

**City of Charlottesville  
Board of Architectural Review  
May 15, 2001**

**Minutes**

Present:

Joan Fenton, Chair  
Preston Coiner  
Lynne Heetderks  
Craig Barton  
Ken Schwartz  
Wade Tremblay

Also Present:

Tarpley Vest

Ms. Fenton called the meeting to order at 5:00 p.m., stating that they had a quorum. She called for members of the public to address matters not on the Agenda. Hearing none, she closed that portion of the meeting.

Approval of the Minutes of the last meeting was postponed until more members had arrived. Also postponed until later were Items C and D on the Agenda. Ms. Fenton asked Ms. Vest to report on Item E.

Ms. Vest reported that the applicant was still looking for a chair. After an initial review of the papers and an informal conversation, Ms. Fenton allowed a member of the public five minutes to speak on the matter of Timberlake's Drug Store at the Corner of 4th Street and the Downtown Mall, an item not on the Agenda. Photographs were shown of the building in its present condition and of the original building, two stories higher than the present one, which had burned down in 1909. The proposal was to add back a floor to the existing structure. A fire tower, mezzanine and second floor would be added. Presently, the building had only the ground floor and mezzanine inside it. The applicant stated there would be a "light, open piece of kitchen and dining" on a terrace, showing the side angle seen from the street. She noted that the two apartments each had a terrace and indicated where the new piece would fit,

in the rear and across the top.

Ms. Fenton asked for comments from the Board on this preliminary presentation.

Mr. Schwartz wanted to make certain he understood the layers of surface referred to, and which ones were germane to the structure in question. Ms. Fenton enquired which pieces were new and, referring to the picture, asked about the way to get up to the new piece. The applicant indicated a one-storey room and a loading dock that was being brought up all the way to the new terrace. Ms. Fenton asked about the odd spacing of windows and was told that they were in the stairway.

Ms. Fenton invited further questions to help the applicant with this addition, asking if anyone had any design problems with what had been presented. The applicant stated that the addition would be in brick, painted to match the existing façade.

Mr. Schwartz made the observations that, to him, the shape of the terrace would work better if it went straight across rather than "jogged" or stepped back, because of the way so many Mall buildings turned their corners, carrying back for a little way the elements of their front façades. Also, he felt the staggered stairway windows seemed a little out of character and a shade too "quirky" even for a Downtown Mall building. Another representative of the Timberlake project agreed with him, adding that he had originally opposed the placement of the terrace as it made him lose some interior space, but now he liked the stepped back design.

Ms. Heetderks asked if the only change to the existing façade was to take a piece off the top and put in the terrace. The applicant responded that opening that up on both sides would literally be the only change she was planning on making.

Ms. Fenton indicated that she felt it worked conceptually, with details needing to be worked out which could be discussed at the BAR regular meeting when it was presented. She suggested the applicant come up with a couple of different concepts for the front and a couple for the side windows. She stated that her feeling was the Board would have no problem with the project, but the details were important. She

said she looked forward to the full presentation and invited the applicant to meet or speak with Board members before the next meeting if she wished.

CERTIFICATE OF APPROPRIATENESS APPLICATION BAR 00-3-15  
418 - 420 West Main Street

Mr. Barton recused himself from the discussion.

Ms. Vest reported that in March 2000, the BAR had reviewed the application to renovate the old Jones Wrecker building, now known as the Station Restaurant. The Board had been enthusiastic, she said, and indicated that the Staff's report was attached. She reminded the Board that in the Motion to Approve, there had been a note to the effect that the site plan needed further development, meaning they had not seen some of the final details. The cypress trees had been discussed with no protest noted in the minutes. The building had been built as approved; there was quite a large fountain in the cafe area, which had not been reviewed or approved by the BAR, and this needed to be done. They were also looking for approval of the final landscaping details. The Board, she stated, had known of the landscape strip and the cypress trees, so there was no real departure from what had been discussed. Applicant also asked approval of a fairly substantial railing around the cafe area, and had provided a written description, and, hopefully, an illustration of it. She noted that nothing in their design guidelines really addressed the issue of the fountain, so that the guidelines had to be used in a general way for assessment of that feature's compatibility with, and appropriateness to, that site within the Historic District.

Ms. Fenton enquired if the exterior lighting had been approved. Ms. Vest replied that she hadn't really noticed the exterior lights and did not know if it had been discussed. Ms. Fenton suggested they could address that issue.

Ms. Vest indicated that the Staff's recommendation was to support the landscaping as installed; the concept of a railing enclosing the cafe, though, they wanted to see an illustration of, the issue being maintaining the liveliness of the pedestrian environment; they had concerns about the stylistic appropriateness of the fountain as opposed to the clean, modern lines of the building behind it.

Ms. Fenton invited comments from the applicant, asking him to identify himself for the sake of the Court Reporter.

