

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

Minutes

Present: Also Present:

Joe Atkins, Chair Mary Joy Scala
Fred Wolf, Vice Chair
Wade Tremblay
Preston Coiner
Joan Fenton
Lynne Heetderks
Syd Knight
William Lucy

Mr. Atkins convened the meeting at 4:59 p.m. Mr. Atkins recognized Ms. Fenton for her years of service as Chair of the Board. He expressed thanks and appreciation for the way she showed concern with the well being of the City and its buildings' historic, architectural and cultural heritage.

A. Approval of Minutes

Mr. Atkins called for any corrections to the 16 November minutes. Ms. Scala noted that she had inserted a paragraph to better describe the action on Oakhurst Circle Historic District. It had not been a regular item but had been a discussion of the subcommittee recommendations. Mr. Atkins thanked Ms. Scala for clarifying the language from the special meeting. Mr. Coiner stated that on page 3 the word "turned" should have been "terne."

Ms. Heetderks moved to approve the minutes as amended. Mr. Tremblay seconded the motion which carried unanimously.

B. Matters from the public

Mr. Robert Nichols, who had previously been before the Board about a renovation to 321 East Main and had agreed to bring a larger sample of the aluminum finish material, presented the Board with the larger sample.

Mr. Atkins thanked Mr. Nichols for providing the sample. Since approval had not been contingent on the sample, no action was required by the Board.

C. Certificate of Appropriateness Application

**BAR 04-12-01
Downtown Mall**

Vending Cart

Jonathan Fenton

Ms. Scala gave the staff report. The applicant seeks a Certificate of Appropriateness for a sushi vending cart. The cart is stainless steel. The customer counter is proposed to be a red and white fiberglass surfboard; in later conversations with the applicant he had said it could be any material. The umbrella is proposed to be of dark green and dark blue fabric. There will be no sign; T-shirts and menus would carry the logo. Staff did not think the surfboard would be in character with the Downtown Mall; the surfboard also did not meet the Design Guidelines for color. Based on the Guidelines, the umbrella should be one solid color.

Mr. Jonathan Fenton stated the counter did not need to be a surfboard.

Mr. Atkins called for questions from the public and then the Board.

Mr. Wolf asked if the cart would be in conjunction with a restaurant. Mr. Fenton stated it was not. The applicant stated there would be a need for power for refrigeration and wondered if they could use a compact generator powered by gasoline.

Ms. Fenton asked if the applicant had an alternative to the surfboard. Mr. Fenton clarified he would do whatever the Board asked.

Mr. Coiner expressed discomfort with the Board designing something that would work. He would prefer the applicant tell them what he would like to do to meet the Guidelines.

Mr. Atkins called for comments from the public.

Mr. David Heilbronner stated others used propane refrigeration. He stated there could be clean up problems if the sushi was prepared on site and there was no running water.

Mr. Atkins called for comments from the Board.

Ms. Fenton thought it would be better if the applicant found out the requirements of the Health Department. After that, the applicant could come back with a design. Ms. Fenton suggested the applicant ask to defer.

Mr. Wolf expressed concern about the surfboard serving counter and suggested another material be chosen.

Mr. Coiner felt previous approvals had been for quilted-type stainless steel.

Mr. Atkins suggested the applicant refer to the Guidelines for vending carts.

The applicant stated he would like to defer his application.

D. Certificate of Appropriateness Application

BAR 04-12-02
534 Park Street
Tax Map 53 Parcel 126
Redesign Garden
Lynn Valentine

Ms. Scala gave the staff report. The applicant was requesting approval for a redesigned garden in front of the residence to include a water garden. Existing large trees, boxwood, walkways and perimeter wall would remain. The proposed pond area would have a four foot blue stone ridge. An existing perennial border would be moved to the pond area which would also be landscaped with additional plantings including Spirea, Hydrangea, Rhododendron, Yew and a small Magnolia. Staff recommends approval.

Mr. Lucy entered the meeting at 5:20 p.m.

Ms. Valentine was present to answer any questions.

Mr. Atkins called for questions from the public and the Board. There were none. He then called for comments from the public and then the Board.

Mr. Knight stated he saw nothing in the Guidelines to prevent approval. He did have a slight concern about the up lights; however, he felt they were well within the Guidelines.

Mr. Wolf moved that they approve the application as submitted. Mr. Tremblay seconded the motion. The motion carried unanimously.

