

**City of Charlottesville
Board of Architectural Review
July 20, 2004**

Minutes

Present: Also Present:

Lynne Heetderks, Vice Chair
Mary Joy Scala
Preston Coiner
Joe Atkins
Syd Knight
Cheri Lewis
Katie Swenson
Fred Wolf

Ms. Heetderks convened the meeting at 5:00 p.m. She noted that the agenda read: After presentations by staff and the applicant, members of the public will be allowed 2 opportunities to speak. The Chair will ask if anyone from the public has questions of the applicant in an attempt to understand the project. After questions are closed, the Chair will ask if anyone from the public has comments. Members of the public will have up to 3 minutes per person to comment. Comments should be limited to the exterior design of the building and site.

A. Approval of Minutes

Ms. Heetderks asked if there were a motion to move the approval of the minutes to the end of the agenda. Mr. Atkins so moved; Mr. Knight seconded the motion. Ms. Heetderks called the question by acclamation. The motion carried, 6-1, with Ms. Lewis voting against. Ms. Lewis stated that she has expressed to Ms. Fenton and to staff that she was concerned that they get behind in minutes and the minutes are important especially when decisions of the Board are being appealed; she had asked that approval of the minutes be moved to the beginning of the agenda and Ms. Fenton and Ms. Scala had agreed with that.

B. Matters from the public (please limit to 5 minutes)

Ms. Heetderks called for matters not on the agenda. There were none.

Ms. Heetderks introduced the newest Board member, Fred Wolf, an architect with Wolf Ackerman. Mr. Wolf was completing the term, which had been held by Ms. Ewing who had resigned due to time constraints.

Ms. Heetderks informed those present that the Certificate of Appropriateness Application for the Transit Center had been removed from the agenda; it would instead be on the August 17th agenda.

Ms. Heetderks stated there would be a ten to 15 minute break after agenda item G.

C. Preliminary Discussion

Ridge Street and Cherry Avenue

Ms. Scala gave the staff report. The applicant was requesting a second preliminary discussion. The applicant had submitted: a perspective view, elevation drawings on Ridge Street and Cherry Avenue, a photographic montage of views on Cherry Avenue looking towards Ridge and Fifth Street, Southwest, and a conceptual site plan. Letters had been received from Preservation Piedmont and Toni Rhodes.

Mr. Bill Atwood, architect for the project, was present. Another plan had been generated after input from the Board, City Council, and neighbors. He made use of the original and current sketches to demonstrate differences between the two. The concept was to push forward and reinforce the corner leaving an urban forest. More green space had been added back to the corner. The cottages between the two projects would be redesigned after discussion with a tree expert.

Ms. Heetderks called for questions from the public.

Ms. Antoinette Rhodes stated that three of the lots belonged to the City; the applicant did not have a contract on them and there was no guarantee the applicant would get them. She wanted to know why the plan showed substantial building on those lots. Mr. Atwood explained that they only had drawing rights; there had been no discussion of ownership on those lots.

Ms. Rose also asked what was being done to preserve the cemetery located in that area according to an 1883 deed. Mr. Atwood stated the original property owner was researching that. As the architect, he had no design solution for it at the moment.

Ms. Heetderks called for questions from the Board.

Mr. Atkins wanted to know how the plan compared to the guidelines in regard to scale, massing, set back and spacing. Mr. Atwood made use of drawings to answer Mr. Atkins.

Ms. Swenson asked if Mr. Atwood had met with Preservation Piedmont. He had not. Mr. Atkins clarified that the most recent letter from Preservation Piedmont had been in regards to the cemetery.

Mr. Coiner sought clarification as to how much of the project was under BAR review. He was told only those parcels fronting on Ridge Street.

Ms. Lewis asked if the project would be subject to Entrance Corridor Review. Ms. Scala confirmed that the project was under dual jurisdiction. Ms. Lewis asked if the matter would be going before the Planning Commission. Mr. Atwood stated a preference for a preliminary discussion with the Charlottesville Planning Commission.

Ms. Heetderks called for public comment. There being none, she called for comments from the Board.

Mr. Wolf expressed concern about the massing.

