



Legislation Details (With Text)

File #: 18-7121 **Name:** BAR- OH Painted Masonry Discussion
Type: Written Report **Status:** Agenda Ready
File created: 11/21/2017 **In control:** City Council Legislative Meeting
On agenda: 11/28/2017 **Final action:**
Title: Discussion of the Regulation of the Painting of Unpainted Masonry in the Old and Historic Alexandria District.
Sponsors:
Indexes:
Code sections:
Attachments: 1. 18-7121_Presentation

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 22, 2017
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:

Discussion of the Regulation of the Painting of Unpainted Masonry in the Old and Historic Alexandria District.

ISSUE: Regulations related to the painting of unpainted masonry in the Old and Historic District.

RECOMMENDATION: That City Council request that the Board of Architectural Review Design Guidelines Subcommittee review and comment on whether the City's policy related to unpainted brick should be changed, and if so propose new language.

BACKGROUND: Following an appeal of a decision of the Old and Historic Alexandria District Board of Architectural Review (BAR) denying a Certificate of Appropriateness for after-the-fact approval of painting unpainted masonry on November 18, 2017, City Council requested that Planning & Zoning staff provide background on the existing ordinance and considerations for changing the ordinance, if necessary.

Since 1992, Section 10-109(B)(4) of the Alexandria Zoning Ordinance has stated the following: “The painting of a masonry building which was unpainted prior to such painting shall be considered to be the removal of an exterior features having historic and/or architectural significance requiring a certificate of appropriateness.” The BAR’s 1993 Design Guidelines also “strongly discourage the painting of a previously unpainted masonry surface.” Additionally, when the BAR regulatory review process was eased in the Parker-Gray District in 2012, the work group and community found that the painting of unpainted masonry on all elevations of both Early and Later building should continue to require BAR approval at a public hearing.

Because a Certificate of Appropriateness is required, the BARs must apply the Standards for review as listed in Section 10-105(A)(2). As a reminder, the Standards apply to every request for appropriateness that range from replacing windows to painting unpainted masonry to the construction of a five-story hotel. Both BARs have generally been consistent in their review of requests to paint unpainted masonry. In the few cases where such cases have been approved, the Boards have made clear findings that the buildings were of more recent construction and that the unpainted brick was not a character-defining element of those buildings.

Preventing the painting of unpainted masonry without any BAR approval is more an issue of outreach and enforcement and must be addressed universally to convey to property owners that exterior work must have BAR approval prior to commencing work. Staff does not believe that a complete prohibition on the painting of unpainted masonry would prevent property owners from violating the zoning ordinance, as the three recent painting cases were all after-the-fact and the owners claimed they were unaware that BAR approval was required. However, from an enforcement position, such a prohibition would be clear and consistent and would follow the normal process for enforcement of a zoning violation through the courts.

While the complete prohibition on the painting of unpainted masonry on all existing buildings would certainly result in a clear position, it could possibly do a disservice to the historic districts. Old Town Alexandria is comprised of nearly 6000 locally regulated buildings in the two historic districts and includes everything from late 18th-c. brick flounders to mid-century modern 20th-c. office buildings to 1990s townhouses on the waterfront. Additionally, staff’s previous research on large projects such as Yates Gardens suggests that the original design intent in the 1940s was for some specific townhouse units to be painted brick to provide variety within overall composition of the block. The Standards and Design Guidelines have been designed in a way to distinguish what is appropriate in one part of the district or at one building from what may not be appropriate in other areas or on other buildings. The BAR may still approve the painting of new buildings, if it is determined to be appropriate and compatible applying the Standards.

At this time, staff recommends that the BAR Design Guidelines Subcommittee review and comment on whether this change is desirable from a preservation viewpoint and to draft if determined needed appropriate language. Staff believes that three months is an adequate time for both BARs to consider this issue for review and outreach. It would be anticipated that at that time, staff would return with a recommendation from the BARs to City Council. Recognizing that education and outreach are extremely critical for compliance in the historic district, staff will also focus efforts on outreach related to 1) the painting of unpainted masonry and 2) obtaining proper approvals before performing the work. Staff hosts several events each May to celebrate Preservation Month and last year featured a workshop on appropriate repointing. Staff will focus the 2018 hands-on workshop on paint removal.

FISCAL IMPACT: None.

ATTACHMENTS: None.

STAFF:

Karl Moritz, Planning Director
Al Cox, FAIA, Historic Preservation Manager