

City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 3, 2017

TO: CHAIRWOMAN LYMAN AND MEMBERS OF PLANNING COMMISSION

FROM: KARL MORITZ, DIRECTOR OF PLANNING AND ZONING

SUBJECT: ENC #2016-0009, 119 KING STREET (DOCKET ITEM #7)

This memorandum contains two additional items of information for ENC #2016-0009:

- A. The Board of Architectural Review approval, BAR #2016-0265, has been attached to provide Planning Commissioners with further background information on the case.
- B. Conditions for encroachment approval were inadvertently omitted from the staff report. These should appear in Section III of the staff report as:
 - 1. The applicant (and his successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his/her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)
 - 2. Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
 - 3. In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)

Staff recommends approval of ENC #2016-0009 with the addition of Conditions 1-3.

BAR Meeting
September 7, 2016

ISSUE: Certificate of Appropriateness
APPLICANT: Potomac Restaurants, LLC
LOCATION: 119 King Street
ZONE: CD/Commercial Downtown

BOARD ACTION: Approved. 5-1.

On a motion by Ms. Finnigan, seconded by Ms. Kelley, the OHAD Board of Architectural Review voted to approve BAR Case #2016-00265. The motion carried on a vote of 5-1. Ms. Miller was opposed.

CONDITIONS OF APPROVAL

1. Approval of the proposed signs, awning fabric and color.
2. The use of a retractable rather than a fixed frame awning. The awnings must be retracted when the outdoor dining area is not open for use by customers.
3. If the BAR approves a rigid, fixed frame awning, staff recommends that the awning have a loose valance and open ends and that the frame be painted black.
4. The awning may project no farther than five feet, six inches (5'-6") from the face of the building, subject to approval of an encroachment ordinance by City Council.
5. The awning must have an eight foot (8') clearance from the sidewalk to the bottom of awning fabric/material at any point. The upper portion should be mounted no lower than ten feet (10') from ground level to stay below the sill of the loading door at the second floor.
6. All care must be taken not to damage the exterior fabric of the building when installing the awning frame. The awning frame may not be installed directly into masonry but shall be mounted through mortar joints.
7. The current wall sign must be removed prior to installation of the awning.

GENERAL NOTES TO THE APPLICANT

1. **ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH:** Applicants must obtain a stamped 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.
2. **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.
3. **COMPLIANCE WITH BAR POLICIES:** All materials must comply with the BAR's adopted policies unless otherwise specifically approved.
4. **BUILDING PERMITS:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Building and Fire Code Administration (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Administration, Room 4200, City Hall, 703-838-4360 for further information.
5. **EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official 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 Virginia Department of Historic Resources (VDHR) prior to initiating any work to determine whether the proposed project may qualify for such credits.

I. ISSUE

The applicant is requesting approval of a Certificate of Appropriateness for installing a single new awning at 119 King Street, *The Wharf Restaurant*. Currently, the building has no awning, although the neighboring properties (115 and 117 King Street), occupied by the *Landini Brothers Restaurant*, are shaded by canopies similar to what the applicant is proposing here.

A welded aluminum frame, comprised of 1" square aluminum tubing, will anchor the shed-style canopy to the building. The proposed 12-bay frame will span 29 feet across the façade and project five feet, six inches (5'-6") from the face of the building. The trapezoidal frame will measure one foot, ten inches (1'-10") high against the building and eight inches (8") high at the projected end. The applicant proposes that the frame be mounted so that an eight-foot (8') clearance is maintained from the ground level to the bottom of the frame. The proposed fabric for the new awning is Sunbrella® Marine Blue fabric, which matches the existing "sail" sign installed on the building façade, above the entry. The method of affixing the frame to the building involves drilling holes into the existing structure, applying masonry shields, then screwing 3/8" x 4" lag screws into steel Z brackets which will be affixed to the aluminum frame by #10 tech screws. The awnings will have a 19.5 square-foot valence (or drop) on which white commercial script font – measuring 7.25" x 73.5" (totaling 3.7 square feet) and consisting of "*The Wharf* FINE SEAFOOD" – will be printed.

II. HISTORY

The three-story, three-bay masonry structure at 119 King Street is a late 18th-century, vernacular warehouse which has been in continuous use for 220 years. Situated between North Lee (formerly Water Street) and North Union streets on the north side of King Street, the warehouse was erected on infill created by William Ramsay circa 1780.¹ Between 1750 and 1790, enterprising riverfront lot owners began infilling the bay, first with wharves constructed from wooden cribs or the hulls of purposefully sunken boats, and then with earth graded from the inland streets or cut from the bluffs mixed with abandoned ship ballast and household detritus.² Upon his death in 1785, Ramsay bequeathed the lot at 119 King to his daughter and son-in-law, Ann Ramsay and Robert Allison. The Allison's sold the undeveloped parcel to Irish merchant James Patton in 1795. Patton erected the two brick warehouses (with stone first-floor walls) at 117 and 119 King Street before 1796, at which time the two buildings were insured for \$11,300. The warehouses lining lower King Street facilitated the seaport's bustling trade and typically stored dry goods, groceries, and gun powder. Patton merchandized wines, sherries, tea, salt and sugar which he kept in his King Street storehouses. In 1800, both of Patton's warehouses were purchased by Anthony Charles Cazenove, a Frenchman who acquired the holdings on behalf of Victor du Pont de Nemours so that the New York gunpowder supplier could gain a foothold in Virginian markets. Du Pont's venture was abandoned by 1807.³