Mr. Atkins thought the cemetery needed to be accounted for. He also expressed a preference for a three and-a-half rather than a four and-a-half story building based on the spacing and massing guidelines. He had reservations about the parking access. However, he applauded the way the roofs were being patterned after adjacent roofs; he did suggest not copying the exact pitch.

Mr. Knight appreciated the movement made on the corner with reducing the scale. He did see issues with scale and setback when consulting the guidelines. He favored the idea of a front yard and the established neighborhood pattern with its already established residential character.

Ms. Swenson felt one of the issues was that all of the homes were the same with the same materials which would create a larger mass which led her to wonder if the buildings needed to be the same. She suggested looking into issues of complexity of form and diversity, which was a treasure of Ridge Street.

Ms. Lewis found this arrangement of buildings much improved from the previous arrangement. She felt the applicant was meeting or getting closer to the guidelines. She did agree that it seemed to lack a front yard. She would like to see more street level detail. She expressed satisfaction that the applicant and City staff would address the cemetery issue.

D. Preliminary Discussion

Sally Port for County Courthouse at Court Square

Ms. Scala gave the staff report. The applicant was requesting a preliminary discussion regarding a proposal to locate a new Sally Port behind the Albemarle County Courthouse. The proposal was not clearly shown on the preliminary drawings. It would consist of an excavated and entirely enclosed cage access through a gate from a new entrance on High Street. It would require demolition of an older wall and part of the newly completed wall.

Mr. Paul Muhlberger, Chief of Public Works for Albemarle County, explained that a Sally Port is a historic facility for loading and unloading prisoners. The current process is unsafe. The County would like to move forward with the plan but wanted to receive feedback from the Board of Architectural Review.

Mr. Jeff Stodgill, of PMA Planners & Architects, explained that the Sally Port would not be a razor wire enclosed space with chain link. The proposed Sally Port would be garden walls and wrought iron.

Ms. Heetderks called for questions and comments from the public.

Mr. Ben Ford, of Preservation Piedmont, presented the members with a letter from Preservation Piedmont, which was concerned about the potential of construction to adversely impact archeological resources. He urged the Board to recommend that a professional archeologist be brought in to determine if archeological resources are in the current proposed footprint.

Ms. Heetderks called for questions and comments from Board members.

Mr. Atkins felt the steps at the side of the Courthouse needed to be preserved at all costs. Mr. Muhlberger stated the new scope of work did not impact the steps.

Mr. Knight asked if brick veneer would be used on the interior to match the new site walls. Mr. Muhlberger felt that would be the least intrusive and most compatible method.

Mr. Wolf asked if there were any way to maintain the leading edge of the existing arch. Mr. Stodgill stated they could explore that; he had felt the arch did not fit into the pattern of design of those buildings.

Mr. Wolf suggested reversing the swing of the gates and keeping the back wall at the chiller pit wall.

Mr. Atkins agreed that would be a preferable arrangement to shorten the length of the sally port and to reverse the swing of the gates.

Mr. Knight strongly recommended an archeological survey of the site. He appreciated the willingness to match the materials being used on the enhancement project. He felt it was safer to swing the gate inward.

E. Certificate of Appropriateness Application

BAR 04-07-01

400 Ridge Street

Tax Map 28, Parcel 153

Addition of rear fence

Mark S. Check, Applicant

Ms. Scala gave the staff report. The Board of Architectural Review had previously approved an application for a six-foot high privacy fence in the rear yard along the property line. The applicant was now requesting a four to six foot high fence facing Dice Street, running from the existing privacy fence on the rear property line. The fence would be four feet high before reaching the front column. Staff felt it would create a usable space in the backyard.

The applicant had nothing to add.

Ms. Heetderks called for questions from the public.

Mr. Reginald Butler, a Ridge Street resident, felt the fence was visually in the historic district. The fence seemed to be a barricade; he had suggested to the applicant that the use of alternating boards would give less of an appearance of a barricade.

Ms. Antoinette Rhodes, of 406 Oak Street, concurred with Mr. Butler that a shadow box fence would be more traditional and appropriate.

Ms. Heetderks called for questions or comments from the Board.

Mr. Coiner sought clarification regarding the location of the fence. Mr. Check stated it would go to the column. He also stated that he planned to do a double-sided fence rather than an alternating fence, which he had felt, would lose privacy.

