting materials for BAR applications. Staff may additional information during application review. Please refer to the relevant section of the <i>Guidelines</i> for further information on appropriate treatments.
material docketin	ts must use the checklist below to ensure the application is complete. Include all information and that are necessary to thoroughly describe the project. Incomplete applications will delay the g of the application for review. Pre-application meetings are required for all proposed additions. cants are encouraged to meet with staff prior to submission of a completed application.
Demolit must com	tion/Encapsulation: All applicants requesting 25 square feet or more of demolition/encapsulation plete this section. Check N/A if an item in this section does not apply to your project.
	Survey plat showing the extent of the proposed demolition/encapsulation. Existing elevation drawings clearly showing all elements proposed for demolition/encapsulation. Clear and labeled photographs of all elevations of the building if the entire structure is proposed to be demolished. Description of the reason for demolition/encapsulation. Description of the alternatives to demolition/encapsulation and why such alternatives are not considered feasible.

	BAR CASE#
	(OFFICE USE ONLY)
	ons & New Construction: Drawings must be to scale and should not exceed 11" x 17" unless d by staff. Check N/A if an item in this section does not apply to your project.
N/A	Scaled survey plat showing dimensions of lot and location of existing building and other structures on the lot, location of proposed structure or addition, dimensions of existing structure(s), proposed addition or new construction, and all exterior, ground and roof mounted
	equipment. FAR & Open Space calculation form. Clear and labeled photographs of the site, surrounding properties and existing structures, if applicable.
	Existing elevations must be scaled and include dimensions. Proposed elevations must be scaled and include dimensions. Include the relationship to adjacent structures in plan and elevations.
х	Materials and colors to be used must be specified and delineated on the drawings. Actual
	samples may be provided or required. Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows,
	doors, lighting, fencing, HVAC equipment and walls. For development site plan projects, a model showing mass relationships to adjacent properties and structures.
illuminat	& Awnings: One sign per building under one square foot does not require BAR approval unless ted. All other signs including window signs require BAR approval. Check N/A if an item in this section does y to your project.
	Linear feet of building: Front:Secondary front (if corner lot): Square feet of existing signs to remain: Photograph of building showing existing conditions. Dimensioned drawings of proposed sign identifying materials, color, lettering style and text. Location of sign (show exact location on building including the height above sidewalk). Means of attachment (drawing or manufacturer's cut sheet of bracket if applicable). Description of lighting (if applicable). Include manufacturer's cut sheet for any new lighting fixtures and information detailing how it will be attached to the building's facade.
Altera	tions: Check N/A if an item in this section does not apply to your project.
	Clear and labeled photographs of the site, especially the area being impacted by the alterations, all sides of the building and any pertinent details. Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls. Drawings accurately representing the changes to the proposed structure, including materials and overall dimensions. Drawings must be to scale. An official survey plat showing the proposed locations of HVAC units, fences, and sheds. Historic elevations or photographs should accompany any request to return a structure to an earlier appearance.

	BAR CASE#
	(OFFICE USE ONLY)
ALL	APPLICATIONS: Please read and check that you have read and understand the following items:
х	I understand that after reviewing the proposed alterations, BAR staff will invoice the appropriate filing fee in APEX. The application will not be processed until the fee is paid online.
х	I understand the notice requirements and will return a copy of the three respective notice forms to BAR staff at least five days prior to the hearing. If I am unsure to whom I should send notice I will contact Planning and Zoning staff for assistance in identifying adjacent parcels.
х	I, the applicant, or an authorized representative will be present at the public hearing.
х	I understand that any revisions to this initial application submission (including applications deferred for restudy) must be accompanied by the BAR Supplemental form and revised materials.

The undersigned hereby attests that all of the information herein provided including the site plan, building elevations, prospective drawings of the project, and written descriptive information are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The undersigned also hereby authorizes the City staff and members of the BAR to inspect this site as necessary in the course of research and evaluating the application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

Signature Manager Hayek		
		Margaret Hayek
Date:	10/2/20	023

OWNERSHIP AND DISCLOSURE STATEMENT Use additional sheets if necessary

Name	Address	Percent of Ownership
which is the subject of the application.		
include any legal or equitable interest held at the time of the application in the real property		
case identify each owner of n	nore than three percent. The t	term ownership interest shall
an interest in the applicant, un	lless the entity is a corporat	tion or partnership, in which
1. Applicant. State the name, a	ddress and percent of ownership	p of any person or entity owning

Name	Address	Percent of Ownership
1. See Attached		
2.		
3.		

