

From: Scala, Mary Joy
Sent: Thursday, January 22, 2015 1:32 PM
To: 'jbenney@kilwinsfranchise.com'; 'charles@kabbashfoxandgentry.com'; 'billbailey@centurylink.net'
Subject: BAR Action - Jan 20, 2015 - 313 E Main Street

January 22, 2015

Kilwin's of Charlottesville, LLC
c/o Joe Benney
25 Woodland Rd
Bedford, NY 10506

Preliminary Discussion

BAR 15-01-03
313 E Main Street
Tax Parcel 330229000
Charles Kabbash, T/A 414 Associates, Owner/Joe Benny, Kilwin's of Charlottesville, LLC, Applicant
Demolish and Reconstruct Storefront

Dear Applicant,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on January 20, 2015. The following action was taken:

Preliminary discussion only - the BAR is amenable to consider an application to demolish and reconstruct storefront.

You may submit your certificate of appropriateness application when ready.

If you have any questions, please contact me at 434-970-3130 or scala@charlottesville.org.

Sincerely yours,

Mary Joy Scala, AICP
Preservation and Design Planner

Mary Joy Scala, AICP
Preservation and Design Planner
City of Charlottesville
Department of Neighborhood Development Services
City Hall – 610 East Market Street
P.O. Box 911
Charlottesville, VA 22902
Ph 434.970.3130 FAX 434.970.3359
scala@charlottesville.org

**CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT
January 20, 2015**



Preliminary Discussion

313 E Main Street

Tax parcel 330229000

Charles Kabbash, T/A 414 Associates, Owner/ Joe Benny, Kilwin's of Charlottesville, LLC, Applicant
Demolish and Reconstruct Storefront

Background

313 East Main Street, (1860-67, 1914, 1965) is a contributing property in the Downtown Historic ADC District. (National Register District Nomination attached)

Application

This is a preliminary discussion to decide if the applicant should be able to demolish the existing storefront of this contributing structure. The applicant wishes to reconstruct the storefront in order to allow for product production and display.

Criteria, Standards and Guidelines

Review Criteria Generally

Sec. 34-284(b) of the City Code states that,

In considering a particular application the BAR shall approve the application unless it finds:

- (1) That the proposal does not meet specific standards set forth within this division or applicable provisions of the Design Guidelines established by the board pursuant to Sec.34-288(6); and*
- (2) The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the protected property that is the subject of the application.*

Pertinent Standards for Review of Construction and Alterations include:

- (1) Whether the material, texture, color, height, scale, mass and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable design control district;*
- (2) The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs and signs;*
- (3) The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant;*
- (4) The effect of the proposed change on the historic district neighborhood;*
- (5) The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls and walks;*
- (6) Whether the proposed method of construction, renovation or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;*
- (8) Any applicable provisions of the City's Design Guidelines.*

Pertinent Guidelines for Rehabilitation include:

B. Facades and Storefronts

Over time, commercial buildings are altered or remodeled to reflect current fashions or to eliminate maintenance problems. Often these improvements are misguided and result in a disjointed and unappealing appearance. Other improvements that use good materials and sensitive design may be as attractive as the original building and these changes should be saved. The following guidelines will help to determine what is worth saving and what should be rebuilt.

- 1. Conduct pictorial research to determine the design of the original building or early changes.*
- 2. Conduct exploratory demolition to determine what original fabric remains and its condition.*
- 3. Remove any inappropriate materials, signs, or canopies covering the façade.*
- 4. Retain all elements, materials, and features that are original to the building or are contextual remodelings, and repair as necessary.*
- 5. Restore as many original elements as possible, particularly the materials, windows, decorative details, and cornice.*
- 6. When designing new building elements, base the design on the 'typical elements of a Commercial façade and storefront' (see drawing next page).*
- 7. Reconstruct missing or original elements, such as cornices, windows, and storefronts, if documentation is available.*
- 8. Design new elements that respect the character, materials, and design of the building, yet are distinguished from the original building.*
- 9. Depending on the existing building's age, originality of the design and architectural significance, in some cases there may be an opportunity to create a more contemporary façade design when undertaking a renovation project.*
- 10. Avoid using materials that are incompatible with the building or within the specific districts, including textured wood siding, unpainted or pressure-treated wood, and vinyl or aluminum siding.*
- 11. Avoid introducing inappropriate architectural elements where they never previously existed.*

Discussion and Recommendations

The applicant is requesting a preliminary discussion. No motion is needed. However, the important point of discussion is if this particular store front is historically important enough to keep as is, or can it evolve like other storefronts found on the downtown mall? Also, if demolition is agreed upon then other points of discussion could be materials and colors used in the new storefront design, as well as signage options.

The historic survey says the entire façade was changed, probably in 1914, but there are no early photos. The current storefront could have been later, possibly 1940's when the Shoe Center moved in.

Architectural And Historic Survey



Identification

STREET ADDRESS: 313 E. Main Street
 MAP & PARCEL: 33-229
 CENSUS TRACT AND BLOCK:
 PRESENT ZONING: B-4
 ORIGINAL OWNER: Edward J. Timberlake
 ORIGINAL USE: Bakery & Confectionary
 PRESENT USE: Shoe Store
 PRESENT OWNER: Edmund H. Teeter
 ADDRESS: 115 Montvue Drive
 Charlottesville, Virginia

HISTORIC NAME: Timberlake-Matthews Building
 DATE / PERIOD: 1860-67, 1914, 1965
 STYLE: Victorian
 HEIGHT (to cornice) OR STORIES: 2 storeys
 DIMENSIONS AND LAND AREA: 25.33' x 115.5' (2926 sq. ft.)
 CONDITION: Good
 SURVEYOR: Bibb
 DATE OF SURVEY: Winter 1983
 SOURCES: City/County Records
 Edmund H. Teeter
 1877 Gray map
 Holsinger's Ch'ville
 Sanborn - 1886, 1907, 1920
 Ch'ville City Directories

