

**City of Charlottesville
Board of Architectural Review
August 20, 2002**

Minutes

Present:

Joan Fenton (Chair)
Linda Winner
Wade Tremblay
Preston Coiner
Allison Ewing
Syd Knight
Cheryl Lewis

Also Present:

Tarpley Vest

Ms. Fenton convened the meeting at 4:54.

A. Matters from the public

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

B. Certificate of Appropriateness Application

**BAR 02-8-22
114 Lankford Avenue
Tax Map 26 Parcel 10
Demolish House
Dale Ludwig, Owner/Applicant**

Ms. Vest gave the staff report. 114 Lankford Avenue is one of the individually designated properties in Charlottesville. The existing house was built around an 1845 log home which was completely covered over in phases starting around 1900. Two years ago the Board reviewed a request to remove the existing chimney. At that time the previous owners had gutted the house without receiving City approval. Proposed exterior changes to remove the chimney and raise the roof were approved by the BAR. The owners abandoned the project and was repossessed and was recently sold to the current owner. The building had been condemned by City officials and ordered demolished because it is an unsafe, unsightly nuisance to the neighborhood. Staff visited the structure and discovered portions of the original logs and mortar. There is perhaps less than 50 percent left. The Board of Architectural Review only has authority to regulate what is visible from a public right of way. The demolition is before the Board because the building has been

condemned. The property owner would like to clear the property and redevelop it. Staff reviewed the request to demolish against the guidelines. The entire building does not seem to meet the criteria.

Staff would encourage approval of the demolition with the condition that the logs be removed without any damage to the logs and put into the trust and care of the City of Charlottesville to then give to a qualified organization committed to historic preservation. Staff also recommends that prior to demolition, existing property conditions and features, both interior and exterior, be adequately documented with the assistance of any outside historic preservation expert that the City designate. The new head of the Albemarle County

Historical Society has offered to assist. Since the building was condemned, the City can conduct the demolition and bill the property owner.

Ms. Fenton asked if the BAR was allowed to make those types of terms in allowing a demolition.

Ms. Vest stated she had not been instructed that they could not. She further stated that the owner has volunteered to allow that to happen.

Ms. Fenton recognized the owner. He stated that there was nothing to do to the house except tear it down.

Ms. Fenton called for questions of the applicant.

Ms. Ewing wanted to know the range of options for the BAR. She understood one option to be demolition with preservation of the logs and a second option to be demolition without preservation. She wanted to know if there were an option to preserve that portion of the property that is historic and allow demolition for the other portions of the property. She also asked if the BAR could specify the nature of the preservation. Ms. Vest explained that they could deny the request or they could partially approve it and approve demolition of those portions not having the historic materials. Ms. Vest further stated there would need to be justification of the denial based on the review criteria. The Board cannot regulate what the owner chooses to do with the interior and the historic materials are located completely in the interior of the house and are out of the BAR's purview. Ms. Ewing asked if he could take the logs down and leave the exterior. Mr. Coiner stated his opinion that that would be physically impossible. Ms. Fenton stated that he could not be required to restore it back to the logs. Ms. Ewing asked if the application was denied, could the applicant remove the interior and leave the exterior. Ms. Vest explained that would be his right. He could come to the City for a permit to gut the interior and remove the interior walls containing the logs; the BAR would not regulate what he chose to do to the interior. Ms. Ewing asked if denying the application would leave less than the 50 percent of the original structure already present. Ms. Vest stated that the original structure which had been seen was actually in the interior of the building.

Mr. Knight asked if the best way to save the logs was by allowing full demolition with the condition that they be saved. Ms. Vest stated that was what the staff believed.

Ms. Fenton asked if the City had any process for doing something with the logs. Ms. Vest stated there was not at the time but one was being worked on.

Mr. Tremblay asked if the logs were in a condition to be reused considering the decay present. Ms. Vest explained that they were seeking the opinion of a log cabin restoration expert. Mr. Coiner stated a determination of reuse could not be made until the exterior was removed. Mr. Coiner further stated that the building was significant because of its construction and because it is the last remaining log building in Charlottesville. He also stated that he would support demolition under a number of conditions which parallel the City's.

