

**City of Charlottesville  
Board of Architectural Review  
September 21, 2004**

**Minutes**

Present:

Joan Fenton, Chair  
Lynne Heetderks, Vice Chair  
Wade Tremblay  
Preston Coiner  
Joe Atkins  
Fred Wolf  
Syd Knight  
Cheri Lewis

**Members Not Present:**

Katie Swenson

**Also Present:**

Mary Joy Scala

Ms. Fenton convened the meeting at 4:56 p.m.

Ms. Fenton called for a discussion about whether a member of the Planning Commission should be on the Board. Ms. Lewis stated she had recommended that a member of Charlottesville Planning Commission was no longer needed on the BAR. She had not been able to find anyone who could say why there was a delegate from Planning. Ms. Lewis was concerned about how a delegate would have time to devote to both the Planning Commission and the BAR of the County Planning Commission meetings, and were assigned to oversee and attend neighborhood meetings. She felt it would help to have either a landscape architect or contractor on the Board instead.

Mr. Atkins had no comment to make to the matter.

Mr. Knight felt it had been helpful to have the Planning Commission's perspective. Ms. Lewis asked if it were possible to get that perspective in another way. Mr. Knight felt it would be helpful but not indispensable to have a delegate.

Ms. Fenton liked having the overlap and thought if the connection was cut it would be hard to get it back. Since the Charlottesville Planning Commission was taking on the Entrance Corridors, she thought they had more similar responsibilities so a delegate would have more expertise to take back to the Planning Commission.

Ms. Heetderks wondered if there could be a compromise in the language to read "we require one member of the Planning Commission or a landscape architect" so that if the position arises where Staff was unable to adequately communicate between the Charlottesville Planning Commission and the BAR, a delegate could be added. Ms. Lewis wondered if a delegate could be possible who would attend in the event of a crossover matter.

Mr. Tremblay had nothing to add.

Mr. Coiner stated his support of changing the requirement since the credentials of simply being a Planning Commissioner had no bearing.

Mr. Wolf thought Ms. Lewis' involvement had been important but he respected the conflict of time issues. He thought a good compromise was having a delegate available on an as-needed basis.

### **A. Approval of Minutes**

Ms. Fenton called for discussion of the 17 August 2004 minutes.

Ms. Lewis wanted the second sentence of the fourth paragraph from the top of page 5 changed to: "She felt none of the elements proposed for demolition." Also in the third paragraph from the top of page 9 the word "turned" should be "trimmed." Ms. Lewis also asked that the word "trinkets" in her motion on page 11 be clarified with "mall trinkets including furniture, newspaper boxes and planters."

With no additional changes, Ms. Fenton asked if there was a motion to approve as amended. Mr. Coiner so moved. Mr. Atkins seconded the motion, which passed, 6-0-2; Ms. Fenton and Mr. Knight abstained.

### **B. Matters from the public**

Ms. Fenton called for matters from the public not on the formal agenda.

Mr. Dave Ackerman, of Wolf Ackerman Design, had been before the Board previously to present changes to the old Fellini's Restaurant. The work is ongoing. The owner and contractor have discovered the doors they wanted which open out onto the sidewalk are not allowed; however, inward opening doors affect egress requirements. The contractor is proposing a recessed vestibule for the two required means of egress; essentially, the doors of the originally approved design have been pushed three feet into the building so they can open out without projecting onto the public way of the sidewalk.

Mr. Wolf recused himself from the matter since Mr. Ackerman is his business partner.

Ms. Lewis asked if the matter needed to be publicly noticed. Ms. Fenton felt this was a modification, which normally would have undergone staff approval and saw no reason for public notice.

Mr. Coiner commented that the Board had overlooked the mechanical system in the previous review; typically some type of screening is required. Mr. Ackerman stated he would convey to the owner the need for screening.

Mr. Tremblay made a motion to approve the doors with the amended recessed opening as submitted. Mr. Knight seconded the motion. The motion carried, 7-0-1, with Mr. Wolf having recused himself.

Ms. Roxanne Brass, 410 East Water Street, spoke on behalf of the landlord of the King Building. A set of steps needed to be built to a new door installed in the courtyard. He had made a presentation at the August meeting; the Board had requested an alternative proposal. He is now proposing to build a set of stairs identical to the ones that currently exist in the courtyard.