Alexander, Recollections of Early Charlottesville
 Charlottesville & U. Va.: A Pictorial History
 Charlottesville Bicentennial Souvenir Program

ARCHITECTURAL DESCRIPTION

The facade of this mid-nineteenth century building was completely rebuilt c. 1914, and that is now hidden behind a metal false front. The building is two storeys tall. Construction is of brick laid in 7-course American bond. The present storefront has a large entrance loggia, and its walls are faced with green Formica around the display windows. In the 1920's the storefront occupied only two bays, and a round-arched entrance in the narrow eastern bay gave access to the stair to the living quarters above. A storefront cornice and frieze extended the width of the building. Above the storefront, the facade probably remains relatively intact behind the false front, except for the loss of the parapet entablature with deeply projecting bracketed cornice and paneled frieze. The facade is three bays wide with a pair of double-sash, 1-over-1 light windows in the western and central bays and an inset panel in the narrower eastern bay above the stair. Above the windows, there is a half-round inset panel in each bay, creating the effect of an arcaded facade. Behind the high parapet, a shed roof covered with tar & gravel slopes to the rear. A late 1880's photograph shows a low 2-bay facade with a deeply projecting cornice well below the top of the parapet, and arched windows set lower than those in adjacent buildings.

HISTORICAL DESCRIPTION

Alexander states that this building and the one west of it were erected by Edward J. Timberlake, replacing a 1½-storey frame house. Timberlake purchased the property in 1860 (ACDB 64-352). He sold this building to S. M. Keller, but died in 1867 before giving him a deed. Keller finally received his deed in 1874 (ACDB 68-725) and immediately sold the building to Andrew Hartnagle who was operating a bakery and confectionary there (ACDB 69-361). J. C. Matthews bought the building in 1904 (City DB 15-41). He had apparently taken over the business a decade or so earlier. The entire facade was rebuilt sometime between 1907 and 1920, probably in 1914, according to tax records. The facade of the adjacent building, built by Timberlake at the same time, was also rebuilt in that year. Matthews sold the building to Marshall Timberlake in 1919 (DB 33-222), and that family owned it for over half a century (DB 134-70). Several businesses occupied the store room, including the Colonial Restaurant in the early 1920's, the Jarman Book Co. in the late 1920's, and the A & P in the 1930's. The Shoe Center has occupied it since the 1940's and its owner, Edmund H. Teeter, bought the building in 1981 (DB 421-718 & 721). The facade was covered with a metal false front in 1965. There have been several rear additions, most of them before 1877 or after 1920.

United States Department of the Interior
Heritage Conservation and Recreation Service

National Register of Historic Places
Inventory—Nomination Form

For HCRS use only
received:
date entered:

Charlottesville and Albemarle County Courthouse H.D., Charlottesville, Va.
Continuation sheet #30 Item number 7 Page 21

7. DESCRIPTION -- Inventory (continued)

Main Street (continued)

East Main Street (continued)

300 Block

300 (Virginia National Bank): granite; 2 stories; flat roof; 3 bays. Classical Revival. 1916. Recessed portico supported by Corinthian columns terminated with engaged piers. Central-entrance bay -- double brass doors; 12/12 sash windows on 1st story, 8/8 sash windows on 2nd story. Simple surrounds; full entablature supported by porch columns, dentil cornice. Sanborn Maps: 1886: B & S Clothing; 1891: B & S Clothing.

300 (addition): brick (Flemish bond); 2 stories; flat roof; 1 bay. Modern Commercial Vernacular. Ca. 1975. West bay entrance; brick with poured concrete spandrels and granite facing on recessed entrance. Sanborn Maps: 1886: Jewelry and dry goods; 1891: Jewelry and dry goods; 1907: People's National Bank; 1920: People's National Bank.

301: brick (American bond); 1 story; flat roof; 7 bays. Commercial Vernacular. Entrance located in 3rd bay, plate-glass display cases. Late 19th century; altered ca. 1960. Sanborn Maps: 1886: Grocery and bank; 1891: Grocery and bank.

→ 313: brick (American bond); 2 stories; shed roof; 4 bays. Commercial Vernacular. Ca. 1885. 3rd bay (west) recessed entrance; plate-glass display cases on 1st story. Sanborn Maps: 1886: B & S; 1891: Art store.

