

## Watkins, Robert

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**From:** Watkins, Robert  
**Sent:** Thursday, January 23, 2020 11:21 AM  
**To:** chapsicecream@gmail.com  
**Cc:** Werner, Jeffrey B  
**Subject:** January BAR Action - 223-235 East Main Street

### **Certificate of Appropriateness Application**

BAR 20-01-01  
223-235 East Main Street  
Tax Parcel 33023400  
Labace, LLC, Owner; Tony Labace, Applicant  
Replace storefront

Dear Tony,

Please find below the action taken for the above-referenced project at last night's Board of Architectural Review meeting:

**Gastinger moved to accept the applicant's request for a deferral.  
Lahendro seconded. Approved (7-0).**

Please let me know if you have any questions.

Have a great day!

Robert

Robert Watkins  
Assistant Historic Preservation and Design Planner  
Neighborhood Development Services  
PO Box 911  
Charlottesville, VA 22902  
(434) 970-3398

**CITY OF CHARLOTTESVILLE  
BOARD OF ARCHITECTURAL REVIEW  
STAFF REPORT  
January 22, 2020**



**Certificate of Appropriateness Application**

BAR 20-01-01

223 East Main Street

Tax Parcel 330234000

Labace, LLC; Owner/ Tony Labace; Applicant

Replace storefront



**Background**

Year Built: c1821, alterations mid-1800s, 1917, 1970s

District: Downtown ADC District

Status: Contributing

223 West Main is believed to be a c1864 addition to neighboring 225 West Main, which was constructed in the 1821 and one of the oldest buildings in the City. Alterations over time have left only fragment of the original structure. The existing storefront is believed to date to the 1970s. (Historic survey attached.)

**Prior BAR Review**

None

**Application**

- CoA submittal dated December 5, 2019. Application form. Elevation and plan of proposed storefront. Photos of existing.

CoA request for the replacement of the c1970s commercial storefront. New frame to match the existing, which is clear anodized aluminum, with similar window and door configurations. New storefront will be straight, returning to an earlier wall alignment visible on the floor slab. The plywood sections will be replaced with flat metal panels (matching the frame).

## **Discussion and Recommendations**

Staff recommends approval of the CoA with the condition that the glass be clear, preferably with a VLT of not less than 70%.

## **Suggested Motion**

Approval: Having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions and for Rehabilitation, I move to find that the proposed storefront replacement satisfies the BAR's criteria and is compatible with this property and other properties in the Downtown ADC district, and that the BAR approves the application as submitted...

(or with the following modifications...).

Denial: Having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions and for Rehabilitation, I move to find that the proposed storefront replacement does not satisfy the BAR's criteria and is not compatible with this property and other properties in the Downtown ADC district, and for the following reasons the BAR denies the application ...

## **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;
- (7) Any applicable provisions of the City's Design Guidelines.

**Pertinent Guidelines for New Construction and Additions include:**

I. Windows & Doors

...

- 9) Glass shall be clear. Opaque spandrel glass or translucent glass may be approved by the BAR for specific applications.

**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
  - a. districts, including textured wood siding, vinyl or aluminum siding, and pressure-treated wood.
- 11) Avoid introducing inappropriate architectural elements where they never previously existed.

C. Windows

- 15) Do not use tinted or mirrored glass on major facades of the building. Translucent or low (e) glass may be strategies to keep heat gain down.

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# Architectural And Historic Survey



## Identification

<b>STREET ADDRESS:</b> 223-225 E. Main Street	<b>HISTORIC NAME:</b> Jones-Hartnagle Building
<b>MAP &amp; PARCEL:</b> 33-234 & 233	<b>DATE / PERIOD:</b> c. 1821, mid-1800's, 1917, 1970's
<b>CENSUS TRACT AND BLOCK:</b>	<b>STYLE:</b> Vernacular
<b>PRESENT ZONING:</b> B-4	<b>HEIGHT (to cornice) OR STORIES:</b> 2 storeys
<b>ORIGINAL OWNER:</b> John R. Jones	<b>DIMENSIONS AND LAND AREA:</b> #223-18'75"x92'97" (1743 sq. ft.)
<b>ORIGINAL USE:</b> Store	<b>CONDITION:</b> Good #225-20.2"x92.98" (1878 sq. ft.)
<b>PRESENT USE:</b> Confectionary & TV Studio/Music Store	<b>SURVEYOR:</b> Bibb
<b>PRESENT OWNER:</b> Jessie T. Hook Carl R. Stacy, Jr.	<b>DATE OF SURVEY:</b> Winter 1983
<b>ADDRESS:</b> 1203 Hilltop Road 1904 Wakefield Rd. Ch'ville, Va 22903 Ch'ville, VA 22901 (#223) (#225)	<b>SOURCES:</b> City/County Records Carl R. Stacy, Jr. Ch'ville City Directories Harold Wright Alexander, Recollections of Early Charlottesville

