

**City of Charlottesville  
Board of Architectural Review  
July 19, 2005**

**Minutes**

**Present:**

Preston Coiner  
Amy Gardner  
Lynne Heetderks  
Syd Knight  
Bill Lucy  
Kate Swenson

**Also Present:**

Mary Joy Scala

**Not Present:**

Joe Atkins, Chair  
Fred Wolf, Vice Chair  
Wade Tremblay

In the absence of the Chair and Vice Chair, Ms. Heetderks served as Acting Chair and convened the meeting at 5:03 p.m. Ms. Heetderks stated the agenda had been revised and called upon Ms. Scala to announce the changes.

Ms. Scala stated the Downtown Mall newsstand, listed under Matters from the public, should be a preliminary discussion. The Wayfinding Signage discussion would be deferred until the August meeting. Item I, Amphitheater handicapped ramps, was to be removed as nothing had been submitted. Ms. Scala suggested that the ADA Design Guidelines discussion could be deferred until August when the whole BAR could meet; if those members present felt comfortable discussing them at the this meeting, staff would like them to discuss the guidelines.

A. Matters from the Public

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

Downtown Mall newsstand preliminary discussion

Ms. Scala stated City Council had approved this concept at their June 20th meeting.

Mr. Steven Russell stated this project was a hybrid of things currently existing on the Downtown Mall; this was not a vendor stand that goes away every day, nor was it a permanent structure. He had consulted the Design Guidelines for kiosks but sought guidance from the Board before working with his architect. Mr. Russell had rough, preliminary conceptual design sketches which he presented to the Board.

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

Mr. Coiner sought clarification as to why only one side of the structure would be open. Mr. Russell explained it would allow for the stand to appeal to customers as well as allowing for secure storage of wares after hours.

Mr. Coiner suggested the applicant consult with Ms. Scala as to what was entailed within the 100 square feet as he felt it would be a 10x10 grid.

Ms. Gardner thought the newsstand was a good idea.

Mr. Knight expressed appreciation for the applicant culling out the specific requirements which would be applicable for this. However, he stated he would be looking for more attention to the one-sided display as the stand should have 360 degree attractiveness. He also asked that more consideration be given to the roof.

**B. Presentation/BAR Discussion:  
Downtown Wayfinding Signage**

As previously cited, this matter was to be deferred until the August meeting.

**C. Presentation/BAR Discussion:  
Additions to North Downtown and Downtown ADC Districts**

Ms. Scala gave the staff report. The BAR was being asked for a recommendation to add specific properties to the existing North Downtown and Downtown ADC Districts to align the two ADC districts with the boundary of the Charlottesville and Albemarle County Courthouse State and National Register Historic District. Board members had received a copy of the survey report; a digital copy would be placed online. Designation of additional areas for an ADC district must follow the same rules as the adoption of any amendments to City Zoning Map and Ordinance. Staff finds the BAR should forward this proposed ADC District to the Planning Commission and City Council with a recommendation to designate the district as proposed; however, the BAR may choose to defer the application to allow for a walk through of the proposed district additions.

Ms. Maral Kalbian, Architectural Historian, gave a PowerPoint presentation on the District.

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

Mr. Lucy sought an explanation of the status of Ranch houses. Ms. Kalbian explained that Ranch houses give a clear understanding of the development of domestic architecture in the mid-20th Century.

Ms. Heetderks called for comments from the public.

Ms. Catherine Peaslee, a resident of McGuffey Condominiums, wanted to know how the proposal would affect the McGuffey Condominiums. Ms. Heetderks stated her understanding that they were noncontributing.

Ms. Heetderks asked the Board if they would prefer to schedule a walking tour of the district before digging to deeply into the proposal.

Mr. Coiner, although stating he knew the neighborhood well, felt they should since Board members were missing from the meeting. Mr. Coiner also felt he may have some particular questions after completing a walking tour.

Mr. Knight felt they all knew the neighborhood and felt since they were attempting to bring the area into compliance with the state and federal historic district, a walking tour seemed a moot point.

Ms. Swenson did not think a walking tour was necessary; however, there were at least four 1950's houses which were borderline contributing/noncontributing. Ms. Swenson felt discussion of that point could be appropriate as well as discussion of which properties were included due to age versus architectural integrity. She felt properties in question included 533 North First Street and 119 Walker Street. Ms. Swenson also queried why 511 North First Street was not included.

Mr. Lucy expressed reservations about adding a building type not previously added to the roster of historic structures. He also expressed concern about the percentage of homes built within the 50-year standard. Mr. Lucy felt a more refined way of thinking about the structures was necessary.