E. Certificate of Appropriateness Application

BAR 04-12-03
100 West Main Street
Tax Map 28 Parcel 19
Renovate storefront
Lexie Boris, The Terraces, Applicant
Ludwig Kuttner, K Holdings LLC, Owner

Ms. Scala gave the staff report. The applicant was seeking approval for renovation of the West Main storefront as well as the First Street side of the building. The existing metal siding will be replaced with copper; the existing brick facade on First Street would be stripped down to natural brick. Window openings would be punched in. There will be a cast stone base with chamfered cap. The proposed storefront and new side windows would be tempered glass in mahogany frames. A bridge is proposed to span existing planters to provide access to a required exit door on First Street. The existing copper downspouts and drainage structure on First Street would be modified. The date of the brick wall had not been determined but was believed to be from a building dating to the 1920s. Staff needs more details for the proposed bridge, downspouts, drainage structure, canopy, copper cladding, lighting and signage. Staff recommends approval of the general design and materials.

Mr. Wolf stated his firm had worked on the project before; therefore, he recused himself from the matter.

Mr. Peter Wilson, architect, stated they were proposing: a heavier cornice, windows above the awning, articulating the bulkhead in greater detail. They proposed to replace the existing metal awning with a metal awning with glass panels. Mr. Wilson stated the owners had a proposed tenant who wanted the entire space; therefore they needed to provide a second exit. The only possible exit was onto First Street. He stated the relocated downspouts would come into the existing box. Mr. Wilson presented samples of the proposed materials to the Board.

Mr. Atkins called for questions from the public and then the Board.

Mr. Lucy sought clarification that the copper would become the anticipated color in the plans. Mr. Wilson concurred as they would be treating the copper with an accelerant.

Mr. Atkins wanted to know if the applicant had materials or structural supports for the steps for the bridge. Mr. Wilson explained the intent was to have an edge channel that would be in the shape of the walkway and then down the stairs.

Ms. Fenton expressed concern that there was no signage plan shown. Mr. Wilson stated signage would be dealt with separately once the applicant had tenants.

Mr. Atkins called for comments from the Board.

Mr. Knight thanked Mr. Wilson for the clear presentation. Mr. Knight thought the design was well done. A sticky point for Mr. Knight was puncturing the walls on First Street; however, he felt what was gained by adding life to the side street far outweighed the loss of any of that historic structure since there wasn't much of that historic structure left.

Ms. Heetderks thought the design was great. She expressed concern about puncturing the First Street wall. Ms. Heetderks cited Design Control Guideline for Rehabilitation Number 4, Subsection B, number 10: Do not change the number, location, size or glazing pattern of windows by adding new openings, blocking the windows, or installing replacement sash that does not fit the window opening. However, she had also looked at the Criteria for Demolition to consider whether this wall should be protected. The wall did not meet four of the six criteria for protection: the age was questionable; it was not associated with any particular historic person or event; it was not an infrequent or first or last remaining example of a particular architectural style; and it was not of a particularly distinctive design nor is it a distinguishing feature of the building.

Mr. Coiner expressed a preference for the copper to oxidize naturally. Mr. Atkins suggested the applicant show staff a sample of the accelerated finish. Mr. Tremblay felt the verdigris finish would be neat if it could be achieved.

Ms. Fenton moved to approve as submitted with: the details of the lighting coming back to the Board; any details not presented coming back; a sample of the copper with the accelerant being

shown to Ms. Scala for her approval -- if she thinks it is not acceptable, she would bring it back to the Board; and citing the criteria cited by Ms. Heetderks as to reasons why they are allowing these openings, allowing the openings as shown; and the signage would come back to the Board for approval later when there is a tenant. Mr. Knight seconded the motion. Mr. Atkins offered a friendly amendment to include a return with details of the bridge at the second exit, taking into account the glass rail at the end of the handrail. Ms. Fenton and Mr. Knight accepted the friendly amendment. Mr. Atkins called the question. The motion carried, 7-0-1; Mr. Wolf recused himself from the vote.

In the absence of the applicant for Item F, Mr. Atkins proceeded to the next item on the agenda.

G. Discussion: Court Square banners material and lighting

Ms. Scala gave the staff report. She had sent an E-mail asking if the Board approved the cloth banners; she received an E-mail in return suggesting the possibility of using metal or vinyl banners. The design chosen, the facade of the portico, was very detailed and would be difficult to digitally reproduce on cloth. Ms. Scala distributed samples of the metal and vinyl banners. If cloth was used, the design would have to be simplified. The estimated maximum outdoor life for the vinyl was two years with an estimated cost of \$125 each plus installation. The estimated maximum outdoor life for the metal sign was five to seven years with an estimated cost of \$165. There had been no consensus in the E-mail replies.

Mr. Tremblay asked that those who preferred the cloth over the metal explain the distinction.

Ms. Fenton stated that fabric was a material that existed during the time period. She also stated that historically there were banners and flags like that, not metal signage.

