

VIRGINIA BEACH HISTORIC PRESERVATION COMMISSION

Planning and Community Development Conference Room, 2875 Sabre Street, Suite 500

January 5, 2022, 5:00 pm

Approved February 2, 2022

Present:

Officers: Chair, James Wood; First Vice-Chair, Sharon Prescott; Second Vice-Chair, Mac Rawls; Secretary, Bobbie Gribble

Members: Derrick DuBay, Campbell Clay, Sharon Felton, Harriet Frenzel (remote), Natalie Hubbard, Richard Klobuchar, Ian Lichacz, Becky Livas, Christi Lyons (remote), Timothy Oksman

Staff: Mark Reed, Elizabeth Nowak

Purpose The purpose of the Commission is to advise the City Council and the Department of Planning and Community Development and museums on all issues related to the preservation of historic buildings, structures, and sites located in the City of Virginia Beach

Mission The mission of the Commission shall be to preserve, protect and maintain the historic identity of Virginia Beach and the former Princess Anne County through a program of advocacy and increased public awareness and involvement

This is the first Historic Preservation Commission meeting since the adoption of a Remote Participation Policy. Two members requested to attend remotely. The secretary recorded the following information:

- Christi Lyons – medical reason, attending from home
- Harriet Frenzel – medical reason, attending from home

Welcome/Introductions/Remarks

Jimmy Wood welcomed everyone in attendance. He noted the start of a new year and the presence of new members. Mr. Wood read the Purpose and Mission of the Commission.

Mr. Wood said there are two new members. He said Glenn Carwell is unable to attend because he is in Florida. Dr. Carwell was one of the original members and is now joining us again.

Mr. Wood asked Derrick DuBay to introduce himself. Mr. DuBay said he loves old buildings, particularly colonial. He said he likes saving old buildings. He also noted that he is a trained opera singer. The members of the Commission and staff introduced themselves to Mr. DuBay.

Approval of December 1, 2021 Minutes

Mr. Wood requested that the members review the minutes and provide any corrections or changes. Rick Klobuchar said he has a change in the next to last paragraph on page 6. He noted that he had made a motion to have the City adopt a resolution to recognize Bill Gambrell and Tim Oksman had seconded the motion.

There were no additional corrections or changes. Mr. Klobuchar made a motion to approve the minutes as amended. Tim Oksman seconded the motion. The minutes were approved as amended.

Election of Officers

Mr. Wood asked Mac Rawls to read the slate of officers that had been presented at the December 1, 2021 Historic Preservation Commission meeting. Mr. Rawls read the following slate:

- Chair – Jimmy Wood
- 1st Vice-Chair – Sharon Prescott
- 2nd Vice Chair – Christi Lyons
- Secretary – Bobbie Gribble

There were no nominations from the floor. Mac Rawls made a motion to accept the slate of officers as presented. Sharon Felton seconded the motion. The slate of officers for 2022 was approved unanimously.

Bylaws Amendment

The chair, Jimmy Wood, explained that this is the first presentation of a proposed amendment to Article V of the Commission's by laws (see Appendix 1). He said the intention of these changes is make it so the Executive Committee is comprised of the Elected Officers and the Immediate Past Chair. The Immediate Past Chair just cycled off the Commission. So, the proposed change will create a solution to have a Past Chair serve if the Immediate Past Chair is no longer a member.

Mr. Wood said the proposed new Section 7 of Article V explains this change. It specifies that the Past Chair who has served longest on the Commission will fill the Immediate Past Chair role/position. He noted Section 7 is changed to Section 8. Section 9 is to specify the slate of officers is presented annually without the Immediate Past Chair position.

Mr. Wood noted that amendments to the bylaws have to be presented at a Commission meeting and then may be voted on at the next meeting.

Mr. Rawls noted that Article II might need to be revised. He said that the bylaws states the Commission advises the Department of Museums, but that department no longer exists. Mark Reed said that is how it is written in the City Code so is consistent with that. Mr. Wood asked Mr. Reed to talk with Rod Ingram in the City Attorney's Office to see if the city wants to change it. Mr. Reed said he would work that request up through the Planning Director.

Committee Reports

Campbell Clay and Natalie Hubbard reported for the Student Leaders Committee. Ms. Hubbard said that all of the members have completed their draft Clio entries. She said the next meeting will be to discuss details of the input process in the app. She said that in the spring they will begin working on the Scavenger Hunt.

Project Updates

Mark Reed provided several project updates.