Robert Nichols, architect for the Station Restaurant, stated that the initial railing design had been scrapped, and the owner now favored a simple bollard with a chain or cable. In answer to the fountain concerns, he said it was really a sculpture, placed in the garden area, that the restaurant patrons liked for the contrast it provided with the building.

Ms. Fenton invited questions from the public and the Board members. A member of the public enquired if there had been specific objections to the fountain. Ms. Fenton had not heard, and called on Ms. Vest, who stated she did not have a sense that there were specific objections, but that, procedurally, when a permanent and visible exterior structural element was put in place, it required BAR approval. Ms. Fenton added that this had not yet been discussed, and that not only the fountain but also the lighting and the plantings were "out of order," having needed BAR approval before being put in place, and that these would be dealt with as though they did not yet exist. It was not a punitive issue, she explained, but since it should have come before the Board prior to installation but did not, they would be looking at it as though it were not yet there. She asked Ms. Vest whether the fountain were, in fact, permanent or whether it was basically a piece of art which could be moved.

Ms. Vest replied that the staff had concluded that it went beyond being a minor decorative element, and even though it did not require a plumbing permit, the feeling was that it constituted a significant design element and thus should come before the Board.

Ms. Fenton invited further questions from the applicant. Ms. Winner asked what they were being asked to approve by way of railing. The applicant responded that they were going to use a simple bollard and chain configuration of the type being used in the Downtown Mall, which would "grow into the landscape" and, in time, not be seen at all. She explained its purpose to be to prevent anyone at all from the sidewalk walking into the cafe, and stated that this was required by the ABC Board.

Ms. Fenton mentioned that, as one approached the cafe from the parking lot, there was a slope that provided access to the garage, and a cut-through that many people appeared to be using. She asked what would be done about that. The applicant assured her that when the railing was installed, one of the bollards would be sunk in the middle of that slope that would cut off that access, so that one would have to go all the way around to the front to enter the restaurant. Ms. Fenton asked if someone couldn't just jump over it and come in. The applicant reminded her that unless the fence was very tall, there would be people who would come over or under it as was seen to happen on the Mall. In answer to another query from Ms. Fenton, she also said that the plantings would not go all the way to the building at that point; she said that was not possible. Mr. Fenton asked the estimated eventual height of what was planted. The applicant responded that they would be about eight feet tall when fully grown, adding that they were slender and could be seen around; they would provide privacy and keep out exhaust fumes, but were small enough that no one could hide behind them and look in on the diners.

Mr. Schwartz asked if a site plan would be submitted for their approval, saying that for him the fountain itself was not an issue but that in March 2000 they had made it very clear that they expected to see a site plan for approval of exterior elements. He reminded the applicant that installing things and then coming back for approval was not how it worked. He suggested submission of a site plan, with the proposed elements included. He stated that owners and architects should understand their responsibilities within design control districts. The applicant answered that they had in fact said what kind of plantings would be used when they were before the Board previously; Mr. Schwartz recalled that they had supported the concept, but reiterated the need for an actual site plan.

Ms. Fenton invited other questions of the applicant. Mr. Coiner enquired if the driveway had been painted, recalling applicant's statement that they would paint all the concrete. The applicant answered that their experience of that at Mono Loco had been that the paint did not hold up and began to look dirty, so that this driveway, which did not have a yellow stripe to be hidden, looked better as it was, she

felt.

Ms. Fenton invited further questions. Hearing none, she closed that portion of the meeting and called for comments from the public.

One of the owners stated that what upset him was his understanding that the restaurant would not be allowed to open due to lack of BAR approval of the fountain. He said he felt an exterior element should not have prevented the restaurant opening for business. Ms. Fenton assured him she had known nothing of that until his call to her, and that the Board had not been involved. However, she stated that in her understanding, when the Board had not been involved, they were not supposed to be able to get their CO but that sometimes they would issue temporary Certificates of Occupancy. Ms. Vest responded that the CO was a checkpoint to ensure they had all their approvals, not just BAR. She said she had been told there were other issues involved as well. She stated that typically they would issue a temporary CO, conditional upon BAR requirements, which had been done in this case. The applicant recalled the Building Inspector coming twice and giving them, the first time, a list of things that needed to be done. She said when he came back all items on his list had been done, but he would not issue a CO because of the fountain.

Ms. Fenton promised the Board would look into the matter and invited further comments from the general public. Someone commented that to him the fountain was a piece of art, not part of the building. Ms. Fenton called it a technical question, mentioning that when the lease was up, since it was not attached to the building, it would be taken away. She invited other comments from the public; hearing none, she closed that portion of the meeting and called for comments from the Board.

The applicant stated that all over Europe was found this blending of "old world" and "new world." She said that what they were trying to do was bring that idea forward.

Mr. Coiner expressed frustration at having to deal with these matters after the fact.