Ms. Ewing asked if the owner would consider taking down everything but the log cabin and then restoring it and integrating it into some future design. The owner stated that would not be feasible. Ms. Lewis asked why it would not be feasible. The owner felt that there was nothing there. Sections of the original walls had been removed and remaining sections were full of insects and were destroyed. Ms. Lewis asked if he had sought an expert opinion on the condition of the logs. The owner stated it was not feasible to be wired for electricity and get it up to Code.

Ms. Ewing stated her belief that there was a way to do that, she asked the applicant if he were willing to consider integrating a historic structures part of the new design. The owner did not see a feasible sense in it. Mr. Coiner stated his feeling that the building had been so compromised over the years and is missing the chimney and roof structure, that to try to rebuild it at that site would not be fair to the original structure.

Ms. Lewis asked if the owner had known the building was historic when he bought it at foreclosure.

Mr. Ludwig stated he had spoken with Tarpley who had told him when it was built. He further stated that it was visible from the outside that the building is not salvageable. Ms. Lewis also asked if he would have sought demolition even if the City had not wanted to demolish the structure. He concurred. Mr. Coiner stated his understanding that the notice for demolition was based on the public nuisance of the structure, not so much the condition of the house. Ms. Lewis also asked if he had bought the property for the land thinking to demolish and build something new. The applicant concurred and also stated that Ms. Vest had not been able to tell him the historic value of the property. Ms. Vest stated she was surprised by the logs she saw when visiting the site.

Ms. Winner wanted to know why this was before the Board since the logs could not be seen from the public right of way. Ms. Vest explained that the Board is charged with approving demolition of the structure.

Ms. Fenton closed the question portion and called for comments on the application.

Mr. Coiner informed the Board that he had received a phone call from a member of Preservation Piedmont stating that their absence from the discussion did not mean they were not concerned about this matter; no one was able to attend the meeting from their organization.

Ms. Ewing expressed her disappointment that the Board did not have purview over the interior of the historic structure. The original structure had been built by the first freed slave of Charlottesville. It is of significant historic value. Removing the logs and placing them some place else causes it to lose a significant amount of its historic relevance. She further stated her opinion that other nearby structures should be looked into being designated historic.

Ms. Lewis expressed her surprise over what portion of the log structure was left. She was also surprised by what good shape the logs were in.

Ms. Fenton stated that the City had allowed a large amount of the African-American history to be torn down and destroyed. She felt there should be a preservation effort here.

Mr. Knight was struck by how much was still not known about the structure. He would like to know more about the condition of the logs and more about the extent of the current structure.

Ms. Ewing felt that was a good point. However, she further stated that decisions should not be based on thinking there was not much to save because of structural integrity, then the appropriate experts should go in and assess the condition before making any judgments about the application.

Mr. Coiner felt no one could assess it unless all of the sheet rock, paneling, stucco and siding were off. Mr. Knight felt that an expert would know how to assess the structure without removing everything.

Mr. Coiner made a motion that, based on his interpretation of the demolition guidelines and the guidelines for moving structures, the Board allow the demolition with the following conditions: That the materials covering both the interior and exterior walls of what's believed to be the 1840's and the 1870's portion be removed by hand; that the demolition of the 1950's and later west and east addition and the raised roof section be de-formed in such a matter so as not to compromise the integrity of the 1840's and 1870's portion; that what is believed to be the 1840's and 1870's portion be left exposed for a period of ten days prior to removal; that local historians, architects, and interested persons be allowed to view and document the 1840's and 1870's portion through photographs and measurements during the ten day period; that the cost of the documentation be born by the current owner; that what are believed to be the materials of the 1840's and the 1870's portions, including, but not limited to, the logs, the doors, the frames, the windows in the frames, the floorboards, be used by the owner within a period of two years in any new building on the same parcel of land that the building now exists either as visible structural or decorative elements; in the even that the current owner wishes not to use the materials, he may offer them for sale or donation to an individual or company or a government with a written agreement indicating that they are to be used as visible structural or decorative elements in a building within the City limits of Charlottesville within a period of two years; if it is determined that the materials are not reusable for visible construction or decorative elements, the BAR can, upon site inspection and consultation with the person making the determination, waive this condition at a regular or special Board meeting; that a person knowledgeable in the removal and reconstruction of log homes be consulted prior to and during the removal of the materials; that during the period between the removal from the site and reassembly that it be stored properly;

and that any noncompliance of this constitutes demolition without a permit. Ms. Lewis seconded the motion.