Ms. Swenson observed that projects in the view shed of the historic district needed to be satisfied by the Board of Architectural Review. She also stated her belief that some localities require fences to be built good side out.

Mr. Atkins encouraged planting to screen the fence.

Mr. Atkins moved to approve the fence as presented with the clarification that it abuts the pier closest to Dice Street rather than the corner of the house; and beyond that encourage the reasonable compromise between the two owners to make everyone happy with a double sided fence also on the other side. Mr. Knight seconded the motion. The motion carried unanimously.

F. Certificate of Appropriateness Application

BAR 04-07-02

127 Chancellor Street

Tax Map 9 P 36

Partial Demolition -- Removal of two chimneys

Mary B. Streuble, Applicant

Ms. Scala gave the staff report. The applicant is requesting two existing chimneys be removed from the Kappa Alpha Theta sorority house. The house has a gambrel, which is a unique feature to the house. One chimney has a severe lean and has lost mortar; the second chimney is beginning to lean and is showing similar damage as the first one. The gambrel roof, as a unique feature, makes all the components, including the chimneys, integral to the overall character of the property. Staff recommends the applicant try to repair and stabilize the chimneys rather than removing them.

Ms. Mary Streuble, representing the Delta Chi Facility Corporation of Kappa Alpha Theta, presented the Board with a letter of opinion from Sylvester Herring Mason, which contained the cost estimates of removing and reconstructing the chimneys. She stated one of the chimneys would fall and could kill someone. There was a fair amount of pedestrian traffic past the chimney; something must be done. Perhaps 50 percent of the bricks could be salvaged. The

chimneys had not been used during the 28 years of Delta Chi Facility Corporation ownership. Removal of the chimneys would be \$11,275; reconstruction would be \$14,940.

Ms. Heetderks called for questions and comments from the public. There being none, she called for questions and comments from the Board.

Mr. Knight asked if there were any use for either of the chimneys. Ms. Streuble stated there was not.

Ms. Heetderks reminded the Board that the Guidelines for Rehabilitation Design Review state that one should retain elements such as chimneys, skylights and light wells; that guideline had been used in the June meeting to deny a request. Ms. Heetderks also stated the chimneys were quite visible from Rugby Road.

Mr. Atkins concurred with Ms. Heetderks that they needed to be careful with requests for removal. He stated the extra few thousand dollars relative to the property is relatively small, although recognizing the value of money, relative to the value of the property is not a convincing argument. The visibility of the character defining quality of the building was his main issue.

Mr. Coiner felt the additional money gave the applicant the opportunity to make the fireplaces functional.

Mr. Wolf felt the chimneys were important to the infrastructure of the house.

Ms. Lewis dissented. She felt the smaller chimney did not contribute to the style and character of the building.

Ms. Heetderks stated the proposal violated Design and Review Guidelines for Demolition numbers 4, 6 and 7.

Mr. Knight moved to deny the application for partial demolition based on Design Review Guidelines for Demolition 4, 6 and 7 as well as Design Review Guidelines for Rehabilitation. Mr. Coiner seconded the motion. The motion carried, 5-2, with Ms. Lewis and Mr. Atkins voting against. Ms. Heetderks informed the applicant of her right of appeal to City Council. Ms. Streuble was also informed that a rehabilitation request could be approved administratively.

G. Certificate of Appropriateness Application

BAR 04-07-03

305 East Jefferson Street

Tax Map 33, Parcel 207

Addition of new walk-up ATM and portico/Partial demolition of door surround

Frank Ebbert, Applicant

Ms. Scala gave the staff report. The applicant was proposing a new walk-up ATM machine, as well as a new portico and walkways. The portico would consist of two columns and roofs and

was specified to match the existing drive through details and materials. New walkways would match the existing brick walkway. The broken pediment part of the door surround would be removed. The applicant no longer proposes an internally illuminated ATM. Staff recommends approval with the condition the proposed roof shingles match the existing dark textured shingles.

Mr. Frank Ebbert, project architect, explained the materials included in the members' packets.

Ms. Heetderks called for questions and comments from the public and then the Board.

Mr. Coiner asked if the existing lights would remain. Mr. Ebbert explained they would be removed and replaced with recessed fixtures in compliance with the guidelines.

