

**City of Charlottesville
Board of Architectural Review
September 14, 1999**

Minutes

Present:

Joan Fenton
Brent Nelson
Jessie Hook
Joe Celentano
Kenneth Schwartz
Linda Winner
James Oschrin

Also Present:

Ron Higgins
Jim Tolbert
Tarpley Vest

At 6:00 P.M. Ms. Fenton convened the meeting. She indicated that the board does not make motions during a worksession.

Heidi Misslebeck, Zoning Administrator, introduced herself to the board. She told the board members to feel free to call her as issues come up. She indicated that it is helpful to receive phone calls and that she likes to take action on phone calls.

Ms. Fenton asked what sort of issues they should call her about.

Ms. Misslebeck indicated that any zoning question and any issue on the Mall, such as signage.

Ms. Fenton indicated that Ms. Misslebeck wanted to discuss the issue of the tables with the dark skirts and canopies on the Mall. She indicated that the only things that are approved on the Mall are the tables with the dark skirts.

Ms. Misslebeck indicated that she is trying to enforce the canopies that are not approved. She indicated that the canopies are beginning to proliferate and that some have been there for years and have received reissues of the vending permits. She indicated that some of the venders have had permits for 10 years. She indicated that she wanted to come to the board and ask them how they felt about it.

Mr. Oschrin asked what is wrong with the use of the canopies.

Mr. Celentano indicated that this is really part of a larger issue. He indicated that the board thinks that there should be a study done that looks comprehensively at a number of issues on the Mall.

Ms. Misslebeck indicated that there might start to be a proliferation of canopies.

Mr. Celentano indicated that the first thing that they feel is needed is some design basis to look at these issues. He indicated that the best thing to do is to start enforcing the rule now and to look at the bigger picture.

Eldon Wood indicated that the Urban Design Committee discussed the Downtown Mall sometime back.

Mr. Higgins indicated that the Urban Design Committee work resulted in a vending ordinance and with the limit of the 10 by 10 by 10 tables.

Ms. Fenton indicated that the tents become a part of the overall design of the vending space.

Mr. Nelson agreed with Ms. Fenton.

Ms. Fenton indicated that there is a free for all on the Mall and that vendors can set up space anywhere they choose. She indicated that the question for the board is whether or not we are asking Ms. Misslebeck to regulate the tents.

Mr. Oschrin indicated that he still does not see what the problem is with the tents.

Ms. Fenton indicated that the problem is not the specific tents but the impact on the whole Mall.

Mr. Schwartz indicated that the design issues are of interest to the BAR and the Downtown Merchants. He indicated that Ms. Fenton is a downtown merchant and that he would be interested in seeing how other downtown merchants perceive this issue. He indicated that he imagines that there are some real tensions between merchants and vendors.

Mr. Nelson indicated that although the board agrees that a study should be done, the question remains about what to do with the canopies in the meantime.

Ms. Fenton asked the board if they agree that the canopies should be enforced in the meantime. The board members generally agreed.

Mr. Tolbert indicated that City Council recently had an economic development workshop. He indicated that Aubrey Watts presented a corridor plan study for six corridors and for one additional corridor on the Downtown Mall. He indicated that the study will look at urban design and economic development issues and will make recommendations on the best use of the public space. He indicated that he wants the study of the Mall to be coordinated very closely with the BAR and the Downtown Merchants and with the Comprehensive Plan.

Mr. Schwartz indicated that the downside of applying the regulations at this point is that we will be saying that we do not allow canopies and it is possible that the study will find the canopies to be a good thing.

Ms. Misslebeck indicated that the problem she is faced with is inconsistency.

Ms. Fenton indicated that the only vendor who has consistently had the canopy is the Mennonite baker.

Mr. Nelson asked if there could be a moratorium on the canopies until the study is finished.

Mr. Celentano indicated that when they get to the point that they are writing the scope for the RFP, they would like to see what it says.

Mr. Tolbert indicated that it will be a very general RFP with more specific details ironed out later.

Mr. Celentano asked who would be on the selection committee.

Mr. Tolbert indicated that they have not gotten that far yet.

Mr. Fenton indicated that, as far as Ms. Misslebeck's question for the board, she feels that all the pieces need to be enforced.

Ms. Winner asked what the timeframe of the study will be.

Mr. Tolbert answered 4-6 months.

Ms. Winner asked if we really want to take on this battle if there is a better solution coming in 4 months.

Ms. Fenton suggested that the vendors be notified now that they won't be able to use the canopies beginning next season.

Mr. Tolbert indicated that he thinks that will be the most tactful way to handle it. He indicated that the canopies won't be allowed next year.

Mr. Schwartz indicated that this issue will be studied along with a whole host of other issues. He indicated that he agrees with Ms. Winner that this is not a good battle to fight at this time.