Ms. Fenton called for discussion of the motion. Ms. Ewing was not clear if assessing the current condition of the house would change the eventual decision about whether to go through the second suggestion before denying. Ms. Fenton asked if Ms. Ewing was wondering whether there might be a different outcome when assessed. Mr. Coiner explained that the motion was his, using his words. He further stated that he had contacted Professor Ed Lay, the local authority, who felt this was a reasonable approach to the situation.

Mr. Coiner also contacted the Virginia Department of Historic Resources in Richmond who concurred that this was a reasonable approach based on the faulty condition of the structure. Mr. Coiner stated his agreement that what could not be seen was more important than what could be seen, but he felt the building could not be put back. Ms. Ewing felt a portion of it could be integrated into a new structure. Mr. Coiner stated that was one of his conditions. Ms. Ewing liked the potential offered by that condition, but was wary that if the owner chose not to use the materials the Board would not have any say. She asked if that portion could be rephrased to "turn it over to the City's responsibility." Mr. Coiner clarified the condition by stating the materials must be used or the current owner would be in violation. Ms. Ewing asked if they could legally enforce that. Ms. Vest stated she would like to discuss it with the City Attorney. The City Attorney, who had not yet given Ms. Vest a formal opinion, had been more receptive to the idea that the material be turned over to the City of Charlottesville and that the Board work with the City.

Ms. Fenton asked Mr. Coiner to remove his motion and the Board defer the matter so the City Attorney could look at the motion; during that time ask the applicant or City to contact someone with expertise to look at the building so that a reasonable decision could be reached and come up with an enforceable motion. Mr. Coiner stated he would withdraw his motion if a motion for deferral passed.

Ms. Ewing expressed her support for Ms. Fenton's request for withdrawal of the motion and a deferral. She stated that, since someone had felt this structure had significant historic value for the City of Charlottesville, the Board should determine whether it was taking the best course of action rather than doing something expeditious.

Mr. Coiner asked if someone could move to amend his motion so the City Attorney reviews it. Ms. Fenton stated either the Board vote on his motion or he withdraw it. Mr. Coiner withdrew his motion.

Mr. Knight made a motion that the Board defer the question while they asked the City Attorney for an opinion on the matter and ask that a qualified expert in historic structures be retained in order to make an inspection of the property and offer judgment on the feasibility of restoration and/or demolition. Ms. Ewing seconded the motion.

Ms. Winner sought clarification that the Attorney should comment on the motion Mr. Coiner had presented. Mr. Knight concurred that had been what he meant. Mr. Tremblay asked who would

pay for this evaluation. Ms. Fenton stated her belief that the applicant would have to pay for that if they were asking for a demolition. Ms. Vest stated that structural feasibility studies were generally conducted at the applicant's expense; however, this did not seem to be the same. Ms. Lewis asked that the expert review Mr. Coiner's motion to determine its feasibility and any needed professional considerations for handling the structure. Mr. Knight and Ms. Ewing accepted Ms. Lewis' amendment.

Ms. Fenton called the question. Mr. Knight's amended motion carried unanimously. Mr. Ludwig asked how long the BAR had to make their decision. Ms. Fenton informed him they had 60 days.

C. Request to Remove Individual Designation from

Property at 114 Lankford Avenue

Ms. Lewis made a motion to deny the request based on information received in the last week. Mr. Knight seconded the motion. Mr. Tremblay thought deferral would be better until the Board knew what was at the site. Ms. Lewis agreed to defer. Mr. Knight also agreed. The motion to defer passed unanimously.

