

**City of Charlottesville
Board of Architectural Review
Work Session
April 1, 2003**

Minutes

Present:

Joan Fenton, Chair
Wade Tremblay
Joe Atkins
Allison Ewing
Syd Knight
Preston Coiner
Linda Winner
Lynne Heetderks, Vice-Chair
Cheri Lewis

ALSO PRESENT:

Mary Joy Scala, Neighborhood Planner
Ashley Cooper, Intern
Hunter Armstrong, Intern

Ms. Fenton convened the meeting at 5:05 p.m.

Matters from the public

Ben Ford, President, Preservation Piedmont, asked for discussion of the decision-making process, especially regarding adherence to guidelines.

Proposed Zoning Ordinance Changes

The Chair asked staff to go through comments regarding the proposed zoning ordinance changes.

Regarding references to "archaeological," Mr. Atkins suggested keeping it where it is now; trying to add more. Back it up with a line under standards and guidelines.

The Chair suggested leaving "archaeological" in there, and augmenting it later.

The Board of Architectural Review agreed that the title of the overlay district should remain, as it is now, not just "Historic Districts".

The Board of Architectural Review asked when new districts would be added to the ordinance.

Regarding the list of ADC Districts, the name should be consistent. Staff suggested adding "ADC" to the Ridge Street District, and calling the ADC the "North Downtown" ADC. Mr. Atkins said that the maps currently in the guidelines are poor.

Ms. Heetderks said to check the list of individually designated properties for accuracy. They should be alphabetized and street names used consistently.

She asked if the Board of Architectural Review could attach conditions (p. 22, (b) under certificates of appropriateness) and it was determined that it could attach conditions that are within the Board of Architectural Review's charge.

Mr. Coiner: on page 22, (5) change "unusual" to "distinctive".

Regarding what can be reviewed, keep language regarding review of roofs, siding, etc. language from current ordinance (Sept 4, 2001 amendment).

Get a legal opinion about adding "and reason why the building is historic" (the statement that came up during the Lankford application).

There was discussion about whether the Board of Architectural Review should look at the whole exterior or just that visible from public right of way.

Ms. Heetderks suggested "exterior visible from public right of way and also reason why historic."

Mr. Wade expressed concern about expanding the Board of Architectural Review's scope.

Ms. Lewis was asked to present this to the Planning Commission, along with a legal opinion, and the Board of Architectural Review would vote at its next meeting.

Remove end of (5) on page 22: Whether a building or structure is of such old or unusual distinctive design, texture and material; that it can be reproduced only with great difficulty if at all.

Page 23, regarding "unsafe structure" the Chair suggested that the building code official first talk with the Board of Architectural Review Chair – they want notification (dialogue). If not in imminent danger of killing someone, then consult.

Mr. Atkins suggested adding Standards for Considering "Applications for" Certificates of Appropriateness.

Add to introduction: "based on Secretary of Interior Standards and supported by the Design Review Guidelines."

Mr. Atkins suggested that this whole section (Standards) is light compared to what we had before. The whole group suggested going back to what we had before.

Page 24, Mr. Atkins discussed a disconnect between "in whole or in part" and the 25% rule making a demolition an alteration.

Under (c) (2) add "and encourage the protection of archaeological resources." Ms. Winner said this would raise peoples' awareness.

Under Standards for Considering Applications for COA for Demolitions:

Keep (1). (2) – (5) should be consistent with p. 22, (b) 1-7.

(5) should read, "Whether the building or structure is of such old or unusual distinctive design, texture and material; that it can be reproduced only with great difficulty and the degree to which..."

Page 25, Take out (d) "The potential uses, assessed value..." (unanimous)

Change (e) to read, "Whether, and to what extent, the applicant proposes means, methods or plans for moving, removing or demolishing a building or structure, in whole or in part, that preserves portions, features or materials that are significant to the property's historic, architectural or cultural value."

Take out (f) – these may be City Council's considerations, but are not Board of Architectural Review considerations.

Make the language regarding the one-year extension the same as current ordinance. (Ms. Heetderks had trouble with this one; everyone else liked the renewal.)

Page 27, add "This 60 day deadline may be waived at the discretion of the Chair of the Board of Architectural Review."