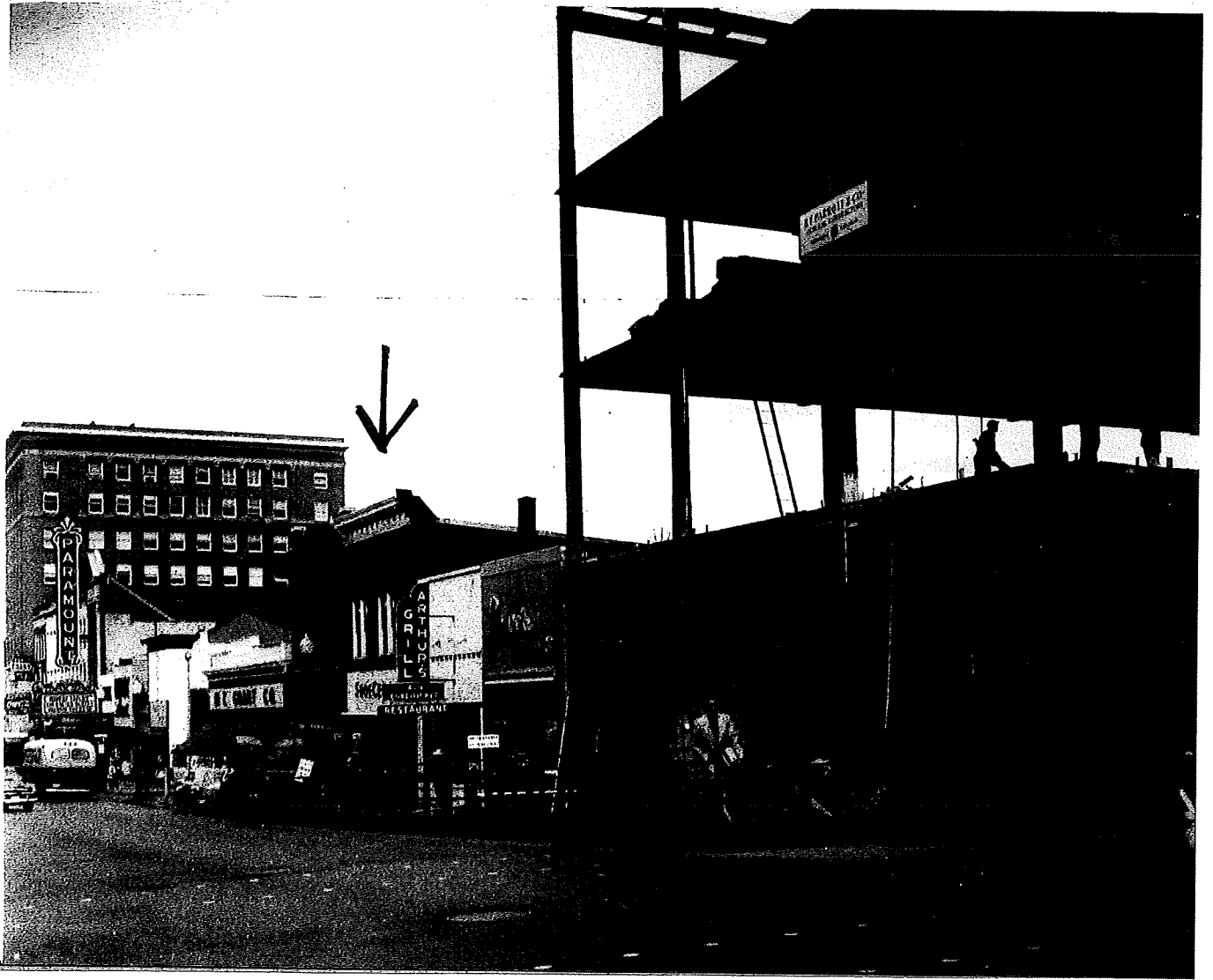
314: brick (American bond); flat roof; 3 bays. Victorian Gothic with Colonial Revival. Ca. 1875-1900. Central-bay entrance. 3rd- and 2nd-floor Gothic windows with decorative brick surrounds; 1st floor altered. Sanborn Maps: 1886: Mill'y; 1891: Insurance.

315: brick (7-course American bond); 2 stories; shed roof; 4 bays. Italianate. Ca. 1910. Concrete belt course separates 1st and 2nd stories. Entrance located in 3rd bay west; double arched windows on 2nd story; decorative brickwork. Sanborn Maps: 1886: Confectioners; 1891: Hardware.

316-318 (Walker Building): tan pressed brick (stretcher bond); 3 stories; 3 bays. Entrance in center bay recessed beneath 2nd story; plate-glass windows on 1st story; 6/6 sash windows on 2nd and 3rd stories. Colonial Revival details: between 1st and 2nd stories. Entablature with egg-and-dart molding, plain frieze, and detail cornice; jack arches with keystones and corner blocks above windows; brick pilasters on the parapet are capped with stone finials and the dates 1895 and 1909 are carved on the corner ones.

317: brick; 2 stories; flat roof; 2 bays. Commercial Vernacular. Ca. 1880. East bay entrance; plate-glass display case in west bay of 1st story; facade altered to vertical wooden weatherboarding. Sanborn Maps: 1886: Snack shop; 1891: Snack shop.





Scala, Mary Joy

From: jbright075@aol.com
Sent: Monday, January 19, 2015 10:07 AM
To: Scala, Mary Joy
Subject: Concerns

Maryjoy,

I am not sure that I can attend the BAR meeting tomorrow evening, so I wanted to express my concerns.

I believe the Episcopal Church on High St. should have to replace the concrete half round curbing that they removed. I think the historic curbing needs to be replaced to maintain the historic fabric of the rest of the block. This curbing is not unique to only the church, most of the historic properties that front on High St have this same type of curbing. I am concerned this would set a precedent that the historic fabric only applies to certain aspects of architectural elements.

Secondly, is there a rendering of the new front to 313 E. Main St. ?

Thank you

Jon Bright
President NDRA

109 Altamont Cir.



Board of Architectural Review (BAR) Certificate of Appropriateness

Please Return To: City of Charlottesville
Department of Neighborhood Development Services
P.O. Box 911, City Hall
Charlottesville, Virginia 22902
Telephone (434) 970-3130 Fax (434) 970-3359

Please submit ten (10) copies of application form and all attachments.
For a new construction project, please include \$375 application fee. For all other projects requiring BAR approval, please include \$125 application fee. For projects that require only administrative approval, please include \$100 administrative fee. Make checks payable to the City of Charlottesville.
The BAR meets the third Tuesday of the month.
Deadline for submittals is Tuesday 3 weeks prior to next BAR meeting by 4 p.m.

Owner Name Kilwin's Chocolates Franchise, Inc. Applicant Name Joe Benney
Project Name/Description Kilwin's of Charlottesville LLC Parcel Number _____
Property Address 313 East Main Street, Charlottesville

Applicant Information

Address: 25 Woodland Rd
Bedford, New York 10506
Email: jbenney@kilwinfranchise.com
Phone: (W) 770-331-7696 (H) _____
FAX: _____

Signature of Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct. (Signature also denotes commitment to pay invoice for required mail notices.)

