

**City of Charlottesville
Board of Architectural Review
March 19, 2002**

Minutes

Present:

Joan Fenton (Chair)
Linda Winner
Wade Tremblay
Joe Atkins
Preston Coiner
Ken Schwartz -- arrived 5:35 p.m.
Craig Barton
Allison Ewing

Also Present:

Tarpley Vest

Ms. Fenton convened the meeting at 5:00 p.m. She introduced the new Board member, Allison Ewing.

She deferred the approval minutes until more members could be present.

A. Matters from the public

Ms. Fenton then called for matters from the public which were not on the agenda. There being none, that portion of the meeting was closed.

C. Consultation with Mr. and Mrs. William Johnson,

owners of 222-224 Court Square.

Tarpley Vest explained that there was a dispute between property owners; the Johnsons are being asked to move a wall. Due to their concern from a historic preservation standpoint they are seeking advice from the BAR.

Mr. Johnson explained that an 1838 deed allows the neighbor to their north to require them to remove themselves from his building. The Johnsons building has a mortar seam connecting them to the other building. This touches the neighboring building.

Mr. Tremblay asked if it were a legal issue. Ms. Fenton stated that a change to the facade would have to be approved by the BAR. Mr. Tremblay then inquired if the BAR could get involved if the mortar seam had been illegally put in place. Mr. Johnson stated the seam had been there

when he began preservation and that the BAR, at that time, 1997, had not allowed separating the two buildings. Ms. Winner suggested that Ms. Vest draft a memo to the Court for Mr. Johnson summarizing the findings of 1997 and that any changes to the buildings would have to be presented to and approved by the Board. Ms. Fenton also asked that the letter state that anything visible from the street is under the purview of the BAR.

D. Certificate of Appropriateness Application

BAR 02-3-5

Vending Cart on Downtown Mall

Mike Fulton, Applicant

Ms. Vest informed the Board that the pictures they received did not accurately reflect the color scheme of the applicant. The applicant would be using a dark green/black canvas traditional-type of umbrella. The applicant meets each of the guidelines for vending structures on the Downtown Mall except for the color guideline which recommends solid black. In the past, the BAR has approved stainless steel where it is of a traditional design and high quality. The Health Department prefers the stainless steel. Staff supports the application with the recommendation of replacing the inflatable wheels with a more traditional bicycle-type wheel. The applicant complied with the wheel recommendation.

Mr. Coiner made a motion for approval of a typical type of pushcart vending cart subject to review by Ms. Vest; if she has any questions or concerns she can poll the Board, at which point it may be deferred. Ms. Winner seconded the motion. The motion carried unanimously.

E. Certificate of Appropriateness Application

BAR 02-3-6

Carousel on Downtown Mall

Virginia Discovery Museum, Applicant

The Virginia Discovery Museum has expressed an interest in placing a children-sized carousel on the Downtown Mall. It is an antique carousel. Staff used the vending design guidelines. There is a lot of color on the carousel. It fits in the recommended size requirements. Staff supports the proposal. The Museum proposes to surround the carousel with a six foot high wrought iron metal fence. The fence also meets guidelines. Ms. Vest stated that she had heard from Mr. Schwartz who was not yet in attendance. He was concerned about the design of the fence.

John Reed, President of the Board of Directors of the Discovery Museum, and Peter Clark, the Gallery Manager, were present on behalf of the applicant. The carousel, already of a historic nature, could not be easily modified. The fence is designed as protection for the carousel after hours. The applicant is willing to change the design of the fence.

Mr. Schwartz made a motion to approve the carousel as submitted. Ms. Winner seconded the motion. The motion carried unanimously.

Mr. Barton made a motion to reject the submission for the fence and ask the applicant to resubmit new fence designs at the April meeting. Mr. Schwartz seconded the motion. This motion also passed unanimously.

