

**City of Charlottesville
Board of Architectural Review
October 16, 2001**

Minutes

Present:

Lynn Heetderks, Vice Chair
Craig Barton
Linda Winner
Preston Coiner
Joe Atkins
Ken Schwartz

Also Present:

Tarpley Vest
Jim Tolbert

Ms. Heetderks called the meeting to order at 5:03 p.m. Noting that the minutes of the September 18 meeting of the BAR were unavailable, she called for matters from the public not on the formal agenda to be presented. Hearing none, the Board addressed the Certificate of Appropriateness Application for renovations to the Charlottesville District Court Building at 604 East Main Street.

CERTIFICATE OF APPROPRIATENESS APPLICATION 01-10-29
Charlottesville General District Court

Mr. Richard Boyd of Daggett and Grigg Architects explained that the plans were to add a direct entry to the courthouse, one separate from the current entry through the police department, per the request of a presiding judge. To accommodate this new entry, a vestibule would be added and interior space rearranged. New windows on the Market Street side of the building and exterior lights would also be installed. The materials used in the renovation would duplicate those of the existing structure. With the renovation, signage on the building would

also be changed; although the exact wording was still being worked out, the same type of lettering would be used.

A colleague of Mr. Boyd's added that the wording of the new sign was expected to be known in a few weeks. He also stated that the police department wished to have its name remain on the building in some fashion, but that the final decision from the city manager's office would be made within a week or so.

Ms. Heetderks asked for Staff's recommendation on the application and inquired if the applicants would have to return for approval of the signage. Ms. Vest replied that Staff recommended approval since the building is not historic, and the materials used will be compatible with the existing structure. She added that the signage could be approved administratively.

After a brief discussion, Ms. Winner moved to accept the proposal as presented. The motion was seconded by Mr. Barton and passed unanimously.

CERTIFICATE OF APPROPRIATENESS APPLICATION 01-10-30
Vending Cart on Downtown Mall

Ms. Heetderks asked Ms. Vest to initiate the discussion of the vending cart proposal by providing Staff's response. Ms. Vest displayed photographs of the cart and indicated the cart which the applicant had brought with him. She then reviewed design guidelines for vending structures on the Downtown Mall, pointing out that the cart was made of stainless steel while the guidelines advocated black metal. She noted, however, that the BAR had allowed some variations on the black metal in the past when the structure had been of quality construction and attractive appearance. Staff therefore recommended approval.

The applicant added that the inside of the cart would not be visible because, when in use, it would be covered by stainless-steel flower buckets filled with flowers.

Mr. Barton was curious whether the applicant planned any signage for the cart. He replied that he hadn't

planned to use any.

Ms. Winner inquired about the height of the cart and the reason for the choice of stainless steel. The applicant indicated the height and explained that he had not been able to find a black one.

Mr. Schwartz commented that although it deviated from the guidelines, the cart seemed in keeping with the spirit of simplicity intended. He added that if someone presented a big, rustic, wooden structure, he would be less enthusiastic about it.

Mr. Coiner moved to approve the application as presented. Mr. Barton seconded the motion, and it passed unanimously.

CERTIFICATE OF APPROPRIATENESS APPLICATION 01-10-31
322 East Main Street

Ms. Heetderks announced the next item: the consideration of the Certificate of Appropriateness Application for the construction of an additional floor for Timberlake's Drugstore at 322 East Main Street.

Ms. Vest made a brief presentation. The building, formerly People's National Bank, had been built in 1896. The building had once had both a third story and a roof, both of which had been removed around 1909. The applicants had informally presented their plans to the Board the previous year. Staff had analysed the proposal in terms of the relevant design guidelines for new additions and found those guidelines completely met. Noting that the proposed addition was stepped back and differentiated from the rest of the building and that it could be removed in the future, she reported Staff's support for the proposal.

The architect, Ms. Gwyn Gilliam, displayed photographs of the existing building, and, explaining that the railing would be replaced and the sloped portion of the roof removed, she reviewed an elevation and floor plan of the addition. A door and side lights, she continued, were planned for the

ground floor, as well as open balconies on two of the levels. She indicated the terraces and apartments planned for the top level and the sightline from the neighboring coffee shop.

Ms. Heetderks invited questions from the Board.

Mr. Atkins inquired about the materials the applicants planned to use.