Joe Benney ^{WOB} 12-30-14
Signature Date

Joe Benney 12/30/2014
Print Name Date

Property Owner Information (if not applicant)

Address: 308 E. Market St
Charlottesville, VA 22902
Email: charles@kabbashfoxand gentry.com
Phone: (W) 434-531-6257 (H) _____
FAX: _____

Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to its submission

Charlie Kabbash 12/24/14
Signature Date

CHARLIE KABBASH
Print Name Date

Do you intend to apply for Federal or State Tax Credits for this project? No

Description of Proposed Work (attach separate narrative if necessary): Adjustment to front of building to allow for product production and display

List All Attachments (see reverse side for submittal requirements):

For Office Use Only

Received by: [Signature]
Fee paid: 12500 Cash/Ck. # 185
Date Received: 11/8/15

Approved/Disapproved by: _____
Date: _____
Conditions of approval: _____

It is our belief that the Kilwins Brand needs to be a *feast for the senses*, with the store environment being a reflection of that philosophy.

At Kilwins, our customers **see** a warm, inviting, familiar gathering place, clean and crisp, with a focus on our great product. They **hear** wonderful music, and the sounds of children's excitement as our paddle scrapes against the marble fudge table. Everyone can relate to the **touch** of a waffle cone, or the feel of smooth fudge as it hits your tongue, or holding a dish ice cream on a hot summer day or sipping hot chocolate on a cool fall evening. The sweet **smell** of the store and delicious **taste** of our products go without saying-what makes us special is our focus on engaging and connecting with our customers and creating a great experience, to remember and share again and again.

Everything we do is to create that memorable, uniquely **Kilwins** experiences, starting with our choice of locations, the design of the stores, our fixtures, our packaging and our displays, to our promotional programs, uniforms and music systems.

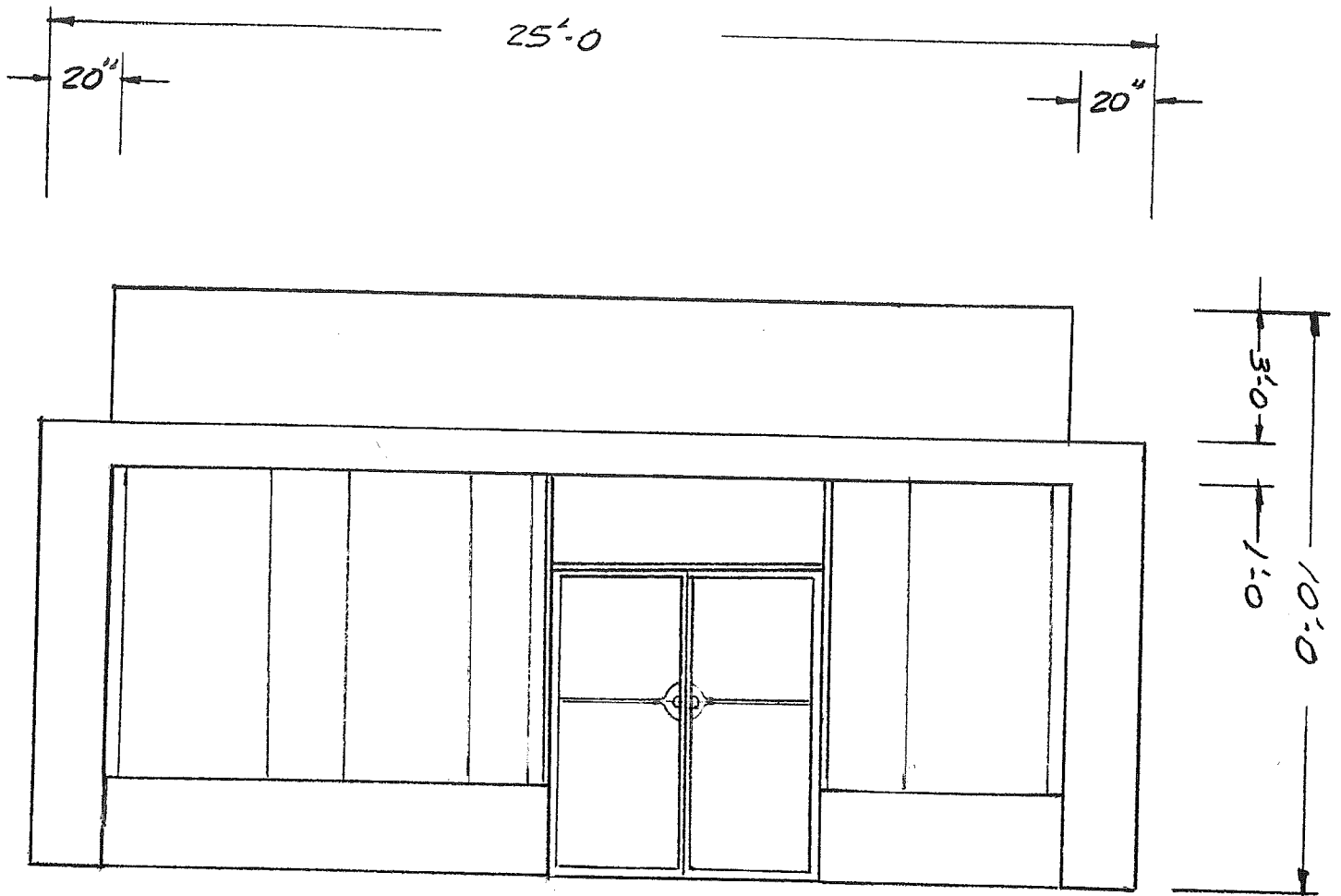
We are, truly, **Sweet in every Sense since 1947!**

New store build-outs	3.2
Existing store renovations and refreshes	3.3
Franchise agreement and renewal renovations	3.4