Under (c) change board of architectural "services" to "review." Change "drawings" to "exhibits."

Under (1) add "Sufficient and clear depiction of any" proposed changes....

Change "protected" to "subject" property. Add at end, "according to the exhibit requirements set forth in submittal requirements." Put submittal requirements in Design Review Guidelines.

(2) Change "protected" to "subject" and delete "where practicable."

(4) Put in submittal requirements – not needed for new construction.

Page 28, (3) remove shutters and add "storm" doors and "signs". Handle signs like current ordinance. If part of larger renovation plan, then the Board of Architectural Review should review. Need to add specific regulations for signs in West Main Street ADC – no internally lit signs. Address awnings in guidelines.

(c) Add ten "business" days.

(f) is OK.

Page 29, Change time period to act from 70 to 85 days. The Board of Architectural Review needs time to be able to defer once, and to allow for submittals that may come in just after a deadline has passed.

Page 30,

(a) There was discussion of "de novo" appeals.

(b) In any appeal involving the proposed moving encapsulation or demolition of a protected property, the city council shall consult.... (unanimous)

Page 31, Board of Architectural Review make up, 4 property owners and 5 experts. Recommend 2 architects, 1 landscape architect or contractor, 2 business property or business owners, 2 residential property owners or residents, 2 shall be historians or shall have substantial backgrounds in history or historic preservation.

Page 32, (6) Develop "and update". Take out, "the guidelines shall include..."

Put back 34-582 (maintenance) and 585 (civil penalty).

Get copy of whole proposed ordinance to BAR.

Discussion of Submittal Requirements

Add "evidence of existing shutters," " details on canopies."

When will these changes be implemented? Submittal requirements are to be added to the guidelines.

Take out all "if requested's." Keep "if requested" for site plan, top of Page 2.

For landscaping – list all proposed vegetation.

Change landscaping to "major site changes" and minor site changes."

For each site plan: scale, streets, orientation, roof plan, parking.

Discussion of Guidelines

A work session should be scheduled to discuss guidelines.

The work session was adjourned at 8:00 p.m.

**City of Charlottesville
Board of Architectural Review
April 15, 2003**

Minutes

Present:

Joan Fenton, Chair
Lynne Heetderks, Vice Chair
Wade Tremblay
Preston Coiner
Joe Atkins
Syd Knight
Cheri Lewis
Also Present:
Mary Joy Scala

Ms. Fenton convened the meeting at 4:58 p.m.

A. Matters from the public

Ms. Fenton called for matters not on the agenda.

Mr. Don Pruett, of Bruce Wardell Architects, came before the Board to speak to issues from the March meeting, which was on the list administratively. He provided samples of building materials for the Board as well as explaining how BAR requests had been met. Ms. Fenton sought clarification that the architects were seeking approval of the roof, the windows, and the siding. Mr. Pruett concurred. Ms. Fenton sought clarification that this matter was to come before the Board. Ms. Scala concurred, whereupon Ms. Fenton called for questions and comments from the Board.

Mr. Knight wanted to know what the current roof was. Mr. Pruett informed him it was asphalt shingles.

Mr. Atkins made a motion to approve the windows, the hardy plank siding and panel system and also the asphalt shingle roof as described; and that the BAR would expect to see a site plan when available. Mr. Tremblay seconded the motion, which carried unanimously.

B. Certificate of Appropriateness Application Deferred)

**BAR 03-02-04
420 East Main Street
Tax Map 28 Parcel 51
Renovation of Grand Piano and Furniture Building**

East Mall LLC, applicant
JD Architectural Studio, Ltd., Architects

Ms. Scala gave the staff report. This Certificate of Appropriateness Application had come before the Board in March at which time the applicant was proposing to add a third story. The revised plan was just to have the existing two-story building. The Main Street storefront would be altered; the applicant had provided two options. The opaque glass in the second floor windows would be replaced with clear glass. The windows on the Fifth Street side would be casement with side hinges. The existing red painted overhead door on the Fifth Street side would be removed and replaced with a new storefront with a striped awning. The existing block and brick exterior would be painted the same putty color. The existing elevator penthouse would be removed and a new stair enclosure added on the roof. Staff recommends option A provided by the applicant.

