

**City of Charlottesville  
Board of Architectural Review  
May 17, 2005  
Minutes**

**Present:**

Joe Atkins, Chair  
Fred Wolf, Vice Chair  
Wade Tremblay  
Preston Coiner  
Amy Gardner  
Lynne Heetderks  
Syd Knight  
Bill Lucy  
Kate Swenson

**Also Present:**

Mary Joy Scala

Mr. Atkins convened the meeting at 5:03 p.m.

**A. Matters from the Public**

Mr. Atkins called for matters from the public not on the formal agenda. There were none.

223 East Main Street (Chaps Ice Cream mall gazebo)

No one was present to speak to this issue at the time.

**B. Certificate of Appropriateness Application**

**BAR 05-04-06 (Deferred from April 19)**

**315 East High Street**

**Tax Map 33 Parcel 67**

**Landscape plan for City Circuit Courthouse**

**City of Charlottesville, Owner**

**John B. Mann, Landscape Manager**

**City of Charlottesville, Applicant**

Ms. Scala gave the staff report. The application had been before the Board at the April meeting and has been revised. The slate stone courtyard with seating to match that in Court Square is now located close to the existing walkway. The masses of flowering shrubs have been eliminated in

favor of a sod lawn area and minimal shrub plantings of boxwood and Fothergilla along with ground covers and bulbs. Staff recommends the proposed plan as being attractive and functional as a gathering space. The plan preserves the large trees that are important to the High Street area. The plantings are traditional and will be compatible with the site and district.

Mr. John Mann stated he had met with Mr. Knight to address some of his concerns to form an agreement that was best for the historic district.

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

Ms. Swenson asked if the City could prune the white oaks rather than leaving it to Dominion Virginia Power. Mr. Mann explained that Dominion pruned the trees as they saw appropriate to the wires in the area. He further stated the City crews did not do it due to the dangerous situation at the wires. Mr. Mann stated Dominion contracts it out to expert arborists. Mr. Knight asked if the City could possibly contract to do the pruning rather than wait for Dominion's contractor to do the work as they had a different standard than most arborists since they only sought five foot clearance from the power line. Mr. Knight stated he would be in favor of a suggestion that the City handle it since the trees needed more pruning.

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

Mr. Knight commended and thanked Mr. Mann and the City for being willing to make the changes to the plan. He felt the plan was quite a bit improved and would represent a nice addition to the front of the Courthouse and the neighborhood.

Mr. Knight moved to approve the plan as submitted finding that the proposed changes are compatible with the property and other sites in the historic district specifically regarding Guidelines for Site Elements: Plantings and Walkways, and Guidelines for Public Improvements: Plazas, Parks and Open Spaces; he added the suggestion that the City initiate pruning improvements for the three big, existing White Oak trees. Ms. Swenson seconded the motion. The motion carried unanimously.

### **C. Staff Presentation and BAR Discussion/Recommendation:**

#### **Rugby Road-University Circle-Venable Neighborhood ADC District**

Ms. Scala stated the staff report in the members' packets had a background of the proposed historic and Architectural Design Control District. The basis for surveying the area was found in the Historic Preservation Plan of 1993 and the Comprehensive Plan of 2003 and the Venable Neighborhood Plan. Recommendations were also made by the Historic Preservation Committee. With the adoption of the new Zoning Ordinance in 2003, City Council directed staff to include the Fourteenth and Fifteenth Street area within the area to be surveyed. The consultant, Maral S. Kalbian, had been given a preliminary boundary. Part of the proposed district is currently designated a National Register District; if those properties were included in a local register, they would be eligible for tax credits if someone wanted to do a major rehabilitation. City Council must consider the recommendations of the BAR and of the Planning Commission. After the

BAR's recommendation, a Joint Public Hearing would be scheduled for City Council and the Planning Commission. City Council would make the final decision. Many people in the area have expressed concern about the Zoning and the possible conflict with the historic district. Staff recommends that the Board focus on the significance of the district as an historic district. The Planning Commission would like a work session on this proposal before it goes to a public hearing. Staff recommends the Board forward this proposed ADC District to the Planning Commission and City Council with a recommendation to designate the district as proposed.

Ms. Maral S. Kalbian, Architectural Historian, gave a PowerPoint presentation overview of the proposed district.