Holsinger's Charlottesville, other Holsinger photos  
Sanborn Map Co. - 1886, 1891, 1896, 1907, 1920

## ARCHITECTURAL DESCRIPTION

This is almost certainly the oldest building remaining on Main Street, but very little original fabric has survived the repeated alterations. The eastern half is the original section. Two storeys tall, two bays wide, and double pile, it probably resembled the early 19th century buildings on Court Square which followed the side hall plan and had living quarters for the storekeeper on the second level. Construction is of brick laid in Flemish bond on the facade and the eastern (Third Street) elevation. The western half was probably a duplicate, except that the brick is laid in American bond. The building still has a hip roof covered with standing-seam metal, but its projecting eaves and cornice brackets have been replaced with a parapet. The eastern half (#225) has a high parapet with a wooden entablature which still remains above the false front. In the early years of this century, both store rooms had recessed central entrances, and a single storefront entablature extended across the entire building. The second storey living quarters above both store rooms were dismantled some years ago and the stairways that gave access to them were removed. The remains of a fireplace can still be seen in #223, but a finished interior wall covers the windows, if they still exist. The storefront of #223 is now covered with vertical wooden siding around the display windows and the upper level is covered with wooden shingles. #225 is covered with dark brown metal board-&-batten siding and has a recessed second storey balcony. Its 2-storey rear extension is constructed of brick laid in 5-course American bond. Brick is the one-storey wing behind that is laid in 7-course American bond.

## HISTORICAL DESCRIPTION

Alexander states that the original section of this building was built by Col. John R. Jones who also conducted a store at "Number Nothing", Court Square. He purchased this lot in 1821 (ACDB 22-377), and the oldest part of the building was standing by 1828. According to Alexander, the building was on a high foundation, and the floor of the storeroom was later lowered some four feet. James A. Watson, John Hasson, and Dennis Boyle purchased the building in 1855 (ACDB 54-269). Frederick Hartnagle was the occupant at that time, and he purchased the building in 1857 & 1864 (ACDB 56-204, 60-418). He extended the building to the rear and built the western half of the duplex soon after acquiring ownership. S. C. Chancellor bought the property from Hartnagle's estate in 1913 (City DB 25-18) and sold it two years later to Hollis Rinehart (DB 27-112). Until that time, it had been occupied by a series of bakeries and confectionaries for half a century or more. The Co-operative Drug Co., Inc., brought the eastern half (#225) in 1917 (DB 30-172). The side windows were bricked up, a parapet built and the upper level of the facade covered with what appears to have been a plywood panel possibly stuccoed. J. L. Hartman bought it in 1923 (DB 44-239, 45-404) and sold to L. S. Macon in 1927 (DB 59-244). The Standard Drug Co. occupied the storeroom from the mid 1930's until 1950. After that, it housed a series of small dress shops until Carl R. Stacey, Jr. purchased it in 1972 for his music store (DB 338-382). He added the balcony, rebuilt the storefront, and covered the facade with metal siding. The upper level of the western half of the facade (#223) may not have been significantly altered until a 1953 remodeling when it was covered with a metal false front. Walter R. Ellington bought that half in 1917 (DB 30-466) and sold it in 1932 to J. P. Ellington (DB 77-301). They conducted a clothing store there for twenty years. E. J. Perkins bought it from the Ellingtons in 1943 (DB 113-201) and the Standard Marshall Corporation bought it from his estate in 1946 (DB 128-277) and sold it in 1965 to the Rinehart's Kenridge Properties, Inc. (DB 263-435). Jessie T. Hook bought it from the Rinehart family in 1976 (DB 370-511). Shoe stores occupied the storeroom from the mid 1930's to the mid 1960's. The interior was completely remodeled in 1965 to adapt it for use as a radio station. It was again remodeled in 1976 to include a small storeroom at the front of the building. The present false front dates to that time.

Additional References: City DB 361-1

223-225 East Main  
c1970s





**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

**RECEIVED**  
DEC 06 2019  
NEIGHBORHOOD DEVELOPMENT SERVICES

Please submit ten (10) hard copies and one (1) digital copy of application form and all attachments.  
Please include application fee as follows: New construction project \$375; Demolition of a contributing structure \$375;  
Appeal of BAR decision \$125; Additions and other projects requiring BAR approval \$125; Administrative approval \$100.  
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 3:30 p.m.