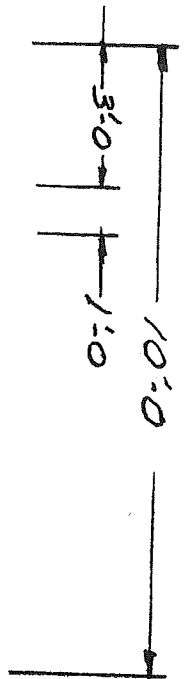
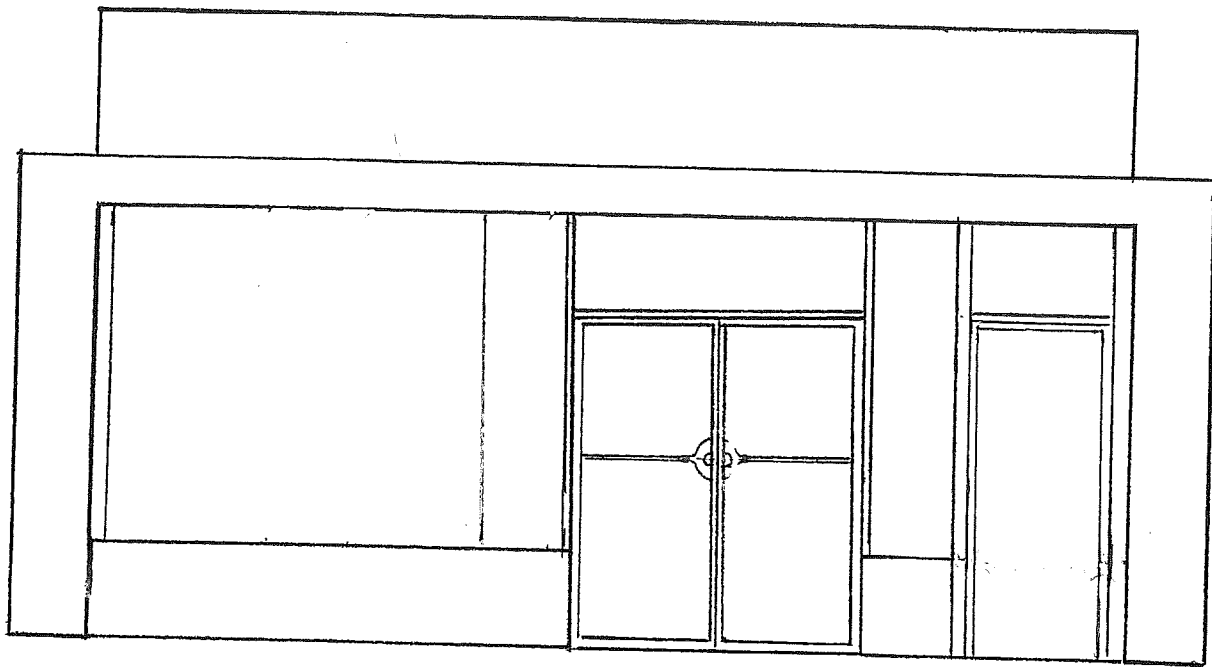
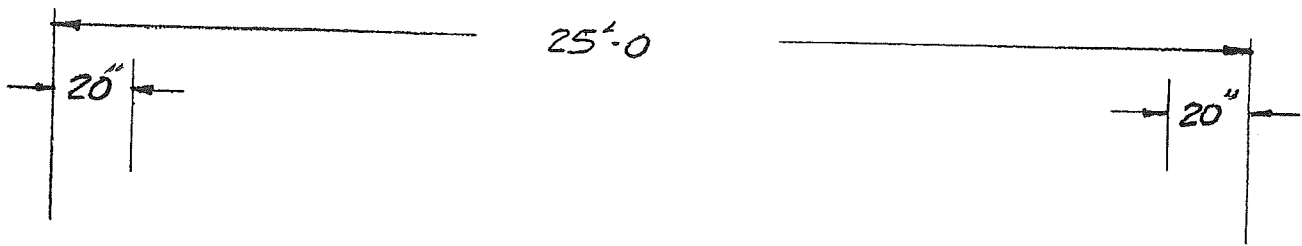
 PHOENIX
Pop Up SALE Shop