Mr. Atkins stated the Board should be looking at three significant issues: the potential conflict of the adopted zoning of medium and high density residential and the way it crosses over this district; the timeframe of the study; and the Board's role in looking at non-contributing versus contributing structures on a case by case basis.

Mr. Atkins called for comments on the Board's role of making a recommendation relative to zoning.

Mr. Tremblay was struck by the disparity of designating an area as a high density zone and then make it an historic district considering most of the property contributing. He could not understand how that happened and was frustrated by it.

Mr. Coiner stated they had received letters of opposition before they got the plan. He did not think they could act on this matter during this meeting. While discussion was important, he did not think anyone should expect them to take a vote at this time.

Ms. Swenson sought clarification of where conflict would be shown to the greatest degree. Mr. Tremblay stated virtually all of the Venable Neighborhood would be in conflict. He wondered if a contributing structure could be redeveloped at all. He stated the standards for consistency in an historic district were at odds with achieving the goal of the high density district.

Mr. Atkins reiterated the conflict of the overlay of the Wertland Historic District over the panhandle of the University High Density.

Mr. Wolf stated the fact that the Planning Commission and the Zoning Ordinance outpace the City's ability to designate the area as something which should fall under the purview of the BAR and be protected does not necessarily mean because it is there first that the Design Control District is the one in conflict, nor does it mean the City was correct in assuming that area should become a zone that is developed to the limit of the Code; perhaps the Code should not be written the way it is for that section.

Mr. Atkins asked the Board if they could continue to evaluate the proposal, excluding the Zoning issues and let the public confront the Zoning issues with the Planning Commission and City Council. The Board members concurred with that suggestion.

Mr. Atkins asked the Board if there was adequate information and adequate time to move to recommend the total proposal before them. Mr. Knight stated he would benefit from a walk through of certain sections. Ms. Scala stated the only problem with delay was that there could be demolitions in the neighborhoods before the ADC could be approved.

Mr. Atkins called for comments on contributing versus non-contributing.

Mr. Tremblay expressed concern about the threshold for determining a contributing structure based on age. He was concerned that some structures that had no significant history were being included because they were over 50 years old.

Mr. Knight felt Staff and the consultant should be given an opportunity to explain the significance of properties before the Board determined if they were contributing or non-contributing.

Mr. Lucy agreed that discussion was important since it did seem that all buildings over 50 were considered contributing.

Ms. Kalbian stated she had used the standard used by the National Parks Service for determining contributing and non-contributing. Ms. Kalbian had discussed with Ms. Scala about some of the institutional buildings that are large visual landmarks in the district which were considered contributing and were not 50 years old including the library.

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

Ms. Karen Dougald, of University Circle, stated a lot of the Venable Neighborhood Association people had been concerned about the growth of the neighborhood.

Mr. Rick Jones felt the Board should be responsible for the consequences of its actions. He asked that the Board read the full report and read what was being done to the properties. He expressed nervousness over the attitude of "let's let the Planning Commission deal with it." He asked the Board to take the time to look at this in depth.

Mr. Jim Stultz, owner of 11 historic properties including properties within the proposed district, thought the study was not as good as it could be. He felt there should be more study including walking through the area. He stated he would help pay for a more in depth study if needed instead of just broad brushing the properties and moving on. He also expressed concern about the Board making a decision by waiting to see how the Planning Commission would decide; he suggested they let the Planning Commission decide on how it would work and the Board make its decision on how to save it.

Mr. Frank Biasioli, owner of property on Fifteenth Street, reiterated the suggestion that the Board go slow and seriously consider what was about to be done here. He felt the 50-year criteria was inadequate. He felt they should use a multi-functional approach to figure out what are the true contributors in making a building or structure valuable or worth preserving and maintaining.

Ms. Sally Nelson, of University Circle, asked that the Board be cautious and not change the character of the City too much.

Mr. Daniel Bluestone, of 501 Park Hill, felt this was an extraordinary district. He thought the Board of Architectural Review and Charlottesville Planning Commission should help make the decision.

With no one else wishing to speak to the matter, Mr. Atkins closed the public hearing. He then called for comments from the Board.

Mr. Knight thought there was some adjustment to discuss as far as the exact boundaries and what constitutes a contributing structure. He thought there needed to be more discussion on that. He stated he saw the merits of most of this district being an historic overlay district. He stated there needed to be a great deal more discussion in trying to reconcile the Zoning Ordinance and the historic overlay district. He proposed that they have a discussion with the Planning Commission to see if there was a way to make the goals of higher density and higher density with the appropriate level of sensitivity to the historic context.