Ms. Heetderks echoed the remarks of Mr. Schwartz and

Mr. Coiner. She had no real issues with the fountain but she felt it was a waste of their time to pretend it did not exist and retroactively approve or deny it. They all had been exposed to it already, and whether they liked it or not they all had opinions.

Mr. Tremblay had nothing to add.

Ms. Fenton stated she felt the fountain was art, and thought this was very difficult for the Board, to have to pass an opinion on a piece of art, nor did she feel it was part of their purview. The plantings, however, were.

Mr. Schwartz disagreed, saying art was indeed within their purview, as being in the public domain. He stated if they had opinions about it they should be encouraged to be forthcoming with them. He was comfortable with the fountain since it could be and likely would be removed from the site when the present occupants of the building moved on. He considered it too easy for the Board to say, it's art, so we have no say about it. He revisited the process issue, saying how easy it would have been for the owners to call Ms. Vest and ask how best to go about integrating the exterior elements into the site plan they knew they were supposed to produce.

Mr. Schwartz then moved approval conditioned upon submission of a detailed site plan that indicated all plant species, and any site improvements relevant to the project, including any relevant information about the bollards that could be administratively approved by Staff after submission. He understood the problem of the conditional CO, wanting not to prohibit businesses but rather to encourage them to follow proper procedure. Mr. Tremblay seconded.

Ms. Fenton invited discussion, asking the applicant if there were exterior lighting on the building. The applicant replied that there was, but only at the front entrance. Ms. Fenton stated that this element needed to come before the Board for approval and should be excluded from what was about to be conditionally approved.

Mr. Nichols asked if they had to bring it separately or if it could be part of Mr. Schwartz's motion. Ms. Fenton explained that if Mr. Schwartz wanted to include the lights, that was fine, but they had to be

approved.

Mr. Schwartz said that he was comfortable with the staff review, and asked Ms. Vest if she was comfortable with the understanding that if it needed to, actually, come before the Board, they would approve the plan. Ms. Vest, in turn, asked him whether or not he was comfortable with the staff approving the entire package, and he indicated that he was.

Ms. Fenton invited further discussion. Hearing none, she called for a vote. The motion carried, Mr. Barton abstaining.

CERTIFICATE OF APPROPRIATENESS APPLICATION BAR 01-2-3  
New Building at 5th & Water Streets

Ms. Fenton introduced the next Agenda item, windows and details on the new building at 5th and Water Streets, and called upon Ms. Vest for a report.

Ms. Vest referred to the Staff report, which contained an overview of the entire process so far regarding this project. For the benefit of those unfamiliar with it, she gave a thumbnail sketch of the matter, saying that the building was approved except for the details regarding windows, doors, et cetera, and stated that she had not seen the new designs they had brought to this meeting, so she could not comment. She called for John Gorman of Sheeran Architects to give his presentation.

Mr. Gorman indicated that this presentation would deal with fenestration detail, adding that further developments had come up, but today they were only asking the Board to look at the windows. He stated they had gone back to suppliers, contractors and engineers to see what sort of system would be best, given some of the comments from the last BAR meeting which included: 1) windows looked like ganged units rather than a window-wall or curtain-wall system; 2) strong resistance to the double-hung windows which they had planned to use; and 3) the suggestion to look at Congregation Beth Israel's window-wall that connected the synagogue to the annex. In response, Mr. Gorman stated they had done this. They had considered a number of alternative systems, but took to heart the comment made in the meeting that their first statement, the warehouse look, had been the



best. What they had now, he said, was like the Beth Israel system, aluminum clad wood, with fixed units over operable units, and was the only available system offering the narrowest possible mullions. He gave a brief explanation of how the units go together, saying that the eye would perceive narrowness due to the way they are constructed. Spandrel treatment on the curtain-wall was going to be different from that at Beth Israel, to give a more unified appearance. Basic materials had not changed, he said. Mr. Gorman's partner noted that, previously, they had done an aluminum store-front at ground level, but it was suggested that they do the same window treatment all the way down, so they had incorporated that. Mr. Gorman added that there were now custom wood entrances to be painted to match the aluminum colors. The Water Street entrance was not shown in the illustrations at the last BAR meeting. A couple of other changes, Mr. Gorman pointed out, that they had made, were overhangs on all the bays and a curtain-wall element on 5th Street. The new illustration also showed the eight-inch window setbacks the Board had wanted.

Ms. Fenton opened the floor for questions.

Mr. Barton asked if the operable portions of the windows were casements on awnings with inswing, and asked the size of the window pane from sill to muntin to the cross bar (indicating in the illustration). Mr. Gorman responded that they would be outswing, about sixteen inches by twenty-six for the individual glass panes. Mr. Barton asked if the dimensions of the operable sashes were consistent from floor to floor, and was answered in the affirmative. Mr. Gorman also confirmed that all the operable sashes were the same dimensions throughout, as were the fixed units. It was, in effect, he said, a "golden rectangle."