For the Historic District Design Guidelines project, Mr. Reed said they are going to the Planning Commission on January 12 to seek approval of the related ordinances. The ordinances are to approve amendments to the Comprehensive Plan and to Article 13 of the Zoning Ordinance. He said it is expected that the Planning Commission will recommend approval. The next step will be to go to City Council with a briefing.

Mr. Reed said the Historic Preservation Strategic Plan is moving forward. DHR staff has provided recommended edits for the Objectives and Actions segment of the plan. He said final revised Objectives and Actions will be submitted to DHR this week. The next step will be for DHR to submit them to

Commonwealth Preservation Group (CPG) and request a proposal from CPG to edit the document as directed and complete to project.

Mr. Reed said the National Register Nominations and Preliminary Information Form (PIF) projects are generally moving forward. For L & J Gardens, the project is on track to be on the June 2022 State Review Board agenda. There will likely be a presentation from the consultant to the Historic Preservation Commission in the April/May timeframe.

Mr. Reed said the Seatack nomination is on track to be on the September 2022 State Review Board agenda. He anticipates a presentation to the Historic Preservation Commission at its September meeting.

For the Woodhurst Neighborhood nomination, Mr. Reed said that Debra McClane, Architectural Historian, is under contract to do that project. She will begin work on that in February.

Mr. Reed said that staff is moving forward with the Cutty Sark and Blue Marlin Motels nominations. Proposals have been requested from the firms that did the PIFs for each resource.

For the PIF projects, Mr. Reed noted that he had sent out an email to Commission members about the positive actions at the December 9 State Review Board meeting. The Cutty Sark Motel and the Blue Marlin Motel were both determined eligible for listing by the Board.

For the Chesapeake Beach Historic District, staff is still working on arranging for a DHR Staff site visit due to their original evaluation of not eligible. It is hoped that DHR can provide guidance on boundary reductions to still have a viable National Register district.

Mr. Reed said the Newsome Farm Cemetery PIF, which the Commission received a presentation on in December, has been submitted to DHR. He is waiting to receive word on the evaluation from staff.

The Pleasant Ridge School PIF, which has been on hold due to medical issues for both the consultant and representatives for the school, has a kickoff meeting and site visit scheduled for January 14. He said it will be good to get that project underway.

Historic Properties Glimpse

Mr. Reed and Elizabeth Nowak provided information on agenda items that are scheduled on the January 19 Historical Review Board agenda. There are two items in the Courthouse District.

One is for the renovations for Building 1 at the Municipal Center. This item was previously discussed with the Commission and was deferred at the November and December Historical Review Board meetings while the City worked to address setback issues with the Zoning folks. They have redesigned the loading dock and building equipment area to accomplish the required setback. Plantings will help to screen the wall enclosure and generator.

On the East facing side they need to install louvered windows in two of the dormers for airflow for the HVAC equipment. Staff has requested that they install a false louver in a third dormers to accomplish better balance. On the interior courtyard there are additional windows that will become louvered for the HVAC equipment.

The other item in the Courthouse District is for the Building 2 Renovations. Exterior renovations for Building 2 have previously been approved by the Historical Review Board. When staff was on site in November, they noticed that some work has been done that was outside of the approved scope of work. The contractor had enlarged three window openings for the purpose of debris removal and access for new

equipment. Staff called this to the contractor's attention and is requiring that they apply for a Certificate of Appropriateness for these changes. Their plan is to reconstruct the window openings to their previous appearance once the openings have served their purpose.

Mr. Reed discussed the porch cladding project at the Francis Land House in the Francis Land House District. He said the original plan was to repair and replace in kind the lap board cladding on the 1920s porch. When the lap board was removed, they discovered bead board underneath that is possibly an original treatment. The City now proposes to repair and retain the bead board as the exterior cladding. This will help to differentiate the 1920s porch from the 1950s additions, which use the lap board siding extensively. Because the bead board cladding is a change to the exterior appearance it will require a Certificate of Appropriateness.

Old Business

There was no old business.

New Business

Mr. Wood reminded the Commission members that the required Financial Disclosure Form is due on February 1.

Sharon Felton said she has some new business. She said she has been appointed to serve on the 5/31 Memorial Committee to represent the Historic Preservation Commission. She said the committee will be working on the Building 2 Memorial Commemoration and she looks forward to sharing information from the Commission and hearing any ideas the Commission members might have.