Mr. Atkins proposed that if the Board did want to have a walk through, they invite the Planning Commissioners to do it jointly with a discussion of contributing/non-contributing beforehand.

Mr. Knight moved that they defer the question and ask staff to schedule a joint meeting of the Board of Architectural Review and the Planning Commission to discuss how to reconcile the seeming difficulties in the process; and that they also ask staff to schedule a meeting that would be a walk through of the proposed district. Mr. Wolf seconded the motion. Ms. Swenson offered a friendly amendment that the research be continued on this neighborhood; continued research with a greater degree of depth could allow for them to understand a road map going forward that would continue to create a dynamic and vibrant student and residential neighborhood. Ms. Swenson clarified that her amendment was for further development of the survey into a more comprehensive document that not only clarifies and briefly details about architecture from the curbside but that also gets into more in depth how the building functions and why it's important. Mr. Knight and Mr. Wolf accepted the friendly amendment. Mr. Coiner sought clarification that their deferral of the matter meant they had to act the following month; he suggested that, since the City was the applicant, the City ask for a deferral so the Board did not have to act on the matter in June. Ms. Scala requested deferral of the matter. Mr. Knight withdrew his motion.

Ms. Scala stated she would schedule a joint meeting and walk through.

Mr. Atkins did not want the deferral and withdrawn motion and the applicant's deferral to be misconstrued that there is not near full support of this as a district; all of the caveats and questions were the main reason for deferral.

Mr. Atkins called for a recess. The Board stood in recess at 6:45 p.m. Mr. Atkins reconvened the meeting at 7:04 p.m. Mr. Lucy was no longer in attendance.

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

**BAR 04-06-05**

**East Water Street and East Main Street**

**Tax Map 53 Parcel 160**

**Transit Center and Mall Extension (Design Changes)**

**Ed Kopp representing the City of Charlottesville, Applicant**

Ms. Scala gave the staff report. The applicant was present to revisit: replacing the Douglas Fir with Southern Yellow Pine; replace the cast stone stair treads with cast in place concrete; replace Lebanese Cedar on the sunscreen with teak or oak; replace the use of the modular concrete block on the large retaining wall with Redi-Rock as was approved on the Amphitheater in March; replace the previously approved pedestrian mall lights and street lights with non-custom versions. Staff has told FTL that they may wait until December 2005 to obtain design approval for a pedestrian connection from the Mall to the Amphitheater but they must bond the improvement. WRT's over all planned design changes for the Downtown Mall will come before the Board of Architectural Review in June. Staff recommends approval of the design changes.

Mr. Kopp, in conjunction with Antonio Fiol-Silva, gave a brief PowerPoint presentation.

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

Mr. Coiner sought clarification as to why Douglas Fir had been considered at first if Southern Yellow Pine was better. Mr. Fiol-Silva felt like they kept improving; he stated they kept looking and found a better answer.

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

Mr. Atkins stated he had been in error at the previous meeting because he had been thinking of the Douglas Fir as a large structural member and that reclaimed Douglas Fir would be used. He was moved by the images of the use of Southern Yellow Pine in other circumstances.

Mr. Knight stated he had no problem with the substitution of Yellow Pine. He expressed a preference for the Redi-Rock to the previously approved stacked block. Mr. Knight expressed concern about the light fixture. He felt there was not enough information yet.

Ms. Swenson moved to approve the application as submitted for the substitution of Southern Yellow Pine, cast in place stairs beautifully finished, teak wood windows and teak wood sunscreen, Water Street Redi-Rock retaining wall, and lights as administratively confirmed by Mary Joy, finding that the proposed changes are compatible with the property and other sites in the historic district, specifically regarding Guidelines for New Construction, Materials and Textures, and Guidelines for Public Improvement, Sliding Walls and Fences, Plazas and Open Space. Mr. Knight seconded the motion. Mr. Atkins expressed appreciation for the presentation and the patience of the applicant in coming to a fine resolution. The motion carried unanimously.