Mr. Tolbert indicated that they will be sent a letter informing them that the canopies are not legal and if they won't to speak out they will have an opportunity.

Mr. Higgins indicated that they could either challenge the ordinance or get involved in the master planning process.

Mr. Oschrin indicated that he still does not see what the problem is with canopies on the Mall.

Mr. Higgins indicated that the issue has been that a mass of canopies blocks the view.

Ms. Fenton indicated that the retail merchants are handing their merchandise from the canopies.

Mr. Oschrin asked if there are regulations about what is being sold.

Ms. Fenton answered no, and that a merchant can set up in front of a store and sell the same merchandise.

Ms. Misslebeck indicated that they need to be 15ft from the building face.

Ms. Fenton indicated that her sense is that the board feels that this is the regulation and the intention is to have the regulation enforced.

Preston Coiner asked about the definition of a canopy.

Ms. Fenton indicated that the ordinance is silent on canopies.

Ms. Misslebeck indicated that the board made a great decision that that she will copy them on the letter.

Ms. Hook indicated that the canopies seem to turn into gathering places on the Mall.

Mr. Oschrin indicated that it is a zoning issue.

Administrative Approval Procedures

Ms. Fenton indicated that her particular concern is when the board gives administrative approval to details such as with the McGuire Woods Battle and Booth building.

Mr. Higgins indicated that those approvals are purely a function of the motion.

Mr. Tolbert indicated that at the next meeting the board could make a motion that any administrative approvals that they delegate to staff will also be looked at by a designee of the board.

Ms. Vest indicated that the staff has generally consulted with a board member on these types of final approvals. She indicated that this was the case with the VNB ATM and that it was very efficient to fax the final ATM to a board member for approval.

Mr. Schwartz indicated that this is a good example. He indicated that in that case he was worried about the ATM sticking out too far and that was a question that a simple fax could answer.

Mr. Nelson indicated that across the street from his home on South Street some storage containers were administratively approved. He asked if anything without a building permit could be approved administratively.

Mr. Higgins answered yes. He indicated that items that do not require a building permit are not a part of the board's purview.

Mr. Nelson indicated that he is concerned that something like that can occur in the future. He indicated that it might come down to how the code is controlled.

Mr. Celentano indicated that it is not a code issue, it is a permit issue.

Ms. Fenton asked how the storage containers came into the city for approval.

Mr. Higgins indicated that they came in as an administrative amendment to the site plan. He indicated that the owner was caught in the act and stopped to obtain approval. He indicated that the applicant agreed to bury the containers, so that in effect all he was doing was raising the grade. He indicated that this issue is a done deal. He suggested to the board that if they start tinkering with the administrative review section they should be aware that at the last retreat city council indicated that they are interested in expanding the administrative review process. He indicated that he thinks that there is a pretty good tract record for administrative reviews.

Mr. Celentano asked Mr. Higgins if he sees everything that is done in the historic districts. Mr. Higgins answered yes. He indicated that, as a rule of thumb, if a project has been to the board once he sends any details or changes back to the board to be considered within the context of the board approval. He indicated that he does not typically approve painting stone or brick unless there is a very compelling reason to do so.

Mr. Celentano asked Mr. Higgins if he has the option to send things to the board. Mr. Higgins indicated that he can deny an application and then it will automatically go to the board. Mr. Higgins indicated that he has reviewed most of the second submittals that come to the board and he has sent them on to the board.

Ms. Fenton asked Mr. Higgins if the storage containers on South Street would have been sent back.

Mr. Higgins indicated that he probably would have sent it to the Planning Commission for site plan review. He indicated that from the street it is essentially a grade change, which would not go to BAR. He indicated that the containers are reversible and he might have seen them as temporary.

Ms. Fenton indicated that the board can make a motion at the next meeting that final administrative approval or changes are looked at by a board member. She indicated that her understanding is that the board does not want to tackle any changes to the existing code at this point.

Mr. Higgins indicated that at the following meeting the Planning Commission would be looking at a proposed expansion of the administrative approval to include any project that has been reviewed and approved for tax credits and the approved plans are being carried out.

Mr. Nelson indicated that he recalls this idea came about as a result of the Wertland Street discussion.

Mr. Tolbert indicated that the staff could begin to provide a list of all administrative approvals and put it in the packet each month.

Ms. Fenton indicated that that would be very helpful. She indicated that this would prevent them from walking by and seeing changes that they know nothing about.

Design Guidelines for Roofs

Ms. Vest presented the memo. She indicated that these are suggestions intended to open the discussion.