2. Property. State the name, address and percent of ownership of any	person or entity owning
an interest in the property located at 1106 and 1108 King Street	(address), unless the
entity is a corporation or partnership, in which case identify each owne	r of more than three
percent. The term ownership interest shall include any legal or equitab	le interest held at the
time of the application in the real property which is the subject of the application in	plication.

Name	Address	Percent of Ownership
1. See Attached		
2.		
3.		

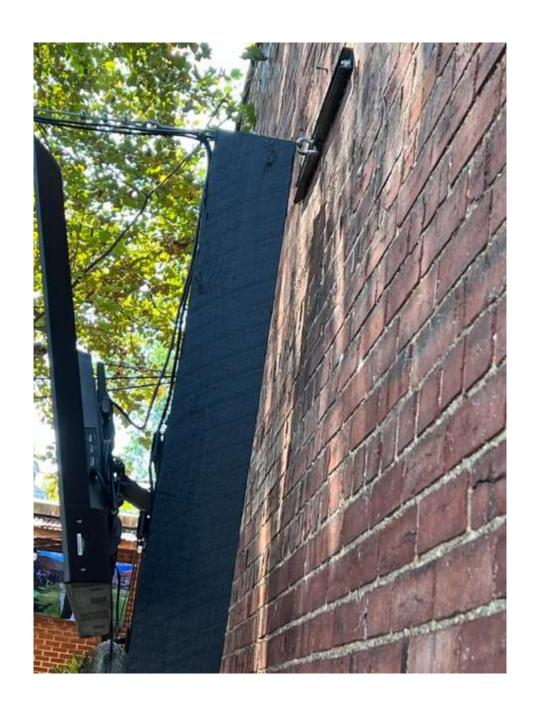
3. <u>Business or Financial Relationships.</u> Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

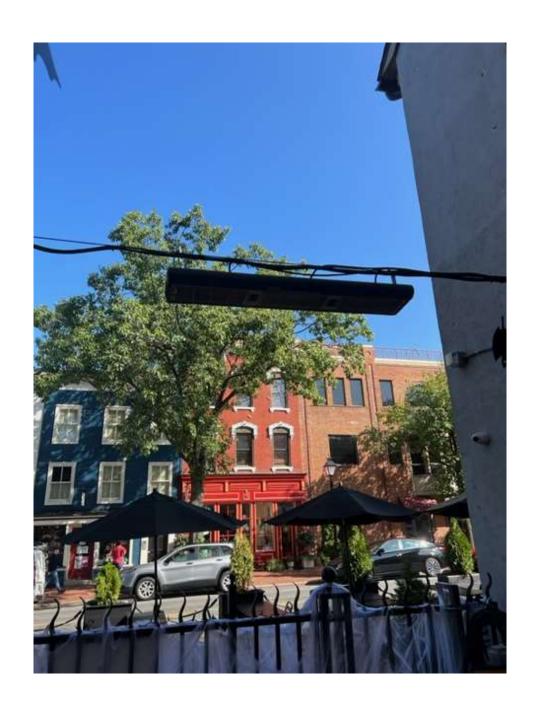
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
^{1.} See Attached		
^{2.} See Attached		
^{3.} See Attached		

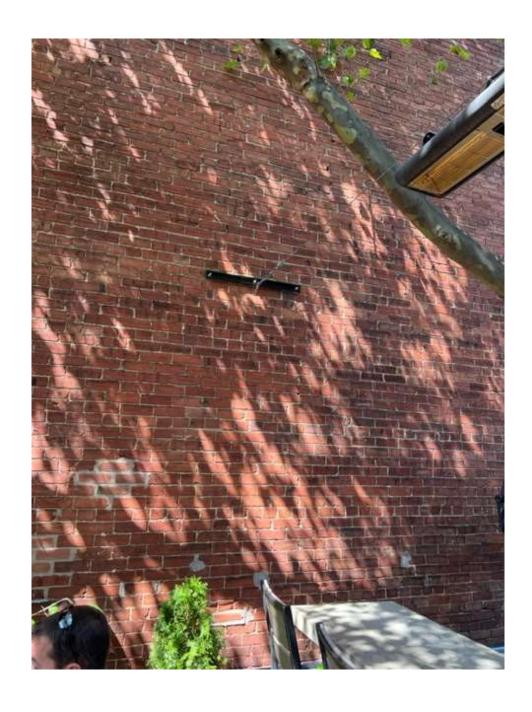
NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