¹ Ethelyn Cox, *Historic Alexandria, Virginia Street by Street: A Survey of Existing Early Buildings* (McLean, VA: EPM Publications, 1976) p. 64.

² Steven J. Shephard, "Reaching for the Channel: Some Documentary and Archaeological Evidence of Extending Alexandria's Waterfront," *The Alexandria Chronicle* (Spring 2006): 2.

³ Diane Riker, "The Warehouses of Lower King Street," (2009), Office of Historic Alexandria, *Studies of the Old Waterfront* [web document]. Accessed August 18, 2016:

<https://www.alexandriava.gov/uploadedfiles/historic/info/history/WaterfrontHistoryLowerKing.pdf>

Definition of *awning* in English:

awning

Pronunciation: /ˈɒnɪŋ/ (?) 🔊



NOUN

A sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a storefront, window, doorway, or deck.

+ Example sentences

+ Synonyms



Figure 1: The OED defines an awning and depicts it as a lighter, less rigid structure.

The method of affixing the shed frame to the wall (bolting) also suggests a high level of permanence. Staff recommends the alternative of a retractable awning in order to keep the historic building visible. The applicant's contractor, Thomas Shade Inc., has supplied Chadwick's Restaurant at 203 South Strand Street with such retractable awnings (Figure 2).



Figure 2: retractable awnings at Chadwick's in Old Town, Alexandria, provided by Thomas Shade Inc.

In regard to the applicant's proposal, within the last four years, the Board has approved fixed shed awnings at nearby businesses, including *Landini's* (BAR2013-00429) and *Carluccio's* (BAR2014-00124). In the case of *Landini's*, the Board asked that the fabric ends of the awning be deleted to expose more of the building wall to pedestrians and that the awning be broken into three segments to minimize the appearance of its width. The BAR required all three awnings to have open ends and a loose valance. Because the *Landini's* awning was primarily intended to control sun and rain on the outdoor dining tables, the BAR supported the applicant's request for a 5'-6" projection from the building face – equal to the depth of their outdoor dining – subject to City Council approval of an encroachment.

In this case, staff recommends that the proposed awning for the Wharf also project no more than five feet, six inches (5'-6") from the face of the building. This will require the applicant to apply for an encroachment, as four feet (4') of projection into the public right-of-way is the maximum allowed in the City Code by right. Staff reminds the applicant that the City Code also requires awnings to have a minimum eight foot (8') clearance from the sidewalk to the bottom of the awning *fabric/material*, not just to the bottom of the rigid frame.

Finally, care must be taken not to damage the historic exterior materials of the building when installing the awning frame. The awning frame may not be installed directly into masonry but must be mounted through mortar joints. Staff supports the choice of Sunbrella® brand Marine Blue color fabric with white lettering, which is consistent with the restaurant's current "sail" sign and window-trim color scheme, and which is differentiated from the neighboring black awning. A sample of the fabric will be available at the hearing.

In summary, in the past decade the BAR has expressed concern that awnings were proliferating and were simply being used as billboard-sized signs rather than for their original purpose of sun control. In addition, these large awnings were obscuring the historic architectural details that the BAR is charged with protecting and enhancing. Therefore, staff supports the proposed signs and awning fabric and color but recommends the use of a retractable awning(s) that extend a maximum of 5'-6" into the public right of way, subject to approval of an encroachment ordinance by City Council. Alternatively, if the BAR approves a rigid, fixed frame awning, staff recommends that the awning have a loose valance and open ends and that the frame be painted black and affixed to the wall through the mortar joints only.

STAFF

Heather McMahon, Historic Preservation Planner, Planning & Zoning
Al Cox, FAIA, Historic Preservation Manager, Planning & Zoning

T&ES / Site Plans
Attn: Shanna Austin
301 King Street, Room 4130
Alexandria, VA 22314

- R-1 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-2 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 all plans submitted for approvals. (T&ES)
- R-3 Approval of an Encroachment Ordinance is required prior to approval of any permit to install the awnings. (T&ES)
- F-1 This property and building are located within the 100-yr floodplain. Due to the fact that these improvements do not amount to a "Substantial Improvement" as defined by City ordinance, this project is not subject to the Floodplain District regulations provided in Section 6-300 (FLOODPLAIN DISTRICT) of Article VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance. However, the owner(s) of this property should be advised that flooding can and does occur at this location up to elevation 10.2' (City Datum). All other conditions apply. Section 6-307 Other Conditions, (B): "All uses, activities and development occurring within any floodplain district shall only be undertaken in strict compliance with the Virginia Uniform Statewide Building Code (VA USBC)."