Ms. Gilliam replied that the intent was to match the brick and paint of the existing building, although the details were not yet complete. She noted that the old cornice line would act as a separation between the old and new brick. The new brick, she explained, would wrap around, come up the stair, and fill in the top floor. She noted that stucco had been considered instead of brick at one point, but even with mismatched textures, brick, not stucco, was the better choice.

Ms. Gilliam confirmed for Ms. Vest that wood-framed windows were planned.

Ms. Heetderks recalled that at the applicants' earlier presentation, Mr. Schwartz had raised a concern about jogging back the top portion of the third-floor façade.

Mr. Schwartz said he had not favored a flush design but confirmed that he had been concerned about the L-shaped terrace and the jog of the massing.

The owner, Mr. John Plantz, explained that he had been concerned about loss of floor space for the addition. He said that, ideally, he would prefer a design flush with the existing façade, but if the addition had to be stepped back, he thought that the L-shaped design would look better from the side view.

Ms. Gilliam added that she had originally proposed keeping the addition further back, but in response to the owner's concern for interior space, she had lowered the addition and tried to lighten and reduce the projecting mass.

Mr. Plantz agreed that stepping the addition back

further would be attractive from an architectural standpoint, but the concern was that the apartments planned for the addition would not be rentable if their size was reduced. He expressed his view that the current design provided a nice alternative.

Ms. Gilliam added that contractors would be working on the details of the construction, and either she or they would present material and paint samples to the BAR for approval.

Ms. Heetderks asked if this would include the railing as well.

Ms. Gilliam replied that she needed to design the railing on a structural basis. Mr. Schwartz pointed out that the BAR would need to approve the final railing design. Ms. Gilliam explained that only questions of detail and size remained; the railing design itself would not be altered. She showed how the new railing would closely resemble the old, differing in the replacement of the diagonal, lower portion of the railing with a series of verticals. She added that the existing building had open brickwork with two soldier courses separated by a running bond. Similar brickwork was planned for the new structure, but it would be simpler and not as high because of the smaller proportions of the addition.

Mr. Atkins inquired about the windows and door on the piece forming the L-shaped terrace. He queried about the casement and hopper windows.

Ms. Gilliam replied that the windows would be wooden. She indicated her preference for sliding doors due to space limitations, but acknowledged that some fixed panels might be installed to limit the number of doors. The sliders would be half the height of the double-hungs so as to visually match the doors and windows.

Mr. Plantz wondered if the doors and windows of the addition would be visible from the street at all, given the setback.

Ms. Gilliam explained that the sightline would come

to the bottom of the header.

Mr. Atkins noted that approaching the building downhill from one side of the Mall generated a better vantage point.

Ms. Heetderks invited comments from the Board.

Mr. Schwartz said he had been mentally trying to piece together how the addition would look; he was certain the massing would be visible when approached from uphill, though the visibility of the door detail was doubtful.

Mr. Plantz and Ms. Gilliam noted several points in the vicinity where one would have a view of the addition, including the J & B building from across the street and the area of Fourth Street near Market Street.

Mr. Schwartz concluded that the structure would be part of the public's view of the Mall.

Mr. Atkins acknowledged that there might be more elegant ways of dealing with the projection, but said he was comfortable with the L-shaped balcony as drawn. He noted that the cornice line of the building remained relatively unchanged, and he felt that some variation was allowable with a residential addition.

Mr. Barton commented that he would be more comfortable without the L-shaped terrace. He thought the conception and location of the windows were fine, but the perspective from Fourth Street argued for a clearer and simpler massing. He added that the soldier courses and running bond above and below exaggerated the projection in a place where he would prefer to see it toned down.

Mr. Schwartz commented that he could appreciate the dilemma in wanting both an optimal apartment plan and a pleasant exterior. He remarked that it was a beautiful and stately building, and that the way it turned the corner was one of the many nice things about it. If the massing occurred in the back, he would not object to it; the problem was it occurred

on both the front and the corner of the building. To him this new structure appeared somewhat casual and ad hoc. He expressed his dislike for the idea of pushing it all the way to the front and his preference, instead, for pulling the massing back. He acknowledged such a scheme would cost floor space. He explained, however, that from his perspective, after looking at the architect's drawings and visualizing the front and side elevations with the massing pulled back, the resulting effect would be wonderful.