Mr. Knight sought clarification that the boundaries were not in question; the question rather was whether a few buildings were contributing or noncontributing.

Mr. Lucy expressed a preference to defer the matter.

Ms. Scala requested deferral on behalf of the City. She asked the members to submit lists of structures about which they had questions.

#### **D. Certificate of Appropriateness Application (vote required)**

**BAR 05-06-01  
601 Park Street  
Tax Map 53, Parcel 4  
Comyn Hall -- New Construction of Condominiums  
Frank Stoner, Stonehaus Inc, Applicant  
JABA, Owner**

Ms. Scala gave the staff report. Comyn Hall had been before the Board at the 21 June meeting. At that meeting the demolition of the 1970's addition to Comyn Hall had been unanimously approved; modest changes to the facade of the 1908 wing had passed, 8-1, given the modest

nature and reasonableness with which they are handled. The applicant revised the previous application and was seeking approval of the general building concept and massing and would return later with details and specifics on landscaping and other materials and issues. The hyphen portion of the building had been changed to a clad wood window system with simulated divided lights and support mullions. Remaining issues with Comyn Hall include: removing part of the porch roof where it ties into the hyphen; replacing all sashes and possibly the full windows with the same light pattern and a clad material; and replacing the rear center window with a small window. Staff recommends the BAR take action on the new addition massing, the roof forms, general window layout, the hyphen concept, the stone base and porch resolution. The Board could also approve materials and colors presented.

Ms. Heetderks stated the City Attorney had advised that they ask if the applicant would like to withdraw the previous application so the Board may consider this as the current application.

Mr. John Matthews, of Mitchell Matthews Architecture, while unsure of the technicalities, believed Ms. Heetderks' statement to be true. He stated they had attempted to implement as many of the suggestions made at the previous meeting as possible without compromising the integrity of the design. Mr. Matthews stated the discussion on the roof had not been that the metal would be kept, but if it was in good enough condition it would be kept. Mr. Matthews gave a presentation of the proposed changes and materials which included: the base of the building was lowered; a major window fenestration was changed to multiple residential elements; and the grade was raised slightly to lower the perceived mass.

Ms. Heetderks called for questions from the public.

Mr. Bud Treakle sought clarification of the square footage of the new footprint of the proposal. Mr. Matthews stated it was about 10,600 square feet.

Ms. Melinda Bryerson sought clarification as to where traffic would exit the area. Mr. Matthews stated traffic would come out on Park Way.

Ms. Heetderks called for questions from the Board.

Mr. Knight wondered if the structural soundness of the metal roof on the 1908 structure had been assessed. Mr. Matthews stated it had not been done yet.

Ms. Heetderks called for comments from the public.

Mr. Bud Treakle spoke in opposition of the proposal. He was troubled by the mass of the building and felt it did not seem to fit.

Mr. Steve Bolton also expressed concern about the mass as well as the additional traffic that would be created. He also felt the hyphen would overpower the neighborhood.

Ms. Catherine Peaslee felt the plan was consistent with an attempt to concentrate population in the City to a greater degree than it is. She felt the proposal made a great deal for the City. She

also felt the City had a need for such densely populated area. Ms. Peaslee felt it would not damage the character of the neighborhood.

Ms. Heetderks called for comments from the Board.

Ms. Swenson suggested they consider the proposed massing since members of the public had expressed concern. Ms. Swenson cited Guideline 1: Whether the material, texture, color, height, scale, mass, and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable Design Control District.

Mr. Knight appreciated the effort the applicant, architects, and developer had gone to to listen to and try to accommodate earlier Board comments. Based on his reading of the Guidelines, Mr. Knight felt he would have to make a narrow call in approval of the mass and scale.

Ms. Swenson felt the proposal did a good job of keeping in line with the massing.

Mr. Coiner stated he could not agree with his colleagues. He stated he could not support a motion in favor.

Ms. Gardner felt the firm had done a good job and hoped the project would contribute to the neighborhood.

Ms. Swenson felt the suggestion to lower the stone base had been excellently resolved. She felt it brought the scale of the building down to a more domestic scale and fit in with the neighborhood.

Ms. Heetderks preferred to wait on making a decision about the windows until the Board saw documentation of the condition of the current windows.

Mr. Knight also wanted documentation of the condition of the standing seam metal roof on the 1908 portion of the building.