 PHOENIX
Pop Up SALE Shop

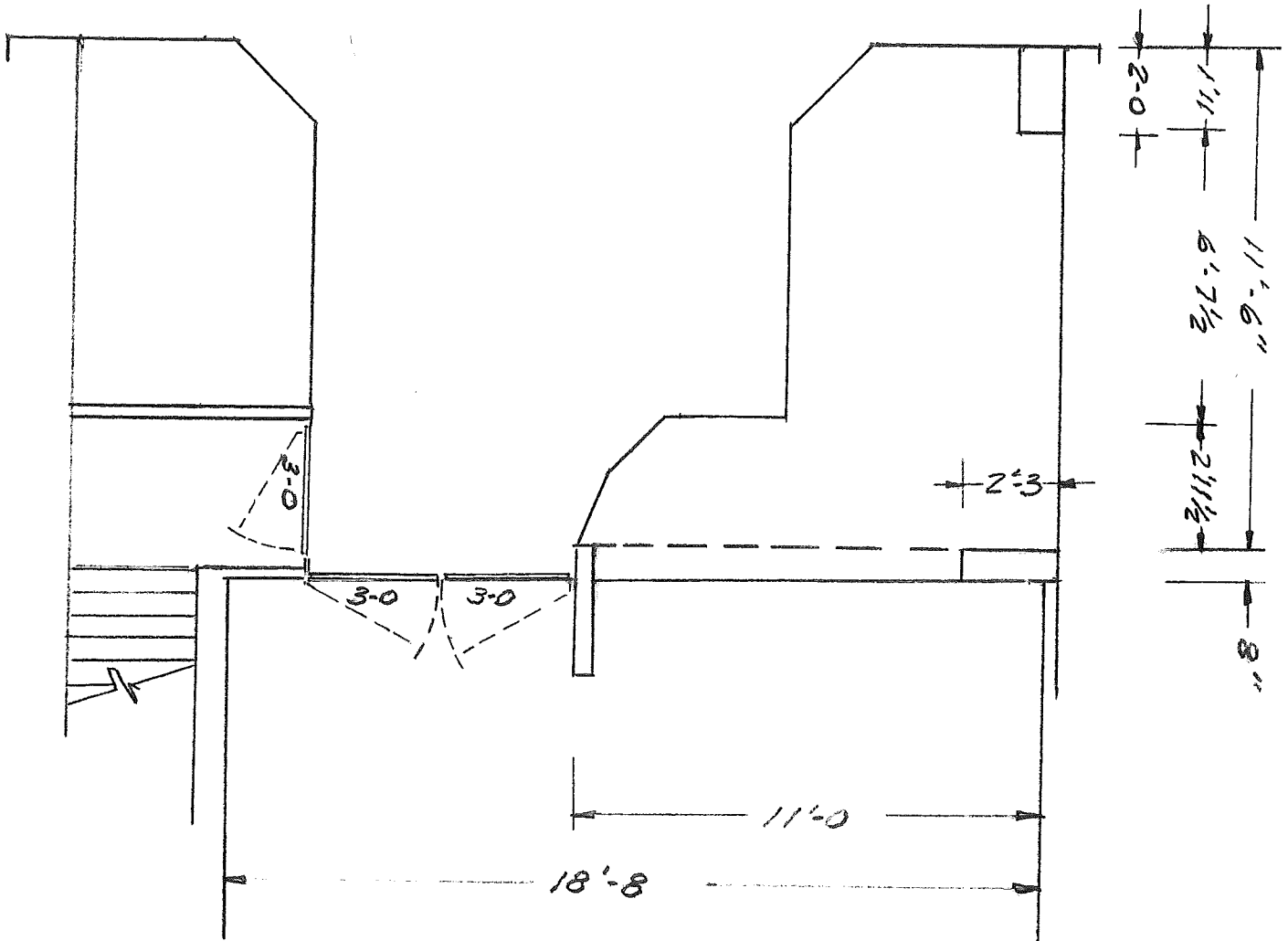
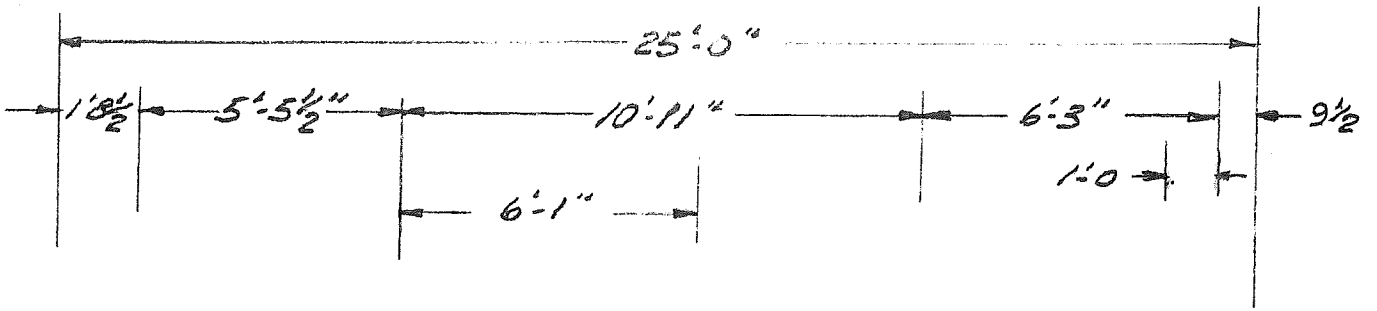