Ms. Fenton called for the applicant to speak. The applicant, who did not identify himself, explained that the previously proposed addition would not be cost effective.

Ms. Fenton called for questions from the public and then from the Board.

Ms. Lewis asked if the new door would be plate glass. The applicant concurred.

Mr. Atkins asked if the existing storefront would be saved and adapted. The applicant explained that where the new window was going in, there probably would have to be change, but they would attempt to match what was there.

Ms. Fenton called for comments from the public and the Board.

Mr. Knight made a motion to approve, as submitted, scheme A on the plan for the storefront. Mr. Coiner seconded the motion. Mr. Atkins stated it was the best solution. The motion carried unanimously.

C. Certificate of Appropriateness Application (Deferred)

BAR 03-03-03
400 East Jefferson Street
Tax Map 53 Parcel 46
Renovations
Candace deLoach, Applicant/Sheeran Architects

Ms. Scala gave the staff report. The Board members had a written list of all previous actions with certain items in bold type, which needed action from the Board. The applicant submitted three versions. Ms. Scala displayed version 1, which had straight spindle railings and shutters. The applicant preferred version 2 with X railings and detailed shutters. Version 3 has straight spindles and no shutters, which had received BAR approval with the condition that details were to come back in scaled drawings. The applicant also submitted a sketch of the proposed decorative wood stair brackets and handrail. Approval is sought for the porch columns, railing

details, stair railing and brackets, shutters, gas lantern and posts, driveway arch and lantern details. Staff previously recommended the straight spindle -- Ms. Scala thought the decorative stair brackets were too elaborate, but possible -- a simple gas lantern post design, a simple metal arch over the driveway and as the shutters may not be original but are easily added and removed, a compromise would be to add them only on the East Jefferson side; on the Fourth Street elevation, two shutters do not fit on the center window and that elevation particularly looks nice without the shutters. Ms. Scala stated those were still her recommendations.

Ms. deLoach presented the Board with photographs of the actual lanterns. The lanterns are from the same period as the house.

Ms. Fenton called for questions from the public and then the Board.

Mr. Knight asked if the pickets on the porch railing were drawn to scale since they didn't seem to match the existing. Ms. deLoach explained they would match the back porch.

Ms. Fenton called for comments from the public and then the Board.

Mr. Coiner requested that the Board handle the elements one at a time.

Mr. Coiner expressed concern over the use of aluminum support at the bottom of the columns since it would be unattractive. Ms. DeLoach agreed with Mr. Coiner but stated the architect had proposed that. Mr. Tremblay asked if a less obtrusive, white aluminum was available rather than the metal finish.

Ms. Heetderks stated that the straight spindles seemed more appropriate for the facade. Mr. Tremblay stated it seemed that a front porch would be more ornate than a back porch. Ms. Heetderks asked if the applicant would be willing to do an X spindle on the front but not on the back. Ms. deLoach stated that was a great compromise. Mr. Coiner stated he would not support the X railings either way. He further stated the BAR had, in the March meeting, taken the action that straight spindles would be better. Ms. Lewis stated that the X spindles accentuate the asymmetry of the front facade; she stated spindles would be better than the Xs on the front.

Mr. Tremblay made a motion to approve the door columns as presented with the X rails in the front and the straight rails on the back, as they currently exist, with the wood base rather than aluminum. Mr. Atkins seconded the motion. Mr. Knight made a friendly amendment that the applicant matches the size and spacing of the pickets on the back porch. Mr. Tremblay and Mr. Atkins accepted the friendly amendment. The motion passed with a vote of 4-3 with Ms. Heetderks, Mr. Coiner and Ms. Lewis voting against.

Ms. Fenton called for discussion of the metal stair rail. Ms. Scala stated she had originally recommended that the scrolling brackets were too elaborate. The Building Code official felt the proposed rail was fine and would not apply the current guardrail requirements to it since the building did not originally have guardrails. Mr. Coiner did not like the proposal. Mr. Tremblay saw it as an unobtrusive element, which could be removed in the future.