Alexandria Archaeology

No comments received.

V. ATTACHMENTS

- 1 – Supplemental Materials*
- 2 – Application for BAR2016-00265: 119 King Street*

Rendering 1



CANOPY PROPOSAL



**THOMAS
SHADE, INC.**



PHONE: 301-680-2500 FAX: 301-680-0851
ADDRESS: 12067 TECH RD, SILVER SPRING MD, 20904

THIS IS AN ORIGINAL, UNPUBLISHED DRAWING, SUBMITTED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT BEING PLANNED FOR YOU BY THOMAS SHADE, INC. IT IS NOT TO BE REPRODUCED, COPIED, OR EXHIBITED IN ANY FASHION WITHOUT WRITTEN PERMISSION FROM THOMAS SHADE, INC. FABRIC COLORS OR PRINTS FROM THIS COMPUTER GENERATED RENDERING ARE NOT EXACT AND WILL VARY FROM ORIGINAL FABRIC SAMPLES.

Applications & Materials
BAR2016-00265
119 King Street
9/7/2016

THOMAS SHADE INC PROPOSED CANOPY.
UNIFORMITY PROTECTED DRAINAGE AND



Applications & Materials
BAR2016-00265
119 King Street
9/7/2016

ADDRESS OF PROJECT: 119 King St. Alexandria, VA 22314TAX MAP AND PARCEL: 075.01-03-03 ZONING: Old & Historic District

APPLICATION FOR: (Please check all that apply)

☒ CERTIFICATE OF APPROPRIATENESS☐ PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH
(Required if more than 25 square feet of a structure is to be demolished/impacted)☐ WAIVER OF VISION CLEARANCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION
CLEARANCE AREA (Section 7-802, Alexandria 1992 Zoning Ordinance)☐ WAIVER OF ROOFTOP HVAC SCREENING REQUIREMENT
(Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)Applicant: ☐ Property Owner ☒ Business (Please provide business name & contact person)Name: Potomac Restaurants, LLCAddress: 119 King St.City: Alexandria State: VA Zip: 22314Phone: 804-319-7321 E-mail: mikebrum89@gmail.comAuthorized Agent (if applicable): ☐ Attorney ☐ Architect ☐ _____

Name: _____ Phone: _____

E-mail: _____

Legal Property Owner:

Name: Gary & Sally HatchAddress: 2465 Forest Grove Ave.City: Villas State: NC Zip: 28692Phone: 828-773-8604 E-mail: Forkridge@hotmail.com

- ☐ Yes ☒ No Is there an historic preservation easement on this property?
☐ Yes ☐ No If yes, has the easement holder agreed to the proposed alterations?
☐ Yes ☒ No Is there a homeowner's association for this property?
☐ Yes ☐ No If yes, has the homeowner's association approved the proposed alterations?

If you answered yes to any of the above, please attach a copy of the letter approving the project.

Additions & New Construction: Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. All plans must be folded and collated into 3 complete 8 1/2" x 11" sets. Additional copies may be requested by staff for large-scale development projects or projects fronting Washington Street. 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.
 - ☐ ☒ 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.

Signs & Awnings: One sign per building under one square foot does not require BAR approval unless illuminated. All other signs including window signs require BAR approval. Check N/A if an item in this section does not apply to your project.

- N/A
- ☐ ☐ Linear feet of building: Front: 30.5' Secondary front (if corner lot): N/A
 - * ☒ ☐ Square feet of existing signs to remain: 16.6 s.f. (existing Sail Sign)
 - ☐ ☐ 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.

Alterations: Check N/A if an item in this section does not apply to your project.

- N/A
- ☒ ☐ 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.

* The current, allowable signage sq. ft. is 22.88 s.f. The sail sign (16.6 s.f.) & wall sign (5.8 s.f.) currently make-up 22.49 s.f.

- We propose to eliminate the wall sign ≈ 5.8 s.f.
- We propose the white lettering depicted on the valance of the awning in the exhibit. The lettering is "high by "wide, so a total of 3.7 s.f.

This lowers the total signage < f. from the current 22.49 to 20.3 s.f.
Sail sign at 16.6 s.f. + valance lettering at 3.7 s.f. = 20.3 s.f.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Mike Brummagin	4013 Huntsteele Way Richmond, VA 23233	50
2. Bob Fattkin	29538 Georgetown Ln. Temecula, CA 92591	50
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 119 King St. (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. 119 King St., LLC		100%
2. Sara Brewster Hatch	2465 Forest Grove Rd. Villes, NC 28692	100%
3.		

3. Business or Financial Relationships. 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 the 12-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.		
2.		
3.		

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.

Aug 8, 2016 Mike Brummagin Mike Brummagin
 Date Printed Name Signature