E. Certificate of Appropriateness Application

BAR 02-3-7

400 East Main Street/Enterprise Travel

Tax Map 28 Parcel 45

New Windows on West Elevation

Bill Ditmar, Applicant

The BAR reviewed scenarios for new windows on this building in 1998 and 2000. The concern in 1998 was over placing residential-type windows with muttons in that building. The 2000 application submitted by R. E. Lee was denied because the windows did not meet design guidelines. The applicant is back with two plans of similar design but with different materials. Staff is more supportive of Plan A with the recommendation of either true divided lights or just single panels so as to more completely meet design guidelines.

The applicant was before the Board because previously approved submissions were not able to be installed before the 12 month deadline.

Mr. Atkins, Mr. Schwartz and Mr. Barton preferred the use of larger windows. The applicant explained that due to physical constraints of the building, larger windows could not be used consistently across the west elevation.

Mr. Schwartz was willing to give on the guidelines which stipulate for true divided light and wood windows. However, the proposed windows still present a residential feel.

Mr. Atkins made a motion to deny the application as presented with acceptance of the clad wood simulated divide light window unit as an acceptable window with the specific direction that window type A be revised to not have a horizontal proportion, that they resemble more closely the individual window units that are existing on the front and side facing West Main. Mr. Barton seconded the motion.

The applicant sought clarification on the proposed motion as to gang windows or individual windows, which are two different concepts.

Mr. Atkins felt that his motion as stated would solve the design problem.

Mr. Schwartz offered a friendly amendment of, or the applicant comes back with a three ganged double-hung window situation in each of the currently described openings on that side elevation. Mr. Atkins and Mr. Barton accepted the friendly amendment.

Mr. Barton moved to amend the motion into two motions. The first motion would be to deny the configuration of the windows as shown in plans A and B. A second motion would be to approve the window sample that has been provided.

Mr. Atkins removed his motion. Mr. Barton removed the second.

Mr. Barton moved to deny or reject the configuration of windows as shown. Ms. Ewing seconded the motion. The motion died on a four-four vote with Mr. Barton, Mr. Atkins, Mr. Schwartz and Ms. Ewing voting in favor and Ms. Fenton, Mr. Tremblay, Ms. Winner and Mr. Coiner voting against the motion. Ms. Vest stated that a new motion would be needed.

Mr. Tremblay made a motion to accept the window as presented, with or without the muttuns, clad and ganged in the areas where it is appropriate to gang them and individual where it is appropriate to put them individual. Mr. Coiner seconded the motion.

Mr. Schwartz offered a friendly amendment to remove the muttuns. Mr. Tremblay accepted the friendly amendment. Mr. Coiner, not having a problem with the muttuns, removed his second. Mr. Schwartz, having a problem with the muttuns, seconded the motion. The amended motion passed seven-one with Ms. Ewing voting against.

F. Other Business

Ms. Vest informed the BAR that an Urban Design Study Presentation would be held 27 March.

Ms. Vest also stated that Home and Gardens Television would be airing a program about Charlottesville at 8 p.m. Homes to be displayed include Maurice Cox's and Pat Edwards.

Ms. Fenton stated the City Council had recommended cemeteries get historic designations from the state and federal government.

Ms. Fenton re-opened the matters from the public section due to the meeting being held in a different location and the public inability to find the new meeting place on time.

David Ackerman explained that he was working on the renovation of 110 Third Street, Northeast. He sought a preliminary opinion of the direction in which the renovation is headed. Mr. Coiner advised him that there is something in the guidelines regarding the use of glass block. Mr. Schwartz expressed support of the column design and the window design.

B. Approval of the Minutes: February 19, 2002

Mr. Coiner expressed concern over not handling the minutes in the order presented on the agenda. He also expressed concern over minutes that had not been presented to the Board in previous months. Ms. Fenton suggested that the minutes be put towards the end of the agenda when there would be enough members present.

Ms. Winner moved to approve the February minutes as presented. Mr. Tremblay seconded the motion. The motion carried unanimously.

Mr. Coiner made a motion to adjourn the meeting. Ms. Ewing seconded the motion. The motion carried unanimously and the meeting was adjourned at 6:50 p.m.