Mr. Schwartz indicated that he thinks that it looks great. He suggested that items 1 2 and 3 should come before the roof descriptions in the guidelines. He indicated that the additional italic text helps a lot and that they will give the board more room to say that the roof is prominent and important to the architecture of the building. He indicated that he thinks it is a good proposal. He asked what the procedure is for adopting changes to the guidelines. He asked staff to find out the correct procedure before the next meeting. He indicated that a motion to adopt the guidelines for the board's use seems reasonable.

Mr. Celentano indicated that he is not sure what the guidelines are really saying in the roof descriptions that read that materials might be metal, slate, or asphalt shingle.

Ms. Vest indicated that another suggestion would be to strike that sentence from the descriptions entirely.

Mr. Schwartz indicated that it makes sense to strike the sentence "materials may be metal slate or asphalt shingles" from the gable, hipped, and complex roof descriptions and it makes sense to keep the sentence "materials may be metal, membrane, or built up" with the shed roof description. He indicated that would help to eliminate shingles on shallow pitched roofs. He indicated that they recently approved asphalt on a shallow roof on W Main and it looks bad.

Ms. Winner asked if there were any specific criteria for economic hardship.

Ms. Vest indicated that Mr. Gouldman felt the board had the latitude to judge this issue on a case by case basis, in light of the overall project.

Mr. Oschrin indicated that a slate roof is very expensive and it is going to become an economic issue for everybody.

Mr. Schwartz indicated that if the board turns something down the recourse that the applicant has is to appeal the decision to City Council. He indicated that he remembers the city attorney interpreting that the board could look at the issue of hardship within the context of the entire project.

Ms. Fenton asked the board if they were in unanimous agreement on wanting to change the guidelines as stated. The board members indicated that they were in agreement.

Ms. Vest indicated that she would provide the proposed changes for a motion at the next meeting.

Quality of Design Proposals

Mr. Nelson indicated that this issue was brought to his attention by a City Councilor. He indicated that he would like to explore ways to encourage better quality design proposals. He indicated that he is familiar with the ARB in the County. He indicated that they have a number of examples of successful designs in the area.

Ms. Fenton indicated that she learned at a conference about a county that gave applicants a video explaining what they are looking for.

Mr. Schwartz indicated that it may be a way to do it in a positive way. He indicated that as a part of the work of the corridor study the consultant could be documenting some success stories that could be catalogued into a brochure.

Preston Coiner indicated that this would be of value to the city. He indicated that he has seen some very good projects.

Mr. Schwartz indicated that one example would be the Wachovia bank. He indicated that before and after pictures would be one way of demonstrating what they are looking for.

Mr. Higgins indicated that a while back the board gave out design awards for successful projects in the historic districts. He indicated that this starts to provide positive publicity. He indicated that the Design Guidelines are supposed to provide examples but that they are not specific.

Ms. Fenton indicated that it is positive to have examples.

Mr. Celentano indicated that a preliminary meeting is really important. He indicated that applicants should be encouraged to come and talk to the board before they get too far along.

Mr. Higgins indicated that most of the successful projects in the last five years have utilized this and have come and discussed their plans with the board. He indicated that staff tells the applicants that the board would be very happy to discuss preliminary plans with them.

Ms. Fenton indicated that she is interested in seeing a preliminary meeting with developers that automatically includes a BAR representative for larger scale projects.

Mr. Tolbert indicated that the concept of having a group meet preliminarily has been discussed but that they have not talked yet about who would be on that group or how to formalize the process.

Mr. Oschrin indicated that he would be willing to have a special meeting for these types of projects.

Ms. Fenton indicated that her experience on pre-meeting meetings is that it provides an opportunity to talk about what they are really looking for.

Mr. Tolbert indicated that this type of meeting would not occur on a set basis but that there would be call list to get people together.

Mr. Oschrin indicated that he has a concern about smaller projects. He indicated that the board has spent a lot of time fussing over small projects with poor applications. He indicated that those types of projects would not come under that.

Mr. Tolbert indicated that he is restructuring the staff and he believes that this will alleviate a lot of these problems. He indicated that staff can take a much more active role in applications instead of accepting them and putting them on the agenda. He indicated that he hopes six months from now the board will see a lot more staff time being put into the board.

Mr. Nelson indicated that it would be helpful to look at other localities. He indicated that Albemarle County always requires a preliminary review. He indicated that providing applicants with examples could improve quality.

Ms. Fenton asked Mr. Nelson if he would like to see a booklet prepared.
Mr. Nelson answered yes.

Mr. Schwartz indicated that he proposes making it a part of the consultant's study that is taking place anyway. He indicated that he sees Albemarle County and the City of Charlottesville as requiring a very different set of documents.

Mr. Tolbert indicated that this idea could be built into the scope of the RFP.