Ms. Lewis asked if the matter had been noticed. Ms. Scala stated it had been noticed for the August meeting at which it was deferred by the BAR. Ms. Lewis sought clarification if it had been deferred to the September meeting; it had not. Ms. Lewis stated she would oppose a motion to approve based on procedural grounds.

Ms. Heetderks concurred with Ms. Lewis.

Mr. Tremblay asked if they could send a message that they like the plan and the applicant should submit it in a formal agenda.

Mr. Atkins moved to approve the proposal since it was a deferral from the public notice for the last meeting, which had sparked awareness of this project. Mr. Coiner seconded the motion although he agreed with Ms. Lewis. The motion passed 5-3; Ms. Lewis, Ms. Heetderks, and Mr. Knight voted against.

### **C. Certificate of Appropriateness Application**

#### **BAR 04-09-01**

**1223 West Main Street**

**Tax Map 10, Parcel 20**

**Partial Demolition - Replacement of Existing Windows**

**University Baptist Church, Sandi Jones Garrison, Applicant**

Ms. Scala gave the staff report. The matter had been before the BAR at the August meeting as a Preliminary Discussion. At that meeting, the BAR preferred repairing rather than replacing the 160 windows; however, if the windows were beyond repair, it was more likely they would approve the better quality of the two types of windows presented. The church representatives had two types of aluminum-clad, simulated divided light as previously preferred.

Ms. Sandi Jones Garrison stated they church had 160 non-standard size windows in varying stages of disrepair encompassing four floors. Problems included: rotting rope pulley systems, which were not operational; rotting muntins and some windows without muntins; rotting window sills and millwork. In 1989, \$30,000 was spent to help maintain the windows; in 1998, the

church spent close to \$38,000. The estimate for current maintenance is over \$70,000. The church is proposing to replace the windows with aluminum clad sash windows of the same sizes and color as the existing windows. There would be no change to the current exterior look. Muntins would be exterior/interior with a spacer bar. The original brick mold or the wood trim would be retained. The church feels the windows are beyond repair at this point. Ms. Garrison introduced their architectural consultant, Mr. Ray Gaines.

Mr. Gaines presented the two window samples to the Board. He distributed a photograph of a sample window beside an existing window. Mr. Gaines cited the ways the proposal met the following subsections of the Zoning Ordinance Section 34.276, Standards for review of construction and alterations: (1) the proposed replacement windows "are visually and architecturally compatible" with the existing windows; (2) "proportion and size" of muntins, lights, light patterns, styles and rails shall match the existing, (3), The Secretary of the Interior Standards for Rehabilitation are to be applied to specific rehabilitation projects in a reasonable manner; (4) "the effect of the proposed change on the historic district neighborhood" would be non-substantive; (5) there would be no adverse affect on other features of the property; (6) the replacement would have a positive effect on the structure. Mr. Gaines felt, given the building's age, older layers of paint on the sash and window jambs probably contain lead; operation of these windows will generate lead dust, which would be a hazardous situation.

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

Mr. Coiner stated he was a client of Mr. Gaines, but felt comfortable in discussing and voting on the proposal. The Board had no objections to Mr. Coiner's participation.

Mr. Tremblay felt the church had met his threshold of adequately proving the need to replace the windows. He stated the proposed replacement windows were consistent with what the BAR asked for in similar applications.

Ms. Lewis sought clarification if the applicant had considered wood replacement windows. Mr. Gaines stated they had not.

Mr. Tremblay moved to approve the Church's request to replace the sashes with a sash pack replacement package of 160-plus windows of the Church education wing with either of the two alternatives submitted this evening, being aluminum-clad wood windows. Mr. Knight seconded the motion. Mr. Knight asked if the motion would require the exact match in terms of dimension for light. Mr. Tremblay thought part of the application was the intent to match the existing lights; that was what he was saying. Mr. Wolf sought clarification that the sash would be consistent; Mr. Gaines concurred. Mr. Atkins expressed concern about the raised muntin bar surround on the Weather Shield window. Mr. Coiner concurred with Mr. Atkins; he felt the Norco window looked better. Mr. Knight expressed a preference for language, which would require an exact match in terms of depth of sash, proportion of the muntin, and size and ratio of height to width and number of the lights on each window. Mr. Gaines asked that the word "approximate" be in the motion as there may not be commercial availability to provide an exact match. Mr. Atkins felt there was a minor flaw with the Weather Shield window; Mr. Wolf concurred and wondered if there was another Weather Shield version available. Mr. Tremblay withdrew his motion.