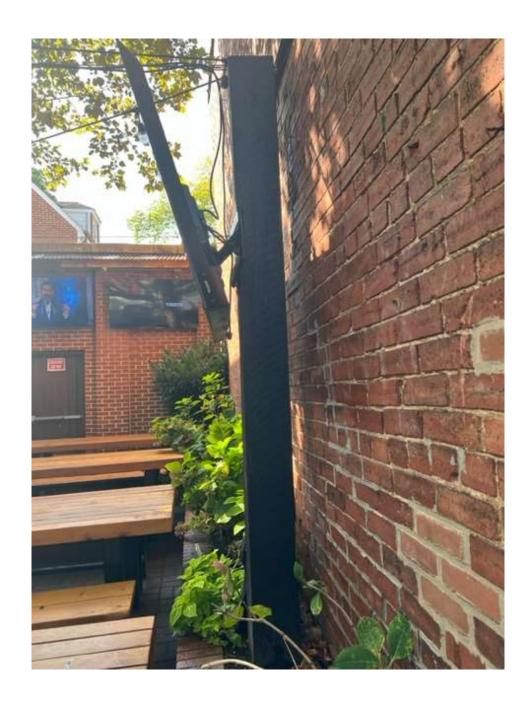
As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

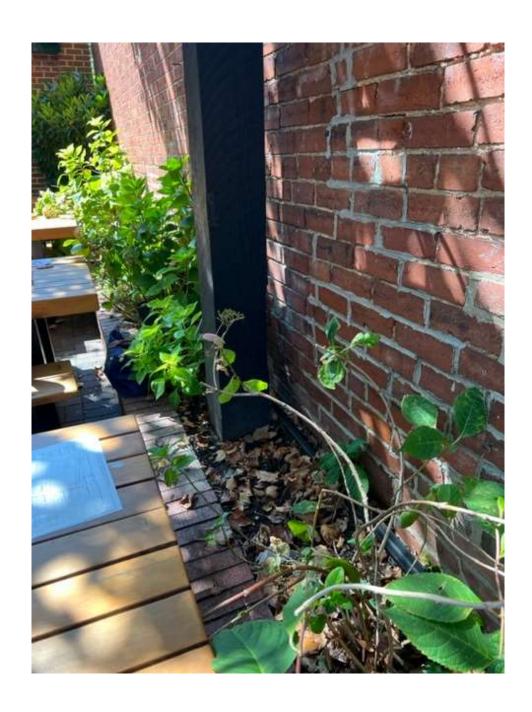
10/2/2023	Margaret Hayek	Margaret Hayek Margaret Hayek
Date	Printed Name	Signature