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

**BAR 05-05-02**

**255 West Main Street**

**Tax Map 33 Parcel 155.3**

**US Courthouse and Federal Building site work**

**Replace walk, replace trees, add bollards**

**VVP, LLC (Lane Bonner, Agent), Owner**

**FPW Architects, PC, Applicant**

Ms. Scala gave the staff report. The applicant proposes site improvements: the six Bradford Pear trees flanking the front entrance walkway will be removed and replaced with four red oak trees; six new lighted bollards will replace existing bollards along the entrance walkway; six existing wood benches will be salvaged and reinstalled along the front walkway; the existing concrete entrance walkway will be replaced with a new scored concrete entrance walkway; the existing sign will be replaced with a new monument sign; and new eight-inch square concrete-filled steel bollards will be placed along the perimeter of the site at four foot on center. The proposed plan provides an attractive and dignified entrance.

Mr. David Puckett, of FPW Architects, stated the Federal Courthouse was undergoing a complete renovation. He stated the walk was broken and was fairly hazardous; it also no longer met ADA requirements. The invasive root structure of the Bradford Pears invaded the conduit for the lighting bollards so that they no longer light. Mr. Puckett stated the bollards were now a requirement from the US Marshall Service to protect the public and the staff.

Mr. Atkins called for questions from the public and then the Board. There being none, he called for comments from the public and then the Board.

Mr. Knight felt it was an improvement to the site. He asked that the architect consider the visual line that the bollards create around the edge of the site.

Mr. Wolf moved to accept the application as submitted, finding the changes compatible with the property and other sites in the district, specifically regarding Guidelines for Site Elements, Plantings, Walkways and Driveways, Guidelines for Public Improvements, Plazas, Parks and Open Spaces. Mr. Knight seconded the motion. The motion carried unanimously.

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

**BAR 05-05-04**

## **7 Valley Circle**

### **Tax Map 11 Parcel 67**

#### **Add porch roofs, parge walls, replace doors, replace roof**

#### **Bona Venture, LLC, Owner and Applicant**

Ms. Scala gave the staff report. The house, built in 1945, is a contributing structure in the Oakhurst/Gildersleeve ADC District. The applicant proposes several exterior changes to the house including: remodeling the front porch by extending the entry gable, adding a new roof and installing new wood steps; replace the existing asphalt shingle roof with new asphalt shingles; cover cinder block exterior with Dryvit parging; replace four exterior doors with painted steel; and add overhang at the rear kitchen door. The planned improvements will not substantially alter the simple design of this cottage. If the front door is original, staff recommends it be retained rather than replaced with a different style.

Ms. Sharon Luke had spoken with the contractor about saving the front door; he thought that was possible.

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

Mr. Tremblay felt the house was invisible and the proposal was a good improvement.

Mr. Tremblay moved to approve the application as submitted, retaining the front door, finding that the proposed changes are compatible with the property and other sites in the historic district specifically regarding Standards for Construction and Alterations and Guidelines for Rehabilitation, Entrances, Porches and Doors, number 6. Ms. Heetderks seconded the motion, which carried unanimously.

## **G. Certificate of Appropriateness Application**

### **BAR 05-05-05**

#### **9 Gildersleeve Wood**

### **Tax Map 11 Parcel 16**

#### **Addition and relocate windows**

#### **Michael Osteen, Owner and Applicant**

Ms. Scala gave the staff report. The house dates to 1918 and is thought to be the oldest structure on Gildersleeve Wood. The applicant proposes a kitchen renovation and requests: to remove a door and two windows on the rear elevation of the existing addition; to remove the three



windows on the side elevation and reinstall them in the rear; to cantilever a framed bay 2'4" from the existing structure on the side elevation to accommodate a range and install a new three-part window in the cantilevered bay. Staff found the applicant needed to specify materials for the siding, roof, and window to be used for the addition. Staff recommends that the new triple window be similar to the other windows in the house. The location of the proposed addition is moderately obscured by mature trees and shrubs.

Mr. Michael Osteen explained he was not proposing new windows on the south side.

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

Mr. Knight stated he liked the project.

Ms. Swenson moved to approve the application as submitted referencing the standards for alterations, Guideline for Rehabilitation. Mr. Tremblay seconded the motion. Mr. Atkins suggested they add the verbal description of no window stated for the record. Ms. Swenson and Mr. Tremblay accepted the friendly amendment. The motion carried unanimously.