Mr. Tremblay moved to approve the sash pack replacement proposal put before them with the Nordco replacement option or Weather Shield or any other manufacturer that can approximate the same look and appearance of the Nordco window. Mr. Wolf seconded the motion. Mr. Atkins offered a friendly amendment the motion be specific that it is the raised muntin on the outside around the perimeter that is the offending element. Mr. Tremblay and Mr. Wolf accepted the friendly amendment. The motion carried, 6-2; Ms. Lewis and Ms. Heetderks voted against. Ms. Lewis stated this had been an incredibly difficult vote for her. She had done the math; each of the windows cost \$30 per year to maintain in the past. She stated this was an economic hardship, but she did not see the Guidelines as permitting the replacement they had just voted on. She stated if the Guidelines needed to be redone, they should redo the Guidelines if the consensus of the Board is that they are not going to go by the Guidelines. Ms. Lewis had not heard any discussion about why the majority of this Board voted to change something against the Guidelines. She could not support it only because they are supposed to uphold the Guidelines. She stated it set a hard precedent with historic buildings, and especially churches, that will have to abide by the Guidelines. She felt discussion should be given an ample opportunity on a difficult issue like this.

#### **D. Certificate of Appropriateness Application**

**BAR 04-04-05**

**12 Elliewood Avenue**

**Tax Map 9 Parcel 88**

**Remove existing gravel in alley; install concrete pavers**

Art Conroy, Applicant/Bruce Wardell, Architects

Ms. Scala gave the staff report. The proposal was to remove the gravel and replace it with 6"x6" cobblestone pavers and install a new poured concrete curb and 12" gravel bed in two locations and a gravel bed for the existing tree. The City has existing cobblestones where the sidewalk is on City property. Staff recommends approval.

Mr. Mark Humbertson, of Bruce Wardell Architects, was present to answer questions. He gave the Board a sample of the pigmented concrete cobblestone paver.

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

Mr. Atkins sought clarification regarding the type of gravel proposed. Mr. Humbertson stated they were open to suggestions.

Mr. Knight noticed that there was only a gravel board and not a concrete edge by the fence. Mr. Humbertson felt it would be a consistent detail to place a concrete edge.

Mr. Atkins moved to approve the paver design as presented with two clarifications: the concrete curbing edge at the fence and a preference for crushed stone versus the larger gravel where the tree bed is. Mr. Humbertson clarified that stone dust was acceptable as crushed stone. Ms. Lewis seconded the motion, which carried unanimously.

## **E. Certificate of Appropriateness Application**

**BAR 04-09-02**

**500 Court Square**

**Tax Map 53, Parcel 96**

**Installation of revolving front door to conform to original design**

William Muller, 500 Court Square Association, Applicant

Ms. Scala gave the staff report. The applicant is requesting approval to install a light bronze finish revolving front door per the original design of the building. The installation would consist of a six-foot wide revolving door and a three-foot wide swing door with seven foot, nine and-a-half inch door opening height. Staff recommends approval.

Mr. Muller was present but had nothing to add.

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

Mr. Knight sought clarification that there would be no changes to the masonry. Mr. Muller concurred.

Mr. Knight moved to approve the revolving door and side panic door as submitted by the applicant. Ms. Lewis seconded the motion. The motion carried unanimously.

## **F. Certificate of Appropriateness Application**

**BAR 04-09-03**

**114 Old Preston Avenue**

**Tax Map 33, Parcel 278**

**Installation of new storefront, lighting signs, and extension of landing**

Virginia Daugherty and John Conover, Applicants

Ms. Scala gave the staff report. The applicants are requesting approval to install a new storefront, which includes: the replacement of the existing garage door with a wood storefront; installation of new lighting, awning and signage; extension of a concrete landing and metal rail to provide accessibility. The landing would encroach into the right-of-way. The proposed changes are compatible with the building and the District. The signage must receive a separate sign permit and comply with Zoning. Staff was concerned with the fluorescent lighting inside the awning as it might give a translucent appearance to the awning.