Having considered the City Design Guidelines for New Construction and Additions and the Secretary of Interiors Standards 9 and 10, Mr. Knight moved that they approve the massing, the roof forms, the general window layout, the hyphen concept, the stone base and porch resolution of the building as presented this evening; he further moved that they approve the materials and colors that have been presented specifically the cultured stone on the front of the building, the hand stucco on the sides and rear of the brick walls painted bone white on the new construction - not Comyn Hall -- and the black asphalt shingle roof; Mr. Knight also moved that they make a condition of the approval the retaining of the existing roof on the 1907 [sic] addition to Comyn Hall; and he asked that the applicant come back to them at a later date with the site plan including planting and site materials, exterior lighting, signage, the colors and materials in more specificity on the hyphen and the window details and materials for the addition. Ms. Swenson asked that he reference Guideline 1 which speaks directly to the massing. Mr. Knight stated he had lumped all the City Guidelines in together without enumerating them. Ms. Swenson seconded the motion. Mr. Coiner felt Mr. Knight misspoke as to the date of the addition; it should be 1908. Mr. Coiner also stated there was no color mentioned in the proposal for the

pergolas. Mr. Knight stated the intent of the motion was that that would be one of the details the applicant would come back to them with at a later date. The motion carried, 5-1; Mr. Coiner voted against.

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

Ms. Heetderks reconvened the meeting at 7:11 p.m.

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

### **BAR 05-07-01**

**208 Hartman's Mill Road**

**Tax Map 26, Parcel 36**

**Demolish house**

**Linda and Howard Carey**

Ms. Scala gave the staff report. The applicants were requesting to demolish the James D. Nemo House built in 1870-1877. It is an Individually Protected historic Property. Standards of Demolition and the Design Guidelines for demolitions had been consulted. The criteria indicate the property should not be demolished with the only issue being the condition of the property. The Board could ask the applicants to submit a structural report. The Board could also visit the site before making a decision. Preservation Piedmont had sent a letter offering their services to the applicant to discuss options other than demolition.

Mr. Howard Carey stated this house was next door to the house they originally bought in the neighborhood. The house was being run over with shrubbery, trees, et cetera. Mr. Carey stated they had begun maintaining the yard out of fear that snakes would come over to their property. They then bought the property not knowing it was an historical property. They had consulted contractors; the price to repair the house was too high. Contractors informed the applicants nothing could be done with the structure and suggested demolition.

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

Mr. Knight asked if the applicants had consulted a contractor who specialized in restoring older, historic buildings. Ms. Carey stated they had.

Mr. Lucy wanted to know when the house had last been inhabited. Mr. Carey stated approximately ten years ago or possibly longer.

Ms. Heetderks asked if the Careys had followed up with Mr. Wunsch of Preservation Piedmont and its offer to help with tax credits. Mr. Carey stated they had looked over the packet but not yet gotten back with Mr. Wunsch.

Ms. Heetderks called for comments from the public.

Mr. Aaron Wunsch, of Preservation Piedmont, stated the house had considerable architectural merit and was one of the only Gothic Revival houses in the city. He encouraged the Board to vote for preservation.

Mr. Benjamin Ford stated the owner had a responsibility to maintain the house; the City had a responsibility to enforce the repair and maintenance of the protected property. Mr. Ford wondered if the City had attempted to contact the owner about the condition of the property in the last ten years or previous to that. He hoped the structure would be preserved.

Ms. Heetderks asked Ms. Scala if the City had had anything to do with the property as it had been vacant for the last ten years. Ms. Scala stated she did not know the answer but could research it.

Ms. Heetderks cited the Guidelines for demolition: The following factors shall be considered in determining whether or not to permit the moving, removing, encapsulation or demolition, in whole or in part, of a contributing structure or protected property: (a) The historic, architectural or cultural significance, if any...including, without limitation: (1) The age; (2) Whether it has been designated a National Historic Landmark, listed on the National Register...or listed on the Virginia Landmarks Register; (3) Whether, and to what extent, the building or structure is associated with an historic person, architect or master craftsman, or with an historic event; (4) Whether the building or structure, or any of its features, represent an infrequent or the first or last remaining example within the city of a particular architectural style or feature; (5) Whether the building or structure is of such old or distinctive design, texture or material that it could not be reproduced, or could be reproduced only with great difficulty; and (6) Whether the building or structure is of such old or distinctive design, texture or material that it could not be reproduced, or could be reproduced only with great difficulty; (b) Whether, and to what extent, a contributing structure is linked, historically or aesthetically, to other buildings or structures within an existing major design control district, or is one (1) of a group of properties within such a district whose concentration or continuity possesses greater significance than many of its component buildings and structures. (c) The overall condition and structural integrity of the building or structure, as indicated by studies prepared by a qualified professional engineer and provided by the applicant or other information provided to the board; (d) Whether, and to what extent, the applicant proposes means, methods or plans for moving, removing or demolishing the structure or property that preserves portions, features or materials that are significant to the property's historic, architectural or cultural value; and (e) Any applicable provisions of the city's design guidelines. Two) The public necessity of the demolition; (3) The public purpose or interest in the land or buildings; (4) The existing character of the structure or area and its surroundings; (5) Whether or not a relocation would be a practical or preferable alternative; (6) Whether or not the proposed demolition would effect adversely or positively other historic buildings or character of the historic district; and (7) Whether or not there has been a professional economic and structural feasibility study for rehabilitating or reusing the structure and whether or not its findings support the proposed demolition. Ms. Heetderks stated those were the only criteria the Board was allowed to consider.