Ms. Fenton invited questions from the general public. Hearing none, she closed that portion of the meeting and called for comments from the Board. She herself thought the building greatly improved, and wondered if any of the elements of the side elevation, which she liked best, might be mimicked on the Water Street elevation to make it seem less massive. Mr. Gorman responded that there were actually two different levels of scale: Water Street was a wider thoroughfare and that the proposed facade was very

prominent; thus he felt it needed the massiveness to handle that importance. On 5th Street, which was more intimate, the broken down scale was more appropriate. Each strategy, he felt, was right for its environment.

Ms. Fenton indicated she felt the window change had made a significant difference in the building. She then invited other comments.

Ms. Heetderks praised the change in the pedestrian entrance, saying it enhanced the pedestrian aspect of the structure and went a long way toward de-trivializing the adjacent buildings. She also liked the green aluminum.

Mr. Barton asked if the Water Street elevation was the building's main entrance. Mr. Gorman replied that that entrance was meant for the prime ground-floor tenant, while the corner entrance was meant for the retail space. He then indicated on the illustration where the main entrance was. Mr. Barton said he had wondered about access, and Mr. Gorman explained that the 5th Street entrance fetched into a lobby providing access to all ground-floor spaces.

Mr. Schwartz agreed with Ms. Fenton's and Ms. Heetderks' comments about the improvement as well as the whole consistency and logic the architects had developed. Regarding the Water Street side, he commented that extending the canopies across all three bays helped with the scale issue because they blended with canopies on adjoining buildings. He spoke to Ms. Fenton's comment about possibly adding 5th Street elements to the Water Street side, saying that there might be details emerging on Water Street that would help with scale without changing the larger idea. Specifically, he was thinking of possibly doing something at the top that expressed the openings in the brick, as the cast stone did at the bottom. He stated that, throughout Charlottesville, there were large areas on buildings that, through the use of subtle details of brickwork, were made to seem smaller without fussiness. He noted that with the new window system in place and working well, the corner still seemed to need something to break it free from the big bays, and suggested a terrace at that corner. He expressed his excitement with, and approval of, the changes.

Mr. Barton echoed Mr. Schwartz's comments regarding scale. He also suggested expressing the lintels at the top floor to make the structure seem more vertical. Mr. Gorman answered that they had gone that route before and the idea was not received. He said earlier they had talked about window heads, a bar running across with no historical detail. They had looked, he said, at lintel conditions, and did not know how one did that without re-introducing elements that would, perhaps, take the issue too far.

Mr. Schwartz remarked that he didn't have an answer to that, but he thought the difference in what they saw now and what they had seen before was that the window treatment had been much clarified, and ground-level scale issues had improved dramatically. He thought these other elements might be worth consideration. He felt that the front side (Water Street) was different than the other three sides, and yet the detail treatment all around was identical. He saw that as a missed opportunity but not a big problem.

Ms. Fenton stated that their ultimate goal, and the applicants' ultimate goal, was to make it the best building they could. Mr. Gorman agreed. Ms. Fenton called for a motion.

Mr. Tremblay moved approval as submitted, seconded by Mr. Schwartz, who mentioned the additional design development regarding the brick detailing, especially on Water Street, asking applicants to come back before the Board if they found anything that substantially altered the present approval. The motion carried.

Mr. Gorman asked if they might discuss brick and mortar colors next. He said that when they narrowed the choice down to some three types of brick and several different colors, they intended to make up four-foot sample panels to show the Board. He then showed them several different types of brick, saying they favored red or dark red brick with texture, as that would be more in keeping with the "warehouse" look.

Ms. Fenton suggested that if they were coming back with the bricks next time, she thought it would be nice to leave samples out on the street, by the building this would be next to, for people to see.

Mr. Gorman requested the Board state a preference for red toned or brown toned brick before they left, so they could get started.

Ms. Fenton asked the Board for preference statements. Mr. Coiner stated a preference for one of the textured samples. Mr. Gorman explained that the old buildings nearby were made of hand-molded brick, which looked very different from the modern, extruded sort, which was why they felt it necessary to use the textured type, and added that the way it was laid made a difference as well. They did not want a flat facade, he stated.

Mr. Barton noted that one sample in particular had a greater variation of color in it, which drew him to that one. He would like to see it as a panel. He complimented the applicants on their sensitivity as to brick selection.

Mr. Gorman noted that the color of the mortar was also very important, as the mortar took up about 20 percent of the surface area, and said they could make that particular sample of brick look entirely different just by using various colors of mortar with it.

Mr. Tremblay asked what more the applicant recommended, since the Board liked that sample of bricks. Mr. Gorman suggested coordinating the color of the cast stone so it would be in the same color range as the mortar. He indicated they had about 200 colors in their office to choose from.

Mr. Coiner asked what other local buildings had used that brick. Mr. Gorman couldn't say offhand but said he could get a list from the supplier.