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

Mr. Tremblay wanted to know if the awning was opaque and would appear translucent. The applicant concurred. A 30-watt compact fluorescent light would be used to illuminate the storefront.

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

Mr. Wolf sought clarification if the wood storefront would be painted or stained. The applicant stated they were thinking about stain, but it may be painted as well.

Mr. Knight stated the Board typically requires color on awnings.

Mr. Atkins expressed concern about the finish of the trim around the windows, the light fixtures, and the color of the awning. Ms. Lewis felt comfortable giving staff administrative approval over those items.

Mr. Atkins moved to approve as presented with the expectation that the awning and its color, the color finish of the wood trim around the storefront, and the light fixtures return to Staff for review; and in addition, that the Board endorses the modification to the concrete landing. Mr. Wolf seconded the motion. Ms. Lewis offered a friendly amendment that the proposed railing match the existing rail. Mr. Atkins and Mr. Wolf accepted the friendly amendment. The motion carried unanimously.

G. Oakhurst Circle-Gildersleeve Wood-Valley Road-Maywood Lane proposed ADC District

PowerPoint Presentation and BAR discussion and recommendation

Ms. Scala gave the staff report. The Oakhurst/Gildersleeve Neighborhood Local Historic District Study is the first of several planned studies of potential new ADC, Architectural Design Control, Districts in Charlottesville. The Jefferson Park Avenue Neighborhood Association has been supportive of the study. Staff recommends that the Board of Architectural Review forward this proposed local district to the Planning Commission and City Council based on the criteria for adopting a new district or an individually protected property.

The consultant who prepared the study, Maral Kalbian, made a PowerPoint Presentation. A preliminary information form had been prepared and was presented to the state Review Board on 8 September.

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

Ms. Nina Barnes, president of the JPA Neighborhood Association, felt the proposal would give the area some protection status.

Mr. Jonathan Spindel, owner of one of the Valley Road residences, was concerned about the bureaucracy that would be generated by the creation of this district. He expressed concern the neighborhood was being chosen as a boundary and not for any great architectural importance.

Mr. Tremblay recognized and agreed with some of Mr. Spindel's concerns. Mr. Tremblay stated there was more bureaucracy involved when you own property in an historic district.

Mr. Coiner informed Mr. Spindel there was a process to have an individual home removed from the district.

Mr. Atkins suggested the local design control district develop a different classification; besides conforming and nonconforming also supporting structures that would have a different threshold to come before the Board.

Ms. Lewis expressed concern over whether the non owner-occupied properties were given notice of the proposed district. She wondered if this was a zoning problem.

Ms. Scala stated the neighborhood association had requested this area be studied.

Mr. Tremblay stated a number of properties on Valley were investor owned. He stated the neighborhood association has been more focused on the owner occupants than on the non-owner occupants; in fact, non-owner occupants had been excluded from voting participation.

Mr. Michael Osteen, a resident on Gildersleeve Wood and owner of rental properties on Oakhurst Circle and Valley Road, stated he was part of the neighborhood association which had moved this forward. He stated they felt under pressure from the University, which owned six houses and was looking, to buy more. He felt his investment was being enhanced by the establishment of an historic district that covered the entire neighborhood as proposed.

Ms. Courtney Stanley, owner of a Valley Road property, felt the area would be enhanced as an historic district.

Mr. Wolf felt the landscape and topography helped justify some of the more modest structures relative to some of the more architecturally significant structures. He agreed with Mr. Atkins there should be consideration of a middle ground between conforming and nonconforming structures.

Ms. Fenton, using the example of Water Street and the Downtown Mall, felt it would be easy to designate a separate area.

Mr. Tremblay noted he would recuse himself from voting due to being a property owner in the district. He suggested removing three properties that back up to the South Lawn Project from the list.

Mr. Atkins felt they could separate the national and state designation from how they would recommend applying design control locally.