Mr. Tremblay made a motion for acceptance of the decorative stair element minus the rail. Mr. Atkins seconded the motion. Mr. Tremblay adopted his resolution to include the rail at the owner's discretion as a safety measure. Mr. Atkins concurred. The motion failed with a 2-5 vote with Mr. Tremblay and Mr. Atkins voting in favor.

Ms. deLoach stated the current rail was not original and would accept suggestions for something better. She asked if the Board would prefer a simple iron rail. Ms. Lewis stated she was in favor of keeping a rail there for safety reasons. Ms. Fenton clarified that the problem was with the ornateness of the proposal.

Ms. Lewis made a motion that the decorative stair element be approved administratively by staff. Mr. Coiner seconded the motion. The motion carried unanimously.

Ms. Fenton called for discussion on the shutters. Ms. Heetderks stated that Section 4, Paragraph A, Number 8 of the guidelines still applied: Use shutters only on windows which show evidence of their use in the past. Mr. Knight asked if shutters could be used on the first floor of the Jefferson Street side. The applicant stated her preference for putting shutters on the front elevation rather than just partially on the side.

Ms. Lewis made a motion for shutters on the front, East Jefferson Street side elevation as shown in the drawing and to deny shutters on the Fourth Street side and the rear. Mr. Knight seconded the motion, which carried unanimously.

Ms. Scala clarified that shutters were denied on the other elevations due to the guidelines.

Ms. Fenton called for discussion on the lanterns.

Ms. Lewis made a motion to approve the lanterns. Mr. Atkins seconded the motion. Ms. Heetderks sought clarification that the lanterns had been approved subject to how the gas would get to them. Mr. Atkins offered an amended motion to approve the specific lanterns with administrative approval of how the gas would get to the lantern. Mr. Coiner seconded Mr. Atkins motion. The motion carried unanimously.

Ms. Fenton called for discussion on the dormer window.

Ms. Lewis moved for approval of the dormer window. Mr. Coiner seconded the motion. Ms. Heetderks clarified that the basis for the previous denial was the guideline which specified that there should be no new openings cut. Mr. Coiner stated they had approved taking out the vent. Mr. Atkins suggested that removing the vent and replacing it with a window was an improvement. The motion carried with only Ms. Heetderks voting against.

Ms. Lewis commended the applicant for her attention to authentic materials.

D. Certificate of Appropriateness Application

BAR 03-03-04
603 Watson Avenue
Tax Map 47 Parcel 43
Addition
Timothy and Jody Pruett, Applicants
W. Douglas Gilpin, Jr., Architect

Ms. Scala gave the staff report. The applicant had come before the Board in March just for discussion purposes and now comes before the Board seeking approval for an addition to the rear of the dwelling. Positive comments were made at the March meeting. However, there had been concern that the addition was not subordinate to the main house. Staff recommends the addition as submitted.

Mr. Douglas Gilpin stated the submitted plan had not changed from what was discussed in March. The addition increases the house size by 28 percent. The extension will not go out as far as shown in March; it will be ten feet less. The addition will be visible infrequently due to a holly tree.

Pella windows and doors will be used. Mr. Gilpin supplied the Board with a sample of the Pella system. The roof of the octagon would be copper. Mr. Gilpin provided the members with some photographs of buildings in the historic district with octagonal forms.

Ms. Fenton called for questions from the public and then the Board.

Mr. Coiner sought clarification of the area next to the stairs on the floor plan. Mr. Gilpin stated there had been a partition there which would be a recessed stucco panel. Mr. Coiner also asked if the stairs would be white-painted wood. Mr. Gilpin concurred they would. Mr. Coiner asked if they would be pressure treated wood. Mr. Gilpin explained that it would be a good wood since he steers away from pressure treated material.

Ms. Lewis asked if the breakfast area by the recessed panel would be wood. Mr. Gilpin explained it would be brick.

Ms. Fenton called for comments from the public and then the Board.

Ms. Lewis stated that the owners/applicants were clients of a company in which Ms. Lewis has an interest but she has no pecuniary interest in the application.

Mr. Coiner stated that Mr. Gilpin had distributed a picture of his house during the presentation.

Mr. Knight expressed concern over the forms used and the complexity of the addition compared to the simplicity and elegance of the original house. Mr. Knight felt it violated the guideline that asks that the original not be overwhelmed.