Mr. Plantz endorsed the idea that his building should remain stately because it started off that way, but that the Board apparently did allow casual elements on the Mall; he provided the example of the young people living in the former Virginia Federal Building, across the street from his building, which seemed to him a casual place.

Mr. Schwartz did not agree that the buildings across the street were casual, differentiating the building from the people who lived in it.

Ms. Heetderks pointed out that the public comment portion of the meeting was closed.

Mr. Schwartz apologized for using the term "casual," noting that the architect and the owner had done a serious job while struggling with a serious dilemma. He reiterated his strong feelings that the scheme would be more successful and appropriate if it were pushed back.

Ms. Winner asked Mr. Schwartz to clarify the connection between the guidelines and his preferences for the design.

Mr. Schwartz read the portion of the guidelines requiring additional floors constructed on top of a building to be "set ... back from the main facade so that the visual impact is minimized." He elaborated that while one could say that the current design did meet this requirement, one could also say that because of the jog, it did not do so in an appropriate way relative to the significance of the front facade. He added that he did not consider the

addition easily removable, contrary to an earlier point presented by Ms. Vest.

Ms. Winner asked if Mr. Schwartz thought there were alternative solutions to the dilemma.

Mr. Schwartz thought an analysis of the building in its relationship to the Mall would show that building in the front zone is very difficult. He acknowledged that the architect had tried to work with the problem and thought she had improved the scheme from the previous version. However, he noted that the massing was still visible, remaining inconsistent with the character and manner in which comparable buildings on the Mall turn the corner.

Ms. Gilliam reported that she had considered using wood or wood and stucco, but this made the addition look more out of place or added-on. She added that it would not be possible to reduce the height of the parapet much more. Though it might be possible to simplify the brickwork or remove the soldier course, Ms. Gilliam could not think of any other way of minimizing the impact overall.

Mr. Schwartz expressed an interest in hearing from other members of the Board. Ms. Heetderks suggested they go around the room.

Mr. Barton said he was not convinced that there was no compromise position. He suggested that by bringing the wall all the way across, rethinking the layout of the kitchen, and working across the length of the piece, it would be possible to minimize its visual impact without moving it so far back as to render the apartments unrentable. He added that the L-shape exaggerated rather than minimized the visual impact.

Ms. Gilliam responded to Mr. Barton's idea by pointing out that adjusting the kitchen space resulted in less space for the rest of the apartment. While admitting the issue was not of primary concern to the Board, she underscored the challenge faced by the owner in attempting to make the space viable economically.

Mr. Coiner commented that he did not feel totally qualified to vote on the application and would probably abstain, though he had originally favored the proposal.

Ms. Heetderks said she shared Mr. Schwartz's concerns. She noted that the building has one of the more formal façades on the Mall, and the addition didn't seem compatible with its formality.

Ms. Winner commented that lacking the trained eye of an architect, it was hard for her to see why her fellow Board members objected to it. She said she was still leaning toward a vote in its favor.

Mr. Schwartz believed Ms. Winner's inability to visualize the addition introduced a good point: No model or perspective had been provided to help Board members actually see how the structure would look. He suggested that the lack of a model was causing members to feel less than confident in rendering a judgment. He said that, despite his opposition, he might consider voting to defer in order to give the applicant more time to explore and demonstrate why the addition would not have a negative impact. He recalled that previous applicants with similar economic concerns had found ways to address the issues when given more time.

Ms. Winner added that she saw the BAR as being the one resource in the community looking solely at architectural, rather than economic, issues. She stated that because she still could not see what the impact would be, she would support a move for the applicants to return at another time.

Mr. Atkins wondered if design could be the answer to the problem. He suggested that the kitchen be set back slightly, making the dining room more of a central piece, while letting the other part of the L go all the way back. He thought more investment in the window fenestration would enhance the central bay and the overall formality of the addition. He agreed that the corner in question required more articulation, so he would join the Board in pushing for the applicant to return with a three-dimensional solution.

Mr. Schwartz expressed agreement with Mr. Atkins' concerns with the doors and fenestration. He suggested the optimal solution would be to pull the plane back to a more logical place, admittedly leaving one of the apartments with only one bedroom. He thought it would be a good strategy to look at the addition in terms of the building's fit with the Mall, as well as the rental possibility of a generous one-bedroom apartment for one of the units. He then offered a motion for deferral.