Ms. Fenton asked if they needed any more information from the Board, and the applicants replied that they thought they had enough, and thanked the Board.

Mr. Schwartz agreed with the others about the brick sample with all the colors in it. He agreed also concerning the cast stone or mortar colors; one was too yellow, the other too brown. He thought they didn't want anything on the "cold, gray side" but rather a warmer tone. Mr. Gorman said they had tried to get samples of that.

Mr. Barton asked to be shown the brick size; Mr. Gorman responded that they wanted to use a modular brick, wherein three courses would be eight inches, rather than an oversize brick. Mr. Schwartz then enquired if they had a sample of the window. Mr. Gorman said they were working on trying to get a sample of that, but it was proving to be more difficult than they had thought.

Ms. Fenton announced the next item, replacing trees on the Downtown Mall, and called on Ms. Vest for her report.

CERTIFICATE OF APPROPRIATENESS APPLICATION BAR 01-4-6  
Replace Trees on Downtown Mall

Ms. Vest prefaced her remarks by saying that trees were not her area of expertise. She reported that Ms. Fenton and she had met on the site with someone from the City Parks department; she was certain the tree in question was, in fact, dead. She had spoken with Ms. Hook, who was no longer on the Board, but as the appointment had been made already, Ms. Hook had received the information. Ms. Vest had a letter listing the trees, and Ms. Hook was especially concerned about the first tree listed, a linden. The concern was about attracting bees, and Ms. Vest said she was simply passing that information along. She then introduced Mr. Pat Plocek, Manager of City Parks.

Mr. Plocek asked the Board to go down and look at the tree about which they were concerned, saying that it was losing limbs and becoming dangerous. His department's thought, he said, was to take it down and cover the area over until the Mall work was completed, at which time they could revisit the issue. They had spoken with arborists other than those on their staff, including Van Yahres, and the consensus was that a different species of tree would replace the linden, as it was inviting infestations which were "leap-frogging" to the other lindens which would also have to come out a few years hence. He stated they were considering using different types of trees in different areas, so that there would not be, for instance, all oaks down the Mall's entire length. He referred to a list of five or six trees given to the members, and mentioned they were leaning toward green ash as a replacement for the linden in question. He noted that the only way they would

replace the tree at this time was if someone donated the tree and the cost of planting it. He explained how big a hole would have to be dug to get out the old stump, indicating that there was a six by six foot square tree well, supported by metal sheathing, directly beneath the bricks, at each of the Mall trees. All that would have to come up, another tree planted and then all that replaced. He asked for suggestions other than the green ash at that location.

Mr. Schwartz asked what would happen if that tree were removed and not replaced. Mr. Plocek answered that if they didn't replace it, they would simply cut the stump below grade and recover the area, leaving it well covered with metal sheathing beneath the brick. He added that they would have to mark their maps so that no heavy equipment would be driven over that spot. Mr. Schwartz asked if it would be noticeable, and Mr. Plocek responded that they would not know a tree had ever been there, because they had identical bricks on hand that were used for repair. He stated that the Downtown Foundation and Mall merchants wanted the tree replaced as soon as possible due to shade.

Ms. Fenton asked about the cost of the operation, tree plus planting. Mr. Plocek quoted a total price, including removal of the old tree, of \$1,800.00 to \$2,000.00.

Ms. Fenton invited other questions. Mr. Tremblay wanted to know why the tree would not be replaced at the present time. Ms. Winner commented that they didn't have the necessary amount of money to do so. Mr. Tremblay responded that he had not heard if that was an issue. Mr. Schwartz added that they could approve it, understanding that it would be done when the money was available. Ms. Fenton chimed in that it would be contingent on that.

Mr. Schwartz remarked to Mr. Tremblay that his hesitation had been due to the fact that, for two years or so, they had been discussing the need for some manner of coordinated approach to the Downtown Mall and that the trees were certainly one of the issues. He termed them "overcrowded," and stated that when they were planted, no one realized how they would "take over." Mr. Plocek advised him that many of the trees were still very healthy. Mr. Schwartz

went on to say that his thought had been to take the linden down, as it was a safety hazard, and then wait and see, but he certainly understood the concerns of the public and the business owners who wanted the shade.

Ms. Winner commented that "waiting and seeing" could take a long time, to which Mr. Tremblay added, "It's forever." Mr. Plocek indicated that the reason they were considering replacement was precisely that, because he didn't know when the Mall would be remodeled.

Ms. Fenton expressed her personal opinion that she would like to see the Board, whatever they did, put as much pressure as possible to get a plan sent back to them, showing all the trees that needed replacement plus what would replace them. She said anything they could do to make that happen would be good, because the Mall had been dealt with in small bits, or the things that were needed, citing the awful lights that had been approved because the other lights had broken and they needed something. She mentioned that the mortars needed to match in future rebricking, saying that repairs to the Mall had been sloppy and ugly. She stated that any motion they did approve must include a requirement that anything done must be of the quality and calibre of what had been there already.