Mr. Atkins agreed with Mr. Knight. He felt the prominence of the octagon receded relative to the main house because of the holly tree. Mr. Knight stated the holly tree could not be relied upon.

Mr. Knight further stated that vegetation should not be used to mask obtrusive elements on the building.

Mr. Tremblay made a motion to accept as presented. Mr. Coiner seconded the motion, which carried with only Mr. Knight voting against.

E. Certificate of Appropriateness Application

BAR 03-04-01

216 Water Street

Tax Map 28 Parcel 84

Window and Door Changes

Oliver Kuttner, Applicant/David Kariel, Architect

Ms. Scala presented the staff report. This is a late 19th-early 20th century commercial building extensively altered in 1975 and in 1993. The proposal is to bring forward the existing recessed storefront in the fourth bay on the Water Street elevation and to replace the existing double door with two doors, sidelights, and transoms. On the east elevation the proposal is to add a new painted metal fixed window similar to the ones on the top on Water Street. Sidelights and a transom will be added to the existing double doors on that side. The proposal for the west elevation is to add a new painted metal fixed window. Changes are meant to improve the store's lighting and make them more retail friendly. Staff found issue with whether the new entry on Water Street should have the masonry bulkhead area continued and whether the new window design is appropriate on a storefront level and whether the west entrance should look similar to the other storefront entrances. Staff recommends approval with the suggestion that the existing masonry bulkhead be continued along the new storefront on Water Street. Staff recommends approval of the other two elevations as submitted.

Oliver Kuttner stated they had not thought about the masonry bulkhead but thought staff's recommendation was much nicer than what was proposed. He further stated they would not do the window on the east side due to the opening of a restaurant on that side.

Ms. Fenton called for questions from the public and then the BAR. There being no questions, Ms. Fenton called for comments from the public and then the Board members.

Board members sought clarification as to what area Ms. Scala meant by "bulkhead." Ms. Scala used the proposal to indicate which area she meant. Mr. Atkins sought clarification about the configuration of doors in light of the suggestion of staff. Ms. Scala and Board members made use of the drawings to clarify the issue. Additional explanations to questions raised from the indications were also indicated on the plans.

Mr. Knight sought clarification that the window would not be done on the east side. The applicant concurred. Mr. Knight sought clarification that the window on the west side would be a duplication of the second story windows. Mr. Kuttner explained that, if not the same size, it would be the same ratio.

Mr. Knight made a motion to approve the application as revised during the discussion. Ms. Fenton asked if he would like to clarify his motion. Mr. Knight explained that the revision was the bulkhead mentioned by Ms. Scala as well as the change to the doors and the elimination of the window proposed for the east side. Mr. Atkins seconded the motion. The motion carried unanimously.

F. Certificate of Appropriateness Application

BAR 03-04-02

120 13th Street NW

Tax Map 10 Parcel 23

Addition to CBS Building

Jim Stultz, Applicant

Ms. Scala gave the staff report. The CBS Building was approved on a site plan in 1996. The building contains a nine bedroom boarding house and 600 square feet of office. The proposal is to replace the existing three parking spaces with 486 square feet of additional office space. The new addition will look just like the building above it and around it. The brick, windows and placement are all consistent with the existing structure. Staff recommends approval as submitted.

Ms. Fenton asked if anyone on the Board had any problems with the submittal. There being none she asked if the public had any problems.

Ms. Lewis made a motion to approve as submitted. Mr. Knight seconded the motion, which carried unanimously.

G. Certificate of Appropriateness Application

BAR 03-04-03

700 Harris Street

Tax Map 35 Parcel 132

Remove Metal and Brick Rear Additions

Randall Leach, Applicant

Ms. Scala gave the staff report. The proposal is for the removal of two separate additions to the rear of the Armstrong Knitting Factory; one is metal, the other is brick. A chimney enclosed within the metal addition would not be removed. The main building was restored in 1988 for office use. The existing additions are no longer in use for their original industrial purpose and the owner would like to make more room behind the building and make it look more attractive. The metal addition was built in 1969 and does not contribute to the architecture or historical significance. However, the brick addition is contributing therefore the criteria for demolition has been considered. Staff recommends that the brick addition should not be removed. Staff recommends that the metal addition should be removed taking care to protect the chimney.