D. Certificate of Appropriateness Application

BAR 02-8-23

210 West Water Street

Tax Map 28-80

Changes to Patio of Metropolitan Restaurant

Tim Burgess, Applicant

Ms. Vest gave the staff report. The Metropolitan Restaurant came before the Board in 1999 when they installed the current patio on what had been parking. The Metropolitan is being renovated and transformed into Metro. They wish to put in a new fence, a new trellis, new lighting and new landscaping. Staff reviewed the application against the design guidelines and found no issues except the proposed fence is about 4'6" tall and the design guidelines recommend a maximum height of four feet. Staff recommends approval with the suggestion that the fence be lowered.

Mr. Burgess had nothing to add to Ms. Vest's presentation but was willing to answer any questions the Board may have.

Ms. Winner asked if he would be okay with lowering the fence. The applicant stated it was fine.

Mr. Knight asked what types of trees would be used in the arbor vitae hedge. Mr. Burgess did not know what had been decided. Mr. Coiner wanted the applicant to elaborate on the shrubs.

Ms. Fenton closed the question portion and called for comments from the public and the Board.

Mr. Knight felt the applicant should choose a low growing arbor vitae since most arbor vitae get quite large.

Ms. Winner made a motion to accept the application as presented with the staff recommendation that the fence be lowered to four feet. Mr. Tremblay seconded the motion. Mr. Knight asked if Ms. Winner would accept an amendment to address the plant material in front of the fence; that the applicant come back with plant materials for approval. Ms. Winner and Mr. Tremblay accepted the amendment. The amended motion passed unanimously.

E. Certificate of Appropriateness Application

BAR 02-8-24

707 West Main Street

Tax Map 32-156

New Storefront at Starr Hill Restaurant

John Spagnolo, Applicant/Formwork Design, Architect

Ms. Fenton stated this item had been removed from the agenda by the applicant.

F. Certificate of Appropriateness Application

BAR 02-4-11

502 East Market Street

Tax Map 53 Parcel 91

Outdoor patio for Tastings Restaurant: Final Details

Bill Curtis, Applicant

Ms. Vest gave the staff report. Tastings had been before the Board several times in an attempt to get the cafe space worked out. In July the applicant resubmitted the application and the Board granted conditional approval excluding the proposed awning and requiring that further information be submitted. The applicant provided a site elevation showing a view of the railings from the street and also provided detail on the outdoor lighting fixtures. He is seeking final approval. Staff found that the applicant had responded to the Board's request for further information. The lighting fixtures meet the guidelines. This is not an historic building.

Mr. Knight asked what color the pavers would be.

Mr. Curtis stated he had concrete or sandstone in mind. He thought sandstone would go with certain elements in the building next to his.

Ms. Lewis asked if there was any additional detail about the proposed planting. Mr. Curtis stated his plan was for an ivy ground cover.

Mr. Knight expressed concern over the board at the base of the rail which has the potential to be unsightly. He further stated that plants could not be relied on to hide the lumber. He wondered if some type of metal could be used. Mr. Coiner expressed a preference for the wood as opposed to rusting steel. The applicant explained his plan was to paint the wood either sandstone to match the pavers, or green to match the ivy. Mr. Knight stated his belief that landscaping materials in a historic area needed to be just as compatible as the building materials. Mr. Coiner asked if a

compromise would be to use the pressure treated lumber and put copper over it. The applicant explained his plans had been based on guidelines provided by the City Arborist. Ms. Ewing felt that covering the wood with copper would be an acceptable solution.

Ms. Ewing made a motion to approve with condition that the curb be either masonry or a metal-finished material and that details of that be received prior to final approval, and that, in addition, it be approved subject to submittal of the specific plant material. With no second, Ms. Fenton asked if there were another motion.

Mr. Coiner made a motion to accept as presented with the condition that the wood two by eight be covered with copper and that staff, with input from the landscape architect, be allowed to approve the plants. Ms. Winner seconded the motion which carried unanimously.

H. Certificate of Appropriateness Application

BAR 02-8-26

1719 Mason Lane

Tax Map 38 Parcel 134

Replacement of enclosed porch

Thomas and Kemp Hill, Applicants

Madison Spencer, Architect

Ms. Vest gave the staff report. This is another individually designated property. The proposal is for renovation to a guest cottage. The proposal meets the design guidelines and the applicants propose to use high quality materials. Staff recommends approval and commends the applicant for its proposal.

Ms. Lewis made a motion to approve the application.