## **H. Comprehensive Signage Plan**

**BAR 05-05-03**

**115 Second Street Southeast**

**Tax Map 28 Parcel 28**

**Comprehensive Signage Plan**

**Charlottesville Contemporary Arts**

**CCA, Inc. (William Chapman), Owner and Applicant**

Ms. Scala gave the staff report. She stated members should have a proposal for the projecting signs. The last time the applicant had been before the Board it had been stated this project would be good for the comprehensive signage plan except for the fact that the Lighthouse and the Second Street Gallery had not yet designed their signs. Ms. Scala felt it should still be considered as a Comprehensive Signage. The applicant seeks approval for two wall signs. The wall signs would be cut aluminum lettering colored to match the projecting sign. The projecting sign would be all aluminum. Ms. Scala felt that was appropriate. Ms. Scala recommended approval as submitted.

Mr. Bill Chapman 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 the Board.

Mr. Knight felt it was very appropriate and very attractive.

Mr. Knight moved that they approve the non-illuminated projecting sign and the two wall signs as submitted finding that it was compatible with the property -- the version they had seen for the property all along -- as specifically regarding the Standards for Comprehensive Signage, with the provision that they Board see the Lighthouse signage separately when the time is appropriate.

Mr. Atkins seconded the motion. Ms. Swenson queried if Ms. Scala could administratively approve the Lighthouse sign. Mr. Atkins offered a friendly amendment that the Live Arts designation sign and the Lighthouse, if consistent with the other signs, be approved administratively. The motion carried unanimously.

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

**BAR 05-05-01**

**12 Elliewood Avenue**

**Tax Map 9 Parcel 88**

**Enclose Rear Deck**

**Art Conroy, Owner**

Ms. Scala gave the staff report. The applicant seeks to enclose an existing rear deck with Hardiplank siding. The deck is located in an area of low visibility on the rear facade. The proposed plan will enclose the deck to make it available for year round use. The proposed fenestration pattern and style are inconsistent with the site and the other buildings in the Corner ADC District. Hardiplank siding is appropriate in this location. Staff feels a slightly different type of window would be more in keeping with the other windows on the building and in the district.

Mr. Conroy had nothing to add to the presentation.

Mr. Atkins called for questions from the public.

Mr. Gary Albright wondered if the size of the deck would be increased as well. Mr. Conroy stated it was only to enclose the deck.

Mr. Atkins called for questions from the Board.

Mr. Atkins sought clarification as to Staff recommendations for the windows being a one over one. Ms. Scala asked for the Board's guidance in approving that administratively. Mr. Atkins felt casement or double hung windows would be appropriate.

Ms. Swenson sought clarification of a white wall. The applicant explained it was a fire wall. Ms. Scala stated the building official needed to approve the fire wall.

Mr. Tremblay moved to approve enclosure of the rear porch as submitted, acknowledging the details on the windows would come back to the Board when they had been arrived at as well. Mr. Wolf seconded the motion. Mr. Atkins offered a friendly amendment that the two types of windows described -- casement and double-hung -- could be administratively approved. Mr. Tremblay and Mr. Wolf accepted the friendly amendment. The motion passed, 7-1; Ms. Swenson voted against.

Mr. Atkins called for a short recess, whereupon the meeting stood in recess at 8:36 p.m. Mr. Atkins reconvened the meeting at 8:46 p.m.

### **J. Recommendation: Design Control District Guidelines**

Mr. Atkins suggested they go through each suggestion to see if it was approved or rejected.

Number 1 was accepted.

Number 2 was rejected.

Number 3 was accepted.

Number 4 was accepted.

Number 5 was accepted.

Number 6 was accepted.

Ms. Swenson expressed a disliking for the language used. She thought the language should be from an inspired vision. Ms. Gardner thought the language was going to have to be from the Comprehensive Plan.

Ms. Heetderks wanted Number 9 struck.

Mr. Coiner wanted a list of individually protected properties included.

Ms. Swenson left the meeting at 9:10 p.m.

Board members suggested adding captions and new photographs.

Mr. Atkins expressed a preference for the definition at the start of the Secretary of Interior Standards defining what rehabilitation is.

Ms. Heetderks asked that they eliminate 4.9.

Mr. Atkins wanted 13 struck.

Ms. Heetderks made a motion to adjourn the meeting. Mr. Tremblay seconded the motion. The motion carried unanimously whereupon the meeting stood adjourned at 9:37 p.m.