Mr. Schwartz indicated that Portland has prepared photo documentation of what good development looks like in their light rail corridor so that developers are given some sense of what the appropriate nature of development in that neighborhood would be. He indicated that developers have come up with some pretty inventive stuff.

Mr. Tolbert indicated that the preliminary study will include inventorying what is in the corridor.

Other Business

Mr. Nelson indicated that he would like to see adjoining property owners get notification. He indicated that he would like to see that put into the ordinance.

Ms. Fenton presented a letter from the board to City Council on the need for a Downtown Mall master plan.

Mr. Schwartz requested that something about the value of a broadly based community process be added to the first paragraph.

Mr. Oschrin indicated that the quality of design proposals has been a constant source of problems. He indicated that he knows that they discussed before how they can standardize what people bring before the board. He indicated that the applications have improved.

Mr. Tolbert indicated that they can look at the process.

Ms. Fenton indicated that staff can suggest to applicants that they try to get the materials in before the deadline.

Mr. Schwartz indicated that the quality of application materials has improved as a result of the checklist.

Ms. Vest indicated that the remaining difficulty that she has is with applicants who submit the materials on the day of the deadline without having gone over the checklist.

Ms. Fenton indicated that she is unclear about how much time people have to comply with the BAR requirements. She indicated that the McGuire Woods Battle and Booth light fixtures are still white.

Ms. Vest indicated that normally the approval is tied to the CO. She indicated that she would follow up on the McGuire Woods Battle and Booth lights.

At 7:15 the meeting was adjourned.

**City of Charlottesville
Board of Architectural Review
September 21, 1999**

Minutes

Present:

Joan Fenton, Chair
Joe Celentano
Mr. Nelson
Dawn Thompson
Jay Oschrin
Kenneth Schwartz
Jessie Hook
Linda Winner
W. G. Clark

Also Present:

Tarpley Vest
Barbara Sites

At 5:00 P.M. Ms. Fenton convened the meeting. She explained the procedure for the meeting.

Mr. Nelson made a motion to change the minutes of the last meeting and stated that that change would be forwarded to Ms. Vest.

Ms. Fenton seconded the motion.

The motion was unanimously approved.

409 Ridge Street - Certificate of Appropriateness

Staff presented report. It was noted that the decision is to be based on the guidelines and not procedure. Photos of the original structure and kitchen were viewed by the board.

Grover Smiley, Code Official, reported that there was a shed and a cottage on the property. He told Mr. Fleming to take down the shed and repair the cottage. The cottage was boarded. It needed painting and new gutters. Around August 16th he received a complaint that the cottage was being torn down. Found partial demolition of the cottage creating an unsafe condition. Therefore, I advised Mr. Fleming to remove the remainder of the cottage. This building was not all brick. Tax Assessor records indicated the land as vacant.

Joe Celentano asked why this was in front of BAR.

Ms. Vest replied that the owner is being given time to apply for a demolition permit. She indicated that the board is being asked if this is appropriate and if they would we have approved a demolition permit or if they would have determined if the building needed to be saved.

Heidi Misslbeck introduced Mr. Jackson who is the owner of this property.

Mr. Oschrin asked when did demolition take place.

Mr. Smiley answered between the 10th and 16th of August. The tax Assessor's records is what we based our information on, that Mr. Fleming owned the property when cited. We did not know that Mr. Jackson existed.

Mr. Jackson commented that he wanted the board to understand that the shed was almost down. It was partial brick and the chimney remained but the floor was gone. It was almost down anyway.

Mr. Oschrin asked if a record exists to show when ownership changes.

Mr. Smiley answered that the Assessors records show that the land is vacant. Heidi Misslbeck did research on the property.

Mr. Oschrin asked what happens if this request is denied.

James Tolbert said it becomes an assessment for the Zoning Administrator as to whether it is a criminal or civil point. And who is the person to be held liable - Mr. Fleming or Mr. Jackson? Mr. Fleming applied for the permit and Mr. Jackson tore it down.

Ms. Fenton asked how would you charge us on that? She said the Board's responsibility is it to look at it as if it is still setting there. That is hard to do.

Ms. Rhoads said she would like to respond to this situation. She said there is a five-year chapter missing. When the tree fell on the house, Mrs. Jones, the owner then, turned to Alvin Edwards to help her. Alvin Edwards still remained in charge of her affairs until Mr. Fleming purchased the property.. Notices were sent but refused by both Mrs. Jones and Mr. Edwards. The City cut the grass on numerous occasions. Then through gossip it was heard that Mr. Fleming had bought the property. I did not consider the building to be falling down.

Wyatt Johnson advised that the cottage had been used as living quarters. The cottage has been vacant for several years before the tree fell on the main house. It was used as an apartment long before the tree fell on the place. It was vacant and it did deteriorate.