Mr. Knight seconded the motion which carried unanimously.

Ms. Fenton called for 1512-1520 East Main Street, construct additional floor for residential use.

Ms. Vest stated that 520 was built in 1887 as a stable for the horse-drawn street cars that went between the C&O Depot and the University. It was burned severely in 1930 and altered at that time. 512 through 518 was built in the 1980s and in the early 1990s the present owner constructed an additional floor. The proposal was evaluated against the design guidelines for additions. The proposal varies from the guidelines. The proposal is aesthetically pleasing and staff recommend approval.

Ms. Fenton called for questions.

Mr. Knight stated that he had several questions about the style of the stair tower and its roof and the use of some of the proposed materials.

Ms. Ewing stated the proposed hardy plank siding material is preferable to vinyl siding. Ms. Fenton stated it was a material used in historic districts in other areas. She also thought it had been approved previously.

Ms. Ewing asked for delineation of the existing building from the proposed addition. The applicant concurred. Ms. Ewing then sought help from Ms. Vest regarding the regulations for new additions. Ms. Vest explained that the new work should be differentiated from the old so the viewer is not confused about what is new and what is historic.

Mr. Knight stated he thought the building seemed admirable, but he had problems with the stair tower. The applicant explained that was access to the roof terrace.

Mr. Coiner asked what the height would be for the proposed parapet for 512-518. The applicant stated it would be lower than the building to the west.

Ms. Fenton called for comments.

Ms. Ewing stated it seemed very thin on the side which would not be consistent with a masonry wall. The applicant asked her to clarify her comment. She stated the corner condition of the upper window looks too thin for a punched opening in a masonry structure. Mr. Knight asked if it would be possible to increase the dimension from the corner to the first window and then make the rest symmetrical. The applicant felt they could increase each pier. Ms. Ewing stated she was more concerned with the tower than the windows. Ms. Fenton asked if the tower could have windows to match the windows to the east. The applicant stated they could. The applicant asked if the Board would feel better if they removed it completely. Mr. Knight stated he would feel better if the applicant would explore something different. The applicant suggested using a shed roof. Mr. Knight stated he was not opposed to the fact that the tower rises that far above the building. The roof on it and the fenestration of the windows bother him.

Ms. Fenton asked the Board members to list suggestions for the applicant to present at a later date.

Ms. Lewis stated the tower looked like a missile or a steeple. She would like to see the fenestration continue to the tower to break up the vertical middle. She would also like the applicant to explore other possibilities for the roof.

Ms. Fenton asked that the applicant be sure that he has allowed for the signage above the awnings.

Ms. Lewis made a motion to defer and request the applicant take into consideration the comments made by the Board. Ms. Winner seconded the motion which carried unanimously.

G. Certificate of Appropriateness Application

BAR 02-8-25

Ruby Tuesday Restaurant at Barracks Road Shopping

**Center/Emmet Street
Tax Map 1 Parcel 1
Appeal of Administrative Decision in Entrance
Corridor
Ruby Tuesday, Applicants/Artech Design, Architects**

Ms. Vest gave the staff report. Emmett Street is one of the entrance corridors. Entrance corridors usually have a staff level design review as part of site plans and site plan amendment with appeals to the Board of Architectural Review. Appeals are rare. The Board is charged with reviewing entrance corridor applications against the same design guidelines as the historic district. The applicants are proposing some exterior changes to Ruby Tuesday to update the Ruby Tuesday look including a stone veneer, painting the existing brick and the new parapet access along the facade. In the past, the BAR made a policy that the staff not administratively approve painting unpainted brick. The design guidelines say, "Generally leave unpainted masonry unpainted." This is not an historic building. Selection of materials and textures for a new building should be compatible with and complement neighboring buildings. Staff had some concern about the stone since it may be inappropriate to Barracks Road. Staff recommends denial.

