

BOARD OF ARCHITECTURAL REVIEW

The Board of Architectural Review held its regularly scheduled meeting on Thursday, February 06, 2014, at 4:00 p.m. in Council Chambers, Rouss City Hall, 15 North Cameron Street, Winchester, Virginia.

POINTS OF ORDER:

PRESENT: Chairman Rockwood, Mr. Bandyke, Ms. Jackson, Mr. Serafin

ABSENT: Mr. Walker

STAFF: Will Moore, Nasser Rahimzadeh, Catherine Clayton, Jennifer Bell

VISITORS: Alec Bouldin

APPROVAL OF MINUTES:

Chairman Rockwood called for additions or corrections to the minutes of January 16, 2014. Hearing none, he called for a motion. Ms. Jackson moved to approve the minutes as submitted. Mr. Serafin seconded the motion. Voice vote was taken and the motion passed 4-0.

CONSENT AGENDA:

None.

PUBLIC HEARINGS:

None.

NEW BUSINESS:

BAR-14-50 Request of Shandin Properties, LLC, for a Certificate of Appropriateness to demolish an existing fence and construct a new fence at 525 South Braddock Street.

Mr. Bouldin presented the request stating that he wants to remove the old chain link fence and install a privacy fence on the Braddock Street side of the property. He advised the Board that the fence would go behind the existing concrete pillars and that there would be landscaping done around those. He added that where the existing chain link gate is, he would install a wood gate in its place.

Chairman Rockwood requested that Mr. Bouldin elaborate on the landscaping that is planned to which Mr. Bouldin stated that he would likely make a simple mulch bed beginning at the house and continuing down the length of the sidewalk and fence between each property.

Further discussion was conducted as to the aesthetics of the arched gate and the stockade-style of the fence specifically as it relates to height and having lattice at the top to break up the mass. Mr. Moore advised that from a zoning standpoint, since the fence would not extend past the front plane of the building, Mr. Bouldin would actually be permitted to go as high as eight-feet (8') if he were not in the

historic district. There was also a discussion about the straight plane of the fence at the top and using lattice infill to break up this straight line and give some detail to the fence and gate.

Hearing no further discussion, Chairman Rockwood called for a motion. Mr. Bankdyke moved to grant a Certificate of Appropriateness with the following comments:

- Fence is to be constructed of 1 x 6 lumber, four-feet (4') high with two-feet (2') lattice infill
- Pressure treated material is acceptable
- Gate is to be constructed similar to the fence
- Posts are to be even with the fence height
- Fence is to be set in close proximity to the existing concrete pillars

Mr. Serafin seconded the motion. Voice vote was taken and the motion passed 4-0.

OLD BUSINESS:

None.

OTHER DISCUSSION:

A. Discussion – outdoor café design guidelines

Mr. Moore introduced Jennifer Bell, Downtown Manager, and gave an overview of the revised Old Town Development Board outdoor café design guidelines for use of public space. He added that some of the guidelines mimic what is in the historic district guidelines while still others go beyond. He then advised that City Council revised the section of the Zoning Ordinance that applies to the administrative review section. An administrative review and approval can be made for uses that do conform to the historic district guidelines; however, if there are uses that do not conform, then they would be referred to the Board of Architectural Review for review and consideration. Additionally, he said that we are in permit review season for outdoor seating and that there may be a few applications that will come before the Board for approval because they do not meet the approved guidelines and there is no “grandfathering.”

Ms. Bell stated that the Old Town Development Board is very mindful of the appearance of the new mall and creating a community space where people can sit and enjoy the area. They feel that it is extremely important how City land is utilized for business interests. The Old Town Development Board put together these guidelines to streamline the process and to ensure that all businesses are consistent and make an attractive appearance. The guidelines are not meant to be the only option or to create absolute conformity. The OTDB looks to the BAR Board to be the gatekeeper for looking at proposals that might fit “outside the box” but still be contributing.

Chairman Rockwood asked if the Board had any questions or points of discussion. Mr. Serafin asked if the Board is going to be tasked with advising a business that they are non-conforming and that they must tear it down. He specifically mentioned the Coffee Shop. Ms. Bell stated that they will need to complete an application and come before this Board to request approval of their existing fence.

Mr. Bandyke stated that the Board has been pretty staunch and has never allowed wood to be used. He then asked if this is only the mall or if it entailed the entire historic district. Ms. Bell told the Board that this only looks at the use of City property and does not govern the use of private property. Mr. Moore

stated that these guidelines are only for the primary and secondary downtown assessment districts, which include the walking mall. Chairman Rockwood stated that the guidelines are well drafted and congruent with the Board's and that the OTDB uses prescriptive language making things mandatory. He added that he is not sure how the Board can deviate from the guidelines. Ms. Bell said that the intent was to be specific for an administrative review and to advise businesses if they want to do something different, then they must come before the Board of Architectural Review for consideration. Chairman Rockwood stated that the OTDB may want to include specific language in their guidelines to make it clear. Mr. Moore added that the specific language is in Article 14 of the Zoning Ordinance but it is possible to add a "tag line" to the guidelines.

B. Discussion – Zoning Ordinance and Board Membership

Chairman Rockwood addressed the redrafting or clarifying of the Zoning Ordinance as it relates to term limits for service on the Board of Architectural Review. Mr. Moore advised the Board that since the last meeting, Mr. Grisdale spoke with the City Attorney to clarify the language in the Zoning Ordinance as it relates to membership on the Board of Architectural Review. Mr. Moore advised that it is his understanding that the interpretation is that a Board member who has served two (2) consecutive terms could still be eligible to serve again. However, there would have to be a break in time; what that break in time is has not yet been firmly established so there will be further discussion about that. He added that they will probably propose an amendment to the Zoning Ordinance text which clarifies this position and puts it in firmly that eligibility remains even though two (2) consecutive terms have been served. It may include the qualifier as to what the break in time has to be within that language. He said that they will bring it back to the Board as a courtesy before it goes to Council but in the meantime, if the Board has an applicant that is looking at one of the two (2) vacant seats we have now and they have previously served, they will be given consideration.

Mr. Bandyke said that one item in the minutes from the last meeting on page 5, paragraph 3, states that right now the way it is, anyone who has served two (2) consecutive terms will not be eligible to serve on the BAR or any other city board. He commented that bothers him. Mr. Moore said that the last portion is absolutely not correct about any other City board; however, the first was correct based on Mr. Grisdale's discussion with the City Attorney which has since been clarified.

ADJOURN:

With no further business before the Board, the meeting adjourned at 4:51 p.m.