Mr. Randall Leach stated that the original intent of the brick portion was for coal storage for the boiler, which has been removed. The applicant was trying to bring the building back to what the

simple architectural lines were meant to be. Mr. Leach also explained that the winter snow had caused a portion of the roof to cave in.

Ms. Fenton called for questions from the public and then the Board.

Ms. Heetderks asked for a range of dates for the brick addition. Ms. Scala stated there were two parts to the brick addition. One was shown in 1896. Another brick addition was shown in the 1929-'57 Sanborn map. Ms. Scala stated her belief that the older part was original to the building, or added shortly thereafter. Mr. Leach added that none of this could be seen from anything unless you drive back to the parking area for the building.

Mr. Atkins sought clarification as to which was the older part. Mr. Leach used the diagram to answer Mr. Atkins query. Mr. Leach further explained that the original face of the coal storage was removed when the smaller additions were added.

Mr. Coiner stated he had been unable to visit the site and would have to vote to deny both demolition requests without seeing the site.

Ms. Lewis sought clarification regarding the jurisdiction of the BAR in this matter. Ms. Fenton stated the Board had purview over demolition requests even if the proposal could not be seen. Ms. Heetderks stated the purview also extended to those elements of the building, which are considered historic. Ms. Heetderks further argued that the building was historic because it was one of the only remaining factory buildings, and these additions were a visible part of the factory.

Ms. Fenton asked if the Board needed to see the structure before making a decision. Mr. Coiner felt it was necessary to be able to make a good decision.

Mr. Tremblay stated the metal structure seemed extraneous.

Ms. Lewis asked if the chimney could stand on its own without the support of the metal structure. Mr. Leach stated it had been looked at and found to be structurally sound.

Ms. Heetderks asked how a visit would help with deciding on the metal structure. Mr. Coiner stated it would help him understand the age of the structure. Mr. Leach stated it would be helpful for the members to come out.

Mr. Coiner made a motion to defer action on the entire project until the next regularly scheduled meeting so the BAR could visit the site. Mr. Atkins seconded the motion. Mr. Atkins asked if the motion precluded a motion to allow demolition of the metal structure. Upon learning that it would, Mr. Atkins removed his second.

Ms. Heetderks made a motion to approve the demolition of the metal structure with the chimney being protected and preserved. Ms. Lewis seconded the motion. The motion carried with only Mr. Coiner voting against. Mr. Coiner made a motion to defer action on the demolition of the

brick portion until those who wish to do an on-site inspection do so. Mr. Atkins seconded the motion, which carried 6-1 with Ms. Coiner voting against.

Ms. Fenton asked that the applicant speak with Ms. Scala to set up times when the members could inspect the site since they could not all visit at the same time without notice to the public. Ms. Lewis stated she would be in favor of a two or three hour time period which would be publicly noticed so that the public would have an opportunity to see the site. Ms. Lewis further stated a demolition is a serious application and she would prefer that it be publicly noticed if the BAR is going to be doing a site instead of sneaking in two at a time. She wanted it publicly noticed because that puts the BAR in compliance with the Freedom of Information Act in Virginia.

The members of the Board recessed for a short break at 6:26 p.m.

Ms. Fenton reconvened the meeting at 6:33 p.m.

H. Certificate of Appropriateness Application

BAR 03-04-06

200 West Water Street

Tax Map 28 Parcel 79

Mono Loco Addition

Wolf Ackerman Design, LLC, Architects

Ms. Scala gave the staff report. The building was originally built for a garage in 1935. It was converted to a restaurant in 1979. Mono Loco has occupied the building since 1996. The proposal is to add a new dining room in front of the existing restaurant, taking up half of the existing patio area. The patio will include a new trellis, new fence and new planting beds. The new dining room is oriented east with large windows facing Second Street Southwest. The Water Street elevation is dominated by the blank wall of the chimney. The existing tree in front of the chimney area will be saved. The new patio is enclosed with low walls and a trellis above. A new landscaped island will separate the patio from the parking area. Ms. Scala wondered if the structure was significant enough to warrant preservation of its current form and whether an addition can be accomplished that preserves and showcases that form. Other issues are how the building relates to the downtown historic district, specifically the architecture of Water Street. Staff recommends that other site configurations and building designs be explored.