Ms. Swenson sought clarification regarding inconsistencies in the elevations shown. Mr. Ebbert stated he was only proposing page 2 and that page 3 was withdrawn.

Mr. Atkins asked if a vestibule plan had been considered as the Board had successfully avoided ATM machines on the front elevation of a building. Mr. Ebbert stated they had not because security issues were involved in those arrangements.

Mr. Atkins cited guidelines involving: avoid cutting openings in existing elevations; and whatever is added needs to be compatible with the other architectural elements. He felt the Board should avoid ATMs on the front face of a building. He also felt the proposed opening was uncomfortable. He would deny the application. He encouraged the applicant to look at another option.

Mr. Atkins moved to deny the application based on the guidelines to avoid cutting openings in existing walls and the relationship of the position this particular opening with the ATM relative to the other architectural elements on this front side; the denial is consistent with previous decisions about not putting ATM machinery on the front face of a building. Mr. Wolf seconded the motion. The motion carried unanimously.

Ms. Heetderks called for a brief recess. The Board stood in recess at 7:03 p.m.

Ms. Heetderks reconvened the meeting at 7:22 p.m.

H. Certificate of Appropriateness Application

BAR 04-07-04

321 East Main Street

Tax Map 33, Parcel 226

Partial demolition/Changes to exterior elevations

SNL Financial, LC, Owner

Robert Nichols/Formwork Design, Architect

Ms. Scala gave the staff report. The applicant proposes partial demolition of some existing architectural components as well as changes to the exterior elevations. Staff had reviewed one

application, another had been submitted since then. Staff was concerned that the existing building was not in scale with the surrounding district. The proposed changes were well designed but would not fit in the historic area. Staff felt the scale of the building should be made friendlier to users of the building. When stripped of the colonial details, the round windows would look like portholes.

Mr. Robert Nichols apologized for the additional submittals that were received earlier in the day. The current proposal is for a curtain wall system of three components: glass, painted aluminum mullions, and spandrel glass materials. The material palette was the same as the Fourth Street side. The applicant was interested in keeping the portholes because they had worked the existing composition so the pieces work together.

Ms. Heetderks called for questions and comments from the public and then the Board.

Ms. Heetderks pointed out the Board had just denied an application based on the guidelines about punching openings in the original fabric of the building, upon which it appeared this whole design was predicated. Mr. Atkins stated the guideline could be found under new construction, item H, Openings, number 2. He stated for the record he had also referred to section A, Windows, item number 5, in the Rehabilitation section for the previous item on the agenda.

Ms. Heetderks expressed a desire that the building be treated with the same respect as the other protected buildings under the same guidelines.

Mr. Knight tended towards leniency in terms of reuse and rehabilitation of the exterior of the building because the building was such an anomaly. The building seemed out of character to the rest of the Mall. He felt the net gain to the Mall would be positive if they allowed some sort of adaptive reuse.

Ms. Heetderks asked if the members wanted to consider the demolition independently from the rest of the discussion. The members concurred.

Ms. Lewis sought clarification from the applicant as to which of the three iterations, two of which had been received in the last six hours, he wanted considered or if all prior iterations should be discarded and the proposal submitted when the item was called was the proposal for consideration. Mr. Nichols concurred that the proposal the members were given when the matter was called was the proposal for consideration.

Ms. Swenson expressed concern that they did not know what was being demolished.

Ms. Swenson wondered if this proposal should be considered a preliminary hearing. Ms. Scala stated the applicant could withdraw his application in favor of a public hearing; however, with the submittal of an application, the only options for the Board of Architectural Review were deferral, approval, or denial. The applicant stated he would like to continue with the application.

Mr. Atkins felt the potentially defining characteristics of the building were: the big cornice; the pediment above stretched up pilasters; the window surrounds along the storefront and along

Fourth Street; the window treatments/the portholes; the windows along the Fourth Street side; the Tuscan columns in the front entrance; the existing canopy over the Fourth Street entrance.

Ms. Heetderks cited: Section 34-278, Standards for Considering Demolition, A, historic architectural or cultural significance; whether it's been designated; to what extent the structure is associated with an historic person, architect, or master craftsman; whether the building's structure or features represent an infrequent or first or last remaining example of a particular architectural style or feature. As a 1950s-era department store, the structure was important in understanding the context of the history of Main Street in general.