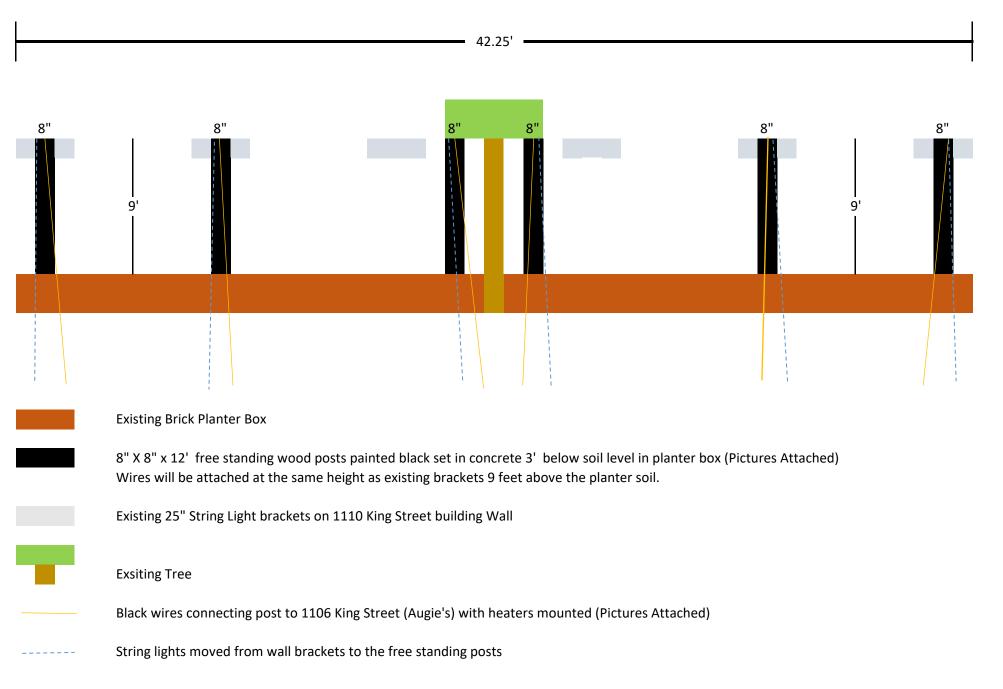






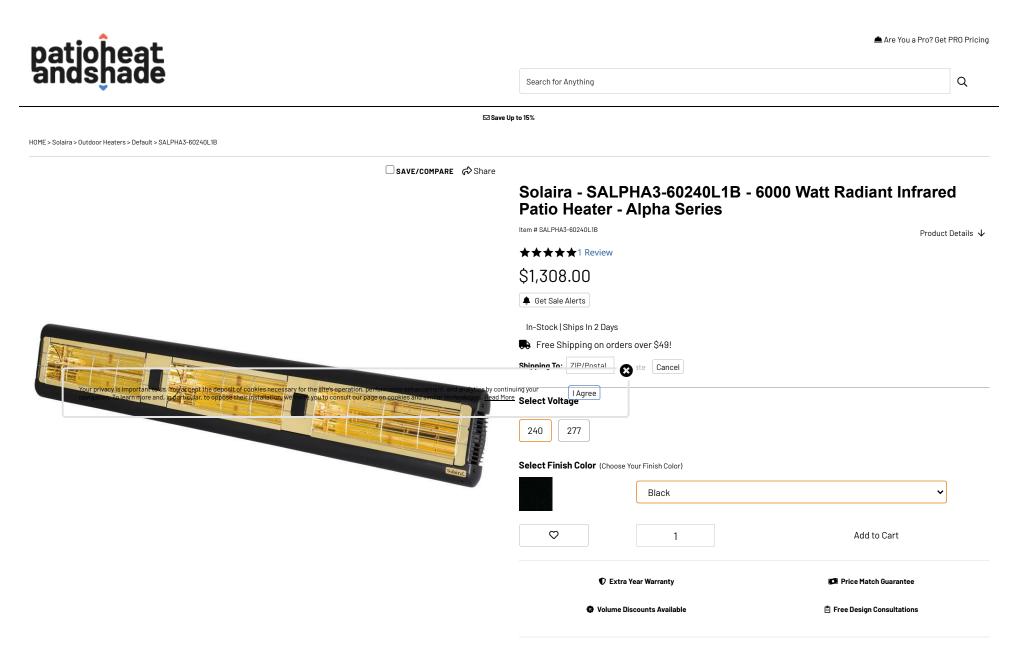
View on Patio looking at 1110 King Street Brick Wall

Heater Wires and String Lights attached to posts NOT 1110 King Street Brick Wall



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Overview

Family Collection

More Info

Product Description

The Alpha Series is a powerful, versatile heating system, engineered for commercial and industrial applications. Alpha Series Heaters produce short wavelength infrared that converts 85% of consumed energy to instant, controllable, directional heat. The Alpha 6,000-watt heater will provide a warm blanket of infrared heat up to 230 sq ft that is not affected by wind or draft as it warms people, objects, and things and not the air. The modular design of the Solaira Alpha Series allows specifying engineers to adjust and direct speci?ed heating loads based on area requirements. The Alpha Series modern, sleek design allows architects to integrate heating technology with clean un-intrusive lines that can be installed in both wet (outdoor) or dry conditions (indoor or outdoor).