Dave Ackerman spoke to the thinking behind the organization of the addition. The addition was determined by the existing layout of the restaurant.

Ms. Fenton called for questions from the public and then the Board.

Ms. Heetderks asked what was behind the building. Mr. Ackerman explained the area in question was an alley, which showed part of ProTax. Ms. Heetderks sought clarification that the alley was not owned by Mono Loco. Mr. Ackerman affirmed that it was not.

Mr. Atkins asked if they had considered making the addition on the Second Street side. The applicant stated it had been discussed but the proposed addition allowed a connection between the dining room and kitchen which would be difficult if the addition were on the Second Street side.

Mr. Atkins asked if it would be better to treat this as a preliminary look to approve the basic concept and the massing. Mr. Ackerman agreed. Ms. Lewis expressed concern about the procedural timeframe allowed under City Code. Mr. Atkins clarified that he meant granting approval or denial based on a range of topics with the applicant to bring back certain details.

Mr. Coiner stated that he considered the building to be significant.

Ms. Fenton called for comments from the public. She then called for comments from the Board.

Ms. Lewis stated she would like to see an addition go below the Art Deco elements of the building.

Ms. Heetderks agreed with Ms. Lewis. The building is considered historic due to the Art Deco elements.

Ms. Fenton concurred with Ms. Heetderks and Ms. Lewis.

Mr. Tremblay asked if there were an alternative area

for expansion while leaving the Art Deco elements exposed.

The applicant was not sure if an alternative would work as well.

Mr. Knight expressed concern over segmenting the front facade.

Ms. Heetderks asked if there had been any discussion about a roof top patio. Mr. Ackerman replied in the negative.

Ms. Heetderks stated it was the Board's purview to protect historic buildings. She further stated that, while sympathetic to the restaurant's need to expand, she felt the Board needed to protect the historic structures and the historic elements of the protected district.

Ms. Lewis made a motion to deny the application on the grounds that it violates the guidelines particularly that new additions should not destroy historic materials that characterize the property, and, according to another guideline, materials, windows, doors, architectural details and colors need to be compatible with the rest of the historic district. Mr. Coiner seconded the motion. Mr. Atkins stated that Ms. Heetderks' had brought up a good point in her statement about the role of the Board and the responsibility towards historic structures and change of use was appropriate. He further stated it was appropriate here except in matter of degree in that this was a garage. The motion carried with Mr. Atkins, Mr. Knight and Mr. Tremblay voting against the motion.

I. Certificate of Appropriateness Extension Request

BAR 02-3-8

622 West Main Street

Tax Map Parcel 29-2

Demolition of 622 West Main Street (Priority Press Building)

RBGC, Architects/First Baptist Church, Applicants

Ms. Scala gave the staff report. She had received an opinion from Lisa Kelly regarding what should be considered on this matter. Once the BAR approves an application, it's decision becomes final ten days after the date of the decision unless an aggrieved person exercises his right of appeal. Once the decision becomes final, the person to whom the CRA was issued is entitled to rely on that decision for the time he had specified -- that is, one year. Section 34, 570 B prescribes the circumstances under which the Certificate of Appropriateness may, beyond one year, be granted and that is for "reasonable cause, either the Director of Neighborhood Development Services or the BAR may extend the validity of any such certificate for a period not to exceed one year." In Ms. Kelly's opinion the circumstances appropriate for consideration in determining whether there is a reasonable cause for extension are those which inform the BAR as to why a building permit was not yet obtained or if no building permit is required why construction has not yet substantially begun. There could be any number of circumstances the Director or BAR might deem a showing of reasonable cause. If the BAR is not satisfied that reasonable cause exists, then it may deny the request. Ms. Scala has reviewed the letter of request and recommends approval of the extension for one year due to factors listed in the letter of request from the applicant.

Mr. Tony Brooks, of First Baptist Church, stated that there had been issues with fundraising. He further stated they were still in negotiations with the existing tenant, Priority Press. Mr. Brooks stated they were in the process of taking out a construction loan.