Mr. Wolf was not fond of the building and thought it was without scale and without defining features.

Ms. Swenson concurred that the current form of the building does not speak of the department store in a way that is contributing of the understanding of the Mall.

Mr. Atkins proposed that the first submission was the most promising because it retained the central focus. He felt the Fourth Street side had nothing to contribute.

Mr. Atkins moved to approve the selective demolition of particular features of this building, namely the cornice at the top of the building, the actual windows and keystone at the cardinal point of the round windows, a substantial amount of the brick on Fourth Street; an as yet to be determined amount of the cast stone architectural detailing and trim around the center window bay and the storefront window openings along the Main Street side. Mr. Knight seconded the motion. Ms. Heetderks expressed concern about the phrase "as yet to be determined." Mr. Atkins explained that his motion accepted that there is some amount of demolition in some combination to the cast stone detailing around all those openings on the Mall side and wrapping around the corner to the Fourth Street side; that none of them in particular must be saved, but some, in aggregate, some amount to remain a character defining element. He asked to include the recent addition of the entrance canopy to the Fourth Street side entrance to his motion. Mr. Knight accepted the inclusion. Mr. Knight expressed concern that they were making approval of the demolition somewhat subject to knowledge of what was going back in its place; he would be more comfortable with saying they approve demolition of the precast on the front of the building. Mr. Knight did not think it was a defining element. Ms. Swenson left the meeting at 8:04 p.m. Mr. Atkins amended his motion to include the justifiable demolition of all of the precast concrete architectural detail including the columns and entablature, attenuated pilasters, and the pediment. Mr. Knight accepted the amendment. Ms. Lewis stated that the new zoning ordinance removed economic hardship or impossibility of making a building profitable because half the owners had a hard time doing an economic analysis. Ms. Heetderks called the question. The motion failed on a tied vote; Mr. Coiner, Ms. Heetderks and Ms. Lewis voted against.

Ms. Lewis moved to defer the matter to the next meeting considering the amount of time spent on it and the fact that they had several different iterations. Mr. Atkins felt that was not an appropriate action; there were other motions that could be considered. Ms. Lewis withdrew her motion.

Mr. Atkins resubmitted his original motion, including the pediment exclusively, which would require maintaining all of the cast stone detailing from there down which corresponds to the original proposal delivered to the members; he clarified the window units themselves and the brick and cast stone work around them, the circular openings would need to remain; also remaining would be the precast elements around the store front at the ground level. Mr. Wolf seconded the motion. Mr. Knight asked if the awning on the Fourth Street side was part of the motion; Mr. Atkins concurred. Ms. Lewis asked if the frieze was to remain; Mr. Atkins stated his intention was just the triangular portion of the pediment. Ms. Heetderks called the question. The motion passed, 4-2, with Ms. Heetderks and Ms. Lewis voting against.

Ms. Heetderks asked if the Board wanted to defer since the applicant would have to reconsider his proposal with only certain elements approved for demolition.

Mr. Atkins moved to defer the application for a Certificate of Appropriateness acknowledging that the Board wishes the applicant to react to the demolition approval of those specific elements, to recognized that the first submission that came with their packets, which preserves those elements seems to find favor with the Board in the way that it preserves those elements and builds upon them in a compatible and appropriate way while achieving some of the goals the applicant has in rehabilitation and also recognizing the willingness of the Board to consider a large curtain wall system on the Fourth Street side as being acceptable and appropriate, and lastly that specifically look at the canopy systems and the way they are integrated with the remaining storefront and cast stone detailing and that all those things together constitute why the Board is deferring to give the applicant more time to pull all the pieces together to make a cohesive presentation including the west and north elevations. Mr. Knight seconded the motion. Ms. Heetderks called the question. The motion carried unanimously.

I. Certificate of Appropriateness Application

BAR 03-12-02

411-417 East High Street

Tax Map 53, Parcels 27, 28, 32, & 33

J&DR Courthouse Site Plan approval and garage elevation revision

J&DR Court Committee, Applicant for City of Charlottesville and County of Albemarle

WRT, Landscape Architects/Moseley Architects, Architect

Ms. Scala gave the staff report. A very detailed site plan had been received. There was a slight change in the garage elevation. The steel mesh rail had been replaced with concrete spandrels for cost reasons and to provide screening of parked cars as required by the zoning ordinance. The courtyard on the site plan is similar to the alternative plan previously approved. Due to concerns about underground utilities, trees could not yet be planted.

