

March 2021 BAR Decision

Watkins, Robert <watkinsro@charlottesville.gov>

Thu 3/18/2021 4:37 PM

To: 500 Court Square Association, Inc. <500courtsquarecondos@gmail.com>

Certificate of Appropriateness Application

BAR 21-03-08

500 Court Square, TMP 530096000

North Downtown ADC District

Owner: 500 Court Square

Applicant: Doug Brooks, on behalf of the condo assoc.

Project: Replace four, apartment windows

Dear Doug,

On Tuesday, March 16, the Charlottesville Board of Architectural Review reviewed the above-referenced project. Please find the BAR's motion below:

Jody Lahendro moves: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the replacement of four windows at 500 Court Square does not satisfy the BAR's criteria and is not compatible with this property and other properties in the North Downtown ADC district, and that for the following reasons the BAR denies this application as submitted: the project would specifically violate guidelines C.1., C.2., and C.7. under the City Design Guidelines for Rehabilitation.

Tim Mohr seconds motion.

Motion passes (9-0).

Please let me know if you have any further questions!

All the best,

Robert

Robert Watkins
Assistant Historic Preservation and Design Planner
Neighborhood Development Services
PO Box 911
Charlottesville, VA 22902

**City of Charlottesville
Board of Architectural Review
Staff Report
March 16, 2021**



Certificate of Appropriateness Application

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Background

Year Built: 1924-1926

District: North Downtown ADC District

Status: Contributing

Colonial Revival nine story brick building, originally called the Monticello Hotel, was designed by architect Stanhope Johnson of Lynchburg. The building is also contributing structure in *Charlottesville Albemarle County Courthouse Historic District*, listed on the Virginia Landmarks Register and National Register of Historic Places.

Previous BAR Reviews

(Germane to this request. A complete list of all prior review is in the Appendix.)

July 19, 2011 – BAR approved the replacement of nine existing wood windows in a 6th floor unit facing Market Street with aluminum clad wood window sash kits with exterior applied 7/8” putty profile muntins. This is the only approved window replacement at this time for the entire structure.

Application

- Submittal: Application with Pella Window proposal (dated 9/22/2020), report from Trebor Home Inspections (pages 5,6,7 and 8), exterior photo showing location of the proposed work.

CoA request to replace four windows in a private apartment. Existing are 6/6, single pane, TDL, double-hung, wood windows. Proposed replacements are Pella Architect-series, double-hung, wood windows with insulated glass and applied grille to simulate the existing layout and muntin width.

Discussion and Recommendations

It is staff’s opinion that the identified moisture problems are in the frames and sills, not the existing sash. The windows are on the south, weather-facing elevation and therefore subject to wind and

rain. Resolving the problem with driving rain might be better accomplished with storm windows. There may also be flashing issues that should be addressed, regardless of the window solution. Repairs could be made to the moisture-related damage at the frames and sills.

In the event of approval, BAR might discuss establishing standard to guide future requests. The following is from the July 2011 BAR staff report:

The problem of replacing windows in a condominium building with many different owners [Individual units are privately owned] has come up before. This applicant is proposing an appropriate type of window replacement. The applicant said there have been many window replacements in the former Monticello Hotel building, some with simulated divided lights with grids between the glass. Apparently, these were done without BAR approval.

Additionally, the BAR should require that there are spacer bars in the insulated glass, aligned with the applied grilles.

Suggested Motion

Approval: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the replacement of four windows at 500 Court Square satisfies the BAR's criteria and is compatible with this property and other properties in the North Downtown ADC district, and that the BAR approves the application as submitted.

[.. as submitted with the following modifications...]

Denial: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the replacement of four windows at 500 Court Square does not satisfy the BAR's criteria and is not compatible with this property and other properties in the North Downtown ADC district, and that for the following reasons the BAR denies this application as submitted: ...

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) When reviewing any proposed sign as part of an application under consideration, the standards set forth within Article IX, Sections 34-1020, et seq. shall be applied; and
- (8) Any applicable provisions of the city's Design Guidelines (see Sec. 34-288(6)).