Owner Name Labace LLC Applicant Name Tony Labace  
Project Name/Description Replace storefront / Chaps Ice Cream Parcel Number 33023400  
Project Property Address 223-235 East Main Street

**Applicant Information**

Address: 1607 Brandywine Drive  
Charlottesville, Va 22901  
Email: chapsicecream@gmail.com  
Phone: (W) 434-944-4139 (C) 434-962-7474

**Property Owner Information (if not applicant)**

Address: 223 EAST MAIN ST  
Email: chapsicecream@gmail.com  
Phone: (W) 434-977-4139 (C) 434-962-7474

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

**Signature of Applicant**

I hereby attest that the information I have provided is, to the best of my knowledge, correct.

[Signature] 12-5-19  
Signature Date

Anthony M. Labaca 12-5-19  
Print Name Date

**Property Owner Permission (if not applicant)**

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

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Date \_\_\_\_\_

Description of Proposed Work (attach separate narrative if necessary):  
Remove existing glass and metal storefront, replace with new. Realign east door and two adjacent panels as noted.

List All Attachments (see reverse side for submittal requirements):  
Two pages, dated Nov. 18, 2019: elevation and plan; photos of existing.

**For Office Use Only**  
Received by: [Signature]  
Fee paid: \$125.00 Cash (Ck. # 17618)  
Date Received: 12/6/2019  
Revised 2016 D19-0174  
Approved/Disapproved by: \_\_\_\_\_  
Date: \_\_\_\_\_  
Conditions of approval: \_\_\_\_\_

**HISTORIC DISTRICT ORDINANCE:** You can review the *Historical Preservation and Architectural Design Control Overlay Districts* regulations in the City of Charlottesville Zoning Ordinance starting with Section 34-271 online at [www.charlottesville.org](http://www.charlottesville.org) or at [Municode.com](http://Municode.com) for the City of Charlottesville.

**DESIGN REVIEW GUIDELINES:** Please refer to the current *ADC Districts Design Guidelines* online at [www.charlottesville.org](http://www.charlottesville.org).

**SUBMITTAL REQUIREMENTS:** The following information and exhibits shall be submitted along with each application for Certificate of Appropriateness, per *Sec. 34-282 (d)* in the City of Charlottesville Zoning Ordinance:

- (1) Detailed and clear depictions of any proposed changes in the exterior features of the subject property;
- (2) Photographs of the subject property and photographs of the buildings on contiguous properties;
- (3) One set of samples to show the nature, texture and color of materials proposed;
- (4) The history of an existing building or structure, if requested;
- (5) For new construction and projects proposing expansion of the footprint of an existing building: a three-dimensional model (in physical or digital form);
- (6) In the case of a demolition request where structural integrity is at issue, the applicant shall provide a structural evaluation and cost estimates for rehabilitation, prepared by a professional engineer, unless waived by the BAR.

**APPEALS:** Following a denial the applicant, the director of neighborhood development services, or any aggrieved person may appeal the decision to the city council, by filing a written notice of appeal within ten (10) working days of the date of the decision. Per *Sec. 34-286*. - City council appeals, an applicant shall set forth, in writing, the grounds for an appeal, including the procedure(s) or standard(s) alleged to have been violated or misapplied by the BAR, and/or any additional information, factors or opinions he or she deems relevant to the application.

**Scope of Work:**

We hereby propose to furnish materials and labor necessary for the installation of the following:  
(1) commercial storefront frame with (1) 36" x 84" single door and (1) 40" x 84" single door. Doors to have standard push/pull hardware, standard surface mounted closers, standard 4" thresholds, standard MS locks thumb-turn interior/keyed exterior. Doors to be single acting, out-swing, butt hung.