Ms. Heetderks called for comments from the Board.

Mr. Coiner felt it was an awkward situation when someone bought something and didn't know what they were getting into. However, he stated the Board could not look at that. Mr. Coiner felt there were good opportunities to fix the property and make it a showplace like it once was.

Ms. Swenson thought clear evidence was needed that the house could not be refurbished prior to being demolished.

Mr. Knight felt this request did not meet any of the Guidelines the Board must consider.

Mr. Coiner suggested the applicants withdraw their proposal to gather additional information.

Ms. Gardner, having considered the standards set forth in the City Code, including City Design Guidelines for Demolitions, moved to deny this request for demolition, finding it does not satisfy the BAR's criteria, including: Secretary of Interior's Standards, 1, 3, 4, 5, 6(b), as well as City Design Guidelines 2, 3, 4, 5, 6 and 7. Mr. Knight seconded the motion. The motion carried unanimously to deny demolition. Ms. Heetderks stated the applicants had the right of appeal to City Council.

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

**BAR 05-07-03**

**321 West Main Street**

**Tax Map 32, Parcel 196**

**Replace one doorway with storefront window to match existing  
Main Street Associates, LLC, Applicant**

Ms. Scala stated the applicant was not present but felt the Board could act on this matter. Ms. Scala stated the property was a contributing structure in the Downtown ADC District. The applicant seeks approval to remove the glass door to the east and replace it with a glass storefront window, filling in the tile as necessary. Staff felt the only issue was if it were an original door. The original description in the National Register is of one door in the facade on the west side. Therefore, the proposed alterations are appropriate. Staff felt the proposed changes were compatible with the building and the historic district. Signage must receive a separate sign permit. Staff recommends approval.

Mr. Coiner sought clarification regarding the fact that the plan showed the name of one owner and the application showed another. Ms. Scala stated they needed to go by what was listed on the application.

Mr. Coiner expressed concern about allowing demolition of the doorway without knowing if the applicant could replace the tiles.

Ms. Swenson stated she could not share those concerns.

Ms. Swenson, having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitation to the Secretary of Interior Standards number 1, 2, 5, and 9,



moved to find that the proposed changes satisfy the BAR's criteria and are compatible with this property and other properties in the district and that the BAR approves the application as submitted with the understanding that the new tiles will match the existing tiles and that the overall field of masonry will be elegantly resolved. Mr. Knight seconded the motion. The motion carried unanimously.

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

**BAR 05-07-02**

**408 East Market Street**

**Tax Map 53, Parcel 54.107**

**Add window**

**Lloyd Snook, Applicant**

Ms. Scala gave the staff report. The property is contributing within the Downtown ADC District. The applicant seeks approval to add an opening in a brick wall for a new window on the alley side of the building at the mezzanine level above the first floor. The window would be five feet wide, four feet tall. A new brick sill would match the sills on the windows above and below. The window would be brown anodized aluminum similar to the windows above and below. Staff opines that adding an opening in this location would not alter the character-defining characteristics of the building; staff recommends approval.

Mr. Lloyd Snook asked for approval of a window between three and-a-half and four feet tall; he would prefer four feet, but the circumstances of the wall may not allow it.

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

Ms. Swenson, having considered the standards set forth within the City Code including City Design Guidelines for Rehabilitation in the Secretary of Interior Standards 1, 2, and 9, moved to find that the proposed changes satisfy the BAR's criteria and are compatible with this property and other properties in this District, and that the BAR approves the application as submitted understanding that there is variable height between three and-a-half and four feet. Mr. Knight seconded the motion which carried unanimously.

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

**BAR 05-07-04**

**108 Second Street, NE**

**Tax Map 33 Parcel 241**

**Replace door; add awning; repaint facade**

**Robert Redd, LLC, Applicant**

Ms. Scala gave the staff report. This is a contributing structure in the Downtown ADC District. The applicant seeks approval to: replace one of the two six-panel doors with a 15 light door with true divided lights; repaint the building, shutters and trim; and add signage and an awning. The

original appearance of the building is unknown. Staff finds the proposed changes are compatible with the building and historic district subject to final approval of actual paint chips and awning color. The applicant had submitted a color elevation showing true red colors and doors, white building and new door, and navy blue awning and trim. Sign permits had been submitted for a wall sign on each side of the entry area for the two businesses. Any additional lighting must be fully shielded and requires staff approval.