Mr. Plocek called that a very good argument and stated he would relay the message to those who would be doing the brick work. Ms. Fenton asked what height the suggested trees would be and how high they were expected to grow, and what they were getting for \$1,800.00 to \$2,000.00. Mr. Plocek responded that the tree at planting time would be three to four inches in diameter, some fifteen to twenty feet high, and would eventually grow to a size comparable to the existing trees. They had not yet, he said, actually looked for the trees; what they got would depend what was in stock and available. He noted that the growing conditions of the Mall trees were not the best for a tree to begin with. He said the trees that are there now, which are some twenty years old, would be far larger and healthier if they were growing naturally in another place.

Mr. Schwartz offered a motion that would allow people to comment after the motion was stated. He moved

approval for removing the unsafe tree, seconded by Ms. Winner; the motion carried unanimously. Mr. Schwartz's second motion was to postpone recommendation for replacement absent a coordinated strategy for the Mall as a whole, which Mr. Tremblay termed a "master plan," because he was uncomfortable with the idea of adding another tree before they knew the big picture. Mr. Coiner seconded, and Ms. Fenton invited comments.

Mr. Tremblay enquired if they were talking about a master plan for the entire Mall or just for plantings, to which Mr. Schwartz replied that right now he was talking about plantings to address the issue before them. Mr. Tremblay asked if this was related to the earlier comment about mixing different types of trees. Mr. Plocek answered that he could recommend types, block by block. The layout would depend, however, on the layout of the Mall as a whole, so he couldn't bring them a full plan. His understanding was that there was some thought of relocating how the trees are placed on the Mall. Mr. Tremblay noted that this was in the spirit of supporting the Chair's idea for providing impetus for the City to deal with that issue. Ms. Fenton added a request that within the next six months the Board be presented with a plan as opposed to something open-ended.

Ms. Winner stated that if the tree was dangerous, it should come out and brought up the question of possible rebricking. Mr. Plocek indicated that that was about to be dealt with.

Mr. Coiner questioned whether a tree was needed there at all, and noted that if not, the stump would not have to be ground out and it would cost only a few hundred dollars for the brick to cover the tree well.

Mr. Tremblay stated his understanding that Mr. Plocek and his staff could do a "master plan" fairly quickly, to which Mr. Plocek responded by saying that if that was what the Board was asking for, they would do the best they could, but there would have to be far more input than just from himself and his staff. Mr. Schwartz advised him to work with the staff and come back before the Board with whatever seemed appropriate, saying Ms. Vest would then get it onto their schedule whenever it worked. He called it a good strategy.



Ms. Fenton requested they come back before the Board in a timely fashion, with identification of trees which will need to be removed in about two years. Mr. Schwartz accepted that as an addition to his motion, and added further that the motion makes reference to the importance of the corridor study which initiated these concerns for Mall strategies.

Ms. Fenton pointed out that the corridor study in question had recommended taking all the Mall trees out. Mr. Schwartz reminded her he had not endorsed that corridor study; he only was saying that the City was doing one thing and they, the Board, were doing another. Ms. Fenton suggested the phrasing should be that the Board was accepting their recommendation for replanting the Mall without accepting their recommendation for a particular plant, et cetera.

Mr. Plocek said he would be happy to work with Planning Staff, who oversaw the corridor studies. Mr. Schwartz cautioned that they should not take a position on that one way or the other, but simply make it known that the BAR did not support putting a tree back in there right now because of all the other questions.

Mr. Plocek asked what the Board wanted his department to do about the hole after the tree was removed. Mr. Schwartz suggested it be bricked over for safety reasons. Ms. Winner enquired whether, if Mr. Plocek came back to them with a plan, they would approve a tree to replace the one taken out, but in the meantime, it would be bricked up. Mr. Schwartz said that was possible.

Mr. Plocek explained that whenever a tree was put back in, all they had to do was remove the bricks, raise the metal sheath and put it there; it was not a big deal. He only wanted to make sure, he said, that there was agreement that the opening would be bricked over until the concept plan was done.

Mr. Coiner suggested leaving the stump sticking up about three feet and using it as a planter, but Mr. Plocek said such things attract bees as they begin to decay, and it was not a good idea. Mr. Schwartz said he liked the idea a lot.

Ms. Fenton requested Mr. Schwartz clarify his motion

prior to a vote. He stated that the first part of the motion was to hold off on replanting any new tree in that well, to which Ms. Fenton added that the second part was to get a comprehensive plan for replacement of the Mall trees in a timely manner. Mr. Schwartz restated the third part of his motion, which was to explain that this related to a host of other issues that were introduced through the corridor study along the Mall. Mr. Coiner once again seconded the motion. Hearing no further discussion, Ms. Fenton called for a vote; the motion carried unanimously.