Mr. Knight suggested rather than create a third category, they could achieve that same level of protection through other elements of the Zoning Ordinance.

Ms. Heetderks expressed concern about the argument that they apply different standards to Water Street because that is not a unanimous opinion of the Board. She felt the Guidelines should be universally applied. She, like Mr. Atkins, did not want to be in the position of having

one of the smaller Valley Road houses come before them for shutter replacement and feel bound in the interest of precedent and consistency to apply exactly the same standards they would to one of the houses on Oakhurst.

Ms. Fenton wondered if they could make a recommendation to support this proposal but have a subcommittee that worked on coming up with a possible different designation. Ms. Fenton asked for a motion to proceed with recommending this but that they would come up with details of the recommendation and charge this committee to do it. Mr. Atkins so moved. Mr. Wolf seconded the motion. The motion passed, 7-0-1; Mr. Tremblay recused himself from the vote.

## **H. Certificate of Appropriateness Application**

**BAR 04-09-04**

**110-112 Second Street, Northeast**

**Tax Map 33 Parcel 242**

**Replace windows and repaint part of exterior**

**Dave Ackerman with Gauss, LLC, Applicant**

Ms. Scala gave the staff report. The applicant seeks to replace existing mismatched wood storefront windows at street level with clear anodized aluminum system and insulated glass to match the existing doors. They would also repaint the cement stucco exterior below the windows a grey color. Staff recommends approval as removing the windows would not detract from the character of the property; the proposed changes are compatible with the building and the historic district.

Mr. Wolf recused himself from the matter.

Mr. Ackerman stated the insulated glass did not match the doors; the anodized aluminum matched the doors.

Ms. Fenton called for questions and comments from the public. There were none. She then called for questions and comments from the Board.

Ms. Heetderks sought clarification if the window was original to the building. Mr. Ackerman could not say since they were mismatched. An old photograph of the building showed steel casement windows on the second floor and on the alley sides of the building. Ms. Heetderks expressed concern about replacing a window they did not know the vintage of. Ms. Fenton stated she had always gone on the assumption they were not original.

Mr. Atkins moved to approve the storefront replacement as submitted with clear anodized aluminum storefront replacing the existing mismatched wood storefronts, and painting of the stucco with the provision that the applicant get together with staff and try to make sure that one or both of those windows are not original; if they are, come back to the Board. Mr. Atkins then struck that motion. Mr. Atkins moved to approve as submitted. Mr. Tremblay seconded the motion. The motion passed, 6-1-1; Ms. Heetderks voted against and Mr. Wolf recused himself from the vote.

The meeting stood in recess from 7:27 p.m. to 7:34 p.m.

## **I. Certificate of Appropriateness Application**

**BAR 04-06-05**

**East Water Street and East Main Street**

**Tax Map 53 Parcel 160**

**Transit Center and Amphitheater**

**WRT & ftl/Architects**

A PowerPoint presentation was given by the applicant. The major design consideration for the space was that they were dealing with two environments; the performance season when the membrane structure was in place and the non-performance season when the membrane and chairs were gone.

Mr. Tremblay sought clarification of when the membrane would be removed. The applicant stated the membrane would be removed and planters would be put in place based on the show schedule, which would end in mid-October.

Ms. Fenton clarified that they were looking at the retaining wall, walkway, plantings and the maze design.

Ms. Scala expressed Staff's concern with the materials of the turf boxes. Ms. Fenton stated they should not match the black planters on the Mall since there was a possibility of those being replaced with something in brick. Ms. Fenton suggested the architects come up with what they thought was the best design.

Mr. Coiner sought clarification of the use of topiaries if there was not a maze. The applicant stated the topiaries really worked with the maze concept. Mr. Coiner expressed concern about the artificial look of the topiaries.

Ms. Fenton called for questions from the public. There were none.

Mr. Atkins asked if there were significant changes or clarifications in the ramping, steps and walls. The applicant stated there had been refinement but the concept was similar.

Ms. Lewis thanked WRT for lowering the wall. She generally supported the walkway and design. She did not feel there was enough information about the materials. She could give support to the way they were going. The applicant stated they were revisiting the railing.