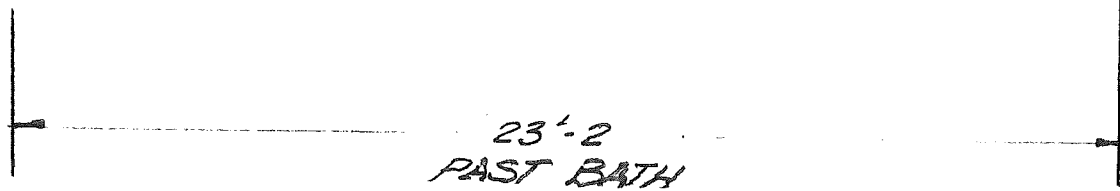
FRONT ELEVATION
AS BUILT

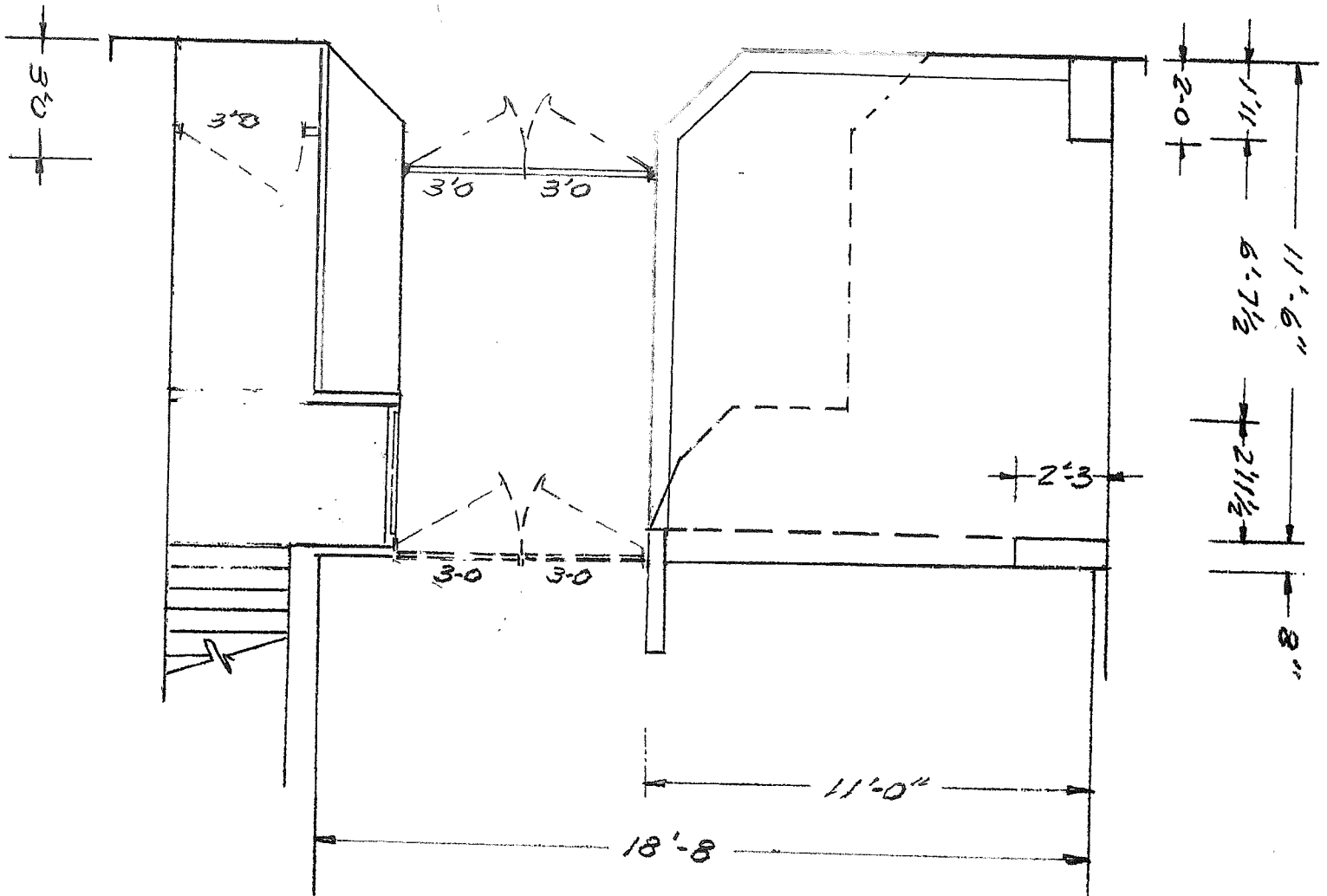
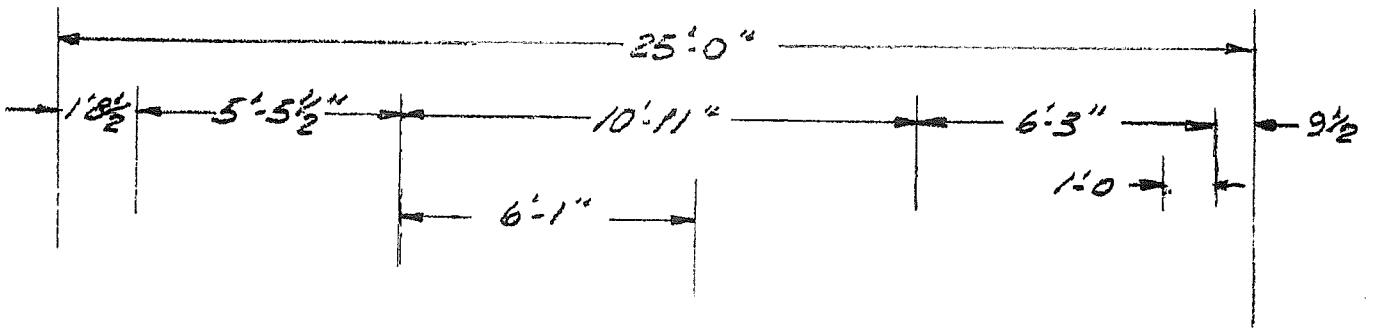


FRONT ELEVATION
REVISED



AS BUILT





REVISED

Store exterior Signage examples



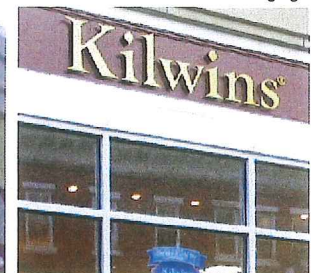
A front illuminated Kilwins sign on a historic facade.

"Can" interior sign illumination.

Raised lettering signage.



Awning as signage.



Exterior store signage

There are many signs that Kilwins uses, depending on local codes, landlord restrictions and building configurations. While there is usually a vertical band of signage at the top of a building, we also may have in conjunction or separately from that, a sign screened on an AWNING, a BLADE SIGN at the top of a building, or below a canopy, VERTICAL signage, DOORWAY TRANSOM signage, and many other configurations.

Moreover, signage is realized with mounted dimensional lettering, channel lettering, back lit or front lit applications, painted logos and other applications. While our signage logo is typically realized in black or white, it occasionally is fabricated in gold or another color due to requirements from the landlord, town or historic association.

The Kilwins Design Department will work with you and your local administration, and a sign company of our mutual choosing to create the perfect sign for your location that meets all code restrictions, and characterizes Kilwins perfectly.

Kilwins signing is respectful of local codes and customs, while remaining brand-right. These differences also allow each customer to view their "My Kilwins" as a special place, whether at home or on vacation.

™ This information is exclusive property of Kilwins Chocolates Franchise, Inc. located at 1050 Bay View Road, Petoskey, MI 49770. Licensee shall not disclose to anyone this information nor shall this information be reproduced, copied, used or transmitted in whole or in part in any way without the prior written consent of Kilwins Chocolates Franchise, Inc. 7/24/2013.