Mr. Plocek clarified his position, wishing everyone to understand that when he brought back a plan, it would specify what sort of tree would be in what block; he said he could do nothing more specific until the overall plan was done. Ms. Fenton requested information about the types of trees, and where different ones are already placed in the City, saying that would be helpful. He agreed and promised to provide color pictures of types not readily available to be seen.

Mr. Coiner asked if there was a schedule of when they would increase the well size to keep trees from growing into the brick. Mr. Plocek stated they try to keep ahead of growth, though sometimes they don't quite make it. But he said that when the tree begins to touch the brick, they enlarge the well size. If this is not done in time, the brick damages the tree.

Ms. Fenton called Item B on the Agenda. She asked for additions or corrections to the minutes, first, of March 20, 2001 meeting. Hearing none, she called for a motion to approve. Ms. Winner moved approval, seconded by Mr. Coiner. The motion carried, with Mr. Barton abstaining. Ms. Fenton then invited corrections to the minutes of April 17, 2001 meeting. Ms. Heetderks noted a correction on Page 7, concerning the carriage house roof. The minutes read that the carriage house roof had once been standing seam metal, but Ms. Heetderks thought it was the associated house whose roof had once been standing seam metal, not the carriage house. The correction was agreed upon. Mr. Coiner noted a correction on Page 3: "Rockwell" should be "Rothwell." Ms. Fenton asked for other corrections. Hearing none, she called for a motion to approve. Mr. Coiner so moved, seconded by Ms. Heetderks; the motion carried, with

Mr. Barton abstaining.

Concerning the Historic Preservation Revolving Loan Committee, Ms. Fenton stated that she and Mr. Schwartz were on that committee, and she appointed Mr. Coiner to the committee as well, having spoken with him earlier about that possibility. Mr. Schwartz indicated that though he had enjoyed serving on that committee, he had no strong desire to continue and offered to step down if anyone else was interested. Ms. Fenton appointed Ms. Heetderks to take Mr. Schwartz's place. Ms. Winner moved that the Board appoint Ms. Fenton, Mr. Coiner and Ms. Heetderks to serve on the Preservation Revolving Loan Committee, seconded by Mr. Tremblay; the motion carried unanimously.

Ms. Fenton asked for the discussion of the Preservation Awards, saying that Dawn had been the strong leader on this matter. Ms. Heetderks asked whether they needed to reach a decision that night, and Ms. Vest mentioned that there was no deadline. Ms. Fenton suggested they postpone the item until their next meeting. She invited suggestions and comments.

Ms. Heetderks asked Ms. Vest if this must refer to a project completed or substantially completed within a certain time period. Ms. Vest answered that, historically, that had not been the case. She did not recommend awarding to an incomplete project; however, whether or not it had been presented to the Board during a set time period had not been an issue. Ms. Heetderks requested a list of buildings that had won awards, as it was hard to know what had already been done. Ms. Vest had found motions from previous years, and mentioned the ones she knew they had awarded since she had worked there. She did not know of any others.

Mr. Schwartz asked who owned the Ridge Street property with the "disastrous" brick work. Ms. Vest replied that it belonged to an Otis Lee, Jr. Mr. Schwartz confirmed that it did not belong to Dogwood Properties. Ms. Vest went on to say that Eugene Williams had not actually been before the Board recently, and noted that at the time, Ridge Street had probably been designated a renovation area. Mr. Schwartz remarked that the building owners had restored a lot of buildings and done an exemplary

job, which was exactly the kind of persons who should be celebrated. He had mentioned that one, he said, only because there was a specific problem with it.

Mr. Coiner commented that last year he had seen no publicity for the awards, and Ms. Fenton had been out of town. She recalled that the award wound up in City Council without a lot of warning, and that she had discovered later that she was supposed to have been at that meeting to present it.

Ms. Winner stated that they needed to call attention to the award and its value to those who received it, so they needed some publicity.

Mr. Coiner agreed they were weak in the area of publicity and mentioned Maurice Jones as a spokesman for the City. He expressed his disappointment that when the Board had won the Preservation Piedmont Award, only four people had attended, and that there had been no publicity. He termed it a missed opportunity.

Mr. Schwartz suggested tabling the issue, asking Ms. Vest to speak to Mr. Jones concerning these PR issues, and dealing with it again in a month. Ms. Fenton agreed that made sense. Ms. Winner suggested some means of publicity, such as a newspaper article with pictures. Ms. Vest put forward the idea of members coming up with nominations and emailing them to one another so that they could go and see the properties in question. She offered to help with the emailing. Mr. Schwartz thought they should put this on next month's Agenda, and have Mr. Jones there, so he could hear directly from the Board how important this kind of press could be for the City.