Mr. Atkins stated the project felt awkward. He expressed concern that an overreaching approval was setting them up for being in an awkward position; by the same token, asking for too many detailed return items, it gets complicated. He appreciated the improvements. He had higher hopes for the wall and for the connection to the Belmont Bridge. He liked the sound of the elevated walkway profile and would like to see it. He thought the effects of the amphitheater on its edges have proven to be too big. He was in favor of planting the walls. He felt this was a creative and

inventive solution to getting green space under the tent. He had concerns about the planters and the synthetic turf in the turf boxes. He wanted more information on the scale of the planters and the potential growth of the trees as well as a plan for location of moveable plants.

Ms. Lewis could not support the turf boxes. She liked the topiaries but was concerned about their maintenance. She wanted more information on: materials of the stage house; chairs for the amphitheater; fencing; walkway and railing; and lighting details including professional lighting. She felt the presentation had been a nice concept.

Mr. Knight reiterated the need for specific details. He felt he could not comment given the fact they were still getting verbal descriptions and conflicting information. He had serious concerns about the concept, especially the maze, moveable plantings and many of the materials being used. He stated this was one of the most important spaces the Board would be dealing with. The City should be building world class public spaces. He felt plants were being used to apologize for other materials. He urged the applicant to reconsider the materials choices. He stated he would need to be convinced why a maze was the best possible idea for this particular space. He thought maintenance was an issue, which had not been fully taken into account; the proposal was exceptionally high maintenance.

Ms. Fenton had difficulty with the retaining wall, which seemed so pronounced. Although she had been a proponent of the project, if she had known about the retaining wall, she would have opposed it.

Ms. Heetderks concurred with Mr. Knight about concentrating on the quality of the materials and getting rid of some of the more ornate features of the program. She felt there was a lack of consistency with the general aesthetic and feel of the Mall in the maze, topiaries and turf boxes.

Mr. Coiner expressed concern about the maze. He thought it seemed totally out of place.

Mr. Wolf concurred with Mr. Atkins, Ms. Lewis, and Mr. Knight.

Ms. Lewis moved to support the wall with the materials that were shown at the last meeting, reduced to its height -- not to exceed the 17 feet that was shown in the cross section. Mr. Tremblay seconded the motion. Mr. Knight sought clarification of the material of the wall. The applicant stated it was 16 inch precast concrete block. Ms. Lewis amended her motion to state precast concrete, 16 inch panels, buff colored. Mr. Tremblay, as seconder, accepted the amended motion. Mr. Coiner sought clarification as to whether the motion included the railing; Ms. Lewis stated the railing was excluded from her motion. Ms. Fenton called the question. The motion failed, 2-6; Ms. Lewis and Mr. Coiner voted for the motion.

Mr. Knight moved that they approve the form and shape of the wall, not to exceed the 17 foot height, with material to be resubmitted to the BAR. Mr. Wolf seconded the motion. The motion passed, 6-2; Ms. Heetderks and Mr. Atkins voted against. Ms. Fenton stated the Board would like to see the materials that are being proposed, a sample of another building that has it, if there were more than one option possible, and examples of walls with and without greenery.

Mr. Wolf expressed concern about doing the rest of the proposal piece by piece since it encourages hanging on to one part and trying to fit the other parts around it.

Mr. Wolf moved that they defer on this decision and ask that the applicant look at alternate strategies for dealing with the issues that have been raised in terms of paving, circulation through the space, arrival at the space, movement or flexibility in terms of planting and issues concerning materials of the retaining walls and the seating. Ms. Lewis added: walkway, stage house materials, amphitheater chairs, fencing, rails, lighting. Mr. Knight seconded the motion. Mr. Atkins felt they needed to discuss if concrete, as a pavement material and a wall material for the expanse shown is appropriate; he felt the moveable plantings was a pleasant way of making that better. Ms. Fenton called the question. The motion passed 7-1; Mr. Atkins voted against.

Ms. Fenton asked if the applicant could do an aggregate concrete with brick detail to set up some sort of alternating coloring or alternating design.

Mr. Atkins felt the moveable planters and maze were a strategy to deal with the enormous amount of concrete.

Mr. Knight agreed the expanse of concrete was inappropriate. He suggested achieving consistency with the Transit Center and the Mall by using brick within the project.