PLEASE NOTE: The ICR series heaters are dual voltage units meaning they can be used with either a 240V or a 208V power supply. Please note when using with a 208V power supply the amperage will change and the wattage will be derated

Description/Detail **Key Features and Benefits:**

· Commercial grade.

- · Powder coated aluminum body and mounting brackets, stainless accessories.
- . Indoor or outdoor rated for wet or dry conditions. (IP55 Rated).
- · Rain and snow resistant.
- Modular design for engineered heat loads.
- · Heats up to 230 sq ft.
- Great for mounting heights between 9' 10" and 11' 5".
- Mounting angle: 30° minimum to 50° maximum.

What's Included:

- (1) Triple element 6,000-Watt Alpha Heater.
- Your of wax vis important tows. You accept the deposit of crokies necessary for the site's operation, performance enhancement, and analytics by continuing your navigation. To learn more and, in particular, to oppose their installation, we invite you to consult our page on cookies and similar technologies. Read More

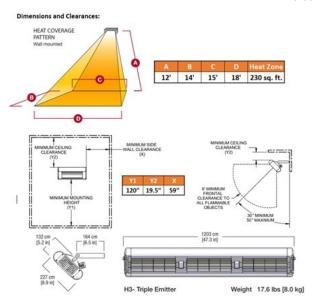
W nat Needs to be Purchased Separately:

- · Simple On/Off control option with timer
- Full dimming control option up to 16 amps or 34 amps.
- . Home automation integration option.

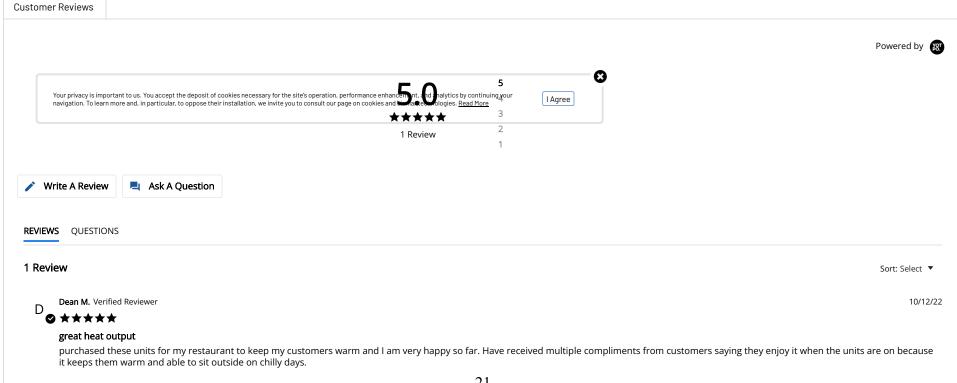
Additional Optional Accessories:

- . 12 Inch Mounting Brackets For applications with higher ceilings.
- . 24 Inch Mounting Brackets For applications with higher ceilings.
- · Post Mount For applications with no walls/ceilings.

Dimensions & Weights	
Length:	45"
Height:	9"
Depth/Extension:	12.75"
Weight:	17.5 lbs
Heating Specifications	
Heating Area:	230 Sq. Ft.
Fuel Source:	Electric
Heating Element:	Quartz
Installation Details	
Minimum Mounting Height:	137.5"
Lamping Details	
Star Wattage:	6000 Watts
Produc : Details	
Finieh	Black
Voltage Rating:	240 V
Amperage:	25 amps
Material:	Aluminum, Quartz, Tungsten
Mounting Options:	Post Mount, Wall Mount
Cut Sheet	
Spec Sheet	
<u>Installation Sheet</u>	
WARNING: Ca Prop 65 Notice	



View ALL from the Alpha Series Series



10/2/23, 12:42 PM Solaira---SALPHA3-60240L1B---6000-Watt-Radiant-Infrared-Patio-Heater---Alpha-Series Was This Review Helpful? 🏚 0 🔎 0 Your Recently Viewed Items ♦ Our Experts' Picks - Best of the Best Check out our hand-selected products and why we think you'll love them! VIEW PRODUCTS →

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