Mr. Will Herzog, of RBGC, stated that they would be submitting a letter to be placed on the May agenda to present the schematic design.

Ms. Fenton called for questions from the Board.

Ms. Lewis asked what percentage of funding had been raised. Mr. Brooks stated they were at the ten percent goal. Ms. Lewis asked if funding sources would only be by donation from church members and others. Mr. Brooks stated they were pursuing grants also.

Mr. Coiner asked about a letter stating that the project would be completed at the beginning of 2004. Mr. Herzog explained that it should have said the design would be completed by that time.

Ms. Fenton called for comments from the public and then the Board.

Mr. Atkins sought clarification of what would happen if the extension was granted and the project was not completed. Ms. Scala and Ms. Fenton stated the process would start again.

Mr. Coiner stated he was prepared to support the motion. However he would ask, as a favor and not as a condition for approval, that no demolition begin until construction was prepared to go forward.

Mr. Tremblay asked about the projected range for renovations. Mr. Brooks informed him it was four to four and-a-half million.

Ms. Heetderks stated she would abstain from the vote because she felt that the Certificate of Appropriateness should not have been granted in the first place.

Mr. Tremblay made a motion to grant a one-year extension. Ms. Lewis seconded the motion. Ms. Lewis also asked that the motion state that reasonable cause was shown. The motion carried with Ms. Heetderks abstaining.

I. Matters from the public

Ms. Fenton called for any matters from the public not on the agenda. There were none.

J. Approval of Minutes -- March 18, 2003

Ms. Fenton called for approval of the minutes. Ms. Heetderks felt that it should read Draft Minutes at the top. Ms. Heetderks stated she was present for the meeting although not listed as such. Ms. Heetderks also stated that on page 14 where it states she "expressed concern that the BAR was a little too accommodating of adaptive reuse," her point was that adaptive reuse is actually the best thing that could happen to the buildings downtown. Her concern is that they are too accommodating of people who want to adaptively reuse buildings to purposes for which the buildings are not suited and therefore the buildings have to be fundamentally changed or destroyed to accommodate those purposes. Ms. Heetderks stated she was in no way, shape or form against adaptive reuse. Mr. Knight stated that on page 12 it said that, "Mr. Knight stated he was generally impressed by the design." He was not. He asked that it be stricken. Ms. Heetderks stated that on two pages, 6 and 11, where the vote added up to seven people and eight were present – that was not her.

Ms. Heetderks made a motion to approve as amended. Mr. Knight seconded the motion, which passed unanimously.

Ms. Heetderks expressed concern that draft minutes were being released to the public. She further expressed concern that draft minutes were posted on the City website. Ms. Scala stated that she was not posting the minutes until approved by the BAR. Ms. Scala stated that she revises the minutes and sends them to the secretary who formats them and then the minutes are posted on the web.

Mr. Coiner stated that he had previously stated that the BAR could not take action at work sessions because they had been told that by a former staff person. He further stated that Ms. Lewis has clarified that they can take action at any meeting. Ms. Lewis stated she had asked Ms. Kelly to do a workshop on legal issues.

Mr. Coiner stated that in the past, in May, they had been asked to nominate an individual or a property for a preservation award. He thought they should reactivate the policy. Ms. Lewis stated that the Planning Commission had started to award individuals and neighborhoods.

K. Administrative Approvals

Ms. Fenton did not call for the administrative approvals listed on the agenda.

L. Other Business

Ms. Fenton called for other business.

Ms. Scala was asked if the BAR's specifications were included in the newly revised zoning ordinance. She stated she had not been able to check. Ms. Lewis stated there was a work session on Palm Sunday. Ms. Lewis commended Ms. Scala for her great job of communicating those to the City Attorney. Ms. Fenton asked Ms. Lewis to send an E-mail to Ms. Scala of her notes of the work session for further distribution to the BAR members. Ms. Lewis was unsure she would be able to, but would try.

Ms. Scala stated that Ron Higgins was having the interns prepare a presentation for the Board on the current survey work, which is being done. They would like to do that at the same work session when the guidelines are discussed.

M. Adjournment

Mr. Coiner made a motion to adjourn. Mr. Atkins seconded the motion, which carried unanimously whereupon the meeting stood adjourned at 7:26 p.m.