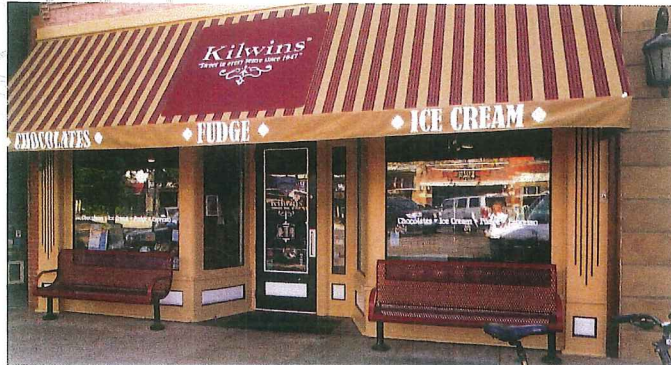
New store build-outs

Awaiting product to make the store come to life.



Historic downtown, a perfect home for Kilwins.

An adaptation of our historic awning with new logos.



A new concept store fully merchandised.



In promotion for Mother's Day.

Our new stores have the benefit of our years of experience in what works best in layout, fixtures and systems, coupled with new expertise in store design, finishes and graphics.

While existing stores will elevate their environments as needed as opportunities come up, new stores have the advantage of being the very best we can offer upon opening.

Our three-step process

A new store gives us the chance to introduce Kilwins to a new market, and we want to put our best foot forward with proprietary finishes and fixtures that are designed to brand Kilwins as well as coordinate with the space. New England stores will differ from Florida stores, but all will be unmistakably Kilwins.

- 1 We make an assessment of the space for proper layout and incorporation of special assets (tin ceilings, exposed brick, wood floors, etc.) when they are present.
- 2 We discuss with the new franchisees the way we will conduct business, with the guidance of the Kilwins layout plan.
- 3 We agree on the finishes, fixtures, graphics and other elements that will start their Kilwins store off right.



Store exterior Facades and finishes



Exterior shot; caption to come.



A classic Kilwin's, adapted as local codes dictate.



Exterior shot; caption to come.

Kilwin's color key

- 'Bagel' base
- Black accent
- Extra White accent
- Chocolate Brown
- 'Heritage Burgundy'

In general, our facades and finishes program is designed to help realize and highlight the architectural charm of the building, as it exists, and create a stage for the branded Kilwin's experience. Our paint choices work well with architectural styles, and serve as a classic, nostalgic entry point to the store. The facade should not compete with the signage and exterior collateral, or with the view of the kitchen through the windows into the store.

Facades and finishes

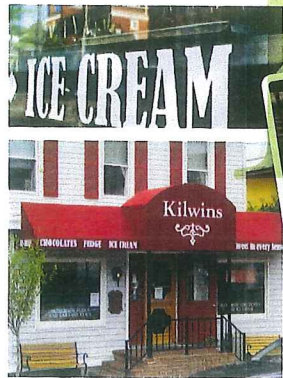
Our facade finish usually consists of some version of the "bagel" coloration, highlighted with accents in white and black. Molding can feature a large field of "bagel", and use white as an interior panel feature, and black as a "piping" trim accent. White is brand-right but creates challenges as it is difficult to keep clean, therefore is used sparingly.

Whenever possible, we use a permanent base material such as brick, stucco and factory-finished metal as a permanent fascia element.

"Heritage" burgundy is a historic color for the brand, and can be used as a base or accent color as needs dictate. Care should be taken to balance practical needs with the desire to create a light, "happy" but classic exterior look.

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1947



Then and now

CHOCOLATES • FUDGE • ICE CREAM

Kilwins Chocolates Franchise, Inc. is a growing 80+ store franchise company with stores located along the eastern United States, currently in 18 states (CO, DE, FL, GA, IL, IN, MD, MI, NC, NH, NJ, NY, OH, PA, RI, SC, TN, WI). The easternmost store is currently in Newport, RI, and the western most store is in Fort Collins, CO. The southernmost store is in Key West, FL, and the northernmost store is in Mackinac City, MI. We also operate a 6000 sq. ft. flagship Company Store in Petoskey, MI, which is attached to the Chocolate Kitchen where our Chocolates are made. Our headquarters are also housed in this facility.

The company was founded in 1947 by Don and Katy Kilwin, with the first store located in Petoskey, MI, which is also where most of the early recipes were developed. Although it began as a bakery, it soon evolved into a purveyor of fudge, for which it is still famous for "Mackinac Island Fudge", adding quality "Hand-Crafted Chocolates" to the assortment, and, finally, "Original Recipe Ice Cream". It remains a privately held company, with the facility in Petoskey, MI creating a full line of top-quality "Hand-Crafted Chocolates", Made-In-Store items like "The Perfect" Caramel Apple, Corns & Brittles and "Mackinac Island Fudge" made fresh in each individual store, and "Original Recipe Ice Cream". Besides our three main categories of Chocolates, Made-In-Store items and Ice Cream, support products like salt water taffy, coffees, hot chocolate, beverages, gift baskets, and other related confections round out our assortment.

The company has grown steadily to its present size by selling franchises. The stores are primarily located in resort, beach and vacation areas, and in historic downtown locations, with concentrations in Florida, North Carolina and Michigan. Stores vary by location in size and décor, and while there are some similarities, they are not near the lock-step look and feel of other franchise operations, encouraging a reflection of the local geography and community in their décor.

The company has completely renovated an existing facility in Petoskey overlooking the lake, which houses the Kilwins Chocolates Factory Kitchen, our company headquarters, and a Kilwins Company Store. The facility is designed as an "open" plant, where free tours are available, and customers can interact with kitchen teams and see demonstrations. The facility has ample parking, is in a central location, and has the room to expand including thousands of visible square footage in the way of additional storefront, production and storage. The design of the space is also looked at as an opportunity to test new concepts, from new products to new music systems, uniforms, fixtures and marketing strategies and collateral.

While seeking to define and improve product categories, as well as marketing and business practices for today and in the future, there is also a recognition by the company that there needs to be a branded environmental "look and feel" that defines the Kilwins experience. That is not to say that all Kilwins stores will look and feel the same, that is not something that the company desires, but certain branded elements, such as signage, fixtures, uniforms, packaging, product, and activities such as customer service, marketing, best practices and new product introductions bind the company together.