Mr. Atkins asked if he could first try a motion to see whether the proposal would pass or not.

Mr. Schwartz withdrew his motion.

Mr. Atkins moved to approve the project as presented, with the understanding that a drawing or model that represented the massing three-dimensionally would be required at the next step, along with a solution for the area where the architecture, from the face of the wall forward, takes on a different character than the masonry. He added that he thought there were lovely clues in the photograph for solving the architectural problem while leaving the program essentially as is.

Mr. Schwartz voiced the possibility that Robert's Rules of Order required that he needed to hear the new motion before withdrawing his original motion, and Ms. Heetderks pointed out that his motion had not been seconded.

After a brief discussion of procedural issues, Mr. Schwartz restated his motion to defer, with the request that the applicant bring additional information on the project to help the Board to better render judgment. The motion was seconded by Mr. Coiner, and Ms. Heetderks called for discussion.

Mr. Schwartz said that the basis for the vote should be understood from the Board's discussion.

The motion passed with Mr. Barton, Ms. Winner, Mr. Coiner, and Mr. Schwartz voting in favor, and Mr. Atkins against.

Mr. Ms. Winner asked if Mr. Atkins would like to make an additional motion. Mr. Atkins preferred to withdraw his motion.

Mr. Barton noted that implicit in the motion to defer was the expectation that the applicant would bring a drawing or model to help the Board visualize the massing, and that additional study and rethinking of the project in regards to the Board's concerns was required.

Mr. Schwartz added that, to give an idea of how the addition would look in the downtown context, the applicant might also consider building a frame on the roof of the building rather than a making a model of the Downtown Mall. He thanked the applicants for the work that had gone into the project and expressed hope that it go forward.

Mr. Plantz was curious if the addition had to have a setback since the original building had not had one.

Mr. Schwartz replied that the setback was not required; he had only been expressing his opinion.

Mr. Plantz then asked if it would be possible to forget the terrace and build right out to the front.

Ms. Heetderks reminded the applicant that the guidelines call for additional floors to be set back, the reason being that an addition should not look as if it were trying to be an original part of the building.

Mr. Plantz commented that an additional floor without a setback might be preferable from an historical perspective.

Ms. Vest noted that the City Code required buildings to be set back 15 feet after reaching 40 feet in height. However, she was not sure if the addition would reach that height.

Ms. Heetderks directed the Board toward other items of business. Ms. Fenton had requested that Ms. Heetderks ask for appointments to the remaining zoning ordinance review committees that still needed

BAR members. She asked if Ms. Vest could provide a list of them.

Ms. Vest replied that she needed to get the updated list. She added that she had a business item that the BAR could look at and discuss informally while waiting for her return. Someone had applied for a Certificate of Appropriateness for a vending stand. Since only folding vending tables with dark skirts could be approved administratively, Staff had suggested that the applicants, to avoid having to bring their proposal before the Board, cut the legs off of the easel, place it on a table, and paint it black. She handed out a photograph of the vending stand and asked for the Board's feedback before she put the issue on the agenda.

Mr. Coiner wanted to discuss the November 8 worksession. He said he felt strongly about getting protected properties listed on tax records and deeds; he favored proceeding with the worksession to review the code as it applied to the BAR. He raised concern that the length of the review process and the fact that the Planning Department would be looking at the same issues might impede the Board's progress.

Ms. Vest returned with Mr. Tolbert, explaining that he had a list of the committees.

Mr. Tolbert assured Ms. Winner that those involved in the zoning ordinance review process would be interested in the Board's ideas and, responding to questions from Mr. Coiner, explained that the zoning changes would be presented to the City Council as a whole piece, rather than piecemeal, after the completion of much research.

Mr. Atkins thought it might be better to continue and propose a list of recommendations.

Mr. Tolbert encouraged the BAR to bring any issues they had to the committee, adding that the two BAR members looking at the historic preservation section would form a majority position on the committee.

Ms. Vest thought it would be good for the BAR to go ahead and meet for the worksession, even though the

November date had been set tentatively, so that they could be thinking about their issues as the process got underway.

Mr. Tolbert added the meetings would be open, so there was no reason all the BAR members couldn't meet with the committee.

Ms. Heetderks asked if Mr. Coiner could circulate a list of the issues he would like to see discussed at the work session to the other members of the BAR via e-mail.