Mr. Wolf felt the amphitheater could lean more towards a park-like setting.

Ms. Heetderks stated the Board's mandate from City Council was to apply the Design Guidelines. The Board is bound by these guidelines. She cited from the guidelines for public improvements: "Walls and fences; use the existing vocabulary in materials for the design of any new wall. Traditional materials for walls are stone and brick. Plazas, parks and open spaces; design elements in such areas to relate to the overall vocabulary of the district. While such elements may relate to the district they may also be more visually distinctive to celebrate the uniqueness of the space."

Ms. Fenton suggested the applicant seek the guidance of Board members outside the meeting.

#### J. Discussion Item -- BAR By-laws

Due to the lateness of the hour, this matter was deferred.

#### K. Election of Officers

Due to the lateness of the hour, this matter was deferred.

#### L. Matters from the public

Due to the lateness of the hour, this matter was deferred.

#### M. Other Business

Due to the lateness of the hour, this matter was deferred.

#### N. Adjournment

Mr. Tremblay moved to adjourn. Ms. Lewis seconded the motion. The motion carried unanimously whereupon the meeting was adjourned at 9:42

Ms. Lewis thanked WRT for lowering the wall. She generally supported the walkway and design. She did not feel there was enough information about the materials. She could give support to the way they were going. The applicant stated they were revisiting the railing.

Mr. Atkins stated the project felt awkward. He expressed concern that an overreaching approval was setting them up for being in an awkward position; by the same token, asking for too many detailed return items, it gets complicated. He appreciated the improvements. He had higher hopes for the wall and for the connection to the Belmont Bridge. He liked the sound of the elevated walkway profile and would like to see it. He thought the effects of the amphitheater on its edges have proven to be too big. He was in favor of planting the walls. He felt this was a creative and inventive solution to getting green space under the tent. He had concerns about the planters and the synthetic turf in the turf boxes. He wanted more information on the scale of the planters and the potential growth of the trees as well as a plan for location of moveable plants.

Ms. Lewis could not support the turf boxes. She liked the topiaries but was concerned about their maintenance. She wanted more information on: materials of the stage house; chairs for the amphitheater; fencing; walkway and railing; and lighting details including professional lighting. She felt the presentation had been a nice concept.

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Ms. Heetderks stated the Board's mandate from City Council was to apply the Design Guidelines. The Board is bound by these guidelines. She cited from the guidelines for public improvements: "Walls and fences; use the existing vocabulary in materials for the design of any new wall. Traditional materials for walls are stone and brick. Plazas, parks and open spaces; design elements in such areas to relate to the overall vocabulary of the district. While such

elements may relate to the district they may also be more visually distinctive to celebrate the uniqueness of the space."

Ms. Fenton suggested the applicant seek the guidance of Board members outside the meeting.

#### **J. Discussion Item -- BAR By-laws**

Due to the lateness of the hour, this matter was deferred.

#### **K. Election of Officers**

Due to the lateness of the hour, this matter was deferred.

#### **L. Matters from the public**

Due to the lateness of the hour, this matter was deferred.

#### **M. Other Business**

Due to the lateness of the hour, this matter was deferred.

#### **N. Adjournment**

Mr. Tremblay moved to adjourn. Ms. Lewis seconded the motion. The motion carried unanimously whereupon the meeting was adjourned at 9:42

Ms. Lewis thanked WRT for lowering the wall. She generally supported the walkway and design. She did not feel there was enough information about the materials. She could give support to the way they were going. The applicant stated they were revisiting the railing.

Mr. Atkins stated the project felt awkward. He expressed concern that an overreaching approval was setting them up for being in an awkward position; by the same token, asking for too many detailed return items, it gets complicated. He appreciated the improvements. He had higher hopes for the wall and for the connection to the Belmont Bridge. He liked the sound of the elevated walkway profile and would like to see it. He thought the effects of the amphitheater on its edges have proven to be too big. He was in favor of planting the walls. He felt this was a creative and inventive solution to getting green space under the tent. He had concerns about the planters and the synthetic turf in the turf boxes. He wanted more information on the scale of the planters and the potential growth of the trees as well as a plan for location of moveable plants.