Mr. Johnson also noted that there should be something to denote the parts of Ridge Street that are considered to be historical. A book on Ridge Street by structure. Anyone having recommendations relative to historical buildings on Ridge Street should make them to the City.

Ms. Vest said that there was a study on the possible expansion of Ridge Street; however, it died. She will do a follow up.

Eugene Williams said he requested a copy of all the correspondence on the matter of 409 Ridge Street in accordance with the Freedom of Information Act.

Mr. Oschrin said the board needs to see every piece of correspondence on this matter before making a decision.

Ms. Fenton pointed out that the Board's concern is the building and not who the owner is.

Mr. Williams said that correspondence should be sent to surrounding neighbors and property owners.

Mr. Johnson pointed out that the cottage was livable with rehabilitation. There were 3 walls remaining and it met the requirements for rehabilitation.

Mr. Clark said he felt that we were discussing something after the fact. The building is down. Was it in good enough condition to preserve?

Helena Devereux with Preservation Piedmont said that they are very interested in the history of the community. This building was an extremely interesting part of Charlottesville. Ridge Street is one of the most historical sections of Charlottesville that adds to the architectural heritage. This particular building had most of its context. Charlottesville needs to think in terms of protecting some of these buildings. I would like to see more buildings of that kind.

Mr. Smiley referring back to Mr. Williams request for all of the correspondence advised that Mr. Williams had been given all of the correspondence on this matter. The building was not habitable. It had only 2 walls, front corner and a chimney.

Ms. Fenton asked Mr. Smiley when he first cited the property.

Mr. Smiley said the owner of record was cited to repair the cottage and remove the shed on or around June 1, 1999.

Ms. Fenton asked if that means the building was rehabilitable.

Mr. Smiley answered no. and that they found other problems after the weeds were cut from the building.

Mr. Smiley said that all correspondence has been through Mr. Fleming until approximately one week ago. We all knew that the cottage was uninhabitable since the tree fell on the main house.

Ms. Fenton asked if there were any other general public comments.

Martha Gleason wanted to know why the City took care of the grass.

Mr. Smiley explained that code requires notification to the owner of record and if not abated the City takes care of the problem.

Ms. Fenton need to close public comments (Mr. Williams asked to see the pictures).

Ms. Fenton reiterated that we are not concerned with ownership.

Mr. Nelson made the motion to deny the demolition as it was demolition by neglect and that the Board has nothing to look at. It is difficult to vote on something that you cannot see.

Mr. Oschrin said that the applicant is not the owner.

Ms. Vest said it is being pursued by City Attorney for legality.

Mr. Smiley said the he could not deny a permit to tear a building down; however, Zoning could.

Mr. Schwartz asked Mr. Jackson if he knew this property was historical.

Mr. Jackson answered yes.

Mr. Smiley asked Mr. Jackson if he knew the cottage was historical. Mr. Jackson answered no.

Mr. Williams said that the pictures indicate that at least 3 walls were up.

Grover Smiley said that all four walls were up but that only 2 of those walls were brick.

Ms. Fenton interjected that public comments had been cut off.

Ms. Fenton told Mr. Jackson that the Board does feel for him on this action.

Mr. Oschrin moved to deny the application.

Mr. Nelson seconded.

Ms. Vest interjected that we need a basis for denial based on the guidelines in the motion.

Mr. Oschrin amended his motion to state that it was demolition by neglect and that the building was of historical and architectural value.

Mr. Nelson added an additional amendment that the denial is based on should be based on item A of the staff report.

Ms. Fenton offered a final amendment that it be based on A and B and based on the fact the application was lacking evidence to show that the building was in such disrepair.

Mr. Nelson seconded the amended motion.

The motion was unanimously approved.

Mr. Smiley advised that it will go back to Heidi Misslbeck and City Attorney to determine ownership at time of demolition and that a fine may be imposed.

Ms. Fenton relayed to Mr. Jackson that the Board does feel for him and this difficult situation. She said that Ms. Vest will be sending him a letter and that Ms. Misslbeck will be doing the follow-up.

Preston Coiner felt there should be some type of notation made in the title or property that it is historical.
Ms. Vest said it is a technology issue that is being pursued.
Ms. Fenton agreed it does need to be addressed and that the Board will do what they can.

D. Certificate of Appropriateness Application for 800 East Market Street

Staff presented the report.

Andy Thomas, Architect, discussed the changes on the east side of the recreation building - side walls that will screen the mechanical equipment. There will be a new entrance with shrubs, guardrails, new brick with pre-cast concrete and metal louvers. Awnings are not in the scope of work.

Mr. Celentano asked if the walls will screen the mechanical unit and Mr. Thomas said yes.

Mr. Clark said his concern is with removing the steel windows and replacing them with aluminum and with maintaining the integrity of the building.