Mr. Atkins expressed a preference for the metal due to its permanency.

Mr. Wolf stated he had preferred the cloth; however, the metal was a consideration based on serviceability and functionality.

Ms. Heetderks based her preference for cloth on the texture, motion and sound.

A majority of Board members preferred cloth and would support further study into the proposed digital image being reinterpreted as artwork for the banner.

Ms. Scala stated she had talked to Tony Edwards, City Engineer, about the lighting. There were three ways to tone down the lighting. A matte finish would be applied to the reflector on one of the lights on Court Square. The next option would be replacing the lamps which would be expensive. The third option would be to replace the clear glass with translucent. Mr. Atkins suggested a fourth option of getting a lens adapter for the fixture.

H. Discussion: Temporary art on construction fences

Ms. Fenton stated the signs on the Paramount construction fence were not meeting the Zoning Regulations. The Downtown Business Association would like to do an art project on the fences by the construction by the amphitheater. There have been examples of paintings on fences in the past which were enjoyed. Ms. Fenton suggested the Board pass a motion that something put up for six months or less on a construction fence, or during the course of construction, is acceptable, or could be put up; if there was a complaint, the Board of Architectural Review would review it.

Mr. Atkins called for comments from the public.

Mr. Jim Tolbert stated there would be no problem if someone painted a construction fence and put something on it that was not specific to an event or a business. He stated the proper thing to do was to ask the Planning Commission to amend the Sign Ordinance of the Zoning to allow it. There were no guidelines regulating construction fencing.

Ms. Fenton made a motion asking that the Board of Architectural Review ask the Planning Commission to look at the issue, to consider having some sort of regulations that would allow art groups to have wording as well as art on construction fences. Mr. Knight seconded the motion which carried unanimously.

F. Certificate of Appropriateness Application

BAR 04-06-05 (Resubmitted)

East Water Street and East Main Street (Amphitheater)

Tax Map 53 Parcel 160

Design details

WRT, Architects

Ms. Scala gave the staff report. The amphitheater project had been basically approved at the October 5th Special Meeting; the applicant was to come back for approval of the aggregate and sand blasted concrete base, sample for color and texture, brick and mortar, railings, lighting, final coordination of elements top of wall.

The applicant's representative, Bill Lenart, stated they were seeking approval for only three items at this time: the slab material, the planting plan, and the fencing. Based on the approval of the fencing system proposed by WRT within the past two weeks, that system would be matched throughout the amphitheater site. The system used a stainless steel mesh, black painted frame and a stainless steel cap rail. The planting plan had been changed so the caliper of the ginkgoes would be reduced from five inches to three inches. The applicant supplied the Board with samples of the aggregate materials.

Mr. Knight felt the slab material was what the Board had approved; he thought they were fine. He felt the planting plan was helped by smaller trees. He asked that the applicant consider an alternative to the purple winter creeper because it tends to look coarse and ratty in a short period of time.

Mr. Atkins called for questions and comments from the public and then the Board.

Mr. Knight stated he had no strong objections to anything being presented by the applicant. Mr. Knight then left the meeting at 6:54 p.m.

Ms. Fenton moved to approve the three items as submitted. Mr. Tremblay seconded the motion. Mr. Atkins felt it would serve the Board to underscore the clarifications made during the presentation. He offered as a friendly amendment the stage surface being excepted from the overall material plan, the ginkgo being of smaller caliper on the planting plan, including comments from Mr. Knight regarding the species of the ground cover, and then acknowledging that the mesh design on the railing, which was previously approved, takes the place of what was shown. Ms. Fenton and Mr. Tremblay accepted the clarification. Mr. Atkins called the question. The motion carried unanimously.

Mr. Atkins stated he liked the proposed changes which would be presented later. He suggested the applicant bring an updated model as it would help visually and materially.

I. Discussion: Individually Protected Properties Review

Ms. Scala had presented the Board with a copy of a letter sent to the Planning Commission and City Council. The NDS intern was working on the review with help from Ms. Heetderks. The list of Individually Protected Properties had not been updated since the mid 1990s. Ms. Scala felt a work session would be necessary at some point.

A work session to discuss the proposed Design Guidelines was scheduled for January 26, 2005.

J. Matters from the public

There were no matters from the public.

K. Other Business

Ms. Fenton thanked the Board and stated her enjoyment of having worked with them. She expressed confidence in the new Chair, Mr. Atkins.

L. Adjournment

Ms. Fenton moved that the meeting be adjourned to the Thai Restaurant. Mr. Wolf seconded the motion. The motion carried unanimously, whereupon the meeting stood adjourned at 7:17 p.m.