Ms. Fenton asked for other business. Ms. Vest, at the request of Ms. Heetderks, brought up the buildings at the corner of Main and 1st Streets. She had had conversation with the people from D & R; there was nothing to report now, she said, but they had told her they had architects looking into various possibilities for those buildings. They had also reported they had neither received offers nor put the buildings up for sale; thus, there was no danger from the State demolition statute. The clock, Mr. Tremblay remarked, was not running. He added that he had recently been on the Mall the previous Friday night and that particular block was amazingly dead.

He didn't necessarily blame D & R for this, but he said it was just a fact.

Ms. Heetderks mentioned the condition of Maplewood Cemetery. It was designated the City's official burying ground in 1827, and prior to that people were buried somewhere on Park Street near the First Presbyterian Church grounds. Though a number of bodies might be still under the Presbyterian Church, she said, some of the stones had been moved. The earliest stone in Maplewood was dated 1777. Most of the City's local heroes were buried there. The place was unique in that it was at least partially integrated, very unusual for one that early. She stated that some year and a half ago, the position of permanent caretaker at Maplewood had been discontinued by the Parks and Rec Department, which event coincided precisely with a steep rise in vandalism at the site. She called it egregious, noting that stones had been knocked down and broken, the mausoleum broken into, with a slab of marble stolen, and the vandals had attempted -- though unsuccessfully -- to open the coffins. They had been working with the Martha Jefferson Neighborhood Association, the Historic Resources Task Force and Mr. Plocek of Parks and Recreation as well, and had written letters to the City concerning increasing police presence in that area. She had brought it up before the BAR because she had spoken with Ms. Vest about the possibility of having the cemetery declared "individually designated property." There might be legal issues since although the City was responsible for the cemetery's upkeep, the individual lots were owned by individual purchasers who, in some cases, had been buried there for over a century, and no one knew who their heirs might be. She stated that there was community concern that when the security issues were brought to the attention of Parks and Recreation, the reaction might be either to put up a chainlink fence or aim spotlights at the place. She noted that there was nobody in control of what happened there in terms of design. She called it a great gem that was falling to pieces, and said she would like to get the official designation because it might give them some teeth to at least embarrass the City, and fight benign neglect and demolition by neglect. Also there were some serious conservation problems, which she had shown to Mr. Plocek and the Assistant City Manager, such as a) the vandalism that needed to be stopped; and b) lack of knowledge as to

conservationally correct methods of repairing old stones. Once a headstone was knocked over, and to ensure no one tripped on it, it was moved so that they now had no notion where it had belonged. The flip side of that was that some were held in place with cement or epoxy or other things that did more harm than good in the long run. She felt it would not be inappropriate for the BAR to join the other organizations, including the Historical Society, in the groundswell of activity surrounding this issue.

Ms. Vest stated that they were putting together an historical survey for the following month's agenda of the BAR, and noted that the Planning Staff was behind the idea of the designation of the cemetery as an individual historical property. From there, she indicated, it would be a zoning matter. The process, she said, had been basically initiated. Mr. Schwartz asked if there would be a public hearing on the matter, and Ms. Vest replied that it would be treated as though it were in the minutes, which it was, so there would be a public hearing. She asked for anything they could do to support the issue.

Ms. Winner wanted to know how, once it was designated a preservation area, it helped solve the problem. Ms. Heetderks said that was what she would like to find out, and wondered if, in the process of preparing the reports, they could discover what other communities had done in terms of guidelines. She noted that they could not approve every tombstone that went up in Maplewood, where there were still some active burials. She was thinking more of issues such as fencing, lighting, appropriate repair of older stones and tree removal.

Ms. Vest replied that they could definitely do some research on what other communities had done with historic cemeteries. If the Parks Department wanted to do anything with benches or lights, it would all come before the BAR.

Ms. Fenton asked if the Board should immediately send a request to City Council, pointing out the neglect, or whether they should wait. Ms. Heetderks suggested waiting, in order to get a better response, saying that the Council had been flooded with letters, which had gotten the standard "can't afford it" response. It would be better than just another letter to, actually, put the process in motion.

Ms. Fenton questioned Ms. Vest concerning the feasibility of whether the Board itself could issue some sort of PR statement. She wondered if there were a protocol or precedent, as they had not done this sort of thing before, and whether they should invite Mr. Jones to the meeting, or take the action and then inform him of it afterward. Ms. Vest suggested he be invited to the meeting if the issue was considered significant and anticipated ahead of time, though she reminded them he might or might not be able to make it.

Ms. Heetderks offered to speak with Mr. Jones about this issue in general. She thought this was an instance where they needed to "toot their own horn," and no one was going to do it for them.

Ms. Fenton suggested a meeting involving herself, Ms. Heetderks and Ms. Vest to set up a meeting with Mr. Jones if that was comfortable for the rest of the Board. She then invited a motion to move the meeting to dinner. Mr. Tremblay so moved, seconded by Mr. Coiner.

The motion carried unanimously and the formal meeting ended at 6:45 p.m.

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