Mr. Leeds Overville, of Chattanooga, represented the applicants. He stated one of the guidelines was to remain in the character of the area. Several Barracks Road stores red brick which have been painted in various shades of beige. An adjoining building is brick covered with a painted board backing. He respectfully requested that the Board take a look at the proposal. He also walked through the historic district and counted 20 buildings that had painted brick. He stated his opinion that one of the things that makes the character of the historic district is that the character from one building to the next changes. If they were all the same brick, it would become extremely monotonous. He asked that the same consideration be given to the retail-oriented area of Barracks Road. The proposed painting area is above the awnings and would only be about four feet tall. He showed the Board pictures of the new prototype Ruby Tuesday. Ruby Tuesday sought to update the character of the old buildings with the new look of Ruby Tuesday. He stated the proposed stone for the front tower and on the corners is just a shade lighter than the stone next to the building separating them from the adjacent tenant. The applicants were seeking to be allowed to keep the corporate image.

Ms. Fenton called for questions from the public or the Board members.

Mr. Knight asked what the parapet would be made of. The representative said it would either be Emuss or Fyphon.

Ms. Ewing asked if there were any design guidelines for canopies. Ms. Vest stated there were; they recommend traditional canvass canopies. Ms. Ewing also asked about design guidelines regarding cornices. Ms. Vest stated the cornice could relate to the issue of false historical elements. The applicant stated the proposed awnings were scaled down tremendously from the existing awnings.

Ms. Fenton asked if the applicants had had any problems getting approval in other communities.

The applicant stated he had done over 300 Ruby Tuesdays, the only refusal was in Germantown, Tennessee.

Ms. Fenton called for comments.

Ms. Ewing felt the stone was an element of false historicism and was not in support of the application.

Mr. Coiner was concerned that they were applying historic regulations that were designated for historic districts and not entrance corridors. He felt that painting the brick on a building in the entrance corridor was not a problem.

Ms. Lewis stated that she was convinced by the applicant's observation about adjoining properties being painted.

Mr. Tremblay had a strong sense of a property owner's rights particularly in a commercial district. He further stated if the restaurant had a theme they wanted to maintain, maintain the theme as long as it is not ridiculous. Ms. Ewing did not agree that the property owner's rights was part of the Board's mandate. Mr. Tremblay stated it was an aspect they had to respect and think about. Ms. Ewing wondered if, over time, the character of 29 couldn't become less of a strip condition and more of an urban condition; with this view changes should be considered in a long term perspective.

Mr. Knight agreed this was not a historic area and should not be held to historic standards. He did express concern that the stone was a little much.

Ms. Fenton agreed that protecting the brick was not significant. She did feel that the stone was out of place. She further stated that the concept of an entrance corridor was to protect and upgrade them.

Ms. Winner stated she felt that the proposed stone tied together the existing stone.

Mr. Tremblay made a motion for approval as submitted. Ms. Lewis seconded the motion. The motion failed in a 3-4 vote with Mr. Tremblay, Ms. Lewis, and Ms. Winner for; Mr. Coiner, Mr. Knight,

Ms. Fenton, and Ms. Ewing against.

Mr. Knight made a motion for approval of painting the brick, the new gooseneck style light fixtures, the new parapet, and the awning, but deny the stone on the central tower and southern end. Ms. Ewing seconded the motion. Ms. Fenton wanted clarification for not allowing the stone as part of the motion. Mr. Knight explained there was a character to that shopping center that is to be respected; painted brick is part of that character, stone is not. Ms. Fenton asked if the seconder accepted that. She did. Mr. Coiner asked if the stone veneer were not put on, would it stay brick or does it become painted brick.

Ms. Lewis asked if they were allowing the applicant to paint the tower. Ms. Ewing thought it would be better to have it consistent. Mr. Knight stated that all brick could be painted. He also asked if they should ask for an illustration of the color that would be used on the tower. Mr. Coiner stated it was more than just painting the existing tower. With the permission of the Board, the applicant explained that he came before the Board not over painted brick, he was there because the CEO of Ruby Tuesday wants that stone on every entrance in the country. That will be Ruby Tuesday's signature entrance. He further stated that if the stone was not added, they were still left with the fact that there is 25 feet of stone that makes no sense to anybody. The proposal gives a little bit of meaning to that piece that was put there. Ms. Fenton asked Mr. Knight if he were including a request to view the plans in the motion. He concurred. Ms. Fenton called the question. The motion for approval of all proposed aspects of the application except the stone passed with a 5-2 vote in which Ms. Winner and Ms. Lewis voted against the motion. Ms. Fenton explained to the representative that he had ten days in which to appeal the decision by going to City Council.