Mr. Thomas said this point was brought up in July. The previous design required that this type be used.

Mr. Oschrim asked if these were the windows that were presented in July and if the letter to Council included support for these windows.

Ms. Vest answered that the letter from the BAR to council supported the windows.

Mr. Nelson noted that the plan shows new concrete steps.

Mr. Thomas said that the City changed to concrete steps and risers due to maintenance.

Ms. Fenton asked for comments from the general public or board. There were no comments.

Ms. Fenton made a motion to approve the application.

Mr. Oschrim seconded.

Ms. Fenton added that she recommended that the City approve a new awning.

E. Certificate of Appropriateness Application for 1025 1/2 Wertland Street

Staff presented report.

Richard Boyd of Daggett & Grigg said the building will have vinyl siding, slate line roof, dark gray in appearance. He said that the shingle has been approved on other buildings.

Mr. Nelson asked about the ornamental plaster.

Mr. Boyd responded these are inset panels under and between the windows. It will match the siding.

Joe Celentano asked if the builder would use pressure treated wood on the porch and paint it.

Wade Tremblay said the railings are vinyl. Posts may be pressure treated.

Mr. Nelson asked what the difference is between the way the windows are designed on the front elevation as opposed to the rear.

Mr. Thomas said the front is aluminum clad with casing and they decided to omit that on the other elevations since they will not be seen from the street.

Mr. Nelson said the rear of the building is visible from the right-of-way. We should look at the building from all sides. However, he does understand what their purview is. There is a considerable amount of trees between the building and Page Street but in the winter time the building is visible.

Clark said he will abstain from voting.

Mr. Nelson commended the builder for what is being done to the main house. However, property behind the house is not being treated with the same degree. He feels the w/d and birch are more appropriate.

Mr. Thomas said the focus is on what can be seen from the street.

Mr. Nelson asked Ms. Vest if purview is from the right-of-way from all streets.

Ms. Vest answered purview is what is visible from any public street or right-of-way.

Mr. Oschrin noted that he has a problem with general materials and the lack of emollients. He does not think they fit in with the other buildings on Wertland. Looks like cheap materials.

Jim Grigg suggested that we need to focus on the front. Looking at it from Page Street the building is 300 feet away.

Mr. Tremblay said we have tried to work within budget and the reality of the times. The windows will appear to match the Michael house. Cost was over \$100/square feet to renovate the Michael house. He has also taken into account the maintenance costs.

Mr. Oschrin noted that the builder is looking at economic value.

James Gercke said they have avoided cheap materials. They are using premium siding and windows. The driving force is not the cheapest material but the best.

Mr. Celentano said he sees no indication as to how this new building relates to the existing structure.

Mr. Nelson said this property is visible from Page Street. He is most concerned about the lack of detail around the windows. He feels certain you can see concern over the difference in windows in the front as opposed to those in the back. It appears we are saying there is a difference and he is opposed to this.

Mr. Schwartz said that because it is so far back it is hard to see.

Ms. Winner noted that she does not like it; however, the Board does have guidelines and we need to use them.

Ms. Fenton suggested making the windows the same throughout the building. She stated that the roof shape fits within the guidelines.

Mr. Schwartz said that the Page Street side should coincide with Wertland Street and made the motion to approve with the exception that the windows on the back side are to be the same as the front.

Linda seconded.

Mr. Nelson opposed.

W. G. Clark abstained.

All other members approved the motion.

F. Certificate of Appropriateness Application - 540 Park Street/603 Farish Street

Staff presented report.

The first issue was the Garden Shed/Playhouse.

Kevin Burke said there is a concern over the fiberglass to metal and that Martha Ziegler, a neighbor, was concerned that the front was too tall.

Mr. Schwartz noted we do not need to debate this. It looks great and I do understand the concern over the height.

Mr. Schwartz made the motion to approve the shed and playhouse.

Mr. Clark seconded.

The motion was unanimously approved.

The second issue was the addition to existing residence.
Mr. Schwartz asked if the roof is a-symmetrical all the way back.
Stan Tatum answered yes.

Mr. Schwartz expressed concern over the length of the porch from the existing structure to the addition and that it may be a separate living unit.
Mrs. Tatum said the porch will be closed in.
Mr. Schwartz asked if this is a duplex.
Mrs. Tatum answered no. There is no kitchen.

Kevin Burke asked why a symmetrical roof. The west side overhang of the roof is not shown as a roof.
Mr. Tatum responded that the roof clears.

Ms. Fenton closed the floor to general comments.

Mr. Nelson said the subject house is charming. There are 3 doors facing the street. The front door of the existing house is very attractive. He asked if the door to the playhouse will match the existing front door of the existing house and no glass in the shed.