Pertinent Design Review Guidelines for Rehabilitation

C. Windows

- 1) Prior to any repair or replacement of windows, a survey of existing window conditions is recommended. Note number of windows, whether each window is original or replaced, the material, type, hardware and finish, the condition of the frame, sash, sill, putty, and panes.
- 2) Retain original windows when possible.
- 3) Uncover and repair covered up windows and reinstall windows where they have been blocked in.
- 4) If the window is no longer needed, the glass should be retained and the back side frosted, screened, or shuttered so that it appears from the outside to be in use.
- 5) Repair original windows by patching, splicing, consolidating or otherwise reinforcing. Wood that appears to be in bad condition because of peeling paint or separated joints often can be repaired.
- 6) Replace historic components of a window that are beyond repair with matching components.
- 7) Replace entire windows only when they are missing or beyond repair.
- 8) If a window on the primary façade of a building must be replaced and an existing window of the same style, material, and size is identified on a secondary elevation, place the historic window in the window opening on the primary façade.
- 9) Reconstruction should be based on physical evidence or old photographs.
- 10) Avoid changing the number, location, size, or glazing pattern of windows by cutting new openings, blocking in windows, or installing replacement sash that does not fit the window opening.
- 11) Do not use inappropriate materials or finishes that radically change the sash, depth of reveal, muntin configuration, reflective quality or color of the glazing, or appearance of the frame.
- 12) Use replacement windows with true divided lights or interior and exterior fixed muntins with internal spacers to replace historic or original examples.
- 13) If windows warrant replacement, appropriate material for new windows depends upon the context of the building within a historic district, and the age and design of the building. Sustainable materials such as wood, aluminum-clad wood, solid fiberglass, and metal windows are preferred. Vinyl windows are discouraged.
- 14) False muntins and internal removable grilles do not present an historic appearance and should not be used.
- 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.
- 16) Storm windows should match the size and shape of the existing windows and the original sash configuration. Special shapes, such as arched top storms, are available.
- 17) Storm windows should not damage or obscure the windows and frames.
- 18) Avoid aluminum-colored storm sash. It can be painted an appropriate color if it is first primed with a zinc chromate primer.

[...]

APPENDIX

Previous BAR Reviews

February 28, 1989 - New windows in south wall façade and two to three outdoor mechanical units on fire stair

June 27, 1989 - Install new railings on towers and two sets of stairs on roof

January 23, 1990 - Install six new rear windows; close two fire door entrances; install vent; add two heat pump units on fire stairs

April 24, 1990 - Screening for rear heat pumps

June 21, 1994 - Replace new sliding doors

February 2001 – Administrative approval to co-locate antenna on roof

April 2001 – Administrative approval to replace two rooftop cabinets and upgrade communications equipment.

July 2001- Administrative approval to locate six to nine rooftop antennas with accessory telecommunication cabinets

October 2001 – Administrative approval: Remove three rooftop antennas and replace six.

June 17, 2003 - Add two new rectangular windows in south elevation.

September 21, 2004 – Install revolving door

June 21, 2011 – BAR approved on the consent agenda to replace the balustrade with a painted terne-coated stainless-steel replica.

July 19, 2011 – BAR approved the replacement of nine existing wood windows in a 6th floor unit facing Market Street with aluminum clad wood window sash kits with exterior applied 7/8” putty profile muntins. This is the only approved window replacement at this time for the entire structure.

March 19, 2013 – BAR approved re-roofing and replacement of painted galvanized steel balustrade with painted copper balustrade.

March 18, 2014 - BAR approved change in baluster material from painted copper to fiberglass as submitted.

August 19, 2014 – Administrative approval to replace three antennas with three similar sized antennas.

April 21, 2015 - BAR approved replacement of six rooftop antennas and add one new cabinet on roof.

June 16, 2015 – BAR accepted applicant’s request for deferral re: proposed rooftop communications equipment. BAR recommended a master plan be developed that might include options for: locating the antennas behind the baluster; locating the antennas to the sides of the penthouse, and painting the antennas to match the penthouse; or adding screening to the penthouse area resulting in a wider penthouse.

January 2019 – BAR approved installation of two metal security gates, with the following conditions:

- Drawing #1 for the Porte Cochere (without the ovals)
- Drawing #3 for the Court Square Tavern (without the ovals)
- Request to look at the proportions for the Porte Cochere [height of gate relative to fixed panel above]
- Request the gates be set back and swing inward
- Submit the updated final drawings for the BAR Archive

July 2020 – Administrative approval of additional communications equipment



**Board of Architectural Review (BAR)
Conservation District - 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

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.