Mr. Coiner replied that he had previously sent Ms. Vest an e-mail requesting the list be circulated at the present meeting; Ms. Vest promised to circulate a memo of Mr. Coiner's list prior to the worksession.

Mr. Tolbert reviewed the committees needing BAR appointment. The overall zoning committee which would look at administrative sections of the ordinance and fit together the recommendations of the other groups needed one BAR member; the Planning Commission members will be Herman Key and Nancy Damon. The Historic Preservation Subcommittee needed two BAR members; Cheri Lewis is the planning commission member. The Urban Design Corridors committee needed one BAR member.

Mr. Barton asked if he could serve two functions on this committee because he had already been appointed as the Planning Commission representative on this committee. Mr. Tolbert replied that this would be possible, but it would be preferable to have another BAR member.

Ms. Heetderks asked if anyone was interested in serving on the general zoning committee. She recalled that Ms. Fenton had expressed interest in the corridor committee and inquired if other members not present had expressed interest in serving on a committee.

Ms. Vest pointed out that of the members not present, Mr. Clark's term expired January 1.

Mr. Tolbert reported that Mr. Tremblay was already on the committee dealing with University Precinct

issues.

Mr. Coiner volunteered to serve on the Historic Preservation Subcommittee.

Ms. Winner suggested appointing Ms. Fenton to the corridor committee since she had expressed an interest in it.

Mr. Tolbert encouraged the BAR members to volunteer for other committees if there were not enough BAR slots to go around, noting that there were several other vacancies. He added that the kickoff would be held at Jefferson school at 6:00 on October 18.

Mr. Schwartz nominated Mr. Tremblay for the zoning committee. After a brief discussion, Ms. Winner seconded the nomination.

Mr. Schwartz volunteered to serve on the Historic Preservation Subcommittee.

Mr. Heetderks wondered if the Board needed to take a formal vote on the nominations since none seemed to be contested. There were no objections. Ms. Heetderks thanked those who had been willing to serve. The Board then returned to the discussion of the worksession.

Mr. Coiner asked Ms. Vest if a mailing had been done inviting architects and developers to attend the work session.

Ms. Vest said she had not done a mailing, but she could. She asked who the Board wanted to invite, if she should use a list of persons who had been mailed in the past.

Mr. Coiner reported that Ms. Fenton and himself had discussed inviting at least those people who had complained frequently.

Ms. Winner inquired if those invited would have copies of the guidelines to look at in advance. Ms. Vest said many of them would, but she could mail copies of them.

Mr. Coiner pointed out that since the same people

would have an opportunity to attend the City's zoning ordinance review meetings, it might be preferable to encourage them to attend those rather than invite them to the BAR's worksession.

Ms. Heetderks agreed and asked if the guidelines were available in a format that could be sent out as an e-mail attachment. Ms. Vest replied that this was underway; an intern was posting the guidelines on the Web.

Mr. Coiner asked if Ms. Vest had received a list of items to review from him. She reported that she had not. Mr. Coiner offered to send Ms. Vest another copy if she did not receive it by the next day; he noted he had also sent a copy to Mr. Atkins.

Mr. Schwartz commented that there seemed to be communication disconnects. He wondered if Mr. Coiner, Ms. Fenton, and Ms. Vest could meet prior to the regular November meeting. He expressed his opinion that the Chair should be more involved in pertinent issues and Staff more fully supportive. He noted that Mr. Coiner had invested considerable time and thought in the process and sympathized with Mr. Coiner's frustration when things were not moving.

Ms. Winner thought there was a question of how much support the Board was entitled to from Staff. Mr. Schwartz said that the Board needed to be advised if Staff did not see something as doable.

Ms. Vest asked when Ms. Fenton would be returning. Ms. Heetderks replied that she was uncertain.

Ms. Vest said she would try to arrange a meeting between herself, Ms. Fenton, and Mr. Coiner to discuss the initiative and the packet for the worksession.

Mr. Atkins offered to make copies of the list of items for review.

Ms. Vest offered to mail them the following day if the Board members preferred this.

Mr. Schwartz and Ms. Winner expressed pleasure with Staff's handling of the vending carts.

Mr. Schwartz moved to adjourn. The motion was seconded, and passed unanimously.

Whereupon, the meeting adjourned at 6:15 p.m.

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