Mr. Celentano said that the board and batten appears only at street level.
Stan Tatum says the whole building will be board and batten. The wooden doors will have 2 bottom panels and glass top.

Mr. Clark moved to approve the application with the following condition:
1. The board and batten is to extend all the way around the building.
Mr. Scharz seconded the motion with an ammendment to add the following condition:
2. All 3 doors will have matching panel design.
Ms. Fenton made a final ammendment to add the following condition:
3. A window sample is to be submitted for administrative review in the field.

Mr. Schwartz seconded the motion.
The motion was unanimously approved.

G. Certificate of Appropriateness Application - 220 East Main Street

Staff reported that they asked for additional materials and drawings. Based on the guidelines, staff is concerned about the use of the aluminum window trim changing the traditional storefront configuration.

Marco Marraccini showed the board drawings of two possible design scenarios. He said they want to move the ramp to the left side and have more occupiable space.

Mr. Oschrin said the plaster around the store needs attention.

Mr. Nelson asked about the bronzed aluminum and if it is similar to that on the Keller & George building. He made reference to a back lit sign and said that a separate sign permit is required.

Mr. Oschrin asked if applicant is asking for approval of drawing.
Mr. Marraccini said he was looking for clarification more than approval at this time.

Gwen Gilliam, Architect, said this is a historical building and could be an exquisite addition to the mall.

Gabe Silverman said the bank is willing to rent the front part of this building. He said that he would like to see a retail use on the front of the building. He stated that Mr. Marraccini is here for direction on the entrance and the storefront.

Mr. Marraccini said they could come up approximately 1 1/2 feet. He is interested in providing handicap access to this store with a ramp.

Oliver Kuttner noted that there is a hole in ADA limiting the percentage of construction cost that must be devoted to ADA upgrade.

Mr. Oschrin suggested bringing the door closer to the street.

Mr. Kuttner commented that it cannot open more than one foot into street.

Mr. Clark said this is not the problem.

Mr. Celentano said the existing storefront is unique. The bronzed aluminum is not the quality he would like to see.

Mr. Clark said he does not like the bronzed aluminum and that the storefront is worth saving.

Ms. Winner said she liked the second version better than the initial one.

Ms. Gilliam said the storefront and copper moldings should be maintained.

Mr. Marraccini asked what materials would be acceptable.

Mr. Celentano suggested that an all glass storefront may be acceptable.

Ms. Fenton said she would not comment as a member of the Board. However, as a neighbor she would like to see the storefront maintained.

Mr. Schwartz said the detail and design of the wall is a simple issue of code regarding ADA.

Mr. Clark said the issue is one of elegance rather than policy. He said that frameless glass is the way to go.

Ms. Thompson agreed with Mr. Clark.

Mr. Oschrin said the entrance should be on center and not to the side.

Ms. Hook said they need to retain as much of the existing storefront as possible.

Ms. Winner indicated that it is important to keep the storefront as it is a significant image on the mall.

Mr. Marraccini and his architect, Marco Marricini, indicated that they appreciated the feedback.

H. Certificate of Appropriateness Application - 100 West Main Street

Staff presented report. It was noted that the BAR has approved the original plans for the demolition; the overall massing and the overall building plans.

Gwen Gilliam presented new plans where the elevations are more detailed and clear. Plans show a skylight to provide more light to the central stairway. She noted there are ten items to be added to the plans; however, the design received in the packet will not be changed.

Mr. Celentano said that he could not approve anything without a drawing of the original building reflecting the changes.

The original drawings were displayed.

Mr. Kuttner asked about the steel. He said steel does not encourage good aging and is high maintenance.

Mr. Oschrin said, nonetheless, the drawing is dramatically different than the original drawing.

Ms. Gilliam said the major change is changing the steel due to maintenance as well as property setback. She said that the lowering of the sidewalk changed to 3 to 4 feet rather than 7 to 8 feet.

Mr. Schwartz said that he endorses the skylight.

Ms. Gilliam said they are trying to keep as much of the original plan as possible.

Mr. Schwartz said there is a radical series of changes to the side street. He said that, with the original design, some had concern that there was too much going on and there are too many variables such as materials. He said that he is not comfortable with what is being presented and that it is a new building design.

Mr. Celentano said we are not being asked to look at it as a new building.

Mr. Kuttner said the stair cannot be seen from the mall. He requested a ruling on items 2, 3, 4 and 6.

Mr. Schwartz responded he could not make a ruling at this time.

Mr. Oschrin asked is the exposed steel an issue.

Mr. Kuttner said no.

Ms. Fenton asked are we looking at a new building?

Joe Celentano asked did we approve the massing of the building.

Ms. Fenton answered yes.