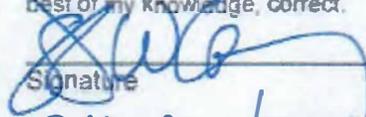
Project Name/Description	500 COURT SQUARE ASSO.C.	Parcel Number	530096505
Project Address/Location	500 COURT SQUARE (condominium parcel 530096000) ↑		
Owner Name	500 COURT SQUARE ASSOCIATION & SETH WISELWEY	Applicant Name	Seth Wispelwey

Applicant Information

Address: 500 Court Square #505
Charlottesville, VA 22902
Email: sjwispe@gmail.com
Phone: (W) (H) 434.422.0262

Signature of Applicant

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

 2/24/21
 Signature Date
 Seth Wispelwey 2/24/21
 Print Name Date

Property Owner Information (if not applicant)

Address: 500 COURT SQUARE ASSOCIATION
1500 ANHEIST ST Ste 3 Charlottesville VA 22903
Email: 500 Court Square condos@gmail.com
Phone: (W) 434.326.5830 (H) Same

Property Owner Permission (if not applicant)

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

 2/24/21
 Signature Date
 500 Court Square Assoc. by
 Douglas G. Branks, Sr. 2/24/21
 Print Name Managing Agent Date

Description of Proposed Work (attach separate narrative if necessary): Replacement of windows in Unit 505 - see attached proposal documents

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

For Office Use Only	Approved/Disapproved by: _____
Received by: _____	Date: _____
Fee paid: _____ Cash/Ck # _____	Conditions of approval: _____
Date Received: _____	_____
Revised April 2017	

1. Interior

The visible portions of the home's following accessible interior components shall be inspected for any signs of deficiency in their general condition: ceilings, walls, floors, doors, windows, cabinets, countertops, stairs, balconies and accompanying railings. I will attempt to operate all accessible doors, windows and cabinet drawers to check for proper operation, except where furniture, window treatments or personal items prevent me from doing so. I report signs of water spillage, staining or condensation on interior surfaces. I do not evaluate the general condition of paint, wallpaper, or other finish treatments on the interior walls or ceilings or the functionality of window treatments.



Items

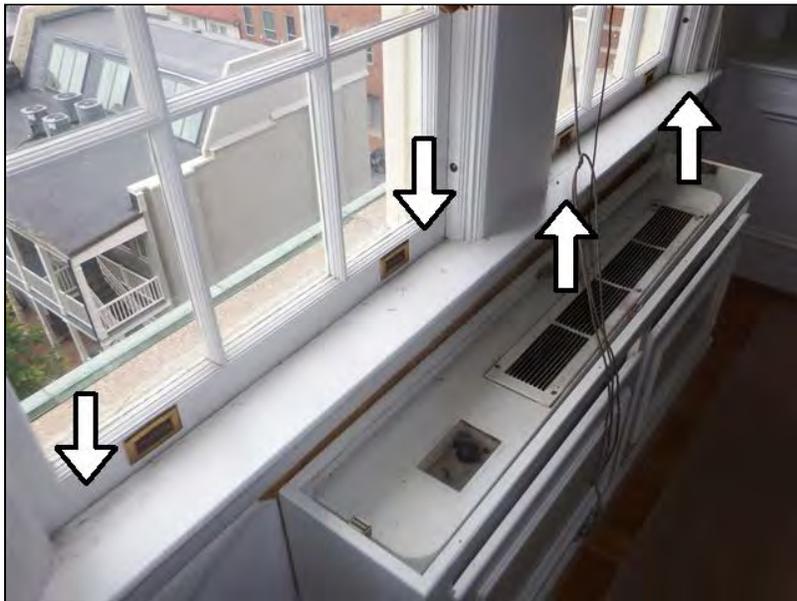
1.0 DOORS

Inspected

1.1 WINDOWS

Major Deficiency

- D** (1) There was evidence of repeated water intrusion at the living room window sill, most notably at the left most jamb. The evidence extended down the wall and onto the floor. The area was checked with a moisture meter and found to be dry during the inspection.







D (2) Using reasonable force the two sashes where located in the pictures below could not be fully opened.

NOTE: The window treatment on the left window was deteriorated and not functioning properly as can be seen in the picture.



kitchen



living area

1.2 FLOORS

Inspected

1.3 CEILINGS

Inspected

1.4 WALLS

Inspected

1.5 CABINETS and COUNTERTOPS

Inspected

The interior of the home was visually inspected and the readily observable deficiencies were documented above. While every effort is made to identify major issues, because of the multilayered construction of most home components, concerns can be hidden from view or go unnoticed. The inspection did not involve moving furniture and inspecting behind furniture, under area rugs or in areas obstructed from view. I recommend referring to the sellers disclosure document for additional information about the homes interior. All deficiencies documented in this report should be considered and further investigated for correction by qualified, licensed professionals prior to purchasing the house.