Ms. Felton said she attended the Legislative Preview hosted by Preservation Virginia earlier today and it included some good information. She said they discussed the \$10 million BIPOC fund for preservation projects for Black, Indigenous and People of Color historic and cultural sites.

Ms. Felton noted that the state Senator that participated encouraged advocacy through individual communications and not blanket letters or emails. The Senator also encouraged advocacy via Zoom calls. Ms. Felton said we could possibly set these up for our students.

Ian Lichacz said he could potentially set something up with Senator DeSteph. He said it could possibly be in person. Mr. Reed noted that Delegate Tata used to be a member of the Historic Preservation Commission and would likely be willing to meet with the students. Jimmy Wood appointed Mr. Lichacz to develop a plan for the students to have a legislative advocacy experience during the current session. Christi Lyons suggested a Plan A and a Plan B, with one being a virtual opportunity and the other being an in person one. Mr. Lichacz agreed to pursue this.

Mr. Reed followed up on the discussion and said the Legislative Preview recording should be available on the Preservation Virginia website. He noted that the Legislative Reception is scheduled for February 9 at 7:00 and will be virtual.

Adjournment

The next Historic Preservation Commission meeting will be on Wednesday, February 2, 2022 at 5:00 p.m. The meeting was adjourned at 6:30 p.m.

Appendix 1

BY-LAWS VIRGINIA BEACH HISTORIC PRESERVATION COMMISSION

ARTICLE I NAME

The Name of the Organization shall be the City of Virginia Beach Historic Preservation Commission as established by Section 2-5 of the City Code of the City of Virginia Beach.

ARTICLE II

PURPOSE

The purpose of the Commission is to advise the City Council and the Departments of Planning and Community Development and Museums on all issues related to the preservation of historic buildings, structures and sites located in the City of Virginia Beach.

ARTICLE III

MISSION

The mission of the Commission shall be to preserve, protect and maintain the historic identity of Virginia Beach and the former Princess Anne County through a program of advocacy and increased public awareness and involvement.

ARTICLE IV

MEMBERSHIP

Section 1: The City Council shall appoint the members of the Commission which shall consist of at least nine (9), but not more than fifteen (15) members, all of whom must reside within the City of Virginia Beach.

Section 2: To the extent available within the City's jurisdiction, at least a majority of the members shall have expertise in the fields of history, archaeology, or architecture. Appointment of persons representing other historic preservation related disciplines, such as urban planning, American studies, American civilization, cultural geography or cultural anthropology and lay persons are encouraged.

Section 3: Members shall be appointed for a term of up to three (3) years and may be appointed for consecutive terms per Section 2-3 of the City Code.

Section 4: Vacancies shall be filled by City Council upon the expiration of terms or an unexpired portion of any term. Any member may be removed at any time by a majority vote of City Council. No member shall accumulate an annual total of more than three (3) unexcused absences or be absent from more than one-fourth of the total number of meetings held within a given calendar year per Section 2-3.1 of the City Code. If a member exceeds the number of allowed absences the chair shall

report the absences to the City Clerk. This information shall be forwarded to the City Council by the City Clerk.

Section 5: The commission also shall include two (2) Virginia Beach high school students who shall be nonvoting members. The commission shall interview candidates for the student membership positions and make recommendations to City Council, which shall make the appointments. The student members shall be appointed to terms of one (1) year.

ARTICLE V

OFFICERS

Section 1: The officers shall be a chair, a first vice-chair, a second vice-chair, a secretary and the immediate past chair. The officers shall constitute the Executive Committee. The role of the Executive Committee shall be to plan and manage the activities of the Commission, establish the agenda for the monthly general meeting and prepare periodic reports on historic preservation issues and concerns for presentation to the Virginia Beach City Council.

Section: 2: At the first meeting of each calendar year the Commission shall elect, by majority vote, the officers (excluding the immediate past chair who is appointed by virtue of their prior service as chair) for terms of one (1) year. The chair shall serve no more than three (3) consecutive terms.

Section 3: The chair shall preside at all meetings and hearings of the Commission and decides all points of order and procedural matters subject to rules and by-laws.

The chair may appoint committees as necessary to carry out the work of the Commission. The chair may be ex-officio member of such committees.

Committee members may be non-commission members, but only commission members may vote on final recommendations or actions of the Commission.

Section 4: The first vice-chair shall assume the duties of the chair whenever the chair is absent or at the chair's request. The first vice-chair shall be responsible for managing the Commission's stated annual goals, priorities and items for consideration list.