Ms. Lewis could not support the turf boxes. She liked the topiaries but was concerned about their maintenance. She wanted more information on: materials of the stage house; chairs for the amphitheater; fencing; walkway and railing; and lighting details including professional lighting. She felt the presentation had been a nice concept.

Mr. Knight reiterated the need for specific details. He felt he could not comment given the fact they were still getting verbal descriptions and conflicting information. He had serious concerns about the concept, especially the maze, moveable plantings and many of the materials being used. He stated this was one of the most important spaces the Board would be dealing with. The City should be building world class public spaces. He felt plants were being used to apologize for other materials. He urged the applicant to reconsider the materials choices. He stated he would need to be convinced why a maze was the best possible idea for this particular space. He thought maintenance was an issue, which had not been fully taken into account; the proposal was exceptionally high maintenance.

Ms. Fenton had difficulty with the retaining wall, which seemed so pronounced. Although she had been a proponent of the project, if she had known about the retaining wall, she would have opposed it.

Ms. Heetderks concurred with Mr. Knight about concentrating on the quality of the materials and getting rid of some of the more ornate features of the program. She felt there was a lack of consistency with the general aesthetic and feel of the Mall in the maze, topiaries and turf boxes.

Mr. Coiner expressed concern about the maze. He thought it seemed totally out of place.

Mr. Wolf concurred with Mr. Atkins, Ms. Lewis, and Mr. Knight.

Ms. Lewis moved to support the wall with the materials that were shown at the last meeting, reduced to its height -- not to exceed the 17 feet that was shown in the cross section. Mr. Tremblay seconded the motion. Mr. Knight sought clarification of the material of the wall. The applicant stated it was 16 inch precast concrete block. Ms. Lewis amended her motion to state precast concrete, 16 inch panels, buff colored. Mr. Tremblay, as seconder, accepted the amended motion. Mr. Coiner sought clarification as to whether the motion included the railing; Ms. Lewis stated the railing was excluded from her motion. Ms. Fenton called the question. The motion failed, 2-6; Ms. Lewis and Mr. Coiner voted for the motion.

Mr. Knight moved that they approve the form and shape of the wall, not to exceed the 17 foot height, with material to be resubmitted to the BAR. Mr. Wolf seconded the motion. The motion passed, 6-2; Ms. Heetderks and Mr. Atkins voted against. Ms. Fenton stated the Board would like to see the materials that are being proposed, a sample of another building that has it, if there were more than one option possible, and examples of walls with and without greenery.

Mr. Wolf expressed concern about doing the rest of the proposal piece by piece since it encourages hanging on to one part and trying to fit the other parts around it.

Mr. Wolf moved that they defer on this decision and ask that the applicant look at alternate strategies for dealing with the issues that have been raised in terms of paving, circulation through the space, arrival at the space, movement or flexibility in terms of planting and issues concerning materials of the retaining walls and the seating. Ms. Lewis added: walkway, stage house materials, amphitheater chairs, fencing, rails, lighting. Mr. Knight seconded the motion. Mr. Atkins felt they needed to discuss if concrete, as a pavement material and a wall material for the

expanse shown is appropriate; he felt the moveable plantings was a pleasant way of making that better. Ms. Fenton called the question. The motion passed 7-1; Mr. Atkins voted against.

Ms. Fenton asked if the applicant could do an aggregate concrete with brick detail to set up some sort of alternating coloring or alternating design.

Mr. Atkins felt the moveable planters and maze were a strategy to deal with the enormous amount of concrete.

Mr. Knight agreed the expanse of concrete was inappropriate. He suggested achieving consistency with the Transit Center and the Mall by using brick within the project.

Mr. Wolf felt the amphitheater could lean more towards a park-like setting.

Ms. Heetderks stated the Board's mandate from City Council was to apply the Design Guidelines. The Board is bound by these guidelines. She cited from the guidelines for public improvements: "Walls and fences; use the existing vocabulary in materials for the design of any new wall. Traditional materials for walls are stone and brick. Plazas, parks and open spaces; design elements in such areas to relate to the overall vocabulary of the district. While such elements may relate to the district they may also be more visually distinctive to celebrate the uniqueness of the space."

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#### **N. Adjournment**

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