The applicant's representative had nothing to add.

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

Ms. Swenson asked if the shutters were real. The representative stated they were wood.

Ms. Gardner recused herself from the matter as she had a financial interest in the matter.

Mr. Coiner stated he had always seen the building as a mirror image and felt having two different doors took away from the balance of the building.

Ms. Heetderks expressed concern about the red color; the Guidelines say choose colors that blend with and complement the overall color schemes on the street, do not use bright and obtrusive colors. Ms. Heetderks felt the blue was fine but the red was bright.

Mr. Coiner concurred with Ms. Heetderks.

Ms. Swenson felt that color was temporary and the changes fell within the acceptable range. The glass in the door is acceptable; the awning appears acceptable.

The applicant stated they were trying to achieve a deeper red.

Ms. Swenson recommended making a motion on the door and awning and let Ms. Scala be in conversation with the applicant on the color selection. Ms. Scala asked for guidance from the Board as she was prepared to approve it as it is. Ms. Scala thought it was consistent with the Guidelines. Ms. Swenson stated her concern that the applicant was going to change the color -- he had submitted something that was not exactly what he wanted, he is going to change it and has to come back; Ms. Swenson thought they could maybe approve the spirit of his verbal proposal tonight but give Ms. Scala final call. Ms. Scala stated she would be happy to do that. Mr. Coiner seconded the motion. The motion carried, 4-1-1; Ms. Heetderks voted against and Ms. Gardner recused herself.

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

**BAR 04-06-05**

**East Water Street and East Main Street**

**Tax Map 53, Parcel 160**

**Amphitheater handicapped ramps (Design Changes)  
ftl Architects, Applicant**

Item I, Amphitheater handicapped ramps, was to be removed as nothing had been submitted.

**J. Approval of Minutes**

March 15, 2005

April 19, 2005

May 17, 2005

June 6, 2005 Venable walk-through

June 21, 2005

June 22, 2005 Training and Work Session

June 28, 2005 Joint Work Session

Ms. Heetderks called for corrections or additions to any of the minutes.

Ms. Swenson asked that page 5 of the 22 June minutes, which stated Ms. Gardner and Ms. Heetderks will discuss a sliding scope of fee, add that Ms. Heetderks had said she did not think it was necessary. Ms. Heetderks thought she had asked if they could investigate what other communities were doing.

Ms. Heetderks stated that the 28 June minutes listed Mr. Lucy as being present; he was not.

Ms. Scala stated she had prepared the minutes for the Venable walk-through, the Training and Work Session, and the Joint Work Session.

Mr. Coiner moved to approve the minutes of March 15, April 19, May 17, June 6, June 21, June 22, and June 28 as amended. Mr. Knight seconded the motion. The motion carried, 5-0-1; Ms. Swenson abstained from voting.

**K. Matters from the public**

With no members of the public present, there were no matters.

**L. Other Business**

**ADA Districts Design Guidelines**

Discussion of recommended changes including height changes to allow

R-UHD zoning

Ms. Heetderks clarified that Ms. Scala had suggested they either discuss the item that night or defer it until a full board was present.

Ms. Scala stated the subcommittees had met twice. They had wanted to tweak the new Guidelines regarding these specific sections so that a new building would not be in a situation where it would never be approvable. If the Board approved them, any revisions made would be included in the Guidelines that were going to City Council.

Ms. Heetderks expressed a preference for the Mr. Atkins and Mr. Tremblay to be present for discussion on the matter. Ms. Heetderks stated they would discuss it at the next meeting.

Mr. Coiner wanted to know when the historic preservation awards would be presented. Ms. Scala stated they were tentatively set for 1 August.

Ms. Swenson wondered if the survey materials could be sent out to home owners so the Board was not just a reactive agency, saying "Don't tear this down," but would take proactive steps saying have a greater amount of information and potentially an appreciation for the structure you own/live in.

Mr. Lucy seconded Ms. Swenson's comment. He felt the Board should take a more proactive role with additions, expansions, or modifications in other contexts beyond contributing structures or individually protected properties.

### **M. Adjournment**

Ms. Heetderks called for any other new business or a motion to adjourn. Mr. Knight so moved. Mr. Coiner seconded the motion. The motion carried unanimously whereupon the Board stood adjourned at 8:16 p.m.