Section 5: The second vice-chair shall assume the duties of the chair whenever the chair and first vice-chair are absent. The second vice-chair shall be responsible for coordinating the commission's public outreach program, the annual public meeting and financial interests.

Section 6: The secretary shall keep the minutes of all meetings and other records.

Section 7: The role of the immediate past chair shall be held by the individual who last served as chair of the Commission. If the immediate past chair is no longer a member of the Commission or is otherwise unavailable to serve on the Executive Committee, then the role of immediate past chair shall pass to the past chair of the Commission who has served the longest period of continuous time on

the Commission and is willing and able to serve on the Executive Committee. If there are no past chairs who are able to serve on the Executive Committee, then the Executive Committee may appoint an “at-large” member to serve on the Executive Committee for the one-year term.

Section 78: Vacancies in any office may be filled for the unexpired term by majority vote of the Commission.

Section 89: A Nominating Committee of at least three (3) Commission members shall be elected by majority vote of the Commission no later than October 15 each year for the purpose of developing and presenting a slate of officers (excluding the immediate past chair position) for the coming year at the December Commission meeting.

ARTICLE VI

MEETINGS

Section 1: There shall be a minimum of four (4) regular meetings per year. All meetings are open to the public.

Section 2: If the regular meeting date falls on a holiday recognized by the City of Virginia Beach, the Commission will not meet on that date. The chair may designate an alternative meeting date, provided that public notice is given in accordance with the policies of the City of Virginia Beach.

Section 3: The secretary shall give at least three working days notice of all meetings to all members, the public and the Freedom of Information division of the City Attorney's Office as required by law.

Section 4: If a change of meeting place is warranted as determined by the Chair, the Chair and Staff shall give notice to all affected parties in writing, sent to their usual place of residence, postmarked not less than five (5) days in advance or by e-mail. Public notice for a change of time, date, meeting place or cancellation shall be posted in all required location at least 72 hours in advance of such meeting.

Section 5: All meetings of the Historic Preservation Commission shall be open to the general public and governed by the Virginia Freedom of Information Act. Members of the general public may register to speak on items on the agenda on forms provided by the Secretary. Each member of the general public may be provided up to 3 minutes for each agenda item for which they have registered.

Special Meetings

Section 6: Special meetings may be called by the Chair. It shall be the duty of the Chair to call such meetings when requested to do so by the Commission or staff. The notice of such meeting shall specify the purposes of such a meeting. The Secretary shall notify all members of the Commission in writing, sent to their usual place of residence, postmarked not less than five (5) days in advance of such special meeting or by e-mail.

Section 7: Public notice shall be posted for special meetings in the required locations at least three (3) working days prior to the meeting.

ARTICLE VII

METHODS OF OPERATION

Section 1: No emergency meeting of the Commission shall be held without providing at least twenty-four (24) hours written notice to the City Clerk and the Freedom of Information office.

Section 2: Work plans and projects should be coordinated with work being done by the Planning Commission and the Historical Review Board.

Section 3: The Commission shall submit an attendance report and an annual report of activities to the City Council at least 45 days prior to the scheduled term expiration date (December 31) for the members of the Commission.

Section 4: The chair is a voting member of the Commission and shall vote on all matters except those in which a conflict of interest has been declared. If the chair declares such conflict, the first vice-chair shall take charge of the meeting until the business in conflict has been resolved. No member may vote on any agenda item in which the member has a conflict of interest.

Section 5: All members shall be governed by the applicable provisions of the State and Local Government Conflicts of Interest Act, Virginia Code Section 2.2-3100 *et seq.*

ARTICLE VIII

QUORUM

Section 1: A quorum for conducting business at any meeting or hearing shall be a majority of the members of the commission.

Section 2: Any action taken at a meeting must be approved by a majority vote of the members in attendance.

ARTICLE IX

AMENDMENT OF BY-LAWS

These by-laws may be amended at any regular meeting of the Commission by a two-thirds vote of those members present, provided the amendment has been submitted in writing at the previous regular meeting.

ARTICLE X

AUTHORITY

Section 1: The City Attorney of the City of Virginia Beach or the City Attorney's designee shall be the legal counsel for the Commission.

Section 2: *Robert's Rules of Order Newly Revised* shall govern the Commission in all cases to which they are applicable and in which they are not in conflict with these by-laws, or ordinances and policies of the City of Virginia Beach.

Adopted February 4, 2009

Amended February 2, 2011

Amended October 5, 2016