I. Certificate of Appropriateness Application

BAR 02-3-7

400 East Main Street/Enterprise Travel

Tax Map 28 Parcel 45

Amend BAR Approval for New Windows on West Elevation

Bill Dittmar, Applicant

Ms. Vest gave the staff report. Staff could find no conflict between the lintels and the design guidelines. Staff recommends approval.

Mr. Dittmar stated that everyone had said they wanted to see the color. The applicant a piece of the material made for the BAR. The other question had been what was the depth of the jack arches. He stated the dimensions were one inch for the main part, and the cornerstone is out another inch.

Ms. Fenton called for questions for the applicant. There being none, she called for comments.

Mr. Tremblay made a motion to approve the application as submitted. Ms. Lewis seconded the motion.

Ms. Fenton called for discussion of the motion. Ms. Ewing stated she could accept the jack arches, but not in stucco. She would approve with a change in materials. Ms. Winner asked if the stucco had not been approved previously. Ms. Fenton stated they had. Ms. Vest explained that the stucco had been approved for the building. Mr. Tremblay asked about the significance of going to stone versus stucco. The applicant explained that it would be impossible to use one of the materials; the only way to get a masonry lintel in would be to continue masonry up from the

existing brick which would require tearing off all of the existing brick and rebuilding the foundation.

Ms. Fenton asked if Ms. Ewing was offering an amendment to Mr. Tremblay's motion. Ms. Ewing concurred. Mr. Tremblay respectfully refused to accept the amendment. With no other comments on the motion, Ms. Fenton called the question. The motion passed, 5 to 2, with Ms. Ewing and Mr. Knight voting against.

J. Approval of Minutes: July 16, 2002

Ms. Fenton called for any changes to the July minutes. Ms. Lewis stated the proper name for the President of the Board of the Paramount Theater is Elsie Thompson.

Mr. Coiner made a motion to approve the minutes as corrected. Mr. Knight seconded the motion. Ms. Winner and Ms. Lewis abstained from voting, otherwise the motion carried unanimously.

K. Other Business

1. Election of Chair and Vice Chair Ms. Vest stated that she had heard from Ms. Heetderks who was willing to serve as Vice Chair again and would volunteer to serve in that position if the Board is interested.

Mr. Coiner nominated Ms. Fenton to serve as Chair.

Ms. Winner seconded the nomination. Ms. Lewis moved to close nominations. Mr. Tremblay seconded the motion. With Ms. Fenton abstaining, the Board unanimously re-elected her to serve as Chair.

Ms. Lewis made a motion to nominate Lynne Heetderks to serve as Vice Chair. Mr. Tremblay seconded the motion. The motion carried unanimously.

Ms. Fenton called for any further business not on the agenda.

Mr. Coiner asked Ms. Fenton if she had sent a letter to Preservation Piedmont about the misrepresentation in their newsletter about the building on West Main Street. She stated she had not; Mr. Atkins had been asked to write a letter instead.

Mr. Coiner also stated his belief that Dryvit had not been approved for Brown's Gift Shop. Ms. Vest stated that Dryvit had been part of the submittal.

Ms. Fenton stated in regard to that issue that when the Board makes an approval as submitted, motions should not be done, "as submitted," but mention specifically all the details.

Ms. Fenton asked Ms. Vest to e-mail the City Attorney's ruling on Mr. Coiner's motion to all members.

Ms. Ewing thought the BAR should have purview over the interior of buildings in which a historic structure was imbedded in its entirety. Ms. Vest explained that purview came from the state. She further stated that they would have to lobby the legislature to change it. Ms. Fenton suggested they lobby the City to come up with some plaques to go on the 86 designated buildings. Mr. Coiner sought clarification regarding Ms. Fenton's definition of "plaque." Ms. Fenton indicated the size and shape of plaque she had observed in West Virginia which numbered each house which was identified in a guide.

Mr. Coiner made a motion to adjourn. Mr. Tremblay seconded the motion. The motion carried unanimously, whereupon the meeting stood adjourned at 7:28 P.M.