Mr. Hank Bishop was present as a representative of Wallace, Roberts & Todd. He hoped all the comments and last remaining concerns had been addressed.

Ms. Heetderks called for questions and comments from the public and then the Board.

Mr. Atkins sought clarification that all walls were brick with the exception of one cast in place wall. Mr. Bishop believed they were.

Mr. Atkins thanked WRT for being able to proceed with the proposal that was approved with minor modifications.

Ms. Lewis concurred with Mr. Atkins.

Mr. Knight urged that plant selections be reviewed. He felt all of the proposed species would be challenged in an urban setting.

Mr. Knight moved to approve the site plan as submitted with the stipulation that the planting be plan be examined and resubmitted to City Staff for final review. Mr. Atkins seconded the motion and then made a friendly amendment to include the grass strip as described and whatever encouragement the Board could lend to ensure the undergrounding of electric lines to plant two trees. Mr. Knight accepted the amendment. Ms. Heetderks called the question. The motion carried unanimously.

Ms. Heetderks called for discussion of the garage. Mr. Bishop had nothing to add. Mr. Atkins felt the concrete spandrels did not take the garage below a level of appropriateness or approval but it was less delicate and less refined.

Mr. Knight moved to approve as submitted. Mr. Atkins asked that the motion be specific to state as they understand the substitution of precast panels and wall panels and spandrel panels in lieu of the metal cable and/or grid. Mr. Knight accepted the clarification. Mr. Atkins seconded the motion. The motion carried, 5-1, with Ms. Heetderks voting against.

J. Certificate of Appropriateness Application

BAR 04-06-05

East Water Street and East Main Street

Tax Map 53, Parcel 160

Details, Transit Center

Transit Center WRT, Architects

Ms. Heetderks reiterated that this item had been removed from the final agenda and would be heard at the August meeting.

K. Discussion Item

3 University Circle -- Watson Manor

Request from City Council to provide a recommendation regarding the impact of proposed addition on the neighborhood and National Register District.

Ms. Scala gave the staff report. The property is the subject of a special use permit application. City Council discussed the application on July 6th and deferred action in order to refer this to the Board of Architectural Review for its recommendation. A memo had been received from Lisa Kelley of the City Attorney's office. Ms. Kelley felt it was appropriate the Board of Architectural Review make recommendations as to: the characteristics of the National Register District; the adverse impacts, if any, that might result from the proposed use; and, what reasonable conditions or safeguards Council might impose that would mitigate any adverse impacts on the surrounding neighborhood. The Planning Commission thought the property should have architectural review as a condition of approval; they were advised that wasn't appropriate.

Ms. Lewis respectfully dissented that not all of the Planning Commission wanted this property to have architectural approval.

Mr. John Matthews, of Mitchell Matthews Architects, explained the neglected, rundown shape of the property. The plan was to put an addition on the back, depress the parking so it was hidden under the building, and build the most remote part of the site as far back against the property line as possible. The slate roof is in questionable condition. The poorly attached aluminum siding is believed to be over wood; the intent is to return to wood siding.

Mr. Atkins stated the scale of the addition being larger than the original structure had been a problem in the past; the question of how it affects the historic district has everything to do with the view and the topography. The rear of the site is far away from the University Circle essential qualities. He felt it would have a negligible impact on the historic district.

Mr. Knight agreed there was very little impact. The site was secluded. He felt the limited impact was due to some of the trees at the site. He was glad the applicant was working with an arborist. He suggested any recommendation to Council would include a requirement for the arborist's recommendations for saving as many trees as possible.

Mr. Wolf felt the addition set up a nice relationship with the new piece at the back.

Ms. Heetderks stated they appreciated and hoped to continue to see the applicant's respect for the original structure.

Mr. Knight saw commendable effort on the site; however, he interpreted this as trying too hard. He suggested the layering effect of vegetation, lawn, and building would accentuate fitting this into the neighborhood and historic district as smoothly as possible.

Mr. Atkins suggested using familiar materials for the enclosure of the garage portion.