**Qualifications:**

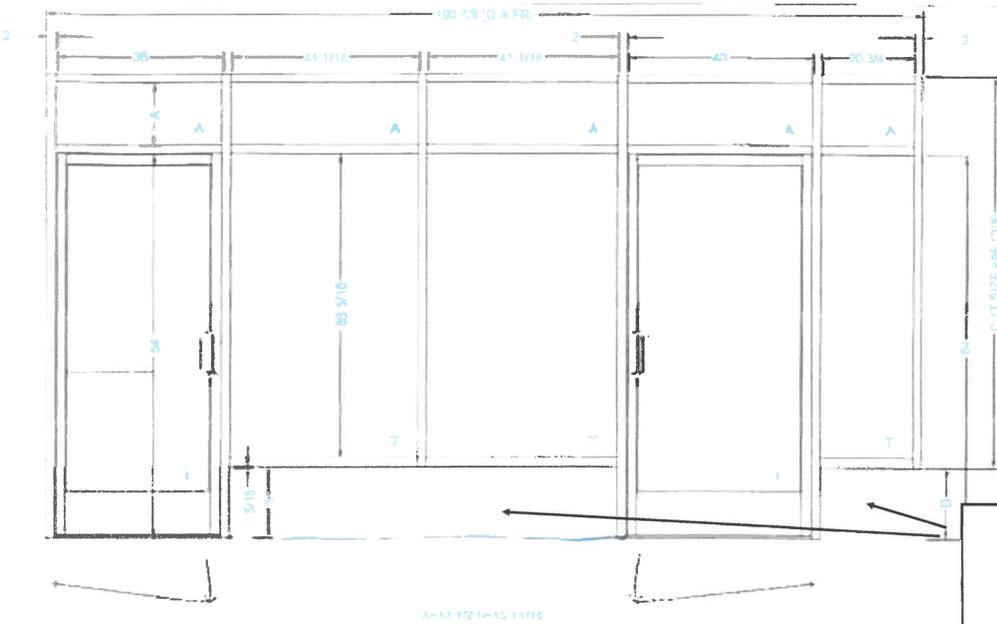
- Metal:** Coral, F300T series 2" x 4 1/2" system, 1" glazed for all exterior frames
- Sealants:** Urathane caulk for around exterior perimeters of all storefront in our scope of work for a weather tight seal. Interior caulking by approved change order only.
- Finish:** Clear Anodized Finish.
- Glass:** 1" clear, dual pane insulated, in exterior aluminum storefront frames 1/4" clear tempered in doors and where required.
- Labor:** Furnish for a complete installation of the above scope of work in accordance with the manufacturer's instructions.

Project Name: Chaps Icecream  
 Frame Set Name: Frame Set 1  
 Metal Group: FL300T CG/SS/OC THERMAL CGM  
 Required: 1 Back Member Color: CLEAR: ANODIZE

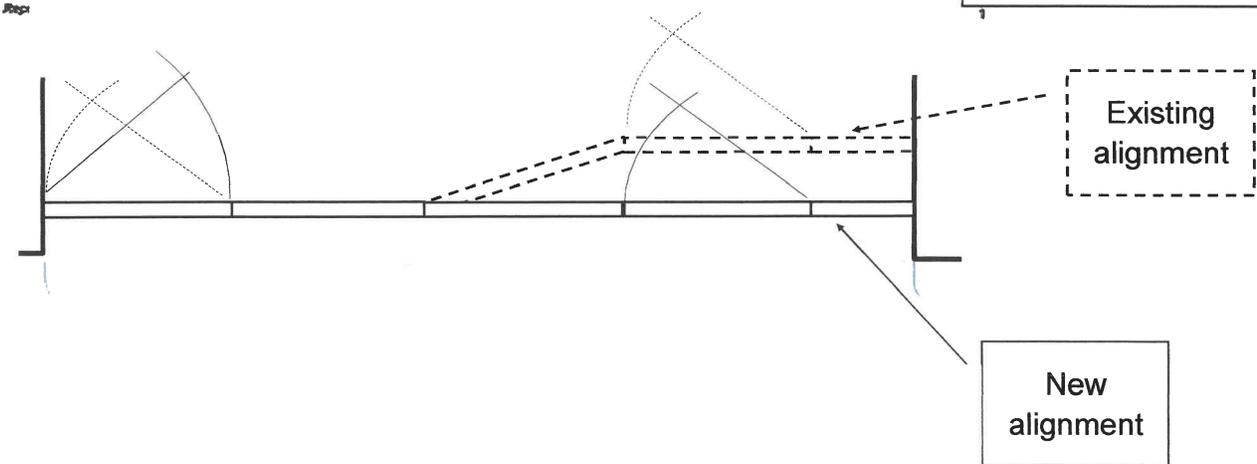
Frame Name: Frame 1  
 D/S: 1 Frame Type: Standard  
 Face Member Color: CLEAR: ANODIZE

Panel: 5  
 Rows: 2  
 Frame Width: 190 7/8"  
 Frame Height: 101 1/2"

10/18/2019 1:52 PM



Replace plywood panels with flat, metal panels (to match frame)



New alignment



Existing storefront