Mr. Nelson said the front portion over Footlocker was his favorite part. Number 4 and Number 5 look like awkward add-ons. He asked how much of that is viewable from the mall.

Mr. Oschrin said it appears to be bay windows in the new design.

Mr. Clark said the purview does not include what you can see from other apartments. The Board needs to see the view of all sides. He said he has a problem with taking one building and making it look like different buildings with different materials. The problem with Number 3 is that the configuration of the building gives too much shade and is not a great idea; Number 2 is not problematic. He said he did not think you can see it. He would like to see a drawing showing what can be seen from the street.

Mr. Celentano left at this point.

Ms. Fenton requested that in reference to Numbers 6, 7 and 8, the drawing reflect the view from all 3 sides of the building.

Mr. Clark advised Mr. Kuttner to get sectional drawings to Ms. Vest and show that they cannot be seen from the right of way.

Mr. Oschrin requested that we meet again in one week and look again, say next Tuesday at 6:00

This was not agreeable with other board members.

Mr. Clark made the motion that if it cannot be seen from public right-of-way it is approved (relative to items 1, 2, 4 & 5) after owner has verified to staff that it cannot be seen.

Mr. Schwartz seconded.

Mr. Oschrin said the motion is out of order.

Ms. Hook made a motion that if 1, 2, 4 & 5 can be seen from the street they must be resubmitted for approval.

Mr. Nelson seconded.

Mr. Clark suggested they could give conceptual approval.

Mr. Schwartz was not in support of the proposed doors on 2nd street.

Mr. Kuttner said the 2 doors open into a 5000 square foot store. He said that the space can be a store or a warehouse, depending on the doors.

Mr. Schwartz said the doors do not help the façade. He said that he was asking to change item 6 of the original to include the 2 doors.

Mr. Nelson left at this point.

Mr. Clark moved to give them preliminary approval of the doors contingent upon City approval. He stipulated that no door openings are to be cut until City has approved elevation and plan for 1st Street.

Ms. Winner seconded.

Mr. Schwartz asked that the minutes reflect there will be no demolition until all various approvals are in place.

The motion was unanimously approved.

Ms. Gilliam, referencing item 8, asked to strike the steel and move the wall out to the street.

Mr. Schwartz made a motion to defer approval of items 3, 7, 8, 9 & 10 until the next meeting.

Mr. Clark seconded. He advised the applicant that he will support flushness of doors with street on the new storefronts.

Ken said to come back next month with a design. I am not convinced with flushness.

Ken made motion to defer Items 3, 7, 8, 9 and 10.

Mr. Oschrin seconded.

The motion was unanimously approved.

I. Certificate of Appropriateness Application - Vending Cart on Downtown Mall

Staff presented report.

Mr. Schwartz noted that the previous negative vote was due to color. Now he sees that the color reflects the nature of the drinks.

Green Runyon, applicant said the Health Department requires the umbrella to service as coverage.

Ms. Fenton said that the guidelines say no more than 2 colors on the umbrella.

Mr. Schwartz made a motion to approve the cart with the condition that the canopy go through administrative approval. He said that the umbrella should not use the same blue or green colors.

Ms. Hook seconded.

Ms. Fenton opposed.

All other members voted to approve the motion.

J. Other Business

Ms. Vest introduced Josh Wheeler of Thomas Jefferson Center for Free Expression. Proposal to the City for a monument to free speech. This idea was previously approved by BAR but not the monument.

Mr. Wheeler said that a commission of citizens has come up with the design and money. The concept competition had 31 entries. Peter Shay submitted an entry called Interactive Monument where the public forum was a giant chalkboard.

Ms. Winner expressed concern about spray paint.

Mr. Wheeler said it would be an acid resistant material for the board. Would need an endowment for maintenance. There would be 2 rules: if someone puts up something you don't like it can be erased; set a certain period of time the wall will be cleaned no matter what is on it.

Ms. Winner asked if there were other communities who have this.

Mr. Shay said no.

Ms. Winner said she has seen the chalkboard in bathrooms.

Mr. Schwartz said it was a fantastic idea. It provides a public vehicle. Site plan strategy gives over to the amphitheater as gracefully supportive. His concern is that we are editing the 1st amendment. We should include all of it.

Ms. Hook inquired as to what would be proposed for the backside of the board.

Mr. Wheeler said there will be a garden wall.

Ms. Thompson confirmed that it would be made of natural cleft slate in charcoal gray. In favor with this conceptually. Not in favor with site location. Cutting off slope especially down by the stairs will cut off the line of site.

Ms. Fenton suggested that a mock monument be erected out of wood to enable the Board to look at the security problems and site. She said that her concern is loitering.

There was general support from the Board.

Ms. Fenton made the motion to adjourn and Ms. Thompson seconded. Meeting was adjourned at 8:35 p.m.