Ms. Lewis suggested adding landscaping to shield the impact of parking.

L. Discussion Item

1328 Riverdale Appeal

Ms. Scala stated this had been put on the agenda in response to an E-mail from Mr. Coiner suggesting the recommendation of conditions should Council grant an appeal of the decision not to move the Riverdale building.

Ms. Heetderks stated Ms. Swenson had asked her to share her concerns since she had not been able to stay past 8:00 p.m. Ms. Swenson's concern was there had never been a good faith presentation made by the applicant. She felt they should have deferred and made the applicant come back with a more comprehensive presentation. Ms. Swenson felt if the property were to be moved, she would rather see it moved somewhere where it would have a legitimate expanse of grounds around it. Ms. Heetderks was concerned that making recommendations would give City Council ammunition to overturn the Board of Architectural Review decision.

Mr. Coiner concurred with Ms. Heetderks. His suggestion was to discuss the matter and perhaps have someone talk to the Councilors individually.

Mr. Atkins did not want to give recommendations to Council. He felt the flat rejection should stand as it was well justified.

Mr. Knight thought the applicant could easily meet conditions and still come up with an awful project. He stated they had rejected the proposal and they should stand on the rejection.

Mr. Coiner, having perused City Code, was concerned about "other factors" which Council could take into consideration when considering an appeal.

Mr. Coiner was concerned about the Riverdale address since the house did not front on Riverdale. The rear yard was more of a side yard, which could go five feet to the property line; a rear yard had to be 25 feet.

Mr. Knight felt they had to suggest to Council the applicant has to show what they intend to do and how they intend to do it as part of a well-designed package.

Mr. Atkins felt there had not been a compelling reason or a satisfactory end result for moving the house.

Ms. Lewis agreed with Mr. Atkins and Mr. Knight that they had made a decision and should not impeach it now. She stated that she was not aware of any ethical constraints that would prohibit members of the Board of Architectural Review from contacting city counselors on this appeal and encouraged Board of Architectural Review members to do so.

A. Approval of Minutes

Ms. Heetderks recalled approval of the minutes.

April 20, 2004

Ms. Lewis asked that page 3, the last paragraph, reflect that the last name of the member of the public who spoke was Stornetta.

Ms. Heetderks was concerned that the April minutes did not summarize the votes but it was shown in June. The minute keeper explained that he had relied upon City recordings to compile the minutes. Ms. Lewis reminded the members the minute keeper had not been present for the meeting.

Mr. Atkins moved approval of the minutes as amended. Ms. Lewis seconded the motion, which passed, 5-0-1, with Mr. Wolf abstaining from the vote.

June 15, 2004

Ms. Lewis asked that the third paragraph on page 7 reflect the speaker as Ms. Carty Lominac.

Ms. Lewis moved to approve the minutes as revised. Mr. Knight seconded the motion. The motion passed, 5-0-1, with Mr. Wolf abstaining from the vote.

M. Matters from the public

Ms. Heetderks called for matters from the public. There were none.

N. Other Business

Ms. Heetderks called for other business.

Ms. Lewis thanked Staff for putting together the administrative approvals for the first half of the year. Mr. Knight concurred.

Mr. Knight, in response to the request for comments on the form book, thought Woolen Mills was misspelled in one location. Ms. Scala stated comments could be submitted during the next week. She also stated there was to have been a PowerPoint presentation by the preparer.

Mr. Coiner thanked Ms. Scala for the amount of detail she goes into with her recommendations.

Ms. Heetderks noted the August agenda would include the Bylaws revisions that had been discussed in March.

Mr. Atkins asked the status of design guidelines. Ms. Scala stated a packet had been submitted on the Entrance Corridor guidelines.

Ms. Lewis asked the status of the historic survey. Ms. Scala stated the survey for the Oakhurst Circle area was almost complete and would be brought to the Board when complete; Mr. Tolbert wanted that adopted as soon as possible.

Mr. Knight asked if a discussion on the role of the form book relative to the zoning ordinance, the design guidelines and the entrance corridor study could be placed on a future agenda.

O. Adjournment

Mr. Knight moved to adjourn. Mr. Atkins seconded the motion. Ms. Heetderks called the question. The motion carried unanimously whereupon the meeting stood adjourned at 9:17 p.m.